VENEZIA GIULIA

VUJA - KOPER KNJIŽNIGA Štev\_\_\_\_\_

# THE ALLIED MILITARY GOVERNMENT GAZETTE

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# Allied Military Government

VENEZIA GIULIA

# General Order No. 17 B

INCREASE IN PENSIONS FOR INVALIDISM, OLD AGE AND SURVIVORS, BASED UPON GENERAL COMPULSORY INSURANCE AND SPECIAL INSURANCE FUNDS SUBSTITUTING THE INSURANCE ITSELF

WHEREAS, by General Order No. 17 dated 13 October 1945, provision was made for increasing pensions for invalidism, old age and survivors based upon general compulsory insurance;

WHEREAS, by Order No. 101 dated 5 April 1946 and No. 193 dated 16 August 1946 provisions were made for extending to other special insurance funds, substituting the general compulsory insurance, the same increase in pensions as provided for by General Order No. 17, and

WHEREAS, it is deemed just and necessary to make provisions for a higher increase in pensions for invalidsm, old age and survivors, based upon general compulsory insurance and special insurance funds, substituting the insurance itself, in that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory"),

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

#### INCREASE IN PENSIONS

Section 1. — The amount of the increase in pensions for invalidism, old age and survivors paid or payable within the Territory, on the basis of general compulsory insurance, established in Art. II and VI of General Order No. 17 is hereby substituted by the amounts listed in the following table:

NCREASE			RATES	SOF	YEARI	LY	PF	ENSI	ON
700%	on	the	first	lire	1,350	an	d i	nferi	or amounts
260%	,,	,,	excess	from	1.350	up	to	lire	2.000
254%	35	,,	. ,,	,,	2.000	,,	,,	,,	2.650
235%	,,	,,	,,	,,	2,650	,,,	,,	,,	3.300
. 222%	,,	,,	,,	,,	3.300	,,	"	11	3.950
208%	,,	,,	,,	,,,	3.950	,,	,,	.,,	4.600
194%	,,	.,,	, ,,	,,	4.600	,,	,,	"	5.250
180%	"	,,	,,	,,	5.250	,,	,,	,,	5,900
166%	,,,	,,	,,	,,	5.900	,,	,,	,,	6.550
152%	,,	,,	,,	,,	6,550	,,	,,	,,	7.200
138%	,,	,,	,,	***	7.200	,,	,,	"	7.850
125%	,,,	**	· · · · · · · · · · · · · · · · · · ·	,,	7.860	"	>>	,,	8.500

#### INCREASE RATESOF YEARLY PENSION

110%	,,	,,	excess	from	8.500	up	to	lire	9.150
97%	,,	,,	,,	,,	9.150	,,	,,	,,	9.800
83%	٠,,	,,	,,	,,	9.800	,,	,,	,,	10.450
70%	,,	,,	,,	,,	10.450	,,	,,	,,	11,100
55%	,,	***	,,	,,	11,100	"	"	,,	11.750
42%	.,	,,	,,	,,	11.750	,,	,,	,,	12.400
36%	,,	,,	,,		12,400				

Section 2. — Article III, Section 1, General Order 17 is hereby revoked and in lieu thereof shall be substituted:

"Section 1. — Minimum pensions for old age and invalidism are hereby established as follows:

- a) For old age, to a yearly amount of 10.800 Lire for men For old age, to a yearly amount of 8.640 Lire for women
- b) for invalidism to a yearly amount of 8.640 Lire for men for invalidism to a yearly amount of 6.480 Lire for women
- c) the above minimum amounts shall be increased respectively by 10 (ten) percent for each child dependent upon the pensioner, in accordance with and subject to the conditions set forth in Article 12 of R. D. L. 14 April 1939, No. 636".

#### ARTICLE H

#### SPECIAL INSURANCE FUNDS

The new amounts of increase in pensions for invalidism, old age and survivors and new minimum pensions, set forth in Art. I, Section 1 and 2 of this Order shall be also applicable to all existing and future pensions based upon those special insurance funds, substituting general compulsory insurance, for which the increase in pensions has already been provided, or shall subsequently be provided with the same amount and regulations, established in General Order N. 17 dated 13 October 1945.

#### ARTICLE III

#### EFFECTIVE DATE OF ORDER

This Order shall become effective as and from 1 June 1946.

TRIESTE, 8th October 1946.

ALFRED C. BOWMAN Colonel, J.A.G.D.

Senior Civil Affairs Officer

### ALLIED MILITARY GOVERNMENT VENEZIA GIULIA

# General Order No. 25 C

# AMENDMENTS TO GENERAL ORDER No. 25 — MODIFICATION OF CERTAIN PROVISIONS RELATING TO INCOME TAX AND SUPER TAX ON INCOME OF WORKERS

WHEREAS, it is deemed advisable to modify certain provisions of General Order N. 25 relating to Income Tax and Super Tax on Income of workers in those parts of Venezia Giulia that are administered by the Allied Forces (hereinafter referred to as the "Territory");

NOW, THEREFORE. I. ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer.

#### ORDER:

#### ARTICLE I.

The minimum taxable income established by Art. 16 of General Order No. 25, for the income supertax is increased to L. 60.000.

#### ARTICLE H.

The amount which may be deducted from the income for each member of a family established by Art. 15 of General Order No. 25, is hereby increased for every person dependent on the tax-payer, to L. 10.000, or L. 20,000 under the conditions provided for by Art. 14 of R.D.L. No. 1542, 21 August 1937, converted into Law No. 1. 3 January 1939.

#### ARTICLE III.

The super tax shall be applied as set forth in the income table published as appx. "A" in the Ordinary Supplement of the Italian Gazzetta Ufficiale No. 207 of 13 September 1946. The said income table will be considered as a part of this Order and will be deposited at the Office of each Area President and of each Intendente di Finanza in the Territory.

#### ARTICLE IV.

Deductions of super tax on workers incomes classified in category C/2, shall be made on the amounts assessed for income tax.

#### ARTICLE V.

The minimum taxable income fixed by Art. 10 of General Order No. 25 is hereby increased to L. 84,000 for workers incomes in Category C/2.

As to the incomes of every wage period exceeding the exempt quota of L. 12.000, in terms of Art. 5 of General Order N. 25, the income tax shall be applied at the following rates:

from	L.	84.000	to	L.	96,000	per	annum	 4%	rate
from	L.	96.001	to	L.	108.000	per	annum	 6%	rate
over	L.	108,000	pe	r a	nnum			 8%	rate

The above mentioned rates shall be reduced by one half for workers (operai).

#### ARTICLE VI.

The limits of exemptions granted to large families by Art. 1, letter a) and b) of the Law No. 1312, 14 June 1928 and by Art. 26 of General Order No. 25 are hereby increased to L. 200,000.

#### ARTICLE VII.

The provision of Art, 1, 2, 3 and 6 of this Order shall come into force from 1st January 1947.

The provisions of Art. 4 and 5 shall become operative from the wage period in course on 1st November 1946.

#### ARTICLE VIII.

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

Dated at TRIESTE, this 8th day of October 1946.

ALFRED C. BOWMAN

Colonel, J.A.G.D. Senior Civil Affairs Officer

VENEZIA GIULIA

# General Order No. 61 F

#### AMENDMENT TO GENERAL ORDER No. 61 - NEW PRICE OF INDIAN CORN

WHEREAS by General Order No. 61 provisions were made to establish a basic price of vital supplies for the population of those parts of Venezia Giulia administered by the Allied Forces, and

WHEREAS Article X, last para, of said General Order provides that the price for Indian corn will be fixed by the Allied Military Government in a subsequent public notice, and

WHEREAS it is now considered necessary to fix the price for Indian corn,

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

# NEW BASIC PRICE FOR INDIAN CORN AND PREMIUM FOR AMASSING AT THE ...GRANARIES OF THE PEOPLE"

In accordance with the last paragraph of Article X, General Order No. 61 dated June 17, 1946, the basic price for Indian corn shall be fixed at 1600 lire per quintal. A premium of 300 lire per quintal shall be paid for early amassing of such corn at the "Granaries of the People".

#### ARTICLE II

#### TIME LIMIT OF DELIVERY

All Indian corn shall be delivered to the "Granaries of the People" on or before December 31st, 1946.

#### ARTICLE III

#### EFFECTIVE DATE

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

Dated, at TRIESTE, this 15th day of October, 1946.

ALFRED C. BOWMAN

Colonel J.A.G.D.

Senior Civil Affairs Officer

# ALLIED MILITARY GOVERNMENT VENEZIA GIULIA

## General Order No. 74

# TEMPORARY CHARACTER OF APPOINTMENTS AND PROMOTIONS OF PERSONNEL OF CIVIL ADMINISTRATIONS MADE BY THE ALLIED MILITARY GOVERNMENT

WHEREAS the Allied Military Government has made, within the limits of that part of Venezia-Giulia administered by the same (hereinafter referred to as the "Territory"), appointments and promotions of personnel belonging to the different Civil Administrations, and

WHEREAS it has been considered that such appointments and promotions, though having always a provisional and temporary character and being subject to the consideration that their duration is limited to that of the Allied Military Government Administration in the Territory, have not always been qualified as provisional and temporary, and whereas it is therefore advisable to state such character expressly and in a general way;

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

# NATURE OF APPOINTMENTS AND PROMOTIONS OF CIVIL ADMINISTRATIONS PERSONNEL MADE BY THE ALLIED MILITARY GOVERNMENT

All appointments and promotions of personnel belonging to the different Civil Administrations of the Territory made by the Allied Military Government from 12 June 1945 up to the effective date of this Order and those which will be made after the latter date shall be considered of a provisional ("provvisoria") and temporary ("temporanea") nature.

The said appointments and promotions will be effective for the periods indicated therein as long as they are not revoked by the Allied Military Government or by the Authority which will succeed to it in the Administration of the Territory.

#### ARTICLE II

#### EFFECTIVE DATE

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

TRIESTE, 22 October 1946

ALFRED C. BOWMAN

Colonel, J.A.G.D. Senior Civil Affairs Officer

### ALLIED MILITARY GOVERNMENT VENEZIA GIULIA

# General Order No. 77 (41 D)

#### SPECIAL COURT OF ASSIZE

WHEREAS, by Proclamation No. 5 the Special Court of Assize was constituted for the purpose therein proclaimed, for a period of six months expiring on the 8th day of February, 1946;

WHEREAS, by General Order No. 41, dated the 25th day of January 1946, the Special Court of Assize as constituted by Proclamation No. 5 was continued for a period of 3 months expiring on 8th May 1946;

WHEREAS, by General Order No. 41 B, dated the 18th day of April, 1946, the Special Court of Assize as constituted by Proclamation No. 5, was continued for another period of 3 months expiring on 8th August 1946;

WHEREAS, by General Order No. 41 C, dated the 2nd day of August 1946, the Special Court of Assize as constituted by Proclamation No. 5 was continued for a further period of 3 months expiring on 8th November 1946; and

WHEREAS, it is deemed necessary to prolong the jurisdiction of the said Special Court of Assize for a further period;

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer, hereby

#### ORDER:

#### ARTICLE I

The Special Court of Assize as constituted by Proclamation No. 5 shall continue its functions for a further period of three months as from the 8th day of November 1946.

#### ARTICLE II

The jurisdiction of the Court and all its powers and duties specified in Proclamation No. 5 shall continue in full force and effect as if the Proclamation had constituted the said Court for the said further period of three months from the 8th day of November, 1946.

#### ARTICLE III

This Order shall become effective in the Territory on the 8th day of November. 1946.

Dated at TRIESTE, this 17th day of October, 1946.

ALFRED C. BOWMAN

Colonel, J.A.G.D.
Senior Civil Affairs Office

#### VENEZIA GIULIA

# General Order No. 78

#### EXTENSION OF TIME LIMITS

WHEREAS it is deemed necessary to extend certain time limits relating to General Order No. 70, 39 and Order No. 149 in those parts of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory").

NOW, THEREFORE. I. ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civi Affairs Officer,

#### ORDER:

#### ARTICLE 1

The special facilities granted in Article 21 of General Order No. 39 are hereby extended to 31 December 1946 and shall be applicable to proceedings commenced and not yet concluded on April 15, 1946, and to proceedings originating from claims and declarations respectively registered and paid for on or before 15 April 1946.

#### ARTICLE 2

On or before 31 December 1946 the Finance Administration may consent subject to payment within five days of the tax established by compromise, to an equitable up to 15% of the value estimated by the said Administration of any property transferred the assessment of which has become definite after 10 June 1940 and prior to 15 April 1946.

#### ARTICLE 3

Article I of Order No. 149 dated 15 June 1946 is hereby revoked and in lieu thereof shall be substituted:

"The time limit established by R. D. L. 25 October 1941, No. 1148 for the annulment of non-registered shares of Joint Stock Companies not yet converted into registered shares is hereby extended to 31 December 1946".

#### ARTICLE 4

The time limit established by Article 45, Section 1 of General Order No. 70 is hereby extended to 31 December 1946.

#### ARTICLE 5

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

TRIESTE, this 24th day of October 1946.

ALFRED C. BOWMAN
Colone, J.A.G.D.
Senior Civil Affairs Officer.

VENEZIA GIULIA

### Order No. 203

#### SOCIAL INSURANCE OF WORKERS EMPLOYED BY THE ALLIED FORCES

WHEREAS it is deemed advisable and necessary to make provisions for the Social Insurance of those workers (both clerical and manual) employed by the Allied Forces in that part of Venezia Giulia administered by the same Forces (hereinafter referred to as the "Territory"):

NOW, THEREFORE I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

#### BENEFITS GRANTED

Section 1. — Those workers employed by the Allied Forces within the Territory shall enjoy the benefits granted under the compulsory Insurance based on existing legislation and on the provisions of the present Order, for the following classes of Insurance: Old Age and Invalidism: Involuntary Unemployment; Tuberculosis; Marriage and Birth; Occupational Accident and Occupational Disease; and Sickness.

Section 2. — Terms and conditions of the benefits under the compulsory Old Age and Invalidism. Unemployment, Tuberculosis, Marriage and Birth Insurance shall be calculated as if the maximum contributions laid down in the schedules annexed to R. D. L. 14 April 1939, No. 636 as amended by R. D. L. 18 March 1943 No. 126 would have been paid.

# ARTICLE II

# FORMALITIES TO BE COMPLIED WITH TO OBTAIN BENEFITS AND RECOGNITION OF SERVICE TERMS

Section 1. — For the purpose of obtaining the benefits referred to in Article I, hereof, or the recognition of the period of service in the employment of the Allied Forces, those entitled thereto shall file with the Insurance Institute, jointly with their application, an appropriate certificate to be issued by the respective Units of the Allied Forces. Such certificates shall be given on CMF Form 92 (SI-1) in the case of the service being terminated or suspended in consequence of sickness or occupational accident; or on CMF Form 93 (SI-2) if the benefits are due in respect of family dependents of the worker, or of occurrences (marriage, birth and death) happening while the worker is employed by the Allied Forces.

Section 2. — The recognition of the periods of service referred to in the preceding Section may be applied for jointly with the claim for benefits, or independently therefrom, after the termination of the service.

#### ARTICLE III

#### ONUS OF BENEFITS

Section 1. — Pen ling the issue of final regulations, the expenditure incurred into for the payment of benefits, including the shares of pensions and installments of annuities payable by virtue of Article I hereof shall be reimbursed by the Allied Military Government to the Social Insurance Institutes concerned as follows:

- a) Sickness, Labour Accident and Occupational Diseases Insurance: in toto;
- b) Unemployment, Tuberculosis, Marriage and Birth Insurance: in those cases, where the title to receive benefits is (totally or partially) derived from the contributions considered as paid under the employment with the Allied Forces: — in toto; in all other cases the benefits are a charge of the respective Insurance Institute;
- c) Old Age and Invalidism Insurance: reimbursement in toto for the increase in pensions resulting from the addition of the virtual contributions referred to in Article I Section 2 hereof, to the contributions actually paid. The allowances paid to the survivors of the workers insured in terms of Articles 14 and 40 of R. D. L. 14 April 1939 No. 636 converted, with amendments, into Law of 6 July 1939 No. 1272 shall be reimbursed in an amount equal to the aggregate contributions credited in respect of the period of employment with the Allied Forces, provided the aggregate contributions for Old Age and Invalidism Insurance credited on the individual account are within the maximum and the minimum limits laid down for the payment of such allowances. Should the aggregate contributions credited on the individual account be less than the minimum limit, or in excess of the maximum limit, of the said allowances, a pro-rata reimbursement shall be made in accordance with the total amount of contributions credited for the period of employment with the Allied Forces.
- Section 2. Pending the issue of the above mentioned regulations, the administration expenses connected with the payment of the benefits referred to in the preceding Section may be reimbursed by the Allied Military Government in a lump sum.
- Section 3. The reimbursement of the said amounts shall be effected at the end of each financial year upon production of appropriate reports and accounts (rendiconti).
- Section 4. During the financial year the Allied Military Government may grant advance payments subject to adjustment on the grounds of the reimbursements due to Insurance Institutes in terms of the preceding Section.

#### ARTICLE IV

# REIMBURSEMENT OF ANNUITIES BASED ON ACCIDENT INSURANCE AND OF OLD AGE AND INVALIDISM PENSIONS

The Allied Military Government may pay to Institutes concerned in lieu of the annuities based on Accident Insurance and of the Old Age and Invalidism Pensions, the corresponding capital sums. The respective schedules shall be fixed in due course.

#### ARTICLE V

#### REIMBURSEMENT OF BENEFITS PAID PRIOR TO PRESENT ORDER

The Allied Military Government shall reimburse in terms of the preceding Articles also those benefits paid by the Insurance Institutes in favour of workers employed by the Allied Forces prior to the effective date of the present Order.

#### ARTICLE VI

#### EFFECTIVE DATE OF ORDER

This Order shall become effective upon such date as it is signed by me. Dated at Trieste 15th October 1946.

ALFRED C. BOWMAN
Colonel, J.A.G.D.
Senior Civil Affairs Officer

# ALLIED MILITARY GOVERNMENT

VENEZIA GIULIA

# Order No. 204 (40 B)

#### NUMBER OF WIRELESS OPERATORS ON SHIPS - RADIOTELEGRAPHY

WHEREAS, it is deemed necessary to establish regulations for the fitting of radiotelegraphic equipment and the employment of radio operators in ships registered at Trieste and at any port within that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory");

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel. J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

#### REPEAL OF ORDER No. 40

Order No. 40 is hereby revoked.

#### ARTICLE II

#### EMPLOYMENT OF WIRELESS OPERATORS

Section 1. — All merchant ships registered at Trieste or at any port within the Area controlled by the Allied Military Government shall conform to the rulings of the International Convention of Wireless Telegraphy of Cairo 1938.

Section 2. — The number of operators employed in a ship shall be as is governed by the International Convention of Wireless Telegraphy of Cairo 1938.

These operators must hold an international certificate of competency complying with the provisions of the General Regulations of the International Radiotelegraph Convention in force.

Section 3. — The operators may be either operators of the Società Italiana Radio Marittima or "Free operators".

#### ARTICLE III

#### EFFECTIVE DATE

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

Dated at Trieste, this 19 day of October 1946.

ALFRED C. BOWMAN
Colonel, J.A.G.D.
Senior Civil Affairs Officer

#### ALLIED MILITARY GOVERNMENT

VENEZIA GIULIA

## Order No. 208

# DECLARATION OF URGENT PUBLIC BENEFIT AND UTILITY CONSTRUCTION OF PUBLIC CIRCUIT ROAD, COMMUNE OF TRIESTE

WHEREAS, the construction of a public circuit road of Trieste (known as Circonvallazione), as per map on file in the office of the Communal Engineers of Trieste is deemed to be an urgent need for the public benefit and utility, and

WHEREAS, a proposal for the construction of said road by the Commune of Trieste has been approved by the Allied Military Government for the part between via Romagna and via Fabio Severo.

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I.

#### DECLARATION OF PUBLIC UTILITY

a) There is hereby declared to be an urgent need for the public benefit and utility, to construct a public circuit road of Trieste as described by map Annex A mentioned in Art. II between via Romagna and via Fabio Severo in accordance with the proposal therefore submitted by the Allied Military Government.

b) The above declaration shall be given and have all the effect of laws in force on 8 September 1943.

#### ARTICLE II.

#### EFFECT AND DEPOSIT OF THE ANNEXED MAP

Map Annex A mentioned in the foregoing Article shall be and is hereby made a part of this Order. It is deposited in the Public Work Office of Allied Military Government, Trieste and in the Office of the Communal Engineer of Trieste, and may be freely examined by all persons concerned.

#### ARTICLE III.

#### EFFECTIVE DATE

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

TRIESTE, 8 October 1946.

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ALFRED C. BOWMAN
Colonel, J.A.G.D.
Senior Civil Affairs Officer

# ALLIED MILITARY GOVERNMENT

VENEZIA GIULIA

# Order No. 221

# AGRICULTURAL WORKERS — COMMUNAL COMMISSIONS — MODIFICATION OF PROVINCIAL COMMISSIONS FOR DETERMINATION OF WORK DAYS

WHEREAS it has been deemed advisable and necessary to appoint Communal Commissions for the ascertainment of Agricultural Workers in that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory"), and

WHEREAS it is deemed advisable and necessary to modify the composition of existing provincial commissions for the determination of work days in Agriculture and Forestry,

NOW, THEREFORE I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

#### APPOINTMENT OF COMMUNAL COMMISSIONS

\* Section I.— In each Commune of the Territory a Commission shall be set up to ascertain and determine the number of agricultural workers, the amount of contributions ("con

tributi agricoli unificati") to investigate deficits with a view to elimination, to collect other relevant data and to ensure the proper performance of such directives of the Central Commission as are approved by Allied Military Government.

Section 2. — The Commission shall be comprised of the president of the Commune, or of a member of the Communal Council delegated by him as Chairman; of one representative of the employers and one representative of the agricultural workers chosen by the chairman after consultation with the local organizations, if any. The Commission shall be assisted by the chief of the local "Ufficio di Collocamento", or, this failing, by the chief of the "Ufficio di Collocamento" of a neighbouring Commune, and by the Secretary of the Commune or by an official of the Commune delegated by him.

Section 3. — The Commission shall be appointed by the President of the Commune. Its members shall remain in office for one year and may be re-appointed. No remuneration shall be due to them.

#### ARTICLE II

# MODIFICATION OF THE COMPOSITION OF EXISTING PROVINCIAL COMMISSIONS FOR THE DETERMINATION OF WORK DAYS IN AGRICULTURE AND FORESTRY

Section 1.— The members representing the employers' and workers' organizations in terms of Article 5 of R. D. 24 September 1940, No. 1949, shall be appointed by the President of the Area after consultation with the respective organizations of the Area, as follows: three representatives of the employers, and three representatives of the agricultural workers.

Section 2. — The Chief of the "Ufficio Tecnico Erariale" shall also be a member of the Commission.

#### ARTICLE HI

#### EFFECTIVE DATE

The present Order shall become effective upon such date as it is signed by me.

Dated at Trieste this 19th day of October 1946.

ALFRED C. BOWMAN

Colonel, J.A.G.D.

Senior Civil Affairs Officer

### ALLIED MILITARY GOVERNMENT VENEZIA GIULIA

# Order No. 236

TEMPORARY EMERGENCY ALLOWANCE ADDED TO CERTAIN LIFE ALLOWANCES OF THE "OPERA DI PREVIDENZA PER I PERSONALI CIVILE E MILITARE DELLO STATO" AND MODIFICATION OF THE CONSOLIDATED TEXT REGARDING SUCH ALLOWANCES

WHEREAS, it is considered desirable to increase the amounts of certain life allowances of the "Opera di previdenza per i personali civile e militare dello Stato" and to modify the provisions of the Consolidated Text approved by R. D. 26 February 1928 No. 619 in matters regarding the right to and the amounts of such allowances, in that part of Venezia Giulia administered by the Allied Forces (hereinafter called the "Territory"),

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### PART A

#### ARTICLE I

#### TEMPORARY EMERGENCY ALLOWANCE ADDED TO CERTAIN LIFE ALLOWANCES

A temporary emergency allowance of 720 lire per year shall be paid with effect from 1 January 1944, or from the date when the relative allowance commenced to accrue later, to:

- (a) pensioners enjoying life allowances (assegni vitalizi) payable or to be paid by the "Opera di previdenza per i personali civile e militare dello Stato" in terms of 'he Consolidated Text (Testo Unico) approved with R. D. 26 February 1928 No. 619.
- (b) pensioners enjoying life allowances granted or to be granted out of the funds of the former "Cassa di sovvenzioni" in terms of the above quoted Consolidated Text.

#### ARTICLE II

#### LIFE ALLOWANCE FOR WIDOWS

Article 16 of the above mentioned Consolidated Text is hereby amended to read and provide as follows:

"The life allowance (assegno vitalizio) shall be payable to the widow of the insured (iscritto) provided that she was not separated legally from her husband in virtue of a final judgement (passata in giudicato) fixing responsibility for the separation on her, or on both parties, and provided that the marriage took place before her husband's retirement from service.

If such marriage took place after the insured had completed his fiftieth year, such allowance shall not be payable to the widow unless the date of the marriage was at least one year earlier than that of the insured's retirement from service, or unless there was issue, including posthumous issue, of an earlier marriage".

#### ARTICLE III

#### LIFE ALLOWANCES FOR OTHER RELATIVES

Section 1. — Article 18 of the above mentioned Consolidated Text is hereby amended to read and provide as follows:

"If at the date of the insured's death the allowance is not payable in terms of Articles 16 and 17 above to the persons mentioned therein, application therefore may be made by the other relatives who satisfy the necessary conditions, in the following order of priority:

- spinster female children (orfane) and children (orfane) who are widows, both of whom
  were born of a marriage contracted before the insured's retirement from service
  and have completed their fortieth year;
- 2) the father of the insured, provided he is unable to work; or if he is deceased, the mother, provided she has not contracted another marriage, and is also unable to work; but the allowance shall not be payable to the father or mother when they have other children able to grant them subsistence (alimenti);
- 3) brothers, or spinster or widow sisters of the insured, provided that they are unable to work and that they have no other brothers or sisters, or ascendants or descendants able to grant them subsistence (alimenti).

Section 2. — Article 19 of the above — mentioned Consolidated Text is hereby amended to read and provide as follows:

"The insured's survivors specified in the above Article 18 shall be excluded from the granting of the life allowance when there are other survivors having priority who are entitled to a life allowance or to a pension.

When the pension or life allowance granted to the survivors specified in above Article 17 terminates with respect to those persons, the unmarried or widow female children shall be entitled to the said life allowance provided that at the date of such termination they have completed their fortieth year and are destitute (nullatenenti), and have been dependent on the insured for the two years preceding his death".

#### ARTICLE IV

#### INCREASE OF LIFE ALLOWANCES FOR WIDOWS AND OTHER PERSONS

Section r. — Article 23 of the above-mentioned Consolidated Text is hereby amended to read and provide as follows:

"The life allowances due to the widow, to the children and to the other relations of the insured, shall, with effect from 1 January 1945, be those specified in the Table attached to Order No. 236 dated October 15, 1946 for the last rate of salary "di diritto" enjoyed by the insured on active service (servizio attivo), including any allowances considered in the calculation of his pension".

 $Section\ 2.$  — Article 24 of the above-mentioned Consolidated Text is hereby amended to read and provide as follows:

"With effect from 1 January 1945, the allowances due to a widow shall be increased by 360.— lire for each minor or major child (orfano) unable to undertake paid employment, dependent upon her.

With effect from 1 January 1945, the allowances due to a group of children (orfani), of brothers, or of sisters, shall be increased by 360.— lire for each member of such group exceeding the first one".

Section 3. — The tables attached as Annexes a) and b) to the above-mentioned Consolidated Text shall be replaced by the Table attached to this Order.

#### ARTICLE V

#### RETIREMENT ALLOWANCE

Section 1. — Article 48 of the above-mentioned Consolidated Text is hereby amended by the addition of the following paragraph:

"For the categories of personnel whose subscriptions commenced after 1 January 1940, the service to be taken into account in the calculation of the retirement allowance (indennità di buonuscita) shall be that of the period during which subscriptions were paid".

Section 2. — Article 54 of the above-mentioned Consolidated Text is hereby amended to read and provide as follows:

"An employee who has already received payment of the retirement allowance and who is re-engaged may be paid a supplementary retirement allowance at the end of the second period of service provided that such second period is continuous for at least twelve months and is to be included for the purpose of calculating his pension.

The calculation of the supplementary retirement allowance shall be based on the salary enjoyed at the end of the second period of service and on the duration in years of such period".

Section 3. — Article 55 of the above-mentioned Consolidated Text is hereby repealed.

#### PART B.

#### ARTICLE VI

#### LIFE ALLOWANCES PAID OUT OF THE FUNDS OF THE FORMER "CASSA SOVVENZIONI"

Section 1. — Article 68 of the above-mentioned Consolidated Text is hereby amended to read and provide as follows:

"The life allowances out of the funds of the former "Cassa Sovvenzioni" shall be granted by selection according to qualifications (mediante concorso per titoli), to civilian permanent state clerks (impiegati) who retired from service prior to 1 February 1918 and to their survivors, as listed below, provided that they are not owners of a shop selling State monopoly goods (generi di privativa), and that they do not receive a fixed allowance paid by a public body:

- 1) former civilian permanent state clerks who retired from service because of illness or advanced age and are not entitled to pension;
- 2) a widow, without pension, provided that she has not been separated legally from her husband in virtue of a final judgment (passata in giudicato) fixing responsibility for the separation on her, or on both parties, and provided that the marriage was contracted before her husband's retirement from service;

- 3) a child without pension who is a minor or a major unable to undertake paid employment because of mental cr physical defect, a spinster or a widowed female who has completed her fortieth year, provided that the father's marriage took place before his retirement from active service and that the mother is not still a widow and alive;
- 4) parents.

A third of the allowances to be granted by selection may be granted to former civilian Permanent state clerks who retired from service after 1 February 1918, and to their survivors specified in the preceding paragraph, provided that they are without a pension and have no right to an allowance payable by the "Opera di previdenza".

The relative applications and documents shall be exempt from stamp duties."

Section 2. — Article 69 of the above-mentioned Consolidated Text is hereby amended to read and provide as follows:

"The acceptance of such application (ammissione a concorso) shall further be subject to the following conditions:

- a) that for former clerks, two years shall have elapsed from the date on which they obtained the right to the lump sum allowance (indennità per una volta tanto);
- b) that as regards widows and children four years have elapsed from such date;
- c) that children, male or female, have no brothers or sisters enjoying a pension, or allowances granted them as survivors of the same employee."

Section 3. — Article 74 of the above-mentioned Consolidated Text is hereby amended to read and provide as follows:

"The allowances enjoyed by widows shall, on their death or remarriage, be transferred in favour of the children who are minors, or majors unable to undertake paid employment, or females who have completed their fiftieth year.

Whenever one or more children (orfani), or one or more major unmarried daughters of the same father, who jointly enjoy an allowance, ceases for whatsoever reason to participate in such enjoyment, his, her or their share shall accrue in favour of the surviving participants".

Section 4. — Article 72 of the above-mentioned Consolidated Text is hereby amended to read and provide as follows:

"The allowances to be granted out of the funds of the former "Cassa sovvenzioni" shall be payable in the following amounts:

- a) for clerks, from 1200 lire to 1800 lire per annum, according to their grade and to the salary received;
- b) for a widow with a child or children who are minors or majors unable to undertake paid employment, 1200 lire per annum;
- c) for a widow without children, or with major children, and for children (orfani),1000 lire per annum;
- d) for parents, 800 lire per annum.

The allowances shall be granted with effect from 1 January of the year subsequent to that in which applications are called for (bando di concorso)".

#### ARTICLE VII

#### EFFECTIVE DATE

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

Dated at TRIESTE, this 15 day of October 1946.

ALFRED C. BOWMAN
Colonel, J.A.G.D.
Senior Civil Affairs Officer

# TABLE OF LIFE ALLOWANCES PAYABLE TO WIDOWS AND OTHER SURVIVORS OF PERSONS WHO SUBSCRIBE TO THE "OPERA DI PREVIDENZA" AS FROM 1 JANUARY 1945.

on th	y "di diritto" e date of cess cluding the a computed fo	sation from allowances to	service, be		nce payable ne widow	Allowances payable to the children (orfani), to the brothers, to the sisters and to the		
			-:			pε	rents	
	up to	L. 10.000		L.	1.380	L.	1.260	
	L. 10,001	,, 12.500		,,	1.680	,,	1.440	
	,, 12.501	,, 15.000		,,	1.980	,,	1.620	
	,, 15.001	,, 17.500		,,	2.280	,,,	1.800	
	,, 17.501	,, 20.000		,,,,	2.580	,,	1.980	
	,, 20.001	,, 25.000		,,,	2.880	,,	2.160	
	,, 25.001	,, 30.000		,,	3.180	,,	2.340	
	., 30.001	,, 35.000		,,	3.480	,,	2.520	
	,, 35.001	,, 40.000		.,	3.780	,,	2.700	
	,, 40.001	,, 45.000		,,,	4.080	,,	2.880	
ver	,, 45,000		1		4.380	,,	3.060	

### VENEZIA GIULIA

## Order No. 237

# ESTABLISHMENT OF COMMISSIONS FOR THE MANAGEMENT OF CERTAIN COMMERCIAL ROLLS

WHEREAS by R. D. of 20 September 1934, No. 2011, Law of 31 December 1931 No. 1806, R. D. L. of 20 April 1936 No. 707, Law 29 April 1940, No. 496 and Law 14 November 1941, No. 1442, the exercise of certain commercial undertakings and activities are controlled by means of registration in special rolls;

WHEREAS registration in these rolls are subject to approval of the Commissions (herein after referred to as "Commissions") appointed under the above legislation;

WHEREAS as a consequence of General Order No. 4 these Commissions can no longer function;

WHEREAS the above mentioned legislation provided for appeal against the decisions of such Commissions to certain central Commissions outside that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory");

WHEREAS it is deemed necessary to re-establish such Commissions in the Territory and to make provisions for appealing against the decisions of the Commissions within the Territory

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

#### APPOINTMENT OF COMMISSIONS

Section 1.— The Commissions shall consist of the same number of members as provided for in Article 32 No. 3 of "Testo Unico" of the Laws regulating the former Provincial Economic Councils approved by R. D. of 20 September 1934 No. 2011, under Article 8 of the Law of 31 December 1931 No. 1806, under Article 6 of R. D. L. of 20 April 1936 No. 707, under Article 6 of the Law of 29 April 1940 No. 496 and under Article 9 of the Law of 14 November 1941 No. 1442, but the members of such Commissions shall be appointed as hereinafter provided.

Section 2. — The members of the Commissions whose functions are limited to the jurisdiction of a single Chamber of Commerce shall be nominated by that Chamber of Commerce after consultation with the interested syndical organizations.

The members of the Commissions whose functions are not limited to the jurisdiction of a single Chamber of Commerce ("Spedizionieri" and "Agenti marittimi raccomandatari") shall be nominated by the Chamber of Commerce where such Commissions have their seat after consultation with the other interested Chambers of Commerce and syndical organizations.

Section 3. — Where the legislation specified in Section 1 requires that the President of a Commission be a judicial magistrate, such President shall be nominated by the President of the local Court of Justice (Tribunale).

Section 4. — No person shall be nominated as a member of any of the Commissions if a definite epuration order has been made against him or against whom proceedings of epuration are pending.

Section 5. — Persons nominated as members of the Commissions will be appointed by the Area Commissioner. The Area Commissioner may also remove such members from their appointment.

#### ARTICLE II

#### OPERATION OF THE COMMISSIONS

Except as otherwise stated in this Order the Commissions shall operate and function in accordance with the legislation specified in Section 1 Article I as well as all other orders and instructions which may be issued from time to time by Allied Military Government.

#### ARTICLE III

#### ESTABLISHMENT OF THE CENTRAL COMMISSION OF APPEAL

Section 1.— A central Commission of Appeal is hereby established at the Chamber of Commerce of Trieste with the jurisdiction over the Territory. It will be the duty of the Central Commission of Appeal to decide all appeals brought before it against decisions of the Commissions.

Section 2. — The Central Commission of Appeal shall consist of six members who will be appointed by the Area Commissioner after nomination by the Giunta of the Chamber of Commerce of Trieste.

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

#### ARTICLE IV

#### EFFECTIVE DATE

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

Dated in Trieste, this 13 day of October 1946.

ALFRED C. BOWMAN

Colonel, J.A.G.D Senior Civil Affairs Officer

#### VENEZIA GIULIA

# Order No. 245

# ESTABLISHING OF ELEMENTARY SCHOOL TEACHER'S COURSES FOR THE IMPROVEMENT IN THE CROATIAN LANGUAGE

WHEREAS, it is considered advisable and necessary, to establish Elementary School teacher's courses for the improvement in the Croatian language;

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

#### TEACHERS COURSE FOR IMPROVEMENT IN CROATIAN LANGUAGE

Section r. — The Elementary School Teacher's courses for improvement in the Croatian language shall be held in the Normal Teacher's School at Pola.

Section 2. — The courses shall open on the 1st of October 1946 and shall last six months.

Section 3. — The program of the courses shall include the following subjects:

Croatian language (11 hours per week)

History (2 hours per week)

Geography (2 hours)

Didactics (2 hours)

General pedagogy ( 1 hour).

#### ARTICLE II

#### ATTENDANCE

Section 1. — All teachers who during the scholastic year 1945 - 1946 taught in Croatian public elementary schools in the Territory administered by the Allied Forces and who are not in possession of a teacher's certificate of some Croatian teacher's School shall be obliged to attend these courses without regard to their qualifications and number of their teaching years.

Section 2. — Candidates who are in possession of a teacher's certificate of an Italian teacher's School and have a sufficient knowledge of the Croatian language but are not employed in Croatian Elementary School in this Territory may voluntarily attend these courses. These candidates shall pay all fees as prescribed by Allied Military Government.

#### ARTICLE III

#### **EXAMINATION AND CERTIFICATES**

- Section 1. At the end of the courses an examination shall be conducted in accordance with the directives issued by Allied Military Government.
- Section 2. The certificate testifying that the candidate has passed such examination with a satisfactory grade, shall qualify him or her to teach in the Elementary Schools with Croatian language of Instruction.
- Section 3. Only such teachers as are provided with such certificate shall be admitted to teach in Croatian public Elementary Schools.

#### ARTICLE IV

#### SALARIES OF INSTRUCTORS

The instructors who conduct said courses shall get a special indemnity of net 13.000 Lire monthly.

#### ARTICLE V

#### ADMINISTRATION

The Superintendent of Schools at Pola shall be responsible for the administration of this Order.

#### ARTICLE VI

#### EFFECTIVE DATE

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

Dated at Trieste, this 17th day of October, 1946.

ALFRED C. BOWMAN

Colonel, J.A.G.D. Senior Civil Affairs Officer

VENEZIA GIULIA

# Order No. 246

#### LEGAL RECOGNITION OF PARROCCHIA DI S. NICOLO' IN ARIS (MONFALCONE)

WHEREAS it is considered advisable and necessary to proceed to the legal recognition of Parrocchia di S. Nicolò in Aris (Montalcone).

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D. Senior Civil Affairs Officer, hereby

#### ORDER:

#### ARTICLE I

#### LEGAL RECOGNITION OF PARROCCHIA DI S. NICOLO' IN ARIS (MONFALCONE)

The Parrocchia di S. Nicolò in Aris (Monfalcone) shall be and hereby is legally recognized

#### ARTICLE II

#### EFFECTIVE DATE

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

Dated Trieste 13th October 1946.

ALFRED C. BOWMAN
Colonel, J.A.G.D.
Senior Civil Affairs Officer

## ALLIED MILITARY GOVERNMENT

VENEZIA GIULIA

# Order No. 247

#### RESTRICTIONS ON FISHING IN FRESH WATERS

WHEREAS, it is considered advisable and necessary to establish a stricter control on fishing in fresh waters in that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory"); and

WHEREAS, General Order No. 55, dated 19 June 1946, issued by the Allied Military Government and providing for the re-organization of the "Consorzio per la tutela della Pesca nella Venezia Giulia" has been considered;

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

#### PERIOD OF PROHIBITION OF FISHING IN FRESH WATERS

Fishing of all kinds in fresh waters is hereby prohibited in all parts of the Territory from 15 October 1946 to 28 February 1947.

#### ARTICLE II

#### SPECIAL LICENSES FOR FISHING IN FRESH WATERS

Section 1. — In periods other than the one specified in Article I hereof fishing of all kinds in fresh waters of the Territory may be exercised only by persons holding regular fishing licenses.

Section 2. — The licenses for the fishing in fresh waters mentioned in the foregoing Section may be granted upon request to be submitted to the "Consorzio per la Tutela della Pesca nella Venezia Giulia", on payment of the appropriate tax.

#### ARTICLE III

#### PENALTIES

Violations of the provisions contained in this Order shall be considered as offences punishable in accordance with Article 650 of the Penal Code.

#### ARTICLE IV

#### EFFECTIVE DATE

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

Dated at TRIESTE, this 15th day of October, 1946.

ALFRED C. BOWMAN

Colonel J.A.G.D.
Senior Civil Affairs Officer

VENEZIA GIULIA

# Order No. 248

#### CONSUMER TAX COLLECTORS CONTRACTS

WHEREAS, it is deemed not advisable at the present to alter the organization and composition of the Consumer Tax collection in the Communes, in that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory"),

NOW, THEREFORE I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

#### EXISTING CONTRACTS EXTENDED

The existing contracts concerning the collection of Consumer Tax shall be extended to 31 December 1947 subject to the limitations of Article III.

#### ARTICLE II

#### REVISION OF RATES

Section 1. — Until 31 December 1947 rates of Commission on Consumer Tax Collector's contracts may be revised subject to the provisions of Law 11 July 1941, No. 685, subject to the limitations of Article III.

Section 2. — Any revisions made subsequent to and not consistent with Law No. 685 of 11 July 1941, provided that they were initiated by the parties concerned, and the resulting Communal Decree was approved by the supervising Authority concerned not later than 1st May 1945, shall remain in force.

#### ARTICLE III

#### MAXIMUM TIME LIMIT

The provisions of the within Order shall in no event extend more than 6 months after the period of Allied Forces' occupation of the Territory, has terminated.

#### ARTICLE IV

#### EFFECTIVE DATE

The present Order shall become effective in the Territory the day it is signed by me.

Dated at Trieste, this 22nd day of October 1946.

ALFRED C. BOWMAN
Colonel, J.A.G.D.
Senior Civil Affairs Officer

#### VENEZIA GIULIA

# Order No. 249

#### CHANGE OF DENOMINATION OF O.N.A.I.R. AND EXTENSION OF ITS ACTIVITY

WHEREAS it is considered advisable to change the denomination of the undermentioned body and to extend its activity in that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory");

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

#### CHANGE OF DENOMINATION

The "Opera Nazionale di Assistenza all' Italia Redenta" of Trieste shall assume the new denomination of "Opera Asili Infantili di Trieste" as from 1 November 1946 and shall remain under the supervision and control of the Allied Military Government.

#### ARTICLE II

#### EXTENSION OF ACTIVITY

The regulations and the present organization of the "Opera Nazionale di Assistenza all' Italia Redenta" remain unchanged and shall be assumed and govern "Opera Asili Infantili di Trieste". A department to take care of the functioning of the children's homes for Slovene children is hereby established, within the "Opera Asili Infantili di Trieste".

#### ARTICLE III

#### EFFECTIVE DATE

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

Date at TRIESTE, this 17th day of October, 1946.

ALFRED C. BOWMAN
Colonel J.A.G.D.
Senior Civil Affairs Officer

#### VENEZIA GIULIA

# Order No. 252

#### REPEAL OF ORDER No. 69 AND SUPPRESSION OF ROLL OF JUDICIAL ADMINISTRATORS

WHEREAS by Order No. 69, dated 13 February 1946, a competition had been announced and established to qualify for appointment as Judicial Administrators in districts under the jurisdiction of Tribunals within that part of Venezia Giulia administered by the Allied Military Government (hereinafter referred to as the "Territory"), and

WHEREAS it is now considered advisable to suppress the above said Roll of Judicial Administrators and therefor to repeal Order No. 69,

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

#### REPEAL OF ORDER No. 69

Allied Military Government Order No. 69 is hereby repealed.

#### ARTICLE II

#### SUPPRESSION OF ROLL OF JUDICIAL ADMINISTRATORS

Section 1. — The Roll of Judicial Administrators is hereby suppressed.

The official duties already assigned to the aforesaid Administrators under R. D. 16

March 1942, No. 267, shall be conferred to persons enrolled in the lists of lawyers, attorneysat-law, professionists in Economy and Commerce and of accountants.

Section 2. — For special reasons to be stated in the decree of appointment the official duties of Judicial Administrators may nevertheless be assigned to professionists not enrolled in rolls mentioned in Section 1 or to persons not enrolled in any of the professional lists.

Section 3. — In regard to official duties other than those mentioned in the preceding Sections no change shall take place relating to technical advisers and to rules for professions.

#### ARTICLE III

#### EFFECTIVE DATE

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

Dated, TRIESTE, 17th October 1946.

ALFRED C. BOWMAN
Colonel, J.A.G.D.
Senior Civil Affairs Officer

VENEZIA GIULIA

# Order No. 254 (7 B)

#### SUPPLEMENTARY RULES TO THE PROVISIONS OF ARTICLE I-B OF ORDER No. 7

WHEREAS, it is considered desirable to supplement the provisions contained in Article I-B of Order No. 7, concerning the obligation of obtaining authorization from the Area President as regards the purchase of immovable property, the engaging in business as partners in commercial enterprises or the investing of capital therein, on the part of citizens of a foreign state, in that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory"),

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer.

#### ORDER:

#### ARTICLE I

#### AMENDMENT OF ARTICLE I PARA B OF ORDER No. 7

The following provision shall be added to Article I, para b of Order No. 7:

"Such authorization shall also be necessary, whenever Italian citizens or bodies acquire immovable property or engage in business as partners in commercial enterprises or invest capital therein on behalf of a person to be named."

#### ARTICLE II

#### REGISTRATION AND TRANSCRIPTION OF CERTAIN AGREEMENTS PROHIBITED

Registry Offices of the Territory are prohibited from registering and Land Register's Office are prohibited from transcribing of agreements concerning operations provided for in Article I, para b, of Order No. 7, whenever:

- a) the citizenship of the contracting parties has not been indicated in the agreement, and if.
- b) in case the persons acquiring such property are foreign citizens or acquiring on behalf of a person to be named, the authorization provided for in Article I, para b, of Order No. 7, has not been previously obtained.

#### ARTICLE III

#### OBLIGATIONS OF PUBLIC NOTARIES

Public notaries stipulating any of the contracts provided for in the preceding Article shall have the duty:

- a) to indicate in the agreement the citizenship of the contracting parties, and
- b) if the person acquiring such property is a foreign citizen or acquiring on behalf of a person to be named, to submit immediately copy of the agreement to the Area President for authorization as provided for in Article I, para b, of Order No. 7.

#### ARTICLE IV

#### OBLIGATION TO REGISTRATE CERTAIN AGREEMENTS IN THE TERRITORY

The agreements set forth in Article I of this Order and entered into by the contracting parties, one of whom at least is residing or staying principally in the Territory, shall be submitted for registration to a Registry office of the Territory.

#### ARTICLE V

#### PENALTIES

Without prejudice to sanctions provided for by the law against notaries and public officials, any violation of the provisions of this Order shall constitute an offence punishable according to Article 650 of the Penal Code.

#### ARTICLE VI

#### EFFECTIVE DATE

This Order shall take effect on the day of its publication in the Allied Military Government Gazette.

Dated at TRIESTE, this 24th day of October 1946.

ALFRED C. BOWMAN Colonel, J.A.G.D. Senior Civil Affairs Officer

### ALLIED MILITARY GOVERNMENT

VENEZIA GIULIA

# Order No. 256

# AMENDMENT TO ORDER No. 141 AND ESTABLISHMENT OF RULES OF PROCEDURE RELATING TO PROCEEDINGS BEFORE DISTRICT AND AREA AGRICULTURAL COMMISSIONS ESTABLISHED THEREIN

WHEREAS, by Order No. 141, Article IV, Section 5, letter b) the power has been delegated to District and Area Agricultural Commissions to establish rules of procedure for the proceedings before the Commissions after their approval by all presidents of Area Agricultural Commissions and by the Allied Military Government, and

WHEREAS, it is now considered advisable to repeal the said provision and directly to establish such rules of procedure equal for all Commissions,

NOW, THEREFORE, I. ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### PART "A"

#### AMENDMENT OF ORDER No. 141

#### ARTICLE I

#### REPEAL OF ORDER No. 141. ARTICLE IV. SECTION 5. LETTER b)

Order No. 141, Article IV, Section 5, letter b) is hereby repealed. The letter c) of the said Section shall therefore become letter b).

#### PART "B"

# RULES OF PROCEDURE RELATING TO PROCEEDINGS BEFORE DISTRICT AND AREA AGRICULTURAL COMMISSIONS

#### ARTICLE II

#### SEATS OF COMMISSIONS

The distret and Area Agricultural Commissions established in accordance with Article IV, Order No. 141, shall have their seats respectively at the District Courts (Preture) and and at the Courts of Justice (Tribunalı) situated in the Territory administered by the Allied Forces.

#### ARTICLE III

#### OFFICES OF COMMISSIONS

Each Commissions shall be assisted by an office-clerk.

Three registers shall be kept in the office of each Commission. Filed applications shall be registered in the first, records of the hearings in the second, and the decisions given by the Commission shall be kept in the third. The President shall sign each page of the Register.

#### ARTICLE IV

#### PROVISIONS RELATING TO MEMBERS OF THE COMMISSIONS

Section 1.— The members of the Commissions shall be of legal age, and not previously convicted of any crime. They shall solemnly promise before the President prior to their assumption of office that they will perform their functions conscienticusly and impartially.

Section 2. — Any member of the Commission who, without a justified reason, fails to attend three hearings, though not successive, shall be considered dismissed and shall be substituted as provided for the first appointment.

Section 3. — The terms of the civil cases Procedure relating to the withdrawal of judges for cause ("astensione" and "ricusazione") shall be applied to the members of the Commissions. The President of the Commission shall, after having heard the member and examined the evidence submitted, decide on his withdrawal. There shall be no appeal from his decision. A member who has thus been withdrawn shall be substituted by his deputy.

#### ARTICLE V

#### APPLICATIONS TO AGRICULTURAL COMMISSIONS

Section z. — The application shall state concisely and completely the subject of the dispute, and shall be submitted to the office or sent by mail. It shall contain the statement of the applicant's elected domicile.

The office-clerk shall forward the application to the President after its entry in the appropriate register. The President shall write on the botton of the application, the order fixing the date for the hearing of the disputants and the terms for its notification.

Before issuing the order the President may ask whenever he considers it necessary the applicant for any necessary information.

Section 2. — The application with the President's order written below shall be sent (notificato) by the applicant to the opponent during the fixed term with the formalities provided for in the civil procedure.

#### ARTICLE VI

#### APPEARANCE OF DISPUTANTS BEFORE THE COMMISSIONS

The disputants must appear before the District and Area Commissions personally or represented by a special representative. They may give their explanations verbally in which case the same shall be recorded in the minutes of the hearing.

#### ARTICLE VII

### ATTEMPT OF AGREEMENT

The District Commission shall attempt to reach an agreement between the disputants. Whenever an agreement has been reached it shall be recorded in the minutes of the hearing and then signed by the disputants.

Whenever an agreement has not been effected and the Commission considers itself to be in possession of all elements necessary for the decision, they shall announce their decision immediately. Otherwise a final date shall be set when the disputants shall supply the additional facts or information considered necessary, and another date shall be fixed at which time the decision shall be announced.

The Commission may, if it appears necessary, order an inquiry determining the terms for it, and determine which of the disputants shall be obbliged to advance the expences. When-

ever an expert's opinion on technical questions shall be necessary, the Office of the Territorial Agricultural Inspector shall be called upon. The deposition of witnesses is admissible irrespective of the limits provided in the Civil Court.

#### ARTICLE VIII

#### EXEMPTION FROM THE RULES OF CIVIL PROCEDURE

The proceedings before the Commission shall not be subject to rules of ordinary civil procedure.

The acts the proceedings subsequent to the filing of the application are exempted from stamp-duties.

The fees of judicial clerks (Ufficiali giudiziari) of experts and witnesses are those provided for by the relative existing provisions of the ordinary civil procedure.

#### ARTICLE IX

#### DECISION ON DISPUTES

Section 1. — The proceeding in passing the judgment shall be as follows:

First the representative of the Office of the Area Agricultural Inspector with his advisory vote shall be heard. Then, in order of their age, the representatives of the Associations and Organizations shall vote according to the circumstance wheter the applicant or principal appellant be a lessor or a direct tenant farmer. Subsequently, the other two representatives shall vote, likewise in order of age, and finally the President.

The representative of the Agricultural Inspector's Office may be heard also during the deliberations.

The judgment shall be drawn and signed by the President and countersigned by the office-clerk.

The Commission may function and grant a decision, though attended only by three representatives of the Associations and Organizations, if it considers the absence of the absent representative unjustified. In such a case, whenever the votes on the decision are equal, the opinion of the President shall prevail.

Sestion 2. — The decision shall be published at the hearing and shall be read by the office-clerk who shall send copies of it by registered mail to the disputants who shall acknowledge receipt thereof.

#### ARTICLE X

#### APPEAL OF THE AREA COMMISSION

An appeal to the Area Commission upon terms as determined for the District Commissions, shall be filed with the Office of the said Commission within 30 days from the date of receipt of the registered letter, as provided in Section 2 of the preceding Article.

The filed appeal shall suspend the operation of the decision.

#### ARTICLE XI

#### INDEMNITY TO COMMISSION MEMBERS

The members of the Commission shall be entitled to the following allowances for every day of the sessions:

Presidents L. 500. — , Members L. 400. —

and, if the circumstances are given, a mission allowance due to employees of grade VI.

The office-clerk employed with the Commission shall be entitled to a daily allowance (gettone di presenza) of L. 100. —

#### ARTICLE XII

#### EFFECTIVE DATE

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

Dated at Trieste, this 24th day of October 1946.

ALFRED C. BOWMAN
Colonel, J.A.G.D.
Senior Civil Affairs Officer

### ALLIED MILITARY GOVERNMENT

VENEZIA GIULIA

# Order No. 257

# PERMISSION TO ACCEPT A BEQUEST MADE TO THE COMUNITA' EVANGELICA DI CONFESSIONE AUGUSTANA IN TRIESTE

WHEREAS the Comunità Evangelica di Confessione Augustana in Trieste has presented a petition asking for permission to accept a bequest made to such Community by the last will and Testament of CARLO KONOW of the late Toennes, deceased, which will was duly published on the 15 December 1943, by instrument No. rog. 13784 of notary Carlo Artico in Trieste, and

WHEREAS, the said petition was duly approved in writing by the President of Area of Trieste, and

WHEREAS, there appears to be no objection to the granting of such petition,

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

1 — That the Comunità Evangelica di Confessione Augustana in Trieste be and it hereby is granted permission to accept the bequest made to the said Community by the last will

and Testament of Carlo KONOW of the late Toennes, deceased, which will was duly published on the 15 December 1943, by instrument No. rog. 13784 of notary Carlo Artico in Trieste, in accordance with the said last will and Testament and subject to all its provisions.

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

Dated at TRIESTE, this 22 day of October 1946

ALFRED C. BOWMAN

Colonel, J.A.G.D. Senior Civil Affairs Officer

### ALLIED MILITARY GOVERNMENT

VENEZIA GIULIA

# Order No. 263

### MODIFICATION OF FISCAL TREATMENT OF CERTAIN COMMODITIES

WHEREAS, it is deemed necessary to modify the fiscal treatment of certain commodities in those parts of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory");

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer.

#### ORDER:

#### ARTICLE I

#### TAX ON SUGAR AND RELATED PRODUCTS

Pursuant to Administrative Instructions previously issued, the tax on sugar and the corresponding surtax on imported sugar are established at L. 4.000 per quintal for 1st category sugar and L. 3.840 for second category sugar, with effect from 12 August 1946.

The tax on sugar and sugar composite goods (imposta di fabbricazione e sovraimposta di confine) is increased as follows:

a)solid glucose	L. 2.000
b) liquid glucose	
c) inverted sugar, liquid, obtained from whatever ma	tter, with a total
content of inverted sugar not exceeding 84% in	weight, 3.000
d) inverted sugar obtained from whatever matter wit	h a total content
of inverted sugar exceeding 84% in weight	, 3.500
e) malt or malt syrup (maltosio o sciroppo di maltosi	o) except extract
of malt, usable instead of glucose	(rates as established
	above for solid and
	liquid glucose)
f) levulosio	(rates as established
	above for inverted
	sugar)

#### ARTICLE II

#### TAX ON COFFEE

Pursuant to Administrative Instructions previously issued, the tax on consumption of raw coffee shall be increased to 25.000 lire per quintal and to 34.500 lire per quintal for roasted coffee, with effect from 21 October 1946.

#### ARTICLE III

#### TAX ON COCOA AND RELATED PRODUCTS

Pursuant to Administrative Instructions previously issued, tax on consumption of cocoa, raw or processed; of cocoa bark and peel; and of cocoa butter, is set at 20.000 lire per quintal, with effect from October 21, 1946. The exemption granted by Article 50 of the Customs Tariff shall remain in force.

#### ARTICLE IV

#### TAX ON COCOA USED IN PRODUCTS

The tax on consumption of cocoa shall be levied on the following products in proportion to the content of cocoa in each quintal thereof:

Caramel lozenges etc. as per Article 45 Customs Tariff .	Kilos	20	per	quintal	
"Torroni" etc. as per Article 46 Customs Tariff	,,	20	>>	,,	
Biscuits etc. as per Article 47 Customs Tariff	,,	20	,,	,,	
Products sweetened with sugar etc. as per Article 48 Cu-					
stoms Tariff	,,	20		,,	
Starches, flours etc. as per Article 49 Customs Tariff	,,	. 5	,,	,,	
Chocolate etc. as per Article 51 Customs Tariff	"	35	"	"	

#### ARTICLE V

#### TAX ON SPICES

Pursuant to Administrative Instructions previously issued, the Custom duties of the following commodities are amended as follows, with effect from October 21, 1946:

Cinnamon as per Article 52 Customs Tariff	per	quintal	30.000	lire	
Cloves as per Article 53 Customs Tariff	,,	33	30.000	,,	
Pepper, black and white as per Article 54 Customs					
Tariff	11	,,	20.000	,,	
Ginger as per Article 56 Customs Tariff	,,	,,	20.000	,,	
Tè and mate as per Article 57 Customs Tariff	,,	"	40.000	,,	
Vanilla as per Article 58 Customs Tariff	,,	,,	50,000	**	
Nutmeg with shall as per Article 60 a Customs Tariff	,,	,,	20,000	"	
Nutmeg shelled as per Article $60b$ Customs Tariff	,,	,,	26.000	,,	
Cardamon as per Article 61 Customs Tariff	"	,,	20,000	,,	

#### ARTICLE VI

#### TAX ON CUSTOM CLEARED COMMODITIES

The taxes and increases of taxes as established under Articles II, III, IV and V of this Order shall be applicable also to such quantities of the commodities concerned, which, on October 21st, 1946, have been delivered for clearance or have been already cleared but not yet released from the Customhouse premises.

#### ARTICLE VII

#### DECLARATION OF TAXABLE INVENTORIES

Pursuant to Administrative Instructions previously issued, inventories as existing on October 19th, 1946, at 24:00 hours of:

Coffee	exceeding 25 l	Kilos
Cocoa, cocoa bark and peel, and cocoa butter	,, 10	,,
Chocolate	,, 20	>>

shall be declared by the owner or detainer before October 26th, 1946, at the customs houses "Uffici Tecnici d'Imposte di Fabbricazione", Fiscal Guard Branch offices of V. G. Police offices.

#### ARTICLE VIII

#### TAX ON EXCESS INVENTORIES

Inventories exceeding the above stated quantities shall be in their entirely subject to payment of the tax or additional tax respectively as established under Articles II, III, IV and V of this Order in accordance with the provisions of Article 93 of "Regolamento Doganale".

#### ARTICLE IX

#### PENALTIES

Any person making a false declaration or failing to declare all or part of the commodities included in the within Order, shall upon conviction thereof in a Court of competent jurisdiction be fined from 3 to 6 times the amount due on the non-declared quantity.

#### ARTICLE X

#### EFFECTIVE DATE

This Order shall come in force in the Territory the day it is signed by me.

Dated at TRIESTE, this 24th day of October, 1946.

ALFRED C. BOWMAN Colonel, J.A.G.D. Senior Civil Affairs Officer

VENEZIA GIULIA

# Order No. 264

#### REPAIR OF WAR DAMAGED HOUSES IN DISTRESSED AREAS

WHEREAS, there are Communes and fractions of Communes (hereinafter referred to for convenience as Distressed Areas), in that part of Venezia Giulia administered by the Allied Forces, wherein all or the great majority of houses were destroyed or substantially damaged by reason of the war or by the Germans or Fascists as a reprisal against Partisan activities; and

WHEREAS, the Allied Military Government has undertaken to repair or reconstruct all or some of the houses located in such Distressed Areas without any cost to or other obligation, now or in the future, of the owners thereof, and proposed to continue such work upon the same basis in the future; and

WHEREAS, the fraction Salcano has already been declared by Allied Military Government to be a Distressed Area thru error and upon investigation it has been determined that the Commune does not met the necessary requirements;

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

Section 1. — The following Communes or fractions of Communes are hereby declared to be Distressed Areas:

CURSO — COBIDIL — LOCAVIZZA — VILLA DI MEZZO — FONI

Section 2. — The provisions of Article I, Sections 1 and 3, of Order No. 146. dated June 6, 1946, are hereby made applicable to the Areas indicated in Section 1 above.

#### ARTICLE II

The fraction of Salcano declared to be a Distressed Area in Order No. 146, dated June 6, 1946 is hereby declared not to be a Distressed Area and shall be removed from the list of Distressed Areas.

#### ARTICLE III

#### EFFECTIVE DATE

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

Dated at Trieste, this 24th day of October 1946.

ALFRED C. BOWMAN

Colonel, J.A.G.D.

Colonel Civil Affairs Officer

## ALLIED MILITARY GOVERNMENT VENEZIA GIULIA

# Order No. 265 (106)

#### PROVISIONS CONCERNING THE UNBLOCKING OF DISCHARGES FROM EMPLOYMENT

WHEREAS, it is considered advisable and necessary to prolong up to 30 November 1946 the provisions in force concerning the limits of the unblocking of discharges from employment, and

WHEREAS, it is necessary to make provision for suspension of workers under certain conditions.

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

### DISCHARGES FROM EMPLOYMENT FOR THE PERIOD FROM 1st NOVEMBER TO 30 NOVEMBER 1946

The provisions set forth in Section 1 of Article I of Order No. 106 D shall be extended for the period from 1st November to 30 November 1946 inclusive.

#### ARTICLE II

#### PROVISIONS FOR SUSPENSIONS

\* Section 1. — In addition to the provisions set out above, employers shall have the right, during the period up to and including 30 November 1946, to suspend any of their workers provided that alternative employment is made available to the suspended workers during the period of suspension by the employer.

Section 2. — If in such cases the total wages received from said alternative employment is not equivalent to the total wage as would normally be received by the suspended worker in the regular course of his employment for such period of time, the regular employer shall pay the suspended worker such wage differential as may be necessary to grant such total wages to the worker for the suspended period.

#### ARTICLE III

#### EFFECTIVE DATE

This Order shall become effective on the date that it is signed by me. Dated at TRIESTE, this 29th day of October, 1946.

ALFRED C. BOWMAN
Colonel, J.A.G.D.
Senior Civil Affairs Officer

VENEZIA GIULIA

# Administrative Order No. 59

APPOINTMENT OF AVV. DOTT. SADAR AS PRESIDENT AND OF AVV. DOTT.

JAUT AS VICE-PRESIDENT OF "CASSA DI RISPARMIO DI TRIESTE"

WHEREAS it is considered advisable and necessary to appoint a President and Vice President of the "Cassa di Risparmio di Trieste",

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer, hereby

#### ORDER:

- 1. Avv. Dott. GUIDO SADAR and Avv. Dott. GIORGIO JAUT are hereby appointed President and Vice-President respectively of "Cassa di Risparmio di Trieste".
  - 2. This Order shall become effective on the date it is signed by me.

Dated at TRIESTE, this 15th day of October 1946

ALFRED C. BOWMAN
Colonel, J.A.G.D.
Senior Civil Affairs Officer

# ALLIED MILITARY GOVERNMENT

VENEZIA GIULIA

# Administrative Order No. 69

# PROMOTION OF BIAGINI PIA, PETEANI MARIA, ZUCCOLI GIOVANNI, VASCOTTO CARLA, EMPLOYEES OF THE CAPITANERIA DEL PORTO

I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer, hereby

#### ORDER:

- 1. BIAGINI PIA, PETEANI MARIA, ZUCCOLI GIOVANNI, VASCOTTO CARLA, employees of the Capitaneria del Porto, Trieste, are hereby promoted from Group "C", Grade 11 (Archivista) to Group "C", Grade 10 (1st Archivista), with effect from July 1st, 1946.
- These promotions shall be temporary and for the duration of the Allied Military Government only.
  - 3. This Order shall become effective on the date it is signed by me.

Dated in TRIESTE, this 17th day of October 1946.

ALFRED C. BOWMAN

Colonel, J.A.G.D.

Senior Civil Affairs Officer

VENEZIA GIULIA

# Administrative Order No. 70

#### APPOINTMENT OF FRANCESCO ETTORE RIGOTTI AS CONSIGLIERE DI PORTO

I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer, hereby

#### ORDER:

- FRANCESCO ETTORE RIGOTTI, employee of the Capitaneria di Porto, Trieste, is hereby appointed "Consigliere di Porto", Group "A", Grade 8, with effect from July 1, 1945.
- This appointment shall be temporary and for the duration of the Allied Military Government only.
  - 3. This Order shall become effective on the date it is signed by me.

Dated in Trieste, this 18 day of October 1946.

ALFRED C. BOWMAN

Colonel J.A.G.D. Senior Civil Affairs Officer

## ALLIED MILITARY GOVERNMENT

VENEZIA GIULIA

# Administrative Order No. 73

# CONFIRMATION OF THE PROMOTION TO GRADE V OF MAGISTRATE DR. GUIDO PICCIOLA

WHEREAS magistrate Dr. Guido PICCIOLA was promoted to the grade V (President of Section of the Tribunal of Trieste) by the so-called Italian Social Republican Government on 29th February 1944; and

WHEREAS said promotion was made in accordance with the laws in force prior to 8 September 1943, in particular with the "Ordinamento Giudiziario" 31 January 1941 No. 12 and is subject to confirmation in accordance with Article III Section 2 of the General Order No. 60,

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer.

#### ORDER:

- 1. The promotion of Dr. GUIDO PICCIOLA to the grade V (President of Section of the Tribunal of Trieste) made on 29th February 1944, is hereby confirmed.
  - 2. This Order shall become effective on the date it is signed by me.

Dated, TRIESTE, 24th October 1946.

#### ALFRED C. BOWMAN

Colonel, J.A.G.D. Senior Civil Affairs Officer

#### VENEZIA GIULIA

# Notice No. 18

#### NOTICE OF CANCELLATION OF NUMBERS

The numbers assigned to General Orders, Orders, Administrative Orders or Notices as listed below have been cancelled and no Orders will be issued bearing said numbers:

Gen. Order No. Gen. Order No. 23 Order No. 185 No. 186 Order Order No. 188 Order No. 189 Order No. 195 Adm. Order No. 27 Notice No. 4 Notice No.

Dated 12th October 1946.

By Order of Colonel Bowman

CHARLES M. MUNNECKE

Lt. Colonel Chief Legal Officer

# TRIESTE AREA

TRIESTE AREA

# Area Order No. 6 C

# AMENDMENTS TO REGULATIONS RELATIVE TO THE PROVISION OF ACCOMODATION IN TRIESTE AREA

WHEREAS under the provisions of General Order N. 62 certain alterations have been made to the laws governing the allocation of accommodation,

WHEREAS it is considered necessary to repeal Area Orders 6 B, 33 and 34,

NOW, THEREFORE, I, Fred O. MAVIS, Lt. Col. Acting Area Commissioner, Trieste, hereby

#### ORDER:

#### ARTICLE I

Area Order 33, dated 7 December 1945, 34, dated 31 December 1945, and 6 B, dated 10 July 1946, are hereby repealed.

#### ARTICLE II

#### FUNCTION OF THE HOUSING OFFICE

Section 1. — The Housing Offices of the Communes included in Trieste Area, subject always to the claims of the Allied Forces, shall allot available living accommodation and business premises to the members of the civil population in the respective Communes, as is hereinafter provided.

Section 2. — Business premises referred to in Section 1 shall be deemed to include (inter alia) all premises used as warehouses, shops, "tores, commercial or professional offices, cinemas, theatres and other place of amusement, and all other premises used for professional or commercial purposes (hereinafter called "business premises").

#### ARTICLE III

#### DECLARATION OF AVAILABLE PREMISES

Section I. — Owners, (natural or juridical persons, private or public institutions), administrators, and janitors of buildings situated in the Communes of Trieste Area shall declare to the Housing Offices all available living accommodation and business premises. Such declaration, unless already declared pursuant to the provisions of Art. I of Area Order N. 6 or Art. I of Area Orders 33 or 34 and Art. III Sect. 1 of Area Order 6 B, shall be made within 7 days from the effective date of this Order or from the date when such premises fall within the provisions of this Article.

Section 2. — Owners or tenants intending to leave their houses, apartments or business premises vacant for more than 60 days, shall, prior to departure, notify the Housing Office of their Commune of the date of their departure and probable date of return. The Housing Office shall have the power to allot such house, apartment or business premises to another person or persons after such period of 60 days.

#### ARTICLE IV

#### TRANSFER OR LEASING OF PREMISES

- Section 1. No owner, occupier or other person shall have the power to rent, sub-let or otherwise dispose of any premises or any part thereof, or change his lodging or business premises without the written authority of the Housing Office.
- Section 2. Any such transaction, entered into without the written authority of the Housing Office, shall be declared null and void the premises disposed of by the Housing Office.
- Section 3. No person shall enter into possession, occupation, either as owner, tenant or sub-tenant of any living accommodation or business premises without the written authority of the Housing Office.
- Section 4. Any person who conspires with, or advises, assists in or procures the obtaining of living accomplation or business premises for another person or persons who has not the written authority of the Housing Office, shall commit an offence.

#### ARTICLE V

#### REQUISITION OF PREMISES

The Housing Offices shall have the power to requisition available living accommodation and business premises after investigations have been carried out by investigators appointed by the Housing Offices, for the purpose of allotting such accommodation and premises to the persons specified in the categories enumerated in Art. VI.

#### ARTICLE VI

#### APPLICATION FOR AND ALLOTMENT OF PREMISES

- Section 1. Applications for the allotment of living accommodation and business premises shall be made in writing to the appropriate Housing Office by these persons who fall within the categories mentioned in Sections 2 and 3 of this Article.
- Section 2. The Housing Offices shall have the power to allot living accommodation in their respective Communes to persons who fall within the following categories:
  - a) First priority these persons who have been deprived of their living accommodation in the Communes of Trieste Area;
    - 1) By reason of bomb damage (those persons comprised in the word "sinistrati").
    - By reason of leaving their residence through fear of the damages of war (those persons comprised in the word "sfollati").

- 3) Due to racial or political persecution.
- 4) Due to occupation by military or political Authority.
- 5) Due to a sentence of a Court evicting them.
- b) Second priority Those persons who have been transferred by an order of a competent Authority in the Communes of Trieste Area.
- c) Third priority any person not covered by the above categories, provided that accommodation is available.

Section 3. — Business premises shall be provided under the provisions of this Order only in special cases under instructions issued by the Area Commissioner, where the applicant can establish special hardship or special need for the assistance of the Housing Office.

Section 4. — The Housing Office shall have the power to allocate more than one applicant or family to the same premises. Such allocations (hereinafter referred to as co-tenancy) shall be exercised only when necessary to alleviate the acute housing shortage. In allotment of co-tenancy, the Housing Offices shall take into consideration the priority of the person or persons allotted accommodation and their acceptability to the occupier of said premises. In the event of the occupier refusing to accept the co-tenant or tenants for reasons which the Housing Offices consider unreasonable, the Housing Offices shall have the power to order the occupier to accept such person or persons as co-tenant.

#### ARTICLE VII

#### CREATION OF HOUSING COMMITTEES TO CONSIDER APPEALS

Section 1. — In all Communes where there is a Housing Office (except in the Commune of Trieste), a Housing Committee consisting of a President and members shall be nominated by the Communal President and approved by the Allied Military Government.

Section 2. — In the Commune of Trieste, a Housing Committee, consisting of a President and 12 members, shall be nominated by the Communal President and approved by the Allied Military Government. Such Committee shall be divided into 4 Sections, consisting of a Vice-President and 2 members. The Vice-President shall be selected from the members of the Committee by the President of the Housing Committee.

Section 3. — Any person affected may appeal within 3 days against any action or decision of the Housing Office to the Housing Committee, whese decision, subject to the provisions of Article XII and XIII, shall be final.

#### ARTICLE VIII

#### APPEALS

Section  $\tau$ . — The following provisions shall be applicable to all appeals and applications to the Housing Committees:

- a) They must be in writing, signed and stating the address of the appellant or applicant.
- b) They need not to be in any particular legal form and may consist of a simple letter.

- c) They may be made on simple paper and shall not be subject to any tax.
- d) The appeal or application must contain a brief statement of the facts in which the appellant or applicant relies. Documentary proof including affidavits may be attached thereto but it shall not be compulsory to do so.
- e) The appellant or applicant must state in the appeal or application whether he desires a hearing before the Committee or whether he agrees that the Committee make a determination upon the appeal or application and the documents or other proof attached thereto. In the absence of such statements, the Committee may dispense with a hearing and decide the issue upon the appeal or application and documents and proof attached, unless the Committees decide in their discretion that the hearing is desirable or necessary.

Section 2. — The Committees shall decide each case strictly in accordance with the facts and the law.

Section 3. — The Committees shall keep adequate records of all proceedings before them.

Section 4. — In the event that a hearing is requested by the appellant or applicant or the Committees decide that a hearing is desirable or necessary, in accordance with Art. VIII Sect. 1 — of this Order, the Committees shall immediately fix a date of such hearing notifying the appellant or applicant of such date personally or by mail. The appellant or applicant shall be given ample time to appear at such hearing and to prepare and present his proof.

Section 5. - The following provisions shall apply to such hearings:

- a) the appellant or applicant shall have the right to appear personally and by counsel;
- b) The Committees shall not be bound by formal rules of evidence but may receive and consider any type or form of proof, oral or documentary, which the Committees decide is material to the issues presented and which may be helpful in arriving at a just determination.
- c) The decision of the Committee shall be final and conclusive.

Section 6. — For the purpose of carrying our their functions, the Committees shall have the power to order the production of any material, documents or other writing, summon witnesses, and administer oaths to parties and witnesses.

#### ARTICLE IX

#### RENT TO BE PAID

Section 1. — The person, to whom premises are allotted will come to an agreement with the owner or letter as to the amount of rent to be paid.

Section 2. — If no agreement is reached, the rent will be fixed after having consulted the Ufficio Tecnico Erariale, by the Rent Claims Office, established by General Order N. 54.

#### ARTICLE X.

#### ISSUE OF ORDERS

The decisions of the respective Housing Offices and Housing Committees shall be given effect by orders in writing signed by the Directors of the Housing Office or by the President or Vice-President of the Housing Committees, as the case may be.

#### ARTICLE XI

#### CANCELLATION OF ALLOTTED PREMISES

Section 1. — Any person who fails to take possession of any room or rooms allotted to him, within 30 days of the date of such allotment, shall cease to have the right to occupy such rooms or rooms and shall not be entitled to receive any further allotment.

Section 2. — The Housing Offices or Housing Committees may re-allot any room or rooms not occupied within 39 days of allotment.

#### ARTICLE XII

#### REOPENING OF DECIDED CASES

Section 1.— If the President of the Housing Committee or any person affected by a decision issued under Area Orders 33, 34, 6 B or this Order, cames into possession of further evidence which was not available at the time of the hearing before the Housing Office or Housing Committee, such President or Person may apply within 8 days of such decision for the case to be reconsidered by the Housing Office or Housing Committee as the case may be, and the said case shall be reconsidered within 14 days of such application by the Housing Office or Housing Committee, as the case may be.

Section 2. — In the Commune of Trieste reconsideration of cases decided by a Section of the Houring Committee shall be reconsidered by the President and 4 Vice-Presidents who may either:

- a) Decide the case themselves
- b) Refer the case to the Section which previously gave the decision, or
- c) Refer to another Section for consideration and decision.

#### ARTICLE XIII

#### AMENDMENT OR SUSPENSION OF DECISIONS ON GROUNDS OF MILITARY NECESSITY

Section 1. — In any case where by reason of military necessity it is considered necessary that the decision of the Housing Office or Housing Con mittee shall be amended, suspended or annulled, the Housing Office, Housing Committee and the interested parties will be notified in writing by me or by an Officer appointed by me. Such amendments, suspensions or annulments shall be final.

Section 2. — In all cases where the Housing Office or Housing Committee allots alternative accommodation, the Order of the Housing Office or Housing Committee shall be immediately executive, even though an appeal is pending.

#### ARTICLE-XIV

#### EMERGENCY POWER

Power to issue emergency orders and to award accommodation in case of emergency is hereby reserved in me.

#### ARTICLE XV

#### CONTRAVENTIONS

Any person who disobeys any provision of this Order or any Order lawfully issued under this Order shall be guilty of an offence and upon conviction by an Allied Military Court shall be liable to punishment by such fine or imprisonment or both as the Court shall direct.

#### ARTICLE XVI

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

Dated in Trieste, this 4th day of October 1946

FRED O. MAVIS

Lt. Col.

Acting Area Commissioner Trieste

## ALLIED MILITARY GOVERNMENT

TRIESTE AREA

# Area Order No. 48

#### SUSPENSION OF EVICTIONS FROM LIVING ACCOMODATION

WHEREAS in the Commune of Trieste the acute shortage of living accommodations continues, and

WHEREAS it is considered necessary temporarily to amend the law with regard to evictions from living accommodation ordered by the Courts,

NOW THEREFORE, I. A. H. GARDNER, Lt. Col. Acting Area Commissioner, Trieste, hereby

#### ORDER:

- Until further notice of the Allied Military Government, no order issued by the Courts dealing with the eviction from living accommodation in the Commune of Trieste may be made executive, except as hereinafter provided.
- 2. The provisions contained in Art. 1 shall not apply to sentences of eviction due to non-payment of rent or immorality, nor in cases when the order is the result of a sentence or other measure issued in a possessory judgment (Giudizio possessorio).
- 3. In cases of non-payment of rent or immorality, the Pretore, on appeal by the interested party, may order by a final decision the suspension of the execution when the motive on which the order is based has ceased to exist.

In case of repeated non-payment of rent, the tenant or other person concerned in the matter may be granted the above mentioned suspension on condition that he pays off the rent that is due in the way and on the terms fixed by the Pretore.

- 4. In cases of special hardship the Area Commissioner may, at the request of the Pretore, direct that an eviction order be made executive.
  - This Order will take effect on October 21, 1946.
     Dated in Trieste, this 15 day of October 1946

#### A. H. GARDNER

Lt. Colonel

Acting Area Commissioner Trieste

#### ALLIED MILITARY GOVERNMENT

TRIESTE AREA

## Area Order No. 49

REPEAL OF AREA ORDER No. 7 BY WHICH AVV. DOTT. GUIDO SADAR HAS BEEN APPOINTED SPECIAL COMMISSIONER AND AVV. DOTT. GIORGIO JAUT SPECIAL VICE COMMISSIONER FOR THE "CASSA DI RISPARMIO DI TRIESTE"

WHEREAS it has been deemed opportune to repeal the Area Order No. 7 of the 8 September 1945.

NOW, THEREFORE, I, A. H. GARDNER Lt. Colonel R. A., Acting Area Commissioner, Trieste, hereby

ORDER

as follows:

#### ARTICLE I

#### REPEAL OF AREA ORDER No. 7

The Area Order No. 7 of the 8 September 1945 by which Avv. Dott. GUIDO SADAR has been appointed Special Commissioner and Avv. Dott. GIORGIO JAUT, Special Vice-Commissioner for the "Cassa di Risparmio" di Trieste, is hereby repealed.

#### ARTICLE II

#### EFFECTIVE DATE OF ORDER

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

Dated, Trieste 15 October 1946.

A. H. GARDNER
Lt. Colonel, R. A.
A/Area Commissioner

TRIESTE AREA

# Area Administrative Order No. 43

# APPOINTMENT OF HOUSING COMMITTEE FOR THE COMMUNE OF S. CANZIANO D'ISONZO

Pursuant to the power given to me by Sect. III of General Order N. 62 dated 3 July 1946, I, A. H. GARDNER, Lt. Col. Acting Area Commissioner, Trieste Area

#### ORDER:

1. — The following appointments are made to the Housing Committee for the C. mmune of S. Canziano d' Isonzo:

President: CASELLA VINCENZO

Members: BERTOGNA GIUSEPPE
COSOLO ODDONE
DELEUSA FIORAVANTE
ZORZIN !TALO

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

Dated in Trieste, this 17 day of October 1946

A. H. GARDNER

Lt. Colonel Acting Area Commissioner Trieste Area

# GORIZIA AREA

GORIZIA AREA

# Area Order No. 105

# REGULATIONS RELATING TO THE PROVISIONS OF ACCOMODATIONS AND REPEAL OF AREA ORDER No. 73

Whereas under the provisions of General Order No. 62 certain alterations have been made to the law governing the allocation of accommodations, and

Whereas it is considered necessary to repeal Area Order No. 73 dated 25/3/1946

Now, therefore, I. JAMES E. LONG, Major, C. M. P., Area Commissioner for Gorizia Area

#### ORDER

#### ARTICLE I.

#### REPEAL OF AREA ORDER No. 73

Area Order No. 73 dated 25/3/1946 is hereby repealed.

#### ARTICLE II.

#### HOUSING OFFICE

The Housing Office in those localities where it is considered necessary will be constituted of a director (and two members) to be nominated by the Commune and appointed by the Area Commissioner. The necessary staff to carry out its functions shall be furnished by the Communes.

#### ARTICLE III.

#### FUNCTIONS OF THE HOUSING OFFICE.

Section 1.— The Housing Offices of the Communes of Gorizia Area subject always to the claims of the Allied Forces, shall allot available living accommodations and business premises to the members of the civil population in accordance with the provisions set forth in General Order No. 62 and as is herein provided.

Section 2. — Business premises referred to in Section I. shall be deemed to include all premises used as ware houses, shops stores, commercial or professional offices, cinemas and other places of amusements and all other premises used for professional or commercial purposes (hereinafter called "business premises").

#### ARTICLE IV.

#### DECLARATION OF AVAILABLE PREMISES.

Section 1. — Owners (natural or juridical persons, private or public institutions), administrators and janitors of buildings situated in the Commune (each one for their own ac-

count), shall notify to the Housing Office all available living accommodation and business premises. Such declaration shall be made within 7 days from the effective date of this Order or from the date when such premises come vacant.

Section 2. — Tenants intending to leave their houses, appartments or business premises vacant for more that 60 days, shall prior to departure notify the Housing Office of the date of their departure and probable date of return. (Owner, administrators and janitors are subject to the duties to notify the Housing Office if premises remain vacant more than the 60 days period).

#### ARTICLE V.

#### TRANSFER OF LEASING OF PREMISES

No owner or other person shall have the power to rent, sublet or otherwise dispose of any premises, nor change his lodging or business premises without the written authority of the. Housing Office and such disposal without such authorization may be declared null and void and the premises disposed of by the Housing Office.

#### ARTICLE VI.

#### REQUISITION OF PREMISES.

The Housing Office shall have the power to requisition available living accommodation and business premises after investigations have been carried out by persons designed by it who shall be in possession of the proper legitimation — for the purpose of allotting them to persons who fall within the categories enumerated in Article VII., when approved by the Area Commissioner or some officer designated by him.

#### ARTICLE VII.

#### APPLICATION FOR AN ALLOTMENT OF PREMISES

Section 1. — Application for an allotment of premises shall be made in writing to the Housing Office by those persons who fall within the categories mentioned in Section 2 and 5 of this Article.

- Section 2. The Housing Office shall have the power to allot living accomodation and business premises, subject always to the claims of the Allied Forces, to persons who fall within the following categories and who are disposed in pr ority order:
  - a) first priority those persons who have been deprived of their living accommodation
    - 1) due to war damage
    - 2) due to racial or political persecution
    - 3) due to occupation by military or political authorities
    - 4) due to a sentence of the Court evicting them from their premises
  - b) second priority those persons who have been transferred of the competent Authority in the Commune.
  - c) third priority any person (even if not covered by the above categories) but only if premises are available.

- Section 3. No allotment shall be made to any person not residing in the Commune, and who does not fall within the categories enumerated in Section 2, letter a of Article VII.
- Section 4. The Housing Office shall have the power to allocate more than one applicant or family to the same premises. Such allocations (hereinafter referred as co-tenancy) shall be exercised only when necessary to alleviate the acute housing shortage. In allotment of co-tenancy the Housing Office shall take into consideration the priority of the person or persons alloted accomodation and their acceptability to the occupier of the said premises.
- Section 5. Business premises shall be provided under the provisions of this Order only in special cases under instructions issued by the Area Commissioner where the applicant can establish special hardship or special need for the assistance of the Housing Office.
- Section 6. a) Decisions and orders of the Housing Office shall become effective when approved by the Area Commissioner or some other officer designed by him.
- b) Said decisions shall be posted in the Commune for 5 days and notice of same given in writing to the applicant.

#### ARTICLE VIII.

#### CREATION OF HOUSING COMMITTEE TO CONSIDER APPEALS

Any person affected may appeal against any action or decisions of the Housing Office to the Housing Committee within 7 days after its first posting in the Commune. The Housing Committees shall consist of a President plus membership which shall be numerically fixed in accordance with the provisions following:

Population	members
10.000 or under	 2
over 10.000	 4

all of whom shall be not inated by the Communal President and approved by the Area Commissioner.

#### ARTICLE IX.

#### APPEALS

- Section r. The following provisions shall be applicable to all appeals and applications to the Housing Committee:
- a) They must be in writing, signed and stating the address of the appenant or applicant.
  - b) They need not be in any particular legal form and may consist of a simple letter.
  - c) They may be made on simple paper and shall not be subject to any tax.
- d) The appeal or application must contain a brief statement of the facts which the appellant or applicant relies. Documentary proof including affidavits may be attached thereto but shall not be compulsory to do so.
- e) The appellant or applicant must state in the appeal or application whether he desires a hearing before the Committees or whether he agrees that the Committees make a determination upon the appeal or application and the documents or other proof attached thereto.

In the absence of such statements the Committee may dispense with a hearing and decide the issue upon the appeal or application and documents and proof attached, unless the Committees decide in their discretion that the hearing is desirable or necessary.

Section 2. — The Committees shall decide each case strictly in accordance with the facts and the law.

Section 3. — The Committees shall keep adequate records of all proceedings before them.

Section 4.— In the event that hearing is requested by the appellant or applicant or the Conmittees decide that a hearing is desirable or necessary, in accordance with Art. IX. Sect. e) of this Order, the Committees shall in mediatly fix a date for such hearing notifying the Appellant or applicant of such date personally or by mail. The appellant or applicant shall be given ample time to appear at such hearing and to prepare and present his proof.

Section 5. — The following provisions shall apply to such hearings:

- a) The appellant or applicant shall have right to appear personally and by counsel.
- b) The Committees shall not bound by formal rules of evidence but may receive and consider any type or form of proof oral or documentary, which the Committees decide is material to the issue presented and which may be helpful in arriving at a just determination.
- c) The decision of the Committees shall be final and conclusive, and shall be rendered within 15 days from the date of appeal.

Section 6. — For the purpose of carrying out their functions the Committees shall have the power to order the production of any material documents or other writing, summon witnesses, and administer oaths to parties and witnesses.

#### ARTICLE X.

#### RENT TO BE PAID

Section r. — The person to whom premises are allotted will come to an agreement with the owner or letter as to the amount of rent to be paid.

Section 2. — If no agreement is reached, the rent will be fixed by the Rent Claims Office, established by General Order No. 54.

#### ARTICLE XI.

#### EMERGENCY POWER

Power to issue emergency orders and to award accommodation in case of emergency is hereby reserved in me.

#### ARTICLE XII.

#### CONTRAVENTIONS

Any person who disobeys any provisions of this Order or any Order lawfully issued under this Order shall be guilty of an offence and upon conviction by an Allied Military Court shall be liable to punishment by such a fine or imprisonment or both as the Court shall direct.

#### ARTICLE XIII.

#### EFFECTIVE DATE

This Order shall become effective as of the 7th October 1946.

Gorizia, this 1st day of October 1946.

JAMES E. LONG

Major, C. M. P.

Area Commissioner Gorizia Area

#### ALLIED MILITARY GOVERNMENT

GORIZIA AREA

# Area Order No. 107

#### APPOINTMENT OF A HOUSING OFFICE FOR GORIZIA AREA

Pursuant to the authority vested in me by virtue of General Order No. 62, I, FRED O. MAVIS, Lt. Col. Inf., Area Commissioner for Gorizia Area, hereby

#### ORDER:

- 1. A Housing Office for the Commune of Gorizia be and hereby is appointed, consisting of the following members:
  - Mr. LUIGI COROLLI as Director
  - Mr. ANTONIO ONGARO as Member
  - Mr. UBALDO FALCONETTI as Member
  - 2. Said Housing Office shall be located in the Municipio of Gorizia.
  - 3. This Order shall become effective as of 7th October 1946.

Dated at Gorizia, this 15th day of October 1946.

FRED O. MAVIS

Lt. Col. Inf.

Area Commissioner Gorizia Area

# POLA AREA

#### ALLIED MILITARY GOVERNMENT

POLA AREA

# Area Administrative Order No. 68

#### TEMPORARY APPOINTMENT OF THE AREA RENTS' APPEAL COMMISSION

1. — Pursuant the power vested in me by General Order No. 54 B, Art. II, I, Lieutenant-Colonel, E. S. ORPWOOD, Royal Berkshire Regiment, Area Commissioner of Pola. HEREBY appoint the following persons to act as Rents' Appeal Commission:

Chairman: Dr. KIRCHMAYER GIOVANNI, President of Tribunal

Substitute Chairman: Dr. BUXA GIACOMO, Pretore

Members: Dr. BENUSSI GIOVANNI, landlord

Ing. TURINA ALBERTO, landlord Mr. BROZZO GUGLIELMO, tenant Mr. DRAGOGNA NICOLO', tenant

Substitute Members: Mr. PINTER EUGENIO, landlord

Rag. ROSSI OSCARRE, landlord Mr. VALENT AMERIGO, tenant Mr. CUCCANI DAVIDE, tenant

2. — This Order is to take place immediately.

Dated at Pola, this 7th day of October 1946.

E. S. ORPWOOD

Lt. Col.

Area Commissioner Pola Area

POLA AREA

# Area Amministrative Order No. 70

#### TEMPORARY APPOINTMENT OF THE COMMISSIONER FOR E.N.A.L.

1. — I, Lieutenant-Colonel, E. S. ORPWOOD, Royal Berkshire Regiment, Area Commissioner of Pola,

#### HEREBY ORDER

that

#### Mr. BIASI GIOVANNI

be appointed as Commissioner for the "Ente Nazionale Assistenza Lavoratori" for the Area of Pola.

2. — This Order will take effect immediately.

Dated at Pola, this 16th day of October 1946.

E. S. ORPWOOD

Lt. Col.

Area Commissioner Pola Area



# VOLUMEII

# GAZETTE No. 3

# ALLIED MILITARY GOVERNMENT

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