

Declassified E.O. 12356 Section 3.3/NND No. 785017

ACC

10000/104/1593

Declassified E.O. 12356 Section 3.3/NND No. 785017

10000/109/1593

PORT OF NAPLES
MAY 1940, AUG. 1941;
APR., MAY 1944

HEADQUARTERS
LIED COMMERCE COMMISSION
R.C. & M.C. Section
APO 394

Ref/298/15/OA.

11 May 1944.

SUBJECT: Independent Port Authority of Naples - Liquidation.

TO : Naval Sub-Commission, SALERNO.

1. There are forwarded to you letter from the Ministero della Marina and copy of 'Outline of the Royal Decree abolishing the separate Port Authority of Naples.'

2. In effect the Independent Port Authority of Naples will be liquidated and all Port concessions and finances go to the State, including the special anchorage tax. All workers will be discharged on a two months notice and will be given an indemnity of 'half of the sum of their last pay for every year of service rendered whether as an employee of the State or of the dissolved firms furnishing the port with machines and other equipment'.

3. The proposed decree has been submitted to the various Sub-Commissions interested and the main points of their observations are noted below :

(a) Legal Sub-Commission.

There are no objections on purely legal grounds but there may well be serious practical objections. Control will pass from the Company to the State and may mean some change in personnel directing the port.

(b) Shipping Sub-Commission.

Have no objections but :

- (i) Wish to be advised of the composition of the new body and assume port users will be fully represented.
- (ii) Assume that the funds will be made available through the State for restoration of harbour works and facilities.
- (iii) Consider that serious thought be given to the re-employment by the new authority of discharged employees, especially those who are both desirable from an Allied point of view and who are also experienced in working the Port.

(c) Labour Sub-Commission.

State there will be two groups of employees affected namely, the employees of the Port and the employees of the dissolved firms. They consider :

- 151
- 2-
- (i) That it would be disadvantageous that the workers who are immediately re-hired as state employees be paid dismissal indemnities and thus lose their future rights to credit for their years of employment with the Para-Statal Port Authority.
 - (ii) A clause in the Decree or a separate Order could provide that accrued Insurance Funds and Insurance rights of re-hired workers be retained for them in their status as state employees provided they apply for State employment within a specified period and do not accept a dismissal indemnity.
 - (iii) Those not retired would be entitled to payment of dismissal indemnities and any other benefits due to them.
 - (iv) The translation of para 2 Art 5 is bad. Does it mean half of the sum of their last pay or half a months pay.

4. The matter as it stands has been very fully considered by the various Sub-Commissions concerned, and on the advice of Legal Sub-Commission Region III have been advised not to follow the Italian Decree.

5. To meet the points raised by the Sub-Commissions the Draft Decree requires substantial alteration. I suggest, therefore, that you raise the matter with the Minister of Marine for their consideration. As it is the Decree will have no effect at all when published in the official gazette as the Port of Naples is situated in occupied territory, and it will be for the Allied authorities, if they see fit, to authorize application of the decree in occupied territory. It would be far better to revoke the Decree and delay re-issue until Naples is turned over to the Italian Government.

Alfred B. Brown
H. L. L.

M. S. LUSH,
Brigadier,
Executive Commissioner.

Copy to: Admin Section - For Legal Sub-Commission.
 Boon Section - For Labour and Shipping Sub-Commissions.
 Region III - for information.

Executive Commissioner.

Liquidation of the Independent Port
Authority of Naples.

Region 3 forwarded a Decree proposed by the Minister of Marine for liquidating the present Port of Naples. This has been submitted to various Sub Commissions and their views are shown on the draft letter attached. Region 3 have been advised not to follow the Italian Decree. As it stands the Decree will have no value and I consider representations should be made to the Italian Government for readjustment and alteration to cover the points raised by the Sub Commissions. I have therefore drafted a letter to the Naval Sub Commission and if you approve will send it. The draft letter explains the present position.

10/5/44.

John A. K. [unclear]

Issue as amended

M/10/44

Staff

Subject. Independent Port Authority of Naples. - Liquidation.

Naval Sub Commission, Salerno.

1. There are forwarded to you letter from The ² ~~Ministero of ~~Marine~~~~ della Marina and copy of 'Outline of the Royal Decree abolishing the separate Port Authority of 'Naples'.

including the special anchorage tax.

2. In effect the Independent Port Authority of Naples will be liquidated and all Port concessions and Finances go the State. All workers will be discharged on a two months notice and will be given an indemnity of 'half of the sum of their last pay for every year of service rendered whether as an employee of the State or of the dissolved firms furnishing the port with machines and other equipment'.

3. The proposed Decree has been submitted to the various Sub Commissions interested and the main points of their observations are noted below.

(a) Legal Sub Commission.

There are no objections on purely legal grounds but there may well be serious practical objections. Control will pass from the Company to the State and may mean some change in personnel directing the port.

(b) Shipping Sub Commission.

Have no objections but,

(i) Wish to be advised of the composition of the new body and assume port users will be fully represented.

(ii) Assume that the funds will be made available through the State for restoration of harbour works and facilities.

OK

(iii). Consider that serious thought be given to the re-employment by the new authority, of discharged employees, especially those who are both desirable from an Allied point of view and ~~are~~ who are also experienced in working the Port.

(c) Labour Sub Commission.

State there will be two groups of employees affected namely the employees of the Port and the employees of the dissolved firms. They consider,

- (i) That it would be disadvantageous that the workers who are immediately rehired as state employees be paid dismissal indemnities and thus lose their future rights to credit for their years of employment with the Para-Statal authority.
- (ii) A clause in the Decree or a separate Order could provide that accrued Insurance Funds and rights of rehired workers be retained ~~provided they apply~~ for them in their status as state employees provided they apply for State employment within a specified period and do not accept a dismissal indemnity.
- (iii) Those not rehired would be entitled to payment of dismissal indemnities and any other ~~indemnities~~ benefits due to them.
- (iv) The translation of para 2 Art 5 is bad. Does it mean half of the sum of their last pay or half a months pay?

4. The matter as it stands has been very fully considered by the various subcommissions concerned, and on the advice of Legal Sub Commission Region 3 have been advised not to follow the Italian Decree.

5. To meet the points raised by the Sub Commissions the draft Decree requires substantial alteration. ~~Please therefore~~ raise the matter with the Minister of Marine for their consideration. As it is the Decree will have no effect at all when published in the official gazette as the Port of Naples is situated in occupied territory and it will be for the Allied authorities, if they see fit, ~~to republish the decree in occupied territory~~ to authorise application of the decree in occupied territory. *It would be far better to revise the*

decree a delay after its issue until Naples is liberated
6th 7.6

Copy to,-

Admin Sec. for Legal Sub Commission
 Econ Section for Labour and Shipping Sub Commissions.
 Region 3 for information.

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.O. & M.O. SECTION
APO 394

13

278/14/69
Ret/ACM/14/69

9 May 1944

SUBJECT: Independent Port Authority of Naples.
TO : R.O. Region III.

1. Reference your letter of 1 April 1944 the Italian decree concerning the liquidation of the Ente Autonomo of the Port of Naples has been the subject of consideration by various sub-commissions. The draft decree requires substantial alteration before it is acceptable by the sub-commissions concerned and in the circumstances your Headquarters will not follow the Italian Decree.

MURRAY E. FICKES
Colonel
Deputy Executive
Commissioner

Copy to:
Admin Section (for Legal Sub-Commission)

SUBJECT. Independent Port Authority of Naples.

TO Admin Section - for Legal Sub Commission. ✓

File resubmitted to you for reconsideration ruling given in folio 8 in the light of views of other sub commissions in folios 10 & 12.

May
3 April 44.

Official Letter
Walsfield White, Major

To R.C. & M.G.

It appears from the comments of the Submissions concerned that the draft decree requires substantial alteration before it is acceptable. The Shipping Submission in particular raises an important point, namely they want to know what body will in fact be organised to run the Port under the auspices of the State. It seems therefore that the Italian Govt should be asked to put forward a basically revised document to deal with the criticisms that have been advanced.

7 May 44.

G. R. Lipton CR
cc. d.

SUBJECT: Independent Port Authority of Naples.

TO : Economic Secti - For Labour Sub-Commission. ✓

1. Region III referred this question to us (folio 5). Chief Legal Officer's comments are at folio 8 and Shipping Sub-Commission at folio 10. You would no doubt like to comment on the question of discharge of certain personnel which appears to be envisaged by the decree and which is remarked on by C.L.O. in para.4 of his letter of the 15th April (folio 8).

Postscript

23-April-44.

G.W.I. SHIPP,
Lt.Col.

C.A. Branch,

To see obs. at 12. It would I think be a mistake to pay to all the dismissal indemnity due. The improvident would no doubt welcome the cash in hand but their future as State Employees would be prejudiced.

The translation at 2, 2nd para Art.5, is weak. There is a difference between "half of the sum of their last pay" and half a month's pay.

J.T.R. Bain
J.T.R. Bain, Director,
Labour Sub Comm., 29/1/44

*Minutes of p. ition as at
February 44.*

Subject. Liquidation of Independent Port Authority.

1. The Italian Government wish to publish a decree abolishing the Ente of the Port of Naples and have inquired whether AMB have any objections.

2. The abolition of the Ente means the discharge of all the personnel. They had hoped to publish the Order on 1 May 44.

3. In effect the Independent Port Authority of Naples will be liquidated. All Port concessions and finances will go the State. The special anchorage tax will be taken over by the State.

4. All workers will be discharged on a two months notice and will be given an indemnity of 'half of the sum of their last pay for every year of service rendered whether as an employee of the Ente or of the dissolved firms furnishing the port with machines and other equipment'.

1 Apr. Folio 5. Region 3 ask for decision as to whether or not to follow Italian Decree.

4 Apr Folio 6. Forwarded to Admin Sec.

13 Apr. Fol 8. Legal S.C. see no objection on purely legal grounds but state there may well be serious practical objections. Control will pass from the Coy to the State and may mean some change in personnel directing the port.

21 Apr. Fol 10. Shipping Sub Commission.
See no objection but

- (a) Wish to be advised of the composition of the new body, and assume port users will be fully represented
- (b) Assume that the funds will be made available through the state for the restoration of harbour works and facilities.
- (c) ~~Consider~~ the discharge of employees. Consider that serious thought be given to their re-employment by the new authority especially those who are both desirable from Allied point of view and also experienced in working the Port.

p.k.

28 Apr. Folio 12.

Labour Sub Commission.

state there will be two groups of employees affected
(a) the employees of the Port and (b) the employees
of the dissolved firms. They consider,

- (1) That it would be disadvantageous ^{that} the workers
who are immediately rehired as state employees be
paid dismissal indemnities and thus lose their
future rights to credit for their years of em:
ployment with the Para-Statal authority.
- (2) A clause in the decree or a separate Order could
provide that accrued insurance funds and rights
of rehired workers be retained for them in their
status as state employees provided they apply
for state employment within a specified period and
do not accept a dismissal indemnity.
- (3) Those not rehired would be entitled to payment of
dismissal indemnities and any other benefits due
to them.
- (4) The translation of para 2, Art is bad. Does it
mean half of the sum of their last pay or half
a months pay.

As the matter stands it has been very fully
considered by the various sub ^{missions} ~~concerned~~ concerned.
~~It would appear to be now for the Italian Govt.~~
~~to take up the points with the Italian Govt.~~

May I submit to the Admin Section ~~for~~ ~~the~~

W. S. L. May.
CA Br.

1 May 44. ^{Handed file to Major Robinson} L.O. for consideration
3-5-44 May Robinson, L.O. to the Port Commission has
spoken to them on the subject. They feel that
at the present moment they wish no change
and nothing done to interfere with present
activities.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LABOR SUB-COMMISSION
APO 394

WES/tbw

LAB 091.454

28 April, 1944

SUBJECT: Liquidation of Independent Port Authority

TO : Director, Labor Sub-Commission

1. The Independent Port Authority has existed in one form or another since 1920. It was reconstituted with its present name under a law of 1940, modified by a law of 1941. It is essentially a Para-Statal agency -- the status of its employees being very similar to that of railroad workers.

2. The Port Authority has obtained its operating funds, not from the State, but from a special anchorage tax and percentage fees paid by various private firms doing work in the port on a concession basis. I am not certain of exact details of these arrangements.

3. As I understand the pending decree, both the Port Authority itself and certain firms (aziende) supplying machinery and equipment are "liquidated", and, hence, there will be two groups of employees affected -- the employees (impiegati) of the Port Authority and the workers of the dissolved firms, which have had a quasi-public status.

4. The Port Authority operated its own social insurance provisions and set aside funds for the purpose, including funds to pay the dismissal indemnities specified in the decree. The decree provides that the State (in the person of the Italian Royal Naval Command for the Port) will take over the insurance funds and assume responsibility for paying benefits due the workers of both classes.

5. In view of the above general picture and in view of the probability that the State can absorb a majority of the liquidated employees as workers for the Port Naval Command, it is my opinion that:

a. It would be disadvantageous to the workers and contrary to sound social insurance policy for those who can be immediately rehired as State employees to be paid dismissal indemnities and thus lose their future rights to credit for their years of employment with the Para-Statal Port Authority.

b. A clause in the decree or a separate order could provide that accrued insurance funds and insurance rights of such rehired workers be retained for them in their status as State employees, provided they apply for State employment within a specified period and do not accept a dismissal indemnity.

4287

2. Those not rehired would be entitled to payment of dismissal indemnities and any other benefits due them.

Willard E. Solenderger
WILLARD E. SOLENDERGER,
1st. Lt., S.R.,
Social Insurance Division,
Labor Sub-Commission.

785017

DEPUTY HEADQUARTERS
22 APR 1944
MEDITERRANEAN REPRESENTATIVE

MINISTRY OF WAR TRANSPORT

A. C. C.

Tel. FLAMBO 17V

Dur. 30004

9, Via del Corso,

NAPLES.

SHIPPING SUB-COMMISSION.

21st April, 1944.

To: Deputy Executive Commissioner,
H.Q., A.C.C.

Subject: Independent Port Authority of Naples.
Ref: 298/9/CA.

1. With reference to your letter of 19th April, as far as the Shipping Sub-Commission is concerned on the information available there would be no objection to the proposed decree liquidating the present Independent Port Authority of Naples.

2. It is requested however that the Shipping Sub-Commission be advised of the composition of the body which it is proposed should take the place of the present Authority. It is assumed that port users will be fully represented on this body. It is also assumed that the funds accrued will be made available through the State for the restoration of harbour works and facilities etc.

3. From Folio 3 and article No.5 of the decree we note that it is proposed that all the employees be discharged, but it is suggested that serious consideration be given to the re-employment by the new Authority of an adequate number of the former personnel who are both desirable from the Allied point of view and also experienced in the working of the port.

4. File 298/CA - Italian Decree, is returned herewith.

Martin Anthony
For DIRECTOR
SHIPPING SUB-COMMISSION.

HEADQUARTERS
ALLIED CONTROL COMMISSION
E.C. & M.C. Section
APO 394

Ref/296/9/CA.

19 April 1944.

SUBJECT: Independent Port Authority of Naples.

TO : Economic Section - Shipping Sub-Commission.

1. There is forwarded File 296/CA - Italian Decree, for your perusal. Your attention is drawn to folios 2, 4 and 8. The file deals with a proposed decree changing the control of the Port of Naples over to the Italian Government. Region III have no objection but the Chief Legal Officer has one or two comments to make in his letter (folio 8).

2. Please consider the matter and let us have an early reply as the matter is urgent.

NORMAN E. FISKE
Colonel,
Deputy Executive
Commissioner.

Copy to: Region III (Ref your letter of 1 April)

785017

EAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

13 April, 1944.

REFERENCE :- ACC/4104/5/L.
SUBJECT : Independent Port Authority of Naples.
TO : Deputy Executive Commissioner.



1. Reference your 298/6/CA dated 4 April 1944.
2. I have considered the proposed decree and in my opinion such decree will not affect the authority of A.M.G. The position is that whereas formerly the Port Authority was an ente or company it will now be operated by the State but being in either event in occupied territory the control still rests with A.M.G.
3. On purely legal grounds, therefore, I see no objection to the decree.
4. I should point out, however, that there may be objections on other grounds. In the first place the control passes from the members of the company and ~~passes~~ to the State and this may mean some change in personnel directing the Port and this matter should receive careful consideration by the Allied authorities. Secondly, the decree envisages the discharge of certain personnel and the giving of an indemnity to them (see Article 5) and this is a matter obviously of great importance which would appear to deserve consideration by the Labour Sub-Commission.
5. To sum up, therefore, although I see ^{legal} no objection to the decree there may well be serious practical objections.
6. You should also point out to the Minister that his decree will have no effect at all when published in the official gazette as the Port of Naples is situate in occupied territory and it will be for the Allied authorities. If they see fit, to republish the decree in occupied territory. Such republication is in fact carried out through the machinery of this Sub-Commission.

Gerald R. Upjohn

GERALD R. UPJOHN.
Colonel,
Chief Legal Officer.

Ex. Joke

*Should we now represent
this to Minister of Marine
through Navy S.C. or
reply direct to Reg III in terms
of para 6 above.*

4283

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & H.C. Section
APO 394

Ref/298/7/CA.

10 April 1944.

SUBJECT: Independent Port Authority of Naples.

TO : V.P. Admin. Section - For Legal Sub-Com.

1. Reference our letter 298/6/CA of 4 Apr 44.
2. May we please have a reply to the above referred to letter?

WILLIAM H. FINE
Colonel,
Deputy Executive
Commissioner.

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.O. & M.O. SECTION
APO 394

Ref/298/6/OA.

6/1
1 April 1944

SUBJECT: Independent Port Authority of Naples.

TO : V.P. Admin. Section (for Legal Sub-Commission)

1. Herewith are enclosed copies of translation of letter and proposed decree changing the control of the port of Naples over to the Italian Government.
2. Region III advises it has no objection to such a decree provided AMC retains its present authority in controlling the port of Naples.
3. Will you please examine this decree and advise us of your disposition in the matter.

34p
NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

2 Incls:

B/4
9/4
4281

298
2 APR Recd
[Signature]

C.A. Br.

2187
U-2289
5

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, US ARMY

1 April 1944

SUBJECT: Independent Port Authority of Naples

TO : Regional Control & Military Government Section
Allied Control Commission Headquarters

1. Your decision is needed as to whether-or-not this Headquarters is to follow the Italian decree concerning the liquidation of the Ente Autonomo of the Port of Naples.

2. Inclosed find letter from the Ministero della Marina and copy of "Outline of the Royal Decree abolishing the separate Port authority of Naples".

Charles Poletti
CHARLES POLETTI
Lt. Colonel
Regional Commissioner

ENCL 2:

1. Letter from Minister of Marine, 8 March 1944 - 34
English & Italian
2. "Outline of Royal Decree" - 1-2

785017

TRANSLATION

ROYAL NAVY
General Headquarters of
the Merchant Marine

To: Military Intelligence
Office of A.M.G.

N A P L E S

Naples - Via Gener. Giordano Orsini

SUBJECT: Independent Port Authority of Naples.

The Royal Italian Government has decreed the liquidation of the "Ente Autonomo of the Port of Naples". (Independent Port Authority of Naples).

Such a decree already approved by the Council of Ministers has not been published in the "Gazzetta Ufficiale del Regno" (The Official Gazette of the Kingdom) because its aim being to abolish the Ente which is located in territory which comes under the jurisdiction of Allied Military Government, it would be well to first inquire whether A.M.G. has any objections to the above mentioned decree.

Article 2 of the decree provides that within two months after the date of its publication in the Gazzetta Ufficiale del Regno, the complete liquidation of the Ente must take place and the personnel discharged.

It is the intention of the Royal Government to publish the decree on May 1 in order that all activities within the Ente cease to function before June 30 thereby allowing the workers ample time in which to find another occupation and also to permit the port laborers associations to organize an Ente which would replace the one which is being disbanded.

We take the privilege of transmitting to A.M.G. a copy of the proposed decree hoping that the date in which it becomes effective is delayed until the Royal Government is permitted to publish it in the Gazzetta Ufficiale.

THE MINISTER

Translated by G-2, FBS: 713

4279

- 8 MAR 1944

M. UFFICIO INFORMAZIONI DELL'A.
M.G.

Regia Marina
MINISTERO DELLA MARINA
 Direzione Generale della Marina Mercantile

NAPOLI

Ufficio
 Napoli - Via Gener. Giordano Orsini -
 (comune) *comune* *marittimo*

Procl. N. 6484 *Allegato uno*

ARGOMENTO: Ente Autonomo del Porto di Napoli.

Il Regio Governo Italiano ha predisposto uno schema di Decreto-Legge concernente la soppressione dell'Ente Autonomo del Porto di Napoli.

Tale decreto, già approvato dal Consiglio dei Ministri, non è stato ancora pubblicato nella Gazzetta Ufficiale del Regno per cui, avendo per oggetto la soppressione di un Ente che ha sede in territorio soggetto alla giurisdizione del Governo Militare Alleato, giova conoscere se codesto A.M.G. ha nulla in contrario per l'attuazione del suddetto provvedimento.

L'articolo 2 del Decreto di cui trattasi prevede che, entro due mesi dalla data di sua pubblicazione sulla Gazzetta Ufficiale del Regno, la liquidazione dell'Ente dovrà essere ultimata ed il personale licenziato.

Sarebbe intendimento del Regio Governo di pubblicare il Decreto con la data del 1° maggio p.v. in modo da far cessare ogni attività dell'Ente stesso il 30 giugno p.v. e ciò allo scopo di consentire agli impiegati di trovare una occupazione che possa metterli in grado di vivere ed alle associazioni di lavoratori per cui di organizzare un Ente che possa sostituire quello di cui è stato decretato lo scioglimento.

Si ha il pregio di trasmettere a codesto A.M.G. copia del predisposto schema di Decreto-Legge con preghiera di voler far pervenire la propria adesione all'Ente al Regio Governo ne abbia norma per la pubblicazione nella Gazzetta Ufficiale.

IL MINISTRO

Rafanite 4384

TRANSLATION

2

AN OUTLINE OF THE ROYAL DECREE ABOLISHING THE SEPARATE PORT AUTHORITY OF
NAPLES

VICTOR EMANUEL III

By the Grace of God and by the Will of the Nation
King of Italy

In view of the law No. 500 of May 8, 1940 regarding the constitution of the Independent Port Authority of Naples which was modified by law No. 1046 and

Considering that due to the condition of the installations and due to the amount of traffic in the port of Naples at the present time it would not be possible to guarantee the smooth functioning of the services of the Ente Autonomo mentioned above; upon the proposal of our Secretary of State for the Navy in agreement with the Minister of Finance, of Public Works, and of Industry, Commerce and Labor.
We have agreed upon and so declare:

Article 1.

The Independent Port Authority of Naples created by law No. 500, modified by the law No. 1046 of August 24, 1941 is liquidated on the date of publication of the present decree in the Gazzetta Ufficiale del Regno.

Article 2.

Within two months of the date referred to in Article 1, the administration of the Ente must complete the liquidation of its personnel and turn over to the state the surplus resulting from its activities in accordance with Article 26 of law No. 500 as of March 6, 1940 which was modified by law No. 1046 of August 24, 1941.

Article 3.

The services of Article 2 of the cited law are given over to the Royal Naval Command of the Port of Naples.

Article 4.

All port concessions and finances after close examination by the Port Command are given over to the state. The special anchorage tax referred to in Article 5 No. 3 of law No. 500 of May 6, 1940 is taken over by the state.

Article 5.

All workers are to consider themselves disengaged two months after publication of the law as defined in Article 2 of this Royal decree.
(These workers are to be given an indemnity for being discharged, which is to amount to half of the sum of their last pay for every year of service rendered whether as an employee of the Ente or of the dissolved firms furnishing the port with machines and other equipment.

Article 6.

The funds of the Cassa Mutua di Previdenza which the port workers have accrued and those which will eventually become available to them for their benefit will be consigned to the Port Command of Naples and disposed of by this agency according to the above rules.
We order that the present law, etc., etc.

4277

BOZZA DEL DECRETO LEGGE SULLO SCIoglimento DELL'ENTE AUTONOMO
DEL PORTO DI NAPOLI

VITTORIO EMANUELE TERZO

Per Grazia di Dio e per volontà della Nazione
Re d'Italia

Vista la legge n. 2000 del 1940 n. 2000 riguardante la costituzione dell'Ente
Autonomo del Porto di Napoli, modificata con la legge n. 24 agosto 1941
n. 2040;

Considerato che, nelle attuali circostanze, per le condizioni di attrezza-
tura e di traffico del Porto di Napoli, non sarebbe possibile garan-
tire il funzionamento dei servizi dell'Ente autonomo previsto;

Ha proposto al nostro Ministro Segretario di Stato per la Marina di
concedere con la ministro delle Finanze, dei Lavori Pubblici, dell'Indu-
stria Commercio e Lavoro -

abbiamo decretato e decretiamo:-

Art. 1.

L'Ente autonomo del Porto di Napoli, creato con la legge n. 2000 del 1940
n. 2000, modificata con la legge n. 24 agosto 1941 n. 2040, è soppresso con
la data di pubblicazione del presente decreto-legge nella Gazzetta Uffi-
ciale del Regno.

Art. 2.

Entro due mesi dalla data di cui all'articolo 1/ l'amministrazione
dell'Ente dovrà ultimare la liquidazione del personale ed effettuare il
versamento allo Stato del residuo delle attività a norma dell'articolo
26 della legge n. 2000 del 1940 n. 2000 modificata con legge n. 24 agosto 1941
n. 2040.

Art. 3.

I servizi di cui all'articolo 2/ della citata legge vengono attribuiti
alla Regia Capitaneria di Porto di Napoli.

Art. 4.

I canoni dovuti da terzi per concessioni e beni demaniali e per conces-
sioni di lavori in Porto, accertati dalla Capitaneria, vengono attribuiti
allo Stato.

La speciale sovranità di ancoraggio di cui all'articolo 3/ n. 2 della
legge del 1940 n. 2000, è attribuita allo Stato.

Art. 5.

Gli impiegati di ruolo si intendono licenziati con la stessa data di
compiimento dei due mesi previsti dall'art. 2 del presente decreto-legge.

Ad essi viene corrisposta una indennità di licenziamento pari a quella
prevista dallo Statuto del Porto per ogni anno di servizio
prestato sia all'Ente autonomo del Porto sia alla soppressa azienda dei
mezzi meccanici e degli stradamenti portuali.

art. 1.

L'Ente autonomo del Porto di Napoli, creato con la legge 6 maggio 1940 n. 500, modificata con la legge 24 agosto 1941 n. 1046, è soppresso con la data di pubblicazione del presente decreto-legge nella Gazzetta Ufficiale del Regno.

art. 2.

Entro due mesi dalla data di cui all'articolo 1, l'amministrazione dell'Ente dovrà liquidare la liquidazione del personale ed effettuare il versamento allo Stato del residuo delle attività a norma dell'articolo 26 della legge 6 maggio 1940 n. 500 modificata con legge 24 agosto 1941 n. 1046.

art. 3.

I servizi di cui all'articolo 2 della citata legge vengono attribuiti alla Regia Capitaneria di Porto di Napoli.

art. 4.

I canoni dovuti da terzi per concessioni e beni demaniali e per concessioni di lavori in porto, accertati dalla Capitaneria, vengono attribuiti allo Stato.

La speciale sovranità di ancoraggio di cui all'articolo 71 n. 3 della legge del 6 maggio 1940 n. 500, è attribuita allo Stato.

art. 5.

Gli impiegati di ruolo si intendono licenziati con la stessa data di compimento dei due mesi previsti dall'art. 2 del presente R. Decreto-legge.

Ad essi viene corrisposta una indennità di licenziamento pari a mezzo mensilità dello stipendio ultimo percepito per ogni anno di servizio prestato sia all'Ente autonomo del Porto sia alla soppressa azienda dei mezzi meccanici e degli arruamenti portuali.

art. 6.

I fondi della Cassa Matua di previdenza fra i lavoratori portuali, e quelli eventualmente disponibili per altre forme di assistenza dei lavoratori stessi saranno presi in consegna dalla Capitaneria di Porto di Napoli e da essa amministrati secondo le norme dei singoli statuti. Ordini che il presente decreto, ecc.

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