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STATUTORY INSTRUMENTS

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**1948 No. 117**

**PEACE TREATIES**

**The Treaty of Peace (Italy) Order, 1948**

<i>Made</i>	- - - - -	<i>26th January 1948</i>
<i>Laid before Parliament</i>		<i>28th January 1948</i>
<i>Coming into Operation</i>		<i>2nd February 1948</i>

**THE TREATY OF PEACE (ITALY) ORDER, 1948**

1. So far as they are by their nature capable of...
  2. The time at which the periods of prescription or limitation...
  3. The period to be allowed within which presentation of negotiable...
  4. (1) There shall be imposed on rights or interests with...
  5. (1) For the purposes of the provisions of this Order—the...
  6. (1) If any person, for the purpose of obtaining any...
  7. (1) This Order shall apply to the whole of His...
  8. This Order shall come into operation on the 2nd day...
  9. This Order may be cited as the Treaty of Peace...
- Signature

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THE FIRST —  
SCHEDULE  
PART VI — CLAIMS ARISING OUT OF THE WAR

SECTION I

REPARATION

Article 74

*A. REPARATION FOR THE UNION OF SOVIET SOCIALIST REPUBLICS*

2. (b) Italian assets in Roumania, Bulgaria and Hungary, subject to...

*D. REPARATION FOR OTHER STATES*

1. Claims of the other Allied and Associated Powers shall be...

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## E. COMPENSATION FOR PROPERTY TAKEN FOR REPARATION PURPOSES

The Italian Government undertakes to compensate all natural or juridical...

### SECTION II

#### RESTITUTION BY ITALY

##### Article 75

1. Italy accepts the principles of the United Nations Declaration of...
2. The obligation to make restitution applies to all identifiable property...
3. The Italian Government shall return the property referred to in...
4. The Italian Government shall co-operate with the United Nations in...
5. The Italian Government shall take the necessary measures to effect...
6. Claims for the restitution of property shall be presented to...
7. The burden of identifying the property and of proving ownership...
8. The Italian Government shall restore to the Government of the...
9. If, in particular cases, it is impossible for Italy to...

### SECTION III

#### RENUNCIATION OF CLAIMS BY ITALY

##### Article 76

1. Italy waives all claims of any description against the Allied...
2. The provisions of this Article shall bar, completely and finally,...
3. Italy likewise waives all claims of the nature covered by...
4. The Italian Government shall assume full responsibility for all Allied...
5. The waiver of claims by Italy under paragraph 1 of...
6. The provisions of this Article shall not be deemed to...

#### PART VII — PROPERTY, RIGHTS AND INTERESTS

### SECTION I

#### UNITED NATIONS PROPERTY IN ITALY

##### Article 78

1. In so far as Italy has not already done so,...
2. The Italian Government undertakes that all property, rights and interests...
3. The Italian Government shall invalidate transfers involving property, rights and...
4. (a) The Italian Government shall be responsible for the restoration...
5. All reasonable expenses incurred in Italy in establishing claims, including...
6. United Nations nationals and their property shall be exempted from...
7. Notwithstanding the territorial transfers provided in the present Treaty, Italy...
8. The owner of the property concerned and the Italian Government...
9. As used in this Article: (a) “United Nations nationals” means...

## SECTION II

### ITALIAN PROPERTY IN THE TERRITORY OF ALLIED AND ASSOCIATED POWERS

#### Article 79

1. Each of the Allied and Associated Powers shall have the...
2. The liquidation and disposition of Italian property shall be carried...
3. The Italian Government undertakes to compensate Italian nationals whose property...
4. No obligation is created by this Article on any Allied...
5. (a) Italian submarine cables connecting points in Yugoslavia shall be...
6. The property covered by paragraph 1 of this Article shall...

## SECTION III

### DECLARATION OF THE ALLIED AND ASSOCIATED POWERS IN RESPECT OF CLAIMS

#### Article 80

The Allied and Associated Powers declare that the rights attributed...

## SECTION IV

### DEBTS

#### Article 81

1. The existence of the state of war shall not, in...
2. Except as otherwise expressly provided in the present Treaty, nothing...

#### PART IX — SETTLEMENT OF DISPUTES

#### Article 83

1. Any disputes which may arise in giving effect of Articles...
2. When any Conciliation Commission is established under paragraph 1 above,...
3. Each Conciliation Commission shall determine its own procedure, adopting rules...
4. Each Government shall pay the salary of the member of...
5. The parties undertake that their authorities shall furnish directly to...
6. The decision of the majority of the members of the...

#### PART X — MISCELLANEOUS ECONOMIC PROVISIONS

#### Article 85

The provisions of Annexes VIII, X, XIV, XV, XVI and...

#### PART XI — FINAL CLAUSES

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#### Article 86

1. For a period not to exceed eighteen months from the...
2. The Four Ambassadors will give the Italian Government such guidance,...
3. The Italian Government shall afford to the said Four Ambassadors...

#### Article 87

1. Except where another procedure is specifically provided under any Article...
2. The decision of the majority of the members of the...

#### ANNEX X

##### *Economic and Financial Provisions Relating to the Free Territory of Trieste*

14. The property in the Free Territory of any of the...
20. Paragraphs 1, 3 and 5 of Article 76; Article 77;...

#### ANNEX XIV

##### *Economic and Financial Provisions Relating to Ceded Territories*

14. The property in ceded territory of any of the United...

#### ANNEX XV

##### *Special Provisions Relating to Certain Kinds of Property*

###### *A. INDUSTRIAL, LITERARY AND ARTISTIC PROPERTY*

1. (a) A period of one year from the coming into...
2. A period from the outbreak of the war until a...
3. The period from the outbreak of the war until the...
4. The foregoing provisions concerning the rights in Italy of the...
5. Third parties in the territories of any of the Allied...
6. Nothing in part A of this Annex shall be construed...
7. Italy shall likewise extend the benefits of the foregoing provisions...
8. Nothing in part A of this Annex shall be understood...

###### *B. INSURANCE*

1. No obstacles, other than any applicable to insurers generally, shall...
2. Should an insurer, who is a national of any of...

#### ANNEX XVI

##### *Contracts, Prescription and Negotiable Instruments*

###### *A. CONTRACTS*

1. Any contract which required for its execution intercourse between any...
2. Notwithstanding the provisions of paragraph 1 above, there shall be...

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3. Nothing in part A of this Annex shall be deemed...
4. Notwithstanding the foregoing provisions, contracts of insurance and re-insurance shall...

#### *B. PERIODS OF PRESCRIPTION*

1. All periods of prescription or limitation of right of action...
2. Where, on account of failure to perform any act or...

#### *C. NEGOTIABLE INSTRUMENTS*

1. As between enemies, no negotiable instrument made before the war...
2. Where the period within which a negotiable instrument should have...
3. If a person has, either before or during the war,...

#### *D. SPECIAL PROVISIONS*

1. For the purposes of this Annex, natural or juridical persons...
2. Having regard to the legal system of the United States...

### THE SECOND — SCHEDULE

British protectorates. Territories in respect of which a mandate from...

Explanatory Note