

INDEX

Mario Giuliano, 1914-1986 (*Fausto Pocar*) v

ARTICLES

- A. GIARDINA, Italian Constitutional Court and the rule of conflict on personal relations between spouses 209
- G. GRASSO, Criminal law in the economic field, EEC law and coordination of domestic sanctions 227
- F. MOSCONI, Italy and the Hague Conventions of private international law (in English) 641
- F. MUNARI, National shipping lines and the UNCTAD code of conduct relating to maritime conferences 655
- F. POCAR, Insurance law and the European Economic Community: conflict of laws and jurisdictional issues 417
- G. SACERDOTI, The 1965 Washington Convention: twenty years of ICSID activities 13
- T. TREVES, Convention establishing the Multilateral Investment Guarantee Agency as a code of conduct on investments 1

REVIEWS

- J. E. BRICEÑO BERRÚ, Las convenciones interamericanas sobre derecho internacional privado de 1984 (in Spanish) 429

SHORTER ARTICLES, NOTES AND COMMENTS

- G. L. BURCI, A recent case concerning the law applicable to maritime liens 475
- G. CONETTI, Problems of private international law arising from Italian ratification of the Vienna Convention on the international sale of goods 41
- D. J. DEVINE, Some reflections on the jurisdiction of the European Court of Justice and the Irish Constitution (in English) 59
- C. A. FLEISCHAUER, The entry into force of the Vienna Convention on Contracts for the International Sale of Goods (in English) 261
- L. FUMAGALLI, Conflicts between the Hague Convention of 18th March 1970 and domestic laws: the « Aérospatiale » case 709

| | |
|---|-----|
| R. LA ROSA, Immunity of international organisations from execution and constitutional principles | 453 |
| F. MASCARDI, Italian exchange control regulations and freedom to provide services within EEC law | 275 |
| B. NASCIBENE, Protection, assistance and integration of refugees in the Italian legal system (in English) | 263 |
| F. PADOVINI, International sales from the Hague Conventions to the Vienna Convention | 47 |
| A. TITA, The ICSID and MIGA Conventions: rules on arbitration and subrogation | 497 |
| F. ZICCARDI, Present aspects of the Libyan legal system | 269 |

CASES IN ITALIAN COURTS

Adoption of children: 41, 49, 54, 59, 70.

Civil procedure: 2, 8, 11, 17, 25, 30, 36, 53, 69.

Companies: 11.

Contract: 12, 33, 34, 35, 37, 40, 42, 44, 55, 56, 57, 60, 64.

Divorce: 10, 65.

Duties and taxes: 2, 6, 15, 39.

European Economic Community: 2, 5, 13, 71.

Exchange control: 5, 13, 63.

Extradition: 1.

Foreigner: 69.

Foreign judgments and administrative acts: 24, 29, 48, 49, 52, 53, 70.

Foreign law: 11, 19, 30, 61, 69.

International judicial assistance: 25.

Jurisdiction: 3, 4, 7, 9, 10, 11, 14, 16, 17, 21, 22, 23, 26, 27, 28, 31, 32, 36, 43, 45, 46, 47, 51, 54, 58, 61, 65, 66, 68, 72, 74.

Nationality: 54, 67.

Nationalization: 62.

Personal relations between spouses: 73.

Private international law: 73.

Property and securities: 18, 38, 50.

Public policy: 33, 48, 53.

Succession: 19.

Treaties and general international rules: 1, 3, 6, 11, 12, 16, 17, 19, 21, 22, 23, 24, 26, 27, 32, 35, 37, 40, 42, 43, 44, 45, 46, 47, 48, 51, 52, 53, 55, 56, 57, 58, 60, 61, 62, 64, 66, 74.

1. *Criminal Court of Cassation, 21st November 1984* 817
 Extradition for a crime subject to capital punishment in the requesting State is governed by the European Convention on Extradition and the bilateral Treaty between Italy and Spain dated 22nd May 1973.
2. *Milan Tribunal, 11th February 1985* 346
 An order to pay EEC customs duties can be served abroad according to the Council's and Commission's Directives of 15th March 1976 and 4th November 1977, respectively.
 Art. 142 of the Civil Procedure Code is not applicable.
 Art. 25 of the Preliminary Provisions to the Civil Code does not apply to establish the law applicable to EEC transit certificates and connected obligations, which are of a territorial nature.
3. *Court of Cassation (plenary session), 3rd June 1985 n. 3285* 73
 According to Art. II of the New York Convention of 10th June 1958 consent to a foreign arbitration clause must be specifically expressed by the parties in writing: mere reference to the general conditions of other contracts cannot be construed as consent.
 According to Art. 5 n. 1 of the Brussels Convention of 27th September 1968 the delivery of goods payable "against documents" takes place where the documents of title are handed over to the buyer.
 The place of performance of a distribution contract shall be the address of the distributor.
4. *Court of Cassation (plenary session), 8th June 1985 n. 3464* 77
 According to Art. 4 n. 3 of the Civil Procedure Code, Italian courts shall have jurisdiction in cases where precautionary measures ordered by the Italian judge must be executed in Italy or have regard to issues the judge is competent to hear.
 According to Art. 4 n. 2 of the Civil Procedure Code, Italian judges are competent to hear inheritance suits brought against Italian nationals regarding the estate of an Italian citizen even if such estate is located abroad.
 The jurisdiction of Italian courts applies even if a request for precautionary measures is advanced as per Art. 4 n. 3 of the Civil Procedure Code before legal action is started to assess the substance of the title that such measures are intended to safeguard, provided jurisdiction over the principal matter is not subject to alteration by time.
 The fact that a request – pursuant to Art. 4 n. 3 of the Civil Procedure Code – for precautionary seizure of an estate located abroad must be enforced in a foreign State has no bearing on the competence of the Italian judge.
 According to Art. 4 n. 3 of the Civil Procedure Code, it is sufficient for an Italian judge to have jurisdiction over one defendant or suit to acquire jurisdiction over the co-defendants and other connected suits.

5. *Genoa Tribunal, 9th August 1985* 304
- According to the ruling of the Court of Justice of the European Communities dated 31st January 1984, the transfer abroad of funds for tourism, business trips, study or medical treatment represents a payment and not a transfer of capital. The principle applies even when payment is made in bank notes. All restrictions are lifted at expiry of the interim period.
- Italian legislation relating to foreign exchange controls as embodied in Decree Law n. 476 of 6th June 1956 and following regulations, which set a flat ceiling for payments and transfers of funds for liberalised services, is incompatible with European Community law.
6. *Court of Cassation (plenary session), 14th October 1985 n. 4976* 350
- As concerns administrative service duties on imported goods coming from a State which is not a member of GATT but is party of a bilateral commercial treaty with Italy, the application of the most favoured nation clause contained in the bilateral treaty does not imply the application of special treatments provided by GATT.
7. *Court of Cassation (plenary session), 15th October 1985 n. 5049* 84
- An Italian judge who loses his competence to hear a controversy on the merits of a case following a waiver of Italian jurisdiction also loses jurisdiction over requests lodged under Art. 696 of the Civil Procedure Code for preliminary technical appraisals connected with the same controversy.
8. *Court of Cassation (plenary session), 16th October 1985 n. 5075* 311
- A power of attorney signed at the foot or in the margin of the relevant document is null even if the signature has been attested by the counsel for the defense. This ruling applies to powers of attorney which indicate that the document was issued - and must therefore have been signed - abroad.
9. *Court of Cassation (plenary session), 28th October 1985 n. 5291* 87
- A request for a ruling of jurisdiction under Art. 41 of the Civil Procedure Code can be advanced even during pre-trial hearings in a suit for legal separation between spouses.
- Italian jurisdiction applies to suits for legal separation filed by Italian couples even if neither spouse lives in Italy.
10. *Court of Cassation (plenary session), 28th October 1985 n. 5292* 92
- In the case of divorce proceedings filed by Greek citizens in Italy, any attempt to reconcile the spouses undertaken by Greek religious authorities in accordance with Art. 593 of the Greek Civil Code is irrelevant due to the application of the principle of territorial jurisdiction established by the law of civil procedure, which provides that jurisdictional competence and the form of proceedings are governed exclusively by the *lex fori*.
- The Court of Cassation has ample powers of investigation and decision, extending to the factual grounds of the issue to be decided, in questions of jurisdiction submitted to its judgment.
- Art. 4 of the Italian law on divorce governs internal competence and not the jurisdictional competence of the Italian judge.
- For the purposes of Art. 4 n. 1 of the Civil Procedure Code, the residence of a foreign defendant, given as residing both in Italy and abroad, is determined by ascertaining his habitual abode.

11. *Monza Tribunal, 9th November 1985* 102

Art. 10 of the Hague Convention of 15th November 1965 on the Service abroad of Judicial and Extrajudicial Documents, which establishes that the term for appearing in court must safeguard the defendant's right of defence, prevails over Art. 163 *bis* of the Civil Procedure Code.

Art. 17 of the Preliminary Provisions to the Civil Code provides that reference be made to the national law of the company in order to determine whether such company is free to exercise its rights and therefore can stand trial.

The principle *iura novit curia* does not apply to foreign law.

Italian jurisdiction over foreign defendants is extended by Art. 4 n. 3 of the Civil Procedure Code to include application for the ratification of an order of seizure, because of the functional relationship with the originating petition.

According to Art. 4 n. 2 of the Civil Procedure Code, Italian jurisdiction applies when the contractual obligations inferred in the judgment are to be performed in Italy in accordance with Italian law.

12. *Court of Cassation, 25th November 1985 n. 5856* 313

In an international sales contract between parties having their home offices in different States, Art. 1470 of the Civil Code and following articles can apply in lieu of the uniform rules provided under the Hague Convention of 1st July 1964 if the parties failed to make a case for the application of the latter rules during the judgment on merits, all the more so as the application of the uniform rules would in any case not have modified the Court's decision on the merits.

13. *Genoa Tribunal, 3rd December 1985* 318

The Ministerial Decree of 2nd May 1974, which sets an inadequate ceiling for the transfer abroad of funds for business, study or medical treatment and a fixed one-year time limit, is illegitimate as it is incompatible with Art. 106, paragraph 1 of the EEC Treaty.

14. *Rome Pretore, 13th December 1985* 344

Issues of competence must precede issues of jurisdiction.

In case of a request of ruling on jurisdiction it is not necessary to stay the proceedings on provisional measures.

The Italian judge has jurisdiction in cases of provisional measures provided under Art. 701 of the Civil Procedure Code against a foreign company having elected domicile in Italy if they have regard to issues the Italian judge is competent to hear.

15. *Court of Cassation, 16th December 1985 n. 6374* 571

While according to Presidential Decrees n. 597 and n. 599 of 29th September 1973 royalties paid to foreign companies lacking a stable organization in Italy were not taxable, starting from the entry into force of Presidential Decree n. 897 of 30th December 1980 they are subject to the new discipline.

16. *Court of Cassation (plenary session), 18th December 1985 n. 6447* 347

According to Art. 17 of the Brussels Convention of 27th September 1968 a clause providing foreign jurisdiction printed on the back of a contract and recalled in the contract itself is valid. Art. 1341 of the Civil Code (governing the *contra proferentem* principle) is not applicable in this case.

17. *Varese Tribunal, 27th December 1985* 521

The validity and contents of a jurisdiction clause forming part of an international sales contract has no bearing on the validity of a jurisdiction clause forming part of a bank guarantee whose scope is merely to warrant the compliance of foreign exchange control rules concerning exported goods.

Under the Court of Justice interpretation of Art. 17 of the Brussels Convention of 27th September 1968 a jurisdiction clause is valid without the need for formal acceptance when it is referred to and expressed in such a manner that anyone acting in good faith and applying ordinary diligence cannot fail to take note of it. Consequently, the jurisdiction clause contained in a bank guarantee accepted by a vendor who, having duly signed the accompanying letter without expressing any objection, has deliberately and repeatedly made recourse to such guarantee must be considered valid.

Arts. 21, 22 and 25 of the 1968 Brussels Convention do not attribute jurisdiction *ab origine*, but assume that separate suits are simultaneously pending.

Where for reasons of connexity the Italian judge should be competent, no effect of attraction may take place as to the modification of competence *sub* Arts. 31-33 of the Civil Procedure Code which exclude that subjective connexity may shift competence with regards to a conventional forum. The principle is applicable even in the presence of a clause that, according to the 1968 Brussels Convention, attributes jurisdiction to a foreign judge.

The provisions of the 1968 Brussels Convention prevail over former or posterior domestic rules of a different content, but the latter remain applicable to all residual issues, including issues related to foreign States.

According to the Court of Justice interpretation of Arts. 25 and 27 n. 3 of the 1968 Brussels Convention injunctions issued by Italian courts are not governed by the Brussels Convention but by the last paragraph of Art. 633 of the Civil Procedure Code.

However, such injunctions are subject to relative nullity, unless the enjoined acquiesces to their execution, if they are served outside the territory of Italy (see the last paragraph of Art. 633 of the Civil Procedure Code). Nullity can be upheld indefinitely by the enjoined either by an application *ad hoc* pursuant to Art. 118 of the rules of application of the Civil Procedure Code or by the ordinary appeal as per Art. 645 of the Civil Procedure Code.

According to the first paragraph of Art. 145 of the Civil Procedure Code and Art. 46 of the Civil Code, the service of any procedural act to a foreign corporate body at the actual location of their headquarters, being one and the same as the location of their main office, is valid.

Pursuant to Art. 24 of the 1968 Brussels Convention, pre-trial evidence orders to which Arts. 696 and 697 of the Civil Procedure Code apply can be executed in a contracting State without requiring compliance with Art. 204 of the Civil Procedure Code.

Pre-trial evidence taken abroad under Arts. 696 and 697 of the Civil Procedure Code is null if the rights of the defendant have not been granted.

18. *Venice Tribunal, 7th January 1986* 106
- Art. 6 of the Navigation Code states that in deciding on the existence and validity of a lien, the law applicable is the national law of the ship at the time when the lien was established.
- The law applicable to questions relating to the exercise, execution, scaling and expiry of a lien is the national law of the ship at the time the petition to enforce the lien is filed with the judge.
19. *Trieste Court of Appeal, 9th January 1986* 737
- The property of Hungarian citizens was automatically freed following ratification by Italy of the bilateral Agreement between Italy and Hungary dated 26th April 1973 concerning the settlement of outstanding financial and property claims.
- The judge can rely on the cooperation of the parties in acquiring the knowledge of foreign law. If evidence thereof is lacking, the judge can acquire it through his own learning and direct research on materials in the trial record.
- According to Art. 599 of the Hungarian Civil Code of 1977, in the absence of a will, the order of succession is determined by law. In the absence of heirs the estate is vested in the State as legitimate heir.
20. *San Severino Marche Pretore, 10th January 1986* 110
- Art. 142 of the consolidated laws on public safety does not make the lawfulness of a foreigner's stay in Italy conditional upon release by police authorities of an alien's residence permit.
21. *Court of Cassation (plenary session), 16th January 1986 n. 219* 349
- As regards Italian jurisdiction in a sales contract of movable goods according to Art. 5 n. 1 of the Brussels Convention of 27th September 1968 and Art. 59 of the Hague Convention of 1st July 1964 the obligation of payment must be performed at the seller's place of business.
22. *Court of Cassation (plenary session), 16th January 1986 n. 220* 322
- The existence of Italian jurisdiction is a prejudicial question when deciding on the competence of foreign arbitrators that are to rule abroad on a controversy arising in Italy.
- According to Art. 5 n. 1 of the Brussels Convention of 27th September 1968 and in reference to Arts. 33, lett. f and 19, para. 2 of the 1964 Hague Convention on the Uniform Law for International Sale, the Italian judge lacks jurisdiction if the obligation was to be performed in the Netherlands.
23. *Court of Cassation (plenary session), 17th January 1986 n. 283* 325
- Art. 43, first paragraph of the Vienna Convention of 24th April 1963 on Consular Relations, which codifies a general rule of public international law, provides that consuls cannot be judged by national courts of State of residence for acts performed in the exercise of their consular duties.
- Art. 34 of the Consular Convention between Italy and the United Kingdom dated 1st June 1954 provides that the consular functions set out in Art. 18 (which are exempt from national jurisdiction as per Art. 13) are merely indicative.
- The Board of Directors of the International Hospital in Naples is formed, *inter alia*, by consuls from different States who perform activities of public law connected with their functions.

Therefore, the Italian judge lacks jurisdiction in an employment suit brought by an employee of the International Hospital of Naples against a foreign consul sitting on the Hospital's Board of Directors.

24. *Court of Cassation, 27th January 1986 n. 522* 572

With reference to the enforcement in Italy of a foreign arbitral award, according to Art. V of the New York Convention dated 10th June 1958, the Italian judge must ascertain the fairness of the time limit for appearance.

25. *Court of Cassation, 27th January 1986 n. 539* 330

According to Art. 157, second paragraph of the Civil Procedure Code, the party in the interest of which a legal prerequisite is established may claim that an act lacking such requisite is null only at the first instance or pleading which follows the act itself or notice thereof.

The term "first instance" contained in Art. 157, second paragraph of the Civil Code, embraces all requests of the parties filed to obtain a Court order even if merely of a procedural nature.

Nullity deriving from consular or international letters rogatory that were not executed in time is of a relative nature and objections in this respect that are not raised at the first instance following taking of the document as evidence will not be granted.

26. *Court of Cassation (plenary session), 3rd February 1986 n. 666* 332

Employment contracts entered for the furtherance of the organization and management of a consulate are to be considered as acts of a foreign State in the exercise of its public duties, and therefore not subject to Italian jurisdiction.

To ascertain the public nature of an employment contract the duties of the employee must prove to be connected with the functions of the consulate. It is reasonable to uphold that qualified cooperation and collaboration implying a status of the sort provided under Art. 43 of the Vienna Convention of 24th April 1963 on Consular Relations are of this nature.

The Basel Convention of 16th May 1972 on State Immunity cannot be applied as Italy has not ratified it.

27. *Court of Cassation (plenary session), 3rd February 1986 n. 667* 827

The Italo-Latin American Institute is not subject to Italian jurisdiction according to Art. II of the Convention between Italy and the Latin American Republics dated 1st June 1966.

28. *Court of Cassation, 3rd February 1986 n. 669* 336

Art. 4 of the Civil Procedure Code implicitly grants a foreigner the right to summon an Italian citizen to appear in court at any time and without limitations.

Art. 16 of the Preliminary Provisions to the Civil Code does not waive this principle, as the reciprocity rule does not impinge on jurisdiction. However, reciprocity does affect the enjoyment of the civil rights which the foreign plaintiff intends to have enforced.

29. *Court of Cassation, 14th February 1986 n. 872* 112

Pursuant to Art. 796 of the Civil Procedure Code, the Court of Appeal is competent to hear any controversy related to the enforcement of foreign decisions (in this case an arbitral award) even if the proceedings have

been brought by the party interested in denying the existence of conditions contemplated in Art. 797 of the Civil Procedure Code.

Pursuant to Art. 799 of the Civil Procedure Code, the Tribunal is competent to declare that a foreign decision is not enforceable at the request of the interested party so long as the request is subordinated to the originating petition.

30. *Court of Cassation, 19th February 1986 n. 995* 823

In order to ascertain if the foreign defendant has been duly served abroad with the document which instituted the proceedings in Italy, the law of the State of service must be applied. The burden to prove the content of the foreign law is allocated to the requesting party.

31. *Court of Cassation (plenary session), 24th February 1986 n. 1088* 573

The Italian judge is competent to hear a claim regarding the liability of a foreign defendant, sole shareowner of an Italian company, for the company's debts, because the obligations connected to the insolvency arise at the seat of the company in Italy. The issue of enforceability of the Italian judgment abroad has no relevance.

32. *Court of Cassation (plenary session), 24th February 1986 n. 1092* 539

By establishing a rule of jurisdiction, Art. 19 of the bilateral Convention between Italy and France on the recognition and execution of judgments dated 3rd June 1930 grants the objection of international lis pending provided that the Court before which the case was previously filed is competent according to the rules of the Convention itself.

Art. 12 of the bilateral Convention between Italy and France of 1930 reserves exclusive competence to the forum agreed by the parties on condition that they choose the courts of the country in which the contract was entered or must be performed.

According to Art. 4 n. 2 of the Civil Procedure Code Italian courts are competent to hear a controversy relating to a contract entered in Italy and which is to be performed in Italy.

33. *Court of Cassation, 7th March 1986 n. 1530* 117

Pursuant to Art. 25 of the Preliminary Provisions to the Civil Code, the law that governs an employment contract entered abroad between two foreigners of different nationality to be performed in Italy is the law of the country in which the contract is entered, unless the parties agree differently.

A foreign employment contract to be performed in Italy that offers less favorable terms than those provided under Italian law is contrary to public policy.

34. *Court of Cassation, 12th March 1986 n. 1673* 825

The refugees hire quota, in the case of compulsory engagement of Libyan refugees, was subject to Law n. 482 of 2nd April 1968, Decree Law n. 622 of 28th August 1970 and Law n. 922 of 12th December 1973 until the entry into force of Law n. 763 of 26th December 1981.

35. *Court of Cassation, 15th March 1986 n. 1783* 574
 According to Art. 18 of the bilateral Treaty between Italy and Yugoslavia on social security dated 14th November 1957 and Art. 5 of Presidential Decree n. 1432 of 31st December 1971, it is possible to pay voluntary social security contributions in Italy in order to obtain pension in Yugoslavia.
36. *Court of Cassation (plenary session), 4th April 1986 n. 2323* 544
 Pursuant to Art. 2 of the Civil Procedure Code, the Italian court's jurisdiction cannot be waived by mutual consent in cases of employment contracts entered between a foreign worker and an Italian national residing and domiciled in Italy.
 For the purpose of waiving Italian jurisdiction, the first paragraph of Art. 25 of the Preliminary Provisions to the Civil Code is inapplicable because it cannot be construed as implying that not only do the parties have the right to choose the applicable law but also they can decide on the issue of jurisdiction, even in the case that the latter is admitted by the applicable law chosen.
 In the absence of an international treaty settling the dispute between competing jurisdictions, the principle of territorial application of procedural law sanctioned by Art. 27 of the Preliminary Provisions to the Civil Code must apply.
37. *Court of Cassation, 10th April 1986 n. 2515* 567
 According to Art. 6, first paragraph, lett. *k* of the Geneva Convention of 19th May 1956 (C.M.R.), an international transport dispute is not ruled by the Convention if its application has not been expressly mentioned in the contract or has not been agreed verbally.
38. *Court of Cassation, 11th April 1986 n. 2567* 546
 According to Art. 1 of Law n. 77 of 14th January 1950, the Italian State acquires *ex lege* property of works of art and works of historical or bibliographical interest on the mere condition (governed by self-executing international treaties) of the restitution of the work itself to Italy by the Allied Military Government in Germany.
 Law n. 77 of 1950 is applicable to restitutions that took place either before or after the entry into force of the law and that were actually performed either by the Allied Military Government in Germany or subsequently by the Federal Republic of Germany.
39. *Court of Cassation, 11th April 1986 n. 2572* 571
 While according to Presidential Decrees n. 597 e n. 599 of 29th September 1973 royalties paid to foreign companies lacking a stable organization in Italy were not taxable, starting from the entry into force of Presidential Decree n. 897 of 30th December 1980 they are subject to the new discipline.
40. *Court of Cassation, 17th April 1986 n. 2732* 574
 According to Art. 18 of the bilateral Treaty between Italy and Yugoslavia on social security dated 14th November 1957 and Art. 5 of Presidential Decree n. 1432 of 31st December 1971, it is possible to pay voluntary social security contributions in Italy in order to obtain a pension in Yugoslavia.

41. *Court of Cassation, 19th April 1986 n. 2770* 569

With reference to Art. 76 of Law n. 184 of 4th May 1983, in a case of adoption of a foreign minor previous legislation applies to proceedings in course. The definition of "proceedings in course" and "already settled" applies to foreign proceedings as well.

42. *Court of Cassation, 10th May 1986 n. 3124* 819

In order to determine whether employment periods in Italy and in the Federal Republic of Germany for social security benefit purposes can be summed, reference must be made to EEC Council Regulation n. 3 of 25th September 1958, which replaced the bilateral Convention between Italy and Germany on social security dated 5th June 1953.

43. *Padua Pretore, decree 12th May 1986* 121

In applying Art. 5 n. 1 of the Brussels Convention of 27th September 1968, the place of performance of a negative obligation such as an exclusivity clause is deemed to be the country or countries to which the exclusivity applies.

Art. 3 of the 1968 Brussels Convention does not exclude the applicability of Art. 4 n. 3 of the Civil Procedure Code to subjects domiciled in other States parties to the Convention.

As Art. 24 of the 1968 Brussels Convention refers to national laws of procedure also with regard to rules governing jurisdiction, courts are competent to order precautionary measures only if their domestic legislation so provides.

Pursuant to Art. 24 of the 1968 Brussels Convention and Art. 4 n. 3 of the Civil Procedure Code, requests of provisional and protective measures, while contemplated by Italian law, cannot be filed in Italy if they are to be enforced abroad or have regard to issues that are not subject to Italian jurisdiction.

The Geneva Convention on International Commercial Arbitration of 21st April 1961 is to be considered implicitly applicable to contracts entered between parties belonging to States parties to the Convention referring their controversies to a permanent arbitration court, even if this belongs to a third State.

If the parties are bound by a valid arbitration clause but have resorted to a judge under Art. 700 of the Civil Procedure Code, this judge is not competent to ascertain whether the controversy is one that may be settled by arbitration as it is impossible to know beforehand whether such issue will in fact be submitted to the arbitrator, and even so, it would be up to the arbitrator to decide whether or not he is competent to deal with it.

Art. 6, fourth paragraph of the 1961 Geneva Convention cannot attribute jurisdiction to Italian courts in cases where Art. 4 n. 3 of the Civil Procedure Code excludes such jurisdiction.

44. *Court of Cassation, 20th May 1986 n. 3341* 810

As regards an international transport governed by the Geneva Convention of 15th January 1959 on "Carnet T.I.R.", the sender mentioned in Art. 305, first paragraph, of Presidential Decree n. 43 of 1973 is not one of the subjects for whose activity the guarantor is liable as par Art. 6, first paragraph, of the Convention.

45. *Court of Cassation (plenary session), 21st May 1986 n. 3375* 551
- For the purposes of applying Art. 6 n. 1 of the Brussels Convention of 27th September 1968 when there is one of a number of defendants if a question of alternative liability is at issue (which entails that a judgment on the liability of one of the defendants has influence on or excludes the liability of other defendants) the different cases may be joined before the Court of domicile of one of the defendants.
- If supported by univocal elements, the fictitious character of the procedural relationship may be relevant not only for the application of Art. 6 n. 2 but also of Art. 6 n. 1 of the 1968 Brussels Convention.
- The judge who ascertains the existence of jurisdiction of Italian courts shall also decide preliminarily on domestic territorial competence, appointing a different competent judge if necessary.
- Once the competent judge has been duly appointed in accordance with Art. 18 of the Civil Procedure Code the appointment remains valid under Art. 5 thereof even if the defendant changes his domicile.
- As the ruling of jurisdiction is not an ordinary appeal during jurisdiction proceedings objections relating to trial expenses settled in the judgment on the merits of the case cannot be raised.
46. *Court of Cassation (plenary session), 21st May 1986 n. 3376* 821
- According to Art. 18 of the Brussels Convention of 27th September 1968 the defendant can contest the jurisdiction even if he files a subordinated defense on merits. For the purposes of Art. 5 n. 1 of Brussels Convention the place of payment of goods must be determined through application of Art. 59 of 1964 Hague Convention on the Uniform Law for International Sale.
47. *Court of Cassation (plenary session), 22nd May 1986 n. 3411* 744
- Pursuant to Art. 2 of the Brussels Convention of 27th September 1968 persons domiciled in a contracting State can be sued in the courts of that State.
- Pursuant to Art. 3 of the Brussels Convention, Art. 4 n. 1 and n. 2 of the Civil Procedure Code cannot be applicable against persons domiciled in a contracting State.
- For the purposes of Art. 5 n. 1 of the Brussels Convention, the rendering of accounts pursuant to an order of sale contract must be performed at the abode of the debtor, as per Art. 1182, last paragraph of the Civil Code, such obligation being a *facere* obligation.
48. *Court of Cassation, 12th June 1986 n. 3903* 748
- Under Art. 10 of the Hague Convention of 1st June 1970 on the Recognition of Divorces and Legal Separations and according to the principles of the Italian legal system, the enforcement of a foreign divorce judgment against an Italian citizen pronounced for objective reasons specifically contemplated by the foreign law, which are substantially like those contemplated by Italian law, is not contrary to public policy.
- The Swedish divorce law which requires that an adequate period of consideration be allowed between the divorce request and the relative decision and empowers the judge to verify the continued absence of *affectio maritalis* is not contrary to public policy.

49. *Court of Cassation, 12th June 1986 n. 3904* 752

Pursuant to Arts. 31 and 32 of Laws n. 184 dated 4th May 1983 on the Adoption and Foster Placement of Minors, foreign judgments may be enforced in Italy not only with regard to matters of adoption and foster placement but also with regard to wardship or other forms of protection.

The effect in Italy of a foreign judgment concerning the wardship or protection of a minor rendered against Italian nationals is determined by the Italian judge.

Foreign judgments which have been rendered pursuant to the state of abandonment of a minor may be declared valid in Italy as pre-adoptive measures when the foreign authorities have granted the minor unlimited expatriation rights for the purpose of its full integration into the Italian community.

50. *Venice Tribunal, 12th June 1986* 555

The lien system that applies to a foreign ship that never changed nationality is entirely governed by the law of the flag, as per Art. 6 of the Navigation Code.

The existence, validity and even scheduling of the lien are determined according to the law of the flag because of the substantial nature of the right of pre-emption and considering that principles of public policy are not at stake in the application of the *lex fori*.

51. *Court of Cassation (plenary session), 17th June 1986 n. 4036* 559

According to Art. 18 of the Brussels Convention of 27th September 1968, a foreign defendant's motion contesting the jurisdiction of the Italian judge at the moment of trial is not prejudiced by the fact that the defense has also drawn conclusions on the merits for defensive or counterclaim purposes.

The jurisdiction principle set out in Art. 6 n. 2 is additional to the principle provided by in Art. 5 n. 1 of the Brussels Convention in the sense that guarantee proceedings that can be brought in Italy as per Art. 5 n. 1 fall under Italian jurisdiction even if the action is not directed against the principal debtor and therefore connexity as provided under Art. 6 n. 2 is not established.

For the purpose of applying Art. 5 n. 1 of the Brussels Convention, obligation to pay a sum of money due under a guarantee must be performed at the domicile of the creditor as per Art. 1182 of the Civil Code.

52. *Court of Cassation, 25th June 1986 n. 4222* 759

Under Arts. 31 and following of the Brussels Convention of 27th September 1968 the proceedings for the enforcement of a foreign judgment are of a monitory nature only as regards the possibility of a deferred debate but not as concerns its substance. Consequently, principles relating to injunction proceedings do not apply, namely Art. 643, second paragraph of the Civil Procedure Code requiring the service not only of the court decree but also the appeal, considered an integral part of the court decree.

The question as to the constitutional legitimacy of Art. 36 of the Brussels Convention with reference to Arts. 3 and 24 of the Constitution is unfounded. Indeed, an allowance of one or two days to exercise the right of appeal, depending on the month of the year in which the service of the

decision granting the enforcement of the foreign judgment as per Art. 34 of the Convention is effected, does not entail prejudice to the parties' rights to equal treatment nor to their right of defence.

53. *Court of Cassation (plenary session), 26th June 1986 n. 4253* 767

According to Art. 3 of the Brussels Convention of 27th September 1968, Art. 2 of the Civil Procedure Code is not applicable even if it is invoked at the enforcement of a foreign judgment in order to cancel the effects of a prorogation of jurisdiction on the forum of the defendant's domicile as per Art. 2 of the Convention.

The difference between the foreign law applied by a foreign judge and Italian law does not amount to a violation of Italian public policy that would result in the refusal of enforcement of the foreign judgment as per Art. 27 n. 1 of the Brussels Convention.

According to Arts. 31 and following of the Brussels Convention, the proceedings for the enforcement of a foreign judgment pertain to contentious and not voluntary jurisdiction wherefore contentious aspects develop even in the first phase of the proceedings in the absence of debate and the costs relating thereto are supported by the losing party.

The payment of trial costs and legal fees relating to proceedings for the enforcement of foreign judgments is governed by paragraph VIII of the Ministerial Decree dated 22th June 1982 on special proceedings.

54. *Court of Cassation (plenary session), 27th June 1986 n. 4276* 773

According to Constitutional Court ruling n. 30 of 1983, and Art. 5 of Law n. 123 of 21st April 1983, under age children of a Liberian father and an Italian mother are Italian nationals from the date of their birth even if birth took place before these acts.

For the purpose of determining Italian jurisdiction over persons holding both the Italian and a foreign nationality, only their Italian nationality must be considered.

The Italian judge has jurisdiction regarding the adoptable status of Italian and foreign minors according to Art. 17 of the Preliminary Provisions to the Civil Code.

As Art. 76 of the new law on adoption sets limits to the application of the law only for proceedings regarding foreign minors, the new rules are applicable as *jus superveniens* to the proceedings in course regarding Italian minors.

55. *Court of Cassation, 28th June 1986 n. 4336* 810

In a claim concerning an international transport, subject to the Geneva Convention of 15th January 1959 on "Carnet T.I.R.", if the cargo is not presented, the declaration contained in the *volet II* has only relative value and the Customs and Excise Department can prove a different content of the customs declaration through other means. To the joint liability of the guarantor general principles on sureties do not apply.

56. *Court of Cassation, 28th June 1986 n. 4337* 810

In a claim concerning an international transport governed by the Geneva Convention of 15th January 1959 on "Carnet T.I.R." the joint liability of the guarantor is upheld even in case of forgery of unloading and customs payment certificates consequent to negligent handling of the customs seal.

57. *Court of Cassation, 10th July 1986 n. 4485* 810

In a case governed by the Geneva Convention of 15th January 1959 on "Carnet T.I.R." payment of customs duties is due even if goods were destroyed in an accident during transport.

58. *Court of Cassation (plenary session), 14th July 1986 n. 4541* 778

Pursuant to Art. 18 of the Brussels Convention of 27th September 1968 objection to an Italian judge's competence motioned by a foreign defendant at the first hearing of the case is not prejudiced by the circumstance that the foreigner has also argued on the merits for defensive purposes or to advance a counterclaim.

Though not expressly mentioned in Art. 4 n. 3 of the Civil Procedure Code, necessary joinder constitutes a valid connection for the purpose of upholding Italian jurisdiction against a foreigner.

59. *Constitutional Court, 18th July 1986 n. 199* 515

Law n. 431 of 5th June 1967, regarding special adoption, governed also international adoptions.

According to Art. 76 of Law n. 184 of 4th May 1983, which deals with the adoption and foster placement of minors, the new law is not applicable retroactively even in cases to which the law of 1967 could not be applied, and thereby does not afford the protection of Italian law to a foreign minor abandoned in Italy before the entry into force of the new law.

The section of Art. 76 of Law n. 184 of 1983 that denies the applicability of Art. 37 of that same law to proceedings already in course that involve a foreign minor abandoned in Italy is unconstitutional, as it is contrary to the provisions of Arts. 2, 3, first paragraph and 30, second paragraph, of the Constitution.

60. *Court of Cassation, 18th July 1986 n. 4632* 570

In an issue concerning maritime transport of goods, the liability of the carrier and limits of indemnity are governed by the Brussels Convention of 25th August 1924. Its Art. 3 n. 8 renders void any clause derogating from the limits fixed in the Convention.

61. *Monza Tribunal, 24th July 1986* 783

According to Art. 18 of the Brussels Convention of 27th September 1968 a defense on the merits filed in conjunction with a counterclaim subordinated to the objection of lack of jurisdiction does not entail tacit acceptance of such jurisdiction.

For the purposes of Art. 5 n. 1 of the Brussels Convention, the obligation in question in a case concerning the ascertainment of lack of inherent defects in goods sold is the obligation to deliver the goods themselves.

The Hague Convention of 1st July 1964, dealing with the uniform law on the international sale of goods, is not applicable to a sale contract between a French and an Italian company, as France has not ratified the Convention.

Pursuant to Art. 25, first paragraph of the Preliminary Provisions to the Civil Code, the *lex fori* must be applied in determining the place of stipulation of a contract.

With regards to the principle *iura novit curia* the Italian judge must apply the foreign law notwithstanding the fact that the parties have not referred to it.

62. *Court of Cassation (plenary session), 28th July 1986 n. 4811* 788
- Indemnity due consequent to the expropriation of property in Italy belonging to German nationals is governed by Art. 6 of the bilateral friendship, trade and navigation Treaty between Italy and the Federal Republic of Germany dated 21st November 1957.
- According to Art. 6 of the 1957 Treaty, compensation must be equal to the value of the expropriated property.
- According to Art. 12, first paragraph, of the Preliminary Provisions to the Civil Code, the expression "value of the property" refers solely and exclusively to the saleable value thereof.
- The discrimination between Italian and German nationals subject to expropriation measures in Italy is founded on differences in conditions that the legislator has taken into account in order to ensure that Italian nationals residing in Germany will be treated favourably.
63. *Court of Cassation (plenary session), 28th July 1986 n. 4823* 568
- Foreign exchange control regulations do not apply to a foreign resident in Italy who is entitled to damages as per Art. 1 n. 3 of Decree Law n. 476 of 6th June 1956.
64. *Court of Cassation, 1st August 1986 n. 4945* 819
- The bilateral Treaties on social security between Italy and Argentina dated 12th April 1961 and 3rd November 1981 are both applicable to a social security benefit dispute regarding an employment contract performed in both States.
65. *Turin Tribunal, 15th September 1986* 792
- Arts. 4 and 3 n. 2 lett. *e* of the Law n. 898 of 1st December 1970 on divorce do not waive the provisions relating to jurisdiction set out in Art. 4 of the Civil Procedure Code.
- According to Art. 4 n. 4 of the Civil Procedure Code the Italian judge is competent to rule in a divorce case brought by an Italian citizen not residing in Italy against a French citizen neither residing or domiciled nor represented in Italy.
- When Italian jurisdiction is asserted but territorial competence cannot be determined, any Italian judge (in particular the judge chosen by the plaintiff in the election of domicile) may hear the case.
- The provisions of Art. 3 n. 2 lett. *e* of the Law on divorce are of mandatory nature irrespective of the application of private international law.
- A divorce cannot be granted to a couple if the Italian spouse filing for divorce in Italy supported the request for dissolution of the bond advanced by the foreign spouse in a foreign country.
- Divorce can however be granted under Art. 3 n. 2 lett. *e* of the Law on divorce if the Italian spouse merely contributed (albeit in a causal manner) to the foreign ruling on dissolution requested by the other spouse.
66. *Prato Tribunal, 24th September 1986 n. 633* 824
- The issues of jurisdiction on a claim relating to the carrier's liability in case the goods are delivered to a party other than the party specified in the contract is governed by Art. 4 n. 2 of the Civil Procedure Code, because this case of non performance is not covered by Art. 28 of the Warsaw Convention dated 12th October 1929 on International Air Transport.

67. *Court of Cassation, 25th October 1986 n. 6259* 562
- Italo-Libyan nationals that were residing in Libya at the time of the establishment of the Kingdom of Libya are considered as having acquired Libyan nationality unless the competent Libyan authorities issued a denial act (even illegitimately).
- Although the issue of a passport is normally proof of nationality, the document itself may indicate a different *status* not connected with citizenship of the State issuing the passport.
- The issue of a Libyan passport stamped "JL" (Jewish Libyan) is not proof of Libyan nationality.
68. *Rome Pretore, order 25th October 1986* 809
- As Art. 444 of the Civil Procedure Code does not indicate which Italian judge is territorially competent to hear a social security dispute where the plaintiff is a foreign resident, it is deemed to be in conflict with the provisions of Arts. 3, 24, first paragraph and 25, first paragraph of the Constitution.
69. *Milan Tribunal, decree 27th October 1986* 338
- The judge competent to confirm a seizure order is also competent to evaluate the requirements thereof, including the question of jurisdiction.
- According to Arts. 16, second paragraph and 17 of the Preliminary Provisions to the Civil Code, the legal capacity of corporate bodies is determined by the legal system of the foreign State in which such bodies were established.
- The burden to prove that a corporate body is a legal subject in the foreign State where it was established is allocated to the interested party.
- As Libyan banks do not enjoy the status of corporate bodies nor financial autonomy, seizure of their property may be ordered only against the Libyan State.
70. *Court of Cassation, 21st November 1986 n. 6860* 565
- According to Art. 76 of the above-mentioned Law, the Court of Appeal adoption and foster placement of minors, provisions of previous laws (both of a substantial and procedural nature) apply to proceedings still in course as well as to those already settled.
- According to Art. 76 of the above-mentioned Law, the Court of Appeal is competent to enforce a foreign order of adoption in favour of Italian spouses if the request to convalidate the order was filed or upheld before said law entered into force.
71. *Constitutional Court, 3rd February 1987 n. 25* 807
- The requests for three popular referenda on the partial abrogation of Laws n. 8 of 10th January 1983 and n. 856 of 18th December 1973 concerning nuclear plants are not in conflict with the Euratom Treaty and therefore the referenda can be called.
72. *Genoa Tribunal, decree 11th February 1987* 341
- During interim proceedings a party may request a preliminary ruling on jurisdiction before the Court of Cassation. The judge competent to hear the interim proceedings is also competent to consider the formal conditions of this request.

Protective orders may be allowed while the ruling on jurisdiction is still in course.

However, the judge cannot issue protective orders against the property of a foreign State during a ruling on jurisdiction which was brought just to ascertain whether he has the power to do so.

73. *Constitutional Court, 3rd March 1987 n. 71* 297

It is admissible to raise the issue of the constitutionality of private international law.

The section of Art. 18 of the Preliminary Provisions to the Civil Code that provides for the application to personal relations between spouses of the national law of the husband at the time of the marriage is unconstitutional as in contrast to Art. 3, first paragraph, and Art. 29, second paragraph, of the Constitution.

74. *Milan Court of Appeal, 5th May 1987 n. 917* 803

A claim aimed at collecting from a wound up company an outstanding debt which fell due before the date of its "liquidazione coatta amministrativa", is not a controversy falling outside the provisions of the Brussels Convention of 27th September 1968 as Art. 1, second paragraph, of the Convention itself only concerns controversies arising directly out of the debtor's insolvency.

COURT OF THE EUROPEAN COMMUNITIES CASES

- Judgment 24th June 1986, case 22/85* 577

Brussels convention 27th September 1968 - Pursuant to Art. 17 of the Brussels Convention of 27th September 1968, a mutually agreed clause attributing territorial competence is not deemed to entail disparity between the parties if competence has been vested in the courts of a signatory State where one of the parties is domiciled.

FOREIGN COURTS CASES

- U.S. District Court, Middle District of Tennessee, 17th October 1986* 352

Civil Procedure - Jurisdiction over a foreign defendant provided by the "long-arm" statute of the State of Tennessee is not contradictory to the due process limitation provided under the Fourteenth Amendment if the defendant's actions were carried out in Tennessee (home State of the ultimate buyer) and the defendant worked actively with the ultimate buyer's exclusive agent for the United States.

The Hague Evidence Convention of 18th March 1970 is applicable when evidence must be obtained in the Federal Republic of Germany for a trial conducted in the United States.

- U.S. District Court, Western District of Tennessee, 16th January 1987* 372

Civil Procedure - Judgment is deferred until ruling by the Supreme Court on the question of whether the Hague Evidence Convention of 18th March 1970 has a mandatory nature considering that the district judgment would require the acquisition of evidence in a signatory State.

Supreme Court of the United States, 15th June 1987 829

Civil Procedure - The Hague Evidence Convention of 18th March 1970 does not provide exclusive or mandatory procedures for obtaining documents and information located in a foreign signatory's territory. The Convention's plain language, as well as the history of its proposal and ratification by the United States, unambiguously supports the conclusion that it was intended to establish optional procedures for obtaining evidence abroad. The Convention does not deprive the District Court of its jurisdiction to order under the Federal Rules, a foreign national party to produce evidence physically located within a signatory State.

Although they are not mandatory, the Convention's procedures are available whenever they will facilitate the gathering of evidence, and "apply" in the sense that they are one method of seeking evidence that a court may elect to employ.

International comity does not require in all instances that American litigants first resort to Convention procedures before initiating discovery under the Federal Rules. In many situations, Convention procedures would be unduly time-consuming and expensive, and less likely to produce needed evidence than direct use of the Federal Rules. The concept of comity requires in this context a more particularized analysis of the respective interests of the foreign and requesting nations than a blanket "first resort" rule would generate. Thus, the determination whether to resort to the Convention requires prior scrutiny in each case of the particular facts, sovereign interests, and likelihood that such resort will prove effective.

DOCUMENTS

| | |
|--|-----|
| Convention between Italy and the U.R.S.S. on Civil Judicial Assistance (Rome, 25th January 1979) | 127 |
| Consular Convention between Italy and the Federal Republic of Germany (Berlin, 27th January 1983) | 135 |
| Provisions concerning immigrants from non-EEC countries (Law 30th December 1983 n. 943 and Circular 22th January 1987 n. 3/87) | 149 |
| Convention establishing the Multilateral Investment Guarantee Agency (Seul, 11th October 1985) | 162 |
| New provisions regarding the dissolution of marriage (Law 6th March 1987 n. 74) | 374 |
| Revision of foreign exchange legislation (Law 26th September 1986 n. 599) | 381 |
| Convention against the Taking of Hostages (New York, 18th December 1979) | 387 |
| Declaration of the General Assembly of the United Nations on the protection of children (26th November 1986) | 394 |
| New provisions concerning the limitation of liability of air carriers (Presidential Decree 7th March 1987 n. 201) | 581 |
| Coordination of policies concerning Italy as member of the European Communities and implementation of Community law in the Italian legal system (Law 16th April 1984 n. 183) | 583 |

| | |
|--|-----|
| Convention between Italy and Tunisia on social security (Tunis, 7th December 1984) | 591 |
| Extension of validity of declarations by the Italian Government pursuant to Arts. 25 and 46 of the European Convention on Human Rights | 603 |
| Withdrawal of an Italian reservation to the European Convention on Nationality | 603 |
| Member States of the World Intellectual Property Organization and treaties administered by it | 859 |

CURRENT EVENTS AND RECENT DEVELOPMENTS

| | |
|---|-----|
| <i>Legislative, judicial and international practice.</i> International treaties coming into force in Italy (according to the Official Journal from December 1986 to February 1987) - New ratifications of the Rome Convention of 19th June 1980 - New ratifications of the Convention of adherence of Greece to the Brussels Convention - New Decree Law regarding the social security insurance of Italian workers abroad - United Nations Convention on Conditions for Registration of Ships - A Presidential Decree on the promulgation of laws and official publications - Towards a reform of ILO - About the Convention on the Issuance of Marriage Capacity Certificates | 186 |
| <i>Legislative, judicial and international practice.</i> International treaties coming into force in Italy (according to the Official Journal from March to May 1987) - Entry into force of the United Nations Convention on Torture - Renewal of Italian reservations to the European Convention on the Adoption of Children - Rectifications to Federal Republic of Germany's declarations relating to the European Convention on Judicial Assistance in Administrative Matters - New rules on application of the Law on adoption - New Decree on the publication of acts on the Official Journal - Rules on medical assistance for foreigners | 398 |
| <i>Legislative, judicial and international practice.</i> International treaties coming into force in Italy (according to the Official Journal from June to August 1987) - New ratifications of the 1980 Rome Convention - Petition against Italy before the International Court of Justice - Member States of the Hague Convention on the Recognition of Divorce and Legal Separations - Member States of the Hague Evidence Convention - Interpretation and rectification of certain rules of the Vienna Diplomatic and Consular Conventions - Provisions concerning patents for models and industrial designs - New Decree Law concerning social security insurance of Italian workers abroad - Recognition of the International Bachelor Degree - New rules for life assurance underwriters - Rules governing the coinsurance of risks in the European Community | 605 |
| <i>Legislative, judicial and international practice.</i> International treaties coming into force in Italy (according to the Official Journal from September to November 1987) - Status of ratifications of Vienna Convention on the Law of Treaties - Suspension of new investments towards the South African Republic - Greek adhesion to the European University Institute Convention - About the free movement of Spanish and Portuguese citizens in the EEC | 890 |
| <i>Parliamentary debates.</i> Status of implementation of the new rules on the publication of treaties | 192 |

- Notices.* The 1987 courses at the Hague Academy of International Law - XIX round-table on EEC law - Seminar on the Convention of adhesion to the Brussels Convention - World conference on civil procedure - Partial renewal of the Human Rights Committee of the United Nations 198
- Notices.* Renewal of the International Law Commission of the United Nations - Seminar on the reform of the Navigation Code - The eleventh congress of the Italian-German Jurists' Association 402
- Notices.* The first session of the United Nations Committee on Economic, Social and Cultural Rights - Election of ten members of the European Commission of Human Rights - UNIDROIT holds international congress on uniform law in practice 619
- Notices.* Presentation of the "Essays in Honour of Roberto Ago" in Milan - The fortieth anniversary of the Lombardy Session of SIOI - XX round-table on EEC law - European Communities directives on equal rights for men and women - Meeting on the European Union 893

BOOK REVIEWS

(See Italian Index)

 Registrazione presso il Tribunale di Milano al n. 6478 in data 26-11-1963

Responsabile: prof. FAUSTO POCAR

Grafiche Fiorini s.a.s. - Verona, Via Altichiero 11



Rivista associata all'Unione della Stampa Periodica Italiana

 Proprietà letteraria - Stampato in Italia - Printed in Italy
