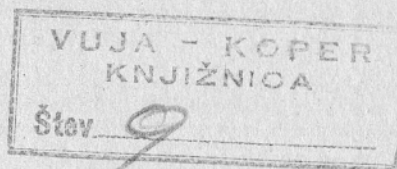


ALLIED MILITARY GOVERNMENT

BRITISH - UNITED STATES ZONE

FREE TERRITORY OF TRIESTE

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OFFICIAL GAZETTE

VOLUME I

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ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

Order No. 221

AMENDMENTS TO THE PROVISIONS CONCERNING THE CONTROL OF MOVEMENTS OF GOODS INTO ITALY

WHEREAS it is considered advisable and necessary to amend Order No. 395 dated 5 June 1947 (as amended by Order No. 79, dated November 29th, 1947) controlling the movement of goods into Italy, as a result of the unblocking of tires and tubes of every kind and description;

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

ORDER :

ARTICLE I

Section 11 of Article II of Order No. 395, dated June 5th, 1947, as amended by Order 79 dated 29th November 1947 is hereby repealed.

ARTICLE II

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

Dated at TRIESTE, this 20th day of May 1948.

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

Order No. 247

REVISION OF CAREERS OF EMPLOYEES OF PUBLIC ADMINISTRATIONS TERMINATION OF COMMISSIONS UNDER GENERAL ORDERS 60 AND 98

WHEREAS it is necessary to provide for the termination of Commissions established under General Orders No. 60 dated 27 May 1946 and No. 98 dated 26 April 1947,

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

ORDER :

ARTICLE I

TERMINATION OF COMMISSIONS

The Area Commission established by Article V, Section 2 of General Order No. 60 dated 27 May 1946, as amended by Article II of General Order No. 98 dated 26 April 1947, shall terminate its duties on 31 July 1948 and the Territorial Commission of Appeal established in Trieste by Article V of General Order No. 98, shall terminate its duties on 31 August 1948.

ARTICLE II

LIMITATION OF PERIOD FOR LODGING APPLICATIONS

Section 1. — The time limit established by Article VI of General Order No. 60 for lodging applications for readmission to service is hereby fixed and determined as at 30 June 1948. After that date no further applications for readmission to service will be entertained or considered under General Order No. 60.

Section 2. — All applications for readmission to service submitted after the effective date of this Order shall be lodged directly with the Area Commission and not with the Administrations concerned as provided for in Article VI of General Order No. 60.

ARTICLE III

APPLICATIONS FOR REINSTATEMENT INTO STATAL AND PARA-STATAL ADMINISTRATIONS

No further application for readmission into Statal Administrations including those with autonomous organisation or parastatal bodies however constituted or called, or in general of all public bodies and institutions subject to the protection and supervision of the State, or of enterprises depending on such administrations or bodies, having a head office or central administration outside of the Zone, shall be considered or decided upon by the Commissions as from the effective date of this Order.

All such applications shall be transferred to Allied Military Government (Department of Law) for transmission to the appropriate Central Administration for its consideration.

ARTICLE IV

RECORDS IN DECIDED CASES

All decisions, records, relative documents, exhibits etc., held by the Area Commission and Territorial Commission of Appeal concerning Statal Administrations including those with autonomous organizations and para-statal bodies however constituted or called, and in general of all public bodies and institutions subject to the protection and supervision of the State, and of enterprises depending on such administrations or bodies, having a head office or Central Administration outside of the Zone, shall be transferred to Allied Military Government (Department of Law) for ultimate transfer to and safe keeping by the appropriate Central Administration and disposal by them.

ARTICLE V

DECISIONS AFTER 15th SEPTEMBER 1947

Decisions made by either the Area Commission or the Territorial Commission of Appeal after 15th September 1947 concerning Statal Administrations including those with autonomous organizations and para-statal bodies however constituted or called, and in general of all public bodies and institutions subject to the protection and supervision of the State, and of enterprises depending on such administrations or bodies, having a head office or Central Administration outside of the Zone, are interlocutory and are subject to final approval of the competent Central Administration.

ARTICLE VI

EFFECTIVE DATE

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

Dated at TRIESTE, this 20th day of May 1948.

RIDGELY GAITHER

Brigadier General, U.S. Army

Director General, Civil Affairs

Order No. 265

REVIEW OF EPURATION DECISIONS

WHEREAS, it is considered necessary and opportune to make provisions for the revision of epuration decisions taken by the Epuration Commissions still under execution with regard to citizens of 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

APPLICATIONS — (GENERAL ORDER No. 7)

Section 1. — Public Administration personnel belonging to whatsoever category and having a grade lower than 5th, or one equivalent to the State classification and formerly dismissed or still suspended from service pursuant to an order of the Epuration Commissions appointed by General Order No. 7 dated 11 July 1945, may, within the peremptory time-limit of thirty days from the date of the publication of this Order, submit an application to the Epuration Office, established by Order No. 50 dated 10 December 1947, asking for the revocation of the Order of dismissal or suspension and for their immediate re-assumption into service. After the said time-limit they shall be barred from such right. The application shall be decided upon as provided for in Article IV hereof. Those who were dismissed or suspended for one of the following reasons shall be excluded from the above benefit :

- a) for having spontaneously performed military or civil service under the Germans ;*
- b) for having performed voluntary service in the military units of the republican fascist government, or, with the rank of officer, in the labour units organized by the said government ;*
- c) for having participated in mopping up operations or in summary executions or executions upon conviction, ordered by the fascists, or by the Germans, or having acted as denunciators in favour of same ;*
- d) for having exercised functions of Head of Province or of „Questore“ upon appointment of the republican fascist government, or of President, Public Prosecutor or member of the special or extraordinary Tribunal established by the said government ;*
- e) for having performed a specific activity of collaboration with the Germans.*

Section 2. — As to Public Administrations other than those of the State, the equivalence of grades shall, for the purposes of this Order be decided upon without any further possibility of modification by the Head of the Administration, unless the equivalence already exists or has been determined pursuant to the epuration laws formerly issued.

ARTICLE II

APPLICATIONS — (GENERAL ORDER No. 13)

The benefit provided for in Article I, Section 1, is hereby extended to persons of the free professions and arts who are still suspended from the exercise thereof, pursuant to a decision of the Epuration Commission appointed in terms of General Order No. 13, dated 30th August 1945, subject to the exceptions stated in Article I, hereof.

ARTICLE III

APPLICATIONS — (GENERAL ORDER No. 8)

Personnel employed by private enterprises and dismissed or suspended by the Commission appointed in terms of General Order No. 8 dated 11 July 1945, may apply for revocation of the Order of dismissal or suspension from service, if still in course of execution in the same manner and within the same time-limits as provided for in Article I, Section 1 hereof, subject to the exceptions therein stated.

ARTICLE IV

PROCEDURE

Section 1. — Decision upon the applications for revocation shall be made by the Extraordinary Commission for Epuration which shall be convened for such purpose in accordance with Article III, Order No. 50, dated 10 December 1947. There shall be no appeal against such decision.

Section 2. — The Commission shall provide for decision in Chambers after hearing, if necessary, the applicant and after taking the necessary information.

Section 3. — The effects of the revocation shall commence, also for the purposes of economic treatment, as from the date of the notification of the relative Order to the appropriate Administration or concern.

Section 4. — As to private enterprises the order of revocation shall have the value of a recommendation.

ARTICLE V

POWERS OF ADMINISTRATION

Section 1. — The Administration may place „on disposal“ („in disponibilità“) for a period of two years the personnel formerly dismissed and to be re-assumed to service in accordance with Article I and, after such period, place them on pension.

Section 2. — During the period „on disposal“ („in disponibilità“) the personnel shall be entitled to a monthly allowance equal to one half of the salary and of the other allowances not implying the employee's presence in the office. Apart from this the provisions in force „on disposal“ of civil State employees shall be applicable.

Section 3. — Personnel who belonged to careers, the regulations of which prescribe the placing on pension after the reaching of the prescribed fixed age-limits and who have reached such limits after their dismissal, shall be placed in pension by an order of the Head of the Administration to be issued after the Extraordinary Commission mentioned in Article IV has ordered their re-assumption into service.

Section 4. — Personnel who belonged to careers other than those mentioned in the foregoing Section and who have reached 20 years of service and have attained 60 years of age, shall be placed in pension by an order of the Head of the Administration to be issued after the Commission indicated in Article IV has ordered their re-assumption into service.

Section 5. — In the cases considered by Sections 3 and 4 the placing in pension shall be effective as from the date on which the person concerned has reached the age-limit.

Section 6. — However, if in the case sub Section 4 the age-limit was reached prior to the dismissal, the placing in pension shall be effective as from the date of such dismissal.

ARTICLE VI

ADJUSTMENTS OF PENSIONS & C. CONSEQUENT ON REVOCATION

Section 1. — The period elapsed between the decision of dismissal and the date on which the revocation is notified to the Administration shall be taken into account only for the purposes of retirement or social insurance treatment, provided, however, that the prescribed contributions have been paid by the personnel and bodies concerned.

Section 2. — In cases where, upon dismissal, a lump-sum indemnity was made payable as a consideration for retirement treatment such indemnity shall be deducted from the one due upon cessation of the employment or service relationship ordered in accordance with Article V or, generally after the re-assumption to service.

Section 3. — However, if at the moment of cessation of the employment relationship the retirement treatment consists of a pension, the indemnity received upon dismissal shall be restituted; restitution by instalments may be effected by deductions, not higher than one fifth, from the allowances due during the service or the „disposal“ or from the monthly rates of pension.

ARTICLE VII

REVOCATION OF RETROCESSION IN GRADE (GENERAL ORDER No. 66)

Section 1. — The orders of retrocession in grade issued by the Epuration Commissions in terms of General Order No. 66, dated 15 July 1946, Article I, may, upon application of those concerned be submitted to the Epuration Office within the peremptory time-limit of thirty days, be revoked if the applicant is considered to be deserving such revocation according to the judgment of the Extraordinary Commission for Epuration mentioned in Article IV; there shall be no appeal against such decisions.

Section 2. — The aforementioned Commission shall take its decisions after hearing the opinion of the Head of the Administration or of the Head of the private concern with regard to the applicant's service antecedents and career qualifications.

Section 3. — The revocation of the order of retrocession shall, for juridical effects, re-instate the employee into the position he had in the roll and into his service seniority on the date of the said order.

Section 4. — Whenever in the Public Administration there are no free posts in the grade in question, that employee who occupies the last place in the service seniority roll in such grade, shall be placed on „soprannumero“ (surplus) and be re-absorbed in future vacancies.

Section 5. — The provisions contained in the foregoing Sections shall not be applicable where only regular (di ruolo) post exists for the grade in which the person concerned should be re-instated and such post is already filled.

Section 6. — As to personnel of private enterprises the Commission's decision shall have the value of a recommendation.

ARTICLE VIII

AFFECT ON DISMISSALS PRIOR TO GENERAL ORDERS Nos. 7 AND 8

Section 1. — The provisions of this Order shall also be applicable to personnel of Public Administrations or of private Enterprises dismissed or exonerated from service by the Head of the Administration or of the concern for political reasons after the liberation and prior to

the coming into force of General Orders Nos 7 and 8, who did not submit their application for re-employment in the due time or whose application for re-employment was rejected by the Administration, by the Enterprise or by the Epuration Commissions because of its having been submitted after the prescribed time-limit.

Section 2. — In such cases the Commission shall, in the most summary way, examine and decide the application for re-employment (which shall have the „scheda personale“ attached to it) after hearing the applicant and after making such investigation as it considers appropriate to the case. Applications must be lodged within thirty days of the effective date of this Order. There shall be no appeal against such decisions.

ARTICLE IX

DISCIPLINARY PROCEEDINGS

Section 1. — Personnel re-assumed to service in accordance with the terms of this Order may be subjected to disciplinary proceedings by the Administration, the Council of the Professional Order or of Arts, or the Manager of the private enterprise, whenever the facts (due to which the order of suspension or of dismissal was passed or due to which exoneration from service was ordered by the Head of the Administration or of the private enterprise) constitute a disciplinary offence.

Section 2. — No disciplinary proceeding shall take place if the person concerned requests to be placed in retirement within 10 days from the date on which the relative charges are formally made known to him.

ARTICLE X

EFFECTIVE DATE

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

Dated at TRIESTE, this 20th day, of May, 1948.

RIDGELY GAITHER

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

Order No. 207

PROVISIONS CONCERNING FAMILY ALLOWANCES TO WORKERS OF ARTISAN FIRMS

WHEREAS, it is deemed advisable and necessary to increase the amounts of the cost of living Bonuses, in addition to the Ordinary Family Allowances, payable to the workers employed by Artisan firms as set out in Table „A-2“ appended to Order No. 325 dated 5 March 1947, and to make certain other provisions concerning Family Allowances in the sector of Artisan firms in 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. — With effect from the beginning of the first pay period after 9 March 1948, a special Unit for Artisan firms shall be established under the „Cassa Unica degli Assegni Familiari“.

Section 2. — The provisions hereinafter set forth with respect to the Family Allowances payable to workers of Artisan firms shall apply to those categories of firms appearing in the list which shall be deposited in the Zone, at the offices of „Istituto Nazionale della Previdenza

Sociale“ and „Associazione degli Artigiani di Trieste“, where it may be freely inspected by persons concerned irrespective of their membership to any of the existing Associations.

Section 3. — The family allowances payable to the workers employed by the firms referred to in the preceding Section, as well as the contributions therefor, shall be, and they hereby are, fixed with effect from the pay period mentioned in Section 1 of this Article, at the rates shown in the following table :

TABLE „H“

ORDINARY FAMILY ALLOWANCES AND COST OF LIVING BONUS, AND RELATIVE CONTRIBUTIONS

ARTISANS

I — WEEKLY BENEFITS

(Convertible into daily, fortnightly or monthly benefits applying the proportions of 1:6, 1×2 or 1×4 respectively, plus one daily benefit in the second case and two in the third case.)

BENEFICIARIES	for each child		for the wife and for the disabled husband		for each parent	
	*O.B.	*C.L.B.	O.B.	C.L.B.	O.B.	C.L.B.
	Lire	Lire	Lire	Lire	Lire	Lire
Labourers (operai)	24	168	30	198	15	168
Employees (impiegati)	36	168	42	198	24	168

* O.B. — Ordinary Benefit

C.L.B. — Cost of Living Bonus

II — CONTRIBUTIONS
(to be borne by the Employer)

RATE: 21.40% on gross earnings.

ARTICLE II

The increases listed in the Table herein shall supersede and replace the rates of allowances contained in Table „A - 2“ appended to Order No. 325 dated 5 March 1947, subject to the provisions of Article II of the said Order.

ARTICLE III

Section 3, Article I, Order No. 325 dated 5 March 1947, as well as Table „A - 2“ appended to the said Order are hereby revoked and cancelled.

ARTICLE IV

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

Dated at TRIESTE, this 21st day of May, 1948.

RIDGELY GAITHER

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

Order No. 228

AMENDMENTS TO THE PROCEDURE AND TIME-LIMITS RELATING TO THE ASSESSMENT AND COLLECTION OF UNIFIED CONTRIBUTIONS IN AGRICULTURE

WHEREAS it is deemed advisable and necessary to amend the procedure and the time-limits relating to the assessment and collection of unified contributions in agriculture 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, hereby

ORDER :

ARTICLE I

Section 1. — Notwithstanding the provisions of Article 2 of D. L. 13 May 1947, No. 493, extended to the Zone by Order No. 433, dated 14 August 1947, the enterprises mentioned in the said Article shall be permitted, for the year 1948 and the contributions due for the said year only, to pay directly into the respective account the amount which has become due in the period expiring on 31 May 1948, in two equal instalments payable the first one not later than 31 May and the second one not later than 31 August 1948.

Section 2. — Whenever any of the two instalments set forth in the preceding Section has not been paid directly within the time-limit established therefor, the entire unpaid contribution shall be entered into special rolls for the purpose of collection, pursuant to the procedure and the modalities set forth in Article I of the said D.L. 13 May 1947, No. 493, together with the instalments of August and December 1948.

Section 3. — The amounts entered in the special roll shall be collected in two equal instalments if entered for collection with the instalment of August 1948, and in a single amount if entered for collection with the instalment of December 1948. For the collection of the amounts entered into the said rolls the provincial tax-collector and „ricevitori“ shall be entitled to the rate of commission established for the respective Commune increased by 50%.

ARTICLE II

Section 1. — The time-limit provided for by Article 8 of R. D. 24 September 1940, No. 1949, for the filing of appeals against the assessment of unified contributions in agriculture referring to the year 1948, shall be exceptionally extended up to 31 June 1948.

Section 2. — Likewise exceptionally, the declarations of changes as provided for by Article 2 of R. D. 24 September 1940 No. 1949, which will be submitted not later than 30 June 1948, shall be valid for the purposes of application of the unified contributions in agriculture referring to the year 1948.

Section 3. — The appeals and declarations of changes, submitted within the above said time-limits shall have no suspensive effect.

ARTICLE III

Section 1. — The agriculturers who have not yet submitted the declaration of the particulars of their enterprises pursuant to the first para of Article 2 of R. D. 24 September 1940, No. 1949, shall submit same not later than 30 June 1948.

Section 2. — Those persons who manage agricultural enterprises as proprietors, usufructuaries, lessees, or by any other title, shall submit the aforesaid declaration within 30 days from the beginning of their management.

Section 3. — Any person failing to submit the declaration within the prescribed time-limits, shall be liable to a fine equal to one half of the contribution due for the year 1948 whenever the failure refers to the declaration provided for by Section 1 of this Article, or, in other cases, to one half of the contribution due for the year for which the declaration should be effective.

Section 4. — Any person submitting an untrue or incomplete declaration of the particulars of his enterprise or failing to submit the declaration of changes as provided for by the last para of the said Article 2 or submitting an untrue or incomplete declaration of changes, shall be liable to a fine equal to one third of the highest contribution due in the year for which the declaration should be effective.

Section 5. — The fines established by the preceding Section and equal to one half or one third of the contribution, shall be reduced to one tenth and to one twentieth respectively, provided the agriculturer submits a true and complete declaration within thirty days from the notification of the assessment „ex officio“, set forth in Article 3 of R. D. 24 September 1940, No. 1949.

Section 6. — In order to check the above mentioned declarations the office of the „Servizio per gli elenchi nominativi dei lavoratori e per i contributi unificati in agricoltura“ may use the evidence kept by the offices mentioned in the aforesaid Article 3 and, besides, carry out inspections on the spot.

ARTICLE IV

Section 1. — At the same time of publication of the communal lists of assessments at the Provincial Office of the „Servizio per gli elenchi nominativi dei lavoratori e per i contributi unificati in agricoltura“, pursuant to Article 7 of R. D. 24 September 1940, No. 1949, each year an extract of such lists shall be published at each Communal Office in the period set forth in said Article. The said extracts shall specify, for each enterprise entered in the list, the number of computable working-days separately for each form of management.

Section 2. — The individual notification provided for by the last but one para of the Article mentioned in the preceding Section shall be made whenever the Provincial Office of the „Servizio per gli elenchi nominativi dei lavoratori e per i contributi unificati in agricoltura“ ascertains, with regard to any enterprise particulars not declared by it or particulars different from those declared as to the area of the lands, to the cultures, to the form of management, to the cattle held, to the number of workers with fixed salaries, the number of family members of the direct cultivators or metayers or „coloni“ permanently employed in the cultivation of the land and to any other particular relevant for the determination or the modification of the computable basis, except for the modifications resulting from decisions of the provincial Commissions mentioned in Article 5 of R. D. 24 September 1940, No. 1949.

ARTICLE V

Section 1. — The Provincial Commission mentioned in Article 5 of R. D. 24 September 1940, No. 1949, may determine that the employment of workers for agricultural enterprises indicated in the consolidated Article of R. D. L. 28 November 1938, No. 2138, be assessed for each year on the basis of the actual employment of workers as ascertained for each agricultural enterprise in the preceding year. In such cases the aforesaid Commission shall determine the modalities for the aforementioned ascertainment.

Section 2. — Whenever the Provincial Commission avails itself of the authorization provided for by the preceding Section and consequently an ascertainment of the actual employment of workers takes place, the actual working-days shall be attributed to each worker for the purpose of social insurance and assistance.

ARTICLE VI

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

Dated at TRIESTE, this 21st day of May 1948.

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

Order No. 233

ESTABLISHMENT OF THE ENTE FIERA CAMPIONARIA INTERNAZIONALE DI TRIESTE (CORPORATION INTERNATIONAL EXPOSITION OF TRIESTE) AND APPROVAL OF ITS STATUTE

WHEREAS it is deemed advisable to establish a corporation for the purpose of organizing and carrying out expositions and fairs within the British-United States Zone of the Free Territory of Trieste (hereinafter referred to as the „Zone“);

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

ORDER :

ARTICLE I

ESTABLISHMENT OF THE ENTE FIERA CAMPIONARIA INTERNAZIONALE DI TRIESTE

Section 1. — The Ente Fiera Campionaria Internazionale di Trieste (hereinafter referred to as „the Ente“) is hereby established for the purpose of organizing expositions and fairs. It shall have its seat in Trieste.

Section 2. — The President and the General Manager of the „Ente“ shall be appointed by the President of the Zone in accordance with the Statute mentioned in Article II hereinafter.

Section 3. — The „Ente“ shall submit annually to the President of the Zone for approval the estimate balance-sheet and the final balance-sheet, as well as the decisions of the Board of Directors of the „Ente“ affecting the budget for any period in excess of the financial year.

ARTICLE II

STATUTE OF ENTE

Section 1. — The „Ente“ shall be regulated by the Statute attached hereto and marked Annex A which is made a part of this Order.

Section 2. — Copies of the said Annex A shall be deposited at the Office of the President of the Zone at the Commune of Trieste, at the Chamber of Commerce, and at the „Ente per il Turismo“ at Trieste, where they may be freely inspected by any person interested.

ARTICLE III

AUTHORITY TO HOLD EXPOSITIONS

Applications for authority to hold each exposition or fair shall be submitted by the „Ente“ to the President of the Zone for approval. This approval will be granted after consultation with the Zone Council, the Communal Council and the Chamber of Commerce.

ARTICLE IV

EFFECTIVE DATE

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

Dated at TRIESTE, this 21st day of May 1948.

RIDGELY GAITHER

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

Order No. 244

EXTRAORDINARY ALLOWANCES FOR UNEMPLOYMENT INDEMNITY AMENDMENT TO ORDER N. 392 (103C)

WHEREAS, it is deemed advisable and necessary to amend Order No. 392 (103 C) dated 31 May 1947 to include another category of workers not eligible for the extraordinary unemployment allowance 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

Article IV, Order No. 392 (103C) dated 31 May 1947 is hereby amended by adding thereto the following sub-paragraph :

„g) Those who are not in needy circumstances.“

ARTICLE II

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

Dated at TRIESTE, this 25th day of May, 1948.

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

Order No. 267

EXTENSION OF THE TIME LIMIT FOR THE DIRECT COLLECTION OF COMMUNAL CONSUMER TAXES BY THE COMMUNE OF TRIESTE

WHEREAS it is deemed advisable and necessary to extend the time limit for direct collection of Communal Consumer Taxes by the Commune of Trieste as determined by Order No. 86 dated 30 December 1947 as amended by Order No. 203 dated 27 March 1948.

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

ORDER :

ARTICLE I

The time limit for the direct collection of the Communal Consumer Taxes and kindred taxes set forth in Article I of Order No. 86 dated 30 December 1947 as amended by Order No. 203 dated 27 March 1948, is hereby extended until further notice.

ARTICLE II

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

Dated at TRIESTE, this 25th day of May 1948.

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

Order No. 145

DEPOSITS TO SECURE THE ISSUE OF CIRCULAR CHEQUES

WHEREAS, it is deemed advisable and necessary to amend Article 11 of R. D. L. dated 7 October 1923 No. 2283 and regulate the issue of circular cheques, 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

Article 11 of R.D.L. 7 October 1923 No. 2283 is hereby repealed and shall be substituted by the following :

1. — „The institutes set forth in Article 9 and 10 shall, within the first 15 days of every two months, deposit at the Bank of Italy, as security for the issued bonds, a sum equal to 40% of the circulation existing at the end of the preceding two months period, and consisting of Treasury bonds or other State securities, in conformity with the procedure provided for by Min. Decree dated 15 November 1923.

2. — For the first two months period, the deposit shall be equal to 10% of the capital stock and of the reserve-fund specified in Article 9, up to a maximum of two millions.

3. — Whenever the circular cheques issued by each institute and not yet expired, exceed the amount of the capital stock and legal reserve-fund as resulting from the last balance-sheet, the circulation exceeding such amount shall be covered by the deposit of bonds as set forth in the first para of this Article at the rate of 100%.

4. — The institutes which were authorized to issue circular cheques prior to 1 January 1947 and which on 30 September 1947 had regularly made the deposit as prescribed in the preceding para, may cover the increased circulation exceeding that existing on the aforesaid date of 30 September 1947, at the rate of 60%.

5. — As to that part of the increase mentioned in the preceding para and covered by the deposit of redeemable State bonds, the valuation of bonds for the purpose of security may be made at face value notwithstanding the provisions contained in Article 3 of Min. Decree 15 November 1923.

6. — The institutes of credit which on 30 September 1947 had not yet made the security deposit as prescribed in the first and the third paras of this Article, shall be entitled to the facilities set forth in the fourth and the fifth paras as from the date on which they have complied with the respective provisions.

7. — The institutes authorized to issue circular cheques after 1 January 1947 shall, for a period of two years from the date of the beginning of issue, make the security deposit in conformity with the first three paras of this Article.“

ARTICLE II

This Order shall come into force 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. 150

ISSUE OF DUPLICATES OF BONDS REPRESENTING BANKING DEPOSITS IN THE EVENT OF LOSS

WHEREAS it is deemed advisable and necessary to amend certain provisions of the Consolidated Text of Laws concerning the issue of duplicates of bonds representing banking deposits in the event of loss, approved by R. D. 27 May 1909, No. 437, 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

The second para of Art. 9 of R.D. 27 May 1909 No. 437 is hereby repealed and shall be substituted by the following :

„The decree of the President of the Tribunal or of the „Pretore“, together with the announcement of the loss, shall be posted for one month in the hall of the „Tribunale“ or of the „Pretura“ and on the notice-board of the Commune of the place where the payment has to be made as well as, for the whole period provided for by the decree for eventual objections, in the offices of that institute to which the loss has been declared. Such decree shall furthermore be published in the newspaper of judicial announcements or in the most important newspapers of the place where the loss occurred as the judge may determine ; such publication shall be made once only whenever a booklet of an amount not exceeding 5000 lire is involved, twice whenever such amount exceeds 5000, but does not exceed 10,000 lire, and three times whenever a higher amount is involved. In the last two cases the interval between the publications shall be of not less than 30 days.“

ARTICLE II

The third para of Article 11 of the aforesaid decree is hereby repealed and shall be substituted by the following :

„All deeds necessary for the issue of a duplicate of bonds not exceeding 5000 lire shall be exempted from all stamp-duties.“

ARTICLE III

The Institutes of Credit may set forth in their statutes that no indication of the number of the lost booklet is required ; they may likewise set forth special regulations for the purpose of facilitating the issue of duplicates whenever booklets on amounts not exceeding 5000 lire are involved.

ARTICLE IV

This Order shall come into force 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. 235

PROVISIONS FOR THE EXCHANGE OF FOREIGN CURRENCIES

WHEREAS it is deemed advisable and necessary to issue new provisions for the exchange of foreign currencies within the British-United States Zone of the Free Territory of Trieste (hereinafter referred to as the „Zone“)

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

ORDER :

ARTICLE I

PURCHASING RATE OF EXCHANGE FOR FOREIGN CURRENCIES

The „Ufficio Cambi“ of the Zone will purchase 50% of the foreign currencies in relation to the price of goods exported, at the rate in Italian Lire based on the monthly average of the quotations of the respective currency on the market of export currencies negotiable according to the provisions in force.

ARTICLE II

DETERMINATION OF THE AVERAGE MONTHLY RATES OF EXCHANGE

The monthly average set forth in the preceding Article shall be determined by „Ufficio Italiano Cambi“ on the last day of each month and shall be valid for the whole of the following month. Such averages shall be computed for each foreign currency admitted to be traded on the market of export currencies, on the basis of the daily closing quotations during the month, at the Stock Exchanges of Rome and Milan.

ARTICLE III

APPLICABILITY

Section 1. — These provisions shall also apply to the 50% of the foreign currencies accepted in assignment by „Ufficio Cambi“ of the Zone of funds transferred to the Zone for tourist and investment purposes within the Zone or for the maintenance of and donation to persons residing within the Zone, or generally representing remittances of financial nature.

Up to 30 April 1948 the offer in assignment to „Ufficio Cambi“ of the Zone of 50% of foreign currencies mentioned in the preceding paragraph, shall extinguish the infringement of having omitted to declare or to assign foreign currencies and foreign credits, as provided for, by the regulations in force on subject matter.

Section 2. — This provision shall also apply to the 50% of foreign currencies accepted in assignment by „Ufficio Cambi“ of the Zone in consideration of the net freight proceeding from shipping operations by ship-owners or charterers of merchant ships.

Section 3. — The average rates of exchange as set forth in Article II, shall also apply, with a discount of 20%, to the purchase of foreign currencies by „Ufficio Cambi“ of the Zone which after expiration of the time limit set up for their utilization, have to be offered in assignment to it pursuant to the regulations in force.

ARTICLE IV

ASSIGNMENT OF FOREIGN CURRENCIES

In no case shall „Ufficio Cambi“ of the Zone sell foreign currencies at a lower rate of exchange than the average monthly pursuant to the preceding Article II.

„Ufficio Cambi“ of the Zone shall equally in no case place at the disposal of those who assign foreign currencies in accounts with Bank of Italy or any other agent bank, quotas of foreign currencies exceeding the percentage of 50% fixed by the regulations in force.

ARTICLE V

CURRENCY FROM MANUFACTURING FOR FOREIGN ACCOUNT

In cases of duly approved contracts between local firms and firms abroad contemplating the supply of raw materials by firms abroad, to be imported for their transformation into manufactured or semi-manufactured goods to be exported abroad, the compensation due to local firms for such manufacturing for account of firms abroad, shall be fixed in the form of payment of a certain amount expressed in one of the foreign currencies acceptable by „Ufficio Cambi“ of the Zone in assignment.

Such amount shall be entirely assigned to „Ufficio Cambi“ of the Zone up to 50% of the value of the exported products ; the eventual quota in excess may be disposed of at the export rate of exchange.

ARTICLE VI

EFFECTIVE DATE

This Order shall come into force on the date that it is signed by me, its provisions however shall become operative as from 29 November 1947.

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

RIDGELY GAITHER

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

Order No. 220

DECLARATION OF PUBLIC UTILITY

WHEREAS the construction of a theatre in the district of S. Giacomo is considered as one of urgent necessity and public utility and has been approved by Allied Military Government,

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

ORDER :

ARTICLE I

The construction of a theatre in the district of S. Giacomo on the land No. 5 of via dell'Istria, Tav. No. 665 and 775 of Chiabola Superiore, as delineated on map Annex „A“ referred to in Article II is declared one of public and urgent utility.

ARTICLE II

The map marked Annex „A“, mentioned in the foregoing Article, is hereby made part of this Order. Copies of the map shall be deposited at the Public Works Department of Allied Military Government, Trieste, and at the Public Works Office of the Commune of Trieste, where it may be freely inspected by any person interested.

ARTICLE III

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

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

RIDGELY GAITHER

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

Administrative Order No. 83

PROVISIONS CONCERNING THE CAREER AND THE SERVICE OF PERMANENT PERSONNEL OF HIGHER AND INTERMEDIATE EDUCATION AND OF DIDACTIC DIRECTORS

WHEREAS it is considered advisable and necessary to publish all provisions concerning the career and the service of permanent (di ruolo) personnel of institutes of higher and intermediate education and of didactic directors that have been issued by the Allied Military Government up to 31 December 1947, 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 General, Civil Affairs.

ORDER :

ARTICLE I

There are hereby published all provisions of a legal and economic character that have been issued, in accordance with the terms of the existing law, by the Allied Military Government up to 31 December 1947, concerning the career and the service of permanent (di ruolo) personnel of institutes of higher and intermediate education and of didactic directors.

ARTICLE II

The list of the provisions mentioned in Article I hereof shall constitute an integral part of this Order. Copies of the said list shall be deposited at the offices of the „Sovrintendente Scolastico“ and at the Institutes of higher education at Trieste where they may be freely inspected by all persons concerned.

ARTICLE III

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

Dated at TRIESTE, this 27th day of May 1948.

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

Errata - Corrigenda

ERRATA-CORRIGENDA

First paragraph of Article I (Part I) of Order No. 146 entitled „Jurisdiction of the Court of Appeal of Trieste acting as Court of Cassation“, published on page 330 of Gazette No. 19, dated 21 March 1948, should read as follows :

„The Court of Appeal is authorized to examine and decide recourse (ricorsi) in accordance with Articles 41 and following, 360 and 362 of the Code of Civil Procedure now in force“.

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