

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. 226

JURIDICAL AND ECONOMIC TREATMENT OF TEMPORARY PERSONNEL SERVING WITH LOCAL PUBLIC BODIES

WEREAS it is deemed advisable to adjust the juridical and economic treatment of the temporary („non di ruolo“) personnel serving with Local Public Bodies in that part of the Free Territory of Trieste administered by the British-United States Forces (and hereinafter referred to as the „Zone“),

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

ORDER:

ARTICLE I

In accordance with administrative instructions issued, the Communes, the Province, the public assistance and welfare institutions, as well as the institutes and concerns depending in their direct management on the aforesaid Bodies, shall establish rules in their respective Regulations for the organization of the personnel, adjusting the juridical and economic treatment of their temporary personnel to the provisions of D. L. C.P.S. 4 April 1947, No. 207, as extended to the Zone by Order No. 396 dated 11 June 1947, as far as applicable, and under observance of the provisions of this Order.

ARTICLE II

Whenever by applying Art. 1 of the Decree quoted in Article I hereof the granting to the temporary personnel of periodical increases of the initial salary at a rate which may be fixed by the Local Bodies pursuant to Art. 9 of D.L. C.P.S. 5 August 1947, No. 778, as extended to the Zone by Order No. 78 dated 7 January 1948, involves a treatment more favourable than that established for the corresponding permanent („di ruolo“) employees, the latter treatment shall be applicable also to the temporary personnel

ARTICLE III

Notwithstanding the provisions of Art. 223 of the Consolidated Text of the Communal and Provincial Law approved by R.D. 3 March 1934, No. 383, and maintaining those pertinent administrative provisions relating to the advancement of the permanent personnel by promotion or by internal competitions, the permanent („di ruolo“) posts presently available and those made available up to 26 February 1949 by normally occurred vacancies, or by a revision of the tables of organization pursuant to Order No. 456 dated 6 September 1947, shall be conferred by internal competition on ground of qualification („concorsi interni per titoli“), regardless of the maximum age limit for admission to the competition, to those temporary

personnel, however assumed and denominated, who at the aforesaid date have completed at least four years of service performing functions proper to the posts to be conferred or corresponding ones, or who are in possession of a school qualification prescribed for the appointment to such posts.

If among the temporary personnel employed there is only one employee complying with the aforesaid requirements, he shall be appointed without competition („per chiamata“) provided he has laudably performed his service during the whole prescribed period.

The period of service prescribed for the purposes of this Article shall be reduced to one year for those temporary employees who are war-mutilated persons or war-invalids, former combatants, repatriates, partisans, persons persecuted for political reasons and those legally equalized with them, provided they comply with the aforesaid requirements.

The internal competitions among the temporary personnel set forth in this Article shall be carried out on the ground of seniority of service and of the merits of the candidates in accordance with the provisions of the Regulations of the respective Administrations ; the preferences provided for by the Law being taken into account in case of parity of condition.

To the temporary personnel whose employment is not adjusted pursuant to the provisions of this Article, there shall be applicable the provisions of Article 8 of D.L. C.P.S. 4 April 1947, No. 207, as extended to the Zone by Order No. 396 dated 11 June 1947, in accordance with the adjusting provisions set forth in the subsequent Articles IV and V hereof.

ARTICLE IV

For the purpose of reserving to the temporary personnel that percentage provided for by Article 8 of the Decree mentioned in the foregoing Article, of permanent posts which will be open for the initial grades to public competition within 26 February 1952, there shall be considered for such benefit those temporary personnel who, being in the condition set forth in the above quoted Article 8, have without interruption and laudably performed their service in functions proper to the Roll for which the competition is open or in those corresponding or considered as equal to the functions of such Roll.

The Administrations concerned shall, in their Regulations relating to the organization of personnel, establish rules regulating such equalization in regard of the functions performed by the temporary personnel.

For the purpose of determination of the reserved posts as provided for by the first paragraph of the above quoted Article 8 and whenever a classification of the personnel according to the groups set forth therein is not applicable, there shall be considered as equal to the posts of group A and of group B respectively those posts for which the possession of a university degree („laurea“) or of a diploma of a higher intermediate school and to the posts of group C those posts for which the diploma of a lower intermediate school is required.

Any form of inclusion of the aforesaid personnel into the Roll of permanent personnel other than that provided for by this and the foregoing Article, shall be prohibited.

ARTICLE V

If the public competition for the appointment to posts of the initial grades included into the Roll of permanent personnel is not compulsory, the provisions shall be observed of Art. 8 of D.L. C.P.S. 4 April 1947, No. 207, as extended to the Zone by Order No. 396 dated 11 June 1947, as well as the provisions of the foregoing Article IV, with exception that the Administration may, subject to a prior authorization by the Zone President, exceed the prescribed percentage as regards the temporary personnel who comply with the conditions of qualification and service required for the appointment.

ARTICLE VI

The prohibition of assuming new temporary personnel provided for by Art. 12 of D.L. C.P.S. 4 April 1947, No. 207, as extended to the Zone by Order No. 396 dated 11 June 1947, shall apply also to the Bodies set forth in Article I hereof.

Acts made in violation of the aforesaid provisions shall be null and void. The functionaries of the said Bodies who have issued decrees of assumption or obliged the Bodies to the consequent expenses, shall be responsible jointly and severally for the amounts paid. In such cases the provisions of Art. 252 et sequitur of the Consolidated Text of the Communal and Provincial Law approved by R.D. 3 March 1934, No. 385, and of Art. 29 of Law 17 July 1890, No. 6972 shall be applied.

ARTICLE VII

The treatment provided for the temporary personnel by Art. 9 of D.L. C.P.S. 4 April 1947, No. 207, as extended to the Zone by Order No. 396 dated 11 June 1947, shall be applied to those cessations of employment which have taken place as from 1 May 1947; the treatment provided for by Art. 21 of the said Decree shall apply to those cessations of employment occurring between 26 February 1948 and 26 February 1949.

ARTICLE VIII

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

Dated at TRIESTE, this 14th day of December 1949.

CLYDE D. EDDLEMAN

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

Ref.: LD/A/49/247

Order No. 227

JURIDICAL AND ECONOMIC TREATMENT OF TEMPORARY SANITARY PERSONNEL SERVING WITH LOCAL BODIES AND TRANSITORY PROVISIONS FOR SANITARY COMPETITIONS

WHEREAS it is deemed advisable to regulate the juridical and economic treatment of the temporary sanitary personnel serving with the Local Bodies, and to make transitory provisions for the competitions for sanitary personnel, 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

The provisions contained in Order No. 226 dated 14 December 1949 are hereby extended, in so far as applicable, to the sanitary personnel, however engaged and denominated, serving with the Communes, with the Province, with public welfare and charity institutions, as well as with institutes and concerns under direct management depending on the aforesaid Bodies, with the exception of the engagement of physicians, veterinary surgeons, chemists, as well as of midwives: for such engagement the provisions now in force shall continue to be applied with the amendments set forth in following Articles.

The sanitarians, even if engaged as extraordinary personnel or „fuori ruolo“, shall, for all purposes of this Order be considered in the same manner as those engaged „ad interim“.

ARTICLE II

As to competitions for the initial grades of physician, veterinary surgeon, chemist and midwife, depending on the Bodies mentioned in the preceding Article, which were announced prior to the effective date of this Order, but have not yet been carried out or for which the classification has not been published, in the cases where this is prescribed, and as to the first competitions for the aforesaid grades that will be fixed by 17 March 1950, the service performed „ad interim“ with the above mentioned Bodies, with functions proper of the posts placed in competition, shall be taken into account as follows:

- a) in competitions governed by R.D. 11 March 1935, No. 281, each commissioner may allocate up to 15 points for the judgment of the qualifications and up to 15 points for the judgment of the examination.

In competitions contemplated under title one and articles 60, 73, 74, and 79 of the aforesaid Decree, each commissioner may allocate up to 7.50 points for the estimation of the practical examination and up to 7.50 points for the estimation of the oral examination.

In competitions contemplated under articles 46 and 49 of the aforesaid Decree, each commissioner may allocate up to 7.50 points for the estimation of each of the two practical examinations, and in competitions under article 52 up to 15 points for the estimation of the oral examination.

Out of the 15 points allotted for the judgment of the qualifications, 9 points shall be reserved for the estimation of the service performed following a public competition, or 7 points for the estimation of the service performed „ad interim“.

In competitions for posts of parish doctor (medico condotto) the estimation reserved for service performed in the medical institutes contemplated by R.D. 30 September 1938, No. 1631, or University clinics, shall be of 7 points as to permanent personnel, or of 5 points as to personnel „ad interim“.

Five points shall be reserved for the estimation of other qualifications.

In case of concurrence of the two services, i.e. the permanent and „ad interim“, each commissioner may allocate a maximum of 10 points, out of the 15 attributed to him, for the estimation of the relative qualifications.

The preceding provisions shall not apply to the competitions contemplated by articles 61, 62, 63, 64, 65, 76, 77 and 78 of above mentioned Decree 11 March 1935, No. 281.

- b) In competitions for posts of parish doctor and veterinary surgeon, the medical or veterinary service performed by the servicemen (combattenti) of the second world war shall be taken into account to the same effects as the service performed „ad interim“ as parish doctor or veterinary surgeon.
- c) In the other competitions not included under the preceding letter (a) the Judging Commissions shall, in the estimation of qualifications, follow the same principles as are established therein.

ARTICLE III

Section 1. — As to competitions which have already been announced prior to the effective date of this Order but have not yet been carried out and the examination of which have not yet been started, and as to competitions that will be called after the said date, the age limits shall be extended for those who could not participate in former competitions because of their not having been inscribed in the fascist party and for personnel „ad interim“ who have been in continuous service for more than 4 years.

Exemption from the maximum age limit shall be made for servicemen (combattenti) of the second world war and an extension of ten years shall apply to all other competitors, except the cases of those sanitarians who had reached the age limits before the last war.

Section 2. — As to competitions, mentioned in the preceding Section, already announced but not yet carried out, the Administrations concerned shall, if necessary, provide for the re-opening of the relative time-limits.

ARTICLE IV

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

Dated at TRIESTE, this 14th day of December 1949.

CLYDE D. EDDLEMAN

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

Ref.: LD/A/49/248

Order No. 228

ISSUE AND POSSESSION OF DOCUMENTS OF IDENTIFICATION-AMENDMENT TO ORDER No. 193 OF 9 APRIL 1948 ETC.

WHEREAS it is necessary that all persons who have their „dimora“ in the British-United States Zone, Free Territory of Trieste (hereinafter referred to as the „Zone“) should have, and be in possession of, Identity Cards, and it is therefor necessary to modify the provisions of Order No. 193 dated 9 April 1948 and to cancel Orders No. 416 dated 30 December 1948 and No. 141 dated 29 June 1949,

ORDER:

ARTICLE I

AMENDMENT TO ORDER No. 193 OF 9 APRIL 1948 — POSSESSION OF IDENTITY CARDS

Section 1. — Article II of Order No. 193 dated 9 April 1948 is hereby substituted by the following new Article II :

„ARTICLE II

„POSSESSION OF IDENTITY CARDS

„Section 1. — All persons over the age of 15 years who have their residence „(residenza) or their abode (dimora) in the Zone must have in their possession an Identity Card. Identity Cards will be obtained from the Sindaco of the Commune in which „the person concerned has his residence (residenza) or abode (dimora).

„Section 2. — There will be two types of Identity Cards, one, unmarked and „containing the word „residenza“, for those persons who are lawfully inscribed in the „permanent population register of a Commune of the Zone ; the other card, marked „with a green stripe and containing the word „dimora“, for all other persons entitled „to an Identity Card in terms of Section 1 hereof.“

Section 2. — (a) Article VI of Order No. 193 dated 9 April 1948 is hereby cancelled.

(b) Articles VII, VIII and IX of Order No. 193 dated 9 April 1948 are hereby renumbered Articles VI, VII and VIII respectively.

ARTICLE II

CANCELLATION OF ORDER No. 416 OF 30 DECEMBER 1948 ETC.

Order No. 416 dated 30 December 1948 and Order No. 141 dated 29 June 1949 are hereby cancelled. Identity cards issued under the aforementioned Orders shall remain valid identity cards.

ARTICLE III

TIME LIMIT FOR ACQUIRING NEW IDENTITY CARDS

Section 1. — A period of four months from the date of this Order is hereby given to those persons who by virtue of the previous legislation were debarred from applying for Identity Cards but who are now compelled to be in possession of Identity Cards, in which to apply for and obtain possession of an Identity Card.

Section 2. — After the expiry of the said period of four months the penalties provided for in Order No. 193 of 9 April 1948 will be applicable.

ARTICLE IV

EFFECTIVE DATE

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

Dated at TRIESTE, this 15th day of December 1949.

CLYDE D. EDDLEMAN

Brigadier General, U.S. Army

Director General, Civil Affairs

Ref. : LD/A/49/251

Order No. 229

EXTENSION OF THE PROVISIONS CONCERNING TEMPORARY PROFESSIONAL LICENCES AND UNIVERSITY CONTRIBUTIONS

WHEREAS, it is deemed advisable to extend the provisions concerning temporary professional licences to those persons who have taken their degree in Engineering, Economics and Commerce, and the provisions concerning University contributions within 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

The provisions of Order No. 223, dated 6 September 1946, as amended by Order No. 344 (223 A), dated 11 April 1947, concerning the suspension of State examinations for professional qualification and the issuance of certificates of temporary qualification for professional practice are hereby extended to those persons who have taken their degree in Engineering, Economics and Commerce at the University of Trieste during the examination period of the academic year 1948 - 1949.

ARTICLE II

The provisions set forth in Order No. 109, dated 20 May 1949, concerning University fees and contributions are hereby extended to the academic year 1949 - 1950.

ARTICLE III

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

Dated at TRIESTE, this 14th day of December 1949.

CLYDE D. EDDLEMAN

Brigadier General, U.S. Army

Director General, Civil Affairs

Ref. : LD/A/49/249

Order No. 230

ESTABLISHMENT OF FINANCE GUARDS

WHEREAS it has been decided as a further step toward normalization of conditions in the Zone to create a separate body for fiscal purposes to be known as the „Corpo della Guardia di Finanza“, thereby separating the present Fiscal Division from the V.G. Police Force, within 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

CREATION OF „CORPO DELLA GUARDIA DI FINANZA“

The Fiscal Division of the V.G. Police Force is hereby separated from the V.G. Police Force and created as a separate body to be known as the „Corpo della Guardia di Finanza“. The „Corpo della Guardia di Finanza“ will depend from, and operate under, the control of the Chief, Department of Finance, Allied Military Government.

ARTICLE II

DUTIES

The „Corpo della Guardia di Finanza“ will carry out the following duties in addition to those which may be imposed upon it or entrusted to it by the Chief, Department of Finance:

- a) to prevent, investigate, ascertain and denounce financial violations;
- b) to supervise, within the limits set forth by the law, the observance of financial and economic regulations and provisions of the Zone;
- c) to participate in the maintenance of order and of public safety;
- d) to perform those other services of public supervision („vigilanza“) and control („tutela“) for which their intervention is required according to the provisions of special laws.

ARTICLE III

ORGANIZATION

Section 1. — The „Corpo della Guardia di Finanza“ will be organized as follows:

- a) Headquarters.
- b) Land Frontier Branch.
- c) Sea Frontier Branch.
- d) Factory Branch.

- e) Monopoly Branch.
- f) Tributary Investigation Branch.

Section 2. — The Headquarters will be responsible for controlling all Branches of the Force on all matters, including duty, discipline and administration.

Section 3. — The Headquarters and Branches may be subdivided into Sections.

ARTICLE IV

PERSONNEL

Section 1. — The personnel of the „Corpo della Guardia di Finanza“, their equipment, allocation of barracks, transportation, messing arrangements etc., will be the subject of arrangements and agreement between Allied Military Government Departments of Finance and Public Safety.

Section 2. — Save insofar as may be altered by the Department of Finance, the „Corpo della Guardia di Finanza“ will perform their service in accordance with the regulations established by R. D. of 6 November 1930, No. 1643, but always excluding those provisions which relate to tasks, functions and duties of a military nature.

Section 3. — Service, qualification, promotion, discipline, leaves, pay and indemnities shall be in accord with regulations issued or to be issued by the Department of Finance.

ARTICLE V

EFFECTIVE DATE

This Order shall become effective on the date of its publication in the Official Gazette and shall be operative as from the 1st day of January 1950.

Dated at TRIESTE, this 16th day of December 1949.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/49/227

Administrative Order No. 75

AUTHORITY TO CHANGE THE SURNAME

WHEREAS one ZERJAL Davide born at Trieste on May 1, 1921, resident in Trieste, Monte di Servola No. 707, has complied with the law provisions required to obtain the change of his surname into that of ZERIAL according to the authority granted to him by Department of Legal Affairs on 13 September 1949, and

WHEREAS said person has now made application in order that the requested change of surname be effected, and