

Declassified E.O. 12356 Section 3.3/NND No. 785017

ACC

10000/104/1555

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785017

10000/109/1555

ITALIAN LIMITED COMPANIES
MAY, JUNE 1944

705 5 JUN-Recd

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

L-6005

5 June 1944

Subject: Authority to Form Limited Companies.

To : Industry and Commerce Sub-Commission, A.C.C.

1. Under authority of letter of the Deputy Executive Commissioner, Ref. 265/6/DA, 1 June 1944, there is submitted herewith application to form a limited company under the name "Imprese Edilizia e Meccaniche", filed with these Headquarters by Avv. Alfredo Florio, Via Settembrini No. 26, Naples.

2. It is understood that this application, after investigation by your Sub-commission, will be transmitted (through channels) to the Ministry of Industry, Commerce and Labour.

For the Regional Commissioner:

JWC/mo

JOHN W. CRAPMAN,
Colonel, JAGD,
Regional Legal Officer.

Copies to:

RC & SG Section, Hq ACC,
Economics Section, Hq ACC,
Legal Sub-commission, Hq ACC,



HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.C. SECTION
APO 394

6/

Ref/265/6/CA

1 June 1944

SUBJECT: Authority to form limited companies. *2*

TO : R.C. Region III

1. Reference is made to your L 6005 of 8 May 44 addressed to the Legal Sub-Commission and to letter from the Legal Sub-Commission AGC/1344/L dated 24 May 44 addressed to this Headquarters copy to you.

2. For your perusal there is attached the more detailed memorandum referred to in the above quoted letter dated 24 May 44.

3. Economic Section state that they have no objection in principle to the formation of new companies, provided it first examines each case on its merits as to proposed method of financing the company, the product and service, demands on raw material etc.

pk

NORMAN H. FISKE
Colonel
Deputy Executive
Commissioner

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Copy to:

Legal Sub-Commission (Your AGC/1344/L of 24 May 44 refers)

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

785017

31 MAY Recd 265
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HEADQUARTERS
ALLIED CONTROL COMMISSION
ECONOMIC SECTION
APO 394

JBT/sem

ES/11

30 May 44

SUBJECT: Formation of New Companies

TO : Executive Commissioner
(C.A. Branch)

Ref your 265/4/CA dated 27 May 44, this section has no objection in principle to the formation of new companies, provided it first examines each case on its merits as to proposed method of financing the company, the product and service, demands on raw materials, etc.

D. S. Adams
D. S. ADAMS
Colonel, C. E.
Executive Officer
Economic Section

see 62.5

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & H.C. Section
APO 394

INR/255/A/CA.

27 May 1944.

SUBJECT: Formation of New Companies.

TO : Economic Section.

1. The attached correspondence from Region III and Legal Sub-Commission is forwarded for information.
2. No information has been obtained from Region III as to the nature of the business the company proposes to carry on but before requesting this information, your comments are desired on para 2 of Legal Sub-Commission's letter dated 24 May 44.

HUBMAN N. FISHER
Colonel, Deputy
Executive Commissioner

BU
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FILMED AS FOUND
IN COLLECTION

265
REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

26 MAY Recd

GRU/ap

ACC/4144/L

24 May 1944.

SUBJECT : Authority to form limited companies.

TO : Executive Commissioner. ✓

1. A copy of a letter from the RLO, Region 3, dated 8 May 1944 is enclosed. The law is substantially as stated in that letter but a more detailed memo is attached for your information.

2. If the Economic Section has no objection in principle to new corporations being organized in occupied territory there would seem to be no reason why requests of this nature might not be received by a RC for transmittal to the Minister of Industry, Commerce and Labor through HQ ACC for the primary examination by the Economic Section before delivery to the Minister.

3. I feel it preferable that RCs should not attempt exercise the authority of approving or disapproving such requests even if an AMG order could validly confer such a power upon them, which I consider at least doubtful under the rules of international law.



G. R. Upjohn
G. R. UPJOHN
Colonel

Chief Legal Officer.

Copy to : RLO Region 3 (thru RC)

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HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. ARMY

8 May 1944.

L-6005

Subject: Authority to Form Limited Companies.

To : CIO Legal Subcommittee ACC.

1. Request has been made by an Italian advocate for Regional authority for certain of his clients to organize a limited company. He advances as the reason for his request that under the provisions of RDL 7 April 1942 n. 322 the organization of such companies required the approval of the Minister of Corporations (now the Minister of Economics and Commerce).

2. Is the Regional Commissioner authorized to grant such approval?
For the Regional Commissioner.

W. C. (sgd)
JOHN W. CHAPMAN,
Lt. Col., JAGD,
Reg. Legal Officer.

2612

JWC/mo

ACC/4144/L

22 May 1944

MEMORANDUM
ON ITALIAN COMPANIES

The state of the existing law is substantially as under. For the formation of new limited companies (Società Anonima) as well as for increases in capital of existing companies to one million lire or over, in addition to the provisions of the Civil Code, the terms of the following decree laws must be observed:

RDL 7 April 1942 No. 322 (Gazzetta Ufficiale 18 April 1942 No. 92) providing for authorization for the formation of companies and the issue of obligations or increase in capital of share companies to 1 million lire and over.

RDL 21 May 1942 No. 520 (Gazzetta Ufficiale 29 May 1942 No. 127) providing that on formation of a new company or an increase of capital of an existing company, 20% of capital so subscribed must be invested in Treasury Bonds.

At the date of the promulgation of RDL No. 322 the authorizing authorities were the Ministries of Corporations and of Finance acting in conjunction, whereas the former has now been abolished and its functions in this respect assumed by the Ministry of Industry, Commerce and Labour.

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