

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. 132

AMENDMENTS TO ORDER No. 259 DATED 25 JUNE 1948

WHEREAS by (a) Order No. 345 dated 24 September 1948 provisions were set up for the compilation of the Electoral Rolls, (b) Order No. 33 dated 21 February 1949 as amended by Order No. 62 dated 29 March 1949 provision was made for the reconstitution of the Communal Administration by election, and (c) Order No. 81 dated 18 April 1949 dates were fixed for the holding of the Communal Elections, and

WHEREAS the Communal Elections have now been held and Communal Councils elected in terms of the above Orders it is now opportune to amend and modify Order No. 259 dated 25 June 1948,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

AMENDMENTS TO ARTICLE V OF ORDER No. 259

Article V of Order No. 259 dated 25 Jun. 1948 is hereby repealed and substituted by the following new Article V:

"ARTICLE V

"ORGANS OF COMMUNAL ADMINISTRATION

- „1. — Each Commune of the Zone shall have a Council, a Board and a Mayor.
- „2. — The composition, powers, duties and functions of the Council and Board shall be regulated by the provisions of Order No.33 dated 21 February 1949 as amended.
- „3. — The Council shall be elected in accordance with the provisions of said Order No. 33 dated 21 February 1949.
- „4. — The Boards shall be elected by their respective Councils in accordance with the provisions of said Order No. 33 dated 21 February 1949.

„5. — The Mayors shall be elected by their respective Councils in accordance with the provisions of said Order No. 33 dated 21 February 1949.“

ARTICLE II

AMENDMENTS TO ARTICLE X OF ORDER No. 259

Section 1 — The words“...and to cancel or substitute any appointment therunder“ occurring in sub-paragraph (a) of Article X of Order No. 259 dated 25 June 1948 are hereby deleted and cancelled.

Section 2 — Section (b) of Article X of Order No. 259 is hereby cancelled and substituted by the following new Section (b):

„Exclusive authority and control over all police and security services in the Zone except in so far as may be delegated to the President of the Zone.“

ARTICLE III

REPEAL OF ARTICLE VI OF ORDER No. 259

Section 1 — Article VI of Order No. 259 dated 25 June 1948 is hereby repealed.

Section 2 — Articles VII, VIII, IX, X, XI, XII and XIII are renumbered Articles VI, VII, VIII, IX, X, XI and XII respectively.

ARTICLE IV

TRANSITORY PROVISION

The present Commune officials appointed by Allied Military Government under Order No. 259 dated 25 June 1948 shall continue in office until the elected officials have assumed office in terms of Order No. 33 dated 21 February 1948 as amended and subsequent legislation.

ARTICLE V

EFFECTIVE DATE

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

Dated at TRIESTE, this 28th day of June 1949.

CLYDE D. EDDLEMAN

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

Ref.: LD/A/49/143

Order No. 133

EXTENSION OF ORDER No. 448 — PROVISIONS RELATING TO MARRIAGES

WHEREAS the reasons which had rendered advisable and necessary the publication of Order No. 448 of 2 September 1947, facilitating the celebration of civil marriages and the registration of religious marriages, still exist and it is considered necessary to revive and restore the provisions of said Order No. 448.

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

EXTENSION OF ORDER No. 448

Order No. 448 of 2 September 1947, effective for the period from 2 September 1947 up to 31 December 1948, is hereby revived and made effective with effect from 31 December 1948.

ARTICLE II

EFFECTIVE DATE

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

Dated at TRIESTE, this 28th day of June 1949.

CLYDE D. EDDLEMAN

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

Ref.: LD/A/49/150

Order No. 134

TRANSFER TO COMPANY'S CAPITAL OF FAVOURABLE BALANCES DERIVED FROM THE MONETARY REVALUATION PROVIDED FOR BY ORDER No. 237 OF 19 AUGUST 1948

WHEREAS it is deemed advisable to transfer to Company's capital the favourable balances derived from the monetary revaluation provided for by Order No. 237 of 19 August 1948, in that Zone of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army, Director General, Civil Affairs

ORDER:

ARTICLE I

Pursuant to administrative instructions formerly issued and with effect from 4 April 1949, the provisions of Articles IV, V and VI, second para. of Order No. 237, dated 19 August 1948, are hereby repealed.

ARTICLE II

As an exception to the provisions of Art. V of General Order No. 86, dated 7 December 1946, favourable balances derived from monetary revaluation may be utilized for the purpose of constituting or completing the personnel seniority and super-annuation fund („fondo di anzianità e di quiescenza“) which the Companies and Bodies taxed on the basis of a balance sheet are obliged to set aside in terms of Art. 2429 of the Civil Code.

ARTICLE III

The favourable balances derived from monetary revaluation which exceed the amount of revaluation of the paid-up capital and of the ordinary and extraordinary reserves as resulting from the balance-sheet (excluding reserves constituted for covering specific burdens and liabilities, or in favour of third parties) shall be included — regardless of their destination — in the Cat. B income in the financial year in which they have been transferred to Company's capital or in which they have been otherwise realized.

ARTICLE IV

In addition to normal depreciation quotas and even as an exception to any contrary provisions of the Articles of Association, balance-sheets relating to the first five accounting periods („esercizi“) closed on or after 31 December 1948 may include a special depreciation fund constituted by annual quotas equivalent to the depreciation quotas allowed for fiscal purposes, on assets revalued by monetary adjustment and to be destined for the renewal or modernization of the plants.

The appropriations („accantonamenti“) provided for by the preceding paragraph shall be admitted by deduction from the Company's income („ricchezza mobile“), subject, however, to the funds being actually employed for the renewal or modernization of the plants within the two years following the financial year in which they were constituted.

ARTICLE V

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

Dated at TRIESTE, this 28th day of June 1949.

CLYDE D. EDDLEMAN
Brigadier General, U.S. Army
Director General, Civil Affairs

Ref.: LD/A/49/117

Order No. 135

TEMPORARY IMPORTATION OF WHITE OR YELLOW RAW SILK AND OF „TOUSSAH“ SILK FOR MANUFACTURING PURPOSES, OF IRON AND STEEL SCRAPS FOR CONVERSION INTO INGOTS OR SEMI-FINISHED PRODUCTS AND OF „COROZO“ AND DUM-PALM SEEDS FOR THE MANUFACTURE OF BUTTONS

WHEREAS it is deemed advisable to grant temporary importation of white or yellow raw silk and of „toussah“ silk for manufacturing purposes, of iron and steel scraps for conversion into ingots or semi-finished products and of „corozo“ and dum-palm seed for the manufacture of buttons, in that Zone of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army, Director General, Civil Affairs.

ORDER:

ARTICLE I

Section 1 — Temporary importation of white or yellow raw silk and of toussah silk for doubling, twisting (Weft, organzine, crape, fur, granadine, etc.), making into bobbins and the like and or for conversion into fabric, stockings, veils „da buratti“, etc., is hereby authorized.

Section 2 — The products obtained from the manufacturing of silk, as referred to in Section 1, shall be re-exported within the maximum time-limit of 1 year after their temporary importation.

Section 3 — The concession shall be valid for six months.

ARTICLE II

Section 1 — Temporary importation of iron and steel scraps for conversion, within one year of such importation, into ingots or semi-finished products (blooms, tin containers and billettes) is hereby authorized.

Section 2 — The concession shall be valid for six months.

ARTICLE III

Section 1 — Temporary importation of „corozo“ and dum-palm seeds for the manufacture of buttons, to be exported within one year of the importation of the said raw materials, is hereby authorized.

Section 2 — The concession shall be valid for six months.

ARTICLE IV

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

Dated at TRIESTE, this 28th day of June 1949.

CLYDE D. EDDLEMAN
Brigadier General, U.S. Army
Director General, Civil Affairs

Ref.: LD/A/49/118

Order No. 136

**CONTRIBUTIONS TO EXPENSES FOR GOVERNMENT SUPERVISION ON PUBLIC
TRANSPORT SERVICES SUBJECT TO CONCESSION OR AUTHORIZATION**

WHEREAS it is deemed advisable and necessary to fix the rates of contributions to expenses for government supervision over public transport services subject to concession or authorization, 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, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

Contributions to Government supervision expenses, due for the operation of railways and tramways services pursuant to articles 199 and 272 of the Consolidated Text 9 May 1912, n. 1447, of the provisions of law governing railways operated under concession by private industries and mechanically-driven tramway services, are hereby established at the following rates:

extra-urban tramways.....	L. 1.000.—	per kilometer
urban tramways	„ 500.—	„ „

ARTICLE II

Contributions to Government supervision expenses relating to the under-mentioned public transport services conceded or authorized in favour of private industries, are hereby established at the following rates:

extra-urban trolleybus services	L. 1.000.—	per kilometer
urban-trolleybus services	„ 500.—	„ „
inland navigation services	„ 1.500.—	„ „
land-funiculars	„ 20.000.—	„ „
with a minimum of.....	„ 15.000.—	„ „
air-funicular („funivie“)	„ 20.000.—	„ „
with a minimum of.....	„ 15.000.—	„ „
sky-funiculars („seggiovie“) and the like	„ 5.000.—	for each installation
public service lifts	„ 4.000.—	„ „ „

ARTICLE III

During the construction of fixed installations, the rates of contribution specified in the foregoing Articles shall be doubled; they shall be tripled if a subsidy or other financial aid is granted by the State for the performance of the relative works. Similar increases shall be applied for supervision during the reconstruction of lines or sections of lines destroyed or damaged by war events.

ARTICLE IV

For second category private railways and for sidings of industrial establishments, a contribution to Government supervision expenses shall be due at the annual rate of 2000 Lire per kilometer, with a minimum of Lire 1500.

Tracks connecting State Railway stations with industria' establishments shall be exempt from contribution if they are directly operated by the State Railway administration, provided, however, that such tracks do not interfere with public or private roads.

ARTICLE V

The contribution to supervision expenses to be paid by concessionaires of public automobile services for the transport of persons, luggage, and agricultural packages (bus lines) under the provisions of Article 26 of Law 28 September 1939 No. 1822, is hereby increased to Lire 0.20 for each kilometer of the total distance covered (as shown in the concession documents) with a reduction of 50% for urban services, within the limits established by the second para of the said Article 26.

ARTICLE VI

A contribution to Government supervision expenses at the rate of Lire 0.15 for each kilometer of the total distance covered, (as shown by the concession document) shall be due in respect of public services („servizi pubblici di linea“) conceded under the provisions of Law 20 June 1935, No. 1349, for the transport of goods by motor-vehicles.

ARTICLE VII

The contributions set forth in the preceding Articles shall be effective from 1st January 1949, and shall be paid also in respect of services which, pending the regularization of the relative concession, are already in operation.

Contributions at present applied at lower rates shall be increased, with effect from the same date, up to the amounts established in the said Articles.

ARTICLE VIII

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

Dated at TRIESTE, this 28th day of June 1949.

CLYDE D. EDDLEMAN

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

Ref.: LD/A/49/126

Order No. 137

AMENDMENTS TO ORDER No. 83

WHEREAS it is deemed advisable to amend Order No. 83, dated 10 December 1947, relating to penalties for failure to pay licence fees for holders of radio receivers and excise taxes on the manufacture of radio material, in that Zone of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

Section 4 of Article VIII of Order No. 83, dated 10 December 1947, is hereby repealed and substituted by the following:

„Section 4 — For failure to pay the prescribed licence fee any holder of one or more radio receivers or aerial installation or any other apparatus fitted or which may be fitted for radio reception is liable to a fine of not less than Lire 600 and not more than Lire 12,000 and is bound to pay the licence fee overdue.“

ARTICLE II

Article IX of Order No. 83, dated 10 December 1947, is hereby repealed and substituted by the following:

„ARTICLE IX

EXCISE TAXES ON THE MANUFACTURE OF RADIO MATERIAL

Excise taxes on the manufacture of radio material to which radio receivers, valves, loudspeakers and crystal-detectors are subject, shall be as follows:

- a) for each radio receiver with valves, 2 percent on the invoice price, without deduction of discounts, allowances, etc. with a minimum of..... L. 100
- b) Importers shall enter in the usual Customs declaration the price at which they intend to sell radio sets subject to the tax.
for each radio receiver with crystal..... L. 25
- c) for each thermoyonic valve of any type even if regenerated, used for receiving, transmitting or transforming industrial electric power..... L. 55
- d) for each loudspeaker forming, or manufactured to form an inseparable unity with the radio receiver L. 60
- e) for each loudspeaker detached from the body of radio-set L. 120
- f) for each crystal-detector L. 10

ARTICLE III

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

Dated at TRIESTE, this 28th day of June 1949.

CLYDE D. EDDLEMAN
 Brigadier General, U.S. Army
 Director General, Civil Affairs

Ref.: LD/A/49/130

Order No. 138

AMENDMENTS TO THE TABLE OF FEES DUE TO TAX-COLLECTORS FOR EXECUTORY ACTS RELATING TO DIRECT TAXES

WHEREAS it is deemed advisable to modify the table of fees for executory acts performed by Direct Taxes Collectors in that Zone of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

The sole article of D.M. 19 February 1927 is hereby repealed and substituted by the following:

„The approved table of fees to be collected by tax-collectors from tardy tax-payers for executory acts regulated by the Law concerning the collection of direct taxes, shall be as follows:

for debts up to	Lire	50 Lire	10
„ „ from Lire	50.05 up to	100 „	20
„ „ „ „	100.05 „ „	200 „	30
„ „ „ „	200.05 „ „	500 „	65
„ „ „ „	500.05 „ „	1.000 „	110
„ „ „ „	1.000.05 „ „	2.000 „	180
„ „ „ „	2.000.05 „ „	5.000 „	300
„ „ „ „	5.000.05 „ „	10.000 „	450
„ „ „ „	10.000.05 „ „	25.000 „	600
„ „ „ „	25.000.05 „ „	50.000 „	700
„ „ „ „	50.000.05 „ „	100.000 „	1.000
„ „ „ „	100.000.05 „ „	250.000 „	1.500
„ „ „ „	250.000.05 „ „	500.000 „	2.000
„ „ „ „	500.000.05 „ „	1.000.000 „	2.500
„ „ „ „	1.000.000.05 „ „	5.000.000 „	3.000
„ „ „ „	5.000.000.05 „ „	10.000.000 „	4.000
„ „ „ „	10.000.000.00 „ „ „	5.000,,

ARTICLE II

In addition to the above fees, the tax-payer on whose real property an execution is made shall pay the expenses incurred for the publication of the relative auction notice in the Allied Military Government Official Gazette.

ARTICLE III

The increase of fees established by the present table over those approved by D.M. 19 February 1927 is granted to tax-collector as a compensation for increased running expenses.

ARTICLE IV

The provisions of this Order shall be effective as from 1st January 1949 and shall be applicable up to the 31st of December 1949.

Dated at TRIESTE, this 28th day of June 1949.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/49/133

Order No. 139

TEMPORARY EXPORTATION OF CINEMA COLOUR FILMS FOR DEVELOPMENT AND PRINTING, AS WELL AS OF REVERSIBLE CINEMA COLOUR FILMS AND OF COLOUR-SENSITIZED PHOTOGRAPHIC FILMS FOR DEVELOPMENT

WHEREAS it is deemed advisable to permit the temporary exportation of cinema colour films for development and printing, as well as of reversible cinema colour films and of colour-sensitized photographic films for development, from that Zone of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army, Director General, Civil Affairs,

ORDER :

ARTICLE I

The temporary exportation of the following products is hereby permitted for a period of 6 months :

- a) Kodakrome cinema colour films of 8, 16 and 35 mm, reproducing views taken by tourists within the Zone, for development and printing ;
- b) reversible cinema colour films and colour-sensitized photographic films, for development including the relative charging devices and supporting reels.

ARTICLE II

The developed films shall be re-imported within 6 months of their temporary exportation.

ARTICLE III

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

Dated at TRIESTE, this 28th day of June 1949.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/49/134

Order No. 140

PRIZE COMPETITIONS AND OPERATIONS

WHEREAS it is deemed advisable to limit the value of prizes offered to customers by Firms organizing prize competitions in that Zone of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army, Director General, Civil Affairs,

ORDER :

ARTICLE I

For the purposes of the application of the licence duty as provided for by Article 49 of R.D.L. 19 October 1938 No. 1933, the limit of the market value of prizes offered to purchaser of certain products by Firms organizing prize competitions, is hereby fixed for the year 1949 at the amount of Lire 2000.—

ARTICLE II

Foodstuffs and commodities of large and popular consumption shall be excluded from prize competitions and operations under Article 54 of R.D.L. 19 October 1938, No. 1933, para (b), and the sole Article of Law 5 June 1939, No. 973.

ARTICLE III

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

Dated at TRIESTE, this 28th day of June 1949.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/49/135

Order No. 141

TIME-LIMIT FOR THE REQUEST OF DOCUMENTS OF IDENTIFICATION FOR NON-RESIDENTS HAVING THEIR TEMPORARY ABODE IN THE ZONE

WHEREAS it is considered advisable to fix a time-limit for the request of documents of identification by non-residents having their temporary abode in the British-United States Zone of the Free Territory of Trieste,

*NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army,
Director General, Civil Affairs,*

ORDER:

ARTICLE I

TIME-LIMIT FOR THE REQUEST OF DOCUMENTS OF IDENTIFICATION

All persons indicated in Article I of Order No. 416, dated 30 December 1948, who are not in possession of the prescribed identity card must apply for such card from the Mayor of the Commune in which they have their temporary abode not later than 31 July 1949.

ARTICLE II

PENALTY

All persons, who being obliged to have in their possession an identity card in terms of Order No. 416 dated 30 December 1948 and not being in possession of said identity card after 31 July 1949 shall be liable to a fine („ammenda“) of from 1000 to 3000 Lire.

ARTICLE III

EFFECTIVE DATE

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

Dated at TRIESTE, this 29th day of June 1949.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/49/148

Order No. 142

CONTROL OF THE PRODUCTION OF CEREALS FOR THE YEAR 1949

WHEREAS it is considered advisable and necessary to extend the validity of Order No. 279 dated 2 July 1948, which provides for the control of the production of cereals in that part of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“),

*NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army,
Director General, Civil Affairs,*

ORDER:

ARTICLE I

EXTENSION OF VALIDITY OF ORDER No. 279 TO THE AGRICULTURAL YEAR 1949

Section 1 — With the exceptions and amendments as set forth in the following Section of this Article, the provisions of Order No. 279 dated 2 July 1948, entitled „Control of the production of cereals, for the year 1948“ (hereinafter referred to as the „said Order“) published in the Allied Military Government Gazette No. 30, dated 11 July 1948, shall be extended in the Zone for the agricultural year 1949.

Section 2 — Article I of the „said Order“ is hereby repealed and the following substituted therefor:

„The production of winter cereals of the 1949 crop (wheat) shall be subject to control for the sole purpose of determination of food self-sufficiency and of the issuance of ration-cards to producers.“

ARTICLE II

EFFECTIVE DATE

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

Dated at TRIESTE, this 30th day of June 1949.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/49/145

Order No. 143

FURTHER APPOINTMENT OF ASSESSORS FOR THE COURT OF ASSIZE OF TRIESTE

WHEREAS it is necessary to complete the list of Assessors of the Court of Assize of Trieste which has fallen below the required number,

UPON proposal of the First President of the Court of Appeal of Trieste, and

UPON recommendation of the Director of Legal Affairs,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

APPOINTMENT OF ASSESSORS

The following citizens, having the qualifications required by the law, are hereby appointed as Assessors of the Court of Assize of Trieste, in substitution for those appointed by Order No.

55, dated January 7, 1946 and No. 404 dated June 19, 1947, who have ceased to be effective because of personal impediments or for other reasons :

- 1) ADAMI Guido fu Luigi
- 2) APOLLONIO Lionello fu Abramo
- 3) BEMPORAD Aldo di Alessandro
- 4) BLESSI Pietro fu Giuseppe
- 5) CAFFIERI Bruno di Antonio
- 6) CALI' Rosario di Filippo
- 7) CALLIGARIS Roberto fu Luigi
- 8) COSTA Doménico fu Giacomo
- 9) DE CARLI Guido fu Egidio
- 10) DE ROSA Umberto fu Gustavo
- 11) DE ZADRO Francesco di Giuseppe
- 12) DIONISIO Danie'e di Giovanni
- 13) DOPPIERI Pellegrino di Giov. Batta
- 14) DOSSI Umberto di Ferdinando
- 15) GELUSSI Giuseppe di Sigismondo
- 16) HILLEBRAND Corrado fu Emilio
- 17) LA JACONA Corrado di Gaetano
- 18) LORENZETTI Giuseppe di Federico
- 19) LUZZATTI Giuseppe di Raffaele
- 20) LUZZATTO-FEGITZ Pierpaolo di Giuseppe
- 21) MAFFEI Guido di Antonio
- 22) MANFIOLETTI Guido di Guglielmo
- 23) MARCHI Vittorio di Vittorio
- 24) MARSÌ Natale di Adriano
- 25) MORTEANI Francesco di Luigi
- 26) MURAN Umberto fu Giuseppe
- 27) NOULIAN Ferdinando fu Ferdinando
- 28) NOVELLO Pasquale fu Antonio
- 29) PACHERINI Menotti di Edgardo
- 30) PAGNINI Giulio di Cesare
- 31) PETTINELLO Renato fu Giovanni
- 32) PIRONA Marcello fu Marcello
- 33) PIOPPI Enrico fu Ottone
- 34) PUPPIS Marcello fu Teodoro
- 35) QUARGNALI Vito di Vito
- 36) RENZI Mario di Giovanni Emilio
- 37) RETTA Luigi fu Massimiliano
- 38) RIBECCHI Alberto fu Elviro
- 39) ROSSETTI Vincenzo di Giacomo
- 40) ROZZO Oreste fu Pietro
- 41) SACCHI Ambrogio fu Ernesto
- 42) SAFFARO Luciano di Luigi
- 43) SALVATELLI Giulio fu Romeo
- 44) SANZIN Luciano fu Andrea
- 45) SCHLECHTER Paolo di Alfonso
- 46) SCHROMEK Francesco di Luigi
- 47) SORINI Ramiro fu Giovanni
- 48) STANICH Giovanni fu Giovanni

- 49) TONGIORGI Pietro di Virgilio
- 50) TROCCA Carlo di Giorgio
- 51) VIETTI Antonio fu Carlo
- 52) VIGNOLA Oscar fu Luigi
- 53) VISAL Giorgio di Pietro
- 54) VITTORI Cornelio di Luigi
- 55) ZAMBONELLI Giorgio fu Angelo

ARTICLE II

EFFECTIVE DATE

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

Dated at TRIESTE, this 30th day of June 1949.

CLYDE D. EDDLEMAN
Brigadier General, U.S. Army
Director General, Civil Affairs

Ref. : LD/A/49/151

Order No. 144

EXAMINATIONS FOR PROCURATORE LEGALE FOR 1949

WHEREAS Order No. 99 dated 6 May 1949 provided for the examination for qualifying as Procuratore Legale for the current year, and

WHEREAS the First President of the Court of Appeal at Trieste and the Chairman of the Ordine degli Avvocati, Trieste, have recommended the postponement of the date already established for written tests by aforesaid Order and whereas it is deemed advisable to grant said request,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U. S. Army, Director General, Civil Affairs,

O R D E R :

ARTICLE I

DATE OF WRITTEN TESTS

Section 2 of Article I of the Order No. 99 dated 6 May 1949 is amended as follows :

„Written tests will be held at 0900 hours on the following dates at such place in Trieste as the Examining Commission shall appoint :

- 27 October 1949 — Substantive Civil and Administrative Law ;
- 28 October 1949 — Civil and Penal Procedure.“

ARTICLE II

EFFECTIVE DATE

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

Dated at TRIESTE, this 30th day of June 1949.

CLYDE D. EDDLEMAN
Brigadier General, U.S. Army
Director General, Civil Affairs

Ref. : LD/A/49/152

Order No. 145

AMENDMENT TO ORDER No. 395 REVISION OF DRIVING LICENCES FOR DRIVERS OF MOTOR VEHICLES

WHEREAS it is considered necessary to extend the date for the revision of driving licences for drivers of motor vehicles,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U. S. Army, Director General, Civil Affairs

ORDER :

ARTICLE I

The date 30th June 1949 occurring in Articles IV, V and VI of Order No. 395 dated 14th December 1948 is cancelled and substituted by the date 31st December 1949.

ARTICLE II

EFFECTIVE DATE

This Order shall come into force on the date of its publication in the Official Gazette and shall be effective as from 30th June 1949.

Dated at TRIESTE, this 6th day of July 1949.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/49/153

Order No. 146

AMENDMENTS TO PROVISIONS REGARDING RENTS

WHEREAS it is deemed advisable to make certain amendments to the existing provisions regarding rents in the British-United States Zone of the Free Territory of Trieste,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U.S. Army, Director General, Civil Affairs,

ORDER :

ARTICLE I

The following paragraph shall be added to Article XI of General Order No. 64 (54 C) dated 7 January 1947 :

„5) disputes, even if pending ,relating to the increase of rents in accordance with para 5 of Article 13 of R.D.L. 16 June 1938, No. 1387, and para 5 of Article 2 of R.D.L. 12 March 141,9 No. 142.“

ARTICLE II

Letter *b*) of Article III of Order No. 54, dated 23 March 1949, is hereby repealed and substituted by the following :

„*b*) cinemas, bars, dancing halls, coffee-houses, buffets, ice-cream shops, confectioner's shops, restaurants of first and second category, jewellery shops, de-luxe gift shops, florists, perfume shops, beauty parlours, ladies fashion shops, de luxe garment shops, fur shops, clubs other than sport and cultural ones, by 105% ;“

ARTICLE III

Article V of Order No. 54 dated 23 March 1949 is repealed and substituted by the following :

„The provisions of this Order shall not be applicable to rents fixed pursuant to Article IV, Section I of General Order No. 64 (54 C) dated 7 January 1947 or to Orders No. 56 (54 E) dated 25 October 1947 and No. 161 dated 16 February 1948.“

ARTICLE IV

The existing legal rents and legal sub-rents of real property used for dwelling purposes, the monthly amount of which does not exceed L. 100.— may be increased by 30%.

ARTICLE V

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

Dated at TRIESTE, this 30th day of June 1949.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/49/144

Order No. 147

PROVISIONS CONCERNING THE SEQUESTRATION OF NEWS-PAPERS AND OTHER PUBLICATIONS

WHEREAS it is deemed advisable and necessary to issue new provisions concerning the sequestration of news-papers and of other publications within that Zone of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER :

ARTICLE I

It is hereby prohibited to effect the sequestration of editions of news-papers or of any other publication or printed matter, contemplated by the Decree on the Press (Editto sulla Stampa) dated 26 March 1848, No. 695, unless by virtue of an irrevocable sentence of the Judicial Authority.

Nevertheless the Judicial Authority shall be empowered to order the sequestration of not more than three copies of news-papers, publications or printed matters violating the penal law.

ARTICLE II

In derogation from the provisions of the preceding Article, there may be effected the sequestration of news-papers, of other publications or of printed matters which, according to the penal law, are considered to be obscene or offensive toward public decency, and those divulging means intended to prevent procreation or to procure abortion or illustrating employment thereof, or giving indications as to the manner of procuring them or containing insertions or correspondence relating to the aforesaid means.

Whenever the sequestration provided for in the preceding paragraph has been ordered, immediate trial („giudizio direttissimo“) shall be opened against the culprit, even if the conditions provided for in Article 502 of the Code of Penal Procedure are not fulfilled; in any such case the competence shall be of the Tribunal.

ARTICLE III

No alteration is made to the provisions of Article 4, paras 1 and 2, of R. D. 15 July 1923, No. 3288, converted into the Law 31 December 1925, No. 2309; of Article 2, para 2, of the Law 31 December 1925, No. 2307; of Article 28, para 2, of the Law 22 February 1934 No. 370.

Likewise no alteration is made to the provisions of Article 8, para 2, of the Law 2 February 1939, No. 374, and of Article 19 of the respective Regulations, as approved by R. D. 12 December 1940, No. 2052, as well as to the provisions on judicial defence and sanctions established as a safeguard of author rights by Law 22 April 1941, No. 633.

In case sequestration in terms of para 1 has been carried out, the public official who effected same shall, within twenty-four hours, inform thereof the Judicial Authority by a written report.

ARTICLE IV

Upon the effective date of this Order the following provisions shall cease to be effective as regards news-papers, publications and printed matter in general:

Articles 112, para 3, and 114, para 4, of the Consolidated Text of the laws on public safety as approved by R. D. 18 June 1931, No. 773;

Article 200 of the Regulations for the application of the aforesaid Consolidated Text, as approved by R. D. 6 May 1940, No. 635;

Article 3, para 1, of R. D. L. 10 July 1924, No. 1081, converted into the Law 31 December 1925, No. 2308;

and any other provision contrary to those of this Order.

ARTICLE V

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

Dated at TRIESTE, this 30th day of June 1949.

CLYDE D. EDDLEMAN

Brigadier General, U. S. Army

Director General, Civil Affairs

Ref.: LD/A/49/123

Order No. 148

ENGAGEMENT OF SEAMEN

WHEREAS it is considered necessary to provide for the regulation of the engagement of mariners on vessels sailing under a foreign flag and exceeding 50 gross tons, in that Zone of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“.

WHEREAS the provisions of Article I of R. D. 24 May 1925, No. 1031 and Article 125 of the Code of Navigation have been duly considered,

NOW, THEREFORE, I, CLYDE D. EDDLEMAN, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER :

ARTICLE I

The engagement of mariners of first category, officers excluded, in possession of a certificate of matriculation valid within the Zone pursuant to the existing laws, destined for crews of vessels sailing under foreign flag and exceeding 50 gross tons, shall be made within the Zone exclusively through the Employment Office of the Trieste Harbour Office („Capitaneria di Porto“) in accordance with directives of the Port Director.

ARTICLE II

A free choice shall be granted among the personnel registered on the employment rolls of the Trieste Harbour Office („Capitaneria di Porto“) for the engagement on vessels other than Italian sailing under a foreign flag.

ARTICLE III

Any person violating the provisions of this Order shall be liable to a fine („ammenda“) of from 6000 to 60,000 Lire for each person engaged contrary to the provisions of Articles I and II of this Order.

ARTICLE IV

Order No. 53 dated 17 November 1947 is hereby repealed.

ARTICLE V

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

Dated at TRIESTE, this 5th day of July 1949.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/49/128

Administrative Order No. 38

EXAMINATIONS FOR PROCURATORE LEGALE 1949

WHEREAS Order No. 99 dated 6 May 1949 provided for the examination for qualifying as Procuratore Legale for the current year and reservation was made for appointment of the Examining Commission,

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

ORDER:

ARTICLE I

EXAMINING COMMISSION

The Examining Commission for examination of Procuratore Legale for the current year will be composed as follows:

EFFECTIVE MEMBERS

Dr. Antonio JANCHI Councillor of the Court of Appeal, *President*
Dr. Guido BATTIGGI-STABILE Substitute Procuratore Generale, *member*
Prof. Manlio UDINA Professor of „Diritto Internazionale“, *member*
Avv. Emanuele FLORA, *member*
Avv. Edoardo SCHLECHTER, *member*

SUBSTITUTE MEMBERS

Dr. Giovanni SCOMERSI Councillor of the Court of Appeal, *President*
Dr. Francesco Saverio SANTONASTASO, Substitute Procuratore di Stato, *member*
Avv. Paolo GRISOGONO, *member*
Avv. Guido MUSSAFIA-TIBERINI, *member*

EFFECTIVE SECRETARIES

Antonio LELLI, Chief Judicial Clerk of the Court of Appeal
Mario PERRIA, Chief Secretary of the Procura di Stato

SUBSTITUTE SECRETARIES

Mario ROMANO, Judicial Clerk at the Court of Appeal.

ARTICLE II

EFFECTIVE DATE

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

Dated at TRIESTE, this 29th day of June 1949.

VONNA F. BURGER

Colonel F. A.

Executive Director to

Director General, Civil Affairs

Ref. : LD/B/49/39

Administrative Order No. 39

LEGAL RECOGNITION OF CARLO CERMEIJ

WHEREAS Carlo Colautti has legally recognized his adulterine son Carlo Cermelj by Notarial deed dated 27 December 1948 and has asked for the declaration of efficacy of the recognition, pursuant to Article 252 third para of the existing Civil Code, and

WHEREAS the aforesaid declaration is an administrative measure falling within the powers of the Central Government, and

WHEREAS within that Zone of the Free Territory of Trieste administered by the British-United States Forces all the powers of the Central Government are being exercised by the Allied Military Government.

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

ORDER:

1. — The legal recognition made by Carlo Colautti by Notarial deed dated 27 December 1948 in respect of his adulterine son Carlo Cermelj born at Trieste on November 26, 1941 is hereby granted to all effects, pursuant to Article 252, third para, of the existing Civil Code.

2. — This Order shall take effect on the date it is signed by me.

Dated at TRIESTE, this 30th day of June 1949.

VONNA F. BURGER

Colonel F.A.

Executive Director to

Director General, Civil Affairs

Ref.: LD/B/49/40

Notice No. 19

MINIMUM WAGE FOR PERSONNEL IN THE SERVICE OF „SOC. COOPERATIVA DI PRODUZIONE NAVALE E PORTUALE“

Notice is hereby given that the Minimum Wages Arbitration Board, constituted in accordance with Order No. 63 dated 1 December 1947, has issued, in respect of personnel in the service of „Soc. Cooperativa di Produzione Navale e Portuale“ of Trieste, the following award:

„ARTICOLO I

SALARI

A partire dal 15 Agosto ai dipendenti della Cooperativa in premessa sarà corrisposto il salario base di Lire 49.30 orarie.

ARTICOLO 2

MAGGIORAZIONI PER LAVORI SPECIALI

Per lavori da eseguire in caldaie o in cisterne, casse e depositi contenenti nafta, come pure per lavoro da eseguire nei carter, nelle sentine di macchina e nelle caldaie, e per i lavori di pitturazione con soluzione di minio in ambienti chiusi (doppi fondi, intercapedini, gavoni) la paga base verrà maggiorata del 35%.

Per i lavori da eseguirsi sotto il paiolo di macchina e caldaia, la ditta e gli operai si accorderanno di volta in volta sulla spettanza o meno della maggiorazione per lavori speciali.

Per lavori da eseguirsi ad altezze superiori ai cinque metri la paga verrà maggiorata del 30%.

ARTICOLO 3

ORARIO DI LAVORO E LAVORO STRAORDINARIO

L'orario normale di lavoro per gli operai picchettini è di 48 ore settimanali e di 8 ore giornaliere.

Il lavoro straordinario, intendendosi per tale quello prestato oltre l'orario normale giornaliero sarà retribuito con la paga base oraria maggiorata delle seguenti percentuali:

- 1) — per le prime due ore straordinarie il 25%
- 2) — per le successive tre ore straordinarie il 40%
- 3) — per le ulteriori il 75%

Il lavoro nei giorni festivi sarà compensato come segue:

- 1) — per le prime otto ore il 45%
- 2) — per le successive il 75%

Il lavoro notturno, intendendosi per tale quello prestato oltre le dodici ore dall'inizio dell'orario normale di lavoro sarà compensato col 20%.

Per il caso delle ore di lavoro straordinario che si svolgono in ore notturne o in giorni festivi, e di ore straordinarie eseguite da operai che hanno lavorato la notte, verrà applicata la sola percentuale di aumento per il lavoro straordinario, o solo quella per lavoro notturno o festivo scegliendo fra le tre la maggiore.

ARTICOLO 4

INDENNITA' DI CONTINGENZA

Il personale di cui al presente accordo ha altresì diritto all'indennità di contingenza nelle forme e nella misura stabilite dall'accordo generale per la corresponsione dell'indennità di contingenza ai lavoratori dell'industria.

ARTICOLO 5

MINORI

Gli operai di età inferiore ai 20 anni non soggetti all'apprendistato ricevono:

- a) fino al 16° anno di età il 60%
- b) fino al 20° anno di età l'80%

della paga base degli operai adulti.

ARTICOLO 6

COTTIMI

Le tariffe di cottimo dovranno venir determinate in modo che all'operaio laborioso e di normale capacità lavorativa sia garantito un guadagno minimo oltre alla paga base del 20%.

Le gratifiche ed i premi potranno subire aumenti o diminuzioni in rapporto al rendimento ed al merito.

ARTICOLO 7

PAGAMENTO DELLE FERIE, GRATIFICA NATALIZIA, FESTIVITA' NAZIONALI E INFRASETTIMANALI

Per il pagamento delle ferie, gratifica natalizia, festività nazionali e infrasettimanali, le aziende corrisponderanno complessivamente la percentuale del 19% sulla retribuzione globale di fatto degli operai dipendenti per le ore effettivamente lavorate.

Per i cottimisti il computo verrà effettuato sulla base del guadagno di cottimo realizzato nel corrispondente periodo di paga.

Non sono compresi nella retribuzione di fatto i compensi per lavoro straordinario, notturno e festivo (limitatamente per il notturno e il festivo alla maggiorazione) le indennità per mensa, lavori speciali, trasferte, premi e simili eventualmente dovuti.

La suindicata percentuale sarà corrisposta anche in caso di assenza dal lavoro dell'operaio per malattia, infortunio e per sospensione di lavoro non dovuta a cause di forza maggiore nei limiti della continuazione del rapporto di lavoro.

In tali casi la percentuale sarà calcolata sulla base dell'orario giornaliero e settimanale, in atto nel periodo in cui si verifica la sospensione e sulla base del minimo contrattuale della contingenza od analoghe quote integrative contrattuali.

La percentuale suddetta sarà accantonata presso la ditta alla fine di ogni periodo di paga e versata all'operaio al momento della cessazione del rapporto di lavoro o, perdurando il rapporto di lavoro insieme al salario corrisposto nel periodo di paga precedente a Natale. Tale percentuale non potrà venir inclusa e conglobata nelle tariffe di cottimo.

ARTICOLO 8

LAVORI FUORI ZONA

All'operaio inviato al lavoro fuori dalla cinta daziaria la ditta corrisponderà un' indennità di vitto di Lire 100 giornaliera.

Tale indennità subirà proporzionalmente le eventuali variazioni dell'attuale indennità di contingenza.

ARTICOLO 9

DECORRENZA E DURATA

Il presente lodo entrerà in vigore il 15 giugno 1949 e verrà a scadere il 15 dicembre 1949.

Sarà ammessa una revisione del lodo anteriore alla scadenza, nel caso in cui il trattamento economico dei lavoratori svolgenti analogo mansione, disciplinato dal contratto collettivo di categoria avesse a subire delle modificazioni.

La decorrenza del nuovo lodo sarà in ogni modo la stessa delle eventuali modificazioni cui si accenna nel comma precedente.

TRIESTE, 31 maggio 1949.

Il Presidente: Sgd. Walter LEVITUS
I componenti: Renato CORSI
Alceo LUCCHESI
Giovanni SARTI
Bruno CHIARUTTINI
I consulenti tecnici: Nicolò PASE
Giovanni POLI

Department of Labor
Approved 23 June 1949

Signed: **LIONEL H. BAILEY**
Capt. Inf.

Dated at TRIESTE, this 30th day of June 1949.

R. G. HUMPHREY
Lt. Col. F. A.
Chief, Department of Labor

Ref.: LD/C/49/19

Errata - corrigenda

ORDER No. 99 — Examinations for Procuratore Legale for 1949 — published in Gazette No. 13 dated 11 May 1949, page 257. In the Article I, Section I, the words „Procuratore Generale“ should be read „Procuratore Legale“.

CONTENTS

Order	Page
No. 132 Amendments to Order No. 259 dated 25 June 1948	353
No. 133 Extension of Order No. 448 — Provisions relating to marriages	355
No. 134 Transfer to Company's capital of favourable balances derived from the monetary revaluation provided for by Order No. 237 of 19 August 1948	355
No. 135 Temporary importation of white or yellow raw silk and of „tousseh“ silk for manufacturing purposes, of iron and steel scraps for conversion into ingots or semi-finished products and of „corozo“ and dum-palm seeds for the manufacture of buttons.....	357
No. 136 Contributions to expenses for Government supervision on public transport services subject to concession or authorization	358
No. 137 Amendments to Order No. 83.....	360
No. 138 Amendments to the table of fees due to tax-collectors for executory acts relating to direct taxes.....	361
No. 139 Temporary exportation of cinema colour films for development and printing, as well as of reversible cinema colour films and of colour-sensitized photographic films for development	362
No. 140 Prize competitions and operations	363
No. 141 Time-limit for the request of documents of identification for non-residents having their temporary abode in the Zone	364
No. 142 Control of the production of cereals for the year 1949	364
No. 143 Further appointment of Assessors for the Court of Assize of Trieste.....	365
No. 144 Examinations for Procuratore Legale for 1949	367
No. 145 Amendment to Order No. 395 — Revision of driving licences for drivers of motor-vehicles	368
No. 146 Amendments to provisions regarding rents	368
No. 147 Provisions concerning the sequestration of news-papers and other publications	369
No. 148 Engagement of seamen	371
Administrative Order	
No. 38 Examinations for Procuratore Legale for 1949	372
No. 39 Legal recognition of Carlo Cermelj.....	373
Notice	
No. 19 Minimum wage for personnel in the service of „Soc. Cooperativa di Produzione Navale e Portuale“	373
Errata Corrigenda	376