

Declassified E.O. 12356 Section 3.3/NND No. 785016

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DEFASCISM, DUTIES & FUNCTIONS OF THE
PROVINCIAL DELEGATES
AUG. - OCT. 1945

VP (strongly disagree)
 The decision has been passed without any prior consultation on the working groups we all know that there was nothing to legislation in the entire matter.

I have no comments on the working group as to the second part of Act 4. All the happenings upon a request bring under? If they are or may be automatically removed then the delegates will be a power of disapproval (apparently without giving any reason) and all will have the same system.

If the only question is that therefore there shall be a proper majority to be obtained the named power would be discredited that is entirely a different matter. I expect that the time has come as to what will happen with the industrial and education - mainly that the delegates will have to give a prima facie case and that if the case is discredited with a view of their independence, the employees may even have the chance to vote.

The question is whether we are prepared to implement.

This decision with Act 4 as proposed will be at please comments.

CA
 16/11/54

C A S

(with regard to the interpretation of Act 4)
 I am advised that the first three lines of para 2 are not correct & that the correct version is that as the Act attached to Act 4.
 The delegates may require that the employees as well as the safety officers and agents be asked to give their comments thereon.

anything to be done. The revised version should be submitted that is actually a different matter. I expect that the public measure is to deal with matters with in cabinet and between a number of that the delegation will have to make a short paper and that the measure is to be submitted with a copy of the instructions. The employees may have been no answer to this.

The position in relation to the proposed to implement the above-mentioned to be followed. I will send a please comment.

[Signature]

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15 OCT 1945
J. A. S.

With regard to the suspension of sub. 4 I am advised that the first three lines of para 2 are not correct. The correct version is that as the list attached to sub. 4

The delegation may require that the employees as well as public safety officers and agents, be ordered to give the necessary information to the delegation. 'Rushmore' suggests that the delegation request is not that cannot be required.

The force in question seems to give no more than is right to the necessary sources of the employees.

[Signature]

16 Oct 45
6020
6020

With the above already under review without consideration to the existing administration in relation and one of them as to not consider there was any necessary for consideration. There is no objection to the implementation.

[Signature]
19x
Toque M.C.P.C.A.S.

17 OCT 1945

Mimetics

TRANSLATION NO. 962

DLL NO. 573 of 3 AUGUST 1945

DUTIES AND FUNCTIONS OF THE PROVINCIAL DELEGATES OF THE HIGH COMMISSION
FOR SANCTIONS AGAINST FASCISM

ART 1

The duties, as regards epuration, conferred to the provincial delegates of the High Commissioner for sanctions against fascism and set out by art 12 of DLL No. 2 of 4 Jan 1945 are hereby extended to fascist crimes and the forfeiture of profits derived from the regime.

ART 2

The provincial delegation is composed of three delegates one of which acting as president.

The High Commissioner for sanctions against fascism, on the proposal of the local Committee of National Liberation, after consulting the Prefect, shall appoint the delegates of the three branches of the epuration, crimes and forfeiture of profits derived from the regime, and among said delegates, the president of the delegation.

ART 3

The delegates, each for the branch in his jurisdiction, shall collect the evidence required for the application of the law, and also, jointly with the others, examine the same evidence and draw up reports for the High Commissioner. They shall submit the names of persons against whom evidence is found to the provincial Commissions of epuration and denounce such persons to the judicial authorities for the punishment of crimes.

ART 4

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ART 4

The delegation shall have its own office in the Prefecture with separate personnel and a separate group of public safety agents.

It may request the removal of State employees directing offices, from their position as well as public safety officers and agents, and may, if necessary, employ personnel within the limits and instructions given from time to time by the High Commissioner in conjunction with the Ministry of the Treasury.

ART 5

Delegates who are not employed by the State or by public bodies, shall be granted a temporary indemnity from seven thousand lire to nine thousand, according to their

residence, which shall be determined by the High Commissioner for sanctions against fascism, after consulting the Ministry for the Treasury.

Said indemnity shall be one third of the above for the delegates who are employed by the State or by public Bodies.

The employees of the State or public Bodies working for the Delegation shall be paid a monthly indemnity equal to one third of the mission indemnity.

Delegates sent in mission who are not employed by the State or by public Bodies, shall be paid the mission indemnities fixed for State employees of grade six. The Delegates who are employed by the State or by public Bodies and persons employed by the Delegation shall be paid the mission indemnities fixed for the grade they hold in the Administration to which they belong.

ART 6

Each prefect shall assign a quarterly fund to the Delegations under the authorization of the High Commissioner or Commissioner delegated by him. Said fund shall be administered by the accountancy of each prefecture.

The Minister for the Treasury is authorized to issue decrees to make the necessary amendments for the application of the present decree, to the estimate account of expenditures of the Ministry of the Treasury, in the section assigned to the Presidency of the Council of Ministers, subdivision High Commissioner for sanctions against fascism.

ART 7

The delegates for epuration, appointed in accordance with the provisions at present in force shall continue to discharge their functions until the provincial delegations contemplated by the present decree have been instituted.

be paid the mission indemnities fixed for the grade they hold in the Administration to which they belong.

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ART 7

The delegates for epuration, appointed in accordance with the provisions at present in force shall continue to discharge their functions until the provincial delegations contemplated by the present decree have been instituted.

ART 8

In the territories not yet restored to the Italian Administration the present decree shall become effective on the date of their restoration or on the date on which it shall be declared effective by order of the A.M.G.

We order that the present decree, bearing the State seal, be included in the Official Collection of the laws and decrees of the Kingdom of Italy, and that all persons concerned observe it and see that others observe it as law of the State.

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