

ALLIED MILITARY GOVERNMENT

BRITISH - UNITED STATES ZONE
FREE TERRITORY OF TRIESTE



OFFICIAL GAZETTE

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ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

Order No. 180

NEW PROVISIONS FOR THE REVISION OF CONTRACT PRICES FOR PUBLIC WORKS

WHEREAS it is considered advisable and necessary to repeal Order No. 451 of 6 September 1947 and to issue new provisions for the revisions of contract prices for Public Works within that zone of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“):

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

ORDER :

ARTICLE I

Section 1. — Order No. 451 dated 6 September 1947 is hereby repealed.

Section 2. — Contract prices for public works shall be revised in accordance with the following Articles.

ARTICLE II

Section 1. — Prices agreed upon for projects of public works of any duration which are let, conceded or awarded by State Administrations or State concern, though autonomous, by Provinces, Communes or other Public Bodies, may be revised, unless there exists a contrary clause, whenever the Administration concerned finds that the total cost of the project has increased or diminished by more than 10% in consequence of changes in prices occurred after the presentation of the bid.

Section 2. — Such revision shall apply only to the amount exceeding the percentage set forth in the preceding Section.

Section 3. — The new amount resulting from such revision shall be subject to the rebate provided for by the original contract.

Section 4. — Whenever the revision concerns an increase in prices, such increase shall not be applied to the quantity of the work which had not been done by the contractor or grantee (cessionario) in the time required by the contract, nor to materials stored by him prior to the increase in the prices.

The expression „time required by the contract“ shall be construed to mean the time-limit established in the contract for the termination of the works and the eventual extensions thereof regularly granted. The said expression, however, shall not be construed to mean the time-limit within which the works proceed under penalty clauses.

Section 5. — Contracts for works which were stipulated conceded or otherwise awarded after 30 September 1946 or which were under way on that date, may be revised whenever the Administration concerned considers such revision consistent with the particular terms of the contract even if the contract does not contain a clause providing for price revision.

ARTICLE III

Applications for price revision shall be submitted prior to the signing of the certificate of final test or else they shall be forfeited.

ARTICLE IV

The revision of prices for works under way shall be admissible subject to the final settlement at the termination of the works. The Administration concerned may advance up to 50% of the amounts prospectively due to the contractors or grantees (concessionari) in view of the final revisions or of revisions granted for works under way.

ARTICLE V

Decision on applications for revision of prices shall be issued by the Direction of Works without delay after presentation of the application, after approval by the Department of Public Works.

ARTICLE VI

Section 1. — Against decisions of the Administration, denying or only partly granting the revision, appeals may be filed in accordance with the provisions set forth in the following Sections.

Section 2. — A Board of Appeal is hereby established at the Department of Public Works for deciding appeals filed against the decisions of the Administrations in matters of price revision.

Section 3. — The said Board shall consist of the following members :

- a) Chief State Attorney — Chairman
- b) Inspector General, Genio Civile — Vice Chairman
- c) Sovraintendente di Finanza or his representative
- d) Chief Engineer, Genio Civile
- e) Chief Engineer, U.S.V.S.
- f) A representative of the Department of Public Works
- g) A representative of the Department of Law
- h) A representative of the Department of Finance
- i) A representative of the Department of Labor
- j) A representative of the Department of Industry
- k) A representative of the Office of Agriculture and Fisheries whenever the appeal regards its works
- l) A representative of the Public Body directing the works concerned
- m) A representative of the Association of manufacturers
- n) A representative of the Federazione Cooperative e Mutue Giuliane

Section 4. — A quorum of three fourths of all members shall be required for the validity of the decisions of the Board.

The decisions shall be taken by a majority vote. In case of a tie vote, the vote of the Chairman shall prevail.

Section 5 — The administrative work of the said Board shall be performed by the Contract Section, Department Public Works.

Section 6. — Each appellant shall deposit in cash with the „Cassa Risparmio di Trieste“ 5 per cent of the sum claimed for in requesting the revision of prices.

On deciding the appeal, the Board shall determine whether the expense of the appeal has to be borne by the appellant in whole or in part.

Section 7. — The members of the Board shall be paid such compensation as shall be determined by the Director of Finance upon recommendation of the Chief Department of Public Works.

Section 8. — Appeals against decisions of the Administrations to the Board of Appeal shall be filed with the Department of Public Works within thirty days from the notification of the decisions.

Section 9. — The decisions of the Board of Appeal shall be final.

ARTICLE VII

Payments made for increases in costs of manual labour shall be considered advanced and shall be deducted from the final amount resulting from the revision of prices under the provisions of this Order.

ARTICLE VIII

The Chief Department of Public Works shall be authorized to issue such regulations as shall be necessary for the implementation of the provisions of this Order.

ARTICLE IX

Any person who makes a false statement in an application for revision of prices or in appeal against a decision issued thereon, or who otherwise violates any provision of this Order, shall be guilty of an offence and shall, upon conviction of an Allied Military Court, be liable to punishment by such fine or imprisonment, or both, as the Court may determine ; besides, in lieu of or in addition to the penalty any money awarded or granted, or the claim itself may be declared forfeited to the Allied Military Government.

ARTICLE X

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

Dated at TRIESTE, this 28th day of May 1948.

RIDGELY GAITHER

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

Order No. 269

UTILIZATION OF RESOURCES CORPORATION (AMENDMENT TO ORDER No. 243)

WHEREAS it is considered necessary to provide for the enlargement of the Board of Directors of the Utilization of Resources Corporation created by Order No. 243 dated 24 April 1948 by including the Port Director ;

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

O R D E R :

ARTICLE I

NEW PARAGRAPH OF ORDER No. 243

Para 3 of Order No. 243 dated 24 April 1948, is hereby deleted and substituted by the following new paragraph:

„3. — The management of the Corporation shall be vested in a Board of seven Directors consisting of:

The Deputy Chairman of the Board of Finance and Economics, Chairman
The Chief of the Department of Industry
The Chief of the Department of Commerce
The Chief of the Department of Public Works
The Director of Legal Affairs
The Chief of the Department of Finance
The Port Director.“

ARTICLE II

EFFECTIVE DATE

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

Dated at TRIESTE, this 29th day of May 1948.

RIDGELY GAITHER

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

Order No. 217

APPROVAL OF THE STATUTE OF THE UNIVERSITY OF TRIESTE

WHEREAS, it is deemed advisable and necessary to approve the new Statute of the University of Trieste,

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

O R D E R :

ARTICLE I

The Statute of University of Trieste is hereby approved. Such Statute shall be deposited with the University of Trieste and may be freely examined there by interested parties. The Statute is marked Annex „A“ and is made part of this Order.

ARTICLE II

All current regulations on higher education remain in full force and effect unless modified by the provisions of said Statute.

ARTICLE III

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

Dated at TRIESTE, this 2nd day of June, 1948.

RIDGELY GAITHER

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

Order No. 271

AMENDMENT TO ORDER No. 196 CONCERNING THE SUSPENSION OF STATE EXAMINATIONS FOR QUALIFICATION TO PRACTICE THE PROFESSION OF ECONOMY AND COMMERCE

WHEREAS, by Order No. 196 dated 17 March 1948 the provisions of Order No. 223, dated September 6th, 1946, as amended by Order No. 344 (223 A), dated April 11th, 1947, concerning the suspension of State examinations for qualification to practice the profession of economy and commerce and the issuance of certificates of temporary qualification to practice such profession, have been extended to the year 1948 in favour of those only who have obtained degree at the University of Trieste during the years 1939 to 1947; and

WHEREAS, it is considered advisable and necessary to extend such benefit also to those who have obtained their degree prior to the year 1939;

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

ORDER :

ARTICLE I

Article I of Order No. 196, dated 17 March 1948, is hereby cancelled and substituted by the following new Article I :

„The provisions set forth in Order No. 223, dated September 6th, 1946, as amended by Order No. 344 (223 A) dated April 11th, 1947, concerning the suspension of State examinations for qualification to practice the profession of Economy and Commerce and the issuance of certificates of temporary qualification to practice such profession, are hereby extended to the year 1948, in favour of those who have obtained their degree at the University of Trieste during the year 1947 and the preceding years.“

ARTICLE II

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

Dated at TRIESTE, this 5th day of June 1948.

RIDGELY GAITHER

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

Administrative Order No. 90

APPOINTMENT OF OSCAR DE INCONTRERA AND ANTONIO CIANA AS HONORARY INSPECTORS OF MONUMENTS AND EXCAVATIONS

WHEREAS it is deemed advisable to appoint two honorary inspectors of monuments and excavations, as provided for by Law No. 383 of June 1907, for that part of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“),

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

O R D E R :

1. — Mr. Oscar de INCONTRERA and Mr. Antonio CIANA are hereby appointed honorary inspectors of monuments and excavations for the Zone. Their service and duties shall be those set forth in Law 383 of 27 June 1907.

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

Dated at TRIESTE, this 2nd day of June 1948.

RIDGELY GAITHER

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

Administrative Order No. 85

CONSTITUTION OF ADMINISTRATIVE COUNCIL FOR THE COMMERCIAL TECHNICAL INSTITUTE „G. R. CARLI“ AT TRIESTE

WHEREAS it is considered necessary to provide for the constitution of the Administrative Council for the Commercial Technical Institute „G. R. CARLI“ at Trieste in accordance with the Statute thereof approved by R. D. 24 August 1933, No. 2254 ;

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

O R D E R :

1. — The Administrative Council of the Commercial Technical Institute „G. R. Carli“ at Trieste, is hereby constituted as follows :

- a) Avv. TANASCO Giovanni, representative of the Office of Education, Allied Military Government, as President ;
- b) Avv. ILLENI Luciano, representative of the Office of Education, Allied Military Government ;
- c) Comm. Dr. ZILLI Nicolò, representative of the Provincial Administration ;
- d) Eng. BELTRAME Carlo, representative of the Commune of Trieste ;
- e) Prof. SCROSOPPI Paolo, representative of the Chamber of Commerce, Industry and Agriculture ;
- f) The Principal of the Institute.

2. — Prof. BRONZIN Vincenzo, is hereby relieved of his functions as Commissioner of the Institute.

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

Dated at TRIESTE, this 5th day of June 1948.

RIDGELY GAITHER

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

Administrative Order No. 86

ESTABLISHMENT OF A BOARD OF AUDITORS FOR THE „ISTITUTO NAZIONALE PER L'ASSISTENZA DI MALATTIA AI LAVORATORI“ AND APPOINTMENT OF ITS MEMBERS

WHEREAS, it is considered advisable and necessary to establish a Board of Auditors for the „Istituto Nazionale per l'Assistenza di Malattia ai Lavoratori“,

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

ORDER :

ARTICLE I

ESTABLISHMENT OF A BOARD OF AUDITORS FOR THE „ISTITUTO NAZIONALE PER L'ASSISTENZA DI MALATTIA AI LAVORATORI“

Section 1. — There is hereby established a Board of auditors for the „Istituto Nazionale per l'Assistenza di Malattia ai Lavoratori“.

Section 2. — The said Board shall have the powers and duties provided for by Article 2403 and the subsequent Articles of the Civil Code insofar as the said provisions are applicable.

ARTICLE II

APPOINTMENT OF MEMBERS OF THE BOARD

The following are hereby appointed members of the Board of auditors established by Article I :

- (a) Rag. Antonio LA CORTE, director of the Office of Accounts of the „Intendenza di Finanza“, representative of the Department of Finance, Allied Military Government, as chairman ;
- (b) Dr. Silvio ALESANI, representative of the employers, member ;
- (c) Mr. Mario SANTON, representative of the workers, member ;
- (d) Rag. Guido TERZANI, representative of the employers, substitute member ;
- (e) Rag. Vittorio CARLI-KRALJ, representative of the workers, substitute member.

ARTICLE III

EFFECTIVE DATE

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

Dated at TRIESTE, this 5th day of June, 1948.

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

Administrative Order No. 91

DISSOLUTION OF „CONSORZIO PER LA SISTEMAZIONE EDILIZIA E L'ARREDAMENTO DELL'UNIVERSITA' DI TRIESTE“

WHEREAS the „Consortio per la Sistemazione Edilizia e l'arredamento dell'Università di Trieste“ is no longer necessary as the duties assigned to it are being carried out directly by Allied Military Government and

WHEREAS by decision of the Administrative Board of the „Consortio“ dated 4 May 1948 the dissolution of the „Consortio“ has been recommended ;

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

O R D E R :

1. — The „Consortio per la Sistemazione Edilizia e l'arredamento dell'Università di Trieste“ (hereinafter referred to as the „Consortio“) established by the Convention approved by M.D. of 16 March 1941 (Official Gazette No. 78, dated 1 April 1941) as amended by Administrative Order No. 58, dated 20 February 1948, is hereby dissolved.

2. — The assets of the „Consortio“ shall be taken over by the Administrative Council of the University of Trieste, to be used by them in connection with the expenses of equipping the University.

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

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

RIDGELY GAITHER

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

Notice No. 14

MINIMUM COMPENSATION FOR PERSONNEL EMPLOYED WITH LAWYERS, ATTORNEYS, AUDITORS, GRADUATES IN COMMERCIAL SCIENCES, FISCAL ADVISORS, REAL ESTATE ADMINISTRATORS, COMMERCIAL EXPERTS

Notice is hereby given that the Minimum Wage Board established pursuant to Order No. 63, dated 1st December 1947, has issued, in respect of personnel employed with lawyers, attorneys, auditors, graduates in Commercial sciences, Fiscal advisers, real estate administrators, Commercial experts.

L O D O :

1. — QUALIFICHE

a) PERSONALE CON MANSIONI IMPIEGATIZIE

- I — **Segretario di studio** è colui cui è affidata, con la direzione del personale, la sovrintendenza di tutti i lavori dello studio, quale diretto collaboratore del professionista.
- II — **Impiegato di concetto** è colui che assume con funzione autonoma e con corrispondente responsabilità le mansioni affidategli dal professionista.
- III — **Impiegato d'ordine** è colui che svolge attività semplice e schematica.

b) PERSONALE CON MANSIONI NON IMPIEGATIZIE

- I — **Fattorino** è colui che è addetto alle semplici commissioni di ufficio e di disbrigo della corrispondenza e allo svolgimento materiale delle pratiche dei vari uffici.
- II — **Donna di pulizia** è colei per la quale esiste un regolare rapporto di servizio, con esclusione delle addette ai servizi domestici del titolare dello studio.

2. — STIPENDI E SALARI

PER IL PERSONALE SUPERIORE AI 20 ANNI

	Uomini	Donne
Segretario di Studio (mensili)	16.000.—	16.000.—
Impiegato di concetto (mensili).....	8.000.—	6.600.—
Impiegato d'ordine (mensili)	4.000.—	3.600.—
Fattorino (settimanali).....	231.—	—
Donna di pulizia (orarie)	—	30.—

3. — INDENNITA' DI CONTINGENZA

GRUPPI DI ETA'	Giornaliera		Settimanale		Mensile	
	U.	D.	U.	D.	U.	D.
a) Non capi famiglia						
oltre 20 anni	461.50	400.—	2.769.—	2.400.—	12.000.—	10.400.—
dai 18 ai 20 anni	415.40	323.05	2.492.40	1.938.30	10.800.—	8.400.—
dai 16 ai 18 anni	346.15	252.30	2.076.90	1.513.80	9.000.—	7.560.—
sotto i 16 anni	184.60	184.60	1.107.60	1.107.60	4.800.—	4.800.—
b) Capifamiglia						
oltre i 20 anni	461.50	429.60	2.769.—	2.577.60	12.000.—	11.160.—
dai 18 ai 20 anni	429.60	369.20	2.577.60	2.215.20	11.160.—	9.600.—

L'indennità di contingenza si intende a tutti gli effetti frazionabile ad ora in rapporto ad un orario di 8 ore giornaliere, rispettivamente di 208 ore mensili o all'orario contrattuale proprio di particolari categorie di lavoratori.

L'indennità di contingenza sarà corrisposta per le sole ore di effettiva prestazione lavorativa e non costituisce parte integrante della retribuzione. Dovrà però venir corrisposta:

- a) Durante il periodo contrattuale di ferie.
- b) Durante il congedo matrimoniale.
- c) Nelle festività infrasettimanali e nelle ricorrenze nazionali riconosciute per legge o per contratto.
- d) Nel computo della gratifica natalizia e della 13a mensilità.
- e) Nel calcolo dell'indennità sostitutiva del preavviso.
- f) Durante i brevi permessi o assenze per i quali l'azienda non faccia luogo a riduzione dello stipendio mensile.

L'indennità di contingenza è agganciata all'indice costo-vita locale e ne subirà di conseguenza bimestralmente tutte le variazioni che ne potessero derivare sia in più che in meno.

4. — RIDUZIONE D'ORARIO

E' ammessa la possibilità che il personale sia assunto ad orario ridotto, con un massimo di 4 ore continuative giornaliere.

In tal caso egli sarà retribuito proporzionalmente a ora, con una maggioranza del 10% sulla retribuzione globale.

5. — SCATTI DI ANZIANITA'

Gli stipendi di cui al No. 2 sono stipendi iniziali. Negli anni successivi detto personale avrà diritto a percepire degli aumenti per anzianità nell'ammontare sottospecificato:

- 4% dello stipendio iniziale allo scadere del 1° e 2° biennio di servizio.
5% dello stipendio iniziale allo scadere del 3° 4° 5° biennio di servizio.

6. — PERSONALE MINORILE

Il personale minorile (maschile e femminile) percepirà:

se con meno di 16 anni	il 50%
se fra i 16 ed i 18 anni	il 65%
se fra i 18 ed i 20 anni	l'80%

delle retribuzioni spettanti al corrispondente personale (maschile e femminile) di età maggiore ai 20 anni.

7. — GRATIFICA NATALIZIA E 13a MENSILITÀ

Al personale impiegatizio verrà corrisposta alla Vigilia di Natale una 13a mensilità sulla base della retribuzione globale mensile, di fatto; il personale non impiegatizio avrà diritto a percepire una gratifica 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 ai 15 giorni.

8. — DECORRENZA E DURATA

Il presente Lodo entra in vigore col 1° giugno 1948 ed avrà efficacia fino al 31 ottobre 1948.

Letto, confermato e sottoscritto

Signed: Avv. Walter LEVITUS
Dr. Livio NOVELLI
Sig. Guido BORZAGHINI
Avv. Mario DAVANZO
Rag. Giovanni ADAMI
Sig. Ruggero TIRONI
Dr. Nicolò PASE

Trieste, 20 maggio 1948.

DEPARTMENT OF LABOR
Approved 1st June 1948
Signed: R. G. HUMPHREY
Major F. A.

TRIESTE, 1st June 1948.

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

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