



Treaty Series No. 11 (1938)

Exchange of Notes

between His Majesty's Government in the United Kingdom
and the Government of India

and

the Royal Siamese Government.

for the operation of regular

Air Services over Siam and over India and Burma

Bangkok, December 3, 1937

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

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EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENT
IN THE UNITED KINGDOM AND THE GOVERNMENT OF INDIA
AND THE ROYAL SIAMESE GOVERNMENT FOR THE OPERA-
TION OF REGULAR AIR SERVICES OVER SIAM AND OVER
INDIA AND BURMA.

Bangkok, December 3, 1937.

No. 1.

Sir J. Crosby to Luang Pradist Mamudharm.

British Legation,

M. le Ministre,

Bangkok, December 3, 1937.

I HAVE the honour, upon instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to propose to your Excellency that the following provisions shall be regarded as constituting an agreement between His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Government of India on the one hand, and the Royal Siamese Government on the other, for the operation of regular air services by Imperial Airways (Limited) over Siam, and by the Aerial Transport Company of Siam (Limited) over India and Burma:—

(1) Imperial Airways (Limited) may operate regular air services by landplanes or marine aircraft over the routes—

(a) Rangoon-Bangkok-Singapore.

(b) Bangkok or Pitsanuloke-Hong Kong.

Any intermediate landings between Bangkok or Pitsanuloke and Hanoi shall be made at Uden.

(2) Imperial Airways' aircraft shall in Siam fly over routes approved by the Siamese Government. Deviations therefrom may be made only in case of emergency or with the consent of the competent Siamese authorities.

(3) Imperial Airways' aircraft may, along the routes approved as aforesaid, land on and take off from any landing-ground in Siam approved by the Siamese Government and open to commercial aircraft, under such conditions and subject to such charges as govern civil aerial operations at each such landing-ground.

(4) Imperial Airways shall comply with the laws and regulations now or hereafter in force.

(5) Imperial Airways shall not transport mails, passengers or goods between points in Siam except as part of a continuous journey originating or terminating outside Siam.

- (6) Imperial Airways shall hand over to the Siamese authorities at such regular landing-place in Siam as the Government of Siam may fix, any air-mails carried by its aircraft for delivery in Siam.
- (7) The agents of Imperial Airways in Siamese territory shall be a suitable Siamese company approved by the Siamese Government.
- (8) Imperial Airways shall transmit the mails which the Siamese Government may tender to it, and the rates of payment to the competent British Postal Authorities for the conveyance of such mails shall not be higher than those charged to other Postal Administrations which do not contribute to the costs of the service.
- (9) Imperial Airways shall convey officials of the Siamese Government at the same rates as in the case of British officials.
- (10) The Aerial Transport Company of Siam (Limited) may operate regular air services with landplanes or marine aircraft over the routes—
 - (a) Bangkok—Rangoon—Akyab—Calcutta, with the right also to land at other places open to foreign aircraft, and
 - (b) Bangkok—Hong Kong.
- (11) The Aerial Transport Company shall not transport passengers or goods between points in India, or between points in Burma, except as part of a continuous voyage originating or terminating beyond India or Burma, as the case may be.
- (12) The Aerial Transport Company shall hand over to the Indian authorities at such regular landing-place in India as the Government of India may fix, any air-mails carried by its westbound aircraft for delivery in India; likewise, it shall hand over to the Burma authorities at such regular landing-place in Burma as the Government of Burma may fix, any air-mails carried by its westbound aircraft for delivery in Burma.
- (13) In the event of Imperial Airways obtaining rights to fly to Hong Kong over Chinese territory, or to land at any place in South China, the Government of the United Kingdom will use their good offices, if requested to do so by the Siamese Government, with a view to securing similar rights for the Aerial Transport Company.
- (14) If requested to do so by the Siamese Government, the Government of the United Kingdom will use their good offices with the French Government with a view to securing for the Aerial Transport Company the right to fly over and land at Fort Bayard, but this and the preceding clause shall not apply in the event of the Aerial Transport Company becoming associated with foreign interests for the operation of services over the territories in question.

- (15) If requested to do so by the Siamese Government, the Government of the United Kingdom will allow as many as four students at a time to undergo courses of training in military aviation to which foreigners have been or may hereafter be admitted, provided that this obligation shall cease to have effect if and when a Siamese service shall have been in operation in or over British territory for a total period of three years.
- (16) This Agreement is to be in force for two years from this date. In case neither party shall have notified six months before the expiration of the said two years its intention of terminating it, it shall remain in force until the expiration of six months from the day on which either party shall have denounced it.

2. In the event of these provisions being acceptable to the Royal Siamese Government, I have the honour further to propose that the present note and your Excellency's reply to that effect shall be considered as placing upon record the agreement arrived at in regard to this matter.

I avail, &c.

J. CROSBY,

His Majesty's Minister.

No. 2.

Luang Pradist Manudharm to Sir J. Crosby.

Ministry for Foreign Affairs,

Saranromya Palace,

December 3, 1937.

M. le Ministre,

I HAVE the honour to acknowledge receipt of your note of to-day's date, which reads as follows:—

[As in No. 1.]

2. In reply I have the honour to state that the above provisions are acceptable to the Royal Siamese Government and that they agree that the present note and your note under reply shall be considered as placing on record the agreement arrived at in regard to this matter.

I avail, &c.

LUANG PRADIST MANUDHARM,

Minister for Foreign Affairs.