

ALLIED MILITARY GOVERNMENT

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ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

Order No. 1

PARDON

WHEREAS it is considered appropriate in view of the commencement of the Holy Year (Anno Santo), to grant an act of pardon in respect of certain punishments in that part of the Free Territory of Trieste administered by the British-United States Forces,

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

ORDER:

ARTICLE I

RATE OF PARDON

Pardon shall be granted at the rate of two years for punishments of imprisonment of less than five years already inflicted or to be inflicted and at the rate of three years for higher punishments.

For fines pardon shall be granted at the rate of Lire 300,000.

With regard to those persons who, for the same sentence, have benefited or may benefit by pardons previously granted, the reduction of the punishment of imprisonment may not exceed one year.

ARTICLE II

EXCLUDED FROM PARDON

Pardon shall not be granted:

- a) to persons who, on the date of 15 December 1949, have been sentenced, one or more times for intentional or preterintentional crimes („delitti non colposi“) to a period exceeding, as a whole, three years of imprisonment. However, in calculating the previous punishments, no account shall be taken of punishments which are extinguished in consequence of a previous amnesty or of expiration, on the aforesaid date, of the term of the conditional suspension of the punishment pursuant to Article 167 of the Penal Code, as well as of those cases where the condemned persons have been rehabilitated;
- b) to persons who, on the date of this Order are absconding („si trovano in istato di latitanza“), with exception of those who give themselves up for imprisonment within three months from such date; this exclusion, however, shall not be applied in case pardon is granted for the entire punishment.

ARTICLE III

REVOCATION OF PARDON

Pardon shall be revoked by law if the person pardoned should be sentenced for an intentional or preterintentional crime („delitto non colposo“) punishable with imprisonment committed within 5 years from the date of this Order.

ARTICLE IV

APPLICATION TO SENTENCES INFLICTED BY ALLIED MILITARY COURTS

The pardon granted in the foregoing Articles shall also apply to punishments inflicted or to be inflicted by the Allied Military Courts.

ARTICLE V

APPLICATION OF PARDON

For punishments inflicted or to be inflicted by the local Courts, to which the above Articles refer, pardon shall be applied by the local Magistrates.

For punishments inflicted or to be inflicted by the Allied Military Courts, to which the above Articles refer, pardon shall be applied by a Judge of the Allied Military Courts.

ARTICLE VI

LIMITATION OF EFFECT

Pardon granted in the foregoing Articles shall be effective in regard to offences committed up to and including 15 December 1949.

ARTICLE VII

EFFECTIVE DATE

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

Dated at TRIESTE, this 13th day of January 1950.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/50/f3

Order No. 2

FINES IN PENAL LAW AND PROCEDURE

WHEREAS it is deemed advisable to make further amendments to the second paragraph of Article 135 of the Penal Code as amended by Article I of Order No. 117 dated 15 January 1948, in that part of the Free Territory of Trieste administered by the British-United States Forces,

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

ORDER:

ARTICLE I

The second paragraph of Article 135 of the Penal Code as amended by Article I of Order No. 117 dated 15 January 1948 is hereby further amended to read and provide as follows:

„Whenever the establishment of the equivalent refers to pecuniary punishment „inflicted for acts committed prior to the effective date of this Order, the calculation „shall be made on the basis of one day of punishment by detention for every 100 lire or „fraction thereof of the pecuniary punishment.“

ARTICLE II

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

Dated at TRIESTE, this 13th day of January 1950.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/50/4

Order No. 3

INCREASE OF FAMILY ALLOWANCES FOR CHILDREN AND OF CONTRIBUTIONS FOR FAMILY ALLOWANCES IN INDUSTRY

WHEREAS it is deemed advisable and necessary to increase the amount of family allowances of cost of living for children and consequently to increase the rate of the contributions for family allowances in industry, in that part of the Free Territory of Trieste administered by the British-United States Forces,

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

ORDER:

ARTICLE I

Section 1. — With effect from the beginning of the pay period running on 1st August 1949, the amount of family allowances for cost of living, established for industry section of the „Cassa Unica“, is increased by 20 Lire daily for each child depending on a manual or clerical worker.

Section 2. — With effect from the date referred to in the preceding Section, the rate of contribution for industry family allowances pursuant to Article I of Order No. 372, dated 16 December 1948, is increased to 17.05 per cent.

ARTICLE II

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

Dated at TRIESTE, this 14th day of January 1950.

CLYDE D. EDDLEMAN

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

Ref. : LD/A/49/262

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