Declassified E.O. 12356 Section 3.3/NND No. 785021

ACC 10000/146/44 LSC/306

ITALIAN LABOR LEGISLATION

Jan. - Dec. 1945

Declassified E.O. 12356 Section 3.3/NND No. 785021

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1601

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File .459/206

Italian Labour Legislation

1 5/1/46 LEGAL S/C.

May we have your advice please. Note 'A' from the Italian Labour Officer Venezie Region states that with the handing back of territory to Italian Govt administration AMG Orders no longer have force. The note implies that no authority then remains for the existence of the Labour organisation and administration created by General Order 28, and that the Fascist Corporate Syndical System no longer remain suppressed.
Note 'B' gives the contrary view of another Italian Labour Officer.
Can it be confirmed please: a) that although General Order 28 lapses, all action taken in the past under that order remains valid; b) that the position pertaining at the time General Order 28 lapses (i.e. suppression of Fascist organisations & existence of a labour organisation established by AMG) can be sustained without further legal authority and unless and until it is in fact revoked by the Italian Government.

4494

1602

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PROMEMORIA SUI RAPPORTI DI LAVORO

PER SR. WH. BRAINE - INCARICATO DEL LAVORO DELL'AMBASCIATA?INGLESE

ROMA

affidato alla cortesia del Sig. Commissario Regionale per la Regione delle Venezie A.M.G. Generale di Brigata J. K. Dunlop - C.B.E. M.C. T.D.

1. Col passaggio delle provincie dell'Alta Italia dal controllo Alleato all'Amministrazione del Governo Italiano, tutte le Ordinanze emanate dall'A.M.G.cessano di spiegare efficacia per il futuro.

2. Cade pertanto anche l'Ordinanza Generale n.28, la quale, abrogando tutto il sistema sindacale corporativo fascista, ha dato un nuovo assetto alla materia del lavoro.

3. In considerazione di quanto sopraesposto in attesa che,da parte del Governo Italiano, vengano regolati in modo uniforme, organico e definitivo tutti i rapporti di lavoro, non ancora protetti da disciplina legislativa, si fa presente l'opportunità che vengano espressamente e temporaneamente mantenute in vigore le fondamentali norme dettate in materia di lavoro dal Governo Militare Alleato dell'Alta Italia.-

254/206

LEGISLATIVE DECREE OF THE LIEUTENANT GENERAL 21 AUGUST 1945 No. 523
PROVISIONS FOR WORKERS OF NORTHERN ITALY

UMBERTO DI SAVOIA
Prince of Piedmont
LIEUTENANT GENERAL OF THE REALM

By virtue of the authority vested in us;

Having seen the lieutenancy law decree of 25 June 1944, n. 151;

Having seen the lieutenancy law decree of 1 February 1945, n. 58;

Having seen the decision of the Council of Ministers;

On proposal of the Minister of Labour and Social Security and in agreement with the Ministers of the Treasury, Industry and Commerce, and Justice;

WE HAVE SANCTIONED AND WE
PROMULGATE AS FOLLOWS:

ART. 1

All industrial firms, to which the present decree is applied by the terms of article 17, cannot dismiss their work people up to 30 September 1945.

This ban does not apply to

a. workers who without well justified reason, refuse to accept alternative work that may be offered by another employer;

b. cases in which termination of employment is agreed by collective contract or by legal provisions and is due to the worker's own fault.

Disputes that may arise as a result of the provisions contained in the above paragraph shall when they cannot be settled by the intervention of the internal commission, be temporarily decided by executive action of the appropriate Labour Inspectorate, without prejudice to action in the Law Courts.

ART. 2

Industrial firms, which find themselves compelled by circumstance to reduce the number of workers in active employment, must institute a workers' "waiting list".

On this list shall be recorded the names of workers attached to the firm who are registered on the "temporarily available list" and who have not been reemployed in active employment at the date on which the present decree enters into force.

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On this list shall be recorded the names of workers attached to the firm who are registered on the "temporarily available list" and who have not been reemployed in active employment at the date on which the present decree enters into force.

In addition workers who from time to time are nominated by mutual agreement between the management of the firm and the Internal Commission or, failing agreement are nominated by the appropriate Provincial Labour Office, may be registered on the forementioned list. 4492

ART. 3

Workers registered on the "waiting list", even if temporarily employed within the terms of article 7, maintain all seniority service rights prescribed by legal provisions or collective contracts in force.

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ART. 4

Workers registered on the "waiting list" are entitled to the following economic benefits:

a. a daily allowance, to be paid by the employer, of 10 lire for males over 18 years of age; of 7 lire for females over 18 years of age; 4 lire for juveniles not over 18, without prejudice to more favourable provisions prescribed by local agreements;

b. the family allowances eventually due, to be paid by the "Cassa Unica" (Family Allowance Fund);

c. a daily allowance, to be paid by the "Assicurazione contro la disoccupazione" (Unemployment Fund), of 20 lire for males over 18 years of age; 14 lire for females over 18; 8 lire for juveniles not over 18 years of age.

ART. 5

Firms are required to send to the local office of the Istituto Nazionale Previdenza Sociale and to the appropriate Provincial Labour Office, not later than the third day after the present decree becomes effective, a copy of the "waiting list". Variations of the "Waiting List" must be notified every 15 days.

ART. 6

A worker, registered on the "waiting list", should he resign from his employment, is entitled to liquidation of the seniority service indemnity in accordance with existing legal provisions and collective contracts.

ART. 7

Provincial Labour Offices are required to take necessary action to secure temporary employment either in agriculture, public works or other employment for workers registered on the "waiting list" as well as for workers who are temporarily suspended from work, the latter having been proposed by the internal commission and the firm.

ART. 8

Workers who are temporarily suspended from work or who work less than 48 hours each week, shall be paid:

a. for each hour actually worked the global rate of pay per hour including all indemnities;

b. for the number of hours not worked between 0 and 48 hours weekly at the rate of 75% of the global pay including the contingency indemnity and calculated on an hourly basis.

The Confederal Labour Chambers and the Industrial Unions for each Province may establish, by means of syndical agreements criteria for determining the total pay and eventually may establish tables of average wages for each category.

ART. 9

Payment of benefits in accordance with articles 4 and 8, is dependent on the observance, on the part of the worker, of the rules and regulations which will be prescribed by the Provincial Labour Offices and by the Istituto Nazionale Previdenza Sociale, in consultation with the syndical organisations concerned.

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The forementioned economic benefits are not payable to workers on the "waiting list" or suspended from work who are employed, even temporarily, by another employer, for the whole duration of such alternative employment.

ART. 10

Manual workers who are suspended or who are working at reduced hours and for whom special working hours are established by contract or by virtue of their terms of service, are entitled to benefits under article 8 for such hours, being less than the normal working hours, during which no work was performed, and in any case not exceeding 48 hours per week.

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For manual workers on datal or fixed wage rates, and for office workers, the foregoing benefits are calculated on the basis of the amount of normal earnings.

ART. 11

With regard to computation of earnings and calculation of working hours, in those cases where reduction of working hours has been given effect by adjustment of the working week, the rules specified in the collective agreement of 13 June 1941, concerning the implementation of wages to be paid to workers in the employ of industrial undertakings working on a short-time basis will apply insofar as the said rules are not inconsistent with the present decree.

ART. 12

The provisions of Art. 8 do not apply to workers employed for reduced hours as regards unpaid holidays or absence from work involving loss of pay.

ART. 13

The provisions of Art. 8 are payable by the industrial undertaking.

Two-thirds of the benefits described in (b) of Art. 8 are refunded to the industrial undertaking by the "Cassa Integrazione" for earnings of industrial workers.

ART. 14

Workers who are suspended or are working on a short-time basis are entitled to receive family allowances at normal rates.

ART. 15

With regard to the refund referred to in Art. 13 the rules for adjustment as prescribed in the collective agreement of 13 June 1941, are to be enforced.

ART. 16

The Istituto Nazionale Previdenza Sociale is authorised to advance under conditions to be determined by the Institute, the funds needed by industrial undertakings which owing to their financial situation do not possess the amounts needed for the payment of the benefits prescribed by the present decree.

Such financial advances are limited to the anticipated amount that will be forrefund by the "Cassa d'Integrazione".

The sums advanced cannot be used for payments other than those for which they are intended.

To recover such monetary advances as have not been absorbed by payments made by the "Cassa d'Integrazione", the Istituto Nazionale Previdenza Sociale may, in case of non-refund, file injunction for payment against the industrial undertaking concerned in accordance with the procedure established by R. Decree of 14 April 1910, n. 639.

4491

The credits of the "Cassa" have the same privileges as State credits.

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4491

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ART. 17.

The provisions of the proceding articles are applicable to industrial undertakings subject to the collective agreement of 13 June 1941, and to their employees, and are limited to industrial establishments and offices

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located in the following provinces: Genova, Imperia, Savona, La Spezia, Apuania, Torino, Aosta, Cuneo, Alessandria, Vercelli, Novara, Asti, Milano, Como, Varese, Mantova, Bergamo, Brescia, Cremona, Pavia, Sondrio, Venezia, Belluno, Padova, Vicenza, Rovigo, Treviso, Udine, Verona, Trento, Bolzano, Bologna, Modena, Parma, Reggio Emilia, Ferrara, Ravenna, Forli' and Piacenza.

ART. 18

The present decree shall not apply to:

a) workers whose employment began after 25 April 1945;

b) workers employed in seasonal work or engaged under a limited contract or casual duties.

c) workers who, although employed by an industrial undertaking, are considered by the appropriate Provincial Labour Office as normally engaged in agricultural employment.

ART. 19

Authorization is granted for the State to advance to the Istituto Nazionale Providenza Sociale, for the account of the Cassa Integrazione dealing with the earnings of industrial workers, funds up to a maximum of 4 miliard lire that will eventually be needed to meet the burden that will be borne by the Cassa as a result of the present decree.

By decrees of the Minister of the Treasury provision will be made for charge upon the State of the financial provisions of the Minister of Labour and Social Security regarding the sums needed for execution of this decree.

By subsequent decree the procedure for partial or total reimbursement of financial advances made by the State will be established. In any case the addition of interest is excluded.

Refund of the amounts that are due to the State from the Cassa Integrazione is guaranteed by the availability of funds derived from contributions due to the Cassa under the collective agreement of 13 June 1941. For this reason the amount of contribution due to the Cassa may be increased in the provinces in which the present decree is applied, by decree of the Minister of Labour and Social Security acting in agreement with the Minister of the Treasury.

Should an industrial undertaking be reorganised or cease activity for any reason, the amounts already advanced to the undertaking by the Cassa Integrazione in accordance with this decree, and including the proportion that is the responsibility of the Cassa, shall constitute, in every respect, privileged State funds.

Should an industrial undertaking become bankrupt, privileged State funds are determined by the proportion of the States financial advances that have been granted by the Cassa to the undertaking.

ART. 20

The present decree enters into force on the day following that of its publication in the "Gazzetta Ufficiale" and shall be valid in the provinces mentioned

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b) workers employed in seasonal work or engaged under a limited contract or casual duties.

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Should an industrial undertaking become bankrupt, privileged State funds are determined by the proportion of the States financial advances that have been granted by the Cassa to the undertaking.

ART. 20

The present decree enters into force on the day following that of its publication in the "Gazzetta Ufficiale" and shall be valid in the provinces mentioned in Art. 17 up to the 30th of September 1945, with retroactive effect from 25 June 1945 for the provinces restored to the administration of the Italian Government, and for the other provinces from the date on which Allied Military Government shall order its enforcement.

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We order that the present decree, bearing the State Seal shall be inserted in the official record of laws and decrees of the Italian State, commanding all concerned to observe it and to ensure its observance as a law of the State.

Dated at Rome 21st August 1945.

UMBERTO DI SAVOIA

Signed PARRI - President of Council of Ministers
BARBARESCHI - Minister of Labour and Social Security
RICCI - Minister of Treasury
GRONCHI - Minister of Industry and Commerce
TOLLIATTI - Minister of Justice and Keeper of the Seal.

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LSC/206

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

DCE/rmw

TEL : Ext. 315 17 December 1945

REF : LSC/206/311

SUBJECT: Estensione alle provincie dell'Alta Italia di taluni provvedimenti in materia di contributi assistenziali e previdenziali.

TO : The Minister
Ministry of Labor and Social Security
Italian Government
Rome

Attention: Dir. Gen. prev. e assist. sociale

1. This is in further reply to your letter of 6 December, Reference No. 4042, addressed to Finance Sub-Commission concerning the above subject.

2. As we have already advised you in our letter of 11 December, DLL of 1 August 1945, No. 693, has already been excluded from implementation in AMG territory at the request of this Sub-Commission.

3. We are now informed that the other three Decrees referred to in your letter, namely; DLL of 1 August 1945, No. 691; DLL, 1 August 1945, No. 697, and DLL, 1 August 1945, No. 718, have already been implemented for application in AMG territory.

4. In view of the announcement already made that this territory will be turned over to the administration of the Italian Government about 31 December, it is not considered advisable to issue an order revoking the previous implementation orders.

5. This decision has been taken with particular reference to the fact that the Decrees that now stand provide for application to AMG territory immediately upon the turn-over of this territory to the administration of the Italian Government.

6. Should these implementation orders be revoked, therefore, the Decrees would immediately come into effect under Italian law at the time of the turn-over.

7. It is, therefore, strongly urged that you expedite the enactment of the draft Decree which was attached to your letter and which would operate to alter the retroactive date contained in the original Decrees.

7150

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8. In the meantime, if you desire to issue some circular to the Government agencies trusted with the duty of collecting contributions, we should be very happy to see that the same is circulated.

DAVID C. SACHS
Deputy Director
Labor Sub-Commission

cc: Legal Sub-Commission
Finance Sub-Commission

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File

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

DCS/rmw

TEL : Ext. 315

17 December 1945

REF : LSC/206/311

SUBJECT: Implementation of Social Insurance Decrees.

TO : Legal Sub-Commission

1. This is in reply to your AC/4010/I/L of 14 December 1945.

2. This will advise that Labor Sub-Commission agrees with the position taken in your memorandum. We have advised the Italian Ministry of Labor and Social Security accordingly.

DAVID C. SACHS
Deputy Director
Labor Sub-Commission

cc: Finance Sub-Commission

Declassified E.O. 12356 Section 3.3/NND No. 785021

LSC/206/311

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

GGH/ns
14 December 1945

AC/4010/1/L

SUBJECT : Implementation of Social Insurance Decrees.

TO : Labour Sub Commission.

1. Reference your LSC/206/305 of 4 December 1945 and 306 of 11 December 1945.

2. In compliance with your request by telephone of 4 December 1945 steps were taken to exclude DLL 693 from implementation in AMG territory.

3. However, in view of the announcement by the Chief Commissioner on the impending restoration of the Northern Regions to the Italian Government it would appear futile to publish at this juncture an order revoking the previous implementation orders pertaining to DLL 692,607,718. As you no doubt are aware, the decrees would become effective in the restored territory on the date of restoration notwithstanding any AMG exclusion order.

4. Consequently the better solution would be for the Italian Government to expedite the enactment of the new decree which will also be extended to the Udine Province remaining under the control of AMG after the restoration.

5. Please advise this Sub Commission whether you agree.

G.G. Hannaford

G.G.HANNAFORD,
Lt.Colonel,
Deputy Chief Legal Advisor.

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~~Annex~~ 1 to C & C/206

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB COMMISSION

LSC/ac

REF : LSC/206/311 11 December 1945

SUBJECT: Implementation of Social Insurance Decrees.

TO : Legal Sub-Commission
Attention Judge Thomas

1. Reference is made to Memo LSC/206"305 of this Sub-Commission dated 4 December 1945.

2. In this Memo we requested that Decree No. 693 of 1 August 1945 be excluded from implementation in AMG territory.

3. You will recall that this request was made because the Decree in question made certain increases in contributions for Social Insurance retroactive to 31 May 1945.

4. The Italian Government has now formally requested that we exclude from implementation not only the above-mentioned Decree but also the following other three Decrees which are upon the same general subject-matter:

D.L.L. 1 August 1945 No 692, appearing Official Gazette No. 135 of 10 November 1945;

D.L.L. 1 August 1945 No. 697 appearing in Official Gazette No. 136 of 13 November 1945;

D.L.L. 1 August 1945 No. 718 appearing in Official Gazette No. 140 of 22 November 1945.

The Italian Government advises that it has in preparation a Decree which will make all four of these Decrees effective for the first pay-roll following the date of their publication in the Official Gazette rather than on the dates set forth in the respective Decrees. 4185

5. Where it is not too late, please withold the above-mentioned Decrees from implementation for AMG territory, whereat these Decrees have already been implemented, please prepare an appropriate order which will abrogate the implementation order.

Sachs

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6. Your advice as to what action has been taken will be greatly appreciated.

DAVID C. SACHS
Deputy Director,
Labour Subcommission

Copy to : Finance Sub-Commission

1618

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FILE

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB COMMISSION

DSB/ac

REF A. LC/311/206/305 11 December 1945

SUBJECT: Estensione alle provincie dell'Alta Italia di taluni provvedimenti in materia di contributi assistenziali e previdenziali.

TO : The Ministry of Labour and Socila Security.

1. Your letter of 6 December 1945 Reference No. 4042 addressed to Finance Sub-Commission concerning the above subject has been referred to this Sub-Commission for reply.

2. Please refer to our letter to you of 5 December 1945 concerning Decree No. 693 of 1 August 1945.

3. Pending your reply to this letter this Sub-Commission has already taken action to temporarily withold this Decree in its present form from immediate application in territory under the administration of AMG.

4. With regard to the other Decrees mentioned in your letter, we will undertake to do the same provided these Decrees have not already been implemented for application in AMG territory. In the latter case we will take the necessary steps to revoke the implementation order. In any case, we will advise you of the status of each Decree.

5. Will you please advise this Sub-Commission when the Decree represented by the draft attached to your letter is promulgated and published.

DAVID O. SACHS
Deputy Director,
Labour Sub-Commission

4483

Copy to : Finance Sub-Commission

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LSC/344/206

HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB COMMISSION

13035/F

8 December 1945

SUBJECT : "Contributi assistenziali
e previdenziali".

TO : Labour Sub Commission.

1. Reference the attached letter 4042 Div. I of 6 December, 1945, from the Ministry of Labour and Social Insurance and translation thereof.

2. We have no objection and assume you will reply direct to the Ministry.

Deputy Director
Finance Sub Commission
Lt. Col.

Encls.

4482

Ministero del Lavoro
e della Previdenza Sociale

Dir.Gen.prev.e assist.sociale
div. I^a
Prot. N.° 4042 Allegati 1

Roma, 16 DIC 19

Al la COMMISSIONE ALLEATA
Sezione economica - Sottosezione
per le finanze
R O M A

Risposta al f.° N.° USO/206/305
del 5 dicembre 1945

OGGETTO Estensione alle provincie dell'alta Italia di taluni provvedimenti in materia di contributi assistenziali e previdenziali.

Sono stati recentemente pubblicati nella Gazzetta Ufficiale i seguenti quattro provvedimenti relativi i primi alla determinazione degli elementi e dei limiti della retribuzione, ai fini del calcolo dei contributi dovuti per gli assegni familiari ed il quarto concernente la determinazione della misura del contributo per gli assegni integrativi delle pensioni.

- D.luogotenenziale 1° agosto 1945 n.692 - G.U. n.135 del 10.11.1945;

- D.legislativo luogotenenziale 1° agosto 1945 n.697 - G.U. n.136 del 13.11.1945;

- D.luogotenenziale 1° agosto 1945 n.718 - G.U. n.140 del 22.11.1945;

- D.luogotenenziale 1° agosto 1945 n.693 - G.U. n.135 del 10.11.1945

I decreti suddetti, già predisposti fin dal maggio u.s., avrebbero dovuto entrare in vigore a decorrere dal primo periodo di paga successivo al 31 maggio 1945 come con apposita norma è stato esplicitamente indicato negli stessi, in quanto vi era fondato motivo di ritenere che la pubblicazione sarebbe avvenuta subito dopo l'approvazione del Consiglio dei Ministri che ebbe, infatti, ad esaminarli fin dal 1° luglio c.a.

Ragioni, tuttavia, indipendenti da questo Ministero, hanno fatto sì che tale pubblicazione sia avvenuta, invece, solo nel decorso mese di novembre.

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per le Finanze

ROMA

Dir.Gen.prev.e assist.sociale

div. I

Prot.N.° 4042 Allegati 1

Risposta al f.N.° MSC/206/305

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- D.legislativo luogotenenziale 1° agosto 1945 n.697 - G.U. n.136 del 13.11.1945;

- D.luogotenenziale 1° agosto 1945 n.718 - G.U. n.140 del 22.11.1945;

- D.luogotenenziale 1° agosto 1945 n.693 - G.U. n.135 del 10.11.1945

I decreti suddetti, già predisposti fin dal maggio u.s., avrebbero dovuto entrare in vigore a decorrere dal primo periodo di paga successivo al 31 maggio 1945 come con apposita norma è stato esplicitamente indicato negli stessi, in quanto vi era fondato motivo di ritenere che la pubblicazione sarebbe avvenuta subito dopo l'approvazione del Consiglio dei Ministri che ebbe, infatti, ad esaminarli fin dal 1° luglio c.a.

Ragioni, tuttavia, indipendenti da questo Ministero, hanno fatto sì che tale pubblicazione sia avvenuta, invece, solo nel decorso mese di novembre.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

In considerazione ora del fatto che a seguito del precennato ritardo veniva a mancare la base giuridica per la imposizione retroattiva degli obblighi contributivi derivanti dai decreti in parola, questa Amministrazione ha allora predisposto un altro decreto in corso - del quale si allega copia - per stabilire che i detti provvedimenti anziché dal primo periodo di paga successivo al 31 maggio, abbiano decorrenza dal primo periodo di paga successivo al giorno della loro pubblicazione.

Ciò premesso si prega codesta Commissione di voler soprassedere per il momento all'estensione dei provvedimenti in questione alle provincie non ancora restituite all'amministrazione italiana e di attendere la pubblicazione dell'unito decreto per provvedere all'estensione stessa contemporaneamente a quella del decreto predetto.

IL MINISTRO

Bonomi

Declassified E.O. 12356 Section 3.3/NND No. 785021

SUL D. LGS.LUOGOTENENZIALE 1° AGOSTO 1945,N. RECANTE NORME PER LA DETERMINAZIONE DELLA RETRIBUZIONE SUL QUALE E' DOVUTO IL CONTRIBUTO PER GLI ASSEGNI FAMILIARI E PER LA DETERMINAZIONE DELL'IMPORTO DELLA RETRIBUZIONE FINO ALLA CONCORRENZA DEL QUALE E' DOVUTO IL CONTRIBUTO PER GLI ASSEGNI FAMILIARI, INTEGRATIVO DELLE DISPOSIZIONI DI CUI AL D.LGS.LUOGOTENENZIALE 1° AGOSTO 1945,N. AI DECRETI LUOGOTENENZIALI 1° AGOSTO 1945,N. N. 692 E N. 693 E AL D.L.L. 31 AGOSTO 1945.

UMBERTO DI SAVOIA
PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

VISTO il decreto legislativo Luogotenenziale 1° agosto 1945,n. recante norme per la determinazione dell'importo della retribuzione rispetto al quale è dovuto il contributo per gli assegni familiari;

VISTO il decreto Luogotenenziale 1° agosto 1945,n. relativo alla determinazione dell'importo della retribuzione fino alla concorrenza del quale è dovuto il contributo per gli assegni familiari;

VISTO il decreto Luogotenenziale 1° agosto 1945,n. 692 recante norme per la determinazione degli elementi della retribuzione da considerare ai fini del calcolo dei contributi dovuti per gli assegni familiari;

VISTO il decreto Luogotenenziale 1° agosto 1945,n.693 concernente la determinazione del contributo per gli assegni integrativi della pensione della assicurazione generale obbligatoria per l'invalidità, vecchiaia e superstiti;

VISTO il decreto legislativo Luogotenenziale 31 agosto 1945, per la estensione delle norme relative agli elementi ed ai limiti della retribuzione previsti per i contributi degli assegni familiari, ai fini del calcolo dei contributi dovuti alla Cassa per il trattamento di richiamo alle armi degli impiegati privati e degli operai dell'industria e alla Cassa per la integrazione dei guadagni dei lavoratori dell'industria.

VISTO il decreto legislativo Luogotenenziale 25 giugno 1945, n.151;

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U...RIO DI S...VOIA
PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

VISTO il decreto legislativo Luogotenenziale 1° agosto 1945,n. recante norme per la determinazione dell'importo della retribuzione rispetto al quale è dovuto il contributo per gli assegni familiari;

VISTO il decreto Luogotenenziale 1° agosto 1945,n. relativo alla determinazione dell'importo della retribuzione fino alla concorrenza del quale è dovuto il contributo per gli assegni familiari;

VISTO il decreto Luogotenenziale 1° agosto 1945,n. 692 recante norme per la determinazione degli elementi della retribuzione da considerare ai fini del calcolo dei contributi dovuti per gli assegni familiari;

VISTO il decreto Luogotenenziale 1° agosto 1945,n.693 concernente la determinazione del contributo per gli assegni integrativi della pensione della assicurazione generale obbligatoria per l'invalidità, vecchiaia e superstiti;

VISTO il decreto legislativo Luogotenenziale 31 agosto 1945, per la estensione delle norme relative agli elementi ed ai limiti della retribuzione previsti per i contributi degli assegni familiari, ai fini del calcolo dei contributi dovuti alla Cassa per il trattamento di richiamo alle armi degli impiegati privati e degli operai dell'industria e alla Cassa per la integrazione dei guadagni dei lavoratori dell'industria.

VISTO il decreto legislativo Luogotenenziale 25 giugno 1944, n.151;

VISTO il decreto legislativo Luogotenenziale 1 febbraio 1945, n.[illegible]

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Translation

FROM : Ministero del Lavoro e della Previdenza Sociale
Direz.Gen.e assist.sociale

TO : A.C. Finance sub Commission.

REF : 4042 Div. I - 6 December 1945

SUB : Extension to the provinces of Northern Italy of certain decrees relating to "contributi assistenziali e previdenziali"

In the Gazzetta Ufficiale have lately been published the following four decrees; the first three relating to the procedure to follow in the estimate of premiums due on family bonuses, and the fourth relating to the extent in which the premiums for additional bonuses on pensions should be granted.

Decree n. 692 of 1 August 1945 -G.U. n. 136 of 10/11/1945
" " 697 " 1 " " " " 136 " 13/11/1945
" " 718 " 1 " " " " 140 " 22/11/1945
" " 693 " 1 " " " " 135 " 10/11/1945.

The above decrees which were ready since May 1945 should have been enacted with the first payroll following 31 May 1945, as established in said decrees, inasmuch as we hade reasons to believe that the publication of the same would have taken place immediately after the approval by the Council of Ministers, which took place on 1 July 1945.

For reasons independent from this Ministry, this publication, instead, only took place during the past month of November.

Considering the fact that, due to the above mentioned delay, there does not exist a juridical ground to impose the payment of the premiums contemplated in said decrees beginning from the date on which they should have been applied, this Administration has under consideration another decree -of which please find copy attached- to establish that the above mentioned decrees, instead of being enacted from the first payroll after 31 May 1945 should be enacted from the first payroll following the day of their publication.

In consideration of the foregoing, we beg your Commission to postpone for the time being the extension of the decrees in question to the provinces not yet returned to the Italian administration and to wait for the publication of the attached decree so that they can all be enforced at the same time.

4478

Declassified E.O. 12356 Section 3.3/NND No. 785021

decrees relating to "contributi assistenziali e previdenziali"

In the Gazzetta Ufficiale have lately been published the following four decrees; the first three relating to the procedure to follow in the estimate of premium due on family bonuses, and the fourth relating to the extent in which the premiums for additional bonuses on pensions should be granted.

Decree n.	692	of	1	August	1945	-G.U. n.	136	of	10/11/1945
" "	697	"	1	"	"	" "	136	"	13/11/1945
" "	718	"	1	"	"	" "	140	"	22/11/1945
" "	693	"	1	"	"	" "	135	"	10/11/1945.

The above decrees which were ready since May 1945 should have been enacted with the first payroll following 31 May 1945, as established in said decrees, inasmuch as we hade reasons to believe that the publication of the same would have taken place immediately after the approval by the Council of Ministers, which took place on 1 July 1945.

For reasons independent from this Ministry, this publication, instead, only took place during the past month of November.

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In consideration of the foregoing, we beg your Commission to postpone for the time being the extension of the decrees in question to the provinces not yet returned to the Italian administration and to wait for the publication of the attached decree so that they can all be enforced at the same time.

4478

THE MINISTER
(Illegible)

Declassified E.O. 12356 Section 3.3/NND No. 785021

DRAFT OF DECREE .....

Only Article

The decree n..... of 1 August 1945 and decrees n..... and n. 692 of the same date relating to the estimate of premiums on family bonuses, as well as decree n. 693 of the same date, relating to the premium on additional bonuses on pensions for invalidity and old age insurance, as well as decree n..... of 31 August 1945 for the estimate of premiums due for the subsidy in the case of call to arms and for the wage increases in industry, will be applied, contrary to what stated in said ~~decrees, with~~ the first payroll following the date of their publication in the Gazzetta Ufficiale.

4477

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Declassified E.O. 12356 Section 3.3/NND No. 785021

FILE 25c/206

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB COMMISSION

D:S/mo

REF : L3C/206/305 5 December 1945

SUBJECT: Decree No. 693 of 1 August 1945

TO : The Ministry of Labour and Social Security
Italian Government
Rome.

1. Please refer to D.L.L. No. 693 of 1 August 1945 appearing in No. 155 of Official Gazette (issue of 10 November 1945).

2. This Decree increases contributions for invalidity, old age and survivors insurance to 5% on the part of the employers and 2½% on the part of workers. These increases are made retroactive to 31 May 1945.

3. The question of whether or not this Decree should be implemented for application in territory under the administration of Allied Military Government is before this Sub-Commission for consideration.

4. In view of the fact that immediate implementation of this Decree in its present form would require the collection of both employer and employee contributions from 31 May 1945, this Sub-Commission has requested that the Decree be temporarily withheld from implementation pending further consideration of the problem.

5. Will you kindly give some consideration to this matter and advise this Sub-Commission of your desires. If you prefer, we should be very glad to discuss the matter with you.

4476

DAVID O. SACHS
Deputy Director,
Labour Sub-Commission

Declassified E.O. 12356 Section 3.3/NND No. 785021

FILE L5C/206

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB COMMISSION

DCS/ac

REF : L30/206/305 4 December 1945

SUBJECT: Decree No. 693 of 1 August 1945.

TO : Legal Sub-Commission
Attention Judge Thomas

1. This will confirm our request by telephone to exclude the above-mentioned Decree from immediate implementation in AMG territory. This Decree appears in No. 135 of the Gazzetta Ufficiale dated 10 November 1945.

2. his request is made by reason of the fact that the Decree which increases both employer and employee contributions for Social Insurance (Invalidity, Old Age, and Survivors) makes the increases retroactive to 31 May 1945. It is desired to confer with the Italian Government with respect to an appropriate retroactive date for AMG territory in the North.

3. This Sub-Commission will communicate with you further when such a date has been decided upon.

DAVID C. SACHS
Deputy Director,
Labour Sub-Commission

cc to:
Finance Sub-Commission

4475

Translation Baldoni

15c/206/304

Legislative Decree of the Lieutenant General
of 1st August, Nº 697.

Rules establishing the amount of remuneration to be taken into account when computing the contributions for family allowances.

UMBERTO DI SAVOIA
Prince of Piedmont
Lieutenant General of the Realm

By virtue of authority delegated to us;
Having seen the law of 6 August 1940, Nº 1278;
Having seen the Royal Decree law of 17 June 1937, Nº 1048;
Having seen the Legislative Decree of the Lieutenant General of 9 November 1944, Nº 307;
Having seen the Decree law of the Lieutenant General of 25 June 1944, Nº 151;
Having seen the Legislative Decree of the Lieutenant General of 1st February 1945, Nº 58;
Having seen the decision of the Council of Ministers;
On proposal of the Minister of Labour and Social Insurance, in agreement with the Minister of the Treasury;

We have sanctioned and we promulgate as follows:

Art. 1

The contribution for family allowances is due on the amount of the gross labour remuneration paid to the worker, to the extent of a sum to be fixed by a Decree of the Lieutenant General on propos-

Declassified E.O. 12356 Section 3.3/NND No. 785021

UMBERTO DI SAVOIA

Prince of Piedmont

Lieutenant General of the Realm

By virtue of authority delegated to us;

Having seen the law of 6 August 1940, N° 1278;

Having seen the Royal Decree law of 17 June 1937, N° 1048;

Having seen the Legislative Decree of the Lieutenant General of 9 November 1944, N° 307;

Having seen the Decree law of the Lieutenant General of 25 June 1944, N° 151;

Having seen the Legislative Decree of the Lieutenant General of 1st February 1945, N° 58;

Having seen the decision of the Council of Ministers;

On proposal of the Minister of Labour and Social Insurance, in agreement with the Minister of the Treasury;

We have sanctioned and we promulgate as follows:

Art. 1

The contribution for family allowances is due on the amount of the gross labour remuneration paid to the worker, to the extent of a sum to be fixed by a Decree of the Lieutenant General on proposal of the Minister of Labour and Social Insurance, in agreement with the Minister of the Treasury.

The sum alluded to may be altered in compliance with the procedural forms as described above. 4474

It is fixed on a basis of the labour remuneration per month, and it is related respectively for a fortnight or a fourteen days period, a week and a per day wage or salary to the following ratios: 1:2; 1:4; and 1:25.

The remunerations paid for more than one month period are to

Declassified E.O. 12356 Section 3.3/NND No. 785021

be computed on a basis of the normal labour recompense; they are for their respective share, to be computed together with the other elements of the remuneration up to the extent of the amount fixed in accordance with the foregoing paragraphs:

The provisions actually in force on this matter are valid also for fixing the elements of the remuneration to be taken as a basis for calculating the contribution.

Art. 2

Paragraphs 2 and 3 of Art. 1 of the Royal Decree of 21 October 1941, N° 1277 and Art.3 of the Legislative Decree of the Lieutenant General of 9 November 1944, N° 307 are abrogated.

Art. 3

The present decree is effective from the first wage or salary period subsequent to the 31 May 1945.

In the territories not yet restored to the Italian administration, the present decree will be effective on the date which shall be fixed by an Order issued by the Allied Military Government, and in default of it, on the date of the handing back of the same territory to the Italian administration.

We order to file the present decree, stamped with the seal of the State, with the official collection of the laws and decrees of the Realm of Italy, and we entrust to whom it may concern to observe it and to have it observed as a law of the State.

Rome, 1st August 1945

UMBERTO DI SAVOIA

Parri - Barbareschi - Ricci -

The Minister keeper of the State seals: Togliatti

Registered at the "Corte dei Conti", 9 November 1945

Acts of the Government, Register N° 7, sheet N°23, Fresca.

Declassified E.O. 12356 Section 3.3/NND No. 785021

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Parri - Barbareschi - Ricci -

The Minister keeper of the State seals: Togliatti

Registered at the "Corte dei Conti", 9 November 1945

Acts of the Government, Register N° 7, sheet N°23, Fresca.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

LABOR SUB COMMISSION
A. C.
Routing Slip

	Initials	Date
Mr. W. H. BRAINE Mr. SACHS		
Mr. HIRD		
Mr. SCOTT		
Mr. PROCTOR		
Miss STEVENSON		
Miss SANSEVERINO		
Chief Clerk		

REMARKS:

PR. mails as corrected

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1

SC/20C

4 OCT 1945

ECONOMIC SECTION

Fr	INTERNAL	To	Fr	EXTERNAL	To
	Vice President			ECONOMIC SECTION	
	Brig. Anderson			Production Division	
	Col. Densmore			Supply Division	
	Col. Walton			Agriculture Sub-Com	
	Lt.Col. Moore			Commerce " "	
				Finance " "	
	Maj. Smith			Food " "	
	Maj. Anson			Industry " "	
	Maj. Clark			Labour " "	✓
✓	Capt. Highland			Public Works " "	
	Lt. Arensberg			Transportation " "	
	Lt. Morgan			War Matls Disposal	
	Lt. DiLoreto				
				Chief Commissioner	
	Mr. Dickens			Executive Comm'r	
	Mr. Hughes			Civil Affairs Section	
	Admin & Personnel			Establishment Section	
	Requisition Branch			G-1 (American)	
	Price Control Branch			G-1 (British)	
	Message Center			ATTENTION:	

	For appropriate action		Note and Return
	Remarks/Recommendations		Signature
	Dispatch		Investigation & Report
	Information		File
	Circulation & Return	✓	Note & Retain

REMARKS:

cH

4471

DL 571 OF 31 AUGUST 1945

As to Officials Appointed or Removed by AMG

The Italian version of this decree is the only authoritative text. This version is not a literal translation; its object is to inform officers conveniently of the provisions contained in the decree.

Officers are referred to the Italian text for all points of detail or matters of procedure or dispute.

Words in brackets are explanatory and not in the original text.

1 For the purposes of Italian law, appointments to public offices made by the Allied Military Government in the territory under its jurisdiction are temporary.

2 Any person who, upon the restoration of territory to Italian Administration holds a public office to which he was appointed by AMG, shall continue to hold the said office until such time as he is relieved therefrom by the appropriate Italian authority or until he is appointed to the permanent staff.

For purposes of remuneration, temporary employees shall be paid as if they were permanent employees of the State grade which (normally) perform the same duties. This equal standard shall be published by decree of the appropriate Ministry in conjunction with the Ministry of the Treasury.

Temporary employees other than those employed by the State shall be paid the salaries established by present laws or by regulations which are applicable to the positions the duties of which they perform.

3 An employee of the State or of any body to which art 11 of DLL 159 of 27 July 1944 relates, who has been removed or dismissed from office by AMG for reasons of epuration, shall be deemed to be suspended from office under art 22, para 3 of DLL 159 of 27 Jul 44.

Such suspension shall take effect from the date of such removal or dismissal.

Any charge of sanction must be heard, for the purpose of epuration, within three months from the restoration to Italian Administration of the territory in which the removal or dismissal occurred or, if the territory has already been restored, from the date that this decree came into force.

This (time limit) does not apply to any other sanction to be enforced against the said employee as a result of penal proceedings taken against them.

4 The provision of the present decree shall apply also to acts of AMG in the territory which was restored to the Italian Administration before this decree came into force.

5 This decree comes into force on the day following its publication in the Official Gazette.

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DL 571 C[illegible] 1 AUGUST 1945

=4 OTT. 1945 -

AS TO O[illegible]ICIALS APPOINTED

OR

REMOVED BY AMG

Declassified E.O. 12356 Section 3.3/NND No. 785021

=4 OTT. 1945 +

AS TO OFFICIALS APPOINTED

OR

REMOVED BY AMG

4469

CA SEC 2 OCT 45

Declassified E.O. 12356 Section 3.3/NND No. 785021

DL 571 OF 31 AUGUST 1945

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The Italian version of this decree is the only authoritative text. This version is not a literal translation; its object is to inform officers conveniently of the provisions contained in the decree.

Officers are referred to the Italian text for all points of detail or matters of procedure or dispute.

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2 Any person who, upon the restoration of territory to Italian administration holds a public office to which he was appointed by AMG, shall continue to hold the said office until such time as he is relieved therefrom by the appropriate Italian authority or until he is appointed to the permanent staff.

For purposes of remuneration, temporary employees shall be paid as if they were permanent employees of the State grade which (normally) perform the same duties. This equal standard shall be published by decree of the appropriate Ministry in conjunction with the Ministry of the Treasury.

Temporary employees other than those employed by the State shall be paid the salaries established by present laws or by regulations which are applicable to the positions the duties of which they perform.

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Such suspension shall take effect from the date of such removal or dismissal.

Any charge of fascism must be heard, for the purpose of epuration, within three months from the restoration to Italian Administration of the territory in which the removal or dismissal occurred or, if the territory has already been restored, from the date that this decree came into force.

This (time limit) does not apply to any other sanction to be enforced against the said employee as a result of penal proceedings taken against them.

4 The provision of the present decree shall apply also to acts of AMG in the territory which was restored to the Italian Administration before this decree came into force.

5 This decree comes into force on the day following its publication in the Official Gazette.

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File.

lsc/206

LEGISLATIVE DECREE OF THE LIEUTENANT GENERAL Nº 453 OF 4 AUGUST 1945.

OBLIGATORY EMPLOYMENT OF WAR VETERANS IN STATE ADMINISTRATION AND PRIVATE ENTERPRISE.

UMBERTO DI SAVOIA
Prince of Piedmont
Lieutenant General of the Realm

By virtue of the authority vested in us,
Having seen the law-decree of 25 June 1944, n.151;
Having seen the law-decree of 1 Feb. 1945 n. 58;
Having seen the decision of the Council of Ministers;
On proposal of the Minister of Postwar Assistance, in agreement with the Ministers of Justice, of Industry and Commerce, of Labour and Social Security.

WE HAVE SANCTIONED AND PROMULGATE AS FOLLOWS:

Art. 1

50% of the vacancies, which occur in State Administration or Public Institutes during the two years after this decree comes into effect, are reserved for disabled, invalids and veterans of the 1940-1943 war, and of the war of liberation, as well as for patriots, civilian and military prisoners of war, deported, orphans and widows of soldiers killed in war.

Art. 2

During the two years after this decree takes effect, private enterprises, however constituted, which employ more than 20 workers, must reserve 50 % of their new engagements for the individuals belonging to the categories mentioned in article 1.

Re engagements governed by collective contracts are not considered new engagements.

Declassified E.O. 12356 Section 3.3/NND No. 785021

UMBERTO DI SAVOIA
Prince of Piedmont
Lieutenant General of the Realm

By virtue of the authority vested in us,
Having seen the law-decree of 25 June 1944, n.151;
Having seen the law-decree of 1 Feb. 1945 n. 58;
Having seen the decision of the Council of Ministers;
On proposal of the Minister of Postwar Assistance, in agreement with the Ministers of Justice, of Industry and Commerce, of Labour and Social Security,

WE HAVE SANCTIONED AND PROMULGATE AS FOLLOWS:

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Art. 2

During the two years after this decree takes effect, private enterprises, however constituted, which employ more than 20 workers, must reserve 50 % of their new engagements for the individuals belonging to the categories mentioned in article 1.

Re engagements governed by collective contracts are not considered new engagements.

Art. 3

Engagements as per article 1 and 2 are subject to the qualifications required for the employment, and relative quotas are to be separately calculated for each profession or category.

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Art. 4

In arriving at the quota prescribed by the preceding articles, engagements of mutilated, disabled soldiers and war orphans must be computed according to the law provisions at present in force.

Art. 5

Calculation of new engagements, as provided for in the preceding articles, is made once every six months.

Art. 6

The Ministry for post-war assistance is empowered to seek the intervention of the inspecting agents of the Ministry of Labour and Social Security by visiting private firms to find out if there has been compliance with the rules set forth in the present decree, as well as with previous provisions concerning the employment of the personnel mentioned in articles 1 and 3 of the present decree.

Art. 7

For the purpose of the present decree, the status of a person returned from deportation and of a civilian returned from prison is defined by certificate furnished by the commune of residence.

Art. 8

Employers failing to comply with the provisions set forth in the present decree shall be punished by fine varying from 1.000 lire to 20.000 lire.

The fine provided for in Art. 18 of the law of 21 August 1921, n. 1312, is raised to 50 lire.

Art. 9

In the territories under control of the Allied Military Government the present decree shall become effective on the date on which the same Government shall order its enforcement, and

Declassified E.O. 12356 Section 3.3/NND No. 785021

Art. 5

Calculation of new engagements, as provided for in the preceding articles, is made once every six months.

Art. 6

The Ministry for post-war assistance is empowered to seek the intervention of the inspecting agents of the Ministry of Labour and Social Security by visiting private firms to find out if there has been compliance with the rules set forth in the present decree, as well as with previous provisions concerning the employment of the personnel mentioned in articles 1 and 3 of the present decree.

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Art. 8

Employers failing to comply with the provisions set forth in the present decree shall be punished by fine varying from 1.000 lire to 20.000 lire.

The fine provided for in Art. 18 of the law of 21 August 1921, n. 1312, is raised to 50 lire.

Art. 9

In the territories under control of the Allied Military Government the present decree shall become effective on the date on which the same Government shall order its enforcement, and in default of such provisions, on the day that the same territories return under control of Italian administration. 4467

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We order that the present decree, stamped with the seal of the State, shall be filed in the official collection of the laws and decrees of the Realm of Italy, and we command all concerned to observe it and to have it observed as a law of the State.

Rome, 4 August 1945

UMBERTO DI SAVOIA

Parri - Lussu - Togliatti
Ricci - Gronchi - Barbareschi

Seen, The Keeper of the State Seals
Registered at the "Corte dei Conti" on the 20th of August 1945.
Acts of the Government, Register n. 5, sheet n. 130, Fraschs.

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File

18

HEADQUARTERS ALLIED COMMISSION
AFO 394
LABOUR SUB-COMMISSION

REF : LSC/206

17 September 1945

SUBJECT: Wage Increases

TO : Financial Adviser (Br) Allied Forces Headquarters C.M.F.

This Sub-Commission is sending you, as requested the attached copies (in English) of Italian Government decrees concerning wages which have been approved and issued since 31 October 1944.

W. R. BRAINE
Director
Labour Sub-Commission

1644

Declassified E.O. 12356 Section 3.3/NND No. 785021

25/206

Subject :- Wage Increases

FINANCIAL ADVISER (BR)
ALLIED FORCES HEADQUARTERS
C.M.F.

Ref :- D/10/FA

6 September 45.

Labour Sub-Commission
HQ Allied Commission
A.P.O. 394.

It would be greatly appreciated if you could provide me with copies (in English) of all Italian Goverment decrees concerning wages which have been approved and issued since 31 October 1944.

J.N.McINTYRE. Major,
for Brigadier,
Financial Advoser (Br)

4464

Lsc/206

LEGISLATIVE DECREE OF THE LIEUTENANT GENERAL 21 AUGUST 1945 No. 523
PROVISIONS FOR WORKERS OF NORTHERN ITALY

UMBERTO DI SAVOIA
Prince of Piedmont
LIEUTENANT GENERAL OF THE REALM

By virtue of the authority vested in us;

Having seen the lieutenancy law decree of 25 June 1944, n. 151;

Having seen the lieutenancy law decree of 1 February 1945, n. 58;

Having seen the decision of the Council of Ministers;

On proposal of the Minister of Labour and Social Security and in agreement with the Ministers of the Treasury, Industry and Commerce, and Justice;

WE HAVE SANCTIONED AND WE
PROMULGATE AS FOLLOWS:

ART. 1

All industrial firms, to which the present decree is applied by the terms of article 17, cannot dismiss their work people up to 30 September 1945.

This ban does not apply to

a. workers who without well justified reason, refuse to accept alternative work that may be offered by another employer;

b. cases in which termination of employment is agreed by collective contract or by legal provisions and is due to the worker's own fault.

Disputes that may arise as a result of the provisions contained in the above paragraph shall when they cannot be settled by the intervention of the internal commission, be temporarily decided by executive action of the appropriate Labour Inspectorate, without prejudice to action in the Law Courts.

ART. 2

Industrial firms, which find themselves compelled by circumstance to reduce the number of workers in active employment, must institute a workers' "waiting list".

On this list shall be recorded the names of workers attached to the firm who are registered on the "temporarily available list" and who have not been reemployed in active employment at the date on which the present decree enters into force.

Declassified E.O. 12356 Section 3.3/NND No. 785021

By virtue of the authority vested in us;

Having seen the lieutenancy law decree of 25 June 1944, n. 151;

Having seen the lieutenancy law decree of 1 February 1945, n. 58;

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On this list shall be recorded the names of workers attached to the firm who are registered on the "temporarily available list" and who have not been reemployed in active employment at the date on which the present decree enters into force.

In addition workers who from time to time are nominated by mutual agreement between the management of the firm and the Internal Commission or, failing agreement are nominated by the appropriate Provincial Labour Office, may be registered on the forementioned list.

ART. 3

Workers registered on the "waiting list", even if temporarily employed within the terms of article 7, maintain all seniority service rights prescribed by legal provisions or collective contracts in force.

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ART. 4

Workers registered on the "waiting list" are entitled to the following economic benefits:

a. a daily allowance, to be paid by the employer, of 10 lire for males over 18 years of age; of 7 lire for females over 18 years of age; 4 lire for juveniles not over 18, without prejudice to more favourable provisions prescribed by local agreements;

b. the family allowances eventually due, to be paid by the "Cassa Unica" (Family Allowance Fund);

c. a daily allowance, to be paid by the "Assicurazione contro la disoccupazione" (Unemployment Fund), of 20 lire for males over 18 years of age; 14 lire for females over 18; 8 lire for juveniles not over 18 years of age.

ART. 5

Firms are required to send to the local office of the Istituto Nazionale Previdenza Sociale and to the appropriate Provincial Labour Office, not later than the third day after the present decree becomes effective, a copy of the "waiting list". Variations of the "Waiting List" must be notified every 15 days.

ART. 6

A worker, registered on the "waiting list", should he resign from his employment, is entitled to liquidation of the seniority service indemnity in accordance with existing legal provisions and collective contracts.

ART. 7

Provincial Labour Offices are required to take necessary action to secure temporary employment either in agriculture, public works or other employment for workers registered on the "waiting list" as well as for workers who are temporarily suspended from work, the latter having been proposed by the internal commission and the firm.

ART. 8

Workers who are temporarily suspended from work or who work less than 48 hours each week, shall be paid:

a. for each hour actually worked the global rate of pay per hour including all indemnities;

b. for the number of hours not worked between 0 and 48 hours weekly at the rate of 75% of the global pay including the contingency indemnity and calculated on an hourly basis.

The Confederal Labour Chambers and the Industrial Unions for each Province may establish, by means of syndical agreements criteria for determining the total pay and eventually may establish tables of average wages for each category.

ART. 9

Payment of benefits in accordance with articles 4 and 8, is dependent on the observance, on the part of the worker, of the rules and regulations which will be prescribed by the Provincial Labour Offices and by the Istituto Nazionale Previ-

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The Confederal Labour Chambers and the Industrial Unions for each Province may establish, by means of syndical agreements criteria for determining the total pay and eventually may establish tables of average wages for each category.

ART. 9

Payment of benefits in accordance with articles 4 and 8, is dependent on the observance, on the part of the worker, of the rules and regulations which will be prescribed by the Provincial Labour Offices and by the Istituto Nazionale Previdenza Sociale, in consultation with the Syndical organisations concerned.

The forementioned economic benefits are not payable to workers on the "waiting list" or suspended from work who are employed, even temporarily, by another employer, for the whole duration of such alternative employment.

ART. 10

Manual workers who are suspended or who are working at reduced hours and for whom special working hours are established by contract or by virtue of their terms of service, are entitled to benefits under article 8 for such hours, being less than the normal working hours, during which no work was performed, and in any case not exceeding 48 hours per week.

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For manual workers on datal or fixed wage rates, and for office workers, the foregoing benefits are calculated on the basis of the amount of normal earnings.

ART. 11

With regard to computation of earnings and calculation of working hours, in those cases where reduction of working hours has been given effect by adjustment of the working week, the rules specified in the collective agreement of 13 June 1941, concerning the implementation of wages to be paid to workers in the employ of industrial undertakings working on a short-time basis will apply insofar as the said rules are not inconsistent with the present decree.

ART. 12

The provisions of Art. 8 do not apply to workers employed for reduced hours as regards unpaid holidays or absence from work involving loss of pay.

ART. 13

The provisions of Art. 8 are payable by the industrial undertaking.

Two-thirds of the benefits described in (b) of Art. 8 are refunded to the industrial undertaking by the "Cassa Integrazione" for earnings of industrial workers.

ART. 14

Workers who are suspended or are working on a short-time basis are entitled to receive family allowances at normal rates.

ART. 15

With regard to the refund referred to in Art. 13 the rules for adjustment as prescribed in the collective agreement of 13 June 1941, are to be enforced.

ART. 16

The Istituto Nazionale Previdenza Sociale is authorised to advance under conditions to be determined by the Institute, the funds needed by industrial undertakings which owing to their financial situation do not possess the amounts needed for the payment of the benefits prescribed by the present decree.

Such financial advances are limited to the anticipated amount that will be forrefund by the "Cassa d'Integrazione".

The sums advanced cannot be used for payments other than those for which they are intended.

To recover such monetary advances as have not been absorbed by payments made by the "Cassa d'Integrazione", the Istituto Nazionale Previdenza Sociale may, in case of non-refund, file injunction for payment against the industrial undertaking concerned in accordance with the procedure established by R. Decree of 14 April 1910, n. 639.

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The credits of the "Cassa" have the same privileges as State credits.

ART. 17

The provisions of the proceding articles are applicable to industrial undertakings subject to the collective agreement of 13 June 1941, and to their employees, and are limited to industrial establishments and offices

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located in the following provinces: Genova, Imperia, Savona, La Spezia, Apuania, Torino, Aosta, Cuneo, Alessandria, Vercelli, Novara, Asti, Milano, Como, Varese, Mantova, Bergamo, Brescia, Cremona, Pavia, Sondrio, Venezia, Belluno, Padova, Vicenza, Rovigo, Treviso, Udine, Verona, Trento, Bolzano, Bologna, Modena, Parma, Reggio Emilia, Ferrara, Ravenna, Forli' and Piacenza.

ART. 18

The present decree shall not apply to:

a) workers whose employment began after 25 April 1945;

b) workers employed in seasonal work or engaged under a limited contract or casual duties.

c) workers who, although employed by an industrial undertaking, are considered by the appropriate Provincial Labour Office as normally engaged in agricultural employment.

ART. 19

Authorization is granted for the State to advance to the Istituto Nazionale Previdenza Sociale, for the account of the Cassa Integrazione dealing with the earnings of industrial workers, funds up to a maximum of 4 miliard lire that will eventually be needed to meet the burden that will be borne by the Cassa as a result of the present decree.

By decrees of the Minister of the Treasury provision will be made for charge upon the State of the financial provisions of the Minister of Labour and Social Security regarding the sums needed for execution of this decree.

By subsequent decree the procedure for partial or total reimbursement of financial advances made by the State will be established. In any case the addition of interest is excluded.

Refund of the amounts that are due to the State from the Cassa Integrazione is guaranteed by the availability of funds derived from contributions due to the Cassa under the collective agreement of 13 June 1941. For this reason the amount of contribution due to the Cassa may be increased in the provinces in which the present decree is applied, by decree of the Minister of Labour and Social Security acting in agreement with the Minister of the Treasury.

Should an industrial undertaking be reorganised or cease activity for any reason, the amounts already advanced to the undertaking by the Cassa Integrazione in accordance with this decree, and including the proportion that is the responsibility of the Cassa, shall constitute, in every respect, privileged State funds.

Should an industrial undertaking become bankrupt, privileged State funds are determined by the proportion of the States financial advances that have been granted by the Cassa to the undertaking.

ART. 20

Declassified E.O. 12356 Section 3.3/NND No. 785021

The present decree shall not apply to:

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Should an industrial undertaking become bankrupt, privileged State funds are determined by the proportion of the States financial advances that have been granted by the Cassa to the undertaking.

ART. 20

The present decree enters into force on the day following that of its publication in the "Gazzetta Ufficiale" and shall be valid in the provinces mentioned in Art. 17 up to the 30th of September 1945, with retroactive effect from 25 June 1945 for the provinces restored to the administration of the Italian Government, and for the other provinces from the date on which Allied Military Government shall order its enforcement.

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We order that the present decree, bearing the State Seal shall be inserted in the official record of laws and decrees of the Italian State, commanding all concerned to observe it and to ensure its observance as a law of the State.

Dated at Rome 21st August 1945.

UMBERTO DI SAVOIA

Signed PARRI - President of Council of Ministers
BARBARESCHI - Minister of Labour and Social Security
RICCI - Minister of Treasury
GRONCHI - Minister of Industry and Commerce
TOLLIATTI - Minister of Justice and Keeper of the Seal.

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Translation

Use/205
CE/

ROYAL DECREE-LAW 5th December 1941 -XX, N° 1545.
GRANTING OF AN EXTRAORDINARY INDUSTRIOUSNESS BONUS AND OTHER BENEFITS TO PORT WORKERS (published in "Gazzetta Ufficiale" of 27th January 1942-XX, N° 21), converted in law, with alterations, by the law of 11th July 1942-XX, N° 1258 (published in "Gazzetta Ufficiale" of 6th November 1942-XXI, N° 263).

- - - - - - - -

VICTOR EMANUEL
King of Italy .....

Having seen Art.18 of the law of 19th January 1939-XVII, N° 129;

Considering the necessity, owing to the war, to issue provisions on behalf of the port workers, as far as the extraordinary industriousness bonus, family allowances and wage integration are concerned;

Having heard the opinion of the Council of Ministers;

On proposal of Our Minister Secretary of State for the Corporations, in agreement with the Ministers for Communications and Finance;

We have sanctioned and we promulgate as follows:

Art.1.

Office and manual workers represented by the National Fascist Federation of port workers being currently employed on 13th June 1941-XIX, will receive once only an extraordinary industriousness bonus, equal to a monthly pay, up to an amount of 2,000 lire if office workers, and equal to three weeks of normal daily wages if manual workers.

This bonus will be paid also to those manual workers who on the above date had been called to arms, or were prisoners or dispersed.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

ber 1, 1942-XXI, N° 263).

- - - - - - - - -

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This bonus will be paid also to those manual workers who on the above date had been called to arms, or 4459
prisoners or dispersed.

As normal daily wage is to be understood the average of daily wages received during the period 1937-1939, calculated on the basis of the yearly earnings divided by 365, for each port and for each category or section to which the workers belong. 4460

The financial burden concerning the payment of the said bonus will be borne by the Italian Government, and the payment will be effected by the competent port Authority through the bodies to which the office and manual workers concerned belong.

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Art.2.

The amount of the family allowances in force on 15th June 1941-XIX, due in conformity to the existing provisions on behalf of the office and manual workers in service, represented by the National Fascist Federation of port workers, is doubled with effect from 16th June 1941 -XIX, the increase representing an additional allowance.

The respective financial burden will be borne by the Italian Government who will provide for the necessary payments to the "Fund for family allowances (Industry Section)", which will keep separate accounts for this matter.

Art.3.

Since 16th June permanently employed workers represented by the National Fascist Federation of port workers, who owing to the emergency situation are not receiving wages or are receiving them in an amount less than the normal calculated as per Art.1, are entitled to an additional payment of 75 % of the difference between the above normal wage and the wage effectively received. The above additional payment must be given up to an amount which, added to the wage effectively received, will not exceed 600 lire per month.

The financial burden will be borne by the Italian Government who will pay to the "Cassa Integrazione" established by the collective agreement of 13th June 1941 made between the Fascist Confederation of Industrialists and the Fascist Confederation of industrial Workers, 16 million lire for the initial execution of the present decree and subsequently 2 ½ million per month,with adjustments at the end of each financial period.

Monthly payment of the additional remuneration will be made by the "Cassa" to the institutions employing the workers concerned,on appropriate application in which all necessary information for the liquidation must be given and certified by the appropriate Port Authorities.

The "Cassa" will keep separate accounts for the payments as per the present article.

Art.4.

Declassified E.O. 12356 Section 3.3/NND No. 785021

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Monthly payment of the additional remuneration will be made by the "Cassa" to the institutions employing the workers concerned, on appropriate application in which all necessary information for the liquidation must be given and certified by the appropriate Port Authorities.

The "Cassa" will keep separate accounts for the payments as per the present article.

Art.4.

The provisions of the foregoing articles will be applied to the manual workers employed in the custom service, within the limits, conditions and forms which will be fixed by decree of the Minister of Finance.

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Art.4 bis.

The Minister of Finance is authorized to allocate by proper decrees the funds necessary for the execution of the benefits to be granted on behalf of the port workers and these

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employed in the custom service.

Art.5.

The provisions of the present decree-law will remain in force until the date which will be fixed by decree of the Corporation Minister, to be issued in agreement with the Ministers of Finance and Communications.

The present decree will become effective on the day of its publication in the "GAZZETTA UFFICIALE" of the Kingdom and will be presented to the legislative Assembly for its conversion into law.

The proposing Minister is authorized to submit the respective draft.

We order that the present decree, after having received the State seal, be inserted in the Official Collection of the laws and decrees of the Kingdom of Italy, and order, to whom it may concern, to observe it and to have it observed.

Given in Rome, 5th December 1941-XX.

VICTOR EMANUEL

Mussolini - Ricci - Host Venturi - Di Revel

Seen: the Keeper of the State seal: GRANDI.

4457

Declassified E.O. 12356 Section 3.3/NND No. 785021

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Seen: the Keeper of the State seal: GRANDI.

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LSC/206

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB-COMMISSION

EJH/EB

Tel. 204

REF : LSC/413 7 September 1945

SUBJECT: Implementation of Italian Government Decree

TO : Legal Section

1. It is understood that the next issue of the Gazzetta Ufficiale will include D.L.L. of 21 August 1945

"contenente provvedimenti a favore dei lavoratori dell'Alta Italia"

This is the long awaited Decree that was promised on 5th July 1945 to take the place of General Order No. 48. The final text of the Decree has been seen by this Sub-Commission and we are in full agreement. It is not known what number will be given to the Decree.

2. It is requested that, if it is at all possible, the issue of Gazzetta Ufficiale containing the Italian Government Decree should also contain AMG implementation.

May this be arranged please.

W. H. BRAITH
Director,
Labour Sub-Commission

LSC/206

Draft decree approved by Council of Ministers on 9 August 1945.

(Appointment of Italian officials made by A.M.G.)

Art. 1.

To all effects of Italian law, appointments to public offices made by A.M.G., in territory under its jurisdiction, are temporary in character.

Art. 2.

When the territories are returned to the Italian Government those who have been appointed by the A.M.G. will continue in office until they are replaced or confirmed.

Salary to be paid to employees "non di ruolo" will be equal to that fixed for "di ruolo" and for the grade corresponding to their functions. That will be disposed by the competent Ministry in agreement with the Treasury.

When people not in the State Administration have been appointed in offices of Public Bodies the salary to be paid will be that fixed by regulations in force or the regulations of such bodies.

Art. 3.

State and Public Bodies employees mentioned by article 11 of DLL 27 July 1944 n. 159 removed from their office or dismissed on epuration charges by the AMG are cosidered as suspended from their office as per article 22, 3 Para. of DLL 27 July 1944, n. 159.

Such suspension will start from the day said provisions have been taken.

Notice of charges for the epuration judgement, has to be made within three months from the day the territory was returned to Italian Government or from the day this decree entered into force when territories already returned to Italian Government are concerned.

Any different disciplinary provision to which said dependants may have been condemned is mantained.

Art. 4.

Provisions of this decree apply also in those territories already returned to Italian Government at the date of entering into force of this decree.

Art. 5.

This decree enters into force the day following its

Declassified E.O. 12356 Section 3.3/NND No. 785021

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Any different disciplinary provision to which said dependants may have been condemned is mantained.

Art. 4.

Provisions of this decree apply also in those territories already returned to Italian Government at the date of entering into force of this decree.

Art. 5.

This decree enters into force the day following its pubblication on Gazzetta Ufficiale del Regno.

We order atc.....

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Declassified E.O. 12356 Section 3.3/NND No. 785021

BUCK SLIP DATE 21 Aug 45

HEADQUARTERS

ALLIED COMMISSION

FINANCE SUB-COMMISSION

From		To
	INTERNAL	
	Brig. A. P. Grafftey Smith	
	Col. R. B. Menapace	
	Col. H. G. Crawshaw	
	Lt. Col. P. D. Banning	
	Lt. Col. A. J. Baxter	
	Lt. Col. N. T. Beard	
	Lt. Col. E. C. King	
	Lt. Col. J. H. Penick	
	Lt. Col. E. P. Waters	
✓	Major J. R. H. Hall	
	Major J. Osmon	
	Major B. E. L. Timmons	
	Capt. G. H. Tipping	
	SSM R. H. L. Angibault	
	S/Sgt. R. G. Le Blond	
✓	Maj Reede	✓
	EXTERNAL	
	Office of the Chief Commissioner	
	Office of Ex. Commissioner	
	Civil Affairs Section	
	Economic Section MR BRAINE	✓
	Establishment Section	
	Message Centre	

FOR	FOR
..... Investigation & draft reply	✓ Information & retention
..... Perusal & return	..... Necessary action & retention
..... Necessary action & return	..... Filing
..... Signature	..... Despatch
..... Translation	..... Circulation

4454

REMARKS As requested

File

LSC/206

HEADQUARTERS ALLIED COMMISSION
FINANCE SUB-COMMISSION
APO 394

13177/F 22 August 1945

SUBJECT: Decree 10 May n. 376 Null and void

TO : Regional Commissioners, att'n R.F.Os.
Liguria, Piemonte, Lombardia, Venezia
For information S.C.A.O., AMG Venezia Giulia, att'n R.F.O.

1. Reference is made to our 13177/F of 9 August 1945 regarding uniform interpretation of social insurance laws, and more especially to para 4 thereof which deals with changes in the system of social insurance contributions introduced by decree of the Duce 10 May 1944 n. 376.

2. The Chief Legal Officer has informed the Sub-Commissions concerned that decree of the Duce 10 May 1944 n. 376 is already null and void under proclamations1 and 4 of the Supreme Allied Commander and under D.L.L. 5 October 1944 n. 249 implemented in Military Government territory by order of the Chief Commissioner.

3. The Italian Government has asked Allied Commission to cooperate in regularizing the social insurance systems in the northern and southern parts of Italy, and as a part of this program, to enforce with effect from 1 August 1945 the system of social insurance contributions existing in southern Italy under laws and regulations of the legitimate Italian Government.

4. The liabilities of employers and workers in northern Italy for the period 1 May 1945 to 1 August 1945 will be reexamined in the light of the legal position as indicated by the Chief Legal Officer. In the meantime no action will be taken except as indicated in paras 5 and 6 hereof.

5. You will assure delivery of the attached instruction in English and in Italian to every office of the listed social insurance institutions in the area under your command:

a) Istituto Nazionale della Previdenza Sociale
b) Istituto Nazionale per l'Assicurazione contro gli Infortuni sul lavoro,
c) Istituto Nazionale per l'Assistenza di Malattia ai Lavoratori.

6. You will report to this Headquarters that the instruction has been delivered, and prior to 1 September, that compliance with its terms has been assured.

BY COMMAND OF REAR ADMIRAL STONE

Declassified E.O. 12356 Section 3.3/NND No. 785021

TO : Regional Commissioners, att'n R.F.Os.
Liguria, Piemonte, Lombardia, Venezia
For information S.C.A.C., AMG Venezia Giulia, att'n R.F.O.

1. Reference is made to our 13177/F of 9 August 1945 regarding uniform interpretation of social insurance laws, and more especially to para 4 thereof which deals with changes in the system of social insurance contributions introduced by decree of the Duce 10 May 1944 n. 376.

2. The Chief Legal Officer has informed the Sub-Commissions concerned that decree of the Duce 10 May 1944 n. 376 is already null and void under proclamations 1 and 4 of the Supreme Allied Commander and under D.L.L. 5 October 1944 n. 249 implemented in Military Government territory by order of the Chief Commissioner.

3. The Italian Government has asked Allied Commission to cooperate in regularizing the social insurance systems in the northern and southern parts of Italy, and as a part of this program, to enforce with effect from 1 August 1945 the system of social insurance contributions existing in southern Italy under laws and regulations of the legitimate Italian Government.

4. The liabilities of employers and workers in northern Italy for the period 1 May 1945 to 1 August 1945 will be reexamined in the light of the legal position as indicated by the Chief Legal Officer. In the meantime no action will be taken except as indicated in paras 5 and 6 hereof.

5. You will assure delivery of the attached instruction in English and in Italian to every office of the listed social insurance institutions in the area under your command:

a) Istituto Nazionale della Previdenza Sociale
b) Istituto Nazionale per l'Assicurazione contro gli Infortuni sul lavoro,
c) Istituto Nazionale per l'Assistenza di Malattia ai Lavoratori.

6. You will report to this Headquarters that the instruction has been delivered, and prior to 1 September, that compliance with its terms has been assured.

BY COMMAND OF REAR ADMIRAL STONE

JOINT DIRECTOR
Finance Sub-Commission

4453

Declassified E.O. 12356 Section 3.3/NND No. 785021

HEADQUARTERS ALLIED COMMISSION
FINANCE SUB-COMMISSION
APO 394

13177/F 22 August 1945

SUBJECT: Social Insurance Contributions subject to Italian Law.

TO : Provincial Offices,
Istituto Nazionale della Previdenza Sociale,
Istituto Nazionale per l'Assicurazione contro gli Infortuni sul Lavoro,
Istituto Nazionale per l'Assistenza di Malattia ai Lavoratori.

1. Reference is made to decree of the Duce 10 May 1944 n. 376, broadening and unifying social insurance contributions.

2. This decree has no standing at present in view of the following specific actions of the Allied Military Government:

a) implementation of D.L.L. 5 October 1944 n. 249 abrogating laws of the Fascist Republican Government.

b) provision in Proclamation n. 1 that "your existing laws will remain in force and effect" which refers to Italian law as it existed on 8 September 1943 to the exclusion of subsequent modifications of this law introduced by the Government of the Italian Social Republic.

c) section 4 of Proclamation n. IV which directs that contributions be collected under laws prevailing as of 8 September 1943.

3. Since all decrees on social insurance issued by the Italian Government since 8 Sept 1943 have been or are being implemented in AMG territory the legal position is that the system of contributions is uniform throughout Italy. The Italian Government has considered the effect of the Duce's decree of 10 May 1944 and recognizes that certain features of the decree have merit. Nevertheless it desires for natural and obvious reasons that the uniformity of the social insurance system should be maintained. AMG agrees with this view. Pending therefore consideration by the Italian Government of possible changes in the general law which can be introduced into Italy as a whole the present legal situation as explained above will be maintained throughout AMG territory in N. Italy.

4. With effect from 1 August 1945 therefore no further contributions will

Declassified E.O. 12356 Section 3.3/NND No. 785021

SUBJECT: Social Insurance Contributions subject to Italian Law.

TO : Provincial Offices,
Istituto Nazionale della Previdenza Sociale,
Istituto Nazionale per l'Assicurazione contro gli Infortuni sul Lavoro,
Istituto Nazionale per l'Assistenza di Malattia ai Lavoratori.

1. Reference is made to decree of the Duce 10 May 1944 n. 376, broadening and unifying social insurance contributions.

2. This decree has no standing at present in view of the following specific actions of the Allied Military Government:

a) implementation of D.L.L. 5 October 1944 n. 249 abrogating laws of the Fascist Republican Government.

b) provision in Proclamation n. 1 that "your existing laws will remain in force and effect" which refers to Italian law as it existed on 8 September 1943 to the exclusion of subsequent modifications of this law introduced by the Government of the Italian Social Republic.

c) section 4 of Proclamation n. IV which directs that contributions be collected under laws prevailing as of 8 September 1943.

3. Since all decrees on social insurance issued by the Italian Government since 8 Sept 1943 have been or are being implemented in AMG territory the legal position is that the system of contributions is uniform throughout Italy. The Italian Government has considered the effect of the Duce's decree of 10 May 1944 and recognizes that certain features of the decree have merit. Nevertheless it desires for natural and obvious reasons that the uniformity of the social insurance system should be maintained. AMG agrees with this view. Pending therefore consideration by the Italian Government of possible changes in the general law which can be introduced into Italy as a whole the present legal situation as explained above will be maintained throughout AMG territory in N. Italy.

4. With effect from 1 August 1945 therefore no further contributions will be collected under the terms of Decree of the Duce No. 376, but contributions will be calculated and collected in accordance with the general law of the legitimate Italian Government. As stated above this will produce uniformity throughout Italy. Persons responsible for the collection of contributions should be informed of the situation and advised that continued application of the decree of the Duce may amount to a violation of AMG Proclamations rendering them liable to proceedings in an AMG Court.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

5. For the period subsequent to liberation but anterior to 1 August 1945 such action will be taken as is deemed proper after full consideration of the liabilities concerned.

6. Receipt of this instruction will be promptly acknowledged as a warrant of strict observance of its terms.

BY COMMAND OF REAR ADMIRAL STONE

JOINT DIRECTOR
Finance Sub-Commission.

Declassified E.O. 12356 Section 3.3/NND No. 785021

Declassified E.O. 12356 Section 3.3/NND No. 785021

JOINT DIRECTOR
Finance Sub-Commission.

BY OCEAN AIRMAIL SPECIAL

T R A D U Z I O N E

QUARTIERE GENERALE, COMMISSIONE ALLEATA
SOTTOCOMMISSIONE DI FINANZA
APO - 394

13177/F 22 agosto 1945

OGGETTO : Contributi per le assicurazioni sociali secondo la legislazione italiana

A : Uffici provinciali
Istituto Nazionale della Previdenza sociale
Istituto Nazionale per l'Assicurazione contro gli Infortuni sul lavoro
Istituto Nazionale per l'Assistenza di Malattia ai lavoratori.

1. Si fa riferimento al decreto del Duce 10 maggio 1944, n° 376, il quale ha unificato i contributi per le assicurazioni sociali, allargando anche il campo di applicazione dei contributi stessi.

2. Questo decreto non è attualmente in vigore, in virtù delle seguenti disposizioni del Governo Militare Alleato:

a) estensione dell'efficacia del D.L.L. 5 ottobre 1944, n° 249, il quale ha abrogato le disposizioni legislative del Governo repubblicano fascista;
b) la disposizione del Proclama n° I "le vostre leggi vigenti rimarranno in vigore", che si riferisce alle leggi italiane esistenti l'8 settembre 1943, con la esclusione delle successive modificazioni eventualmente introdotte dal Governo della Repubblica Sociale Italiana;
c) la sezione 4 del Proclama n° IV, la quale dispone la riscossione dei contributi secondo le leggi in vigore l'8 settembre 1943.

3. Poiché tutti i decreti sulle assicurazioni sociali emanati dal Governo Italiano a partire dall'8 settembre 1943 sono stati estesi (o la loro estensione è in corso) al territorio sotto l'AMG, la situazione giuridica corrisponde a un sistema di contributi uniforme in tutta Italia. Il Governo Italiano ha preso in esame le conseguenze del decreto del Duce del 10 maggio 1944, e riconosce il lato positivo di alcune parti di esso. Ciò nonostante, per naturali ed ovvie ragioni, esso desidera conservare un sistema uniforme in materia di assicurazioni sociali; e il

Declassified E.O. 12356 Section 3.3/NND No. 785021

A : Uffici provinciali
Istituto Nazionale della Providenza sociale
Istituto Nazionale per l'Assicurazione contro gli Infortuni sul lavoro
Istituto Nazionale per l'Assistenza di Malattia ai lavoratori.

1. Si fa riferimento al decreto del Duce 10 maggio 1944, nº 376, il quale ha unificato i contributi per le assicurazioni sociali, allargando anche il campo di applicazione dei contributi stessi.

2. Questo decreto non è attualmente in vigore, in virtù delle seguenti disposizioni del Governo Militare Alleato:

a) estensione dell'efficacia del D.L.L. 5 ottobre 1944, nº 249, il quale ha abrogato le disposizioni legislative del Governo repubblicano fascista;
b) la disposizione del Proclama nº I "le vostre leggi vigenti rimarranno in vigore", che si riferisce alle leggi italiane esistenti l'8 settembre 1943, con la esclusione delle successive modificazioni eventualmente introdotte dal Governo della Repubblica Sociale Italiana;
c) la sezione 4 del Proclama nº IV, la quale dispone la riscossione dei contributi secondo le leggi in vigore l'8 settembre 1943.

3. Poiché tutti i decreti sulle assicurazioni sociali emanati dal Governo Italiano a partire dall'8 settembre 1943 sono stati estesi (o la loro estensione è in corso) al territorio sotto l'AMG, la situazione giuridica corrisponde a un sistema di contributi uniforme in tutta Italia. Il Governo Italiano ha preso in esame le conseguenze del decreto del Duce del 10 maggio 1944, e riconosce il lato positivo di alcune parti di esso. Ciò nonostante, per naturali ed ovvie ragioni, esso desidera conservare un sistema uniforme in materia di assicurazioni sociali; e il Governo Militare Alleato è pienamente d'accordo. Quindi, mentre il Governo Italiano sta prendendo in esame eventuali riforme da introdursi, per tutta l'Italia, nel sistema generale, nel territorio dell'Italia Settentrionale sotto l'AMG sarà conservata l'attuale situazione legislativa sopra chiarita.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

4. Quindi, a partire dal 1° agosto 1945, non potrà essere riscosso alcun contributo secondo i termini del decreto n.376 del Duce, ma i contributi saranno calcolati e riscossi in conformità alle leggi generali disposte dal legittimo Governo Italiano. Come si è osservato, ne risulterà una situazione uniforme in tutta Italia. Coloro che sono incaricati della riscossione dei contributi dovranno essere informati della situazione, e avvertiti che l'ulteriore applicazione del decreto del Duce costituirebbe violazione di un Proclama del Governo Militare Alleato, passibile di giudizio davanti alle Corti Militari Alleate.

5. Per il periodo successivo alla liberazione, ma precedente il 1° agosto 1945, si prenderanno i provvedimenti giudicati opportuni, dopo aver preso in attento esame le singole responsabilità.

6. Si richiede cenno di ricevuta di queste istruzioni, quale garanzia dell'osservanza del loro contenuto.

Per ordine del Contrammiraglio Stone.

IL CO-DIRETTORE
SOTTO COMMISSIONE DI FINANZA

Declassified E.O. 12356 Section 3.3/NND No. 785021

LSC/206

HEADQUARTERS ALLIED COMMISSION
FINANCE SUB-COMMISSION
APO 394

13177/F

22 August 1945

SUBJECT: Social Insurance Contributions subject to Italian Law.

TO : Provincial Offices,
Istituto Nazionale della Previdenza Sociale,
Istituto Nazionale per l'Assicurazione contro gli Infortuni sul Lavoro,
Istituto Nazionale per l'Assistenza di Malattia ai Lavoratori.

1. Reference is made to decree of the Duce 10 May 1944 n. 376, broadening and unifying social insurance contributions.

2. This decree has no standing at present in view of the following specific actions of the Allied Military Government:

a) implementation of D.L.L. 5 October 1944 n. 249 abrogating laws of the Fascist Republican Government.

b) provision in Proclamation n. 1 that "your existing laws will remain in force and effect" which refers to Italian law as it existed on 8 September 1943 to the exclusion of subsequent modifications of this law introduced by the Government of the Italian Social Republic.

c) section 4 of Proclamation n. IV which directs that contributions be collected under laws prevailing as of 8 September 1943.

3. Since all decrees on social insurance issued by the Italian Government since 8 Sept 1943 have been or are being implemented in AMG territory the legal position is that the system of contributions is uniform throughout Italy. The Italian Government has considered the effect of the Duce's decree of 10 May 1944 and recognizes that certain features of the decree have merit. Nevertheless it desires for natural and obvious reasons that the uniformity of the social insurance system should be maintained. AMG agrees with this view. Pending therefore consideration by the Italian Government of possible changes in the general law which can be introduced into Italy as a whole the present legal situation as explained above will be maintained throughout AMG territory in N. Italy.

4. With effect from 1 August 1945 therefore no further contributions will be collected under the terms of Decree of the Duce No. 376, but contributions will be calculated and collected in accordance with the general law of 4450 legitimate Italian Government. As stated above this will produce uniformity throughout Italy. Persons responsible for the collection of contributions should be informed of the situation and advised that continued application of the

Declassified E.O. 12356 Section 3.3/NND No. 785021

Social Insurance Contributions subject to Italian Law.

TO : Provincial Offices,
Istituto Nazionale della Previdenza Sociale,
Istituto Nazionale per l'Assicurazione contro gli Infortuni sul Lavoro,
Istituto Nazionale per l'Assistenza di Malattia ai Lavoratori.

1. Reference is made to decree of the Duce 10 May 1944 n. 376, broadening and unifying social insurance contributions.

2. This decree has no standing at present in view of the following specific actions of the Allied Military Government:

a) implementation of D.L.L. 5 October 1944 n. 249 abrogating laws of the Fascist Republican Government.

b) provision in Proclamation n. 1 that "your existing laws will remain in force and effect" which refers to Italian law as it existed on 8 September 1943 to the exclusion of subsequent modifications of this law introduced by the Government of the Italian Social Republic.

c) section 4 of Proclamation n. IV which directs that contributions be collected under laws prevailing as of 8 September 1943.

3. Since all decrees on social insurance issued by the Italian Government since 8 Sept 1943 have been or are being implemented in AMG territory the legal position is that the system of contributions is uniform throughout Italy. The Italian Government has considered the effect of the Duce's decree of 10 May 1944 and recognizes that certain features of the decree have merit. Nevertheless it desires for natural and obvious reasons that the uniformity of the social insurance system should be maintained. AMG agrees with this view. Pending therefore consideration by the Italian Government of possible changes in the general law which can be introduced into Italy as a whole the present legal situation as explained above will be maintained throughout AMG territory in N. Italy.

4. With effect from 1 August 1945 therefore no further contributions will be collected under the terms of Decree of the Duce No. 376, but contributions will be calculated and collected in accordance with the general law of the legitimate Italian Government. As stated above this will produce uniformity throughout Italy. Persons responsible for the collection of contributions should be informed of the situation and advised that continued application of the decree of the Duce may amount to a violation of AMG Proclamations rendering them liable to proceedings in an AMG Court.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

5. For the period subsequent to liberation but anterior to 1 August 1945 such action will be taken as is deemed proper after full consideration of the liabilities concerned.

6. Receipt of this instruction will be promptly acknowledged as a warrant of strict observance of its terms.

BY COMMAND OF REAR ADMIRAL STONE

JOINT DIRECTOR
Finance Sub-Commission.

Declassified E.O. 12356 Section 3.3/NND No. 785021

Declassified E.O. 12356 Section 3.3/NND No. 785021

BY COMMAND OF CHIEF OF STAFF GOCD

JOINT DIRECTOR
Pierce Sub-Commission.

T R A D U Z I O N E

QUARTIERE GENERALE, COMMISSIONE ALLEATA
SOTTOCOMMISSIONE DI FINANZA
APO - 394

13177/F

22 agosto 1945

OGGETTO : Contributi per le assicurazioni sociali secondo la legislazione italiana

A : Uffici provinciali
Istituto Nazionale della Previdenza sociale
Istituto Nazionale per l'Assicurazione contro gli Infortuni sul lavoro
Istituto Nazionale per l'Assistenza di Malattia ai lavoratori.

1. Si fa riferimento al decreto del Duce 10 maggio 1944, nº 376, il quale ha unificato i contributi per le assicurazioni sociali, allargando anche il campo di applicazione dei contributi stessi.

2. Questo decreto non è attualmente in vigore, in virtù delle seguenti disposizioni del Governo Militare Alleato:

a) estensione dell'efficacia del D.L.L. 5 ottobre 1944, nº 249, il quale ha abrogato le disposizioni legislative del Governo repubblicano fascista;
b) la disposizione del Proclama nº I "le vostre leggi vigenti rimarranno in vigore", che si riferisce alle leggi italiane esistenti l'8 settembre 1943, con la esclusione delle successive modificazioni eventualmente introdotte dal Governo della Repubblica Sociale Italiana;
c) la sezione 4 del Proclama nº IV, la quale dispone la riscossione dei contributi secondo le leggi in vigore l'8 settembre 1943.

3. Poiché tutti i decreti sulle assicurazioni sociali emanati dal Governo Italiano a partire dall'8 settembre 1943 sono stati estesi (o la loro estensione è in corso) al territorio sotto l'AMG, la situazione giuridica corrisponde a un sistema di 4449
contributi uniforme in tutta Italia. Il Governo Italiano ha preso in esame le conseguenze del decreto del Duce del 10 maggio 1944, e riconosce il lato positivo di alcune parti di esso. Ciò nonostante, per naturali ed ovvie ragioni, esso desidera conservare un sistema uniforme in materia di assicurazioni sociali; e il Governo Militare Alleato è pienamente d'accordo. Quindi, mentre

Declassified E.O. 12356 Section 3.3/NND No. 785021

A : Uffici provinciali
Istituto Nazionale della Previdenza sociale
Istituto Nazionale per l'Assicurazione contro gli Infortuni sul lavoro
Istituto Nazionale per l'Assistenza di Malattia ai lavoratori.

1. Si fa riferimento al decreto del Duce 10 maggio 1944, n° 376, il quale ha unificato i contributi per le assicurazioni sociali, allargando anche il campo di applicazione dei contributi stessi.

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b) la disposizione del Proclama n° I "le vostre leggi vigenti rimarranno in vigore", che si riferisce alle leggi italiane esistenti l'8 settembre 1943, con la esclusione delle successive modificazioni eventualmente introdotte dal Governo della Repubblica Sociale Italiana;
c) la sezione 4 del Proclama n° IV, la quale dispone la riscossione dei contributi secondo le leggi in vigore l'8 settembre 1943.

3. Poiché tutti i decreti sulle assicurazioni sociali emanati dal Governo Italiano a partire dall'8 settembre 1943 sono stati estesi (o la loro estensione è in corso) al territorio sotto l'AMG, la situazione giuridica corrisponde a un sistema di 4449
contributi uniforme in tutta Italia. Il Governo Italiano ha preso in esame le conseguenze del decreto del Duce del 10 maggio 1944, e riconosce il lato positivo di alcune parti di esso. Ciò nonostante, per naturali ed ovvie ragioni, esso desidera conservare un sistema uniforme in materia di assicurazioni sociali; e il Governo Militare Alleato è pienamente d'accordo. Quindi, mentre il Governo Italiano sta prendendo in esame eventuali riforme da introdursi, per tutta l'Italia, nel sistema generale, nel territorio dell'Italia Settentrionale sotto l'AMG sarà conservata l'attuale situazione legislativa sopra chiarita.

Declassified E.O. 12356 Section 3.3/NND No. 785021

4. Quindi, a partire dal 1° agosto 1945, non potrà essere riscosso alcun contributo secondo i termini del decreto n.376 del Duce, ma i contributi saranno calcolati e riscossi in conformità alle leggi generali disposte dal legittimo Governo Italiano. Come si è osservato, ne risulterà una situazione uniforme in tutta Italia. Coloro che sono incaricati della riscossione dei contributi dovranno essere informati della situazione, e avvertiti che l'ulteriore applicazione del decreto del Duce costituirebbe violazione di un Proclama del Governo Militare Alleato, passibile di giudizio davanti alle Corti Militari Alleate.

5. Per il periodo successivo alla liberazione, ma precedente il 1° agosto 1945, si prenderanno i provvedimenti giudicati opportuni, dopo aver preso in attento esame le singole responsabilità.

6. Si richiede cenno di ricevuta di queste istruzioni, quale garanzia dell'osservanza del loro contenuto.

Per ordine del Contrammiraglio Stone.

IL CO-DIRETTORE
SOTTO COMMISSIONE DI FINANZA

27 AGO. 1945

Declassified E.O. 12356 Section 3.3/NND No. 785021

Zic 15/4206

HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB-COMMISSION

15 July 1945.

13065/F

SUBJECT: Increase of Salaries, Wages and Pensions.

TO : Regional Commissioner, Piemonte Region (for R.F.O.).
" " Liguria " " "
" " Lombardia " " "
" " Venezie " " "
S.C.A.O., AMG Venezia Giulia (for S.F.O.).
" AMG 5th Army, " " .

1. By DLL 13 March 1945, No. 116 (Gazzetta Ufficiale 10th April 1945, No. 43) the salaries, wages and pensions of public employees were further increased.

2. The decree enacts the following provisions:-
(a) An increase of 50% on the basic salary or wage as fixed by DLL 18 November 1944, No. 328.
(b) An increase of 100% on the family allowances at present being paid.
(c) A food ration indemnity of 66.66 lire per day - subject to a reduction 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 RDL 6 December 1943, No. 18/B to the new salary and wage scales, including family allowances.
(i) With the inception of these new scales the indemnities for offese belliche (bombardamento) and giornaliera di disagiatissima residenza are abolished.
(ii) The monthly indemnity payable under 22 February 1945, No. 38 (caro pane) is absorbed into the new daily food ration indemnity.

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 DLL January 1945, No. 41.
(b) A translation of the decree 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.

By Command of Rear Admiral STONE.

A.P. Grappel, Brig. 4448

Joint Director,
Finance Sub-Commission.

Declassified E.O. 12356 Section 3.3/NND No. 785021

" " Venezie " " "
S.C.A.O., AMG Venezia Giulia (for S.F.O.).
" AMG 5th Army, " " .

1. By DLL 13 March 1945, No. 116 (Gazzetta Ufficiale 10th April 1945, No. 43) the salaries, wages and pensions of public employees were further increased.

2. The decree enacts the following provisions:-
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(b) An increase of 100% on the family allowances at present being paid.
(c) A food ration indemnity of 66.66 lire per day - subject to a reduction 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 RDL 6 December 1943, No. 18/B to the new salary and wage scales, including family allowances.
(i) With the inception of these new scales the indemnities for offese belliche (bombardamento) and giornaliera di disagiatissima residenza are abolished.
(ii) The monthly indemnity payable under 22 February 1945, No. 38 (caro pane) is absorbed into the new daily food ration indemnity.

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 DLL January 1945, No. 41.
(b) A translation of the decree 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.

By Command of Rear Admiral STONE.

A.F. Scaffardi, Brig. 4448

Joint Director,
Finance Sub-Commission.

Copies to:-
Labor Sub-Commission (15).
* Distribution to Regions and Armies:-
Liguria Region - 30 copies
Piemonte " - 45 copies
Lombardia " - 50 "
Venezie " - 60 "
AMG Venezia Giulia 50 "
AMG 5th Army 15 " .

* Sufficient for distribution down to Provincial Commissioners, Provincial Finance Officers, Provincial Labour Officers and Provincial Legal Officers.

Declassified E.O. 12356 Section 3.3/NND No. 785021

DLL 13 March 1945, 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 DLL 18 Nov. 1944, No. 328, 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 organised 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 (aggiunta 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 marescialli 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) Brigadieri, vice-brigadieri, graduates and privates of the R. Carabinieri and corresponding grades of the R. Guardie 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 RDL 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 caroviveri, are granted, instead of said caroviveri, 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 RDL 24 March, 1941, No. 203.

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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.

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2) Brigadieri, vice-brigadieri, graduates and privates of the R. Carabinieri and corresponding grades of the R. Guardie 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;
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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 caroviveri, are granted, instead of said caroviveri, 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 RDL 24 March, 1941, No. 203.

Art. 3.

Personnel engaged "a ferma temporanea" 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 RDL 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.

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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 DLL 18 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 para 1 of Art. 1 above. This allowance is also granted to:-

1) Commission agents of the Post and Telegraph services, of the Lotto, to "assuntori" 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 therefor, 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 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 Disaginatissima Residenza of Art. 10 of DLL 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 DLL 22 February 1945, No. 38.

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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.

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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.

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Art. 8.

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Personnel on active service or retired, and their dependents, deriving benefits from this decree are not entitled to the monthly indemnity provided by DLL 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.

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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 authorised 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 3,000 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 DLL 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 DLL 30 January 1945, No. 41.

Pensions and other grants to personnel of categories indicated in Arts. 4 and 5 of DLL 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 DLL 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 DLL 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 DLL 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 [illegible] and will be effective from February 16th, 1945 for personnel

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amount than that provided by said articles.

The allowances provided in the preceding paragraph must not exceed by more than 3,000 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.

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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 ~~raisd~~-- 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 DLL 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.

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Royal Law Decree of 6 Nov 1943 n. 18/B
Temporary Economic Improvements for State Personnel as well as for personnel attached to State Auxilary Agencies.

Legislative Decree of the Lieutenant General of 18 Nov 1944, n. 328.
Economic Improvements for State and Parastatal personnel as well as for personnel attached to Public Institutes.

Royal Law Decree of 13 March 1944, n. 85
Economic Improvements for Pensioners

Legislative Decree of the Lieutenant General of 30 Jan 1945, n.41
Revision of economic benefits granted to retired personnel.

Legislative Decree of the Lieutenant General of 11 Jan 1945, n.3
Economic Improvements for Judicial Officers and authorized clerks.

(1012)

In conformity with the ordinance of the Allied Military Government which has been published in the Gazzetta Ufficiale n. 68 of 7 June 1945 and that made Lieutenancy Legislative Decree of 12 April 1945 n. 201, executive in territories under Allied Military Government, published in the Gazzetta Ufficiale of 17 May 1945 n. 59, article 5 of the decree in question specifies that the terms for the formation of the electoral lists in the provinces of Emilia, Liguria, Piemonte, Lombardia, Venezia Cridentina, Veneto, Lucca and Apunnia, start from 15 July 1945.

This ordinance enters in force in each one of the above mentioned provinces starting from the date on which the Prefect of the said provinces will receive a copy of this Gazzetta Ufficiale.

3 July 1945

G. R. Upjohn
Brigadier General

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Conto corrente con la Posta

Anno 86° — Numero 80

GAZZETTA UFFICIALE DEL REGNO D'ITALIA

PARTE PRIMA

ROMA - Giovedì, 5 luglio 1945

DIREZIONE E REDAZIONE PRESSO IL MINISTERO DI GRAZIA E GIUSTIZIA - UFFICIO PUBBLICAZIONE DELLE LEGGI — TELEF. 50-139 51-236 51-554

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All'Estero	Abb. annuo	L. 800 —
	» semestrale	» 500 —
	Un fascicolo - Il doppio del prezzo di vendita per l'Italia.	

Per gli annunzi da inserire nella "Gazzetta Ufficiale,, veggansi le norme riportate nella testata della parte seconda

La «Gazzetta Ufficiale» e tutte le altre pubblicazioni ufficiali sono in vendita al pubblico presso i negozi della Libreria dello Stato in Roma, Via XX Settembre, nel palazzo del Ministero delle Finanze; Corso Umberto, 234 (angolo Via Marco Minghetti, 23-24); Ministero della Guerra, Via Firenze, 37; e presso le librerie depositarie di Roma e dei Capoluoghi delle provincie.

Le inserzioni nella Parte II della «Gazzetta Ufficiale» si ricevono in ROMA - presso l'Ufficio "Inserzioni,, della Libreria dello Stato - Palazzo del Ministero delle Finanze.

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UMBERTO DI SAVOIA
PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

In virtù dell'autorità a Noi delegata;

Vista la legge 7 aprile 1941, n. 266, relativa al trattamento economico degli equipaggi delle navi catturate dal nemico o perdute o rifugiate in porti esteri o dell'A.O.I., in conseguenza della guerra;

Visto il R. decreto-legge 2 marzo 1944, n. 80, relativo al trattamento economico degli equipaggi delle navi catturate dal nemico;

Visto l'art. 4 del decreto-legge Luogotenenziale 25 giugno 1944, n. 151;

Visto il decreto legislativo Luogotenenziale 1° febbraio 1945, n. 58;

Vista la deliberazione del Consiglio dei Ministri;

Sulla proposta del Ministro per la marina, di concerto coi Ministri per la grazia e giustizia, per il tesoro e per l'industria, commercio e lavoro;

Abbiamo sanzionato e promulghiamo quanto segue:

Art. 1.

Le norme contenute nella legge 7 aprile 1941, n. 266, si applicano, con le decorrenze stabilite dalla legge stessa, oltre che alle categorie dei marittimi indicati nell'art. 1 della legge anche:

a) ai marittimi sbarcati in conseguenza della guerra da navi battenti bandiera neutrale e imbarcati su navi italiane rifugiate in porti esteri;

b) ai marittimi provenienti da navi italiane naufragate prima del 10 giugno 1940 e imbarcati su navi italiane rifugiate in porti esteri, o internati o catturati.

Al personale predetto, quando è trasbordato su nave italiana, spetta il trattamento che in base alla legge 7 aprile 1941, n. 266, viene corrisposto al personale di grado o qualifica corrispondente imbarcato sulla nave stessa; le competenze sono corrisposte a cura dell'armatore di questa.

L'armatore è tenuto inoltre a provvedere all'assicurazione del personale suddetto contro gli infortuni e le malattie e la spesa relativa è imputata alla mutualità a norma delle disposizioni contenute nel successivo art. 9.

Il Ministro per la marina d'intesa con quello per il tesoro può ammettere al trattamento di cui all'art. 11 della legge 7 aprile 1941, n. 266, singoli marittimi che si trovino in situazioni similari a quelle considerate dalla legge predetta e dal presente decreto.

Art. 2.

Quando l'armatore, perchè catturato o internato, non sia nella possibilità di provvedere agli adempimenti prescritti dalla legge 7 aprile 1941, n. 266, e dal presente decreto, agli adempimenti stessi provvede direttamente la Cassa nazionale per la previdenza marinara.

Art. 3.

Ai marittimi colpiti da infortunio o da malattia prima del 10 giugno 1940, i quali, in conseguenza della guerra, non abbiano potuto far ritorno in patria, spetta dalla data della loro guarigione e fino all'inizio del viaggio di rimpatrio, il trattamento previsto dalla legge 7 aprile 1941, n. 266, e l'onere relativo sostenuto dalle Casse marittime per gli infortuni sul lavoro e le malattie è imputato alla mutualità prevista dall'art. 9 della stessa legge.

Art. 4.

Sentita la Commissione di cui all'art. 18 del presente decreto, sono rimborsabili dalla Cassa nazionale per la previdenza marinara e imputate alla mutualità stabilita dall'art. 9 della legge 7 aprile 1941, n. 266:

a) le spese già autorizzate dal Ministero delle comunicazioni e quelle autorizzate dal Ministero della marina per la fornitura di vestiario ai marittimi cui si applicano la legge predetta ed il presente decreto o sostenute dall'armatore per la corresponsione delle indennità per perdita di corredo e di strumenti professionali nella misura prevista dai contratti collettivi per l'armolamento, in vigore al momento della perdita e nei limiti dei contratti stessi;

b) le spese relative all'impianto e all'esercizio di campeggi climatici per gli equipaggi di navi bloccate in porti coloniali o neutrali, nonchè le relative spese di trasferimento degli arruolati;

c) le spese di mantenimento per i marittimi ai quali è stato imposto lo sbarco dalle autorità locali o le eventuali integrazioni quando il mantenimento è a carico dello Stato nel quale si trovano i marittimi;

d) le spese per l'eventuale integrazione di vitto a favore di marittimi che hanno subito condanne all'estero per atti o fatti intesi per ragioni belliche ad impedire la utilizzazione della nave sulla quale erano imbarcati.

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Art. 5.

Ai marittimi cui si applicano la legge 7 aprile 1941, n. 266, ed il presente decreto, è dovuto dagli armatori interessati un premio straordinario nella misura stabilita dal contratto collettivo 15 luglio 1941, e, per il personale imbarcato sulle navi delle società esercenti servizi di preminente interesse nazionale, dal decreto del Ministro per le comunicazioni 29 agosto 1941.

Detto premio è versato ai marittimi stessi o alle loro famiglie nella misura stabilita dagli articoli 6 e 7 della legge 7 aprile 1941, n. 266, e dall'art. 12 del presente decreto.

L'onere relativo è imputato alla mutualità stabilita dall'art. 9 della legge predetta, ed è rimborsato agli armatori dalla Cassa nazionale per la previdenza marinara, con le modalità di cui al successivo art. 16.

Art. 6.

Il trattamento economico di cui all'art. 2 del Regio decreto-legge 20 marzo 1941, n. 123, convertito con modificazioni nella legge 1° agosto 1941, n. 985, si applica anche ai comandanti, agli ufficiali ed ai marconisti della marina mercantile che per effetto dello stato di guerra sono stati assegnati a campi di concentramento o a luoghi di confino o hanno subito condanne per atti o fatti intesi per ragioni belliche a impedire la utilizzazione della nave, già imbarcati su navi battenti bandiera italiana, oggetto della legge 7 aprile 1941, n. 266, del R. decreto-legge 2 marzo 1944, n. 89, e del presente decreto.

Il trattamento economico stabilito dal presente articolo si applica per tutto il tempo intercorrente dalla data dell'internamento o del confino o dell'arresto, sino alla fine di due mesi successivi alla loro cessazione e sostituisce, per il personale di cui al comma precedente, quello spettante ad esso e alle famiglie a termini della legge 7 aprile 1941, n. 266.

Ove, per il periodo dal 10 giugno 1940 al 14 maggio 1941, il personale di cui al 1° comma del presente articolo, per effetto dell'applicazione del R. decreto-legge 20 marzo 1941, n. 123, avesse diritto a percepire un ammontare complessivo di competenze inferiore a quello spettante dal 10 giugno 1940 al 30 settembre 1940, in base al contratto di arruolamento o al regolamento organico, e dal 1° ottobre 1940 al 14 maggio 1941 in base alla legge 7 aprile 1941, n. 266, l'eventuale eccedenza è corrisposta a carico dell'armatore, e per il periodo dal 1° ottobre 1940 al 14 maggio 1941 è posta a carico della mutualità.

Per la corresponsione del trattamento di cui ai commi precedenti, si applicano le norme contenute negli articoli 6 e 7 della legge 7 aprile 1941, n. 266, e relativo regolamento e nell'art. 12 del presente decreto.

Art. 7.

Ai marittimi sbarcati dalle navi rifugiate in porti neutrali in conseguenza della vendita delle stesse, ove non risulti che abbiano trovato lavoro a carattere continuativo, è mantenuto il trattamento previsto dalla legge 7 aprile 1941, n. 266.

Se nei confronti di detti marittimi non sia possibile la rimessa della quota ad essi spettante, le somme dovute sono accantonate nei conti individuali aperti presso la Cassa nazionale per la previdenza marinara.

Nel caso in cui da parte del Governo o degli Stati o Enti che hanno acquistato o comunque utilizzato le navi, vengano corrisposti ai marittimi sbarcati assegni per salario o altro titolo, la liquidazione ai marittimi del conto individuale sarà effettuata previo conguaglio tra le somme ricevute e quelle spettanti a norma della legge 7 aprile 1941, n. 266.

Ove risulti che i marittimi di cui al primo comma del presente articolo abbiano trovato lavoro, sarà mantenuto loro il trattamento previsto dalla legge 7 aprile 1941, n. 266, ma limitatamente alle percentuali da corrispondere alle famiglie ai sensi dell'art. 12 del presente decreto. Le somme residuali saranno accantonate nei conti individuali e al termine della guerra sarà effettuato il conguaglio con i salari percepiti in dipendenza del lavoro al quale sono stati adibiti.

Le disposizioni del presente articolo si applicano anche nei riguardi di coloro che hanno beneficiato del trattamento della legge 7 aprile 1941, n. 266, in base al R. decreto-legge 2 marzo 1944, n. 89.

Con decreto Luogotenenziale da emanarsi a norma dell'art. 1, n. 1, della legge 31 gennaio 1926, n. 100, e dell'art. 5 del decreto-legge Luogotenenziale 25 giugno 1944, n. 151, saranno stabiliti i criteri per l'effettuazione dei predetti conguagli.

Art. 8.

Il Ministro per la marina ha facoltà di disporre che ai marittimi imbarcati su navi ferme in porti esteri nelle condizioni previste dalla legge 7 aprile 1941, n. 266, siano corrisposti eventuali compensi di lavoro straordinario per servizi inerenti alla nave compiuti dietro ordine delle autorità consolari italiane.

L'onere è imputato, sentita la Commissione di cui all'art. 18 del presente decreto, alla mutualità prevista dall'art. 9 della legge predetta.

Art. 9.

I marittimi sbarcati in conseguenza di naufragio, cattura, sequestro, vendita o perdita delle navi di cui alla legge 7 aprile 1941, n. 266, e al presente decreto, continuano ad essere coperti dalle assicurazioni contro gli infortuni, anche se determinati da fatto di guerra, e contro le malattie, anche se, avendo trovato lavoro nei paesi in cui si trovano, fossero coperti per tali assicurazioni.

L'onere sostenuto dagli armatori per l'assicurazione contro gli infortuni, anche se determinati da fatto di guerra, e contro le malattie, per i marittimi sbarcati in conseguenza di naufragio, cattura, sequestro, vendita o perdita delle navi di cui alla legge 7 aprile 1941, n. 266, ed al presente decreto, nonchè quello sopportato in esecuzione della disposizione contenuta nel terzo comma dell'art. 4 della sopraindicata legge, sono imputati alla mutualità a decorrere dal 1° ottobre 1940.

Gli indennizzi eventualmente spettanti ai marittimi infortunati o loro aventi causa, in base alle norme dello Stato nel quale è avvenuto l'infortunio, sono devoluti alla mutualità fino alla concorrenza di quanto spettante ai marittimi stessi in base alle leggi italiane.

Le norme contenute nel presente articolo si applicano anche ai marittimi appartenenti agli equipaggi delle navi di cui all'art. 1 del R. decreto-legge 2 marzo 1944, n. 89, e che siano stati internati.

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Art. 10.

L'onere sostenuto dagli armatori per le navi di cui alla legge 7 aprile 1941, n. 266, al R. decreto-legge 2 marzo 1944, n. 80, ed al presente decreto, per contributi per la previdenza marinara, per le assicurazioni sociali obbligatorie e per il personale richiamato alle armi, derivante dalla applicazione delle norme legislative, è imputato alla mutualità a decorrere dal 1° ottobre 1940.

Art. 11.

A decorrere dal 1° novembre 1942 gli assegni di cui all'art. 10 della legge 7 aprile 1941, n. 266, sono corrisposti dall'armatore nella misura stabilita dal contratto intercorfederale 13 giugno 1941 per il loro intero ammontare alla persona delegata dal marittimo.

La delega è valida solo nel caso in cui sia rilasciata dall'avente diritto a favore di persona compresa fra i beneficiari degli assegni o fra coloro che hanno cura dei beneficiari stessi.

In difetto di delega esplicita dei titolari degli assegni, i diritti su di essi possono essere esercitati, in ordine esclusivo, dalla moglie, dal padre, dalla madre o dalla persona alla quale sono affidati i minori a carico.

Per ottenere il pagamento degli assegni la persona cui spetta di esercitare i diritti del marittimo deve produrre una dichiarazione degli altri interessati, attestante il nulla osta di questi alla riscossione da parte di detta persona dell'ammontare complessivo dovuto alla famiglia, o l'intendimento di essi di esigere direttamente gli assegni per essi spettanti al marittimo per la quota della quale sono beneficiari; per i minori il nulla osta è rilasciato dalla persona alla quale sono affidati.

Il contributo è corrisposto dagli armatori in relazione alle competenze lorde dovute a ciascun marittimo in applicazione della legge 7 aprile 1941, n. 266, del Regio decreto-legge 2 marzo 1944, n. 80, e del presente decreto, e l'onere relativo è imputato alla mutualità prevista dall'art. 9 della legge 7 aprile 1941, n. 266, a decorrere dal 1° ottobre 1940.

Al personale marittimo di cui all'art. 6 del presente decreto gli assegni sono devoluti secondo le norme relative all'henninamento e allo sblocco degli assegni familiari agli impiegati privati richiamati alle armi.

Art. 12.

Il terzo e quarto comma dell'art. 7 della legge 7 aprile 1941, n. 266, sono abrogati e sostituiti dai seguenti:

In mancanza di delega gli armatori corrispondono alle famiglie (moglie e figli) un assegno pari all'ottanta o all'ottantacinque per cento di quanto indicato nell'art. 5, a seconda che si tratti dei componenti della bassa forza o dello stato maggiore.

Ove il marittimo sia celibe o vedovo senza prole, l'assegno di cui al comma precedente è corrisposto ai genitori, se risulti che vivono a carico del marittimo.

Art. 13.

Alle prestazioni stabilite dalla legge 7 aprile 1941, n. 266, e dal presente decreto, nei riguardi dei marittimi catturati facenti parte di equipaggi di navi battenti bandiera italiana date in gestione dallo Stato a società di navigazione od armatori italiani, e nei riguardi delle famiglie dei marittimi stessi provvede l'ufficio previsto dall'art. 17 del presente decreto e l'onere relativo è imputato alla mutualità.

Art. 14.

Nei riguardi dei marittimi considerati dalla legge 7 aprile 1941, n. 266, dal R. decreto-legge 2 marzo 1944, n. 80, e dal presente decreto, internati in campi di concentramento o detenuti in seguito a condanna subita per atti o fatti intesi per ragioni belliche ad impedire l'utilizzazione della nave sulla quale erano imbarcati, la morte intervenuta o l'invalidità permanente contratta per malattia derivante dall'internamento o dalla prigionia, è parificata, ai fini del trattamento spettante in base alla legge e ai contratti collettivi di lavoro, alla morte o alla invalidità permanente derivante da infortunio causato da fatto di guerra.

Per gli eventi occorsi prima della entrata in vigore del presente decreto e dei quali a detta data sia pervenuta comunicazione ufficiale alla famiglia, i diritti derivanti dalle disposizioni di cui sopra debbono essere fatti valere entro 12 mesi dalla pubblicazione del presente decreto. Negli altri casi i diritti predetti debbono essere fatti valere entro 12 mesi dalla data nella quale l'anzidetta comunicazione è pervenuta.

Art. 15.

Nel caso di morte, intervenuta all'estero, di marittimi considerati dalla legge 7 aprile 1941, n. 266, dal R. decreto-legge 2 marzo 1944, n. 80, e dal presente decreto, il trattamento spettante ai familiari in applicazione dei provvedimenti predetti è mantenuto per tre mesi dalla data in cui è pervenuta al Ministero della marina notizia ufficiale della morte.

Nel caso in cui per effetto delle disposizioni vigenti e delle norme contenute nel presente decreto spettasse agli aventi diritto, pensione o rendita di infortunio o indennità in capitale per rischio di guerra ed esistesse identità di persona fra uno o più di tali aventi diritto alla pensione o alla rendita o all'indennità e i beneficiari del trattamento previsto dalla legge 7 aprile 1941, n. 266, dal R. decreto-legge 2 marzo 1944, n. 80, e dal presente decreto, alle persone, nei confronti delle quali si accerti l'identità, il trattamento stesso è concesso fino a quando gli aventi diritto non siano entrati in effettivo godimento della pensione o della rendita di infortunio o della indennità in capitale. In detta ipotesi per il periodo di tempo intercorrente fra la data di decorrenza dei cennati trattamenti e la data di cessazione della corresponsione degli assegni previsti dalla legge 7 aprile 1941, n. 266, le mensilità di pensione o di rendita o i ratei sono devoluti alla mutualità fino alla concorrenza del trattamento corrispondente.

L'ammontare degli assegni previsti dalla legge 7 aprile 1941, n. 266, eventualmente corrisposti in più restano a carico della mutualità, nella quota armatoriale.

Nel caso di morte intervenuta all'estero, per malattia, di marittimi considerati dalla legge 7 aprile 1941, n. 266, dal R. decreto-legge 2 marzo 1944, n. 80, e dal presente decreto, e non indicati nell'articolo precedente, l'eventuale diritto a pensione a carico della Cassa per la previdenza marinara decorrerà dalla data in cui è pervenuta al Ministero della marina notizia ufficiale della morte.

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Art. 16.

La Cassa nazionale per la previdenza marinara è autorizzata ad effettuare il rimborso dell'ammontare erogato dagli armatori e da imputarsi alla mutualità a norma della legge 7 aprile 1941, n. 266, del R. decreto-legge 2 marzo 1944, n. 80, e del presente decreto, su presentazione degli stati paga compilati dagli armatori stessi purchè provvisti di dichiarazione attestante che le somme indicate sono state effettivamente erogate e che di ogni differenza eventualmente riscontrata è responsabile l'armatore firmatario.

Gli armatori i quali beneficiano delle disposizioni della legge 7 aprile 1941, n. 266, del R. decreto-legge 2 marzo 1944, n. 80, e del presente decreto, sono solidalmente responsabili, ciascuno in ragione del 10 per cento della somma dovuta a titolo di rimborso dalla Cassa nazionale per la previdenza marinara a norma dei provvedimenti stessi, dell'adempimento degli obblighi stabiliti dal primo comma del presente articolo. La Cassa nazionale per la previdenza marinara tratterrà a tale fine un decimo dell'ammontare totale erogato da ciascun armatore, costituendo un fondo unico fruttifero dell'interesse del 2 per cento. Tale fondo sarà vincolato fino alla liquidazione di ogni spettanza di tutti i marittimi soggetti alle disposizioni della legge 7 aprile 1941, numero 266, del R. decreto-legge 2 marzo 1944, n. 80, e del presente decreto, e successivamente ripartito tra gli armatori secondo le norme stabilite dal regolamento.

In conto del contributo dello Stato di cui alla lettera *b*) dell'art. 9 della legge 7 aprile 1941, n. 266, sono effettuati pagamenti alla Cassa nazionale per la previdenza marinara in misura pari ai due terzi dell'ammontare dei rimborsi fatti agli armatori in applicazione del primo comma del presente articolo e risultanti da stati di spesa prodotti dalla Cassa il cui ammontare sia confermato dal Ministero della marina. Le anticipazioni predette non potranno superare la somma di L. 5.600.000 mensili prevista dal comma *b*) dell'art. 9 della anzidetta legge.

Art. 17.

Gli armatori delle navi, agli equipaggi delle quali sono applicati la legge 7 aprile 1941, n. 266, il R. decreto-legge 2 marzo 1944, n. 80, e il presente decreto, sono autorizzati a costituire un apposito ufficio per la gestione unificata delle erogazioni e dei rimborsi derivanti dalla applicazione delle norme legislative sopra indicate.

Tale ufficio è posto sotto il controllo della Commissione di cui all'art. 12 della legge 7 aprile 1941, n. 266, e dell'art. 18 del presente decreto.

Con la costituzione di tale ufficio non sarà richiesta agli armatori interessati la garanzia solidale di cui al secondo comma dell'articolo precedente, e la Cassa per la previdenza marinara non tratterrà la quota occorrente per la costituzione del fondo previsto dall'articolo medesimo.

Le spese necessarie per il servizio di corresponsione degli assegni, che sono anticipate dalla Cassa nazionale per la previdenza marinara, anche per il periodo anteriore all'entrata in vigore del presente decreto, sono a totale carico degli armatori, e l'onere relativo è imputato alla mutualità prevista dall'art. 9 della legge 7 aprile 1941, n. 266, nella quota armatoriale.

Art. 18.

La Commissione di cui all'art. 12 della legge 7 aprile 1941, n. 266, è integrata con un rappresentante del Ministero del tesoro, con un rappresentante del Ministero dell'industria, del commercio e del lavoro e con un rappresentante della organizzazione sindacale dei lavoratori del mare.

Alla Commissione è affidato anche il compito di vigilare sulla applicazione della legge 7 aprile 1941, n. 266, del R. decreto-legge 2 marzo 1944, n. 80, e del presente decreto, ai fini del coordinamento nella loro attuazione pratica, delle norme contenute nelle disposizioni stesse, facendo, se del caso, le opportune segnalazioni ai Ministeri della marina e del tesoro.

Art. 19.

Con decreto Luogotenenziale, a termini dell'art. 1, n. 1, della legge 31 gennaio 1926, n. 100, e dell'art. 5 del decreto-legge Luogotenenziale 25 giugno 1944, n. 151, sono date le norme di applicazione del presente decreto.

Il presente decreto entra in vigore il giorno successivo a quello della pubblicazione nella *Gazzetta Ufficiale* del Regno.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella Raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare come legge dello Stato.

Dato a Roma, addì 26 aprile 1945

UMBERTO DI SAVOIA

BONOMI — DE COURTEN — TUPINI — SOLERI — GRONCHI

Visto, *il Guardasigilli*: TUPINI
Registrato alla Corte dei conti, addì 30 *giugno* 1945
Atti del Governo, registro n. 4, *foglio n.* 103. — FRISCA

DECRETO LEGISLATIVO LUOGOTENENZIALE 24 maggio 1945, n. 335.

Proroga delle agevolazioni fiscali accordate per l'affrancazione di colonie perpetue nel Veliterno.

UMBERTO DI SAVOIA
PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

In virtù dell'autorità a Noi delegata;

Visto il R. decreto-legge 5 settembre 1938, n. 1503, convertito nella legge 5 gennaio 1939, n. 181;

Visto il decreto-legge Luogotenenziale 25 giugno 1944, n. 151;

Visto il decreto legislativo Luogotenenziale 1° febbraio 1945, n. 58;

Vista la deliberazione del Consiglio dei Ministri;

Sulla proposta del Ministro per l'agricoltura e per le foreste, di concerto con il Ministro per le finanze;

Abbiamo sanzionato e promulgato quanto segue:

Articolo unico.

Le agevolazioni fiscali stabilite dal R. decreto-legge 5 settembre 1938, n. 1503, convertito nella legge 5 gennaio 1939, n. 181, prorogato con le leggi 11 luglio 1941, n. 810, e 29 marzo 1943, n. 204, si applicano anche ai contratti registrati dopo la scadenza dell'anzidetta pro-

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roga e fino ad un anno dopo l'entrata in vigore del presente decreto legislativo.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella Raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e farlo osservare come legge dello Stato.

Dato a Roma, addì 24 maggio 1945

UMBERTO DI SAVOIA

BONOMI — GULLO — PESENTI

Visto, *Il Guardasigilli*: TUPINI
Registrato alla Corte dei conti, addì 27 giugno 1945
Atti del Governo, registro n. 5, foglio n. 161. — FRASCA

DECRETO LEGISLATIVO LUOGOTENENZIALE 24 maggio 1945, n. 346.

Abrogazione del 2° comma dell'art. 1257 del Codice della navigazione e nuova denominazione della Direzione marittima del Lazio.

UMBERTO DI SAVOIA
PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

In virtù dell'autorità a Noi delegata;

Visto il R. decreto 20 dicembre 1923, n. 3235, che stabilisce le nuove circoscrizioni territoriali della Marina mercantile e le successive sue modificazioni e segnatamente il R. decreto 3 marzo 1938, n. 243;

Visto il Codice della navigazione, approvato con Regio decreto 30 marzo 1942, n. 327;

Visto l'art. 4 del decreto-legge Luogotenenziale 25 giugno 1944, n. 151;

Visto l'art. 2 del decreto legislativo Luogotenenziale 1° febbraio 1945, n. 58;

Vista la deliberazione del Consiglio dei Ministri;

Sulla proposta del Ministro per la marina, di concerto col Ministro per la grazia e giustizia e col Ministro per il tesoro;

Abbiamo sanzionato e promulghiamo quanto segue:

Art. 1.

Il 2° comma dell'art. 1257 del Codice della navigazione è abrogato.

Art. 2.

La Direzione marittima del Lazio, prevista dalla tabella annessa al R. decreto 3 marzo 1938, n. 243, assume la denominazione di « Direzione marittima di Civitavecchia », restando invariata la circoscrizione territoriale stabilita per la Direzione stessa.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella Raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare come legge dello Stato.

Dato a Roma, addì 24 maggio 1945

UMBERTO DI SAVOIA

BONOMI — DE COURTEN — TUPINI — SOLERI

Visto, *il Guardasigilli*: TUPINI
Registrato alla Corte dei conti, addì 27 giugno 1945
Atti del Governo, registro n. 5, foglio n. 160. — FRASCA

DECRETO LEGISLATIVO LUOGOTENENZIALE 7 giugno 1945, n. 337.

Proroga dei termini per il deposito delle opere dell'ingegno e dei prodotti tutelati dalla legge 22 aprile 1941, n. 633.

UMBERTO DI SAVOIA
PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

In virtù dell'autorità a Noi delegata;

Vista la legge 22 aprile 1941, n. 633, sulla protezione del diritto di autore e degli altri diritti connessi al suo esercizio;

Visto il R. decreto 18 maggio 1942, n. 1369, con il quale è stato approvato il regolamento per l'esecuzione della legge suddetta;

Visto il decreto-legge Luogotenenziale 25 giugno 1944, n. 151;

Visto il decreto legislativo Luogotenenziale 1° febbraio 1945, n. 58;

Vista la deliberazione del Consiglio dei Ministri;

Sulla proposta del Presidente del Consiglio dei Ministri, Primo Ministro Segretario di Stato, di concerto con i Ministri Segretari di Stato per gli affari esteri, per la grazia e giustizia e per le finanze;

Abbiamo sanzionato e promulghiamo quanto segue:

Art. 1.

I termini stabiliti dall'art. 35 del regolamento approvato con R. decreto 18 maggio 1942, n. 1369, per i depositi di cui all'art. 105 della legge 22 aprile 1941, n. 633, sono prorogati fino alla data da stabilirsi con successivo provvedimento, purchè non siano decorsi i termini per la tutelabilità dell'opera o del prodotto.

Art. 2.

I terzi che avessero proceduto alla riproduzione di opere o prodotti per i quali non sia stato effettuato il prescritto deposito per l'acquisto e l'esercizio del diritto, potranno tenerli in commercio, per il periodo di un anno dal giorno in cui sarà effettuato il deposito stesso.

Art. 3.

Le disposizioni che precedono sono applicabili anche nei confronti di titolari stranieri di diritti sulle opere e i prodotti suddetti, a condizione di reciprocità.

Art. 4.

Il presente decreto entra in vigore il giorno successivo a quello della sua pubblicazione nella *Gazzetta Ufficiale* del Regno.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella Raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare come legge dello Stato.

Dato a Roma, addì 7 giugno 1945

UMBERTO DI SAVOIA

BONOMI — DE GASPERI — TUPINI — PESENTI

Visto, *il Guardasigilli*: TUPINI
Registrato alla Corte dei conti, addì 28 giugno 1945
Atti del Governo, registro n. 5, foglio n. 154. — FRASCA

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DECRETO LEGISLATIVO LUOGOTENENZIALE 7 giugno 1945, n. 338.

Modificazione delle pene per il contrabbando e le contravenzioni previste dalla legge 17 luglio 1942, n. 907, sul monopolio dei sali e dei tabacchi.

UMBERTO DI SAVOIA
PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

In virtù dell'autorità a Noi delegata;

Vista la legge 17 luglio 1942, n. 907, sul monopolio dei sali e dei tabacchi;

Visto il decreto legislativo Luogotenenziale 22 marzo 1945, n. 161, recante modificazioni delle pene per il contrabbando e le contravvenzioni previste dalla predetta legge sul monopolio dei sali e dei tabacchi;

Visto il decreto legislativo Luogotenenziale 1° febbraio 1945, n. 58;

Visto l'art. 4 del decreto-legge Luogotenenziale 25 giugno 1944, n. 151;

Vista la deliberazione del Consiglio dei Ministri;

Sulla proposta del Ministro per le finanze, di concerto con il Ministro per la grazia e giustizia;

Abbiamo sanzionato e promulghiamo quanto segue:

Art. 1.

Gli articoli 75, 77 e 96 della legge 17 luglio 1942, n. 907, quali risultano modificati dall'articolo unico del decreto legislativo Luogotenenziale 22 marzo 1945, n. 161, sono sostituiti dai seguenti:

« Art. 75. — *Multa proporzionale.*

Fuori dei casi preveduti negli articoli 76, 77 e 79, il colpevole di contrabbando è punito:

1) con la multa da L. 500 a L. 1000 quando il contrabbando ha per oggetto tabacco greggio e questo non supera il chilogrammo; se lo supera, la pena è aumentata da L. 100 a L. 100 per ogni chilogrammo in più;

2) con la multa da L. 600 a L. 1200 quando il contrabbando ha per oggetto tabacco lavorato di qualunque specie e questo non supera il chilogrammo; se lo supera, la pena è aumentata da L. 200 a L. 1000 per ogni chilogrammo in più;

3) con la multa da L. 100 a L. 200 quando il contrabbando ha per oggetto sale e questo non supera il chilogrammo: se lo supera la pena è aumentata da L. 10 a L. 20 per ogni chilogrammo in più.

La multa stabilita al numero 2) è ridotta alla metà quando si tratta di prodotti derivati del tabacco o di succedanei del tabacco ».

« Art. 77. — *Pene per la semina, il trapiantamento e la coltivazione del tabacco senza autorizzazione.*

Chiunque semina abusivamente tabacco è punito con la multa da L. 400 a L. 2000.

Chiunque trapianta abusivamente piante di tabacco è punito con la multa da L. 500 a L. 1000 quando le piante trapiantate abusivamente sono in numero non superiore a cinque; per ogni pianta in più la pena è aumentata da L. 10 a L. 30.

Chiunque coltiva abusivamente piante di tabacco, è punito con la multa da L. 600 a L. 1200 quando le piante coltivate abusivamente sono in numero non superiore a cinque; per ogni pianta in più la pena è aumentata da L. 20 a L. 50.

Il colpevole di trapiantamento abusivo che ha anche abusivamente seminato le piante trapiantate, è soggetto soltanto alla pena stabilita per trapiantamento abusivo. Se il colpevole di coltivazione abusiva ha anche abusivamente seminato o trapiantato le piante coltivate è soggetto soltanto alla pena stabilita per la coltivazione abusiva ».

« Art. 96. — *Vendita di generi di monopolio senza autorizzazione od acquisto da persone non autorizzate alla vendita.*

Chiunque, senza autorizzazione dell'Amministrazione dei monopoli, vende o pone in vendita generi di monopolio, è punito con l'ammenda da L. 100 a L. 500, se trattasi di sali; da L. 500 a L. 5000 se trattasi di tabacchi.

Chiunque acquista generi di monopolio da persona non autorizzata alla vendita, è punito con l'ammenda da L. 100 a L. 500 ».

Art. 2.

Il presente decreto entra in vigore il giorno successivo a quello della sua pubblicazione nella *Gazzetta Ufficiale* del Regno.

Nei territori non ancora ritornati all'Amministrazione italiana, il decreto stesso entrerà in vigore dalla data di tale ritorno o da quella in cui esso divenga esecutivo con ordinanza del Governo Militare Alleato.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella Raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare come legge dello Stato.

Dato a Roma, addì 7 giugno 1945

UMBERTO DI SAVOIA

BONOMI — PESENTI — TUPINI

Visto, *il Guardasigilli*: TUPINI
Registrato alla Corte dei conti, addì 2 luglio 1945
Atti del Governo, registro n. 5, foglio n. 2. — PRESTA

DECRETO LUOGOTENENZIALE 26 aprile 1945, n. 339.

Modificazioni al paragrafo 717 del regolamento sul servizio sanitario militare territoriale.

UMBERTO DI SAVOIA
PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

In virtù dell'autorità a Noi delegata;

Visto il R. decreto 17 novembre 1932, che ha approvato il regolamento sul servizio sanitario militare territoriale;

Visto l'art. 1, n. 3, della legge 31 gennaio 1926, n. 100;

Visto l'art. 5 del decreto legge Luogotenenziale 25 giugno 1944, n. 151;

Visto il decreto legislativo Luogotenenziale 1° febbraio 1945, n. 58;

Sentito il Consiglio dei Ministri;

Sulla proposta del Ministro per la guerra, d'intesa con i Ministri per l'interno, per la grazia e giustizia, per il tesoro, per la marina e per l'aeronautica;

Abbiamo decretato e decretiamo:

Articolo unico.

Il primo comma del paragrafo 717 del regolamento sul servizio sanitario militare territoriale è sostituito dal seguente:

« Paragrafo 717. — L'ufficiale medico che procede alle visite indicate nelle lettere *a*), *b*), *d*), *e*), *g*), *k*), *l*)

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del paragrafo 712, ha diritto ad un compenso di lire 40 per ogni individuo visitato, ad eccezione del personale civile del Regio esercito, della Regia marina e della Regia aeronautica; per le visite indicate alla lettera e) ha diritto ad un compenso di lire 10 per ogni individuo visitato; per le visite indicate nella lettera f) ha diritto ad un compenso di lire 20 per ogni impiegato dipendente dai Ministeri che non siano quelli della guerra, della marina e dell'aeronautica; per le visite indicate nella lettera g) ha diritto ad un compenso di lire 20 indistintamente da tutti quelli che sono stati visitati, eccettuate fatta per gli ufficiali e gli impiegati in servizio dell'Amministrazione della guerra ».

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella Raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 26 aprile 1945

UMBERTO DI SAVOIA

BONOMI — CASATI — TUPINI — SOLERI — DE COURTEN — CASTAROTTO

Visto, *il Guardasigilli:* TUPINI
Registrato alla Corte dei conti, addì 27 giugno 1945
Atti del Governo, registro n. 4, foglio n. 159. — FRESA

DECRETO LUOGOTENENZIALE 10 maggio 1945, n. 340.

Nuovo statuto dell'Associazione nazionale fra le famiglie caduti dell'Aeronautica e fra i mutilati del volo.

UMBERTO DI SAVOIA
PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

In virtù dell'autorità a Noi delegata;

Visto il R. decreto 27 ottobre 1937, n. 2096, che erige in ente morale l'Associazione nazionale famiglie caduti dell'Aeronautica;

Visto il R. decreto 11 agosto 1939, n. 1629, concernente l'Associazione nazionale famiglie caduti dell'Aeronautica;

Visto il decreto legislativo Luogotenenziale 25 giugno 1944, n. 151;

Visto il decreto legislativo Luogotenenziale 1° febbraio 1945, n. 68;

Sulla proposta del Ministro Segretario di Stato per l'aeronautica;

Abbiamo decretato e decretiamo:

Articolo unico.

Lo statuto dell'Associazione nazionale fra le famiglie caduti dell'Aeronautica e fra i mutilati del volo, annesso al R. decreto 11 agosto 1939, n. 1629, è sostituito da quello allegato al presente decreto, visto e firmato, d'ordine Nostro, dal Ministro per l'aeronautica.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserto nella Raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 10 maggio 1945

UMBERTO DI SAVOIA

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CASTAROTTO

Visto, *il Guardasigilli:* TUPINI
Registrato alla Corte dei conti, addì 28 giugno 1945
Atti del Governo, registro n. 4, foglio n. 166. — FRESA

Statuto dell'Associazione nazionale fra le famiglie caduti dell'Aeronautica e fra i mutilati del volo

DELL'ASSOCIAZIONE.

Art. 1.

L'Associazione nazionale fra le famiglie dei caduti dell'Aeronautica e mutilati del volo ha la sede centrale in Roma e sezioni periferiche nelle varie provincie d'Italia.

Essa è formata da due sezioni corrispondenti alle categorie:

a) Sezione famiglie caduti aeronautica;

b) Sezione mutilati del volo.

L'Associazione è apolitica.

Art. 2.

Per caduti d'aeronautica si intende tutti coloro che praticando l'esercizio del volo siano morti o in seguito ad incidente di volo, avvenuto nell'esercizio di un servizio aeronavigante comandato, o per eventi comunque direttamente conseguenti l'esercizio del volo.

Per mutilati del volo si intendono coloro che siano stati riconosciuti tali dal Ministero dell'aeronautica.

Art. 3.

L'Associazione nazionale per il raggiungimento dei propri fini:

a) promuove tutte le iniziative tendenti a sollevare le sofferenze morali e materiali di chi è stato colpito nei propri affetti familiari o nella persona in seguito all'esercizio del volo;

b) promuove tutte le iniziative tendenti a creare ed a moltiplicare i contatti fra i soci e gli aviatori d'Italia;

c) raccoglie il materiale biografico e statistico dei caduti e dei mutilati.

Art. 4.

Hanno diritto ad essere soci dell'Associazione, presentando domanda ai Consigli direttivi sezionali:

a) in rappresentanza di ogni caduto, uno solo dei parenti nel seguente ordine di precedenza:

1) vedova ed orfano;

2) genitore

3) fratello o sorella;

b) ogni singolo mutilato.

Art. 5.

A domanda hanno diritto alla iscrizione all'Associazione i parenti del caduto (genitori, figli, fratelli, sorelle) oltre alla persona che a sensi dell'art. 4 ne ha assunto la rappresentanza.

Detti soci costituiscono la categoria dei soci aggregati.

I diritti morali e materiali spettano solo ai soci che rappresentano il caduto di cui all'art. 4.

Art. 6.

Possono essere soci benemeriti quelle persone e quegli enti che se ne siano resi particolarmente degni per avere comunque contribuito al conseguimento degli scopi sociali.

I soci benemeriti saranno iscritti in un albo d'onore.

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Art. 7.

I soci devono:

a) osservare le disposizioni statutarie e regolamentari deliberate dagli organi dell'Associazione,

b) cooperare nei limiti delle proprie possibilità all'attuazione degli scopi sociali.

Art. 8.

Decade dalla qualità di socio la vedova che contragga nuove nozze. La decadenza è pronunciata dalla competente Sezione. Può subentrare nella qualità di socio altro rappresentante a norma dell'art. 4.

Art. 9.

Incorre nella perdita della qualità di socio chi si rende comunque indegno di appartenere all'Associazione.

L'indegnità è segnalata, con motivata proposta, dalle Sezioni al Comitato centrale che si pronuncia sulla decadenza.

Per la decadenza pronunciata, l'interessato può ricorrere — entro 30 giorni dalla comunicazione — contro il deliberato del Comitato centrale. In tal caso il verdetto definitivo è devoluto al Collegio dei probiviri di cui all'art. 14.

Art. 10.

Sono organi dell'Associazione:

a) il Comitato centrale;

b) la Presidenza;

c) i Consigli direttivi delle Sezioni periferiche.

Del Comitato centrale.

Art. 11.

Il Comitato centrale è formato da undici membri, dei quali dieci nominati dall'assemblea dei Consigli direttivi sezionali e uno dal Ministero dell'aeronautica.

Il Comitato centrale elegge fra i propri componenti — nella seduta di insediamento — il presidente ed i vice presidenti dell'Associazione.

Il Comitato centrale dura in carica un biennio con decorrenza dal 1° gennaio dell'anno in corso.

Art. 12.

Il Comitato centrale è investito di tutti i poteri deliberativi atti a conseguire gli scopi sociali.

Ad esso compete:

a) curare l'osservanza dello statuto;

b) determinare i provvedimenti da seguire per il miglior conseguimento degli scopi sociali, in armonia ai voti dell'assemblea dei Consigli direttivi sezionali;

c) approvare i regolamenti per il funzionamento dell'Ente;

d) l'esame e l'approvazione dei bilanci;

e) controllare e vigilare la gestione finanziaria sia al centro che alla periferia

f) risolvere ogni questione o vertenza che interessi direttamente o indirettamente l'Associazione;

g) pronunciarsi sulla radiazione dei soci per indegnità;

h) la nomina del presidente e dei vice presidenti;

i) la nomina dei tre membri del Consiglio dei probiviri;

l) la nomina dei soci benemeriti di cui all'art. 6;

m) proporre eventuali modifiche statutarie ai Consigli direttivi sezionali riuniti, in assemblea;

n) l'accettazione di lasciti donazioni e simili;

o) l'investimento di somme liquide comunque concernenti il patrimonio dell'Associazione.

Art. 13.

Il Comitato centrale si riunisce non meno di una volta ogni trimestre ad invito del presidente o del vice presidente qualora questi ne sia stato delegato.

Il Comitato centrale si convoca pure qualora tre dei suoi componenti lo richiedano.

Le deliberazioni sono prese a maggioranza assoluta.

Art. 14.

Il Collegio dei probiviri è composto di tre membri, scelti fra i soci dell'Associazione stessa, nominati dal Comitato centrale.

I probiviri durano in carica un biennio, con decorrenza dal 1° gennaio dell'anno in corso.

Art. 15.

E' di competenza del Collegio dei probiviri pronunciarsi su ogni divergenza che possa sorgere fra membri ed organi — o fra membri e membri — la cui modalità di definizione non sia prevista dallo statuto sociale o dai regolamenti interni dell'Associazione.

Della Presidenza

Art. 16.

La Presidenza è l'organo centrale esecutivo dell'Associazione. E' costituita da:

a) il presidente;

b) due vice presidenti;

c) il segretario generale.

Il presidente ed i vice presidenti — appartenenti questi ultimi rispettivamente alle categorie *a)* e *b)* di cui all'art. 4 — sono nominati in carica dal Comitato centrale.

Il segretario generale è nominato dal Comitato centrale, fra i soci dell'Associazione che possono assicurare continuità di servizio. Dura in carica un biennio e può essere rieletto.

Esiste incompatibilità fra le cariche della presidenza e quelle sezionali.

Durano in carica un biennio.

Art. 17.

Il presidente è investito della rappresentanza dell'Associazione a tutti gli effetti morali e legali. A lui sono affidate le funzioni esecutive. Può — ove lo ritenga opportuno e necessario — delegare tali rappresentanze e funzioni ai vice presidenti.

Delle Sezioni periferiche
(Regionali - Provinciali - Locali)

Art. 18.

Le Sezioni (Regionali - Provinciali - Locali) costituiscono l'elemento fondamentale dell'Associazione. Esse sono costituite nelle località dove il numero dei soci non sia inferiore a 200.

Quando non si raggiunga tale numero, la Sezione sarà costituita nell'ambito della provincia o della regione.

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Qualora anche nell'ambito di una regione non si raggiunga tale numero, la Sezione sarà ugualmente costituita.

Qualora il numero dei soci di una regione lo richieda, potranno essere costituite più Sezioni nella medesima regione raggruppando opportunamente le provincie.

Le Sezioni prendono il nome di:

A.N.F.C.A.M.V. - Sezione di . . . . . .

Le Sezioni potranno essere ospitate, sempre che possibile, dei locali Enti peraeautici.

Art. 19.

Le sedi delle Sezioni sono scelte liberamente dai soci qualora il numero degli iscritti sia riconosciuto numericamente sufficiente ai sensi dell'art. 18. Negli altri casi la sede e l'eventuale raggruppamento di provincie, sono determinati dal Comitato centrale.

Art. 20.

Ogni Sezione è retta da un Consiglio direttivo composto da un numero vario di membri — da tre a sette — a seconda del numero dei soci secondo quanto segue:

non oltre i 200 soci: 3 membri (compresi il presidente e il vice presidente);

da 200 a 400 soci: 5 membri (compresi il presidente e il vice presidente);

oltre 400 soci: 7 membri (compresi il presidente ed il vice presidente).

Il Consiglio direttivo è assistito da un segretario.

I membri del Consiglio direttivo sono nominati dall'assemblea dei soci della Sezione.

I membri del Consiglio direttivo nominano nel proprio interno il presidente ed il vice presidente.

Durano in carica un biennio, con decorrenza dal 1° gennaio dell'anno in corso.

Art. 21.

Il segretario della Sezione è scelto dal Consiglio direttivo fra i soci che siano in grado di accudire alla funzione con la necessaria continuità.

Art. 22.

L'assemblea dei soci è convocata dal Consiglio direttivo una volta all'anno in seduta ordinaria — entro il 1° bimestre dell'anno — per l'approvazione del bilancio consuntivo e la nomina, ogni biennio, delle cariche sezionali e discutere tutti gli argomenti posti all'ordine del giorno.

Art. 23.

Su richiesta di almeno un decimo dei soci della Sezione il Consiglio direttivo è tenuto a convocare l'assemblea in riunione straordinaria. Nella richiesta dovranno essere specificati gli argomenti che i richiedenti ritengano debbano essere sottoposti all'esame dell'assemblea.

Il Consiglio direttivo può convocare l'assemblea in riunione straordinaria ogni qual volta lo ritenga necessario.

Art. 24.

Il Comitato centrale può disporre per la convocazione in riunione straordinaria dell'assemblea sezionale di qualsiasi Sezione, qualora ritenga ciò necessario per la determinazione di particolari situazioni.

Art. 25.

Nelle assemblee sezionali sono ammesse:

la votazione per delega;

la votazione per corrispondenza.

Il Consiglio direttivo dovrà rendere noto l'ordine del giorno ai soci con l'avviso di convocazione.

L'assemblea è valida in prima riunione qualora siano presenti, di persona o per delega, o per corrispondenza, almeno un quarto dei soci. Mancando la validità per deficienza di intervenuti, entro 15 giorni l'assemblea sarà indetta in seconda convocazione, valida qualora siano presenti di persona o per delega o per corrispondenza, almeno un sesto dei soci.

Art. 26.

Al Consiglio direttivo delle sezioni compete:

a) curare, nell'ambito della propria giurisdizione, l'osservanza dello statuto e la realizzazione degli scopi sociali;

b) amministrare le proprie entrate;

c) sottoporre al Comitato centrale i casi previsti dalle lettere *g)* ed *i)* dell'art. 12 ed in genere ogni questione che riguardi gli scopi ed il funzionamento dell'Associazione;

d) mantenere continuo contatto col Comitato centrale trasmettendo ogni proposta ritenga meritevole sia presa in considerazione ai fini della migliore realizzazione degli scopi sociali;

e) inoltrare al Comitato centrale eventuali proposte di modifiche statutarie che ritiene detto Comitato centrale debba sottoporre al deliberato dei Consigli direttivi sezionali riuniti in assemblea;

f) compilare il bilancio consuntivo della Sezione, sottoponendolo alla approvazione dell'assemblea dei soci e rimettendolo alla Presidenza dell'associazione.

Art. 27.

Tutte le cariche sono onorifiche e gratuite. Il Comitato centrale può tuttavia concedere che sia corrisposta una retribuzione, nella misura che riterrà opportuna, in relazione alle entrate ordinarie, ai soci che esercitano funzioni di segretario sia nel Comitato centrale come nei Consigli direttivi sezionali.

Art. 28.

In caso di dimissioni o di morte di membri del Consiglio direttivo sezionale per cui lo stesso fosse ridotto a meno della metà, si provvederà alla sostituzione a mezzo di elezioni suppletive.

DELLA CONVOCAZIONE DEI CONSIGLI DIRETTIVI SEZIONALI IN ASSEMBLEA

Art. 29.

I Consigli direttivi sezionali sono convocati entro il primo trimestre — a cura del Comitato centrale — in assemblea ordinaria ogni biennio per:

a) la definizione delle direttive di massima riguardanti il conseguimento degli scopi sociali, che il Comitato centrale dovrà considerare quale base del proprio lavoro;

b) la nomina dei componenti del Comitato centrale (10 membri);

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c) la nomina di due membri effettivi e due supplettivi del Collegio sindacale;

d) per le eventuali deliberazioni relative allo statuto sociale.

Il Comitato centrale diramerà l'avviso di convocazione — unitamente all'ordine del giorno — con almeno 60 giorni di anticipo sulla data prescelta.

Sull'ordine del giorno dovrà essere tenuto conto di ogni questione od argomento — debitosi nei contatti tra la Presidenza, Comitato centrale e Sezione — che si ritenga debba richiedere una decisione dell'assemblea rappresentante la totalità dei soci.

Art. 30.

Su richiesta di un numero di Sezioni rappresentanti un quinto dei soci, il Comitato centrale è tenuto a convocare i Consigli direttivi sezionali in assemblea straordinaria. Nella richiesta debbono essere precisati gli argomenti che si vuole siano posti all'ordine del giorno.

Il Comitato centrale può deliberare la riunione dei Consigli direttivi sezionali in assemblea generale straordinaria, ogni qual volta lo ritenga necessario.

L'avviso di convocazione delle riunioni straordinarie — con relativo ordine del giorno — dovrà essere diramato con almeno 60 giorni di anticipo sulla data prescelta.

Art. 31.

Alle riunioni dei Consigli direttivi sezionali — ordinarie e straordinarie — sono ammesse:

le votazioni per delega;

le votazioni per corrispondenza.

In casi particolari — quando gli argomenti all'ordine del giorno si presume richiedano particolari discussioni — il Comitato può deliberare che i membri dei Consigli direttivi sezionali esprimano nella loro totalità il loro voto *per corrispondenza*.

Art. 32.

Le decisioni dei membri dei Consigli direttivi sezionali riuniti in assemblea, sono prese a maggioranza di voti rappresentati. Ogni membro del Consiglio direttivo sezionale rappresenta un numero di soci pari a quello della Sezione — della cui rappresentanza fa parte — diviso per il numero dei membri del Consiglio direttivo della stessa.

Le riunioni sono valide quando siano presenti, o comunque votanti, i rappresentanti di oltre la metà dei soci.

Le assemblee dei Consigli direttivi sezionali si riuniscono di norma a Roma.

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DEL PATRIMONIO E DELLA GESTIONE AMMINISTRATIVA

Art. 33.

Il patrimonio dell'Ente è costituito:

a) da tutti i beni mobili ed immobili;

b) dai lasciti e dalle donazioni;

c) dal contributo del Ministero dell'aeronautica;

d) dai contributi di persone ed enti benemeriti;

e) da tutti gli altri valori di cui viene in possesso.

Art. 34.

Il movimento dei fondi può essere solo disposto a firma del presidente o del vice-presidente quando questo sia stato all'uopo delegato.

Art. 35.

Le rendite annuali per provvedere all'ordinaria gestione dell'Associazione comprendono:

a) il reddito del patrimonio

b) le eventuali sovvenzioni del Ministero dell'aeronautica;

c) i contributi volontariamente assegnati all'Associazione da enti e persone;

d) i proventi, rimborsi e recuperi vari.

Art. 36.

Il controllo generale della gestione amministrativa e contabile è devoluta a tre sindaci effettivi e due supplenti. Dei sindaci effettivi uno è nominato dal Ministero dell'aeronautica; i rimanenti ed i supplenti sono designati dall'assemblea dei Consigli direttivi sezionali.

I sindaci rimangono in carica un biennio e possono essere riconfermati. Essi esaminano gli inventari, i bilanci di previsione ed i conti consuntivi annuali della Sede centrale e delle Sezioni e presentano una relazione conclusiva al Comitato centrale. Essi possono in qualsiasi epoca verificare lo stato di cassa della Sede centrale come delle Sezioni.

Art. 37.

La Presidenza dell'associazione compila, nel mese di novembre di ogni anno, il proprio bilancio di previsione. Tale bilancio sarà sottoposto al Comitato centrale.

Un esemplare del bilancio generale di previsione è trasmesso al Ministero dell'aeronautica.

Art. 38.

L'anno finanziario sociale coincide con l'anno solare. Entro il 10 marzo ogni Sezione trasmette alla Presidenza il proprio bilancio consuntivo approvato dall'assemblea ordinaria dei soci.

La Presidenza compila a sua volta il rendiconto economico e patrimoniale generale dell'Associazione da sottoporre all'approvazione del Comitato centrale.

DISPOSIZIONI TRANSITORIE

Art. 39.

Il presente statuto ha valore — in via transitoria — in quanto approvato dall'assemblea dei soci della Sezione di Roma e sottoposto al visto del Ministero dell'aeronautica, cui compete la abrogazione del Regio decreto-legge n. 1629, in data 11 agosto 1939, che rendeva valido il precedente statuto.

Art. 40.

Il Consiglio direttivo della Sezione di Roma assumerà — in via transitoria — le funzioni del Comitato centrale previste dallo statuto. Provvederà quindi alla nomina del presidente e di un vice presidente della Associazione in base all'art. 12.

Per tale particolare funzione il Consiglio direttivo della Sezione di Roma sarà eletto su nove membri anziché su sette.

Art. 41.

Il Comitato centrale provvisorio adotterà tutti i provvedimenti che riterrà opportuno per la graduale estensione delle norme statutarie alle Sezioni.

1702

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Art. 42.

Quando le Sezioni d'Italia — in numero considerato sufficiente dal Comitato centrale provvisorio — saranno in grado di eleggere i propri Consigli direttivi — a norma dello statuto — e si potrà procedere alla riunione degli stessi in assemblea, questa sarà chiamata:

a) ad approvare in via definitiva lo statuto sociale apportandovi le eventuali modificazioni;

b) alla regolare e definitiva nomina, per un biennio, del Comitato di cui all'art. 11 in base al disposto dell'art. 29.

Visto, d'ordine di S. A. R. il Luogotenente Generale del Regno

Il Ministro per l'aeronautica
GASPAROTTO

DECRETO LUOGOTENENZIALE 26 aprile 1945, n. 341.

Riconoscimento, agli effetti civili, della erezione della parrocchia del SS.mo Salvatore, nella chiesa di Maria SS.ma di Loreto, in località San Salvatore del comune d. Roccavaldina (Messina).

N. 341. Decreto Luogotenenziale 26 aprile 1945, col quale, sulla proposta del Ministro per l'interno, viene riconosciuto, agli effetti civili, il decreto dell'Arcivescovo di Messina in data 25 marzo 1943, relativo alla erezione della parrocchia del SS.mo Salvatore, nella chiesa di Maria SS.ma di Loreto, in località San Salvatore del comune di Roccavaldina (Messina).

Visto, *il Guardasigilli*: TUPINI
Registrato alla Corte dei conti, addì 28 *giugno* 1945

DECRETO LUOGOTENENZIALE 24 maggio 1945, n. 342.

Modificazione dell'art. 5 dello statuto della Cassa scolastica del Regio liceo-ginnasio « Nicola Spedalieri » di Catania.

N. 342. Decreto Luogotenenziale 24 maggio 1945, col quale, sulla proposta del Ministro per la pubblica istruzione, viene modificato l'art. 5 dello statuto della Cassa scolastica del Regio liceo-ginnasio « Nicola Spedalieri » di Catania.

Visto, *il Guardasigilli*: TUPINI
Registrato alla Corte dei conti, addì 27 *giugno* 1945

DECRETO LUOGOTENENZIALE 19 aprile 1945.

Sostituzione del presidente del Comitato consultivo per gli istituti e le imprese esercenti assicurazioni private.

UMBERTO DI SAVOIA
PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

In virtù dell'autorità a Noi delegata;

Visto il R. decreto-legge 29 maggio 1944, n. 155, concernente la costituzione di un Comitato consultivo per gli istituti e le imprese di assicurazione presso il Ministero dell'industria, del commercio e del lavoro;

Visto il decreto Luogotenenziale in data 9 novembre 1944 riguardante la costituzione del predetto Comitato consultivo;

Visto il decreto Luogotenenziale in data 8 febbraio 1945, con il quale l'on. prof. Annibale Gilardoni è stato nominato presidente dell'Istituto nazionale delle assicurazioni;

Sulla proposta del Ministro Segretario di Stato per l'industria, il commercio ed il lavoro;

Abbiamo decretato e decretiamo:

S. E. il prof. Enrico Paresce è nominato presidente del Comitato consultivo per gli istituti e le imprese esercenti le assicurazioni private, in sostituzione dell'on. prof. Annibale Gilardoni.

Il presente decreto sarà comunicato alla Corte dei conti per la registrazione e sarà pubblicato nella *Gazzetta Ufficiale* del Regno.

Dato a Roma, addì 19 aprile 1945

UMBERTO DI SAVOIA

GRONCHI

Registrato alla Corte dei conti, addì 18 *maggio* 1945
Registro Industria n. 3, *foglio n.* 35. — BRUNO

(995)

DECRETO LUOGOTENENZIALE 7 giugno 1945.

Radiazione dal ruolo del naviglio ausiliario dello Stato, di navi mercantili requisite per esigenze delle Forze armate.

UMBERTO DI SAVOIA
PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

In virtù dell'autorità a Noi delegata;

Visti i Regi decreti 29 giugno 1940, registrati alla Corte dei conti il 22 luglio 1940, registro n. 10, fogli nn. 3 e 4, riguardanti iscrizione temporanea nel ruolo del naviglio ausiliario dello Stato, categorie dragamine e scorta convogli, di navi mercantili requisite per esigenze delle Forze armate;

Visto il R. decreto 12 luglio 1940, registrato alla Corte dei conti il 26 luglio 1940, registro n. 10, foglio n. 159, riguardante iscrizione temporanea nel ruolo del naviglio ausiliario dello Stato, categoria dragamine, di navi mercantili requisite per esigenze delle Forze armate;

Visti i Regi decreti 18 e 25 agosto 1940, registrati rispettivamente alla Corte dei conti il 4 e 12 settembre 1940, registri nn. 11 e 12, fogli nn. 406, 151 e 155, riguardanti iscrizione temporanea nel ruolo del naviglio ausiliario dello Stato, categorie dragamine e navi da crociera, di navi mercantili requisite per esigenze delle Forze armate;

Visti i Regi decreti 5 settembre e 11 ottobre 1940, registrati rispettivamente alla Corte dei conti il 23 settembre e 31 ottobre 1940, registri nn. 13 e 15, fogli nn. 12 e 27, riguardanti iscrizione temporanea nel ruolo del naviglio ausiliario dello Stato, categoria dragamine, di navi mercantili requisite per esigenze delle Forze armate;

Visti i Regi decreti 30 gennaio, 20 febbraio, 31 marzo, 19 luglio e 25 luglio 1941, registrati rispettivamente alla Corte dei conti il 14 febbraio, 5 marzo, 25 aprile, 12 agosto e 22 agosto 1941, registri nn. 2 (fogli nn. 446 e 448), 3, 5, 10 e 11, fogli nn. 122, 397, 373 e 83, riguardanti iscrizione temporanea nel ruolo del naviglio ausiliario dello Stato, categorie dragamine, navi da crociera e onorarie, di navi mercantili requisite per esigenze delle Forze armate;

1703

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Visti i Regi decreti 8 agosto e 5 settembre 1942, registrati rispettivamente alla Corte dei conti il 9 e 24 settembre 1942, registro n. 11, fogli nn. 198 e 450, riguardanti iscrizione temporanea nel ruolo del naviglio ausiliario dello Stato, categoria navi onorarie, di navi mercantili requisite per esigenze delle Forze armate;

Visti i Regi decreti 11 gennaio e 18 maggio 1943, registrati rispettivamente alla Corte dei conti il 9 e 13 giugno 1943, registri nn. 2 e 8, fogli nn. 309 e 427, riguardanti iscrizione temporanea nel ruolo del naviglio ausiliario dello Stato, categoria navi onerarie e dragamine, di navi mercantili requisite per esigenze delle Forze armate;

Visti i decreti Luogotenenziali 1° e 22 marzo 1945, registrati rispettivamente alla Corte dei conti il 22 marzo e 5 aprile 1945, registri nn. 2 e 3, fogli nn. 353 e 112, riguardanti iscrizione temporanea nel ruolo del naviglio ausiliario dello Stato, categorie dragamine e navi onerarie, di navi mercantili requisite per esigenze delle Forze armate;

Sulla proposta del Ministro Segretario di Stato per la marina;

Abbiamo decretato e decretiamo:

Le seguenti navi mercantili, già iscritte nel ruolo del naviglio ausiliario dello Stato, sono radiate da detto ruolo dall'ora e dalla data indicata a fianco di ciascuna di esse:

Piroscafo « Pola »: dalle ore zero del 1° maggio 1944;

Motopeschereccio « S. Umberto »: dalle ore 24 del 20 gennaio 1945;

Motopeschereccio « S. Antonio di Padova »: dalle ore 24 del 15 settembre 1943;

Motopeschereccio « Maria Isola »: dalle ore 24 dell'8 settembre 1943;

Motopeschereccio « Montargentario »: dalle ore 24 dell'8 settembre 1943;

Motopeschereccio « Sandra »: dalle ore 24 dell'8 settembre 1943;

Motopeschereccio « Maria Teresa »: dalle ore zero del 16 gennaio 1945;

Motopeschereccio « Fiume »: dalle ore 24 del 10 settembre 1943;

Motopeschereccio « Angelina »: dalle ore 24 del 15 settembre 1943;

Motopeschereccio « S. Francesco »: dalle ore 24 dell'8 settembre 1943;

Motopeschereccio « Nettuno »: dalle ore 10 dell'8 marzo 1945;

Motoveliero « Alma »: dalle ore 24 del 24 dicembre 1943;

Motopeschereccio « Libia »: dalle ore 24 del 22 marzo 1943;

Piropeschereccio « Maria SS. della Catena »: dalle ore 24 del 30 ottobre 1943;

Motopeschereccio « S. Nicola I »: dalle ore 18 del 20 marzo 1945;

Motopeschereccio « Oriente » dalle ore 12 del 20 agosto 1944;

Motopeschereccio « Maria Santissima »: dalle ore 24 del 1° luglio 1943;

Motoveliero « Esterina »: dalle ore 24 dell'11 settembre 1943;

Motopeschereccio « Delfino »: dalle ore 24 del 28 marzo 1945;

Motopeschereccio « SS. Antonio e Francesco »: dalle ore 24 del 30 settembre 1944;

Motopeschereccio « Sant'Efisio »: dalle ore 24 dell'8 settembre 1943;

Motoveliero « Elena »: dalla ore 15 del 24 novembre 1944;

Piroscafo « Toscana »: dalle ore 8 del 6 febbraio 1944;

Motopeschereccio « Cuore di Gesù »: dalle ore 24 dell'11 giugno 1944;

Motopeschereccio « Riccardo Cuor di Leone »: dalle ore 24 del 15 settembre 1943;

Motoveliero « Angiolina »: dalle ore 24 del 19 aprile 1944;

Motoveliero « Adele »: dalle ore zero del 29 marzo 1945;

Motovelieto « La Vittoria »: dalle ore 24 del 19 ottobre 1944;

Motopeschereccio « Vincere »: dalle ore 24 dell'8 settembre 1943;

Motobarca « Maria delle Grazie »: dalle ore 11 del 27 dicembre 1944;

Motobilancella « S. Rita »: dalle ore 24 del 7 marzo 1945.

Il Ministro per la marina è incaricato dell'esecuzione del presente decreto che sarà comunicato alla Corte dei conti per la registrazione.

Dato a Roma, addì 7 giugno 1945

UMBERTO DI SAVOIA

DE COURTEN

Registrato alla Corte dei conti, addì 22 giugno 1945
Registro Marina n. 5, foglio n. 236.

(997)

DECRETO MINISTERIALE 14 maggio 1945.

Costituzione della Commissione arbitrale centrale per gli infortuni sul lavoro in agricoltura.

IL MINISTRO
PER L'INDUSTRIA IL COMMERCIO E IL LAVORO

Veduto l'art. 15 del decreto legislativo Luogotenenziale 23 agosto 1917, n. 1450, modificato col R. decreto-legge 11 febbraio 1923, n. 432, concernente l'assicurazione obbligatoria contro gli infortuni sul lavoro in agricoltura;

Ritenuto che la Commissione arbitrale centrale per gli infortuni sul lavoro in agricoltura, costituita, ai sensi del predetto articolo, con decreto del Ministro per le corporazioni in data 28 gennaio 1942, è scaduta per compiuto triennio, giusta il disposto dell'art. 125 del regolamento 21 novembre 1918, n. 1889, ed è perciò necessario provvedere alla sua rinnovazione;

1704

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Veduta la lettera n. 656 del novembre 1944, con cui il Primo presidente della Corte Suprema di cassazione ha provveduto alla nomina del presidente effettivo della Commissione e del suo supplente;

Vedute le designazioni fatte dal Ministero dell'agricoltura e delle foreste nonchè quelle della Federazione italiana degli agricoltori, della Federazione nazionale coltivatori diretti e della Confederazione generale italiana del lavoro;

Di concerto con il Ministro Segretario di Stato per l'agricoltura e le foreste;

Decreta:

Art. 1.

La Commissione arbitrale centrale per gli infortuni sul lavoro in agricoltura, istituita dal citato art. 15 del decreto-legge Luogotenenziale 23 agosto 1917, numero 1450, è composta come segue:

1) Dott. Petraccone Giovanni, consigliere della Corte di cassazione, presidente effettivo;

2) Dott. Felici Luigi, consigliere della Corte di cassazione, presidente supplente;

Funzionari del Ministero dell'industria del commercio e del lavoro:

3) Dott. Simeone Francesco, ispettore generale, membro effettivo;

4) Dott. Maganelli Adolfo, direttore capo divisione membro supplente;

Funzionari del Ministero dell'agricoltura e delle foreste:

5) Dott. Apicella Amedeo, ispettore generale, membro effettivo;

6) Dott. Posiso Italo, direttore capo divisione, membro supplente;

Sanitari:

7) Prof. dott. Diez Salvatore, membro effettivo;

8) Prof. dott. Tata Riccardo, membro effettivo;

9) Prof. dott. Belinei Oreste, membro supplente;

10) Col. dott. Pellegrini Oreste, membro supplente;

Rappresentanti delle persone soggette all'obbligo della assicurazione:

11) Avv. Merlino Lucco, membro effettivo;

12) Dott. Cervi Attilio, membro supplente;

Rappresentanti delle persone assicurate:

13) On. Fabbri Paolo, membro effettivo;

14) Sig. Pastore Raffaele, membro supplente.

Art. 2.

A coprire la carica di segretario della Commissione è chiamato il dott. Rossi Manlio, consigliere del Ministero dell'industria, del commercio e del lavoro.

Roma, addì 11 maggio 1945

Il Ministro per l'industria, commercio e lavoro
GRONCHI

Il Ministro per l'agricoltura e le foreste
GULLO

(999)

DECRETO MINISTERIALE 10 giugno 1945.

Convalida di provvedimenti di licenziamento del personale della Cassa nazionale di assistenza per gli impiegati agricoli e forestali.

IL MINISTRO
PER L'INDUSTRIA, IL COMMERCIO E IL LAVORO

Visto l'art. 2 del decreto-legge Luogotenenziale 5 ottobre 1944, n. 249, nel quale è stabilito che sono privi di efficacia giuridica i provvedimenti adottati sotto l'impero del sedicente governo della repubblica sociale italiana concernenti, fra l'altro, la cessazione dal servizio dei dipendenti degli enti pubblici e degli enti sottoposti a vigilanza o tutela dello Stato;

Visto il successivo art. 3 nel quale è stato disposto che i provvedimenti di cui al suaccennato art. 2 possono essere dichiarati validi, con decreto motivato del Ministro competente, entro un anno dall'entrata in vigore del predetto decreto legislativo Luogotenenziale 5 ottobre 1944, n. 249;

Vista la lettera n. 997 dell'8 gennaio 1945, con la quale il commissario della Cassa nazionale di assistenza per gli impiegati agricoli e forestali propone la convalida dei provvedimenti di licenziamento nei confronti di alcuni impiegati di ruolo che non si sono ripresentati in servizio alla data del 30 novembre 1944, di quelli che furono assunti in sostituzione di richiamati e dei liberi professionisti assunti ad onorario;

Considerato che ai licenziamenti di cui sopra provvide dalle ridotte esigenze di servizio dell'Ente fu estranea ogni considerazione o direttiva di carattere politico;

Che, avendo la maggior parte degli impiegati richiamati alle armi già ripreso servizio si rende effettivamente superflua l'opera del personale assunto in sostituzione;

Che data l'attuale limitata attività dell'Ente l'opera dei liberi professionisti è tuttora da ritenersi superflua;

Che, per le considerazioni di cui sopra anche gli impiegati di ruolo che attualmente prestano servizio sono ampiamente sufficienti per l'attività dell'Ente, la cui situazione economica non consente di conservare l'impiego al rimanente personale non ripresentatosi;

Decreta:

Art. 1.

Sono convalidati, alle date in cui furono effettivamente adottati e limitatamente al personale sottoindicato i provvedimenti di licenziamento disposti dalla Cassa nazionale di assistenza per gli impiegati agricoli e forestali, sotto l'impero del sedicente governo della repubblica sociale italiana:

a) personale di ruolo che non ha ripreso servizio alla data del 30 novembre 1944;

b) personale già assunto in sostituzione di richiamati;

c) liberi professionisti assunti ad onorario.

Art. 2.

Il presente decreto sarà pubblicato nella *Gazzetta Ufficiale* del Regno.

Roma, addì 10 giugno 1945

Il Ministro: GRONCHI

(1002)

1705

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DISPOSIZIONI E COMUNICATI

MINISTERO DEL TESORO

DIREZIONE GENERALE DEL DEBITO PUBBLICO

Diffide per smarrimento di buoni del Tesoro

(2ª *pubblicazione*). Avviso n. 10.

In conformità dell'art. 15 del regolamento 8 giugno 1913, n. 700, e art. 16 decreto legislativo Luogotenenziale 25 gennaio 1945, n. 19, si notifica che è stato denunziato lo smarrimento del buono del Tesoro 5% n. 19437 (1935) serie A, di L. 500.000 capitale nominale, intestato a Buffardi Giovanni fu Salvatore, minore sotto la patria potestà della madre Pepano Assunta fu Francesco ved. Buffardi, col pagamento degli interessi in Roma.

Si diffida chiunque possa avervi interesse che, trascorsi otto mesi dalla data della prima pubblicazione del presente avviso nella *Gazzetta Ufficiale* del Regno, senza che siano pervenute opposizioni, ai sensi dell'art. 15 del menzionato regolamento, si provvederà all'emissione del nuovo buono al nome del suddetto titolare.

Roma, addì 20 aprile 1945

Il direttore generale: PONTRANDOLFO

(665)

(2ª *pubblicazione*). Avviso n. 11.

In conformità dell'art. 15 del regolamento 8 giugno 1913, n. 700, e art. 16 decreto legislativo Luogotenenziale 25 gennaio 1945, n. 19, si notifica che è stato denunziato lo smarrimento dei buoni del Tesoro 5%: n. 6655 (1936) serie A, di L. 1000 capitale nominale; n. 162 (1950) serie 2ª, di L. 50.000; n. 562 (1949) serie M, di L. 500; n. 183 (1950) serie 2ª, di L. 10.000; n. 156 (1950) serie 2ª, di L. 20.000, tutti intestati a Li Greci Concetta di Guglielmo, moglie di Fazzio Giuseppe fu Antonio, vincolati per dote, col pagamento degli interessi in Siracusa.

Si diffida chiunque possa avervi interesse che, trascorsi otto mesi dalla data della prima pubblicazione del presente avviso nella *Gazzetta Ufficiale* del Regno, senza che siano pervenute opposizioni, ai sensi dell'art. 15 del menzionato regolamento, si provvederà all'emissione dei nuovi buoni al nome del suddetto titolare.

Roma, addì 20 aprile 1945

Il direttore generale: PONTRANDOLFO

(666)

MINISTERO DEL TESORO

DIREZIONE GENERALE DEL TESORO - PORTAFOGLIO DELLO STATO

Media dei titoli del 2 luglio 1945 - N. 147

Rendita 3,50 % 1906	L.	114,30
Id. 3,50 % 1902	»	87 —
Id. 3 % lordo	»	73,20
Id. 5 % 1935	»	98 —
Redimibile 5,50 % 1934	»	91,80
Id. 5 % 1936	»	98 —
Obbligazioni Venezie 3,50 %	»	98 —
Buoni del Tesoro 5 % (15 giugno 1948)	»	98,05
Id. 5 % (15 febbraio 1949)	»	97,90
Id. 5 % (15 febbraio 1950)	»	97,80
Id. 5 % (15 settembre 1950)	»	97,75
Id. 5 % (15 aprile 1951)	»	97,70
Id. 5 % (15 settembre 1951)	»	91,70

DISPOSIZIONI E COMUNICATI DEL GOVERNO MILITARE ALLEATO

AVVISO

Si comunica a chi di ragione che nessuna delle disposizioni della Commissione Alleata e del Governo Militare Alleato, pubblicate a partire dall'8 settembre 1943 o da pubblicarsi nella *Gazzetta Ufficiale* del Regno o nella Raccolta ufficiale dei provvedimenti emanati dal Governo Italiano e riguardanti la esecutorietà dei provvedimenti del Governo Italiano nel territorio soggetto al Governo Militare Alleato, è applicabile in altra parte della Venezia Giulia che sia sotto l'amministrazione del Governo Militare Alleato.

In data 26 giugno 1945

G. R. UPJOHN
BRIGADIERE GENERALE
in nome e per conto dell'Ufficiale Capo degli Affari Civili del Governo Militare Alleato

(1009)

Io, Brigadiere Generale G. R. UPJOHN, in nome e per conto dell'Ufficiale Capo degli Affari Civili del Governo Militare Alleato, con la presente ordino che i decreti contenuti nella *Gazzetta Ufficiale* n. 69 del 9 giugno 1945 entrino in vigore ed abbiano piena forza ed effetto di legge nel territorio soggetto al Governo Militare Alleato a partire dalla data in cui il Prefetto di ciascuna Provincia soggetta, totalmente o parzialmente, al Governo Militare Alleato riceverà dal Governo Militare Alleato una copia del presente numero della *Gazzetta Ufficiale*.

E' esclusa dalla presente ordinanza il sottoindicato decreto, il quale viene pubblicato nel detto territorio a solo titolo informativo.

In data 27 giugno 1945

G. R. UPJOHN
BRIGADIERE GENERALE
in nome e per conto dell'Ufficiale Capo degli Affari Civili del Governo Militare Alleato

DECRETO MINISTERIALE 1 GIUGNO 1945.

Autorizzazione alla Società anonima « Assicurazioni Generali », con sede in Trieste, ad aumentare le proprie tariffe di assicurazione sulla vita attualmente in vigore.

(1010)

Io, Brigadiere Generale G. R. UPJOHN, in nome e per conto dell'Ufficiale Capo degli Affari Civili del Governo Militare Alleato, con la presente ordino che i decreti contenuti nella *Gazzetta Ufficiale* n. 72 del 16 giugno 1945 entrino in vigore ed abbiano piena forza ed effetto di legge nel territorio soggetto al Governo Militare Alleato a partire dalla data in cui il Prefetto di ciascuna Provincia soggetta, totalmente o parzialmente, al Governo Militare Alleato riceverà dal Governo Militare Alleato una copia del presente numero della *Gazzetta Ufficiale*, con eccezione, tuttavia, del decreto Ministeriale 8 giugno 1945 (Norme relative al contingentamento dei semi secchi di leguminose del raccolto 1945) nei confronti del quale dispongo quanto segue:

a) nel territorio soggetto al Governo Militare Alleato situato a sud della linea che delimita i confini

1706

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settentrionali delle provincie di Ravenna, Firenze, Pistoia, Lucca ed Apuania tale decreto entra in vigore ed ha piena forza ed effetto di legge a partire dalla data in cui il Prefetto di ciascuna Provincia soggetta, totalmente o parzialmente, al Governo Militare Alleato riceverà dal Governo Militare Alleato una copia del presente numero della *Gazzetta Ufficiale*;

b) nel territorio soggetto al Governo Militare Alleato situato al nord della suindicata linea, tale decreto è, invece, escluso dall'esecutorietà e viene pubblicato nel detto territorio a solo titolo informativo.

Sono esclusi dalla presente ordinanza i sottoindicati decreti, i quali vengono pubblicati nel territorio soggetto al Governo Militare Alleato a solo titolo informativo.

In data 28 giugno 1945

G. R. UPJOHN
BRIGADIERE GENERALE
In nome e per conto dell'Ufficiale Capo degli Affari Civili del Governo Militare Alleato

DECRETO MINISTERIALE 7 GIUGNO 1945.
Autorizzazione alla Rappresentanza della società francese di assicurazione «Il Mondo» ad apportare alcuni aumenti alle proprie tariffe di assicurazione sulla vita, ordinaria e postuma, attualmente in vigore.

DECRETO MINISTERIALE 7 GIUGNO 1945.
Autorizzazione alla Società di assicurazione «Alleanza» ad apportare alcuni aumenti alle proprie tariffe di assicurazione sulla vita attualmente in vigore.

DECRETO MINISTERIALE 7 GIUGNO 1945.
Autorizzazione alla Società anonima «Italiana Vita» ad apportare alcuni aumenti alle proprie tariffe di assicurazione sulla vita attualmente in vigore.

(1011)

Visto il decreto legislativo Luogotenenziale 22 aprile 1945, n. 180 (Trattamento economico del dipendenti pubblici e del pensionati ordinari e di guerra residenti nelle Provincie settentrionali) pubblicato nella *Gazzetta Ufficiale* del 12 maggio 1945, n. 54, e reso esecutivo nel territorio soggetto al Governo Militare Alleato in virtù della ordinanza del Governo Militare Alleato pubblicata nella *Gazzetta Ufficiale* del 7 giugno 1945, n. 68;

visto che con le ordinanze nn. 1 e 2 pubblicate nel supplemento ordinario alla *Gazzetta Ufficiale* n. 51 del 28 aprile 1945 taluni decreti emanati dal Governo Italiano sono stati esclusi dalla esecutorietà, nelle Provincie soggette al Governo Militare Alleato situate al nord della linea che delimita i confini settentrionali delle provincie di Ravenna, Firenze, Pistoia, Lucca e Apuania;

ora, pertanto, in parziale deroga alle disposizioni delle ridetta ordinanze, Io, Brigadiere Generale G. R. Upjohn, in nome e per conto dell'Ufficiale Capo degli Affari Civili del Governo Militare Alleato, ordino che i decreti elencati nella tabella annessa alla presente abbiano piena forza ed effetto di legge in ogni Provincia del territorio soggetto al Governo Militare Alleato situata al nord della linea che delimita i confini settentrionali delle provincie di Ravenna, Firenze, Pistoia, Lucca ed Apuania a partire dalla data in cui il Prefetto di ciascuna Provincia riceverà dal Governo Militare Alleato una copia del presente numero della *Gazzetta Ufficiale*. Tutti i pagamenti previsti dai ridetti decreti avranno tuttavia inizio nel summenzionato territorio a partire dalla data del 1° maggio 1945.

In data 28 giugno 1945

G. R. UPJOHN
BRIGADIERE GENERALE
In nome e per conto dell'Ufficiale Capo degli Affari Civili del Governo Militare Alleato

TABELLA

REGIO DECRETO-LEGGE 6 NOVEMBRE 1943, N. 13/B.
Miglioramenti economici di carattere temporaneo a favore del personale statale e dei dipendenti degli Enti ausiliari dello Stato e di diritto pubblico.

DECRETO LEGISLATIVO LUOGOTENENZIALE 18 NOVEMBRE 1944, N. 323.
Miglioramenti economici a favore del personale statale e dei dipendenti degli Enti pubblici locali e parastatali.

REGIO DECRETO-LEGGE 13 MARZO 1945, N. 85.
Miglioramenti economici a favore dei titolari di pensioni.

DECRETO LEGISLATIVO LUOGOTENENZIALE 30 GENNAIO 1945, N. 51.
Revisione del trattamento economico del personale in quiescenza.

DECRETO LEGISLATIVO LUOGOTENENZIALE 11 GENNAIO 1945, N. 3.
Miglioramenti economici a favore degli ufficiali giudiziari e dei connessi autorizzati.

(1012)

In conformità all'ordinanza del Governo Militare Alleato che è stata pubblicata nella *Gazzetta Ufficiale* n. 68 del 7 giugno 1945 e che rendera esecutivo nel territorio soggetto al Governo Militare Alleato il decreto legislativo Luogotenenziale 12 aprile 1945, n. 201, pubblicato nella *Gazzetta Ufficiale* n. 59 del 17 maggio 1945, il quale decreto legislativo Luogotenenziale prevede all'articolo 5 che i termini per la formazione delle liste elettorali nelle Provincie non ancora restituite al Governo Italiano saranno fissati dal Governo Militare Alleato;

Io, Brigadiere Generale G. R. Upjohn, in nome e per conto dell'Ufficiale Capo degli Affari Civili del Governo Militare Alleato, con la presente ordino che i termini per la formazione delle liste elettorali in tutte le provincie dell'Emilia, della Liguria, del Piemonte, della Lombardia, della Venezia Tridentina, del Veneto e nelle provincie di Lucca ed Apuania, decorrano dal 15 luglio 1945.

La presente ordinanza entra in vigore in ciascuna delle su menzionate Provincie a partire dalla data in cui il Prefetto di detta Provincie riceverà dal Governo Militare Alleato una copia del presente numero della *Gazzetta Ufficiale*.

In data 3 luglio 1945

G. R. UPJOHN
BRIGADIERE GENERALE
In nome e per conto dell'Ufficiale Capo degli Affari Civili del Governo Militare Alleato

(1013)

4445

GIOLITTI GIUSEPPE, *direttore*

Roma - Istituto Poligrafico dello Stato - G. C.

QUARTIERE ALLIED COMMISSION
APO 394
FINANCE SUB-COMMISSION

250/206

13065/F

13 April 1945.

SUBJECT: Increase of Salaries, Wages and Pensions.

TO : Regional Commissioner, Umbria-Marche Region (for RFO)
" " Toscana " " "
" " Emilia " " "
" " Piemonte " " "
" " Liguria " " "
" " Lombardia " " "
" " Venezie " " "
S.C.A.O., AMG 5th Army (for SFO)
" " 8th " " "

1. By DLL 13 March 1945, n. 116 (Gazzetta Ufficiale 10th April 1945, n. 43) the salaries, wages and pensions of public employees were further increased.

2. The decree provides for:-

(i) a 50% increase in the basic salary or wages as fixed by DLL 18 Nov. 1944, n. 328;

(ii) a 100% increase in the family allowances at present being paid;

(iii) a food ration indemnity of 66.66 lire per day - subject to a reduction of 10% in towns of less than 200,000 inhabitants and of 20% in towns less than 50,000 inhabitants;

(iv) the application of the 70% to 10% "temporary increase" granted by RDL 6 Dec. 1943, n. 18/B to the new salary and wage scales, including family allowance. With the inception of these new scales the indemnities for offese belliche (bombardamento) and giornaliera di disagiatissima residenza are abolished. The monthly indemnity payable under DLL 22 Feb. 1945, n. 38 (caro pane) is absorbed into the new daily food ration indemnity.

The new increases apply to all State salaries and wages, the pay of military personnel, the wages of permanently employed labourers and the salaries or wages of non di ruolo (unestablished) State personnel, and are extended to employees of communes, provinces or other public bodies. 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 the DLL 30 Jan. 1945, n. 41. A translation of the decree is attached.

3. It is intended that the provisions of this decree will be implemented in the provinces Grosseto, Siena, Arezzo, Firenze, Pistoia, Massa, Lucca, Pisa, Livorno (Toscana Region), Pesaro, Ancona, Macerata, Ascoli, Perugia and Terni (Umbria-Marche Region). The decree will not be implemented in any part of Italy north of Toscana or Umbria-Marche regions until further instructions are issued. Attention is specially directed to circular letter of 31st March 1945, reference AC/4010/9/L entitled "Economic Decrees".

By Command of Rear Admiral STONE.

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" " Venezie " " "
S.C.A.O., AMG 5th Army (for STC)
" " 8th " " "

1. By DLL 13 March 1945, n. 116 (Gazzetta Ufficiale 10th April 1945, n. 43) the salaries, wages and pensions of public employees were further increased.

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(i) a 50% increase in the basic salary or wages as fixed by DLL 18 Nov. 1944, n. 328;

(ii) a 100% increase in the family allowances at present being paid;

(iii) a food ration indemnity of 66.66 lire per day - subject to a reduction of 10% in towns of less than 200,000 inhabitants and of 20% in towns less than 50,000 inhabitants;

(iv) the application of the 70% to 10% "temporary increase" granted by RDL 6 Dec. 1943, n. 18/B to the new salary and wage scales, including family allowance. With the inception of these new scales the indemnities for offese belliche (bombardamento) and giornaliera di disagiatissima residenza are abolished. The monthly indemnity payable under DLL 22 Feb. 1945, n. 38 (caro pane) is absorbed into the new daily food ration indemnity.

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3. It is intended that the provisions of this decree will be implemented in the provinces Grosseto, Siena, Arezzo, Firenze, Pistoia, Massa, Lucca, Pisa, Livorno (Toscana Region), Pesaro, Ancona, Macerata, Ascoli, Perugia and Terni (Umbria-Marche Region). The decree will not be implemented in any part of Italy north of Toscana or Umbria-Marche regions until further instructions are issued. Attention is specially directed to circular letter of 31st March 1945, reference AC/4010/9/L entitled "Economic Decrees".

By Command of Rear Admiral STONE.

Joint Director,
Finance Sub-Commission.

Copies to: Labor sub-Commission (15).

Distribution to Regions and Armies: AMG 5th Army 15,
Umbria-Marche Region 25 copies AMG 8th Army 15.

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Toscana Region	- 60 copies	)	Sufficient for distribution
Emilia Region	- 50 copies	)	down to Provincial Commissioners,
Liguria Region	- 30 copies	)	Provincial Finance Officers,
Piemonte Region	- 45 copies	)	Provincial Labour Officers and
Lombardia Region	- 50 copies	)	Provincial Legal Officers.
Venezie Region	- 60 copies	)	

Declassified E.O. 12356 Section 3.3/NND No. 785021

Declassified E.O. 12356 Section 3.3/NND No. 785021

[illegible] March 1945, n. 115, providing for Increases in Salaries, Wages, and Pensions of Public Employees

Art. 1.

Payments to personnel of State administration, including autonomous agencies, are increased by 50% of the amount resulting from the application of DLL 18 Nov. 1944, n. 328, 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 (aggiunta 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 Administration of the State, including Railway personnel of an equal grade, and marescialli 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 administration, permanent laborers, and Railway personnel of equal grades;
2) Brigadieri, vice-brigadieri, graduates and privates of the R. Carabinieri and corresponding grades of the R. Guardie 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 Feb. 1937, n. 100, converted into law June 7, 1937, n. 1108 and subsequent variations;
5) Auxiliary Railway personnel entitled to the indemnity for family dependents according to Art. 1, sub-art. 16 of RDL 17 Nov. 1938, n. 1785, converted into law 5 Jan. 1939, n. 19, 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, n. 2941 and subsequent variations.
7) "Non di ruolo" State salaried personnel entitled to the indemnity for family dependents according to Art. 11 of Law 20 April 1939, n. 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 caroviveri, are granted, instead of said caroviveri, 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 RDL 24 March, 1941, n. 203.

Art. 3.

Personnel engaged "a fermo temporaneo" under RD June 8, 1942, n. 740, as

4) [illegible]
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.

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

1) Subordinate personnel "di ruolo" of State administration, permanent laborers, and Railway personnel of equal grades;
2) Brigadieri, vice-brigadieri, graduates and privates of the R. Carabinieri and corresponding grades of the R. Guardie 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 Feb. 1937, n. 100, converted into law June 7, 1937, n. 1108 and subsequent variations;
5) Auxiliary Railway personnel entitled to the indemnity for family dependents according to Art. 1, sub-art. 16 of RDL 17 Nov. 1938, n. 1785, converted into law 5 Jan. 1939, n. 19, 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, n. 2941 and subsequent variations.
7) "Non di ruolo" State salaried personnel entitled to the indemnity for family dependents according to Art. 11 of Law 20 April 1939, n. 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 caroviveri, are granted, instead of said caroviveri, 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 dependants is also doubled for personnel included in Arts. 2 and 3 of RDL 24 March, 1941, n. 203.

Art. 3.

Personnel engaged "a ferma temporanea" under RD June 8, 1942, n. 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 RDL 4 Feb. 1937, n. 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 Nov. 1923, n. 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 Dec. 1943, n. 1, B, as well as the amount of the increase accorded by Arts. 4 and 7 of DLL 18 Dec. 1944, n. 328, but will have no effect on the other

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indemnities and allowances for active service which are regulated by the laws creating them.

Art. 5 of RDL 6 Dec. 1943, n. 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 para 1 of Art. 1 above. This allowance is also granted to:-

1) Commission agents of the Post and Telegraph services, of the Lotto, to "assuntori" of 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 administration.

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 Dec. 1943, n. 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 therefor, whether totally or partially; except, however, where optional decision is allowed for the more favorable treatment.

Where various employments are involved, as allowed by 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, n. 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 ajusted 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.

Art. 8

The daily indemnity of Art. 2 of RDL 16 Dec. 1942, n. 1498 and that of Disagiatissima residenza of Art. 10 of DLL 18 Nov. 1944, n. 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 DLL 22 Feb. 1945, n. 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 sub-

Declassified E.O. 12356 Section 3.3/NND No. 785021

element involved;

2) Employees of such commission agents. The amount will be reimbursed to the agents by their superior administration.

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 Dec. 1943, n. 18/B.

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

Where various employments are involved, as allowed by 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, n. 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.

Art. 8

The daily indemnity of Art. 2 of RDL 16 Dec. 1942, n. 1498 and that of Disagiatissima residenza of Art. 10 of DLL 18 Nov. 1944, n. 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 DLL 22 Feb. 1945, n. 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.

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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

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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 attached or directly dependent upon such Enti, whose personnel are not subject to Juridical control of collective labor contracts, are authorised 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 3,000 lire gross, monthly, the allowances in force on 15 Feb. 1945, increased by the monthly indemnity (personal rate and family rates) provided with RDL 24 Feb. 1945, n. 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 DLL 30 Jan. 1945, n. 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 DLL 30 Jan. 1945, n. 41.

Pensions and other grants to personnel of categories indicated in Arts. 4 and 5 of DLL 30 Jan. 1945, n. 41, whether liquidated or to be reliquidated, are increased by 50%.

The temporary integrations provided by RDL 13 March 1944, n. 85, and by DLL 23 Sept. 1944, n. 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 DLL 30 Jan. 1945, n. 41, are raised from L. 3,400 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 n. 41 for the granting of the caroviveri therein indicated, is 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 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 DLL 30 Jan. 1945, n. 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 administration. 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 the Allied Military Government.

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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 DLL 30 Jan. 1945, n. 41.

Pensions and other grants to personnel of categories indicated in Arts. 4 and 5 of DLL 30 Jan. 1945, n. 41, whether liquidated or to be reliquidated, are increased by 50%.

The temporary integrations provided by RDL 13 March 1944, n. 85, and by DLL 23 Sept. 1944, n. 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 DLL 30 Jan. 1945, n. 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 n. 41 for the granting of the caroviveri therein indicated, is 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 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 DLL 30 Jan. 1945, n. 41, will be observed.

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The increase on pensions arising from article 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 the Allied Military Government.

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

We order.....

Declassified E.O. 12356 Section 3.3/NND No. 785021

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB COMMISSION

DCS/ac

REF : LSC/206 9 April 1945

SUBJECT: Implementation of Italian Government Decrees

TO : Files.

1. Col. Behrens, Legal Sub-COMMISSION has advised that it has been decided that the Province of APUANIA, also known as MASSA will be considered as part of present AMG territory insofar as the new economic policy for the North is concerned - in other words - the line separating the North for the purpose of the administration of the policy will consist of the Northern boundaries of: Pesaro, Arezzo, Firenze, Pistoia, Lucca and Apuania (Massa) or, stated differently, the southern boundaries of Emilia and Liguria Regions.

2. Col. Behrens was advised that the position of the Labour Sub-Commission with respect to wage decrees is that all decrees which have been implemented in present AMG territory should be implemented in Apuania but without retroactivity. An exception, however, will be the decree providing for Christmas bonuses and the 13th month.

DAVID O. SACHS
Labour Sub-Commission.

Declassified E.O. 12356 Section 3.3/NND No. 785021

TO : Files.

1. Col. Behrens, Legal Sub-COMMISSION has advised that it has been decided that the Province of APUANIA, also known as MASSA will be considered as part of present AMG territory insofar as the new economic policy for the North is concerned - in other words - the line separating the North for the purpose of the administration of the policy will consist of the Northern boundaries of: Pesaro, Arezzo, Firenze, Pistoia, Lucca and Apuania (Massa) or, stated differently, the southern boundaries of Emilia and Liguria Regions.

2. Col. Behrens was advised that the position of the Labour Sub-Commission with respect to wage decrees is that all decrees which have been implemented in present AMG territory should be implemented in Apuania but without retroactivity. An exception, however, will be the decree providing for Christmas bonuses and the 13th month.

DAVID O. MACMS
Labour Sub-Commission.

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L&L/206

HEADQUARTERS ALLIED COMMISSION
APO 394
OFFICE OF THE EXECUTIVE COMMISSIONER

AC/4010/9/L. /rlp.

31 March 1945.

SUBJECT : Economic Decrees.

TO : Regional Commissioner, TOSCANA, EMILIA, LIGURIA, PIEMONTE, LOMBARDIA, and VENEZIA Regions. (for distribution see Page 3)

1. The Italian Government has passed the following (and other) legislation for the financial improvement of economic conditions of State and private employees:

RDL No. 18/B of 6 Dec 43
RDL No. 23/B of 7 Dec 43
DLL No. 303 of 2 Nov 44
DLL No. 307 of 9 Nov 44
DLL No. 328 of 18 Nov 44.

2. These decrees provide for wage increases and allowances commencing at dates other than the effective date of commencement of operation of the law and in the case of the first two decrees for payments retrospective to 1 Nov 43.

3. In the provinces of FORLI and RAVENNA, Provincial orders have already been issued bringing the above five decrees into operation, but without retroactive effect.

4. It has been decided that in the remaining provinces of Northern Italy, these five decrees will either not be implemented at all or will be implemented without the full retrospective date as stated hereafter.

5. RDL No. 18/B of 6 Dec 43 will be implemented in AMG Territory, but the increases and allowances granted by this decree will be retroactive only to the date of liberation of the provincial capital. The same principle applies to other financial decrees which are enumerated in para. 10 b hereof.

6. The decision whether or not to implement RDL No. 23/B of 7 Dec 43, DLL No. 303 of 2 Nov 44, DLL No. 307 of 9 Nov 44 and DLL No. 328 of 18 Nov 44, will depend upon the economic conditions found in any particular locality after liberation. In accordance with the wishes of the Italian Government, it has been decided to exclude these decrees from immediate implementation. If, however, the Provincial Commissioner of any province considers that the economic conditions of that province require the operation of all or any of these decrees he may recommend to this Hq (Labor Sub-Commission) that they be brought into effect and that payments thereunder be made from any date which he considers appropriate provided such date is not earlier than the liberation of the provincial capital.

7. In order to give effect to these decisions it has been necessary to devise a particular form of implementation order for publication in the Gazzetta Ufficiale. The purpose of this order is to prevent the automatic operation of the full retrospective effect of the decrees which any simple implementation order would produce.

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4. It has been decided that in the remaining provinces of Northern Italy, these five decrees will either not be implemented at all or will be implemented without the full retrospective date as stated hereafter.

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7. In order to give effect to these decisions it has been necessary to devise a particular form of implementation order for publication in the Gazzetta Ufficiale. The purpose of this order is to prevent the automatic operation of the full retrospective effect of the decrees which any simple implementation order would produce.

8. This implementation order involves the publication by the Provincial Commissioner of a Provincial Order notifying the effective date upon which payment shall start under RDL No. 18/B of 6 Dec 43 and under certain other decrees mentioned in para. 10 b hereof. This date will be the date of liberation of the provincial capital. 4438

If the Provincial Commissioner requests and obtains permission to bring into operation all or some of the decrees mentioned in para. 6, he will have to

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issue a further Provincial Order to this effect. The date of commencement of payments must be stated. This can be at the discretion of the Provincial Commissioner but must not be earlier than the date of liberation of the provincial capital.

9. It is pointed out that considerable difficulties are likely to be caused if an attempt is made to bring these decrees or any of them into operation in any province by means of a Special Provincial Order published before the official procedure for the implementation of Italian decrees has become operative in that province. It is strongly recommended that the implementation procedure be brought into operation in all areas at or before the time when it is desired to give effect to these decrees. If, however, it is considered essential to give effect to the decrees at a date when the general implementation procedure cannot be put into operation then application for leave to do so will be submitted to this Hq together with the proposed form of Provincial Order.

10. Attention is also drawn to certain other decrees of a financial nature which have been enacted by the Italian Government:

a. DLL No. 13 of 25 Jan 45 provided a thirteenth month payment for employees during the year 1944. It is intended that this payment should be granted in the provinces of FORLI and RAVENNA, but that in provinces to be occupied in the future the decree will be excluded from operation. This decree is, therefore, specifically excluded in the northern areas.

b. RDL No. 12 of 13 Jan 44
RDL No. 103 of 23 Mar 44
RDL No. 113 of 13 Apr 44
RDL No. 121 of 23 Mar 44
RDL No. 122 of 5 Apr 44
RDL No. 131 of 9 May 44
RDL No. 156 of 2 Jun 44
DLL No. 276 of 20 Jul 44
DLL No. 301 of 19 Oct 44
DLL No. 351 of 19 Oct 44
DLL No. 360 of 19 Oct 44
DLL No. 386 of 2 Nov 44
DM of 28 Sept 44
DLL No. 400 of 4 Dec 44
DLL No. 424 of 5 Nov 44
DLL No. 434 of 22 Nov 44
DLL No. 28 of 4 Jan 45.

These decrees all create or increase pay or allowances to various classes of employees of the public administration, and all provide for payments with retroactive dates. These decrees will all be implemented in AMG Territory, but the payments will date from the liberation of the provincial capital.

c. DLL No. 38 of 1 March 45 introduced an economic price in place of a political price for bread and paste. This decree will not be implemented in RAVENNA or FORLI or in any future territory.

11. The Italian Government is understood to be considering further legislation for salaries, wages and allowances. It is not, however, the present

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is desired to give effect to these decrees. If, however, it is considered essential to give effect to the decrees at a date when the general implementation procedure cannot be put into operation then application for leave to do so will be submitted to this Hq together with the proposed form of Provincial Order.

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These decrees all create or increase pay or allowances to various classes of employees of the public administration, and all provide for payments with retroactive dates. These decrees will all be implemented in AMG Territory, but the payments will date from the liberation of the provincial capital.

c. DLL No. 38 of 1 March 45 introduced an economic price in place of a political price for bread and paste. This decree will not be implemented in RAVENNA or FORLI or in any future territory.

11. The Italian Government is understood to be considering further legislation for salaries, wages and allowances. It is not, however, the present intention of the Government to publish a consolidated text of all legislation so that it will be necessary to refer to all the existing decrees to calculate the total salaries and allowances payable. This will apply in AMG Territory as much as in Italian Government Territory.

12. Attached hereto are copies of:

a. The implementation order to be published in Gazzetta Ufficiale to give effect to the decisions set out above;

b. Form of Provincial Order to be issued by Provincial Commissioners at the time when the procedure for the implementation of Italian decrees is

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brought into effect, which will fix the date for the commencement of payments under all the decrees above mentioned excluding RDL 23/B, DLL 303, DLL 307 and DLL 328.

c. Form of Provincial Order to be used if this Hq on the recommendation of the SCAO or Regional Commissioner authorizes the implementation of RDL No. 23/B, DLL No. 303, DLL No. 307 and/or DLL No. 328. It is framed to implement all three decrees, but can of course be modified to implement one or two only.

13. This directive cancels directive AC/4039/5/L of 2 January 1945 concerning the implementation of DLL No. 328.

NORMAN E. FISKE,
Colonel,
Acting Executive Commissioner.

3 Incls:
Incl 1 - Implementation Order
Incl 2 - Form of Provincial Order
Incl 3 - Form of Provincial Order

Copies to: Chief Commissioner (2)
CA Sec (9)
Econ Sec (15)

Distribution to Regions :

Toscana Region	-	60 copies	Sufficient for distribution down to Provincial Commissioners, Provincial Finance Officers, Provincial Labour Officers and Provincial Legal Officers.
Emilia Region	-	50 copies	
Liguria Region	-	30 copies	
Piemonte Region	-	45 copies	
Lombardia Region	-	50 copies	
Venezia Region	-	60 copies	

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NORMAN E. FISKE,
Colonel,
Acting Executive Commissioner.

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Venezia Region	-	60 copies	

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I, GERALD R. UPJOHN, Brigadier, Vice President (Civil Affairs Section), Allied Commission, hereby order that so far as concerns all provinces being subject to or to become subject to Allied Military Government and situated north of a line forming the Northern boundaries of the Province of Pesaro, Arezzo, Firenze, Pistoia and Lucca, the following provisions shall take effect.

I hereby cancel the implementation orders previously made in respect of:

Bando No. 3 of 8 Oct 43
Bando No. 10 of 4 Nov 43
Bando No. 11 of 4 Nov 43
Bando No. 12 of 1 Nov 43
RDL No. 14/B of 2 Dec 43
RDL No. 18/B of 6 Dec 43
RDL No. 23/B of 7 Dec 43.
RDL No. 6 of 3 Jan 44
RDL No. 11 of 13 Jan 44
RD No. 12 of 13 Jan 44
RDL No. 19 of 24 Jan 44
RDL No. 34 of 31 Jan 44
RDL No. 84 of 10 Mar 44
RDL No. 85 of 13 Mar 44
RDL No.103 of 23 Mar 44
RDL No.113 of 13 Apr 44
RDL No.121 of 23 Apr 44
RDL No.122 of 5 Apr 44
RDL No.129 of 13 Apr 44
RDL No.131 of 9 May 44

which implementation order appeared in "Raccolta Ufficiale dei Provvedimenti emanati dal Governo Italiano dall'8 settembre 1943 all'8 luglio 1944":

and in respect of:-

DLL No. 187 of 10 Aug 44 which implementation order appeared in Gazzetta Ufficiale No. 56 dated 16 Sept 44;

DLL No. 230 of 3 Aug 44 which implementation order appeared in Gazzetta Ufficiale No. 71 dated 20 Oct 44;

DLL No. 231 of 3 Aug 44 which implementation order appeared in Gazzetta Ufficiale No. 71 dated 20 Oct 44.

DLL No. 248 of 28 Sept 44 which implementation order appeared in Gazzetta Ufficiale No. 75 dated 31 Oct 44;

DLL No. 253 of 3 Aug 44 which implementation order appeared in Gazzetta Ufficiale No. 78 dated 7 Nov 44.

DLL No. 276 of 20 Jul 44 which implementation order appeared in Gazzetta Ufficiale No. 82 dated 16 Nov 44;

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Bando No. 5 of 8 Oct 43
Bando No. 10 of 4 Nov 43
Bando No. 11 of 4 Nov 43
Bando No. 12 of 1 Nov 43
RDL No. 14/B of 2 Dec 43
RDL No. 18/B of 6 Dec 43
RDL No. 23/B of 7 Dec 43
RDL No. 6 of 3 Jan 44
RDL No. 11 of 13 Jan 44
RD No. 12 of 13 Jan 44
RDL No. 19 of 24 Jan 44
RDL No. 34 of 31 Jan 44
RDL No. 84 of 10 Mar 44
RDL No. 85 of 13 Mar 44
RDL No. 103 of 23 Mar 44
RDL No. 113 of 33 Apr 44
RDL No. 121 of 23 Apr 44
RDL No. 122 of 5 Apr 44
RDL No. 129 of 13 Apr 44
RDL No. 131 of 9 May 44

which implementation order appeared in "Raccolta Ufficiale dei Provvedimenti emanati dal Governo Italiano dall'8 settembre 1943 all'8 luglio 1944":

and in respect of:-

DLL No. 187 of 10 Aug 44 which implementation order appeared in Gazzetta Ufficiale No. 56 dated 16 Sept 44;

DLL No. 230 of 3 Aug 44 which implementation order appeared in Gazzetta Ufficiale No. 71 dated 20 Oct 44;

DLL No. 231 of 3 Aug 44 which implementation order appeared in Gazzetta Ufficiale No. 71 dated 20 Oct 44;

DLL No. 248 of 28 Sept 44 which implementation order appeared in Gazzetta Ufficiale No. 75 dated 31 Oct 44;

DLL No. 253 of 3 Aug 44 which implementation order appeared in Gazzetta Ufficiale No. 78 dated 7 Nov 44;

DLL No. 276 of 20 Jul 44 which implementation order appeared in Gazzetta Ufficiale No. 82 dated 16 Nov 44;

D.M. of 28 Sept 44 which implementation order appeared in Gazzetta Ufficiale No. 85 dated 23 Nov 44;

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DLL No. 301 of 19 Oct 44 which implementation order appeared in Gazzetta Ufficiale No. 87 dated 28 Nov 44;

DLL No. 303 of 2 Nov 44 which implementation order appeared in Gazzetta Ufficiale No. 94 dated 14 Dec 44;

DLL No. 307 of 9 Nov 44 which implementation order appeared in Gazzetta Ufficiale No. 88 dated 30 Nov 44;

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DLL No. 312 of 26 Oct 44 which implementation order appeared in Gazzetta Ufficiale No. 94 dated 14 Dec 44;

DLL No. 328 of 18 Nov 44 which implementation orders appeared in Gazzetta Ufficiale No. 95 of 16 Dec 44 and Gazzetta Ufficiale No. 4 of 9 Jan 45;

DLL No. 329 of 28 Sept 44 which implementation order appeared in Gazzetta Ufficiale No. 95 dated 16 Dec 44;

DLL No. 351 of 19 Oct 44 which implementation order appeared in Gazzetta Ufficiale No. 98 dated 23 Dec 44;

DLL No. 360 of 19 Oct 44 which implementation order appeared in Gazzetta Ufficiale No. 101 dated 30 Dec 44;

DLL No. 386 of 2 Nov 44 which implementation order appeared in Gazzetta Ufficiale No. 6 dated 13 Jan 45;

DLL No. 400 of 4 Dec 44 which implementation order appeared in Gazzetta Ufficiale No. 8 dated 18 Jan 45;

DLL No. 424 of 5 Nov 44 which implementation order appeared in Gazzetta Ufficiale No. 15 dated 3 Feb 45;

DL No. 434 of 22 Nov 44 which implementation order appeared in Gazzetta Ufficiale No. 24 dated 24 Feb 45;

DLL No. 13 of 25 Jan 45 which implementation order appeared in Gazzetta Ufficiale No. 25 dated 27 Feb 45;

DLL No. 38 of 22 February 1945 which implementation order appeared in Gazzetta Ufficiale No. 26 dated 1 March 1945;

DLL No. 28 of 4 Jan 45 which implementation order appeared in Gazzetta Ufficiale No. 33 dated 17 Mar 45.

And I hereby order as follows:-

RDL No. 18/B of 6 Dec 43;

RD No. 12 of 13 Jan 44;

RDL No. 103 of 23 Mar 44;

RDL No. 113 of 13 Apr 44;

RDL No. 121 of 23 Mar 44;

RDL No. 122 of 5 Apr 44;

RDL No. 131 of 9 May 44;

RD No. 156 of 2 Jun 44;

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Ufficiale No. 98 dated 23 Dec 44;

DLL No. 360 of 19 Oct 44 which implementation order appeared in Gazzetta Ufficiale No. 101 dated 30 Dec 44;

DLL No. 386 of 2 Nov 44 which implementation order appeared in Gazzetta Ufficiale No. 6 dated 13 Jan 45;

DLL No. 400 of 4 Dec 44 which implementation order appeared in Gazzetta Ufficiale No. 8 dated 18 Jan 45;

DLL No. 424 of 5 Nov 44 which implementation order appeared in Gazzetta Ufficiale No. 15 dated 3 Feb 45;

DL No. 454 of 22 Nov 44 which implementation order appeared in Gazzetta Ufficiale No. 24 dated 24 Feb 45;

DLL No. 13 of 25 Jan 45 which implementation order appeared in Gazzetta Ufficiale No. 25 dated 27 Feb 45;

DLL No. 138 of 22 February 1945 which implementation order appeared in Gazzetta Ufficiale No. 26 dated 1 March 1945;

DLL No. 28 of 4 Jan 45 which implementation order appeared in Gazzetta Ufficiale No. 33 dated 17 Mar 45.

And I hereby order as follows:-

RDL No. 18/B of 6 Dec 43;

RD No. 12 of 13 Jan 44;

RDL No. 103 of 23 Mar 44;

RDL No. 113 of 13 Apr 44;

RDL No. 121 of 23 Mar 44;

RDL No. 122 of 5 Apr 44;

RDL No. 131 of 9 May 44;

RD No. 156 of 2 Jun 44;

DLL No. 301 of 19 Oct 44;

DLL No. 276 of 20 Jul 44;

D.M. of 28 September 44;

DLL No. 351 of 19 Oct 44;

DLL No. 360 of 19 Oct 44;

DLL No. 386 of 2 Nov 44;

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DLL No. 400 of 4 Dec 44;

DLL No. 424 of 5 Nov 44;

DL No. 434 of 22 Nov 44;

DLL No. 28 of 4 Jan 45

shall have full force and effect of law in each province of territory situated North of the said boundary and subject to Military Government from the date on which the Prefect of such province shall receive from the Allied Commission a copy of the present number of the Gazzetta Ufficiale, it being understood that the date from which payments under the said decrees shall commence will be the date which has been or may hereafter be laid down in such provinces by order of the Provincial Commissioner thereof. All dates appearing in the said decrees for the commencement of payments under the said decrees are hereby excluded from implementation.

And I further order that DLL No. 13 of 25 Jan 45 shall in the provinces of Forli' and Ravenna have full force and effect of law from the date on which the Prefect thereof shall receive from the Allied Commission a copy of the present number of the Gazzetta Ufficiale but save as aforesaid the said decree shall remain excluded from implementation in the remaining territory North of the said boundary.

And I further order that

RDL No. 23/B of 6 Dec 43;

DLL No. 303 of 2 Nov 44;

DLL No. 307 of 9 Nov 44;

DLL No. 328 of 18 Nov 44;

shall remain excluded from implementation in the said remaining territory unless the Provincial Commissioner of any province therein shall have made or shall hereafter make a further order in respect of any of the said decrees in which case in such province such decrees shall have full force and effect of law as provided by such order, it being understood that the date from which payments shall commence under the said decree shall be the date which has been or may hereafter be laid down by the order of the Provincial Commissioner as aforesaid.

C. R. UPJOHN, Brig.,
Vice President
(Civil Affairs Section).
Allied Commission.

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Pursuant to the orders of the Allied Commission promulgated in Gazzetta Ufficiale No.40 of 3 Apr 1945 relating to the implementation of R.D.L. No. 18/B of 6 Dec 1943, R.D. No. 12 of 13 Jan 1944, R.D.L. No. 103 of 25 March 1944, R.D.L. No. 113 of 13 April 1944, R.D.L. No. 111 of 23 March 1944, R.D.L. No. 122 of 5 April 1944, R.D.L. No. 151 of 9 May 1944, R.D. No. 156 of 2 June 1944, D.L.L. No. 301 of 19 Oct 1944, D.L.L. No. 351 of 19 Oct 1944, D.L.L. No. 360 of 19 Oct 1944, D.L.L. No. 386 of 2 Nov 1944, D.L.L. No. 424 of 5 Nov 1944, D.L. No. 434 of 22 Nov 1944 and D.L.L. No. 28 of 4 Jan 1945.

I, Provincial Commissioner of Province hereby order that in the province of the date for the commencement of payments under the said decrees shall be the . . 1945.

I, Provincial Commissioner, Province pursuant to the authority granted to me by Order of the Allied Commission promulgated in Gazzetta Ufficiale No. 40 of 3 Apr 1945 hereby order that R.D.L. No. 23/B of 7 Dec 1943, D.L.L. No. 303 of 2 Nov 1944, D.L.L. No. 307 of 9 Nov 1944 and D.L.L. No. 328 of 18 Nov 1944 shall have full force and effect of law in the province of from 1945 and that for the dates of 1 Nov 1943 appearing in R.D.L. No. 23/B and of 16 Aug 1943 appearing in D.L.L. No. 303, D.L.L. No. 307 and D.L.L. No. 328 there shall be substituted the date of 1945 aforesaid.

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(FOR ITALIAN OF ABOVE ORDERS, SEE OVER)

Declassified E.O. 12356 Section 3.3/NND No. 785021

In conformita' con le ordinanze della Commissione Alleata, pubblicate nella Gazzetta Ufficiale del 3 Aprile 1945 N. 40, relative alla esecutorieta' del RDL 6 Dicembre 1943 N. 18/B, del RD 13 Gennaio 1944 N. 12, del RDL 23 Marzo 1944 N. 103, del RDL 13 Aprile 1944 N. 113, del RDL 23 Marzo 1944 N. 111, del RDL 5 Aprile 1944 N. 122, del RDL 9 Maggio 1944 N. 131, del RD 2 Giugno 1944 N. 156, del DLL 19 Ottobre 1944 N. 301, del DLL 19 Ottobre 1944 N. 351, del DLL 19 Ottobre 1944 N. 360, del DLL 2 Novembre 1944 N. 386, del DLL 5 November 1944 N. 424, del DL 22 Novembre 1944 N. 434, e del DLL 4 Gennaio 1945 N. 28.

Io, Commissario Provinciale della Provincia di con la presente ordino che nella Provincia di la data di inizio dei pagamenti ai sensi dei detti decreti sia il 1945.

Io, Commissario Provinciale, Provincia di in base ai poteri conferitimi con l'ordinanza della Commissione Alleata pubblicata sulla Gazzetta Ufficiale del 3 Aprile 1945 N 40, con la presente ordino che il RDL 7 Dicembre 1943 N. 23/B, il DLL 2 Novembre 1944 N. 303, il DLL 9 Novembre 1944 N. 307 ed il DLL 18 Novembre 1944 N. 328 abbiano piena forza ed effetto di legge nella Provincia di dal 1945 e che la data del 1 Novembre 1943 contenuta nel RDL 7 Dicembre 1943 N. 23/B, e quella del 16 Agosto 1943 contenuta nel DLL 2 Novembre 1944 N. 303, nel DLL 9 Novembre 1944 N. 307 e nel DLL 18 Novembre 1944 N. 328 siano sostituite con la predetta data 1945.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

LABOR SUB-COMMISSION
A.C.
Routing Slip

	Initials	Date
Mr. W.H. BRAINE	I should like to have 2 (two) personal copies please	
Lt. Col. BABCOCK		
Capt. DORF		
Capt. TOPLISS		
Mr. SACHS		
Mr. DI FEDE		
Mr. AIREY		
Mr. SCOTT		
Mr. PROCTOR		
Miss STEVENSON		
Chief Clerk		

Personal Copies distributed.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

FILE

H DQUARTERS ALLIED COMMISSIO
APO 394
LABOR SUB-COMMISSION

WHB/rmw

TEL : Ext. 204

26 February 1945

LSC/206 - 503

Dear Sig. Gronchi:

You are no doubt aware that in the United Kingdom any individual may, during the present state of war, be required to perform services or undertake work in the national interests to which he may be directed by a representative of the Minister of Labor. A statement has been made that under Italian law the coal mines in Sardinia could be declared to be an essential national industry and that this would have the effect of making it compulsory for miners to remain at work in the mining district.

I should be glad to have early information whether under Italian law such a step could be taken with regard to miners in Sardinia; and also to be told whether you have under consideration the extension of such a practice to other essential work.

If, in fact, no provision exists under existing Italian law which would enable measures as indicated to be taken, I should be glad to know whether consideration is being given to the compulsory direction of workers to perform services deemed to be in the national interests.

Yours very truly,

W. H. BRAINE
Director
Labor Sub-Commission

H. E. Giovanni Gronchi
Minister of Industry, Commerce and Labor
Italian Government
Rome

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Declassified E.O. 12356 Section 3.3/NND No. 785021

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB COMMISSION

26 Febbraio 1945

Caro Sig. Gronchi:

Siete indubbiamente al corrente del fatto che nel Reame Unito, durante l'attuale stato di guerra, a qualsiasi persona puo' essere richiesto di prestare servizio o intraprendere nell'interesse nazionale un lavoro che gli puo' essere assegnato da un rappresentante del Ministro del Lavoro. E' stata fatta una dichiarazione che secondo la legge italiana le miniere di carbone della Sardegna potrebbero essere dichiarate un'industria nazionale essenziale, e questo avrebbe come risultato l'obbligo per cui i minatori di rimanere al lavoro nella regione delle miniere.

Sarei felice di avere al piu' presto uno schiarimento: se, secondo la legge italiana, tale provvedimento potrebbe essere preso al riguardo dei lavoratori delle miniere in Sardegna; vorrei anche sapere se state considerando l'opportunita' di estendere questi provvedimenti ad altre categorie di lavoro di carattere essenziale.

Se di fatto nessun provvedimento esiste nelle vigenti leggi italiane che permetta l'adozione delle misure di cui sopra, sarei lieto di sapere se si sta considerando l'obbligo che hanno i lavoratori di adempire i lavori considerati di interesse nazionale.

Cordiali saluti,

W. H. BRAINE
Direttore della
Sottocommissione del Lavoro.

S.E. Giovanni Gronchi
Ministro dell'Industria, Commercio
e Lavoro
Governo Italiano
Roma.

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File

HEADQUARTERS ALLIED COMMISSION
APO 394
Labor Sub-Commission

DCS/rmw

TEL : 478304 24 March 1945

REF : LSC/806

SUBJECT: Implementation of Italian Government Wage Increase Decrees.

TO : Economic Section

1. Reference is made to memorandum of Legal Sub-Commission to Economic Section, AC/4010/9/L of 15 March 1945, and memorandum of Labor Sub-Commission to Economic Section of 14 March 1945, concerning above subject.

2. At a meeting held yesterday at which representatives of the Italian Government, Labor Sub-Commission and Finance Sub-Commission were present the Italian Government indicated, contrary to its previous position, that it desired to withhold from further implementation in the North DLL No. 207 of 5 November 1944, as well as DLL No. 338 of 18 November 1944, and in addition the new Decree for wage increases to Government employees recently signed but not yet published.

3. Representatives of Allied Commission are in agreement with this policy with the exception of DLL No. 207.

4. This Decree provides for increases in family allowances to persons in private industry. It is submitted that implementation should be continued retroactive to date of liberation of the Provincial seat for the following reasons:

(a) Family allowances are part of a nation-wide, contributory, self-balancing fund and the benefits should be uniform throughout Italy.

(b) Although an effort will be made to keep inflation under control, it is apparent that there will be some inflationary tendency and it is thought that this Decree is best equipped to afford relief because it is based upon dependency.

(c) It is not considered that the benefits are so substantial as to constitute a serious inflationary tendency.

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(d) It is felt that the immediate application of this Decree will have the effect of postponing unrest and pressure for wage increases arising out of an increase in the cost of living.

5. It is recommended that implementation of DLL No. 307 be continued in the North not withstanding the present hold-the-line policy.

DAVID G. SACHS
Labor Sub-Commission

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Fil /tr
45c/206

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB COMMISSION

22 March 1945

SUBJECT: Implementation of Italian Decrees in A.M.G. territory.

TO : Regional Commissioners
(Attention: Labour Officers)

The following outline covers the implementation of wage increase decrees.

A. DECREES AFFECTING STATE EMPLOYEES.

(1) Decree 18 B (6 December 1943). This decree confirmed the 70% wage increases approved by A.M.G. for government employees. The decree was calculated upon wage levels of September 1943 -

Implementation: Present AMG territory - Made retroactive to 1 November 1943.

Future AMG territory - This decree will be applied in AMG territory and will be retroactive to the date of liberation of the Provincial seat.

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(2) Decree No 328 (18 November 1944) - Provides for further wage increases of government employees and for increases in the family allowances of government employees. The increases were made retroactive to 16 August 1944.

Implementation: Present AMG territory - This decree has been implemented by a special Order (AC/4039/5/L of 2 January 1945) which provides that in provinces not liberated on 16 August 1944. the increases will be retroactive to the date of liberation of the provincial seat. Future AMG territory - Under the existing order, i.e. retroactive to the date of the liberation of the Provincial seat.

(3) New Decree - A new decree is in draft providing for further increases for government employees. When this decree is promulgated in Italian Government territory. instructions will be issued regarding its application in present and future AMG territory.

B. DECREES AFFECTING PRIVATE INDUSTRY

(1) Decree No 23 B (7 December 1943) - Carries into Italian law the wage increase permissible under AMG order consisting of the so called 70% scale.

(2) Decree No 303 (2 November 1944) makes this increase compulsory rather than permissive and in addition provides for the

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caro-vita indemnity.

Implementation: Present AMG territory - The provisions of Decree No 303 are retroactive to 16 August 1944.

Future AMG territory - It has been decided to exclude both these decrees from further implementation. It is anticipated that wage increases in private employment will be arrived at through collective bargaining. The determination whether or not these decrees will be implemented generally will be made later after the wage-price situation has been examined. In the meantime a provincial commissioner desiring to implement these decrees in his province should first seek authority from H.Q. Allied Commission.

(3) Decree No 307 (9 November 1944) - This decree provided for an increase in family allowances for private employees and is a companion decree to No 303.

Implementation: Present AMG territory - This decree made retroactive to 16 August 1944.

Future AMG territory - Implementation of this decree will be applied but the benefits will

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be retroactive to the date of liberation of Provincial seat.

(4) Decree No 13 (25 January 1945) - This decree provides for a Christmas bonus (thirteenth month) and holiday pay for the year 1944.

Implementation: Present AMG territory - This decree has been implemented.

Future AMG territory - This decree will be excluded from further implementation in territory not liberated at the present time.

W. H. BRAINE
Director
Labour Sub-Commission

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HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB-COMMISSION

28 March 1945

SUBJECT: Implementation in AMG territory of Italian Decrees ~~effecting wage increases~~.

TO : Regional Commissioners
(Attention : Labour Officers)

The following ~~is an~~ outline ~~of policy which has been decided upon in~~ Covers the implementation of wage increase decrees.

A. Decrees affecting State employees.

(1) Decree 18 B of 6 December 1943. This decree confirmed the 70% wage increases approved by AMG for government employees. The ~~increase~~ decree was calculated upon wage levels of September 1943 and was made retroactive to 1 November 1943).

Implementation

Present AMG territory- This decree has already been implemented and the wage increases made retroactive to 1 November 1943.

Future AMG territory- This decree will be applied in territory which may come under AMG administration in the future, but it will be retroactive to the date of liberation of the provincial seat.

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(2) Decree No 328 of 18 November 1944. This decree provides for further wage increases of government employees and for increases in the family allowances of government employees. The increases were made retroactive to 16 August 1944).

Implementation

Present AMG territory - This decree has been implemented by a special Order (AC/4039/5/L of 2 January 1945) which provides that in provinces not liberated on 16 August 1944, the increases will be retroactive to the date of liberation of the provincial seat.

Future AMG territory - ~~The decree will be implemented~~ under the existing order, i.e. retroactive to the date of the liberation of the provincial seat.

(3) New Decree. A new decree is in draft providing for further increases for government employees. When this decree is promulgated in Italian Government territory, instructions will be issued regarding its application in present and future AMG territory.

B. Decrees affecting private industry.

(1) Decree No 23B of 7 December 1943 and Decree No 303 of 2 November 1944. These two decrees concern increases in private employment. Decree No 23B carries into Italian law the wage increase permissible under AMG order consisting of the so called 70% scale. Decree No 303 makes this increase compulsory rather than permissive and in addition provides for the 4433 Lita in-

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demnity. The benefits of No 303 were made retroactive to 16 August 1944).

IMPLEMENTATIONS

Present AMG territory - Both these decree have already been implemented in present AMG territory, and the provisions of Decree n° 303 are retroactive to 16 August 1944.

Future AMG territory - It has been decided to exclude both these decrees from further implementation. It is antipipated that wage increases in private employment will be arrived at through collective bargaining. The determination whether or not these decrees will be implemented generally will be made later after the wage-price situation has been examined. In the meantime a provincial commissioner desiring to implement these decrees in his province should first seek authority from H.Q. Allied Commission.

(3) ← Decree No 307 of 9 November 1944. This decree provided for an increase in family allowances for private employees and is a companion decree to No 303. The benefits were made retroactive to 16 August 1944).

IMPLEMENTATIONS

Present AMG territory - This decree has already been implemented in present A.M.G. territory and made retroactive to 16 August 1944.

Future AMG territory - Implementation of this decree will be applied but the benefits will be retroactive to the date of liberation of provincial seat.

(4) Decree No 13 of 25 January 1945. (This decree provides for a Christmas bonus (the thirteenth month bonus) and holiday pay for the year 1944).

IMPLEMENTATIONS

Present AMG territory - This decree has been implemented.

Future AMG territory - This decree will be excluded from further implementation in territory not liberated at the present time. 4422

W.H.BRAINE
Director
Labour Sub-Commission

Pc/206 + 1204

Div. XIX
Price of bread

19th February 1945

DECREE
HUBERT OF SAVOY
PRINCE OF PIEDMONT
LIEUTENANT GENERAL OF THE REALM

In view of the authority with which we are invested;
In view of the royal decree law of the 10th May 1943, No. 397, in which the harvest and distribution of cereals and beans is regulated;
In view of the lieutenant's decree of the 3rd August 1944, No. 167, which fixes the selling price of bread and "pasta";
In view of the royal decree law of the 30th October 1943, No. 2 B, referring to the suspension of the measures concerning the issuing, registering and publishing of the Royal decrees and other measures;
In view of the lieutenant's law decree of the 25th June 1944, No. 151, concerning the Assembly for the new Constitution of the State, the swearing of the Members of the Government and the power of the Government for issuing new judical measures;
In view of the resolution of the Council of Ministers;
On the proposal of the President of the Council of Ministers, Prime Minister, Secretary of State and Minister of the Interior, in agreement with the Ministers of the Treasury, Agriculture and Forestry, of Industry, Commerce and Labour.
We have sanctioned and decided the following:

ARTICLE 1

The basic price of wheat, barley and rye of national production or imported, intended for the making of bread and pasta, on being handed over to the flour mills, are fixed as follows:

soft wheat	-- lire	1,241,30	a quintal	free on	
hard wheat	-- lire	1,241,30	"	"	the mill
barley	-- lire	953,80	"	"	" "
rye	-- lire	1,137,20	"	"	" "

These prices include:
a) part of the expenses for transporting the cereals free on the mill, of the lour for breadmaking, free on the borough warehouse, of the flour for making "pasta", free at the "pasta" manufactury and the "pasta" free on the borough warehouse;
b) part of the pool management expenses;
c) part of the expenses incurred from variation of price derived from the real characteristics of the products;
d) the general tax on profits fixed at 46,08 lire a quintal for soft wheat, at 49,80 lire a quintal for hard wheat, at 40,38 lire a quintal for barley and at 47,16 lire a quintal

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In view of the [illegible] No. 167, which fixes the selling price of bread and pasta;
In view of the royal decree law of the 30th October 1943, No. 2 B, referring to the suspension of the measures concerning the issuing, registering and publishing of the Royal decrees and other measures;
In view of the lieutenant's law decree of the 25th June 1944, No. 151, concerning the Assembly for the new Constitution of the State, the swearing of the Members of the Government and the power of the Government for issuing new judicial measures;
In view of the resolution of the Council of Ministers;
On the proposal of the President of the Council of Ministers, Prime Minister, Secretary of State and Minister of the Interior, in agreement with the Ministers of the Treasury, Agriculture and Forestry, of Industry, Commerce and Labour.
We have sanctioned and decided the following:

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rye	-- lire	1,137,20	" "	"	"

These prices include:
a) part of the expenses for transporting the cereals free on the mill, of the lour for breadmaking, free on the borough warehouse, of the flour for making "pasta", free at the "pasta" manufactury and the "pasta" free on the borough warehouse;
b) part of the pool management expenses;
c) part of the expenses incurred from variation of price derived from the real characteristics of the products;
d) the general tax on profits fixed at 46,08 lire a quintal for soft wheat, at 49,80 lire a quintal for hard wheat, at 40,38 lire a quintal for barley and at 47,16 lire a quintal for rye.
With the money derived from points (a), (b) and (c), three separate managements will be formed, run by the Italian Federation of Agricultural Trusts (Federazione Italiana dei Consorzi Agrari) on behalf of and under the supervision of the State.
On behalf of and under the supervision of the State the difference between the money collected by the wheat pools (granai del popolo) from the prices as fixed in the first paragraph of this article and the prices paid to those farmers who consigned their wheat to the pools will be made good by the Italian Federation of Agricultural trusts.
On the basic of the prices indicated in the first peragraph

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of this article, which may be altered by decree of the President of the Council of Ministers on the proposal of the High Commissioner for Food and in agreement with the Minister of the Treasury and with the Minister of Agriculture and Forestry, the prices of products made from wheat etc. will be fixed.

ARTICLE 2

The flourmills, "pasta" manufactures, breadmaking concerns, wholesale dealers, retailers and provincial warehouses must pay the State the difference between the prices obtained by the application of this present decree and those formerly paid by them for the stocks of cereals and by products mentioned in articles in their possession on the entering into force of this decree.

The relative assessments will be carried out by the provincial sections of Food control with the help of the excise offices (Intendenza di Finanza) who will to the collection.

ARTICLE 3

It has been agreed to grant an indemnity, which will be paid by the State, to

a) the involuntary unemployed;

b) those persons in the list of paupers and who have always been assisted by the local assistance Boards out of their own funds.

c) those persons, who receive daily assistance from the State in consideration of the existing measures, as such as

-next of kin of soldiers, either conscripted, called up or anyway in service;

-next of kin of soldiers who are either prisoners of war, or interned or listed as missing;

-next of kin of civilians deported by the Germans;

-people repatriated from the Italian Colonies in Africa, or from other countries, or next of kin of Italian living in the Italian African Colonies or elsewhere abroad.

-displaced persons, refugees or homeless through the war.

The indemnity is fixed at 95 lire a month for said persons and for each person of the family living with and maitained by said person, and will be granted only to those who are duly furnished with separate bread and "pasta" ration cards.

In special cases said indemnity, after due authorization has been given by the High Commissioner for Food, an agreement with the Ministry of the Treasury and any other Ministries concerned, can be paid to Institutes which distribute food to these persons instead of directly to said

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obtained by the application of this present decree and those formerly paid by them for the stocks of cereals and by products mentioned in articles in their possession on the entering into force of this decree.

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c) those persons, who receive daily assistance from the State in consideration of the existing measures, as such as

-next of kin of soldiers, either conscripted, called up or anyway in service;

-next of kin of soldiers who are either prisoners of war, or interned or listed as missing;

-next of kin of civilians deported by the Germans;

-people repatriated from the Italian Colonies in Africa, or from other countries, or next of kin of Italian living in the Italian African Colonies or elsewhere abroad.

-displaced persons, refugees or homeless through the war.

The indemnity is fixed at 95 lire a month for said persons and for each person of the family living with and maitained by said person, and will be granted only to those who are duly furnished with separate bread and "pasta" rations cards.

In special cases said indemnity, after due authorization has been given by the High Commissioner for Food, an agreement with the Ministry of the Treasury and any other Ministries concerned, can be paid to Institutes which distribute food to these persons instead of directly to said persons.

ARTICLE 4

A monthly indemnity of 95 lire a month has been decreed in favour of all workers and for each member of their families according to the conditions and measures which will be indicated here under.

Said indemnity will only be paid to those persons supplied with separate bread and pasta ration cards.

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ARTICLE 5

For those workers whose contract is already controllable by means of collective contracts according to law No. 563 of the 3rd April 1926 and following alterations, the indemnity must be paid by the employers, and extended to each member of the workers family living with, or maintained by him.

Married workers, residing in towns with a population of over 100,000 inhabitants, who earn more than 9,000 lire a month net, and those residing in towns of under and up to 100,000 inhabitants, and who earn more than 7000 lire a month net, are excluded from benefitting by this indemnity.

For bachelors, who have no members of their family living with or maitained by them, the limits of exclusion from benefitting by this indemnity are respectively 6,000 and 5,000 lire a month.

ARTICLE 6

For State employees and for personal working for State employees considered, respectively in the articles 4 or 5 of the Lieutenant's law decree No. 328 of the 18th November 1944, the indemnity will be paid by the respective administrations.

The indemnity mentioned in the above paragraph is due besides to the holders of pensions, and will be paid by State Administrations or by the welfare Institutues managed by the Cassa Depositi e Prestiti to the members of their families as well.

To define which members, as in the foregoing paragraphs, are meant the wife and children under age.

To the personnel to whom are granted food rations, in kind or in money, free, whole or partial, the indemnity which is mentioned in the first paragraph of this article will be granted only in proportion to the part concerning the members of the family, as indicated in the preceding paragraph.

The above said indemnity is not due to personnel and pensionners living outside the territory of the realm.

For the employees and pensionners whose payments are made partially or wholly by non State concerns, the cost of said indemnities will be borne by these concerns which at present bear the expenses in the same respective proportions.

For the pensionners of the Welfare Institutes managed by the Cassa Depositi e Fitti the cost of said indemnity will be borne by the State.

ARTICLE 7

The indemnity provided for by article 6 is extended to Provincial or borough Secretaries and to the personnel de-

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a month net, and those residing in towns of under and up to 100,000 inhabitants, and who earn more than 7000 lire a month net, are excluded from benefitting by this indemnity.

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To define which members, as in the foregoing paragraphs, are meant the wife and children under age.

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The above said indemnity is not due to personnel and pensionners living outside the territory of the realm.

For the employees and pensionners whose payments are made partially or wholly by non State concerns, the cost of said indemnities will be borne by those concerns which at present bear the expenses in the same respective proportions.

For the pensionners of the Welfare Institutes managed by the Cassa Depositi e Fitti the cost of said indemnity will be borne by the State.

ARTICLE 7

The indemnity provided for by article 6 is extended to Provincial or borough Secretaries and to the personnel depending from the Bodies referred to in Article 12 of the Lieutenant's law decree No. 328 of the 18th November 1944 and will be paid for by said Bodies.

The measure, in the previous paragraph applies also to the holders of pensions drawn from the Bodies referred to in the present Article.

The indemnity will also be paid to the wife and children under age of the said personnel and pensionners.

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ARTICLE 8

The indemnities referred to in the preceding articles will not be granted to those persons registered in the lists of people pying an ordinary tax or capital for an amount not below 150,000 lire and to those persons registered in the lists of people paying a supplementari tax on a comprehensive income of an amount not less than 24,000 lire, in which are excluded the income from work classified in catalogue C.2 according to Article 4 of the Lieutenant's law decree No. 384 of the 19th October 1944.

The workers who are in the conditions described in the previous paragraph must make a declaration of same to their employees.

In the case of employees of the State or other public bodies, either actively working or pensionned off, who are registered in the lists of people paying supplementary taxes as in the first paragraph, the District offices of direct taxation will inform the paying Bodies of this fact.

ARTICLE 9

The indemnities under consideration in the preceding articles will be paid only once to those beneficiaries who are entitled to receive said indemnities for various reasons.

In the case that right to the indemnity exists in the application of articles 5,6,7 as well as in the application of articles 3, only the indemnity due from reasons of work will be paid.

When a worker is employed by various employers at the same time, the amount of the indemnity will be divided among them in proportion to the wages paid by each employer to said worker.

When one of the members of the family has a right to receive the indemnity on his own account, said indemnity will not be due to the head of the family for that member's part.

ARTICLE 10

The indemnities hitherto referred to are free from taxation.

Measures for the granting and paying of the indemnities mentioned in the preceding articles will be issued by the Minister of the Treasury in agreement with the Minister of the Interior, the Ministry for Agriculture and Forestry and the Ministry for Industry, Commerce and Labour.

ARTICLE 11

The Minister of the Treasury is authorized to bring about, by means of decrees issued by him, the necessary variations to the Budget to meet the extra expenses derived from the putting in force of the present decree.

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the preceding paragraph shall [illegible]
their employees.

In the case of employees of the State or other public bodies, either actively working or pensioned off, who are registered in the lists of people paying supplementary taxes as in the first paragraph, the District offices of direct taxation will inform the paying Bodies of this fact.

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When a worker is employed by various employers at the same time, the amount of the indemnity will be divided among them in proportion to the wages paid by each employer to said worker.

When one of the members of the family has a right to receive the indemnity on his own account, said indemnity will not be due to the head of the family for that member's part.

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The indemnities hitherto referred to are free from taxation.

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ARTICLE 11

The Minister of the Treasury is authorized to bring about, by means of decrees issued by him, the necessary variations to the Budget to meet the extra expenses derived from the putting in force of the present decree.

ARTICLE 12

From the date in which the present decree enters into force the Lieutenent's law decree No. 167 of the 3rd August 1944 in which the prices of bread and "paste" were fixed, is repealed.

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ARTICLE 13

The present decree comes into force on the same day in which it is published in the official Gazette of the Realm.

Its measures are to be applied in all the provinces which on said date have already passed under the jurisdiction of the Italian Government.

In the other provinces the same measures will be applied after authorization has been given by the A.M.G.

We order to all whom it may concern to observe the present decree and to see that it is observed as if I were a law of the State.

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In the other provinces the same measure was [illegible] applied after authorization has been given by the A.M.G.

We order to all whom it may concern to observe the present decree and to see that it is observed as if I were a law of the State.

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FINANCE SUB-COMMISSION

13006/F 19 February 1945

SUBJECT : Effective date of R.D.L. 6 Dec.'43 n. 18/B.

TO : S.E. Minister of the Treasury.

1. Reference is made to our letter of 20 January to your Excellency regarding an effective date of R.D.L. 18/B in areas not yet liberated or not yet restored to Italian administration. As yet we have received no reply to this letter.

2. Meanwhile we are informed that certain Italian officials believe that equity demands that the salary increases should take effect from the same date in all areas regardless of the status of the area as of that date. We are verbally informed that these officials are pressing for action in this sense by the Italian Government when the areas are restored to Italian administration, notwithstanding the terms of R.D.L. 20 July 1944, n.162.

3. We cannot agree with these views. Equity in matters of this kind demands proper consideration of the conditions existing in the period during which it is proposed to make retroactive payments. Our information is that prices in the North have generally been lower than in Central and Southern Italy. We need not point out to your Excellency either the inflationary danger of sudden large scale retroactive payments covering in some cases more than a year's time or the additional difficulty which this will create for those interested in budgetary expenditure and stabilization of the lire.

4. Accordingly we point out again our conviction that the truly equitable procedure is to date such increases from the date of liberation of the provincial capital. We therefore renew our request of 20 January 1945 that you seek to obtain approval of this principle by the Council and more especially amendment of R.D.L. 6 December 1943, n. 18/B in this sense.

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(signed) A.H. Ritchie
Brigadier

Joint Director
Finance Sub-Commission

AHR/mag

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HEADQUARTERS ALLIED COMMISSION
FINANCE SUB- COMMISSION
APO 394

IFS/315/2 16th February 1945

Subject : Effective Dates of Italian Government Concessions

To : Joint Directors

1. Reference is made to the attached letter 1344/F of 14 February prepared by the Chief Budget Officer and to the larger question which it presents as regard the dates from which various concessions provided by Italian law shall take effect.

2. In its present form this letter says too much about this larger issue which cannot be regarded as settled and which it is not for the Finance Sub-Commission alone to settle. The opinion of legal advisers to the Italian Government should be checked with our own legal advisers. Regardless of their reply the policy affecting " the brief period the territory is under Allied Military Government" should be discussed with Labor Sub-Commission.

3. We cannot guess what our legal advisers will think of the Italian Government's interpretation of its own legal assertion that the enactments and actions of Allied Military Authority will be regarded as if undertaken by the Italian Government itself. (This is stated not only in the Badoglio Government's decree of 11 February but in the Bonomi Government's decree of 20 July, N° 162).

4. The question whether we can usefully act while in authority in a manner different from the presumed intentions

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Of the Italian Government is more than a question of holding up retroactive payments for a few weeks or months. We cannot deny our responsibility for actions taken by us while in authority, and I believe we should take the decision we deem correct regardless of any presumption regarding eventual action by the Italian Government.

5. The chief Budget Officer agrees that the sound policy is to date changes of this character from the date of liberation. He believes that the opposite course is based on the inherent political expediency. If Allied Commission is of this view then for the record it should act accordingly where and while it is in authority.

6. Release of large retroactive payments will necessarily have a profoundly inflationary effect. Even if resisting this tendency on our part merely postpones the effect, that may not be the only gain. The dates of restoration to Italian Administration may find a more satisfactory condition as regards production and stocks of goods and perhaps also as regards printing of currency and mobility of credit instruments. Postponing the battle may also improve the prospects of winning it for the present attitude of the Government is undoubtedly influenced by the extreme shortages of essential goods.

7. Accordingly I recommend :

a) that we ask the opinion of Legal Sub-Commission as to the status of our effective date provisions under existing Italian law.

b) that we consult loyally with Labour Sub-Commission on the large policy issue concerning which we have already reached views in concurrance with them.

c) that we state our joint views as to proper effective dates for the record in a letter to the Ministries concerned.

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d) that the proposed letter for the Regional Finance Officer be recast so as to indicate that the question is still under consideration

Arthur H. Reede

ARTHUR H. REEDE
Major A.I.S.
Insurance Department

AHR/x

HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB-COMMISSION
tel. 478604

14 February 1945

13148/F

Subject : R.Guardia di Finanza.

To : Regional Commissioner, Abruzzi-Marche Region
(for RFO)

1. In reply to your letter D/1 of 12th February 1945 this decree extended to the Guardia di Finanza the same benefits already granted to the Carabinieri by RDL 3 January 1944. n. 6, It is recognised that at the material dates many provinces had not even been liberated.

2. The legal advisers of the Italian Government have stated that the effective dates of Allied Military proclamations and orders governing salary and wage increases of State employees are applicable only while territory is under Allied jurisdiction, and that, notwithstanding Art. 2 of RDL 11 February 1944 n.31, the effective date of such increases will become the date quoted in the decree law when territory is restored to Italian Government jurisdiction. The effect of this ruling is for example, to apply all salary increases granted by RDL 6 December 1943 n. 18/B as from 1st November, 1943, even though at that date the territory concerned was in enemy hands.

3. In these circumstances little purpose would be served in retarding the effect of articles 6,7,8 and 9 of DLL 4 December 1944 n. 400 for the brief period the territory is under Allied Military Government. The law as printed and proclaimed will therefore be in full force in AMG territory.

By Command of Rear Admiral STONE.

Declassified E.O. 12356 Section 3.3/NND No. 785021

Subject : R.Guardia di Finanza.

To : Regional Commissioner, Abruzzi-Marche Region
(for RFO)

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By Command of Rear Admiral STONE.

4414

Joint Director
Finance Sub-Commission

JRHH/cl

Copy to :
Major Reede
Insurance Sub) Section.

Declassified E.O. 12356 Section 3.3/NND No. 785021

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Ref DF/3.1/CA

3 Feb 45

SUBJECT : Defascism - DL 420 of 1944

TO : See Distribution

1 Herewith is a copy of DL 420 of 1944 a decree enabling Receivers to be appointed to certain businesses in any of the circumstances mentioned in Art 1 thereof.

2 The expression "privately owned" in Art 1 is used as the antithesis of state owned and includes companies which we know as public companies: of such concerns two classes are within the decree, public utility undertakings and concerns of national as distinct from local importance.

3 It should be noted that Art 7 applies the decree to persons appointed as receivers before the decree came into force; that Art 10 applies the decree to concerns in which the state has a direct or indirect interest and that Art 11 applies the decree also to certain credit and other institutions.

4 A further point to be noted is that the decree deals also with defascising. First of all by the last para of Art 4 all personnel of these concerns are liable to be compulsorily removed by normal process under DL 159; but, the decree also, in effect, introduces a totally new method - namely self-epuration. Under Art 1 a receiver may be appointed to any concern which has a fascist management but the Receiver must be removed when the reason for the appointment ceases (Art 9) i.e. when the managership is no longer fascist and the receiver can call a meeting to appoint new managers (Art 8). If therefore the company desires to resume control of its own affairs it has the remedy in its own hands.

5 The Italian Government has assured this Commission that reference to the "Government's opinion" in Art 9 does not have the same effect legally as a similar expression in English or US law would; but, on the contrary, if the Government's opinion is not in accord with the facts, there is an unjustified usurpation of power which can be corrected by the appropriate court. There is therefore an absolute right to removal of the Receiver where circumstances warrant. If however the Government is of opinion that there has been only a colourable replacement of the old management and that the allegedly new management is controlled from behind the scenes by the old fascist management then by refusing they can compell trial of the facts.

6 Lastly it should be noted that there is no deprivation of ownership only of authority. The Receiver will have to pay the profits over to those entitled absolute owners or shareholders. He is merely manager, under ministerial control, for the owners.

BY COMMAND OF THE CHIEF COMMISSIONER

Declassified E.O. 12356 Section 3.3/NND No. 785021

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BY COMMAND OF THE CHIEF COMMISSIONER

G.R. URJOHN Brig
VP CA Section
DCOS AC

DISTRIBUTION :-

Econ Sec S/C	(100)
CA Sec S/C	(50)
Commis S/C	(10)

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Declassified E.O. 12356 Section 3.3/NND No. 785021

LSC/206

DLL 420 of 19 Oct 44

APPOINTMENT OF RECEIVERS OF BUSINESSES OF PUBLIC IMPORTANCE

The Italian version of this decree is the only authoritative text. This version is not a literal translation; its object is to inform officers conveniently of the provisions contained in the Decree.

Officers are referred to the Italian text for all points of detail or matters of procedure or dispute.

Appointment of Receivers	Arts	1-3
Powers and Duties of Receivers	"	4-5
Appointment and powers of Controllers	"	6
Application to other Receivers	"	7
Termination of Receivership	"	8-9
Concerns of state interest and Finance houses	"	10-12
Commencement	"	13

APPOINTMENT OF RECEIVERS

1 The government shall have the power to appoint a Commissioner (hereinafter called the Receiver) as Receiver and Manager of privately owned public utility undertaking or of concerns recognised as of national importance in any of the following events:

a) Should their continued operation be rendered impossible by the flight of their managers or owners.

b) Should they for whatever reason cease to do work of national importance.

c) Where, because of the fascist antecedents of the majority of their owners (including shareholders) or managers; or, because of past illegal and corrupt exploitation of the political situation, it is considered that the management cannot be trusted to operate in a reliable and competent manner.

The Receiver shall be selected from those whose suitability for the functions they will have to exercise may reasonably be inferred from their political and professional antecedents, and by their qualifications and experience.

The government if it thinks fit may appoint Joint Receivers or Assistant Receivers.

2 The aforesaid Receiver shall be appointed by decree of the President of the Council of Ministers, after consultation with the appropriate Minister; the period for which the receivership shall last shall be stated in the said decree but shall in no case extend for more than six months after the cessation of the state of war.

The said decree shall be published in the Official Gazette and a copy thereof shall be deposited in the Chancery of the Tribunal in whose area the Head office of the business is located. Where an unincorporated business owns real property, the Receiver shall cause the decree to be recorded in the appropriate land registry.

3 No Receiver shall be appointed to a business to which para (b) of Art 1 refers, unless the business concerned has first been served with a notice requiring it to resume its activities within a specified time and has not complied with the same.

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Powers and Duties of Receivers " 4-5
Appointment and powers of Controllers " 6
Application to other Receivers " 7
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POWERS AND DUTIES OF RECEIVERS

4 A Receiver shall have full power to act for and manage the business and in the case of commercial undertakings shall have power to exercise all normal administrative functions. The provisions of Article 2636 et seq. of the Civil Code shall apply to the Receivership.

The acts of the Receiver shall be subject to the supervision of the Minister specified in the decree appointing him.

Their [illegible] shall continue to exercise their functions during the Receivership.

The Minister charged with supervision of the Receivership may replace the whole or any part of such [illegible].

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The Receiver shall not, except with the consent of the Minister concerned on his being satisfied as to the necessity therefore, do any act outside the normal scope of management.

All members of the management and staff of businesses to which this decree applies shall be liable to expurgation. When such proceedings are to be taken, the provision of Part II of DL 159 of 1944, for sanctions against fascism, shall be applied by analogy.

5 The Receiver shall take possession of the assets of the business and an inventory thereof shall be made in the presence of the owner of the business or of his representative.

If the owner of the business or his representative shall not attend for that purpose, the inventory shall be made by a notary in the presence of two witnesses.

Should the owner and the Receiver not agree as to the property constituting the assets of the business, the matter shall be referred to the responsible Minister who shall decide the point in dispute; but, such decision shall, if the owner shall commence legal proceedings in a competent court, be subject to the decision of that court.

Before giving any such decision the Minister shall obtain the opinion of a Commission of the Presidency of the Council of Ministers composed of two Counsellors of State, of whom one, who shall preside, shall be a magistrate of not less than 5th grade and of two members, who shall be appointed respectively by the Minister of Public Works, and by the Minister of Industry, Commerce and Labour.

APPOINTMENT AND POWERS OF CONTROLLERS

6 Where it is considered desirable to control the resumption of the activities of a business on which a notice has been served under Art 3 hereof and in less serious cases under para (c) of Art 1 a Controller (instead of a Receiver) may be appointed in which case he shall be appointed in like manner to (a Receiver under) Art 2.

A Controller shall be entitled to exercise the usual powers of management, to inspect the books, records and correspondence, and to undertake any investigation he may wish.

The Controller shall be subject to the supervision of the Minister specified in the decree appointing him.

The said decree shall be published in the Official Gazette and a copy thereof shall be deposited in the Chancery of the Tribunal in whose area the Head Office of the business is located.

The first paragraph of Art 2 shall apply to the duration of the controllership.

APPLICATION TO OTHER RECEIVERS

7 The provisions as to the powers of a Receiver and of his supervision which are contained in this decree shall apply to a Receiver appointed before this decree came into force if the business managed by him is of a class to which Art 1 would apply.

The President of the Council of Ministers shall by decree appoint the Minister under whose supervision, in accordance with the preceding articles, the Receiver shall be placed.

TERMINATION OF RECEIVERSHIP

8 In the case of all companies whose responsibilities are limited whether by shares or otherwise which are within the provisions of para 3 of Art 1 the members may ask the Receiver to call a meeting to appoint new managers under the provisions

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TERMINATION OF RECEIVERSHIP

8 In the case of all companies whose responsibilities are limited whether by shares or otherwise which are within the provisions of para 3 of Art 1 the members may ask the Receiver to call a meeting to appoint new managers under the provisions of Art 2367 of the Civil Code.

Managers whose appointments have been terminated hereunder shall not be entitled to any indemnity under Art 2383 of the Civil Code.

The new Managers shall not take up their appointments until after the appointment of the Receiver has been revoked as provided in the following Article.

9 Where the Government is of opinion that the conditions which justified the appointment of a Receiver or Controller no longer exist, the said appointments shall be terminated even though the term fixed for the duration of the appointments under Art 2 or 6 has not expired.

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The revocation shall be made as a matter of course, or may be made on the application of the owner or manager of the business concerned.

CONCERNS OF STATE INTEREST AND FINANCE HOUSES

10 A Receiver may be appointed to companies or undertakings, in which the State is a shareholder or has a capital interest; or to which the State has made substantial advances or has guaranteed the performance of their obligations whether to third parties or to the shareholders; or which hold concessions of state property; when any of the conditions mentioned in Art 1 are fulfilled or when the interests of the State are in jeopardy.

In any such cases, the Receiver shall be appointed jointly by the Minister charged with the care of the particular State interest or who has authorised the loan, given the guarantee, or granted the concession; and the Minister responsible for the care of the public interests in connection with the type of activity with which the company is concerned.

With the exception of the provisions of the preceding paragraph, the provisions herein previously contained as to the appointment and removal of Receivers, as to their managerial powers and as to the calling of shareholders meetings to appoint new managers shall apply.

11 Receivers of credit institutes or of institutes subject to control under RL 375 of 1936 or amendments thereof who have been appointed under DL 222 of 1944 shall be subject to the provisions herein contained as to management by a Receiver.

The provisions of Arts 8 and 9 hereof shall also apply to the businesses and institutes mentioned in the first paragraph hereof.

12 In the cases referred to in Arts 10 and 11, Controllers with the powers and functions conferred by Art 6 may be appointed (instead of Receivers).

The appointment of such Controllers shall be made by the Minister empowered to appoint a Receiver.

COMMENCEMENT

13 This decree shall come into force on the day of its publication in the Official Gazette (18 Jan 45).

All concerned are hereby ordered to respect the same and to see that it be obeyed as a State law.

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DLL 4-20 of 19 OCT 44

APPOINTMENT OF RECEIVERS
OF
BUSINESSES
OF
PUBLIC IMPORTANCE

Declassified E.O. 12356 Section 3.3/NND No. 785021

APPOINTMENT OF RECEIVERS
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27 Jan 45

Declassified E.O. 12356 Section 3.3/NND No. 785021

APPOINTMENT OF RECEIVERS OF BUSINESSES OF PUBLIC IMPORTANCE

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APPOINTMENT OF RECEIVERS

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a) Should their continued operation be rendered impossible by the flight of their managers or owners.

b) Should they for whatever reason cease to do work of national importance.

c) Where, because of the fascist antecedents of the majority of their owners (including shareholders) or managers; or, because of past illegal and corrupt exploitation of the political situation, it is considered that the management cannot be trusted to operate in a reliable and competent manner.

The Receiver shall be selected from those whose suitability for the functions they will have to exercise may reasonably be inferred from their political and professional antecedents, and by their qualifications and experience.

The government if it thinks fit may appoint Joint Receivers or Assistant Receivers.

2 The aforesaid Receiver shall be appointed by decree of the President of the Council of Ministers, after consultation with the appropriate Minister; the period for which the receivership shall last shall be stated in the said decree but shall in no case extend for more than six months after the cessation of the state of war.

The said decree shall be published in the Official Gazette and a copy thereof shall be deposited in the Chancery of the Tribunal in whose area the Head office of the business is located. Where an unincorporated business owns real property, the Receiver shall cause the decree to be recorded in the appropriate land registry.

3 No Receiver shall be appointed to a business to which para (b) of Art 1 refers, unless the business concerned has first been served with a notice requiring it to resume its activities within a specified time and has not complied with the same.

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The acts of the Receiver shall be subject to the supervision of the Minister specified in the decree appointing him.

Their [illegible] shall continue to exercise their functions during the Receivership.

The Minister charged with supervision of the Receivership may replace the whole or any part of such [illegible] boards.

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The Receiver shall not, except with the consent of the Minister concerned on his being satisfied as to the necessity therefore, do any act outside the normal scope of management.

All members of the management and staff of businesses to which this decree applies shall be liable to epuration. When such proceedings are to be taken, the provision of Part II of DL 159 of 1944, for sanctions against fascism, shall be applied by analogy.

5 The Receiver shall take possession of the assets of the business and an inventory thereof shall be made in the presence of the owner of the business or of his representative.

If the owner of the business or his representative shall not attend for that purpose, the inventory shall be made by a notary in the presence of two witnesses.

Should the owner and the Receiver not agree as to the property constituting the assets of the business, the matter shall be referred to the responsible Minister who shall decide the point in dispute; but, such decision shall, if the owner shall commence legal proceedings in a competent court, be subject to the decision of that court.

Before giving any such decision the Minister shall obtain the opinion of a Commission of the Presidency of the Council of Ministers composed of two Counsellors of State, of whom one, who shall preside, shall be a magistrate of not less than 5th grade and of two members, who shall be appointed respectively by the Minister of Public Works, and by the Minister of Industry, Commerce and Labour.

APPOINTMENT AND POWERS OF CONTROLLERS

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A Controller shall be entitled to exercise the usual powers of management, to inspect the books, records and correspondence, and to undertake any investigation he may wish.

The Controller shall be subject to the supervision of the Minister specified in the decree appointing him.

The said decree shall be published in the Official Gazette and a copy thereof shall be deposited in the Chancery of the Tribunal in whose area the Head Office of the business is located.

The first paragraph of Art 2 shall apply to the duration of the controllership.

APPLICATION TO OTHER RECEIVERS

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The President of the Council of Ministers shall by decree appoint the Minister under whose supervision, in accordance with the preceding articles, the Receiver shall be placed.

TERMINATION OF RECEIVERSHIP

8 In the case of all companies whose responsibilities are limited whether by shares or otherwise which are within the provisions of para 3 of Art 1 the members

Declassified E.O. 12356 Section 3.3/NND No. 785021

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Managers whose appointments have been terminated hereunder shall not be entitled to any indemnity under Art 2383 of the Civil Code.

The new Managers shall not take up their appointments until after the appointment of the Receiver has been revoked as provided in the following Article.

9 Where the Government is of opinion that the conditions which justified the appointment of a Receiver or Controller no longer exist, the said appointments shall be terminated even though the term fixed for the duration of the appointments under Art 2 or 6 has not expired.

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The revocation shall be made as a matter of course, or may be made on the application of the owner or manager of the business concerned.

CONCERNS OF STATE INTEREST AND FINANCE HOUSES

10 A Receiver may be appointed to companies or undertakings, in which the State is a shareholder or has a capital interest; or to which the State has made substantial advances or has guaranteed the performance of their obligations whether to third parties or to the shareholders; or which hold concessions of state property; when any of the conditions mentioned in Art 1 are fulfilled or when the interests of the State are in jeopardy.

In any such cases, the Receiver shall be appointed jointly by the Minister charged with the care of the particular State interest or who has authorised the loan, given the guarantee, or granted the concession; and the Minister responsible for the care of the public interests in connection with the type of activity with which the company is concerned.

With the exception of the provisions of the preceding paragraph, the provisions herein previously enacted as to the appointment and removal of Receivers, as to their managerial powers and as to the calling of shareholders meetings to appoint new managers shall apply.

11 Receivers of credit institutes or of institutes subject to control under RL 375 of 1936 or amendments thereof who have been appointed under DL 222 of 1944 shall be subject to the provisions herein contained as to management by a Receiver.

The provisions of Arts 8 and 9 hereof shall also apply to the businesses and institutes mentioned in the first paragraph hereof.

12 In the cases referred to in Arts 10 and 11, Controllers with the powers and functions conferred by Art 6 may be appointed (instead of Receivers).

The appointment of such Controllers shall be made by the Minister empowered to appoint a Receiver.

COMMENCEMENT

13 This decree shall come into force on the day of its publication in the Official Gazette (18 Jan 45).

All concerned are hereby ordered to respect the same and to see that it is obeyed as a State law.

Declassified E.O. 12356 Section 3.3/NND No. 785021

loan, given the guarantee, or granted the concession; and the Minister responsible for the care of the public interests in connection with the type of activity with which the company is concerned.

With the exception of the provisions of the preceding paragraph, the provisions herein previously contained as to the appointment and removal of Receivers, as to their managerial powers and as to the calling of shareholders meetings to appoint new managers shall apply.

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All concerned are hereby ordered to respect the same and to see that it is obeyed as a State law.

Declassified E.O. 12356 Section 3.3/NND No. 785021

APPOINTMENT OF RECEIVERS
OF
BUSINESSES
OF
PUBLIC IMPORTANCE

Declassified E.O. 12356 Section 3.3/NND No. 785021

Unclassified E.O. 12356 Section 3.3/NND No. 785021

Gk Sec 27 Jun 45

ARTICLES OF INCORPORATION
OF
BUSINESSES
OF
PUBLIC DEFENDANCE

DLL 420 of 13 Oct 44

APPOINTMENT OF RECEIVERS OF BUSINESSES OF PUBLIC IMPORTANCE

The Italian version of this decree is the only authoritative text. This version is not a literal translation; its object is to inform officers conveniently of the provisions contained in the Decree.

Officers are referred to the Italian text for all points of detail or matters of procedure or dispute.

Appointment of Receivers	Arts	1-3
Powers and Duties of Receivers	"	4-5
Appointment and powers of Controllers	"	6
Application to other Receivers	"	7
Termination of Receivership	"	8-9
Concerns of state interest and Finance houses	"	10-12
Commencement	"	13

APPOINTMENT OF RECEIVERS

1 The government shall have the power to appoint a Commissioner (herein after called the Receiver) as Receiver and Manager of privately owned public utility undertaking or of concerns recognised as of national importance in any of the following events:

a) Should their continued operation be rendered impossible by the flight of their managers or owners.

b) Should they for whatever reason cease to do work of national importance.

c) Where, because of the fascist antecedents of the majority of their owners (including shareholders) or managers; or, because of past illegal and corrupt exploitation of the political situation, it is considered that the management cannot be trusted to operate in a reliable and competent manner.

The Receiver shall be selected from those whose suitability for the functions they will have to exercise may reasonably be inferred from their political and professional antecedents, and by their qualifications and experience.

The government if it thinks fit may appoint Joint Receivers or Assistant Receivers.

2 The aforesaid Receiver shall be appointed by decree of the President of the Council of Ministers, after consultation with the appropriate Minister; the period for which the receivership shall last shall be stated in the said decree but shall in no case extend for more than six months after the cessation of the state of war.

The said decree shall be published in the Official Gazette and a copy thereof shall be deposited in the Chancery of the Tribunal in whose area the Head office of the business is located. Where an unincorporated business owns real property, the Receiver shall cause the decree to be recorded in the appropriate land registry.

3 No Receiver shall be appointed to a business to which para (b) of Art 1 refers, unless the business concerned has first been served with a notice requiring it to resume its activities within a specified time and has not complied with the same.

POWERS AND DUTIES OF RECEIVERS

Declassified E.O. 12356 Section 3.3/NND No. 785021

Appointment of Receivers — Arts 1-2
Powers and Duties of Receivers — " 4-5
Appointment and powers of Controllers — " 6
Application to other Receivers — " 7
Termination of Receivership — " 8-9
Concerns of state interest and Finance houses — " 10-12
Commencement — " 13

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1 The government shall have the power to appoint a Commissioner (herein after called the Receiver) as Receiver and Manager of privately owned public utility undertaking or of concerns recognised as of national importance in any of the following events:

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b) Should they for whatever reason cease to do work of national importance.

c) Where, because of the fascist antecedents of the majority of their owners (including shareholders) or managers; or, because of past illegal and corrupt exploitation of the political situation, it is considered that the management cannot be trusted to operate in a reliable and competent manner.

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3 No Receiver shall be appointed to a business to which para (b) of Art 1 refers, unless the business concerned has first been served with a notice requiring it to resume its activities within a specified time and has not complied with the same.

POWERS AND DUTIES OF RECEIVERS

4 A Receiver shall have full power to act for and manage the business and in the case of commercial undertakings shall have power to exercise all normal administrative functions. The provisions of Article 2636 et seq. of the Civil Code shall apply to the Receivership.

The acts of the Receiver shall be subject to the supervision of the Minister specified in the decree appointing him.

Their [illegible] shall continue to exercise their functions during the Receivership.

The Minister charged with supervision of the Receivership may replace the whole or any part of such [illegible].

HHDS

Declassified E.O. 12356 Section 3.3/NND No. 785021

The Receiver shall not, except with the consent of the Minister concerned on his being satisfied as to the necessity therefore, do any act outside the normal scope of management.

All members of the management and staff of businesses to which this decree applies shall be liable to apprehension. When such proceedings are to be taken, the provision of Part II of BL 159 of 1944, for sanctions against fascism, shall be applied by analogy.

5 The Receiver shall take possession of the assets of the business and an inventory thereof shall be made in the presence of the owner of the business or of his representative.

If the owner of the business or his representative shall not attend for that purpose, the inventory shall be made by a notary in the presence of two witnesses.

Should the owner and the Receiver not agree as to the property constituting the assets of the business, the matter shall be referred to the responsible Minister who shall decide the point in dispute; but, such decision shall, if the owner shall commence legal proceedings in a competent court, be subject to the decision of that court.

Before giving any such decision the Minister shall obtain the opinion of a Commission of the Presidency of the Council of Ministers composed of two Counsellors of State, of whom one, who shall preside, shall be a magistrate of not less than 5th grade and of two members, who shall be appointed respectively by the Minister of Public Works, and by the Minister of Industry, Commerce and Labour.

APPOINTMENT AND POWERS OF CONTROLLERS

6 Where it is considered desirable to control the resumption of the activities of a business on which a notice has been served under Art 3 hereof and in less serious cases under para (c) of Art 1 a Controller (instead of a Receiver) may be appointed in which case he shall be appointed in like manner to (a Receiver under) Art 2.

A Controller shall be entitled to exercise the usual powers of management, to inspect the books, records and correspondence, and to undertake any investigation he may wish.

The Controller shall be subject to the supervision of the Minister specified in the decree appointing him.

The said decree shall be published in the Official Gazette and a copy thereof shall be deposited in the Chancery of the Tribunal in whose area the Head Office of the business is located.

The first paragraph of Art 2 shall apply to the duration of the controllership.

APPLICATION TO OTHER RECEIVERS

7 The provisions as to the powers of a Receiver and of his supervision which are contained in this decree shall apply to a Receiver appointed before this decree came into force if the business managed by him is of a class to which Art 1 would apply.

The President of the Council of Ministers shall by decree appoint the Minister under whose supervision, in accordance with the preceding articles, the Receiver shall be placed.

TERMINATION OF RECEIVERSHIP

8 In the case of all companies whose responsibilities are limited whether by [illegible] otherwise which are within the provisions of para 3 of Art 1 the members

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his representative.

If the owner of the business or his representative shall not attend for that purpose, the inventory shall be made by a notary in the presence of two witnesses.

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A Controller shall be entitled to exercise the usual powers of management, to inspect the books, records and correspondence, and to undertake any investigation he may wish.

The Controller shall be subject to the supervision of the Minister specified in the decree appointing him.

The said decree shall be published in the Official Gazette and a copy thereof shall be deposited in the Chancery of the Tribunal in whose area the Head Office of the business is located.

The first paragraph of Art 2 shall apply to the duration of the controllership.

APPLICATION TO OTHER RECEIVERS

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The President of the Council of Ministers shall by decree appoint the Minister under whose supervision, in accordance with the preceding articles, the Receiver shall be placed.

TERMINATION OF RECEIVERSHIP

8 In the case of all companies whose responsibilities are limited whether by shares or otherwise which are within the provisions of para 3 of Art 1 the members may ask the Receiver to call a meeting to appoint new managers under the provisions of Art 2367 of the Civil Code.

Managers whose appointments have been terminated hereunder shall not be entitled to any indemnity under Art 2383 of the Civil Code.

The new Managers shall not take up their appointments until after the appointment of the Receiver has been revoked as provided in the following Article.

9 Where the Government is of opinion that the conditions which justified the appointment of a Receiver or Controller no longer exist, the said appointments shall be terminated even though the term fixed for the duration of the appointments under Art 2 or 6 has not expired.

Declassified E.O. 12356 Section 3.3/NND No. 785021

The revocation shall be made as a matter of course, or may be made on the application of the owner or manager of the business concerned.

CONCERNS OF STATE INTEREST AND FINANCE HOUSES

10 A Receiver may be appointed to companies or undertakings, in which the State is a shareholder or has a capital interest; or to which the State has made substantial advances or has guaranteed the performance of their obligations whether to third parties or to the shareholders; or which hold concessions of state property; when any of the conditions mentioned in Art 1 are fulfilled or when the interests of the State are in jeopardy.

In any such cases, the Receiver shall be appointed jointly by the Minister charged with the care of the particular State interest or who has authorised the loan, given the guarantee, or granted the concession; and the Minister responsible for the care of the public interests in connection with the type of activity with which the company is concerned.

With the exception of the provisions of the preceding paragraph, the provisions herein previously contained as to the appointment and removal of Receivers, as to their managerial powers and as to the calling of shareholders meetings to appoint new managers shall apply.

11 Receivers of credit institutes or of institutes subject to control under RL 375 of 1936 or amendments thereof who have been appointed under DL 222 of 1944 shall be subject to the provisions herein contained as to management by a Receiver.

The provisions of Arts 8 and 9 hereof shall also apply to the businesses and institutes mentioned in the first paragraph hereof.

12 In the cases referred to in Arts 10 and 11, Controllers with the powers and functions conferred by Art 6 may be appointed (instead of Receivers).

The appointment of such Controllers shall be made by the Minister empowered to appoint a Receiver.

COMMENCEMENT

13 This decree shall come into force on the day of its publication in the Official Gazette (18 Jan 45).

All concerned are hereby ordered to respect the same and to see that it is obeyed as a State law.

Declassified E.O. 12356 Section 3.3/NND No. 785021

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With the exception of the provisions of the preceding paragraph, the provisions herein previously contained as to the appointment and removal of Receivers, as to their managerial powers and as to the calling of shareholders meetings to appoint new managers shall apply.

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The appointment of such Controllers shall be made by the Minister empowered to appoint a Receiver.

COMMENCEMENT

13 This decree shall come into force on the day of its publication in the Official Gazette (18 Jan 45).

All concerned are hereby ordered to respect the same and to see that it is obeyed as a State law.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

DEL 420 of 19 OCT 44

APPOINTMENT OF RECEIVERS
OF
BUSINESSES
OF
PUBLIC IMPORTANCE

Declassified E.O. 12356 Section 3.3/NND No. 785021

APPOINTMENT OF RECEIVERS
OF
BUSINESSES
OF
PUBLIC IMPORTANCE

CA Sec 27 Jan 45

Declassified E.O. 12356 Section 3.3/NND No. 785021

1784

Declassified E.O. 12356 Section 3.3/NND No. 785021

Circulate

ECONOMIC SECTION

Date 5 Feb 42

Internal

Fr.		To
	Vice President	
	Col. Densmore	
	Lt. Cleveland	
	Maj. Doe	
	Maj. Richardson	
	Maj. Looby	
	Maj. Green	
	Capt. Fenneman	
	Capt. Murray	
	Lieut. Atkins	
	Mr. Bakken	
	Mr. Stauffer	
	Mr. Lehman	
	Chief Clerk	

External

Fr.		To
✓	ECONOMIC SECTION	
	PETROLEUM SUB-COMMISSION	
	COMMERCE " "	
	FINANCE " "	
	FOOD " "	
	INDUSTRY " "	
	LABOR " "	
	U.S.C.C. " "	
	TRANSPORTATION "	
	CHIEF COMMISSIONER	
	CHIEF OF STAFF	
	DEPUTY CHIEF OF STAFF	
	CIVIL AFFAIRS & CIAO	
	ESTABLISHMENT SECTION	

For Appropriate Action	Noting & Retention
Remarks/Recommendation	Signature
Dispatch	Investigation & Report
Information	File Copy
Circulation Return	Noting & Return

Remarks: Additional Copies are available

NOTE: When the attached piece of correspondence is ready for file - please write the word "FILE" and initial the correspondence - NOT the Buck-Slip. It is suggested that pertinent remarks showing continuity of action should be noted on the letter itself, i.e. the margins, rather than on the Buck Slip which will be destroyed when letter is filed.

Declassified E.O. 12356 Section 3.3/NND No. 785021

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

File LSC/206

AC/4039/5/L. 2 Jun 1945.

SUBJECT : Increases of pay under DLL No. 328.

TO : See Distribution List.

1. DLL No. 328 of the 18th Nov 44 provided certain increases of pay in favor of state employees and employees of local public and para-statal organizations. This decree was implemented in the Military Government Territory by order dated 7 Dec 44 published in Gazzette Ufficiale No. 95.

2. Under the terms of this decree the increases are expressed to be retroactive to the 16th Aug 44 in territory which on the 18th Nov was under Italian Government Administration. For provinces not at that date under Italian Government Administration, the true effect of Article 14 of the decree as drawn is that pay increases are not retroactive at all, but take effect in each province from the date upon which the decree was implemented in that province under the normal procedure of implementation in the Gazzette Ufficiale.

3. It is not the policy of the Allied Commission to make this wide distinction between different provinces. The policy is that in provinces which, although not restored to the Italian Government on the 18th Nov 44, had nevertheless been liberated from German occupation on the 16th August 44, the pay increase shall be retroactive to the 16th Aug 44. In all other provinces, both those which have now been liberated and those which may at some future date be liberated, the pay increase will be retroactive to the approximate date upon which the provincial seat of the province was liberated from German occupation.

4. In order to give effect to this policy, it has been necessary to amend the order of implementation which appeared in Gazzette Ufficiale No. 95. A copy of the amended order is attached hereto at Appendix "A" from which you will see that the effective date of the decree will be the date specified by the Provincial Commissioner in a provincial order to be published for that purpose.

5. At Appendix "B" is attached a general form of provincial order to be used for implementation of the decree. It will be observed that the number and date of the Gazzette Ufficiale which will contain the amended order of implementation is left blank, as this order, although signed by the Chief of Staff, has not yet been published in the Gazette. These blanks must be filled in before the provincial order is published.

6. The Provincial Commissioners in territory now occupied and where the law has been implemented will publish the provincial order and will insert such date for the effective date of the law in their provinces as best gives effect to the policy indicated in para 3 above.

7. It should be observed that this provincial order cannot be issued until the procedure for implementation of Italian decrees has been put into effect in any province and thereby the DLL No. 328 has been implemented in that province. This applies both to those provinces which have now been liberated but where the implementation procedure is not yet effective and also to those provinces which may at some future date, be liberated.

2. Under the terms of this decree the increases are expressed to be retroactive to the 16th Aug 44 in territory which on the 18th Nov was under Italian Government Administration. For provinces not at that date under Italian Government Administration, the true effect of Article 14 of the decree as drawn is that pay increases are not retroactive at all, but take effect in each province from the date upon which the decree was implemented in that province under the normal procedure of implementation in the Gazzetta Ufficiale.

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4. In order to give effect to this policy, it has been necessary to amend the order of implementation which appeared in Gazzetta Ufficiale No. 95. A copy of the amended order is attached hereto at Appendix "A" from which you will see that the effective date of the decree will be the date specified by the Provincial Commissioner in a provincial order to be published for that purpose.

5. At Appendix "B" is attached a general form of provincial order to be used for implementation of the decree. It will be observed that the number and date of the Gazzetta Ufficiale which will contain the amended order of implementation is left blank, as this order, although signed by the Chief of Staff, has not yet been published in the Gazzetta. These blanks must be filled in before the provincial order is published.

6. The Provincial Commissioners in territory now occupied and where the law has been implemented will publish the provincial order and will insert such date for the effective date of the law in their provinces as best gives effect to the policy indicated in para 3 above.

7. It should be observed that this provincial order cannot be issued until the procedure for implementation of Italian decrees has been put into effect in any province and thereby the DAL No. 308 has been implemented in that province. This applies both to those provinces which have now been liberated but where the implementation procedure is not yet effective and also to those provinces which may at some future date, be liberated.

8. Copies of this instruction are enclosed for distribution to the Provincial Commissioners.

BY command of Rear Admiral STONE:

G. R. URQUHART, Brigadier
VP CA Sec
Dep CCS, AC

DISTRIBUTION LIST: Regional Legal Officers, Provincial & Regional Commissioners, Regions LAZIO-UMBRIA, -14
" " " ABRUZZI-MARCHE -10
" " " TOSCANA -22
" " " EMILIA -16
" " " LIGURIA - 6
" " " PIEMONTE - 8
" " " LOMBARDIA -10
" " " VENEZIA -20

SCAOs, 5th & 8th Armies - 2
Chief of Staff - 1
Finance S/C - 1
Legal S/C - 1
Labor S/C - 1

#200

Declassified E.O. 12356 Section 3.3/NND No. 785021

ORDINANCE OF THE ALLIED MILITARY GOVERNMENT Appendix A

I, MAURICE S. LUSH, C.B.E., M.C., Brigadier, hereby order that the endorsement of 7th December 1944 which appeared in Gazzetta Ufficiale, No. 95 of 16 Dec 1944 implementing the decrees contained in Gazzetta Ufficiale No. 86 of 25 Nov 1944 be varied as follows:

After the words "from the date upon which the Prefect of each province shall receive the present number of the Gazzetta Ufficiale" add "save and except DLL 328 of 18 Nov 1944 which shall become operative and have full force of law in each Province from the date of the order of the respective Provincial Commissioner implementing said decree."

Dated: 27 December 1944

M. S. LUSH, Brigadier,
Chief of Staff, Allied Commission.

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ORDINANZA DEL GOVERNO MILITARE ALLEATO

Io, Brigadiere Generale MAURICE S. LUSH, C.B.E., M.C., Capo di Stato Maggiore della Commissione Alleata, con la presente ordino che l'ordinanza in data 7 dicembre 1944, pubblicata nella Gazzetta Ufficiale No. 95 del 16 dicembre 1944, relativa ai decreti contenuti nella Gazzetta Ufficiale No. 86 del 25 novembre 1944, sia modificata come segue:

Dopo le parole "dalla data in cui il Prefetto di tale Provincia riceverà dalla Commissione Alleata una copia del presente numero della Gazzetta Ufficiale" si aggiunga "ad eccezione del DLL 18 novembre 1944, No. 328, che entrerà in vigore ed avrà piena forza ed effetto di legge in ciascuna Provincia a partire dalla data dell'ordinanza con cui il Commissario Provinciale disporrà l'entrata in vigore del detto decreto nella Provincia stesse."

In data 27 dicembre 1944

M. S. LUSH, Brigadiere Generale,
Capo di Stato Maggiore della Commissione Alleata.

PROVINCE OF _____ Appendix B

PROVINCIAL ORDER NO. _____

WHEREAS by DLL No. 328 of 18 November 1944 the Italian Government provided certain financial improvements in favor of State employees and employees of local public and parastatal organizations

AND WHEREAS by orders of the Chief of Staff of the Allied Commission dated 7 December 1944 and published in Gazzetta Ufficiale No. 95 on 16 December 1944 and further order dated 27 December 1944 and published in Gazzetta Ufficiale No. on it was ordered that the aforesaid decree should become operative and have full force and effect of law in each province of the Allied Military Government, as of such date as the Provincial Commissioner thereof should by Provincial Order direct

NOW, THEREFORE, I, Provincial Commissioner of the Province of hereby order as follows:

DLL No. 328 of 18 November 1944 shall become operative and have full force and effect of law in the Province of as of

(Date)

Provincial Commissioner.

++++++++++++++

PROVINCIA DI _____

ORDINANZA PROVINCIALE NO. _____

CONSIDERATO che col DLL 18 novembre 1944, no. 328, il Governo Italiano ha disposto dei miglioramenti economici a favore del personale statale e dei dipendenti degli Enti pubblici locali e parastatali;

CONSIDERATO che con Ordinanza del Capo di Stato Maggiore della Commissione Alleata in data 7 dicembre 1944, pubblicata nella Gazzetta Ufficiale No. 95 del 16 dicembre 1944 [illegible] Capo di Stato Maggiore [illegible] in data 27 dicembre

Declassified E.O. 12356 Section 3.3/NND No. 785021

ORDINANZA DEL GOVERNO MILITARE ALLEATO

Io, Brigadiere Generale MAURICE S. LUSH, C.B.E., M.C., Capo di Stato Maggiore della Commissione Alleata, con la presente ordino che l'ordinanza in data 7 dicembre 1944, pubblicata nella Gazzetta Ufficiale No. 95 del 16 dicembre 1944, relativa ai decreti entrati nella Gazzetta Ufficiale No. 86 del 25 novembre 1944, sia modificata come segue:

Dopo le parole "dalla data in cui il Prefetto di tale Provincia riceverà dalla Commissione Alleata una copia del presente numero della Gazzetta Ufficiale" si aggiunga "ad eccezione del DLL 18 novembre 1944, No. 328, che entrerà in vigore ed avrà piena forza ed effetto di legge in ciascuna Provincia a partire dalla data dell'ordinanza con cui il Commissario Provinciale disporrà l'entrata in vigore del detto decreto nella Provincia stessa."

In data 27 dicembre 1944

M. S. LUSH, Brigadiere Generale,
Capo di Stato Maggiore della Commissione Alleata.

Appendix B

PROVINCE OF _____

PROVINCIAL ORDER NO. _____

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AND WHEREAS by orders of the Chief of Staff of the Allied Commission dated 7 December 1944 and published in Gazzetta Ufficiale No. 95 on 16 December 1944 and further order dated 27 December 1944 and published in Gazzetta Ufficiale No. on it was ordered that the aforesaid decree should become operative and have full force and effect of law in each province of the Allied Military Government, as of such date as the Provincial Commissioner thereof should by Provincial Order direct

NOW, THEREFORE, I, Provincial Commissioner of the Province of hereby order as follows:

DLL No. 328 of 18 November 1944 shall become operative and have full force and effect of law in the Province of as of

(Date)

Provincial Commissioner.

****

PROVINCIA DI _____

ORDINANZA PROVINCIALE NO. _____

CONSIDERATO che col DLL 18 novembre 1944, no. 328, il Governo Italiano ha disposto dei miglioramenti economici a favore del personale statale e dei dipendenti degli Enti pubblici locali e parastatali;

CONSIDERATO che con Ordinanza del Capo di Stato Maggiore della Commissione Alleata in data 7 dicembre 1944, pubblicata nella Gazzetta Ufficiale No. 95 del 16 dicembre 1944 e che con successive ordinanze dello stesso Capo di Stato Maggiore in data 27 dicembre 1944, pubblicata nella Gazzetta Ufficiale No. del , è stato disposto che il detto DLL entri in vigore ed abbia piena forza ed effetto di legge in ciascuna provincia soggetta al Governo Militare Alleato, dalla data che sarà stabilita dai rispettivo Commissario Provinciale con Ordinanza Provinciale;

IO, , Commissario Provinciale della Provincia di con la presente ordino quanto segue:

Il DLL 18 novembre 1944, no. 328, entra in vigore e ha piena forza ed effetto di legge nella Provincia di a partire dal giorno

(Data)

Il Commissario Provinciale

Declassified E.O. 12356 Section 3.3/NND No. 785021

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