Declassified 8.0. 12356 Section 3.3/NND No. 785017

ACC

10000/109/1582

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

10000/109/1582

DELEGATION OF POWERS

Declassified E.O. 12356 Section 3.3/NND No. major Driffield White. It seems to me to be rather wide powers to give to Regional Commissioners. I have never heard of applications being made to this HQ for the closing down of fins but presume they do take place. How many are closed down I do not know. You will see that the Joint Directors of the Finance Sub Commission also wish the same powers. It would appear that this form of decentralisation would lead to confusion too many people having the power to close down firms &c.. Can you say anything on the matter. 25/5/44 I spoke to Eyen more + Cat Chapman bol Chapman on I that it was not Proclamation To be your interested in bythe in ? Capte Keen't Work Col Chapener taple more an proposed to the The fullier section the toler I polar spoke to Finere se who showed me then telles to Legal SC. They have no objection to this partners on parist drawing dropped as this owner. Lit their Inhan beaut 3513

Declassified E.O. 12356 Section 3.3/NND No. REAR READQUARTERS ALLIED COMPROL CODELEGION Legal Subcommission ARC 394 ACC/4089/1/L 21 May 1944. SUBJECT: Delegation of Powers under Proclamation 10. that Cruspin any : Executive Commissioner. 1. It has been suggested by PLO Region 3 and agreed by Finence Subcommission that the powers reserved to the Chief Civil Affairs Officer under Article II of Proclamation 10 should be delegated specifically to Regional Commissioners. Finance Subcommission suggest that similar delegation should be made to Joint Directors, Finance Subcommission. 2. If you agree may the necessary instruction please be issued? 3. Since the new consolidated proclamations do not reproduce the terms of Article II of existing Proclamation 10, this delegation of powers will only affect territory already occupied, and where Proclamation No. 10 Chief Legel Officer. Copy to: Finance Sub-daniasion.

Declassified E.O. 12356 Section 3.3/NND No. 785

785017

ALLIED CONTROL CONSTRUCTION L.C. A M.G. Section APO 394

HOT/287/5/CA.

11 Marchi 1944

SUBJECT: Powers of SCAOs and SLOs 5th and 8th Arades.

70 : Admin. Scotion - For attention Legal Sub-Commission.

The attached copy of Executive Memorendum No.37 is forwarded for your information. Copies of this Memorendum have been sent out to SCAOs 5th and 8th Armies, and R.Os. Regions III, IV, and V, after signature by the Executive Commissioner.

Colonel, Cavalry, Deputy Executive Commissioner.

3513

Declassified E.O. 15326 Section 3.3/NND No. 78 0.1.0 Mark 1944.

The property of the property of the state of

Owners OF SOACE CON SECRETAR AND SECRETARY.

TO: S.O. L.O's yet and Fit profous.

THE PERSON NAMED IN

H.I. & M.E. Southon

TRUNKSTER

of Repoll-mation No.23 contain powers, originally greated to the C.L.O. by to the S.L.Os the and Sta lines, the same powers conferred on R.L.Os by Sportunation No.La. You are thoughts herough instructed what the committee conferred by Prophenical No.La. In R.L.Os and heroly excelled to and conferred on the Statement on the Statement of the Statement on the Statement of the Statement o

2. As a result of the markerity as crusted, the procedure with respect to reviews, 5% and 6th Armes, shall hereafter be as follows:

and pathitons for review originating in the 5th and 6th inthe areas may be filled with the Srail poor" or may be forwarded to the Sale. On the army parameter.

The army parametrizes in the army area shall be transmitted to the above reaction in the army area shall be transmitted to the above reaction in the army area shall be transmitted to the above restored or filed under producation and file. There so petifican for restore has been filed under producation been intended to peak imprincement or a file of some shall define the parameter of the shall also be a file of So. One that parameter is a printing of same when the review the case of the second and pathing the review of the formal the shall be formarized to the received and for review, if any, shall be forwarded to the Col. O., 2.0. A.S. Or for examination and review.

5. Other posors, functions and delies conferred on R.L.Os by Prochamtion No.14 now applicable to 8.1.0s 5th and 8th inny are the following:

(a) The Lil.O. may now in his area perform the functions proviously usalgned to the U.L.O. with respect to defention of suspents (Troc. No.2, Lat VII, Section 2).

intelligant Court to his area to

85 Declassified 0

> Callada, Hatt. Lac. C. all wases where there is a petition for review or waste the senteners expende 2 years' inputagement or a first of 50,000 live, the record and court or may be furnament to the Balado, of the many concerned but about the many area short to the Chief Correlated to the group record correlated but about the many area short the formation of the standard test of the Sandard test of the Sandard test of the Fordard te All publicate for review arteriating in the 5th and 8th and access ravious, 5th and 6th Armies, small hersuither be as follows : position for rowing if any, shall be formaried to the for exprinction and rowing. the Petrol at the tree to the

uniformity in excreme of review and other powers, in has seried when to extend to the S.L.Os St. and an indicate the same powers conferred on H.L.Os by Proches after No.L.

The Broad relation No.L. On the formation is result in the powers conferred to proches to the S.L.Os are heardy extended to and conferred on the B.L.O. of the Ste Ste Any.

As a result of the authority as printed, the procedure with respect

By Proclamation No.10 octtein powers, originally granted to the C.L.O. by Proclamation No.2 and 4, were gaterful to S.L.Os of Regions. In order to have

COURSE OF BOACH AND SLOW SAN AND SAN AREA.

of review and other powers, it ins second size to extend

Other powers, functions and delices confluend on 8-LaOs by Proclambelon 3. Other powers, turn ages of the fact forth and 8th farty are the following :

- The B.L.O. any new in his ness partorn the functions privatenely testimed to the C.L.O. with respect to detention of ouspects (Fruc, So. 2, Let WII, Section 2).
- the S.L. S. my now order or Althou Military Court in his seves (Parts. No. 4, Art VII, Section I). Sales has deposited.
- other serson from appearing in may count in Mis area. (Broc. Mo.i., Let IV, Section 2(b) ). The S.L.O. tary him exception the peaux of prohibiting any languar or
- Bets Arry to at litherly in comes where works to hear the Regioned Loyal Office of the Region which will be ultimately responsible for the area in which the our heart he seems the serious in which the our heart he seems the second the treatment of it may) for onde hearths. In order to preserve the mobility of 80, in may orests the 3000 5th and
- This memorychas supercedes all provious directives issued by H-Ds and a side, 15 Army Group inconsistent berestith.

785017 Declassified E.O. 12356 Section 3.3/NND No. Beforder, Brounter Carrientong. By Covernal of Lineat-General Marin he State and R.C. Bergen III, Ft. T. (no note pears is)

Declassified E.O. 12356 Section 3.3/NND No. STATESTON 287 REAR HEADQUARTERS ALLIED CONTROL COMMISSION LEGAL SUS-COMMISSION A.F.O. 394 22nd February 1944 ACC/4083/1/L Powers of SCAOs and SLOs, 5th & 8th Army. SUBJECT: Executive Commissioner Enclosed is a directive extending the powers conferred upon R.L.Os by Proclamation No. 14, to S.L.Os of the 5th and 8th Armies. will you please sign the directive if approved by you. 2. Ruhaid H. W. linen RICHARD H. WILMER, Lt. Col. C.A.C. Deputy Chief Legal Officer. To Executive Consum. File returned to you, with direction amended, for your synature. grelyert -

Declassified E.O. 12356 Section 3.3/NND No. ENATHAUGUAHH LIED CONTROL COMMISSION A.P.O. 394 22nd February 1944 SUBJECT: Powers of SCACs and SLOs. 5th & 8th Army. 1 S.C.A.O., A.M.G., 5th Army S.C.A.O., A.M.G., 8th Army 1. By Proclamation No. 14 certain powers, originally granted to the C.L.O. by Proclamation No. 2 and 4, were extended to R.L.Os of regions. In order to have uniformity in exercise of review and other powers, it has seemed wise to extend to the S.L.Os. 5th and 8th Armies, the same powers conferred on R.L.Os by Proclamation No. 14. You are therefore herewith instructed that the powers conferred by Proclamation No. 14 on R.L.Os are hereby extended to and conferred on the S.L.O. of the 5th Army and on the S.L.O. 8th Army. As a result of the authority so granted, the procedure with respect to reviews, 5th and 8th Armies, shall hereafter be as follows :-All petitions for review originating in the 5th and 8th Army areas may be filed with the trial court or may be forwarded to the S.L.O. of the ermy concerned but shall be addressed to the Chief Commissioner. Every record originating in the army area shall be transmitted to the S.L.O., that army, for examination and file. Where no petition for review has been filed under Proclamation No. 4 Art. VII. Section I and the sentence does not exceed two years' imprisonment or a fine of 50,000 lire, the Army SCAO shall review the case and may appoint a judicial officer not below the rank of Major for that purpose. In all cases where there is a petition for review or where the sentence exceeds 2 years' imprisonment or a fine of 50,000 lire. the record and petition for review, if any, shall be forwarded to the C.L.O., H.Q., A.C.C. for examination and review. Other powers, functions and duties conferred on R.L.Os by Proclamation No. 14 now applicable to S.L.Os 5th and 8th Army are the following : (a) The S.L.O. may now in his area perform the functions previously assigned to the C.L.O. with respect to detention of suspects (Proc. No. 2, Art VII, Section 2). (b) The S.L.O. may now order an Allied Military Court in his area to sit in camera. (Proc. No. 4, Art. VII. Section 1). (c) The S.L.O. may now exercise the power of prohibiting any lawyer 03111

Declassified E.O. 12356 Section 3.3/NND No. 785

785017

- 2 -

or other person from appearing in any court in his area. (Froc. No. 4, Art. IV, Section 2(b) ).

This directive supercedes all previous directives issued by H.Q., A.M.G. or H.Q., A.M.G., 15 Army Group inconsistent herewith.

M. S. LUSH

Brigadier.

Executive Commissioner,

for. Chief Commissioner.

4. In order to preserve the websty weblity

of Hog. in any one the SCHO. 5"+8".

Any may, of the destres in cases where

now pover 2 thereof the has reviewed a case
and after all action thereon has been taken

to send to the Regimal Ligal officer of

the Regim which will be ultimately

responsible for the one in which the

case was thered the record applitudity any)

by safe keeping.

Copy to R.C. Regim III, IV, I for to whe paragraph 4 5000

