

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. 157

PROVISIONS RELATING TO SETTLEMENT OF DISPUTES CONCERNING COLLECTIVE BARGAINING

WHEREAS it is considered advisable and necessary to amend certain provisions of the Law No. 1078 dated 10 July 1930, regulating the settlement of disputes concerning collective bargaining, within that Zone of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I RIDGELY GAITHER, Brigadier General, US Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

REPEAL OF CERTAIN PROVISIONS OF R. D. No. 1078

The following provisions of R. D. No. 1078 dated 10 July 1930, are hereby repealed and shall no longer be in force and effect:

- a) First paragraph of Article 3.
- b) Last paragraph of Article 5.
- c) Articles — 8, 9, 10, 11 and 13.

ARTICLE II

NEW SUBSTITUTED PROVISIONS

Section 1. — In lieu of first paragraph Article 3:

„The jurisdiction on appeals filed against the decisions of the „Commissario per la liquidazione degli usi civici“ pursuant to Art. 32 of the Law 16 June 1927 No. 1766, shall exclusively be conferred upon the Court of Appeals of Trieste and its decisions shall be final.“

Section 2. — In lieu of Art. 10 :

„The Chief of the „Ufficio Agricoltura e Pesca“ shall be entitled to take any action and appeal for the defense of the right of the population before the Court of Appeals and the „Commissario per la liquidazione degli usi civici“, even if in contradiction with the Commune or the Agrarian Association, unless the right thereto is forfeited pursuant to Art. 3 of the Law 16 June 1927, No. 1766“.

ARTICLE III

PENDING APPEALS CASES

Section 1. — The appeals still pending at the Court of the Appeals of Rome and assigned to the Court of Appeals of Trieste by virtue of this Order, shall be forwarded to the latter in their present status.

Section 2. — The President of the Court of Appeals of Trieste shall, upon request of either party, fix the date for the hearing and the chancery shall notify the parties thereto „ex officio“ and by mail.

Section 3. — Should the parties mentioned in the preceding para fail to request a hearing within ninety days from the effective date of this Order, then the said pending appeals shall be dismissed.

ARTICLE IV

REFERENCE TO ALLIED MILITARY GOVERNMENT

All references in the Law to the Minister of Agriculture and Forestry shall be referred to the Allied Military Government, Office of Agriculture and Fisheries.

ARTICLE V

EFFECTIVE DATE

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

Dated at TRIESTE, 2nd March 1948.

RIDGELY GAITHER

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

Order No. 164

REVISION OF DUTIES AND POWERS OF „CONSORZIO TERRITORIALE PER LA TUTELA DELLA PESCA“

WHEREAS it is deemed necessary to make certain amendments to the laws relating to the activity of the „Consorzio per la Tutela della Pesca nella Venezia Giulia“ in that part of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred as the „Territory“),

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

ORDER:

ARTICLE I

REPEAL OF GENERAL ORDERS 55, 81 AND 87

The provisions of General Orders No. 55 dated 19 June 1946, No. 81 dated 15 November 1946, and No. 87 dated 31 December 1946 are hereby repealed, and shall no longer be in force and effect.

ARTICLE II

REDESIGNATION OF „CONSORZIO“

Section 1. — The „Consorzio per la Tutela della Pesca nella Venezia Giulia“ is hereby redesignated and shall hereafter be known as:—„Consorzio Territoriale per la Tutela della Pesca“, (hereinafter referred to as „Consorzio“).

Section 2. — The offices of the Consorzio shall be located in Trieste, and it shall exercise its authority over all fresh and territorial waters of the Territory.

ARTICLE III

RESPONSIBILITIES OF CONSORZIO

In carrying out its duties the Consorzio shall cooperate with all other Authorities in the Supervision of sea fishing and in particular shall be co-responsible;

- a) for control of the development of young-fish (novellame);
- b) for control of fishing for young-fish and for the restocking of breeding grounds;
- c) for control of fishing in lagoons and in the areas of mixed waters;
- d) for control on the use of fishing-tackle;
- e) for increase and development of vally-culture and breeding of shell-fish (molluschi eduli);
- f) for causing adequate warning to be given to fishermen regarding waters which are dangerous due to the presence of mines.

ARTICLE IV

SPECIAL DUTIES AND FUNCTIONS

The Consorzio in the performance of the duties above referred to shall also have the following rights and functions :

- 1) Priority in the creation and cultivation of fish-ponds, fish-valleys and breeding-places of shell-fish (molluschi eduli) ;
- 2) The custody, collection, and periodical publication of statistical data of catches ;
- 3) The constitution of a fund for the distribution of subsidies to injured fishermen and for granting of loans to fishermen in need ;
- 4) To give advice and technical assistance on sea-fishing ;
- 5) To take care of the professional instruction of fishermen and the diffusion of fishing education ;
- 6) To perform such other services as may be ordered by the Office of Agriculture and Fisheries Allied Military Government, Free Territory of Trieste and by the Port Directorate.

ARTICLE V

PAYMENTS AND ASSISTANCE TO CONSORZIO

Section 1. — All Communes, fish-market-directors, para-statal bodies, societies and private persons in the Territory shall furnish the Consorzio with all data required for the performance of its duties, upon request from the office of Agriculture and Fisheries.

Section 2. — All owners and masters of ships and boats used for sea-fishing shall be registered with the Consorzio and shall pay a contribution each January, of an amount to be fixed annually by the Consorzio, and approved by the Agriculture and Fisheries Officer Allied Military Government, Free Territory of Trieste.

Section 3. — All profits accruing to the Consorzio from any of its operations under this Order, shall be deposited in the fund created for assistance to fishermen in need. (Article IV para 3).

Section 4. — All producers shall be required to pay to the Consorzio the sum of 0.50 per cent ($\frac{1}{2}$ of 1%) of the value of the fish brought by them to the wholesale markets of the Territory.

ARTICLE VI

CONSORZIO PRESIDENT AND BOARD

Section 1. — The Consorzio shall be presided over by a President, appointed by the Agriculture and Fisheries Officer Allied Military Government, who shall also have the power to remove him at will.

Section 2. — A Board of two persons is hereby created one of whom shall be designated by the Agriculture and Fisheries Officer and the other, by the Advisory Committee established in the following Article. The Board shall render all assistance required to enable the President to properly carry out all of his functions.

ARTICLE VII

ADVISORY COMMITTEE

Section 1. — An Advisory Committee is hereby established to consist of the following members, who shall be appointed by the Agriculture and Fisheries Officer :

- a)* One representative of the Harbour-Master's Office (Capitaneria di Porto) ;
- b)* One official of the Forestry-guards ;
- c)* One official of the Genio Civile designated by the Chief Public Works Officer of Allied Military Government ;
- d)* One representative of the Chamber of Commerce, Industry and Agriculture ;
- e)* One representative of the Commune of Trieste ;
- f)* One representative of the Federazione Cooperative e Mutue ;
- g)* One representative of the Cassa di Risparmio ;
- h)* One representative of fish-mongers ;
- i)* One representative of fish industrialists ;
- j)* One representative of professional fishermen in sea-waters for each fishing center of the Territory ;
- k)* One biological expert.

Section 2. — The said Advisory Committee shall convene at least twice each year and render advice in all matters pertaining to the activities of the Consorzio.

Section 3. — Membership on the Advisory Committee shall be honorary, and no member thereof shall be entitled to remuneration for his services.

Section 4. — The Agriculture and Fisheries Officer shall be empowered to remove any member of this Committee at his discretion.

ARTICLE VIII

SUPERVISION BY ALLIED MILITARY GOVERNMENT

The Consorzio, its officials and members shall be under the supervision and control of Allied Military Government and shall comply with all orders and instructions received by them.

ARTICLE IX

EFFECTIVE DATE

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

Dated at TRIESTE, this 2nd day of March 1948.

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

Order No. 175

CREATION OF A PROFESSIONAL FISHING SCHOOL

WHEREAS it is deemed necessary and opportune to provide for the technical education of fishermen within that Zone of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“); and

WHEREAS in accordance with Article 63 of R. D. 8 October 1931 No. 1604 Special Schools may be set up for the technical education of fishermen;

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

ORDER:

ARTICLE I

ESTABLISHMENT OF „PROFESSIONAL FISHING SCHOOL“

A school for the technical instruction of fishermen is hereby established in the Zone, under the title of „Professional Fishing School“ (hereinafter mentioned as the „School“), with its principal office in Trieste.

ARTICLE II

SUPERVISION OF „SCHOOL“

The School shall be supervised by the „Consorzio Tutela Pesca“ and „Consorzio per l'Istruzione Tecnica“ jointly, in compliance with a „Regolamento“ and a syllabus (Programma) to be prepared by the a/m Consorzi and approved by the Office of Agriculture and Fisheries, Education Office and the Port Directorate.

ARTICLE III

DIPLOMAS AND CERTIFICATES

Students successfully completing the Course of instruction at the school shall be awarded a Diploma or Certificate upon graduation. The diploma shall entitle the student to obtain the „Libretto di Matricola“ upon application.

ARTICLE IV

DIRECTOR AND INSTRUCTORS

Section 1. — The Director of the School shall be appointed by the Agriculture and Fisheries Office upon proposals presented by the „Consorzio Tutela Pesca“ and „Consorzio per l'Istruzione Tecnica“, with the advice of the Sovraintendenza Scolastica.

Section 2. — No person appointed as Director from the „Di ruolo“ list, shall forfeit or lose his rights, benefits and privileges to which he was entitled under the „Di Ruolo“ regulations. During the tenure of this office as Director, his name shall remain inscribed on the „Di Ruolo“ list.

Section 3. — Teaching personnel shall be appointed by the Agriculture and Fisheries Office, upon the proposal of the Director of the School, with the advice of the Consorzi mentioned in the preceding Section and of the Sovraintendenza Scolastica.

ARTICLE V

COMMENCEMENT OF SCHOOL

All phases of instruction contemplated by the „School“ shall commence on or about 15 March 1948, and notice thereof shall be published by the school in the Local Press.

ARTICLE VI

EFFECTIVE DATE

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

Dated at TRIESTE, this 2nd day of March 1948.

RIDGELY GAITHER

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

Order No. 185

EXTENSION OF EXPROPRIATION TIME LIMIT IN COMMUNE OF TRIESTE BUILDING PLAN

WHEREAS, by reason of war conditions and other reasons beyond normal control, the building plan for the Commune of Trieste lying in that Zone administered by the British-United States Forces, could not be completed within the time limit of 19 December 1945 as fixed by Royal Decree dated 19 December 1940; and

WHEREAS it is considered of urgent necessity and public utility to extend the time limit set by the Royal Decree for the expropriation of that property covered in the general building plan for the Commune of Trieste, for an additional period of 5 years; and

WHEREAS the Genio Civile in conjunction with the Department of Public Works consider this extension vital to the completion of the building project by 1950;

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

ORDER:

ARTICLE I

Section 1. — The expropriation of property necessary to complete the general building plan for the Commune of Trieste, for an additional period of 5 years from 19 December 1945 to terminate 19 December 1950, is hereby declared of urgent necessity and public utility.

Section 2. — That the time limit, to wit 19 December 1945, heretofore fixed by Royal Decree dated 19 December 1940 for the expropriation of property in general building plan for the Commune of Trieste, be and the same is hereby extended for an additional period of 5 years from its expiration date, to terminate on 19 December 1950.

Section 3. — The provisions of R. D. L. No. 613, dated 4 April 1935, shall remain in full force and effect insofar as the same pertains to the detailed building plan embracing the Commune of Trieste.

ARTICLE II

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

Dated at TRIESTE, this 4th day of March 1948.

RIDGELY GAITHER

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

Order No. 126

INCREASE OF TAX FOR UNLOADING OF GOODS IMPORTED FROM ABROAD

WHEREAS it is considered advisable and necessary to increase the tax for the unloading of goods imported from abroad and unloaded in the harbours and bays of the Zone of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“);

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

ORDER:

ARTICLE I

The tax for the unloading of good simpported from abroad and unloaded in the harbours and bays of the Zone, set forth in Article I of R. D. L. 21 December 1931, No. 1592, converted into the Law 6 June 1932, No. 891, and amended by Article 2 of the Law 14 March, No. 240, is hereby increased as follows:

- a) Lire 10 per ton for phosphates, nitrates (except soda-nitrate) and building materials for the construction of walls.
- b) Lire 30 per ton for other goods.

ARTICLE II

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

Dated at Trieste, this 6th day of March 1948.

RIDGELY GAITHER

Brigadier General, U. S. Army

Director General, Civil Affairs

Order No. 188

INCREASE IN „INDEMNITY FOR BREAD“

WHEREAS, in consequence of a new increase in the price of the bread it is deemed advisable and necessary to increase the daily rate of the temporary indemnity established by Order No. 367 of Allied Military Government, Venezia Giulia, dated 31 May 1947, and subsequent amendments thereto, 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,

ORDER:

ARTICLE I

INCREASE IN INDEMNITY

With effect from 12 January 1948, the temporary indemnity for increased price of bread established by Order No. 367, dated 31 May 1947, and subsequent amendments thereto, shall be and is hereby fixed at a daily rate of Lire 28.

ARTICLE II

EFFECTIVE DATE OF ORDER

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

Dated at Trieste, this 8th day of March, 1948.

RIDGELY GAITHER

Brigadier General, U. S. Army

Director General, Civil Affairs

Administrative Order No. 61

TEMPORARY PROMOTION OF SIG. QUAZZOLO CARLO TO THE POST OF CHIEF TECHNICAL MANAGER OF THE „AZIENDA DI STATO PER I SERVIZI TELEFONICI“

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

ORDER:

1. — QUAZZOLO Carlo, technical manager of „Azienda di Stato per i Servizi Telefonici“ is hereby temporarily promoted to the post of Chief technical manager (dirigente principale) of the said agency, with effect as from 1 March 1948.

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

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

RIDGELY GAITHER

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

Administrative Order No. 64

APPOINTMENT OF SIGNOR MARIO FUMI AS MANAGER OF THE „UFFICIO METRICO E DEL SAGGIO E MARCHIO METALLI PREZIOSI“

WHEREAS by Area Administrative Order No. 98 dated 10 September 1947, Sig. Silvio STRETTI was appointed manager of the „Ufficio Metrico e del Saggio e Marchio Metalli Preziosi“ of Trieste, and

WHEREAS it is now desired to fill the vacancy created by the transfer of Sig. STRETTI to Rome,

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

ORDER:

1. — Sig. Mario FUMI is hereby appointed Manager of the „Ufficio Metrico e del Saggio e Marchio Metalli Preziosi“, Trieste, in place of Sig. Silvio STRETTI with effect from January 1, 1948.

2. — This appointment is to be regarded as temporary and shall continue until further Order of Allied Military Government.

3. — The functions of Sig. FUMI shall be limited to the administrative acts and to service of periodical control.

4. — This Order shall enter into effect on the date is signed by me.

Dated at TRIESTE, this 5th day of March 1948.

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

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