

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

ACC

10000/109/1590

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

10000/109/1590

LAW CONCERNING HOTELS
FEB. - JUNE 1944

HEADQUARTERS
ALLIED CONTROL COMMISSION
S.C. & M.C. SECTION
APO 399

Ref /293/35/CA

22 June 1944

SUBJECT: Hotel Registration.

TO : S.C.'s Regions I, II, III, IV, V, VI, VII, VIII and IX.
S.C.A.O.'s 5 & 8 Armies.

1. The Italian Minister of Interior has instructed all Prefetti in Italian Government territory, as in Appendix "A" attached, that the purpose of requiring persons, making a stay at hotels and boarding houses, to state the race to which they belong is to count.
2. The instructions issued by the Minister of the Interior will be obeyed by all Prefetti in Military Government territory.
3. It will be understood that persons staying at hotels and boarding houses will continue to make a statement as to their nationality as heretofore.

DISTRIBUTION:

plus Serial Nos. 6, 7, 11.
less Serial Nos. 35, 36, 38 to 41 and 49 to 56.
A.I., (31)(b)
His Excellency the Minister of Interior

H.S. LUSH
Brigadier
Executive Commissioner

4257

2. The Italian Minister of Interior has instructed all Prefetti in Italian Government territory, as in Appendix "A" attached, that the practice of requiring persons, making a stay at hotels and boarding houses, to state the race to which they belong is to cease.

3. The instructions issued by the Minister of the Interior will be obeyed by all Prefetti in Military Government territory.

4. It will be understood that persons staying at hotels and boarding houses will continue to make a statement as to their nationality as heretofore.

DISTRIBUTION:

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less Serial Nos. 35, 36, 38 to 41 and 49 to 56.
AAL, GSI(b)
His Excellency the Minister of Interior

U.S. LUSH
Brigadier
Executive Commissioner

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MINISTERO DELL'INTERNO
Direzione Generale della P.S.

Salerno 11.9.6.1944

Risulta a questo Ministero che in questi tutti gli alberghi vi-
no richiesta ancora di elisati la razza di appartenenza per essere
transcritta sulla relativa scheda di notifica.

Tale richiesta, oltre che ingenerare risentimento da parte di
eventuali visitatori di razza ebraica, è non solo superflua ma in
contrasto alle disposizioni contenute nel R.D.L. 20 gennaio 1944 N.
25 pubblicato nella Gazzetta Ufficiale N. 5 con cui furono emanate
le norme per la reintegrazione dei diritti civili e politici di cit-
tadini italiani e stranieri (la dichiarazione o considerazione di razza
ebraica).

Conseguentemente la sperequazione di ordine morale e politico, tra arabi
ed ebrei, dovrà cessare anche ogni immagine in merito alla razza
di appartenenza dei singoli cittadini.

Presi pertanto le D.L. 55, disporre con la massima sollecitudine
che da tutto le schede a stampa in possesso dei vari alberghi sia
dipendente la voce "razza", che, in conseguenza, non venga fatta al-
cuna domanda in merito e che infine le nuove stampe delle schede
siano prive della indicazione anzidetta.

Adunque, anche in occasione della identificazione da parte
degli organi di Polizia, dei concessionari e degli alberghi, l'indi-
cazione della razza dovrà essere omessa e la voce relativa cancella-
ta dai moduli ancora esistenti negli uffici dipendenti (dichiarazio-
ne di soggiorno ecc.).

Si predirà un cenno di assicurazione.

Il ministro
(ALPISIO)

Salerno 9 June, 1944

TRANSLATION

MINISTRY OF INTERIOR

It has been brought to the attention of this Ministry that in
many hotels, customers are still requested to state "their race"
which is then recorded on the hotel registry card.

Said request, besides causing resentment on the part of travelers of
the Jewish race, is contrary to the provisions of the R.D.L. 20 Jan.

ebraica.

Censare la sperequazione di ordine morale e politico, tra ariani ed ebrei, dovrà essere anche ogni indagine in merito alla razza di appartenenza dei singoli cittadini.

Prescelto pertanto lo I.L.E.P. disporrà con la massima sollecitudine che da tutte le schede o stampe in possesso dei vari alberghi sia depennato la voce "razza", che, in conseguenza, non venga fatta alcuna denuncia in merito e che infine le nuove ristampe delle schede siano prive della indicazione anzidetta.

Analogamente, anche in occasione delle identificazioni da parte degli organi di Polizia, dei commissionari e degli stranieri i' indicazione della razza dovrà essere omessa e la voce relativa cancellata dai moduli ancora esistenti negli uffici dipendenti (dichiarazione di soggiorno ecc.)

Si erodirà un cenno di assicurazione.

TRANSLATION

Il ministro
(ALDISIO)

Salerno 2 June, 1944

MINISTRY OF INTERIOR

It has been brought to the attention of this Ministry that in many hotels, customers are still requested to state "their race" which is then recorded on the hotel registry cards.

Said request, besides causing resentment on the part of travelers of the Jewish Race, is contrary to the provisions of the R.D.L. 20, Jan 1944, N° 25 published in the Official Gazette N° 5, and as a result of which regulations were issued for the restoring of the civil and political rights to the Italian citizen and foreigners who are

Jewish Race.

Since the political and moral discriminations between the Jews and Aryans no longer exist, inquiries relating to "racial membership" of each citizens must also cease.

It is therefore requested that H.E. order as soon as possible that the word "race" be struck off the printed forms of the hotels; that no requests be made in said matter and lastly new printed forms must not contain any reference to the word "race". In the same manner, matters concerning identification of Italians and foreigners, every indication of race must be omitted from the forms of the dependent offices. (The travellers declaration).

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C.A. Bv
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HAG 7
2150
HEADQUARTERS
(MILITARY CONTROL COMMISSION)
Public Safety Sub-Commission
APO 394

JUN 1944

AGC/14617/PS

17 June, 1944

SUBJECT: Hotel Registration.

TO: HQ & NS Section. (through V.P. Admin. Sect.) ✓

1. It has come to notice that in almost all hotels patrons are still required to state the state to which they belong. This practice is contrary to the provisions of Royal Decree No. 20, dated 20 January, 1944, and has been the cause of some resentment.
2. This matter has been the subject of a letter of instructions by the Minister of Interior to all Prefetti in unoccupied territory.
3. It is suggested that similar instructions be issued in occupied territory. Draft letter attached.

Mr. Warner
Issue per 23/6.

13
PAUL G. WIRE
Colonel, Inf.
Chief, Public Safety
Sub-Commission

Enclosure:

Draft letter of instructions
to HQ & NS Section.

VOR/hgd

1st Ed.

Admin Section, Rear HQ AGC APO 394 20 Jun 44.

TO: HQ & NS Section, HQ AGC APO 394 ✓

Recommended for your approval.

Low 21/6
21/6

HEADQUARTERS
21 JUN 1944
A.C.C.

4250
R.R. CRIPPS, Colonel,
for VP Admin Section.

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HEADQUARTERS
ALLIED CONTROL COMMISSION
NO 1 HQ SECTION
170 001

17 June, 1944

SUBJECT : Hotel Registration.

TO : Regional Commissioners, All Regions,
SIO's 1st and 8th Divisions.

1. The Italian Minister of Interior has instructed all Prefetti in occupied territory, as in Appendix "A" attached, that the practice of requiring persons, making a stay at hotels and boarding houses, to state the race to which they belong is to cease.
2. The instructions issued by the Minister of the Interior will be obeyed by all Prefetti in occupied territory.
3. It will be understood that persons staying at hotels and boarding houses will continue to make a statement as to their nationality as heretofore.

M. J. TUSH,
Brigadier,
Executive Commissioner.

Distribution.
"B"

plus Serial Nos. 6, 7, 11
less Serial Nos. 35, 36, 38 to 41 and 49 to 55.
AAI., GAI(h)
His Excellency the Minister of Interior.

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Appendix A

MINISTERO DELL'INTERNO
DIREZIONE GENERALE DELLO

Valerio il 6.6.1944

Si tratta di questo Ministero che in questi tutti gli alberghi
viene richiesta ancora i clienti la razza di appartenenza per
essere trascritte nella relativa scheda di notifica.
Tale procedura, oltre che ingenerare risentimento in parte
di avventurati viaggiatori appartenenti alla razza ebraica, è
non solo superfluo ma in contrasto alle disposizioni contenute
nel R.D. 1. 20 gennaio 1944, n. 25 pubblicato nella Gazzetta Uffi-
ciale n. 5 con cui furono emanate le norme per la reintegrazione
nei diritti civili e politici di cittadini italiani e stranieri
già dichiarati o considerati di razza ebraica.

Cessato la sperequazione di ordine morale e politico, trasmissi
ed ebraici, dovrà cessare anche ogni indagine in merito alla
razza di appartenenza dei singoli cittadini.

Pregho pertanto le LL.RR. di porre con la massima sollecitudine
che le tutte le schede a firma in possesso dei vari alberghi
sia degnata la voce "razza", che, in conseguenza, non venga
fatta alcuna domanda in merito e che infine la nuova ripartizione
delle schede siano prive della indicazione annessa.

Anzitutto, anche in occasione della identificazione da parte
degli organi di Polizia, dei comandanti e degli stranieri l'in-
dicazione della razza dovrà essere omessa e la voce relativa
cancellata dai moduli ancora esistenti negli uffici dipendenti
(dichiarazione di soggiorno ecc.).

Si gradirà un cenno di assicurazione.

IL MINISTRO
(Maddalena)

Valerio 6 June, 1944
MINISTRY OF INTERIOR

It has been brought to the attention of this Ministry that in
many hotels, restaurants and still requested to state "their race"
which is then recorded on the hotel registry cards.
said request, besides causing resentment in the part of ar-

valors of the Jewish Race, is contrary to the provisions of the
R.D. 1. 20, Jan 1944, No. 25 published in the Official Gazette
No. 5, and as a result of which such cards were issued for the

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February 5 June, 1942

INDEX OF AUTHORS

It has been brought to the attention of this Ministry that in many hotels, customers are still requested to state "their race" which is then recorded on the hotel registry cards.

said request, besides coming respondent on the part of the
voters of the Jewish Race, is contrary to the provisions of the
F.D.I. 20, Jan 1944, No. 25 published in the Official Gazette
No. 5, and as a result of which regulations were issued for the
restoring of the civil and political rights to the Italian
citizens and foreigners who are considered members of the Jewish
Race.

Since the political and racial discriminations between the "new" and "old" are no longer extant, inquiries relating to "racial matters" of each citizens must also cease.

It is therefore requested that U.S. consular authorities be advised that the word "race" be ^{deleted} stricken off the printed forms of the hotels; that no requests be made in said entry and lastly new printed forms must not contain any reference to the word "race". In the same manner, matters concerning identification of Italians and foreigners, every indication of race must be omitted from the forms of the dependent offices. (The travellers declaration).

HEADQUARTERS
ALL INDIA COUNCIL COMMISSION
R.C. & M.G. Section
APO 594

Ref/293/11/CA.

10 March 1944

SUBJECT: Laws Concerning Hotels.

TO : V.P. Administrative Section. 9

1. Reference yours CIL/1/AS 10 March 1944.
2. The Economic Section has considered the question raised, and recommends adoption of such legislation, if same is not covered by R.D. Law No. 142 of 14 March 1944.
3. It is suggested the matter be referred to the Legal Sub-Commission and it is recommended the procedure suggested in par 3a of the Legal Sub-Commission memorandum of 9 March 1944 be adopted; if the Legal Sub-Commission is of the opinion R.D. Law No. 142 of 14 March 1944 does not now apply.
4. See par. 3 of Ind. 1 ref. ours 293/10/CA 13 March 1944.

ROBERT E. FISH
Colonel, Cavalry
Deputy Executive
Commissioner.

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HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. Section
APO 394

Ref/293/10/CA.

13 March 1944.

SUBJECT: Law Concerning Hotels.

TO : Economic Section.

1. Investigation and report back to this Section is requested on paragraphs 2, 3, and 4 of letter 013/1/AS dated 10 Mar 44 from the Administrative Section to this Section.
2. It is believed the proposed order would serve a good purpose, as past experience has shown property owners use every means possible to increase house rents, and such an order would serve as a deterrent.

For
ES/MS/1pd

ROBERT R. FISKE
Colonel, Cavalry,
Deputy Executive
Commissioner.
ES/MS/1pd

ES/41 1st Ind.
Econ. Sec. HQ ACC. 17 Mar. 44

TO: Deputy Executive Commissioner, R.C. & M.G. Section. ✓

1. It is agreed that no increases in rents should be permitted at the present time. If, as is stated in 3/6084/C 2 March 1944 the 'freezing' regulation issued on 31 Dec. 43 the proposed Regional Order is fully warranted.

2. It is believed however that R.D.L. No. 142 of 12 Mar. 44 'freezes' such rents for the duration of the war. If so, the proposed Regional order is not necessary.

3. It is recommended that the application be referred back to Legal Sub-Commission for further consideration and report so that unnecessary legislation may be avoided. G. M. STARR MAJOR R. A.
G.S.C. 2 Economic Section

14 Mar
19

293 10 MAR Recd 10 MAR 1944 2504
CAE 9
REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
Administrative Section

013/1/AS

10 Mar 44

Subject: Laws Concerning Hotels.

To : RCMG Sec.

1 The attached papers are passed to you as they appear to have strayed from the correct channel. The message center having (owing to the manner in which 3/6084/1 of 2 Mar was addressed) thought the Legal Sub Comm would be the appropriate branch to deal with the legal points raised.

2 We attach Legal's Comments on the case. In this connection we presume that if these powers are sought it will be from the point of view of keeping "trade" going. It would appear therefore that the Econ Section will desire to consider para 2b before deciding whether these powers are generally desirable.

3 If such legislation is required the procedure suggested at 2a would appear to be correct. Enquiry has been made of the Italian Government and it appears that they will if requested be prepared to continue the application of these laws for the duration of the war.

4 We presume that one of the Economic Sub Commissions would approach The Italian Government as the matter does not appear to concern any of the Admin Sub Commissions.

[Signature]
R. R. CRIPPS
Lt. Colonel
For VP Admin Sec.

Copy to: Legal SC memo dated 9 Mar 44 refers.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

GGR/rfp.
9 March 1944.

MEMORANDUM

SUBJECT : Law concerning Hotels (Region III).
TO : VP, Administrative Division.

1. Reference letter 3/6084/L of Hq Region 3, AMG dated 2 March 1944, addressed to the Chief Commissioner.

2. The following points should be taken into consideration:

- a. This type of legislation affecting the interests of all Italians should not be confined to one Region, but promulgated in all territories at the same time. The simplest method would be for the Italian Government to issue a RDL, which ACC would render operative in AMG areas. In any case the Italian Government should be consulted (Ministry of Popular Culture now ~~abolished~~ by Ministry of Education).
- b. As to the urgency of the law, the following remarks may be made:
 - (1) This legislation was devised to help Italian touristic activities. These no longer exist.
 - (2) How many tenants would be affected by the expiration of the 1936-1938 legislation?
 - (3) Rents calculated in pre-war lire, should be easier to pay in occupation currency considering the new rate of exchange and the rise in prices.

G. G. HAINFORD,
Major,
Officer i/o Italian Section,
for Chief Legal Officer.

HEADQUARTERS
REGION 3, ALLIED MILITARY GOVERNMENT
APO 394, U.S. Army

Legal Sub. Com.
V-10527

GAB/SC
3/6084/L

2 March 1944

Subject: Law concerning hotels .

To : Chief Commissioner, ACC.

From : Regional Commissioner, Region III.



1. The Italian Law 24 July 1936 No. 1692, a summary of which is set out in the attached note by the Officer i/c Italian Courts, Region III, contains certain provisions relating to hotels, pensions, and inns. By a Royal Decree Law 16 June 1938, No. 1280, the Law of 24 July 1936 was modified and extended until 31 December 1943 .

2. The Prefect of Naples, after consultation with the Ente Provinciale per il Turismo, has applied to this headquarters for the making of an Order to extend the provisions of the before mentioned Laws of 24 July 1936 and 16 June 1938 until further Order. He fears that evictions of tenants of hotels, pensions, and inns will take place unless such an Order is made . The Prefect's request is considered reasonable but it is thought that the Regional Commissioner should, in Region III, be substituted for the Ministries mentioned in the Italian laws .

3. A Regional Order on the lines indicated has been drafted and a copy of the draft is attached .

4. Authority is sought to make a Regional Order
in the form shown in the attached draft .

For the Regional Commissioner:

Douglas N. Batson

DOUGLAS N. BATSON,
1st Lt., C.M.F.,
Actg. Asst. Adj. Gen.



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2. 16. 10. 1936 - XVI, n. 1280 (in Gazzetta uff., 25 agosto, 1. 1941).

DISCIPLINA DELLA VENDITA E LOCAZIONE DEGLI ALBERGHI
PROVISTI DI CUCINE E DI CONTRATTI DELLO STATO.

ART. 1. La destinazione degli edifici adibiti ad uso di albergo, di pensionato, di albergo o di albergo con cucina e di albergo con cucina, previsti dal regio decreto-legge 18 agosto 1937, n. 1561 (2), e 16 settembre 1937-XV, n. 1560 (3), non potrà essere mutata senza l'autorizzazione del ministro per la cultura popolare.

ART. 2. Il ministro per la cultura popolare, allorché viene concesso un albergo o una pensione posti in un edificio che non abbia prevalente destinazione alberghiera, sia indispensabile alle esigenze del turismo nazionale, può dichiarare applicabili le disposizioni contenute nella legge 24 luglio 1936-XIV, n. 1592; limitatamente ai locali occupati dall'albergo o dalla pensione.

ART. 3. Allorché il locatario di un edificio adibito prevalentemente ad uso di albergo, pensionato o locanda intende fare opere di miglioramento, nuovi impianti o trasformazione di parti vitali, può chiedere la rinnovazione del contratto di locazione come due anni prima della scadenza del contratto, osservate per il resto le disposizioni della legge 24 luglio 1936-XIV, n. 1592 (3).

ART. 4. La legge 24 luglio 1936-XIV, n. 1592, avrà attuazione fin dal 31 dicembre 1943-XVII, ferma restando l'efficacia degli atti e dei provvedimenti che siano stati presi prima della data della legge stessa.

La legge suddetta avrà applicazione nei confronti anche degli edifici che siano destinati ad uso di albergo, pensione o locanda, da dopo la data di pubblicazione del presente decreto.

La autorizzazione di cui all'articolo 1, del presente decreto, sarà concessa secondo la norma contenuta nella legge 24 luglio 1936-XIV, n. 1592, e nel presente decreto.

Il presente decreto entrerà in vigore il giorno successivo alla pubblicazione nella Gazzetta Ufficiale del regio e sarà prescelto al Parlamento per la sua approvazione in legge.

Il ministro proponente è autorizzato alla presentazione del relativo disegno di legge.

(1-2) V. Lex 1937, n. 1599, 1644.

(3) V. Lex 1936, n. 1452.

ALLIED MILITARY GOVERNMENT

Provinces of Naples, Avellino and Benevento.

Regional Order No.

Considering the Law dated 24 July 1936 No 1592 whereby certain provisions were enacted concerning hotels, pensions and inns, and lands and buildings used therefor :

And considering the Royal Decree Law dated 16 June 1938 No 1280 whereby the before mentioned Law of 24 July 1936 was amended and extended until 31 December 1943 :

And considering it desirable to further extend and amend the said Laws in manner hereinafter appearing :

In exercise of the powers conferred on me I Charles Poletti, Lieutenant Colonel, Army of the United States, Regional Commissioner, hereby order as follows :

Article I.

Extension of Laws of 24 July 1936 and 16 June 1938 .

Subject to the amendments hereinafter made thereto the Law dated 24 July 1936 No 1592 as amended and extended by the Royal Decree Law dated 16 June 1938 No 1280 is hereby further extended and shall remain in force until further Order by lawful authority .

Article II.

Amendments of Laws of 24 July 1936 and 16 June 1938.

The before mentioned Laws of 24 July 1936 and 16 June 1938 shall be construed and have effect as if the Regional

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Commissioner of Region III, Allied Military Government,
were mentioned therein in the place of the Minister of
Press and Propaganda and the Minister of Popular Culture.

Article III.

Extent of Order and Effective Date .

Section 1. This Order shall extend to the Provinces
of Naples, Avellino and Benevento and shall be deemed to
have become operative on the 31st day of December 1943
and to have been effective from that date .

Section 2. Notwithstanding anything contained in
Section 1 of this Article nothing in this Order shall
render invalid any transaction lawfully carried out
between the said 31st day of December 1943 and the
day of 1944.

ALLIED MILITARY GOVERNMENT.
HEADQUARTERS REGION IIT
LEGAL DIVISION

ROW/12

Naples, Italy
5 February 1944.

R 6084

SUBJECT: Hotels.

TO: Chief Legal Officer, REGION IIT.

1. Reference is made to memorandum of 20 January 1944, minute of 23 January 1944, and attached letter from the Prefect of Naples dated 23 January 1944.

2. Legge 24 July 1936 n. 1692 contains rules regulating the sale and leasing of real estate destined for hotel use. Buildings used as hotels, pensions or inns, cannot be sold or leased for other purposes without the authorization of the Minister of Press and Propaganda (now a function of the Minister of Popular Culture). To obtain such an authorization a written request is made to the Minister. The Minister must communicate his decision within a month from the day the request is sent. The Minister will give such authorization when he has ascertained that the use as an hotel is not necessary to the needs of the national tourist movement. If he considers the place necessary as a hotel, the Minister has the right to have a preference at an equitable price within three months of the sending of the request, in favor of the Provincial ENTE or of a person who undertakes to maintain the use of the premises as a hotel, at least for ten years; he fixes appropriate securities if necessary.

3. Article 4 of the law provides that the landlord of real estate used as hotel, inn or pension, in case of notice or citation for termination of the lease or for failure to pay rent, must, before proceeding against the tenant, so advise the Prefect of the Province where the real estate is located. The Prefect informs the Minister.

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4. If a tenant wishes to renew his lease, he must advise the landlord of such intention by registered letter or process server three months before the expiration of his lease. The landlord must reply whether or not he grants the renewal within 20 days from the notification of the tenant's demand. A tenant who has paid his rent can make a demand for the renewal.

of his lease. If the fact of such payment is contested, the Minister will determine whether or not such payment has been made by the tenant.

5. When the landlord does not intend to administer the hotel directly and whenever an agreement between the tenant and landlord has not been reached, the Minister has the power given him by Article 3, to order the making of a lease in favor of the tenant who has not been able to obtain a lease renewal and who furnishes sufficient guarantee, unless the landlord or person appointed as the Judicial Authority within a month from the notice of the Ministerial decree insofar as the dispute concerns the amount of rent. In case the landlord intends to administer the hotel directly, he obtains an authorization from the Minister.

6. Whoever does not observe the provisions of Article 4 of the law is punishable by a fine of from L. 500 to L. 5,000.

7. Article 7 provides that the law has effect until 31 December 1940.

8. By Royal Decree law 16 June 1938, n. 1280 on Discipline of the sale and leasing of hotels enjoying loans and contributions from the state, it was provided in Article 4 that the law 24 July 1936, n. 1632 would be in effect until 31 December 1943.

9. Article 1 provides that the use of buildings destined for hotel use, constructed, improved or enlarged with loans and contributions from the state, cannot be changed without the authorization of the Minister of Popular Culture.

10. Article 2 empowers the Minister of Popular Culture to apply the law of 24 July 1936, n. 1632 whenever he recognizes that a hotel or pension placed in a building not primarily destined as such is indispensable to the needs of national tourism.

11. Article 3 grants to the tenant the right to ask for a renewal of his lease two years before its termination when he intends to make improvements or other changes in the building.

12. It is recommended that the terms of the law 24 July 1936, n. 1632, and the terms of the law 16 June, 1938 be extended for the duration of the war.

M. C. [Signature]
M.C. Major

Officer i/o. Italian Courts. A.M.G. REG. III.

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