

Mr. R. Guyon to H. E. Chao Phya Abhai Raja, Minister of Justice, President of the Commission of Codification.

Bangkok, 11th October 2463.

Your Excellency,

In the course of the translation of the Code of Obligations by the Committee of Translation, a number of minor alterations, chiefly concerning the wording, are submitted by the Committee. They are generally quite well grounded, and we agree to make the corrections proposed. I keep carefully a record of such alterations which will be finally submitted to Your Excellency, when the whole work will be completed.

However, a question is to be submitted now to the decision of Your Excellency because it is not a minor change, but entails the upset of a section.

Section 544 of the Code of Obligations (hire of property) says that, "unless otherwise provided by the lease, a lessee can sublet or transfer his rights in the whole or part of the property hired to a third person."

This solution is in conformity with the French Code (S. 1717) and the Swiss Code (S. 255).

The Committee of Translation has called my attention upon this point that this provision is contrary to the present Siamese practice, which is that a lessee cannot sublet the property without the authorization or unless the lease grants him this right. The Committee of Translation is of opinion that it would be advisable not to