

ALLIED MILITARY GOVERNMENT

BRITISH - UNITED STATES ZONE
FREE TERRITORY OF TRIESTE



OFFICIAL GAZETTE

VOLUME V

No. 25 - 11 September 1952

Published by the A.M.G. F.T.T. under the Authority of the Commander
British - United States Forces Free Territory of Trieste.

ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

Order No. 161

PROVISIONS CONCERNING THE RESUMPTION OF HOUSING AMENDMENTS TO THE PROVISIONS IN FORCE

WHEREAS it is deemed advisable to extend the time-limit provided for by Order No. 117 dated 25 May 1949, as subsequently amended, concerning the completion of constructions by Bodies and Building Cooperative Societies and to amend certain provisions of the Consolidated Text on popular and economic building, in that part of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, J. E. FODEN, O. B. E., Deputy Director General, Civil Affairs,

O R D E R :

ARTICLE I

The time-limit for the completion of constructions by the Province, Communes and Public Bodies as well as Building Cooperative Societies referred to in Order No. 117, dated 25 May 1949, as subsequently amended, is hereby further extended to 31 December 1952.

ARTICLE II

Article 27 of the Consolidated Text on popular and economic building, as approved by R.D. 28 April 1938, No. 1165 (hereinafter referred to as the „Consolidated Text“), is hereby repealed.

ARTICLE III

The quota for the establishment of the fund which is to cover the maintenance expenses of buildings belonging to Building Cooperative Societies which, in terms of arts. 67 and 68 of the Consolidated Text, is to the charge of the members of Building Cooperative Societies, is hereby established, in respect of buildings completed prior to 1 January 1948, at the annual rate of one per cent to be computed on the basis of the cost of the respective dwellings, as resulting — provisionally and save adjustments — as at the date of the commencement of the provisional amortization of the loans, and — finally — after the test („collaudo“).

As to buildings completed subsequent to 1 January 1948, the quota is hereby established at the annual rate of 0.20 per cent.

The members of Building Cooperative Societies shall pay the quota by means of twelve monthly instalments, according to the modalities indicated in art. 67 of the above mentioned Consolidated Text.

ARTICLE IV

Article 31 of the Consolidated Text, as already amended by Article II of Order No. 222, dated 30 November 1949, is hereby repealed and substituted by the following :

„The popular and economic houses built with State subsidies or contributions shall not be allotted in owner-ship,

- a) to persons who, in the same town („centro urbano“), own another dwelling which is adequate for the needs of their families. There shall be regarded as adequate those dwellings comprising a number of rooms, excluding accessories, equal to the number of the family members, with a minimum of three and a maximum of five rooms ;
- b) to those persons who have already obtained the allocation in ownership of other dwellings built with State subsidies or contributions or with the loans referred to in Order No. 26, dated 7 February 1951 ; and
- c) to those persons who are entered in the Complementary Tax Rolls for a taxable income which — excluding the whole part concerning category C-1 and C-2 incomes and one half of that concerning category B incomes — exceeds 150.000 Lire.

The same exclusions are hereby established in respect of those persons whose spouses are not legally separated and fulfil the above mentioned conditions.“

ARTICLE V

The first paragraph of article 65 of the Consolidated Text is hereby repealed and substituted by the following :

„Those Building Cooperative Societies shall, until the stipulation of the individual loans for buildings, collect the monthly quotas for amortization of the loans from the members who were allotted the dwellings („assegnatari“) and shall pay the relative amount to the loan giving Bodies according to the modalities indicated by such Bodies.“

ARTICLE VI

The following paragraphs are hereby added at the end of the ninth paragraph of article 65 of the Consolidated Text :

„The collection of the quotas due by the members of Building Cooperative Societies for the amortization of the individual loans for building shall be effected by means of monthly withdrawals from the salaries or pensions of said members.

Whenever it is not possible to carry out the withdrawals provided for by the foregoing paragraph, the debtors shall pay by means of direct payments to the loan giving Body.“

ARTICLE VII

Article 90 of the Consolidated Text, as amended by Article IV of Order No. 222, dated 30 November 1949, is hereby repealed and substituted by the following :

„Those Building Cooperative Societies which have not been established exclusively amongst members belonging to the categories referred to in article 91 and which have obtained State subsidies or contributions, may build and purchase popular and economic houses only in undivided and inalienable ownership. In case of dissolution, the buildings must be ceded to Institutes for

popular houses. Said Building Cooperative Societies, with the consent of the financing Institutes and subject to the prior authorization of the Chief, Department of Public Works and Utilities, may be converted into Building Cooperative Societies in individual ownership.

However, the Building Cooperative Societies established by employees belonging to Institutions created by law and having essentially Statelike functions („funzioni statali“), may build or purchase popular and economic houses in individual ownership“.

ARTICLE VIII

Article 95 of the Consolidated Text is hereby repealed and substituted by the following :

„The requisites for the allocation of houses built by Building Cooperative Societies shall be the following :

- a) membership to one of the categories indicated in article 91, in the second paragraph of article 90 and in Article I, Section 2 of Order No. 117, dated 25 May 1949 ;
- b) residence in the Commune wherein the buildings are erected.

The above mentioned requisites shall be met both at the time of booking („prenotazione“) and at that of allocation.

Any possible interruptions in the possession of the requisites occurring between the date of booking and that of allocation shall not be prejudicial to the rights of the members.“

ARTICLE IX

Article 115 of the Consolidated Text is hereby repealed and substituted by the following :

„In Building Cooperative Societies in individual ownership any member dying after obtaining the booking of the dwelling shall be replaced in all his rights by his children, provided with respect to the latter, the conditions required by article 31 are fulfilled and subject to the right of use of the dwelling by the surviving spouse in whose respect no final judgement of legal separation has been issued through his/her own fault and so long as he/she does not contract a new marriage.

If there are no children, the surviving spouse, in whose respect the conditions required by article 31 are fulfilled and no final judgement of legal separation has been issued through his/her own fault and provided he/she has not contracted a new marriage, shall replace the children.

If the surviving spouse is missing, the booking shall devolve to the other members of the Building Cooperative Societies.“

ARTICLE X

The Department of Finance is hereby authorized to cede, even by means of private dealings, Domianial lands available to the Building Cooperative Societies which have been admitted to State subsidies or contributions.

The cessions referred to in the foregoing paragraph shall be made on the basis of the estimate-price, to be established by the appropriate Treasury Technical Office („Ufficio Tecnico Erariale“), in relation to the commercial value in the normal market ; the price shall in no case be less than twenty-five times the capitalization to hundred by five of the taxable income („reddito dominicale“), according to the estimates at present in force.

ARTICLE XI

The first paragraph of Article VI of Order No. 222, dated 30 November 1949, is hereby repealed and substituted by the following:

„The provisions of article 111 of the Consolidated Text of laws on popular and economic buildings approved by R.D. 28 April 1938, No. 1165, shall apply to all dwellings built by Building Cooperative Societies which avail themselves of State subsidies or contributions and the loaning Body shall replace — in so far as the consent to the cessions is concerned — the „Cassa depositiva prestita“ in cases where the loan for the construction is granted by another Body.“

ARTICLE XII

The provisions of Article VII of this Order shall not refer to Cooperatives which have already obtained Allied Military Government contributions in terms of Order No. 117, dated 25 May 1949, and which will complete the constructions by 31 December 1952.

ARTICLE XIII

This Order shall become effective on the date of its publication in the Official Gazette and shall be operative as from 1 July 1952.

Dated at TRIESTE, this 28th day of August 1952.

J. E. FODEN

Deputy Director General,
Civil Affairs

Ref. LD/A/52/128

Order No. 162

RATE OF CONTRIBUTION DUE TO THE SOCIAL INSURANCE FUND FOR PERSONNEL OF PUBLIC TRANSPORTATION SERVICES, UNDER CONCESSION, FOR THE YEARS 1948 TO 1952

WHEREAS it is deemed advisable to fix, pursuant to Article II, Section 4 of Order No. 178, dated 8 March 1948, the rate of contribution due to the Social Insurance Fund for personnel of Public Transportation Services, under concession, and to the Supplementary Fund for the years from 1948 to 1952, in that part of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, J. E. FODEN, O.B.E., Deputy Director General, Civil Affairs,

O R D E R :

ARTICLE I

The percentage aggregate rate of contribution due to balance the burdens of the Social Insurance Fund established by R.D.L. 19 October 1923, No. 2311, and of the Supplementary Fund established by Article I of Order No. 178, dated 8 March 1948, is hereby fixed for the years from 1948 up to 1952 as follows:

For the year 1948: 4.60% of the earnings, 2% of which shall be paid into the Social Insurance Fund and 2.60% into the Supplementary Fund;

For the year 1949: 18.10% of the earnings, 2% of which shall be paid into the Social Insurance Fund and 16.10% into the Supplementary Fund;

- For the year 1950 : 15.15% of the earnings, 2% of which shall be paid into the Social Insurance Fund and 13.15% into the Supplementary Fund ;
- For the year 1951 : 15.81% of the earnings, 2% of which shall be paid into the Social Insurance Fund and 13.81% into the Supplementary Fund ; and
- For the year 1952 : 16.08 of the earnings, 2% of which shall be paid into the Social Insurance Fund and 14.08% into the Supplementary Fund.

ARTICLE II

Section 1. — For the purposes of adjustment between the contributions either paid by the interested enterprises or debited to same for the years 1948, 1949, 1950 according to the aggregate rate previously established at 16.50% and the new rate established for these year in the foregoing Article, a single reduction shall be made from the rate due for the years 1951, which, taking into account the contribution differences relative to the preceding years, shall be established according to the aggregate rate at 5.65% of the earnings of which 0.50% shall be assigned to the Social Insurance Fund and 5.15% to the Supplementary Fund.

Section 2. — For the settlement of the contributions due to the „Istituto Nazionale della Previdenza Sociale“ in respect of the years 1948, 1949, 1950, the interest charged („interessi passivi“), if any, shall be reckoned to the burden of the interested enterprises on the balance resulting from the adjustments as at 31 December 1951.

ARTICLE III

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

Dated at TRIESTE, this 28th day of August 1952.

J. E. FODEN
Deputy Director General,
Civil Affairs

Ref. LD/A/52/148

Order No. 163

SPECIAL MODALITIES FOR THE CONTROL OF TURNOVER TAX ASSESSMENTS

WHEREAS it is deemed advisable to establish certain precautionary modalities for the purpose of controlling the assessment of receipts subject to turnover tax, in that part of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, J. E. FODEN, O.B.E., Deputy Director General, Civil Affairs,

ORDER :

ARTICLE I

Persons authorized to pay the turnover tax by weekly transfers from postal current accounts („mediante postagiرو settimanale“), in accordance with article 75 of the Regulations approved by R. D. 26 January 1940, No. 10, shall forward to the appropriate Registry Office, simultaneously with the issuance of the „postagiرو“, an abstract of the invoice-register, prescribed by article 77 of the said Regulations, such abstract to concern only the invoices to which the „postagiرو“ refers. The abstract shall be forwarded by registered letter.

ARTICLE II

Persons authorized to pay the turnover tax on a number of commercial transactions made in a determined period, instead of on each single transaction, shall be obliged to keep the invoice-register, referred to in article 77 of the aforesaid Regulations 26 January 1940, No. 10, and to forward the abstract of same to the Registry Office concerned in the manner and within the term established in the foregoing Article.

ARTICLE III

This Order shall become effective on 1 September 1952.

Dated at TRIESTE, this 28th day of August 1952.

J. E. FODEN

Deputy Director General,
Civil Affairs

Ref. LD/A/52/157

Order No. 164

PAYMENT OF CHRISTMAS BONUS TO WORKERS EMPLOYED IN THE WATCHING, CARETAKING, AND CLEANING OF TOWN BUILDINGS

WHEREAS it is deemed advisable to issue provisions concerning the payment of the Christmas Bonus to workers employed in the watching, caretaking, and cleaning of town buildings, in that part of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, J. E. FODEN, O.B.E., Deputy Director General, Civil Affairs,

ORDER :

ARTICLE I

Section 1. — Janitors engaged in watching, caretaking and cleaning services or in watching and caretaking services only as well as workers engaged, with a continuous employment relationship, in the cleaning of town buildings used either as dwellings or for other purposes, including those of Cooperative Societies with State contribution, shall be entitled, for the year 1951, in addition to the earnings for the month of December, to a Christmas Bonus comprising one month's wages in cash and the cost of living allowance contemplated by the provisions in force as well as the contingency allowance set forth in Order No. 139, dated 11 July 1952.

Section 2. — Payment of the aforesaid Bonus shall be made within 30 days from the effective date hereof.

ARTICLE II

Workers indicated in Article I hereof who were engaged or dismissed during the year 1951, shall be entitled to as many twelfths of the Christmas Bonus indicated in the foregoing Article I as there are completed months of service performed during the year.

ARTICLE III

The granting of the Bonus set forth in the foregoing Article I shall be at the charge of the owner of the building, who, as far as leased buildings are concerned, shall have the power to recover the greater expense („maggiore onere“) from the lessees within the limits contemplated by Article XIX of Order No. 175, dated 20 September 1950.

ARTICLE IV

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

Dated at TRIESTE, this 30th day of August 1952.

J. E. FODEN

Deputy Director General,
Civil Affairs

Ref. LD/A/52/152

Administrative Order No. 42

APPOINTMENT OF A NOTARY

WHEREAS the Notary Dr. TOMASI Giovanni has been placed at the disposition of the Allied Military Government for service in the British-United States Zone of the Free Territory of Trieste, and

WHEREAS there is a vacancy for a Notary in Trieste,

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

O R D E R :

1. — The Notary Dr. TOMASI Giovanni is hereby appointed to fill a vacancy for a Notary in Trieste.

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

Dated at TRIESTE, this 29th day of August 1952.

VONNA F. BURGER

Colonel Arty
Executive Director to
Director General, Civil Affairs

Ref. LD/B/52/42

Administrative Order No. 43

APPOINTMENT OF A NOTARY

WHEREAS the Notary Dr. SANDRINELLI Oscar has been placed at the disposition of the Allied Military Government for service in the British-United States Zone of the Free Territory of Trieste, and

WHEREAS there is a vacancy for a Notary in Trieste,

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

O R D E R :

1. — The Notary Dr. SANDRINELLI Oscar is hereby appointed to fill a vacancy for a Notary in Trieste.

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

Dated at TRIESTE, this 29th day of August 1952.

VONNA F. BURGER

Colonel Arty

Executive Director to

Director General, Civil Affairs

Ref. LD/B/52/43

Administrative Order No. 44

LEGISLATION

WHEREAS it is deemed advisable to clarify instructions and establish procedures for the initiation, processing, promulgation and publication of legislation (Orders, Administrative Orders and Notices) in that part of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, Sir JOHN WINTERTON, K.C.M.G., C.B., C.B.E., Major General, Zone Commander

O R D E R :

ARTICLE I

PROMULGATION OF ORDERS, ADMINISTRATIVE ORDERS AND NOTICES

Section 1. — Orders promulgating legislation and Administrative Orders will be signed by the Zone Commander, or on his behalf, by the Allied Military Government Chief of Staff.

Section 2. — Notices may be signed by Directors or the Chiefs of Departments or Offices when the subject matter is within the competence of such individuals.

Section 3. — Unless otherwise specifically provided, such Orders, Administrative Orders and Notices will become effective upon publication in the Allied Military Government Official Gazette.

ARTICLE II

INITIATION AND PREPARATION OF ORDERS, ADMINISTRATIVE ORDERS AND NOTICES

Section 1. — It is the responsibility of Directorates, Departments and Offices of Allied Military Government within their own field to ensure that all legislation (Orders, Administrative Orders and Notices) required by them are originated and finally cleared for promulgation and publication in the Official Gazette.

Section 2. — The initiating Directorate, Department or Office will prepare the initial Draft which shall be forwarded through appropriate channels to the Directorate of Legal Affairs for consideration.

Section 3. — As to the Orders requested by Directorates, Departments and Offices affecting other Directorates, Departments and Offices within Allied Military Government, it shall be the responsibility of the initiating Directorate, Department or Office before presenting it for signature to ensure that all others interested have been advised and concurrences or agreed amendments obtained.

ARTICLE III

PROCESSING

Section 1. — All draft legislation will be forwarded to the Directorate of Legal Affairs, where it will be examined and revised and set up in final form for signature. The Director of Legal Affairs will stamp and sign the legislation approved as to legal form, and will return it direct to the initiating Office with endorsements for signature by other interested Departments and Offices.

Section 2. — The initiating Department or Office, if satisfied with the Order, will circulate it, to other interested Offices for concurrence or amendment and then pass it through its own Directorate for signature of the appropriate authority.

Section 3. — It will be the responsibility of the initiating Directorate, Department or Office, to attach to each Order or Administrative Order a memorandum explaining the source, the need for it, and its contents. Other Departments and Offices may, and should when appropriate, attach memoranda so that the Zone Commander will be fully informed when the draft is presented for signature.

Section 4. — After signature by the appropriate authority, the legislation will be forwarded to the Directorate of Legal Affairs for publication in the Official Gazette.

ARTICLE IV

PUBLICATION IN THE OFFICIAL GAZETTE

After the Order, Administrative Order or Notice has been signed it will be the responsibility of the Directorate of Legal Affairs to publish it in the Official Gazette in English, Italian and Slovene. The Directorate of Legal Affairs will be responsible for translation into Italian and Slovene.

ARTICLE V

EFFECTIVE DATE

This Administrative Order shall be effective as from 1st September 1952.

Dated at Trieste, this 5th day of September 1952.

T. J. W. WINTERTON
Major General
Zone Commander

Ref. : LD/B/52/46

Notice No. 63

SAMPLING SURVEY OF LIVING CONDITIONS OF FAMILIES

The Census & Survey Office, within the Directorate of Interior, pursuant to the powers contained in Order No. 166, dated 1 September 1950, hereby announces that it has authorized the taking of a sampling survey of living conditions of approximately 5% of the families resident in the Communes of the Br/US Zone of the F.T.T.

This survey will be taken on or about 15 October 1952.

The co-operation of families who may be called upon to give particulars is requested

Dated at TRIESTE, this 9th day of September 1952.

Ref.: LD/C/52/68

Dott. MARIO FRANZIL
Chief, Census & Survey Office

CONTENTS

Order

Page

No. 161 Provisions concerning the resumption of housing - Amendments to the provisions in force	487
No. 162 Rate of contribution due to the Social Insurance Fund for personnel of Public Transportation Services, under concession, for the years 1948 to 1952	490
No. 163 Special modalities for the control of turnover tax assessments	491
No. 164 Payment of Christmas bonus to workers employed in the watching, caretaking and cleaning of town buildings	492

Administrative Order

No. 42 Appointment of a notary	493
No. 43 Appointment of a notary	493
No. 44 Legislation	494

Notice

No. 63 Sampling survey of living conditions of families	496
---	-----