

ALLIED MILITARY GOVERNMENT

BRITISH - UNITED STATES ZONE
FREE TERRITORY OF TRIESTE



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ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

Order No. 82

INCREASE IN FAMILY ALLOWANCES AND RESPECTIVE CONTRIBUTIONS PAYABLE IN COMMERCE, PROFESSIONS AND ARTS

WHEREAS it has been deemed advisable and necessary to increase the rates of Family Allowances and the respective contributions at present in force in Commerce, Professions and Arts 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,

O R D E R :

ARTICLE I

With effect from the beginning of the first pay period after 10 March 1949 Tables „C“ and „G“ under Article I of Order No. 94 dated 27 December 1947 are hereby substituted by those attached to this Order.

Section 2. — The rates of Family Allowances and respective contributions as laid down in the Tables attached to this Order include the increase for cost of bread indemnity and relative contribution laid down respectively in Articles II and V of Order No. 347 dated 28 September 1948.

ARTICLE II

Until such time as the deficit resulting on 31 December 1947 is covered in the Commerce, Professions and Arts management of the „Cassa Unica“ for family allowances, an additional contribution equal to 0.95 per cent of remunerations is payable in addition to the contributions set forth in the attached Tables.

ARTICLE III

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

Dated at TRIESTE, this 18th day of April 1949.

RIDGELY GAITHER

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

Ref. : LD/A/49/90

TABLE „C“

**FAMILY ALLOWANCES AND COST OF LIVING BONUS
AND RELATIVE CONTRIBUTIONS-COMMERCE**

I. Monthly Benefits

Those working in shifts and casual workers, shall be paid daily benefits equal to the number of days of actual attendance, without exceeding for any one month the amount of the monthly benefit.

SEE NOTE No. 1

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.
Workers	234	1.716	156	1.378	78	1.196
Employees	338	1.716	208	1.378	117	1.196

II. Contributions

(to be borne by the employer)

Rate: 14,60% on gross earnings

TABLE „G“

**ORDINARY FAMILY ALLOWANCES AND COST OF LIVING BONUS,
AND RELATIVE CONTRIBUTIONS FOR PROFESSIONS AND ARTS**

I. Monthly Benefits

SEE NOTE No. 1

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.
Workers	234	1.716	156	1.378	78	1.196
Employees	338	1.716	208	1.378	117	1.196

II. Contributions

(to be borne by the employer)
Rate : 14,60% on gross earnings

NOTE No. 1: (Convertible into daily and fortnightly benefits applying the proportions of 1 : 26 and 1 : 2 respectively ; and into weekly benefits taking six times the daily benefits.

Where the labour contract is of less than one month duration no benefits exceeding the amount of the monthly, fortnightly or weekly benefits shall be paid).

*) O.B. : Ordinary Benefit ;

*) C.L.B. : Cost of Living Bonus.

Order No. 83

INCREASE OF FEES FOR THE URGENT ISSUANCE OF CERTIFICATES OF PENAL RECORDS

WHEREAS it is considered advisable to increase the fee for the urgent issuance of certificates of penal records within 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,

O R D E R :

ARTICLE I

The fee for the urgent issuance of certificates of penal records, as established by the Law 28 May 1936, No. 1059, to be issued to private persons within the very day of their request, is hereby increased to 30 Lire.

ARTICLE II

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

Dated at TRIESTE, this 19th day of April 1949.

RIDGELY GAITHER

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

Ref. : LD/A/49/96

Order No. 84

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

WHEREAS it is considered necessary to make a further amendment to Order No. 261, dated 18 June 1948, as amended by Order No. 359, dated 6 October 1948,

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

O R D E R :

ARTICLE I

Order No. 359, dated 6 October 1948, is hereby repealed.

ARTICLE II

The period of three months from the effective date of Order No. 261, dated 18 June 1948, is hereby further extended so that the time for complying with Article I of Order No. 261 will terminate on 31 July 1949.

ARTICLE III

This Order shall have effect as from 22 November 1948 and shall come into force on the date of its publication in the Official Gazette.

Dated at TRIESTE, this 21st day of April 1949.

RIDGELY GAITHER

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

Ref.: LD/A/49/97

Order No. 85

EMPLOYMENT AND PLACING OF WORKERS

WHEREAS it is deemed advisable to amend the provisions in force relating to the employment and placing of workers within that Zone of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“),

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

O R D E R :

ARTICLE I

ENGAGEMENT AND EMPLOYMENT OF WORKERS

Section 1. — Employers intending to engage workers shall apply to the Labor Office who will allot workers who are registered with the Placement Office, and in conformity with the provisions contained in this Order. For the purposes of this Order among Employers are to be included State Administrations, parastatal Corporations, the Offices of the President of the Zone, the Communes and other bodies and public offices and autonomous organizations excluding personnel on a permanent list („di ruolo“) but including personnel of Co-operative Societies and Artisan Firms.

Section 2. — The placing of workers is a public function of the Labor Office. Any other mediation is prohibited, even if gratuitous.

PART I

REGISTRATION OF WORKERS

ARTICLE II

REQUISITES FOR THE REGISTRATION OF UNEMPLOYED

Section 1. — All unemployed persons wishing to be registered as unemployed workers must register at the Labor Office which has jurisdiction over the Commune in which the worker resides.

Section 2. — The unemployed person shall for the purpose of registration with the competent Labor Office produce and exhibit :

- (a) Labor book issued by any Commune within the Zone.
- (b) Certificate of residence issued by any Commune within the Zone, in which Commune the worker or unemployed person has his permanent residence at the time of the submission of the application ; and
- (c) Any other documents if certifying a change of professional qualifications of the worker not entered in the labor book.

Section 3. — The Labor Office shall, after ascertaining that the applicant is in possession of all the necessary requisites, register him or her in the Unemployed Register and shall issue an Unemployment Card accordingly.

Section 4. — The unemployment Card, checked every month, shall be the sole document proving an unemployed worker's registration with the Labor Office.

ARTICLE III

CONTROL OF THE UNEMPLOYED

Section 1. — Unemployed workers shall report once a month to the appropriate Labor Office which, upon ascertaining the continuation of the unemployment, shall stamp the Unemployment Card.

Section 2 — Unemployed workers who fail to report monthly to the appropriate Labor Office, shall, if they do not have a justified reason, be struck off the Unemployed Register and shall not be registered again in the Unemployed Register for a period of three months from the date when they should have reported.

ARTICLE IV

PRODUCTION AND LABOR CO-OPERATIVE SOCIETIES

Section 1. — Production and Labor Co-operative Societies shall file with the Labor Office :

- (a) Copy of the society's deed of constitution and relative statute.
- (b) List of members' names. All changes of members will be reported quarterly to the Labor Office.

Section 2. — Co-operative Societies may engage and employ as auxiliary workers only workers who are registered with the Labor Office.

Section 3. — Persons not residing permanently within the Zone cannot be members of Production and Labor Co-operative Societies.

ARTICLE V

PERIODICAL ADVICES

Section 1. — At the end of each year every employer shall transmit to the Labor Office a list containing the surname, name, paternity, date and place of birth, date of engagement and qualification of each employee. Such list to be made in duplicate one copy of which bearing the date of filing and the stamp of the Labor Office shall be returned to the respective employer. This list must be filed with the Labor Office before 15 January each year covering the preceding year.

Section 2. — In derogation of the provisions of Section 1 of Article I, all public Employers shall transmit every year, and in the manner as provided in Section 1 of this Article, to the Labor Office, in addition to the non permanent („non di ruolo“) personnel also a separate list of the permanent („di ruolo“) personnel.

Section 3. — The filing of the lists specified in Sections 1 and 2 must take place, for the year 1948, within 30 days from the effective date of this Order.

PART II

PROCEDURE FOR ENGAGEMENT OF WORKERS

ARTICLE VI

APPLICATIONS FOR ENGAGEMENT OF WORKERS

Application for the engagement of workers must be submitted to the Labor Office in whose jurisdiction is located the place of work at which the workers are to be employed.

ARTICLE VII

APPLICATIONS FOR THE ENGAGEMENT OF WORKERS BY NUMBER

Section 1. — Applications for the engagement of workers other than those specified in Article VIII shall be made in writing and must indicate :

- (a) Name of employer.
- (b) Place of employment.
- (c) Number and qualifications of workers required.
- (d) Estimated duration of the employment with express indication if work is casual, seasonal or continuous.
- (e) Date of application and applicant's signature.

Section 2. — The Labor Office will allot only those workers who are registered as unemployed with them, taking into account the required qualifications and seniority of registration. Where conditions are equal, preference will be given to those entitled to be preferred by Law.

ARTICLE VIII

APPLICATIONS FOR THE ENGAGEMENT OF WORKERS BY NAME

Section 1. — Applications for the engagement of persons by name may be made in the following cases :

- (a) When the activity calls for a special skill which can be acquired only by long experience and a particular responsibility ;
- (b) if the applicant can prove the existence of an earlier contract of employment for a relatively long period between himself and the person applied for ;
- (c) if the worker to be engaged possesses the qualifications contemplated in the Allied Military Government Orders No. 235 of 28 November 1946, No. 324 of 5 March 1947 and No. 105 of 17 January 1948 ;
- (d) alien workers having exceptional qualifications.

Section 2. — Application for the engagement of workers by name shall be made in writing on appropriate forms to the competent Labor Office in conformity with Article VII and must contain, in addition to the data required by Article VII, Section 1 :

(a) Surname, name and paternity of the workers applied for ;

(b) the reasons in support of the application by name.

Section 3. — The Labor Office shall decide the application on its merits. In case of a refusal such application shall be deemed as filed in conformity with Article VII.

ARTICLE IX

WORKERS PERMITS

Section 1. — The Labor Office shall give each worker selected for work a permit in duplicate. One copy must be kept constantly by the worker to be exhibited at any time if required. The other copy will be retained by the employer who must exhibit it, on demand, to the Inspectors of the Labor Office and of the Labor Inspectorate.

Section 2. — Workers already employed on work of a continuous nature are not permitted to perform work or be employed in another paid activity in the employment of other employers when among the workers registered as unemployed there are persons who possess the professional qualifications required for this second activity.

ARTICLE X

DAILY AND CASUAL WORKERS

Employers are permitted to hire workers directly without the mediation of the Labor Office for day or casual work provided that such workers are registered as unemployed and only in cases of urgent necessity connected with the immediate and non deferable exigencies arising from the nature of the work itself.

In such cases the employer shall transmit every fortnight to the Labor Office a list with the names of the above workers in his employ during the past fifteen days. Such list, to be made in duplicate, shall indicate for each worker : the surname, name, paternity, number of Unemployment Card, and the number of days worked by him during the above period.

ARTICLE XI

REFUSAL TO ACCEPT WORK

The worker who, without justified reasons, refuses to accept work offered to him in his category or, if he, having accepted it, voluntarily relinquishes it without sufficient cause or is dismissed within one month from the date of engagement because of deliberate inefficiency, shall be struck off the Unemployed Register for a period of three months. In addition he will lose his registration seniority and will not be re-employed on an application by name for a further period of three months.

PART III

EMPLOYMENT AND DISMISSAL OF WORKERS

ARTICLE XII

DUTIES OF EMPLOYER DURING TIME OF EMPLOYMENT AND AT THE MOMENT OF TERMINATION OF THE EMPLOYMENT

Section 1. — Employer shall require their employees to hand over to them their labor books. For newly engaged workers the employer shall take their labor book and permits of the Labor Office. He shall also keep the permits of the Labor Office for all his employees hired after 1 December 1946.

Section 2. — The employer shall collect the labor book at the time of engaging the worker, entering therein all relevant data as required by existing Law. The labor book shall be returned to the worker at the time of the termination of his employment, the employer having entered therein the data of termination of the employment and all other relevant data as required by Law.

Section 3. — The Unemployment Card will be handed to and withdrawn by the Labor Office at the time the worker is sent to take up employment. The Labor Office will return the Unemployment Card to the worker when the latter, upon terminating his employment, applies for re-entry into the Unemployed Register.

ARTICLE XIII

NOTIFICATION OF DISMISSALS AND RE-REGISTRATION OF WORKERS

Section 1. — Employers shall notify the Labor Office within three days of all terminations of employment of their employees; at the same time returning to the Labor Office the duplicate copy of the workers permit, upon which shall be entered the reason of termination of the employment.

Section 2. — The worker, whose employment has been terminated, must in order to be registered as unemployed present himself at the Labor Office of his district and produce his labor book and workers permit bearing the date of discharge. Thereafter he will be given an Unemployed Card.

Section 3. — The re-registered worker will receive the unemployment seniority as of the date of re-registration.

PART IV

RULES FOR NON-RESIDENT ITALIAN WORKERS AND FOR ALIENS

ARTICLE XIV

NON-RESIDENT WORKERS OF ITALIAN CITIZENSHIP

Section 1. — An employer, wishing to engage workers who are Italian citizens non-resident in the Zone, must apply in writing before engaging to Department of Labor through the competent Labor Office.

Section 2. — The permit may be granted only for specialized workers not available in the Zone after consideration of all the circumstances alleged by the applicant and those as may be within the knowledge of the officials granting the permit.

Section 3. — The authorization will be valid for the workers named in the application and for the limited period specified therein and only for the employer who lodged the application. The authorization may be renewed, but only for a limited period and may be subject to specific conditions.

Any extension of the authorization must be applied for by the employer at least one week before expiration of the authorization.

Section 4. — The workers applied for, if authorization is obtained, must be employed according to their qualification as declared in the application and as shown in the labor book.

Section 5. — The procedure prescribed in the foregoing sections of this Article shall be observed also in case of transfer of workers from a place outside the Zone to another place in the Zone even if in the employment of the same employer.

ARTICLE XV

ALIENS

Section 1. — The granting of the labor book to workers who are alien citizens pertains to the Department of Labor. The issuance of such labor book to alien citizen workers pertains to the Labor Inspectorate.

Section 2. — An employer wishing to engage an immigrant worker of alien citizenship must apply beforehand to the Department of Labor through the Labor Inspectorate for the issuance of a labor book to the person so chosen.

Section 3. — In the event of an acceptance of such application the labor book issued in the worker's name will be transmitted by the Labor Inspectorate to the employer who shall keep it for the duration of the employment, and return the same to the Inspectorate on termination of such employment. In case of more than one worker of alien citizenship being required the application must be made for each one separately.

Section 4. — The same procedure shall be observed by an employer wishing to engage workers of alien citizenship who have obtained permanent residence in the Zone after 10 June 1940.

Section 5. — Alien citizens who have been residing in the Zone since their birth or have obtained their permanent residence in the Zone before 10 June 1940, have the option to file personally to the Department of Labor, through the Labor Inspectorate, an application for the issuance of a labor book.

Section 6. — Persons without citizenship shall for the purposes of this Order be treated as aliens.

PART V

FINAL PROVISIONS

ARTICLE XVI

APPLICABILITY

Section 1. — Persons who have not reached the age of 14 years cannot be registered at the Labor Office.

Section 2. — No person exceeding 65 years of age if men and 55 years if women can be registered with the Labor Office as unemployed.

Section 3. — No students enrolled at a high School (Scuola Media) can be registered as unemployed with the Labor Office unless they can prove to have definitely terminated their school attendance.

Section 4. — The provisions of this Order are not applicable to :

- (a) The husband or wife, relatives and next of kin not beyond the third degree of the employer living with him and supported by him ;
- (b) workers who are exclusively sharing in the profits of the business including meta-yers and sharing farmers ;
- (c) workers in private domestic service ;
- (d) free professional workers, registered in the professional rolls and artisans duly qualified and registered as such who do not perform paid work of a continuous character in the employment of third parties.

ARTICLE XVII

CONTROL OF APPLICATION

The Labor Inspectorate and the Inspecting Unit, both being subordinate to the Territorial Labor Office shall control the observance and application of this Order.

ARTICLE XVIII

POWER TO ISSUE ADMINISTRATIVE INSTRUCTIONS

The Department of Labor is empowered to issue such regulations and administrative instructions as may be necessary for the implementation of this Order.

ARTICLE XIX

PENALTIES

Anyone other than the Civilian Labor Offices performing any act of mediation in connection with the engagement of workers, shall, on conviction, be liable to punishment by a fine up to but not exceeding Lire 50.000.

Anyone employing workers either directly or through mediators other than the Labor Office, shall, on conviction, be liable to a penalty not exceeding Lire 10,000 for each worker so engaged and employed; up to a maximum of Lire 500,000.

Anyone violating any of the other provisions of this Order shall, on conviction, and provided the transgression does not constitute a more serious offence, be liable, on conviction, to imprisonment up to six months or to a penalty up to Lire 500,000 or both.

ARTICLE XX

REVOCATION OF ORDER No. 72 ETC.

General Order No. 72 dated 4 November 1946, General Order No. 108 dated 11 June 1947, Order No. 327 dated 18 August 1948 and Order No. 367 (72 C) dated 16 November 1948 are hereby cancelled.

ARTICLE XXI

EFFECTIVE DATE

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

Dated at TRIESTE, this 25th day of April 1949.

RIDGELY GAITHER

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

Ref. : LD/A/49/72

Order No. 86

USE OF FOREIGN WORDS IN DESIGNATIONS OF FIRMS AND IN VARIOUS PUBLICITY FORMS

WHEREAS it is considered advisable to repeal certain provisions of Law concerning the use of foreign words in the designations of firms and in various publicity forms 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,

O R D E R :

ARTICLE I

The following provisions of Law concerning the use of foreign words in the designations of firms and various publicity forms are hereby repealed :

a) Law 23 December 1940, No. 2042 ;

b) Art. 1, letter (u), of R.D.L. 9 September 1937, No. 1769, converted into Law 13 February 1938, No. 20 ;

- c) Art. 16 of R.D. 14 June 1928, No. 1399, as amended by Art. 2 of R.D.L. 9 May 1929, No. 762, converted into Law 11 July 1929, No. 1259, and by Art. 2 of R.D.L. 9 September 1937, No. 1769, converted into Law 13 January 1938, No. 20.

ARTICLE II

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

Dated at TRIESTE, this 26th day of April 1949.

RIDGELY GAITHER

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

Ref.: LD/A/49/83

Order No. 87

EXTENSION OF LEASE AND SUB-LEASE CONTRACTS

WHEREAS it is considered advisable to provide for a further extension of lease and sub-lease contracts in the British-United States Zone, Free Territory of Trieste,

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

ORDER:

ARTICLE I

Section 1. — The lease and sub-lease contracts of urban properties in course on 28 February 1947, already extended by Orders No. 66 dated 22 December 1947, No. 292 dated 29 June 1948 and No. 409 dated 28 December 1948 are hereby further extended so as to expire on the 30 September 1949, or on the date of expiration of the first term established by Law or custom for cases of tacit renewal of contracts after 30 September 1949.

Section 2. — The above extension shall also apply to the contracts stipulated after the date of 27 February 1947, mentioned in Article I of General Order No. 114, which are to be considered as renewal of pre-existing contracts, as well as to those cases in which, after the said date, a decision of assignment has been passed by the Housing Office.

ARTICLE II

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

Dated at TRIESTE, this 25th day of April 1949.

RIDGELY GAITHER

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

Ref.: LD/A/49/100

Administrative Order No. 21

APPOINTMENT OF DOTT. ALDO LONCIARI AS ACTING SECRETARY GENERAL OF THE COMMUNE OF TRIESTE

WHEREAS with effect from 15 February 1949 the post of Secretary General of the Commune of Trieste has been vacant, and

WHEREAS Dott. Aldo Lonciari has from that date satisfactorily performed the functions of Secretary General and it is necessary to appoint him temporarily to that post,

NOW, THEREFORE, I, VONNA F. BURGER, Colonel, F. A., Executive Director to the Director General, Civil Affairs,

ORDER:

1. — Dott. LONCIARI Aldo is hereby appointed Temporary Secretary General of the Commune of Trieste with effect from 15 February 1949. He will continue to hold this appointment subject to the further order of Allied Military Government.

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

Dated at TRIESTE, this 20th day of April 1949.

VONNA F. BURGER

Colonel, F. A.

Executive Director to

Director General, Civil Affairs

Ref.: LD/B/49/21

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