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L.S.C /311

UNIFICATION OF SOCIAL INSURANCE PRO

July - Dec. 1945

UNIFICATION OF SOCIAL INSURANCE PROVISIONS

July - Dec. 1945

HEADQUARTERS ALLIED COMMISSION
APO 894
LABOR SUB-COMMISSION

DCS/rmw

TEL : Ext. 315

17 December 1945

REF : LSC/906/311

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. 692, 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. 692; 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.

- 2 -

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

6983

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB-COMMISSION

150/311
DEW/20

11 December 1945

REF 1 150/306/206

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

TO : The Ministry of Labour and Social 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 withhold this Decree in the
present form from immediate application in territory under the
administration of AMG.

4. With respect 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 implemen-
tation 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.

Copy to : Finance Sub-Commission

DAVID C. BATES
Deputy Director,
Labour Sub-Commission

6982

FILE: LSC/311

HEAD HARTERS ALLIED COMMISSION
APO 594
LABOUR SUB COMMISSION

GGV/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.

6981

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

5. Where it is not too late, please withhold 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.

-2-

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

copy to : Finance sub-Commission

DAVID C. SACHS
Deputy Director,
Labour sub-Commission

6980

Translation Elsner

R o m e , 22 October 1945.

MINISTRY OF LABOUR AND
SOCIAL SECURITY.

Dir.Gen.of Social Security
Prot.N° 3507.

TO: THE ALLIED COMMISSION

- Finance Sub-Commission,
- Labour Sub-Commission.

R o m e

SUBJECT: Unified contributions in
Northern Italy.

LSC/311

1. This Ministry has noted the opinion expressed by the Legal Sub-Commission of your Commission, that it is impossible, from a legal standpoint, to enforce the provisions ordered for the maintenance of the regulations adopted for the North of Italy regarding unification of contributions, until 31st inst.

2. As regards the counter-proposal made by your Sub-Commission that the same provisions be inserted in the "Gazzetta Ufficiale" under the form of a ministerial decree, this Ministry must point out that such procedure is hindered, from the formal standpoint, by the lack of an appropriate legislative power for the issuance of a similar decree and, from a substantial standpoint, by the fact that it would be entirely contrary to the law for the coordination of legislation in the liberated territories.

3. As for these reasons any possibility for the adoption of contingency measures is excluded, it is only possible to proceed in the normal way, i.e. to provide for the issuance of appropriate legislative measures which would be able to simplify the operations of calculation and payment of the social contributions, and to ensure the workers an adjustment according to the national scheme of benefits and rights granted them on the basis of the social security scheme as already applied in Northern Italy and of that in force in Central and Southern Italy.

4. This Ministry, desiring to have this question urgently settled, has called an appropriate meeting of all the representatives of the national syndical associations and of the institutes concerned.

5. Your Sub-Commission will be informed, as soon as possible, of the text of the provisions which will be worked out this way.

6. The Ministry is trusting that as soon as these provisions will be approved, they will be extended by your Commission to the provinces not yet handed over to the Italian administration.

THE MINISTER
(sgd.) Barbareschi

22 OTT 1945

Roma

19

Ministero del Lavoro
e della Previdenza Sociale

UFFICIO MINISTRIAL DI TUTELA

Direz. Gen. Prev. Assistenza
Sociale

Aut. N. 2
8507

LA COMMISSIONE ALLEATA
=Sottocommissione Finanziaria
(Ass. Sociali)
=Sottocommissione del Lavoro

R O M A

Via Vitt. Veneto

Proposta del
del Lsc/311

Oggetto: Contributi unificati in Alta Italia.

1. Questo Ministero ha preso atto anzitutto del parere espresso dalla Sottocommissione Legale di codesta Commissione circa la impossibilità dal punto di vista giuridico di rendere esecutive le disposizioni impartite per il mantenimento fino al 31 corr. mese del sistema di norme adottate nel Nord Italia per l'unificazione dei contributi.
2. Circa poi la controproposta fatta da codesta Commissione perché le disposizioni stesse venissero inserite nella Gazzetta Ufficiale sotto forma di decreto ministeriale, questo Ministero deve far presente che a tale procedura osta dal punto di vista formale la mancanza di un'apposita delega legislativa per la emanazione di un simile decreto e dal punto di vista sostanziale il fatto che esso verrebbe ad essere in assoluto contrasto con la legge sull'assetto della legislazione nei territori liberati.
3. Venuta così meno ogni possibilità di adottare dei provvedimenti d'ordine contingente, non resta che ricorrere alla via normale e cioè alla emanazione di apposite disposizioni legislative atte a semplificare le operazioni di computo e di versamento dei contributi sociali e ad assicurare ai lavoratori una perequazione sul

Oggetto: Contributi unificati in Alta Italia.

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2. Circa poi la controproposta fatta da codesta Commissione perché le disposizioni stesse venissero inserite nella Gazzetta Ufficiale sotto forma di decreto ministeriale, questo Ministero deve far presente che a tale procedura osta dal punto di vista formale la mancanza di un'apposita delega legislativa per la emanazione di un simile decreto e dal punto di vista sostanziale il fatto che esso verrebbe ad essere in assoluto contrasto con la legge sull'assetto della legislazione nei territori liberati.
3. Venuta così meno ogni possibilità di adottare dei provvedimenti d'ordine contingente, non resta che ricorrere alla via normale e cioè alla emanazione di apposite disposizioni legislative atte a semplificare le operazioni di computo e di versamento dei contributi sociali e ad assicurare ai lavoratori una perequazione sul piano nazionale dei benefici e dei diritti ad essi concessi dal sistema previdenziale già applicato in Alta Italia e da quello in atto nell'Italia centro-meridionale.

eyo

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4. A ciò intende provvedere d'urgenza questo Ministero che ha già convocato a tal fine un'apposita riunione fra i rappresentanti delle associazioni sindacali nazionali e degli istituti interessati.

5. Delle disposizioni che saranno così elaborate questo Ministero si affretterà a comunicare il testo a codesta Commissione.

6. Si ha piena fiducia che esse, non appena promulgate, saranno da codesta Commissione estese alle provincie non ancora restituite all'amministrazione italiana.

IL MINISTRO



23 OTT. 1945
23 OTT. 1945

MINISTER OF LABOUR AND SOCIAL WELFARE
P.O. BOX 334
KINSHASA - ZAMBIA

10/10/65

3 October 1965

Subject: Continuation until 31 October of Unified Contributions.

To: Minister of Labour and Social Welfare.

Reference is made to your letter of 3 October asking that we withdraw our instruction of 11 August and replace it with your circular which would permit continuance of the system of unified social insurance contributions in Zambia until 31 October.

We are advised by the Legal Commission that there are no legal grounds by which Unified Contributions can implement a circular letter of this character unless it is published in the Gazette Official. It is also pointed out that in the absence of such proper legal basis, withdrawal of our instruction of 11 August would have no effect since it merely declared what had been good law since 1 May 1965.

If your Ministry prepared to insert the desired disposition in the Gazette Official, if necessary in the form of a ministerial decree. If so, the Chief Legal Officer will undertake to insert the implementation order in the next number of the Gazette.

If not, Legal Commission can only await the expected publication of the new decree which will be implemented concurrently. 6977

A copy of this letter is being sent to the social insurance institutions and to the National Board of Labour to inform them that Unified Commission is unable to give effect to your circular in its present form. Our Finance Officers in the North are also being advised.

AMB/r

Chief Director
Finance and Accounts

HEADQUARTERS ALLIED COMMISSION
APC 394
FINANCE SUB-COMMISSION

13177/P

4 Ottobre 1945

OGGETTO: Continuazione sino al 31 Ottobre dei contributi unificati

AL : MINISTRO del Lavoro e della Previdenza Sociale

1. Facciamo riferimento alla loro lettera No. 3221 del 3 Ottobre nella quale ci chiedevano di ritirare le nostre istruzioni del 22 Agosto, e di sostituirle con la loro circolare, la quale avrebbe permesso nell'Italia del Nord di prolungare sino al 31 Ottobre il sistema dei contributi unificati per le assicurazioni sociali.

2. La Sotto-Commissione Legale ha espresso il parere che la Commissione Alleata non ha modo, dal punto di vista giuridico, di rendere esecutiva una simile circolare, a meno che essa sia pubblicata nella Gazzetta Ufficiale; si e' anche fatto presente che, in assenza di una appropriata base giuridica, il ritiro delle nostre istruzioni del 22 Agosto non avrebbe avuto alcun effetto, poiche' esse si limitavano a confermare cio' che, sin dal 2 maggio 1945, era stato legittimamente stabilito per legge.

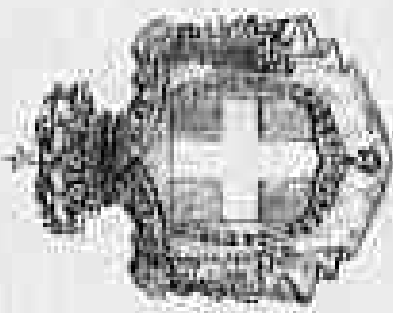
3. E' il suo Ministero disposto ad inserire nella Gazzetta Ufficiale la disposizione provvista, eventualmente sotto forma di un decreto ministeriale? In caso affermativo, il Capo dell'Ufficio Legale provvedera' a inserire nello stesso numero della Gazzetta l'ordine di esecuzione.

4. In caso negativo, la Commissione Alleata puo' solo aspettare la pubblicazione del nuovo decreto e dichiararlo poi subito esecutivo.

5. Copia di questa lettera e' inviata agli Istituti incaricati delle Assicurazioni Sociali e alla Banca Nazionale del Lavoro, per informarli che la Commissione Alleata non e' in grado di autorizzare l'applicazione della loro circolare nella sua attuale forma. La stessa informazione e' anche stata data ai nostri Ufficiali di Finanza nel Nord.

6976

JOINT DIRECTOR
Finance Sub-Commission



Ministero dell'Industria,
dell'Artigianato e del Lavoro

E DELLA PREVIDENZA SOCIALE

Direzione generale previdenza

Prot. N. 3224 Allegato

Roma,

2 OTT 1946

CSG 311+1002
19

M. ON. COMMISSIONE ALLEATA

Sottocommissione finanziaria

(Ass. sociali)

Sottocommissione del Lavoro

Risposta al P.N. 2
del

Oggetto: Proroga al 31 ottobre c.m. del sistema in atto nell'Alta
Italia dei contributi per l'unificazione

Il pregio dell'opera per ogni riferimento è riservato a me o ai miei eredi.

In risposta alla lettera 2 ottobre c.m. e in relazione alle
intese verbali intercorse con i dirigenti della Sottocommissione
finanziaria e delle Sottocommissione del lavoro, rimetto copia
delle disposizioni impartite agli Istituti competenti per la pro-
roga al 31 ottobre c.m. del sistema in atto in Alta Italia per
la disciplina delle assicurazioni sociali e per il versamento dei
contributi relativi.

Prego codesta Commissione di voler considerare la opportunità
di rendere esecutive le disposizioni stesse nel territorio tut-
tora soggetto al Governo militare alleato e di revocare in conse-
guenza le istruzioni disposte con lettera del 22 agosto u.s.

Assicuro nell'occasione che questo Ministero promuoverà i
provvedimenti necessari per realizzare a decorrere dal 1° novem-
bre p.v. una disciplina uniforme delle assicurazioni sociali su
tutto il territorio nazionale.

6975

IL MINISTRO

Carbante

Prot. N. 3224 Allegato

Risposta al p. n. 2
del

Occorrendo Proroga al 31 ottobre c.m. del sistema in atto nell'Alta Italia dei contributi per l'unificazione

In risposta alla lettera 2 ottobre c.m. e in relazione alle intese verbali intercorse con i dirigenti della Sottocommissione finanziaria e delle Sottocommissione del lavoro, rimetto copia delle disposizioni impartite agli Istituti competenti per la proroga al 31 ottobre c.m. del sistema in atto in Alta Italia per la disciplina delle assicurazioni sociali e per il versamento dei contributi relativi.

Prego codesta Commissione di voler considerare la opportunità di rendere esecutive le disposizioni stesse nel territorio tuttora soggetto al Governo militare alleato e di revocare in conseguenza le istruzioni disposte con lettera del 22 agosto u.s.

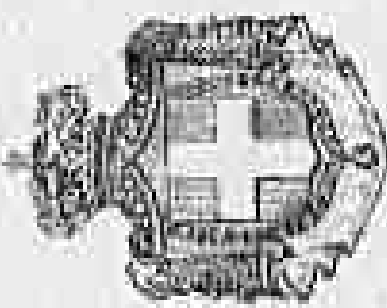
Assicuro nell'occasione che questo Ministero promuoverà i provvedimenti necessari per realizzare a decorrere dal 1° novembre p.v. una disciplina uniforme delle assicurazioni sociali su tutto il territorio nazionale.

IL MINISTRO



6975

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Ministero dell'Industria
e delle Attività Produttive
DIREZIONE GENERALE PREVIDENZA
e ASSI. SOC.

Dist. N. 2 Allegato

Oggetto: Proroga al 31 ottobre c.m. del sistema in atto nell'Alta Italia dei contributi per l'unificazione.

Roma 19

ALL'ISTITUTO NAZIONALE DELLA PREVIDENZA SOCIALE. ROMA
ISTITUTO NAZIONALE PER L'ASSICURAZIONE CONTRO GLI INFORTUNI SUL LAVORO. ROMA
ISTITUTO NAZIONALE PER L'ASSISTENZA MALATTIA. ROMA
ALLA BANCA NAZIONALE DEL LAVORO. ROMA
Rappresentanza:
ALLA CONFEDERAZIONE GENERALE ITALIANA DEL LAVORO. ROMA
ALLA CONFEDERAZIONE GENERALE DELLA INDUSTRIA ITALIANA. ROMA

Questo Ministero ha esaminato la situazione che rispetto alle assicurazioni sociali si è venuta a determinare in conseguenza della difformità di norme in applicazione nell'Italia settentrionale e in quella centro meridionale in materia di riscossione dei contributi e di disciplina delle prestazioni.

Ritenendo necessario di porre fine a tale situazione e agli inconvenienti che ne derivano, questo Ministero intende entro il corrente mese promuovere, con la collaborazione delle organizzazioni sindacali e delle Amministrazioni interessate, i provvedimenti opportuni per realizzare un unico sistema di norme atte a semplificare le operazioni di computo e di versamento dei contributi e ad assicurare ai lavoratori una perequazione sul piano nazionale dei benefici e dei diritti ad essi concessi da ^{egregi} sistemi previdenziali in atto.

Nell'attesa che possano essere adottati i provvedimenti necessari e per rendere più facilmente attuabile il trapasso alla nuova regolamentazione che dovrà essere attuata, questo Ministero dispone che il sistema in atto in Alta Italia al momento della liberazione per la disciplina delle assicurazioni sociali e per

ISTITUTO NAZIONALE PER L'ASSISTENZA
MALATTIA R O M A
ALLA BANCA NAZIONALE DEL LAVORO
R O M A

Responsabilità
AZZA CONFEDERAZIONE GENERALE ITALIANA
DEL LAVORO R O M A
ALLA CONFEDERAZIONE GENERALE DELLA
INDUSTRIA ITALIANA R O M A

Questa Proroga al 31 otto-
bre c.m. del sistema in atto nell'Alta
Italia dei contributi per l'unificazio-
ne.-

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Ritenendo necessario di porre fine a tale situazione e agli inconvenienti che ne derivano, questo Ministero intende entro il corrente mese promuovere, con la collaborazione delle organizzazioni sindacali e delle Amministrazioni interessate, i provvedimenti opportuni per realizzare un unico sistema di norme atte a semplificare le operazioni di computo e di versamento dei contributi e ad assicurare ai lavoratori una perequazione sul piano nazionale dei benefici e dei diritti ad essi concessi da *diversi* sistemi previdenziali in atto.

Nell'attesa che possano essere adottati i provvedimenti necessari e per rendere più facilmente attuabile il trapasso alla nuova regolamentazione che dovrà essere attuata, questo Ministero dispone che il sistema in atto in Alta Italia al momento della liberazione per la disciplina delle assicurazioni sociali e per il versamento dei contributi continui ad essere applicato fino al 31 ottobre corrente mese, ferme restando la estensione già di-

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sposta dei maggiori benefici per le pensioni d'invalidità e vecchiaia, le rendite d'infortunio e gli assegni familiari.

Invito pertanto gli Istituti competenti a voler provvedere alla regolare attuazione di tale determinazione, confidando in pari tempo nell'appoggio delle associazioni sindacali perchè facciano opera di persuasione presso le aziende e le categorie interessate sulla necessità e sulla convenienza della determinazione stessa.

I L M I N I S T R O

fto Barbareschi

Translation

/ja

MINISTRY OF LABOUR AND SOCIAL INSURANCE
=====

Direction General for Social Security

3 October 1945

LSC / 311-1002

Prot.n° 3221

TO : ALLIED COMMISSION
Finance Sub-Commission
Labour Sub-Commission

SUBJECT: : Adjournment to the 31st of October
next of the system of unified con-
tributions actually in force in Northern
Italy.

In reply to your letter of October 2nd last and in compliance with the verbal agreement reached with the heads of the Finance and Labour Sub-Commission, I enclose herewith a copy of the instructions I have sent to the appropriate agencies, concerning the adjournment to the 31st of October of the system actually in force in Northern Italy covering social security as well as the payment of the respective contributions.

I take the liberty to ask the Allied Commission to implement the above instruction for the whole territory subject to Allied Military Government, and consequently to withdraw the instructions sent out by your letter dated 22 August last.

In the meantime I am able to assure you that this Ministry will take the steps needed in view of enacting from November 1st onwards a uniform social security system in the whole national territory.

THE MINISTER
Barbareschi

6973

Translation BALDAZZI

/pm

MINISTRY OF LABOUR AND SOCIAL SECURITY

Direction General for Social Security

Prot. n° 3221

LSC/311-1002
3 October 1945

TO : ALLIED COMMISSION
Finance Sub-Commission
Labour Sub-Commission

SUBJECT : Adjournment to the 31st of October ~~road~~
of the unified contributions system in
force in Northern Italy.

TO : The NATIONAL INSTITUTE OF SOCIAL SECURITY
ROME
: National Institute for Insurance against
Labour accidents
: National Institute for assistance in
case of sickness
: National Labour Bank.

and for information

: Italian General Confederation of Labour
Italian General Confederation of Industry
ROME

This Ministry has duly considered the situation caused by the diversity of the enforcement' rules, as existing in Northern and in Central and Southern Italy, concerning the payment of contributions and grant of benefits so far as social security is concerned. 5972

Considering that it is necessary to end this situation and the connected inconveniencies, this Ministry is determined-within the current month and with the co-operation of the Trade-Unions as well as of the administrations concerned - ^{to carry out} all measures needed to accomplish the following

purposes: to establish a consolidated system of rules suitable to simplify the operations of computation and payment of contributions, and to secure an adjusted national plan for all benefits and rights granted to the workers by the different social security systems actually in force.

While awaiting the enforcement of the needed provisions, and in order to facilitate the passing to the new legislation to be carried out, this Ministry gives the following orders: the system in force in Northern Italy in matter of social security at the moment of liberation of the country and payment of contributions must be adjourned up to 31 October 1945; no change will be made concerning the extension already decided upon for higher benefits on invalidity old age accident while at work pensions and family allowances.

Therefore I call upon the Agencies concerned to carry out regularly the decision as above, and at the same time I trust that the Trade Unions are going to grant their support and try to persuade the interested firms and workers of the necessity and convenience of the decision.

THE MINISTER
(sgd) Barbareschi

6971

HEADQUARTERS ALLIED COMMISSION
AFO 394
LABOUR SUB COMMISSION

DCS/ac

MEMORANDUM FOR FILE

REF : LSC/311

2 October 1945

SUBJECT: Unification of Social Insurance et al.

I had a meeting with Minister Barbareschi this morning concerning the above and other subjects.

UNIFICATION OF SOCIAL INSURANCE CONTRIBUTIONS.

The Minister stated that he had had a talk with the Social Insurance Committee of the Consulta. They reviewed some of the problems of Social Insurance and agreed to have new legislation ready by 1 November on this subject. In the meantime, it was thought better to leave the situation in the North as it was found at the time of liberation. The Minister therefore renewed his request that we revoke our instruction of 22 August. It was pointed out by Major Reede that we could not issue an instruction directing compliance with an abrogated decree of the Fascist Republican Government and involving non-compliance with the valid outstanding legislation of the Italian Government. The Minister was asked whether or not he desired to prepare a ministerial circular to this effect. He replied that he could not do so because it would be contrary to Italian law. It was left that the Minister would prepare a circular directing that Social Insurance contributions be in accordance with an attached schedule. Allied Commission would consider whether this could be circulated under the circumstances.

WAGE CONTROL AND RIJACS.

The Minister stated that he had received a very favourable impression of the work which had been performed by the R.I.J.A.C.s. He stated that it was his thought to continue to make use of these Committees and in addition to establish them throughout Italy.

On the question of Wage Control he was of the opinion that for a temporary period it would be necessary to continue the system of requiring wage increase agreements to be submitted to a Government agency for approval. After this period, he stated, the syndicates would be vested with legal status and such procedure would be unnecessary. It was suggested that the Minister transmit to us some time before turnover whatever his policy in this regard. We would then pass the information on to the Labour Offices and R.I.J.A.C.s in order that they may continue their work without a break in outstanding policy.

-2-

WAGE AGREEMENTS.

The Minister's recommendation was solicited upon two wage agreements that went beyond the term of the Milan agreement. One contract involved newspapers in Milan while the other covered newspaper reporters in Genoa.

The Minister recommended that both these contracts be approved and he was informed that action would be taken accordingly.

CASSA INTEGRAZIONE.

The Minister was informed that an instruction had been sent out to the Field to continue Decree 523 until 14 October. It was also agreed that an outline of the new agreement would be furnished to the Field. The Minister stated that he was sure that the new Decree would be signed by 15 October.

I suggested that if the Decree were not ready for implementation by that time and if the territory was still under the administration of AME he ought to advise us whether or not the Italian Government desires that the old Decree be continued further or whether the new arrangement should be put into effect.

GERMAN POWs.

The Minister stated that the only new item on this subject was something which had come in from Bari and about which he had already written to us.

David C. Sachs

DAVID C. SACHS
Deputy Director,
Labour Sub-Commission

6969

HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB-COMMISSION

13177/P.

2 ottobre 1945.

Oggetto: Unificazione dei contributi per
le assicurazioni sociali.

A1 : Ministro del Lavoro e della Previdenza sociale.

1. La presente lettera, sebbene costituisca una comunicazione a sè, si riferisce alla stessa situazione discussa nella loro lettera n.307-A del 17 settembre e nella nostra risposta 13177/P del 22 settembre.

2. I lati positivi del decreto del Duce n.376 e gli effetti negativi che potrebbero derivare agli introiti e al benessere dei lavoratori dal ritorno all'ordinamento che regola i contributi nell'Italia centro-meridionale, sono già stati fatti presenti ai funzionari di questa sottocommissione. Noi abbiamo anche ricevuto dei pro-memoria dai direttori degli Uffici di Milano dell'I.N.F.S., I.N.A.I.L e Malattia.

3. Rispondendo a tali osservazioni, abbiamo riconosciuto che il decreto abrogato presenta dei lati positivi, i quali però sono attualmente stati presi in considerazione dal competente Ministero italiano.

4. Rispetto agli effetti negativi sugli introiti dei lavoratori, noi abbiamo fatto presente che, secondo appropriate ⁶⁹⁶⁸ direttive, l'abrogazione del decreto n.376 dovrebbe essere considerata come una parte di un programma, il quale, nel suo complesso, dovrebbe portare a un aumento, non a una riduzione dei proventi dei lavoratori. Mentre attualmente il lavoratore deve pagare per le assicurazioni sociali un contributo corrispondente, in media, a 250 lire al mese, egli percepisce per gli assegni familiari un aumento corrispondente a 700 lire al mese.

5. Un argomento più grave di quello di richiedere ai lavoratori di pagare i contributi, è quello della copertura. Senza dubbio il decreto abrogato aveva stabilito importanti miglioramenti :

a) allargando il campo dell'assicurazione per quanto riguarda

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gli impiegati, ed estendendola ai dirigenti;

b) allargando la base su cui i contributi vanno calcolati, ed abolendo i bassi massimali di retribuzione ai quali i contributi si applicano.

6. La Commissione Alleata si è sempre resa conto della necessità di una riforma in materia di contributi per le assicurazioni sociali, e anche dei lati favorevoli che il decreto abrogato presenta a questo proposito. Tuttavia, considerato nel suo complesso, il decreto ha un carattere demagogico, come risulta particolarmente dal fatto dell'abolizione dei contributi a carico dei lavoratori.

7. Durante il breve periodo necessario per la preparazione del loro nuovo decreto, quel che importa è di agire secondo giustizia, non solo rispetto ai lavoratori del Nord, ma anche rispetto a quelli di tutta l'Italia. E' certo che, a partire dallo stesso giorno, essi saranno soggetti alle stesse disposizioni per quanto riguarda i contributi.

8. Ciò non significa che non potrebbe forse esser meglio adottare alcune o tutte le disposizioni sinora applicate nel Nord, come un sistema provvisorio per tutta l'Italia. Ma rimane sempre fermo che qualsiasi cosa si faccia, deve essere fatta per tutta l'Italia a partire dal 1° agosto.

9. E' per questo che noi riteniamo che il loro Governo debba ora prendere l'iniziativa. La Commissione Alleata può agire in accordo con il loro Governo, mentre esita ad agire da sola, ossia solo per l'Italia del Nord, sia per mancanza di tempo, sia per ragioni di giustizia.

10. Ciò non ostante siamo disposti a ritirare le nostre istruzioni del 22, se questo è considerato necessario dal loro Governo. Noi però preferiremmo farlo solo dopo debita assicurazione che il nuovo decreto avrà vigore a partire dal 1° agosto. Ciò renderebbe possibile, mediante un eventuale congruaggio dei contributi, corrispondere lo stesso trattamento a tutti i lavoratori assicurati, indipendentemente dal sistema di contributi nel frattempo in vigore.

JOINT DIRECTOR
Finance Sub-Commission

THE JOINT ALLIED COMMISSION
APO 394
FINANCE SUB-COMMISSION

13177/Y

2 October 1945

SUBJECT : Unification of Social Insurance Contributions.

TO : Minister of Labour and Social Welfare.

1. Although a separate communication, this letter refers to the same situation as was discussed in your n.307A of 17 September and our reply, 13177/Y of 22 September.
2. Representations have also been made to officers of this Sub-Commission concerning the meritorious features of Decree of the Duce n. 376 and the unfavorable effect on the workers income and welfare of restoring the regulations governing contributions in central and southern Italy. We have received memorials from the Milan Directors of I.N.P.S., I.N.A.I.L. and Malattia.
3. Replying to such representations we have acknowledged that the abrogated decree had meritorious features but that these were already receiving consideration by the competent Italian Ministry.
4. Regarding the unfavorable effect on workers' incomes we have pointed out that accurate understanding requires that abrogation of Decree n. 376 be considered as part of a program the effect of all parts of which was not to reduce but to increase workers' income. While he must now contribute an average of L. 250.- monthly for social insurances, he receives additional family allowances that will amount to Lit. 700 monthly.
5. A more serious matter than that of requiring workers' contributions is the question of coverage. Undoubtedly the abrogated decree effected important improvements by
 - a) extending the coverage of impiegati and covering dirigenti; and
 - b) broadening the base of contributions and removing the low limits of income to which they apply.
6. Allied Commission has never been unaware of the need

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- 2 -

for reforming social insurance contributions, nor of the merits of the abrogated decree in this regard. Viewed as a whole, however, the decree has a demagogic character and the elimination of workers' contributions is especially indicative of this.

7. What matters most in the short period before your new decree can be prepared is that justice be done not only to northern workers but to all other Italian workers. Since 1 August 1945, all insured workers, north and south, have received the same benefits. Surely from the same date they should be governed by the same regulations regarding contributions.

8. This is not to say that it would not perhaps be wiser to adopt some or all of the regulations hitherto obtaining in the North as the interim standard for all Italy. It is only that whatever is done should be done for Italy as a whole, as from 1 August.

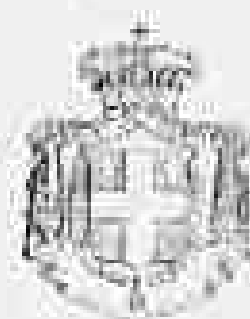
9. This is why we think your Government must take the initiative now. Allied Commission can act in concert with your Government, but hesitates partly for lack of time, and partly for reasons of common justice, to act alone since this means for northern workers only.

10. We can, nevertheless, withdraw our instruction of 22 August if that is regarded as necessary by your Government. We should prefer to do so, however, only after due assurance that the new decree will take effect from 1st August. This would assure that an eventual adjustment of contributions would provide the same treatment to all insured workers whether in the meantime under one or the other system of contributions.

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JOINT DIRECTOR
Finance Sub-Commission

Roma, 25.9.1945.



*Il Ministro per il Lavoro
e la Previdenza Sociale*

TO: Mr. W. H. BRIDGE
Direttore della Sottocommissione
del Lavoro = Headquarters Allied
Commission = APC 394

- 1) = Ho ricevuto in questo momento la sua lettera del 21 corrente con la quale mi segnala le difficoltà che si opporrebbero all'accoglimento della richiesta da me fatta per il mantenimento, fino al 31 ottobre, del sistema di norme adottate in Alta Italia per la unificazione dei contributi relativi alle assicurazioni sociali.
- 2) = Nel ringraziarla vivamente della comunicazione e di quanto certamente avrà fatto per far prevalere la tesi di questo Ministero, mi permetto di prospettarle, ancora una volta, la necessità che essa venga presa in benevola considerazione per le ragioni già indicate e perché anche la stessa Confederazione Generale Italiana del Lavoro si è pronunciata, come avrà rilevato dai giornali, favorevolmente al mantenimento del sistema. Le sarei perciò grato se volesse ancora interporre presso la competente Sottocommissione finanziaria tutto il suo autorevole interessamento perché venga adottato, sia pure in via ecce-

...V

zionale, lo schema di ordinanza proposto, che permetterà al Governo Italiano di poter condurre a termine gli studi iniziati per la adozione sul piano nazionale di un sistema di unificazione dei contributi, tale da realizzare dei sensibili vantaggi pratici nell'interesse delle aziende, dei lavoratori e degli Istituti.

3) - Se le sarà possibile mi farà cosa molto grata se volesse svolgere l'azione che le chiedo con cortese sollecitudine, prima che la Sottocommissione finanziaria abbia definitivamente deciso sulla questione.

Darbaud

P.S. Mi permetto fare pure presente che anche il Ministro dell'Industria e Commercio Prof. Gronchi è perfettamente d'accordo con me nel ritenere che solo attraverso alla proroga fino al 31 ottobre p.v. sarà possibile preparare l'applicazione in tutta Italia del nuovo sistema di contributi, senza recar danno ai nostri Istituti di previdenza dei quali i lavoratori italiani hanno tanto bisogno.

Rome, 25 September 1945

The Minister for Labour
and Social Security

TO: Mr. BRAINE
Director
Labour Sub Commission

1) I received your letter of 21 September in which you point out some difficulties in accepting my request that be kept effective up to the 31st of October the provisions adopted in Northern Italy for the unification of social insurance contributions.

2) I thank you very much for the information and for what you did for the acceptance of the proposal made by this Ministry. I would like to point out again the necessity that our proposal be re-considered not only for the reasons already indicated, but also because, as was stated by the press, the C.G.I.L. would welcome the maintenance of the above provisions. Therefore I will be very appreciative if you can convince the Finance Sub-Commission to agree, even on an exceptional line, to the proposed draft order. In this way the Italian Government will be able to continue the preparation of a national scheme of unified contributions which will bring a substantial improvement for the establishments as well as for the workers and the Social Security Institutes.

3) If you agree to this action it is urgent to do it as soon as possible, before Finance Sub Commission has reached a final decision on this matter.

/s/ BARBARECHI

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I also inform you that Mr. Gronchi, Ministry for Industry and Commerce agrees with me that only by means of this delay up to the 31st of October will it be possible to prepare the new contribution system to be applied in all Italy, without prejudice to our social security Institutions which are of so helpful to workers.

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

LSC/1002
FP/pm

21 September 1945

REF : LSC/1002/308

SUBJECT : Transition from Republican Legislation on questions
of Social Insurance to Legislation issued by the
Italian Government.

TO : Minister Gaetano Barbareschi
Minister of Labor and Social Welfare
Italian Government
ROME

1. With your letter of 17 September 1945 you forwarded to this Sub-Commission and to Finance Sub-Commission a copy of a proposed ordinance with regard to the unification of Social Insurance contributions.

2. The Finance Sub-Commission now informs us that they find difficulty in issuing the proposed ordinance and as this is a question mainly within their competence we regret that we cannot take separate action.

3. We understand that the Finance Sub-Commission is writing to you explaining their views and we are taking this opportunity of giving you advance notice so that you may reconsider this question urgently.

W. H. BRAINE
Director
Labor Sub-Commission *2*
6963

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB-COMMISSION

FILE

FF/so

REF : LSA/1002/308

20 September 1945

SUBJECT: Social Insurance Contributions in Northern Italy

TO : The Director
Finance Sub-Commission

1. With reference to your Memorandum (15177/P) of 17 September:
2. Attached is a translation of a letter which has been addressed jointly to the Finance and Labour sub-Commissions.
3. This sub-Commission has advised the Minister of Labour that it is not the competent authority to see this matter through, and that the Ministry may expect a communication from your sub-Commission on this matter in due course.

W.H. BRAINE
Director,
Labour Sub-Commission

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HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB-COMMISSION

LSC/1002+308

13177/F

17 September 1945

SUBJECT: Social Insurance Contributions in Northern Italy.

TO : Director, Labour Sub-Commission. ✓

1. Reference is made to a request put to you by the Minister of Labour and Social Welfare, asking that Allied Commission order the continuance in northern Italy until 31 October of Decree of the Duce 10 May N. 376.
2. Such action is deemed by Finance Sub-Commission as neither possible nor desirable.
3. More than a month ago, the Chief Legal Officer gave a formal opinion holding that the aforementioned decree was already null and void under proclamations 1 and 4 of Allied Military Government and under the order implementing D.L. 5 October 1944 No. 249. In the face of this opinion, Allied Commission can scarcely order that the offending decree remain in force.
4. It is in any case difficult to defend such an action on equitable grounds. Since 1 August all of Italy has had the same scale of social insurance benefits and there is accordingly every reason for the existence of a common system of contributions. This was the basis of the agreement reached on 7 August between the Minister and our respective Sub-Commissions.
5. There are admittedly shortcomings in existing regulations regarding social insurance contributions. There were undoubtedly meritorious features in the Duce's decree. It should be possible to frame a law for all Italy that would meet this situation. Such a law Allied Commission would implement immediately and without question.
6. The Minister states that such a law is in process, but fears that its promulgation can scarcely be expected before 31 October. He has therefore asked continuance of the systems prevailing in the north and south before 1 August until that time. Specifically, he has asked Allied Commission to frame a general order doing this for North Italy.
7. Six weeks ago, when this question was being discussed, the Chief Legal Officer stated that further general orders were not contemplated. We are sure that this view still prevails, and that opposition would be adamant as regards an order with a terminating date of 31 October.
8. The ultimate solution appears to be an Italian decree, preferably with an effective date of 1 August. Any interim action as regards northern Italy, we believe, must also take the form of a disposition by the Italian Government.

RA Rungo
Joint Director,
Finance Sub-Commission.

Translation Baldozzi

/js

MINISTRY OF LABOUR AND SOCIAL SECURITY
GENERAL DIRECTION OF SECURITY
AND SOCIAL ASSISTANCE

LSC/1002-308

Prot.n° 3074

17/9/46

TO : ALLIED COMMISSION
LABOUR SUB-COMMISSION
Financial Sub-Commission
ROME

SUBJECT: Transition from the "republichina" legisla-
tion in matter of social insurance to the
legislation issued by the Italian government.

This Ministry has considered most carefully the question concerning the transition of the legislation issued by the government of the would-be social republic, to the legislation of the Italian government in the field of social security in general, and especially regarding the question of unified contributions.

As this Commission has already signified in its letter of 22 August last, n.13177, there is no doubt that the decree issued by the would-be Republican government on the date of 10 May 1946, n°376 must be considered as deprived of juridical validity, in consequence of the fact that in the North of Italy there was extended the validity of the Lieutenant's legislative decree of 5 October 1944, n°249, sanctioning the invalidity of the whole fascist legislation. On the other hand, as it appears from the above mentioned letter, the General Order n.4 of the Allied Military Government has put in force again the contribution system according to the law of 8 September 1933.

It must be reminded, however, that the beformentioned decree, owing to the fact that its enforcement took place during the period of Nazi-fascist occupation, and that it was enforced, even if partially, after the liberation of the national territory of Northern Italy, it has brought about a substantial alteration of the contribution system as well as the adoption of principles more advantageous to the workers than those of the pre-existent legislation, even if the adoption of them was made in a demagogical spirit.

In view of this situation, it seems advisable to reconsider the decisions reached in the meeting held with the Allied Commission, in order to avoid that the transition from the would-be Republican legislation to that of

the Italian government should involve disadvantages, both from the standpoint of the system adopted for the payment of contributions and from that of the workers' benefits.

Therefore, this Ministry on a basis of the data and information in its possession, deems it necessary to consider the advisability of issuing within the shortest lapse of time a number of rules for the following purposes:

a) to facilitate the payment of contributions, by working out a unified contribution system on the national plan;

b) to retain - as far as it appears possible and convenient - the principles connected with the laws of the would-be republican Government, for the purpose of extending the benefit of the insurance system to those categories of workers who were previously debarred from it.

As far as the point b) is concerned, it seems needless to remark that the rules issued by the Italian government, for a number of insurance branches, in the provisions approved by the Italian government there are contemplated higher benefits than in those of the would-be republican government, such as for the pensions, injury rents and family allowances.

For these benefits, the Allied Military Government has already issued the necessary provisions for their extension to the provinces of Northern Italy, so that the benefits in question have absorbed the smaller insurance benefits of the fascist legislation.

For the remainder, however, as well as especially for point a) it is needed to secure a complete legislative uniformity all over the national territory, because a disparity of systems and economic treatment in matter of social insurance cannot be admitted.

Now as a result of a careful inquiry made by this Ministry into this complex situation, it has appeared that a congruous lapse of time is indispensable, in order to reach a clear notion of the more advisable provisions to be adopted in the future, and at the same time to enforce as early as possible the new provisions actually needed.

This implies also that we must consider the advisability of retaining - however only for a transition period - the contribution system actually in force in the North of Italy, waiting the issuance of new provisions, also in consideration of the fact that so far, the contribution system of the pre-existent legislation has not been practically carried out.

In consequence, this Ministry deems it to be its duty to call the attention of this Allied Commission to the advisability of issuing in the provinces of Northern Italy an Ordinance of a transitory character, with the object of securing the temporary prosecution of the enforcement of the decree of 10 May 1944, n. 378 up to a date of at least 31 October, with the understanding that in the meantime

there might be carried out the studies and enacted the provisions needed for bringing about the transition from the future legislation under the best possible conditions.

Of course, for obvious reasons, in spite of the ordinance in question, there must remain valid the provisions already enacted concerning the extension to Northern Italy of the Lieutenant's legislative Decrees n.177, 343 and 307, in matter of pensions, labour injury rents and allowances.

Inasmuch as on the occasion of the exchange of ideas that we had on this subject, Mister Braine has expressed the desire that we submit him a draft text of the ordinance that the Allied Military Government should enact, we take the liberty to enclose the annexed draft text worked out by this Ministry, and we are kindly asking you to consider it with all possible speed and, if nothing prevents its acceptance, to submit it to the Allied Military Government for being adopted.

THE MINISTER
Barbareschi

6958

Translation Baldazzi

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ORDINANCE

CONSIDERING that it is advisable to ensure the transition from the legislation issued by the government of the would-be social republic to that enacted by the Italian government in matter of social insurance in general, and particularly concerning the unification of contributions in the industry, in such a way that it may take place without causing inconveniences or disadvantages, both in matter of benefits to be granted to the workers, and regarding the duty of paying the respective contributions;

CONSIDERING that it is expedient to afford the Italian government a possibility to enact the necessary provisions, in order to insure a full legislative uniformity all over the territory of the country in matters of social insurance and especially of unification of contributions in the industry;

IT IS URGENTLY RESOLVED:

The system of provisions resulting from the decree of 10 May 1944, n. 576 shall continue to be enforced for the period posterior to the date of the liberation, up to the 31 October 1945.

6957

Translation Balisuzzi

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MINISTRY OF LABOUR AND SOCIAL SECURITY
 GENERAL DIRECTION OF SECURITY
 AND SOCIAL ASSISTANCE

LSC/1002-308

Prot. n° 3074

17/9/45

TO : ALLIED COMMISSION
 LABOUR SUB-COMMISSION
 Financial Sub-Commission
 ROME

SUBJECT: Transition from the "repubblicane" legisla-
 tion in matter of social insurance to the
 legislation issued by the Italian government.

This Ministry has considered most carefully the question concerning the transition of the legislation issued by the government of the would-be social republic, to the legislation of the Italian government in the field of social security in general, and especially regarding the question of unified contributions.

As this Commission has already signified in its letter of 22 August last, n.13177, there is no doubt that the decree issued by the would-be Republican government on the date of 10 May 1944, n°376 must be considered as deprived of juridical validity, in consequence of the fact that in the North of Italy there was extended the validity of the Lieutenant's legislative decree of 5 October 1943, n°249, sanctioning the invalidity of the whole fascist legislation. On the other hand, as it appears from the above mentioned letter, the General Order n.4 of the Allied Military Government has put in force again the contribution system according to the law of 8 September 1943.

It must be reminded, however, that the beforementioned Decree, owing to the fact that its enforcement took place during the period of Nazi-fascist occupation, and that it was enforced, even if partially, after the liberation of the national territory of Northern Italy, it has brought about a substantial alteration of the contribution system, as well as the adoption of principles more advantageous to the workers than those of the pre-existent legislation, even if the adoption of them was made in a demagogical spirit.

In view of this situation, it seems advisable to reconsider the decisions reached in the meeting held with the Allied Commission, in order to avoid that the transition from the would-be Republican legislation to that of

the Italian government should involve disadvantages, both from the standpoint of the system adopted for the payment of contributions and from that of the workers' benefits.

Therefore, this Ministry on a basis of the data and information in its possession, deems it necessary to consider the advisability of issuing within the shortest lapse of time a number of rules for the following purposes:

a) to facilitate the payment of contributions, by working out a unified contribution system on the national plan;

b) to retain = as far as it appears possible and convenient = the principles connected with the laws of the would-be republican Government, for the purpose of extending the benefit of the insurance system to those categories of workers who were previously debarred from it.

As far as the point b) is concerned, it seems needless to remark that the rules issued by the Italian government, for a number of insurance branches, in the provisions approved by the Italian government there are contemplated higher benefits than in those of the would-be republican government, such as for the pensions, injury rents and family allowances.

For these benefits, the Allied Military Government has already issued the necessary provisions for their extension to the provinces of Northern Italy, so that the benefits in question have absorbed the smaller insurance benefits of the fascist legislation.

For the remainder, however, as well as especially for point a) it is needed to secure a complete legislative uniformity all over the national territory, because a disparity of systems and economic treatment in matter of social insurance cannot be admitted.

Now as a result of a careful inquiry made by this Ministry into this complex situation, it has appeared that a congruous lapse of time is indispensable, in order to reach a clear notion of the more advisable provisions to be adopted in the future, and at the same time to enforce as early as possible the new provisions actually needed.

This implies also that we must consider the advisability of retaining = however only for a transition period = the contribution system actually in force in the North of Italy, waiting the issuance of new provisions, also in consideration of the fact that so far, the contribution system of the pre-existent legislation has not been practically carried out.

In consequence, this Ministry deems it to be ⁶⁹⁵⁵ duty to call the attention of this Allied Commission to the advisability of issuing in the provinces of Northern Italy an Ordinance of a transitory character, with the object of securing the temporary prosecution of the enforcement of the Decree of 10 May 1944, n.376 up to a date of at least 31 October, with the understanding that in the meantime

there might be carried out the studies and enacted the provisions needed for bringing about the transition from the future legislation under the best possible conditions.

Of course, for obvious reasons, in spite of the ordinance in question, there must remain valid the provisions already enacted concerning the extension to Northern Italy of the Lieutenant's legislative decrees n.177, 343 and 307, in matter of pensions, labour injury rents and allowances.

Inasmuch as on the occasion of the exchange of ideas that we had on this subject, Mister Braine has expressed the desire that we submit him a draft text of the ordinance that the Allied Military Government should enact, we take the liberty to enclose the annexed draft text worked out by this Ministry, and we are kindly asking you to consider it with all possible speed and, if nothing prevents its acceptance, to submit it to the Allied Military Government for being adopted.

THE MINISTER
Barbareschi

6954

Translation Balazsi

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ORDINANCE

CONSIDERING that it is advisable to ensure the transition from the legislation issued by the government of the would-be social republic to that enacted by the Italian government in matter of social insurance in general, and particularly concerning the unification of contributions in the industry, in such a way that it may take place without causing inconveniences or disadvantages, both in matter of benefits to be granted to the workers, and regarding the duty of paying the respective contributions;

CONSIDERING that it is expedient to afford the Italian government a possibility to enact the necessary provisions, in order to insure a full legislative uniformity all over the territory of the country in matters of social insurance and especially of unification of contributions in the industry;

IT IS THEREBY RESOLVED:

The system of provisions resulting from the decree of 10 May 1944, n.376 shall continue to be enforced for the period posterior to the date of the liberation, up to the 31 October 1945.

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Ministero del Lavoro
della Previdenza Sociale
17-9-1945

GABINETTO DEL MINISTRO
Direz. Gen. della Previd. e Assist. Sociale
- la Commissione Alleata
- Sottocommissione per il lavoro
- Sottocommissione finanziaria
3024 Allegato

R O M A
L. R. / 7002/208
Reg. al 1/10/45

Oggetto: Trapasso dalla legislazione repubblicana in materia di assicurazioni sociali alla legislazione del governo italiano.

Questo Ministero ha sottoposto a nuovo accurato esame la questione relativa al trapasso dalla legislazione emanata dal Governo della sedicente repubblica sociale alla legislazione del Governo italiano nel campo della previdenza sociale in genere ed in particolare per quanto riguarda l'unificazione dei contributi.

In materia non vi è dubbio, come codesta Commissione ha già precisato con la sua lettera del 22 agosto n. s. n. 13177, che il decreto emanato dallo pseudo governo repubblicano in data 10 maggio 1944 n. 376 sia privo di efficacia giuridica per effetto della estensione all'Italia del decreto legislativo luogotenenziale 5 ottobre 1944 n. 249 che comma 1 la nullità per la legislazione fascista e che l'ordinanza n. 4 del governo militare alleato ha espressamente ripristinato, come risulta dalla lettera succitata, il sistema contributivo secondo le leggi in vigore l'8 settembre 1943.

6952
E' da considerare peraltro come il decreto predetto abbia dato luogo con la sua applicazione di fatto ~~effettiva~~ avvenuta durante il periodo dell'occupazione nazi-fascista e di fatto, sia pure parzialmente, continuata dopo la liberazione del territorio dell'Italia, ad una sostanziale modificazione del sistema contributivo nonché alla introduzione, sia pure per spirito demagogico, di principi reputati più vantaggiosi per i lavoratori di quelli della legislazione preesistente.

In considerazione di questa situazione sembra opportuno riconsiderare quanto ha già formato oggetto di precedenti intese con codesta Commissione al fine di evitare che il trapasso dalla legislazione repubblicana a quella del Governo italiano abbia a comportare degli svantaggi, sia rispetto al sistema di versamento

OCCORRE Trapasso dalla legislazione repubblicana in materia di assicurazioni sociali alla legislazione del governo italiano.

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In materia non vi è dubbio, come codesta Commissione ha già precisato con la sua lettera del 28 agosto n. n. 13177, che il decreto emanato dallo pseudo governo repubblicano in data 10 maggio 1944 n. 376 sia privo di efficacia giuridica per effetto della estensione all'Alta Italia del decreto legislativo luogotenenziale 5 ottobre 1944 n. 249 che condanna la nullità per la legislazione fascista e che l'ordinanza n. 4 del Governo militare alleato ha espressamente ripristinato, come risulta dalla lettera succitata, il sistema contributivo secondo le leggi in vigore l'8 settembre 1943.

6952
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In considerazione di questa situazione sembra opportuno riconsiderare quanto ha già formato oggetto di precedenti intese con codesta Commissione al fine di evitare che il trapasso dalla legislazione repubblicana a quella del Governo italiano abbia a comportare degli svantaggi, sia rispetto al sistema di versamento sia rispetto ai benefici dei lavoratori.

Questo Ministero ritiene infatti necessario, alla stregua degli elementi raccolti e delle segnalazioni pervenutegli, esaminare la possibilità di promuovere la emanazione in tempo brevissimo di norme intese:

a) ad agevolare sul piano nazionale il versamento dei contributi, attuando un sistema di unificazione;

b) a conservare, nei limiti in cui ciò appaia possibile e conveniente, i principi, risultanti dalle leggi repubblicane, per la estensione del sistema assicurativo a categorie di lavoratori precedentemente escluse.

Per quanto concerne il punto b) sembra superfluo rilevare che per alcune prestazioni le norme emanate dal Governo italiano prevedono benefici superiori a quelli del Governo repubblicano, come per le pensioni, le rendite di infortunio e gli assegni familiari.

Per questi benefici il Governo militare Alleato ha già emanato le necessarie norme per la loro estensione alle provincie dell'Alta Italia sicché essi hanno potuto assorbire i minori benefici assicurati dalla legislazione fascista.

Per il rimanente, peraltro, nonché in particolare per quanto concerne il punto a), occorre assicurare la completa uniformità legislativa in tutto il territorio nazionale non essendo ammissibile una disparità di sistemi e di trattamenti per tutto ciò che concerne la previdenza sociale.

Ora l'esame della complessa questione, già iniziato da parte di questo Ministero, ha mostrato come sia indispensabile disporre di un congruo periodo di tempo, al fine di giungere alle decisioni più opportune da adottarsi e di promuovere tempestivamente le nuove disposizioni occorrenti.

Ciò implica altresì la necessità di considerare la prosecuzione pure in forma transitoria del sistema contributivo in Italia in attesa della emanazione delle nuove norme, dato anche che non ha ancora praticamente avuto attuazione il sistema contributivo della preesistente legislazione.

Questo Ministero quindi ritiene di dover sottoporre a questa Commissione la opportunità di emanare nelle provincie della Italia settentrionale un'ordinanza a carattere transitorio, diretta a stabilire la temporanea prosecuzione della applicazione del decreto 10 maggio 1944, n. 376 fino alla data almeno del 31 ottobre nell'ipotesi che entro detto termine potranno essere conclusi gli studi emanati i provvedimenti necessari per attuare il trapasso dall'attuale legislazione nelle migliori condizioni possibili.

a) ad agevolare sul piano nazionale il versamento dei contributi, attuando un sistema di unificazione;

b) a conservare, nei limiti in cui ciò appaia possibile e conveniente, i principi, risultanze delle leggi repubblicane, per la estensione del sistema assicurativo a categorie di lavoratori precedentemente escluse.

Per quanto concerne il punto b) sembra superfluo rilevare che per alcune prestazioni le norme emanate dal Governo italiano prevedono benefici superiori a quelli del Governo repubblicano, come per le pensioni, le rendite di infortunio e gli assegni familiari.

Per questi benefici il Governo militare alleato ha già emanato le necessarie norme per la loro estensione alle provincie dell'Alta Italia sicché essi hanno potuto assorbire i minori benefici assicurati dalla legislazione fascista.

Per il rimanente, peraltro, nonché in particolare per quanto concerne il punto a), occorre assicurare la completa uniformità legislativa in tutto il territorio nazionale non essendo ammissibile una disparità di sistemi e di trattamenti per tutto ciò che concerne la previdenza sociale.

Ora l'esame della complessa questione, già iniziato da parte di questo Ministero, ha mostrato come sia indispensabile disporre di un congruo periodo di tempo, al fine di giungere alle decisioni più opportune da adottarsi e di promuovere tempestivamente le nuove disposizioni occorrenti.

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Ministero di Lavoro
e della Previdenza Sociale

~~CABINETTO DEL MINISTRO~~

Fid. N. 2

Allegati

Proposta del P. N. 2

del

foglio n. 2

OGGETTO

Naturalmente per ovvie ragioni dovranno, pur con tale ordinanza restar ferme le norme già emanate per la estensione all'Italia dei decreti legislativi luogotenenziali nn. 177, 343 e 337 concernenti le pensioni, le rendite per infortunio e gli assegni familiari.

Poiché nello scambio d'idee avutosi sulla questione è stato espresso il desiderio da Mister Braine di avere una schemma dell'ordinanza che dovrebbe essere emanata nel senso suindicato dal Governo Militare Alleato, si acclude l'unito schema predisposto da questo ministero con preghiera di esaminarlo con ogni possibile sollecitudine e proporne l'adozione, ove nulla osti, al Governo Militare Alleato.

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IL MINISTRO

Barbano

CONSIDERATA la opportunità di consentire che il trapasso della legislazione emanata dal governo della sedicente repubblica sociale a quella emanata dal governo italiano, nel campo delle previdenze sociali in genere e in particolare per quanto riguarda l'unificazione dei contributi nell'industria, sia effettuato senza che si debba a determinare inconvenienti e vantaggi alle rispettive condizioni dei lavoratori sia rispetto agli obblighi del versamento dei contributi;

CONSIDERATA la necessità che il governo italiano possa avere la possibilità di esentare le norme necessarie per assicurare una piena uniformità legislative in tutto il territorio nazionale nel campo della previdenza sociale e in specie in materia di unificazione di contributi nell'industria;

S I D I S P O N E

6950

Il sistema di norme risultanti dal decreto 10 maggio 1944 n. 275 continua ad essere applicato per tutto il periodo successivo alla data della licenziazione fino al 31 ottobre 1945.

Translation Balazzi

/js

MINISTRY OF LABOUR AND SOCIAL SECURITY
GENERAL DIRECTION OF SECURITY
AND SOCIAL ASSISTANCE

LSC/1002-308

Prot.n° 3074

17/9/45

TO : ALLIED COMMISSION
LABOUR SUB-COMMISSION
Financial Sub-Commission
ROME

SUBJECT: Transition from the "republichina" legisla-
tion in matter of social insurance to the
legislation issued by the Italian government.

This Ministry has considered most carefully the question concerning the transition of the legislation issued by the government of the would-be social republic, to the legislation of the Italian government in the field of social security in general, and especially regarding the question of unified contributions.

As this Commission has already signified in its letter of 22 August last, n.13177, there is no doubt that the Decree issued by the would-be Republican government on the date of 10 May 1944, n°376 must be considered as deprived of juridical validity, in consequence of the fact that in the North of Italy there was extended the validity of the Lieutenant's legislative decree of 5 October 1943, n°249, sanctioning the invalidity of the whole fascist legislation. On the other hand, as it appears from the above mentioned letter, the General Order n.4 of the Allied Military Government has put in force again the contribution system according to the law of 8 September 1923.

It must be reminded, however, that the beforementioned decree, owing to the fact that its enforcement took place during the period of Nazi-fascist occupation, and that it was enforced, even if partially, after the liberation of the national territory of Northern Italy, it has brought about a substantial alteration of the contribution system, as well as the adoption of principles more advantageous to the workers than those of the pre-existent legislation, even if the adoption of them was made in a demagogical spirit.

In view of this situation, it seems advisable to reconsider the decisions reached in the meeting held by the Allied Commission, in order to avoid that the transition from the would-be Republican legislation to that of

the Italian government should involve disadvantages, both from the standpoint of the system adopted for the payment of contributions and from that of the workers' benefits.

Therefore, this Ministry on a basis of the data and information in its possession, deems it necessary to consider the advisability of issuing within the shortest lapse of time a number of rules for the following purposes:

a) to facilitate the payment of contributions, by working out a unified contribution system on the national plan;

b) to retain - as far as it appears possible and convenient - the principles connected with the laws of the would-be republican Government, for the purpose of extending the benefit of the insurance system to those categories of workers who were previously debarred from it.

As far as the point b) is concerned, it seems needless to remark that the rules issued by the Italian government, for a number of insurance branches, in the provisions approved by the Italian government there are contemplated higher benefits than in those of the would-be republican government, such as for the pensions, injury rents and family allowances.

For these benefits, the Allied Military Government has already issued the necessary provisions for their extension to the provinces of Northern Italy, so that the benefits in question have absorbed the smaller insurance benefits of the fascist legislation.

For the remainder, however, as well as especially for point a) it is needed to secure a complete legislative uniformity all over the national territory, because a disparity of systems and economic treatment in matter of social insurance cannot be admitted.

Now as a result of a careful inquiry made by this Ministry into this complex situation, it has appeared that a congruous lapse of time is indispensable, in order to reach a clear notion of the more advisable provisions to be adopted in the future, and at the same time to enforce as early as possible the new provisions actually needed.

This implies also that we must consider the advisability of retaining - however only for a transition period - the contribution system actually in force in the North of Italy, waiting the issuance of new provisions, also in consideration of the fact that so far, the contribution system of the pre-existent legislation has not been practically carried out.

In consequence, this Ministry deems it to be its duty to call the attention of this Allied Commission to the advisability of issuing in the provinces of Northern Italy an Ordinance of a transitory character, with the object of securing the temporary prosecution of the enforcement of the decree of 10 May 1944, n.376 up to a date of at least 31 October, with the understanding that in the meantime

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there might be carried out the studies and enacted the provisions needed for bringing about the transition from the future legislation under the best possible conditions.

Of course, for obvious reasons, in spite of the ordinance in question, there must remain valid the provisions already enacted concerning the extension to Northern Italy of the Lieutenant's legislative decrees n.177, 343 and 307, in matter of pensions, labour injury rents and allowances.

Inasmuch as on the occasion of the exchange of ideas that we had on this subject, Mister Braine has expressed the desire that we submit him a draft text of the ordinance that the Allied Military Government should enact, we take the liberty to enclose the annexed draft text worked out by this Ministry, and we are kindly asking you to consider it with all possible speed and, if nothing prevents its acceptance, to submit it to the Allied Military Government for being adopted.

THE MINISTER
Barbaresco

6947

Translation Baldazzi

/js

ORDINANCE

CONSIDERING that it is advisable to ensure the transition from the legislation issued by the government of the would-be social republic to that enacted by the Italian government in matter of social insurance in general, and particularly concerning the unification of contributions in the industry, in such a way that it may take place without causing inconveniences or disadvantages, both in matter of benefits to be granted to the workers, and regarding the duty of paying the respective contributions;

CONSIDERING that it is expedient to afford the Italian government a possibility to enact the necessary provisions, in order to insure a full legislative uniformity all over the territory of the country in matters of social insurance and especially of unification of contributions in the industry;

IT IS THEREBY RESOLVED:

The system of provisions resulting from the decree of 10 May 1944, n.376 shall continue to be enforced for the period posterior to the date of the liberation, up to the 31 October 1946.

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HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

FP/sb

REF : LSC/1002/308

21 September 1945

SUBJECT: Transition from Republican Legislation on questions
of Social Insurance to Legislation issued by the
Italian Government.

TO : Minister Gaetano Barbareschi
Minister of Labor and Social Welfare
Italian Government
ROME

1. With your letter of 17 September 1945 you forwarded to
this Sub-Commission and to Finance Sub-Commission a copy of a pro-
posed ordinance with regard to the unification of Social Insurance con-
tributions.

2. The Finance Sub-Commission now informs us that they find
difficulty in issuing the proposed ordinance and as this is a question
mainly within their competence we regret that we cannot take separate
action.

3. We understand that the Finance Sub-Commission is writing to
you explaining their views and we are taking this opportunity of giving
you advance notice so that you may reconsider this question urgently.

W. E. BRAINE
Director
Labor Sub-Commission

6945*

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB COMMISSION

File 1002

FT/CO

REF : LAG/1002/308

20 September 1945

SUBJECT: Social Insurance Contributions in Northern Italy

TO : The Director
Finance Sub-Commission

1. With reference to your Memorandum (13177/P) of 17 September:
2. Attached is a translation of a letter which has been addressed jointly to the Finance and Labour Sub-Commissions.
3. This Sub-Commission has advised the Minister of Labour that it is not the competent authority to see this matter through, and that the Ministry may expect a communication from your Sub-Commission on this matter in due course.

W.H. BRAINE
Director,
Labour Sub-Commission

6944

ORESTE LIZZADRI - passaporto n. 1014347 - Segretario Generale della Confederazione Generale Italiana del Lavoro Viale Parioli, 44 - Roma

GIUSEPPE DI VITTORIO - Segretario Generale della Confederazione Generale Italiana del Lavoro - Via Paolucci de Calboli, n. 6 - Roma

LAMBERTO GIANNITELLI - passaporto n. 16 - gionalista - Membro del Comitato Direttivo della C.G.I.L. - Via Flaminia 357 - Roma

NICOLA GIOVANNI - passaporto n. 9102 P. - Segretario della Delegazione dell'Alta Italia della Confederazione Generale Italiana del Lavoro.

FERDINANDO STORCHI - passaporto n. 8914 p. - giornalista

PERTOLETTI GINO - passaporto n. 8913 P. - Segretario Camera Confederale del Lavoro di Firenze.

PIER PAOLO FANO - passaporto n. 416023 - avvocato.

MONETTI ATTILIO - carta identita n. 8044 rilasciata ad Arezzo-Cavri-
glia - Segretario Regionale Federazione Lavoratori
Elettrici Toscana - Borgo Allegri, 16 Firenze

ARMIDA BERSANI LIZZADRI - passaporto n. 8915 P - Viale Parioli 44
Roma.

CONTINI ANITA - residente in Roma Via Paolucci de Calboli n. 8

~~PALENZONA ROMOLO - Segretario Camera Confederale Lavoro - Genova~~

PALENZONA ROMOLO - Segretario Camera Confederale Lavoro - Genova

MARINO DE STEFANO - Piazza Garibaldi 19 - Napoli - Professione: Assicuratore marit-
timo - Segretario della Federazione Italiana Lavoratori dei
Porti.

6942
6943

FILE

LSC/1002

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB-COMMISSION

LT/ao

REF. : LSC/1002+217

SUBJECT: Decree No. 369 of 23 Nov. 1944

14 September 1945

TO : Signor Gastone Barbareschi
Minister of Labour and Social Security
Rome.

Dear Minister Barbareschi,

I understand that, arising from your recent visit to the North of Italy, you are in doubt as to the implementation of Decree No. 369 regarding the liquidation of Fascist syndical organisations.

May I draw your attention to the Supplemento Ordinario to the Official Gazette number 51 of 28 April 1945. On page 3 Ordinanza number 2 signed by Brigadier Upjohn provided that, with certain exceptions, Decrees that had been implemented by Allied Military Government in the South of Italy, should be given effect in the Northern Provinces, as and when the Provincial Prefects received copies of the Supplemento Ordinario from Allied Military Government. Decree No. 369 was not excepted from this procedure and it is, for example, known that the Milan Prefect signed on 19th May for receipt of the Official Gazette and Supplement.

It is clear therefore that the Decree No. 369 received Allied Military Government's implementation in the North.

Yours truly,

W.R. BRAINE
Director,
Labour Sub-Commission

6942

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOUR SUB COMMISSION

OGGETTO: Decreto No. 369 del 23 Nov. 1944.

13 Settembre 1945

AL : Signor Gaetano Barbareschi
Ministro del Lavoro e Previdenza Sociale
Roma.

Caro Sig. Barbareschi,

Ho saputo che in seguito alla sua recente visita in Alta Italia, Lei e' in dubbio sull'estensione dell'efficacia del Decreto 369 concernente la liquidazione delle organizzazioni sindacali fasciate.

Forrei richiamare la sua attenzione sul Supplemento Ordinario alla Gazzetta Ufficiale numero 51 del 28 Aprile 1945. Nella pagina 3 l'Ordinanza numero 2 firmata dal Brigadier Upjohn stabilisce che, salvo determinate eccezioni, i Decreti che sono stati estesi dal Governo Militare Alleato nell'Italia meridionale dovrebbero essere resi efficaci nelle province settentrionali nel momento in cui i Prefetti delle Province hanno richiesto copia del Supplemento Ordinario da parte del Governo Militare Alleato. Il Decreto 369 non era stato escluso da questa procedura e sappiamo, per esempio, che il Prefetto di Milano ha firmato in data del 19 Maggio per la ricezione della Gazzetta Ufficiale e del Supplemento.

E quindi chiaro che il Decreto e' stato esteso al Nord dal Governo Militare Alleato.

Con cordiali saluti,

W. H. BRADY
Direttore,
Sottocommissione del Lavoro.

6941

AMG LIGURIA REGION CMA ANG PIEMONTE REGION CMA ANG LOMBARDIA REGION CMA
 AMG VENEZIA REGION RPTD ANG VENEZIA GIULIA

4275

25 Aug. 45

ROUTINE

RESTRICTED PD

PARA ONE PD REFERENCE LETTER THIS OFFICE ONE THREE ONE SEVEN SEVEN OBLIQUE
 FOX NINE AUGUST CMA NOTE FOLLOWING ACTION COLON IMPLEMENTATION ON OFFICIAL
 GAZETTE ONE ZERO ONE OF TWO THREE AUGUST CMA OF PENSION DECREES ONE SEVEN
 SEVEN OF ONE MARCH AND THREE FOUR THREE OF TWO SIX APRIL WITH EFFECT FROM
 ONE JANUARY SEMICOLON IMPLEMENTATION ALSO FAMILY ALLOWANCE DECREE THREE
 ZERO SEVEN ON NINE NOVEMBER ONE NINE FOUR FOUR WITH EFFECT FROM ONE
 AUGUST CMA NINE FOUR FIVE PD PAREN TO ANG LIGURIA REGION FOR REGIONAL
 FINANCE AND LABOR OFFICES CMA ANG PIEMONTE REGION FOR REGIONAL FINANCE
 AND LABOR OFFICES CMA ANG LOMBARDIA REGION FOR REGIONAL FINANCE ANG
 LABOR OFFICES CMA ANG VENEZIA REGION FOR REGIONAL FINANCE AND LABOR
 OFFICES RPTD ANG VENEZIA GIULIA FOR CHIEF FINANCE AND LABOR OFFICES FROM
 HQ ALCOM CITE ACFIN PAREN.

PARA TWO PD INSTRUCTION TO SOCIAL INSURANCE INSTITUTES TO CEASE FOLLOWING
 FASCIST CONTRIBUTIONS ~~SEE~~ DEBREE THREE SEVEN SIX OF TEN MAY FOUR FOUR
 AND TO OBEY INSTEAD CONTRIBUTIONS REGULATIONS OF ROME GOVERNMENT PD SEE
 LETTER ONE THREE ONE SEVEN SEVEN OBLIQUE FOX OF TWO AUGUST.

Finance 30
 516

NICHOLAS PIONBINO
 Cmo USA Asst Adjutant

6940

WORK SLIP

DATE:

27 August 1945

HEADQUARTERS

ALLIED COMMISSION
FINANCE SUB-COMMISSION

From	To
INTERNAL	
Brig. A. P. Graftey 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. I. Timmons	
Capt. G. H. Tipping	
SSM R. H. L. Angibault	
S/Set. R. G. Le Blond	
<i>✓ Maj A H Reede</i>	
EXTERNAL	
Office of the Chief Commissioner	
Office of Ex. Commissioner	
Civil Affairs Section	
Economic Section	
<i>Mr SACHS</i>	<i>✓</i>
Establishment Section	
Message Centre	

FOR

Investigation & draft reply
Perusal & return
Necessary action & return
Signature
Translation

FOR

✓ Information *8939*
Necessary action & retention
Filing
Despatch
Circulation

REMARKS

As promised. I've circled the punctuation to make it easier to read. ahr

LABOR SUB-COMMISSION
A.C.
Routing Slip

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

REMARKS:

Felt in "unification of
Social Insurance" file.
Yes

Labor Sub-Comm.

LC/edg

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 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

6938

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.

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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.

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- 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.

6938

BY COMMAND OF REAR ADMIRAL STONE

JOINT DIRECTOR
Finance Sub-Commission

HEADQUARTERS ALLIED COMMISSION
FINANCE SUB-COMMISSION
APO 394

19177/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 Italy.

4. With effect from 1 August 1945 therefore no further contributions shall 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 shall be informed of the situation.

69371

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. 976, 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. 976, 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.

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.

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JOINT DIRECTOR
FINANCIAL SUB-SECTION

TR A D U Z I O N E

QUARTIERE GENERALE, COMMISSIONE ALLEATA
SOTTOCOMMISSIONE DI FINANZA

APQ - 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 della 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 conserva-

6936

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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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.

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 giuridici 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.

[Signature]
IL CO-DIRETTORE
SOTTO COMMISSIONE DI FINANZA

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Per ordine del Contrammiraglio Stone.

[Signature]
IL CO-DIRETTORE
SOTTO COMMISSIONE DI FINANZA

HEADQUARTERS ALLIED COMMISSION
FINANCE SUB-COMMISSION
APC 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 introduced by decree of the Duce 10 May 1944 n. 376.

2. The Chief Legal Officer has informed the Sub-Commissions concerned that decrees 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 Malattie 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.

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BY COMMAND OF REAR ADMIRAL STONE

TO

: Regional Commissioners, att'n R.F.Os.
Liguria, Piemonte, Lombardia, Venezia
For information S.O.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 introduced by decree of the Duce 10 May 1944 n. 376.

2. The Chief Legal Officer has informed the Sub-Commissions concerned that decrees 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.

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- c) Istituto Nazionale per l'Assistenza di Melattia ai Lavoratori.

6935

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

LABOUR SUB COMMISSION

A. C.

Routing Slip

	Initials	Date
Mr. W.H. BRAINE		
Mr. SACHS	KCS	W/8
Mr. HIRD	VA	25/8
Mr. SCOTT	RD	
Mr. PROCTOR	SS	26/8
Miss STEVENSON		
Miss SANSEVERINO		
Chief Clerk		

REMARKS:

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HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

DCS/ab

TEL. : Ext. 416

16 August 1945

REF : LSC/311

SUBJECT: Unification of Social Insurance Laws.

TO : Ministry of Labor and Social Welfare.

1. Reference is made to letter of Joint Director, Finance Sub-Commission, Allied Commission of 7 August concerning the above subject.

2. This will confirm that Allied Military Government has prepared for publication implementation of:

- (a) Dll. of 1 March 1945 No. 177, with effect from 1 January 1945;
- (b) Dll. of 26 April 1945 No. 343 with effect from 1 January 1945;
- (c) Dll. of 9 November 1944 No. 307 with effect from 1 August.

3. With reference to the abrogation of Decree 376 of the Fascist Republican government, it is the opinion of the Legal Sub-Commission that this decree has been rendered null and void by General Provision. Allied Military Government, however, will issue a circular which will have the effect of definitely placing the contributions in the North under the social insurance system on the same basis as the South as of a fixed date, probably 1 August 1945. The question of liability for contributions from the date of liberation to 1 August will be expressly left open in the light of the anticipated turnover of this territory to the administration of the Italian Government. It is respectfully suggested that you give consideration now to the question of liability for contributions during this period.

4. With reference to the decree which has the effect of incorporating caropane indemnity for dependents into the family allowance system, it will be impossible to implement this decree until it has been officially published. It is suggested that you make an earnest effort to cause its immediate publication and advise us as soon as this is done. Upon receipt of this information Allied Military Government will implement this decree in the territory under its administration.

DAVID C. SAGHS
Deputy Director
Labor Sub-Commission

LABOR SUB- COMMISSIONER
A.C.
Routing Slip

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

REMARKS:

LSC/311

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4010/1/L.

/rlp.
14 August 1945.

SUBJECT : Unification of Social Insurance Law.
TO : Labor S/C.

1. Reference your LSC/311 of 13 Aug 1945 the necessary order will be prepared forthwith for publication in the Gazzetta Ufficiale to implement in north Italy

- a. DIL No. 177 of 1 March 1945 w.e.f. 1 Jan 1945.
- b. DIL No. 323 of 26 April 1945 w.e.f. 1 Jan 1945.
- c. DIL No. 307 of 9 Nov 1945 w.e.f. 1 Aug 1945.

2. It is, in my opinion, far too late to start publishing new General Orders. Moreover, the information contained in para. 4 of the Finance S/C's letter is inadequate for the preparation of an order. The correct procedure is to request the Italian Government to prepare a decree and to implement it. There is no doubt that the decree of the Fascist Republican Government has been rendered null and void. There is therefore equally no doubt that, if they wish to alter the existing law to reintroduce the Fascist Republican law, the Italian Government will have to issue a decree. There is no reason to have duplication of effort.

3. With reference to the as yet unpublished decree on caropane indemnities, the Italian Government should publish it and it can be implemented.

W. E. Behrens
W. E. BEHRENS,
Colonel,
Chief Legal Advisor 6932

File

NEAL-GARTNER ALLIANCE COMMISSION

APC 394

LABOR SUB-COMMISSION

PCS/rav

TEL : Ext. 416

12 August 1945

REF : LSC/311

SUBJECT: Unification of Social Insurance Laws.

TO : Legal Sub-Commission

1. Reference is made to memorandum of Finance Sub-Commission, 12177/P of 8 August 1945, attached hereto.

2. You are requested to prepare the necessary Orders to implement the program described therein.

3. With reference to legislative decree of the Duce, 10 May 1944, No. 376 referred to in Para 4 of this memorandum, it is not known, as stated therein, what the legal status is. It is suggested, however, that an Order be issued definitely terminating its effect as of a fixed date. It is suggested that this date be fixed as of 1 August while the question of liability for contributions during the period between the time of liberation and 1 August be left pending further clarification.

4. Your consideration is also invited to the advisability of inserting a provision which will have the effect of revoking any modification in the social insurance laws which may have been introduced by the Fascist-Republican Government since 8 September 1943.

5. As stated in Para 5 of the memorandum, DDL of 1 March 1945, No. 377, has not been implemented in North Italy. It is suggested that an Order be issued making such implementation effective in North Italy. The increases provided for by this Decree should be made retroactive to 1 January 1945.

6. Para 5 (b) stated that DDL of 28 April 1945, No. 345, was excluded from implementation in North Italy. Information since obtained discloses that this Decree was, in fact, implemented (G.O. No. 91 of 21 July 1945) with effect from 1 May 1945. It is suggested that a further Order issue making the increases provided for by this Decree retroactive to 1 January 1945, in accordance with the understanding with the Italian Government.

7. In accordance with Para 6 of the memorandum, it is suggested that DDL of 9 November 1944, No. 307, be implemented in North Italy, with effect from 1 August 1945.

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8. Para 6 (c) describes a new Decree not yet published in the Official Gazette, which has the effect of incorporating into the family allowance system the caropene indemnity for dependents, originally established by D.L. of 22 February 1945, No. 58. It is suggested that this new Decree be made effective in North Italy from 1 August 1945. If it is desired to take this action by means of a General Order we can furnish you with a copy of the Italian Government Decree.

9. At the request of the Italian Government it is suggested that this be treated as urgent.

DAVID C. SACHS
Deputy Director
Labor Sub-Commission

Copies to:

Economic Section
Finance Sub-Commission

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HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB COMMISSION

REF. : 13177/F

9 August 1945

SUBJECT : Unification of Social Insurance Laws.

TO : Regional Commissioners, Lombardia, Liguria,
Piemonte and Venezia Regions; Attn: R.F.O.,
Regional Labor and Legal Officers.

1. In conjunction with the Italian Government, Allied Commission has agreed to make uniform the laws relating to Social Insurance applying the provisions in force in territory under the administration of the Italian Government also in territory under Allied Military Government.

2. Certain differences now exist: Some by reason of the enactment of changes by the so-called Fascist Republican Government, others by virtue of non implementation in North Italy of certain decrees of the Italian Government.

3. The differences may be grouped under three headings:

- a) - Contributions to the social insurance system;
- b) - Pension to invalidated, retired and seriously injured persons;
- c) - Family allowances.

4. Contributions.

By legislative decree of the Duce 10 May 1944 n.376 certain modifications in the law with respect to social insurance contributions were made in North Italy prior to liberation with effect from 1 October 1944. The principal changes were:

- a) All contributions for social insurance were unified and became exclusively the burden of the employer. Employees were not required to bear any further pay deductions for this purpose.

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TO : Regional Commissioners, Lombardia, Liguria,
Piemonte and Venezia Regions; Attn: R.F.O.,
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- c) - Family allowances.

4. Contributions.

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- a) All contributions for social insurance were unified and became exclusively the burden of the employer. Employees were not required to bear any further pay deductions for this purpose.
- b) Such contributions were based on the total gross compensation instead of on basic wages as formerly;
- c) Social insurance coverage was made available to

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all workers whether manual, office or supervisory without exclusion by reason of maximum compensation.

d) Workers retain their rights to compensation regardless of whether or not contributions are in fact paid by the employer.

Considerable doubt has arisen as to whether or not this measure has already been rendered null and void by reason of general provisions abrogating enactments of the so-called Fascist Republican Government. In the interests of clarity and uniformity an order will issue specifically revoking this legislation and making the regulations of the Italian Government applicable to the North. This will be done as of a given date which will appear in the order. Questions affecting liability of employers for contributions prior to this date will be subsequently considered and determined.

This action is being taken without reference to the merits of changes introduced by Decree 376 of the Fascist Republican Government. The arguments in favour of these changes are currently receiving consideration by the Italian Government in connection with a review of the entire problem of contributions and benefits in the social insurance system.

5. Pensions.

a) By DLL 1 March 1945 n. 177 the Italian Government increased pensions to claimants who were invalided or retired or to their survivors. These pensions were increased by 70% to result in a minimum of 15 lire daily. This decree was excluded from implementation in North Italy.

b) By DLL 26 April 1945 n. 343 the Italian Government increased pensions for permanent and fatal work injuries as follows:

- 1 - By Lit. 200 monthly for permanent disability of from 50 to 59 %;
- 2 - By Lit. 250 monthly for permanent disability of from 60 to 79%;
- 3 - By Lit. 300 monthly for more serious disabilities and for fatalities.

This decree was also excluded from implementation in

so-called Fascist Republican Government. In the interests of clarity and uniformity an order will issue specifically revoking this legislation and making the regulations of the Italian Government applicable to the North. This will be done as of a given date which will appear in the order. Questions affecting liability of employers for contributions prior to this date will be subsequently considered and determined.

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- 2 - By Lit. 250 monthly for permanent disability of from 60 to 79%;
- 3 - By Lit. 300 monthly for more serious disabilities and for fatalities.

This decree was also excluded from implementation in North Italy.

c) Both of these decrees will be implemented in AMG territory in North Italy retroactive to 1 January 1945. The increases provided for in these decrees will absorb any increases previously authorized by the Fascist Republican Government.

6. Family allowance and caropane indemnity.

a) By DLL 9 November 1944 n. 307 the Italian Government increased family allowances an average of 50% but with provision that the allowance per child should be the same regardless of family size. At the same time a supplementary "carovita" allowance of Lit. 5.00 daily per dependant was provided. Allowances for "operai" were thereby increased to the following amounts: for wife, Lit. 10.00 daily; for each child, Lit. 9.00 daily; and for other dependant, Lit. 7.50 daily.

b) This decree was excluded from implementation in North Italy in accordance with the economic policy adopted for the initial occupation period.

c) DLL 22 February 1945 n. 38 provided for the elimination of the political price of bread. For employees in private industry the decree established a caropane indemnity, payable by the employer and amounting to Lit. 95 per month for the worker and each dependant, to offset the increase in the cost of bread. By a new decree, approved and signed but not yet published in the Official Gazette, this indemnity is no longer payable solely by the employer in so far as dependants are concerned but has become part of the family allowance benefits at a rate of Lit. 4.00 per day (The caropane indemnity for worker himself has been absorbed by wage agreements in Central and Southern Italy).

d) The political price of bread in the North has been eliminated by General Order N. 51. This order, however, makes no provisions for a caropane indemnity for persons in private employment.

e) It has been agreed to implement in AMG territory in North Italy the provisions of DLL 307 as well as the provisions of the new decree incorporating the caropane indemnity for dependants into the family allowance system. This will take effect as of 1 August 1945.

f) The increase provided for in these decrees will absorb any increases previously enacted by the Fascist Republican Government, including the provision which eliminated the difference in family allowances as between operai and impiegati.

6928

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e) It has been agreed to implement in AMG territory in North Italy the provisions of DDL 307 as well as the provisions of the new decree incorporating the caropane indemnity for dependants into the family allowance system. This will take effect as of 1 August 1945.

f) The increase provided for in these decrees will absorb any increases previously enacted by the Fascist Republican Government, including the provision which eliminated the difference in family allowances as between operai and impiegati.

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1 1 4 2

7. You will stand ready to enforce those dispositions which will be prepared and dispatched with all possible speed.

(Signed) E. E. L. TIMMONS
Major, for

JOINT DIRECTOR
Finance Sub Commission

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AHR/tr

DRAFT LETTER

HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB-COMMISSION

13177/F

8 August 1945

SUBJECT : Coordination of Social Insurance Laws in North Italy.

TO : Regional Commissioner, Emilia, Lombardy, Liguria,
Piemonte, and Venezia, att'n R.F.O. and Regional
Labour Officers.

1. Allied Commission has agreed with the Italian Minister of Labour and Social Welfare to make uniform in Military Government territory and Italian Government territory, the provisions affecting social insurance.
2. The principal differences at present existing are the following :
 - a) under decree of the Duce 10 May 1944 n. 376, contributions in North Italy were unified, broadened and made completely a charge on the employer;
 - b) under D.L.L. 9 November 1944 n. 307 family allowances in Italian Government territory have been increased 50 %, flattened to eliminate the ascending scale for family size, and supplemented by cost-of-living allowances per dependent, and a decree about to be published will incorporate dependent allowances for high cost of bread in the family allowance system;
 - c) under DLL 1 March 1945 n. 177 and DLL 26 April 1945 n. 343, pensions to invalids and to retired persons or their survivors and pensions for serious work accidents were increased in Italian Government territory.
3. In accordance with the agreement with the Italian Government, Allied Commission is preparing orders which will
 - a) abrogate Decree of the Duce 10 May 1944 n. 376 and replace it with regulations regarding contributions in effect in Italian Government territory;
 - b) implement as from 1 August 1945 DLL 9 November 1944 n. 307 and the unpublished decree regarding dependent

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allowances for expensive bread, in Military Government territory; and

c) implement as from 1 January 1945 D.L.L. 1 March 1945 n. 177 and D.L.L. 26 April 1945 n. 343 in Military Government territory.

4. The increases provided in the decrees thus implemented will absorb any increases hitherto conceded by the Fascist Republican Government in pensions or family allowances, including the increase which eliminated the differential in family allowance as between operai and impiegati.

5. There is no thought of passing on the merits of the charges which were introduced by Decree of the Duce 10 May 1944 n. 376. These are currently receiving consideration by the Italian Government which is drafting new legislation on contributions.

6. You will stand ready to enforce these dispositions which will be prepared and dispatched with all possible speed.

JOINT DIRECTOR
Finance Sub-Commission

AHR/r

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DRAFT LETTER

HEADQUARTERS ALLIED COMMISSION
FINANCE SUB-COMMISSION

APC 394

13177/F

8 August 1945

SUBJECT : Coordination of Social Insurance Laws in North Italy.

TO : Regional Commissioner, Emilia, Lombardia, Liguria,
Piemonte, and Venezia, att'n R.F.C. and Regional
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2. The principal differences at present existing are the following :

- a) under decree of the Duce 10 May 1944 n. 376, contributions in North Italy were unified, broadened and made completely a charge on the employer;
 - b) under D.L.L. 9 November 1944 n. 307 family allowances in Italian Government territory have been increased 50%, flattened to eliminate the ascending scale for family size, and supplemented by cost-of-living allowances per dependent, and a decree about to be published will incorporate dependent allowances for high cost of bread in the family allowance system;
 - c) under DLL I March 1945 n. 177 and DLL 26 April 1945 n. 343, pensions to invalids and to retired persons or their survivors and pensions for serious work accidents were increased in Italian Government territory.
3. Legislative Decree of the Duce 10 May 1944 n. 376 provided the following principal modifications in social insurance contributions to take effect 1 October 1944;
- a) all contributions for social insurance are unified and become exclusively the burden of the employer,
 - b) such contributions are based on the total gross compensation instead of on basic wages as formerly;
 - c) social insurance coverage becomes available to all workers whether manual workers, office workers or

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Labour Officers.

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- a) all contributions for social insurance are unified and become exclusively the burden of the employer,
- b) such contributions are based on the total gross compensation instead of on basic wages as formerly;
- c) social insurance coverage becomes available to all workers whether manual workers, office workers or supervisors, and without any exclusion by reason of maximum compensation; and
- d) workers retain their rights to benefits regardless of whether or not employers pay contributions.

4. changes in family allowances in central and southern

6925

- 2 -

Italy have occurred in the stages:

- a) On 9 November 1944 they were increased an average of 50% but with provision that the allowance per child should be the same regardless of family size. At the same time a supplementary "carovita" allowance of Lit. 5.00 daily per dependent was provided.
 - b) On 1 March 1945, under D.L.L. 38 a special dependent allowance of Lit. 95 monthly per dependent was authorized to offset the rise in price of bread. This was paid directly by employers to their workers.
 - c) A decree recently approved and signed and soon to be published incorporates the dependent allowances of the "caropane" decree in the family allowance system at a rate of Lit. 4.00 daily per dependent.
5. Pensions to claimants invalidated or retired or to survivors of such persons were increased by D.L.L. 1 March 1945 n. 177 as follows: by 70% and if this did not result in payment of Lit. 15.00 daily, to that latter amount. Similarly under D.L.L. 26 April 1945 n. 343, pensions for permanent and fatal work injuries were increased as follows:
- a) by Lit. 200 monthly for permanent disability of from 50 to 59%.
 - b) by Lit. 250 monthly for permanent disability of from 60 to 79 % and
 - c) by Lit. 300 monthly for more serious disabilities and fatalities.
6. In accordance with the agreement with the Italian Government, Allied Commission is preparing orders which will
- a) abrogate decree of the Duce 10 May 1944 n. 376 and replace it with regulations regarding contributions in effect in Italian Government territory;
 - b) implement as from 1 August 1945 DLL 9 November 1944 n. 307 and the unpublished decree regarding dependent allowances for expensive bread, in Military Government territory; and
 - c) implement as from 1 January 1945 D.L.L. 1 March 1945 n. 177 and D.L.L. 26 April 1945 n. 343 in Military Government territory.

7. The increases provided in the decrees thus implemented

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employers to their workers.

c) A decree recently approved and signed and soon to be published incorporates the dependent allowances of the "caropane" decree in the family allowance system at a rate of Lit. 4.00 daily per dependent.

5. Pensions to claimants invalided or retired or to survivors of such persons were increased by D.L.L. 1 March 1945 n. 177 as follows: by 70% and if this did not result in payment of Lit. 15.00 daily, to that latter amount. Similarly under D.L.L. 26 April 1945 n. 343, pensions for permanent and fatal work injuries were increased as follows:

- a) by Lit. 200 monthly for permanent disability of from 50 to 59%.
- b) by Lit. 250 monthly for permanent disability of from 60 to 79 % and
- c) by Lit. 300 monthly for more serious disabilities and fatalities.

6. In accordance with the agreement with the Italian Government, Allied Commission is preparing orders which will

a) abrogate decree of the Duce 10 May 1944 n. 376 and replace it with regulations regarding contributions in effect in Italian Government territory;

b) implement as from 1 August 1945 DLL 9 November 1944 n. 307 and the unpublished decree regarding dependent allowances for expensive bread, in Military Government territory; and

c) implement as from 1 January 1945 D.L.L. 1 March 1945 n. 177 and D.L.L. 26 April 1945 n. 343 in Military Government territory.

6924

7. The increases provided in the decrees thus implemented will absorb any increases hitherto conceded by the Fascist Republican Government in pensions or family allowances, including the increase which eliminated the differential in family allowance as between operai and impiegati.

8. There is no thought of passing on the merits of the changes which were introduced by decree of the Duce 10 May 1944 n. 376. These are currently receiving consideration

- 3 -

by the Italian Government which is drafting new legislation on contributions.

9. It will further be noted that General Order N. 51, unlike D.L.L. 22 February 1945 N. 38, makes no provision for payments to dependents of workers to offset the economic price of bread established in North Italy as of 1 August 1945. Implementation of the decree about to be published will change this by introducing a family allowance payment of Lit. 4.00 daily per dependent.

10. You will stand ready to enforce these dispositions which will be prepared and dispatched with all possible speed.

JOINT DIRECTOR
Finance Sub-Commission

Distribution :

Executive Commissioner	2 copies
V.P. Civil Affairs Section	2 copies
V.P. Economic Section	2 copies
Finance Sub-Commission	10 copies
Labour Sub-Commission	10 copies
Legal Sub-Commission	5 copies
Provincial Finance Officers	40 copies
" Labour	40 copies
" Legal	40 copies

AHR/r

DRAFT LETTER

HEADQUARTERS ALLIED COMMISSION
AFO 394
FINANCE SUB-COMMISSION

13177/F

7 August 1945

SUBJECT : Coordination of Social Insurance Laws in North with those in Italy generally.

TO : Minister of Labour and Social Welfare.

i. Reference is made to your letters 2533 of 1 August and 1327 of 2 August and to our discussions of the points contained therein this morning.

2. We concur in your view that the moment is opportune for assuring that all arrangements for social insurance, including family allowances are uniform throughout all Italy.

3. Accordingly we are preparing dispositions the effect of which will be (a) to abrogate decree of the Duce n. 376, replacing it with the contributions regulations in force in central and southern Italy; (b) to implement D.L.L. 307 of 9 November 1944 and the recently approved decree regarding the caropane for dependents effective 1 August 1945, thus making family allowances uniform in all Italy; and (c) to implement D.L.L. 177 of 1 March 1945 and 343 of 26 April 1945 with effect from 1 January 1945, thus making pension payments uniform in all Italy.

4. You will observe that Allied Commission has conceded the effective date of 1 January 1945 for the pension decrees in deference to your view that the equities of matured pensions, based as they are on contributions over a long period, require a common effective date for all Italy.

5. You will also observe that Allied Commission is pressing for state action regarding the dependent allowances conceded in the Milan accord. It is hoped, nevertheless, that you will be successful in your efforts to persuade the parties concerned to absorb these allowances at an average rate in general wage payments.

- 2 -

6. Your Ministry will be kept informed of progress in these matters within the Commission. Allied Commission will be pleased to receive such further information as your Ministry will obtain regarding these matters.

JOINT DIRECTOR,
Finance Sub-Commission,
for Vice President,
Economic Section.

AHF/r

6922

TEL : 416

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

DCS/sb

REF : LSC/

7 August 1945

SUBJECT: Unification of Social Insurance and Family Allowances Decrees.

TO : Director, Labor Sub-Commission

1. A conference was held today with Minister Barbaroschi and Comm. Gau attended by Major Reed, Mr. Sachs and Miss Canseverino. The subject of implementing the family allowances decrees as well as the unification of provisions regarding social insurance was discussed.

2. It emerged after full consideration that the position of the Italian Government was as follows:

- (a) To implement in the North D.L. 307 of 9 November 1944 increasing family allowances in private industry with effect from 1 August.
- (b) Implementing in the North a new decree which increases family allowances by four lire per day, absorbing the caropene indemnity for dependents. This decree has been passed and signed but has not yet been published. This will have effect from 1 August.
- (c) To abrogate by appropriate order the provisions enacted by the Fascist-Republican Government, modifying the law regarding contributions and benefits in the social insurance system. The most important part of this law is that which shifts employee contributions to the employer.
- (d) Implementing in the North Decrees 7177 of 1 March 1945 and 4343 of 26 April 1945 which increased pensions to old age pensioners and seriously injured workers. These increases are to take effect from 1 January 1945.

3. After giving full consideration to this position it has been agreed by Labor and Finance Sub-Commission to go along and take the necessary action.

DAVID C. SACHS
Deputy Director
Labor Sub-Commission

Copy to:
Finance Sub-Commission
Attn: Major Reed

file

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file

HEADQUARTERS ALLIED COMMISSION

APC 894

TEL : 416

LABOR SUB-COMMISSION

DDG/sh

REF : LAC/311

8 August 1945

SUBJECT: Extension to Northern Italy of Family Allowance Regulations.

TO : Ministry of Labor and Social Welfare.

1. Receipt is acknowledged of your letter LAC/311 of 28 July 1945 concerning the above subject. In this letter you request that there be instituted in the territory now under the administration of Allied Military Government the increases in the family allowances provided for by MIL 307 of 2 November 1944 and, in addition, the caropane indemnity originally provided for in MIL 38. It is our understanding that the caropane indemnity provided for in the last mentioned decree has been incorporated into the family allowance system by means of a draft decree which has not yet been promulgated but which has been made effective by government circular.

2. As you know, the Allied Commission has at all times been solicitous of the welfare of the workers during the difficult times which prevail in Italy now and is most desirous of assuring to the worker the benefits of any measure calculated to place him in an equitable position. This Commission is, nevertheless, aware of the effect of excessive wage increases in forcing higher prices. This renders the position of the worker worse than that which existed before.

3. To the extent that the proposals submitted by you is designed to afford additional wage relief to the workers in the North, it is respectfully submitted that your Ministry give consideration to the question of whether or not this increase is fully justified at the present time. As you know, on 5 July 1945 the provisions of the Milan agreement were extended to the entire North Italy. This agreement provided for a contingency indemnity of 120 lire per day and, in addition, a daily payment of 15 lire for each dependent over one and up to and including four. As a result of the application of this agreement, the wage level in the North is at least equivalent to and, if anything, higher than the level prevailing in the South. This is so even though the total amount received by the worker in the North includes the increases in the family allowance as well as the caropane indemnity already referred to. While it is true that the measures referred to have not as yet been extended to the South, we suggest that the worker in the North is not receiving less on account than the worker in the South.

4. It was for this reason that the AGC order providing for an increase in the price of bread did not include a caropane indemnity for workers in private employment.

5. Allied Commission is, nevertheless, of the opinion that it would be most desirable at this time to bring about national uniformity in Italy as early as possible with respect to the family allowance system. Your consideration is, therefore, invited to the question of whether or not this could be done in connection with the provisions in the Milan agreement requiring a payment of 15 lire per day for each dependent over one and up to and including four. These payments have not been incorporated into the family allowance system but fall entirely upon the employer. Such a situation provides an inducement for employers to discriminate against workers with large families.

6. It is possible that some way can be found to eliminate the dependency provisions of the Milan agreement at the same time as the extension of the family allowance provisions in Central and Southern Italy. At the present time the worker in Milan who has a notional family of a wife and two children receives a family allowance of 16.40 lire daily and in addition 30 lire daily under the Milan agreement or a total of 46.40 lire daily. A similar worker in the South receives a family allowance of 38 lire daily and a waropene indemnity for his dependents alone of 18 lire daily or a total of 56 lire daily. If there is added to this the waropene indemnity for the worker himself originally provided for in RLI 30 but which has since been absorbed by collective contracts, his total payments for these two items amount to 46 lire daily. It is felt that these sums are sufficiently close to afford the basis of a solution which would render uniform the provisions in the North and South and at the same time not place a worker in the North in a position unduly advantageous as compared with the worker in the South.

7. To summarize, it is earnestly suggested that a) the application of the measures suggested to North Italy would not be appropriate at the present time, and b) that the possibility of substituting such measures for the 15 lire per day dependency allowance in the Milan agreement be explored.

8. Your early consideration and reply is requested.

DAVID C. DAVIS
Deputy Director
Labor Sub-Commission

Copies to:
Economic Section
Finance Sub-Commission
Attn: Major Beede

6919

BUCK SLIP

DATE:

3 August 45

HEADQUARTERS

ALLIED COMMISSION
FINANCE SUB-COMMISSION

From

To

INTERNAL

Brig. A. P. Graftey 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. G. 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. A.H. Reece*

EXTERNAL

Office of the Chief Commissioner
 Office of Ex. Commissioner
 Civil Affairs Section
 Economic Section
 Establishment Section
 Message Centre

Deputy Director, Finance S/C

FOR

Investigation & draft reply
 Perusal & return
 Necessary action & return
 Signature
 Translation

FOR

✓ Information & retention
 Necessary action & retention
 Filing
 Despatch
 Circulation

REMARKS

*It may be well in proposing to
 Minister abandonment of dit to daily de-
 pendent allowance to suggest that any differ-
 ence between this and increased family allow-
 ances be retained and incorporated in wage etc*

CONFIDENTIAL

HEAD-QUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB-COMMISSION
Insurance Department

CONFIDENTIAL

usc/304

INS.308/F

2 August 1945

SUBJECT: Requested Action re Family Allowances.

TO : Joint Directors,
Finance Sub-Commission.

1. Reference is made to the attached letter of the Minister of Labour and Social Welfare requesting implementation in Upper Italy of the regulations governing family allowances in central and Southern Italy, with effect from 1 August.

2. As pointed out in para 1, family allowances have been changed in only two respects by the Fascist Government:

- a. a flat 30% increase has been authorized;
- b. allowances to operai have been levelled up to those of impiegati.

3. Meanwhile family allowances below the "Gothic Line" have been altered by three dispositions:

- a. Under DLL 307 of 9 November 1944 allowances were increased an average of 50%, flattening out the demographic increments;
- b. Simultaneously a supplementary allowance of Lit. 5 daily per dependent was granted for the high cost of living;
- c. With effect from 1 March 1945 a special allowance per dependant was granted for the increased cost of bread (caropane);
- d. Originally paid directly by the employer, the caropane now makes use of the mechanism of family allowances as ordered in a draft decree and letter of the Minister.

4. Allied Commission is asked to apply all the dispositions in para 3 with effect from 1 August. This had not been specifically suggested by Minister Barbareschi in our conference of 30 July.

5. Labour Sub-Commission is of the view that present "take home" wages in the North are as high as, if not higher than, corresponding payments in the South. Moreover the proposal of the Minister begs altogether the question of dependent allowances conceded by the Milan agreement of 8 July. These amounted to Lit. 15 daily for every dependent in excess of one.

6. If present "take home" wages are as high in the North as in the South, any additional compensation for anticipated higher cost of bread cannot be justified on grounds of equity. The higher bread price has prevailed in the South since 1 March.

7. If we agree to implement DLL 307 and 38, and to order incorporation of the latter in the family allowance system as has been already accomplished here by a Ministerial letter, we may reasonably insist on a quid pro quo. If uniform family allowances are desired, then the special allowances provided in the Milan agreement should now be abrogated and replaced by the new allowances.

and Social Welfare requesting implementation in Upper Italy of the regulations governing family allowances in central and Southern Italy, with effect from 1 August.

2. As pointed out in para 1, family allowances have been changed in only two respects by the Fascist Government:

- a. a flat 30% increase has been authorized;
- b. allowances to operaio have been levelled up to those of impiegati.

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- a. Under DLL 307 of 9 November 1944 allowances were increased an average of 50%, flattening out the demographic increments;
- b. Simultaneously a supplementary allowance of Lit. 5 daily per dependent was granted for the high cost of living;
- c. With effect from 1 March 1945 a special allowance per dependent was granted for the increased cost of bread (caropane);
- d. Originally paid directly by the employer, the caropane now makes use of the mechanism of family allowances as ordered in a draft decree and letter of the Minister.

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6. If present "take home" wages are as high in the North as in the South, any additional compensation for anticipated higher cost of bread cannot be justified on grounds of equity. The higher bread price has prevailed in the South since 1 March.

7. If we agree to implement DLL 307 and 33, and to order incorporation of the latter in the family allowance system as has been already accomplished here by a Ministerial letter, we may reasonably insist on a quid pro quo. If uniform family allowances are desired, then the special allowances provided in the Milan agreement should now be abrogated and replaced by the new indagini.

8. At present a father of two children at Milan receives Lit. 5.00 daily for his wife and Lit. 5.35 for each child, a total of Lit. 16.40 daily; but also receives dependent allowances of Lit. 30.00 daily under the Milan agreement. This is a total of Lit. 46.40 daily. At Naples a similar worker would receive a basic allowance of Lit. 5.00 daily for the wife and Lit. 4.00 daily for each child, supplementary allowances of Lit. 5.00 daily for each dependent, and caropane allowances of Lit. 4.00 daily for each dependent. This would total Lit. 40.00. If the Minister sincerely desires uniformity in family allowances treatment, the same sum should be paid in the North and through the same mechanism.

9. Meanwhile the Italian Government proceeds in its customary way in situations of this character. "Il Globo" today informs all interested that the concessions which formed the subject of the Minister's letter will be granted now that the price of bread is to be raised (see attached translation).

- 2 -

10. It is recommended that we reply to the Minister, pointing out
- (a) that Northern wages are not lower than those in central and southern Italy;
 - (b) that family allowances, in the north, including dependent allowances conceded under the Milan agreement, are actually higher than those paid in the rest of Italy;
 - (c) but that we should gladly see installed the same allowances and the same procedure in both areas.
11. Labour Sub-Commission agrees with these views and is preparing a reply to the Minister's letter in this sense. It is recommended that we authorize the statement that we concur in this letter.

AHR/jbn



Major, A.U.S.,
Insurance Officer,
Social Insurance.

500
69169

C O P Y

MINISTERO DELLE PREVIDENZA SOCIALE
IV. IV

Prot. No. 1598

Allegati: AF/IV/1010

Roma, 28 luglio, 1945

OGGETTO: Estensione all'Italia del nord delle norme sugli
assegni familiari vigenti nei territori amministra-
ti dal Governo Italiano.

Al : La Commissione Alleata
Sottocomitato per le Finanze
Sottocommissione per il lavoro
ROMA

1. Come e' noto a codesta Commissione Alleata, nell'Italia Centro-
meridionale gli assegni familiari vengono corrisposti ai lavoratori capi
famiglia in misura piu' elevata di quelli in atto nell'alta Italia.

Tale differenza risulta dall'unita' tabella. Essa e' dovuta alla
applicazione di differenti disposizioni nei territori a Sud della cosiddetta
linea Gotica. Infatti, in tali territori si applicano le disposizioni di
cui al D.L. 9 novembre 1944, No. 307, col quale si e' provveduto ad aumen-
tare del 50% la misura degli assegni familiari; inoltre si sono istituiti
assegni familiari supplementari di carovita, maggiorati con successivo prov-
vedimento di un'importo equivalente all'indennita' caropane. Nell'Italia del
Nord, invece, il vecchio importo degli assegni familiari e' stato aumentato
dal pseudo Governo repubblicano del 30%, successivamente agli operai e' stata
stesa la misura degli assegni previsti per gli impiegati, con le relative
norme e modalita'.

2. La congiuntura dell'economia del Nord con quella del Sud ha com-
portato una notevole maggioranza del costo della vita e condizioni di disagio
per le classi lavoratrici del Nord.

In considerazione di cio', questo Ministero prospetta a codesta
Commissione l'opportunita' che, con decorrenza dal 1 Agosto p.v., vengano
estesi a tutti i territori attualmente amministrati dal Governo Militare
Alleato, le norme vigenti in materia nei territori soggetti all'amministrazio-
ne Italiana.

3. Si prega, pertanto, codesta Commissione Alleata, qualora convenga
sull'opportunita' suesposta, di volere interessare in tal senso i Governi
Militari Regionali.

Fer quanto riguarda gli assegni di caropane, la loro corrispondenza
dovrebbe coincidere con l'abolizione del prezzo politico del pane, po-
quanto risulta, avrebbe decorrenza nel Nord dal 1 Agosto p.v.

Si gradira' un cortese cenno di riscontro.

IL MINISTRO
/S/: Barbareschi.

TRANSLATION

Ref.No. 1598 App.AF/IV/1010

28 July 1945

SUBJECT: Extension to Northern Italy of the Family Allowance Regulations in Force in Territory Administered by the Italian Government.

TO : Finance Sub-Commission, HQ Allied Commission,
Labour Sub-Commission
Rome.

FROM : Ministry of Labour and Social Welfare, Div. IV.

1. As is known to the Allied Commission, family allowances higher than those in effect in Upper Italy are paid to workers who are family heads in central and southern Italy.

This difference is shown in the attached table. It is due to the application of different provisions in territory to the South of the so-called "Gothic Line". In fact in such territory the provisions of D.L. of 9 November 1944, N. 307, are applied, by which family allowances were increased 50%; moreover supplementary family allowances were established for the high cost-of-living, increased by subsequent provision to an amount equivalent to the "expensive-bread" indemnity. In Northern Italy, on the other hand, the old family allowances were increased to 30% by the false Republican Government and subsequently the allowances provided for impiegati, together with the corresponding rules and procedure, were extended to opera.

2. The fusion of the Northern economy with that of the South has brought a notable increase in the cost of living and conditions of want for the working classes of the North.

For this reason this Ministry proposes to this Commission that it would be opportune, effect 1 August, to extend to all territories currently administered by Allied Military Government the regulations in force in this matter in territory subject to Italian administration.

3. The Allied Commission is accordingly urged/it agrees on the above-expressed opportuneness, so to inform the regional Military Governments.

So far as concerns the allowances for "expensive bread" payment of them should coincide with abolition of the political price of bread which, as it appears, would have effect in the North from 1 August.

An appropriate acknowledgement of receipt would be appreciated.

The Minister
- Barbareschi -

6914

5914

TRANSLATION

Draft of Lieutenantcy Decree-Law for the Increase of
Supplementary Family Allowance for High Cost of Living

Humbert of Savoy
Prince of Piedmont
Lieutenant - General of the Realm

By virtue of authority to us delegated;

Having seen the Lieutenantcy decree-law 9 November 1944
N. 307 establishing supplementary family allowances for high
cost of living;

Having seen the Lieutenantcy Decree-law 22 February 1945 N. 38
on the price of bread and of pasta;

Having seen the Lieutenantcy decree-law 25 June 1944 n. 151;

Having seen the decree-law 1 February 1945, n. 53

Having withened the deliberations of the Council of
Ministers ;

On proposal of the Minister of Labour and Social Welfare
by agreement with the Ministers of the Treasury and of Grace
and Justice;

we have sanctioned and we promulgate the following:

Article 1

With effect from 1 March 1945, the amount of the family
allowances for high cost of living referred to in tables
A), B), C), D) and E appended to Lieutenantcy decree law
9 November 1944, n. 307, is increased.

for table A) from Lit. 30 to Lit. 54

for table B) from Lit. 5 to Lit. 9

for tables C) & D) from Lit. 120 to Lit. 215 and for table
E from Lit 150 to Lit 225.

Nothing is charged in the previous referred to in article
1, paragraph 2 of the above cited decree concerning modifi-
cation of the tables of family allowances and corresponding
contributions.

The rate of family allowances established by the aforesaid
tables remains unchanged for the purpose of applying regulations
governing payment of the said allowances to workers called to
arms.

Art. 2

The increased of the family allowances for high cost of living referred to in the preceding article absorbs the indemnity borne by employers provided by article 5 of Lieutenantcy decree-law 28 February 1945 N. 38 (?) for family members living with and dependent on employed workers. Where such indemnity was in fact absorbed through collective agreements in an increase of compensation, this will be reduced by the amount of the increase in family allowances referred to in the preceding article.

Art. 3

The present decree enters in force the day following its publication in the official Gazette.

In territories not yet restored to Italian Administration the present decree will enter in force from the date of such restitution or from that date on which it is implemented by order of Allied Military Government.

We order that the present decree bearing the State seal be inserted in the Collection of laws and decrees of the Kingdom of Italy, for sending to everyone charged with observing it or of assuring its observance as law of the state.

6912

TRANSLATION

From the "GLOBO" of 2 August 1945.

BETTERMENT OF FAMILY ALLOWANCES IN THE NORTH.

From yesterday, in all provinces of Upper Italy, the political price of bread has been abolished and the economic price restored.

With the purpose of arranging that manual and clerical workers shall not feel the effects of the increase in the price of bread and of pasta, the Government in conformity with what is practiced in central and southern Italy, has decided to raise to an equivalent figure, the rate of family allowances per week.

A difference of treatment between the two parts of Italy was no longer admissible; not alone for reasons of equity but also for the imperious necessity of relieving his exhausted funds of a financial burden that is not light.

Therefore a worker, impiegato or operaio, with a wife and child, who was receiving Lire 58,20, will receive weekly, between ordinary allowances and those for high cost of living including that for expensive bread, L. 162 if an operaio and L. 186 if an impiegato. A worker with a wife and two children will see the allowances increased from L. 98,40 to L. 240 if an operaio and L. 276 if an impiegato. For a wife and three children the increase rises from L. 130,50 to L. 318 for an operaio and to L. 366 for an impiegato. For a wife and four children the allowances are raised from L. 186,60 to L. 396 for an operaio and to L. 456 for an impiegato.

For unmarried worker with a dependent parent, instead of L. 22,50, will receive L. 69 if an operaio and L. 78 if an impiegato. For both parents the allowances are raised from L. 45 to L. 138 for an operaio and to L. 156 for an impiegato.

5.8911

HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB-COMMISSION
Insurance Department

INS.308/F

2 August 1945

SUBJECT: Requested Action re Family Allowances.

TO : Joint Directors,
Finance Sub-Commission.

1. Reference is made to the attached letter of the Minister of Labour and Social Welfare requesting implementation in Upper Italy of the regulations governing family allowances in Central and Southern Italy, with effect from 1 August.

2. As pointed out in para 1, family allowances have been changed in only two respects by the Fascist Government:

- a. a flat 30% increase has been authorized;
- b. allowances to operai have been levelled up to those of impiegati.

3. Meanwhile family allowances below the "Gothic Line" have been altered by three dispositions:

- a. Under DLL 307 of 9 November 1944 allowances were increased an average of 50%, flattening out the demographic increments;
- b. Simultaneously a supplementary allowance of Lit. 5 daily per dependent was granted for the high cost of living;
- c. With effect from 1 March 1945 a special allowance per dependent was granted for the increased cost of bread (caropane);
- d. Originally paid directly by the employer, the caropane now makes use of the mechanism of family allowances as ordered in a draft decree and letter of the Minister.

4. Allied Commission is asked to apply all the dispositions in para 3 with effect from 1 August. This had not been specifically suggested by Minister Barbareschi in our conference of 30 July.

5. Implementation of either DLL 307 or DLL 38 might be considered a reasonable compensation for the additional cost of bread now anticipated. If we agree to implement both, we may reasonably insist on a second quid pro quo.

6. The logical second quid pro quo is simultaneous abrogation of Fascist Decree No. 376 (10 May 1945) which abolished employees' contributions. If benefits are to be uniform as between the two areas, certainly there should be a single contributions system.

7. An alternative course would be to agree to implement the one decree but not the other. If this alternative is selected it is recommended that DLL 38 be implemented so far as concerns private employees. Otherwise pressure for so doing will continue, based on allegations concerning the price of bread.

- 2 -

8. It is recommended that, pending receipt of satisfactory assurances from the Minister regarding uniformity of contributions to the social insurances, we withhold implementation of DLI 307. Upon receipt of such assurances we may reasonably accept the Minister's proposals in toto.

9. Your views on these recommendations will be appreciated.

Major, A.U.S.
Insurance Officer,
Social Insurance.

AHR/jbh

6909
3008

C O P Y

MINISTERO DELLE PREVIDENZA SOCIALE
DIV. IV

Prot. No. 1598

Allegati: AF/IV/1010

Roma, 28 luglio, 1945

OGGETTO: Estensione all'Italia del nord delle norme sugli
assegni familiari vigenti nei territori amministra-
ti dal Governo Italiano.

Al : La Commissione Alleata
Sottocomitato per le Finanze
Sottocommissione per il lavoro
R O M A

1. Come e' noto a codesta Commissione Alleata, nell'Italia Centro-
meridionale gli assegni familiari vengono corrisposti ai lavoratori capi
famiglia in misura piu' elevata di quelli in atto nell'alta Italia.
Tale differenza risulta dall'unita tabella. Essa e' dovuta alla
applicazione di differenti disposizioni nei territori a Sud della cosiddetta
linea Gotica. Infatti, in tali territori si applicano le disposizioni di
cui al D.L. 9 novembre 1944, No. 307, col quale si e' provveduto ad aumen-
tare del 50% la misura degli assegni familiari; inoltre si sono istituiti
assegni familiari supplementari di carevita, maggiorati con successivo prov-
vedimento di un'importo equivalente all'indennita' caropane. Nell'Italia del
Nord, invece, il vecchio importo degli assegni familiari e' stato aumentato
dal pseudo Governo repubblicano del 30%, successivamente agli operai e' stata
stesa la misura degli assegni previsti per gli impiegati, con le relative
norme e modalita'.

2. La congiuntura dell'economia del Nord con quella del Sud ha com-
portato una notevole maggioranza del costo della vita e condizioni di disagio
per le classi lavoratrici del Nord.

In considerazione di cio', questo Ministero prospetta a codesta
Commissione l'opportunita' che, con decorrenza dal 1 Agosto p.v., vengano
estesi a tutti i territori attualmente amministrati dal Governo Militare
Alleato, le norme vigenti in materia nei territori soggetti all'amministrazio-
ne Italiana.

3. Si prega, pertanto, codesta Commissione Alleata, qualora convenga
sull'opportunita' suesposta, di volere interessare in tal senso i Governi
Militari Regionali.

Per quanto riguarda gli assegni di caropane, la loro corrispondenza
dovrebbe coincidere con l'abolizione del prezzo politico del pane che, a
quanto risulta, avrebbe decorrenza nel Nord dal 1 Agosto p.v.

Si gradira' un cortese cenno di riscontro.

IL MINISTRO
/S/: Barbareschi.

TRANSLATION

Ref.No. 1596 App.AN/IV/1010

28 July 1945

SUBJECT: Extension to Northern Italy of the Family Allowance Regulations in Force in Territory Administered by the Italian Government.

TO : Finance Sub-Commission, HQ Allied Commission,
Labour Sub-Commission
Rome.

FROM : Ministry of Labour and Social Welfare, Div. IV.

1. As is known to the Allied Commission, family allowances higher than those in effect in Upper Italy are paid to workers who are family heads in central and southern Italy.

This difference is shown in the attached table. It is due to the application of different provisions in territory to the South of the so-called "Gothic Line". In fact in such territory the provisions of D.L. of 9 November 1944, N. 307, are applied, by which family allowances were increased 50%; moreover supplementary family allowances were established for the high cost-of-living, increased by subsequent provision to an amount equivalent to the "expensive-bread" indemnity. In Northern Italy, on the other hand, the old family allowances were increased to 30% by the false Republican Government and subsequently the allowances provided for impiegati, together with the corresponding rules and procedure, were extended to opera.

2. The fusion of the Northern economy with that of the South has brought a notable increase in the cost of living and conditions of work for the working classes of the North.

For this reason this Ministry proposes to this Commission that it would be opportune, effect 1 August, to extend to all territories currently administered by Allied Military Government the regulations in force in this matter in territory subject to Italian administration.

3. The Allied Commission is accordingly urged ^{if} it agrees on the above-expressed opportuneness, so to inform the regional Military Governments.

So far as concerns the allowances for "expensive bread" payment of them should coincide with abolition of the political price of bread which, as it appears, would have effect in the North from 1 August.

An appropriate acknowledgement of receipt would be appreciated.

The Minister
- Barbareschi -

6907

6907

Translation Baldozzi

/js

MINISTRY OF LABOUR AND SOCIAL SECURITY

Prot.2533

Rome, 1st August 1945

TO : THE ALLIED COMMISSION
: Financial Sub-Commission
(Social Insurance)
: Labour Sub-Commission

ROME

SUBJECT: Co-ordination of the legislation issued in Northern Italy in matter of insurances and social security.

By a letter n°305 of 30 July ~~last~~, this Allied Commission has intimated that it would be convenient to extend to Northern Italy the provisions already in force in Central-Southern Italy, concerning the implementing of disability, old age and survivors pensions (D.L.L. 1st March 1945 N° 177) and the family allowances increases (D.L.L. 9 November 1944, N° 307).

In the opinion of your Commission, such an extension should coincide with the re-establishment of rules pre-existent to the innovations brought about in matter of social security by the would-be republican government. Furthermore, inasmuch as the reinstatement of the Italian legislation in this matter, will imply the enforcement to the workers of the financial burden of the contribution quota, you have expressed the opinion that the same workers would raise no objection, on condition that this would take place on the same date of the issuance of the above mentioned provisions and provided that the Italian Government are showing their willingness to consider carefully the whole problem of contributions, with a view to insuring a general revision of the actual system, to be carried out on a national plan.

In connection with the above, this Ministry reminds you that by its letters n°689 of 26 July and n°1598 of 28 July last had already expressed to this Allied Commission its point of view, concerning the convenience of increasing also in Northern Italy the pensions and family allowances, in order to ensure a uniform economic treatment to all the workers of Italy, and to do away with the dissatisfaction existing among them.

Therefore this Ministry takes pleasure in confirming the standpoint set forth in the above mentioned letters, although reserving to itself to ask the extension of other provisions, such as that of the increase of labour accidents' benefits.

Concerning the restoration of the Italian social legislation as it was in force before the innovations introduced by the would-be republican government, we take leave to submit the following remarks. From a strictly juridical point of view as a consequence of the Lieutenant's Legislative Decree of 5 October 1944 N° 249, the enforcement of which had been already extended to the North by virtue of Order n°2 of 27 April last issued by the AMG, there is no doubt that all the legislation promulgated by the would-be social republic is void of juridical validity. But, considering the fact that it was enforced in a number of provinces of Northern Italy during the period of fascist-nazi occupation, and that it actually continues to be enforced, although in part, even after the liberation, it is necessary to fix the following points:

- a) the date from which the said legislation shall cease to be effective;
- b) what consequences should be inferred from the acknowledgement of the invalidity in question, with respect to the past period during which the legislation was enforced.

For the first point we agree with the opinion set forth by the Allied Commission, that is: let us see that the full observance of the pre-existent legislation should coincide with the extension to Northern Italy of the provisions enacted in favour of the workers.

As a matter of fact, by adopting such a policy, even the re-enforcement of contributions on charge of the workers, would not cause unfavourable political reactions, because the workers are receiving at the same time considerable advantages.

Concerning the second point, instead, it will be necessary to avoid that the declaration of invalidity of the legislative provisions of the would-be fascist government should cause a damage to the workers who enjoyed insurance and social benefits, or to the Institutes, which so were charged with the collection of contributions, according to the unification' rules. 6905

Both practical and political reasons, sanctioned by a policy steadily followed up by the AMG, are suggest-

ing to enact a mending provision, concerning the insurance and social benefits already paid, for which there could not be any request of repayment, even if the grant of them was not made on sound juridical grounds. Likewise, practical and political reasons would suggest to enforce a special payment of contributions, because, otherwise, as a consequence of the voidance of the legislation, the employers could claim to be reimbursed accordingly.

No doubt, we are in the presence of a delicate and complex problem, all the more so because, as it is well known, the decree issued by the would-be social republic the 10 May 1944, n°376 on the unification of the industry' contributions has implied a number of remarkable innovations and reforms in matter of social security, besides a change of the whole contributive system.

For the time being, this Ministry is not in a position to specify exactly and in detail the terms of this problem, although we reserve to ourselves to study it carefully in due course. However, we have deemed advisable to set forth the general terms of the problem in question to this Allied Commission, in order that we may be gratified by your consent as to the general view of the problem itself.

This Allied Commission has also expressed the opinion that it could be advisable to effect a careful revision of the rules governing the whole system of the contributions of Social security, with a view to have it unified and reorganized on the national plan. In this respect we take leave to remark that the Italian Government has since long considered this problem, which comes within the purview of the reform of the whole Italian legislation in matter of social security, and that a special Commission has been established for considering the problem in question.

THE MINISTER
Barbareschi

THE ACTING
GENERAL INSPECTOR
Cau

6904

*Ministero dell'Industria
e della Previdenza Sociale*

- la COMMISSIONE ALLEATA
- Sottocommissione Finanziaria
(Assic. Sociali)
- Sottocommissione del Lavoro

2533

ROMA

OGGETTO: Coordinamento della legislazione emanata nell'Italia
del nord per le assicurazioni e la previdenza sociale

Con lettera n. 305 del 30 luglio c.a. codesta Commissione ha prospettato la opportunità che siano estesi all'Alta Italia i provvedimenti in vigore nell'Italia Centro-meridionale, concernenti le integrazioni delle pensioni di invalidità, vecchiaia e superstiti (D.L.L. 1° marzo 1945 n. 177) e gli aumenti per gli assegni familiari (D.L.L. 9 novembre 1944 n. 307).

Secondo il pensiero di codesta Commissione, tale estensione dovrebbe coincidere con il ristabilimento delle norme preesistenti alle innovazioni apportate in materia di assicurazioni sociali dallo pseudo governo repubblicano. Inoltre, poiché il ripristino della legislazione italiana in materia comporterà l'assoggettamento dei lavoratori all'onere della quota contributiva a loro carico, codesta Commissione esprime l'avviso che nessuna difficoltà dovrebbe essere sollevata a riguardo dei lavoratori qualora ciò avesse luogo simultaneamente alla estensione dei provvedimenti sopra accennati e se nel contempo il Governo Italiano esprimerà il proposito di sottoporre ad attento studio tutto il problema relativo ai contributi ai fini di una generale revisione del sistema in atto, da realizzare sul terreno nazionale.

In relazione a quanto sopra questo Ministero fa presente che con lettere n. 689 del 26 luglio e n. 1598 del 28 luglio c.a. è già stata segnalata a codesta Commissione la opportunità di estendere in Alta Italia le provvidenze relative all'aumento delle pensioni e degli assegni familiari, al fine di assicurare un trattamento uniforme per tutti i lavoratori italiani e per eliminare il malcontento già manifestatosi fra gli stessi lavoratori a causa di tale diversità di trattamento.

Questo Ministero quindi non può che confermare il pensiero già espresso nelle lettere sopracitate, riservandosi di chiedere l'estensione di altri provvedimenti, fra i quali quello della maggiorazione delle rendite per infortunio.

Con ciò si verrà a risolvere la questione dell'estensione al nord dei provvedimenti adottati nell'Italia Centro-meridionale dopo la sua liberazione.

2903

250/348

OCCORRENZA Coordinamento della legislazione emanata nell'Italia del nord per le assicurazioni e la previdenza sociale

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Per quanto riguarda il ripristino della legislazione sociale italiana preesistente alle innovazioni apportate in materia dallo pseudo governo repubblicano si osserva che dal punto di vista stretto

363

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tamente giuridico non vi è dubbio che per effetto del decreto legislativo lucotenenziale 5 ottobre 1944 n. 249, già esteso al nord con ordinanza n. 2 in data 27 aprile corr. del Governo militare alleato, tutta la legislazione emanata dalla sedicente repubblica sociale è priva di efficacia giuridica. Poiché peraltro essa è stata in alcune provincie dell'Italia del nord applicata durante il periodo della occupazione nazi-fascista e di fatto ha continuato finora, sebbene parzialmente, ad essere osservata anche dopo la loro liberazione, si pone la necessità di stabilire:

- a) la data della quale essa di fatto non dovrà essere più applicata;
- b) quali conseguenze comporti detto riconoscimento di nullità, rispetto al periodo decorso in cui essa venne osservata.

Per il primo punto si concorda con l'avviso espresso da codesta Commissione, nel senso cioè che sarà opportuno far coincidere la piena osservanza della preesistente legislazione con la estensione al nord delle nuove provvidenze disposte a favore dei lavoratori quali sono state più sopra indicate.

In tal modo, infatti, non dovrebbero attendersi ripercussioni politiche sfavorevoli per quanto riguarda particolarmente il ripristino delle contribuzioni a carico dei lavoratori, in considerazione che i maggiori benefici concessi potranno costituire una compensazione del carico al quale essi vengono sottoposti.

Rispetto al secondo punto, invece, si osserva che dalla dichiarazione di nullità, a tutti gli effetti, dei provvedimenti legislativi del sedicente governo fascista, dovrà evitarsi che un danno si determini per i lavoratori che hanno fruito di particolari prestazioni, nonché per gli Istituti che hanno fin qui incassato i contributi secondo le particolari norme della unificazione.

Non vi è dubbio cioè che ragioni di ordine pratico e politico, già sanzionate da una prassi costantemente seguita dal Governo militare alleato, impongono di dare una sanatoria alla già attuata erogazione di prestazioni le quali, ancorché determinate da disposizioni di legge non aventi alcuna efficacia giuridica, non possono certo essere richieste in restituzione da chi di fatto ne ha usufruito; così pure ragioni di ordine pratico e amministrativo potranno consigliare di sanzionare determinati versamenti di contributi, di cui altrimenti, per effetto della nullità della legge, i datori di lavoro potrebbero pretendere la restituzione.

Il problema è delicato e complesso, in quanto, come è noto, il decreto della repubblica sociale in data 10 maggio 1944 n. 376 sulla unificazione dei contributi nell'industria ha comportato, oltre alla modifica del sistema contributivo, notevoli innovazioni e riforme in tutta la disciplina della previdenza sociale.

Questo Ministero non può, al momento, precisare gli aspetti di dettaglio di detto problema, che si riserva di sottoporre ad un attento studio. Si è tuttavia ritenuto opportuno prospettare a codesta Commissione alleate i termini generali di esso, al fine

essa è stata in alcune provincie dell'Italia del nord applicata durante il periodo della occupazione nazi-fascista e di fatto ha continuato finora, sebbene parzialmente, ad essere osservata anche dopo la loro liberazione, si pone la necessità di stabilire:

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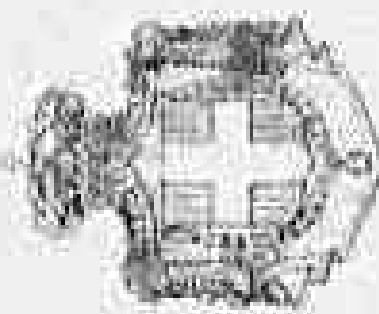
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Ministero dell'Industria,
del Commercio e del Lavoro

Roma

19

Post. V. 2

Allegato

Proposta al P. N. 2
del

OGGETTO

folio 2°

Per quanto riguarda, infine, l'avviso espresso da codesta Commissione sulla opportunità di sottoporre ad un accurato esame le norme che disciplinano il sistema contributivo per le assicurazioni sociali, al fine di addvenire ad una unificazione e ad un completo riordinamento di esso da realizzarsi sul terreno nazionale, questo Ministero osserva che, come è ben noto a codesta Commissione, il Governo italiano si è già da tempo preoccupato tale problema il quale rientra nel quadro della riforma di tutta la legislazione italiana in materia di previdenza sociale, per lo studio della quale una apposita Commissione è stata costituita.

IL MINISTRO

Baronessini

P. O. C.

L'ISPIRATORE CENTRALE REGGENTE

Giulio

6902

7 industries: building, mechanical, printing,
 groves, millwork, making paper, transportation,
 daily wage rates in private industry

Range

Average

for unskilled labourer

£264,-

with 3 dependants (wife & 2 children)

6901

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:

6900



~~Ministero dell'Industria~~
~~Ministero del Lavoro~~

IL DIRETTORE GENERALE
DELLA PREVIDENZA E DELLE ASSICURAZIONI PRIVATE

f.f.

Roma, 30 luglio 1945

lsc/311

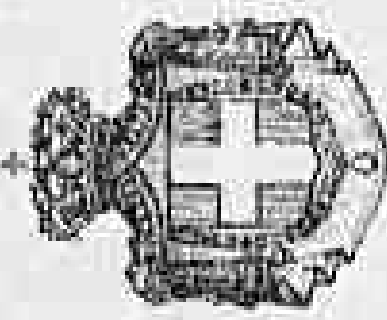
Mister Sachs
Sottocommissione del lavoro
A.C.

R o m a

Le rimetto copia delle lettere di questo Ministero a codesto Commissione circa l'estensione al Nord degli assegni familiari e degli assegni integrativi delle pensioni nell'Italia centro-meridionale.

Giulio

25899



Ministero dell'Industria,
della Commissione del Lavoro

E DELLA PREVIDENZA SOCIALE
DIV. IV

Prot. N.° 1598

Allegato AF/IV/1010

Risposta all'N.°
del

Ma COMMISSIONE ALLEATA

Sottocomitato per le Finanze

Sottocommissione per il lavoro

ROMA

156/911

Oggetto Estensione all'Italia del Nord delle norme sugli assegni familiari vigenti nei territori amministrati dal Governo Italiano.

1) - Com'è noto a codesta Commissione Alleata, nell'Italia centro-meridionale gli assegni familiari vengono corrisposti ai lavoratori capifamiglia in misura più elevata di quelli in atto nell'Alta Italia.

Tale differenza risulta dall'unita tabella. Essa è dovuta alla applicazione di differenti disposizioni nei territori a sud della cosiddetta linea gotica. Infatti, in tali territori si applicano le disposizioni di cui al D.L.L. 9 novembre 1944, n. 307, col quale si è provveduto ad aumentare del 50% la misura degli assegni familiari; inoltre si sono istituiti assegni familiari supplementari di carovita, maggiorati con successivo provvedimento di un importo equivalente all'indennità caropene. Nell'Italia del Nord, invece, il vecchio importo degli assegni familiari è stato aumentato dal pseudo Governo repubblicano del 30%, successivamente agli operai è stata estesa la misura degli assegni previsti per gli impiegati, con le relative norme e modalità.

2) - La congiuntura dell'economia del Nord con quella del Sud ha comportato una notevole maggiorazione del costo della vita e condizioni di disagio per le classi lavoratrici del Nord.

In considerazione di ciò, questo Ministero prospetta a codesta Commissione l'opportunità che, con decorrenza dal 1° ~~8888~~ p.v., vengano estesi a tutti i territori attualmente amministrati dal Governo Militare Alleato, le norme vigenti in materia nei territori soggetti

Oggetto Estensione all'Italia del Nord delle norme sugli assegni familiari vigenti nei territori amministrati dal Governo Italiano.

1) - Com'è noto a codesta Commissione Alleata, nell'Italia centro-meridionale gli assegni familiari vengono corrisposti ai lavoratori capi famiglia in misura più elevata di quelli in atto nell'Alta Italia.

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M.E.

./ 258

ti all'Amministrazione italiana.

3) - Si prega, pertanto, codesta Commissione Alleata, qualora venga sull'opportunità suesposta, di volere interessare in tal senso i Governi Militari regionali.

Per quanto riguarda gli assegni di caropane, la loro corresponsione dovrebbe coincidere con l'abolizione del prezzo politico del pane che, a quanto risulta, avrebbe decorrenza nel Nord dal 1° agosto p.v.

Si gradirà un cortese cenno di riscontro.

IL MINISTRO

F. Barbieri

11 LUG. 1945

RAFFRONTO PER TIPI DI FAMIGLIA DELLA MISURA DEGLI ASSEGNI FAMILIARI SETTIMANALI IN ATTO
NELLE PROVINCIE DELL'ALTA ITALIA E IN QUELLA DELL'ITALIA CENTRALE E MERIDIONALE

T I P O DI FAMIGLIA	ALTA ITALIA		ITALIA CENTRALE E MERIDIONALE					
	Operai e impiegati		O p e r a i			I m p i e g a t i		
	Misura Uniforme	TOTALE	Assegni ordinari	Assegni carov. comp. caro-pa- ne	TOTALE	Assegni ordinari	Assegni carov. comp. caro-pa- ne	TOTALE
Moglie	34.20	58.20	30	54	162	42	54	1
1 figlio	24.00		24	54		36	54	
Moglie	34.20	98.40	30	54	240	42	54	2
2 figli	64.20		48	108		72	108	
Moglie	34.20	130.50	30	54	318	42	54	3
3 figli	96.30		72	162		108	162	
Moglie	34.20	186.60	30	54	396	42	54	4
4 figli	152.40		96	216		144	216	
Celibe con 1 genitore	22.50	22.50	15	54	69	24	54	7
Celibe con 2 genitori	45.-	45.-	30	108	138	48	108	15

CONTO PER TIPI DI FAMIGLIA DELLA MISURA DEGLI ASSEgni FAMILIARI SETTIMANALI IN ATTO
 LE PROVINCE DELL'ALTA ITALIA E IN QUELLA DELL'ITALIA CENTRALE E MERIDIONALE

LA	ALTA ITALIA		ITALIA CENTRALE E MERIDIONALE					
	Operai e impiegati		Operai			Impiegati		
	Misura Uniforme	TOTALE	Assegni ordinari	Assegni carov. comp. caro-pa- ne	TOTALE	Assegni ordinari	Assegni carov. comp. caro-pa- ne	TOTALE
	34.20	(58.20	30	54	162	42	54	186
	24.00		24	54		36	54	
	34.20	{ 98.40	30	54	240	42	54	276
	64.20		48	108		72	108	
	34.20	{ 130.50	30	54	318	42	54	366
	96.30		72	162		108	162	
	34.20	{ 186.60	30	54	396	42	54	456
	152.40		96	216		144	216	
	22.50	22.50	15	54	69	24	54	78
	45.=	45.=	30	108	138	48	108	156

C O P I A

Direzione Generale della
Previdenza

26 luglio 1945

ALLA COMMISSIONE ALLENATA
Sottocommissione finanziaria

R O M A

Questo ministero prospetto a codesta Commissione l'opportunità che venga esteso alle provincie dell'Alta Italia ancora sottoposte alla diretta amministrazione del governo militare emanato il D.L. n. 10 marzo 1945 n. 177, relativo alla concessione dell'assegno integrativo delle pensioni di invalidità, vecchiaia e superstiti.

Regioni umanitarie consigliano l'estensione del detto provvedimento della data del 1° gennaio 1945 come esPLICITAMENTE indicato all'art. 1 del decreto stesso, anche se, per le dette provincie, sotto il profilo strettamente giuridico, possa sorgere dubbio se il provvedimento non deve, invece, decorrere, a tutti gli effetti, dal giorno della recessione della norma da parte del Prefetto, come stabilito in via generale dall'ordinanza 25 luglio 1944 del Commissario esecutivo dell'U.M.C.

I motivi che hanno determinato, infatti, la retro datazione al 1° gennaio dei benefici in questione valgono anche per le provincie del Nord, in quanto con il decreto, in parola, si è inteso provvedere ad una intrinseca insufficienza della misura in cui le pensioni stesse erano liquidate, l'importo delle quali già inadeguato anche in tempi normali, è ora tale da non poter garantire nemmeno le più elementari esigenze di vita. **6896**

Nel disporre la decorrenza dei detti benefici dal 1° gennaio 1945, sarebbe necessario impartire opportune disposizioni alle locali sezioni provinciali dell'Istituto Nazionale di previdenza e casio, perché nel dar corso alla liquidazione degli assegni arretrati provvedano, sulla data presunta di conguaglio con l'aumento del 30% delle pensioni corrisposta a seguito delle disposizioni già in vigore nelle provincie del Nord.

Per far fronte agli oneri che in tal modo verranno a gravare sul fisco di integrazione per le assicurazioni sociali, sarà naturalmente opportuno che anche il decreto attore in corso, relativo alla determinazione dei contributi da corrispondersi dai datori di lavoro e dai lavoratori i sensi dell'art. 9 del D.L. in argomento, di cui codesta Commissione è già a conoscenza, venga esteso alle provincie dell'Alta Italia non appena esse, sarà pubblicato e sulla stessa data in cui avrà vigore nelle altre provincie già restituite alla amministrazione diretta del governo.

Questo ministero prospetta a codesta Commissione l'opportunità che venga esteso alle provincie dell'Alta Italia ancora sottoposte alla diretta amministrazione del Governo militare alleato il L. 1. 1. 1945 n. 177, relativo alla concessione dell'assegno inaspettativo delle pensioni di invalidità, vecchiaia e superstiti.

Il ministero umanitario consiglia l'estensione del detto provvedimento dalla data del 1° gennaio 1945 come esplicitamente indicato all'art. 1 del decreto stesso, anche se, per le dette provincie, sotto il profilo strettamente giuridico, possa sorgere dubbio se il provvedimento non debba invece, decorrenza, a tutti gli effetti, dal giorno delle recessioni della norma da parte del Prefetto, come stabilito in via generale dall'ordinanza 25 luglio 1944 del Commissario esecutivo dell'Alto.

I motivi che hanno determinato, infatti, la retro datazione al 1° gennaio dei benefici in questione valgono anche per le provincie del Nord, in quanto con il decreto, in parola, è inteso provvedere ad una intrinseca insufficienza della misura in cui le pensioni stesse erano liquidate, l'importo delle quali già inadeguato anche in tempi normali, è ora tale da non poter garantire nemmeno le più elementari esigenze di vita.

6896

Nel disporre la decorrenza dei detti benefici dal 1° gennaio 1945, sarebbe necessario impartire opportune disposizioni alle locali Regioni e provincie dell'Istituto Nazionale di previdenza e invalidità, perché nel far corso alla liquidazione degli assegni arretrati provveduto, sulla data prevista al congruio con l'aumento del 30. della pensione corrisposte a seguito delle disposizioni già in vigore nelle provincie del Nord.

Per far fronte agli oneri che in tal modo verranno a gravare sul fondo di integrazione per le assicurazioni sociali, sarà naturalmente opportuno che anche il decreto attore in corso, relativo alla determinazione del contributo da corrispondersi dai datori di lavoro e dai lavoratori i sensi dell'art. 3 del D.L. in argomento, di cui codesto Commissione è già a conoscenza, venga esteso alle provincie dell'Alta Italia non appena esso sarà pubblicato e dalla stessa data in cui avrà vigore nelle altre provincie già restituite alla amministrazione diretta del Governo italiano.

Il Ministro

f/to Barbereschi

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LSC 308

THE JOINT ALLIED COMMISSION
PO 394
FINANCE SUB-COMMISSION
Insurance Department

INS.303/P

30 July 1945

SUBJECT: Social Insurances in the North.

TO : Joint Directors,
Finance Sub-Commission.

1. Reference our INS.305/P of 27 July, we met today with the Minister of Labour and Social Welfare and received copies of two communications bearing on the above-mentioned letter.
2. Mr. Sachs represented Labour Sub-Commission at the conference with Minister Barbareschi. Gen. Director of the Division of Insurance and Social Security was also present.
3. Our proposal envisioned three steps for achieving a uniform system of social insurance in North and South:
 - a. implementation of D.L. 307 (1944) providing increased family allowances;
 - b. implementation of D.L. 177 and 343 (both 1945) providing increases in pensions; and
 - c. abrogation of Fascist Republican decree 376 (1944) broadening and unifying social insurance contributions.
4. When the essence of the threefold proposal had been explained to the Minister, he pointed out that the first two of these steps had just been recommended by his Ministry in letters which were now probably on the way to the respective Sub-Commissions. The third was the subject of current study and further recommendations should soon be ready regarding it.
5. The Minister said that by a letter of 28 July (1596/P/IV/1010) Allied Commission was being asked to implement the family allowance increases in D.L. 307 with effect from 1 March. This action was being requested in consideration of the expected increase in the price of bread in the North. The higher family allowances (averaging very nearly Lit. 3.00 per day per family member) would be just about equal to the caropane indemnity earlier conceded in southern and central Italy.
6. Another letter of 26 July (N.583) had requested Allied Commission to implement D.L. 177 augmenting pensions paid by I.M.P.S. This request leaves open the question of treatment of work accident pensions covered in D.L. 343.
7. Copies of the letters concerned were furnished representatives of both Sub-Commissions as neither communication had yet been seen by them. Early consideration of their contents was promised.

- 2 -

8. As regards the contributions situation, the Minister said that the whole matter was receiving consideration currently because of the inadequacy of existing contributions to meet current claims even in Southern and Central Italy. He hoped a decree would be ready in a few days which would serve to establish a uniform system if we would implement it. As to what action we should take in the meantime, he would prefer to discuss this with his advisers but he would make a recommendation the next day.

9. It rather appears that the rise of DIL 307 as an offset to the increase, for which much justification may be found, limits very sharply the possibility of immediate abrogation of the contributions decree. The extension of pension treatment does not affect the same group (pensioners as opposed to workers) nor in sufficient measure. Nor are we sanguine about the date on which we may expect to receive the promised decree regularizing the contributions system.

10. It is recommended nevertheless, that favourable consideration be given to the proposals of the Minister for implementation of DIL 307 (1944) and 137 (1945). It is further recommended that no action be taken regarding the contributions decree 376 (1944) except as agreed with the Minister of Labour and Social Welfare.

Major, R.A.S.C.,
Insurance Department.

MR/jbh

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file
(Unification of Social Insurance
Provisions)

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

DCS/ab

REF : LSC/311

30 July 1945

SUBJECT: Social Insurance Modifications in the North.

TO : Mr. Braine

1. A conference was held this morning on the proposal of Finance Sub-Commission to make the social insurance system uniform as between North and South including family allowances.
2. Minister Barbareschi stated that the Government had already decided to implement the increases in family allowances as of 1 August along with the increase in the cost of bread. A letter containing this request was sent to us last Saturday but as yet has not been received. It is interesting to note that this is in conformity with the suggestion contained in para 7 of my memorandum which is hereto attached.
3. The Ministry will give consideration to the other aspects of the proposal and advise us of the position sometime tomorrow.

DAVID G. SACHS
Deputy Director

6893

HEADQUARTERS ALLIED COMMISSION
APO 394
LABOR SUB-COMMISSION

File
DCS/rmw

TEL : Ext. 416

20 July 1945

REF : LSC/3//

SUBJECT: Social Insurance Modifications in North.

TO : Finance Sub-Commission

1. Reference is made to memorandum of Major A. H. Reede to Joint Directors, Finance Sub-Commission, dated 27 July regarding the above subject.

2. This memorandum proposes in substance,

- (a) To ^{repeal} ~~keep~~ certain Decrees promulgated by the so-called Fascist-Republican Government in order to obtain national uniformity with respect to social insurance,
- (b) To implement in the North certain Decrees increasing benefits under the social insurance program, and
- (c) To extend to the North the increases in the family allowance system, provided for by D.L. No. 207 of 9 November 44.

3. Labor Sub-Commission agrees with the principle of achieving early uniformity in Italy with respect to both the social insurance program and the family allowance system.

4. It is the opinion of Labor Sub-Commission, however, that this is not the appropriate time to increase the family allowances prevailing in the North.

5. On 9 July 45 there was extended to the whole of the North the principles of the Milan Agreement. This agreement provided for a very substantial contingency indemnity of 120 lire per day scaled down. It further provided for a payment of 15 lire for each dependent over one and up to and including four. It is believed that this wage increase is a very substantial one, having regard to the cost-of-living, and equities running in favor of the workers in the North. In addition, the agreement included arrangements whereby employees who are not working or working less than 45 hours, would receive 75% of full-time pay, including the contingency indemnity for the hours not worked. It is considered unwise, at the present time, to institute a further wage increase by way of augmentation of the family allowance system immediately upon the heels of the Milan Agreement.

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- 2 -

6. It is recommended that this, however, be deferred until some special occasion or demand arises which warrants further wage relief.

7. Such a situation might well arise with the order increasing the price of bread. You may recall that the caropane indemnity provision has been eliminated from this order for private employees in the light of the substantial wage increases provided for by the Milan Agreement. It is not known how well this policy will be accepted in the North. Should a protest arise by reason of the failure to provide for this indemnity, the increase in the family allowance benefits might well serve as an appropriate relief. Coincidentally, the increase very closely approximates the indemnity itself. For a notional family of man, wife and two children, the family allowance would be increased from 16.40 lire daily to 28.00 lire, or 11.60 lire daily. The caropane indemnity of 95 lire per month per person is approximately 3 lire per person daily. Including the worker himself this would amount to 18 lire, or approximately the same. In the South, however, the caropane indemnity for the worker himself has been absorbed by the contingency indemnity of February 45, so that on this basis the caropane indemnity for the notional family would amount to approximately only 9 lire per day.

8. Another occasion which might well be used for the introduction of higher family allowances in the North, would be to secure a revision of that part of the Milan Agreement which provides for an indemnity of 15 lire for each dependent over one. This indemnity is paid by the employer entirely, and does not go through the family allowance system. It is therefore open to the objection that it may lead to discrimination against workers with a large number of dependents. It would have been proper to work this into the family allowance system some how or other. It would be more difficult, however, to use the increases provided for by D.L. No. 207 for this purpose, inasmuch as the increases are inadequate to offset the 15 lire provision of the Milan Agreement.

9. It is recognized that without implementing the increases in the family allowance system in the North, the other part of the program, including the revision of employers' contributions to employees, will be very difficult politically. It is nevertheless felt that the disadvantages of instituting such increases in the family allowance system at the present time would outweigh the advantages to be derived from an immediate uniformity in the social insurance program.

DAVID C. SACHS
Deputy Director

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HEADQUARTERS ALLIED COMMISSION
APO 394
FINANCE SUB-COMMISSION
Insurance Department

INS/305/P

30 July 1945

SUBJECT: Social Insurance Modifications in North.

1. Reference is made to representations regarding decree of the Duce No. 376 of 10 May 1944 unifying social insurance contributions and to recent requests from I.N.P.S. for extension to Upper Italy of increases in pensions and family allowances.
2. The Social Insurance Section of the Ministry of Labour and Social Welfare remains of the view that proper consideration of the reforms contained in the Fascist Republican law unifying social insurance contributions is compromised by its de facto continuance in the North.
3. The situation in the North is at any rate not clear, according to the Ministry's representative in the North. He reports that a high proportion of employers there are not remitting contributions under the new law, alleging that it is invalid under dispositions of Allied Military Government.
4. The Director of Labour Sub-Commission is of the opinion that workers should accept the burden of their own contributions, and at any rate that we should not incur any responsibility for removing this burden.
5. If simultaneous action can be taken to regularize the position of pensions and family allowances this should draw the sting from reestablishment of workers contributions, especially if it is made clear that the Rome Government will continue to study the contributions system with a view to revising it on a nationwide basis.

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6. Under D.L.L. 307 of 9 November 1944, the family allowances conceded to southern workers are substantially higher than those conceded to northern workers. The following examples show this:

<u>For</u>	<u>South</u>	<u>North</u>
Wife	Lit. 15.00 -	Lit. 5.75
Parent	" 7.50 -	" 3.75
Child	" 9.00 -	" 4.00
2-3 Children (each)	" 9.00	" 5.55
4 or more (each)	" 9.00	" 6.55

7. Extension of D.L.L. 307 to Northern Italy would eliminate the Fascist demographic family allowance system there. It would increase the average worker's family allowance from Lit. 35.40 daily to Lit. 29.00 daily, or by Lit. 11.00 daily. These data assume an average family consisting of a wife and two dependant children.

8. Under D.L.L. 177 of 1 March 1945, pensions to claimants invalided or retired were increased by 80% and a minimum pension of Lit. 15.00 daily was provided. Similarly under D.L.L. 343 of 26 April 1945, pensions for permanent and fatal work accidents were increased by Lit. 250 monthly for permanent disability of from 50 to 59 %, by Lit. 250 monthly for permanent disability of from 60 to 79 %, and by Lit. 300 monthly for more serious disabilities and fatalities.

9. Under C.O. 37 an anticipation of the increases subsequently provided in these decrees and amounting to Lit. 800 for invalided and retired pensioners, and to Lit. 800 or Lit. 1200 for work accident cases depending on degree of disability, was ordered.

10. To recommend simultaneous action to make uniform the contributions and benefit systems of northern and southern Italy. The pension and family allowance increases are sufficient to meet the loss to workers in respect of deductions for social insurance contributions (only L. 9.10 weekly).

6889
A. H. Reeder
Major, A. U. S.
Finance, Insurance

Direzione Generale della previdenza

- Divisione IV -

Prot. N.º 4598

Allegato AF/IV/1010

Proposta n.º 2

del

Oggetto Estensione all'Italia del Nord delle norme sugli assegni famigliari vigenti nei territori amministrati dal Governo Italiano.

Sottocommissione per le Finanze
→ Sottocommissione per il lavoro

ROMA = 13c/311

1) - Com'è noto a codesta Commissione Alleata, nell'Italia centro-meridionale gli assegni famigliari vengono corrisposti ai lavoratori capi famiglia in misura più elevata di quelli in atto nell'Alta Italia.

Tale differenza risulta dall'unita tabella. Essa è dovuta alla applicazione di differenti disposizioni nei territori a sud della così detta linea gotica. Infatti, in tali territori si applicano le disposizioni di cui al D.L.I. 9 novembre 1944, n. 307, col quale si è provveduto ad aumentare del 50% la misura degli assegni famigliari; inoltre, si sono istituiti assegni famigliari supplementari di carovita, maggiorati con successivo provvedimento di un importo equivalente all'indennità di caropane. Nell'Italia del Nord, invece, il vecchio importo degli assegni famigliari è stato aumentato dal pseudo Governo repubblicano del 30%; successivamente agli operai è stata estesa la misura degli assegni previsti per gli ~~operai~~ ^{opera}ti, con le relative norme e modalità.

2) - La congiuntura dell'economia del Nord con quella del Sud ha comportato una notevole maggiorazione del costo della vita e condizioni di disagio per le classi lavoratrici del Nord.

In considerazione di ciò, questo Ministero prospetta a codesta Commissione l'opportunità che, con decorrenza dal 1º agosto p.v., vengano estesi a tutti i territori attualmente amministrati dal Governo Militare Alleato, le norme vigenti

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in materia nei territori soggetti all'Amministrazione italiana.
3) - Si prega, pertanto, codesta Commissione Alleata, qualora converga sull'opportunità suesposta, di volere interessare in tal senso i Governi Militari regionali.

Per quanto riguarda gli assegni di caropane, la loro corrispondenza dovrebbe coincidere con l'abolizione del prezzo politico del pane che, a quanto risulta, avrebbe decorrenza nel Nord dal 1° agosto p.v.

Si gradirà un cortese cenno di riscontro.

IL MINISTRO

Signorile

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Raffronto per tipi di famiglia della misura degli assegni familiari settimanali nelle provincie dell'Alta Italia e in quelle dell'Italia centrale e meridionale.

TIPO DI FAMIGLIA -	ALTA ITALIA		ITALIA CENTRALE E MERIDIONALE				
	Operai e impiegati		Operai			Impiegati	
	Misura Uniforme	Totale	Assegni Ordinari	Assegni carovita comp. care-pane	Totale	Assegni ordinari	Assegni comp. Ca
moglie	34,20	58,20	30	54	162,00	42	54
1 figlio	24,00		24	54		36	54
moglie	34,20	98,40	30	54	240	42	54
2 figli	64,20		48	108		72	108
moglie	34,20	130,50	30	54	318	42	54
3 figli	96,30		72	162		108	162
moglie	34,20	185,60	30	54	396	42	54
4 figli	152,40		96	216		144	216
Celibe con 1 genitore	22,50	22,50	15	54	69	24	54
Celibe con 2 genitori	45,00	45 -	30	108	138	48	108

fronto per tipi di famiglia della misura degli assegni familiari settimanali in atto
e provincie dell'Alta Italia e in quelle dell'Italia centrale e meridionale.

ALTA ITALIA		ITALIA CENTRALE E MERIDIONALE					
Operai e impiegati		Operai			Impiegati		
Misura uniforme	Totale	Assegni Ordinari	Assegni carovita comp. caro-pane	Totale	Assegni ordinari	Assegni carovita comp. Caro-pane	Totale
4,20	58,20	30	54	162,00	42	54	186
4,00		24	54		36	54	
4,40	98,40	30	54	240	42	54	276
4,20		48	108		72	108	
4,20	130,50	30	54	318	42	54	366
6,30		72	162		108	162	
4,20	186,60	30	54	326	42	54	456
6,40		96	216		144	216	
2,50	45 -	15	54	69	21	54	78
5,00		30	108	138	48	108	156

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HEADQUARTERS ALLIED COMMISSION
AFC 394
FINANCE SUB-COMMISSION
INDUSTRIAL AND ECONOMIC

INS/ 308/F

27 July 1945

SUBJECT : Social Insurance Modifications in North.

TO : Joint Directors.

1. Reference is made to our Ins/308/F of 14 July (copy attached) and to recent request from I.R.P.S. for extension to Upper Italy of increases in pensions and family allowances.

2. The Ministry of Labour and Social Welfare remains of the view that proper consideration of the reforms contained in the Fascist Republican law unifying social insurance contributions is compromised by its *de facto* continuance in the North.

3. The situation in the North is at any rate not clear, according to the Ministry's representative in the North. He reports that a high proportion of employers there are not remitting contributions under the new law, alleging that it is invalid under dispositions of Allied Military Government.

4. The Director of Labour Sub-Commission is of the opinion that workers should accept the burden of their own contributions, and at any rate that we should not incur any responsibility for removing this burden.

5. Your minutes of 14 July (copy attached) perhaps be reconsidered in the light of these considerations and the possibilities set forth in paras 6-11 inclusive. If simultaneous action can be taken to regularize the position of pensions and family allowances this should draw the sting from reestablishment of workers contributions, especially if it is made clear that the Home Government will continue to study the contributions system with a view to revising it on a nation-wide basis.

- 2 -

6. Under D.L.L. 307 of 9 November 1944, the family allowances conceded to southern workers are substantially higher than those conceded to northern workers. The following examples show this:

<u>for</u>	<u>South</u>	<u>North</u>
Wife	Lit. 10.00	Lit. 5.70
Parent	" 7.50	" 3.75
Child	" 3.00	" 4.00
2-3 Children (each)	" 3.00	" 3.33
4 or more (each)	" 3.00	" 3.33

7. Extension of D.L.L. 307 to Northern Italy would eliminate the Fascist demographic family allowance system there. It would increase the average worker's family allowance from Lit. 15.40 daily to Lit. 23.00 daily, or by Lit. 11.00 daily. These data assume an average family consisting of a wife and two dependent children.

8. Under D.L.L. 177 of 1 March 1945, pensions to claimants invalided or retired were increased by 70% and a minimum pension of Lit. 15.00 daily was provided. Similarly under D.L.L. 340 of 16 April 1945, pensions for permanent and fatal work accidents were increased by Lit. 200 monthly for permanent disability of from 50 to 69 %, by Lit. 250 monthly for permanent disability of from 60 to 79 %, and by Lit. 300 monthly for more serious disabilities and fatalities.

9. Under S.O. 37 an anticipation of the increases subsequently provided in these decrees and amounting to Lit. 800 for invalided and retired pensioners, and to Lit. 800 or Lit. 1200 for work accident cases depending on degree of disability, was ordered.

10. To recommend simultaneous action to make uniform the contributions and benefit systems of northern and southern Italy. The pension and family allowance increases sufficient to meet the loss to workers in respect of deductions for social insurance contributions (only L. 9.10 weekly).

- 3 -

11. We will be conferring with a representative of the competent Italian Ministry regarding this matter to-morrow 28 July. I believe he will then assure us of the concurrence of the Italian Government in this recommendation.

12. Your views as to this recommendation will be appreciated.

G. H. Reede

A. H. REED
Major, A. U. S.
Finance, Insurance

AHR/r

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HEADQUARTERS ALLIED COMMISSION
INSURANCE DEPARTMENT
FINANCE SUB-COMMISSION
APO 394

14 July 1943

IR/300/F

SUBJECT : Fascist Republican Social Insurance Legislation.

TO : Joint Directors.

1. Reference is made to laws of the so called Italian Social Republic increasing pensions, changing benefits of agricultural workers, and modifying social insurance contributions in general.

2. The extent to which either of the first two enactments have been placed in operation is not yet known. The contributions law is operating, in part at least, throughout most of the northern regions.

3. Legislative Decree of the Duce 12 May 1944 n. 376 provided modifications in social insurance contributions to take effect 1 October 1944. The following are the principal provisions, only the first of which appears to have been widely effectuated:

- a) all contributions for social insurance are unified and become exclusively the burden of the employer;
- b) such contributions are based on the total gross compensation instead of on basic wages as formerly;
- c) social insurance benefits become available to all workers whether manual workers, office workers or supervisors, and without any exclusion on reason of maximum compensation; and
- d) workers retain their rights to benefits, regardless of whether employers pay their contributions.

4. Strictly speaking all of these laws, in common with others enacted by the Italian Social Republic should have been abrogated under D.L.L. 249 of 5 October 1944 which we have

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- 2 -

implemented and in accordance with our own pronouncements. The attached directive of Legal Sub-Commission, AC 43087/E of 5 April 1948 so provide. So does Proclamation N. IV, Section 4 with specific reference to social insurance laws.

6. It is admittedly difficult to withdraw an enactment favorable to workers once they received it. This is the more true when, as was the case for some time after the liberation of the North, wage levels are largely frozen.

7. The changes may also have merit. They are currently being studied not only by the competent Ministry, but also by the Royal Commission for Social Insurance Reform. The Ministry considers that proper examination of these changes on their merits is seriously endangered if they remain in effect in one part of the country thus including pressure for their promulgation in the other part.

8. At any rate, if we decide that the system should continue in force, it is desirable so to provide by an appropriate legal instrument. A general order could embody the essential terms of the decrees and regulations concerned, and would regularize the legal instruction of the modifications introduced.

9. This situation should be dealt with next week when both officers of this Department concerned with social insurance matters, will be in the North. Your views will accordingly be appreciated.

A.H.ROBERTS

Major, A.F.S.

Insurance Department

Finance Sub-Commission

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AHR/r

AHR

1. Ref. marked passage in para 6.
2. I would be opposed to our issuing a G.O. in AMG territory setting up any different social insurance legislation from the South.
3. Can the position continue as at present until the I.G. has examined the matter and possibly issued amending legislation. The proposed change is basic.

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The decree N. 249 does not appear to abrogate either the social insurance provisions of Mussolini's government or its revenue laws, etc. We have, in fact, allowed the revenue laws to continue in effect.

I believe the best situation is for the Government to hurry its reform, meanwhile, let the situation continue and hope that the Central - South would complain.

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Copy

26 July 1945

To: The Allied Commission

Finance Sub-Commission

Rome

Prot. N 683.

This Ministry want to refer for consideration to the Allied Commission that it would be advisable to extend to the provinces of Northern Italy, which are still under the direct administration of the A.M.G., the provisions of the Government's Decree-Law of 1st March 1945, No. 14, concerning the grant of an implementing allowance of invalidity, old age and survivors' pensions.

Humanitarian reasons are supporting the extension of the provision in question, starting from the 1st of January 1945, as it is explicitly indicated in art. 1 of the same decree, even if, under a strictly juridical standpoint, for the said provinces there might be some doubt as to whether the pro-

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vision under consideration should start, instead, to all effect, from the day on which it is received by the Prefect, as it is contemplated in general, in the Order issued on 25 July 1944, by the Executive Commissioner of the A.M.C.

As a matter of fact, the payment of the benefits in question from the 1st of January is justified also for the abovementioned provinces, because the purpose of the decree in question is to remedy the insufficiency of the pensions under consideration, which, although inadequate, in normal times, cannot meet, now, even the most elementary need of life.

In fixing at the 1st January 1945 the effective date of payment of the above mentioned benefits, it would be advisable to send proper directions to the local provincial offices of the National Institute of Social Security, in order that, at the moment of paying the arrears benefits in question, they take the due, equalization account (conguaglio) from the said date, with a 30% increase of the pensions paid on

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the basis of the provisions already in force in the Northern provinces.

Of course, in order to meet the financial burden concerning the supplementary fund of social security, it will be convenient opportune that the decree also, thus far in that in course, regarding the fixing of contributions of employers and employees. The provisions of Art 9 of decree in question of ~~the~~ already this decree is already informed, be introduced to the provinces of Northern Italy as soon as it is published and from the same date on which it enters into effect as the only province already referred to the Italian Act.

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Translation Baldazzi

/js

MINISTRY OF LABOUR AND SOCIAL SECURITY

Div. IV
Prot. 1598
Annexed AF IV 1010

25 July 1945

TO : the Allied Commission
Finance Sub-Commission
Labour Sub-Commission
ROME

SUBJECT : Extension to Northern Italy of the rules governing the grant of family allowances in force in the territories already under control of the Italian government.

1. As this Allied Commission knows very well, in Central-Southern Italy the amount of family allowances paid to the workers heads of a family, is by far higher than that granted to the workers of Northern Italy.

The difference appears from the enclosed table. Such a difference is due to the enforcement of different provisions in the territories placed southward of the so called "Gothic Line". In fact, the provisions enforced in such territories are those contemplated in the Lieutenant's Decree-law of 9 November 1944 N° 307, by which the rate of family allowance has been increased to the extent of 50%; furthermore, supplementary "caro-vita" family allowances were established, which have been afterwards increased = thanks to a further law provision = by an amount equal to the "caro-pane" indemnity. Conversely, in Northern Italy, the original rate of family allowances was increased by the would-be Republican Government to an extent of only 30 %, although afterwards to the manual-workers was extended the grant of the same allowances received by office-workers, in accordance with the respective rules and provisions.

2. The connection of Northern economic organization with that of the South of Italy, has brought about a considerable increase in the cost of living as well as a very uneasy condition for the working classes of the North.

Taking all this into consideration, this Ministry wants to state to this Allied Commission that it would be advisable to extend = effective from the 1st of August next = to all the territories actually placed under the administration of the A.E.G., the same rules and provisions in force = on the subject-matter under consideration = in the territories already under control of the Italian government.

2. We are therefore kindly asking that = if this Allied Commission is agreeing on the convenience to adopt the course as above proposed = to send accordingly proper directions to the competent Regional Allied Government.

As far as the "caro-pane" indemnity is concerned, the payment of such an allowance should coincide with the date of the suppression of the political price of bread, which, as it appears, would start from the 1st of August next in Northern Italy.

We will appreciate if you let us have a few words of acknowledgment.

THE MINISTER

(sgd) BARBARESCHI

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