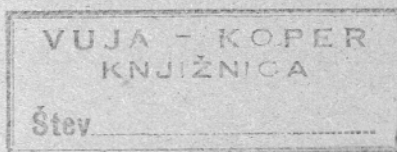


ALLIED MILITARY GOVERNMENT

BRITISH - UNITED STATES ZONE

FREE TERRITORY OF TRIESTE

☆



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British - United States Forces Free Territory of Trieste.

ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

Order No. 129

REGULATIONS FOR THE AWARD OF PUBLIC WORKS CONTRACTS TO CO-OPERATIVE SOCIETIES

WHEREAS it is considered advisable and necessary to increase the maximum amount involved in contracts to be entrusted to co-operative societies and their members by bids or private negotiations within that Zone of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs

ORDER:

ARTICLE I

Section 1. — Article 7 of R.D. 8 February, 1923 No. 422 is hereby amended in the sense that the maximum amount involved in contracts which may be entrusted by bids or private negotiation to co-operative societies for production and work or to agricultural cooperatives for production and to members (consorzi) of co-operative societies shall be increased to twenty million and to one hundred million lire respectively.

Section 2. — The maximum limits as set forth in the preceding section shall be applicable to contracts of public works, and to works, supplies and commissions of whatever kind of the Administration awarding the contracts.

ARTICLE II

This Order shall come into force on the date of its publication in the Official Gazette.

Dated at TRIESTE, this 21st January 1948.

RIDGELY GAITHER

Brigadier General U. S. Army
Director General, Civil Affairs

Order No. 123

DECLARATION OF PUBLIC UTILITY RECLAMATION WORK IN THE VALLE DELLE NOGHERE, COMMUNE OF TRIESTE

WHEREAS the reclamation work in the Valle delle Noghere, Commune of Trieste, is considered to be of urgent necessity and in the public interest, and

WHEREAS a project for said reclamation work, prepared by Genio Civile, has been approved by the Allied Military Government,

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

DECLARATION OF PUBLIC UTILITY

Section 1. — With the present Order the reclamation work in the Valle delle Noghere, Commune of Trieste, is hereby declared to be of urgent necessity and of public utility and interest, as per project presented by the Genio Civile and approved by the Allied Military Government.

Section 2. — The above declaration shall have and has all the effects of law in force on 8 September 1943.

ARTICLE II

VALIDITY OF THE CHART AND ITS REGISTRATION

The project and the chart (Mappa Catastale) relating to said reclamation work is to be found at the Ufficic Espropri of the Genio Civile, and may be freely examined by the interested parties; it is marked Annex „A“ and shall be made a part of this Order.

ARTICLE III

EFFECTIVE DATE

This Order shall become effective on the date of its publication in the Official Gazette.

Dated at TRIESTE, this 23rd day of January 1948.

RIDGELY GAITHER

Brigadier Generale U. S. Army
Director General, Civil Affairs

Order No. 99

FEES AND INDEMNITIES DUE TO JUDICIAL EXPERTS, INTERPRETERS AND TRANSLATORS

WHEREAS the fees and indemnities to be paid to judicial experts, interpreters and translators pursuant to R. D. 3 May 1923, No. 1043, were trebled by Order No. 88, dated 20 March 1946, and

WHEREAS it is considered advisable and necessary to further increase such fees and indemnities in that Zone of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General U. S. Army, Director General, Civil Affairs,

ORDER :

ARTICLE I

FEES DUE TO MEDICAL EXPERTS

Section 1. — The fee due to medical experts pursuant to R.D. 3 May 1923, No. 1043, Article 8, No. 1, is hereby increased to 120.- Lire.

The fee due to such experts pursuant to said R.D. Article 8, No. 2, is hereby increased to 800.- Lire for autopsy of corpses not yet buried and to 1,600.- for autopsy of corpses disinterred,

All other fees provided by said R. D., Article 8, are hereby increased to 200.- Lire for the first attendance and to 120.- Lire for each successive attendances.

Section 2. — The amount for medical materials for autopsy mentioned in Article 10 of said R. D. shall not exceed 600.- Lire.

ARTICLE II

FEES DUE TO OTHER EXPERTS GRADUATED OR DIPLOMATED AND TO INTERPRETERS TEACHERS OF FOREIGN LANGUAGES

Section 1. — The fee mentioned in Article 12 of said R.D. due to the experts and to interpreters who are teachers of foreign languages is hereby increased to 200.- Lire for the first attendance and to 120.- Lire for each successive attendance.

Section 2. — The fee mentioned in Article 13 of said R.D. due to the experts and to interpreters not teachers of foreign languages is increased to 160.- Lire for the first attendance and 80.- Lire for each successive attendance.

ARTICLE III

FEES DUE TO OTHER EXPERTS

The fee due to experts mentioned in Article 14 of said R.D. is hereby increased to 100.- Lire for the first attendance and to 60.- Lire for each of successive attendances.

ARTICLE IV.

INCREASE IN FEES TO TRANSLATORS

The fee due to translators provided by Article 16, of said R.D. is hereby increased to 80.- Lire for each page of translation.

ARTICLE V

INCREASE IN OTHER FEES AND INDEMNITIES

Other fees and indemnities provided by Article 17 of said R.D. in favour of judicial experts, interpreters and translators are hereby increased to twenty times that provided in said Decree.

ARTICLE VI

EFFECTIVE DATE

This Order shall become effective on the date of its publication in the Official Gazette.

Dated at TRIESTE, this 27th day of January 1948.

RIDGELY GAITHER

Brigadier General, U. S. Army
Director General, Civil Affairs

Order No. 103

PROVISIONAL AMENDMENTS TO THE CONSOLIDATED TEXT OF THE LAW ON COMMUNES AND PROVINCES

WHEREAS, it is deemed advisable and necessary to provide for certain provisional amendments of the Consolidated Text of the Law on Communes and Provinces approved by R. D. dated 3 March 1934, No. 383 with subsequent amendments, within that Zone of the Free Territory of Trieste now administered by the British-United States Forces (hereinafter referred to as the „Zone“);

NOW, THEREFORE. I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER :

ARTICLE I

The second para of Article 87 of the Consolidated Text of the Law on Communes and Provinces, approved by R.D. dated 3 March 1934, is hereby repealed and shall be provisionally substituted by the following :

„The following matters may be provided for by private bids :

a) in the Commune of Trieste :

- 1) contracts of a total and justified value not exceeding 1.500.000 Lire ;
- 2) whenever expenses are involved not exceeding 250.000 Lire annually when the obligation assumed by the Commune does not extend beyond five years, unless there exists another contract concerning the same matter by computation of which the aforesaid limit would be exceeded ;

- 3) leases of land-property, premises, or other immovables, provided the total rent does not exceed the amount of 1.500.000 Lire and the duration of the contract does not exceed the period of nine years ;

b) in other Communes :

- 1) contracts of a total and justified value not exceeding 400.000 Lire ;
- 2) whenever expenses are involved not exceeding 75.000 Lire annually when the obligation assumed by the Commune does not extend beyond five years, unless there exists another contract concerning the same matter and by computation of which the aforesaid limit would be exceeded ;
- 3) leases of land-property, premises, or other immovables provided the total rent does not exceed the amount of 400.000 Lire and the duration of the contract does not exceed the period of nine years."

ARTICLE II

Article 88 of the aforesaid Consolidated Text is hereby repealed.

ARTICLE III

Article 97 of the Consolidated Text is hereby repealed and shall provisionally be substituted by the following :

"1. — The decisions of the President of the Commune which are not subject to special approval, shall attain executory power on the fifteenth day after they have been posted upon the public notice-board and after their submission to the Area President to be made within eight days from the date of the decision.

2. — In urgent cases the decisions may be declared by the President of the Commune, upon the affirmative opinion of the Communal Council, as having immediate executory power.

3. — Decisions considered illegal shall be declared annulled by the Area President within 20 days from the date of their receipt. The said time limit shall run as from the date written on the receipt to be issued by the Area President to the Communes concerned.

4. — Decisions which have not been submitted to the Area President within the term established by the first para of this Article, shall be considered forfeited."

ARTICLE IV

Numbers 1, 5, 6, 7, 8, 10 and 11 of Article 99 of the aforesaid Consolidated Text are hereby repealed and provisionally substituted respectively by the following :

„1) the preliminary budget and transfers from one account of the budget to another whenever the appropriation to be credited concerns optional expenses ;

5) lawsuits, involving the Commune either as plaintiff or as defendant, and arrangements of disputes concerning a value exceeding 1.000.000 Lire or of an undetermined value ;

- 6) investments of money exceeding 2.000.000 Lire annually whenever they are not made for the purchase of immovable property and for loans guaranteed by mortgage or for deposit made at Institutes of credit authorized by the Law, or for the purchase of bonds issued or guaranteed by the State ;
- 7) transfer of immovable, of bonds on public debts, of common obligations or of industrial shares, whenever the value of the contract exceeds the amount of 2.000.000 Lire, as well as the granting of servitudes by the Commune or of „emphiteusis“, whenever the value of the land exceeds the aforesaid amount ;
- 8) leases and tenancies of immovables for a period exceeding 12 years or whenever the total sum involved by the contract exceeds the amount of 1.000.000 Lire ;
- 10) direct management of public services, and opening of communal pharmacies as an exception to existing provisions concerning the exercise of pharmacies ;
- 11) plans for regulation concerning building, enlargement and reconstruction in the respective area.“

ARTICLE V

Article 100 of the aforesaid Consolidated Text is hereby repealed.

ARTICLE VI

Article 101 of the aforesaid Consolidated Text is hereby repealed and shall provisionally be substituted by the following :

„In Communes with a population not exceeding 20,000 inhabitants, there shall be subject to the approval set forth in Article 99, besides the cases specified under number 1 - 4 and 9-14 of Article 99, decisions referring to the following matters :

- 1) investments of money exceeding 100.000 Lire whenever they are not made for the purchase of immovable property or for loans guaranteed by mortgage or for deposits made at Institutes of credit authorized by the Law or for the purchase of bonds issued or guaranteed by the State ;
- 2) transfer of immovables, of bonds on public debts, of common obligation or of industrial shares of whatsoever value, as well as the granting of servitudes by the Commune or of „emphiteusis“ regardless of the value of the land involved ;
- 3) lawsuits involving the Commune either as plaintiff or as defendant and arrangements of disputes concerning a value exceeding 100.000 Lire or of undetermined value ;
- 4) leases and tenancies of immovable for a period exceeding 12 years or whenever the sum involved by the contract exceeds 250.000 Lire.

ARTICLE VII

The first and second para of Article 106 of the aforesaid Consolidated Text are hereby repealed and shall provisionally be substituted by the following :

„Infringements of the provisions of Communal regulations shall be liable to a fine up to 5.000 Lire, unless other penalties are provided for by the Law.

Infringements of orders issued by the President of the Commune in conformity with the existing laws and regulations, shall be punishable by the same penalty.“

ARTICLE VIII

The second para of Article 140 of the aforesaid Consolidated Text is hereby repealed and shall be provisionally substituted by the following :

„The following matters may be provided for by the Province by private bid :

- 1) contracts of a total and justified value not exceeding 2.500.000 Lire ;
- 2) whenever expenses are involved in an amount not exceeding 250.000 Lire annually and the obligation assumed by the Province does not extend beyond five years, unless there exists another contract concerning the same matter by computation of which the aforesaid limit would be exceeded ;
- 3) leases of land-property, premises, or other immovables, provided the total rent does not exceed the amount of 2.500.000 Lire and the duration of the contract does not exceed the period of nine years.

ARTICLE IX

Article 141 of the aforesaid Consolidated Text is hereby repealed.

ARTICLE X

Articles 230 and 231 of the aforesaid Consolidated Text, as amended by Article 1 of the Law 27 June 1942, No. 851, are hereby repealed and shall provisionally be substituted by the following :

„(a) Article 230

- 1) Whenever employees of Communes or of the Province are involved, the Disciplinary Commission shall be presided over by the President of the Civil and Penal Tribunal or by a Judge delegated by him and shall consist of two employees of the Communes or of the Province enjoying the permanent status, and of two representatives of the Administration concerned who shall be designated for each case by the respective Council.
- 2) Not later than 28 February the Province and the Communes shall forward to the Area President the voting-papers each in separate closed envelope, containing the designations made by each employee of the representatives chosen by him, together with a list of employees who did not take part in the voting.

- 3) Each employee shall put in his voting-paper two names ; the two candidates who obtain the highest number of votes shall be declared elected as members and the two candidates next following them as deputy-members who shall assume the duties of their principals should they resign or become incapacitated from serving.
- 4) The examination of ballots shall be made by the Area President in the presence of the member of the Area Council in charge of the Communal Administration and of the Secretary of the Commune of Trieste or, if the latter should be absent or prevented, of another employee of the Commune designated by the President of the Commune.
- 5) The representatives of the employee shall not take part in the sessions of the Disciplinary Commissions whenever in the proceeding employees of those Administrations are involved where they are employed."

„(b) Article 231 —

- 1) Whenever wage-earning personnel („salarati“) are involved, the Disciplinary Commission shall be composed of, besides the President and two representatives of the Administration concerned and set forth in the preceding Article, two representatives of the wage-earning personnel of the Communes and of the Province, elected by the former by applying the modalities established by the said Article.
- 2) The provisions of the last para of Article 230 shall apply also to the wage-earning personnel."

„(c) Article 231 bis

Whenever for reason whatever, the Administrations have not provided for the designation of their representatives as set forth in the preceding Articles, the respective appointment shall be made by the Area President.

- 2) Up to the time when the election of representatives of the employees of the wage-earning personnel can take place in their place, there shall be appointed by the Area President as member of the Commissions set forth in Article 230 and 231, two employees and two „salarati“ of the Communes and of the Province, being of a grade not lower than that of the persons involved in the proceeding, and not belonging to the Administration concerned."

ARTICLE XI

The second para of Article 284 Consolidated Text is hereby repealed and shall be provisionally substituted by the following :

„Those concerning works or purchases shall specify the manner of their execution and shall be supported by appropriate projects, opinions of experts and estimates ; the latter may be set up summarily whenever supplies or works are involved of an anticipated expense not exceeding 100.000 Lire."

ARTICLE XII

- (a) The fourth para of Article 285 of the aforesaid Consolidated Text is hereby repealed and shall provisionally be substituted by the following:

„1) An affirmative opinion of the Allied Military Government Department of Public Works shall be requested: for outlines and executive projects of Public Works of Communes, Provinces and „Consorti“ involving an amount exceeding 20,000,000 Lire provided the works have to be allocated by public or private auction, respectively involving an amount exceeding 10,000,000 Lire provided they are carried out upon private negotiations or by the said bodies themselves.“

- (b) The last para of Article 285 is hereby repealed and shall provisionally be substituted by the following:

„The outlines and the executive project of public works of Communes, of Provinces and of „consorzi“ shall be subject to an affirmative opinion of the Chief Engineer of „Genio Civile“:

a) whenever the amount involved exceeds 400,000 Lire in Communes, with a population not exceeding 100,000 inhabitants or of „consorzi“ of Communes with a total population not exceeding 100,000 inhabitants.

b) whenever the amount involved exceeds 1,000,000 Lire in Communes with a population exceeding 100,000 inhabitants or of „consorzi“ of Communes with a total population exceeding 100,000 inhabitants.“

ARTICLE XIII

The first para of Article 296 of the aforesaid Consolidated Text is hereby repealed and shall provisionally be substituted by the following:

„The contracts exceeding the limits within which, pursuant to Article 87 and 140, private bids may be held without a previous authorization given by the Area President shall be binding for the respective body, without the approval of the Area President who shall ascertain that the prescribed modalities have been observed.“

ARTICLE XIV

Article 343 of the aforesaid Consolidated Text is hereby repealed and shall provisionally be substituted by the following:

„1) The decisions of Communes and of their „consorzi“ completed, whenever necessary, by the prescribed approval or which in general have become executive, shall be considered final.

2) As to acts by which the approval of decisions has been denied by the competent Authority and as to decrees issued by the Area President and declaring the annulment of decisions, the provisions of Article 5 shall be applied.

3) The power vested in the Government by Article 6 shall remain unchanged.“

ARTICLE XV

The Law dated 10 June 1937, No. 1402, is hereby repealed.

ARTICLE XVI

Article 62 of the Consolidated Text dated 3 March 1934, No. 383 is hereby repealed and shall provisionally be substituted by the following :

- „1) Any Commune shall keep a public notice-board for publications of decisions, orders, manifests and deeds for which public announcement is required.
- 2) The decisions of the President of the Commune shall be published by way of an extract containing a summary of the motivation and the entire text of the decision itself, by posting them on the public notice-board on the first holiday or market-day following the date of their issue.
- 3) The Regulations of the Commune, after having been duly approved shall be posted on the public notice-board for 15 subsequent days.
- 4) Any person paying taxes to the Commune shall be given, upon request, a true copy of all decisions of the President of the Commune, upon payment of the prescribed fees.
- 5) The Secretary of the Commune shall be responsible for all publications.
- 6) The regulations in effect in the Commune and of the respective tariffs shall be kept at the disposal of the public for their free inspection.
- 7) Any person paying taxes to the Commune may request and obtain a copy of the Regulations in effect in the Commune and of the respective tariffs, upon payment of the prescribed fees.

ARTICLE XVII

- (a) Any person paying taxes to the Commune may, on his own risk and responsibility, take legal proceedings to which the Commune or a fraction thereof, are entitled, upon authorization of the Area President with the approval of the Area Council.
- (b) Before giving the authorization, the Area President shall hear the Communal Council ; when the authorization has been granted, the competent judge shall order the Commune to intervene in the lawsuit as interested party. If the person authorized to take legal proceedings should be unsuccessful, the costs shall be borne by him.

ARTICLE XVIII

Article 195 of the Law 27 June 1942, No. 851, is hereby repealed and shall provisionally be substituted by the following :

„The Allied Military Government shall decide as to the assignment or the transfer of the official seat of Secretaries of Communes and Provinces, upon request of the Administrations concerned.“

ARTICLE XIX

- (a) The Communes may establish or assume the operation of pharmacies in accordance with the Consolidated Text of laws on direct management of public services, dated 15 October 1925, No. 2578.
- (b) The Area President shall give the respective authorization, if necessary regardless of the limits provided for by Articles 104 - 118 of the Consolidated Texts of sanitary laws dated 27 July 1934, No. 1265.
- (c) The number of such pharmacies and the modalities of their establishing shall be subject to the approval of the Area President to be given after consultation with the Provincial Sanitary Council.

ARTICLE XX

This Order shall come into effect on the date of its publication on the Official Gazette.

Dated at TRIESTE, this 27th day of January 1948.

RIDGELY GAITHER

Brigadier General, U.S. Army
Director General, Civil Affairs

Order No. 116

FEES FOR TESTING OF LIFTS AND CARGO-ELEVATORS AND INSPECTIONS

WHEREAS it is considered necessary to increase the fees due for the first testing and for periodical and special inspections of lifts and cargo-elevators in that Zone of the Free Territory of Trieste occupied by the British-United States Forces (hereinafter referred to as the „Zone“);

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

REPEAL OF ORDER No. 212

Order No. 212, dated 17 September 1946, be and is hereby repealed.

ARTICLE II

SCHEDULE OF FEES

Fees due in the Territory for the first testing and for periodical and special inspections of lifts and cargo-elevators for private use, as set forth in Schedule B appended to Law 24 October 1942, No. 1415, are hereby increased as follows:

- 1) First testing of lifts used for the transport of persons (Cat. A) Lire 1,100.—

For each periodical or special inspection of the same (excluding the extraordinary inspections ordered by Area President) „ 900.—

- 2) First testing of lifts used for transport of material accompanied by persons (Cat. B) „ 1,100.—

For each periodical or special inspection of the same (excluding the extraordinary inspections by Area President) „ 900.—

- 3) First testing of cargo-elevators used for the transport of materials only, where persons may enter the box exclusively for loading and unloading operations (Cat. C) „ 900.—

For each periodical or special inspection of the said cargo-elevators (excluding the extraordinary inspections by Area President) „ 700.—

- 4) First testing of motor-cargo elevators used for the transport of materials only with loading capacity exceeding 25 Kilograms and no admittance of persons into the box (Cat. D) „ 800.—

For each periodical or special inspection of the said cargo-elevators (excluding the extraordinary inspections by Area President) „ 500.—

- 5) First testing of lifts with several boxes in continuous operation, used for the transport of persons (Cat. E) „ 1,500.—

For each periodical or special inspection of the said lifts (excluding the extraordinary inspections by Area President) „ 1,000.—

ARTICLE III

TRAVEL EXPENSES

Section 1. — Whenever an official is required to leave the area served by his office, in order to make a first testing or the regular periodical and special inspections, he shall be entitled, in addition to the fees heretofore mentioned, to a refund in accordance with the regulations governing the economic treatment (trattamento economico) for fees of State officials in force at the time of the testing or inspection.

Section 2. — Whenever an official makes inspections or tests beyond the area served by his office, or inspects more than one lift or cargo elevator, the total amount of expenses and allowances due shall be divided into as many equal portions as are the installations tested or inspected and each owner concerned shall contribute a share proportional to the number of installations owned.

ARTICLE IV

EFFECTIVE DATE

This Order shall become effective on the date of its publication in the Official Gazette

Dated at TRIESTE, this 27th day of January 1948.

RIDGELY GAITHER

Brigadier General U. S. Army
Director General, Civil Affairs

Order No. 118

EXTENSION OF TERMS FOR SUPPLEMENTATION OF WAGES

Whereas it is deemed advisable and necessary to make provisions for an extension of the terms as referred to in Article II of Order No. 67 dated 28 November 1947 within that Zone of the Free Territory of Trieste occupied by the British-United States Forces ;

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs

ORDER:

ARTICLE I

The economic treatment as provided for in Section 1 of Article II of Order No. 67 dated 28 November 1947 shall be, and it hereby is, extended to those workers of Industrial enterprises subjected to the collective bargaining agreement dated 13 June 1941, including Building enterprises, who are dismissed after the 30th November 1947 up to and including the 31st December 1947.

ARTICLE II

This Order shall become effective upon the date of its publication in the Official Gazette of the Allied Military Government.

Dated at TRIESTE, this 27th day of January 1948.

RIDGELY GAITHER

Brigadier General U. S. Army
Director General, Civil Affairs

Order No. 120

NEW RATES OF DAILY BENEFITS AND CONTRIBUTIONS FOR SICKNESS INSURANCE OF WORKERS IN AGRICULTURE

WHEREAS it is deemed advisable and necessary to modify the rates of daily benefits and contributions for sickness Insurance of workers in Agriculture as laid down in Order No. 191 dated 16th August 1946, within that Zone of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“);

*NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army,
Director General, Civil Affairs,*

ORDER:

ARTICLE I

NEW RATES OF DAILY BENEFITS AND CONTRIBUTIONS

With effect from 1st July 1947, Tables A and B appended to Order No. 191 dated 16th August 1946, shall be, and they hereby are, repealed and substituted within the Zone by Tables A and B as appended to the present Order.

ARTICLE II

COLLECTION OF CONTRIBUTIONS

Section 1. — The shares of contribution in respect to each work day due for the year 1947 as resulting from the difference between the rate of contribution provided for in Table A annexed to the present Order and the rate set out in Article I of Order No. 441 dated 22nd August 1947 relating to the determination of the rates of unified contributions in Agriculture due for the year 1947 shall be paid by the employers with the procedure laid down in Articles III and IV of Order No. 447 dated 26th August 1947. The time limits for the payment of the two instalments provided for in Article IV of the said Order No. 447 shall be fixed as falling due on or before 31st January and 30th April 1948 respectively.

Section 2. — The amounts collected pursuant to the preceding Section shall be appropriated with the procedure laid down in R. D. L. 24 September 1940, No. 1954, as to 97% to „Istituto Nazionale per l'Assicurazione di Malattia“, and as to the remaining 3% to „Servizio per gli Elenchi Nominativi dei Lavoratori e per i Contributi Unificati in Agricoltura“ as reimbursement of expenses incurred into for the assessment and collection of contributions.

ARTICLE III

EFFECTIVE DATE OF ORDER

The present Order shall become effective upon the date of its publication in the Official Gazette.

Dated at TRIESTE, this 27th day of January 1948.

RIDGELY GAITHER

Brigadier General, U. S. Army
Directors, General, Civil Affairs

SCHEDULE „A“ — To accompany Order No. 120.

CONTRIBUTIONS

CATEGORIES	Percent rate of the annual average earnings and annual amount pro capite	Daily rate
	Lire	Lire
Salariati fissi, male	5.—	16.50
Salariati fissi, women & children	5.—	12.50
Braccianti, male	5.—	25.—
Braccianti, women & children	5.—	17.50
Coloni and mezzadri	1.470.— per annum pro capite.	6.13

B E N E F I T S

CATEGORIES	BENEFITS	BENEFITS TO FAMILY DEPENDENT
1. Salaristi fissi, assimilati, obbligati e braccianti o compartecipanti permanenti	Compensations: a) men L. 150.— b) women & children L. 100.— med. assist. in general med. assist. in hospital med. assist. by specialists pharmaceutical assist.	med. assist. in general med. assist. in hospital med. assist. by specialists pharmaceutical assistance
2. Braccianti e compartecipanti abituali	Compensations: a) men L. 150.— b) women & children L. 100.— med. assist. in general med. assist. in hospital med. assist. by specialists pharmaceutical assist.	med. assist. in general med. assist. in hospital med. assist. by specialists
3. Braccianti o compartecipanti occasionali	Compensations: a) men L. 100.— b) women & children L. 60.— med. assist. in general med. assist. in hospital med. assist. by specialists pharmaceutical assist.	
4. Braccianti o compartecipanti eccezionali	Compensations: a) men L. 60.— b) women & children L. 40.— med. assist. in general med. assist. in hospital med. assist. by specialists	
5. Coloni & mezzadri	med. assist. in general med. assist. in hospital med. assist. by specialists	med. assist. in general med. assist. in hospital med. assist. by specialists

Order No. 124

CESSATION OF EFFECTIVENESS OF GENERAL ORDER No. 18

WHEREAS it is now considered opportune to fix a time-limit to the effectiveness of the provisions of General Order No. 18 dated 15th October 1945, prohibiting dealings with and movement of movable and immovable property seized from persons persecuted by the Nazi-Fascists, in that part of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“);

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

Section 1. — With effect from 31 December 1948 the provisions set forth in General Order No. 18 dated 15th October 1945, shall cease to be effective.

Section 2. — All notes made against the appropriate entry in the Land Register in accordance with Article V of General Order No. 18 shall be deleted and cease to be effective as from 31 December 1948.

Section 3. — All disputes arising out of ownership of property blocked by virtue of General Order No. 18 will be determined by the appropriate Judicial Authority.

ARTICLE II

This Order shall come into force on the date of its publication in the Official Gazette.

Dated at TRIESTE, this 27th day of January 1948.

RIDGELY GAITHER

Brigadier General U. S. Army
Director General, Civil Affairs

Order No. 127

NEW RATES OF FEES DUE ON DOCUMENTS PRESENTED TO THE PUBLIC AUTOMOBILE REGISTRY

WHEREAS it is deemed necessary to amend the taxes and fees on documents presented to the Public Register of Automobile Registrations as fixed by General Order No. 48 dated 27 March 1946 amended by General Order No. 99 dated 12 April 1947 in that Zone of the Free Territory of Trieste occupied by the British-United States Forces (hereinafter referred to as the „Zone“);

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

Schedule „B“ attached to General Order No. 48 dated 27 March 1946, as amended by General Order No. 99 dated 12 April 1947, is deleted and substituted by the following:

Section 1. — First entry of a motor-vehicle in the Public Automobile Registry:

- a)* motor-cars, motor-lorries and vans or similar vehicles or trailers, for each entry made Lire 500.—
- b)* motor-cycles, motor-cycle with sidecars for the transport of passengers or goods and similar vehicles, for each entry..... „ 250.—
- c)* agricultural tractors, for each entry..... „ 100.—

Section 2. — Renewal of entry of a motor-vehicle in the Public Automobile Registry, owing to transfer from one province to another, or following the issue of a new circulation licence:

- a)* for motor-vehicles referred to in Section 1 *a)* for each entry..... Lire 500.—
- b)* for motor-cycles, motor-cycles with side-cars etc. referred to in Section 1 *b)* for each entry „ 250.—
- c)* for agricultural tractors, for each entry „ 100.—

Section 3. — Entry of transfer of ownership:

- a)* for each entry „ 400.—
- b)* for cancellation of any kind of motor-vehicle, for each entry „ 100.—

Section 4. — Amendments of registration of the ownership or the particulars of a motor-vehicle or of the owner's residence, for each entry Lire 100.—

Section 5. — Entry of a registered charge on a motor-vehicle:

- a)* if the amount of the secured credit does not exceed Lire 500.000.— for each entry „ 400.—
- b)* if the amount of the secured credit exceeds Lire 500,000.— and up to Lire 1,000.000.— for each entry „ 800.—
- c)* if the amount of the secured credit exceeds Lire 1.000.000.— for each entry „ 1,000.—

Section 6. — Entry of the transfer, reduction, restrictions, renewal or cancellation of a registered charge; the substitution of a third party for the second creditor and other modifications concerning the charge; for each entry Lire 100.—

Section 7. — Inspection of the Public Register; for each inspection concerning a single motor-vehicle Lire 80.—

Section 8. — Inspection of documents kept in respect of each motor-vehicle by the Public Automobile Registry, for each inspection regarding a single motor-vehicle Lire 80.—

Section 9. — Copy of entries regarding a motor-vehicle, delivered by the custodian of the Public Automobile Registry :

for each copy with one article	Lire	150.—
for each subsequent article	„	50.—

Section 10. — Certificate that no registered charge has been made on a motor-vehicle

„	150.—
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Section 11. — Authenticated, full copy of the Public Automobile Registry record required for the transfer of an entry ; including copying fee, for each copy ..

300.—

Section 12. — Delivery of authenticated copy of documents and deeds kept in the record of the Public Automobile Registry :

a) fixed duty for each document

Lire	100.—
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b) copying fee ; for each page or portion thereof

„	50.—
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Section 13. — Copy of documents, declarations and certificates of origin, of which the original are held in the records of the Public Automobile Registry :

a) fixed duty for each copy

Lire	100.—
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b) copying fee ; for each page or portion thereof

„	50.—
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Section 14. — Forms used exclusively by the Public Automobile Registry :

a) notes, additional sheets, authenticated copies of chronological extracts, negative certificates, for each form

Lire	50.—
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b) Form I. G. F. 35, form 6, 6-A, 6-B, 6-C.....

„	25.—
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Section 15. — Entry of ownership, renewal of such entry, entry of transfer of ownership, or cancellation of the motor-vehicle from the Register :

fixed statistics duty, for each entry

„	100.—
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Section 16. — Additional charge for priority

„	200.—
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ARTICLE II

This Order shall come into force on the day of its publication in the Official Gazette.

Dated at TRIESTE, this 27th day of January 1948.

RIDGELY GAITHER
Brigadier General U. S. Army
Director General, Civil Affairs

Order No. 128

DETERMINATION OF EARNINGS FOR THE PURPOSE OF COMPUTING CONTRIBUTIONS FOR FAMILY ALLOWANCES IN INDUSTRY

WHEREAS, it is deemed advisable and necessary to amend the provisions set forth in Section 1 of Article VI of General Order No. 47, dated 20 March 1946 determining the amount of earnings upon which the contribution for Family Allowances is payable within that Zone of the Free Territory of Trieste occupied by the British-United States Forces,

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

Section 1. — Notwithstanding the provisions contained in Article VI, Section 1, of General Order No. 47, dated 20 March 1946, the amount up to which the contribution for family allowances is due in respect to workers in Industry, shall be, and hereby is fixed on the basis of the daily earnings.

Section 2. — In respect of those workers paid on a weekly, fortnightly, half-monthly or monthly basis, the daily earning shall be calculated by dividing the total earning by 6, 12, 13 or 26 respectively, when the earnings refer to all the work days included in the said pay periods; and by dividing them by the number of work days actually paid, if this is less than the number of work days included in the pay period.

ARTICLE II

This Order shall enter into force upon the date of its publication in the Official Gazette, and shall become effective as from the beginning of the first pay period after the 23 December, 1947.

Dated at TRIESTE, this 27th day of January, 1948.

RIDGELY GAITHER

Brigadier General, U. S. Army
Director General, Civil Affairs

Order No. 130

PAYMENT OF OLD AGE PENSIONS TO EMPLOYEES SUBJECTED TO COMPULSORY INSURANCE

WHEREAS it is deemed advisable and necessary to issue additional provisions for the payment of Old Age Pensions to those employees who have begun their compulsory Old Age and Invalidism Insurance after having reached the age of 45 years if men, and of 40 years if women, within that Zone of the Free Territory of Trieste administered by the British-United States Forces ;

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

Those employees (impiegati) in respect of whom the compulsory old age and invalidism insurance began on or after 1 May 1939 in accordance with Article 5 of R. D. L. 14 April 1939, No. 636 converted into the Law of 6 July 1939, No. 1272, based on a salary exceeding Lire 800,— per month, and who at the date of inception of their insurance had reached an age exceeding 45 years if men or 40 years if women, shall be entitled to receive the old age pension in the absence of compliance with the conditions of insurance and contribution referred to in Article 9 (No. 1) of the aforesaid decree and in Article 3 of R. D. L. 18 March 1943, No. 126, provided that they can prove to have been insured for five years at least, and that the amount of contributions paid in their behalf totals not less than as many fifteenths of the contribution provided for in the said Article 3 in respect to old age pension as were the years lacking at the commencement of the insurance for the age as established for the right to the pension, with a minimum, however, of five fifteenths of the said amount.

ARTICLE II

The present Order shall become effective upon the date of its publication in the Official Gazette.

Dated at TRIESTE, this 27th day of January 1948.

RIDGELY GAITHER

Brigadier General U. S. Army
Director General, Civil Affairs

Order No. 131

TURNOVER TAX ON WINE

WHEREAS it is deemed opportune to issue provisions governing the collection of the turnover tax on wine in that Zone of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“),

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General U. S. Army, Director General, Civil Affairs,

ORDER :

ARTICLE I

Section III of Article V of General Order No. 90 (32 A) dated January 24, 1947 is hereby repealed.

ARTICLE II

The turnover tax on wine of every description, excluding sparkling wine, and on must and wine-grapes excluding dregs of pressed grapes is hereby fixed at 10 percent and is payable only once for all economical transactions (including the retail sale) at the time of the payment of the consumer tax.

The tax shall be assessed and collected „in modo virtuale“ together with the communal consumer tax and the revenue collected shall be transferred weekly, through the postal current account, to the appropriate Registry Office.

On amounts of turnover tax collected, Communes or Contractors - if the consumer tax collection service is operated by the latter instead of direct by Communes - shall retain a commission of 1 percent.

The turnover tax is due at the normal rate on such sales of goods for industrial use as are not governed by the provisions of Article 14 of law 19 June 1940 No. 762.

ARTICLE III

This Order shall come into force on the date of its publication in the F.T.T. Official Gazette.

Dated at TRIESTE, this 27th day of January 1948

RIDGELY GAITHER

Brigadier General U. S. Army
Director General, Civil Affairs

Order No. 133

PROPERTY OF JEWS WHO DIED AS A RESULT OF RACIAL PERSECUTION AFTER 8 SEPTEMBER 1943 WITHOUT HEIRS

WHEREAS it is deemed advisable and necessary to establish special provisions relating to property of Jews who have died as a result of racial persecution after 8 September 1943 and who have left no heirs, in that part of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“);

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

TRANSFER OF PROPERTY OF JEWS WHO DIED AS A RESULT OF RACIAL PERSECUTION AFTER 8 SEPTEMBER 1943 WITHOUT HEIRS

Section 1. — The property of Jews movable and immovable who have died as a result of acts of racial persecution inflicted after 8 September 1943, accrued to the State pursuant to Article 586 of the Civil Code shall be transferred to the Jewish Community of Trieste subject to any claims of inheritance which may arise in connection therewith and to the Jewish Community of Trieste accepting full responsibility for any hereditary debts or legacies as provided for in the said Article 586 of the Civil Code.

The provision of the preceding para shall not apply to the property of those persons who had made the declaration set forth in Article 5 of R. D. No. 1731 dated 30 October 1930.

The transfer shall be carried out by order of the Chief, Department of Finance of the Allied Military Government upon application by the Jewish Community of Trieste which application must be submitted within one year from the date of this Order, or after the declaration of the presumed death of the Jew concerned provided the declaration is issued after the date of this Order.

Section 2. — The application submitted by the Jewish Community of Trieste shall be accompanied by a certificate as provided for in Article 3 of R. D. 19 November 1931, No. 1561, or by a sworn statement („atto di notorietà“), attesting that the name of the Jew concerned does not appear among those who had made the declaration mentioned in Section 1 hereof.

Section 3. — The order issued by the Chief Department of Finance shall constitute a sufficient legal title for the transfer to be entered into the Land Register and into the register of assessment (catasto). The said order shall be exempt from register-tax and from any tax on business transactions as well as from assessment fees (diritti catastali) excepting the fees due to the keepers of the Land Register.

ARTICLE II

EFFECTIVE DATE

This Order shall become effective on the date of its publication in the Official Gazette.

Dated at TRIESTE, this 27th day of January 1948.

RIDGELY GAITHER

Brigadier General U. S. Army
Director General, Civil Affairs

Order No. 136

INCREASE IN FAMILY ALLOWANCES AND RELATIVE CONTRIBUTIONS IN INDUSTRY

WHEREAS it is deemed advisable and necessary to make provisions for an increase of 40% in the rates of family allowances for children and of 25% in those for the wife and the parents, as well as for an increase in the relative rate of contribution in Industry within that Zone of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER :

ARTICLE I

With effect from the first pay period after the 31 May 1947, the rates of Family Allowances and relative contributions as set out in Table A-1 included in Article I of Order No. 402 (325 A) dated 28 June 1947, shall be revoked and substituted by those contained in the following:

TABLE „A-1“

ORDINARY FAMILY ALLOWANCES AND COST OF LIVING BONUS AND RELATIVE CONTRIBUTIONS

INDUSTRY

I - Weekly Benefits

BENEFICIARIES	For each child		For the wife and for the disabled husband		For each parent	
	O. B.	C. L. B.	O. B.	C. L. B.	O. B.	C. L. B.
Labourers	54.—	300.—	36.—	222.—	18.—	180.—
Employees	78.—	300.—	48.—	222.—	27.—	180.—

II - Contributions

(to be borne by the employer)

Rate: 37% on the gross earnings.

ARTICLE II

The increase in family allowances as hereinbefore provided shall be deemed to absorb the remaining family indemnities supplementing the contingency allowance pursuant to Article II of Order No. 325 dated 5 March 1947, entirely up to the amount of Lire. 8.- per day, and at the rate of 50% for the surplus.

ARTICLE III

The present Order shall become effective upon the date of its publication in the Official Gazette.

Dated at TRIESTE, this 27th day of January 1948.

RIDGELY GAITHER

Brigadier General U. S. Army

Director General, Civil Affairs

Order No. 142

REPAYMENT OF COSTS FOR THERMO-ELECTRIC POWER

WHEREAS it is considered necessary to make certain further additions and amendments to Order 446 (72 C) dated 15.8.47 entitled „Repayment of Costs for Thermo-Electric Power“;

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General U. S. Army, Director General, Civil Affairs,

O R D E R :

ARTICLE I

ASSESSMENT OF OVERCHARGE

Section 1. — Article I of Order No. 446 (72 C) dated 15.8.47 is hereby revoked and in lieu thereof the following shall be substituted. The overcharge will be fixed as follows :

(a) 50 centesimi per each KWH of actual consumption not exceeding the first 500.000 KWH monthly ;

(b) 40 centesimi per each KWH of actually consumed over 500.000 KWH a/m.

In addition to the above mentioned overcharge the companies supplying electric power will apply another overcharge as follows ;

(c) 50 centesimi per each KWH of actual consumption not exceeding the first 500.000 KWH monthly.

(d) 40 centesimi per each KWH actually consumed over 500.000 KWH.

Section 2. — Such further overcharge will be applied for a period of from 4 to 7 months. The revocation date will be established by the Department of Industry.

Section 3. — For the users by contract, the consumption for the payment of overcharges will be calculated following the procedure used for the enforcement of „imposta erariale“ for the consumption of electric power.

Section 4. — For users supplied by many plug-keys the limit of 500.000 KWH is applied for each plug-key.

ARTICLE II

EXEMPTIONS

The above overcharges are not applicable to:

- (a) Self-producers who consume on their own premises electric energy generated by own plants.
- (b) Power-stations of distributing concerns not connected with the said distribution net-work.
- (c) State Railways for power used only for traction.
- (d) Power-stations „sottese“ for the power due to them as such.
- (e) Sub-distributors.
- (f) Industry of a seasonal nature. This exemption will be limited to a period not exceeding 100 days coinciding with the season „morbida“ of the electrical plants and fixed by the Department of Industry.

ARTICLE III

This Order shall be effective as from 1 December 1947.

Dated at TRIESTE, this 27th day of January 1948.

RIDGELY GAITHER

Brigadier General U. S. Army
Director General, Civil Affairs

Administrative Order No. 48

APPOINTMENT OF AVV. ALFONSO TARABOCCHIA AS SPECIAL COMMISSIONER FOR „CASSA SOCCORSO PER IL PERSONALE TRANVIARIO“

WHEREAS it is deemed advisable and necessary to provide for a temporary administration of the „Cassa Soccorso per gli addetti al servizio tranvie dell' ACEGAT“ (hereinafter referred to as the „Cassa“) within that Zone of the Free Territory of Trieste administered by the British-United States Forces.

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

Section 1. — Avv. Alfonso TARABOCCHIA shall be and hereby is appointed Special Commissioner of the „Cassa“.

Section 2. — He shall remain in office until further order of the Allied Military Government or until a successor or the Statutory Board is lawfully provided.

ARTICLE II

The provisions of Art. 2636 et seq. of the Civil Code shall apply to the Special Commissioner and his powers shall be as follows :

- a) to act for and on behalf of the „Cassa“ and to exercise all normal administrative functions ;
- b) to perform acts outside the normal scope of management only with the written consent of the Allied Military Government.

ARTICLE III

The Special Commissioner shall have the following duties :

- a) to take possession of all documents, moneys, property and other assets of the „Cassa“ and to make an inventory thereof as directed by the Allied Military Government.
- b) to submit to the Allied Military Government whenever so directed, a detailed report on the administrative and financial position of the „Cassa“ and to otherwise at all times comply with the orders and directives issued by the said authority.

ARTICLE IV

This Order shall become effective on the date of its publication in the Official Gazette.

Dated at TRIESTE, this 21st day of January 1948.

RIDGELY GAITHER

Brigadier General U. S. Army
Director General, Civil Affairs

Administrative Order No. 46

TEMPORARY PROMOTION OF THE PORT-BOATSWAIN PIERI GIOVANNI

WHEREAS Port-boatswain, 3rd class, PIERI Giovanni has all requirements necessary for his promotion to the grade of port-boatswain of 2nd class and it is desirable to promote him temporarily,

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs

ORDER:

1. — That Port-Boatswain, 3rd class, PIERI Giovanni, is hereby temporarily promoted to Port-Boatswain, 2nd class, with effect from 1 December 1947.
2. — This Order shall become effective on the date it is signed by me.

Dated at TRIESTE, this 27th day of January 1948.

RIDGELY GAITHER

Brigadier General U. S. Army
Director General, Civil Affairs

Notice No. 6

EXTENSION OF LEGAL OR CONVENTIONAL TERMS IN CASE OF CLOSING DOWN OF BANKS OWING TO EXCEPTIONAL EVENTS

WHEREAS pursuant to Order N. 38 dated 17 Oct. 1947 the duration of the closing down of Banks and Institutes shall be determined by an order of the Department of Finance of the Allied Military Government upon recognition by the same Department that banks and institutes referred to in R.D.L. 12 March 1946, No. 375 could not open to the public their depending offices, owing to exceptional events.

NOW. THEREFORE, I, N. T. BEARD, Lt. Colonel, Director of Finance, hereby

NOTIFY ALL CONCERNED:

ARTICLE I

Following communications which pursuant to Art. 1, comma 2 of Order No. 38 dated 17 October 1947 were made by: Cassa di Risparmio di Trieste, Cassa di Risparmio dell'Istria, Banco di Napoli, Banco di Sicilia, Banca Nazionale del Lavoro, Banca Commerciale Italiana, Credito Italiano, Banco di Roma, Banca d'America e d'Italia, that they could not open to the public their depending offices from 13 hours of 31 December 1947 to 13 January 1948, it is recognized that such closing down was due to exceptional events.

ARTICLE 2

The duration of the closing down is determined to extent from 13 hours of 31 December 1947 to 13 January 1948 (whole day).

ARTICLE 3

The legal and conventional terms expired during the period of such closing down are hereby extended up to 15 January 1948, which is the second, not festal day, of resumption of work, to effect all operations which could not be carried out owing to such closing.

ARTICLE 4

This Notice shall come into force on the day of its signing.

Dated at TRIESTE, this 14th day of January 1948.

N. T. BEARD,
Lt. Col.
Director of Finance

D E C I S I O N S

of the Territorial Epuration Commission of Appeal

NAME and SURNAME	Administration or Profession	Area	Decision of First Instance	Decision of Appeal Commission	Date of decision of Appeal
PAGNINI Avv. Cesare	Lawyer f. p.	Trieste	3 yrs. susp.	1 yr. susp.	5/11/47
SQUADRANI Bruno	F.F. S.S.	"	8 months sus. w.b.p. (r.b.)	4 months sus. w.b.p. (r.b.)	7/11/47
CAENARO Giovanni	F.F. S.S.	"	25 months sus. w. b. p.	Confirmed	7/11/47
PUGLIESE Nicola	I.L.V.A.	"	Dismissal	Confirmed	10/11/47
MALOSSE Avv. Ferruccio	Lawyer f. p.	"	3 yrs. susp.	Acquittal	10/11/47
PUNTAFFERRO Giovanni	Cassa Maritt. Adriatica	"	6 months susp. w. b. p. (r. b.)	3 months susp. w. b. p. (r. b.)	14/11/47
BUSA' Angelo	I.A.M.L.	"	2 yrs. susp. n. p.	Confirmed	5/12/47
GRILL Giovanni	F.F. S.S.	"	15 days susp. w. b. p.	"	24/11/47
	ACEGAT	"	2 yrs susp. n. p. (r. b.)	1 yrs susp. n. p. (r. b.)	12/12/47
PETRONIO Dott. Rodolfo	A.G.I.P.	"	Dismissal	10 months sus. n. p.	16/12/47
ZETTO Francesco	Sovr. Scolas.	"	"	Confirmed	12/1/48

A B B R E V I A T I O N S

- f. p. — free professionalist
w. b. p. — with basic pay
n. p. — no pay
(r. b.) — restitution of bonuses received for fascist qualifications.

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