

# ALLIED MILITARY GOVERNMENT

BRITISH - UNITED STATES ZONE

FREE TERRITORY OF TRIESTE



## OFFICIAL GAZETTE

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# ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

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## Order No. 166

### SUSPENSION OF CONTRIBUTION TO „CASSA PER IL TRATTAMENTO DEGLI OPERAI RICHIAMATI ALLE ARMI“

*WHEREAS it is deemed advisable and necessary to suspend the obligation of payment of the contribution due by the Employers in Industry to „Cassa per il Trattamento degli Operai Richiamati alle Armi“ 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

Until further order the obligation of payment of the contribution due by Employers to „Cassa per il Trattamento degli Operai Richiamati alle Armi“ as provided for in the collective labour contracts stipulated on 15 June 1940 is hereby suspended.

#### ARTICLE II

This Order shall become effective as from the first pay period after 20 December 1947.

Dated at Trieste, 8th March 1948.

**RIDGELY GAITHER**

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

# Order No. 177

## RETIREMENT PENSIONS PAYABLE FROM „CASSA NAZIONALE PER LA PREVIDENZA MARINARA“

*WHEREAS it is deemed advisable and necessary to issue new provisions relating to the retirement pensions payable from „Cassa Nazionale per la Previdenza Marinara“ (hereinafter referred to as „Cassa“) 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 1.* — The limit of Lire 1,500.— as laid down in the 2nd paragraph of Article I of D. L. L. 22 March 1946 No. 391, implemented in the Zone by Order No. 300 dated 7 January 1947, shall be, and it hereby is revoked and abolished with effect from 1 April 1943, and „Cassa“ shall assess the pensions anew for the purpose of fully applying the increase as provided for in the aforesaid Article.

*Section 2.* — The supplementary allowance provided for by General Order No. 17 dated 13 October 1945 and General Order No. 17 B dated 8 October 1946 as extended to the pensions payable from „Cassa“ by virtue of Article I, Sec. 2 of Order No. 87 dated 19 December 1947, shall be due on the pension as resulting from the new assessment.

#### ARTICLE II

*Section 1.* — The contribution due in terms of Article II of Order No. 87 dated 19 December 1947 in respect to the personnel, both sea-going and administrative, entitled to insurance benefits consisting in a pension from „Cassa“, shall be also due, at the same rate and with the same effective date, in respect to the sea-going and administrative personnel on active service at the effective date of this Order, whose insurance benefits consist in Life Insurance Policies in terms of Article 14 of R. D. 16 September 1937 No. 1842, or in individual accounts with annual capitalization in terms of the second paragraph of Article 15 of the said Decree, or in any other kind of providence referred to in Ministerial Decrees No. 12 and No. 13 of 18 August 1938 issued on the authority of the delegation referred to in Article 20 of the said Decree.

*Section 2.* — The aforesaid contribution shall be paid into „Cassa“ and shall be allocated to increase the capital sum assured by the policy or accruing on the individual account styled in the name of the person in whose favour the contribution is paid, or the benefits provided for by the Inter-Ministerial Decrees hereinbefore referred to.

#### ARTICLE III

The contribution due in terms of the preceding Article for the year 1948 and following years shall be that annually fixed in favour of the Supplementary Social Insurance Fund for the sea-going and administrative personnel entitled to insurance benefits from „Cassa“.

## ARTICLE IV

For the purpose of the application of Article 9 of D. L. L. No. 391 of 22 March 1946 implemented in the Zone by Order No. 300 dated 7 January 1947, neither the increase provided for in Article I of the said decree, nor the supplementations resulting from the application of the Orders specified in Article I, Sec. 2 of the present Order shall be taken into consideration.

## ARTICLE V

*Section 1.* — For the purposes of the determination of the benefit of the extraordinary increase of minimum of pensions as referred to in Article III of General Order No. 17 dated 13 October 1945, the minimum benefits shall be, and they hereby are fixed for Old Age in Lire 5,400.— per annum, and for Invalidism in Lire 4,320.— per annum, irrespective of the pensioner's sex.

*Section 2.* — The increase of the minimum benefits for dependent children, as provided for in Article III, Section 1, Subsection c) of General Order No. 17 dated 13 October 1945 shall not be due to the recipients of old age and invalidism pensions paid by „Cassa“.

## ARTICLE VI

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

Dated at Trieste, this 8th day of March 1948.

**RIDGELY GAITHER**

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

# Order No. 178

## INSURANCE OF PERSONNEL OF PUBLIC TRANSPORTATION SERVICES

*WHEREAS it is deemed advisable and necessary to make provisions for the payment of supplementary allowances to pensions payable from the Special Insurance Fund for the Personnel of Public Transportation Services, and to make certain amendments to the existing legislation governing the payment of pensions from the said Fund and the rate of contribution due to the same, 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.* — A „Supplementary Fund“ shall be and is hereby established with „Istituto Nazionale della Previdenza Sociale“, for the purpose of providing, with effect from 1 January 1947, for the payment of supplementary allowances to the pensions payable from the Special Insurance Fund for the Personnel of Public Transportation Services as referred to in Article 8 of R. D. L. 19 October 1923, No. 2311 (hereinafter referred to as „the Fund“).



*Section 2.* — The Supplementary Allowances referred to in the preceding Section shall be deemed as substituting, so far as the pensions payable from the Fund are concerned, those provided for by General Order No. 17, dated 13 October 1945, as amended and extended to the pensions payable from the Fund by virtue of Order No. 101 dated 5 April 1946.

## ARTICLE II

*Section 1.* — The total contribution due to the Fund, and to the Supplementary Fund established by Article I of this Order, shall be paid by the enterprises, with effect from 1 January 1947, in an aggregate amount to „Istituto Nazionale della Previdenza Sociale“ at the end of each month. The contribution shall be computed on all amounts paid by the enterprises to the workers as compensation for services rendered, including contingency and cost-of-living allowances, accessory remunerations and any other allowance-unless of the kind of reimbursement of expenses or gratuities „una tantum“ - in so far as they are a form of the remuneration ordinarily paid.

*Section 2.* — In the case of a belated payment, the enterprises shall be charged delayed interest at an annual rate of 5%.

*Section 3.* — The aforesaid contribution shall be borne as to eight ninths (8/9) by the enterprises and one ninth (1/9) by the worker.

*Section 4.* — The Allied Military Government shall fix annually the total percent rate of the contribution due to meet the expenditure of the fund and of the Supplementary Fund, as well as the shares thereof to be appropriated to each of these two Funds.

*Section 5.* — Pending the fixing of a new percent rate of contribution, this shall be paid at the rate as due for the preceding year, subject to adjustment.

*Section 6.* — Three fifths (3/5) of the quota-share attributed to the Fund shall be appropriated, in terms of Article II of Order No. 205 dated 10 August 1946, to General Compulsory Old Age, Invalidism and Survivors Insurance.

## ARTICLE III

For the year 1947 the contribution shall be and is hereby fixed at a rate of 16.50% of the total earnings, and shall be appropriated as follows: 2.50% to the Fund, and 14% to the Supplementary Fund.

## ARTICLE IV

*Section 1.* — The provisions set forth in Article V of Order No. 205 dated 10 August 1946 shall be amended to the effect that for the determination of the rate of pension due as from 1 January 1947 to the workers placed on a retirement pension effective after 1 January 1945, the pension shall be based on the annual average of the wages earned by the worker from 1 January 1940 to the date of retirement, and his wages for the year 1945 and subsequent years shall be considered as consisting of:

a) salary or wage reached by the worker on 1 January 1945; and

b) accessory allowances collected by the workers during 1944 and on which the insurance contribution was paid in its time, to be computed on an annual basis.

*Section 2.* — In those cases where the worker has not collected any accessory allowances during the year 1944 because of his absence from service due to sickness or other reasons for a period exceeding 10 months, the accessory allowances to be added to the basic salary or wage as at 1 January 1945 shall be determined in accordance with the criteria adopted in respect of those workers engaged as of that date, as hereinafter referred to in Section 4 of the present Article.

*Section 3.* — In those cases where the worker's salary was automatically increased, or he was promoted to a higher grade, after 1 January 1945, the earnings reached by the worker on 1 January 1945 shall be increased by 5% for each bi-annual automatic increase of salary or wage, and by 10% for each promotion of grade, to be reckoned as of the date on which the increased or promotion has taken place.

*Section 4.* — In respect to those workers engaged after 1 January 1945, the earnings on which the pension is to be computed shall be determined in taking a salary or wage equal to that which they would be paid if they had been engaged by the enterprise on 1 January 1945, with the addition of an amount equal to the annual average of the accessory allowances actually received in 1944 by workers of equal grade and seniority employed by the same enterprise. In the case of automatic increases of salary or wage, or of promotions, the percent rates of increase as laid down in the preceding Section, shall apply.

*Section 5.* — In respect to those workers belonging to categories in favour of which accessory allowances already existing on 31 December 1944 and paid to the rest of the personnel were extended as of that date, the determination of the earnings to be computed for the pension shall be effected in considering the aforesaid accessory allowances for the period during which they were paid, in the amount received during the first year of their extension computed on an annual basis, and calculated in the proportion of the average accessory allowances as received by the personnel of the enterprise during the year 1944 to the corresponding allowances of the year in which the extension has taken place. If such proportion cannot be established at the time of a pension becoming payable, the proportion established for the immediately preceding year shall apply.

## ARTICLE V

All pensions calculated in terms of Order No. 205 dated 10 August 1946 which have become payable between 1 February 1945 and 1 December 1946, shall be calculated anew, with effect from 1 January 1947, on the basis of the wage determined in terms of the preceding Article.

## ARTICLE VI

The contributions for the period 1 January 1945 - 31 December 1946, relating to the share of earnings exceeding the amount considered for the purposes of computing the wage upon which the pension is based, shall be kept reserved until such time as its final allocation is established by an appropriate Order.

## ARTICLE VII

*Section 1.* — The Supplementary Allowance referred to in Article I of this Order shall consist, in respect of direct pensions, in an increase of the annual pension payable in terms of Article 11 of the Regulations approved by R. D. 30 September 1920, No. 1538, and subsequent amendments, at the following rates:

<i>Increase :</i>	
On the first Lire 1.350 or less .....	2.800%
On amounts exceeding Lire 1.350 up to and including Lire 2.000 :	1.040%
On amounts exceeding Lire 2.000 up to and including Lire 2.650 :	1.016%
On amounts exceeding Lire 2.650 up to and including Lire 3.300 :	940%
On amounts exceeding Lire 3.300 up to and including Lire 3.950 :	888%
On amounts exceeding Lire 3.950 up to and including Lire 4.600 :	832%
On amounts exceeding Lire 4.600 up to and including Lire 5.250 :	776%
On amounts exceeding Lire 5.250 up to and including Lire 5.900 :	720%
On amounts exceeding Lire 5.900 up to and including Lire 6.550 :	664%
On amounts exceeding Lire 6.550 up to and including Lire 36.000 :	608%
On shares of pension in excess of Lire 36.000 per annum no increase shall be due.	

*Section 2.* — The aggregate treatment consisting in the pension payable in terms of Article 11 of the Regulations approved by R. D. 30 September 1920, No. 1538, as amended, and the supplementary allowance shall not amount to less than Lire 48.000.

*Section 3.* — The pensions thus supplemented shall be increased by one tenth (1/10) of their amount for each child dependent upon the pensioner, in compliance with the provisions of Article VIII of Order No. 205 dated 10 August 1946.

## ARTICLE VIII

The total pension due to survivors shall be determined by applying to the respective direct pension, after its increase in terms of the preceding Article, the percentages laid down in Article IX of Order No. 205 dated 10 August 1946. The same percentages shall apply in the case of supplementation of pensions which have become effective prior to 1 September 1942.

## ARTICLE IX

*Section 1.* — In the case of an alteration of the earnings subjected to contribution taking place on or after 1 January 1948 in consequence of increases or reductions of the cost of living, the amount of the supplementation of pensions shall be altered according to the proportion existing between the altered earnings and the earnings valid before the alteration took place, without, however, changing the rate of contribution.

*Section 2.* — Any alterations of the rates of pension shall be made by an appropriate Order, whenever after the latest alteration of the pensions the earnings were on the whole increased or reduced by 25% or more.

*Section 3.* — The rates of supplementation shall not be subject to more than one alteration in each calendar year.



## ARTICLE X

In addition to the pensions payable and supplemented in terms of this Order, an additional supplementation in the amount of Lire 300.— p. m. to be borne by the State shall be and hereby is granted to the beneficiaries, with effect from 1 July 1947 and so long as the recipients of pensions under Compulsory Old Age, Invalidism and Survivors Insurance are entitled to the benefit of the temporary contingency allowance borne by the Social Solidarity Fund established by Order No. 462 dated 11 September 1947.

## ARTICLE XI

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

Dated at Trieste, this 8th day of March 1948.

**RIDGELY GAITHER**

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

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# Order No. 179

### GRANT OF EXTRAORDINARY UNEMPLOYMENT ALLOWANCE TO UNEMPLOYED WORKERS DISCHARGED FROM SANATORIA FOR TUBERCULAR DISEASES

*WHEREAS it is deemed advisable and necessary to grant the Extraordinary Unemployment Allowance provided for by Article III of Order No. 392 (103 C) dated 31 May 1947, to the unemployed workers discharged as of 30 September 1946 from Sanatoria where they had been hospitalized due to tubercular diseases, in consequence of their clinical recovery, stabilization or continuation of treatment in ambulatories, 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

*Section I. — Authority shall be and it hereby is granted for the payment for a period of 180 days of the Extraordinary Unemployment Allowance provided for by Article III of Order No. 392 (103 C) dated 31 May 1947, to those unemployed workers discharged after 30 September 1946 from Sanatoria where they had been hospitalized due to tubercular diseases, in consequence of their clinical recovery, stabilization or continuation of treatment in ambulatories.*



*Section 2.* — The payment shall begin as from the date of the submission of the application.

*Section 3.* — The application shall be supported by certificate issued by the Sanatorium where the patient has been hospitalized, stating the date of discharge from the said Sanatorium and certifying that at the time of the submission of the application he (or she) has not been hospitalized again in the same Sanatorium.

## ARTICLE II

The allowance shall not be granted :

- (a) to those in receipt of indemnities, subsidies or annuities paid as a charge of the State, Local Bodies and/or Social Insurance and Assistance Institutes, without prejudice, however, to the right to temporary Tuberculosis indemnity, and to the supplements and allowances provided for by Order No. 104 dated 8 April 1946, and/or to any other subsidy recognized as in lieu thereof, to which they may be entitled under the heading of post-sanatorial assistance in terms of existing legislation ;
- (b) to those accepting paid service in the employment of others, or refusing any occupation suitable for their physical capacities ;
- (c) to those who are not in needy conditions.

## ARTICLE III

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

Dated at TRIESTE, this 8th day of March 1948.

**RIDGELY GAITHER**

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

## Order No. 183

### ESTIMATE OF EXPENDITURE OF THE FREE TERRITORY OF TRIESTE, BRITISH-UNITED STATES ZONE, COVERING THE PERIOD 16 SEPTEMBER 1947-15 MARCH 1948

*WHEREAS the Estimate of Expenditure of the Free Territory of Trieste, British-United States Zone covering the period 16 September 1947 - 15 March 1948, within that Zone of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as „the Zone“); has been prepared and approved and that it is necessary to authorize payment thereof,*

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

#### ORDER :

##### ARTICLE I

The Allied Military Government of the Free Territory of Trieste, British-United States Zone, is hereby authorized to pay the expenses of the administration for the period 16 September 1947 - 15 March 1948, in conformity with the Estimate of Expenditure on file in the office of the Department of Finance.

##### ARTICLE II

#### EFFECTIVE DATE OF ARTICLE I OF THIS ORDER

The provisions referred to in Article I hereof shall be effective as from 16 September 1947 and the Order shall come into force on the date that it is signed by me.

Dated at TRIESTE, this 8th day of March 1948.

**RIDGELY GAITHER**

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

## Order No. 184

### SICKNESS INSURANCE OF WORKERS IN BANKING, INSURANCE AND TAX COLLECTING SERVICES

*WHEREAS it is deemed advisable and necessary to provide for certain modifications of sickness insurance of workers employed by Banking, Insurance and Tax Collecting Enterprises 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

As and from the effective date of this Order, the provisions relating to sickness insurance as set forth in Order No. 170 dated 9 July 1946, and in effect as to all other categories of workers shall also apply to those workers employed by Banking, Insurance and Tax Collecting enterprises who in consequence of the merger of „Casse Provinciali di Malattia“ in the „Istituto Nazionale per l' Assicurazione di Malattia dei Lavoratori“ had elected the so-called „reimbursement system“ (or INACALAST system).

### ARTICLE II

*Section 1.* — Those workers referred to in the preceding Article, classified as clerical employees, who prefer to avail themselves of doctors and sanatoria of their own choice in lieu of the medical organization of „Istituto Nazionale per l'Assicurazione contro le Malattie“ (hereinafter referred to as the „Institute“), shall notify the Institute at the beginning of each year accordingly.

*Section 2.* — In these cases the Insured shall be entitled to receive a contribution to meet the actual expenditure incurred at a rate equal to the amount the Institute would have borne in the case of its direct service.

*Section 3.* — For this purpose the Institute shall prepare an appropriate List of Rates which shall be submitted to the Allied Military Government for approval.

Together with such List of Rates there shall be also laid down the regulations and limits to apply for the „reimbursement“ benefits, and particularly those to govern the supervision and control of the benefits, which shall be uniformed to the regulations applicable to all other categories of workers.

*Section 4.* — The notification referred to in Section 1 of this Article shall be made, for the year 1948, within 30 days as from the date of publication of this Order.

### ARTICLE III

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

Dated at TRIESTE, this 8th day of March 1948.

**RIDGELY GAITHER**

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

# Order No. 176

## ESTABLISHMENT OF THE „LAND RECLAMATION REGION TRIESTE ZONE“

*WHEREAS it is desired to establish an undivided land reclamation region in that Zone of the Free Territory of Trieste now administered by the British-United States Forces (hereinafter referred to as the „Zone“), in conformity with R. D. L. 13 February 1933, No. 215, and*

*WHEREAS the regions of Noghere and Lisert are included in the new region to be established herein,*

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

### ORDER:

#### ARTICLE I

*Section 1. — The entire Zone, except the urban area of Trieste as limited by its customs boundary, shall comprise an undivided land reclamation region and shall be classified, pursuant to R. D. L. 13 February 1933, No. 215, as a land reclamation region of the first category.*

*Section 2. — The regions of Noghere and Lisert excepting such part of Lisert, outside of the zone boundaries, shall be included in the new reclamation region.*

#### ARTICLE II

*Section 1. — The new land reclamation region is hereby declared and established as the „Land Reclamation Region Trieste Zone“, and its area shall be bounded and described as the same appearing on Map „Annex A“ attached hereto and made part of this Order.*

*Section 2. — The said „Annex A“ will be deposited at the Office of Agriculture and Fisheries, Allied Military Government, and at the Territorial Inspectorate of Agriculture where it may be freely inspected by all persons concerned.*

#### ARTICLE III

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

*Dated at Trieste, 9th March 1948.*

**RIDGELY GAITHER**

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



# Order No. 146

## JURISDICTION OF THE COURT OF APPEAL OF TRIESTE ACTING AS COURT OF CASSATION

*WHEREAS, by virtue of Order No. 159, dated 18 June 1946, the Court of Appeal of Trieste was vested with certain functions of the Court of Cassation; and*

*WHEREAS, it is now considered advisable and necessary to extend and specify the above mentioned functions,*

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

### ORDER:

#### PART I

### ASSIGNMENT TO THE COURT OF APPEAL OF TRIESTE OF CERTAIN FUNCTIONS OF THE COURT OF CASSATION

#### ARTICLE I

##### ASSIGNMENT OF FUNCTIONS IN CIVIL MATTERS

The Court of Appeal is authorized to examine and decide recourse (ricorsi) in accordance with Articles 41, 360 and 362 of the Code of Civil Procedure now in force.

Recourse (ricorsi) in accordance with Article 360 is restricted to that against final judgments in Courts of single instance (sentenze definitive pronunciate in unico grado).

Recourse (ricorsi) in accordance with Article 362, para 1 of the said Code is restricted to that against decisions in Courts of single instance (decisioni in unico grado).

#### ARTICLE II

##### ASSIGNMENT OF FUNCTIONS IN PENAL MATTERS

The Court of Appeal is authorized to examine and decide:

- a) Recourse (ricorsi) against unappealable judgments (sentenze) of first instance.
- b) Recourse (ricorsi) in accordance with Article 387, second paragraph of the Code of Penal Procedure restricted to judgments (sentenze) of first instance, and 579, 594, 598, 668, 631 and 674 of the Code of Penal Procedure.
- c) Recourse (ricorsi) against other judicial findings (provvedimenti) other than the judgment (sentenze) and subject of direct recourse (ricorsi) to Cassation according to the provisions of the Code of Penal Procedure now in force.
- d) Motions (istanze) for revision in accordance with Article 557 of the said Code.
- e) Conflict of jurisdiction and of competency in accordance with Article 51 of the said Code.

## PART II

### PROVISIONS FOR RECOURSE (RICORSI)

#### ARTICLE III

##### PROCEDURE

Recourse (ricorsi) to Cassation in civil and penal matters in the cases provided for by this Order, so far as right to challenge, time limits, form, grounds, lodging, proceedings and judgment shall be regulated so far as applicable by the rules laid down in the Code of Civil Procedure and the Code of Penal Procedure respectively.

#### ARTICLE IV

##### MEMBERS OF THE COURT ACTING AS COURT OF CASSATION

The Court of Appeal, when acting as Court of Cassation, shall be composed of the First President, and of four members chosen by him from time to time from among the magistrates not below grade V included in a special list.

Should the First President be unable to act, he shall delegate as President of the Court of Appeal sitting as Court of Cassation a President of Section of the Court of Appeal.

#### ARTICLE V

##### INTERVENTION OF THE „PUBBLICO MINISTERO“ WITH THE COURT SITTING AS COURT OF CASSATION

The functions of „Pubblico Ministero“ at the Court of Appeal sitting as Court of Cassation shall be performed by the „Procuratore Generale“ of the Court of Appeal.

Should the „Procuratore Generale“ be unable to act, he shall be substituted by the „Avvocato Generale“.

Should the „Avvocato Generale“ be prevented from exercising such functions for serious reasons the „Procuratore Generale“ shall delegate the duty to a Magistrate of his Office designated from time to time to carry out the said functions.

#### ARTICLE VI

##### COUNSELS BEFORE THE COURT ACTING AS COURT OF CASSATION

Advocacy before the Court of Appeal acting as Court of Cassation is restricted to avvocati inscribed in the Professional Roll (Albo Professionale) for not less than 5 years.

#### ARTICLE VII

##### REPEAL OF PROVISIONS

The provisions contained in Order No. 159 of the Allied Military Government, dated 18 June 1946, published in the Official Gazette No. 23 of 1 August 1946, are hereby repealed.

ARTICLE VIII

**EFFECTIVE DATE**

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

Dated at Trieste, this 11th day of March, 1948.

**RIDGELY GAITHER**

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

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**Order No. 169**

**PROVISIONS RELATING TO ALIENATION OF MOTOR VEHICLES**

*WHEREAS the provisions of Article II Order No. 243 are no longer applicable and unnecessary,*

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

**O R D E R :**

**ARTICLE I**

That Article II Order 243 dated 23 November 1946, entitled „Approval Before Registration“ be and the same is hereby repealed and shall no longer be in force and effect.

**ARTICLE II**

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

Dated at TRIESTE 15th March 1948.

**RIDGELY GAITHER**

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

# Order No. 190

## DISSOLUTION OF THE AREA INSPECTORATE OF AGRICULTURE

WHEREAS by Orders No. 38 dated 12 November 1945, and No. 302 dated 31 December 1946, and by Administrative Order No. 75 dated 23 November 1946 of the Allied Military Government provisions have been made for the constitution of the Territorial Inspectorate of Agriculture and the reorganization of the Provincial Inspectorates of Agriculture and for the incorporation of the Offices of the National Economic Board of Agriculture into the Area Inspectorate of Agriculture, and

WHEREAS it is considered necessary to dissolve the Area Inspectorate of Agriculture for the Trieste Area and to assign its functions to the Territorial Inspectorate of Agriculture in accordance with the exigencies of agricultural services 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

The Area Inspectorate of Agriculture for the Trieste Area is hereby dissolved; its functions are hereby assigned to the Territorial Inspectorate of Agriculture.

#### ARTICLE II

Section 1. — The permanent personnel („di ruolo“) of the dissolved Area Inspectorate shall be assigned to the Territorial Inspectorate and shall retain the juridical and economic treatment now enjoyed by them.

Section 2. — Such non-permanent personnel as may be required by the Agriculture and Fisheries Officer, Allied Military Government, may be retained for service with the Territorial Inspectorate, and they shall retain the same juridical and economic treatment now enjoyed by them.

#### ARTICLE III

The assets of the dissolved Area Inspectorate shall be transferred to the Territorial Inspectorate.

#### ARTICLE IV

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

Dated at Trieste, this 17th day of March 1948.

**RIDGELY GAITHER**

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



## Order No. 196

### SUSPENSION OF STATE EXAMINATIONS FOR QUALIFICATION TO PRACTICE THE PROFESSION OF ECONOMY AND COMMERCE

*WHEREAS* by Order No. 223, dated September 6th, 1946, as amended by Order No. 344 (223 A), dated April 11th, 1947, the State examinations for qualification to practice the profession of Economy and Commerce were suspended and the issuance of certificates of temporary qualification was granted to those who have obtained their degree at the University of Trieste, and

*WHEREAS* it is deemed advisable to extend the provisions set forth by the above mentioned Orders to the year 1948, 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, hereby*

#### ORDER:

##### ARTICLE I

The provisions set forth in Order No. 223, dated September 6th, 1946, as amended by Order No. 344 (223 A) dated April 11th, 1947, concerning the suspension of State examinations for qualification to practice the profession of Economy and Commerce and the issuance of certificates of temporary qualification to practice such profession, are hereby extended to the year 1948, in favour of those who have obtained their degree at the University of Trieste during the years 1939 through 1947.

##### ARTICLE II

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

Dated at Trieste, this 17th March 1948

**RIDGELY GAITHER**

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

## Order No. 202

### REGULATIONS FOR ENTRY INTO THE FREE TERRITORY OF TRIESTE

*WHEREAS, it is necessary to provide for the control of movement of civilians entering the Free Territory of Trieste, British-United States Zone (hereinafter referred to as the „Zone“),*

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

## ORDER:

### ARTICLE I

#### CONDITIONS FOR ENTRY AND RE-ENTRY INTO THE ZONE

*Section 1.* — Any person, other than the class of persons mentioned in Article II, may enter the Zone provided that he is in possession of:

- a)* an Allied Forces Permit issued by the appropriate Allied Authority after clearance with Allied Military Government (Military Permit Office) together with a valid passport ; or
- b)* an Entry Permit issued by the Allied Military Government (Military Permit Office) together with a valid passport, or in lieu of such passport, in the case of Italian Nationals, and Identity Card issued by the Italian Government, or in the case of Yugoslav Nationals, an Identity Card issued by the Yugoslav Government ; or
- c)* an Identity Card issued and overstamped by the Yugoslav Military Government for that Zone of the Free Territory of Trieste administered by the Yugoslav Military Government ; or
- d)* a valid passport on which has been entered by a British or United States Consulate after clearance with Allied Military Government (Military Permit Office), a visa authorizing entry into the Zone.

*Section 2.* — Any person, other than those specified in Section 1 hereof, who desires to re-enter the Zone will be permitted to do so provided that he is in possession of an Identity Card issued by Allied Military Government under Order 14 of 10 September, 1945, and overstamped in accordance with Order No. 8 of 27 September, 1947, as amended.

### ARTICLE II

#### TRANSIT

1. — Any person requiring to pass through the Zone while travelling by train, sea or air from one country to another shall be permitted to do so if in possession of a valid document, together with a visa or other authority to enter the country of destination, and a document or visa issued by the proper Authority granting permission for such transit of the Zone in such terms and subject to such conditions as shall be notified from time to time by the Allied Military Government.

2. — Every person passing through the Zone in accordance with this Article shall be in possession of individual authority for such transit and no collective permits or visa shall be used.

## ARTICLE III

### ISSUANCE OF PERMITS

The entry permits, Allied Forces permits and visas in lieu thereof will be issued in accordance with regulations to be issued from time to time by Allied Military Government (Military Permit Office).

## ARTICLE IV

### PENALTIES

Any person who :

- 1) makes a false statement, knowing the same to be false, in relation to an application for a permit to enter the Zone or who furnishes false documents or writings in relation thereto ; or
- 2) who enters or re-enters the Zone and is not in possession of the documents required under this Order,

shall be guilty of an offence and shall, on conviction by an Allied Military Court, be liable to fine or imprisonment or both as the Court shall determine.

## ARTICLE V

### RIGHT OF ALLIED MILITARY GOVERNMENT TO WITHDRAW PERMITS

The Allied Military Government shall have the right at any time to withdraw from any person within the Zone any entry permit, Allied Forces permit or visa in lieu thereof, mentioned in this Order.

## ARTICLE VI

### REPEAL OF ORDER No. 140

Order No. 140 dated 14th February 1948 is hereby repealed and cancelled.

## ARTICLE VII

### EFFECTIVE DATE

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

Dated at Trieste, this 17th day of March, 1948.

**RIDGELY GAITHER**

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

## Administrative Order No. 65

### APPOINTMENT OF SIG. STRAIN IGNAZIO AS DEPUTY MEMBER OF THE COMMUNAL COUNCIL FOR SAN DORLIGO DELLA VALLE

*Pursuant to the power vested in me by General Order No. 11, dated August 11, 1945,*

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

#### O R D E R :

1. — Sig. STRAIN Ignazio is hereby appointed Deputy Member to the Communal Council for the Commune of San Dorligo della Valle.

2. — This Order shall enter into force on the date it is signed by me.

Dated at TRIESTE, this 11th March 1948.

**RIDGELY GAITHER**

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

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## Administrative Order No. 70

### APPOINTMENT OF A NEW COUNCIL AND COMMUNAL PRESIDENT FOR THE COMMUNE OF DUINO-AURISINA

*WHEREAS, the President for the Commune of Duino-Aurisina appointed by Area Administrative Order No. 80 dated July 2, 1947, has resigned and the Communal Council has been re-organized, and it is necessary to appoint a new President and to set out the re-organized Communal Council,*

*NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs, pursuant to the power vested in me by General Order No. 11, dated August 11, 1945, hereby*

#### O R D E R :

1. — Area Administrative Order No. 80, dated July 2, 1947, is hereby cancelled.



2. — The following persons are appointed to the administration of the Local Government for the Commune of Duino-Aurisina :

<i>President :</i>	KRALJ Otto
<i>Chairman of Council :</i>	LUPINC Luigi
<i>Members of Council :</i>	LEGHISSA Giuseppe
	MERLUZZI Amedeo
	LEGHISSA Albino
	TERCON Giuseppe
<i>Substitute members :</i>	TERCON Giovanni
	ZACCARIA Angelo

3. — This Order shall enter into effect on the date it is signed by me

Dated at TRIESTE, this 11th day of March, 1948.

**RIDCELY GAITHER**  
Brigadier General, U.S. Army  
Director General, Civil Affairs

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