

R E C O R D  
of the  
Meeting of the Commission of Codification  
18th. October 1922.  
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According to the directions of His Majesty, the Commission of Codification have considered the introduction of the Part of the Civil Code concerning Capacity of Persons by the beginning of the present Draft.

They are of opinion that this comes practically to introduce in Book I (General Provisions) additional Titles concerning:

Personality (including Age, Name, Residence, Disappearance).

Capacity (including General Principles on Incapacitated Persons).

Juristic Persons.

This is exactly the policy which has been followed in several modern Codes, namely the German, Swiss and Japanese ones where the Book I (General Provisions) contains all these matters.

The Commission of Codification remind that all the above matters are already drafted and included in a Draft "Book on Capacity of Persons" which was printed in 1919 (after a preliminary revision made as soon as 1913).

However this Draft includes a number of

provisions ruling "parental power", and "guardianship of minors". They were included in this Book because it was, as a fact, intended to be promulgated at the same time and in connection with the "Book on Family". The Commission of Codification call the attention upon this point that in all other Codes (France, Italy, Germany, Japan, Switzerland) the rules for Parental Power and Guardian<sup>ship</sup> of Minors are included in the "Book on Family" even if that Book is the last of the whole Code. The rules for Capacity included in Book I (General Provisions) remain only general ones: the reason being that such matters as parental power and guardianship of minors are closely connected with the organization of family. The Commission of Codification are consequently inclined to follow exactly the policy which has been adopted in the foreign Codes which include in the Book I (General Provisions) principles on Capacity which are general ones only.

The Commission have then come to the examination of the sections of the Draft on "Capacity of Persons", and have revised the first Title (Personality) as far as follows:

sections concerning age;

sections concerning name, but reduced to a few ones (17, 18) because the other sections are already in a Law on Name which is in force, and contain mere explanations which were perhaps

important in Siam ten years ago but have no longer importance and would have better to remain out of a Civil Code;

sections concerning signature and witnesses are deemed to be matter of the Civil Procedure Code and have no place in the present Code;

sections concerning residence, with some extension, the present ones being deemed too concise.

The draft for the sections so revised and adopted in the present meeting is hereafter annexed.