

the administrative regulations of the Prize Court.

Article 2.—The following text shall be substituted for Article 12 of our decree No. 807 of the 30th May 1915 :—

“ Article 12. The amounts of the indemnities and salaries to be paid to those constituting the Prize Court and to the secretary and vice-secretary shall be fixed by decrees of the Ministry of Marine to be registered at the Audit Office under the heading of ‘ War Expenditure,’ in the budget of the Ministry of Marine.”

Article 3.—The present decree comes into force from the 30th May 1915, the date on which the Prize Court was established in accordance with our decree of the 30th May 1915, No. 807.

(3)

Regulations laid down by the Italian Prize Court, September 13, 1915.

(Translation.)

Article 1.—The application to exercise the right of action for obtaining compensation for losses, provided for by Article 1 of the Decree of His Majesty's Lieutenant of August 1, 1915, No. 1234, must contain :

(a) The Christian and surname, or trading name, nationality and residence or domicile of the claimant.

(b) A summary of the circumstances on which the claim for compensation is based.

(c) A statement of the amount of payment claimed.

(d) The domicile elected in Rome indicating the person with whom or office where domicile has been elected.

(e) A list of the documents produced in support of the application, and a declaration of the evidence which the claimant considers necessary.

(f) The signature of a lawyer practising at a Royal Court of Appeal furnished with a special power of attorney.

In case of non-election of domicile notifications to the claimant are made by depositing them in the office of the secretary of the Prize Court.

Article 2.—The Ministry of Marine transmits the application with all documents in support to the Government Commissioner on the Prize Court, notifying the President of the fact.

The Government Commissioner expresses his opinion on the application and, when necessary, submits documents and suggests means for obtaining further evidence.

Article 3.—Judgment on the application is given in the form laid down by the Internal Regulations of the Prize Court for the Judgment of legality of capture, approved at the sitting of June 26*, with the following exceptions :—

(a) The Presidential Decree referred to in Article 6 of the Internal Regulations is not published in the Official Gazette, nor communicated to the Diplomatic Agents, but is immediately notified to the claimant at his elected domicile.

(b) The period laid down in Article 7 of the Internal Regulations counts from the date of such notification.

* See Regulations published in the Edinburgh Gazette of 22nd October 1915.

(c) The order referred to in Article 11 of the Internal Regulations is not published in the Official Gazette.

Article 4.—When an application for compensation has relation to facts connected with the judgment on the legality of capture sought for or pending, and the period provided by Article 7 of the Internal Regulations has terminated, the President is authorised, after consultation with the Government Commissioner, to order the co-ordination of the two judges by means of a notice to be communicated to the parties interested.

When the application is presented after the preliminary examination into the legality of capture has been closed the co-ordination of the judgments can only take place on application from the party interested. The latter, however, in this case is not allowed to put forward proofs.

When the application for compensation for losses has been presented after the fifth day from the closing of the preliminary examination, the order for the fusion of judgments may only be given on the application of the parties already constituted in the action regarding legality of capture.

Article 5.—When the Court decides that compensation for loss is due, it can order the parties to submit to an ordinary judge the decision of questions relating to the distribution of the sums awarded by the Court and the existence or non-existence of debts claimed by those who are entitled to the aforesaid sums.

Article 6.—The application, the power of attorney and the documents produced by the claimant, as also the acts submitted by him to judgment are subjected to the provisions of the laws regarding stamps and registration. The provisions and deliberations of the Prize Court respecting compensations for loss are also subject to the provisions of such laws, provided the judgment on compensation is not co-ordinated with that on the legality of capture.

On presenting his application the claimant should deposit with the Secretary of the Prize Court the sheets of stamped paper required for the acts to be submitted to the Court at his request. When the judgment on compensation for losses is not co-ordinated with that on the legality of capture, the claimant should also deposit the sheets of stamped paper necessary for the provisions and deliberations of the Court. The claimant must, in presenting his application, deposit with the Secretary the presumed amount of the registration fee to which the deliberations of the Court are liable.

The Claimant should, finally, deposit with the Secretary the sum which the latter shall judge necessary for the execution of the acts of the preliminary examination required of him.

Article 7.—In case of non-fulfilment of the provisions of the last paragraph of the preceding Article, the Commission passes judgment on the Acts as they stand : in case of non-compliance with the other provisions of the aforesaid Article and those of Article 1, the Court sitting in the Chamber of Council suspends judgment until this has been rectified.

The declaration of suspension is notified to the claimant at his elected domicile.

Article 8.—The Court, even in cases in which it accepts the demand for compensation, is empowered to allow costs wholly or in part.