

The Legislative Adviser to H. E” Phya Chinda Bhiromya, Minister of Justice.

Bangkok, 7<sup>th</sup>. June 1930.

Your Excellency,

I beg to report that there has been a meeting of the Royal Commission for Land Policy to-day.

The Minister of Agriculture did expose that the Draft Land Act had been examined by the Cabinet Council and that a number of objections have been raised by several Ministers including Your Excellency, and that he wanted to submit them to the Commission for opinion and contingently alterations to the draft.

Although I was not aware of the points raised in the Cabinet Council, I have told the meeting that, as a Representative of the Ministry of justice. My position was to support its policy; and in fact there were no many differences with the objections which I had had to submit in former meetings.

The most important points examined have been as follows:

1) Uniformity should be desirable in Chapters I and II as far as bai-yieb-yam and trachong are concerned.- It has been decided that modifications could be made to that effect, provided that the law could work satisfactorily with the present machinery and staff of the Ministry of Agriculture, which is a technical point to be left to the consideration of the latter.

2) The extent of the right of ownership is not clear in case of “Developed Trachong”. It is proposed to add a new provision to any that it is the same as in the case of a “----“

3) The policy of ---- has been objected to. It has been easy for me to remind the commission that I have submitted a similar objection .---- the beginning, (--- in the meeting 18<sup>th</sup>. February last, and in the board of commercial Development meeting of March last) and that the policy of tenders, if adopted by majority, was not unanimously supported. The Commission has now to give it up.

4) Transfers of land by the grantee within the period of 5 years should be permitted. I have said that the conflict between the commission and the objectors in the matter came from the fact that the commission consider the transfers from the side of speculation (to be prevented), whilst the objectors consider such transfer from the side of the including caused to the grantee (if unable to transfer). I said that, in these conditions, a compromise could be reached by authorizing a limited transfer, for ---- only to persons qualified under section 17 and persons not that compromise, although I understand that the present policy of transfers will still be defended as a matter of principle.

5) The Minister of Agriculture said that the renewal of lease at the option of the lessee and been criticized as being contrary to section 540 of the Civil and commercial Code. On that particular point I have had to explain that it personally I had ---- no objection, is it because I can hardly ----- that a Land Law, which ---- so particular and technical points, may follow strictly and in all details the provisions of civil Law. I have insisted in the course of the drafting of the --- to have the periods of 30 year similar to those of section 540. But as to who is not by argument between the parties but at the option of the lessee, the argument that ---- capital would be reluctant to undertake big agricultural exploitations in Siam if there was so much

guarantee of renewal had been so ---- for --- that I did consider this a point where the provisions of the Code should be ----- by a different provision as for as land policy is concerned. May I say that I still consider it very justified?

6) In Section 42, the commission has been favorable to re-establish the words “unless it has been transferred ..... to a person in good faith” which were in the initial draft of the commission and have been suppresser by the Board of Commercial Development

7) Some periods of time have been criticized for several reasons as a rule the Commission seems prepared not to object to the additions or reductions proposed.

I am yours very respectfully and sincerely.

R.Guyon