

ALLIED MILITARY GOVERNMENT

BRITISH - UNITED STATES ZONE

FREE TERRITORY OF TRIESTE

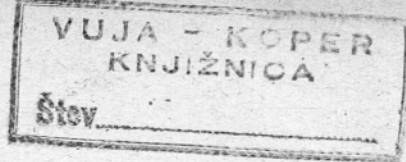


OFFICIAL GAZETTE

VOLUME I

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British - United States Forces Free Territory of Trieste.



ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

Order No. 230

REPEAL OF CONCESSIONS IN FAVOUR OF MOTOR-VEHICLES FITTED WITH GAS-GENERATOR

WHEREAS it is deemed opportune to repeal concessions in favour of motor-vehicles fitted with gas-generator 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

All law provisions concerning the concession of special fiscal privileges, purchase and operation premiums and contributions in favour of motor-vehicles fitted with gas-generator are hereby repealed.

ARTICLE II

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

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

RIDGELY GAITHER

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

Order No. 278

EXTENSION OF OBLIGATIONS FALLING DUE ON 2 JUNE 1948

WHEREAS it is deemed necessary to provide for the extension of obligations falling due on 2 June 1948,

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

ORDER :

ARTICLE I

The payment of all legal obligations, including financial official payments due to or payable by the State and civilian contractual obligations falling due on 2 June 1948, are hereby extended to 3 June 1948.

ARTICLE II

This Order shall become effective as from the second day of June 1948.

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

RIDGELY GAITHER

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

Order No. 232

TRANSIT OF FOREIGN PROCESSED TOBACCO

WHEREAS it is deemed necessary to regulate the transit of foreign processed tobacco through the free ports („Punti Franchi“) within the British-United States Zone of the Free Territory of Trieste ;

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

ORDER :

ARTICLE I

The forwarding by sea to foreign countries of foreign processed tobacco in transit through the free ports (Punti Franchi) within the British-United States Zone of the Free Territory of Trieste shall be subject to the prior authorization of the Department of Finance, unless it is shown that the tobacco was destined from the outset to firms abroad ; in such case the respective provisions contained in the Ministerial Decree dated 20 December 1925 and approving the Customs Regulations for the management of the free port („Punto Franco“) of Trieste, shall continue to apply.

ARTICLE II

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

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

RIDGELY GAITHER

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

Order No. 268

EXTENSION OF ECONOMIC TREATMENT GRANTED TO DISMISSED WORKERS IN INDUSTRY

WHEREAS it is deemed advisable and necessary to grant a further extension of the economic treatment provided for by Order No. 67 dated 28 November 1947 as extended by Order No. 118 dated 27th January 1948 in favour of dismissed workers in industry, and to temporarily modify the amount of these benefits 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

The economic treatment provided for by Article II of Order No. 67 dated 28 November 1947, as extended by Order No. 118 dated 27th January 1948, shall be, and is hereby extended to those workers of industrial enterprises subjected to the collective bargaining agreement dated 13 June 1941 including Building enterprises, who have been or will be dismissed as of 31 December 1947 up to and including 31 May 1948.

ARTICLE II

Notwithstanding the foregoing, the economic treatment laid down in Article II, Section 1 (a) and (b) of Order No. 67, for those workers of industrial enterprises dismissed during the period from 17 January 1948 up to 31 May 1948 in compliance with Order No. 109, dated 17 January 1948, shall be modified as follows :

- (a) For the first 90 days after the date of dismissal, an indemnity to be borne entirely by „Cassa per l'Integrazione dei guadagni degli operai dell'Industria“, in an amount equal to two thirds of the gross earnings based on a 40 hour week, plus Family Allowances at the normal rates, to be borne by the respective Fund ;
- (b) For the subsequent 90 days the Unemployment Indemnity and Supplementary Unemployment Allowance in terms of R. D. L. 14 April 1939, No. 636, and Order No. 103 dated 5 April 1946, as amended, payable to those workers entitled to the benefits under compulsory unemployment insurance ; or the Extraordinary Unemployment Allowance in terms of Order No. 392 (103C) dated 31 May 1947 payable to those workers satisfying the minimum requirement of contribution as provided in Article III of the said Order.

ARTICLE III

Section 1. — Within the limited period of effectiveness of the abovementioned Order No. 109, i. e. from 17 January 1948 to 31 May 1948, the economic treatment provided for in the preceding Article shall apply also to those workers of industrial enterprises suspended from work.

Section 2. — During the period referred to in the preceding Section, the provision laid down in Article V, (a) of said Order No. 67 shall not be operative.

ARTICLE IV

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

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

RIDGELY GAITHER

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

Order No. 273

ECONOMIC PROVISIONS IN FAVOUR OF THE MAGISTRACY AND STATE ADVOCACY AND INCREASE OF STAMP DUTIES ON JUDICIAL DEEDS

WHEREAS it is deemed necessary to increase some allowances paid to the ordinary Magistrates and to State Advocates and Attorneys in that Zone of the Free Territory of Trieste administered by the British-United States Forces; and

WHEREAS it is also deemed necessary to increase some stamp duties on judicial deeds;

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

ORDER :

ARTICLE I

The monthly indemnity of office (indennità di carica) due to the ordinary Magistrates and to the State Advocates and Attorneys in accordance with the provisions of law now in force are increased, with effect from 1st April 1948, to the following :

Grade 3.....	Lire 18.000.—
Grade 4.....	Lire 14.400.—
Grade 5.....	Lire 11.400.—
Grade 6, 7 and 8	Lire 8.700.—
Grade 9.....	Lire 6.900.—
Grade 10 and 11	Lire 4.500.—

ARTICLE II

The monthly „indennità di toga“ due to the ordinary Magistrates and State Advocates and Attorneys in accordance with the provisions of the law now in force are increased, with effect from 1st April 1948, to the following :

Grade 3.....	Lire 17.200.—
Grade 4.....	Lire 16.200.—
Grade 5.....	Lire 15.500.—

Grade 6.....	Lire 13.700.—
Grade 7.....	Lire 12.700.—
Grade 8.....	Lire 11.700.—
Grade 9.....	Lire 11.000.—
Grade 10 and 11	Lire 10.300.—

ARTICLE III

Section 1. — The annual indemnity due to the President of the Court of Assize in accordance with the provisions of the law now in force is increased, with effect from 1st April 1948, to Lire 10.000.—

Section 2. — The annual indemnity due to magistrates of and attached to the Investigating Office (ufficio istruzione) in accordance with the provisions of the law now in force is increased, with effect from 1st April 1948, to Lire 7.000.—

ARTICLE IV

The annual indemnity for expenses of attendance (spese di rappresentanza) according to the provisions of the law now in force are increased, with effect from 1st April 1948, as follows :

First President of the Court of Appeal and Procuratore Generale	Lire 15.000.—
Magistrates of grade IV with directive duties at the Tribunale or Procura di Stato	Lire 15.000.—
Magistrates of Grade V with directive duties at the Tribunale or Procura di Stato	Lire 10.000.—

ARTICLE V

Stamp duties on judicial documents prescribed by Articles 117 to 143 of Table „A“ annexed to the law 3268 of 30 December 1923, already increased under General Order No. 103 (49A) of 12 May 1947, are further increased by 40 per cent.

When, as a result of this increase, the tax due includes a fraction of a Lira or units with or without decimal fractions, less than five, such fraction or units will be treated as a round figure of five ; when the tax due has units, with or without decimal fraction in excess of five such units will be treated as a round figure of ten.

ARTICLE VI

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

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

RIDGELY GAITHER

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

Order No. 261

RECOVERY AND UTILIZATION OF ABANDONED OR UNLAWFULLY ACQUIRED MOTOR VEHICLES AND RELICS

WHEREAS it is considered necessary to regulate the legal status of recovered motor vehicles or determinable parts thereof (chassis or engines) and in general all motor vehicles possessed by persons who are not the legal owners, in that part of the Free Territory of Trieste administered by the British-United States Forces,

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

ORDER :

ARTICLE I

COMPULSORY NOTIFICATION OF MOTOR VEHICLES OF AN ORIGIN LACKING DOCUMENTARY EVIDENCE

All persons who retain motor vehicles, relics, or any part or accessories thereof and who cannot prove the lawful origin thereof, shall declare them to the „Ispettorato compartimentale della motorizzazione civile“ at Trieste and to the Public Safety Authority at the place of their residence within three months from the effective date of this Order.

Such declaration is an indispensable condition for an eventual assignment of the said motor vehicles' relic or the determinable parts thereof for use or for a transfer in ownership.

ARTICLE II

MOTOR VEHICLES REGISTERED WITH A RESERVATION OR FOR ADMINISTRATIVE PURPOSES ONLY

Section 1. — Any person who possesses by any legal title whatsoever motor vehicles registered with reservation or entered in the Public Register of Automobile Registrations for administrative purposes only, shall submit within six months from the effective date of this Order to the aforesaid „Ispettorato“ applications for (a) the assignment thereof for use or for the transfer in ownership, and (b) for the recognition of the validity of documents relating to the alienation of motor vehicles registered with reservation or entered for administrative purposes only.

Section 2. — When no applications as provided for by the preceding Section are submitted, the „Ispettorato“ shall request the Public Safety Authority that the respective circulation permit be withdrawn. Such permit may be restituted only after the person interested has requested and obtained the assignment for use or the transfer in ownership or the recognition of the validity of the documents relating to the alienation of the motor vehicle.

ARTICLE III

ASSIGNMENT OF MOTOR VEHICLES TO PERSONS DEPRIVED OF THEIR MOTOR VEHICLES BY REASON OF WAR EVENTS

The Department of Transportation, Allied Military Government, shall be authorized to assign the following for use or to transfer in ownership to persons who have been deprived of their motor vehicles by reason of war events:

1) (a) motor vehicles and determinable parts thereof which have not been declared and (b) those having been declared in accordance with Article I of this Order, for which the assignment or the transfer has not been requested and obtained;

2) motor vehicles and determinable parts thereof set forth in Article II, Section 1, of this Order, for which no applications for assignment for use or for transfer in ownership have been submitted;

3) motor vehicles and determinable parts thereof where the engine number or the chassis number has been counterfeited, altered, deleted or made illegible.

ARTICLE IV

MOTOR VEHICLES ORIGINATING FROM ITALIAN EAST AFRICA, ALBANIA, LIBIA AND THE PROVINCES ZARA, FIUME AND POLA

Section 1. — The provisions of Article I shall be not applicable to motor vehicles which have been registered and entered for administrative purposes originating from Italian East Africa, Albania, Libia and the Provinces of Zara, Fiume and Pola.

Section 2. — Persons entered as owners of the motor vehicles set forth in the preceding Section may request the Department of Transportation, Allied Military Government, for the cancellation of the reservation for administrative purposes. Upon such request, the Department of Transportation shall publish the particulars of identification of the respective motor vehicle in the Official Gazette. After expiration of six months from the date of publication and provided that no legal claim to the motor vehicle has been made by means of a deed notified through the judicial bailiff, the Department of Transportation shall grant the said request.

Section 3. — Other than these cases contemplated by this Article, no further registration of motor vehicles shall be made with reservation or for administrative purposes only.

ARTICLE V

ASSIGNMENT OF RECOVERED MOTOR VEHICLES FOR USE

Section 1. — Detainers of motor vehicles and materials set forth in Article I may be granted the use thereof by the „Ispettorato della Motorizzazione Civile“ for a period of one year against the payment of an amount to be deposited as security and to be determined by the said „Ispettorato“ in accordance with the Rules set forth in the Consolidated Text of the Laws on requisitions dated 31 January 1926, N. 452, and in the Regulations thereto. The security shall be deposited at the „Cassa Depositi e Prestiti“.

Section 2. — Motor vehicles assigned for use in accordance with the preceding Section shall be registered and entered under the name of the assignee upon an order of the „Ispettorato

della Motorizzazione Civile" The deed of assignment for use shall be subject to the fixed registry tax of 40 lire to be paid in accordance with the provisions of General Order N. 48 B, dated 27 June 1946.

Section 3. — The Department of Transportation, Allied Military Government, shall publish in the Official Gazette all available particulars concerning the origin of the motor vehicles and of the determinable parts thereof which have been assigned for use.

Section 4. — The assignee's rights may be transferred to third persons upon the authority of the Department of Transportation, Allied Military Government.

The assignee's legal position shall, for the purpose of Article 2054 of the Civil Code, be that of a usufructuary of the motor vehicle.

ARTICLE VI

TRANSFER IN OWNERSHIP

Section 1. — After the expiry of the period of one year as well as of the period of six months from the date of publication, provided for by Article V, hereof and provided that no claim to the ownership of the motor vehicles or of the determinable parts thereof assigned for use has been made by means of a deed notified through the judicial bailiff, the security deposited by the assignee at the „Cassa Depositi e Prestiti“ shall be transferred to the State Treasury, and the assignee shall acquire the ownership of the motor vehicles or of the determinable parts thereof on the ground of a deed of transfer to be issued by the Department of Transportation, Allied Military Government.

Section 2. — The deed of transfer mentioned in the preceding Section shall be subject to the registry tax provided for by the Tariff Annex „A“ attached to General Order N. 48 B, dated 27 June 1946, reduced to one third.

Section 3. — Where a case for restitution to the original owner has been made established, the Department of Transportation, Allied Military Government, shall issue an order by which the motor vehicle or the determinable part thereof is restituted to its proprietor; as soon as the assignee has complied with such order, the said Department shall order that the deposited security be restituted to the assignee. Nevertheless, the assignee shall be obliged to pay to the proprietor an indemnity for the use of the motor vehicle or of the determinable part thereof, to be determined in accordance with the aforesaid Consolidated Text 31 January 1926, N. 452.

The provisions of the Civil Code shall be applicable as to repairs, improvements, and changes of the motor vehicles or the parts or accessories thereof.

Section 4. — If a dispute arises between the assignee and the proprietor, the restitution of the security will not be ordered until the dispute has been finally settled.

ARTICLE VII

TRANSFER OF OWNERSHIP OF RECOVERED FOREIGN MOTOR VEHICLES

Motor vehicles of foreign origin recovered and rebuilt, or determinable parts thereof built into or installed in other motor vehicles, shall be transferred in ownership by the Department of Transportation, Allied Military Government, against the payment of an amount to

be paid to the Treasury and to be determined by the „Ispettorato della Motorizzazione Civile“ in accordance with the rules set forth in the Consolidated Text 31 January 1926, N. 452, and in the Regulations thereto.

ARTICLE VIII

MOTOR VEHICLES ALIENATED OR TO BE ALIENATED BY ALLIED AUTHORITIES

The Department of Transportation, Allied Military Government, will publish in the Official Gazette the particulars of identification of motor vehicles, or determinable parts thereof, of Italian origin, which have been sold by the Allied Authorities or are still in stock in Allied centres of collection.

The proprietor thereof may, within six months from the date of publication in the Official Gazette, be indemnified only by the amount resulting from the sale, after deduction of a 15% rate for the reimbursement of the expenses of management to the centres of collection.

ARTICLE IX

MOTOR VEHICLES IRREGULARLY ALIENATED BY ALLIED, ITALIAN, OR GERMAN AUTHORITIES

Section 1. — Motor vehicles and determinable parts thereof however alienated by Allied Authorities, by Italian Civil Authorities upon authorization given by the Allied Military Government, or by German Authorities, shall be subject to the provisions of this Order when the Department of Transportation, Allied Military Government, does not recognize the validity of the documents relating to the alienation thereof. Those documents of alienation issued by the Authorities competent for the alienation of motor vehicles and determinable parts, and in particular those documents issued by A. R. A. R. and by the above Authorities, shall be considered valid provided that they contain the particulars necessary for identification (mark, type, chassis number, engine number).

Section 2. — When the Department of Transportation, Allied Military Government, has recognized the validity of the documents of alienation, the motor vehicles may be registered and the ownership thereon entered in the Register.

ARTICLE X

PENALTIES

Any person failing to submit the declaration provided for by Article I of this Order, shall be liable to punishment by detention („arresto“) up to three years or by a fine („ammenda“) up to 100.000 lire or both as the Court may determine.

ARTICLE XI

EFFECTIVE DATE

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

Trieste, 18th June 1948.

RIDGELY GAITHER

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

Notice No. 15

MINIMUM COMPENSATION FOR PERSONNEL EMPLOYED WITH ENGINEERS, ARCHITECTS, GEOMETERS AND INDUSTRIAL EXPERTS

Notice is hereby given that the Minimum Wage Board established pursuant to Order No. 63, dated 11 December 1947, has issued in respect of personnel employed with engineers, architects, geometers and industrial experts, the following Award approved by the Department of Labour on June 4th, 1948;

L O D O :

STIPENDI E SALARI PER IL PERSONALE SUPERIORE AI 20 ANNI

a) PERSONALE CON MANSIONI IMPIEGATIZIE

	Mensile	
	Uomini	Donne
I. Personale con mansioni direttive e personale laureato ..	L. 31.500.—	31.500.—
II. Personale di concetto e personale diplomato (periti, geometri)	L. 21.850.—	18.350.—
III. Personale d'ordine (dattilografo, disegnatore, stenografo, ecc.)	L. 13.750.—	11.650.—

b) PERSONALE CON MANSIONI NON IMPIEGATIZIE

	Settimanali	
	Uomini	Donne
I. Fattorini e uscieri	L. 2.360.—	—
II. Donne di pulizia	—	40.—

Il personale appena laureato non potrà essere inquadrato, per un periodo di due anni in una categoria inferiore alla seconda.

Il personale appena diplomato non potrà essere inquadrato per un periodo superiore a un anno nella terza categoria.

ARTICOLO 2

SCATTI DI ANZIANITA'

Il personale impiegatizio avrà inoltre diritto a 14 scatti biennali del 5% per anzianità maturata nell'azienda al momento dell'entrata in vigore del lodo o da maturarsi posteriormente, in aggiunta allo stipendio mensile.

ARTICOLO 3

INDENNITA' DI CONTINGENZA

Il personale di cui al presente lodo ha altresì diritto all'indennità di contingenza nella forma e nella misura stabilite dall'accordo per l'estensione dell'indennità di contingenza ai lavoratori dipendenti da aziende industriali.

ARTICOLO 4

PERSONALE MINORILE

Il personale minorile (maschile e femminile) percepirà :

se con meno di 16 anni	50%
se fra i 16 ed i 18 anni	65%
se fra i 18 ed i 20 anni	80% degli stipendi e salari

spettanti al corrispondente personale (maschile e femminile) di età maggiore agli anni 20.

ARTICOLO 5

GRATIFICA NATALIZIA E TREDICESIMA MENSILITA'

Al personale impiegatizio verrà corrisposto alla Vigilia di Natale, una 13a mensilità pari ad una mensilità di stipendio e di indennità di contingenza, il personale non impiegatizio avrà diritto a percepire una gratifica natalizia pari a 25 giornate di salario e di indennità di contingenza.

Nel caso di cessazione o di inizio del rapporto di lavoro nel corso dell'anno, il personale di cui dianzi ha diritto a percepire tanti dodicesimi della 13a mensilità o gratifica natalizia, quanti sono i mesi di servizio prestato, computando come mese intero le frazioni di mese superiori a 15 giorni.

ARTICOLO 6

DURATA

Il presente lodo entrerà in vigore col 1° giugno 1948 e scadrà il 31 dicembre 1948.

Letto, confermato e sottoscritto.

Signed: Walter LEVITUS
Livio NOVELLI
Guido BORZAGHINI
Sergio CUMIN
Mario RUTTER
Ruggero TIRONI
Giovanni POLI

Trieste, 29 maggio 1948.

DEPARTMENT OF LABOR

Approved 4th June 1948

Signed: R. G. HUMPHREY
Major F.A.

Trieste, 8th June 1948.

R. G. HUMPHREY
Major F. A.
Acting Chief Department of Labor

Errata - Corrigenda

The last part of point 5, Order No. 243 entitled „UTILIZATION OF RESOURCES CORPORATION“, published on page 388 of Gazette No. 23, dated 1st May 1948, should read as follows :

„..... ; and, in furtherance of Allied Military Government's participation in the European Recovery Program, to develop all available **sources** of scrap metal.“

CONTENTS

Order		page
No. 230	Repeal of concessions in favour of motor-vehicles fitted with gas-generator	443
No. 232	Transit of foreign processed tobacco	444
No. 261	Recovery and utilization of abandoned or unlawfully acquired motor vehicles and relics \	448
No. 268	Extension of economic treatment granted to dismissed workers in industry	445
No. 273	Economic provisions in favour of the magistracy and State advocacy and increase of stamp duties on judicial deeds ...	446
No. 278	Extension of obligations falling due on 2 June 1948	443
Notice		
No. 15	Minimum compensation for personnel employed with engineers, architects, geometers and industrial experts	452
Errata-Corrigenda		454