



1191

TREATY SERIES No. 7 (1926)

**TREATY**  
BETWEEN THE  
**UNITED KINGDOM AND SIAM**  
FOR THE  
Revision of their Mutual Treaty Arrangements  
AND  
**PROTOCOL**  
CONCERNING  
Jurisdiction applicable in Siam to British  
Subjects, &c.

Signed at London, July 14, 1925

[Ratifications exchanged at London, March 30, 1926]

---

PRESENTED BY THE SECRETARY OF STATE FOR FOREIGN  
AFFAIRS TO PARLIAMENT BY COMMAND OF HIS MAJESTY

---

LONDON :

PRINTED & PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses :  
Adastral House, Kingsway, London, W.C.2; 23, Abingdon Street, London, S.W.1 ;  
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;  
or 120, George Street, Edinburgh;  
or through any Bookseller

1926

Price 2d. Net

**Treaty between the United Kingdom and Siam for  
the Revision of their Mutual Treaty Arrangements  
and Protocol concerning Jurisdiction applicable in  
Siam to British Subjects, &c.**

*Signed at London, July 14, 1925.*

*[Ratifications exchanged at London, March 30, 1926.]*

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Siam being desirous of maintaining and strengthening the relations of friendship which happily exist between them, have resolved to proceed to a revision of their mutual treaty arrangements, and have for that purpose named as their plenipotentiaries, that is to say :

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India :

The Right Honourable Joseph Austen Chamberlain, a Member of Parliament, His Majesty's Principal Secretary of State for Foreign Affairs; and

His Majesty the King of Siam :

Phya Prabha Karawongse, His Envoy Extraordinary and Minister Plenipotentiary at the Court of His Britannic Majesty ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles :—

**ARTICLE 1.**

His Britannic Majesty recognises that the principle of national autonomy shall apply to the Kingdom of Siam in all that pertains to the imposition of customs duties on the importation and exportation of merchandise, to drawbacks and to transit and all other taxes and impositions; and, subject to the condition of equality of treatment with other nations in these respects, His Britannic Majesty agrees to assent to the imposition in Siam of customs duties higher than those established by existing treaties; on the further condition, however, that all other nations entitled to claim the benefit of special rates of customs duties in Siam assent to such higher duties freely and without the requirement of any compensatory benefit or privilege.

**ARTICLE 2.**

The subjects of each of the high contracting parties shall have free access to the Courts of Justice of the other in pursuit and defence of their rights; they shall be at liberty, equally with native subjects and with the subjects or citizens of the most favoured nation, to choose and employ lawyers, advocates and representatives to pursue

and defend their rights before such courts. There shall be no conditions or requirements imposed upon British subjects in connection with such access to the Courts of Justice in Siam, which do not apply to native subjects or to the subjects or citizens of the most favoured nation.

#### ARTICLE 3.

The subjects of each of the high contracting parties shall be entitled in the territories of the other, provided that they comply with the laws and regulations in force, to engage in religious and charitable work, to open and conduct educational establishments, and to do anything incidental to or necessary for those purposes, upon the same terms as native subjects.

The subjects of each of the high contracting parties shall enjoy in the territories of the other entire liberty of conscience, and, subject to the laws and regulations in force, shall enjoy the right of private and public exercise of their religion.

#### ARTICLE 4

The vessels of war of each of the high contracting parties may enter, remain and make repairs in those ports and places of the other to which the vessels of war of other nations are accorded access; they shall there submit to the same regulations and enjoy the same honours, advantages, privileges and exemptions as are now or may hereafter be conceded to the vessels of war of any other nation.

#### ARTICLE 5.

From the date of the exchange of ratifications of the present treaty and of the Treaty of Commerce and Navigation between the United Kingdom and Siam, concluded at London on the 14th July, 1925,\* the following treaties, conventions and agreements between the two high contracting parties shall cease to be binding:—

The treaty signed on the 20th June, 1826, together with the additional articles thereto ratified on the 17th January, 1827.

The Treaty of Friendship and Commerce signed at Bangkok on the 18th April, 1855, together with the agreement supplementary thereto, signed at Bangkok on the 13th May, 1856.

The Agreement for Regulating the Traffic in Spirituous Liquors, signed at London on the 6th April, 1883.

The Treaty for the Prevention of Crime and the Promotion of Commerce, signed at Bangkok on the 3rd September, 1883, together with the Exchange of Notes in 1896 extending the operation of that treaty in Siam.

The treaty concerning certain boundaries and the jurisdiction of Siamese courts, signed at Bangkok on the 10th March, 1909, together with annexes thereto.

Provided, however, that articles 1, 2, 3 and 4, and Annexes I and III of the treaty signed at Bangkok on the 10th March, 1909, together with all provisions of any treaty in force at the time of the signature of the present treaty, which fix or delimit the boundary between Siam and British possessions or protectorates, shall remain in force.

\* Treaty Series No. 8 (1926) (Cmd. 2643).

**ARTICLE 6.**

The provisions of the agreement on the registration of British subjects in Siam, signed at Bangkok on the 29th November, 1899, as extended in accordance with the note dated the 3rd October, 1910, from His Royal Highness the Minister for Foreign Affairs of Siam to His Britannic Majesty's Minister at Bangkok, remain in force and shall be applicable for the purposes of the present treaty and of the Commercial Treaty signed this day, except in so far as articles 4 and 5 of the said agreement are inconsistent with the terms of the treaties signed this day or of the jurisdiction protocol attached to the present treaty.

The provisions of the said agreement relating to persons of Asiatic descent born within His Majesty's dominions and to their children born in Siam shall respectively extend to persons to whom the said agreement does not apply and who enjoy the protection of His Britannic Majesty by virtue of being citizens of or born in British protectorates, British-protected States, or territories in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, and to the children of such persons.

**ARTICLE 7.**

The provisions of the present treaty which apply to subjects of the high contracting parties shall also be applicable to limited liability and other companies, partnerships and associations duly constituted in accordance with the laws of such high contracting parties.

**ARTICLE 8.**

The provisions of the present treaty which apply to British subjects shall also be deemed to apply to all persons who both enjoy the protection of His Britannic Majesty and are entitled to registration in Siam in accordance with article 6 of the present treaty.

**ARTICLE 9.**

The stipulations of articles 2, 3 and 4 of the present treaty shall not be applicable to India or to any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates, unless notice is given by His Britannic Majesty's representative at Bangkok, of the desire of His Britannic Majesty that the said stipulations shall apply to any such territory.

**ARTICLE 10.**

The terms of the preceding article relating to India and to His Britannic Majesty's self-governing dominions, colonies, possessions and protectorates shall apply also to any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty.

**ARTICLE 11.**

The present treaty shall come into effect on the date of the exchange of ratifications, and shall remain in force for ten years from that date.

In case neither of the high contracting parties shall have given notice to the other twelve months before the expiration of the said period of ten years of its intention to terminate the present treaty, it shall remain in force until the expiration of one year from the date on which either of the high contracting parties shall have denounced it.

It is clearly understood, however, that such denunciation shall not have the effect of reviving any of the treaties, conventions, arrangements or agreements abrogated by former treaties or agreements or by article 5 hereof.

As regards India or any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates, or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, to which the stipulations of articles 2, 3 and 4 of the present treaty shall have been made applicable under articles 9 or 10, either of the high contracting parties shall have the right to terminate it separately on giving twelve months' notice to that effect. Such notice, however, cannot be given so as to take effect before the termination of the period of ten years mentioned in the first paragraph of this article, except in the case of His Britannic Majesty's self-governing dominions (including territories administered by them under mandate) and the colony of Southern Rhodesia, in respect of which notice of termination may be given by either high contracting party at any time.

#### ARTICLE 12.

This treaty shall be ratified and the ratifications thereof shall be exchanged at London as soon as possible.

In witness whereof the respective plenipotentiaries have signed the present treaty, and have thereunto affixed their seals.

Done in duplicate in the English language, at London, the 14th day of July, in the nineteen hundred and twenty-fifth year of the Christian era, corresponding to the 14th day of the 4th month in the 2468th year of the Buddhist era.

(L.S.) AUSTEN CHAMBERLAIN.

(L.S.) PRABHA KARAVONGS.

## ANNEX:

**Protocol concerning Jurisdiction applicable in the Kingdom of Siam to British Subjects and Others entitled to British Protection.**

AT the moment of proceeding this day to the signature of the General Treaty between His Majesty the King of Siam and His Britannic Majesty, the plenipotentiaries of the two high contracting parties have agreed as follows:—

**ARTICLE 1.**

The system of jurisdiction heretofore established in Siam for British subjects and the privileges, exemptions and immunities now enjoyed by British subjects in Siam as a part of, or appurtenant to the said system, shall absolutely cease and determine on the date of the exchange of ratifications of the above-mentioned treaty, and thereafter all British subjects, corporations, companies and associations, and all British-protected persons in Siam shall be subject to the jurisdiction of the Siamese courts.

**ARTICLE 2.**

Until the promulgation and putting into force of all the Siamese codes, namely, the Penal Code, the Civil and Commercial Code, the Codes of Procedure and the Law for Organisation of Courts, and for a period of five years thereafter, but no longer, His Britannic Majesty, through his diplomatic and consular officials in Siam, whenever in his discretion he deems it proper so to do in the interest of justice, may, by means of a written requisition addressed to the judge or judges of the court in which such case is pending, evoke any case pending in any Siamese court, except the Supreme or Dika Court, in which a British subject, corporation, company or association, or a British-protected person is defendant or accused.

Such case shall then be transferred to the said diplomatic or consular official for adjudication, and the jurisdiction of the Siamese courts over such case shall thereupon cease. Any case so evoked shall be disposed of by the said diplomatic or consular official in accordance with English law, except that as to all matters coming within the scope of codes or laws of the Kingdom of Siam regularly promulgated and in force, the texts of which have been communicated to the British Legation in Bangkok, the rights and liabilities of the parties shall be determined by Siamese law.

For the purpose of trying such cases and of executing any judgments which may be rendered therein, the jurisdiction of the said diplomatic and consular officials in Siam is continued.

Should His Britannic Majesty perceive, within a reasonable time after the promulgation thereof, any objection to the said codes, namely, the Penal Code, the Civil and Commercial Code, the Codes of Procedure and the Law for Organisation of Courts, the Siamese Government will endeavour to take such objections into account.

**ARTICLE 3.**

Appeals from judgments of Courts of First Instance in cases to which British subjects, corporations, companies or associations, or British-protected persons may be parties shall be adjudged by the Court of Appeal at Bangkok.

An appeal on a question of law shall lie from the Court of Appeal at Bangkok to the Supreme or Dika Court.

A British subject, corporation, company or association, or British-protected person, who is defendant or accused in any case arising in the provinces, may apply for a change of venue, and should the court consider such change desirable the trial shall take place either at Bangkok or before the judge in whose court the case would be tried at Bangkok.

The provisions of this article shall remain in force so long as the right of evocation continues to exist in accordance with article 2.

**ARTICLE 4.**

In order to prevent difficulties which may arise from the transfer of jurisdiction contemplated by the present protocol, it is agreed as follows:—

- (a.) All cases instituted subsequently to the date of the exchange of ratifications of the above-mentioned treaty shall be entered and decided in the Siamese courts, whether the cause of action arose before or after the date of said exchange of ratifications.
- (b.) All cases pending before the diplomatic and consular officials of His Britannic Majesty in Siam on the said date shall take their usual course before such officials until such cases have been finally disposed of, and the jurisdiction of the said diplomatic and consular officials shall remain in full force for this purpose.

In connection with any case coming before the said diplomatic or consular officials under clause (b) of this article, or which may be evoked by the said officials under article 2, the Siamese authorities shall upon request by such diplomatic or consular officials lend their assistance in all matters pertaining to the case.

In witness whereof the undersigned plenipotentiaries have signed the present protocol and affixed thereto their seals.

(L.S.)      AUSTEN CHAMBERLAIN.

(L.S.)      PRABHA KARAVONGS.