ALLIED MILITARY GOVERNMENT

BRITISH - UNITED STATES ZONE FREE TERRITORY OF TRIESTE

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ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

Order No. 101

DETERMINATION OF THE RATE OF CONTRIBUTION DUE FOR THE YEAR 1949 IN FAVOUR OF PATRONAGE AND SOCIAL ASSISTANCE OFFICES

WHEREAS it is deemed necessary to determine for the year 1949 the quota-share of contributions due in favour of Patronage and Social Assistance Offices in terms of Article VII, Section 2, of Order No. 77, dated 27 December 1947, in that part of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

RATE OF THE QUOTA - SHARE

Section I. — The quota-share provided for by Article VII, Section 2, of Order No. 77 dated 27 December 1947, is fixed for the year 1949 at the rate of 0.25% of the contributions collected for the period 1 January to 31 December 1949.

Section 2. — The funds deriving from the allocation of the quota-share of contributions referred to in the preceding Section shall be paid by the Institutes exercising the different classes of social insurance, after the closing of the financial year 1949, in the manner provided for by Article VIII, Section 1 of Order No. 77 dated 27 December 1947 as amended by Article I of Order No. 80 dated 14 April 1949.

ARTICLE II

EFFECTIVE DATE

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

Dated at TRIESTE, this 18th day of May 1950.

CLYDE D. EDDLEMAN

Ref.: LD|A|50|106

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

Order No. 102

EXAMINATIONS FOR QUALIFYING AS AUXILIARY NURSES

WHEREAS the nursing personnel for the immediate assistance of patients is inadequate to the present needs, particularly in hospitals, it is therefore considered advisable in pursuance of the provisions of Article 385 of the Consolidated Text of Sanitary Laws as approved by R. D. L. 27 July 1934 No. 1265, of Article 4 of R. D. 2 May 1940, No. 1310, and of the Regulations approved by R. D. 31 May 1928 No. 1334, to hold an extraordinary examination for qualifying as auxiliary nurses in that part of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the "Zone"),

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

An extraordinary examination for qualifying as auxiliary nurses is hereby announced.

ARTICLE II

Italian citizens who have their permanent residence in the Zone and who at the date of this Order have completed a four years apprenticeship as nurse will be eligible to sit this examination.

ARTICLE III

The examinations shall be held at a place to be determined by the Zone President.

ARTICLE IV

Persons wishing to be admitted to the examination shall submit their applications on stamped paper to the Zone President's office, not later than 30 June 1950.

The following documents, duly stamped and legalized where necessary shall be attached to the application:

- a) certificate of nationality (cittadinanza);
- b) certificate of birth proving that the applicant has attained 21 years of age or will reach it within 15 August 1950;
- c) certificate of residence;
- d) documents or certificates proving that the applicant is in possession of the requisites of Article II for admission to the examination;
- e) general penal certificate showing that the applicant finds himself in the conditions contemplated by Art. 18 of the Regulation approved by R.D. 31 May 1928 No. 1334;
- f) Elementary school certificate or other document issued by the School Authority in accordance with the provisions of Law that the applicant is able to read and write;
- g) a receipt for a postal order of Lire 500 payable to the Zone President for examination expenses.

ARTICLE V

The Zone President shall provide for the carrying out of this Order.

ARTICLE VI

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

Dated at TRIESTE, this 22nd day of May 1950.

CLYDE D. EDDLEMAN

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

Ref.: LD/A/50/113

Order No. 103

NEW DISCIPLINE OF MILLING AND BREAD-MAKING INDUSTRIES

WHEREAS it is deemed advisable to issue regulations regarding the discipline of milling and bread-making industries in that part of the Free Territory of Trieste administered by the British-Unide States Forces.

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

The opening, re-opening, transfer and conversion of mills and bakeries shall no longer be subject to the economic restrictions provided for by R.D.L. 5 September 1938, No. 1890, converted into the Law 2 June 1939, No. 789, and R.D.L. 21 July 1938, No. 1609, converted into the Law 9 January 1939, No. 143. The other provisions of the said decrees are hereby repealed and substituted by those of the following Articles.

ARTICLE II

Mills for the grinding of cereals shall be classified as "high-grinding" or as "low-grinding" mills:

Automatic or semi-automatic cylinder-mills equipped with the following appliances shall be considered as "high-grinding" mills;

- 1) complete apparatuses for the prior cleaning and washing of the corn;
- adequate machinery for the gradual and progressive sorting of milling products and by-products ensuring the rational utilization of the cereals.

Millstone or cylinder which, although equipped with adequate cleaning apparatuses, are not fit for the gradual and progressive sorting of milling products shall be considered to be "low-grinding" mills.

ARTICLE III

The use of millstone made of materials containing lead or other toxic substances is prohibited.

ARTICLE IV

All newly established bakeries in Communes having a population of more than 5000 inhabitants shall be equipped with:

- 1) electrically heated or indirectly heated even;
- 2) kneading machine.

ARTICLE V

Mills and bakeries shall comply with all hygienic and sanitary prescriptions established by standing laws and general and local regulations, including those relating to labour hygiene.

ARTICLE VI

The operation of mills and bakeries, as well as their transfer, conversion, enlargement or any modification of fittings and capacity shall be subject to a licence to be issued by the Chamber of Commerce, Industry and Agriculture, after consultation with the competent Labour Inspectorate and Health Officer with regard to the technical, hygienic and sanitary pre-requisites provided for by this Order and by standing Laws and general and local Regulations, including those regarding labour hygiene.

ARTICLE VII ·

Applications for licences referred to in the foregoing Article shall centain the following particulars: indication of the locality, a description of the machinery and of the implements relating to the installations, a general description of the working process and, finally, the daily production capacity. Applications shall further be accompanied by the receipt proving that the Government concession taxes established by this Order have been regularly paid, by a drawing on a proportional scale of the premises and accessories (ground and sectional plan) and, so far as mills are concerned, by the milling diagram relating to the working process.

ARTICLE VIII

Licences shall not be granted if the premises, the plant and the machinery do not meet the pre-requisites prescribed by Articles IV and V.

ARTICLE IX

Appeals against the decision of the Chamber of Commerce refusing the issue of a licence or disapproving the transfer, the modification, the enlargement, or the project, or against the conditions prescribed as to the project, may be filed with the Department of Production within 30 days from that of the notification of such decision. The decision of the Department of Production shall be made in consultation with the Department of Commerce and shall be final.

ARTICLE X

Mills and bakeries shall be subject to the payment of the following Government concession taxes:

a) In respect of mills with a daily grinding capacity of:

					Mabely Carlo						Tax for installat		Annual	Tax
	Maria Mari											Lire		
	up to	50	qls								5,000		4,000	
	,, ,,	100	,,								8,000		6,000	
	,, ,,										15,000		12,000	
											30,000		24,000	
) Ir	respect	of	bake	erie	s with	a dail	ly pro	duct	ion, ca	pacity	of:			4.8
	up to	5	qls	of	bread	7					600		500	
		10			14.						1,200		1,000	
					67,14						2,500		2,000	
											6,000		5,000	
	over			"	,,						. 10,000		8,000	

ARTICLE XI

Milling and bread-making licences shall be subject to an annual endorsement of the Chamber of Commerce, Industry and Agriculture.

Such endorsement shall be made within January of every year on production of the receipt of effected payment of the annual tax established by the foregoing Article.

ARTICLE XII

Milling and bread-making licences as well as the relative applications and the annual endorsement shall be subject to the stamp duty established by the standing provisions.

ARTICLE XIII

The sale of bread to the public may be carried on solely by firms holding a trade licence with the specific indication "bread".

ARTICLE XIV

Firms selling bread together with other commodities shall keep the former on appropriate shelves or in glass cup-boards separate from those used for keeping other commodities.

ARTICLE XV

The sale of bread by pedlars and on public markets (covered markets excepted) shall be prohibited. The Mayor may however authorize, by an appropriate notice to be affixed on the Communal notice-board and subject to approval by the Health Officer, the temporary sale in those Communes where, due to particular circumstances, such measure is advisable.

ARTICLE XVI

The supervision over the enforcement of this Order shall be within the competence of the Departments of Production and of Commerce, Allied Military Government, which shall be empowered to provide for inspection also by their own officials.

Labour Inspectors and Health Officers charged with the inspection of mills and bakeries for the purposes of this Order shall also make reports to the aforesaid Departments.

ARTICLE XVII

Any person contravening the provisions of Articles II, III, IV, V, VI, XI, XIII, XIV, XV, hereof shall be liable to a fine ("ammenda") of not less than 10,000 Lire and not exceeding 1,000,000 Lire.

Prior to the opening of the proceedings the accused may file a request for "oblazione" (amicable settlement) with the President of the Chamber of Commerce, Industry and Agriculture, who shall, with the approval of Allied Military Government, Department of Commerce, fix, in case of violation of the provisions of Articles VI, XI, XIII and XV, of Articles V and XIV, of Articles II, III and IV, the "oblazione" at an amount not exceeding one-tenth, one-fifth and one-fourth respectively of the maximum fine established by the first paragraph hereof, and also the time-limit of payment of the same. Penal action shall be extinguished by the payment through "oblazione".

In case of failure to pay the tax established by Article X here of, the President of the Chamber of Commerce, Industry and Agriculture shall order the closing down of the business until the payment is made, irrespective of the penalties established by Law 30 December 1923, No. 3279, as subsequently amended, concerning Government concessions.

In case of abuse on the part of the license-holder the Department of Production or the Chamber of Commerce may order a temporary withdrawal or revocation of the license for breadmaking and milling industries. Any act of the license-holder contrary to the provisions concerning sanitary protection in respect of work or premises or concerning the technical equipment of the installation shall be considered as abuse of the license.

ARTICLE XVIII

The bakeries and mills operating at present which are not in possession of the technical pre-requisites foreseen by Article IV hereof, shall comply with the aforesaid provisions within 31st Décember 1954 or cease their activity.

Hygienic deficiencies shall be eliminated by 31st December 1951 and no further delay shall be granted.

Persons lawfully carrying on bread-making at home ("pancogole") shall cease their activity within 31st December 1954 and no further delay shall be granted.

Firms which, on the effective date of this Order, lawfully carry on the mere kneading of flours for the production of bread destined for sale to the public or which provide only for the baking of bread on account of re-sellers shall convert, within 31st December 1954, their installations so as to adapt them to the complete production cycle of bread in accordance with the provisions of this Order.

After this time-limit such firms shall not be granted the annual endorsement referred to in Article XII hereof.

ARTICLE XIX

This Order shall become effective on the date of its publication in the Official Gazette and as regards the concession taxes foreseen in Article X hereof, shall be operative as from 1 January 1950.

Dated at TRIESTE, this 19th day of May 1950.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/50/6

Order No. 104

INVESTMENT OF FOREIGN CAPITAL IN THE BRITISH-UNITED STATES ZONE OF THE FREE TERRITORY OF TRIESTE

WHEREAS it is considered advisable to bring up to date the provisions for the investment of foreign capital in that part of the Free Territory of Trieste administered by the British-United States Forces, (hereinafter referred to as the "Zone"),

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

R.D.L. 24 July 1942, No. 807, letter (b) of Section 1 of Order No. 7, dated 26 August 1945, and Order No. 254 (7b), dated 24 October 1946, are hereby repealed.

ARTICLE II

Section 1. — Foreign capital will not be invested within the Zone without authorization by Allied Military Government after consultation with the President of the Zone.

Section 2. — No registration by the Registry Office and/or recording in the Land, Naval and Automobile Registers shall be made of instruments concerning transactions or investments in foreign capital or in foreign currency as hereinafter specified, without the production of the autorization referred to in Section I hereof.

ARTICLE III

Foreigners, or Italian citizens residing abroad, both natural and/or juridical persons who can prove that, after 7 April 1948, they have effected in the Zone investments of foreign capital in foreign bills or in foreign currency freely available for payments abroad and transferred to the Trieste Delegation of "Ufficio Italiano dei Cambi", may transfer the following abroad

through the said Office, through the Bank of Italy or through one of the Banks contemplated by Art. 10 of Ministerial Decree 8 December 1934:

- 1) income, interest and yields of investments in immovables or in loans, as well as dividends and interest actually received from the investments in shares and bonds bought or subscribed in the Zone and profits from industrial, financial and commercial enterprises owned entirely or in partnership, up to 1% in excess of the legal annual interest only;
- 2) capital deriving from a possible subsequent realization, up to the amount of the currency originally imported only and provided the transfer is requested not before two years from the investment and does not exceed 50% for each biennial.

The utilization of the amounts not admitted to transfer will be made in accordance with the procedure laid down in the currency provisions.

ARTICLE IV

The investments indicated in the foregoing Article may be made also in machinery for industrial plants, for a value equal to one half of the total amount to be invested. In this case previous authority must be obtained from Allied Military Government, Department of Finance.

The transfer abroad of the capital corresponding to the foreign bills or currency invested in machinery may not be requested before five years have elapsed from the date of the investment.

ARTICLE V

Banks, Notaries, stock-brokers and in general public officials, intervening in operations which in any way imply the investment of foreign capital in the Zone, shall be obliged to communicate to Trieste Delegation of "Ufficio Italiano dei Cambi", within thirty days from the conclusion of the said operation, all details specifying the currency transferred and its amount.

The companies and in general the enterprises exercising their activity in the Zone shall be bound to communicate to the Trieste Delegation of "Ufficio Italiano dei Cambi" the transfers of stocks or shares of participation made in favour of foreigners or of Italian citizens residing abroad.

Transgressors shall be liable to pecuniary penalty not less than Lire 100,000 and not more than three times the amount of the invested sums.

The penalty set forth in the preceding paragraph has a civil character and its collection shall be made with the observance of the provisions governing the collection of special ("patrimoniali") incomes of the State upon injunction of Allied Military Government, Department of Finance.

ARTICLE VI

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

Dated at TRIESTE, this 23rd day of May 1950.

CLYDE D. EDDLEMAN
Brigadier General U.S. Army

Ref. : LD | A | 50 | 53

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

Order No. 105

PROVISIONS CONCERNING INDUSTRIAL UNDERTAKINGS

WHEREAS it is deemed advisable to repeal certain provisions concerning Industrial Undertakings in that part of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

REPEAL OF LEGAL PROVISIONS

The following provisions are hereby repealed:

R.D.L. 3 November 1927, No. 2107, converted into the Law 20 May 1928, No. 1130;
R.D.L. 18 November 1929, No. 2488, converted into the Law 18 December 1930, No. 1808,
governing the manufacture of products essential for the defence of the State;

R.D. 18 July 1930, No. 1455, and R.D. 29 June 1932, No. 2067, concerning a list of the basic industries for the manufacture of products essential for the defence of the State and rules of interpretation respectively;

Law 12 January 1933, No. 141, concerning the preliminary authorization for new industrial plants;

R.D. 15 May 1933, No. 590, containing the rules for the application of the Law 12 January 1933, No. 141;

R.D. 12 April 1937, No. 841, and R.D. 5 February 1940, No. 258, containing changes in, and additions to, the list of industries subject to preliminary governmental authorization;

Art. 6 of R.D.L. 19 June 1940, No. 953, concerning the blocking of prices of goods and services for the construction of buildings, for industrial plants and for rents, converted with amendments into the Law 28 November 1940, No. 1727, extended by R.D.L. 12 March 1941, No. 142, and R.D.L. 11 March 1943, No. 100;

R.D.L. 18 February 1943, No. 95, concerning provisions governing acts directed to transfer, lease or grant in use buildings forming part of industrial plants;

Art. 1, 4th paragraph, of D.L.L. 27 November 1944, No. 422, concerning the repeal of the prohibition of construction of private buildings mentioned in R.D. 14 November 1941, No. 1231.

No innovation is made to the provisions governing the industries of petroleum products, milling and panification.

ARTICLE II

EFFECTIVE DATE

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

Dated at TRIESTE, this 23rd day of May 1950.

CLYDE D. EDDLEMAN

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

Ref.: LD/A/50/65

Order No. 106

PROVISIONS CONCERNING THE CHAMBER OF COMMERCE, INDUSTRY AND AGRICULTURE — AMENDMENT TO ORDER No. 11

WHEREAS it is considered advisable to amend Order No. 11 dated 31 August 1945 containing provisions concerning the Chamber of Commerce, Industry and Agriculture of Trieste, in that part of the Free Territory of Trieste administered by the British - United States Forces,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

Article VII of Order No. 11 dated 31 August 1945 is hereby repealed and substituted by the following:

..ARTICLE VII

The Administration of the Chamber of Commerce, Industry and Agriculture of Trieste is hereby entrusted to a Board (Giunta) composed of a President and five members.

The President shall be appointed by the Allied Military Government. The five members shall be appointed by the Zone President upon approval of the Allied Military Government and shall be selected as follows; one representative from among traders, one representative from among industrialists, one representative from among shipowners, one representative from among agriculturalists and one representative from among workers.

In case the President is unable to exercise his functions the oldest member shall act in his stead.

A quorum of the Board shall be four.

The President and the members of the Board shall remain in office for two years unless removed by the Zone President and/or Allied Military Government.

The President and members may be appointed to succeed themselves,"

ARTICLE II

Trieste Area Order No. 17 dated 22 September 1945 is hereby repealed.

ARTICLE III

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

Dated at TRIESTE, this 23rd day of May 1950.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/50/89

Notice No. 27

MINIMUM WAGES FOR PERSONNEL EMPLOYED IN PRIVATE HOSPITALS

Notice is hereby given that the Minimum Wages Arbitration Board, established pursuant to Order No. 63 dated 1 December 1947, has issued, in respect of personnel employed in Private Hospitals, the following award:

LODO:

ARTICOLO 1

A partire dal 1º aprile 1950 la tabella degli stipendi e salari dei dipendenti in premessa è così modificata:

	Uomini	Donne
	L	ire
Impiegato di concetto	21.565.—	15.685.— mens.
" d'ordine	11.765.—	7.840.— -,,
Infermiera diplomata	_	15.685.— "
" abilitata	_	8.495 "
Cuoca qualificata		8.495.— "
" non qualificata	_	5.880.— "
Inserviente	_	4.575 ,,
Lavandaia	-	5.880.— "
Operaio specializzato	13.070.—	
" qualificato	9.800.—	
Uomo di fatica	6.535.—	
Fattorino sotto i 18 anni	4.575.—	
Custode	5.230.—	_

ARTICOLO 2

A partire dalla stessa data, il valore del punto, già fissato in L. 50.—, viene aumentato a L. 55.—

ARTICOLO 3

In coincidenza con le festività natalizie ai dipendenti sarà pure dovuta la gratifica natalizia, ammontante a una mensilità di stipendio.

Nel caso di inizio o di cessazione del rapporto di lavoro durante il corso dell'anno, il dipendente avrà diritto a tanti dodicesimi della gratifica quanti saranno stati i mesi di servizio prestati.

ARTICOLO 4

Tutti gli altri articoli del lodo precedente, che non siano in contrasto con quello presente, s'intendono qui riportati.

ARTICOLO 5

Il lodo decorre dal 1º aprile 1950 e verrà a scadere il 31 dicembre 1950. Sarà ammessa una revisione dello stesso anteriore alla scadenza, solamente nel caso in

cui il trattamento economico di similari categorie di lavoratori avesse a subire delle variazioni.

Letto, confermato e sottoscritto

Trieste, 30 marzo 1950.

Il Presidente: Sgd. Walter LEVITUS

I Componenti: Livio NOVELLI

> Egone GOLIMARI Marino VARINI

Guido BORZAGHINI

I Consulenti Tecnici: " Nicolò PASE

Giovanni POLI

Dipartimento del Lavoro Approvato: 12 maggio 1950. Sgd. E. de PETRIS Capo Dipartimento del Lavoro

Dated at TRIESTE, this 24th day of May 1950.

Ref. : LD|C|50|25

Dr. Ing. E. de PETRIS Chief, Department of Labor

Notice No. 28

MINIMUM WAGES FOR THE WORKERS EMPLOYED BY FIRMS OPERATING LICENSED SERVICES FOR ACCOUNT OF THE ITALIAN STATE RAILWAYS. WHICH ARE NOT REGISTERED WITH THE ASSOCIATION OF INDUSTRIALISTS

Notice is hereby given that the Minimum Wages Arbitration Board, established pursuant to Order No. 63 dated 1st December 1947, has issued, in respect of personnel employed by Firms operating licensed services for account of the Italian State Railways, which are not registered with the Association of Industrialists the following award:

LODO:

ARTICOLO 1

A partire dal 1º aprile 1950 ai lavoratori dipendenti dalle aziende in premessa sarà corrisposto un assegno straordinario giornaliero del seguente ammontare:

	Uomini	Donne
		Lire
Olfre i 20 anni	48.—	40.—
dai 18 ai 20 anni	44.—	32.—
dai 16 ai 18 anni	36.—	28.—
sotto i 16 anni	24.—	24.—

L'assegno è ragguagliabile ad ora secondo l'orario normale contrattuale.

ARTICOLO 2

L'assegno straordinario sarà calcolato ai seguenti effetti : ferie, festività generali e infrasettimanali, gratifica natalizia, trattamento di malattia, infortunio, gravidanza e puerperio, lavoro straordinario secondo le norme contrattuali vigenti, preavviso e indennità di licenziamento per l'anzianità maturata successivamente al 1º gennaio 1945, salvo situazioni più favorevoli derivanti da particolari contratti.

ARTICOLO 3

Il lodo decorre dal 1º aprile 1950 e verrà a scadere il 30 settembre 1950.

Letto, confermato e sottoscritto.

Trieste, 11 aprile 1950.

Il Presidente: Sgd. Walter LEVITUS
I Componenti: "Giacomo LEVI

" Renato CORSI " Bruno Mari

" Lorenzo GIANNOTTA

I Consulenti Tecnici: "Ruggero TIRONI

, Giovanni POLI

Dipartimento del Lavoro Approvato: 12 maggio 1950 Sgd. E. de PETRIS Capo Dipartimento del Lavoro

Dated at TRIESTE, this 26th day of May 1950.

Ref.: LD/C/50/24

Dr. Ing. E. de PETRIS Chief, Department of Labor

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