

ALLIED MILITARY GOVERNMENT

13 CORPS

VENEZIA GIULIA



THE ALLIED MILITARY GOVERNMENT GAZETTE

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Allied Military Government

13 CORPS

General Order No. 55

EXTENSION OF THE ACTIVITIES OF THE FISHING-CONSORZIO OF VENEZIA GIULIA TO SEA-WATERS AND REORGANIZATION OF THE SAME

WHEREAS it is necessary to issue provisions for the increase, control and supervision of sea fishing in the territorial waters of that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the „Territory“).

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer

ORDER:

ARTICLE 1

1. — The powers and duties of the „Consorzio per la Tutela della Pesca nella Venezia Giulia“ (hereinafter called the Consorzio) are hereby extended to the territorial waters of the Territory.

2. — The territorial waters of the Territory are defined as the waters surrounding the coast of Zone A to a distance of three nautical miles to seaward of the line of Mean Low Water Springs on the shore.

Off the coast of Pola, territorial waters of the Territory are defined as those enclosed by the coast of Zone „A“ and lines joining the following points:

- (i) The point where the Zone A/Zone B boundary meets the coast south of Pola.
- (ii) A point three nautical miles due west of (i).
- (iii) A point three nautical miles due west of Verudella Pt.
- (iv) A point midway between C. Compare and Peneda Pt.
- (v) A point midway between Cristo Pt. and the south west point of Girolamo Island.
- (vi) A point midway between Cosada Island and the mainland.
- (vii) The point where the Zone A/Zone B boundary meets the coast north of Pola.

ARTICLE II

In carrying out its duties the Consorzio shall cooperate with all other Authorities in the Supervision of sea fishing and in particular shall be co-responsible:

- a) for control of the development of young-fish (novellame);
- b) for control of fishing for young-fish and for the restocking of breeding grounds;
- c) for control of fishing in lagoons and in the areas of mixed waters;
- d) for control on the use of fishing-tackle;
- e) for increase and development of valley-culture and breeding of shell-fish (molluschi eduli).
- f) for causing adequate warning to be given to fishermen and owners regarding waters which are dangerous due to the presence of mines.

ARTICLE III

The Consorzio in the performance of the duties above referred to shall also have the following rights and functions:

- 1) Priority in the creation and cultivation of fish-ponds, fish-valleys and breeding-places of shell-fish (molluschi eduli);
- 2) The custody, collection, and periodical publication of statistic data of catches.

- 3) The constitution of a fund for the distribution of subsidies to injured fishermen and for granting of loans to fishermen in need ;
- 4) to give advise and technical assistance on sea-fishing ;
- 5) to perform such other services as be ordered by the Agriculture Division Allied Military Government and the Naval Officer in charge.

ARTICLE IV

All Communes, fish-market-directors, bodies, societies and private persons in the Territory shall furnish the Consorzio with all data required for the performance of its duties.

ARTICLE V

All owners and masters of ships and boats used for sea-fishing shall join the Consorzio, and shall pay a contribution each January, this amount to be fixed annually by the Consorzio after previous approval by the Chief Agricultural Officer Allied Military Government.

The first half of such contribution shall be paid on July 1. 1946.

ARTICLE VI

The Consorzio shall be presided over by a President nominated by the Chief Agricultural Officer of the Allied Military Government.

In the exercise of his functions the President shall be assisted by a Board of two persons, one nominated by the Chief Agricultural Officer and to be chosen among persons with particular technical knowledge and the other one by the Consultative Committee mentioned in the following article.

ARTICLE VII

A consultative Committee shall be constituted at the Consorzio which shall meet at least twice a year and give advise in all matters regarding the activities of the Consorzio. The Consultative Committee shall be composed of :

- a) a representative of the Harbour-Master's Office (Capitaneria di porto) ;
- b) an Official of the Forestry-guards ;
- c) an Official of the Genio Civile nominated by the Chief Public Works Officer of the Allied Military Government ;
- d) a representative of fish-cultivators in internal waters ;
- e) a representative of fishermen in internal waters ;
- f) a representative of professional fishermen in sea-waters ;
- g) a representative of amateur fishermen in sea-waters nominated by the President of the Area of Trieste ;
- h) a representative of fish-mongers ;
- i) a representative of fish-industrialists ;
- k) a representative of valley-cultivators ;
- l) a biological expert.

All members of the Consultative Committee shall be appointed by the Chief Agricultural Officer of Allied Military Government and may be removed by him.

ARTICLE VIII

Within a month from the date of this Order the Statute and the internal Regulations of the Consorzio, shall be modified to conform with the terms of this Order after being approved by A. M. G.

ARTICLE IX

All Officials of the Consorzio mentioned in this Order shall be under the control of Allied Military Government and shall conform to its orders and instructions.

ARTICLE X

In case the Consolidated Text of the fishing laws approved by R. D. 8/10/1931 No.1604 or the modifications or additions to that Text introduced by R. D. L. 11/4/1938 No. 1138 are not in conformity with the provisions of this Order, the provisions contained in this Order shall prevail.

ARTICLE XI

This Order shall have effect in the Territory on the date it is signed by me.

Trieste, on the 19th June 1946.

ALFRED C. BOWMAN

Colonel, J.A.G.D.

Senior Civil Affairs Officer

ALLIED MILITARY GOVERNMENT

13 CORPS

General Order No. 57

AMENDMENTS, MODIFICATIONS AND AMPLIFICATIONS OF THE LAW RELATING TO LOCAL FINANCE

WHEREAS it is deemed necessary to make certain alterations in the laws relating to local finance for those parts of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the „Territory“),

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel J.A.G.D., Senior Civil Affairs Officer

ORDER

ARTICLE I

AMENDMENT OF ARTICLE 104 „TESTO UNICO“

Article 104, „Testo Unico“ approved by R. D. 14 September, 1931, No. 1175 as amended by Article 1 para d) of R. D. L. 9 September 1937, No. 1769, which deals with the fixing of rental values of real property for the purpose of taxation, is hereby repealed and the following is hereby substituted therefor:

i) The rental value („valore locativo“), shall be determined from the actual or estimated amount of the rent.

ii) The said actual rent may be stated by written contract or by verbal declaration, in accordance with the provisions of Article 9 of Tariff „A“, Part I attached to the Stamp Duty Law approved by R. D. 30 December 1923, No. 3268, and as subsequently amended. In all other cases, the rent shall be estimated.

iii) If the actual rent for any certain property is less than the current rental value of similar property in that locality the Communes may assess the estimated rent in accordance with the rent paid on similar dwellings.

iv) For dwellings rented by the State or by other Agencies or cooperative societies sponsored by the State as decreed by the „Testo Unico“, R. D. 30 November 1919, No. 2318 the rental value shall equal 3.5 per cent interest, estimated on the final valuation of the property, unless the tax-payer requests that the rent be assessed in the normal manner.

v) For the dwellings specified in paragraph IV and in the case of dwellings for which an increase of rent is not allowed under current regulations, the Commune may assess, for the purpose of taxation, a rental value up to and including 100 percent increased on the value which would be assessed in accordance with the provisions of the foregoing paragraph, taking into account the date on which rent increases were blocked and any other circumstances relating to the matter.

vi) The Commune may also determine to increase the rental value, assessed in accordance with the provisions of the foregoing paragraphs of this Article, whenever the number of rooms appears excessive in comparison with the number of tenants. Such increase in value may not exceed fifty per cent of the above mentioned rental value and shall be determined by taking into account the number of rooms rented and the number of tenants renting such rooms.

vii) The rental value as assessed for the purpose of this tax shall in no event be lower than the gross income received from the property as assessed for the payment of state duties.

ARTICLE II

AMENDMENT OF ARTICLE 110 „TESTO UNICO“

Article 110 of Testo Unico, R. D. 14 September 1931, No. 1175, is hereby repealed and the following is hereby substituted therefor:

„Communes which have imposed a family tax as stated below in Article III may impose a tax on the rental value of real property of persons who are not liable for the payment of the family tax by reason of their non residence in the Commune. This tax shall be levied on the rental value of the property in accordance with Article 101 of the Testo Unico“.

ARTICLE III

AMENDMENT OF ARTICLE 111 TESTO UNICO

Article 111 of Testo Unico, R. D. 14 September 1931, No. 1175, is hereby repealed and the following is hereby substituted therefor:

„Communes which do not levy a tax rental value of property, may be authorised by the Area President to impose a family tax in lieu of such rental tax.

In Communes where such tax has been imposed, no tax on servants and pianos shall be collected.“

ARTICLE IV

AMENDMENT OF ARTICLE 118 TESTO UNICO

In the first paragraph of Article 118, testo Unico, R. D. 14 September 1931, No. 1175 which gives to the Area Presidents of Communes of the last four classes only the power to increase or decrease, within specified limits, the family tax, in accordance with the requirements of the Commune, the words „for each class“ shall be substituted for the words „for each of the last four classes“.

ARTICLE V

AMENDMENT OF ARTICLE 119 TESTO UNICO

Article 119, Testo Unico, R. D. 14 September 1931, No. 1175, which describes the method by which the family tax is assessed by the Communes, is hereby repealed.

ARTICLE VI

REPEAL OF ARTICLE 127, TESTO UNICO

The tax on goats as provided for by Article 127, „Testo Unico“, R. D. 14 September 1931, No. 1175, is hereby repealed.

ARTICLE VII

AMENDMENT TO TAX ON DOGS

The tax on dogs as provided for by Law of 22 January 1942, No. 35 is hereby modified to provide and read as follows :

L. 400.— for dogs of the 1st category

L. 100.— for dogs of the 2nd category

L. 30.— for dogs of the 3rd category

ARTICLE VIII

AMENDMENT OF ARTICLE 131, TESTO UNICO

Paragraph c) of Article 131, Teto Unico, R. D. 14 September 1931, No. 1175, defining one of the categories into which dogs are placed for the purpose of taxation is hereby modified to provide and read as follows :

c) dogs kept for trade.

ARTICLE IX

AMENDMENT OF ARTICLE 133, TESTO UNICO

Paragraph a) of Article 133, „Testo Unico“ R. D., 14 September 1931, No. 1175, defining one of the categories of dogs which are exempted from taxation, is hereby modified to provide and read as follows :

a) dogs used exclusively to assist the blind, or the transport of disabled persons in poor financial circumstances, or to watch over land, buildings and cattle.

ARTICLE X

AMENDMENT OF ARTICLE 141, TESTO UNICO

The maximum rates of tax on public vehicles, as provided for by Article 141, „Testo Unico“, R. D. 14 September 1931, No. 1175, are hereby amended as follows :

CLASS OF COMMUNES	FIRST CATEGORY	SECOND CATEGORY
Class A	L. 450.—	L. 360.—
Class B	L. 360.—	L. 300.—
Class C	L. 300.—	L. 240.—
Class D	L. 240.—	L. 210.—
Class E	L. 210.—	L. 180.—
Class F	L. 180.—	L. 150.—
Class G	L. 150.—	L. 120.—
Class H	L. 120.—	L. 90.—
Class I	L. 90.—	L. 60.—

ARTICLE XI

AMENDMENT OF ARTICLE 144, TESTO UNICO

The maximum rates of tax on private vehicles, as provided for by Article 144, Testo Unico, R. D. 14 September 1931, No. 1175, are hereby amended as follows :

CLASS OF COMMUNES (Art. 11)	FOUR WHEELED VEHICLES WITH 2 HORSES	FOUR WHEELED VEHICLES WITH 1 HORSE	TWO WHEELED VEHICLES
Class A	L. 900.—	L. 600.—	L. 450.—
Class B	L. 750.—	L. 540.—	L. 390.—
Class C	L. 600.—	L. 450.—	L. 360.—
Class D	L. 450.—	L. 360.—	L. 300.—
Class E	L. 360.—	L. 300.—	L. 240.—
Class F	L. 300.—	L. 240.—	L. 180.—
Class G	L. 240.—	L. 180.—	L. 180.—
Class H	L. 180.—	L. 150.—	L. 120.—
Class I	L. 150.—	L. 120.—	L. 90.—

ARTICLE XII

AMENDMENT OF ARTICLE 151, TESTO UNICO

Article 151, Testo Unico, R. D. 14 September 1931, No. 1175, as amended by Article 1, R.D.L. 11 January 1943, No. 65, is hereby repealed and the following is hereby substituted therefor:

The maximum of tax on servants is fixed as follows:

- a) for the first woman servantL. 50.—
- for the second woman servantL. 300.—
- for the third woman servantL. 500.—

For each woman servant in excess of three, the above tax shall be increased by L. 200.—
The tax shall be reduced to one-half if one maid is employed part-time only.

- b) for the first man-servantL. 300.—
- for the second man-servantL. 500.—
- for the third man-servantL. 800.—

For each man-servant in excess of three, the above taxes shall be increased by L. 200.—.

ARTICLE XII

AMENDMENT OF ARTICLES 1, R. D. .L. 11 JANUARY 1943, No. 65

The maximum rates of tax as provided for by Article 1, R. D. L. 11 January 1943, No. 65, are hereby increased to the following:

- PianosL. 100.—
- Billiard tablesL. 500.—
- Billiard tables located in a club or licensed premises, cafes,
etc.L. 1000.—

For small billiard tables of not more 2 metres in length and one metre in breadth, the maximum rate of tax shall be reduced by 50 per cent.

ARTICLE XIV

INCOME TAXABLE BY „IMPOSTA DI RICCHEZZA MOBILE“

The tax on industries, trade, arts and professions shall be levied on the income subject to the „Imposta di Ricchezza mobile“.

In the case of incomes in the „B“ category, which are exempt from the „Imposta di Ricchezza mobile“ by virtue of special laws, the tax on industries shall be levied on the income subject to the special tax established by Article 12, R. D. L. 12 April 1943, No. 205, as amended by the third paragraph of the Article 1, D. L. 19 October 1944, No. 384 while this tax remains in force.

ARTICLE XV

REPEAL OF ARTICLE 166, TESTO UNICO

Article 166, Testo Unico, R. D. 14 September 1931, No. 1175, is hereby repealed and the following is hereby substituted therefor:

The trading license tax shall be annual tax, which shall be levied for each category of tax-payers in accordance with the following schedule:

1st category	L. 250.—
2nd category	L. 200.—
3rd category	L. 150.—
4th category.....	L. 100.—
5th category.....	L. 60.—

ARTICLE XVI

INCREASE OF IMPOSTA DI SOGGIORNO E CURA

The „Imposta di soggiorno e cura“, as provided by Article 2 R. D. L. 24 November 1938, No. 1926, converted into the Law of 2 June 1939, No. 739, is hereby doubled.

ARTICLE XVII

REPEAL OF ARTICLE 189, TESTO UNICO

Article 189, Testo Unico, R. D. L., 14 September 1931, No. 1175, is hereby repealed and the following is hereby substituted therefor:

For public dance-halls, billiard-rooms and premises used for other authorized games, the tax shall amount to a minimum of 20 per cent, and a maximum of 30 per cent, of the rental value of such halls, rooms or premises.

ARTICLE XVIII

AMENDMENT OF ARTICLE 198, TESTO UNICO

The maximum rates of tax to be levied on underground road installations, as provided for by Article 198, „Testo Unico“, R. D. 14 September 1931, No. 1175, are hereby increased to the following:

- a) pipe-lines, cables and any other kind of installations:
 - If less than 20 centimetres in diameter L. 2.—
 - If 20 centimetres in diameter or more L. 4.—
- b) drinking water pipes:
 - If less than 20 centimetres in diameter L. 1.—
 - If 20 centimetres in diameter or more L. 2.—

ARTICLE XIX

INCREASE OF TAX FOR OVERGROUND AND UNDERGROUND INSTALLATIONS

The taxes for overground and underground installations relating to lands and properties belonging to the Communes and Areas, as provided by Article 199, „Testo Unico“, R. D. 14 September 1931, No. 1175, as subsequently amended, are hereby quadrupled.

ARTICLE XX

INCREASE OF TAX ON SIGN BOARDS

The tax on sign boards as established by Article 202, „Testo Unico“, R. D. 14 September 1931, No. 1175, is hereby doubled.

ARTICLE XXI

REPEAL OF ARTICLE 208, TESTO UNICO

Article 208 „Testo Unico“, R. D. 14 September 1931, No. 1175, which quintuples the tax on signboards which are written in foreign languages, is hereby repealed.

ARTICLE XXII

DUTIES AS TO CARTS, CARRIAGES, ETC.

Article 214 „Testo Unico“, R. D. 14 September 1931, No. 1175, as subsequently amended is hereby repealed and the following shall be substituted therefor :

Permission on for carts, carriages and other animal drawn vehicles circulating on public roads, is subject to the payment of the following compulsory yearly taxes for the benefit of Areas, Communes, and Associations of roads users formed in accordance with D. L. 1 September 1918, No. 1446.

CATEGORY OF VEHICLES	ANNUAL DUTY FOR EACH VEHICLE
Carts and other vehicles animal 1 drawn with a gross weight (i. e. weight of the vehicle plus maximum load) of	up to five quint, per wheel....L. 50.— from over five quintals to a maximum of fifteen per wheel.....L. 100.— more than fifteen quintals per wheel.....L. 200.—
Carriages cabs	two-seater, including driverL. 50.— with more than two seats, including driver L. 100.—

For carts and agricultural machines which are not free of tax in accordance with Article 220 para g) of the „Testo Unico“, the tax shall be reduced by 50 per cent.

ARTICLE XXIII

ENFORCEMENT OF SUPER TAXES ON SPECIFIC GROUNDS AND BUILDINGS

Communes and Areas, with the approval of the Area President, may impose on grounds and buildings, on which rents cannot be increased, super taxes, up to the third taxation level as provided by Article 16 R. D. .L. 7 December 1942, No. 1418, converted into the Law of 11 March 1943, No. 20, as modified below by Article XXVI.

The above provision shall be applicable for the 1946 year and thereafter until the end of the year of the normal cessation of the war. Enforcement of Article 17 of the above Decree shall be suspended for the same duration.

ARTICLE XXIV

COMMUNAL COMMISSIONS

Article 278 of „Testo Unico“, R. D. 14 September 1931, No. 1175, is hereby repealed and the following is hereby substituted therefor :

Appeals shall be determined by the Communal Commission of the first degree, consisting of 33 members in Communes belonging to Category „A“, of 21 members in those belonging to Categories „B“ and „C“ of 15 members in those belonging to Categories „D“ and „E“ and of 7 members in the belonging to the last four Categories specified in Article 11, „Testo Unico“.

In Communes belonging to the first five Categories, one-third of the members of the Commission shall be appointed from persons representing the various economical activities of the Commune. The members of the Commissions in Communes of all Categories will be appointed by the president of the Commune with the consent of the Communal Council.

Each Commission, at its first meeting, shall elect from its members, by ballot, a president and one or more vice-presidents.

The members of the Commission shall be required to possess the same qualifications as are required for one holding the position of „Consigliere Comunale“ in accordance with the provisions of the „Testo Unico“ of the Communal and Provincial law, as confirmed by R. D. 4 February 1915, No. 148.

In each Commune, the Communal Secretary, or another officer of the Commune appointed by him, shall act as secretary, to the Commission. He shall be responsible for the preservation of documents and for the regular entries in the register containing the Commission's decisions and shall perform all other Secretarial duties connected with the Commission's activity.

For each Area a Commission of the 2nd grade shall be appointed by the Area President, who will select four members from the existing members of the Area Council, and two members from among the tax payers who are qualified for the position of „Consigliere Comunale“ as stated above. The Area President shall preside as chairman of this Commission.

The members of the Commission shall retain office for the length of time that the Territory is administered by the Allied Military Government, or for two years, whichever period is the shorter.

ARTICLE XXV

EXTENSION OF TIME LIMITS

For the purpose of the enforcement of taxes specified in this General Order, for the year 1946 only, the time-limits provided for by Articles 273, 276 and 277 of Testo Unico, R. D. 14 September 1931, No. 1175, are hereby extended by five months from the date of the signing of this Order.

ARTICLE XXVI

AMENDMENT OF ARTICLE 16, R. D. L. 7 DECEMBER 1942, No. 1418

Limits of Area surtaxes on real property as set forth in Article 16, R. D. L. 7 December 1942, No. 1418, for every 100.— Lire of taxable income, as re-assessed in accordance with D. L. L. 7 February 1946, No. 30, are hereby modified as follows:

normal limit	L. 6.—
over such limit	L. 2.—
second limit	L. 8.—
over such limit	L. 2.—
third limit	L. 10.—

ARTICLE XXVII

ADDITIONAL TAX ON MOTORCARS

An additional tax of fifty per cent of the „tasse automobilistiche“ (taxes on automobiles), as established by General Order No. 24, shall be levied in the Territory in favour of the Area.

Such additional tax shall be collected in accordance with the provisions of General Order No. 24, and the amount shall be transferred, through the Intendente di Finanza, to the Area in which it is collected.

ARTICLE XXVIII

ADDITIONAL TAX ON „REDDITI AGRARI“

An additional tax of ten per cent of taxable income above that established by Order No. 114 dated 11 April 1946, on the „redditi agrari“ is hereby established. Of this additional tax, one half shall be transferred to the Area and the other half of the Commune in which it is collected.

ARTICLE XXIX

AMENDMENT OF R. D. L. 30 NOVEMBER 1937, No. 2145

The additional tax of two per cent of the various, state, communal and provincial duties, as set forth by R. D. L., 30 November 1937, No. 2145, converted into the Law of 25 April 1938, No. 614, is hereby increased to five percent.

Three-fifths of such revenue shall be allocated to the Area in accordance with regulations to be hereinafter issued by the Allied Military Government.

ARTICLE XXX

EFFECTIVE DATE

All the provisions of this General Order shall be effective as from 1 January 1946 and the General Order shall come into force on the date that it is signed by me.

Dated at Trieste, 24 th May 1946.

ALFRED C. BOWMAN

Colonel J.A.G.D.

Senior Civil Affairs Officer

ALLIED MILITARY GOVERNMENT

13 CORPS

General Order No. 58

RESTORATION OF PROPERTY RIGHTS OF JEWS AND FISCAL CONCESSIONS TO ALLIED NATIONALS AND JEWS

WHEREAS, by General Orders N. 3 and 44, Jews are reinstated in their full civil and political rights : and

WHEREAS, it is also considered necessary and just to provide for the restoration to Jews of certain property rights, within that part of Venezia Giulia administered by the Allied Military Government (hereinafter referred to as the „Territory“):

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer, hereby

ORDER

ARTICLE I

REPEAL OF FASCIST LEGISLATION AND RESTORATION OF PROPERTY RIGHTS

Except as hereinafter provided, all Laws, Decrees, Regulations and other measures in force in the Territory and by whomsoever and whenever made, which limit or adversely affect or impose adverse conditions or limitations upon rights as to any type of property of per-

sons because of their so-called „Jewish race“, are hereby repealed. Such persons shall be and they thereby are reinstated in all the rights over all forms of property which are enjoyed by other citizens of the Territory.

ARTICLE II

CONTINUATION OF ACTIVITIES OF ENTE DI GESTIONE E LIQUIDAZIONE IMMOBILIARE

The Ente Gestione e Liquidazione Immobiliare (known as E.G.E.L.I.), continues its functions for the purpose only of carrying out the provisions of this Order and all other Orders and Instructions in force in the Territory.

ARTICLE III

RESTORATION OF IMMOVABLE PROPERTY

A) BY E.G.E.L.I.

1. — All persons who were compelled by virtue of R. D. L. 17 November 1938, No. 1728, and R.D.L. 9 February 1939, No. 126, to transfer immovable property to E.G.E.L.I., and all persons lawfully deriving title under them may, within one year after the date of the Treaty of Peace, claim restoration of the said property from E.G.E.L.I. It shall be a condition of such restoration, however, that the claimant surrender to E.G.E.L.I., all bonds issued or delivered or sums paid by E.G.E.L.I., as a consideration for the said property, and the sum paid by E.G.E.L.I. under Article 31 of RDL 9 February 1939, No. 126, as consideration for the extinction of rights of enjoyment in the said property (usufrutto). The extinction of such rights of enjoyment in the property by virtue of the said Decree as aforesaid, shall be irrevocable for all legal purposes.

The exchange of property in accordance with Article 37 of RDL., 9 February, 1939, N. 126, shall not be affected by the above provisions and no right to restoration in respect thereto shall exist.

2. — Where the claimant surrenders only a part of the bonds issued or money paid him by E.G.E.L.I., as consideration for the property, only that part of the property shall be restored which is proportionate to the bonds or money surrendered by him provided, however, that restoration may not be granted of part of the property unless it is reasonably possible to divide the same.

B) BY THIRD PARTIES DERIVING TITLE UNDER E.G.E.L.I.

Where the immovable property as to which restoration is claimed has been acquired by third parties deriving title under E.G.E.L.I., the claimant shall be entitled to restoration of his property from the owner at the date of the claim provided, however, that he shall surrender to such owner any bonds or money received by him from E.G.E.L.I. The owner restoring such property and every person who acquired the same after the date of the expropriation of the property from the claimant or his predecessor in title, shall have the right to be indemnified by his immediate vendor to the extent of the consideration as shown on the public instrument of transfer to have been paid by him to such vendor upon condition, however, that he deliver to such vendor the bonds or money surrendered by the claimant to the owner who restores the property. Such delivery or payment, however, shall not be a condition precedent to or limit or affect the right of the claimant to immediate restoration of the property as provided for by this Article.

C) CONDITION OF THE PROPERTY AT THE TIME OF RESTORATION

The property shall be restored to the claimant, as provided in paragraphs A and B of this Article, in the same physical condition as upon the date of the claim to restoration thereof.

ARTICLE IV

REPAIRS TO PROPERTY RESTORED MADE NECESSARY BY WAR DAMAGE AND CLAIMS IN RESPECT THERETO

Upon restoration of the property, the claimant shall repay to E.G.E.L.I. or to other persons who acquired the property after the date of its expropriation from the claimant or his predecessor in title any sums paid by them for repairs which were made necessary by damage caused by war, act of God, or unavoidable accident.

The benefit of any claim for war damages in accordance with existing law shall pass to the claimant. Until he receives payment, the person who caused the repairs to be made shall have a lien on the property for the sums paid by him for such repairs. The existence and amount of such lien shall be stated in the deed restoring the property and shall be automatically noted in the Land Register by the Judge in charge thereof (Giudice Tavolare), and no request for such notation shall be necessary.

The person who caused such repairs to be made, when he himself is the person required to restore the property, shall not be entitled to refuse to restore the property pending payment to him for such repairs. Nor may he, when he is not the person required to restore the property, deduct the sum paid by him for repairs from the amount which it is necessary for him to pay to his immediate purchaser as provided for by Article III of this Order.

ARTICLE V

MORTGAGES ON PROPERTY RESTORED

Where restitution is claimed of property against which a mortgage or creditors' note of intended sale was registered after the date of expropriation of the property from the claimant or his predecessor in title, the claimant shall retain out of the bonds or money to be surrendered by him in accordance with Article III of this Order, an amount equal to the debt evidenced by such mortgage or creditors' note. He shall deposit such amount in an account in a public financial institution in the name of such mortgagee or creditor. The Judge in charge of the Land Registration Office (Giudice Tavolare), shall cancel the entry against the property in respect of the said mortgage or creditors' note upon production of a proper receipt showing that the said amount has been duly deposited as aforesaid.

ARTICLE VI

EASEMENTS AND THIRD PARTY RIGHTS IN RESTORED PROPERTY

All easements and other third party rights which were registered against the property after the date of its expropriation from the claimant or his predecessor in title, shall be extinguished upon restoration of the property to the claimant. The person in whose favor such easements or other rights were granted, shall be entitled to the return of the consideration for such easements and rights from his grantor.

ARTICLE VII

COMPENSATION FOR IMPROVEMENTS TO THE PROPERTY MADE AFTER EXPROPRIATION

Any person who has made improvements to property restored under Article III of this Order shall be entitled to receive from the person to whom the property is restored, the amount actually expended by him for such improvements or the increase in the value of the property resulting therefrom whichever shall be lower. He shall, moreover, have a lien on the property for the amount of his claim. The existence and amount of such lien shall be stated in the deed restoring the property and shall be automatically noted in the Land Register by the Judge in charge thereof (Giudice Tavolare), and no request for such notation shall be necessary.

The person who has caused such improvements to be made, when he himself is the person required to restore the property, shall not be entitled to refuse to restore the property pending payment to him for such improvements. Nor may he, when he is not the person required to restore the property, deduct the sum due him for such improvements from the amount which it is necessary for him to pay to his immediate purchaser as provided for by Article III of this Order.

ARTICLE VIII

PAYMENT IN SUBSTITUTION OF RESTORATION

Those who do not intend or desire to claim restoration of the property, as provided for in Article III of this Order, shall be entitled to receive payment in cash of the sum stated in the deed of transfer as the consideration for the said property or the sum collected by E.G.E.L.I. as the consideration for its sale to third parties provided, however, that such original owners surrender to E.G.E.L.I. any bonds issued by it as consideration for the property at the time of the expropriation.

ARTICLE IX

INCREASE OF THE RATE OF INTEREST

The rate of interest on the bonds issued by E.G.E.L.I., as set forth in Article 32 of RDL 9 February 1939, No. 126, is hereby increased to five percent from the date of the transfer of the property to E.G.E.L.I.

ARTICLE X

ANNULMENT OF TRANSFERS OF PROPERTY

A) Any person formerly considered to be of the Jewish race, upon proving to the appropriate Judicial Authority that after 6 October 1938 he was forced to transfer immovable property whether for a valuable consideration or not in order to avoid the application of the racial Laws, shall be entitled to have such transfer annulled. The application for such annulment must be made within one year after the date of the Treaty of Peace. The limitations of time set forth in Article 1442 of the Civil Code shall not be applicable to such actions. Documentary proof may be adduced in evidence in support of such application even when not registered or authenticated as required by Law. The registration shall be made in such case by the payment of a fixed tax of twenty Lire.

B) When annulment of such transfer is granted, the property shall be restored to the claimant in the same physical condition as at the date of the application for annulment.

ARTICLE XI

LEASES OF PROPERTY RESTORED

All leases of property restored under Articles III and X of this Order whose term is for more than three years and which were made after the date of expropriation of the property but before the effective date of this Order, shall be deemed to have been made for a term of three years only.

If such term three years has expired upon the effective date of this Order or will expire within one year thereafter, the owner to whom the property has been restored shall be bound by the lease for the period of time and subject to the provisions set forth in Articles 1574 and 1630 of the Civil Code governing leases whose duration is indefinite. This provision, however shall not affect the laws in force in respect to the renewal of leases.

The person to whom the property is restored shall be entitled to retain the amount of the rents paid in advance out of the sum due to the person restoring the property to him.

ARTICLE XII

DONATIONS, INHERITANCES AND BEQUESTS

A) DONATIONS

A donation made under Articles 6 and 55 of RDL February 9, 1939, No. 126, may be revoked by the donor or person deriving title under him within 6 months after the effective date of this Order. As to persons outside of the Territory upon the effective date of this Order, the said limitation of time shall begin to run from the date of the Treaty of Peace.

Such revocation shall not prejudice the rights of third parties in the property acquired before the effective date of this Order.

The donee, however, shall restore to the donor or his successor in title any sums received by the donee as consideration for the alienation or granting of rights in the property to third parties.

If the revocation of a donation as above provided does not occur, the provisions of the Civil Code regarding abatement of shares, collection, set off, and all other regulations affecting donations, shall be applicable.

B) INHERITANCES AND BEQUESTS

1. — An heir or devisee who has renounced his inheritance or bequest in order to avoid the application of the racial laws may accept such inheritance or bequest within the time li-

mits stated in Paragraph A of this Article. The rights of other heirs or devisees who have accepted such inheritance or bequest shall terminate but without prejudice to the rights of third parties who acquired title or rights from such other heirs or devisees.

2. — A person who accepts an inheritance or bequest as above provided shall take the property in its physical condition as of the date of his acceptance.

ARTICLE XIII

EXTINGUISHMENT OF JUDICIAL PROCEEDINGS

A) PROCEEDINGS BY CREDITORS FOR ORDER TO SELL PROPERTY

Those proceedings by creditors for an order to sell immovable property which were suspended by virtue of Article 8 of RDL 9 February 1939, No. 123, may be resumed in accordance with the existing Law and without any limitations. All other proceedings not set forth in the above Article of the said Decree to sell immovable property to the damage of persons adversely affected by the racial Laws, relating to rights restored by this Order, shall be considered to be extinguished without prejudice to the right to commence new proceedings.

B) PROCEEDINGS RENDERED INVALID THROUGH CANCELLATION OF RACIAL LAWS

All other proceedings in which the subject of the dispute no longer exists by virtue of legislation restoring civil, political and property rights to persons formerly considered to be of the Jewish race, shall be declared finally extinguished by the competent Judicial Authority.

ARTICLE XIV

RESTORATION OF BUSINESSES AND COMPENSATION FOR IMPROVEMENTS THERETO

A) RESTORATION OF BUSINESSES AND SHARES IN PARTNERSHIPS

Any owner of an individual business or partner of an unlimited liability society other than a stock company who transferred his ownership or interest therein by public deed by virtue of Article 58, RDL 9 February 1939, No. 126, shall be entitled to the restoration of said business or share therein by surrendering the registered public bonds received by him as consideration for such transfer. Such bonds shall be freed from any restriction as to their transfer within one year from the claim for the restoration of the business or share therein, and they may be delivered for reimbursement to the Allied Military Government, Finance Division. Such reimbursement will be made at the value of issue.

B) IMPROVEMENTS TO BUSINESSES RESTORED

Where improvements have been made to the business, the person entitled to restoration shall pay the value of such improvements. If an agreement cannot be reached in reference thereto, the dispute regarding the existence and extent of such improvement shall be submitted for judgement to the Judicial Authority. Such dispute, however, shall not affect or limit the right to immediate restoration of the business or share therein.

Any person making a claim for reimbursement for improvements shall be entitled to a lien in the business therefor, and the notation relating to such lien shall be made in the office of the clerk (cancelleria) of the competent Tribunal. If the business includes immovable property such notation shall also be made in the deed of transfer.

C) RESTORATION OF BUSINESSES TAKEN OVER FOR REASONS OF PUBLIC BENEFIT

The provisions set forth in this Order for the restoration of immovable property and businesses and shares therein, shall also be applicable to businesses taken over for public purposes, so called, by stock companies (società anonima) then existing or to be formed in accordance with Article 60 of RDL, 9 February 1939, No. 126.

D) COMPENSATIONS FOR DAMAGE TO BUSINESS

No claim may be made for compensation for damages to the business restored which resulted from the ordinary conduct of the business.

ARTICLE XV

TERMINATION OF MANAGEMENTS AND LIQUIDATION OF BUSINESSES AND PROPERTIES PURSUANT TO RACIAL LAWS

All controls, managements, sequestrations, and liquidations of businesses in accordance with the provisions of Chapter IV, Part II of RDL, 9 February 1939, No. 126, which are still in effect upon the effective date of this Order, shall immediately terminate on the said date and restoration of said businesses as herein provided shall then be made. A true and detailed accounting of the management, sequestration or liquidation shall be furnished to the true owner within thirty days after application for restoration is made. If the owner is absent, a curator may be appointed for him by the appropriate Tribunale upon application of any interested person or of the Public Prosecutor.

ARTICLE XVI

RESTITUTION OF PROPERTY TRANSFERRED BY FICTITIOUS CONTRACTS AND DEEDS TO AVOID RACIAL LAWS

A) PROPERTY TRANSFERRED BY FICTITIOUS CONTRACTS AND DEEDS

Fictitious contracts and deeds of transfer of property of any kind or description or rights therein, which were made or entered into in order to avoid the application of the racial laws, may be set aside in accordance with the appropriate provisions of the Civil Code.

B) PROOF IN SUPPORT OF APPLICATION TO SET ASIDE DEEDS AND CONTRACTS OR FOR RESTORATION OF PROPERTY

Oral as well as documentary evidence may be admitted in support of applications to set aside such contracts and deeds for the transfer of such property or for its restoration pursuant to Paragraph A of this Article.

Written evidence shall be admissible in support of the application even if consisting of documents which have not been authenticated or registered or in respect of which any tax or duty has not been paid or other formality complied with as required by law.

ARTICLE XVII

RESCISSION

An action may be maintained by persons affected by the racial laws under Articles 1448 et seq. of the Civil Code for the rescission of a contract for the transfer of property made after 6 October 1938, provided that the actual value of the property transferred by such contract exceeded the contract price by a sum greater than one fourth of the true value as of the date of such contract. The action must be begun not later than one year after the date of the Treaty of Peace.

ARTICLE XVIII

FISCAL PROVISIONS

A) TAXES ON THE REVOCATION OF DONATIONS BASED ON THE CONSENT OF THE PARTIES

The deeds providing for voluntary total or partial revocation of donations and consequent restoration of the property, when such donations were made in accordance with Articles 6 and 55 of RDL 9 February 1939, No. 126, and the deeds providing for transfer following judicial proceedings for revocation of donations, shall be exempt from all fiscal charges and duties up to one year after the date of the Treaty of Peace. In the event that the revocation occurs pursuant to judicial proceedings, the above period of time shall be delayed until a final judgment has been rendered.

B) TAX AND SUCCESSION DUTIES ON TRANSFERS OF IMMOVABLE PROPERTY FROM ONE HEIR TO ANOTHER BASED UPON THE CONSENT OF THE PARTIES

Transfers by consent of immovable property to the legal heirs (eredi legittimi) of persons affected by the racial laws, from persons heretofore named as heirs to such property by Will,

as provided by Article 30 of RDL of 9 February 1939, No. 126, shall be exempt from all stamp duties and taxes, provided that such transfers are affected not later than within one year after the date of the Treaty of Peace. The transferor shall be entitled to reimbursement of the succession tax paid by him provided that the application for reimbursement is made within 180 days from the completion of the transfer.

The legal heir in whose favor the transfer occurs shall pay the succession tax in accordance with Law.

C) TAX ON DEEDS RESTORING SHARES AND IMMOVABLE PROPERTY

1. Up to one year after the date of the Treaty of Peace the following shall be exempt from all fiscal charges, taxes, and duties in favor of persons formerly adversely affected by racial laws:

- a) restoration based upon the consent of the parties of shares (*titoli azionari*) owned by such persons prior to 21 October 1941 and transferred to others after 17 November 1938 and before 30 June 1942. The same exemption shall be applicable to restoration of the property as the result of consent thereto at the time of the original transfer.
- b) restoration based upon the consent of the parties of immovable property transferred by such persons after 17 November 1938 and prior to the effective date of this Order;
- c) restoration based upon the consent of the parties of shares of partnership;
- d) restoration by judicial proceedings from an agent of shares and of businesses in accordance with Article 1706 of the Civil Code;
- e) cancellation, based upon the consent of the parties, of exchanges of property (*permuta*), as provided for in the second paragraph of Article 37 of RDL, 9 February 1939, No. 126.

2. — Possession of the shares described in subdivisions a) and d) may result from unregistered private contracts or other writings. The registration shall be made upon payment of the fixed tax of twenty Lire.

In order to effect the restoration of such shares without the payment of tax, the interested party, within six months from the effective date of this Order, shall file with the local Financial Registration Office (*Ufficio del Registro*), a statement setting forth the numbers and type of the shares involved.

Persons outside the Territory upon the effective date of this Order, may file such statement not later than one year after the date of the Treaty of Peace.

3. — Restorations by consent of shares and the necessary notations thereon such shares, shall be exempt from payment of tax as provided for by subdivision 1 (a) of this section, whenever, by any proof including inferences (*presunzioni*) it is ascertained that the said restorations and notations have been effected to annul one of the deeds set forth in Art. XVI (A) of this Order.

D) TAXES ON INSTRUMENTS FOR RESTORATION OF BUSINESSES

The deeds and other instruments by which the restoration of businesses or the appointment of curators are effected and those by which the rendering of accounts and payments due are made, pursuant to Article XV of this Order, shall be registered upon payment of the fixed tax. Judgments and other judicial proceedings upon applications for restoration and the rendering of accounts and payments, shall also be registered upon payment of the fixed tax.

The changes in the land registration book (*libro tavolare*), and in the registry book of property for assessment purposes (*libro del catasto*), made necessary by the aforesaid deeds, records, instruments, and judgments and other judicial proceedings, shall not be subject to the payment of any tax except the duties payable to the Land Registration Office (*Ufficio Tavolare*).

E) TAX UPON DISSOLUTION OF SMALL REAL PROPERTY COMPANIES

Divisions of property upon the dissolution or liquidation of real property companies formed before 14 April 1941 with a capital not exceeding 1,000,000. Lire, the shareholders or partners of which or some of them were persons affected by the racial laws at the date of such dissolution and liquidation, shall be subject to the graduated registration fees set forth in Article 89 of Appendix "A" to the schedule of Taxes attached to the Taxation Law approved by RDL 30 December 1926, No. 3269 (*Imposta Graduale del Registro*), and also to the fixed

recording tax (Imposta Ipotecharia), provided that deeds effecting such divisions are made within one year from the effective date of this Order. The above provision shall also be applicable to divisions of property among shareholders or partners other than those who originally contributed the property to the companies.

F) TAX ON OTHER DEEDS RESTORING PROPERTY AND REIMBURSEMENT

All other deeds not hereinbefore specifically described which are made pursuant to the provisions of this Order for the purpose of restoring property of any kind or rights therein to persons affected by the racial laws or to their heirs, shall be exempt from all stamp duties and taxes.

Reimbursement shall be made to those entitled thereto of all stamp duties, registration taxes (imposte di registro), and recording taxes (imposte ipotecarie), which have been paid in connection with deeds of transfer which are set aside in connection with the restoration of property in accordance with the provisions of this Order.

G) EXTENSION OF THE FISCAL EXEMPTIONS GRANTED BY THIS ORDER TO CITIZENS OF THE UNITED NATIONS

The fiscal benefits and exemptions set forth in this Order are hereby extended to Citizens of the United Nations in respect to all deeds and contracts made or entered into in order to obtain the restoration of property transferred by them before the outbreak of hostilities for the purpose of avoiding the loss of such property by reason of the application of the provisions set forth in the War Law, approved thereto. Such benefits and exemptions shall be effective until 31 December 1946.

ARTICLE XIX

REDUCTION OF CERTAIN FEES

All fees of notaries and stock-brokers in respect to the restoration of property pursuant to this Order, and all fees of financial institutions for the authentication of this Order, are hereby reduced by fifty per cent.

ARTICLE XX

TIME LIMITS FOR CLAIMS AND LEGAL ACTIONS UNDER THIS ORDER

Applications for the restoration of property and legal actions necessary therefor, as to which no time limits has hereinbefore been specifically provided by this Order, may be made and begun up to one year after the date of the Treaty of Peace, notwithstanding the provisions of any law to the contrary. The failure to exercise such rights within the time limits fixed by this Order shall be considered to be a loss of such rights and a bar to their enforcement.

ARTICLE XXI

AGREEMENTS CONTRARY TO THIS ORDER

All agreements and all registrations in the Land Registry Book (Libro Tavolare), made after the effective date of this Order and which are inconsistent with or contrary thereto, shall be null and void.

ARTICLE XXII

EFFECTIVE DATE OF ORDER

This Order shall come into effect throughout the Territory on the date that it is signed by me.

Dated in Trieste, 27th May 1946.

ALFRED C. BOWMAN

Colonel, J.A.G.D.

Senior Civil Affairs Officer

ALLIED MILITARY GOVERNMENT

13 CORPS

Order No. 28 B

REPEAL OF ORDER No. 28 PROVIDING FOR THE COLLECTION AND SALE OF MILK AND DISTRIBUTION OF ANIMAL FODDER

WHEREAS, it is deemed advisable to repeal Order No. 28, which makes provision for the collection and sale of milk and the distribution of animal fodder in that part of Venezia Giulia administered by the Allied Forces ;

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

O R D E R :

That Order No. 28, dated 19 November 1945, entitled, „Collection and sale of milk and distribution of animal fodder“, is hereby repealed.

This Order shall take effect on the date that it is signed by me.

Dated at TRIESTE, this 22nd day of June, 1946.

ALFRED C. BOWMAN

Colonel, J.A.G.D.

Senior Civil Affairs Officer

ALLIED MILITARY GOVERNMENT

13 CORPS

Order No. 73 B

AMENDMENT TO ORDER No. 73 CONCERNING „INCREASE IN AMOUNT OF FINES FOR TRAFFIC OFFENCES“

WHEREAS it is considered advisable to re-establish the procedure of immediate payment of fines („oblazione in via breve“) formerly repealed by Order No. 73,

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer, hereby

O R D E R

ARTICLE I

REPEAL OF ARTICLES II AND III OF ORDER No. 73

Article II (cancellation of immediate payment) and Article III (Jurisdiction of Pretore Court) of Order No. 73 are hereby repealed.

ARTICLE II

ANNULMENT OF SENTENCES OF CONVICTION PASSED PURSUANT TO ARTICLE III OF ORDER No. 73

Section 1

The sentences of conviction passed on the ground of the provisions contained in Articles II and III of Order No. 73, shall be declared null and void by the same judge who has passed

them, if, within thirty days after the effective date of this Order, the receipt proving that the contravener has subjected himself to the procedure of immediate payment has been produced to the said judge.

Section 2

The proceedings commenced in accordance with Article III of Order No. 73 in which no final sentence of conviction has been passed as yet, shall be declared extinguished by the judge before whom they are pending if the receipt proving that the the contravener has subjected himself to the procedure of immediate payment is produced to the said judge.

Section 3

As to the effects of the provisions set forth in the preceding Sections, the procedure of immediate payment shall be admitted, within thirty days after effective date of this Order, also in cases where contraventions have already been punished by a sentence of conviction or in case penal proceedings regarding such contraventions are pending.

ARTICLE III

EFFECTIVE DATE

This Order shall go into effect on the date of its publication in the Allied Military Gazette.

Trieste, 13th June 1946.

ALFRED C. BOWMAN

Colonel, J.A.G.D.

Senior Civil Affairs Officer

ALLIED MILITARY GOVERNMENT

13 CORPS

Order No. 149

FISCAL PROVISIONS REGARDING JOINT STOCK COMPANIES

WHEREAS, it is considered necessary to make certain alterations and amendments to the laws relating to Joint Stock Companies in those parts of Venezia Giulia administered by the Allied Forces (hereinafter called the "Territory"),

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

O R D E R

ARTICLE I

TIME LIMIT FOR CONVERSION OF BEARER SHARES INTO REGISTERED SHARES

The time limit established by R. D. L. 25 October 1941, No. 1148 for the annulment of non registered shares of Joint Stock Companies not yet converted into registered shares is hereby extended to 30 Sep. 1946.

ARTICLE II

REPEAL OF TAX ON NON REGISTERED SHARES

The tax on the proceeds from non registered shares established by R. D. L. 1627 of 7 Sep. 1935, converted into Law No. 76 of 13 January 1936 and successive amendments is hereby repealed on any such proceeds which accrue during any financial year of a joint stock company closing after 31st May 1946.

ARTICLE III

COMPREHENSIVE SUPER-TAX ON FOREIGN CAPITAL INVESTED IN JOINT STOCK COMPANIES

1). The declaration of foreign capital invested in Italian joint stock companies shall not be considered as being compulsory in the case of Companies, which, in accordance with their normal constitution as national Companies, have declared the issue of shares under Art. 5 of Law 30 Dec. 1923, No. 3280 (now Art. 14 of R. D. L. 15 Dec. 1938 No. 1975), provided such declaration has been accepted by the Registry Office without any opposition on account of the foreign origin of their capital, and provided the „Tassa di negoziazione“ has been assessed and collected for several years.

2). In such cases the extra tax in the foreign capital, as subsequently assessed shall be considered due as a supplementary tax liable to deduction of the „imposta di negoziazione“ already paid and the assessment shall be restricted to the preceding period of three years in accordance with the provisions of Art. 18 No. 2 of the aforesaid law excluding surtax.

The Tax shall be considered as a principal tax substituting the „Imposta di negoziazione“ with effect from the year in which the assessment was made and with the surtax for delayed payment applying, if circumstances allow subject in any case to the provisions of Order No. 87 Art. 15 para 9.

3). A re-assessment of the taxable capital shall be made, taking into account the data which the Firms concerned will be able to supply in accordance with the provisions of Art. 12 of the Law and Art. 48 of the regulations of Sep. 25, 1874, No. 2128, such Firms being entitled to appeal, for assessments made in 1940 and following years, to the District Tax Appeal Commission or to the Special Section of the Trieste Area Tax Commission as provided for by General Order No. 21 Article 1. The same Commissions shall examine and decide on appeals at present pending with Tax Offices.

4). The Tax Offices shall accordingly advise the interested concerns and submit evidence and suggestions for the revision of controversial cases.

ARTICLE IV

EFFECTIVE DATE

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

Dated in Trieste, this 15th day of June 1946.

ALFRED C. BOWMAN

Colonel, J.A.G.D.

Senior Civil Affairs Officer

ALLIED MILITARY GOVERNMENT

13 CORPS

Order No. 151

ESTABLISHMENT OF FILM BOARD

WHEREAS, it is considered desirable to constitute a Film Board for that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the „Territory“):

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

ORDER:

ARTICLE I

CONSTITUTION AND DUTIES OF FILM BOARD

Section 1 — A Film Board is hereby established for the Territory consisting of the following: Charles K. Maffly, A.I.S., President; Major Daniel J. Mahoney, Allied Military Government; Captain Desmond T. Clarke, 13 Corps Main; and Captain John H. Dobridge, Venezia Giulia Police Force, members.

Section 2 — a) It shall be the function of the Board to control and supervise the exhibition of all films brought into or exhibited in the Territory.

b) The Board shall pass judgment on such films from a security standpoint and, in addition, shall have all the powers of Film Commissions in accordance with the Law of Public Security and the Regulations attached thereto (R.D. 18 June 1931, n. 773), so far as applicable.

Section 3 — The Board is empowered to issue regulations governing its functioning and procedure in conformity with this Order.

Section 4 — The decisions of the Board shall be final.

ARTICLE II

EFFECTIVE DATE

This Order shall become effective on the date that it is signed by me.

Dated at TRIESTE, this 17th day of June, 1934.

ALFRED C. BOWMAN

Colonel, J.A.G.D.

Senior Civil Affairs Officer

ALLIED MILITARY GOVERNMENT

13 CORPS

Order No. 152

ENLARGEMENT OF EXEMPTION FROM TAXES AND DUTIES IN LABOR DISPUTES

WHEREAS, it is deemed desirable to enlarge the exemption from duties and taxes of proceedings and documents relating to individual labor controversies for that part of Venezia Giulia administered by the Allied Forces:

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

ORDER:

ARTICLE I

INCREASE OF EXEMPTION

The limitation of L. 2,000. established by the fifth paragraph of Article 27, R. D. 21 May, 1934, No. 1075, for the exemption from all taxes and duties of proceedings and documents relating to individual labor controversies, is hereby increased to L. 10,000.

ARTICLE II

EFFECTIVE DATE

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

Dated at TRIESTE, this 13th day of June, 1946.

ALFRED C. BOWMAN
Colonel, J.A.G.D.
Senior Civil Affairs Officer

ALLIED MILITARY GOVERNMENT

13 CORPS

Administrative Order No. 45

TERMINATION OF FUNCTIONS OF NOTARY Dott. SPADON GIOVANNI

WHEREAS, it appears that Notary Dott. Giovanni SPADON, exercising his functions as Notary at Trieste, has reached the age limit prescribed by law for Notaries ;

NOW, THEREFOE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

O R D E R :

RETIREMENT

Notary Dott. Giovanni SPADON, having reached the age limit for Notaries as established by law, is hereby relieved from his functions and duties as Notary, with effect from 14 October 1946.

ARTICLE II

EFFECTIVE DATE

This Order shall come into force on the date that it is signed by me.

Dated at TRIESTE, this 13th day of June, 1946.

ALFRED C. BOWMAN
Colonel, J.A.G.D.
Senior Civil Affairs Officer

ALLIED MILITARY GOVERNMENT
TRIESTE AREA

PART II
TRIESTE AREA

ALLIED MILITARY GOVERNMENT
TRIESTE AREA

Major Administrative Order No. 28

ARTICLE 1. The purpose of this order is to provide for the efficient administration of the Trieste Area. The provisions of this order shall be applicable to all personnel and organizations operating in the Trieste Area.

ARTICLE 2. The following shall be the functions of the Military Government in the Trieste Area:

(a) To maintain law and order in the Trieste Area.

(b) To provide for the welfare and security of the civilian population in the Trieste Area.

(c) To coordinate the activities of the various organizations operating in the Trieste Area.

(d) To provide for the efficient administration of the Trieste Area.

ALLIED MILITARY GOVERNMENT

TRIESTE AREA

Area Administrative Order No. 27 A

AMENDMENT TO AREA ADMINISTRATIVE ORDER No. 27 - SPECIAL FOOD ALLOWANCE FOR UNEMPLOYED SEAMEN - APPOINTMENT OF THE SUPERVISORY COMMISSION FOR THE AREA OF TRIESTE

*I, J. C. SMUTS, Lt. Col., Area Commissioner, Trieste, make the following amendment
to Area Administrative Order N. 27 :*

1. Delete „MENIS Andrea“ Acting Port Captain,
2. Insert in lieu thereof „KLODIC de Sabladosky“ Acting Port Captain.

This amendment shall become effective on the date of by my signature.

Trieste, 18th June 1946

J. C. SMUTS Lt. Col.
Area Commissioner, Trieste Area

ALLIED MILITARY GOVERNMENT

TRIESTE AREA

Area Administrative Order No. 28

APPOINTMENT OF AVV. DEPASE SILVIO TO THE EPURATION COMMISSION OF FIRST INSTANCE, TRIESTE, IN PLACE OF AVV. PERSOGLIA LUCIANO, RESIGNED

*Pursuant to the powers given to me by Sec. III of General Order No. 7, J. C. SMUTS,
Lt. Col., Commissioner Area, Trieste Area,*

HEREBY APPOINT

Advocate SILVIO DEPASE to be a member of the Epuration Commission of First
Instance, Trieste, in place of Advocate LUCIANO PERSOGLIA, who has resigned.
This Order of appointment shall become effective on the date it is signed by me.

Dated at Trieste, this 18th day of June 1946.

J. C. SMUTS, Lt. Col.
Area Commissioner, Trieste Area

ALLIED MILITARY GOVERNMENT
TRIESTE AREA

Area Administrative Order No. 29

**APPOINTMENT OF MR. CESARE ENRICO, TEMPORARY CLERK, TO PORT SECRETARY
(10th GRADE)**

I, C. J. SMUTS, Lt. Col., Area Commissioner, Area of Trieste, hereby

O R D E R

the temporary appointment of Mr. CESARE Enrico, temporary clerk, to Port Secretary (10th Grade), in the B Group.

This Order will take effect from 1st May 1946.

Date: 19th June 1946.

J. C. SMUTS, Lt. Col.
Area Commissioner, Trieste, Area

ALLIED MILITARY GOVERNMENT
TRIESTE AREA

Area Administrative Order No. 30

**PROMOTION OF Mr. SABLICH EDGARDO FROM GRADE 8 TO GRADE 7 (CHIEF
ACCOUNTANT)**

I, J. C. SMUTS, Lt. Col. Area Commissioner, Area of Trieste

H E R E B Y

temporarily promote Mr. EDGARDO SABLICH in the employ of „Capitaneria di Porto, Trieste“ from 8th grade to 7th grade („Chief Accountant“).

This Order will take effect from 1 June 1946.

Date: 27th June 1946.

J. C. SMUTS, Lt. Col.
Area Commissioner, Trieste Area

ALLIED MILITARY GOVERNMENT

TRIESTE AREA

Area Administrative Order No. 31

TEMPORARY PROMOTION OF RAG. CASTELLANI UGO FROM GRADE VIII GROUP B TO GRADE VII GROUP B

I, J. C. SMUTS, Lt. Col., Area Commissioner, Trieste Area, hereby

ORDER

1) that rag. UGO CASTELLANI be promoted from Ragioniere Capo di II classe, Grade VIII Group „B“, to Ragioniere Capo di I classe, Grade VII Group „B“, with effect from 12 June 1945.

2) This promotion is to be regarded as temporary and for the period of A. M. G. administration of this Area unless confirmed by the power taking over the Area from A. M. G.

3) This Order shall take force on the date it is signed by me.

Date: 28th June 1946.

J. C. SMUTS, Lt. Col.

Area Commissioner, Trieste Area

GORIZIA AREA

ALLIED MILITARY GOVERNMENT
GORIZIA AREA

Area Order No. 86

RESTRICTIONS IN THE USE OF ELECTRICAL CURRENT REPEALED

WHEREAS the emergency conditions of the electrical current have passed,
Now, therefore, I, JAMES E. LONG, Major, C. M. P., Area Commissioner, Gorizia,
hereby

O R D E R

that Area Order n. 68 for the Area of Gorizia be repealed.
This Order will take effect from 6 April 1946.

Dated at Gorizia this 10th day of June 1946.

JAMES E. LONG
Major, C.M.P.
Area Commissioner

ALLIED MILITARY GOVERNMENT
GORIZIA AREA

Area Order No. 87

APPOINTMENT OF THE AREA TAX COMMISSION

Pursuant to the powers vested in me by Art. III, Section 5 of Order n. 56,
I, JAMES E. LONG, Major, C.M.P., Area Commissioner of Gorizia, hereby

O R D E R

the following appointments to the Area Tax Commission for the Area of Gorizia :

<i>President :</i>	Ing. PIETRO VENUTI
<i>Vice President :</i>	Dott. ALFONSO RAKUSCEK
<i>Members :</i>	Ing. ETTORE MOCELLINI
	Mr. DOMENICO LO CUOCO
	ENRICO THOMAN
	Dott. DIOVANNI OCCHIPINTI
	Mr. CARLO POSVELT
	Avv. LONGINO CULOT
	Mr. LUIGI BRAUNIZZER
	Mr. LEOPOLDO BOBIC
 <i>Supplementary members :</i>	 Sig. GIULIO VITTORI
	Dott. FEDERICO VITAGLIANO
	Mr. ERNESTO GRUSOVIN
	Mr. GIOVANNI HUALIC

Dated in Gorizia this 10th day of June 1946.

JAMES E. LONG
Major, C.M.P.
Area Commissioner

ALLIED MILITARY GOVERNMENT

GORIZIA AREA

Area Order No. 88

TEMPORARY APPOINTMENT OF BRAUNIZER GUIDO AS VICE COMMISSARIO STRAORDINARIO OF CASSA DI RISPARMIO DI GORIZIA

It is hereby ORDERED that Braunizer Guido be and he hereby is temporary appointed Vice Commissario Straordinario of Cassa di Risparmio di Gorizia, with all the powers granted to and subject to all the duties imposed upon a Vice Commissario Straordinario by the Banking laws of Italy.

This Order shall take effect immediately and shall be operative until further Order.

Dated : 15th June 1946.

JAMES E. LONG

Major, C.M.P.

Area Commissioner

ALLIED MILITARY GOVERNMENT

GORIZIA AREA

Area Order No. 89

APPOINTMENT TO VACANCY IN THE COMMISSIONS FOR THE ISSUANCE OF VARIOUS LICENSES

Whereas the Commissions for the issuance of various licenses was constituted by Area Order No. 71 dated 8th of March 1946,

Whereas a vacancy has been created by the death of ZANZI Quirino, member, representative of the merchants,

Now, therefore, I, JAMES E. LONG, Major, C.M.P., Area Commissioner for the Area of Gorizia by virtue of the power vested in me by the provisions of Order No. 15 dated 11 September 1945 hereby

ORDER

that the vacancy hereinbefore mentioned, be fulfilled by BIGOT GIOVANNI.

Dated at Gorizia this 19th day of June 1946.

JAMES E. LONG

Major, C.M.P.

Area Commissioner

POLA AREA

ALLIED MILITARY GOVERNMENT

POLA AREA

Area Administrative Order No. 48

TEMPORARY APPOINTMENTS - UFFICIO SUSSIDI E PENSIONI MILITARI

1. — I, Major, T. S. BELSHAW, Acting Area Commissioner of Pola, HEREBY appoint

- a) Ten. Col. SALVADORI Guido as COMANDANTE of the Ufficio Sussidi e Pensioni Militari ;
- b) Ten. Col. AMERIO Efisio as RELATORE of the Ufficio Sussidi e Pensioni Militari ;
- c) Maggiore ARCIDIACONO Salvatore as CAPO MATRICOLA.

2. — This Order will take effect immediately.

Dated in Pola this 17th day of June 1946.

T. S. BELSHAW, Major
Acting Area Commissioner,
Pola Area

ALLIED MILITARY GOVERNMENT

POLA AREA

Area Administrative Order No. 49

TEMPORARY APPOINTMENT OF THE COMMISSIONER OF „OPERA ORFANI DI GUERRA“ AND „ASSOCIAZIONE FAMIGLIE CADUTI“ OF POLA AREA

1. — I, Major, T. S. BELSHAW, Acting Area Commissioner of Pola, HEREBY appoint

Prof. ZELCO Manlio

as temporary Commissioner of the „Opera Orfani di Guerra“ and „Associazione Famiglie Caduti“ of Pola.

2. — This Order will take effect immediately.

Dated in Pola this 17th day of June 1946.

T. S. BELSHAW, Major
Acting Area Commissioner
Pola Area

ALLIED MILITARY GOVERNMENT

POLA AREA

Area Administrative Order No. 50

TEMPORARY APPOINTMENT OF THE COMMISSION FOR THE ASSISTANCE TO UNEMPLOYED SEAMEN

1. — Pursuant to the provisions of Art. V. Sec. 2 of Order No. 139 dated 3rd June 1946,

I, Major, T. S. BELSHAW, Acting Area Commissioner of Pola, HEREBY appoint the following Commission for the ascertainment on the eligibility of persons for the allowance contemplated by Order No. 139:

President: POLONI Francesco - acting Port Captain

Members: MIGLIA Edvino - representing AMG Labour Office
MARINI Italo - representing Intendente di Finanza
BELTRAME Egidio - representing Camera Confederale del Lavoro
VASCOTTO Augusto - representing Sindacati Unici
GATTI Ermanno - representing Associazione degli Armatori
BACCHETTI Aldo - representing Associazione degli Armatori

2. — This Order will take effect immediately.

Dated in Pola this 22nd day of June 1946.

T. S. BELSHAW, Major
Acting Area Commissioner
Pola Area

ALLIED MILITARY GOVERNMENT

POLA AREA

Area Administrative Order No. 51

PROMOTION - „ISPETTORATO DELL'AGRICOLTURA“ POLA AREA

1. — I, Major, T. S. BELSHAW, Acting Area Commissioner of Pola,

HEREBY

temporarily promote TROMBA Egidio in the employ of „Ispettorato dell'Agricoltura“ of Pola Area from 10th Grade to 9th Grade (Group B) and GAJON Fernanda from 11th Grade to 10th Grade (Group C).

2. — This Order will take effect from 1st July 1946.

Dated in Pola this 22nd day of June 1946.

T. S. BELSHAW, Major
Acting Area Commissioner
Pola Area

GAZETTE No. 22

ALLIED MILITARY GOVERNMENT

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