

18074

ALLIED MILITARY GOVERNMENT

BRITISH - UNITED STATES ZONE
FREE TERRITORY OF TRIESTE



OFFICIAL GAZETTE

VOLUME I

No. 1 - 16 September 1947

Published by the A. M. G. F. T. T. under the Authority of the Commander
British - United States Forces Free Territory of Trieste.

18074



Pz 313/61

HEADQUARTERS ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

Proclamation No. 1

TO THE PEOPLE OF THE FREE TERRITORY OF TRIESTE, BRITISH-UNITED STATES ZONE:

WHEREAS by Article 21 of the Treaty of Peace between the Allied and Associated Powers and Italy which has now come into force, a Free Territory of Trieste has been constituted, and

WHEREAS, under Article 2 annex VI of the Treaty, the integrity and independence of the Free Territory shall be assured by the Security Council of the United Nations, and

WHEREAS, under Article 1 of annex VII of the Treaty, it has been provided that, pending the assumption of office by the Governor of the Free Territory, the said Territory shall continue to be administered by the Allied Military Commands within their respective Zones,

I, THEREFORE, T. S. AIREY, C. B., C. B. E., Major General, Commander British and United States Forces, in order to implement the provisions of the Treaty of Peace, and to ensure the welfare and safety of the population by preserving law and order, have issued the following proclamation, which is being communicated to the Security Council of the United Nations by the United States and United Kingdom Governments.

CONTINUANCE OF MILITARY GOVERNMENT

1. — Pending the assumption of office by the duly appointed Governor of the Free Territory of Trieste, all powers of Government and administration in that Zone of the Free Territory in which British and United States Forces are stationed, as well as jurisdiction over its inhabitants, shall continue to be vested in me in my capacity as Commander of the said British and United States Forces.

2. — An Allied Military Government of the British-United States Zone of the Free Territory, to administer these powers under my direction, is hereby continued.

3. — I hereby direct that all administrative and judicial officials and all other Government and Municipal Functionaries and employees and all officers and employees of Public, Municipal or other services, shall continue in the performance of their duties, subject to such directions as may from time to time be issued by me or by officers designated by me for that purpose.

4. — All existing laws, decrees and orders in force in the British-United States Zone on the date of this Proclamation shall remain in force and effect, except as abolished or modified by Proclamation number two which is promulgated herewith, and except in so far as I may, from time to time, change or supercede them. The words „Allied Forces“ which appear in such laws, decrees and orders shall be interpreted as referring to the British and United States Forces stationed in the Zone.

Trieste, 15th September 1947.

Posted - Sept. 16 - 1947

8:45

T. S. AIREY

Major General

Commander British - United States Forces
Allied Military Government
British - United States Zone
Free Territory of Trieste

Proclamation No. 2

TO THE PEOPLE OF THE FREE TERRITORY OF TRIESTE, BRITISH AND UNITED STATES ZONE

WHEREAS, many of the offences created under the Proclamations issued in Venezia Giulia can no longer be considered offences; and

WHEREAS, as conditions have materially altered since the issuance of previous Proclamations, it is now considered right and proper that the Proclamations should be amended to conform to existing conditions in that part of the Free Territory of Trieste occupied by the British and American Forces,

NOW, THEREFORE, I, T. S. AIREY, C. B., C. B. E., Major General, Commander British and United States Forces, hereby proclaim as follows:

ARTICLE I

RESCISSION OF PART OF EXISTING PROCLAMATIONS

Section 1. — The following parts of Proclamations of Allied Military Government, Venezia Giulia, are hereby rescinded:

- (a) Article I, of Proclamation No. 1 (published June 12, 1945).
- (b) Articles VII, VIII, IX, XI of Proclamation No. 2 (published June 24, 1945).
- (c) Articles I, II, Section 2 of Article III and V of Proclamation No. 3 (published June 24, 1945).

Section 2. — Proclamation No. 4, Allied Military Government, Venezia Giulia, (published June 24, 1945), is hereby rescinded.

ARTICLE II

OFFENCES AGAINST THE BRITISH AND AMERICAN FORCES WHICH MAY BE PUNISHED BY DEATH

Article IV of Proclamation No. 1, Allied Military Government, Venezia Giulia, published June 12, 1945, is hereby rescinded and the following shall be substituted therefore:

„Any person who:

- a) Bears arms against the British and American Forces;
- b) Kills any member of the British and American Forces;
- c) Assaults any member of the British and American Forces with intent to kill or inflict serious bodily harm;
- d) Rapes any nurse or other woman serving with the British and American Forces or assaults any such nurse or other woman;
- e) Incites any inhabitants of the occupied Territory to insurrection against any authority, or organizes or leads any public demonstration or assembly for such purpose;

shall, upon conviction by an Allied Military Court, be liable to punishment by death, or by imprisonment or fine or both, as the Court may determine.“

ARTICLE III

OFFENCES AGAINST THE BRITISH AND AMERICAN FORCES WHICH MAY BE PUNISHED BY FINE AND/OR IMPRISONMENT

Article V of Proclamation No. 1, Allied Military Government, Venezia Giulia, published June 12, 1945, is hereby rescinded and the following shall be substituted therefor:

„Any person who:

- a) has in his possession any fire-arms, ammunition and/or explosives except in accordance with a permit of the Allied Military Government;

- b) misleads or obstructs any member of the British and American Forces in the performance of his duties ;
- c) assists a prisoner of war or surrendered enemy personnel to escape or assists or conceals any prisoner of war or surrendered enemy personnel after escape ;
- d) enters or is found within any area designated as a forbidden area, either by the posting of a sign, or by the presence of sentries, without a pass specifically authorizing him to be there ;
- e) destroys, damages, endangers, interferes with, steals or wrongfully either receives or has in his possession any property of the British and American Forces or of any member thereof ;
- f) Interferes with the operation of any public service or utility, including water supply, electric light and power, gas and sanitation or similar services, or with communication by mail, courier, telegraph, telephone, cable, radio or otherwise, or removes or damages any telegraph or telephone ;
- g) forges or alters any permit, pass, identity card or other similar document or issues or has in his possession any such document, the same having been forged or altered ;
- h) counterfeits any coin or note made legal tender by the Allied Military Government, or has in his possession any such coin or note knowing the same to be false ; or has in his possession any dies, plant, plates, or other materials for counterfeiting any coins or notes made legal tender by Allied Military Government ;
- i) does any act hostile to or endangering the safety or security of the British and American Forces, or assaults any member thereof ;
- j) gives false evidence before a Military Tribunal or Allied Military Court ;
- k) submits a false, fraudulent or exaggerated claim against the British and American Forces or any member thereof, or makes any false statement in connection with any official matter ;
- l) publishes or has in his possession any printed or written matter detrimental or disrespectful to the British and American Forces or any member thereof and/or to the Allied Military Government ;
- m) utters any speech or words hostile or disrespectful to the British and American Forces or any member thereof, and/or to the Allied Military Government ;
- n) takes part in any public demonstration or assembly not authorized by the Allied Military Government ;
- o) falsely pretends to be acting under the authority of the British and American Forces or of the Allied Military Government ;
- p) offers or accepts a bribe in connection with any official matter ;
- q) acquires illegally by gift or purchase any military equipment or war material belonging to the British and American Forces ;
- r) disseminates any rumour calculated to excite or alarm the people ;
- s) removes or damages any Proclamation, Order or Notice posted under the authority of the Allied Military Government ;
- t) disobeys any Order given under the authority of the British and American Forces or the Allied Military Government where no specific punishment is prescribed ;
- u) prints or publishes or has in his possession any printed or written matter issued by or on behalf of the Fascist Party ; teaches or advocates any doctrine of Fascism ; wears or has in his possession any badge, insignia or attire of the Fascist Party ; does any act intended to or likely to promote or revive the Fascist Party, the term Fascist Party including any organization designed to replace it ;
- v) does any act to the prejudice of good order or of the safety or security of the British and American Forces or any member thereof,

shall, upon conviction by an Allied Military Court, be liable to punishment by such fine or imprisonment, or both, as the Court shall direct."

Dated 15th September 1947.

T. S. AIREY

Major General
Commander British - United States Forces
Allied Military Government
British - United States Zone
Free Territory of Trieste

Order No. 1

OFFICIAL TITLE OF ALLIED MILITARY GOVERNMENT AND AUTHORIZED ABBREVIATIONS

WHEREAS, it is considered necessary to designate the official title of Allied Military Government and to authorize abbreviations therefore, within that Zone of the Free Territory of Trieste occupied by the British-United States Forces (hereinafter called the „Zone“),

NOW, THEREFORE, I, JAMES J. CARNES, Colonel, Infantry, Senior Civil Affairs Officer,

ORDER :

ARTICLE I

- (a) The Official title of Allied Military Government within the „Zone“ shall be :

ALLIED MILITARY GOVERNMENT
BRITISH-UNITED STATES ZONE
FREE TERRITORY OF TRIESTE

- (b) The authorized abbreviation for the title shall be :
„A. M. G., F. T. T.“

ARTICLE II

- (a) In official forms, documents and stationery previously containing the term „VENEZIA GIULIA“, there shall, in substitution thereof, be used the words :

BRITISH-UNITED STATES ZONE
FREE TERRITORY OF TRIESTE

- (b) The authorized abbreviation for the title above shall be :
B. U. S. Z., F. T. T.

ARTICLE III

The over-stamping or over-printing of forms, documents, or stationery bearing the former designations is hereby authorized.

ARTICLE IV

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

Dated at Trieste, this 16th day of September, 1947.

JAMES J. CARNES
Colonel, Infantry
Senior Civil Affairs Officer

Order No. 2

CHANGE OF TITLES ON OFFICIAL DOCUMENTS AND ABBREVIATIONS

WHEREAS, it is now necessary to delete the words „Italy“ and „Italian Government“ on official documents and to provide for substitution thereof within that Zone of the Free Territory of Trieste occupied by the British-United States Forces (hereinafter called the „Zone“),

NOW, THEREFORE, I, JAMES J. CARNES, Colonel, Infantry, Senior Civil Affairs Officer,

ORDER :

ARTICLE I

Section 1. — All official documents, forms and stationery used after the 15th day of September 1947 which bear the words „Italy“ or „Italian Government“ shall be amended as follows:

- (a) For „Italy“ substitute „British-United States Zone, Free Territory of Trieste“.
- (b) For „Italian Government“ substitute „Allied Military Government, British-United States Zone, Free Territory of Trieste“.

Section 2. — The authorized abbreviations for the above shall be :

- (a) For Section 1 (a): „B. U. S. Z. F.T.T.“
- (b) For Section 1 (b): „A.M.G., F.T.T.“

Section 3. — For postage and documentary stamps the abbreviation „A.M.G. F.T.T.“ is authorized for Section 1 (a) and (b) of this Article.

ARTICLE II

The over-stamping or over-printing on documents, forms or stationery bearing the former designations is hereby authorized.

ARTICLE III

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

Dated at Trieste, this 16th day of September 1947.

JAMES J. CARNES

Colonel, Infantry
Senior Civil Affairs Officer

Order No. 3

CONTROL OF MOVEMENT OF GOODS INTO AND FROM THE ZONE

WHEREAS it is necessary to regulate and control the movement of all goods to and from that Zone of the Free Territory of Trieste occupied by the British-United States Forces (hereinafter referred to as the „Zone“);

NOW, THEREFORE, I, JAMES J. CARNES, Colonel Infantry, Senior Civil Affairs Officer,

ORDER :

ARTICLE I

APPROVED ROUTES

The movement of all goods to and from the Zone shall be restricted to the railway lines at present in use and to the following roads :

(a) To and from Italy :

- (1) Trieste - Monfalcone
- (2) S. Giovanni/Timavo - Gorizia

(b) To and from Yugoslavia :

- (1) S. Pelagio - Goriano
- (2) Opicina - Sesana
- (3) Basovizza - Corgnale
- (4) Basovizza - Erpelle
- (5) S. Dorligo - Castelli

(c) To and from Yugoslav Zone of Free Territory of Trieste :

- (1) Albaro Vescovà - Buie

ARTICLE II

CONTROL POINTS

Control points will be established on the approved routes at suitable as near to the boundary as possible, at Railway Stations, and at selected points on the seaboard.

Goods will not be moved across the boundary without passing through a control point.

ARTICLE III

EXEMPTION FROM CUSTOMS DUTY

Foodstuffs and other categories of commodities which have customarily moved between the adjacent areas of Yugoslavia and Italy and the Free Territory in local trade are exempt from customs duties, provided these commodities are grown, produced or manufactured in the respective territories.

ARTICLE IV

MONOPOLY PRODUCTS

All Monopoly products may only be imported to or exported from the Zone by the Monopolio di Stato - Trieste, after approval has been given by the Allied Military Government.

ARTICLE V

IMPORT EXPORT TRANSIT LICENSES

1. — Except as hereinafter provided goods will not be permitted to pass through a Control Point unless accompanied by an Import, Export or Transit License (hereinafter referred to as the „license“).

2. — No license, other than for exporting foodstuffs, shall be required for the import to and export from Italy save as provided for in Order No. 395 or other Orders issued by Allied Military Government.

3. — Application for licenses will be made to the Allied Military Government, Commerce Division.

ARTICLE VI

REPEAL OF GENERAL ORDERS No.s 45 AND 45 B

General Orders No. 45 dated 6 March 1946 and No. 45 B dated 17 May 1946, are hereby cancelled. Violations of General Orders No.s 45 and 45 B under investigation and not yet tried, are not extinguished by the cancellation of these Orders.

ARTICLE VII

PENALTIES

Violations of General Orders, No. 45 and No. 45 B which have not been brought before an Allied Military Court at the effective date of this Order and violations of this Order shall be adjudicated by the Civil Courts in accordance with the existing laws. As for infractions not foreseen by the existing laws the penalty will be a fine from 1000 up to 20.000 Lire and the Court may in addition order the confiscation of the goods, or if the latter have been withdrawn inflict a fine up to the value of the goods.

ARTICLE VIII

AMENDMENT OF ORDER No. 395

Article V of Order No. 395 is hereby cancelled.

ARTICLE IX

EFFECTIVE DATE

This Order shall become effective in the Zone from 16 September 1947.

Dated at Trieste, this 16th day of September 1947.

JAMES J. CARNES

Colonel, Infatry
Senior Civil Affairs Officer

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