

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. 363

REGULATIONS FOR ENTRY INTO THE FREE TERRITORY OF TRIESTE, BRITISH-UNITED STATES ZONE, AMENDMENT TO ORDER No. 202

WHEREAS it is deemed advisable and necessary to provide for the issuance of a special document to those persons who intend to cultivate their agricultural property on the other side of the border between that part of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „British-United States Zone“) and that of the said Free Territory of Trieste administered by the Yugoslav Forces (hereinafter referred to as the „Jugoslav Zone“); and

WHEREAS it is deemed necessary to amend, for that purpose, Order No. 202, dated 17 March 1948;

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

ORDER:

ARTICLE I

ADDITION OF A NEW ARTICLE TO ORDER No. 202

After Article II of Order No. 202, dated 17 March 1948, there shall be inserted the following:

„ARTICLE II A

„DUAL PROPERTY OWNERS' CROSSING PERMITS“

„Section 1. — Any owner or tenant of agricultural immovable property lying „within ten kilometers from the border between the British-United States Zone and „the Yugoslav Zone, who permanently lives on the other side of the border and within „ten kilometers therefrom, may obtain for himself, his relatives and workmen, a Dual „property owners' crossing permit. The possession of the said Dual property owners' „crossing permit will entitle the said owner or tenant and their relatives and workmen „to enter and to leave the British-United States Zone for the purpose of exercising „their rights of ownership or tenancy. Movement, however, must take place between „sunrise and sunset, and dual property owners and others as inscribed in said permits, „who cross the border, must return the same day on which they cross the border.

„Section 2. — The provision set forth in Section 1 of this Article shall not be „applicable to those owners who have acquired their rights on the property after September 15, 1947, except for such owners as have acquired the ownership or property „rights by way of inheritance or by legal act of transfer to an heir of the family who „would have inherited such property or property rights on the owner's death“.

ARTICLE II

AMENDMENT OF ARTICLES III AND V OF ORDER No. 202

Articles III and V of Order No. 202 shall be amended as follows :

„After the words „Allied Forces permits“ occurring in both aforesaid Articles there shall be inserted a comma and the following words „Dual Owners“ Crossing permits“.

ARTICLE III

EFFECTIVE DATE

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

Dated at Trieste, this 19th day of October 1948.

RIDGELY GAITHER

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

Order No. 303

REORGANIZATION OF SCHOOL PATRONATES

WHEREAS it is considered advisable to provide for the reorganization of School Patronates 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

For the purpose of providing assistance to the pupils of elementary schools and kindergartens, a school Patronate shall be constituted in each Commune.

Besides, Schools Patronates for each section of the Commune shall be constituted whenever required by particular local exigencies.

In Communes where professional training schools or courses or post-elementary courses exist, the assistance shall be extended to their pupils under 14 years of age, provided such schools and courses are without an own scholastic fund or the fund is inadequate for the assistance of said pupils.

ARTICLE II

The Patronate is a public juridical body and shall be vested, within the limit of its resources, with the following tasks :

- a) to supply gratuitously to poor pupils schools-texts, copy-books, stationery and, if possible, clothing and shoes ;
- b) to organize gratuitous school refection for the aforesaid pupils ;
- c) to administer sea and mountain colonies and to provide for their functioning ;
- d) to distribute medicines and tonics to poor pupils in need of medical treatment ;
- e) to give assistance to schools in any other way consistent with the general purposes of school-instruction.

It shall also be the task of the Patronate to establish and to operate post-schools courses, recreation centers, school libraries and other institutions integrating the school instruction.

ARTICLE III

The Patronate shall be subject to the supervision (*vigilanza*) of the School Superintendent and to the control (*tutela*) of the Zone School Council (*Consiglio Scolastico di Zona*).

The School Superintendent shall take care for the designation of the councillors, appoint the Administrative Council and the Board of Auditors, and when considered advisable for grave reasons, he may upon an affirmative opinion of the Zone School Council appoint by decision to be notified to the Allied Military Government, Office of Education, a Special Commissioner and entrust him with the administration of the Patronate for a period not exceeding three months.

The annual budget, the final account and all other decisions of the Administrative Council which imply expenses of a permanent nature and changes in assets, are subject to the previous approval by the Zone School Council.

ARTICLE IV

The functioning of the Patronate shall be regulated by a Statute which shall be compiled upon the basis of a standard statute to be approved by the Allied Military Government.

The Statute of each Patronate and the internal regulations (*reglamento organico*) mentioned in subsequent Article XIII shall be compiled by the Administrative Council and shall be subject to the approval by the Zone School Council.

ARTICLE V

The Administrative Council of the Patronate shall be composed as follows :

- a) a representative of the Communal Administration ;
- b) in those Communes where a School Inspectorate or a Didactic Direction exist, a local school inspector or a didactic director, to be chosen by the School Superintendent or, whenever the number of the aforesaid officials amounts to more than five, to be designated by his colleagues ;
- c) in Communes with more than one official mentioned in the preceding letter *b*) a delegate of the School Superintendent ;
- d) one or more representatives of teachers of elementary schools or of kindergartens, to be designated by the said teachers ;
- e) a school-physician or, if there is none, a Communal physician residing in the Commune, to be designated by the Communal Administration ;

- f)* two or more representatives of the pupils' parents ;
- g)* one or more representatives of the members of the Patronate ;
- h)* one representative of each body or institution, paying an annual contribution of not less than the twentieth part of the total amount of the Patronate's annual revenue and in any case of not less than 5000.— Lire ;
- i)* a representative of the local Bishopric.

In Communes where professional training schools exist also the following persons shall be members of the Council ;

- l)* a director of such school to be chosen by the School Superintendent, or, if more than five directors have their seat in the Commune, to be designated by his colleagues ;
- m)* one or more representatives of the teachers of said schools, to be designated by his or their colleagues.

Furthermore, in the Commune of Trieste, also the following shall be members of the Administrative Council :

- n)* a representative of the Provincial Administration ;
- o)* one or more persons with particular experience in the problems of assistance with special regard to infancy, to be nominated in agreement with the Zone President.

The number of members contemplated by letters *d)*, *f)*, *m)* and *o)*, shall be established by the Statute.

The Administrative Council, as a rule, shall remain in office for the period of three years. Whenever in the course of such period any of the councillors should fall off for whatever reason, he shall be substituted for the period not yet expired.

ARTICLE VI

For those Patronates where it is justified by the number of their members or by the entity of the revenue to be administered, a Board of three auditors shall be constituted who shall control the Patronate's administration and report thereon to the assembly.

The constitution of a Board of auditors shall be compulsory for the Patronate of the Commune of Trieste. The „Sovrintendenza di Finanza“ shall be competent for the designation of one of the auditors.

ARTICLE VII

The Administrative Council shall elect from among its members the President, the secretary and an Executive Board of not less than three and not more than five members.

The Administrative Board may divide itself in Sections corresponding either to the territorial sub-division of the Commune, or to the various categories of schools, or to school institutes with a different language of instruction.

In such cases one of the members of the Executive Board shall be delegated to represent it in each Section.

The number of the members of the Executive Board and the eventual division into Sections of the Administrative Council shall be provided for by the Statute.

ARTICLE VIII

There shall be members of the Patronate those bodies, associations and persons who are paying annual contributions or who have paid a contribution once for ever.

The Statute shall fix the rate of the contributions and shall eventually divide the members in various categories and, whenever possible, ensure to each category its own representation in the Administrative Council.

As a rule such representation shall be established in the proportion of one representative for every hundred members.

The members shall be convened yearly in an assembly in order to discuss the report of the Administrative Council, to express their opinion on the budget and on the final account to be submitted to the Zone School Council, to designate their representatives for the Administrative Council and, in the case set forth in Article VI, the members of the Board of Auditors.

ARTICLE IX

The Patronate shall provide for the purposes set forth in Article II by means of

- a) the contributions mentioned in Article VIII ;
- b) the annual contribution set forth by the subsequent Article X ;
- c) the revenue derived from the sale of school reports ;
- d) the governmental contributions ;
- e) the revenue of the „Economato“ mentioned in subsequent Article XI, in the Communes where it has been established ;
- f) donations, legacies, bestowals bequeathed by bodies and benefactors, according to their specific destination ;
- g) by the revenue of special actions undertaken by the Patronate ;
- h) by the revenue deriving from its own assets.

Subscriptions among pupils and teachers for the Patronate or actions promoted by them are prohibited.

ARTICLE X

The compulsory contribution to the School Patronate, to be included in the Communal budget pursuant to Article 91, letter f) No. 13 of the Consolidated Text of the Law on Communes and Provinces as approved by R. D. 3 March 1934, No. 383, is hereby fixed at the minimum rate of two Lire for each year and inhabitant, upon the basis of the resident population resulting from the last census ; the Communes may fix a greater amount in the annual budget.

Whenever in the Communal Budgets for the financial year preceding that in course on the effective date of this Order, contributions at a higher rate than that set forth in the preceding para have been provided for in favour of the School Patronate, the Allied Military Government may, upon request of the Schools Superintendent, and after hearing the opinion of the Zone President, assign by an order such exceeding amount for the permanent benefit of the said Patronate.

ARTICLE XI

By decision of the Administrative Council to be approved by the School Superintendent, an „Economato“ may be established at the School Patronate for the sale of text books and stationery which shall be sold to the pupils at prices not lower than those of the market, and to the Patronate at the price of cost plus general expenses.

The administration of the „Economato“ shall be kept separately from that of the Patronate, but its profit shall be periodically paid to the Patronate's treasury.

ARTICLE XII

The financial year of the Patronate shall begin on October 1st and shall end on the subsequent 30th of September.

The administrative expenses of each Patronate may not exceed five percent of the revenue, if the total amount of the revenue does not exceed ten thousand Lire, two percent for the eventual exceeding amount up to one hundred thousand Lire and one percent for the amount exceeding one hundred thousand Lire.

ARTICLE XIII

In case of exceptional and particular exigencies and within the financial means available and the limits of expenditure fixed by the preceding Article XII, the Patronate may engage the necessary personnel.

The engagement of personnel mentioned in the preceding para and their juridical and economic treatment shall be regulated by the Internal Regulations (regolamento organico) which shall be compiled by the Patronate on the basis of the standard Internal Regulations approved by the Allied Military Government.

ARTICLE XIV

For the services relating to the coordination of the work of Patronates, in particular those of Trieste, and of the work of the „consorzi“ considered by the subsequent Article XV, a number of permanent teachers not exceeding three may be ordered to perform duty at the School Superintendent's office from year to year; no compensation shall be paid to such teachers to the burden of the budget of the said Patronates.

ARTICLE XV

The School Patronates may associate in „Consorti“.

The constitution of the „Consorti“ shall be subject to approval by the School Superintendent upon a favourable opinion of the Zone School Council.

The purpose of the „Consorti“ shall be the furthering of the associated Patronates and the facilitation of their scopes; they shall be subject to the supervision of the School Superintendent and to the control of the Zone School Council.

ARTICLE XVI

All offices provided for by this Order in respect of the School Patronates and „Consorti“ shall be honorary.

ARTICLE XVII

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

Trieste, this 20th day of October 1948.

H. P. P. Robertson, Colonel
for **RIDGELY GAITHER**
Brigadier General, U. S. Army
Director General, Civil Affairs

Order No. 365

PROVISIONS CONCERNING HOUSING OFFICES AND HOUSING COMMITTEES

WHEREAS it is considered advisable to make provisions for the transfer of the control of housing to the Zone President, in that part of the Free Territory of Trieste now 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 from 1st November 1948 the Housing Offices and the Housing Committees constituted by virtue of General Order No. 62 dated 3rd July 1946, shall cease to be organs of the Allied Military Government and shall be subordinated to the Zone President.

ARTICLE II

Section 1. — The personnel employed on the staffs of Housing Offices and Housing Committees by direct order of the Allied Military Government shall be retained or liquidated by the Zone President as may be decided by him after the date set forth in Article I.

Section 2. — The administrative costs involved in the employment of the personnel on the staffs of the Housing Offices and Housing Committees and in the operation thereof, shall be, after 31st December 1948, the direct financial responsibility of the Communes concerned.

Section 3. — The members of the Housing Committees shall retain their offices, and their economic treatment shall remain unchanged. Eventual repeals of appointments and new appointments shall be made by the Zone President.

ARTICLE III

The Communal Board in each Commune may, by a decision, propose to the Zone President at any time, that the functions of the respective Housing Offices and Housing Committees cease.

ARTICLE IV

All powers duties and functions in matters of housing and business accommodation formerly vested in the Area Commissioners and by virtue of Order No. 229 transferred to the Director of Interior, shall be devolved on the Zone President.

ARTICLE V

The existing laws regulating the tasks and powers of the Housing Offices and the Housing Committees as well as the rules providing for the allotment of accommodation shall remain in force inasmuch as consistent with the provisions of this Order.

ARTICLE VI

All decisions made or in progress of being made by the Housing Offices and Housing Committees prior to the date set forth in Art. I of this Order, shall remain valid.

ARTICLE VII

Notwithstanding anything to the contrary in the present Order, the powers contained in Order No. 56 dated 25 October 1947 and Order No. 161 dated 16 February 1948 shall in no way be affected, and shall continue to be valid after the date set forth in Art. I of this Order.

ARTICLE VIII

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

Trieste, this 22nd day of October 1948.

H. P. P. Robertson, Colonel
for **RIDGELY GAITHER**
Brigadier General, U. S. Army
Director General, Civil Affairs

Administrative Order No. 101

AUTHORITY GRANTED TO THE ISRAELITIC COMMUNITY OF TRIESTE TO ACCEPT A LEGACY

WHEREAS the Israelitic Community of Trieste has submitted an application to the Allied Military Government for authority to accept a legacy left to it by Mr. Lionello STOCK in his Will dated 8 February 1946, opened and published on 8 April 1948, according to the request for registration of the public Will, Rep. No. 529, kept in the Notarial Archives of Trieste ;

WHEREAS the above application has been duly approved by the Zone President and there is no objection thereto ;

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

ORDER :

ARTICLE I

AUTHORITY TO ACCEPT A LEGACY

Authority is hereby granted to the Israelitic Community of Trieste to accept, subject to the terms and conditions specified in the Will hereinafter mentioned, the legacy left to it by Mr. Lionello STOCK in his Will dated 8 February 1946, opened and published on 8 April 1948, according to the request for registration of the public Will, Rep. No. 529, kept in the Notarial Archives of Trieste.

ARTICLE II

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

Dated at Trieste, this 22nd October 1948

H. P. P. Robertson, Colonel
for **RIDGELY GAITHER**
Brigadier General, U. S. Army
Director General, Civil Affairs

Administrative Order No. 105

CHANGES IN THE COMMISSION FOR THE INVESTIGATION OF MARINE ACCIDENTS

WHEREAS by Administrative Order No. 35 dated 3rd April 1946 a Commission has been appointed for the investigation of marine accidents for the Harbour Office of the Port of Trieste, and

WHEREAS it has now become necessary to alter the title of its President and to provide for the substitution of certain of its members ;

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

ORDER:

ARTICLE I

AMENDMENTS TO AMMINISTRATIVE ORDER No. 35

1. — The title of the President of the Commission dott. Paolo de KLODIC, is amended to read as Captain of the Port of Trieste.
2. — Captain Carlo RANKEL, Section Head of the Harbour Office of the Port of Trieste is hereby appointed Substitute President in place of Captain Mario Buttora.
3. — Captain Mario de POLTIERI, Via Montorsino No. 3, Trieste, is hereby appointed member in place of Captain Luigi Rismondo.
4. — Captain Riccardo RAVASINI, via Corsica No. 9, Trieste, is hereby appointed Substitute Member in place of Captain Mario Scopinich.

ARTICLE II

EFFECTIVE DATE

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

Dated at Trieste, this 26th day of October 1948.

RIDGELY GAITHER

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

Errata Corrigenda

(ORDER No. 347 — Payment of the high cost of bread indemnity to workers subject to the collective labour contracts — published in Gazette N. 39, page 605, dated 11 October 1948).

In Article V b), Integration Fund for the Social Insurance, read „0.03% for the benefits on the compulsory tuberculosis insurance“, instead „0.023% for the benefits.....“

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