

# INDEX

## ARTICLES

T. BALLARINO, Spatially conditioned internal rules and the form of acts . . . . .	707
R. DE NOVA, Conflicts of Laws and Functionally Restricted Substantive Rules . . . . .	699
P. FOIS, Notes on the recognition and enforcement of foreign judgments extending bankruptcy to members of wound-up companies . . . . .	246
Ph. FRANCESCAKIS, Spatially conditioned internal rules and Conflict rules (in French) . . . . .	691
M. GIULIANO, Some problems in the Conflict of Laws and questions of jurisdiction in International contracts of sale (In French) . . . . .	225
F. MOSCONI, Spatially conditioned internal rules and Conflict rules included in international conventions . . . . .	730
F. POCAR, Spatially conditioned internal rules and Conflicts of Laws concerning labour relations . . . . .	734
M. SCERNI, Notes on the discovery of foreign law . . . . .	7
T. TREVES, The Zeiss cases . . . . .	437

## REVIEWS

S. M. CARBONE, Problems of the law governing the form of legal acts in Italian jurisprudence (1960-1965) . . . . .	20
C. D'AGOSTINO, Recognition of foreign judgments in pending actions in Italian legal theory . . . . .	503
I. TELCHINI, Cases in the Court of Justice of the European Communities (July-December, 1966) . . . . .	268
I. TELCHINI, Cases in the Court of Justice of the European Communities (January-June, 1967) . . . . .	745
Italian Treaties, Conventions and Regulations on international matters: 1966 (by F. Lanfranchi and T. Treves) . . . . .	281

## SHORTER ARTICLES, NOTES AND COMMENTS

V. BABINI, Private International Law as a harmonizing factor for the laws of new African States . . . . .	302
T. BALLARINO, On the conversion into a divorce, in France, of a Judicial Separation obtained in Italy . . . . .	769

S. M. CARBONE, On the parties' disengagement from proceedings for the enforcement of a foreign judgment and the procedural powers of the Public Prosecutor . . . . .	569
C. CERETI, Citizenship and qualified categories of Citizenship . . . . .	51
M. GIULIANO, On the foreign judge's competence in cases involving counter-claims . . . . .	552
E. GRAZIADEI, New trends in the legal profession (In French) . . . . .	336
F. LANFRANCHI, Questions of constitutional validity concerning the liability of alien nationals to Italian military service . . . . .	774
G. LOMBARDI, Collateral effects in private law of governmental replies to parliamentary questions . . . . .	66
C. MAESTRIPIERI, Notes on the right of establishment and the free supply of services within the E.E.C. . . . .	292
A. MARAZZI, Italian judges in the « internationalised » Libyan Territory . . . . .	556
G. MINERVINI, The Italian State and public undertakings. Preliminary study on the application of Art. 90 of the Treaty establishing the E.E.C. . . . .	759
M. ODDINI, Reflections on the law governing maritime liens . . . . .	59
C. PAROLETTI, Jurisdiction over foreigners in disputes involving intangible property . . . . .	83
A. PESCE, The ineligibility for patent protection in Italy, for want of novelty, of inventions patented in States not adhering to the Paris Union Convention . . . . .	341
F. POCAR, Considerations on the service of foreign summonses in Italy and the partial recognition in Italy of foreign judgments . . . . .	561
T. TREVES, On the choice of law governing contracts, and the point in time when it comes into being . . . . .	315
V. UCKMAR, Liability to the General Turnover Tax (I.G.E.) of representatives of foreign firms in Italy . . . . .	55

#### IN MEMORIAM

M. SCERNI, Angelo Piero Sereni (1908-1967) . . . . .	350
--	-----

#### CASES IN ITALIAN COURTS

<i>Bankruptcy</i> - Foreign adjudication in bankruptcy - Its characterization in the terms, and for the consequences, of Art. 796 et seq., Code of Civil Procedure - Identical nature, in form and substance, of foreign adjudication with such an order in the Italian system - Not necessary: <i>Court of Cassation</i> , 12th December 1966, No. 2895 . . . . .	609
<i>Bigamy</i> - Marriage contracted in Italy by a Swiss citizen under the formalities of the 1929 Concordat - Subsequent dissolution of the marriage by a Swiss	

- Court under Swiss Law - Second marriage in Switzerland - Pending application to the Court of Cassation to quash the decision recognizing a foreign divorce decree - Irrelevance thereof - Crime of bigamy - Not committed: *Milan Court of Appeal*, 31st January 1967 . . . . . 396
- Characterization* - Art. 4, No. 3, Code of Civil Procedure - Principles to be followed by the Courts - Their interpretation - *Lex fori* - Applicability: *Court of Cassation* (plenary session), 2nd March 1966, No. 621 . . . . . 94
- Characterization* - Art. 798, Code of Civil Procedure - Determination thereunder of the concept of default - Italian system - Applicability: *Turin Court of Appeal*, 30th May 1966 . . . . . 121
- Characterization* - Art. 801, Code of Civil Procedure - Characterization of a foreign decision as one involving voluntary jurisdiction - Denomination of the foreign judgment within its own system - Irrelevance thereof: *Rome Court of Appeal*, 7th June 1966 . . . . . 590
- Characterization* - Legal residence of foreign defendant as a criteria for jurisdiction - Art. 4 (1), Code of Civil Procedure - Characterization of such criteria in the light of Italian Law (Art. 43, Civil Code): *Court of Cassation* (plenary session), 22nd July 1966, No. 1989 . . . . . 360
- Characterization* - Art. 4, Code of Civil Procedure - Connecting factors employing legal concepts - Their determination on the basis of the *Cex fori*, not the *lex causae*: *Milan Tribunal*, 3rd October 1966 . . . . . 157
- Characterization* - Art. 797 et seq., Code of Civil Procedure - Characterization of foreign judgment, sought to be enforced in Italy, as an adjudication in bankruptcy - Criteria for said characterization: *Court of Cassation*, 12th December 1966, No. 2895 . . . . . 609
- Contract* - Art. 25 Preliminary Dispositions of the Civil Code - Choice of law by the parties at a time subsequent to the making of the contract - Not suitable to indicate the governing law: *Genoa Court of Appeal*, 12th July 1964 . . . . . 126
- Contract* - Transfer of copyright of musical work - Law applicable - Art. 25, Preliminary Dispositions of the Civil Code - Effect in Italy of prohibitions in cited foreign law upon the validity of such transfer: *Milan Court of Appeal*, 18th February 1966 . . . . . 86
- Contract* - Monetary debts in foreign currency - Art. 1278 of the Civil Code - Debtor's right to pay in Italian currency - Devaluation of the foreign currency - Debt overdue for settlement - Consequences: *Court of Cassation*, 30th March 1966, No. 842 . . . . . 352
- Contract* - Contracts of carriage of goods by sea - Proper law - Art. 10, Code of Navigation - The law of the nationality of the ship, unless expressly agreed otherwise by the parties - Conclusive factors to indicate such agreement: *Genoa Tribunal*, 10th May 1966 . . . . . 827
- Contract* - Art. 25, Preliminary Dispositions of the Civil Code - Choice of law by the parties at a time subsequent to the making of the contract - Not suitable to indicate the governing law: *Court of Cassation* (plenary session), 28th June 1966, No. 1680 . . . . . 126
- Contract* - Law applicable - Art. 25, Preliminary Dispositions of the Civil Code - Its bearing on the essential requirements for the validity of the contract, on

- its effects and on its interpretation - Art. 17, Preliminary Dispositions of the Civil Code - Its limitation to indicating the law governing the capacity of the parties - Art. 26, Preliminary Dispositions of the Civil Code - Specifies the law governing the form of the contract - *Court of Cassation* (plenary session), 28th June 1966, No. 1680 . . . . . 126
- Contract* - Contracts of carriage of goods by sea - Proper law - Brussels Convention of 25th August 1924 - Prevails over Art. 10, Code of Navigation - Allocation of liabilities under the said Convention - Unalterable except in favour of the party interested in the cargo: *Genoa Tribunal*, 29th July 1966 . . . . . 832
- Contract* - Contract of employment - Art. 25, (1), Preliminary Dispositions of the Civil Code - Applicability - Connection between public and private regulation of such contract - Irrelevance - Public policy - Does not normally prevent reference to relevant foreign law: *Milan Tribunal*, 3rd October 1966 . . . . . 157
- Contract* - Contracts of carriage of goods by sea - Proper law - Art. 10, Code of Navigation - National law of the ship - Bill of lading drawn with a « free instowed » clause - Irrelevance of such clause for establishing the proper law: *Genoa Court of Appeal*, 22nd November 1966 . . . . . 825
- Contract* - Contract of employment - Governing law - Art. 25 (1), Preliminary Dispositions of the Civil Code - Held applicable: *Milan Tribunal*, 24th November 1966 . . . . . 598
- Contract* - Contracts of carriage of goods by sea - Bill of lading drawn with a « notify », clause - Other clauses derogating therefrom - Necessary formalities - Proper law - Art. 26, Preliminary Dispositions of the Civil Code - *Lex loci contractus*: *Genoa Court of Appeal*, 29th May 1967 . . . . . 826
- Contract* - Contracts of carriage of goods by sea - Proper law - Brussels Convention of 25th August 1924 on Bills of lading - Carriage of particular items - Irrelevance, for application of the Convention, of the actual drawing of the Bill of lading: *Genoa Tribunal*, 30th May 1967 . . . . . 834
- Contract* - Contracts of carriage of goods by sea - Proper law - Brussels Convention of 25th August 1924 on Bills of lading - International character of the transport for the application of said Convention: *Genoa Tribunal*, 31st May 1967 . . . . . 837
- Copyright Law* - Contract transferring copyright of musical work - Law applicable - Art. 25, Preliminary Dispositions of the Civil Code - Prohibitions in the cited foreign law against the disposition of such rights: *Milan Court of Appeal*, 18th February 1966 . . . . . 86
- Duties and Taxes* - General Turnover Tax (I.G.E.) - Agency commissions of foreign firms for the importation of foreign goods, involving commercial relationships between two foreign firms - Liability to the tax: *Court of Cassation* (plenary session), 16th April 1966, No. 951 . . . . . 166
- Duties and Taxes* - General Turnover Tax (I.G.E.) - Commissions of selling-agents of foreign firms for the sale in Italy of imported goods - Non-liability to the tax: *Milan Court of Appeal*, 24th June 1966 . . . . . 166
- European Coal and Steel Community* - Decisions of the High Authority imposing pecuniary sanctions - Recognition and enforcement in Italy - Validity of the deliberations of the High Authority and of the Council - Art. 41 of the Treaty establishing the E.C.S.C. - Italian court's lack of jurisdiction over

- such questions - Taxation nature of the general levy of the E.C.S.C. - Consequent nature as a credit of the Community - Priority thereof under Arts. 2752 and 2759, Civil Code - Inapplicability thereof: *Turin Tribunal*, 11th January 1967 . . . . . 781
- Foreign judgments and administrative acts* - Recognition in Italy of a Swiss annulment of marriage - Public policy - Art. 797, Code of Civil Procedure and Art. 1, No. 2, Swiss-Italian Convention of 1933 on the execution of judgments - Admissibility under Italian Law of the means of proof used in the Swiss proceedings - Relevance thereof - Scrutiny of the evidence accepted by the foreign judge - Irrelevance thereof - Reexamination of the merits of the judgment by the Italian Court petitioned to recognize and give effect to it - Not permitted except in the circumstances laid down in Art. 798, Code of Civil Procedure: *Court of Cassation*, 18th December 1965, No. 2451 . . . . . 839
- Foreign judgments and administrative acts* - Recognition in Italy of a Swiss annulment of marriage - Disregard by foreign court of factors effecting nullity of marriage under Italian Law - Public policy - Art. 1, No. 2, Swiss-Italian Convention of 1933 on the execution of judgments and Art. 797, No. 7, Code of Civil Procedure - Contrary to public policy: *Rome Court of Appeal*, 5th February 1966 . . . . . 862
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Request for enforcement of foreign judgment in pending proceedings - Subsequent request in a separate action for the enforcement of the same judgment - Admissibility thereof, except where the judgment in the previous pending proceedings constitutes a judgment for the same purpose and between the same parties, which would prevent, under Art. 797, No. 6, Code of Civil Procedure, the foreign judgment being enforced: *Rome Court of Appeal*, 9th March 1966 . . . . . 587
- Foreign judgments and administrative acts* - Recognition in Italy of a foreign annulment of marriage in circumstances accepted by Italian Law - Public policy - Art. 797, Code of Civil Procedure - Inspection by the Italian judge on the assessment of the procedural issues made by the foreign judge - Inadmissibility thereof - Re-examination of the merits of the decision - Inadmissibility thereof except in the circumstances provided for in Art. 798, Code of Civil Procedure: *Court of Cassation*, 6th May 1966, No. 1151 . . . . . 842
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Austrian order as to costs - Arts. 4 & 5, Italo-Austrian Convention of 6th April 1922 on the legal and judicial protection of the subjects of each country in relation to Arts. 18 & 19 of Hague Convention, 1905 on Civil Procedure - Application for recognition, with summons, in Italy - Acceptability of application: *Court of Cassation*, 6th May 1966, No. 1163 . . . . . 110
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Concept of default in Art. 798, Code of Civil Procedure - Determination according to the standards of our system - Foreign separation order giving parental authority over the son to the mother - Not contrary to public policy: *Turin Court of Appeal*, 30th May 1966 . . . . . 121
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Art. 801, Code of Civil Procedure - Characterization of a foreign decision as one involving voluntary jurisdiction - Limits of reference of said Article to Arts. 796 & 797, Code of Civil Procedure - Art. 797, Nos. 2

- & 3, Code of Civil Procedure - Their irrelevance - Art. 797, Nos. 1 & 7 - Their relevance: *Rome Court of Appeal*, 7th June 1966 . . . . . 590
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Limitation to questions concerning the legitimacy of the proceedings - Scrutiny of the suitability, by the standards of the Italian system, of the means of investigation used by the foreign court to prove the law applied in the judgment - Admissibility thereof - Further scrutiny of the intrinsic probative validity of the means of investigation formally carried out - Inadmissibility thereof, insofar as it would involve an examination of the merit of the case, which may not be extended beyond the precise circumstances provided for in Art. 798, Code of Civil Procedure: *Rome Court of Appeal*, 21st June, 1966 . . . . . 593
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Penal decision by the Italian judicial organs in the Libyan Territory, subsequent to the 1947 Peace Treaty with Italy but prior to the establishment of the Kingdom of Libya - Considered as an Italian decision not requiring recognition: *Court of Cassation*, Order of 31st August 1966, No. 1963 . . . . . 596
- Foreign judgments and administrative acts* - Recognition in Italy of an annulment of marriage in the State of New York - Jurisdiction of the foreign court - Italian nationality of the respondent in the foreign proceedings - Art. 797, No. 1 in relation to Arts. 4 and 2, Code of Civil Procedure - Foreign Court's lack of jurisdiction: *Court of Cassation*, 14th November 1966, No. 2759 . . . . . 848
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Swiss dissolution of marriage, one spouse being an Italian citizen - Swiss-Italian Convention of 3rd January 1933 - Competence of Swiss Judge by virtue of Art. 1 (1) and Art. 2 (1), said Convention - Inexistence thereof - Art. 1 (2), said Convention in relation to Art. 17, Preliminary Dispositions of the Civil Code - Public policy - Contrary thereto - Divorce not admitted in the national law of one of the spouses - Hague Convention consequently inapplicable: *Milan Court of Appeal*, 15th November 1966 . . . . . 372
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Foreign judgment declaring an Italian citizen to be the parent of an illegitimate child - Declaration based on an hypothesis not provided for in Italian law - Art. 17, Preliminary Dispositions of the Civil Code and Art. 7, Code of Civil Procedure - Public policy - Contrary thereto: *Milan Court of Appeal*, 18th November 1966 (No. 1566) . . . . . 375
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Italo-French Convention of 3rd June 1930 - Pre-requisites of such recognition and enforcement: competence of the French judge, reasonableness of the time fixed for entering an appearance, consistency with principles of public policy of the judgment sought to be enforced - Powers of the judge seised of said foreign judgment to evaluate the merits thereof - Re-examination of said merits - Art. 798, Code of Civil Procedure - Inapplicable in circumstances differing from those provided for in said Article: *Milan Court of Appeal*, 18th November 1966 (No. 1567) . . . . . 377
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Art. 796 et seq., Code of Civil Procedure - Characterization of a foreign judgment as an adjudication in bankruptcy - Criteria for said characterization - Principle of reciprocity - No reference thereto in Italian rules

- for the enforcement of foreign judgments - Consequent irrelevance thereof in regard to the recognition and enforcement of a foreign judgment: *Court of Cassation*, 12th December 1966, No. 2895 . . . . . 609
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Swiss measure authorizing the adoption of an Italian minor by Swiss citizens, and subsequent public contract executed before a notary confirming same - Art. 801, Code of Civil Procedure - Applicable - Adopting parties over 40 but less than 50 years of age - Not contrary to public policy: *Milan Court of Appeal*, Decree, 23rd December 1966 . . . . . 390
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Art. 796 (3), Code of Civil Procedure - Intervention of Public Prosecutor in such proceedings - Termination of proceedings by withdrawal of parties therefrom - Request by the Public Prosecutor for a decision on the merit of the case - Inadmissibility thereof: *Milan Court of Appeal*, 17th January 1967 . . . . . 614
- Foreign judgments and administrative acts* - Recognition in Italy of a Venezuelan dissolution of marriage - Requirements under Art. 797, Code of Civil Procedure, relating in particular to the jurisdiction of the foreign judge and the need for the decision not being contrary to Italian public policy - Said requirements satisfied: *Rome Court of Appeal*, 24th January 1967, No. 75 . . . . . 863
- Foreign judgments and administrative acts* - Recognition in Italy of a Turkish annulment of marriage - Requirements under the Italo-Turkish Convention of 10th August 1926, with special reference to the jurisdiction of the foreign judge and the need for the decision not being contrary to Italian public policy - Said requirements satisfied: *Rome Court of Appeal*, 24th January 1967, No. 77 . . . . . 864
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Italo-French Convention of 3rd June 1930 - Its position as a special law vis-à-vis the Code of Civil Procedure - Re-examination of merits of judgment - Art. 798, Code of Civil Procedure - Inapplicable within the scope of said Convention: *Milan Court of Appeal*, 17th February 1967 . . . . . 400
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy of a foreign judgment - Regularity of the summons served on a party in the foreign proceedings - Proper Law to determine same - Law of the place where the proceedings take place, unless differently provided in international conventions: *Court of Cassation* (plenary session), 21st March 1967, No. 629 . . . . . 792
- Foreign judgments and administrative acts* - Recognition in Italy of a Swedish dissolution of marriage - Requirements under Art. 797, Nos. 1, 2 and 7, Code of Civil Procedure - Existence thereof: *Court of Cassation*, 30th March 1967, No. 682 . . . . . 851
- Foreign judgments and administrative acts* - Recognition in Italy of annulment by the Sacred Rota of a canonical marriage celebrated abroad - Jurisdiction of the court pronouncing it - Art. 797, Code of Civil Procedure - Inexistence thereof - Art. 34 of the Concordat with the Vatican - Inapplicability thereof: *Milan Court of Appeal*, 31st March 1967, No. 513 . . . . . 854

- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Art. 797, No. 2, Code of Civil Procedure - Question of the validity of a summons for foreign proceedings served on a defendant resident in Italy - Law applicable - Principle «Locus regit actum» and Art. 27, Preliminary Dispositions of the Civil Code - Failure to satisfy the requirements of either of Arts 137 and 122, Code of Civil Procedure - Irregularity of the summons used for the foreign proceedings - Impossibility of one joint debtor being deemed to have been served with notice by virtue of the other having been served - Effect on the judgment in said foreign proceedings - Ineligibility for recognition and enforcement in Italy: *Milan Court of Appeal*, 31st March 1967, No. 516 . . . . . 617
- Foreign judgments and administrative acts* - Recognition in Italy of a German dissolution of a marriage celebrated by the rites of the Concordat with the Vatican - Jurisdiction of the German court - Art. 3, Italo-German Convention of 1936 on the execution of judgments - Existence thereof - Exclusive jurisdiction of the ecclesiastical tribunals under Art. 34 of the Concordat - Its bearing on the jurisdiction of the foreign court - Irrelevant thereto - Public policy - Art. 4, said Convention - Not contrary thereto: *Milan Court of Appeal*, 31st March 1967, No. 525 . . . . . 857
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Requirements under Art. 797, Nos. 5 and 6, Code of Civil Procedure, on the recognition and enforcement of foreign judgments - Absolute duty of the party requesting enforcement of the foreign judgment to provide proof of the existence of the factual circumstances so required - Inexistence thereof - Specific objections in regard thereto by the defendant in such proceedings or by the Public Prosecutor - Necessity only in such a case to provide proof of the existence of the said circumstances: *Milan Court of Appeal*, 12th May 1967, No. 623 . . . . . 809
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Swiss-Italian Convention of 3rd January 1933, on the execution of judgments - Jurisdiction of Swiss Court based on the Swiss domicile of the defendant - Swiss decision based on acceptance of the defendant's counterclaim - Art. 2, No. 4, said Convention - Irrelevance of this fact on the competence of Swiss Court: *Milan Court of Appeal*, 12th May 1967, No. 624 . . . . . 621
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Swiss-Italian Convention of 3rd January 1933, on the execution of judgments - The rules for implementing said Convention prevail over the general rules of Art. 796 et seq., Code of Civil Procedure - Jurisdiction of Swiss Court by rules of Swiss legal system - Irrelevance of enquiry into this question - Art. 2, said Convention - Exclusive jurisdiction of Italian courts over succession disputes raised in Italy or concerning Italian citizens - Art. 4, final paragraph, said Convention - Inability of Italian court petitioned to enforce Swiss judgment to re-examine merit of Swiss decision, notwithstanding Art. 798, Code of Civil Procedure - Assessment of foreign judgment sought to be enforced in the light of Italian public policy - To be undertaken solely in regard to the operative words of the judgment: *Genoa Court of Appeal*, 12th May 1967 . . . . . 623
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy of a foreign judgment - Reasonableness of the time laid down to enter



- an appearance in the foreign proceedings - Criteria to be applied in assessing the same by the court petitioned to enforce the foreign judgment: *Milan Court of Appeal*, 26th May 1967 . . . . . 792
- Foreign judgments and administrative acts* - Recognition and enforcement in Italy - Swiss annulment of a marriage celebrated in Switzerland between an Italian and a Swiss woman - Jurisdiction of the Swiss Court - Art. 4, No. 2, in relation to Art. 797, No. 1, Code of Civil Procedure - Inapplicability to such a case dealing with the nullity of a marriage - Art. 4, No. 4, in relation to Art. 797, No. 1, Code of Civil Procedure - Principle of reciprocity - Its requirements - Inexistence thereof in the annulment of the marriage, by virtue of the wife having acquired, through marriage, her husband's Italian citizenship: *Court of Cassation*, 22nd June 1967, No. 1480 . . . . . 812
- Foreign Law* - Discovery of foreign law - Powers of the judge and position of the parties - No burden of proof upon the parties as to foreign law: *Court of Cassation*, 28th May 1966, No. 1389 . . . . . 118
- Guarantee Law* - Maritime liens - Law applicable - Art. 6, Code of Navigation - Change of ship's nationality between the creation and operation of the guarantee - Applicability of the national law of the ship at the time the priority arose: *Genoa Court of Appeal*, 2nd August 1966 . . . . . 139
- Guarantee Law* - Lien on cargo - Proper law - Art. 6, Code of Navigation - Inapplicability thereof - Art. 22 and 27, Preliminary Dispositions of the Civil Code - Law of the place where the goods were situated when the lien arose or where guarantee would be enforced: *Genoa Tribunal*, 7th December 1966 . . . . . 834
- Industrial Property* - Patents for industrial inventions - Art. 16 of the Royal Decree of 29th June 1939, No. 1127 - Grant of patent abroad as affecting the grant of a new patent in Italy - Paris Union Convention of 1883 - Inventor belonging to State adhering to said Convention - Exception: *Court of Cassation* (plenary session), 10th October 1966, No. 2427 . . . . . 363
- International Judicial Assistance* - Request from a foreign judicial authority to the Italian judicial authority to appoint an Official Guardian (« Amtvormund ») for a foreign minor resident in Italy - Unwarranted use of rogatory commission - Capacity of the Court of Appeal seized of such request: *Milan Court of Appeal*, Order of 6th July 1966 . . . . . 357
- International Judicial Assistance* - Rogatory to a foreign authority - Arts. 203, 204, Code of Civil Procedure - Duty of the party interested in the rogatory as regards the drafting of the relevant order and its submission to the office of the Public Prosecutor for execution - Period laid down by the judge for the completion of the necessary steps, and any subsequent extensions of time granted by the competent authority prior to the expiration of such period - Duty of the interested party: *Court of Cassation*, 19th October 1966, No. 2553 . . . . . 366
- International Judicial Assistance* - Request « in via diplomatica » for evidence to be obtained abroad - Duty to notify the parties in the proceedings - Inexistence thereof - Failure to notify the foreign court's order concerning the execution of the request - Art. 204, Code of Civil Procedure - Question of constitutional validity - Said question unfounded - Extension of the period laid down for the completion of the investigation abroad - Art. 203,

- final para., Code of Civil Procedure - Powers of the investigating judge:  
*Milan Court of Appeal*, 3rd March 1967 . . . . . 787
- International Judicial Assistance* - Convention of 30th June 1851, between Spain and Sardinia - Still in force - Rogatory from the Italian to the Spanish judicial authority for the execution of an Italian Court's final judgment:  
*Milan Tribunal*, Provision of 3rd March 1967 . . . . . 403
- International Judicial Assistance* - Art. 177 bis code of criminal procedure - Objection to the said Article's validity in the light of Art. 24 (2) of the Constitution - Objection partially founded: *Constitutional Court*, 9th June 1967, No. 70 . . . . . 779
- Jurisdiction* - Art. 4, No. 2, Code of Civil Procedure - Intangible property specifically protected by law in Italy - To be considered as property situated in Italy for the purpose of applying said Art. : *Court of Cassation* (plenary session), 2nd March 1966, No. 621 . . . . . 94
- Jurisdiction* - Art. 4, No. 4, Code of Civil Procedure - Influence thereon of Art. 30, Franco-Italian Convention of 3rd June 1930 on the execution of judgments: *Court of Cassation* (plenary session), 2nd March 1966, No. 621 . . . . . 94
- Jurisdiction* - Relevant powers of the Court of Cassation - Effective moment that Italian jurisdiction is established - Reference, for this, only to the petition - Connecting factors - Their qualification according to the « lex fori » - Art. 4, No. 3, Code of Civil Procedure - Limits of its application to a petition based on the infringement of a foreign patent: *Court of Cassation* (plenary session), 2nd March 1966, No. 621 . . . . . 94
- Jurisdiction* - International carriage of goods - Load consigned in Italy - Art. 31, Geneva Convention, 1956, on International Carriage of Goods by road - Competence of Italian Courts: *Rovigo Tribunal*, 6th May 1966 . . . . . 113
- Jurisdiction* - Derogation by agreement from Italian jurisdiction for arbitration abroad - Geneva Protocol of 24th September 1923 - Arbitration clause between a Panamanian ship-owner and an Italian receiver - Inapplicability thereof - Art. 2, Code of Civil Procedure - Arbitration clause contained in the charterparty - Such a reference not part of a Bill of lading unless expressly inserted therein - Necessary form for arbitration clauses - Proper law - Art. 26, Preliminary Dispositions of the Civil Code - Lex loci contractus - Prior English arbitration award on the same dispute between the same parties - Irrelevance thereof as a fact of which the Italian court should take cognisance: *Genoa Tribunal*, 10th May 1966 . . . . . 827
- Jurisdiction* - Special application to the Court of Cassation on the issue of jurisdiction - Prerequisites for a petition in regard thereto - Deposit with the Court Registry to be forfeited if the application is rejected - No right to proceed without having fulfilled requirements in regard thereto - Amount of the deposit and the date it must be made: *Court of Cassation* (plenary session), 28th June 1966, No. 1669 . . . . . 355
- Jurisdiction* - Petition for injunction against the use of designs of a patented machine - Art. 75, Royal Decree, 29th June 1939, No. 1127 - Competence of Italian Courts: *Court of Cassation* (plenary session), 28th June 1966, No. 1676 . . . . . 124

- Jurisdiction* - Procedural treatment of foreigner - Art. 16, Preliminary Dispositions of the Civil Code - Need for reciprocity - Immaterial to jurisdiction, but affects the existence of civil rights sought by the foreigner - Consequences to the parties of a judgment denying the condition of reciprocity: *Court of Cassation* (plenary session), 28th June 1966, No. 1680 . . . . . 126
- Jurisdiction* - Art. 5, Code of Civil Procedure - Favours rather than inhibits « perpetuatio jurisdictionis »: *Court of Cassation* (plenary session), 28th June 1966, No. 1680 . . . . . 126
- Jurisdiction* - Italian citizen summoned before Italian judge - Competence of Italian Courts in all cases - Irrelevance of foreign nationality of plaintiff: *Court of Cassation* (plenary session), 28th June, No. 1680 . . . . . 126
- Jurisdiction* - Inexistence of jurisdiction - Means of pleading same - Art. 37, Code of Civil Procedure - Factors bearing on the existence (or otherwise) of the Italian Court's jurisdiction - Powers thereon of the Court of Cassation: *Court of Cassation* (plenary session), 22nd July 1966, No. 1989 . . . . . 360
- Jurisdiction* - Limit of Italian Court's jurisdiction - Art. 34 (4) of the Concordat with the Vatican - Exclusive jurisdiction of the ecclesiastical tribunal and departments in nullity cases concerning marriages celebrated according to the Concordat with the Vatican - Verification of the existence or otherwise of a marriage - Not subject to the said exclusive jurisdiction - Provisions of the Law of 27th May 1929, No. 847 - They do not acquire nature of constitutional rules through Art. 7 of the Constitution - Art. 18, said Law - Reference to the provisions of canon law - Inadmissible: *Court of Cassation*, 12th July 1966, No. 1849 . . . . . 844
- Jurisdiction* - Legal residence of a person - Criteria for jurisdiction under Art 4 (1), Code of Civil Procedure - Its determination and regulation under Italian law: *Court of Cassation* (plenary session), 28th July 1966, No. 1989 . . . . . 360
- Jurisdiction* - Determination on the basis of the petition regardless of the merits of the suit - Preliminary nature of the question of jurisdiction in establishing the law applicable to the relationship at issue - Art. 4, No. 2, Code of Civil Procedure - Claim based on contract of employment - Services rendered in Italy - Competence of Italian Courts - Duty of employer to provide other employment abroad to the employee in the event of dissolution of current relationship - Non-fulfilment of such obligation - Resulting action for damages - Competence of Italian Courts: *Milan Tribunal*, 3rd October 1966 . . . . . 157
- Jurisdiction* - Art. 4, No. 2, Code of Civil Procedure - Jurisdiction over contractual obligations arising in Italy but due to be performed abroad - Competence of Italian Court: *Milan Tribunal*, 24 th November 1966 . . . . . 598
- Jurisdiction* - Art. 2, Code of Civil Procedure - Derogation from jurisdiction - Derogation from jurisdiction for formal arbitration abroad between a foreign firm and an Italian employee under a contract of employment - Inefficacy thereof - Said derogation not specifically approved in writing as required by Art. 1341, Civil Code - Inefficacy thereof on these grounds also: *Milan Tribunal*, 24th November 1966 . . . . . 598
- Jurisdiction* - Jurisdiction over foreigners - Criteria under Art. 4, Code of Civil Procedure - Their application to legal as well as physical persons - Authority of the Court of Cassation in questions of jurisdiction - Its extension also

- to factual prerequisites in regard to jurisdiction: *Court of Cassation*, (plenary session), 5th December 1966, No. 2830 . . . . . 602
- Jurisdiction* - Foreign State or similar body as defendant - Immunity from legal proceedings - Restriction thereof to the foreign State's disputes involving public law and sovereign powers: *Court of Cassation*, (plenary session), 5th December 1966, No. 2830 . . . . . 602
- Jurisdiction* - Jurisdiction in criminal matters - Italo-Argentinian Convention of 16th June 1886, on Extradition - Art. 11 - Jurisdiction of the Italian judicial authority to institute criminal proceedings against Argentinian citizens who have returned home and have there been sentenced for the same crime - Non-existence of such jurisdiction: *Milan Tribunal*, 19th December 1966 . . . . . 381
- Jurisdiction* - Foreign State as defendant - Generally recognized principle of International Law giving foreign States immunity from legal proceedings in their relationships involving sovereign powers - Art. 10 of the Italian Constitution - Consequences in Italy of the recognition of such immunity: *Milan Tribunal*, 12th January 1967 . . . . . 392
- Jurisdiction* - Rules governing jurisdiction - Nature thereof - Art. 387, Code of Civil Procedure - Inapplicability thereof - Limits to jurisdiction - Art. 4, Code of Civil Procedure - Limitation to questions involving a foreign defendant - Consequences where the defendant is an Italian citizen - Limits to jurisdiction - Inexistence thereof - Residence abroad of Italian defendant - Irrelevance thereof - *Court of Cassation* (plenary session), 21st March 1967, No. 625 . . . . . 789
- Jurisdiction* - Criminal Jurisdiction - Art. 11 (1), Penal Code, permitting the retrial in Italy of an Italian or foreigner who has already been tried for the same offence in a foreign court - Objection to said Article's validity in the light of Art. 10 of the Constitution - Objection unfounded: *Constitutional Court*, 18th April 1967, No. 48 . . . . . 580
- Jurisdiction* - Art. 4, No. 1, Code of Civil Procedure - Authorised representative « ad litem » in Italy of a foreign defendant under Art. 77, said Code - Presumption established by Art. 77, Code of Civil Procedure on the extension of the representation - Proof contrary to said presumption - Admissibility thereof: *Court of Cassation* (plenary session), 23rd June 1967, No. 1526 . . . . . 815
- Jurisdiction* - Powers of the Court of Cassation - No different from those of any other Court - Ascertainment of the facts as stated in the record of the proceedings - Duty to abide by the same: *Court of Cassation* (plenary session), 23rd June 1967, No. 1526 . . . . . 815
- Non-Contractual Obligations* - Assistance at sea - Assistance given by an Italian ship to a Liberian ship in Italian territorial waters - Proper law - Brussels Convention of 23rd September 1910 - Inapplicability thereof - Art. 25 (2), Preliminary Dispositions of the Civil Code - Italian law: *Arbitral award given at Genoa*, 28th June 1966 . . . . . 838
- Personal Capacity and Status* - Italian-Libyan citizen - Extinction of colonial system - Failure of party to acquire citizenship of the United Kingdom of Libya or of any other country - Status as Italian citizen: *Milan Court of Appeal*, 15th April 1966 . . . . . 105

- Personal Capacity and Status* - Declaration of status as stateless person - Personal application to the Court - Right of audience - New York Convention of 28th September 1954 relating to the status of stateless persons - Scope of application - Applicant originating in a state not adhering to the Convention - Irrelevance: *Milan Tribunal*, 6th September 1966 . . . . . 154
- Personal Capacity and Status* - Art. 17, Preliminary Dispositions of the Civil Code - Law applicable - Capacity to contract marriage - Hague Convention of 12th June 1902 - Competence of national law to determine whether bigamy has been committed: *Milan Court of Appeal*, 31st January 1967 . . . . . 396
- Personal Capacity and Status* - Foreign company with registered office or principal corporate activities in Italy - Art. 2505, Civil Code - Such a society subject to all the provisions of Italian Law - Failure to register Memorandum and Articles of Association under Arts. 2330, Civil Code, and 110, Implementing and Transitional Provisions of the Civil Code - Existence of such a company not recognized in the Italian system - Consequences as regards the liability of those acting on behalf of the company: *Genoa Tribunal*, 31st March 1967 . . . . . 802
- Personal Capacity and Status* - Italian citizenship - Loss thereof under Art. 8, Law of 13th June 1912, No. 555, and continuance of liability to military service - Question of the constitutional validity of Art. 8 (2), in the light of Art. 52 of the Constitution - No incompatibility between the two: *Constitutional Court*, 24th April 1967, No. 53 . . . . . 584
- Treaties and general international rules* - Franco-Italian Convention of 3rd June 1930 on the execution of judgments - Duty of signatory states to adopt particular criteria for the jurisdictional competence of their respective Courts - Non-existence of the said duty, except under Arts. 19 & 30 - Art. 30, said Convention - Its bearing on Art. 14, French Civil Code, and consequently on Art. 4, No. 4, Code of Civil Procedure - Art. 19, said Convention - Does not preclude the recognition of a judgment in a Court of the other country: *Court of Cassation* (plenary session), 2nd March 1966, No. 621 . . . . . 94
- Treaties and general international rules* - Paris Convention for the protection of industrial property - Art. 4 (2), Nos. 1, 2 & 5 - Control of substantive law and procedure affecting dispositions of such property - Competence of national law: *Court of Cassation* (plenary session), 2nd March 1966, No. 621 . . . . . 94
- Treaties and general international rules* - Geneva Convention of 1956 on the international carriage of goods by road - Art. 31 - Its bearing on the jurisdiction of Italian judge: *Rovigo Tribunal*, 6th May 1966 . . . . . 113
- Treaties and general international rules* - Italo-Austrian Convention of 6th April 1922 on the execution of judgments - Not included in the Exchange of Notes of 23rd November 1950 on the revival of agreements made prior to the absorption of Austria into the German Reich - Force of the Convention - Its expiration: *Court of Cassation*, 6th May 1966, No. 1163 . . . . . 110
- Treaties and general international rules* - Italo-Austrian Convention of 6th April 1922 on the legal and judicial protection of the subjects of each country - Arts. 4 & 5 - Their significance and relationship to Arts. 18 & 19 of the Hague Convention of 1905 on Civil Procedure: *Court of Cassation*, 6th May 1966 No. 1163 . . . . . 110

- Treaties and general international rules* - Art. 17 of the European Social Charter and Art. 25 of the Universal Declaration of Human Rights - Their relevance to an unwarranted rogatory for the guardianship of a foreign minor resident in Italy - Powers of the Court of Appeal seized of the case: *Milan Court of Appeal*, Order of 6th July 1966 . . . . . 357
- Treaties and general international rules* - 1947 Peace Treaty with Italy - Decision of Italian judicial organs in the Libyan Territory subsequent to said Treaty coming into force but prior to the establishment of the Kingdom of Libya - Validity in Italy - No need for decision to recognize same: *Court of Cassation*, Order of 31st August 1966, No. 1963 . . . . . 596
- Treaties and general international rules* - New York Convention of 28th September relating to the status of stateless persons - Scope of application - Person without citizenship originating from a country not adhering to the Convention: *Milan Tribunal*, 6th September 1966 . . . . . 154
- Treaties and general international rules* - Geneva Convention No. 97 of 1st July 1949 - Treatment of immigrant workers - Juridical protection - Bearing of the Convention on such treatment under Art. 25, Preliminary Dispositions of the Civil Code: *Milan Tribunal*, 3rd October 1966 . . . . . 157
- Treaties and general international rules* - Paris Union Convention of 1883 - Inventor belonging to a State adhering to said Convention - Consequences of the grant of a patent abroad as affecting the grant of a new patent in Italy: *Court of Cassation*, (plenary session), 10th October 1966, No. 2427 . . . . . 363
- Treaties and general international rules* - Swiss-Italian Convention of 3rd January 1933 on the execution of judgments - Arts. 1 (1) and 2 (1) - Competence of Swiss judge - Residence or domicile in Switzerland of the defendant in the Swiss action - Art. 18, second paragraph, Code of Civil Procedure - Does not concern the question of judicial competence - Consequent impossibility of including it among the rules governing relations between Italian and Swiss jurisdictions under Art. 1 (1) of said Convention - Swiss dissolution of marriage, one spouse being an Italian citizen - Contrary to public policy: *Milan Court of Appeal*, 15th November 1966 . . . . . 372
- Treaties and general international rules* - New York Convention of 20th June 1956 on the recovery abroad of maintenance - Foreign judgment declaring an Italian citizen parent of an illegitimate child - Declaration based on hypotheses not provided for in Italian law - Art. 1 (2), said Convention - Ineligibility of foreign judgment for recognition and enforcement in Italy: *Milan Court of Appeal*, 18th November 1966 (No. 1566) . . . . . 375
- Treaties and general international rules* - Italo-French Convention of 3rd June 1930 on the execution of judgments - Art. 14, said Convention - Competence of French judge in regard to dispute concerning a commercial contract concluded in France - Unreasonableness of time fixed to enter an appearance not pleaded in the foreign proceedings - Inadmissibility of such objection in Italian Court where French decision sought to be enforced - No period fixed for the party to brief counsel - Not contrary to principles of public policy as stipulated in Art. 1 (2), said Convention - Recognition of French provisions in regard to costs of the action - Applicability of Hague Convention of 17th July 1905: *Milan Court of Appeal*, 18th November 1966 (No. 1567) . . . . . 377
- Treaties and general international rules* - Italo-Argentinian Convention of 16th June 1866 on Extradition - Art. II, said Convention - Italian judicial autho-

- rity's lack of jurisdiction to institute criminal proceedings against Argentinian citizens who, after committing a crime in Italy, have returned home and have there been sentenced for the same crime: *Milan Tribunal*, 19th December 1966 . . . . . 381
- Treaties and general international rules* - Generally recognized principle of International Law giving foreign States immunity from legal process in regard to their relationships involving sovereign powers - Art. 10 of the Italian Constitution - Consequences in Italy of the recognition of such immunity: *Milan Tribunal*, 12th January 1967 . . . . . 392
- Treaties and general international rules* - Swiss-Italian Convention of 3rd January 1933 - Hague Convention of 12th June 1902 - Art. 34 of the 1929 Concordat between Italy and the Vatican - Consequences of co-ordinating such provisions under Conventions in establishing (or refuting) the crime of bigamy in regard to a Swiss citizen who, after contracting a marriage in Italy by the formalities laid down in the Concordat, obtains a divorce in Switzerland and there remarries: *Milan Court of Appeal*, 31st January 1967 . . . 396
- Treaties and general international rules* - Italo-French Convention of 3rd June 1930 on the execution of judgments - Its position as a special law vis-à-vis the rules of the Code of Civil Procedure - Re-examination of the merits of a decision - Art. 798, Code of Civil Procedure - Impliedly superseded by said Convention: *Milan Court of Appeal*, 17th February 1967 . . . . . 400
- Treaties and general international rules* - Convention of 30th June 1851 between Spain and Sardinia - Still in force - Procedure for the execution in one State of final judgments in the Courts of the other - Means of invoking same - Rogatory commission having appended to it a copy of the judgment in executive form: *Milan Tribunal*, Provision of 3rd March 1967 . . . . . 403
- Treaties and general international rules* - Italo-French Convention of the 3rd June 1930 on the execution of judgments - Art. 34 said Convention - Its scope - Time laid down to enter an appearance for an Italian, resident in Italy, cited before a French Tribunal - Two months: *Court of Cassation* (plenary session), 21st March 1967, No. 629 . . . . . 792
- Treaties and general international rules* - Personal rights of an individual - Their exclusive basis in the domestic rules for the application of the agreement, not in the international agreement as such - Voluntary performance of an international agreement - Irrelevance thereof - Italo-U.S. agreement of the 14th January 1949 - Failure to perform by the standards of the Italian system - Consequences thereof: *Court of Cassation* (plenary session), 21st March 1967, No. 631 . . . . . 799
- Treaties and general international rules* - Italo-Austrian Convention of 6th April 1922, on the execution of civil and commercial judgments - Consequences of said Convention not having been revived after the War - Its current inapplicability: *Milan Court of Appeal*, 31st March 1967, No. 516 . . . . . 617
- Treaties and general international rules* - Generally recognized international rules to which the Italian system conforms by virtue of Art. 10 of the Constitution - Principle « ne bis in idem » - Generally recognized international rule embodying said principle - Inexistence of any such rule: *Constitutional Court*, 18th April 1967, No. 48 . . . . . 580

- Treaties and general international rules* - Swiss-Italian Convention of 3rd January 1933 on the execution of judgments - Swiss Court's jurisdiction based on Swiss domicile of defendant - Swiss decision based on acceptance of the defendant's cross-petition - Irrelevance of this fact by virtue of Art. 2, No. 4, said Convention, on jurisdiction of Swiss Court: *Milan Court of Appeal*, 12th May 1967, No. 624 . . . . . 621
- Treaties and general international rules* - Swiss-Italian Convention of 3rd January 1933, on the execution of judgments - Rules for implementing said Convention constitute a special law prevailing over the general rules under Art. 796 et seq., Code of Civil Procedure - Jurisdiction of Swiss Court by the rules of Swiss system - Irrelevance of enquiry into this question - Art. 2, said Convention - Exclusive jurisdiction of Italian Courts over succession disputes raised in Italy or concerning Italian citizens - Art. 4, final paragraph, said Convention - Inability of Italian court, petitioned to enforce Swiss judgment, to re-examine merit of Swiss decision, notwithstanding Art. 798, Code of Civil Procedure - Assessment of foreign judgment sought to be enforced in the light of Italian public policy - To be undertaken solely in regard to the operative words of the judgment: *Genoa Court of Appeal*, 12th May 1967 . . . . . 623
- Treaties and general international rules* - Swiss-Italian Convention of 3rd January 1933 on the execution of judgments - Jurisdiction of Swiss Court to annul a marriage celebrated in Switzerland between an Italian and a Swiss woman - Art. 12, Nos. 1 and 3 in relation to Art. 2, Nos. 1 and 5, said Convention - Inexistence of said jurisdiction: *Court of Cassation*, 22nd June 1967, No. 1480 . . . . . 812
- Treaties and general international rules* - Two alternative interpretations of a Law - Preference for the interpretation consistent with an International Agreement - G.A.T.T. - Art. 3, said Agreement - Duties on imports imposed by a Signatory of G.A.T.T. to be equal to those on its domestic products - Law of 21st March 1958, No. 267 - To be interpreted in the sense most consistent with the principle of equal duties as above: *Milan Court of Appeal*, 7th July 1967 . . . . . 819

#### CASES IN THE COURT OF THE EUROPEAN COMMUNITIES

- Preliminary ruling* - Art. 177, EEC Treaty - Interpretation of the term « jurisdiction » - May refer to other tribunals apart from the usual law courts: Decision in Case 61/65, 30th June 1966 . . . . . 172
- Preliminary ruling* - Art. 177, EEC Treaty - Interpretation of Art. 45 (4) of the Regulation No. 3 with reference to the characterization of the expression « authorities »: Decision in Case 6/67, 5th July 1967 . . . . . 865

#### CASES IN FOREIGN COURTS

- Copyright* - Televised theatrical performance of a play « in the public domain » - Copyright in that theatrical production - Law applicable - Berne International Convention - Extent of grounds of granting an injunction: *Mainz Tribunal*



- (Piccolo Teatro della Città di Milano *v.* Zweites Deutsches Fernsehen),  
Decision of 3rd November 1966 . . . . . 185
- Copyright* - Televised theatrical performance of a play falling within the public domain - Copyright in that theatrical production - Law applicable - Articles 4 to 6 of the Berne International Convention - Treatment of citizens of a country party to that Convention - Internal law applicable: *Koblenz Court of Appeal* (Piccolo Teatro della Città di Milano *v.* Zweites Deutsches Fernsehen), Decision of 14th July 1967 . . . . . 867
- Divorce* - Law governing divorce of separated spouses of different nationalities (according to the French system) - It is the law of their common domicile, deemed to be that of their common conjugal domicile - Italian law which does not recognize divorce - Inapplicable as being contrary to French public policy: *Tribunal de grande instance de la Seine* (Dame Zelenkin *v.* Zelenkin), 14th June 1967 . . . . . 633
- Foreign judgments and administrative acts* - Italian decision of judicial separation - Its automatic recognition and enforcement in France except as a ground for measures of personal restriction or execution against property - Petition for divorce presented to the French court by the separated spouse having retained French citizenship - Admissibility thereof: *Tribunal de grande instance de la Seine* (Dame Zelenkin *v.* Zelenkin), 14th June 1967 . . . . . 633
- G. BRULLIARD, Notes on the recovery in France of small debts owing to Italians . . . . . 187
- Doctrine of « Act of State » and United Nations forces in Cyprus . . . . . 637

## DOCUMENTS

- Multilateral international conventions on commercial arbitration . . . . . 195
- Convention between Italy and Yugoslavia for reciprocal judicial co-operation in civil and administrative matters (Rome, 3rd December 1960) . . . . . 404
- The new Polish Law of 12th November 1965, on Private International Law . . . . . 410
- Decree of 5th January 1967 concerning consular functions and powers . . . . . 639
- Position of the Italian Government in cases where Italian citizens resident abroad may be called up for military service in their country of residence . . . . . 673
- Rules on the prohibition of Economic Relations with Rhodesia . . . . . 872
- Prospecting and exploitation of liquid and gaseous hydro-carbons in territorial waters and on the continental shelf . . . . . 874

## CURRENT EVENTS AND RECENT DEVELOPMENTS

- Private International Law in the International Encyclopaedia of Comparative Law . . . . . 214
- Private International Law in the 1967 programme of the Hague Academy of International Law . . . . . 415

F. DI LEO, The London Convention of 9th April 1965 for the Facilitation of International Maritime Traffic . . . . .	416
A Ministerial Statement on Double-Taxation Agreements with foreign countries . . . . .	422
The Provisional Regulations of the International Centre for Settlement of Investment Disputes . . . . .	422
A disposition concerning Italian citizenship in the new Law on adoption and special adoption . . . . .	677
Taxation provisions concerning representatives of foreign firms in Italy . . . . .	677
Courses to be held in 1967 at the International Centre of European Studies and Research in Luxemburg . . . . .	678
The Deauville Congress on the European Company . . . . .	678
A Conference on Comparative Law . . . . .	679
The Compass Rose (m. g.) . . . . .	876
Legislative, Judicial and Conventional Practice . . . . .	878
Parliamentary Debates . . . . .	880
Notices . . . . .	885

### BOOK REVIEWS

(see Italian Index, page 916)

### CHRONOLOGICAL INDEX OF ITALIAN CASES

(see Italian Index, page 920)

---

Registrazione presso il Tribunale di Milano al n. 6418 in data 26-11-1963

*Direttore responsabile:* prof. avv. MARIO GIULIANO

STAMPATO NEL NOVEMBRE 1967 DALLA LINOTIPIA VERONESE

DI GHIDINI FIORINI - VERONA