

No. 2251

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
(ON BEHALF OF SOUTHERN RHODESIA)
and
ITALY**

Exchange of notes constituting an agreement regarding reciprocal payment of compensation in respect of injuries sustained during the Second World War by nationals of Italy and Southern Rhodesia, respectively, while employed in the territory of the other. London, 13 April 1953

Official text: English.

Registered by the United Kingdom of Great Britain and Northern Ireland on 31 August 1953.

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
(POUR LA RHODÉSIE DU SUD)
et
ITALIE**

Échange de notes constituant un accord relatif au paiement réciproque d'indemnités pour lésions subies au cours de la deuxième guerre mondiale par les ressortissants italiens employés en Rhodésie du Sud et les ressortissants de la Rhodésie du Sud employés en Italie. Londres, 13 avril 1953

Texte officiel anglais.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 31 août 1953.

No. 2251. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM, ON BEHALF OF THE GOVERNMENT OF SOUTHERN RHODESIA, AND THE ITALIAN GOVERNMENT REGARDING RECIPROCAL PAYMENT OF COMPENSATION IN RESPECT OF INJURIES SUSTAINED DURING THE SECOND WORLD WAR BY NATIONALS OF ITALY AND SOUTHERN RHODESIA RESPECTIVELY WHILE EMPLOYED IN THE TERRITORY OF THE OTHER. LONDON, 13 APRIL 1953

I

The Prime Minister to the Italian Ambassador

FOREIGN OFFICE

April 13, 1953

Your Excellency,

I have the honour to refer to the discussions which have taken place at Salisbury, Southern Rhodesia, between Mr. T. G. Gisborne, Secretary for External Affairs of the Government of Southern Rhodesia, and Signor E. Guidotti, Italian Consul in Southern Rhodesia, regarding the payment of compensation to Italian citizens who were interned in Southern Rhodesia during the Second World War and who, during that period, sustained permanent injuries in the course of employment in Southern Rhodesia, and to the dependants of any such employee who lost his life in the course of his employment. As the result of the said discussions agreement was reached in the following terms :—

- (1) Compensation will only be paid by the Government of Southern Rhodesia on condition that the Italian Government will afford identical benefits to any citizen of Southern Rhodesia who sustained permanent injury in similar circumstances whilst interned in Italy, or in an Italian Possession, and to the dependants of any citizen of Southern Rhodesia who lost his life in these circumstances;
- (2) The Government of Southern Rhodesia are willing to pay to the Italian Consul in Southern Rhodesia, as representative of the Italian Government, the sum of £2,597 4s. 10d. (two thousand five hundred and ninety-seven pounds sterling, four shillings and tenpence) in Rhodesian currency;
- (3) The Italian Government are willing to accept the said sum in full and final settlement of all claims arising out of injuries and deaths of Italian citizens interned in Southern Rhodesia during the Second World War;

¹ Came into force on 13 April 1953, by the exchange of the said notes.

- (4) The Government of Southern Rhodesia will pay the above-mentioned sum to the Italian Consul not later than six months after the date of completion of the exchange of notes provided for in sub-paragraph (6) below;
- (5) The sums of money due to individual claimants are as set out in Annex I hereto, the manner in which those sums have been calculated being shown in Annex 2 hereto;
- (6) The foregoing provisions will form the basis of an exchange of notes between the Government of the United Kingdom and the Italian Government.

I have the honour to inform your Excellency that the proposals set forth above have been approved by the Government of the United Kingdom on behalf of the Government of Southern Rhodesia and, if they are also acceptable to the Italian Government, I have to suggest that the present Note with its Annexes and your reply in similar terms shall be regarded as constituting an Agreement between the Government of the United Kingdom, acting on behalf of the Government of Southern Rhodesia, and the Italian Government, which shall enter into force immediately.

I have, &c.

(For the Prime Minister)

N. J. A. CHEETHAM

ANNEX 1

	£	s.	d.		
Giuseppe Panichelli	442	11	2	Death.	
Giuseppe Palmieri . .	340	12	5	Injury to left hand.	46·2% Disability.
Emanuele Cali . . .	199	3	0	Loss of eye.	30% Disability.
Natalie Bartolucci . .	190	16	10	Loss of eye.	30% Disability.
Giuseppe Bonenti . .	12	2	4	Injury to right hand.	2% Disability.
Giovanni Bellassai . .	262	14	0	Loss of eye.	36% Disability.
Bartholomeo Bonati . .	21	16	3	Injury to left hand.	3·6% Disability.
Alberto Antinucci . .	17	17	1	Injury to left eye.	2·5% Disability.
Isadore Bremez . . .	35	14	2	Injury to left arm.	5% Disability.
Camillo Agosti . . .	47	14	0	Dislocation of right shoulder.	7% Disability.
Mario Tugnoli . . .	200	0	0	Death.	
Emanuele Ratto . . .	168	4	2	Unknown.	25% Disability.
Giovanni Prevosto . .	56	4	0	Injury to right wrist	10% Disability.
Carlo Todisco . . .	184	17	11	Loss of eye.	30% Disability.
Vinicio Merlino . . .	25	14	3	Injury to left hand.	3·6% Disability.
Paolo Riggio	23	16	4	Injury to right hand.	4% Disability.
Andrea Bizjak	25	8	7	Injury to left hand.	3·6% Disability.
Giuseppe Sacanna . .	250	11	7	Injury to left hand.	54% Disability.
Dominico Mercuri . .	14	4	2	Injury to left hand.	2·7% Disability.
Vinicio Merlino . . .	77	2	7	Injury to left hand.	10·8% Disability.
	<hr/>				
	2,597	4	10		

ANNEX 2

1. Compensation is payable only to internees *ex* East Africa who suffered injury while actually performing work outside an internment camp.

2. All internees were deemed to have earned wages at the rate of £72 per annum.

3. In cases in which internees suffered injuries listed in the First Schedule to the Workmen's Compensation Act, 1941, of Southern Rhodesia, internees have been regarded as being disabled to the degree correspondingly set out in that Schedule. In cases in which internees suffered injuries not listed in the afore-mentioned Schedule, internees have been regarded as being disabled to a degree consistent with the degrees so listed. The provisions in the afore-mentioned Schedule which explain or extend the calculation of disablement have also been applied.

4. Compensation has been assessed on the following basis :—

- (a) Where the degree of disablement is 100%—an amount equal to one-half of the annual earnings of the internee multiplied by the annuity value set out opposite the appropriate age (that is to say, the age of the internee to the nearer birthday) in Table 1 of the "Tables for Evaluation of Pensions and Children's Allowances" which are used by the Workmen's Compensation Commissioner in Southern Rhodesia.
- (b) Where the degree of disablement is less than 100%—an amount bearing the same proportion to the amount which the internee would have received if the degree of disablement had been 100% as the degree of disablement bears to 100%.

5. In cases in which internees died from the injuries received, leaving one or more dependants, such internees have been deemed to have left one dependant only, and compensation has been assessed on the following basis :—

- (a) Where the internee left a widow or a widow and one or more children—an amount equal to two-thirds of the compensation which would have been paid to the internee if he had been disabled to the degree of 100% and had not died.
- (b) Where the internee left no widow but left one or more children—an amount equal to one-half of the annual earnings of the internee multiplied by the annuity value set out opposite the appropriate number of years to run (that is to say, the number which is arrived at by subtracting the age of the last born child to the nearer birthday from the age of 17 years) in Table 2 of the "Tables for Evaluation of Pensions and Children's Allowances" which are used by the Workmen's Compensation Commissioner in Southern Rhodesia.
- (c) Where the internee left no widow or children but left any other person who was wholly dependent upon him—one lump sum which shall not exceed £200.

6. For the purposes of this Agreement, a dependant means a widow or child of or other person wholly dependent upon the internee who is recorded as the wife, child or dependant, as the case may be, in the records of the Chief Civil Affairs Staff Officer, East African Command, Nairobi.

II

The Italian Ambassador at London to the Prime Minister

ITALIAN EMBASSY

London, April 13, 1953

Sir,

I have the honour to acknowledge the receipt of your Note of to-day's date in which you refer to the discussions which have taken place at Salisbury, Southern Rhodesia, between Mr. T. G. Gisborne, Secretary for External Affairs of the Government of Southern Rhodesia, and Signor E. Guidotti, Italian Consul in Southern Rhodesia, regarding the payment of compensation to Italian citizens who were interned in Southern Rhodesia during the Second World War and who, during that period, sustained permanent injuries in the course of employment in Southern Rhodesia, and to the dependants of any such employee who lost his life in the course of his employment. As the result of the said discussions agreement was reached in the following terms :—

[See note I]

I have the honour to inform you that the Government of the Italian Republic accept the proposals set forth above and agree that your Note, together with its Annexes and the present reply, shall be regarded as constituting an Agreement between the Government of the United Kingdom, acting on behalf of the Government of Southern Rhodesia, and the Government of the Italian Republic; and that it shall enter into force immediately.

Please accept, &c.

M. BROSIO