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# 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. 335

### AUTHORITY TO MAKE APPOINTMENTS BY THE ZONE PRESIDENT AMENDMENT OF ORDER No. 237

*WHEREAS it is deemed necessary to empower the Zone President to make certain appointments as members of Commissions for the management of Commercial Rolls,*

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

#### ORDER :

##### ARTICLE I

Section 5, Article I of Order No. 237 dated 13 October 1946 is hereby amended to read as follows :

„The Zone President shall have the power to appoint and remove members of Commissions“.

##### ARTICLE II

Section 2, Article III of Order No. 237 dated 13 October 1946 is hereby amended to read as follows :

„The Central Commissions of Appeal shall consist of six members who will be appointed by the Zone President after nomination by the Giunta of the Chamber of Commerce of Trieste.

„A magistrate of the Court of Appeal in Trieste shall function as President of the Central Commission. He will be nominated by the President of the said Court and will be appointed by the Zone President“.

##### ARTICLE III

This Order shall not be construed to modify the provisions of Order No. 229 dated 12 April 1948, except as specifically mentioned herein.

##### ARTICLE IV

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

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

**RIDGELY GAITHER**

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

## Order No. 320

### SELLING PRICE OF QUININE PREPARATIONS FOR THE PUBLIC AND FOR ALLOCATIONS TO PUBLIC BODIES AND ADMINISTRATIONS

*WHEREAS it is deemed advisable to fix the selling price of quinine preparations for sales and allocations 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

*Section 1. — In accordance with administrative instructions previously issued and with effect as from 1 July 1948, the prices of quinine preparations for sale by the State to the public or for allocation to public Bodies and Administrations are hereby fixed as set forth in Annex „A“ which is made part of this Order (per Kilo of quinine salts contained in each preparation).*

*Section 2. — Copies of the said Annex have been deposited in the offices of „Sovrintendenza di Finanza“, „Direzione Superiore dei Monopoli“, „Prefettura“, and „Direzione Superiore di Dogana“ where they may be freely inspected by any person concerned.*

##### ARTICLE II

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

*Dated at TRIESTE, this 21st day of September 1948.*

**RIDGELY GAITHER**

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

## Order No. 321

### MODIFICATION OF FISCAL TREATMENT OF COCOA AND OF PRODUCTS MANUFACTURED FROM TAXABLE ALCOHOL AND MODIFICATIONS OF THE CUSTOMS REGISTER („Repertorio Doganale“) AND THE GENERAL CUSTOMS TARIFF IN RELATION TO THE FISCAL TREATMENT OF SUGAR AND ALCOHOL

*WHEREAS it is deemed necessary to modify the fiscal treatment of cocoa and of products manufactured from taxable alcohol as well as the Customs Register and the General Customs Tariff 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 III of Order No. 263 dated 24 October 1946 is hereby repealed and substituted by the following :

*Section 1.* — A tax on consumption of cocoa, cocoa butter, cocoa husks and peels shall be collected in favour of the State at the rates hereinafter specified per quintal of net weight :

- |  |           |
|--|-----------|
| a) non-roasted cocoa in grains : cocoa husks and peels .....               | L. 20.000 |
| b) roasted, non-husked cocoa in grains .....                               | L. 22.000 |
| c) roasted, husked, split up, powdered or pasted cocoa, cocoa butter ..... | L. 25.000 |

*Section 2.* — The exemption established by note to item No. 50-a) of the Customs Tariff for cocoa husks and peels used for the extract of teobroma („teobromina“) shall be extended also to the consumer tax set forth in Section 1 of this Article.

*Section 3.* — Cocoa husks and peels used in the manufacture of coffee substitutes shall also be exempt from the consumer tax referred to in Section 1 of this Article subject to regulations and conditions which will be established by the Department of Finance with the approval of the Board Coordinating Finance and Economics.

### ARTICLE II

The General Customs Tariff and the Register („Repertorio“) for its application are hereby amended in accordance with Annexes „A“ and „B“ which are made part of the present Order.

Copies of the said Annexes have been deposited in the offices of the „Sovrintendenza di Finanza“ and of the „Direzione Superiore di Dogana“ where they may be freely inspected by any person concerned.

### ARTICLE III

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

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

**RIDGELY GAITHER**

Brigadier General, U. S. Army

Director General, Civil Affairs

## Order No. 333

### PROVISIONS CONCERNING STAMPS AND STAMP-DUTIES

*WHEREAS* it is deemed advisable to issue certain provisions relating to revenue stamps and stamp-duties 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

The commission due on any amounts of revenue stamps or stamped paper purchased from Register Offices and Credit institutions (charged with their first distribution) by second distributors other than monopoly retailers, by „cancellieri“ and bailiffs as well as by private individuals entitled, under standing provisions, to receive a commission on such purchase of certain types of revenue stamps and stamped paper is hereby established at the following rates :

- a) to „cancellieri“ and bailiffs : Lire 1,50 per cent,
- b) to second distributors other than monopoly re-sellers, „cancellieri“ and bailiffs and to private individuals who, under standing provisions of law, are entitled to the commission and purchase the revenue stamps and stamped paper required with the exclusion of Turnover tax stamps directly from Register Offices, Credit Institutions and other authorized Bodies : Lire 2.— per cent.
- c) to Stock - brokers' managing boards, stock-brokers, credit institutions or Stock-exchange commission-agents purchasing directly from Register Offices, Credit Institutions or other authorized Bodies charged, within the purchaser's residence, with the first distribution of revenue stamps and stamped paper, the appropriate double stamps required for the payment of „sovrainposta di negoziazione“ as instituted by Order No. 376, dated 8th May 1947 : Lire 1.— per cent on the amount of the stamps purchased, provided that the amount of each purchase shall not be less than Lire 10,000.

Any provision in contradiction to the contents of this Article is hereby repealed.

### ARTICLE II

The provisions of General Order No. 49, dated 25 March 1946, concerning exceptional payment facilities relating to stamp-duties are hereby repealed.

### ARTICLE III

Article 9 of Tariff „A“ appended to the stamp-duty law 30 December 1923, No. 3268, as subsequently amended, is hereby completed as follows :

„e) declaration for the purpose of the payment of the Turnover tax by a lump sum“.

### ARTICLE IV

Certifications for payment, approval, legitimacy, conformity and the like made on invoices covering supplies to State Administrations for amounts not exceeding Lire 500, shall be exempt from the stamp-duty established by Article 27 of Tariff „A“ appended to the Stamp-duty law 30 December 1923, No. 3268, as subsequently amended.

### ARTICLE V

Ordinary receipts („quietanze e ricevute“), notes accounts and invoices for amounts not exceeding Lire 25 and which do not refer to part payments or balances of larger sums or

values, shall be exempt from stamp-duty except in the case („caso d'uso“) provided for by Article 186 of Tariff „A“ appended to the stamp-duty law of 30 December 1923, No. 3268, as subsequently amended.

#### ARTICLE VI

Article 73 of Tariff „A“ appended to the Stamp-duty law 30 December 1923, No. 3268, as subsequently amended, is hereby repealed and the following shall be substituted in lieu thereof, no modification being made as concerns the amount of the tax, the payment procedure and the note appended to the said Article:

„The journal and the inventory-book referred to in Article 2215 of the Civil Code, foreign currency registers, credit books, books kept by Companies' Administrators in terms of Article 2421 of the said Code as well as any other books which are subjected by law to the provisions of the said Article 2215.“

#### ARTICLE VII

Stamp-duties referred to in Articles 199, 200 and 205 of Tariff „A“ appended to law 30 December 1923, No. 3268, as subsequently amended, due on securities and bills of exchange made out in foreign currencies, shall be computed on the lire countervalue of such currencies on the basis of the average monthly quotations established by „Ufficio Cambi“ in accordance with Article 2 of Order No. 235, dated 28 May 1948.

D. L. 24 November 1938, No. 1859, is hereby repealed.

#### ARTICLE VIII

The sum of Lire 50 to be paid as stamp-duty in terms of Article 1 of law 4 August 1939, No. 1517, by persons exercising a medical profession („sanitari“) who appeal to the „Commissione Centrale per gli Esercenti le Professioni Sanitarie“, is hereby increased to Lire 500.—

#### ARTICLE IX

Summons deeds to witnesses as provided for by Article 250 of the Code of Civil Procedure, shall be liable to a stamp-duty of Lire 12.— for each sheet and the relative payment shall be made by using the appropriate stamped paper.

#### ARTICLE X

The stamp-duty on advertisements in newspapers or other printed matter as referred to in Article 87 of Tariff „A“ appended to the stamp-duty law 30 December 1923, No. 3268, as subsequently amended, is hereby increased to Lire 4 for every hundred Lire (or fraction thereof) of costs paid for such advertisements.

#### ARTICLE XI

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

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

**RIDGELY GAITHER**

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

## Order No. 344

### RECOVERY AND UTILIZATION OF ABANDONED OR UNLAWFULLY ACQUIRED MOTOR-VEHICLES AND RELICS

*WHEREAS it is considered necessary to make an amendment of Order No. 261, dated 18th June 1948;*

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

#### ORDER :

##### ARTICLE I

The period of three months from the effective date of Order No. 261, dated 18th June 1948, is hereby extended for one month so that the time for complying with Article I of Order No. 261 will terminate on 21st October 1948.

##### ARTICLE II

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

Dated at TRIESTE, this 21st September 1948.

**RIDGELY GAITHER**

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

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## Order No. 331

### REIMBURSEMENT OF THE AMOUNTS RETAINED AS SECURITY FROM COOPERATIVE SOCIETIES AND FROM „CONSORZI“ OF COOPERATIVE SOCIETIES

*WHEREAS it is deemed advisable and necessary to amend the existing provisions concerning the reimbursement of the amounts retained as security („ritenute cauzionali“) to cooperative societies and to „consorzi“ of cooperative societies,*

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

#### ORDER :

##### ARTICLE I

### REIMBURSEMENT OF THE AMOUNTS RETAINED AS SECURITY FROM COOPERATIVE SOCIETIES AND FROM „CONSORZI“ OF COOPERATIVE SOCIETIES

The amounts retained in accordance with Art. 7, para V of R.D. 8 February 1923, No. 422, as security to guarantee the contracted works, may be reimbursed totally or partially by



the Public Administration to the respective cooperative societies or „consorzi“ of cooperative societies even before the termination of the works concerned.

Such reimbursement shall, however, be subject to the condition that the amount of money for the works already regularly performed exceeds one half of the total amount of money involved by the contract.

## ARTICLE II

### EFFECTIVE DATE

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

Dated at TRIESTE, this 24th day of September 1948.

**RIDGELY GAITHER**

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

## Order No. 345

### PROVISIONS CONCERNING THE COMPILATION OF ELECTORAL ROLLS

*WHEREAS it is considered advisable to make provisions governing the compilation of Electoral Rolls 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, hereby*

## ORDER :

### CHAPTER I

#### ACTIVE ELECTORSHIP

##### ARTICLE I

#### ORDER FOR COMPILATION OF THE ELECTORAL ROLLS

There is hereby ordered the compilation of Electoral Rolls in all Communes within the Zone in accordance with the following provisions :

##### ARTICLE II

#### CONDITIONS TO BE AN ELECTOR

In the first compilation of the Electoral Rolls there shall be inscribed all male and female persons - to whom the right of voting is hereby expressly extended - who on 15 September 1947 were Italian citizens and have reached or will reach the age of 21 within December 31, 1948 and are lawfully inscribed in the Register of the Permanent Population of one of the Communes of the Zone.

## ARTICLE III

### EXCEPTIONS FROM ACTIVE ELECTORSHIP

The following may not be electors :

- (a) those who are in a state of interdiction or of inability by reasons of mental infirmity ;
- (b) bankrupt traders, while their state of bankruptcy persists, but for not more than five years from the date of the adjudication in bankruptcy ;
- (c) those subjected to police measures of confinement or warning, up to the cessation of the effects of such measures ;
- (d) those subjected to detentive security measures or to liberty under supervision in accordance with Art. 215 of the Penal Code, up to the cessation of the effects of such measures ;
- (e) those condemned to a punishment implying perpetual interdiction from public offices ;
- (f) those subjected to temporary interdiction from public offices, for the duration of said interdiction ;
- (g) those condemned for peculation, misappropriation to the prejudice of private persons, extortion by public officials (concussione) ; corruption ; interfering with the freedom of auctions ; calumny ; false evidence ; perjury ; false opinions of experts or false interpretations ; fraud in the Court ; subornation ; bad faith in advocates and technical advisers or other acts of bad faith in advocates and technical advisers ; pretention to influence by advocate ; association for delinquency ; laying waste and pillage ; crimes against public safety, excluding non-intentional (colposi) ones ; falsification of money, of documents engaging public credit and of stamps ; falsification of seals or instruments or marks of authentication, certification or recognition ; falsification of deeds ; crimes against sexual freedom, excluding those mentioned in Art. 522 and 526 of the Penal Code ; offence against modesty and sexual honour ; crimes against the integrity and health of the people, excluding that provided by Art. 553 ; incest ; homicide ; intentional and praeterintentional personal injuries, both grave and very grave ; theft (excluding the cases mentioned in Art. 626, 1st para, Penal Code) ; robbery ; extortion ; detention of persons for purpose of robbery or extortion ; damage to property or misappropriation in cases implying a procedure „ex officio“ ; cheating ; fraudulent destruction of property by owner and fraudulent self-mutilation ; undue influence on incapables ; usury ; fraudulent practices in emigration ; receiving ; fraudulent insolvency ; gambling ; contraventions provided for by Title VII of the Consolidated Text of the Law on Public Safety approved by R. D. 18 June 1931, No. 773, and by the provisions of Order No. 452 dated 2 September 1947 ;
- (h) those condemned by any competent judicial authority for political crimes implying Fascist activity, corrupt practices determined by motives of a Fascist nature, collaboration with the Fascist Republican Government or with the German invader ;
- (i) managers of brothels ;
- (j) concessionaires of gambling-houses.

The provisions under letters (e), (f), (g), and (h) shall not apply whenever the sentence of conviction has been annulled or declared to be void of legal effect on the ground of legislative provisions of a general nature, or whenever the persons condemned have been rehabilitated, or whenever the offence has been cancelled by an amnesty. In the case of amnesty the persons concerned may not be inscribed in the Electoral Rolls unless the formal declaration of the competent judicial authority has been issued.

## CHAPTER II

### ELECTORAL ROLLS

#### ARTICLE IV

##### COMPILATION OF PREPARATORY LISTS

*Section 1.* — Each Commune shall, within twenty days from the effective date of this Order, provide for the compilation of two lists in alphabetical order, one for male and another for female persons who fulfil the conditions set forth in Art. II of this Order.

*Section 2.* — Those Communes, the territory of which is only partially within the Zone, shall include in the Preparatory Lists only those persons who fulfil the conditions set forth in Art. II of this Order and have their residence in that part of the territory of the Commune administered by the British-United States Forces.

*Section 3.* — In cases where the register of the permanent population is not regularly kept, it shall be substituted by information gathered from the records of vital statistics, from the records of ordinary and extraordinary censuses of the population, from the conscription rolls and from the rolls of persons engaged in permanent military service which are deposited in the Communal Archives. Where neither such information is available, registers, records and documents possessed by other Bodies or offices may be considered.

#### ARTICLE V

##### CERTIFICATES OF THE PENAL RECORDS

*Section 1.* — The Commune shall forward an excerpt of the lists mentioned in the preceding Article, including all persons born within the district of the Tribunal of Trieste to the Office of Penal Records at the mentioned Tribunal within five days from the compilation of said lists.

*Section 2.* — The Office of Penal Records, shall, within fifteen days from the receiving of the request, return to the Commune the extracts of the lists after having added the note „Nulla“ to the name of each person with regard to whom there is no record of offences implying the loss of the electoral right, and shall attach for the other names the certificate of the existing records in compliance with the provision of Article 609 of the Code of Penal Procedure.

Whenever, for whatever reason, the Office of Penal Records is not in a position to furnish the requested certificate for some person, it shall declare such impossibility by an appropriate annotation on the extracts in the margin of the concerned person's name. The Commune shall within 5 days from the restitution of the extracts, communicate by additional lists such names to the Allied Military Government and to the Zone Headquarters of the Civil Police for the inquiries mentioned in Sections 4 and 5 of this Article to be made.

*Section 3.* — As to those persons born within the districts of Tribunals other than the Tribunal of Trieste, the Commune shall provide for the compilation of appropriate excerpts for each area (circondario) separately and shall, within the same time-limit as set forth in Sec. 1 of this Article forward a copy thereof to the Allied Military Government and another copy to the Zone Headquarters of the Civil Police.



*Section 4.* — The Civil Police shall, after having made proper inquiries in the records kept by their own offices, forward the mentioned lists to A.M.G. within fifteen days from the date of their being received, together with marginal notes against each name of any convictions.

*Section 5.* — A.M.G., after having collected with regard to each person listed, all information which might exclude or confirm the existence of conditions implying the loss of the right of voting, shall return the lists to each respective Commune together with the annotations to each name of the information gathered.

## ARTICLE VI

### INFORMATION FROM PUBLIC SAFETY AUTHORITY

Within the time-limit provided for by Art. IV of this Order, the Public Safety Authority shall forward to the Commune the list of such citizens as are subjected to measures of confinement or warning, as well as the list of managers of brothels and that of concessionaries of gambling-houses.

## ARTICLE VII

### APPLICATION FOR THE INSCRIPTION IN THE ELECTORAL ROLLS

*Section 1.* — Those who are in possession of the requisites necessary to be inscribed in the Electoral Rolls, may submit an application for inscription to the Commune of their residence within the time-limit set forth in Art. IV of this Order. The Mayor shall immediately notify the public about such rights by means of notices posted on the Communal notice-board and in other public places.

*Section 2.* — The applications shall indicate the father's name, the place and date of birth and address of the applicants and must be signed by the latter. If the applicant is physically unable to sign the application, a notarial statement certifying the reasons thereof shall be attached to it. If, however, the applicant does not know how to write, he may make his application orally in the presence of two witnesses testifying to his identity before the Communal Secretary or before another employee delegated by the Mayor or before a notary; a certificate thereof shall be issued to the applicant. The documents necessary to prove that the applicants are in possession of the requisites prescribed by Law for inscription in the Rolls of the Commune must be attached to the applications. If the applicant was not born within the Commune in the Roll of which he is requesting to be inscribed he shall attach a copy of his birth certificate or, should that be impossible, another suitable document.

*Section 3.* — As to those persons who have submitted an application and have not been included in the lists considered by Art. IV of this Order, the Commune shall provide to request the certificate of the Penal records or respectively to notify the names of such persons to A.M.G. and to the Civil Police Headquarters in accordance with Art. V of this Order and within the time-limits and the procedure set forth therein.

## ARTICLE VIII

### COMPILATION OF ELECTORAL ROLLS

*Section 1.* — The Communal Board shall, within 60 days from the effective date of this Order, proceed on the basis of the inquiries effected by the office in accordance with Articles V, VI and VII of this Order to the compilation of the Electoral Rolls, for male and female persons

separately in which there shall be inscribed those persons who, having been included in the lists mentioned in Art. IV of this Order or having submitted an application together with the documents as set forth in Art. VII are in possession of the requisites prescribed by the Law.

*Section 2.* — As to those persons whose application has not been accepted the Mayor shall notify them in writing of the measure taken within the time-limit set forth in the preceding Section and indicate the reasons therefor. The Mayor shall provide for such notification to be made, free from expenses, by the Communal agents who shall have to obtain a receipt thereof. Failing such receipt, a statement of the Communal agents that the notification has been made shall serve as evidence, unless the contrary be proved.

*Section 3.* — Records shall be made of all operations performed for the compilation of the Rolls and of the decisions taken with regard to the applications for inscription; these records shall be signed by the assessors of the Communal Board present at the sitting and by the Communal Secretary.

## ARTICLE IX

### MODALITIES CONCERNING THE COMPILATION OF THE ROLLS

The Electoral Rolls for both men and women shall be compiled in two copies authenticated by the signatures of the Mayor and of the Communal Secretary; they shall contain in alphabetical order the surname and name, the father's name, the place and the date of birth and the address of the electors.

## ARTICLE X

### PUBLICATION OF THE ROLLS AND FILING OF OBJECTIONS

*Section 1.* — The Rolls shall be published within three days from the compilation and not beyond the time-limit set forth in Art. VIII of this Order; such publication shall be made by depositing a copy of each Roll at the Secretariat of the Commune together with the titles and documents regarding each person named and by posting on the Communal notice-board and in other public places an appropriate notice by which the Mayor makes known that such deposit has been made and that objections may be submitted against inscriptions or omissions. Immediate notice of the publication made shall be given to the Zone President.

*Section 2.* — Within 10 days after the publication of the Rolls any citizen shall have the right to inspect the said Rolls and the respective documents.

*Section 3.* — Any citizen may bring up his objections against the inscriptions and the omissions in the Rolls before the Electoral Commission mentioned in Art. XI thereof within 10 days from the publication of said Rolls. If the objection is against an inscription, the objector shall have to prove that he had the notification thereof served on the party concerned by an usher of the Office of the Judge of Conciliation (usciero dell' Ufficio di Conciliazione). Such notification shall indicate the objector and the reason for objection.

*Section 4.* — The person whose inscription has been objected may, within 3 days after the notification has been served, submit a counter-objection together with the documents deemed useful to the Electoral Commission mentioned in Art. XI of this Order, for which the Commission shall give a receipt.

## ARTICLE XI

### CONSTITUTION OF THE ELECTORAL COMMISSION

*Section 1.* — There shall be constituted in the Commune of Trieste by a decree of the First President of Appeal an Electoral Commission presided over by the President of the Tribunal and composed of 4 members, one of whom shall be designated by the Zone President and 3 by the provincial deputation (deputazione provinciale). The member designated by the Zone President shall be chosen from among the Prefettura officials not lower than the 8th grade.

The members who are to be designated by the provincial deputation (deputazione provinciale) shall be chosen from among the electors of the Communes within the Zone who are not concerned with the administration of the said Communes, provided however they have at least fulfilled their obligation as to elementary schooling and are neither State employees nor employees of the Province, Communes or of Public Welfare and Charitable Institutions engaged in active service.

The Provincial deputation (deputazione provinciale) shall further designate 3 substitute members who shall replace the regular ones in case of absence or justifiable impediment.

*Section 2.* — The Secretary of the Commune of Trieste or another permanent (di ruolo) official of the Commune designated by the Mayor shall act as Secretary of the Electoral Commission.

*Section 3.* — The members of the Commission who do not attend 3 consecutive meetings without a justifiable reason shall be declared barred from their office. The First President of the Court of Appeal shall provide for their substitution by having the competent organs make the necessary designations.

*Section 4.* — The members of the Electoral Commission shall be granted, beside the reimbursement of their travelling expenses actually defrayed, a reward at the same rate as fixed by the existing provisions for the members of the Commissions constituted at the Statal Administrations.

## ARTICLE XII

### CONSTITUTION OF ELECTORAL SUB-COMMISSIONS

*Section 1.* — Electoral Sub-Commissions in proportion of one for every 50,000 inhabitants or fraction thereof shall be constituted upon proposal of the President of the Electoral Commission. The Sub-Commissions shall be presided over by magistrates in active service or on retirement, or by non paid magistrates; such Electoral Sub-Commissions shall be composed in the same manner as the Electoral Commission. The President of the Electoral Commission shall distribute the tasks among the Commission and Sub-Commissions and shall coordinate and supervise their activities.

*Section 2.* — The secretarial functions of the Sub-Commissions shall be exercised by Communal employees designated by the Mayor.

*Section 3.* — As to the constitution and functioning of the Sub-Commissions and as to the economic treatment due to each member thereof the provisions of the foregoing Article shall be applicable.



## ARTICLE XIII

### PROCEDURE TO BE FOLLOWED BY THE ELECTORAL COMMISSIONS

*Section 1.* — The Electoral Commission and the Sub-Commissions shall perform their functions with the attendance of the President and of at least two members. The decisions shall be based on majority of votes ; in case of parity the President's vote shall be decisive.

The Secretary shall draw up the records of all operations, which shall be signed by him and by each of the members present at the sittings.

*Section 2.* — The decisions of the Electoral Commission and Sub-Commissions shall be motivated ; whenever such decisions have not been agreed upon by all the members, the vote of each of them together with the reasons given by the dissenting members shall be indicated in the record.

A copy of the record shall be forwarded within 5 days to the Zone Presidente and to the „Procuratore di Stato“ at the Tribunal of Trieste.

## ARTICLE XIV

### FORWARDING OF DOCUMENTS TO THE PRESIDENT OF THE ELECTORAL COMMISSION

*Section 1.* — The Mayor shall, within five days after the elapse of the time-limit mentioned in Sect. 2 of Art. X of this Order, forward to the President of the Electoral Commission the following :

- a) the list mentioned in Art. IV of this Order together with the respective documents ;
- b) the records of the operations effected and of the decisions taken as to the compilation of the Rolls ;
- c) a copy of the two Electoral Rolls ;
- d) the objections lodged together with all documents referring thereto.

The other copy of each Roll shall be kept at the Secretariat of the Commune.

*Section 2.* — The President of the Electoral Commission shall give a receipt for the documents to the Mayor and a note thereof shall be made in an appropriate register signed on each sheet by the President of the Commission. In case the Commune does not forward the documents within the prescribed time-limit, the President of the Electoral Commission shall give immediate notice thereof to the Zone President for the purposes of Art. XXIX of this Order.

## ARTICLE XV

### FUNCTIONS OF THE ELECTORAL COMMISSION

*Section 1.* — The Electoral Commission shall :

- a) examine the operations performed by the Communal Board and decide on the objections filed against them ;
- b) cancel from the Rolls compiled by the Communal Board those citizens who have been unduly inscribed, even if there is no objection to their having been so inscribed ;
- c) decide on new applications for inscription or cancellation that may have been received by it directly.

*Section 2.* — The Electoral Commission shall base its decisions exclusively upon the documents produced within the time-limit provided for by Sect. 3 of Art. X of this Order; the Commission however may inscribe on application or „ex officio“, those persons with regard to whom the necessary requisites are evidenced by new documents after having obtained the certificate of the Penal Records Office or the information mentioned in Sections 3, 4 and 5 of Art. V of this Order.

*Section 3.* — The Electoral Commission shall meet within five days after the day on which the above mentioned documents have been received by it.

## ARTICLE XVI

### APPROVAL AND RECTIFICATION OF THE ROLLS

*Section 1.* — The Electoral Commission shall approve the Rolls within fifteen days of receiving the a/m documents. Within the same time-limit the decisions reached shall be notified to the Commune to which also all the documents shall be returned. The Secretary of the Commune shall forthwith send a receipt thereof to the President of the Commission.

*Section 2.* — Within the following ten days, the Communal Board assisted by the Communal Secretary, shall, according to the decisions taken by the Commission, carry out the necessary modifications in the copies of the Rolls deposited at the Commune, by adding thereto the names of the new electors inscribed and by eliminating the names of those cancelled.

*Section 3.* — As to the corrections made, the Communal Secretary shall draw up a record which, signed by the Mayor and the Secretary himself, shall be immediately forwarded to the Zone President, to the „Procuratore di Stato“ at the Tribunal of Trieste, and to the President of the Electoral Commission.

*Section 4.* — Within the same time-limit as set forth in Section 2 of this Article, the decisions of the Electoral Commission shall, through the Mayor, be notified to those concerned as provided for by Section 2 of Art. VIII of this Order.

*Section 5.* — The Rolls as rectified in accordance with the foregoing Section 2 shall be final and shall be deposited in the Communal Secretariat for 10 days; each citizen shall have the right to inspect them. The Mayor shall give public notice when this has been done.

## ARTICLE XVII

### AMENDMENTS TO THE FINAL ROLLS

*Section 1.* — Before the periodical revision no amendments shall be made to the final Electoral Rolls compiled in accordance with the preceding Articles, except by consequence of:

- (a) the Elector's death;
- (b) the loss of Italian citizenship;

The circumstances of (a) and (b) must be proved by an authentic document;

- (c) the loss of electoral right deriving from an irrevocable sentence or from another final measure of the judicial authorities.

For such purpose the judicial clerk in charge of the compilation of the cards for the Penal Records in accordance with Articles 9 and 11 of R. D. 18 June 1931, No. 778, and of numbers 6 and 11 of the Ministerial Decree 6 October 1931, shall send notice of the sentence or measure to the Commune of residence of the person concerned, or, should the place of residence be unknown, to the Commune of birth. If the person to whom the sentence or meas-

ure refers is not inscribed in the Electoral Rolls of the Commune to which the above notice has been given, the Mayor shall forward it to the Commune in whose Rolls the electors is inscribed, having made inquiries through the Public Safety organs ;

(d) the transfer of residence. Those electors who have lost their residence in the Commune shall be cancelled from its Rolls on the grounds of the certificate of the Vital Statistics Office (Ufficio Anagrafico) showing that the cancellation from the population register has been effected. Those electors who have acquired their residence in the Commune shall be inscribed in its Rolls on the grounds of the statement released by the Mayor of the Commune of their last residence certifying that the cancellation from the Rolls has been effected. This statement shall be requested „ex officio“ by the Commune in whose Vital Statistics Records the person concerned has been newly inscribed.

*Section 2.* — The amendments to the Rolls mentioned in the foregoing Section, shall be made, with the assistance of the Communal Secretary, by the Communal Board that shall attach thereto a copy of the documents authorizing such amendments ; a copy of the record of such operations shall be forwarded to the Zone President, to the „Procuratore di Stato“ of the Tribunal of Trieste, and the President of the Electoral Commission.

*Section 3.* — The Electoral Commission shall make the amendments appearing from the aforesaid records on the Electoral Rolls deposited with it, and may request the documents from the Commune.

*Section 4.* — The Communal Board shall perform the operations provided for in this Article at least once every 3 months as from the date on which the Rolls have become final and in any case 10 days before the holding of elections.

*Section 5.* — The decisions of the Communal Board as to the amendments mentioned under b), c), and d) of Section 1 of this Article shall be notified to the person concerned within 5 days ; against such decisions appeals may be lodged with the Electoral Commission within 5 days from the date of the notification.

*Section 6.* — The Electoral Commission shall decide on the appeals within 10 days from their being received, and shall order the consequent amendments to be made, if any. The decisions shall be notified to the persons concerned through the Mayor.

## CHAPTER III

### ELECTORAL SECTIONS

#### ARTICLE XVIII

#### DIVISION OF COMMUNES INTO ELECTORAL SECTIONS

Each Commune shall be divided into Electoral Sections.

The division into Sections shall be made for both male and female electors without any distinction and in such a manner that as a rule the number of inscribed electors of each Section shall not be more than 800 or less than 100.

In cases where particular conditions due to long distances or inaccessibility render difficult in the exercise of electoral rights, Sections may be constituted with a number of inscribed electors less than 100 but never less than 50.



## ARTICLE XIX

### COMPILATION OF SECTION ROLLS

*Section 1.* — The Communal Board shall, within 15 days from the compilation by the Commune of the final Electoral Rolls, provide by means of a single resolution for the division of the Commune into Electoral Sections, for the determination of the district of each Section, for the fixing of the place of meeting in each of them, and for the assignment of electors to each Section.

*Section 2.* — The elector shall be assigned to the Section within the district of which his dwelling is situated according to the general Electoral Roll. The Electoral Commission may, however, authorize that in Communes with a compact population of less than 10,000 inhabitants, the assignment be made according to the alphabetic order of the Electoral Rolls.

*Section 3.* — The Section Rolls shall be compiled separately for male and female electors in 3 copies and shall contain 2 columns to receive respectively the signatures of the electors for the purpose of identification and that of the electoral official verifying the electors' signatures; they shall be signed by the members of the Communal Board and by the Communal Secretary and bear the stamp of the Communal Office.

## ARTICLE XX

### OBJECTIONS AGAINST THE DIVISION OF COMMUNES INTO SECTIONS

*Section 1.* — The Mayor shall, within the time-limit set forth in Section 1 of the foregoing Article, invite by means of a notice to be posted on the Communal notice-board and in other public places all those intending to make objections against the division of the Commune into Sections, against the determination of the district of the Sections and of the place of meeting in each of them, against the assignment of electors to each particular Section and against their transfer from one Section to another, to submit such objections to the Electoral Commission within 10 days from the date of publication of the notice; said notice shall further state that the objections may also be submitted through the Commune against regular receipt. During such period the decision set forth in Section 1, Article XIX, together with the respective documents, and one copy of the Section Electoral Roll shall be deposited with the Communal Office in order that every citizen may inspect them.

The publication of the notice shall be made known immediately to the Zone President, to whom also a copy of the decision shall be forwarded.

*Section 2.* — The Mayor shall, within the time-limit set forth in Section 1 of this Article, forward to the President of the Electoral Commission the decision set forth in Section 1, Article XIX, and 2 copies of the Section Rolls together with the documents and eventual objections relating to said decision.

*Section 3.* — The Electoral Commission shall decide upon the objections, approve the Section Rolls taking into account the decisions made pursuant to Article XV and authenticate the Rolls within 15 days from the date of receipt of the documents, and certify at the bottom of each Roll the number of electors comprised therein. The President shall endorse each sheet by his own signature and by the stamp of the Commission.

*Section 4.* — The 2 copies of the Section Rolls shall remain deposited in the Office of the Electoral Commission until the writs for elections are issued.

*Section 5.* — The decisions made by the Commission shall be notified immediately to the Communal Board which shall make the necessary amendments in the third copy of the Rolls.

Within 10 days from such notification the Mayor shall notify to the persons concerned the decisions made by the Commission on the objections filed.

*Section 6.* — Whenever the Electoral Commission, „ex officio“ or upon denunciation of the persons concerned, ascertain any clerical errors or omissions of names of Electors regularly inscribed in the general Rolls, it may provide for the necessary amendments to the Section Rolls up to the second day preceding that of the elections ; of such measure it shall immediately notify the Mayor who shall, in due time inform the Presidents of the respective Sections.

## ARTICLE XXI

### AMENDMENTS TO THE SECTION ROLLS

The Communal Board shall, within three days from the date of the record referred to in Section 2 of Article XVII of this Order, provide for the elimination from the Section Rolls of those persons in regard to whom any of the cases considered in Section 1 of said Art. XVII may be referred.

The Electoral Commission shall, within 3 days from the reception of the record, make the above said amendments to the two copies of the Section Rolls deposited in its office.

## ARTICLE XXII

### REGULATIONS GOVERNING THE CONSTITUTION OF SECTIONS

*Section 1.* — Four, but not more, Sections may be situated in the same building, but each entrance leading from the street to the hall shall communicate with two Sections only ; not more than two Sections shall be accessible from the same street.

Due to established necessities, however, the Communes may, for each individual case, be authorized by the Zone President to have in the same building more than four Sections but in no case more than 12, and to derogate from the limitations considered in the foregoing paragraphs as to the number of Sections which may have the same entrance from the same street provided, however, that in any case one and the same entrance leading from the hall does not communicate with more than 6 Sections.

*Section 2.* — Whenever, because of new grave circumstances, it should be necessary to change the meeting places of the electors, the Communal Board shall make such proposal to the Electoral Commission not later than on the tenth day prior to the date of the holding of elections, and shall at the same time inform the Zone President of such proposal. The Commission, after having made the inquiries deemed necessary, shall urgently provide therefor not later than the fifth day prior to the mentioned date, and no appeal shall be admitted against such measure. If the amendment is approved, the President of the Electoral Commission shall immediately notify thereof the Zone President and the Mayor ; the latter shall make public such amendment by notice to be posted two days before the day of the elections.

CHAPTER IV  
JUDICIAL APPEALS

ARTICLE XXIII

APPEALS TO THE COURT OF APPEAL

*Section 1.* — The decisions of the Electoral Commission or of its Sub-Commissions may be challenged by any citizen by an appeal („semplice ricorso“) to the Court of Appeal at Trieste ; upon such appeal the President shall immediately fix the hearing of the case by a decree.

Similar action may be taken in case of a false or erroneous rectification of the Electoral Rolls made by virtue of Section 2, Art. XVI.

*Section 2.* — The appeal together with the respective decree fixing the hearing shall be notified to the elector or to the electors concerned and to the Electoral Commission within 10 days from the notification provided for by Section 4 of Art. XVI if submitted by that same citizen who had objected or presented directly to the Commission an application for inscription, or had been cancelled from the Rolls by the Commission and in other cases within 15 days from the last day of the publication of the final rectified Roll ; in case of non-observance of the above time-limits the appeal shall be null and void.

*Section 3.* — The appeal together with the respective documents shall be deposited in the Judicial Office of the Court of Appeal within 5 days from the notification or else the right thereto shall be forfeited. The decision shall be taken upon a report to be made in public session by a councillor of the Court, after having heard the parties or their defending counsels if they present themselves, and the State Attorney (Pubblico Ministero) giving evidence orally ; the parties are not obliged to be represented by an attorney or lawyer.

*Section 4.* — An appeal may be filed also by the „Procuratore di Stato“ at the Tribunal of Trieste within the same time-limit and in the same way as provided for by the preceding Sections ; within the same time-limit the Procuratore di Stato may take penal action whenever in his opinion the facts giving rise to the appeal, constitute an offence.

ARTICLE XXIV

COMMUNICATION OF THE SENTENCES OF THE COURT OF APPEAL

*Section 1.* — The sentences of the Court of Appeal shall be immediately communicated by the Judicial Office to the President of the Electoral Commission and to the Mayor who shall provide for their execution and notification, free from expense, to the persons concerned.

*Section 2.* — The sentence of the Court of Appeal shall be final.

The Judicial appeals shall not suspend the effects of the measures or of the decisions against which they have been filed.

CHAPTER V  
VARIOUS PROVISIONS

ARTICLE XXV

DUTIES OF PUBLIC OFFICES

If requested by Communes or by Electoral Commissions, the public offices shall furnish the documents necessary for the verifications regarding the compilation of the Rolls.



## ARTICLE XXVI

### EXEMPTION FROM TAXES

All deeds and documents concerning the exercise of Electoral right referring to the administrative as well as to the judicial proceeding, shall be made on stamp-free paper and shall be free from the registration fee and from the Judicial Office expenses (spese di cancelleria).

## ARTICLE XXVII

### PRODUCTION AND KEEPING OF ELECTORAL DOCUMENTS

Any person may at any time inspect all deeds and documents concerning the revision of the Electoral Rolls.

The copy of the Rolls of each Commune, authenticated by the Electoral Commission shall be forwarded to the Zone President to be kept in the archives of the Zone.

The final Rolls of the Commune shall be collected in one or more registers duly numbered and kept in the Communal archives.

The Rolls must contain the indication of the year and of the protocol number of the file concerning the inscription of each elector.

Any person may copy, print or sell copies of the Electoral Rolls of the Commune.

## ARTICLE XXVIII

### RESPONSIBILITY AS TO ELECTORAL OPERATIONS

The Mayor or whoever exercises his functions, the members of the Electoral Commission and Electoral Sub-Commissions and the Secretaries thereof shall be personally responsible for the regularity of the duties assigned to them by this Order.

## ARTICLE XXIX

### SUPERVISION BY THE ZONE PRESIDENT AND HIS POWERS

*Section 1.* — The Zone President shall supervise the operations concerning the first compilation of the Electoral Rolls through officials expressly charged with the task. The Mayor shall report every fifteen days to the Zone President on the progress of the works.

*Section 2.* — Whenever the Communal organs delay the accomplishment of their tasks provided for by this Order, the Zone President shall delegate a commissioner of his own.

The respective expenses shall be advanced by the Communal treasurer who shall be reimbursed by the persons concerned.

The infringements of the law which caused the delegation of the commissioner, shall be notified by the Zone President to the „Procuratore di Stato“ at the Tribunal of Trieste.

## CHAPTER VI

### PENAL PROVISIONS

## ARTICLE XXX

### PENAL PROVISIONS

*Section 1.* — Any person who, though being obliged by law to do so, fails to carry out, within the time-limits and in the manner as prescribed, the operations for the keeping and the revision of the Rolls of Electors, or the compilation and posting thereof, or who fails to provide

for the respective notifications or neglects the keeping of such Rolls and of the deeds and documents relating thereto, shall be liable to punishment by a fine („ammenda“) from 1000 lire to 5000 lire.

If the omission is done with intention and malice (dolosa) the punishment shall be that of imprisonment („reclusione“) up to one year and of a fine („multa“) from 2000 lire to 10,000 lire.

*Section 2.* — Any person who inscribes into the Rolls or lists an elector not entitled to inscription, or cancels an elector illegally; or does not inscribe an elector entitled to inscription, or does not cancel an elector who ought to be cancelled, or arbitrarily includes or removes nominal cards from the card index, shall be liable to punishment by a fine („ammenda“) from 1000 lire to 5000 lire.

If the fact has been committed with intention and malice (doloso), the penalty shall be that of imprisonment („reclusione“) up to one year and a fine („multa“) from 2000 lire to 10,000 lire.

*Section 3.* — Any person who compiles a wholly or partly false Roll of list of electors, or alters or suppresses, wholly or partly, a Roll or list of electors, shall be liable to punishment by imprisonment („reclusione“) up to three years and by a fine („multa“) from 3000 lire to 20,000 lire.

The same punishment shall be applicable to any person who removes or alters nominal cards, registers or documents relating to the Rolls or lists of electors.

*Section 4.* — Any person who, by any means fit to mislead or deceive another person's good faith, unlawfully obtains for himself or for others that an inscription is made or cancellation omitted in the lists or Rolls of the electors, or that one or more than one electors are cancelled, shall be liable to punishment by imprisonment („reclusione“) up to one year and by a fine („multa“) from 1000 lire to 10,000 lire.

Such punishment shall be increased by a sixth part if the culprit is a member of an Electoral Commission.

*Section 5.* — Any person who submits an appeal under Art. XXIII against the decisions made by the Electoral Commission or by the Sub-Commissions, or under the same Article appeals because of a false or erroneous rectification of the Electoral Rolls, shall be liable to punishment by a fine („multa“) from 1000 lire to 5000 lire whenever the appeal has been found reckless or manifestly unfounded.

The conviction shall be pronounced by the Court of Appeal in the same sentence rejecting the appeal.

*Section 6.* — Any person who, contrary to the provisions of this Order, refuses to publish or to allow others to take notice or make copies of lists or Rolls of the electors or of the documents relating thereto, shall be liable to punishment by imprisonment („reclusione“) up to six months and by a fine („multa“) from 1000 lire to 5000 lire.

*Section 7.* — Whenever the penalty of imprisonment („reclusione“) has been applied by the Judge, the convictions for the offences set forth in this Chapter shall imply the interdiction from public offices for a period of not less than two and not exceeding five years.

The Judge may order in any case that the sentence of conviction be published.

There shall be no prejudice to the major punishments established by the Penal Code and by other laws for offences not provided for by this Order.

To the crimes set forth in this Chapter, committed with malice and intention, there shall not be applicable the provisions of Articles 163 through 167 and of Art. 175 of the Penal Code and of Art. 487 of the Code of Penal Procedure, concerning the conditional suspension of punishment and the non mentioning of the conviction in the certificate of Penal Records.

## CHAPTER VII

### TRANSITORY AND FINAL PROVISIONS

#### ARTICLE XXXI

#### INSCRIPTION INTO THE ROLLS OF MILITARY PERSONNEL WHO DIED OR WERE DISPERSED IN WAR

*Section 1.* — There may not be inscribed into the Electoral Rolls military personnel who died in war, whenever the competent authorities have made communication of their death, even if no regular death certificate has been received by their Commune of residence.

*Section 2.* — There shall, however, be inscribed military personnel dispersed in war until the declaration of their death has been issued in accordance with the existing provisions. An appropriate annotation shall be made in the general Rolls and in the Section Rolls. The said electors shall be entered in the various Section Rolls in alphabetical order.

#### ARTICLE XXXII

#### TEMPORARY LIMITATION OF THE ELECTORAL RIGHT OF RESPONSIBLE LEADERS OF THE FASCIST REGIME

*Section 1.* — Those persons who held the following positions in the fascist regime and in the fascist social republican regime, shall not be electors for a period of five years from the effective date of this Order :

- a) Ministers and Undersecretaries of State in office after 5 January 1925 ;
- b) Senators except those not taken before the High Court of Justice or those in regard of whom the said Court has rejected the proposal of loss of their office ; deputies of the XXVII, XXVIII and XXIX legislatures, except the deputies of the XXVII legislature who did not take the oath or who made opposition in the Chamber or who were declared forfeited from their office by the resolution dated 9 November 1926 ; national councillors (consiglieri nazionali).
- c) members of the National Council of the fascist party or of the Republican fascist party ; members of the Special Court for the defense of the State and of the Special Courts of the Fascist Social Republic ;
- d) high officials of the fascist party down to and including the grade of federal (provincial) secretary ;
- e) Generals of the fascist militia (M.V.S.N.) in permanent paid service except those charged with special services, officers of the Republican National Guard (G.N.R.), of the Black Brigades, of the autonomous legions or of the special Police units of the Fascist Social Republic ;
- f) heads of the provinces and „questori“ appointed by the Fascist Social Republic ;
- g) those persons who were excluded from teaching or from professional Rolls for their fascist activity.

*Section 2.* — The cancellation from the Electoral Rolls of those who held any of the positions or performed the activity specified in the preceding Section, may take place at any time and regardless of the stage of operations concerning the compilation and revision of the Rolls, but not beyond the 45th day prior to the established date of elections.



*Section 3.* — The Communal Board shall provide „ex officio“ for the necessary ascertainment and the consequent cancellation from the general Rolls and the Section Rolls. The Board's decision shall be notified to the persons concerned by the Mayor within 5 days.

Copies of the records relating to the aforesaid operations shall be forwarded to the Zone President, the Procuratore di Stato at the Tribunal of Trieste and to the President of the Electoral Commission.

On the basis of the said records the Electoral Commission shall carry out the cancellations in the general Rolls and the Section Rolls deposited at the Commission and may request the respective documents from the Commune.

*Section 4.* — Against the cancellation ordered in accordance with the preceding Sections an appeal may be filed with the Electoral Commission within 10 days from the notification mentioned in Section 3 of this Article.

If the appeal has been granted the person concerned is entitled to reinscription into the Electoral Rolls at any time, but not beyond the 15th day prior to the established date of election.

### ARTICLE XXXIII

#### UNDERTAKING OF EXPENSES BY THE ALLIED MILITARY GOVERNMENT

All expenses concerning the first compilation of the Electoral Rolls in the Communes of the Zone for the implementation of this Order shall be borne by the Allied Military Government.

### ARTICLE XXXIV

#### EFFECTIVE DATE

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

Dated at Trieste, this 24th September 1948.

**RIDGELY GAITHER**

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

## Order No. 337

#### REQUALIFICATION AND ENGAGEMENT OF WORKERS DISCHARGED FROM SANATORIA AS CLINICALLY RECOVERED FROM TUBERCULAR DISEASES

*WHEREAS it is deemed advisable to provide for the requalification and engagement of workers who have been discharged from sanatoria as clinically recovered from tubercular diseases, 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

Each hospital sanatorium for tubercular diseases with more than two hundred patients shall institute and operate at their own expense internal courses for professional requalification of convalescent patients for the purpose of enabling them for post-hospitalization work suitable to their physical capacity.

### ARTICLE II

As from the effective date of this Order all rules or clauses of whatever nature shall cease to be operative, even though contained in provisions of law or regulations, that prohibit or restrict the engagement or re-engagement of workers discharged from sanatoria as clinically recovered from tubercular diseases.

### ARTICLE III

Each sanatorium, either public or private, shall engage workers in conditions mentioned in Article II, at the rate of 10% of the total permanent („di ruolo“) and non-permanent („non di ruolo“) personnel in service on the effective date of this Order, employing them in jobs for which they are physically suitable.

Workers clinically recovered from tubercular diseases or those with acute symptoms of such diseases and in the employ of the sanatorium on the aforesaid date, shall be considered in computing the percentage of the personnel to be engaged in accordance with the preceding para.

In case of insufficient vacancies the engagement shall be made as vacancies occur.

The sanatoria concerned shall select the workers to be engaged from those registered in an appropriate list to be compiled by the Commission referred to in Article VIII.

### ARTICLE IV

In case of increases, reductions and dismissals of personnel the sanatoria shall maintain in total the percentage set forth in Article III.

In case of vacancies to be filled up with workers in conditions referred to in Article II of this Order, the engagement shall take place within 30 days from the date of the vacancies.

### ARTICLE V

The workers engaged by virtue of this Order, shall be granted an economical and juridical treatment not inferior to that in force for the personnel in the same category in service of the sanatorium, without prejudicing their eventual rights to welfare, social, or to any other kind of assistance.

### ARTICLE VI

For the purpose of this Order the clinical recovery from tubercular diseases shall be certified by the manager of the Dispensario Antitubercolare, of the Zone, or by the manager of that sanatorium from which the person concerned has been discharged, if such sanatorium is subordinate to a Public Body. Besides the certifying person shall state the categories of work for which the recovered person is physically suitable.

## ARTICLE VII

Any worker desiring to be engaged in conformity with the provisions of this Order, shall submit an application to the Commission referred to in the following Article.

## ARTICLE VIII

The Zone President shall provide within 30 days from the effective date of this Order for the constitution of a Commission to be presided over by the manager of the Territorial Labor Office and composed of 2 physicians specialists for tuberculosis, to be appointed by the Consorzio Antitubercolare and „Istituto Nazionale della Previdenza Sociale,, respectively.

The Commission which shall have its office at the Territorial Labor Office, shall have the following duties :

a) to register the workers discharged from the sanatoria as clinically recovered from tubercular diseases, in appropriate lists upon their application, and specify all categories of work that are most suitable for each of them considered from the physical and professional point of view ;

b) to provide for the requalification and engagement of the registered workers ;

c) to control whether the said workers have been employed in work consistent with their physical condition and, if necessary, to provide for a change ;

d) to supervise the requalification courses instituted by the sanatoria ;

e) to give opinions and to take initiatives in matters relating to the welfare and requalification and engagement of workers discharged from sanatoria.

Against the decisions made by the Commission appeals shall be admissible to the Zone President.

## ARTICLE IX

All public and private sanatoria set forth in Article III shall, within 60 days from the effective date of this Order, notify to the Commission referred to in Article VIII, the total number of the permanent („di ruolo“) and non-permanent („non di ruolo“) personnel employed by them.

The declarations referred to in the foregoing para shall subsequently be filed on June 30th and December 31st of each year, and shall contain also the number of employed workers mentioned in Article II.

## ARTICLE X

The Department of Labor shall supervise the application of this Order through the Labor Inspectorate.

## ARTICLE XI

Any person contravening against the provisions of this Order shall be liable to a fine from 5000 to 10.000 lire for each worker to which the contravention refers.

## ARTICLE XII

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

Dated at TRIESTE, 25th day of September 1948.

**RIDGELY GAITHER**

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



# Order No. 346

## RE-ADOPTION OF SOLAR TIME

*WHEREAS by Order No. 186 dated 26 February 1948 daylight saving time was adopted in that Zone of the Free Territory of Trieste administered by the British-United States Forces (herein after referred to as the „Zone“) and*

*WHEREAS it is considered advisable to return the solar time in the Zone ;*

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

### ORDER :

#### ARTICLE I

The solar time shall be re-adopted to all effects as of 3 hours of 3 October 1948.

The transition to solar time shall be effected by setting all clocks back sixty minutes.

#### ARTICLE II

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

Dated at TRIESTE, this 23rd day of September 1948.

**RIDGELY GAITHER**

Brigadier General, U. S. Army

Director General, Civil Affairs

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# Ordine N. 330

## CREATION OF NEW CHAIRS OF PROFESSORSHIP AT THE SCHOOL OF LETTERS AND PHILOSOPHY — UNIVERSITY OF TRIESTE

*WHEREAS, by Order No. 36 dated 8 November 1945 recognition was given to the School of Letters and Philosophy instituted at the University of Trieste, and*

*WHEREAS, it is deemed necessary to increase the number of the permanent („di ruolo“) chairs of professorship at the said School ;*

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

### ORDER :

#### ARTICLE I

In addition to the eight permanent chairs of professorship non existing at the School of Letters and Philosophy, University of Trieste, two new permanent („di ruolo“) chairs of professorship are hereby created at the said School.

#### ARTICLE II

The provisions set forth in Article I of this Order shall be operative as from beginning of the academic year 1948/49.

#### ARTICLE III

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

Dated at TIRESTE, this 28th day of September 1948.

**RIDGELY GAITHER**

Brigadier General, U. S. Army

Director General, Civil Affairs

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