

ALLIED MILITARY GOVERNMENT

BRITISH - UNITED STATES ZONE
FREE TERRITORY OF TRIESTE



OFFICIAL GAZETTE

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ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

Order No. 357

EXAMINATIONS FOR PROCURATORE LEGALE FOR 1948

Whereas it is deemed advisable to postpone the date of examinations for Procuratore Legale provided for by Order No. 238 of 18 August 1948 and the date of the submitting of relative applications for admission;

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

ORDER :

ARTICLE I

Section 2 of Article I and Section 1 of Article II of Order No. 238 of 18th August 1948 are respectively substituted as follows :

— Section 2 of Article I: „written tests will be held at 9 o' clock on the following dates at such place in Trieste as the Examining Commission shall appoint :

29 November 1948 — Substantive Civil and Administrative Law

30 November 1948 — Civil and Penal Procedure“

— Section 1 of Article II: „applications for admission, addressed to the Examining Commission, Court of Appeal, Trieste, must be lodged not later than 20 October 1948.“

ARTICLE II

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

Dated at Trieste this 9th day of October 1948.

RIDGELY GAITHER

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

Order No. 358

FEES PAYABLE TO HOSPITAL ADMINISTRATIONS

WHEREAS it has been deemed advisable and necessary to increase the fees payable under Article 82 of the R. D. 30 September 1938 N. 1631 and Order No. 98 dated 27 December 1947, by the Social Insurance Institutes and those Institutions operating on a cooperative principle for patients attending Hospitals in that Zone of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“) and

WHEREAS an agreement has been stipulated by the hospital doctors as to the apportionment of the fees and it is therefore necessary to amend Order No. 98 ;

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

ORDER :

ARTICLE I

RATES OF FEES PAYABLE

The fees payable by the Social Insurance Institutes and Institutions operating on a cooperative principle to the Hospital Administrations for each patient attending hospitals of the Zone is hereby fixed as follows : Lire 2152.— irrespective of the duration of hospitalization or the category of the hospital where the insured has been sheltered.

ARTICLE II

APPORTIONMENT OF THE AMOUNTS PAID

The amounts received by each hospital from the Social Insurance Institutions operating on the cooperative principle pursuant to Article I of this Order shall be apportioned in accordance with the agreement dated 29.6.1948 arbitrated by C.I.M.O. (Provincial Association of the Hospital Doctors of Trieste) and entered by all the local hospital doctors.

ARTICLE III

EFFECTIVE DATE

This Order shall take effect as from 1st January 1948.

Dated at TRIESTE, this 12th day of October 1948.

RIDGELY GAITHER

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

Order No. 356

PROVISIONS CONCERNING THE FREE TRADE OF TIRES AND TUBES

WHEREAS by Order No. 28, dated 27 October 1947, provisions were made for the allocation and distribution of tires and tubes within the Zone of the Free Territory of Trieste administered by the British-United States Forces,

WHEREAS by the same Order certain Committees were established for the purpose of carrying out the allocation and distribution, and

WHEREAS it is now no longer necessary to control the allocation and distribution of tires and tubes and Order No. 28 should be repealed,

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

ORDER :

ARTICLE I

REPEAL OF ORDER No. 28 AND CESSATION OF THE FUNCTIONS OF THE COMMITTEES APPOINTED THEREUNDER

Section 1. — Order No. 28, dated 27 October 1947, is hereby repealed.

Section 2. — The Committees appointed by Order No. 28 shall cease functioning with effect from the date of this Order.

Section 3. — The appointments of the members of the a/m Committees made by Administrative Order No. 27, dated 29 November 1947, are hereby repealed.

ARTICLE II

EFFECTIVE DATE

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

Dated at Trieste, this 13th day of October 1948.

RIDGELY GAITHER

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

Order No. 298

PROVISIONS FOR CO-OPERATIVE SOCIETIES

WHEREAS it is deemed advisable, in the interests of Co-operative Societies to provide for their supervision and control, to establish central coordinating organs and new systems of registration ; and

WHEREAS it is necessary to adjust some of the provisions in force to meet the requirements of the present situation within the Zone of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“),

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

ORDER :

ARTICLE I

SUPERVISION

The Department of Labour shall be in charge of the supervision provided for by the laws in force of Co-operative Societies and of their „Consorti“.

ARTICLE II

INSPECTIONS

Section 1. — The supervision shall be carried out by ordinary and extraordinary inspections.

Ordinary inspections shall take place at least once every two years ; they shall be carried out in accordance with the terms and procedure to be established by the Department of Labour.

Extraordinary inspections may take place at any time as is considered advisable and shall be subject to the observance of the provisions established for ordinary inspections.

Section 2. — Such inspections shall be in addition to those of a technical nature which may be ordered by other Administrations of the Zone competent in such matters.

ARTICLE III

PERFORMANCE OF INSPECTIONS

Section 1. — Ordinary inspections shall as a rule be made by officials of the Department of Labour. But upon prior agreement with the Department of Labour, they may be carried out by the duly recognized Federations of Co-operative Societies, through their own experts, over those Co-operative Societies affiliated thereto.

Section 2. — Extraordinary inspections shall be carried out by officials of the Department of Labour or officials of its local offices.

ARTICLE IV

PURPOSE OF ORDINARY INSPECTIONS

Section 1. — The principal purposes of ordinary inspections shall be to ascertain the following :

a) that the legislative provisions, statutory and mutualistic regulations are being observed ;

b) that the requisites required by general and special laws relating to fiscal and other facilities enjoyed by the society are being carried out ;

c) that the accounting and administration of the society is regular ;

d) that the specific activities promoted or undertaken by the society are technically correct and being regularly carried out ;

e) the state of the patrimonial condition, assets and liabilities.

Section 2. --- The inspector shall have power to make suggestions and give advice to the administrators and clerks for the proper and efficient running of the society and afford them his assistance.

ARTICLE V

POWERS OF INSPECTORS

Section 1. --- The societies subjected to inspections shall place all books, registers and documentary records at the inspectors' disposal, and shall furnish such data, information and explanations as may be requested from them.

Section 2. --- A record („processo verbale“) shall be drawn up for every inspection. The record shall be compiled in three originals, shall be dated and signed by the inspector and by the legal representative of the society who may record therein his own remarks.

Within 15 days from the date of the record the inspected society may file remarks.

The inspector must observe the official secret.

One of the originals shall remain with the society inspected, the other two shall be transmitted by the Inspector to the Department of Labour. The Department of Labour shall forward one copy to the Federation if the inspection was performed by the experts designated by it in conformity with Article 3, or if the inspection was carried out on a Co-operative Society affiliated to the Federation.

ARTICLE VI

EFFECTS OF INSPECTIONS

Section 1. --- In the event of any serious irregularity being ascertained, the Department of Labour may order the society, within one month from receipt of the record and upon examining the case, to correct the irregularity within a given time-limit.

Section 2. --- Where the society fails to comply, within the fixed time-limit, with any order given under Section 1 of this Article, the Department of Labour may order the society in question to be cancelled from the Prefect's Register and from the General Index Records, as well as to lose its rights to any of the benefits provided for by law, provided that no reasons exist for the application of the provisions contained in R.D.L. 30 December 1926, No. 2288, converted into Law 15 December 1927, No. 2499, in R.D.L. 11 December 1930, No. 1882, converted into Law 4 June 1931, No. 998, and in Articles 2543, 2544 and 2545 of the Civil Code.

ARTICLE VII

ANNOTATIONS AND RESULTS OF INSPECTIONS

The Department of Labour shall be responsible for seeing that all measures adopted in consequence of an inspection be entered into the Prefect's Register and the General Index Records.

ARTICLE VIII

READJUSTMENT OF PREFECT'S REGISTER

Section 1. — In the prefect's Register of Co-operative Societies mentioned in Article 14 of the Regulations approved by R. D. 12 February 1911, No. 278, in addition to the Co-operative Societies that may be admitted to take part in public contracts, the following shall also be inscribed :

- a) all other Co-operative Societies legally constituted whatever their object may be ;
- b) „Consorti“ of Co-operative Societies, other than Co-operative Societies that may be admitted to public contracts ; the latter shall continue to be governed by the Law 25 June 1909, No. 422, and by the Regulations thereof approved by R.D.L. 12 February 1911, No. 278, as well as by the provisions set forth in Articles X and XXI of this Order.

Section 2. — The Register shall be divided into sections in accordance with the varying nature and activity of the Co-operative Societies as follows :

Section for Consumer Co-operative Societies	
„ „ Production and Labour Co-operative Societies	
„ „ Agricultural Co-operative Societies	
„ „ Building Co-operative Societies	
„ „ Transportation Co-operative Societies	
„ „ Fishing Co-operative Societies	
„ „ Credit and Insurance Co-operative Societies	
„ „ Miscellaneous Co-operative Societies.	

ARTICLE IX

PROCEDURE FOR INSCRIPTION

Section 1. — The provisions of Title II of the Regulations approved by R.D. 12 February 1911, No. 278, concerning the inscription of Co-operative Societies which may be admitted to public contracts, shall be applied for inscription of the societies contemplated by this Order in so far as consistent subject however to the provisions specified hereunder :

- 1) In the list of the names of members to be produced in conformity with Article 15 of the said Regulations, instead of indicating the craft or industry exercised by the member as required for Production and Labour-Co-operative Societies, there shall be indicated his specific personal work ;
- 2) in order to obtain inscription, „Consorti“ must file with the Office of the Zone President an appropriate application together with the following documents :
 - a) a legalized copy of the „Consortio“ Constitution and Statute ;
 - b) a certificate issued by the Office of the Zone President that each of the associated Co-operative Societies are duly registered in the Prefect's Register in conformity with Article VIII of this Order ;
 - c) an extract of the resolution made by each Co-operative Society that they intend to associate themselves into the „Consortio“ together with the approval of statute of the „Consortio“ ;
 - d) the receipt showing the deposit with a Credit Institution of at least two-tenths of the capital subscribed by the associating societies. Such deposit shall remain with the Credit Institution until the „Consortio“ is legally constituted ;

- e) a certificate giving the name, surname and qualifications of the administrators and managers in office, and of any other person specially authorized to act for and on behalf of the „Consortio“.

Section 2. — The Zone President upon ascertaining that the structure and organization of the „Consorti“ comply with the legislative provisions the purposes of the statute and with the mutualistic principles, and upon hearing the Supervision Commission provided for by Article XII of this Order, shall, by a decree, order their inscription in the Prefect's Register.

ARTICLE X

ESTABLISHMENT OF A GENERAL INDEX OF CO-OPERATIVE SOCIETIES

Section 1. — A General Index of Co-operative Societies is hereby established at the Department of Labour. The following shall be inscribed in the Index :

- a) All societies and „consorzi“ inscribed in the prefect's Register ;
- b) the „Consorti“ of Co-operative Societies admissible to Public Contracts in conformity with the Law 25 June 1909, No. 422, as well as the „Consorti“ of Co-operative Societies of a different nature. The latter shall exhibit to the Department of Labour the same documentary evidence as is required by Article IX, and their inscription in the Index shall be ordered by the Department of Labour upon hearing the Territorial Commission for Co-operative Societies.

Section 2. — The General Index shall be divided into sections in the same manner as the Prefect's Register of Co-operative Societies. The Index may be inspected by anyone desiring to do so.

ARTICLE XI

JURIDICAL EFFECT OF INSCRIPTION IN THE REGISTER AND IN THE INDEX

Section 1. — The inscription in the Prefect's Register and in the General Index shall imply the juridical recognition of the bodies contemplated in letter (b) of Articles VIII and X.

Section 2. — The lack of inscription in the Register and in the General Index shall exclude the societies and „consorzi“ contemplated in this Order from any fiscal or other benefits, whatever their nature, provided for by this Order or by other laws.

ARTICLE XII

RECONSTITUTION OF SUPERVISION COMMISSIONS

The provisions contained in Title III, Chapter I of the Regulations approved by R. D. 12 February 1911, No. 278, and subsequent amendments thereto, shall apply to the reconstitution of the Supervision Commission in addition to the following :

- a) the number of regular elective members contemplated in Article 26, second para of the said Regulations is hereby increased from 3 to 4 ; the said members shall be elected by the Co-operative Societies from lists of candidates proposed in equal number by the single Federations ;

- b) the inspection provided for in Article 30, para (b), of the said Regulations shall include the organization and operation of the inscribed bodies for the purpose of ascertaining the existence of the requisites necessary for the enjoyment of the fiscal and other facilities provided for by the laws and Regulations.

ARTICLE XIII

CONSTITUTION OF A TERRITORIAL COMMISSION FOR CO-OPERATIVE SOCIETIES

Section 1. — A Territorial Commission for Co-operative Societies is hereby constituted at the Department of Labour and shall consist of the following :

- a) The Director and an official of the Territorial Labour Office ;
- b) a regular and a substitute representative of each of the following Departments : Finance, Public Works, Industry, as well as a representative of the Territorial Food Administration ;
- c) two representatives from each Federations of the Co-operative Movement ;
- d) an expert to be appointed by the Department of Labour to represent Co-operative Societies not adhering to the Federations.

Section 2. — In the event of failure to designate the representatives of the Co-operative movement, the Department of Labour shall choose and appoint them from among persons performing an activity in the co-operative field.

Section 3. — The members of the Commission shall be appointed by an Administrative Order of Allied Military Government ; they shall hold office for the period of one year and may be confirmed in it.

Section 4. — The President of the Commission shall be the Chief, Department of Labour, who may delegate to the Director of the Territorial Labour Office ; the Vice-President shall be appointed by the Commission from among its members.

The Secretariat of the Commission shall be composed of officials of the Department of Labour.

ARTICLE XIV

DUTIES OF THE COMMISSION

Section 1. — The Territorial Commission shall give its opinion on the following matters :

- a) On appeals to the Department of Labour against decisions of the Office of the Zone President in conformity with the Regulations approved by R. D. 12 February 1911, No. 278, and with this Order ;
- b) on the constitution, recognition and dissolution of „Consorti“ of Co-operative Societies for public contracts mentioned in the Law 25 June 1909, No. 422, and of „Consorti“ of Co-operative Societies of a different nature mentioned in Article X of this Order ;
- c) on all matters for which laws and regulations prescribe the opinion of the Commission, or, for which the said opinion is requested, by the Chief, Department of Labour.

Section 2. — The Territorial Commission shall also express its opinion on the disposal of property of the societies and „consorzi“ inscribed in the Prefect's Register and in the General Index when the matter is not governed by the provisions of the Statute.

Section 3. — The Commission shall sit once every two months and on any occasion when requested to do so by the President or by one-third of its members.

ARTICLE XV

EXPENSES FOR THE OPERATION OF THE COMMISSION

Allied Military Government shall make provision for meeting the expenses of the Commission.

ARTICLE XVI

MINIMUM NUMBER OF MEMBERS OF CO-OPERATIVE SOCIETIES

There shall be no limitation as to the maximum number of members but (a) Co-operative Societies in general must have not less than nine members, (b) Production and Labour Co-operative Societies which may be admitted to public contracts must have not less than 25 and (c) Consumers Co-operative Societies must have not less than 200 members.

ARTICLE XVII

REQUISITES OF MEMBERS OF CO-OPERATIVE SOCIETIES

Section 1. — Members of Labour Co-operative Societies must be workers and exercise the craft or trade corresponding to the type of the Co-operative Societies of which they are members or of similar ones.

Section 2. — Persons exercising on their own behalf identical trades or trades similar to that of the Co-operative Society may not become members thereof.

Section 3. — Exceptional admission as members shall be permitted to technical and administrative persons in such number as is strictly necessary for the proper operation of the body and, in any case, shall not exceed 4% of the total number of members.

Section 4. — In Consumers Co-operative Societies no middle-men or persons exercising on their own behalf commercial business of the same nature as that of the Co-operative Society shall be admitted as members.

Section 5. — In agricultural Co-operative Societies for purposes of collective leases or of tenancy of land under concession, no persons exercising an activity other than land cultivation shall be admitted as members.

Section 6. — Owners, tenants and „mezzadri“ may be members of such Co-operative Societies only if they are direct cultivators of land and the area they cultivate directly is insufficient to absorb all the family's man-power. Only for the exercise of administrative and technical functions in the interests of all members, and when membership is an essential qualification, shall persons who are not rural manual labourers be admitted as members, in a number however not exceeding 4% of the total number of members.

Section 7. — No one may be a member of two or more Co-operative Societies of the same type or which perform activities of a similar or complementary nature.

ARTICLE XVIII

LIMITATION OF SHARES TO MEMBERS OF CO-OPERATIVE SOCIETIES

Section 1. — In Co-operative Societies no member shall have a quota or share exceeding Lire 250.000.— nor shares the total face value of which exceeds that sum.

Section 2. — The face value of each quota or share will not be less than Lire 500.— and will not exceed Lire 10.000.—

Section 3. — The limitation contemplated in Section 1 shall not apply to juridical persons contemplated in the third para of Article 2532 of the Civil Code.

As to the said juridical persons the maximum limit of 5 votes shall remain in force as specified in the above Article.

ARTICLE XIX

TIME-LIMIT FOR FULFILLING THE NEW PROVISIONS AND PENALTY FOR FAILURE TO DO SO

Section 1. — Co-operative Societies existing at present shall comply with the provisions contained in Articles XVI, XVII, XVIII within the time-limit of six months from the effective date of this Order; should they fail to do so they shall be barred from the benefits provided for by the laws in force.

Section 2. — The provisions contained in the above Articles shall not apply to cases otherwise governed by special laws.

ARTICLE XX

MUTUALISTIC REQUISITES

Section 1. — For fiscal purposes the existence of mutualistic requisites shall be presumed when the statutes of the Co-operative Societies contain the following clauses:

- a) prohibition to distribute dividends exceeding the percentage of interest fixed by the law calculated in proportion to the capital actually paid in;
- b) prohibition to distribute reserve funds among members during the Society's life-time;
- c) assignment, in the event of the Society's dissolution, of the whole of the society's property - after deduction only of the paid in capital and of the dividends eventually accrued - to purposes of public utility.

Section 2. — In the event of dispute the decision shall be made by the Department of Finance in agreement with the Department of Labour, after hearing the opinion of the Territorial Commission for Co-operative Societies.

ARTICLE XXI

„CONSORZI“ OF CO-OPERATIVE SOCIETIES ADMISSIBLE TO PUBLIC CONTRACTS

Section 1. — „Consorzi“ of Co-operative Societies which may be admitted to public contracts must produce, for the purpose of having their juridical personality recognized, in addition to the documents mentioned in Article 60 of R.D. 12 February 1911, No. 278, the documentary evidence specified hereunder, for each Co-operative Society associated therewith:

- a) a copy of the last balance-sheet or of the financial situation brought up to date and duly signed by the President and by the Auditors ;
- b) a list signed by the President, of the most important works performed after the constitution, indicating the value of the works performed.

Section 2. — The „Consorzio“ referred to in this Article shall not be constituted by less than five Co-operative Societies covering at least 250 members in all.

Section 3. — Each Co-operative Society may not subscribe a quota or shares of the „Consorzio“ for a sum of less than 25.000.— Lire.

Section 4. — The capital of „Consorzi“ shall not be less than Lire 250.000.— Until they have complied with the provisions hereinbefore specified, „Consorzi“ at present operating may not make bids for works other than those in course.

ARTICLE XXII

FISCAL EXEMPTIONS

The deeds and documents required for the application of this Order shall be exempt from Registration Tax and Stamp Duties.

ARTICLE XXIII

EFFECTIVE DATE

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

Dated at Trieste, this 15th day of October 1948.

RIDGELY GAITHER

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

Order No. 334

MODIFICATIONS OF FEES RELATING TO THE FIRST AND TO THE PERIODICAL VERIFICATIONS OF WEIGHTS, MEASURES, WEIGHING AND GAUGING INSTRUMENTS, GAS-GAUGES AND STANDARD MANOMETERS

WHEREAS it is deemed opportune to modify fees relating to the first and to the periodical verifications of weights, measures, weighing and gauging instruments, gas-gauges and standard manometers in that Zone of the Free Territory of Trieste administered by the British-United States Forces,

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

ORDER:

ARTICLE I

Section 1. — Following administrative instructions already issued the fees for the periodical verifications of weights and measures as specified in the Table appended to Order 329, dated 15 March 1947, are hereby repealed and substituted, with effect from the two year period 1949-1950, by the fees given in the Table appended to this Order.

Section 2. — The aforesaid Table shall form a constituent part of this Order and shall be deposited at the Office of the „Sovrintendenza di Finanza“, of the Chamber of Commerce, Industry and Agriculture and of the Zone President, and may be freely inspected by all persons concerned.

ARTICLE II

Following administrative instructions already issued, as from 1 July 1948 the fees for the first verification of weights and measures and of weighing and gauging instruments, of gas-gauges and of standard manometers, shall be due at the rates set forth in the Table referred to in the foregoing Article.

ARTICLE III

Fixed fees for the first verification of weighing and gauging instruments shall be due even if the results of the verification are negative.

ARTICLE IV

Article IV of Order No. 329, dated 15 March 1947, is hereby repealed.

ARTICLE V

The two fixed fees referred to in Article 3 of R. D. L. 28 November 1938, n. 1941, as increased by Order No. 41, dated 19 November 1945, and by Order No. 329, dated 15 March 1947, are hereby fixed at Lire 3.000.— each.

ARTICLE VI

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

Dated at Trieste, this 15th day of October 1948.

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

Order No. 340

NEW PROVISIONS CONCERNING CIRCULATION TAXES ON MOTOR - VEHICLES

WHEREAS it is deemed opportune to issue new provisions concerning circulation taxes on motor-vehicles in that Zone of the Free Territory of Trieste administered by Allied Forces ;

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

ORDER :

ARTICLE I

Tariffs A, B, C and D appended to General Order No. 101, dated 26 April 1947, and concerning circulation taxes on motor-vehicles, are hereby repealed and Tariffs A, B, C and D appended to this Order shall be substituted in lieu thereof.

ARTICLE II

Article IV of General Order No. 24, dated 26 November 1945, as amended by Article II of General Order No. 101, dated 26th April 1947, is hereby repealed and the following shall be substituted therefor :

„The following motor-vehicles having circulation licences for special purposes and not fit for transportation of goods shall be subject to circulation tax of the rate of L. 120.— per HP :

- 1) Industrial tractors
- 2) Chassis of motor trucks with tree axles
- 3) Street cleaning trucks
- 4) Snow cleaning trucks
- 5) Motor pumps
- 6) Water sprinkling trucks
- 7) Repair trucks
- 8) Ladder-trucks and tower-truck to repair electric lines
- 9) Crane-trucks to assist in the recovery of motor vehicles
- 10) Grain Husting machines
- 11) Motor-ambulances
- 12) Motor-Thrashing machines
- 13) Motor-Hearses
- 14) Motor-lorries specially fitted to transport prisoners
- 15) Sanitary trucks
- 16) Advertising trucks, and trucks for advertising shows provided they are permanently fitted for that purpose and the transported goods are never removed therefrom.
- 17) Mobile sound trucks.

All trailers used with the motor vehicles mentioned in the foregoing para, provided that they are not fit for transportation of goods, as well as trailers used for habitation and for camping and such like, shall pay a fixed circulation tax of L. 1.500.—

All motor boats used for transportation of goods shall pay a circulation tax of L. 100.— per HP.“

ARTICLE III

Art. VI of General Order No. 24, dated 26 November 1945, as amended by Article III of General Order No. 101, dated 26 April 1947, is hereby repealed and the following shall be substituted therefor:

„The fixed circulation tax for vehicles on test, as laid down by Article 2 of R. D. L. 19 December 1926, No. 2168, is hereby increased as follows:

motor cars and motor lorries	L. 15.000.—
motor cycles and motor cycles with side-car	„ 1.500.—
motor boats	„ 600.—

ARTICLE IV

Trailers used for the transport of persons shall be liable to the taxes as laid down in Tariff E appended to this Order.

ARTICLE V

The second, third, fourth and fifth paras of Article 10 of R. D. L. 22 May 1942, No. 772, as well as Article 9 of R. D. L. 10 March 1943, No. 94, concerning the obligation of depositing a surety for industrial motor-vehicles are hereby repealed with effect from the date of the publication of this Order in the Official Gazette.

The amounts deposited in terms of the foregoing provision shall be reimbursed by the „Sovrintendenza di Finanza“ upon request of the parties concerned, who shall exhibit for this purpose the receipts showing that payment was effected.

ARTICLE VI

The reduction of 60% on the test circulation tax as granted by Article 19 of R. D. 30 December 1923 No. 3283, as subsequently amended, shall also be granted to licensed sellers („concessionari“) of motor-vehicles and motor-boats, subject to their proving by appropriate legalized documents that the manufacturing firm has entrusted them with the sale („concessione di vendita“) by an express mandate containing the following conditions:

- a) that they own a repair work-shop;
- b) that they have been entered into the Income-tax rolls both for the income deriving from the contract with the manufacturing firm and for that deriving from the operation of their own repair work-shop.

ARTICLE VII

Article VII of General Order No. 24, dated 26 November 1945, is hereby repealed and the following shall be substituted therefor:

„The rate of the circulation tax on motor vehicles and motor boats used for the conveyance of persons and the common circulation tax („tassa unica di circolazione“) on motor vehicles, trailers and motor boats used for the transportation of goods is hereby established „per calendar year“.

Such taxes shall be paid only in one of the following ways:

- a) for the full calendar year, in which case a reduction of one twentieth on the amount of the annual tax shall be granted;

- b) for four-month periods, not to be divided into fractions, running from 1 January, 1 May and 1 September ;
- c) for two-month periods, not to be divided into fractions, running from 1 January, 1 March, 1 May, 1 July, 1 September and 1 November ;
- d) for the remaining period of the year, if there is the intention of paying the tax until 31 December ; in this case the party concerned shall pay as many sixths of the annual tax as are the two-month periods, referred to under the foregoing letter c, still remaining to complete the year ;

In any case the tax shall not be paid at a rate lower than that established for a two-month period.

Fixed rate taxes established by this Order shall in no case be divided into fractions.

If the tax includes a fraction of 5.— lire, such fraction shall be rounded up to the next 5.— Lire.

No change is made as concerns the provisions, of R. D. L. 3 January 1926, No. 44, relating to the way of payment of the circulation tax due on motor-vehicles temporarily imported from abroad.

Former provisions governing the payment of circulation taxes in a different manner are hereby repealed, except those referred to in the foregoing para relating to motor-vehicles temporarily imported from abroad."

ARTICLE VIII

The 60% reduction on the amount of the common circulation tax („tassa unica di circolazione“) granted by Article 4 of R. D. L. 10 March 1943, No. 94, for the industrial motor vehicles and trailers of the unified type referred to in Article 5, letter a) of R. D. L. 29 July 1938, No. 1121, as amended by Article 2 of the law 23 June 1939, No. 969, shall run as from the date on which the appropriate „Ispettorato Compartimentale della Motorizzazione Civile“ enters the prescribed „conformity declaration“ („dichiarazione di conformità“) on the circulation licence.

Such entry, in the case of newly manufactured motor-vehicles, shall be made „ex officio“ by the said „Ispettorato“ after the official testing of the vehicles.

Motor vehicles already in circulation which have not benefited by the reduction so far may obtain it, provided that a request for the „dichiarazione di conformità“ to be entered on the circulation licence be filed with the appropriate Ispettorato within 90 days from the publication of this Order.

On the basis of the annotations made as indicated above, the „Ufficio Registrazione Autoveicoli“ shall collect the circulation tax and apply thereto the reduction of 60 per cent.

ARTICLE IX

In the case of lawfully circulating motor-vehicles, the payment of the tax shall be made not later than the tenth day after the beginning of the fixed periods specified under letters a), b), and c) of the foregoing Article VII.

ARTICLE X

Motor vehicles purposely fitted for the miscellaneous transport of persons and goods and provided with the special circulation licence for this type of transport shall be subject to the circulation tax as laid down in Table „B“ appended to this Order.

Article 3 of the law 23 June 1939, No. 969, is hereby repealed.

ARTICLE XI

The provisions of Article V of General Order No. 24, dated 26 November 1945, concerning the granting of the 30% reduction on the circulation tax for certain types of transport are hereby repealed with effect from 1 January 1949.

ARTICLE XII

New motor vehicles manufactured in Italy driven by an electrical engine shall be exempt from payment of the circulation tax for a period of 5 years.

The right to the exemption provided for by this Article shall be recognized by the competent „Ispettorato Compartimentale della Motorizzazione Civile“ who, upon officially testing the motor vehicle, shall make an appropriate note — duly dated and signed — on the circulation licence, giving the period of the exemption.

Such period shall run, in the case of newly manufactured motor-vehicles, as from the date of the official testing, whereas for motor-vehicles already benefiting in terms of Article 4 of R. D. L. 10 March 1943, No. 94, letter c) by the five-year reduction of 60 per cent, the exemption shall be granted for the period missing to complete the five-year term.

ARTICLE XIII

The „Ufficio Registrazione Autoveicoli“ (Motor vehicles registration office) is hereby authorized to set up new counterfoil-books for the collection of the circulation taxes contemplated by this Order.

ARTICLE XIV

Any other provisions relating to automobile taxes, in so far as they are not inconsistent with those of this Order, shall remain in force.

ARTICLE XV

In accordance with the administrative rules already issued, the provisions of the foregoing Articles I, II, III, IV, VII, IX and X, shall be applicable as from 1st September 1948.

As regards taxes eventually paid in advance, refund or recovery of the differences resulting from the application of the new tariffs shall be made.

ARTICLE XVI

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

Dated at Trieste, this 15th day of October 1948.

RIDGELY GAITHER

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

TARIFF „A“

MOTORCYCLES		MOTORCYCLES with side-car private use	
HP	Annual tax Lire	HP	Annual tax Lire
From 1 to 3	1.000.—	From 1 to 3	1.200.—
Over 3 to 6	1.500.—	Over 3 to 6	1.700.—
„ 6 to 9	2.000.—	„ 6 to 9	2.200.—
„ 9 to 11	2.300.—	„ 9 to 11	2.500.—
„ 11	2.800.—	„ 11	3.000.—

NOTE. — For motorcycles with side-car used for public service (taxis) the tax is reduced to one third.

TARIFF „B“

**MOTORCARS AND AUTOBUSES FOR TRANSPORT OF PERSONS
(Private use)**

HP	Annual tax Lire	HP	Annual tax Lire
Up to 10	3.000.—	Up to 26	14.700.—
„ „ 11	3.600.—	„ „ 27	15.900.—
„ „ 12	4.200.—	„ „ 28	17.100.—
„ „ 13	4.800.—	„ „ 29	18.300.—
„ „ 14	5.400.—	„ „ 30	19.500.—
„ „ 15	6.000.—	„ „ 31	20.700.—
„ „ 16	6.600.—	„ „ 32	21.900.—
„ „ 17	7.200.—	„ „ 33	23.100.—
„ „ 18	7.800.—	„ „ 34	24.300.—
„ „ 19	8.400.—	„ „ 35	25.500.—
„ „ 20	9.000.—	„ „ 36	26.700.—
„ „ 21	9.900.—	„ „ 37	27.900.—
„ „ 22	10.800.—	„ „ 38	29.100.—
„ „ 23	11.700.—	„ „ 39	30.300.—
„ „ 24	12.600.—	„ „ 40	31.500.—
„ „ 25	13.500.—		

NOTE. — For motor-cars and autobuses exceeding 40 HP, an additional 1.200 lire shall be added for each HP in excess of 40.

The taxes shown in this table shall be reduced by 40 per cent in the case of hire motor-cars and autobuses, and to one-third in the case of motor-cars used for public service (taxis) and on regular public lines (autobuses). Motor cars used for training purposes may benefit by the 40 per cent reduction of the tax subject to the competent „Ispettorato della Motorizzazione Civile“ certifying on the relative licence that the motor car is provided with a double drive and is used solely for training purposes.

TARIFF „C“

MOTORBOATS FOR PRIVATE USE — TRANSPORT OF PERSONS

HP	Annual Tax Lire	HP	Annual tax Lire
1.....	300.—	26.....	3.490.—
2.....	360.—	27.....	3.770.—
3.....	420.—	28.....	4.050.—
4.....	480.—	29.....	4.350.—
5.....	540.—	30.....	4.650.—
6.....	600.—	31.....	4.970.—
7.....	690.—	32.....	5.290.—
8.....	780.—	33.....	5.610.—
9.....	870.—	34.....	5.930.—
10.....	960.—	35.....	6.250.—
11.....	1.050.—	36.....	6.600.—
12.....	1.140.—	37.....	6.950.—
13.....	1.260.—	38.....	7.300.—
14.....	1.380.—	39.....	7.650.—
15.....	1.500.—	40.....	8.000.—
16.....	1.620.—	41.....	8.380.—
17.....	1.740.—	42.....	8.760.—
18.....	1.890.—	43.....	9.140.—
19.....	2.040.—	44.....	9.520.—
20.....	2.190.—	45.....	9.900.—
21.....	2.370.—	46.....	10.320.—
22.....	2.550.—	47.....	10.740.—
23.....	2.770.—	48.....	11.190.—
24.....	3.010.—	49.....	11.670.—
25.....	3.250.—	50.....	12.150.—

NOTE. — For motor boats exceeding 50 HP, an additional 480 Lire shall be added for each HP in excess of 50.

For motor boats used for the transport of goods the circulation tax shall be paid at the rate of L. 100.— per HP, in accordance with Article II of this Order.

For motor boats used for authorized public service the above rates shall be reduced to on third.

TARIFF „D“

TARIFF OF COMMON CIRCULATION TAX FOR MOTORLORRIES, TRUCKS, MOTORVANS AND TRAILERS

Registered Carrying Capacity of the Vehicle		Annual Tax	
		motorlorries trucks and motorvans	trailers
		Lire	Lire
Up to	4 quintals	2.400.—	2.640.—
Over	4 to 8 quintals	3.600.—	3.960.—
„	8 „ 10 „	4.800.—	5.280.—
„	10 „ 15 „	9.600.—	10.560.—
„	15 „ 20 „	14.400.—	15.840.—
„	20 „ 25 „	18.000.—	19.800.—
„	25 „ 30 „	21.600.—	23.760.—
„	30 „ 35 „	23.600.—	25.960.—
„	35 „ 40 „	25.800.—	28.380.—
„	40 „ 45 „	30.000.—	33.000.—
„	45 „ 50 „	36.000.—	39.600.—
„	50 „ 55 „	40.200.—	44.220.—
„	60 „ 65 „	44.400.—	48.840.—
„	70 „ 80 „	48.000.—	52.800.—
„	80 „ 90 „	54.000.—	59.400.—
„	90 „ 100 „	57.600.—	63.360.—
„	100 „ 110 „	60.000.—	66.000.—
„	110 quintals	66.000.—	72.600.—

TARIFF „E“

TRAILERS USED FOR THE TRANSPORT OF PERSONS

Number of seats	Annual Tariff		
	Private use	For hire	On regular line service
	Lire	Lire	Lire
Up to 15	9.000.—	5.400.—	3.000.—
from 16 to 25	12.000.—	7.200.—	4.000.—
„ 26 „ 40	18.000.—	10.800.—	6.000.—
over 40	30.000.—	18.000.—	10.000.—

Order No. 341

MODIFICATIONS TO ITEMS 550 AND 551 OF THE CUSTOMS GENERAL TARIFF AND TO THE CORRESPONDING ITEMS IN THE „REPERTORIO“ FOR ITS APPLICATION

WHEREAS it is deemed advisable to make certain amendments to item 550 and 551 of the Customs General Tariff and to the corresponding items in the „Repertorio“ for its application, in that Zone of the Free Territory of Trieste administered by the British-United States Forces (hereinafter referred to as the „Zone“);

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

ORDER :

ARTICLE I

Items 550 and 551 of the Customs General Tariff, approved by R.D.L. 9 June 1921, No. 806, converted into the Law 17 April 1925, No. 473, as subsequently amended, are hereby modified as follows:

Number and letter of the Tariff	DESCRIPTION OF GOODS	Duty
550	Artificial corundum, silicon carbide, „abrasite“ and the like : sub-items unchanged	unchanged
551	Natural or artificial emery, corundum, silicon carbide manufactured articles and the like, etc. : sub-items unchanged	unchanged

ARTICLE II

The „Repertorio“ for the application of the Customs General Tariff approved by R. D.L. 27 November 1925. No. 2146, converted into the Law 21 March 1926, No. 597, as subsequently amended, is hereby modified according to the changes appearing from Table „A“ appended to this Order and forming a constituent part hereof.

Such table has been posted in the premises of the „Sovrintendenza di Finanza“ and of the „Direzione Superiore di Dogana“, where it may be freely inspected by any person concerned.

ARTICLE III

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

Dated at TRIESTE, this 15th day of October 1948.

RIDGELY GAITHER

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

Order No. 343

TEMPORARY INCREASE OF ORIGINAL LIMITS OF EXPEDITURES PROVIDED FOR BY THE STATE GENERAL ACCOUNTANCY LAW AND REGULATIONS, BY THE SPECIAL ACCOUNTANCY LAWS AND REGULATIONS AND BY ART. 18 OF THE CONSOLIDATED TEXT APPROVED BY R. D. 12 JULY 1934, N. 1214

WHEREAS it is deemed advisable to increase temporarily the original limits of expenditures provided for by the State General Accountancy Law and Regulations, by the Special Accountancy Laws and Regulations and by Article 18 of the Consolidated Text approved by R. D. 12 July 1934, No. 1214, within that Zone of the Free Territory of Trieste administered by the British-United States Forces ;

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

ORDER :

ARTICLE I

With effect from 1 January 1948, the original limits of expenditures however indicated by the State General Accountancy Law and Regulations, by the Special Accountancy Laws and Regulations or relative provisions and by Art. 18 of the Consolidated Text approved by R.D. 12 July 1934, No. 1214, are hereby increased by 20 times.

ARTICLE II

Any provisions establishing increases of the original limits of expenditures at a rate higher than that provided for by the foregoing Article shall remain unchanged.

ARTICLE III

The date on which the provisions of Article I hereof will cease to be effective will be fixed by an Order of the Allied Military Government.

ARTICLE IV

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

Dated at TRIESTE, this 15th day of October 1948.

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

Administrative Order No. 102

LEGITIMATION OF MOCNIK VITTORIA ROSA MARIA AND OF VENTURO TERESA MATTEA MARIA

WHEREAS the Court of Appeal of Trieste has decided that the conditions required by Article 284 of the Civil Code now in force concur for legitimation of Mocnik Vittoria Rosa Maria, born on 6 September 1919 at Trieste, and of Veniuro Teresa Mattea Maria born on 9 July 1921 at Trieste, natural daughters of Venturo Giovanni and of Mocnik Maria, and

WHEREAS such legitimation is a provision of administrative nature, within the powers of the Central Government, and

WHEREAS all the powers of the Central Government are assumed by Allied Military Government in that Zone of the Free Territory of Trieste administered by the British-United States Forces, and

UPON the recommendation of the Director of Legal Affairs

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

ORDER:

1) That Mocnik Vittoria Rosa Maria born on 6 September 1919 at Trieste and Venturo Teresa Mattea Maria born on 9 July 1921 at Trieste shall be and hereby are legitimated to all effects as the daughters of Venturo Giovanni of late Salvatore and of Mocnik Maria of the late Giuseppe.

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

Dated at Trieste, this 14th day of October 1948.

RIDGELY GAITHER

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

Administrative Order No. 103

AUTHORIZATION TO THE NOTARY GIUSEPPE BOSCHINI FOR TEMPORARY EXERCISE OF HIS PROFESSION IN TRIESTE

WHEREAS Dr. Giuseppe BOSCHINI formerly exercising his profession in Pirano, and regularly inscribed at the Notarial College of Trieste, has applied for the authorization to temporarily exercise his profession in Trieste;

WHEREAS the Notarial College of Trieste recommended such authorization;

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

O R D E R :

1) Dr. Giuseppe BOSCHINI is hereby authorized to temporarily exercise his profession of Notary in Trieste.

2) The above mentioned Notary shall within 30 days from the effective date of this Order, provide for his registration free of charge in accordance with Article 18 paragraph 3 of the law 16 February 1913, No. 89; he shall further comply with the other formalities set forth in paragraphs 4 and 5 of said Article and open an office in his temporary seat.

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

Dated at TRIESTE, this 14th day of October 1948.

RIDGELY GAITHER

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

Administrative Order No. 104

**DISCHARGE OF THE COMMISSION FOR THE REVISION OF CAREERS OF EMPLOYEES
OF PUBLIC ADMINISTRATION**

WHEREAS, in terms of General Order No. 60 dated 27 May 1946 and General Order No. 98 dated 26 April 1947 as amended by Order No. 49 dated 17 November 1947 an Area Commission and a Territorial Commission of Appeal were established respectively by Administrative Order No. 22 dated 18 November 1947 and Administrative Order No. 106 dated 26 April 1947; and

WHEREAS, the work of said Commissions has now been terminated and it is right and proper that the members thereof be discharged.

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

O R D E R :

ARTICLE I

AREA COMMISSION

The following persons are hereby discharged from their duties with the Area Commission under Administrative Order No. 22 dated 18 November 1947:

Dr. PALERMO Carmelo, *President*

Avv. OKRETIC Enrico, *Member*

Dr. SCROSOPPI Paolo, ..

Dr. SANTONASTASIO Saverio, *Deputy Member*

ARTICLE II

TERRITORIAL COMMISSION OF APPEAL

The following persons are hereby discharged from their duties with the Territorial Commission of Appeal under Administrative Order No. 106 date 26 April 1947 as amended by the said Administrative Order No. 22 :

Dr. ALBERTI Alberto, *President*
Dr. BOSCHIN Francesco, *Member*
Avv. ZUMIN Edmondo, ,,
Avv. RINALDINI Rodolfo ,,
Avv. BOLAFFIO Giuseppe, ,,
Dr. THERMES Mario, *Deputy Member*

ARTICLE III

EFFECTIVE DATE

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

Dated at Trieste, this 18th day of October, 1948

RIDGELY GAITHER

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

Notice No. 27

INSERTIONS IN OFFICIAL GAZETTE A. M. G. (BUSZ) F. T. T .

With effect from to-day all material which is required to be inserted in the Civil Section of the Official Gazette of the Allied Military Government (British-United States Zone), Free Territory of Trieste, must be delivered to the office of the DEPARTMENT OF LEGAL AFFAIRS, Palazzo Lavori Pubblici, and **NOT** as heretofore to Room 141, Palazzo di Giustizia.

Dated at TRIESTE, this 18th day of October 1948.

JOHN W. CHAPMAN

Colonel J.A.G.D.
Director of Legal Affairs

Errata Corrigenda

(ORDER N. 336 — Currency movement control — published in Gazette N. 37, page 574, 21 September 1948)

Delete the words „or cheques“ occurring in Article I, third line.

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