

ACC

10000/142/367
(VOL. 3)

10000/142/367
(VOL. 3)

SALARIES & WAGES, JUDICIAL PERSONNEL, ETC.
JULY - NOV. 1945

C A Section

Letter to be sent to Labor Sub-Commission in reply to their letter at folio 125A is submitted for information.

Legal S/C
17 July 1945

VP km
0 1/2

G.G. Hammond

G.G. HAMMOND, Lt. Col.
Officer i/c Italian Branch.

109

HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB-COMMISSION

13006/F

28 November 1945

SUBJECT : Ministerial order on special allowances due
to magistrates published in Bollettino Ufficiale
No. 13 of 17 September 1945 of the Ministry of
Justice.

TO : Deputy Chief Legal Adviser
Legal Sub-Commission

1. In accordance with your letter AC/4039/5/L of 20 November
1945, Regional Finance Officers have been informed that authorization
has been granted for the above order to be extended to Allied Military
Government territory.

B. J. Immin
ACTING DIRECTOR
Finance Sub-Commission. *LT. Col.*

REG. SUB-COMMISSION	
CIO	
DCIO	
Chief Counsel	
CL	
Italian	
CL RKS	
29 NOV 1945	

No action

HEADQUARTERS ARMED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ES/es

20 November 1945

AG/4039/5/L.

SUBJECT : Special allowances due to magistrates (Rate of allowances set by Ministerial Order published in Bollettino Ufficiale No. 13 of the Ministry of Pardon and Justice).

TO : Finance Sub-Commission.

1. Your attention is directed to the enclosed correspondence.
2. If you agree with the recommendation of the Regional Finance Officer Piemonte it would appear advisable to extend the application of the above Ministerial Order to all Northern Regions and not only to Piemonte.
3. As the above Ministerial Order was not published in Gazzetta Ufficiale the usual implementation procedure cannot apply.
4. However, you might issue a directive to your Regional Finance Officers instructing them to apply the Order in their respective Regions.

G.G. HANFORD,
Lt. Col.,
Deputy Chief Legal Advisor.

Copy to R.C. (Attn: RLO) Piemonte Region-(your PR/IE/428 refers).

Encl: PR/IE/428

Letter of First Presid. Torino memo - Extract from Boll. Off.

4039/5

159A

HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

16 November 1945

PR/LE/428

SUBJECT: Special Allowances due to Magistrates.

TO : Legal Sub-Commission (Attn. Italian Branch).

1. Sent herewith is letter of First President and Procuratore Generale of the Court of Appeal here.

2. May an order be made extending the Ministerial order to A.M.G. territory.

3. The matter has been referred to Regional Finance Division who have no objections.

For the Regional Commissioner.

Yes

DDM/AR.

Encl.: Letter of First President.
" " Procuratore Generale.

DDM Tolm Major
D.D. Mc Colm
Major, R.A.
Regional Legal Officer.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	11
CL RKS	
19 NOV 1945	

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

158A

AC/4039/5/L.

/es
9 November 1945

SUBJECT : Extending to A.M.G. territory the payment of
allowances made to judicial officials in Italian
Government territory.

TO : Finance Sub-Commission. *BKJ*

1. I enclose a letter and memorandum of the Minister
of Justice regarding the question of extending to the provinces
under A.M.G. the various allowances now paid to the judicial
officials in territory restored to the Italian Government. I
should be glad to know whether you see any objection to the
allowances in question being made payable also in A.M.G. territory.

2. Please return the enclosed documents with your reply.

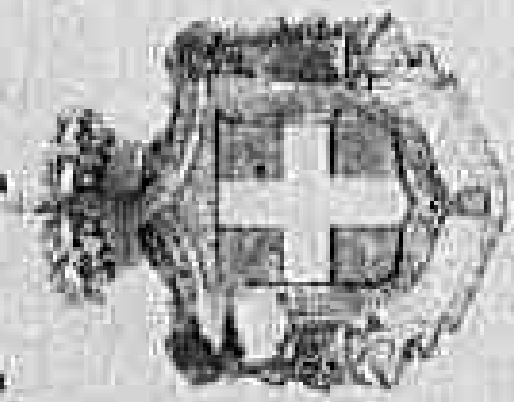
1st 9nd.
To : Legal Sub-Commission
no objection.

Musgrave Thomas

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

BKJ
D/D, Finance Sec

Mod. 2



Ministero di Grazia e Giustizia

Gabinetto di S. E. il Ministro

Roma, 6 Novembre 1945

Protocollo 102/4531

OGGETTO Assegnazione competenze varie agli ufficiali giudiziari.

ALLA COMMISSIONE AMMIST.
Sottocommissione Ispiale

R O M A

Si trasmette l'incita promemoria della Direzione Generale degli Affari Civili in merito alle assegnazioni straordinarie e ai relativi antitipi concessi dal Governo Italiano agli ufficiali giudiziari con preghiera di esaminare la possibilità di estendere tali benefici agli ufficiali giudiziari residenti nelle provincie sottoposte al Governo Militare Alleato.

54

RECEIVED COMMISSION

MINISTERO DI GIUSTIZIA

OGGETTO Assegnazione competenze varie agli ufficiali Giudiziari.

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale

ROMA

Si trasmette l'Unito promemoria della Direzione Generale degli Affari Civili in merito alle assegnazioni straordinarie e ai relativi anticipi concessi dal Governo Italiano agli ufficiali giudiziari con preghiera di esaminare la possibilità di estendere tali benefici agli ufficiali giudiziari residenti nelle provincie sottoposte al Governo Militare Alleato.

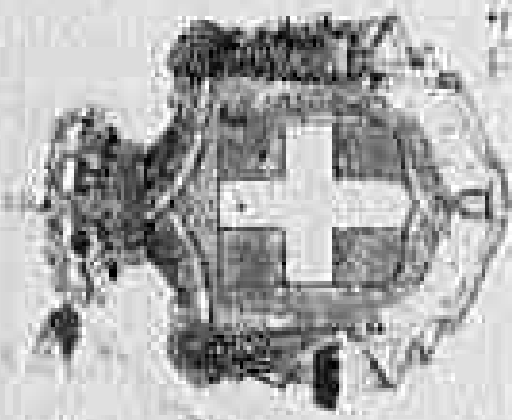
54

L'UFFICIALE DI COLLEGAMENTO
(Dr. Giorgio Bonelli)

Bonelli

LEG. MIL. COMMISSION	
CLO	/
DCLO	/
Chief Counsel	/
CJO	/
Italian Section	/
CL RKS	/
7 NOV 1945	/





Mod. 1348 MG

Ministero di Grazia e Giustizia

Direzione Generale degli Affari Civili e delle Libere Professioni

A P P U N T O

INTEGRAZIONE TEMPORANEA DELLA RETRIBUZIONE CORRISPONDE AL COMPLESSIVO AUTORIZZATI.

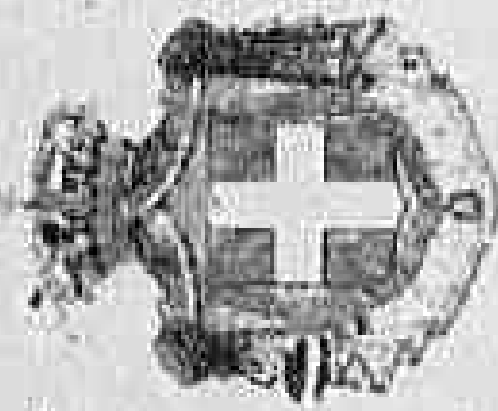
L'art. 6 del D.L.L. 11 gennaio 1943 n. 3, dichiarato esecutivo con ordinanza del Governo Alleato nei territori non ancora restituiti all'Amministrazione italiana, attribuisce ai commissari autorizzati l'integrazione temporanea graduale del 70 al 10% in aggiunta alla retribuzione mensile ed essi corrisposta dagli ufficiali giudiziari dei quali dipendono. Ma poiché con decreto legislativo 8 dicembre 1943 n. 796 dello stesso governo repubblicano era stato concesso l'aumento del 30% sulle misure delle competenze spettanti ai dipendenti statali, aumento che successivamente venne ritenuto applicabile agli ufficiali giudiziari ed ai commissari, è sorto il dubbio se l'integrazione di cui sopra debba essere corrisposta sulla base della retribuzione spettante ai commissari prima dell'aumento del 30% o sulla base della retribuzione goduta al 30 novembre 1943.

Sembra che, dovendo ritenersi privo di efficacia il citato provvedimento legislativo 8 dicembre 1943 n. 796, a norma dell'articolo 1 n. 1 del D.L.L. 5 ottobre 1944 n. 249, entrato in vigore

INTEGRAZIONE TEMPORANEA DELLA RETRIBUZIONE CORRISPONDA AI COMMES-
SI AUTORIZZATI.

L'art. 6 del D.L.L. 11 gennaio 1945 n. 3, dichiarato esecutivo con ordinanza del Governo Alleato nei territori non ancora restituiti all'Amministrazione Italiana, attribuisce ai commessi autorizzati l'integrazione temporanea graduale dal 70 al 10% in aggiunta alla retribuzione mensile ed essi corrisposta dagli ufficiali giudiziari dei quali dipendono. Ma poiché con decreto legislativo 8 dicembre 1943 n. 796 dello pseudo governo repubblicano era stato concesso l'aumento del 30% sulle misure delle competenze spettanti ai dipendenti statali, aumento che successivamente venne ritenuto applicabile agli ufficiali giudiziari ed ai commessi, è sorto il dubbio se l'integrazione di cui sopra debba essere corrisposta sulla base della retribuzione spettante ai commessi prima dell'aumento del 30% o sulla base della retribuzione goduta al 30 novembre 1943.

Sembra che, dovendo ritenersi privo di efficacia il citato provvedimento legislativo 8 dicembre 1943 n. 796, a norma dell'articolo 1 n. 1 del D.L.L. 5 ottobre 1944 n. 249, entrato in vigore anche nelle provincie non ancora restituite al Governo Italiano, debbano ritenersi parimenti prive di efficacia le circolari che riconoscevano estensibile agli ufficiali giudiziari ed ai commessi l'aumento del 30% accordato ai dipendenti statali (art. 2 n. 3 del decreto legislativo luogotenenziale dianzi citato). Conseguen-



Mod 1348 MG

Ministero di Grazia e Giustizia

temente, la base per la corrispondenza dell'integrazione temporanea dovrebbe essere costituita dalla retribuzione goduta dai commessi alla data del 30 novembre 1943 e non da quello maggiorato dell'aumento del 30% in forza di un provvedimento legislativo ormai caduto nel nulla.

ANTICIPO DI L. 1000 IN CONTO DEI BENEFICI CONCESSI COL DECRETO
LEGISLATIVO IN CORSO APPROVATO DAL CONSIGLIO DEI MINISTRI IL 14
SETTEMBRE 1945.

Questo Ministero, d'intesa con quello del Tesoro, ha deciso, con circolare 30 aprile 1945 n. 342/620.7, di far corrispondere agli ufficiali giudiziari ed ai loro commessi un anticipo di lire 1.000 mensili, con decorrenza dal mese di aprile 1945, salvo conguaglio.

INDENNIZZO DI CONGIUNTURA.

Il Ministero del Tesoro, con nota 21 luglio 1945 n. 126812, ha consentito a che venga estesa agli ufficiali giudiziari ed ai commessi autorizzati la corrispondenza dell'indennizzo di congiuntura, nelle misure e secondo i criteri stabiliti dal D.L. 4 giugno 1945 n. 319.

PREMIO DI LIBERAZIONE.

3 1 2

ranea dovrebbe essere costituita dalla retribuzione goduta dai commessi alla data del 30 novembre 1943 e non da quella maggiorata dell'aumento del 30% in forza di un provvedimento legislativo ormai caduto nel nulla.

ANTICIPO DI L. 1000 IN CONTO DEI BENEFICI CONCESSI COL DECRETO LEGISLATIVO IN CORSO APPROVATO DAL CONSIGLIO DEI MINISTRI IL 14 SETTEMBRE 1945.

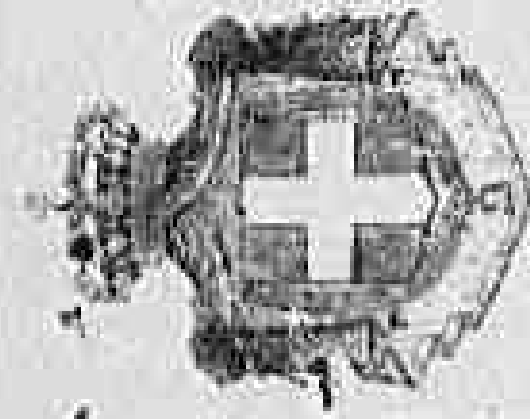
Questo Ministero, d'intesa con quello del Tesoro, ha deciso, con circolare 30 aprile 1945 n. 342/620.7, di far corrispondere agli ufficiali giudiziari ed ai loro commessi un anticipo di lire 1.000 mensili, con decorrenza dal mese di aprile 1945, salvo conguaglio.

INDENNIZZO DI CONGIUNTURA.

Il Ministero del Tesoro, con nota 21 luglio 1945 n. 126612, ha consentito a che venga estesa agli ufficiali giudiziari ed ai commessi autorizzati la corrispondenza dell'indennizzo di congiuntura, nelle misure e secondo i criteri stabiliti dal D.L.L. 4 giugno 1945 n. 319.

PREMIO DI LIBERAZIONE.

Il Consiglio dei Ministri ha deliberato, nella seduta del 1°11 agosto 1945, la concessione di un premio di liberazione anche agli ufficiali giudiziari ed ai loro commessi in effettivo servizio al 15 agosto 1945. Questo Ministero ha, in conseguenza, diramato in data 6 settembre 1945 la circolare n. 758/620-11.8.



Ministero di Grazia e Giustizia

ANTICIPO DA CORRISPONDERSI IN CONTO DEI MIGLIORAMENTI ULTIMAMENTE DELIBERATI DAL CONSIGLIO DEI MINISTRI.

Questo Ministero, con nota 23 ottobre u.s. n. 623/620-7, ha trasmesso al Ministero del Tesoro, dietro sua richiesta, uno schema di circolare telegrafica con la quale viene disposta la corrispondenza, a decorrere dal 1° ottobre u.s., di un anticipo di L. 2.000 mensili nette agli ufficiali giudiziari e di L. 1.500 ai commessi autorizzati, salvo conguaglio, in conto dei miglioramenti economici recentemente deliberati dal Consiglio dei Ministri a favore dei dipendenti statali. Il pagamento dell'anticipo sarà effettuato con le modalità stabilite per la liquidazione della indennità supplementare.

o o o

L'interpretazione relativa all'art. 6 del D.L.L. 11 gennaio 1945 e le notizie concernenti i benefici economici concessi dal Governo italiano agli ufficiali giudiziari ed ai commessi residenti nelle provincie restituite, potranno essere portate a conoscenza della Commissione Alleata, attraverso l'Ufficio di collegamento, per le determinazioni che riterrà opportuno adottare nelle provincie da essa amministrate.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/nda

AC/4039/Y/L.

16 November 1945

SUBJECT : Extending to A.M.G. territory allowances
paid to judicial officials in Italian Government territory.

TO : The Minister of Pardon and Justice.

1. Reference your letter Prot. No. CC/4531 of 6th Nov. 1945.

2. I have to inform you that the Finance Sub-Commission have no objection to extending to the Provinces under Allied Military Government the various allowances now paid to judicial officials in territory restored to the Italian Government, as proposed in the memorandum enclosed in your letter of 6th November.

MUSGRAVE THOMAS
Italian Branch,
for Chief Legal Advisor.

4039/5 ✓

186A

HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB COMMISSION

13260/P

9 November 1945

SUBJECT : Court officials formerly
serving in Istria.

TO : S.C.A.C. Venezia Giulia.
(For S.C.A.C.)

1. Attached for your consideration and appropriate
action is copy of Legal Sub Commission's letter AG/4039/5/L
of 7 November, with translation of attachment.

(Signed) B. E. L. TIMMONS
Lt. Col.

69

Deputy Director
Finance Sub Commission

Copy to : Legal Sub Commission. ✓

Encls.

Mr. Tolson	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Carson	
Mr. Egan	
Mr. Gurnea	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Miss Gandy	
13 NOV 1945	

C O P Y

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4039/5/1.

7 Nov 45

SUBJECT : Court officials formerly
serving in Istria.

TO : Finance Sub Commission.

I enclose a copy of a letter from the Ministry of Justice regarding a number of Court officials serving in Istria until the arrival of the Yugoslav troops, and now employed under AMG in Trieste.

The Minister points out that these officials have not received their salaries for the period 18th April to 20th July 1945. I should be glad if an order could be issued to the Ufficio Provinciale del Tesoro di Trieste which would enable the arrears of salary to be paid to the officials in question.

MUGGRAVE THOMAS
Italian Branch
For Chief Legal Adviser

TRANSLATION

From : Ministero di Grazia e Giustizia.

To : Allied Commission
Legal Sub-Commission
Rome.

Ref. to : 387G/65993

Rome 5 Nov 1945

Object : Payment of salary in favour of: 1) Dr. MARTI Niccolò, primo pretore;
2) Dr. LONGO Luigi, pretore; 3) Dr. PELLEGRINO Domenico, pretore;
4) Dr. CARDELLA Salvatore, cancelliere capo; 5) TOMMASI Giovanni,
cancelliere di sezione; 6) VILLATGA Massimo, primo cancelliere;
7) VILLATGA Pietro, cancelliere; 8) DE SIMON Vincenzo, cancelliere;
9) PETRONIO Luigi, cancelliere; 10) CARAS Giacomo, cancelliere;
11) BON Giovanni, segretario; 12) GIOVANNINI Giacomo, usciere.

With letter 15th October 1945 the "Procura Generale di Trieste" informed this Ministry that the above mentioned personnel previously attached to the juridical offices in Istria and, after the arrival of Jugoslav troops in that region, transferred by order of A.M.G. Venezia Giulia to the juridical offices in Trieste, have not received their salary for the period April 1945 to July 20th 1945 - date in which they took possession of their new offices.

In the same letter is stated that the Provincial Treasury's office of Trieste cannot proceed to the payment of the salaries of the above personnel without an order from the Finance Office of the Allied Commission. In order to help this personnel we beg you to request the Finance office to issue the order to the Provincial Treasury's Office in Trieste in reference to the above mentioned salary arrears.

For the MINISTER

TRANSLATION

From : Ministero di Grazia e Giustizia.

To : Allied Commission
Legal Sub-Commission
Rome.

Ref. to : 3872/05993

Rome 5 Nov 1945

Object : Payment of salary in favour of: 1) Dr. MARDI Nicolo, primo pretore;
2) Dr. LONGO Luigi, pretore; 3) Dr. PELLERITO Donenico, pretore;
4) Dr. CARDELLA Salvatore, cancelliere capo; 5) TOMMASI Giovanni,
cancelliere di sezione; 6) VILLATONA Massimo, primo cancelliere;
7) VILLATONA Pietro, cancelliere; 8) DE SIMON Vincenzo, cancelliere;
9) PETRONIO Luigi, cancelliere; 10) CARAS Giacomo, cancelliere;
11) BON Giovanni, segretario; 12) GIOVANNINI Giacomo, usciere.

With letter 15th October 1945 the "Procura Generale of Trieste" informed this Ministry that the above mentioned personnel previously attached to the juridical offices in Istria and, after the arrival of Yugoslav troops in that region, transferred by order of A.M.G. Venezia Giulia to the juridical offices in Trieste, have not received their salary for the period April 1945 to July 20th 1945 - date in which they took possession of their new offices.

In the same letter is stated that the Provincial Treasury's office of Trieste cannot proceed to the payment of the salaries of the above personnel without an order from the Finance Office of the Allied Commission. In order to help this personnel we beg you to request the Finance office to issue the order to the Provincial Treasury's Office in Trieste in reference to the above mentioned salary arrears.

For the MINISTER

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4039/5/L.

/es
9 November 1945

SUBJECT : Extending to A.M.G. territory the payment of
allowances made to judicial officials in Italian
Government territory.

TO : Finance Sub-Commission.

1. I enclose a letter and memorandum of the Minister
of Justice regarding the question of extending to the provinces
under A.M.G. the various allowances now paid to the judicial
officials in territory restored to the Italian Government. I
should be glad to know whether you see any objection to the
allowances in question being made payable also in A.M.G. territory

2. Please return the enclosed documents with your reply.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4039/5A

/ln
7 November 1945

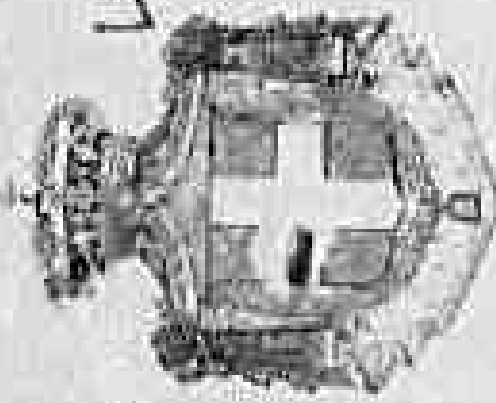
SUBJECT : Court officials formerly serving in Istria.
TO : Finance Sub Commission.

I enclose a copy of a letter from the Ministry of Justice regarding a number of Court officials serving in Istria until the arrival of the Yugoslav troops, and now employed under AMG in ~~VENEZIA-GALLIA~~ Trieste.

The Minister points out that these officials have not received their salaries for the period 15th April to 20th July 1945. I should be glad if an order could be issued to the Ufficio Provinciale del Tesoro di Trieste which would enable the arrears of salary to be paid to the officials in question.

MURGRAVE THOMAS
Italian Branch
for Chief Legal Advisor

Incls :



UFF. 1110

Prot. n. 3879/55993

roma, 5. XI. 45

Mod. 1347 MG

1548

Ministero di Grazia e Giustizia

UFFICIO SUPERIORE DEL PERSONALE E DEGLI AFFARI GENERALI

ALLA COMMISSIONE ALLEATA

Sottocommissione Legale

R U M A

OGGETTO : - Pagamento di stipendi a favore di : 1) DR. NARDI Niccolò, primo pretore; 2) DR. LONGO Luigi, pretore; 3) DR. PELLERINO Domenico, pretore; 4) DR. CARDELLA Salvatore, cancelliere capo; 5) DOMMASI Giovanni, cancelliere di sezione; 6) VILLATONA Massimo, primo cancelliere; 7) VILLATONA Pietro, cancelliere; 8) DE SIMON Vincenzo, cancelliere; 9) PELLERINO Luigi, cancelliere; 10) GABAS Giacomo, cancelliere; 11) DON GIOVANNI, segretario; 12) GIOVANNINI Giacomo, usciere

Con nota del 15 ottobre 1945, la Procura Generale di Trieste ha comunicato a questo Ministero che il personale in oggetto indicato, già in servizio in uffici giudiziari dell'Istria e, dopo l'arrivo in tale regione delle truppe jugoslave, destinato per ordine del Governo Militare Alleato della Venezia Giulia agli uffici giudiziari di Trieste, non ha percepito gli stipendi per il periodo 1 aprile 1945 = 20 luglio 1945, data quest'ultima nella quale assunse possesso nei nuovi uffici.

Cl.

ALLA COMMISSIONE ALLEATA

Sottocommissione Legale

N U M A

OGGETTO : - Pagamento di stipendi a favore di : 1) Dr. NARDI Niccolò, primo pretore; 2) Dr. LONGO Luigi, pretore; 3) Dr. PELLERINO Domenico, pretore; 4) Dr. CANDELLA Salvatore, cancelliere capo; 5) DOMMASI Giovanni, cancelliere di sezione; 6) VILLATONA Massimo, primo cancelliere; 7) VILLATONA Pietro, cancelliere; 8) DE SIMON Vincenzo, cancelliere; 9) PERNO-NUO Luigi, cancelliere; 10) CADAS Giacomo, cancelliere; 11) BON Giovanni, segretario; 12) GIOVANNINI Giacomo, usciere

Con nota del 15 ottobre 1945, la Procura Generale di Trieste ha comunicato a questo Ministero che il personale in oggetto indicato, già in servizio in uffici giudiziari dell'Istria e, dopo l'arrivo in tale regione delle truppe jugoslave, destinato per ordine del Governo Militare Alleato della Venezia Giulia agli uffici giudiziari di Trieste, non ha percepito gli stipendi per periodo 1 aprile 1945 - 30 luglio 1945, data quest'ultima nella quale assunse possesso nei nuovi uffici.

Si aggiunge nella detta nota che l'Ufficio provinciale del Tesoro di Trieste non può procedere ad alcuna liquidazione in favore del personale in parola, se non a seguito di esplicito ordine da parte dell'Ufficio di Finanza del Comando Militare Alleato.

Si prega, pertanto, dato il disagio economico in cui si dibattono i detti funzionari, di voler interessare il competente ufficio di

/.

finanza per l'emissione dell'ordine all'ufficio Provinciale
del tesoro di Trieste circa il pagamento degli stipendi arre-
trati al personale di cui in oggetto.

PEL MINISTRO

McAvery

LEGALIZATION			
CLO			
DCLO			
Chief Counsel			
CJO			
Indian Section			
CL R/S			
6 NOV 1965			

No. 785016

153A

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

WGE/sf
27 September 1945

SUBJECT : Special Courts of Assizes. Extra allowances to personnel.

141A

1. Reference your AC/4039/5/L letter dated 11 September '45.
2. This Headquarters is informed that it is the practice in Genoa to bonus personnel of the above Court to cover extra work and expenses. It is not known if this practise pertains to the other Provinces.
3. The fund was not created by the CLN but it is stated by an agreement between the Prefect and A.M.G.
4. Neither the Regional or Provincial Finance Officers have any knowledge of this and it may be that the above information as to the origin of the fund is not accurate.
5. This Hq. has requested from the Procuratore Generale a full report and when this has been received you will be further advised.

For the Regional Commissioner:

W.G. ELDER,
Lt. Col., Cdn. Prov. C.,
Regional Legal Officer.

UNIT 6 SUBCOMMISSION

1 OCT 1945

1

4039/5

152A

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

28 September 1945

TO : Chief Legal Adviser, Legal Sub-Commission,
HQ. AC. (for Italian Branch)

SUBJECT : Special Court of Assise - Extra allowances
to personnel.

see folio 149A

FILE No : RXII/LE/Reg/C/03

1. Enclosed herewith is copy of letter requested
by your AC/4039/5/L of 24 September 1945.

C. L. P. Gilshenan
Major

C.L.P. Gilshenan Major,
Regional Legal Officer,
Venezie Region.

LEGAL SUB-COMMISSION	
CIO	
CCLO	
Chief Counsel	
CI	
For	H ←
1001 1945	

C O P Y

152B

HEADQUARTERS
VENEZIE REGION
Allied Military Government
APO 394

19 July 1945.

TO : Chief Legal Adviser, Legal Sub-Commission, HQ. AC.
(Attn: Officer i/c Italian Branch).

SUBJECT : Emoluments of Judicial Officials.

File No : RXII/LE/Reg/C/03

1. The attached is forwarded for transmission to the Minister of Grace and Justice.

2. I regret that transmission was delayed, because I took it upon myself to hold up the papers untill I had had an opportunity of referring again to Primo Presidente of the Court of Appeal, in view of the obvious illegality and inefficacy in law of the purported Order of the Committee of National Liberation.

3. The Primo Presidente and the Procuratore Generale assure me that they fully realise that the purported Order is of no legal effect, but they do desire their letter to be forwarded to the Minister. The Subject matter of the letter is of such vital importance to the many officials dependent on the Ministry, that it is particularly desired to bring the whole of the facts to the special notice of the Minister.

/s/ H.G. Willmer
Colonel,
Regional Legal Officer,
Venezie Region.

4079/5
sub

153A

H. E/428

1st End.

DDM/AR.

HEADQUARTERS PIEMONTE REGION, A.M.G., LEGAL DIVISION, 22 Sept. 45.

TO: H.Q. A.C. for Legal Sub-Commission.
(Attn. O i/ch Italian Branch).Forwarded for any instructions which you may wish carried
out.*DDM Colm Major*

D.D. Mc Colm

Major, R.A.

Act'g Reg. Legal Officer.

LEGAL SUB-COMMISSION	
CIO	
DCIO	
CHP	
CIO	
Ball	
2	SEP 1945

A ←

29

152A

PROCURA GENERALE DELLO STATO
PRESSO LA
CORTE D'APPELLO DI TORINO

N. 240 Allegati N.

Torino

19 settembre 1945

Riscontro a nota

OGGETTO:

Magistrati e Funzionari Applicati

AL MINISTRO DI GRAZIA E GIUSTIZIA

R O M A

AL GOVERNO MILITARE ALLEATO PER IL PIEMONTE

T O R I N O

1 - Coll'Ottobre prossimo si compiono i mesi sei di applicazione dei magistrati e cancellieri alle Corti d'Assise straordinarie della regione.

Per disposizione di legge art. 89 D.L.L. 7 giugno 1945 N° 320, le applicazioni dovrebbero automaticamente cessare ed in ogni caso non si potrebbe più essere corrisposta al personale quella indennità che è prevista dalla legge per soli sei mesi.

2 - La costituzione di tutti questi funzionari oltre a determinare gravissimi inconvenienti per il servizio riesce quasi impossibile per la scarsità di personale. D'altra parte non è possibile pretendere che i funzionari vadano incontro a rilevantissime spese senza che sia loro corrisposta alcuna indennità.

3 - Questo Ufficio al fine di evitare gli inconvenienti accennati sarebbe d'avviso che le applicazioni di cui sopra venissero decretate dall'autorità competente (Governo Militare Alleato o Ministero) secondo che al momento dell'emanazione del decreto le provincie del Piemonte siano state o no restituite al Governo italiano) nel qual caso continuerebbe a decorrere l'indennità ed i magistrati e funzionari sarebbero legittimamente investiti per un tempo indeterminato.

P. IL PROCURATORE GENERALE
L'Avvocato Generale

Muz

PR/LE/428

4039/5. July.
1st End.

DDM/LR.

151A

HEADQUARTERS PIEMONTE REGION, A.M.G., LEGAL DIVISION, 22 Sep. 45

TO : Legal Sub-Commission H.Q. A.C.
(Attn. O i/ch Italian Branch).

Answer to John 16:12

1. Unfortunately a little: fortunately not much.
2. At Asti all the Magistrates (six in number) appointed to the office of the P.M. received 5.000 lire each.
3. No others received any special allowance.
4. It is understood that the payment came through the Prefect but this is being investigated.
5. This matter was not known to this Division or to the Procuratore Generale here until enquiries were made to enable us to answer your letter.

For the Regional Commissioner.

ADM Colm Major

D. D. Mc Colm

Major, R.A.

Act'g Reg. Legal Officer.

Sir
Please see our
letter attached.
Wm. H. P.

27 SEP

File

150A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4039/5/L.

/rlp.
24 September 1945.

SUBJECT : Special Court of Assize - Extra allowances to personnel.

TO : Regional Commissioner (Attn: Regional Legal Officer),
VINCENT Region.

Ref your letter RXII/LE/Reg/C/03 of 17 Sept 45 your letter referred to in para. 2, RXII/LE/Reg/C/03 has not been received at this office. May a copy please be forwarded.

By command of Rear Admiral STONE.

G. G. HANNABORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

403715
 HEADQUARTERS
 VENEZIE REGION
 ALLIED MILITARY GOVERNMENT
 APO 394

149A

17 September 1945.

TO : Chief Legal Adviser, Legal Sub-Commission,
 HQ., AC. (for Italian Branch).

SUBJECT : Special Court of Assize. Extra Allowances to personnel.

File No : RXII/LE/Reg/C/03.

1. Reference your letter of 11 September 1945 on the
 above (your ref. AC/4039/5/L). *not recd.*

2. On 17 July 1945 a letter was sent to you on this
 subject (our ref. RXII/LE/Reg/C/03.) drawing your attention
 to this subject and asking you to draw the Minister of Justice's
 attention to purported and illegal Orders of the C.L.N. there-
 on.

W. G. Peters

Major

for Regional Legal Officer,
 Venezia Region.

LEGAL SUBCOMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	
20 SEP 1945	

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

GGH/lc.

19 September 1945.

AC/4039/5/L.

SUBJECT : Transfer of Notaries during Republican period.

TO : Regional Commissioner (attn: Regional Legal Officer),
LOMBARDIA Region.

1. Ref. your letter LEG/5104 of 14 Sept. 45.

2. As no answer has so far been received from the Ministry
there is no objection to the appropriate order being made by
R.C. Lombardy, if you think so fit.

By command of Rear Admiral STONE:

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian branch,
for Chief Legal Advisor.

4037/5 **INCOMING MESSAGE**

HEADQUARTERS ALLIED COMMISSION

Originator's Reference:

Message Centre No: F/8097

Date/Time of Origin: SEPT 18/0930B

Date Time Rec'd: SEPT 18/1920A

FROM VARESE

Precedence: ROUTINE

TO : QUARTIERE GENERALE COMMISSIONE ALLIATA SOTTOCOMMISSIONE LEGALE ROMA

UNCLASSIFIED.

REFERIMENTO ISTRUZIONE CODESTA COMMISSIONE TRATTAMENTO ECONOMICI AVVOCATI
ADDETTI UFFICIO P M CORTI ASSISE STRAGORDINARIA E NOTA 17 AGOSTO 1945 MINISTERO
GIUSTIZIA PREGASI DESIGNARE ORGANO COMPETENTE PAGAMENTO AVVOCATI ADDETTI

UFFICIO P M CORTE VARESE

ACTION

DIST

ACTION : LEGAL SC

23

INFO : FILE

LEGAL SUB COMMISSION
CLO
DCLO
Chief Counsel
CIO
19 SEP 1945



HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

146A

AG/4039/5/L.

AP/1c.
18 September 1945.

SUBJECT : Trattamento economico Avvocati nelle Corti Straordinarie
TO : The Minister of Pardon and Justice.

For your information the following signal was
received here today:

" Riferimento istruzioni codesta Commissione tratta-
mento economico avvocati istruzioni codesta Commissione tratta-
mento economico avvocati addetti ufficio P M Cort Giustizia
Straordinarie e B N nota 17 agosto 1945 Ministero Giustizia
pregasi designare organo competente pagamento punto avvocato
addetti ufficio competente pagamento punto avvocati addetti
ufficio P M Corte Varese."

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

2

4039/5

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

145A

Originator's Reference:

Date/Time of Origin: SEP 151000B

Message Centre No: F/7818

Date Time Rec'd: SEP 160930B

Precedence: ROUTINE

FROM VARESE

TO : QUARTIERE GENERALE COMMISSIONE ALLEATA SOTTOCOMMISSIONE LEGALE ROMA

ACTION

UNCLASSIFIED.

RIFERIMENTO ISTRUZIONI CODESTA COMMISSIONE TRATTAMENTO ECONOMICO AVVOCATI
 ISTRUZIONI CODESTA COMMISSIONE TRATTAMENTO ECONOMICO AVVOCATI ADDETTI UFFICIO
 P M CORT GIUSTIZIA STRAORDINARIE E B N NOTA 17 AGOSTO 1945 MINISTERO GIUSTIZIA
 INEGASI DESIGNARE ORGANO COMPETENTE PAGAMENTO PUNTO AVVOCATO ADDETTI UFFICIO
 COMPETENTE PAGAMENTO PUNTO AVVOCATI ADDETTI UFFICIO P M CORTE VARESE

DISTACTION: Legal
File

HEADQUARTERS

14 SEP 1945

A.

C.

LEGAL SUBCOMMISSION	
CIO	
DOLO	
Chief Counsel	
CIO	
Italian Section	
CL RKS	
27 SEP 1945	

4039/5

144A

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: LEG/5104

14 September 1945

SUBJECT : Juridical problems of Notaries.

TO : HQ. Allied Commission
(Legal Sub-Commission)

1. Reference is made to our letter LEG/5104 dated 18th July 1945 and your reply AC/4039/5/L of the following day.

2. No further information has since reached this HQ. as to the intentions of the Ministry regarding Notaries who are affected by the provisions of D.L.L. 5 October 1944 No. 249 Art. 2 .

3. An application has now been received from three Notaries in Como Province requesting confirmation by A.M.G. under Art. 3 of the same Decree of their transfer from seats in Sondrio and Alessandria, which was effected by order of the Fascist Republican Government.

4. The request is supported by the Prefect, the Procuratore del Regno and the President of the Consiglio Notarile in Como. In the circumstances disclosed, there seems no reason why the appropriate order should not be made by the Regional Commissioner.

5. As, however, the matter has already been referred to the Ministry, your comments would be appreciated before action is taken.

For the Regional Commissioner :

Subject: Transfer of Notaries from Sondrio and Alessandria to Como. As no answer has yet been received from the Ministry there is no objection to the appropriate order being made by RC accordingly, if you think so fit.

H.M. Dickie
H.M. DICKIE
W/CDR. RAF

Regional Legal Offr.

LEGAL SUBCOM

C/O

DELO

Chief Clerk

C/O

Italian Section

CL RKS

vb

H

4039/5-

143A

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: LEG/5027

14 September 1945

SUBJECT : Special Courts of Assize -
Extra allowances to personnel.

TO : HQ. Allied Commission
(Legal Sub-Commission)

1. In reply to your letter AC/4039/5/L dated 11th September, enquiries have been made of the First President and the Pubblico Ministero in Milan regarding the statements contained in para 2 of Major Cox's letter.

2. So far as is known, no President, Pubblico Ministero or Cancelliere in this area has received any special allowance in connection with his work on the Extraordinary Courts.

3. It is understood, however, that the C.L.N. has made a grant in certain Provinces towards the office expenses of the Pubblico Ministero. This grant is intended to meet costs of stationary etc. and the wages of "impiegati avventizi" such as typists, and no part of it goes as a special allowance to the magistrates or to those clerks who are regular state employees.

For the Regional Commissioner :

H.M. Dickie
H.M. DICKIE
W/CDR. RAF
Regional Legal Officer

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CJO

Italian Section

CL RKS

17 SEP 1945

vb

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

GGH/1c.

11 September 1945.

AC/4039/5/L.

SUBJECT : Special Courts of Assizes. Extra allowances to personnel.

TO : SCAO (Attn: Senior Legal Officer), VENEZIA GIULIA Region.

1. Reference your 13c/AMG/LD/193 of 6 September 1945.
2. As far as this Sub-Commission is aware in Northern Italy no salary or allowance is paid to persons connected with the Special Courts, other than grade VI "stipendi e indennità" which is regularly paid to the members of the Pubblico Ministero who have volunteered for the post.
3. It is considered that civil servants are paid by the State according to their grade and note according to the post they occupy. There is no reason for a clerk of the Special Court to receive more money than a clerk of the Ordinary Court of Assize if they are of equal grade.
4. Furthermore your reference to payments made by C.L.N. is not understood. As far as this Sub-Commission is aware no payments can be made in territory under AMG without the sanction of the Allied authorities. So far as is known at this HQ no extra expense of the kind you refer to has ever been authorized by AMG.
5. However in order to clear up the position copy of your letter has been sent to AMG regions for their comments.

By command of Rear Admiral STONE:

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Copy to: File AC/4092/1/L.

HEADQUARTERS ALLIED COMMISSION
APO 194
LEGAL SUB-COMMISSION

(141A)

file
AC/4039/5/L.

GCH/1c.
11 September 1945.

SUBJECT : Special Courts of Assizes. Extra allowances to personnel.

TO : Regional Commissioners (Attn: Regional Legal Officers),
LIGURIA, PIEMONTE, LOMBARDIA, VENEZIA Regions.

1. Copy of a letter from SLO Venezia Giulia is enclosed.
2. Is there any foundations to the statement set out in para 2 of said letter?

By command of Rear Admiral STONE:

G.G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl.

COPY

14173

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 Corps

LEGAL DIVISION

Date 6 September 45.

File Ref: 13c/AMG/193

SUBJECT : Special Courts of Assize - Extra Allowances for
Magistrates, Clerks etc.TO : Chief Legal Advisor, Legal Sub-Commission, H.Q., A.G.
(for Italian Branch).

1. It is our understanding that under present arrangements that portion of the personnel of the Special Court of Assize which is a part of the regular judicial system does not receive any extra pay or allowances for its services in said court.

2. Our attention has been called to the fact that in Northern Italy Presidents of Special Courts of Assize, Prosecutors and Clerks who have been civil servants are being given special allowances by the G.L.N. If this is true we would like to know if there is some way that some payment can be made to said officials.

3. At the present time the only persons connected with the Court who are being paid are the lawyers named "Sostituti Procuratori del Regno" pursuant to Par. 2, Article X of Proclamation No 5.

For the Senior Civil Affairs Officer.

(Sgd) for Louis L. COX
Major, AUS
Chief Legal Officer.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS

LEGAL DIVISION

FILE REF. 13C/AMG/ID/ 193

SUBJECT: Special Courts of Assize - Extra Allowances for Magistrates, Clerks etc.

Date 6 September 1945

TO : Chief Legal Advisor, Legal Sub-Commission, H.Q., A.C.
(for Italian Branch)

1. It is our understanding that under present arrangements that portion of the personnel of the Special Court of Assize which is a part of the regular judicial system does not receive any extra pay or allowances for its services in said court.

2. Our attention has been called to the fact that in Northern Italy Presidents of Special Courts of Assize, Prosecutors and Clerks who have been civil servants are being given special allowances by the C.L.M. If this is true we would like to know if there is some way that some payment can be made to said officials.

3. At the present time the only persons connected with the Court who are being paid are the lawyers named "Sostituti Procuratori del Regno" pursuant to Par.2, Article X of Proclamation No.5.

For the Senior Civil Affairs Officer.

Felix J. Aulini, Major
Louis L. COX



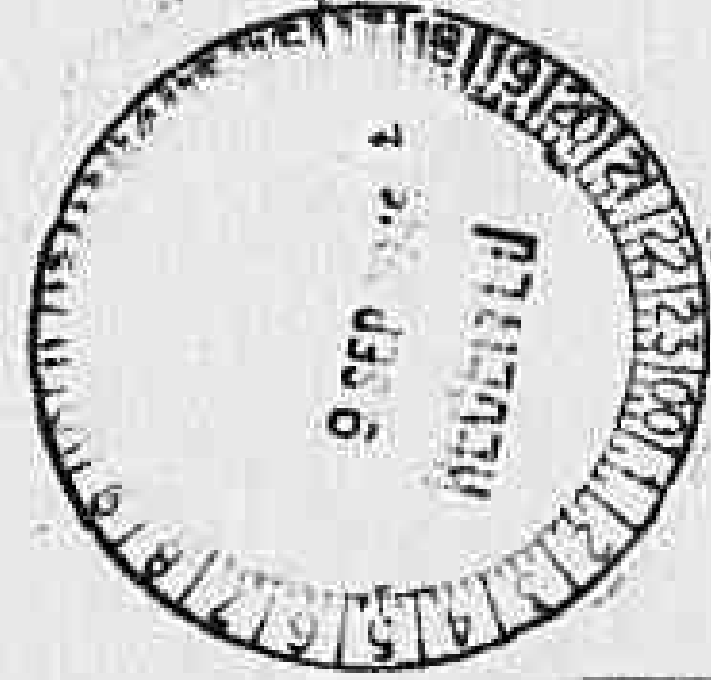
Legal Sec
1400A

1. It is our understanding that under present arrangements that portion of the personnel of the Special Court of Assize which is a part of the regular judicial system does not receive any extra pay or allowances for its services in said court.

2. Our attention has been called to the fact that in Northern Italy Presidents of Special Courts of Assize, Prosecutors and Clerks who have been civil servants are being given special allowances by the C.I.N. If this is true we would like to know if there is some way that some payment can be made to said officials.

3. At the present time the only persons connected with the Court who are being paid are the lawyers named "Sostituti Procuratori del Regno" pursuant to Par.2, Article X of Proclamation No.5.

For the Senior Civil Affairs Officer.



Felix J. Aulini, Major

Louis L. C O X

Major, A U S

Chief Legal Officer

LEGAL SUBCOMMISSION	
CLO	/
DCLO	/
Chief Counsel	/
CJO	/
Italian Section	/
CL RKS	/
10 SEP 1945	/

4039/5
 HEADQUARTERS
 LIGURIA REGION
 ALLIED MILITARY GOVERNMENT
 APO 394

WGE/sf
 8 August 1945

Lig/Leg/05.9

SUBJECT : Salary increase to Ufficiali Giudiziari.

TO : Headquarters, Allied Commission - APO 394.
 (Attn: Legal Sub-Commission, Italian Branch Section)

1. Enclosed please find a so called "Order of the Day" signed by the Committee for the Ufficiali Giudiziari and a joint letter signed by the Primo Presidente and Procuratore Generale. Copies of the said documents have been retained for the files of this HQ. 135A

2. Reference is had to your letter AC/4039/5/L dated 30 July 1945 which arrived in the same mail as the above documents. Copies of your letter have been sent to the Primo Presidente and to the Procuratore Generale with the request that the contents be brought to the attention of the Ufficiali Giudiziari forthwith and their reaction reported as soon as possible to this HQ.

3. Any further correspondence resulting in consequence of your letter and any reaction thereto will be immediately brought to your attention.

For the Regional Commissioner:

W.G. Elder
 for W.G. ELDER,
 Lt. Col., Cdn. Prov. C.,
 Regional Legal Officer.

Encl/

HEADQUARTERS	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	★
C. M. S.	
8 AUG 1945	

MA

mod. 7 bis

CORTE D'APPELLO DI GENOVA

PRIMA PRESIDENZA

OGGETTO: Agitazione degli ufficiali giudiziari del Tribunale e della Pretura di Genova.

Allegati N. 1 Risposta a Nota del

Genova, 5 AGOSTO 1945.

N. 855

ALL'UFFICIO LEGALE REGIONALE
dell' A. M. G.

Genova

AL MINISTERO DI GRAZIA E GIUSTIZIA
Gabinetto

R. G. M. A.

1) Alcuni ufficiali giudiziari, addetti al Tribunale ed alla Pretura di Genova, ci hanno presentato l'unito ordine del giorno, col quale chiedono l'immediato pagamento di un assegno straordinario individuale di lire cinquemila, minacciando di astenersi dal lavoro se la loro istanza non viene accolta.

2) A giustificazione di tale istanza, essi dicono che la detta somma è stata corrisposta a tutti i dipendenti dello Stato; ma, in verità in questa sede nel mese di luglio scorso è stata corrisposta la somma di lire cinquemila agli impiegati dello Stato annogliati di lire quattromila ai celibi, a titolo di acconto sullo stipendio da addegnare, invece dei maggiori emolumenti accessori corrisposti nei mesi precedenti; e perciò la maggiore parte dei magistrati e dei funzionari di cancelleria e segreteria, con la corresponsione della detta somma, hanno avuto una diminuzione e non già un aumento della precedente re-

Allegati N. 1 Risposta a Nota del

Genova. 5 AGOSTO 1945.

N. 655

ALL'UFFICIO LEGALE REGIONALE
dell' A. M. G.

Genova

AL MINISTERO DI GRAZIA E GIUSTIZIA
Gabinetto

R g m a

- 1) Alcuni ufficiali giudiziari, addetti al Tribunale ed alla Pretura di Genova, ci hanno presentato l'unito ordine del giorno, col quale chiedono l'immediato pagamento di un assegno straordinario individuale di lire cinquemila, minacciando di astenersi dal lavoro se la loro istanza non viene accolta.
- 2) A giustificazione di tale istanza, essi dicono che la detta somma è stata corrisposta a tutti i dipendenti dello Stato; ma, in verità in questa sede nel mese di luglio scorso è stata corrisposta la somma di lire cinquemila agli impiegati dello Stato annogliati e di lire quattromila ai celibi, a titolo di acconto sullo stipendio da addegnare, invece dei maggiori emolumenti accessori corrisposti nei mesi precedenti; e perciò la maggiore parte dei magistrati e dei funzionari di cancelleria e segreteria, con la corresponsione della detta somma, hanno avuto una diminuzione e non già un aumento della precedente retribuzione. Ciò ha cagionato il malcontento di cui si è riferito col rapporto n. 847 del 3 corrente.
- 3) Ad ogni modo, non essendo gli ufficiali giudiziari impiegati dello Stato retribuiti con stipendio, non è possibile corrispondere la somma e la loro pretesa, nè altra somma qualsiasi, se non in virtù di un provvedimento legislativo.

./.

4) E' vero per altro che, a cagione della fortissima riduzione degli affari giudiziari civili, i proventi degli ufficiali giudiziari sono oggi in questa sede assai scarsi, mentre è cresciuto l'onere delle notificazioni in materia penale; perciò, nonostante l'entrata in vigore in questo territorio, con effetto dal 1 maggio 1945, del D.L.L. 11.1.1945 N.3 (Ordinanza dell'A.M.G. pubblicata nella Gazz. Uff. 5.7.1945 N.80), le condizioni economiche degli ufficiali giudiziari rimangono misere e meritano di essere prese in considerazione.

P. IL PROCURATORE GENERALE
L'AVVOCATO GENERALE
(Francesco Lanero)

F. Lanero

IL PRIMO PRESIDENTE
(Giuseppe Giudice)

G. Giudice

137c

Gli Ufficiali Giudiziari del Diversi Uffizi.

di del Comune di Genova - riunitisi oggi 3 agosto

1945 - alle ore 18 - hanno votato ed approvato il

seguente

- ORDINE DEL GIORNO -

- Considerato che la classe degli Ufficiali Giudiziari, priva di un reddito fisso, soffre da molti anni di una grave crisi economica, certamente la peggiore fra tutte la categoria dei dipendenti statali, dovuta particolarmente alla quasi totale scomparsa degli affari in materia civile e commerciale;

le;

- Considerato che per altro ha dovuto e deve sobbarcarsi e rifà gravi e non indifferenti spese di personale, cancelleria e mezzi di trasporto per la esplicazione di un sempre crescente lavoro postale e gratuito nell'interesse dell'amministrazione della giustizia;

- Considerato che in ogni, con l'interposizione tal-

- ORDINE DEL GIORNO -

- Considerato che la classe degli Ufficiali Giudiziari, priva di un reddito fisso, soffre da molti anni di una grave crisi economica, certamente la peggiore fra tutte le categorie dei dipendenti statali, dovuta particolarmente alla quasi totale soppressione degli effetti in materia civile e commerciale;

- Considerato che per altro ha dovuto e deve sobbarcarsi a più gravi e non indifferenti spese di personale, cancellaria e mezzi di trasporto per la esplicazione di un sempre crescente lavoro penale e gratuito nell'interesse dell'Amministrazione della Giustizia;

- Considerato che in oggi, con interpretazione vana to restrittiva quanto ingiusta, si vorrebbe disonoscere ad esso il diritto alla percezione delle somme di lire cinquecento, concessa con regio provvedimento a tutti i dipendenti dello Stato;

- Considerato che tale disonoscimento è pertanto in stridente contraddizione con le precedenti di-

rettive e con lo spirito e le finalità che hanno
giustificato il Superiore provvedimento;
- Considerato che la classe stessa trovasi costret-
ta fare ricorso alle Autorità costituite, perchè
si provveda con estrema urgenza alle loro impellen-
ti necessità ed a quelle delle rispettive fami-
glie

D E L I B E R A N O

di sollecitare lo immediato pagamento a loro favo-
re della somma di lire cinquanta, ed evitare di
ricorrere - loro malgrado - alla "estensione del
lavoro".

La commissione
Integrale - Gi' in sede
Ritenuera

A Spazio
Il fine o un c'è

[Handwritten signature]

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ES/lc.

3 August 1945.

AC/4039/5/L.

SUBJECT : Request for allowances. Dott. DELFINO Giuseppe and
PETEANI Carlo.

TO : The Minister of Pardon and Justice.

1. The enclosed two petitions with supporting documents are passed to you for recommendation.

2. Would you please say whether or not the claims advanced by the above two officials should be favourably considered in view of the facts set out in the petitions.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incls: 2 petitions and documents.

4039/5

1374

HEADQUARTERS
Allied Military Government
13 Corps

He

26 July 1945

To : Chief Legal Adviser, Legal Sub-Commission, H.Q., A.C.,
(for Italian Branch).

Subject: Requests for Patrimony.

Ref : 130/AMG/ID/3.

1. Attached you will please find requests and documents re patrimony of Dott. Giuseppe DEITINO and Dott. Carlo PETREANI, both judges of the Tribunale of Gorizia.

2. We will appreciate if you will advise what is the proper procedure and disposition to be made of this and other like matters which no doubt will come up from time to time.

For the Senior Civil Affairs Officer.

21

Felix J. Antini, Major

for L.F. DAWSON
Lt. Col.
Chief Legal Officer.

CLO	
DCLO	
Chief Counsel	
CIC	
Italian Section	
CL RKS	

1 AUG 1945

4039/15
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

136A

AC/4010/4/L.

ES/lc.
31 July 1945.

SUBJECT : Remunerations to state employees in restored
Provinces.

TO : Ministry of Public Instruction. (High Education S/C)

1. Reference your Prot. 3813 Div. II addressed to
the Education Sub-Commission which was referred to this Sub-
Commission for reply.

2. RDL 18/B of 6 December 1943 became operative in
the following Provinces on the following dates:

TERNI	14 August 1944.
PERUGIA	10 September 1944.
MACERATA	2 September 1944.
ANCONA	6 November 1944.
GROSSETO	25 August 1944.
SIENA	20 September 1944.
AREZZO	21 October 1944.
PESARO	6 November 1944.
FIRENZE	28 October 1944.
LIVORNO	15 September 1944.
PISA	1 November 1944.
PISTOIA	11 November 1944.

3. DLL 116 of 13 March 1945 became operative in the
above Provinces on 16th February 1945.

4. As for DLL 328 of 18 November 1944 your attention

is invited to the AMG order published in Gazzetta Ufficiale N° 4 of 9 January 1945 pursuant to which this decree shall become effective on the date to be fixed by an order of the individual Provincial Commissioners. Unfortunately the orders of Provincial Commissioners are not available in the files of this or Finance Sub-Commission. However, you will no doubt be able to obtain the requested dates from the Prefects of the Provinces concerned.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

19

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4039/5/L.

/pa.
30 Jul 45.

SUBJECT : Salary increase to "Ufficiali giudiziari"
and "commissi".

TO : Regional Commissioners (Attn: R.L.O.s),
EMILIA, LIGURIA, PIEMONTE, LOMBARDIA and
VENEZIE REGIONS.

1. DLL 116 of 13 Mar 1945 which was extended to Northern Regions by an AMG order published in Gazzetta Ufficiale No.87 of 21 July 1945 grants economic betterment to certain public employees but does not benefit "Ufficiali giudiziari" and their assistants ("commissi").

2. A new decree which will remedy this situation is in course of preparation and will be published within about three weeks.

3. Pending the publication the Ministry of Treasury has authorized and the Finance Sub-Commission has approved the payment of an anticipation of 1000 lire to personnel concerned.

4. Please advise the Primi Presidenti and Procuratori Generali accordingly and see to it that necessary instructions be issued forthwith.

5. Copy of letter 13065/F dated 28 July 1945 of the Finance Sub-Commission is attached.

By command of Rear Admiral STONE :

G. G. Hannaford
G. G. HANNAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incls.

Copy to : Ministry of Justice
(Foot. No. U.C. 4781 of 19 July 1945 refers).

4039/5

134A

HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB COMMISSION

28 July 1945

13065/F

SUBJECT: Pay and Allowance - Ufficiali Giudiziari.

TO : Legal sub-Commission.

131B

1. Receipt is acknowledged of your minute dated 20 July 1945, file 4039/5/L, subject: "Salary increase of Ufficiali Giudiziari", with inclosure.

2. The necessary action has been taken by the Ministry of Justice and is now under consideration by the Ministry of the Treasury.

a. It is understood that a period of three weeks will be required to complete the legislative proceedings.

3. In view of the foregoing this sub-Commission has no objection to the granting of the anticipation of 1,000 lire to affected personnel in Military Government Territory.

LEGAL SUB COMMISSION	
CLO	
DCLO	
Chief Counsel	
CL	
Report on	
29 Jul 1945	

for ROL
Joint Director,
Finance sub-Commission.

*Please review it.
29 Jul 1945
for*

HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB COMMISSION

21 July 1945

13006/F

SUBJECT: Implementation - D.L.L. 8 December 1944, No. 428.
TO : Legal sub-Commission, A.C. ✓

1. Receipt is acknowledged of your minute dated 19 July 1945, file 4039/5/L, subject: "Increase in Notarial Fees".

2. This sub-Commission will interpose no objection now to implementation of subject decree.

Joint Director,
Finance sub-Commission.

CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS

23 JUL 1945

To: Legal 4/c

132A

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB-COMMISSION

KJH/fg

Tel. 489081 - 204

23 July 1945

REF : LSC/806

SUBJECT: Spinelli Decrees

TO : R.C.'s (att. Labour Officers)
Lombardia
Venetia
Liguria
Emilia
Venetia Giulia for info only

I. You may have received copy of a memo dated 5th July 1945 from Piemonte Region giving the Regional Legal Officer's ruling on the scope of D.L.L. 249 and General Order 41. The observations of the Regional Labour Officer were as follows:

- (a) The Spinelli decrees issued by the Republican Fascist Government increased salaries in private industry.
- (b) D.L.L. No. 249 of 5th Oct. 44 declares all decrees of the Republican Fascist Government null and void. It came into effect after our entry into the Region.
- (c) G.O. 41 orders that the rates of wages shall from the effective date of said order, be the rates which were in fact in force on 3 April 45 (Art. III).
- (d) The questions raised by R. Labor O. are as follows:
 - 1) The majority of concerns obeyed the Spinelli decrees increasing the wages accordingly. Must they continue to pay these increases?
 - 2) A minority of concerns did not obey the Spinelli decrees. Can they be compelled to pay these increases now?
 - 3) If the answer to (2) is yes, from which date should these increases be paid?

- (e) It is the opinion of this office that Art. III of G.O. 41 is properly construed as applying to rates of wages generally and not to the rate prevailing in individual places of business.
- (f) Art. III applies by its terms to "rates which were in fact in force". The Republican Fascist Government was a de facto Government and the rates ordained by it were in fact in force on 3 April 1945.
- (g) Accordingly the concerns which paid the increases should continue to do.
- (h) Concerns which did not obey the decrees, should now be compelled to pay those increases.
- (i) G.O. No. 41 provides that it shall come into effect on the date of first posting in the Province. Therefore, concerns which did not pay the increases prior thereto must pay them from the date of posting.

II. The Chief Legal Advisor, Legal Sub-Commission Allied Commission, has agreed and confirmed the foregoing ruling. He draws attention to the fact that D.L.L. 180 of 26 April 1945 enables the Italian Government to recognize increases in wages and salaries granted by the so called Republican Government as remaining in force until further order.

III. The legal opinion is therefore circulated for the information of all Regional Labour Officers, Regional and Provincial Labour Directors (Italian) and Regional Italian Joint Advisory Committees (RIJAC).

W. H. BRAINE
W. H. BRAINE
Director
Labour Sub-Commission

Copies to

Economic Section
Finance Sub-Com
Legal Sub-Com ✓
G-5 A.F.H.Q.

→
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

131A

AC/4039/5/L.

ES/1c.
20 July 1945.

SUBJECT : Salary increase of "Ufficiali giudiziari".
TO : Finance Sub-Commission.

1. Your attention is invited to the enclosed copy of a memorandum received ~~here~~ from the Ministry of Justice.

2. As this matter is causing a certain amount of concern among these officials could consideration be given to their request, which appears legitimate, and this Sub-Commission informed of your decision.

G. G. HANNAFORD,
Lt. Col.,
Officer i/o Italian Branch,
for Chief Legal Advisor.

12

Incl.

C O P I A

Con D.L.L. 13 marzo 1945 n. 116, sono stati accordati miglioramenti economici ai dipendenti dello Stato. Non essendo tale decreto applicabile agli ufficiali giudiziari ed ai loro commessi (dato che i medesimi non fanno parte dell'Amministrazione statale), si è dovuto predisporre un apposito provvedimento inteso ad estendere alle predette categorie i benefici previsti dal citato decreto.

Poichè però si prevedeva un notevole ritardo nell'attuazione del provvedimento (il quale infatti non è ancora tornato dal Ministero del Tesoro con la prescritta adesione) questo ministero, con lettera del 12 aprile 1945 n. 275/620-7, chiese a quello del Tesoro di essere autorizzato a concedere nel frattempo agli ufficiali giudiziari ed ai commessi un anticipo di L. 1.000 mensili; e ciò in analogia a quanto era stato disposto nei confronti del personale statale.

Il Ministero del Tesoro, con lettera del 25 aprile 1945, numero 110809 Div. XV, aderì alla richiesta, autorizzando la corrispondenza di un anticipo con decorrenza dal 1° aprile 1945

Roma, 18 luglio 1945.



4601/5
 Ministero di Grazia e Giustizia
 Ufficio di Collegamento con l'A.C.

Mod 2

130A

Gabinetto di S.E. il Ministro

Roma, 19 luglio 1945 *A*

Protocollo V. OC 6781

OGGETTO Miglioramenti economici a favore degli ufficiali giudiziari.

Alla Commissione Alleata
 Sottocommissione Legale

R o m a

Una delegazione di ufficiali giudiziari del Nord si è presentata a questo Ministero per esporre l'attuale situazione economica della categoria.

In merito alle richieste si trasmette l'accluso pro-memoria con preghiera di considerare l'opportunità di estendere anche agli ufficiali giudiziari del Nord l'anticipo menzionato nel pro-memoria stesso, date le note difficoltà economiche dei medesimi.

LEGAL SUB.COMMISSION	
CLO	
DCLO	
Chief Counsel	
CLY	
Section Secretary	<i>A</i>
CL RKS	
20 JUL 1945	

L'UFFICIALE DI COLLEGAMENTO
 (Er. Giorgio Bonelli)

Bonelli

Is not this being done
9/8/45

APPUNTO PER IL Dr. BONELLI

Con D.L.L. 13 marzo 1945 n. 116, sono stati accordati miglioramenti economici ai dipendenti dello Stato. Non essendo tale decreto applicabile agli ufficiali giudiziari ed ai loro commessi (dato che i medesimi non fanno parte dell'Amministrazione statale), si è dovuto predisporre un apposito provvedimento inteso ad estendere alle predette categorie i benefici previsti dal citato decreto.

Poichè però si prevedeva un notevole ritardo nell'attuazione del provvedimento (il quale infatti non è ancora tornato dal Ministero del Tesoro con la prescritta adesione) questo Ministero, con lettera del 12 aprile 1945 n. 275/620-7, chiese a quello del Tesoro di essere autorizzato a concedere nel frattempo agli ufficiali giudiziari ed ai commessi un anticipo di £. 1.000 mensili; e ciò in analogia a quanto era stato disposto nei confronti del personale statale.

Il Ministero del Tesoro, con lettera del 25 aprile 1945, numero 110809 Div. XV, aderì alla richiesta, autorizzando la corrispondenza di un anticipo con decorrenza dal 1° aprile 1945.

Roma, 18 luglio 1945

HEADQUARTERS ALLIED COMMISSION
AFO 394
LEGAL SUB-COMMISSION

129A
/nt.
19 July 1945.

AC/4039/5/L.

SUBJECT : Increase in Notarial fees.

TO : Finance Sub-Commission.

1. Is there any prospect of DIL 428 of 8 Dec 1944 being implemented in the near future.

2. The present situation is causing a certain amount of misgivings in LOMBARDY. Notaries complain that although they have had to increase wages and salaries and their overhead charges are greatly increased, their fees have remained at the 1939 level.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

8

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

128A

AC/4039/5/L.

/nt.
19 July 1945.

SUBJECT : Economic and juridical problems of notaries.
TO : Regional Commissioner (Attn: Regional Legal Officer),
LOMBARDIA Region.

Your LEG/5104 of 18 July 1945 refers.

1. The memorandum submitted by Notaro RUGGERI has been forwarded to the Ministry for consideration.
2. Finance Sub-Commission has been approached with regard to the implementation of DIL 428 of 8 Dec 1944.
3. As soon as their answer is received you will be duly informed.

By command of Rear Admiral STONE:

7
G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

127A

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: ISG/5104

SUBJECT : Economic and juridical problems

TO : HQ Allied Commission
Legal Sub-Commission

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CE RKS Series.	
19 JUL 1945	

1. D.L.L. 8 December 1944 No 428 which authorized an increase in notarial fees has been excluded from implementation in this territory.

2. In order that this HQ may be in a position to answer urgent enquiries on the subject, may please be informed whether implementation of this Decree is contemplated in the near future.

3. The notaries rightly point out that other professional classes and workers have received increases from time to time to meet the increased cost of living, and that they themselves have had to increase the salaries of their own employees. In the circumstances their claims for an increase in fees appear fully justified.

4. A Pro-memoria submitted by Notaio Ruggeri Lelio is attached for your consideration. Will you be so kind as to ascertain from the Ministry what provisions they propose to make in cases of this kind, and advise what (if any) interim measures should be taken by this HQ to regularize the situation. As far as Notaio Ruggeri is concerned, it would seem that he should return to this original seat.

H.M. Dickie
H.M. DICKIE
W/Comdr., R.A.F.
Regional Legal Officer.

Encl. 1 Pro-memoria.
ar/

126A

HEADQUARTER ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

GGH/lc.
17 July 1945.

AO/4039/5/L.

SUBJECT : Spinelli Decrees.

TO : Labour Sub-Commission.

1. This Sub-Commission agrees with Col. Mercer's interpretation as to the scope of DLL 249 and General Order N°.41, especially in view of the fact that DLL 180 of 26 April 1945 enables the Italian Government to recognize increases in wages and salaries granted by the so called Republican Government as remaining in force until further order (Art.1). As you are aware, DLL 180 was passed in order to conform to the provisions of General Order N°.41.

2. Increases of wages and salaries under the Spinelli decrees must therefore remain in force until new legislation is promulgated.

3. On the other hand this Sub-Commission is of opinion that matters of policy in prices and wages such as this should be dealt with by Labour Sub-Commission and any directives in this respect issued by them.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor. 5

Copy to : AC/4010/4/L.

4039/5 ✓
HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB-COMMISSION

KTH/fg

REF : LSC/806
SUBJECT: Spinelli Decrees
TO : Legal Section

16 July 1945

1. Attached is copy of a memorandum by Regional Legal Officer, Piemonte to Regional Labour Officer.
2. It is suggested that the interpretation and operation of these Decrees has general application throughout all Northern Italy, and Labour Officers in other Regions would welcome advice.
3. If you approve with the ruling given by Lt. Col. Mercer perhaps you can agree to promulgate a statement on those lines, at an early date, to all Regions. This Sub-Commission would be glad to have a copy of any memorandum you may issue on the subject.

W H Braine

W. H. BRAINE
Director,
Labour Sub-Commission

LEGAL SUB-COMMISSION	
CEO	
DELO	
CLM	
CIP	
Legal Section	✓
SP-1	
SP-2	
SP-3	
SP-4	
SP-5	
SP-6	
SP-7	
SP-8	
SP-9	
SP-10	

17 JUL 1945

COPY

COPY

PK/LB/209

5 July 1945

SUBJECT: SPINELLI DECREES

TO : R. LABOUR O. PIEMONTE REGION

1. The above decrees issued by the Republican Fascist Government increased salaries in private industry.

2. D.L.L. no.249 of 5 Oct.44 declares all decrees of the Republican Fascist Government null and void. It came into effect after our entry into the Region.

3. G.O. 41 orders that the rates of wages shall from the effective date of said order, be the rates which were in fact in force on 3 April 45 (Art. III).

4. The questions raised by R. Labor O. are as follows:

a) The majority of concerns obeyed the Spinelli decrees increasing the wages accordingly. Must they continue to pay those increases?

b) A minority of concerns did not obey the Spinelli decrees. Can they be compelled to pay those increases now?

c) If the answer to (b) is yes, from which date should those increases be paid?

5. It is the opinion of this office that Art. III of G.O. 41 is properly construed as applying to rates of wages generally and not to the rate prevailing in individual places of business.

6. Art. III applies by its terms to "rates which were in fact in force". The Republican Fascist Government was a de facto Government and the rates ordained by it were in fact in force on 3 April 1945.

7. Accordingly the concerns which paid the increases should continue to do so.

8. Concerns which did not obey the decrees, should now be compelled to pay those increases.

9. G.O. No. 41 provides that it shall come into effect on the date of first posting in the Province. Therefore, concerns which did not pay the increases prior thereto must pay them from the date of posting.

EDWIN J. MERCER
Lt.Col.,Ord.
Regional Legal Officer.

EJM/AR.

15 July 1945.

13065/F

SUBJECT: Increase of Salaries, Wages and Pensions.

TO : Regional Commissioner, Piemonte Region (for R.F.O.).

Liguria

" " " " " Lombardis

Venezia

S. C. & O. ANG VANGSIA GIALLA (for S.F.O.).

[illegible]

1. By DDL 23 March 1945, No. 116 (Gazzetta Ufficiale 10th April 1945, No. 153) the salaries, wages and pensions of public employees were further increased.

2. The decree enacts the following provisions:-

2. The degree effects are reflected in the following:

- (a) a decrease of 50% on the basic salary or wage as fixed by DIL 16
- (b) a decrease of 50% on the basic salary or wage as fixed by DIL 16

(5) November 1944, No. 323.

100% on the family allowances at present being paid.

an increase of 100% in the daily feed ration indemnity of 66.66 lire per day - subject to a reduction of 50% in the amount of lire

of 10% in towns of less than 200,000 inhabitants, and of 20% in towns of less than 50,000 inhabitants.

(d) The application of the 70% - 10% "temporary increase" granted by HRL

6 December

allowances.

(i) With the inception of these new scales the identifications for bellicose (*bellicissimo*) and giornalista di disguidatissima residenza are

1987

the monthly indemnity payable under 22 February 1945, No. 38

(care case) is absorbed into the new daily food ration instead of.

3. The new increases apply to all State salaries and wages, the pay of military personnel, the wages of non di ruolo (not permanently established) State personnel, and are extended to employees of communes, provinces or other public bodies.
- (a) Concurrently with the improvements in salaries and wages there is a corresponding increase of 50% for pensions and similar allowances, thus further amending the new pension scales established by D.L. January 1945, No. 41.
- (b) A translation of the decrees is attached.

4. The provisions of this decree are implemented in the remaining areas of Italy now under Military Government, from which they had previously been excluded, with effect from 1 August 1945.

D.L. 13 March 1943, No. 116, providing for Increases in Salaries, Wages, and Pensions of Public Employees

Art. 1.

Payments to personnel of State administrations, including autonomous agencies, are increased by 50% of the amount resulting from the application of D.L. 18 Nov. 1944, No. 326, in the following categories:-

- 1) Salaries;
- 2) Pay of Sgt. Majors and Sgts. of the R. Army, and to corresponding grades of the other armed forces, of non-commissioned officers and privates of the R. Carabinieri and of other corps of the State organized on a military basis;
- 3) Wages of permanent State public employees;
- 4) Wages of permanently employed laborers;
- 5) Salaries, Wages or other similar compensation to "non di ruolo" personnel.

For receiving agents of the Post and Telegraph, Lotto, and other similar services under State administration, paid on a commission basis, or on a basis of the length of service, the 50% increase is applied to that proportion of pay or commission considered as corresponding to the service rendered. The total amount paid will be reimbursed to them by their superior administrations.

Art. 2.

The indemnity for family dependents (agguanto di famiglia) and relative supplementary rates due to "di ruolo" personnel, either married or widower with minor children, of groups A, B and C on the rolls of the Administrations of the State, including Railway personnel of an equal grade, and Arsenali and non-commissioned officers of corresponding grades, are doubled.

The indemnity for family dependents of following personnel is also doubled:-

- 1) Subordinate personnel "di ruolo" of State administrations, permanent laborers, and Railway personnel of equal grades;
- 2) Brigadiere, vice-brigadiere, gradates and privates of the R. Carabinieri and corresponding grades of the R. Guardia di Finanza and other military corps;
- 3) Sgt. Majors and Sgts. of the R. Army and corresponding grades of the R. Navy and Air Force;
- 4) "Non di ruolo" State personnel entitled to the indemnity for family dependents according to Decree 4 February 1937, No. 100, converted into law June 7th, 1937, No. 1106. All subsequent variations;
- 5) Auxiliary Railway personnel entitled to the indemnity for family dependents according to Art. 1, above, of D.L. 17 November 1938, No. 1785, converted into law 5 Jan. 1939, No. 2941 and subsequent variations;
- 6) Contract laborers of State Railways entitled to the indemnity for family dependents according to Art. 3, of the standard contract approved by Inter-ministerial decree of 25 April 1939, No. 19, and subsequent variations;
- 7) "Non di ruolo" State salaried personnel entitled to the indemnity for family dependents according to Art. 11 of Law of 20 April 1939, No. 591 and subsequent variations;
- 8) "Non di ruolo" teaching and non-teaching personnel of schools and institutions of higher education, or every grade entitled, according to

or commission considered as corresponding to the service rendered. The total amount paid will be reimbursed to them by their superior administrations.

art. 2.

The indemnity for family dependents (agguanta di famiglia) and relative supplementary rates due to "di ruolo" personnel, either married or widower with minor children, of groups A, B and C on the rolls of the administrations of the State, including railway personnel of an equal grade, and carabinieri and non-commissioned officers of corresponding grades, are doubled.

The indemnity for family dependents of following personnel is also doubled:-

- 1) Subordinate personnel "di ruolo" of State administrations, permanent laborers, and railway personnel of equal grades;
- 2) Brigadiers, vice-brigadiers, graduitas and privates of the R. Carabinieri and corresponding grades of the R. Guardia di Finanza and other military corps;
- 3) Sgt. Majors and Sgts. of the R. Army and corresponding grades of the R. Navy and Air Force;
- 4) "Non di ruolo" State personnel entitled to the indemnity for family dependents according to Decree 4 February 1937, No. 100, converted into law June 7th, 1937, No. 1108 and subsequent variations;
- 5) Auxiliary Railway personnel entitled to the indemnity for family dependents according to art. 1, sub-art. 16 of ROL 17 November 1938, No. 1785, converted into law 5 Jan. 1939, No. 2941 and subsequent variations;
- 6) Contract laborers of State Railways entitled to the indemnity for family dependents according to art. 3, of the standard contract approved by inter-ministerial decree of 25 April 1939, No. 19, and subsequent variations;
- 7) "Non di ruolo" State salaried personnel entitled to the indemnity for family dependents according to art. 11 of Law of 20 April 1939, No. 591 and subsequent variations;
- 8) "Non di ruolo" teaching and non-teaching personnel of schools and institutions of "Istruzione Media" of every grade entitled, according to regulations, to a monthly temporary carovivari, are granted, instead of said carovivari, the indemnity for family dependents in the same measure and under the same conditions as are personnel of groups A, B and C on the rolls of the State administrations;
- 9) The indemnity for family dependents is also doubled for personnel included in arts. 2 and 3 of ROL 21 March, 1941, No. 203.

art. 3.

Personnel engaged "a tempo determinato" under RD June 8, 1942, No. 740, as copyists or servants, janitors, etc. are granted the same economic treatment and indemnity for family dependents as is provided for temporary personnel of the 3rd and 4th categories respectively by ROL 4 February 1937, No. 100, and subsequent amendments, resulting from the application of this decree.

art. 4.

The amount of the allowance "ad personam" under art. 4 of RD 11 November 1923, No. 2395 and similar measures, will be reliquidated, with effect from the date on which the present decree enters into force, on the basis of the new amounts of payments provided in art. 1.

Such new amounts, as well as those provided in Arts. 2 and 3, will be taken as a basis for calculating the amount of the temporary integration provided by RDL 6 December 1943, No. 18/B, as well as the amount of the increase granted by Arts. 4 and 7 of RDL 18 December 1944, No. 328, but will have no effect on the other indemnities and allowances for active service which are regulated by the laws creating them.

Art. 5 of RDL 6 December 1943, No. 18/B is repealed and the last line of schedule referred to in art. 1 of same decree is modified as follows: "On the quota exceeding 4,000 lire monthly by 10%".

Art. 5.

An allowance of 66.66 lire gross daily for food rations is granted, in addition to payments in force, to personnel listed in part I of Art. 1 above. This allowance is also granted to:-

- 1) Commission agents of the Post and Telegraph services, of the Lotta, to "assunteri" or Railways, and in general to State employees paid on a commission basis or on a basis of services rendered according to the time element involved;
- 2) Employees of such commission agents. The amount will be reimbursed to the agents by their superior administrations.

In applying above, the month will be considered as 30 days.

This allowance will not be considered as subject to the provisions of RDL 6 December 1943, No. 18/B.

The above grant is not transferable; may not be used as collateral; may not be attached; and it is not to be computed as part of compensation for discharge or dismissal pay. It is not awarded to personnel on special leave or whose pay is suspended, or in any situation which, according to law, is not considered as being on active duty.

The allowance is not granted to personnel which have access to food rations or cash transfer, whether totally or partially; except, however, where optional decision is allowed for the more favourable treatment.

Where various employments are involved, as allowed existing law, only one allowance will be granted.

Art. 6.

The amount of the allowance granted by the preceding article will be reduced by 10% for personnel in communes of less than 200,000 population, and by 20% for personnel in communes having less than 50,000 population.

The amount of the grant itself may not exceed double the amount of the salary or wages resulting from the application of the provisions of Art. 1.

Such limits do not apply to personnel included in Tables 1, 2, and 3 of Appendix III of Law of 20 April 1959, No. 591 or to personnel who, according to the penultimate paragraph of art. 5, chose the above allowance.

Art. 7.

The gross yearly amount of each emolument resulting from the application of the preceding articles is adjusted to the nearest ten lire, disregarding fractions up to five lire, and raising to the next ten lire fractions larger than five but smaller than ten lire.

Art. 8.

In applying above, the month will be considered as 30 days.

This allowance will not be considered as subject to the provisions of RDL 6 December 1943, No. 18/E.

The above grant is not transferable; may not be used as collateral; may not be attached; and it is not to be computed as part of compensation for discharge or dismissal pay. It is not awarded to personnel on special leave or whose pay is suspended, or in any situation which, according to law, is not considered as being on active duty.

The allowance is not granted to personnel which have access to food rations or cash transfer, whether totally or partially; except, however, where optional decision is allowed for the more favorable treatment.

Where various employments are involved, as allowed existing law, only one allowance will be granted.

Art. 6.

The amount of the allowance granted by the preceding article will be reduced by 10% for personnel in communes of less than 200,000 population, and by 20% for personnel in communes having less than 50,000 population.

The amount of the grant itself may not exceed double the amount of the salary or wages resulting from the application of the provisions of Art. 1.

Such limits do not apply to personnel included in Tables 1, 2, and 3 of Appendix III of Law of 20 April 1939, No. 591 or to personnel who, according to the penultimate paragraph of Art. 5, chose the above allowance.

Art. 7.

The gross yearly amount of each emolument resulting from the application of the preceding articles is adjusted to the nearest ten lire, disregarding fractions up to five lire, and raising to the next ten lire fractions larger than five but smaller than ten lire.

Art. 8.

The daily indemnity of Art. 2 of RDL 16 December 1942, No. 1498 and that of Disgratissimo Residenza of Art. 10 of DIL 18 November 1944, No. 328 are abolished.

Personnel on active service or retired, and their dependents, deriving benefits from this decree are not entitled to the monthly indemnity provided by DIL 22 February 1945, No. 38.

If the application of the preceding articles would result in a total increase less than the amount of the suppressed indemnity, the difference is to be credited as a personal allowance, which will be gradually absorbed by any subsequent increases which may become due. Personnel entitled to this personal allowance, or those who, by reason of the application of this decree, would enjoy an aggregate increase of less than lire 450 gross per month, may be granted a supplementary allowance of lire 450 gross monthly or such lesser amount as may be necessary to equal lire 450. This allowance will also be gradually absorbed by increases subsequently due.

Art. 9.

For personnel wholly or partially paid through non-State budgets, the burden resulting from the provisions of this decree will be assumed by the Enti which at present sustain such expenses, and in the same proportions.

Art. 10.

The provisions of the preceding articles are extended to provincial and communal secretaries and to the other dependents of provinces or communes.

Provinces, communes, institutions of public welfare, Enti parastatali, and in general all Enti and institutions of a public nature, including autonomous enti, which are under State control or administration, or receive subsidies or other contributions of a continuous nature from the State, including also agencies directly dependent upon such Enti, whose personnel are not subject to juridical control of collective labour contracts, are authorized to extend to their personnel, upon deliberation of the competent bodies, the provisions of the preceding articles with the prerogative of granting allowances under Arts. 1, 2, 5 and 6 in a lesser amount than that provided by said articles.

The allowances provided in the preceding paragraph must not exceed by more than 5,000 lire gross, monthly, the allowances in force on 15 February 1945, increased by the monthly indemnity provided with RDL 24 February 1945, No. 38. Such limits will be operative as to the salary and eventually to the family allowance.

Art. 11.

Pensions, and other grants, as provided by Art. 1 of DML 30 January 1945, No. 41, relative to cessation of service prior to date of entrance into effect of this decree, will be increased by 50%.

Pensions and other grants as foreseen in the preceding paragraph relative to retirement from service within three years from the effective date of the present decree, are liquidated or reliquidated on the basis, when calculation is made of the triennial average, of the new salaries or wages resulting from Art. 1 above. Pensions or allowances liquidated or reliquidated on the basis of this paragraph are to include the increase provided by Art. 2 of DML 30 January 1945, No. 41.

Pensions and other grants to personnel of categories indicated in Arts. 4 and 5 of DML 30 Jan. 1945, No. 41, whether liquidated or to be reliquidated, are increased by 50%.

The temporary integrations provided by RDL 13 March 1944, No. 85, and by DML 23 September 1944, No. 237, are to be reliquidated on the basis of the pensions increased by the present article, excluding caroviveri.

The "caroviveri" provided by paragraphs 1 and 2 of Art. 6 of DML 30 January 1945, No. 41, are raised from L. 8,400 to L. 9,600 gross yearly for direct pensions or allowances and from L. 7,200 to L. 8,400 gross yearly for reversible pensions or allowances. The caroviveri provided by para 3 of same Art. 6 are raised from L. 1,800 to L. 3,000 for direct pensions or allowances and from L. 1,200 to L. 2,400 for reversible pensions or allowances.

The limit of L. 12,000 foreseen by Art. 7 of above-mentioned decree No. 41 for the granting of the caroviveri therein indicated, is ~~raised~~ raised to L. 18,000 and those of L. 20,400 and of 19,200 indicated in the same Art. 7 for the granting of said caroviveri in proportionate measure are respectively raised to L. 27,600 and L. 26,400 gross yearly.

In effecting the increases provided by this article, regulations contained in Art. 2 para 3, Art. 7 para 2, and Arts. 12, 13, and 14 of DML 30 January 1945, No. 41, will be observed.

Art. 12.

Necessary adjustments in the budget for the effectiveness of this decree will

Art. 11.

Pensions, and other grants, as provided by Art. 1 of D.L. 30 January 1945, No. 41, relative to cessation of service prior to date of entrance into effect of this decree, will be increased by 50%.

Pensions and other grants as foreseen in the preceding paragraph relative to retirement from service within three years from the effective date of the present decree, are liquidated or reliquidated on the basis, when calculation is made of the triennial average, of the new salaries or wages resulting from Art. 1 above. Pensions or allowances liquidated or reliquidated on the basis of this paragraph are to include the increase provided by Art. 2 of D.L. 30 January 1945, No. 41.

Pensions and other grants to personnel of categories indicated in Arts. 4 and 5 of D.L. 30 Jan. 1945, No. 41, whether liquidated or to be reliquidated, are increased by 50%.

The temporary integrations provided by D.L. 13 March 1944, No. 85, and by D.L. 23 September 1944, No. 237, are to be reliquidated on the basis of the pensions increased by the present article, excluding *caroviventi*.

The "*caroviventi*" provided by paragraphs 1 and 2 of Art. 6 of D.L. 30 January 1945, No. 41, are raised from L. 8,400 to L. 9,600 gross yearly for direct pensions or allowances and from L. 7,200 to L. 8,400 gross yearly for reversible pensions or allowances. The *caroviventi* provided by para 3 of same Art. 6 are raised from L. 1,800 to L. 3,000 for direct pensions or allowances and from L. 1,200 to L. 2,400 for reversible pensions or allowances.

The limit of L. 12,000 foreseen by Art. 7 of above-mentioned decree No. 41 for the granting of the *caroviventi* therein indicated, is ~~raised~~ raised to L. 18,000 and those of L. 20,400 and of 19,200 indicated in the same Art. 7 for the granting of said *caroviventi* in proportionate measure are respectively raised to L. 27,600 and L. 26,400 gross yearly.

In effecting the increases provided by this article, regulations contained in Art. 2 para 3, Art. 7 para 2, and Arts. 12, 13, and 14 of D.L. 30 January 1945, No. 41, will be observed.

Art. 12.

Necessary adjustments in the budget for the effectiveness of this decree will be introduced by decrees of the Minister of the Treasury.

Art. 13.

This decree will enter into force the day following publication in the *Gazzetta Ufficiale* and will be effective from February 16th, 1945 for personnel who, at the date of publication, are residing in provinces which at that date have already been restored to the Italian Government. For personnel residing in other provinces this decree will be effective from the date on which it will enter into force in those provinces, according to regulations that will be issued by Allied Military Government.

The increase on pensions arising from Art. 11 will be paid from the first payment due after March 1st 1945 to pensioners who, at the date of publication of this decree, are residing in provinces which at that date are already under Italian administration. To pensioners residing in other provinces the above increase will be paid from the first payment due after the date on which this decree will enter into force in those provinces, according to regulations that will be issued by Allied Military Government.

The present decree will be effective up to one year after the cessation of the state of war.

0377