

N° 4318.

**GRANDE-BRETAGNE
ET IRLANDE DU NORD
ET INDE ET SIAM**

Echange de notes comportant un accord relatif à l'exploitation de services aériens réguliers au-dessus du Siam et au-dessus de l'Inde et de la Birmanie. Bangkok, le 3 décembre 1937.

**GREAT BRITAIN
AND NORTHERN IRELAND
AND INDIA AND SIAM**

Exchange of Notes constituting an Agreement for the Operation of Regular Air Services over Siam and over India and Burma. Bangkok, December 3rd, 1937.

No. 4318. — EXCHANGE OF NOTES¹ BETWEEN HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM AND THE GOVERNMENT OF INDIA AND THE ROYAL SIAMESE GOVERNMENT CONSTITUTING AN AGREEMENT FOR THE OPERATION OF REGULAR AIR SERVICES OVER SIAM AND OVER INDIA AND BURMA. BANGKOK, DECEMBER 3RD, 1937.

English official text communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of this Exchange of Notes took place April 1st, 1938.

I.

SIR J. CROSBY TO LUANG PRADIST MANUDHARM.

BRITISH LEGATION.

BANGKOK, *December 3rd, 1937.*

MONSIEUR LE MINISTRE,

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

¹ Came into force December 3rd, 1937.

¹ TRADUCTION. — TRANSLATION.

N^o 4318. — ÉCHANGE DE NOTES ² ENTRE LE GOUVERNEMENT DE SA MAJESTÉ DANS LE ROYAUME-UNI ET LE GOUVERNEMENT DE L'INDE, ET LE GOUVERNEMENT ROYAL SIAMOIS, COMPORTANT UN ACCORD RELATIF A L'EXPLOITATION DE SERVICES AÉRIENS RÉGULIERS AU-DESSUS DU SIAM ET AU-DESSUS DE L'INDE ET DE LA BIRMANIE. BANGKOK, LE 3 DÉCEMBRE 1937.

Texte officiel anglais communiqué par le secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne. L'enregistrement de cet échange de notes a eu lieu le 1^{er} avril 1938.

I.

SIR J. CROSBY A LUANG PRADIST MANUDHARM.

LÉGATION DE GRANDE-BRETAGNE.

BANGKOK, le 3 décembre 1937.

MONSIEUR LE MINISTRE,

J'ai l'honneur, d'ordre du principal secrétaire d'Etat de Sa Majesté aux Affaires étrangères, de proposer à Votre Excellence que les dispositions suivantes soient considérées comme constituant un accord entre le Gouvernement de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et le Gouvernement de l'Inde, d'une part, et le Gouvernement royal siamois, d'autre part, relatif à l'exploitation de services aériens réguliers par la Compagnie des Imperial Airways (Limited) au-dessus du Siam et par la Aerial Transport Company of Siam (Limited) au-dessus de l'Inde et de la Birmanie :

1. L'Imperial Airways (Limited) aura le droit d'exploiter des services aériens réguliers par avions ou hydravions sur les parcours :

- a) Rangoun-Bangkok-Singapour ;
- b) Bangkok ou Pitsanouloke - Hong-Kong.

Tout atterrissage intermédiaire entre Bangkok ou Pitsanouloke et Hanoï se fera obligatoirement à Ouden.

2. Les aéronefs de l'Imperial Airways suivront au Siam les parcours approuvés par le Gouvernement siamois. Ils ne pourront s'écarter de ces parcours qu'en cas de force majeure ou avec le consentement des autorités siamoises compétentes.

3. Les aéronefs de l'Imperial Airways qui suivront les parcours approuvés comme il est dit ci-dessus, pourront atterrir et prendre leur vol au Siam sur tous terrains

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² Entré en vigueur le 3 décembre 1937.

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, etc.

J. CROSBY,
His Majesty's Minister.

II.

LUANG PRADIST MANUDHARM TO SIR J. CROSBY.

MINISTRY
FOR FOREIGN AFFAIRS.

SARANROMYA PALACE, *December 3rd, 1937.*

MONSIEUR LE MINISTRE,

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

(As in No. I.)

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, etc.

Luang PRADIST MANUDHARM,
Minister for Foreign Affairs.