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

ACC

10000/109/2110
(VOL. II)

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

10000/109/2110
(VOL. II)

EXECUTIVE MEMORANDUM (1944 - 1946)
JUNE 1944 - JAN. 1947

169

Maj Madden.

I have talked with Lt Col Wilcox and he is taking up at once with SSI (b) the question of abolishing the Restricted Zone. Please follow up.

Sd. 4/5

Maj Ballance is really the man.

170

106

Note

W CGC B.C. wrote AFHQ ref 169 on 3 May 45.

7/5/45

170A

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

Cable ESI (b) the question
of abolishing the Restricted
Zone. Please follow up.

Sgd. 4/5

May Ballance is ready the
law.

170 106

Note

W Cdr B.C. wrote AFHQ ref 169 on 3 May 45.

7/5/45

Ex-Commons. 171A

Ex-Commons No 7 approved by you submitted for signature, please.

Thos Sands, Capt.

Done 6/5/45

554

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

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

Note filed 3/file 34

139

Col. Ref 138. and note attached, re para objected to is para 3 A 1 on 135.

Gp Capt Smith is writing an explanation of this, which he contends is a misunderstanding of the wording. (correspondence referred to transferred to file 34/COS)

11/12

140

CSO: Pls approve draft as flagged

141

14/12

Note: Above referred to Annex 1 to Ex Memo No 78 which was approved, circulated and signed 14 Dec 44.

CSO

Whilst taking action on the attd I submit that signing of other Memoranda be clarified at the same time & propose the following:—

Document		Signed by
(a)	Executive Order	Adjutant
(b)	" Item	C & S
(c)	Office Item	Adjutant
(d)	Establishment Item	Adjutant

(a) No change (b) see separate action attd. (c) not decided who shall sign. CSO has been doing so (d) Col Parkin has been signing.

The effect of this proposal is to put coordination of (a) (c) & (d) in hands of the adj where, in my opinion it should be.

25/10

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

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

TO: Chief Staff Officer.

NOTES ON THE ISSUE OF EXECUTIVE MEMORANDA.

1. Constitute Admin. instructions in connection with the civil administration.

2. They are prepared by the Sections or Sub-Commissions dealing with a particular subject and have hitherto been submitted to Executive Commissioner for approval and signature.

3. It will be seen that there must be coordination before issue and that can only be done by C.A.S. Office.

4. They will have to be issued over the name of the Chief Staff and submitted to Chief Staff office for approval.

Captain.

16 October 1944.

Lt Col St. Leger

Is Some place 4 entered in

Comment. SJ 17/10

Major Stearns -

I agree with above - would you let me have your views on them today and I will then put in directive drafted for submission to C.O.S. meeting. SL 19/10 Agree. CG

33 H

JAN 9 1947 184

HQ Allied Commission (ITALY)
C. M. F.

Executive Memorandum)
Number.....11)

6 Jan 47

FORMATION OF CLAIMS AND ASSESSMENTS BOARD

1. The Board of Officers appointed by Special Order Number 297 dated 29 Oct 45 to review and investigate claims brought against AMG/AC, is hereby dissolved.

2. There is hereby established this date, under joint supervision of the Executive Officer (A) and Executive Officer (B) a CLAIMS and ASSESSMENTS BOARD, consisting of an American and a British representative.

3. This Board will receive and investigate all outstanding claims and/or unpaid bills which may be brought against the Allied Commission or former AMG Regions, and which cannot be settled through other channels.

4. Claims arising in AMG Venezia Giulia will not be dealt with by the Board without further orders.

5. The Board will take final action to approve or disapprove all claims and/or unpaid bills. In the event of approval, action will be taken in accordance with Establishment Memo Number 34 dated 6 Jan 47

102

6. The work of the Board will be directed with a view to the settlement of all outstanding claims and/or unpaid bills not later than R Day.

FOR THE CHIEF COMMISSIONER

M. CARR Brigadier

M. CARR Brigadier
Executive Commissioner.

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

Number 297 dated 29 Oct 45 to review and investigate claims brought against AMG/AC, is hereby dissolved.

2. There is hereby established this date, under joint supervision of the Executive Officer (A) and Executive Officer (B) a CLAIMS and ASSESSMENTS BOARD, consisting of an American and a British representative.

3. This Board will receive and investigate all outstanding claims and/or unpaid bills which may be brought against the Allied Commission or former AMG Regions, and which cannot be settled through other channels.

4. Claims arising in AMG Venezia Giulia will not be dealt with by the Board without further orders.

5. The Board will take final action to approve or disapprove all claims and/or unpaid bills. In the event of approval, action will be taken in accordance with Establishment Memo Number 34 dated 6 Jan 47

102

6. The work of the Board will be directed with a view to the settlement of all outstanding claims and/or unpaid bills not later than R Day.

FOR THE CHIEF COMMISSIONER

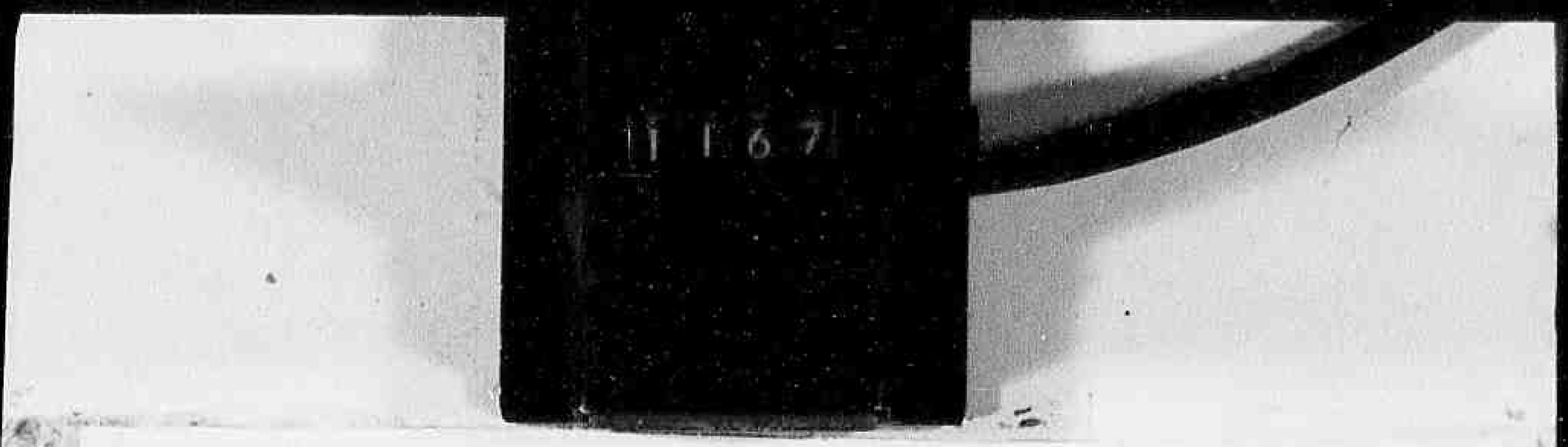
M. Carr Brigadier

M. CARR Brigadier
Executive Commissioner.

Distribution:

Chief Commissioner
Executive Commissioner
Director DP Division
" Legal Division
" Public Safety Division
" Economic Division(6)
" Communications Division
" Archives Division
Executive Officer (A) (3)
Executive Officer (B) (3)
Claims Board (2)
Spare (12)

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



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

No 11 6/1/47

Amin & Assessment Book

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

3394

HEADQUARTERS ALLIED COMMISSION
APO 794
Office of the Executive Commissioner.

NOV 1946

186

Ref. : 16/AB.

EXECUTIVE MEMORANDUM)
NUMBER 10)

7 November 1946

USE OF ALLIED COMMISSION RECORDS STORED IN ARCHIVES

1. A function of the Archives Division which is of increasing importance is that of searching and supplying files which have been stored in the Archives and are required by Offices of the Allied Commission for reference. The following instructions are designed to establish a procedure which will facilitate immediate and efficient accomplishment of this function.

2. The most important factor in the furnishing of a required file is accurate information as to exactly what is desired. A person initiating a request must prepare an application form. These forms are distributed to all Divisions and Offices of Allied Commission. On this form, in the space indicated, should be placed the index or reference number of the file requested. When it is impossible to furnish this number, detailed information such as office of origin, subject, and approximate date of the file in question, should be furnished. Upon completion, this form should be sent by messenger to Archives Division "Enquiries", room 10, first floor.

3. Archives Division, upon finding requested file, will telephone the person initiating the request and notify him that the file is available for issue. Files are issued in room 101
10, first floor, to qualified personnel only. The person receiving these files will sign for them immediately. All files issued from Archives are loaned for a maximum period of two weeks. When a file is required for a longer period of time it is the responsibility of the person who originally requested the file to apply for a renewal.

4. It is of the utmost importance that files be returned as soon as possible, since the primary function of the Archives Division at present is the processing of all records, and

importance is that of [illegible] been stored in the Archives and are required by Offices of the Allied Commission for reference. The following instructions are designed to establish a procedure which will facilitate immediate and efficient accomplishment of this function.

2. The most important factor in the furnishing of a required file is accurate information as to exactly what is desired. A person initiating a request must prepare an application form. These forms are distributed to all Divisions and Offices of Allied Commission. On this form, in the space indicated, should be placed the index or reference number of the file requested. When it is impossible to furnish this number, detailed information such as office of origin, subject, and approximate date of the file in question, should be furnished. Upon completion, this form should be sent by messenger to Archives Division "Enquiries", room 19, first floor.

3. Archives Division, upon finding requested file, will telephone the person initiating the request and notify him that the file is available for issue. Files are issued in room 19, first floor, to qualified personnel only. The person receiving these files will sign for them immediately. All files issued from Archives are loaned for a maximum period of two weeks. When a file is required for a longer period of time it is the responsibility of the person who originally requested the file to apply for a renewal.

4. It is of the utmost importance that files be returned as soon as possible, since the primary function of the Archives Division, at present, is the processing of all records, and outstanding files constitute a definite hindrance to this processing. When records of a Region are actually in final processing preparatory to microfilming files contained therein will not be loaned. Such files may be viewed, in exceptional cases, by personal arrangement with the Officer in charge of the M/F Section, Archives Division.

5. All Sub-Commissions, Divisions, Branches, and Offices have prepared or are in the process of preparing "Master List". These "Master Lists" are a compilation of <u>all</u> records kept by the parent Sub-Commission, Branch, Division, or Office. This compilation includes both files already sent to the Archives and files still in use.

... 1 ...

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

Each Division, Sub-Commission, Branch, etc., will keep Archives informed as to the whereabouts of all files shown on the "Master Lists", and if and when a Branch, etc., closes it will be responsible for the recovery of all files on external loan.

6. Archives Division's responsibility is -- furnishing the files requested. Individuals initiating requests are responsible for complete data as to the particular file or files desired. Intelligent use of the "Master Lists" will usually indicate the index or reference number of the file containing the reference material desired.

7. Individuals requesting the use of files already sent to the Archives are responsible for the safe custody of such files during the period of the loan. No documents will be removed nor will papers be marked, defaced or altered in any way.

For the Chief Commissioner

Brigadier,
Executive Commissioner.

DISTRIBUTION.
"D"
Archives Division (50 Copies).

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

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

Publications

185

HEADQUARTERS ALLIED COMMISSION
APO 394
OFFICE OF THE EXECUTIVE COMMISSIONER

Ref:- 19/AB.

17th May 1946

EXECUTIVE MEMORANDUM
NUMBER 9.

CARE AND CUSTODY OF ALLIED COMMISSION RECORDS.

1. In view of the frequent changes of military personnel in the Allied Commission and in order that the future custody and disposal of AC Records shall be assured, the following procedure will be immediately adopted:-

(a) A RECORDS OFFICER will be appointed by each Section or Independent Sub-Commission or Branch who will be responsible for all matters concerning ARCHIVES and the files of that Branch.

(b) The pro-forma attached to this Directive will be countersigned by such RECORDS OFFICER, who will make himself personally acquainted with instructions in E.M.Nos. 7 and 8 and will contact O.i/C Archives Branch (Tel.Extn.530) upon any matters therein.

(c) Should this RECORD OFFICER become absent or released from duty, the Section or Sub-Commission will inform O.i/c Archives the name of his successor before the officer in question leaves.

2. In order that a true record of the whole of the Current Files in AC Headquarters can be obtained, Archives Branch will commence a complete list of all files connected with that office or function from the Master Copies of each Sub-Commission. A copy of this list will be checked and retained by the Records Officer of each Sub-Commission and a second copy held by Archives Branch.

3. In this way, future listing of Files handed in (para 9, Ex. Memo 7) will be unnecessary, the lists concerned merely being altered in both copies.

100

For the Chief Commissioner.

Brigadier,
Executive Commissioner.

DISTRIBUTION
"LIST 'A'"
ARCHIVES BRANCH: (100 copies)



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

184

Subject ARCHIVES

.....
Office, Branch or Sub-Commission

The RECORDS OFFICER appointed under Exec.Memo No 9 is ...../J.Robt M. Master.: (NAME & RANK in BLOCK CAPITALS), Room ....., Tel. ..... who will be responsible for all matters in connection with the Files and Records of this Branch. A copy of Ex.Memo Nos. 7, 8, 9 has been handed to him.

.....
AUTHORITY

Date .....

99

Executive Commissioner's Office

33

HEADQUARTERS ALLIED COMMISSION.
APO 394
OFFICE OF THE EXECUTIVE COMMISSIONER.

Executive Commissioner's Office Room

Ref:- 19/AB.

28th February 1946.

MAR 1 1946

EXECUTIVE MEMORANDUM
NUMBER. 8.

MICROFILMING OF A.C. RECORDS.

182

1. The examination of files received into the custody of Archives has resulted in the fact that instructions under Executive Memorandum No.7. dated 5 January 1946 are not sufficiently explicit.

2. Duplicates of correspondence, copies of directives and similar circulars originating in other offices are still being retained as well as extraneous matter which is of no retentive value.

3. As the microfilming of all Allied Commission records will shortly commence, the examination for discard of material under para 2 must be carried out as soon as possible.

4. Chiefs of Sub-Commissions, Branches and Chief Liaison Officers will therefore immediately arrange the following action upon files still in their possession:-

(a) Abstract from all files extraneous matters such as circulars, directives (other than those emanating from their own office) and duplicate copies of any document not deemed essential for recording.

(b) Remove all paper clips, staples, pins, etc from letters.

(c) Rebind all documents at the HEAD of the file, and not at the side, with steel or fibre fasteners (specimen attached 98 above)

(d) Before closing down, furnish a report that all files transferred to outside bodies (i.e. UNRRA, etc.) have been so actioned and that a list of such files has been forwarded to Archives Branch in accordance with para 6, 7, 8 of Executive Memorandum No.7.

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

1. The examination of files received into the custody of Archives has resulted in the fact that instructions under Executive Memorandum No.7.dated 5 January 1946 are not sufficiently explicit.

2. Duplicates of correspondence,copies of directives and similar circulars originating in other offices are still being retained as well as extraneous matter which is of no retentive value.

3. As the microfilming of all Allied Commission records will shortly commence,the examination for discard of material under para 2 must be carried out as soon as possible.

4. Chiefs of Sub-Commissions,Branches and Chief Liaison Officers will therefore immediately arrange the following action upon files still in their possession:-

(a) Abstract from all files extraneous matters such as circulars, directives(other than those emanating from their own office) and duplicate copies of any document not deemed essential for recording.

(b) Remove all paper clips,staples,pins,etc from letters.

(c) Rebind all documents at the HEAD of the file,and not at the side,with steel or fibre fasteners (specimen attached above)

(d) Before closing down,furnish a report that all files transferred to outside bodies (i.e.UNRRA, etc.) have been so actioned and that a list of such files has been forwarded to Archives Branch in accordance with para 6,7,8 of Executive Memorandum No.7.

5. Archives Branch are authorized to refuse to accept any files in which the above instructions have not been carried out.

For the Chief Commissioner.

Brigadier,
Executive Commissioner.

DISTRIBUTION.

LIST "A"
ARCHIVES BRANCH (50 copies)

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

182

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner.

Ref. : 1/AB.

EXECUTIVE MEMORANDUM) 5 January 1946.
NUMBER 7.)

CARE AND CUSTODY OF ALLIED COMMISSION RECORDS.

FUNCTION. 1. The function of the Archives Branch of the Office of the Executive Commissioner is to collect, arrange, index, safeguard and store records of Allied Commission (both Headquarters and field) in a manner most suitable for reference.

REVIEW. 2. All Offices of Headquarters A.C. will constantly review their current files with a view to sending those not essential for current work to Archives. Such files will always be available to the office concerned.

POLICY & ACTION FILES. 3. All offices will keep papers relating to questions of policy on special files. Action or Routine documents will not be filed in Policy Files, but will be transferred to Archives when they have not been required for use for three months. If the subject of such a transferred file revives and reference to previous correspondance is unnecessary, a continuation cover under the original number may be opened.

DUPLICATES. 4. No correspondence or documents will be destroyed other than duplicates of printed matter, copies of which are in the appropriate file.

DIRECTIVES. 5. Reference files containing only directives, orders or similar circulars which originated in other offices will NOT be sent to Archives. Archives Branch will see that the record copy of such documents is on the appropriate file of the originator.

TRANSFER. 6. Where any offices are amalgamated or absorbed or any functions are transferred to another office, policy files may be retained as long as necessary. Action and routine files will be dealt with as follows:-

a. If it appears that the matter in action will be closed within two or three weeks, that particular action will be concluded on and under the reference number of the original file, altered only by the substitution of the identifying letters of the new office.

b. Where the matter appears likely to continue beyond this period, a new file will be opened and the cover conspicuously endorsed:-

"Continued from (file)..... of.....branch."

As soon, therefore as the files are independent, the original will be sent to Archives. It is unsound for an office to adopt files belonging to another office.

97

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

with a view to sending those not essential for current work to Archives. Such files will always be available to the office concerned.

POLICY & ACTION FILES. 3. All offices will keep papers relating to questions of policy on special files. Action or Routine documents will not be filed in Policy Files,but will be transferred to Archives when they have not been required for use for three months. If the subject of such a transferred file revives and reference to previous correspondence is unnecessary, a continuation cover under the original number may be opened.

DUPLICATES. 4. No correspondence or documents will be destroyed other than duplicates of printed matter, copies of which are in the appropriate file.

DIRECTIVES. 5. Reference files containing only directives,orders or similar circulars which originated in other offices will NOT be sent to Archives. Archives Branch will see that the record copy of such documents is on the appropriate file of the originator.

TRANSFER. 6. Where any offices are amalgamated or absorbed or any functions are transferred to another office,policy files may be retained as long as necessary. Action and routine files will be dealt with as follows:-

a. If it appears that the matter in action will be closed within two or three weeks,that particular action will be concluded on and under the reference number of the original file, altered only by the substitution of the identifying letters of the new office.

b. Where the matter appears likely to continue beyond this period, a new file will beopened and the cover conspicuously endorsed:-

"Continued from (file)..... of.....branch."

As soon,therefore as the files are independent,the original will be sent to Archives. It is unsound for an office to adopt files belonging to another office.

CLOSING DOWN. 7. When any Branch or Office is closing down or is absorbed,a complete list showing the disposition of ALL files emanating from that branch will be forwarded to Archives.

IT IS OF THE UTMOST IMPORTANCE that contact be made with Archives Branch before an Office or Branch closes or is absorbed,so that an Archives representative can call at that Office to discuss any questions relating to this procedure.

LOANING FILES. 8. In no circumstances will files or individual papers be transferred to any outside body. Any files which are temporarily essential to the efficient working of an outside body may be loaned to such a body for a period not exceeding three months. The Officer borrowing the files will receipt a list of these and will forward this to the Archivist who will take steps to see these are returned on the stated date. (see Exhibit "A" attached)

LISTING...9.....

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

LISTING. 9. Lists in quadruplicate(see Exhibit "B" attached) will be prepared by the sender showing by number and title all files transferred to Archives. One copy will be enclosed in a stout envelope inside the crate to which the files belong, and the other three sent to Archives under seperate cover. A receipt will be obtained.

DISPATCH. 10. Files transmitted to Archives will be securely tied in bundles not exceeding 12" in height. Files from different offices or branches will not be included in the same bundle. Those to be transported to headquarters will be securely crated; each crate containing a list of contents for checking.

For the Chief Commissioner.

Brigadier,
Executive Commissioner.

DISTRIBUTION.

List "A"
Archives Branch (50 copies)

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

181

EXHIBIT "A"

R E C E I P T.

.....
Office, Branch or Sub-Commission.

Received from/by the Archives Branch of Allied Commission the following:-

_____bundles, numbered_____

_____Files, numbered_____

_____

Date _____

_____
Authorising Officer.

.....

EXHIBIT "B"

ALLIED COMMISSION.

ARCHIVE GROUP.....(leave blank)

HEADQUARTERS OR REGION....SUB-COMMISSION or Region or Province...Files relating to

.....

FILE NO.	ORIGINATORS TITLE.	REMARKS.
		96

olumes, whether
ws not opened,

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

Date _____ _____
Authorising Officer.

.....

EXHIBIT "B"

ALLIED COMMISSION.

ARCHIVE GROUP.....(leave blank)

HEADQUARTERS OR REGION.....SUB-COMMISSION or Region or Province...Files relating to

.....

FILE NO.	ORIGINATORS TITLE.	REMARKS.
		96

Such remarks as the number of Volumes, whether file was ever changed, if file was not opened, and if file was destroyed, etc.

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

33 + 4412 98

180

HEADQUARTERS ALLIED COMMISSIO
APO 394
Office of the Executive Commissioner

Ref. : 13168/F

8 November 1945

NOV 9 1945

EXECUTIVE MEMORANDUM)
)
NUMBER 6)

HANDLING OF CIVILIAN SUPPLIES DRAWN FROM DEPOTS OF U.S. ARMY AND BRITISH ARMY

1. By directive of Allied Force Headquarters dated 9 September 1945 (file reference AG 400.38/021, GEC-O) theatre stocks will be used to the maximum extent possible in filling requirements of the Allied Commission for civilian supplies to be distributed in Italy. Theatre stocks of civilian supplies within the purview of this memorandum include foodstuffs, equipment, raw materials, salvage, scrap, and miscellaneous supplies.

2. All Sub-Commissions and their Officers or representatives in field offices arranging for release of surplus theatre stocks from depots of the U.S. Army or the British Army for AC account are responsible for obtaining signed receiving reports and for transmitting the same to the Chief Accountant. Copies of requisitions, telegrams, letters or informal memoranda authorizing deliveries of supplies ex army depots for AC account routed to the Chief Accountant will not relieve the Sub-Commission arranging for transfer of the supplies, of the primary responsibility of obtaining signed receiving reports. Civilian supplies drawn from theatre stocks may be issued for: (a) Italian Government use (e.g. Ministry of War, Ministry of Post and Telecommunications, etc.); or for (b) Italian civilian use or consumption. Both types of issues nevertheless are chargeable to the Italian Government, so that formal receivin reports must be obtained in the manner hereinafter outlined, to support the charge.

3. In the case of supplies drawn for use of Italian Governmental organizations, the Sub-Commission ordering delivery of the items ex army depots will obtain from the head of the recipient Ministry (or his designee) a receiving report acknowledging receipt of the goods, and transmit the same to the Chief Accountant.

95

4. In the case of supplies drawn for Italian civilian use or consumption, Istituto Nazionale per il Commercio Estero (ICE) has been designated receiving agent by the Italian Government. Arrangements will be made by the Sub-Commiss ordering the delivery of items ex army depots to insure that ICE is notified in advance of the delivery, which may be made either to itself or to a consign named by it. The practice of Sub-Commissions ordering delivery of goods to civilian consignees without advance notice to ICE, and without obtaining their concurrence as to the consignee will immediately be discontinued. Sub-Commis-

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

1. By directive of Allied Force [illegible] (file reference AG 400.38/021, GEC-O) theatre stocks will be used to the maximum extent possible in filling requirements of the Allied Commission for civilian supplies to be distributed in Italy. Theatre stocks of civilian supplies within the purview of this memorandum include foodstuffs, equipment, raw materials, salvage, scrap, and miscellaneous supplies.

2. All Sub-Commissions and their Officers or representatives in field offices arranging for release of surplus theatre stocks from depots of the U.S. Army or the British Army for AC account are responsible for obtaining signed receiving reports and for transmitting the same to the Chief Accountant. Copies of requisitions, telegrams, letters or informal memoranda authorizing deliveries of supplies ex army depots for AC account routed to the Chief Accountant will not relieve the Sub-Commission arranging for transfer of the supplies, of the primary responsibility of obtaining signed receiving reports. Civilian supplies drawn from theatre stocks may be issued for: (a) Italian Government use (e.g. Ministry of War, Ministry of Post and Telecommunications, etc.); or for (b) Italian civilian use or consumption. Both types of issues nevertheless are chargeable to the Italian Government, so that formal receivin reports must be obtained in the manner hereinafter outlined, to support the charge.

3. In the case of supplies drawn for use of Italian Governmental organizations, the Sub-Commission ordering delivery of the items ex army depots will obtain from the head of the recipient Ministry (or his designee) a receiving report acknowledging receipt of the goods, and transmit the same to the Chief Accountant.

95

4. In the case of supplies drawn for Italian civilian use or consumption, Istituto Nazionale per il Commercio Estero (ICE) has been designated receiving agent by the Italian Government. Arrangements will be made by the Sub-Commiss ordering the delivery of items ex army depots to insure that ICE is notified in advance of the delivery, which may be made either to itself or to a consign named by it. The practice of Sub-Commissions ordering delivery of goods to civilian consignees without advance notice to ICE, and without obtaining their concurrence as to the consignee will immediately be discontinued. Sub-Commissions handling the transfer of supplies ex army depots to ICE (or its designat consignee) will obtain a receiving report from ICE and forward the same to the Chief Accountant.

5. Receiving reports are required to be prepared on standard Form F/F52, which may be procured from ICE or the Chief Accountant. When obtaining signed receiving reports on issues of army supplies representatives of the Sub-Commis should insure that the descriptions of commodities fully identify the items; that the quantities are shown in the ordinary commercial trade units of the particular commodity (weight, pair, feet, each, etc.); and that the form is signed by the recipient. Any U.S. shipping tickets or British issue vouchers that may be received by a Sub-Commission should be forwarded to the Chief Accountant together with the related receiving report rendered by ICE.

PA 8/4

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

6. It is important that the requirements of this memorandum be brought to the attention of all officers or other personnel of Sub-Commissions arranging for the distribution of such supplies in Italy. Heads of Sub-Commissions will see that the foregoing requirements are notified to all officers and other personnel under their jurisdiction, and that appropriate arrangements are made for carrying out the prescribed procedure.

7. This memorandum has no relation to surplus stocks of the U.S. Army to be disposed of direct by the Office of the Army and Navy Liquidation Commission for which separate accounting is rendered by that organization outside of the accounts of the Allied Commission.

For the Chief Commissioner

Brigadier, G.S.C.
Executive Commissioner.

DISTRIBUTION

List "A" Groups 1 and 2
AFHQ G-5 Section (30 copies)
Chief Accountant (30 copies)

Copy to: 12412/EC Italian Essential Imports.

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

33 & 2806

179

HEADQUARTERS ALLIED COMMISSION
APO 394
OFFICE OF THE EXECUTIVE COMMISSIONER

EXECUTIVE MEMORANDUM)
NO. 5)

1 July 1945

JUL 1 - 1945

PREPARATION OF ELECTORAL LISTS

1. The Schedule to this Executive Memorandum is a brief description of the procedure for preparing the electoral lists, with 2 Appendices.

2. The Chief Civil Affairs Officer has fixed 15 July as the date upon which the preparation of the electoral lists in Military Government Territory will commence. This excludes Venezia-Giulia Region, but includes the provinces of Bolzano and Udine for which supplemental instructions will be issued.

3. The Chief Civil Affairs Officer directs that the preparation of the electoral lists be completed as a first priority, and so as to conform to the utmost extent possible to the prescribed time-limits.

4. The actual work of compiling the lists is a matter for the Italian agencies concerned. It is the function of officers of Allied Military Government to ensure that the requisite Italian agencies are properly constituted and that they set to work promptly and proceed expeditiously.

5. At the same time, the lists must be prepared with impartiality and accuracy so that the Italian people can and shall have confidence in them. These considerations are emphasized by the number of political appointments to public office which the circumstances of the North have required. In this connection, special attention is drawn to para 4 of the Schedule as to disqualifications for Fascism.

6. RCs and PCs will give their immediate attention to the proper constitution of the local government agencies prescribed by Executive Memorandum No. 39, with particular reference to:--

(a) the Prefect. In those cases where the formal confirmation by Allied Military Government of the appointment of a Prefect has not yet been given, this must be forthcoming before 15 July:

(b) the Vice Prefect Inspector. The Prefect should make available adequate transportation facilities for this official.

(c) the Electoral Office in the Prefecture. A suitable and competent official must be available to be designated to take charge of it:

(d) Sindaci. In those cases where confirmation of any CLN appointment has been withheld in order to see if the appointee is really suitable, the formal appointment must no longer be delayed:

(e) Communal Secretaries. Where qualified officials are not available, the fullest use must be made of local candidates capable of discharging the office as "reggenti" and of the device of combining small communes under one Secretary:

(f) Provincial Deputation. The immediate appointment of this body is urgent.

7. PCs will require their Prefects to keep them closely informed of all action taken and to report progress to them at regular intervals. It will be noted from para 27 (a)(iii) of the Schedule that Sindaci must report progress to the Prefect

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

3. The Chief Civil Affairs Officer directs that the preparation of the electoral lists be completed as a first priority, and so as to conform to the utmost extent possible to the prescribed time-limits.

4. The actual work of compiling the lists is a matter for the Italian agencies concerned. It is the function of officers of Allied Military Government to ensure that the requisite Italian agencies are properly constituted and that they set to work promptly and proceed expeditiously.

5. At the same time, the lists must be prepared with impartiality and accuracy so that the Italian people can and shall have confidence in them. These considerations are emphasized by the number of political appointments to public office which the circumstances of the North have required. In this connection, special attention is drawn to para 4 of the Schedule as to disqualifications for Fascism.

6. RCs and PCs will give their immediate attention to the proper constitution of the local government agencies prescribed by Executive Memorandum No. 39, with particular reference to:--

(a) the Prefect. In those cases where the formal confirmation by Allied Military Government of the appointment of a Prefect has not yet been given, this must be forthcoming before 15 July:

(b) the Vice Prefect Inspector. The Prefect should make available adequate transportation facilities for this official.

(c) the Electoral Office in the Prefecture. A suitable and competent official must be available to be designated to take charge of it:

(d) Sindaci. In those cases where confirmation of any CLN appointment has been withheld in order to see if the appointee is really suitable, the formal appointment must no longer be delayed:

(e) Communal Secretaries. Where qualified officials are not available, the fullest use must be made of local candidates capable of discharging the office as "reggenti" and of the device of combining small communes under one Secretary:

(f) Provincial Deputation. The immediate appointment of this body is urgent.

7. PCs will require their Prefects to keep them closely informed of all action taken and to report progress to them at regular intervals. It will be noted from para 27 (a)(iii) of the Schedule that Sindaci must report progress to the Prefect every 15 days.

8. Any recommendations that the Prefect wishes to make for an extension of the time-limits in a particular Commune (see para 27(c) of the Schedule) must be in the PC's hands on or before 25 July. PCs will immediately transmit such recommendations to Regional HQ with their observations. Further instructions will be issued to RCs as to how these recommendations will be determined. Applications for extensions must only be recommended in cases of absolute proved necessity on account of war conditions.

9. Officers of Local Government Sub-Commission will visit every province during July (where they have not already done so, to advise further.

BY COMMAND OF THE CHIEF CIVIL AFFAIRS OFFICER:

M S Lush

M. S. LUSH, Brigadier
Executive Commissioner

Distribution overleaf

seen on file 2806/EC

PA 1/7.

94

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

Distribution:

"O" Group. I.

+ Serials 72, 73, 73A & 74 (3 copies each)
+ " 76, 77, 79 & 80 (2 copies each)

+ Emilia Regior - 70 copies
+ Liguria " 80 "
+ Lombardia " 150 "
+ Piemonte " 80 "
+ Venezie " 70 "

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

SCHEDULE

178

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB-COMMISSION

25 June 1945

Ref: AC/45/4/LG

Preparation of Electoral Lists - Brief Description of the Procedure.

175

1. Annexed are :-

a) Appendix "A" indicating the action to be taken by the Italian Agencies involved and the time limits fixed for each step.

173

b) Appendix "B" giving a list of the local government and judicial agencies on whom duties are imposed, with notes on the more specialised ones.

The Appendices are intended as a convenient means of reference: the description set out below gives, it is thought, the information mostly required by RCs and PCs.

THE FRANCHISE

2. Before one can describe how voters will be registered, it is necessary to ascertain who are to be registered and how they are defined, i.e. the franchise. All Italian citizens, men and women, who have reached the age of 21 by 31 December 1944 are qualified to be registered. The phrase "qualified to be registered" is to be noted. The franchise is a qualification to be registered and NOT a qualification actually to vote. The right of an individual to vote is determined solely by reference to the Electoral Lists which are final and conclusive on this point.

3. To the broad and simple qualification described above there are a number of exceptions - lunatics, habitual drunkards, bankrupts, brothel-keepers, registered prostitutes, persons in receipt of public assistance, persons subject to police "ammonizione" or "confino" or to preventive detention, and those sentenced for quite a number of specified crimes and certain fascists. 93

4. The extent to which Fascism is a disqualification deserves special attention. There are three classes :-

a) Certain high ranking officials of the former NPF have been declared incapable of voting from the Secretary of the Party down to the "Federale" and to the "Segretari ... 20,000 inhabitants or more.

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

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

b) Appendix "B" giving a list of the local government and judicial agencies on whom duties are imposed, with notes on the more specialised ones.

The Appendices are intended as a convenient means of reference: the description set out below gives, it is thought, the information mostly required by RCs and PCs.

THE FRANCHISE

2. Before one can describe how voters will be registered, it is necessary to ascertain who are to be registered and how they are defined, i.e. the franchise. All Italian citizens, men and women, who have reached the age of 21 by 31 December 1944 are qualified to be registered. The phrase "qualified to be registered" is to be noted. The franchise is a qualification to be registered and NOT a qualification actually to vote. The right of an individual to vote is determined solely by reference to the Electoral Lists which are final and conclusive on this point.

3. To the broad and simple qualification described above there are a number of exceptions - lunatics, habitual drunkards, bankrupts, brothel-keepers, registered prostitutes, persons in receipt of public assistance, persons subject to police "ammonizione" or "confino" or to preventive detention, and those sentenced for quite a number of specified crimes and certain fascists. 93

4. The extent to which Fascism is a disqualification deserves special attention. There are three classes :-

a) Certain high ranking officials of the former NPF have been declared incapable of voting from the Secretary of the Party down to the "Federale" and to the "Segretari Politici" of Communes of 20,000 inhabitants or more. Officers of the MVSN in effective permanent service and above the rank of Centurione are likewise disqualified.

b) Those whom the special Provincial Commission set up under Art.8 of DLL.159 has sentenced to ineligibility for public office or loss of civil rights.

c) Those Fascists convicted by the regular criminal courts for the fascist crimes found in Title I of DLL.159.

/These are the only.....

These are the only disqualifications on the ground of fascism: any tendency on the part of Prefects, Sindaci and others to exclude persons considered to be fascists on other grounds than these must be rigorously suppressed.

5. Let it be emphasized that the Provincial Commission set up under Art.8 abovementioned is NOT the same as the Provincial Epuration Commission, which is an entirely distinct body with distinct functions.

6. It is also necessary to determine the particular Electoral List in which a qualified citizen is to be registered. The citizen must be registered in the list of the Commune in which he has his permanent residence and in whose register of permanent population or "anagrafe" he is inscribed. That is the rule; but there are the following exceptions to it.

a) Refugees and evacuees will be registered in the Commune in which they are temporarily living but they can opt for their Commune of permanent residence:

b) Apart from refugees, a citizen may be living in a Commune different from that in whose register of population he is inscribed. If he has lived in the Commune in question for at least 6 months, he can, if he wishes, claim to be registered there:

c) The citizen can also, if he wishes, claim to be registered in the Commune where he has the principal seat of his personal business or interests.

PREPARATION OF THE LISTS

7. With the foregoing rules in mind, the procedure for preparing the Lists is seen to be logical and comprehensible. It falls into 5 main stages :-

A. There has to be ascertained those who are prima facie entitled to be registered in the Commune. This is the task of the Sindaco and Segretario Comunale.

B. Those affected by one or another of the disqualifications have to be ascertained and struck out: this is primarily the task of a number of agencies in possession of the requisite information, who have to furnish it to the Commune.

C. The list of names so obtained has to be published as the Electoral Lists and then reviewed and approved by an independent authority, the Electoral Commission. The Lists now become definitive.

D. Steps must now be taken for registered electors to opt for another Commune under Para.6 (b) and (c) above. Refugees and evacuees who wish to do so under para.6 (a) must do it

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

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

[illegible] Residence;

b) Apart from refugees, a citizen may be living in a Commune different from that in whose register of population he is inscribed. If he has lived in the Commune in question for at least 6 months, he can, if he wishes, claim to be registered there;

c) The citizen can also, if he wishes, claim to be registered in the Commune where he has the principal seat of his personal business or interests.

PREPARATION OF THE LISTS

7. With the foregoing rules in mind, the procedure for preparing the Lists is seen to be logical and comprehensible. It falls into 5 main stages :-

A. There has to be ascertained those who are prima facie entitled to be registered in the Commune. This is the task of the Sindaco and Segretario Comunale.

B. Those affected by one or another of the disqualifications have to be ascertained and struck out: this is primarily the task of a number of agencies in possession of the requisite information, who have to furnish it to the Commune.

C. The list of names so obtained has to be published as the Electoral Lists and then reviewed and approved by an independent authority, the Electoral Commission. The Lists now become definitive.

D. Steps must now be taken for registered electors to opt for another Commune under Para.6 (b) and (c) above. Refugees and evacuees who wish to do so under para.6 (a) must do it at Stage A.

E. Finally, the Commune has to be divided into Polling Districts ("Sezioni Elettorali") and a Polling Place specified for each district. This will not be necessary in village Communes, of course. It is to be noted that Stage E, though the last to be enumerated here, is actually carried out contemporaneously with Stage C.

8. The Elector does not have to apply to be registered, but he may if he wishes. Provision has been made for this and for letting the public know, at the very beginning, of their right to put in such an application. It is wise to apply. It is a help to the authorities - and to the citizen - in ensuring that he will be able to exercise his vote.

/Stage A .....

177

Stage A - Ascertainment of Qualifications :

9. The immediate tasks of the Sindaco are two:

a) he must publish a notice in the prescribed form at the Municipio and other public places stating that the preparation of the Lists has been started and that citizens can apply to be registered.

b) he must proceed to compile the "Elenco". (It is convenient to keep to the Italian word for this document, as the only adequate English translation is "list" and that word is required in another connection.

10. The "Elenco" is made up by copying from the register of permanent population particulars of all Italian citizens of the right age. It is evident that this automatically gives the names of those who are "prima facie" qualified, subject to (a) any defects in the register of population, and (b) the addition of refugees and evacuees. It will now be seen how the register of permanent population is the absolute root and basis for all subsequent operations and how important it is that it should be in order and brought up-to-date. If it is not, however, the Sindaco is allowed to refer to any type of official record, such as registers of births, marriages and deaths, conscription lists, etc.

Stage B - Ascertainment of Disqualifications :

11. Here the undermentioned bodies have to take the initiative :

a) Public Assistance Institutions and ECA have to send the commune a list of those chargeable to them who belong to that commune.

b) The Police Authority (i.e. the Questura) has to send a similar list of brothel-keepers and those subject to "ammonizione" or "confino".

c) The President of the Provincial Commission under Art.8 of DLL.159 has to send a similar list of those deprived of civil rights under that Article.

92

12. There is a fourth source of official information as to disqualifications, namely, the Judicial Records Offices (Cancellario Giudiziale) of the various Tribunali, but in this instance it is the Sindaco who has to take the initiative. The reason is that convictions are registered according to place of birth. The Sindaco, therefore, has to make extracts from the "Elenco" according to birthplace and send these to the Records Office of the Tribunale within whose jurisdiction the persons enumerated in each extract were born. The Records Office returns the extract with

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

10. The "Elenco" is made up by copying from the register of permanent population particulars of all Italian citizens of the right age. It is evident that this automatically gives the names of those who are "prima facie" qualified, subject to (a) any defects in the register of population, and (b) the addition of refugees and evacuees. It will now be seen how the register of permanent population is the absolute root and basis for all subsequent operations and how important it is that it should be in order and brought up-to-date. If it is not, however, the Sindaco is allowed to refer to any type of official record, such as registers of births, marriages and deaths, conscription lists, etc.

Stage B - Ascertainment of Disqualifications :

11. Here the undermentioned bodies have to take the initiative :

a) Public Assistance Institutions and ECA have to send the commune a list of those chargeable to them who belong to that commune.

b) The Police Authority (i.e. the Questura) has to send a similar list of brothel-keepers and those subject to "ammonizione" or "confino".

c) The President of the Provincial Commission under Art.8 of DLL.159 has to send a similar list of those deprived of civil rights under that Article.

12. There is a fourth source of official information as to disqualifications, namely, the Judicial Records Offices (Casellario Giudiziale) of the various Tribunali, but in this instance it is the Sindaco who has to take the initiative. The reason is that convictions are registered according to place of birth. The Sindaco, therefore, has to make extracts from the "Elenco" according to birthplace and send these to the Records Office of the Tribunale within whose jurisdiction the persons enumerated in each extract were born. The Records Office returns the extract with the proper certificates of conviction, if any, annexed. In this way are ascertained disqualifications for ordinary criminal offences, for fascist crimes under Title I of DLL.159, declared lunatics, habitual drunkards, bankrupts and persons under preventive detention.

92

Stage C - Compilation and Approval of the Lists :

13. From his "Elenco", as amended by the various returns from the authorities just referred to - and after deciding upon any application to register he may have received - the Sindaco now constructs the Electoral List and sends it in duplicate to the Electoral Commission for examination and approval.

14. The Electoral Commission is very important. There must be one for every judicial district or "Mandamento" in the Province. Its President is

/ex-officio the President....

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

ex-officio the President of the Tribunale, or if there is none, the Pretore. There are four other commissioners. One is appointed by the Prefect. The others are three citizens of the "Mandamento" to be appointed by the Deputazione Provinciale.

15. Sub-Commissions will also be appointed in the ratio of one for every 50,000 (or fractions of 50,000) inhabitants of the "Mandamento".

16. Before sending the Electoral List to the Commission, the Sindaco must deposit it at the Municipio and give public notice to that effect. During this time, objections to the entry or omission of a name may be made. The list is then sent up, with all applications to be registered, all objections, and a complete record of the Sindaco's proceedings.

17. The Electoral Commission examines all these documents and decides on the validity of the Lists. They can add names as well as strike them out. Its decisions are notified the commune and the Sindaco makes the necessary alterations in the list deposited at the Municipio. It is now deposited for public inspection at the Communal Secretary's office and public notice of this is given.

18. The Lists are now definitive, i.e. they cannot now be altered except by reason of (a) the death of an elector, (b) the loss of Italian citizenship, (c) conviction for a disqualifying crime, and (d) by decision of the Courts on an appeal.

19. There is, however, another class of alteration which may be made in the list even as late as 10 days before the date of an election, and that is in the case where the Provincial Commission, under Art.8 of DLL.159, decrees a fascist ineligible for public office or to lose his civil rights. The reason for allowing such declarations to have effect on the Electoral List up to so late a date as 10 days before an election is to be found in the delays which are likely to be encountered in constituting these Provincial Commissions and the long time they are likely to take in completing their tasks. It is, however, most important that alterations in the Lists for this cause subsequent to their becoming definitive should be reduced to the absolute minimum, and that every effort be made to constitute the Commissions under Art.8 of DLL.159 and to get them to work immediately.

20. There is a right of appeal to the Courts against the decisions of the Electoral Commission by any citizen and by the Procuratore del Regno of the provincial capital.

Stage D - Transfer of Registrations :

21. The elector can now apply to have his registration transferred to:-

i) the Commune in which he has been in fact residing for the last 6 months - see para.6 (b); or

ii) The Commune in which he has the principal place of his personal business or interests - see para.6 (c).

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

necessary alterations in the list deposited at the Municipio. It is now deposited for public inspection at the Communal Secretary's office and public notice of this is given.

18. The Lists are now definitive, i.e. they cannot now be altered except by reason of (a) the death of an elector, (b) the loss of Italian citizenship, (c) conviction for a disqualifying crime, and (d) by decision of the Courts on an appeal.

19. There is, however, another class of alteration which may be made in the list even as late as 10 days before the date of an election, and that is in the case where the Provincial Commission, under Art.8 of DLL.159, decrees a fascist ineligible for public office or to lose his civil rights. The reason for allowing such declarations to have effect on the Electoral List up to so late a date as 10 days before an election is to be found in the delays which are likely to be encountered in constituting these Provincial Commissions and the long time they are likely to take in completing their tasks. It is, however, most important that alterations in the Lists for this cause subsequent to their becoming definitive should be reduced to the absolute minimum, and that every effort be made to constitute the Commissions under Art.8 of DLL.159 and to get them to work immediately.

20. There is a right of appeal to the Courts against the decisions of the Electoral Commission by any citizen and by the Procuratore del Regno of the provincial capital.

Stage D - Transfer of Registrations :

21. The elector can now apply to have his registration transferred to:-

i) the Commune in which he has been in fact residing for the last 6 months - see para.6 (b); or

ii) The Commune in which he has the principal place of his personal business or interests - see para.6 (c).

All he has to do is :-

a) apply to the Commune where he is now registered for that entry to be cancelled and for the Sindaco to send him the proper Declaration of Cancellation :

b) apply to the Commune where he wants to be registered, sending the Declaration of Cancellation with his application.

/ Stage E .....

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

Stage E - Polling Districts and Polling Places :

22. As soon as the Sindaco has completed his Electoral Lists for submission to the Electoral Commission, he can - and must - take action on this subject. He is required to make and publish a "deliberazione" - or, as we might say in English, an ordinance - defining the boundaries of the polling-districts and the polling place for each district. The ordinance is placed on deposit for 10 days so that any citizen who desires may file an objection. Then the ordinance and the objections are sent up to the Electoral Commission for approval or amendment.

23. Each polling district should include from 100 (in exceptional cases 50) to 1,000 electors. Up to 4 polling places (i.e. for 4 districts) can be had in one building: but not more than 2 may be accessible from the same street. The Prefect can dispense with this restriction as to access, where necessary; and he can also authorise up to 8 polling places in one building.

WOMEN

24. Women have the same qualifications as men but they must be entered on a separate Electoral List. The Lists for men and women should be prepared at the same time, however, and the procedure for them both should go forward contemporaneously. For practical purposes the Lists can be regarded as one List in two parts - one for men and the other for women.

TIME LIMITS

25. Appendix "1" shows that from the "fixed date", which the Chief Commissioner will determine as the day on which the preparation of the Lists is to start, to the date when the Lists become definitive is 100 days - provided, of course, that the time limits are strictly kept. This is not likely, and, in fact, the Prefect is empowered, within 10 days of the "fixed date" to propose extensions of the time limits for Communes which cannot possibly keep to them. Nevertheless, every effort should be made to adhere to the time-table prescribed, and extensions should only be allowed in cases of absolute and clearly-proven necessity.

26. The date for compilation of the Lists by the Sindaco ("Appendix ", para.14) is important. This must be done by 60 days from the "fixed date" at the latest. If, however, the compilation can be finished earlier, the subsequent time limits run from the actual completion of the Lists and the total time is thereby shortened.

91

THE PREFECT

27. The Prefect's main functions are :

a) to supervise generally the preparation of the Lists. This he does:
   i) through the Vice-Prefect Inspector;

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

street. The Prefect can dispense with this restriction as to access, where necessary; and he can also authorise up to 8 polling places in one building.

WOMEN

24. Women have the same qualifications as men but they must be entered on a separate Electoral List. The Lists for men and women should be prepared at the same time, however, and the procedure for them both should go forward contemporaneously. For practical purposes the Lists can be regarded as one List in two parts - one for men and the other for women.

TIME LIMITS

25. Appendix "A" shows that from the "fixed date", which the Chief Commissioner will determine as the day on which the preparation of the Lists is to start, to the date when the Lists become definitive is 100 days - provided, of course, that the time limits are strictly kept. This is not likely, and, in fact, the Prefect is empowered, within 10 days of the "fixed date" to propose extensions of the time limits for Communes which cannot possibly keep to them. Nevertheless, every effort should be made to adhere to the time-table prescribed, and extensions should only be allowed in cases of absolute and clearly-proven necessity.

26. The date for compilation of the Lists by the Sindaco ("Appendix ... para.14) is important. This must be done by 60 days from the "fixed date" at the latest. If, however, the compilation can be finished earlier, then subsequent time limits run from the actual completion of the Lists and the total time is thereby shortened.

THE PREFECT

27. The Prefect's main functions are :

a) to supervise generally the preparation of the Lists. This he does:
   i) through the Vice-Prefect Inspector;
   ii) through the Electoral Office, which must be constituted in each Prefecture under a Consigliere or 1st Segretario,
   iii) from the progress reports which the Sindaci must submit to him every 15 days.

b) to determine alterations in the areas of the Electoral Commissions.

c) to recommend extensions of the time limits for particular Communes.

d) to secure the proper and timely appointment of Electoral Commissions and Sub-Commissions.

e) to appoint a Commissario to take over from any Commune which falls behind the time-table.

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

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

APPENDIX A

TABLE showing action to be taken by Italian agencies, with time-limits

Notes: (i) The figures in col. 4 are obtained by adding together, step by step, the ne
from the "fixed day".
(ii) The citizen is not required to lodge the various applications, objections c
he does, time-limits for doing so are fixed.

ACTION BY	BRIEF DESCRIPTION OF ACTION TO BE TAKEN
	A - Ascertainment of qualifications
1. Sindaco & Segretario Comunale	1. Publish Notice that application to be entered on Electoral List may
2. Prefect	2. Recommend extension of time-table for Communes where, by reason of t adherence to time limits is absolutely impossible.
3. "	3. Decree variations in areas of jurisdiction of Electoral Commissions, situation of places and difficulties of communication make changes a
4. Sindaco & Segretario Comunale	4. Compile (from register of permanent population or other official rec the "elenco" of Italian citizens over 21 with permanent residence in
	B - Ascertainment of Disqualifications
5. Public Assistance, Institutions & FCA	5. Notify Segretario Comunale of paupers belonging to Commune.
6. Provincial Commission under DLL 159 Art. 8	6. Notify Sindaco of those Fascists disqualified from public office or of political rights.
7. Questore	7. Notify Sindaco of residents in Commune who are brothel-keepers - reg prostitutes - subject to "ammonizione" or "confino"
8. Any qualified citizen	8. May make application to Town Hall to be entered on Electoral List.
9. Sindaco & Segretario Comunale	9. Publish notice of applications received.

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

APPENDIX A

TABLE showing action to be taken by Italian agencies, with time-limits

figures in col. 4 are obtained by adding together, step by step, the maximum period allowed for each step
n the "fixed day".
citizen is not required to lodge the various applications, objections and appeals mentioned below; but if
does, time-limits for doing so are fixed.

BRIEF DESCRIPTION OF ACTION TO BE TAKEN	DAYS ALLOWED	CUMULATIVE DAYS FROM "FIXED DATE"
- Ascertainment of qualifications		
1. Publish Notice that application to be entered on Electoral List may be made.	Immediately	0
2. Recommend extension of time-table for Communes where, by reason of the war, adherence to time limits is absolutely impossible.	10 from "fixed date"	10
3. Decree variations in areas of jurisdiction of Electoral Commissions, where situation of places and difficulties of communication make changes advisable	"	"
4. Compile (from register of permanent population or other official records) the "elenco" of Italian citizens over 21 with permanent residence in Commune)	20 from "fixed date"	20
- Ascertainment of Disqualifications		
5. Notify Segretario Comunale of paupers belonging to Commune.	"	"
6. Notify Sindaco of those Fascists disqualified from public office or exercise of political rights.	"	"
7. Notify Sindaco of residents in Commune who are brothel-keepers - registered prostitutes - subject to "ammonizione" or "confino"	"	"
8. May make application to Town Hall to be entered on Electoral List.	"	"
9. Publish notice of applications received.	"	"

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

10.	Refugees & Evacuees	May apply to Commune of temporary residence, if they desire to be regd in Commune of pergenent residence
11.	Sindaco & Segretario Comunale	Transmit applications of refugees and evacuees to Communa of permanent resident--note names for exclusion from Electoral Lists of Commune of temporary residence.
12.	Sindaco & Segretario Comunale	Send extracts from "Elenco" to the Judicial Records Offices ("Casellario Giudiziale") of the Tribunali, containing particulars of those born wi the jurisdiction of each Tribunale--or, in case of difficulty, to the Judicial Records Office of the Ministry of Pardon and Justice.
13.	Judicial Records Offices of Tribunali and of Ministry of Pardon and Justice.	Return extracts to Commune, with certificates of disqualifying fravict
		C - Completion and Approval of Lists
14.	Sindaco & Segretario Comunale	Completion of Electoral Lists in duplicate.
15.	"	Notify applicants for registration whom Sindaco has rejected.
16.	"	1 copy Electoral List to be deposited with Segretario Comunale -- noti to be published and Prefect to be notified.
17.	Any citizen	May lodge with Commune objections against Deposited Electoral Lists (decided by Electoral Commission or Sub-Commission).
18.	Sindaco & Segretario Comunale	Forward to Electoral Commission (a) "Elenco", (b) 2nd copy Electoral L (c) Applications to be registered, (d) Objections received and (e) Res of Commune's proceedings.
19.	Prefect, President of Tribunale, and Deputazione Provinciale	Constitute Electoral Commissions and Sub Commissions

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

May apply to Commune of temporary residence, if they desire to be registered in Commune of permanent residence	20 from "fixed date"	20
Transmit applications of refugees and evacuees to Communes of permanent resident--note names for exclusion from Electoral Lists of Commune of temporary residence.	Immediately	---
Send extracts from "Elenco" to the Judicial Records Offices ("Casellario Giudiziale") of the Tribunali, containing particulars of those born within the jurisdiction of each Tribunale--or, in case of difficulty, to the Central Judicial Records Office of the Ministry of Pardon and Justice.	5 from completion of "Elenco"	25
Return extracts to Commune, with certificates of disqualifying convictions, etc.	15 from receipt of extract	40
Completion and Approval of Lists		
Completion of Electoral Lists in duplicate.	60 from "fixed date"	60
Notify applicants for registration whom Sindaco has rejected.	"	"
1 copy Electoral List to be deposited with Segretario Communale -- notice thereof to be published and Prefect to be notified.	3 from completion of List; but within 60 days of "fixed date"	"
May lodge with Commune objections against Deposited Electoral Lists (to be decided by Electoral Commission or Sub-Commission).	10 from publication of notice of deposit of lists	70
Forward to Electoral Commission (a) "Elenco", (b) 2nd copy Electoral List, (c) Applications to be registered, (d) Objections received and (e) Record of Commune's proceedings.	5 from last day for lodging appeals	75
Constitute Electoral Commissions and Sub Commissions	within 75 days of "fixed date"	60

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

20.	Electoral Commission	20. Hold first meeting of Electoral Commission or Sub Commission
21.	"	21. Amend and approve the Electoral List--notify Commune of decisions in individual cases and return the List.
22.	Sindaco & Segretario Comunale	22. Make necessary amendments to Deposited Electoral Lists--notify electors affected by decisions of Electoral Commission or Sub-Commission.
23.	Sindaco & Segretario Comunale	23. Publish notice of deposit of Definitive Electoral Lists.
24.	"	24. Deposit Definitive Electoral Lists with Segretario Comunale for public inspection.
25.	Any citizen : and the Procuratore del Regno at the Provincial capital	25. May appeal to Court of Appeal and thence to Court of Cassation. (N.B. --the time limits for appeals are not stated here, because pending appeals do NOT affect the Definitive Electoral Lists, until finally decided)
		D - Transfers of Registration
26.	Any registered elector	26. May apply for cancellation of registration in Commune from which it is desired to transfer
27.	Sindaco & Segretario Comunale	27. Cancel registration and send applicant a Declaration of Cancellation
28.	"	28. Send to Electoral Commission or Sub Commission a list of cancellations so made
29.	The elector concerned	29. Apply to be registered in Commune to which it is desired to transfer, forwarding the Declaration of Cancellation above-mentioned

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

Hold first meeting of Electoral Commission or Sub Commission		
Amend and approve the Electoral List--notify Commune of decisions in individual cases and return the List.	5 from receipt of List, etc.	80
Make necessary amendments to Deposited Electoral Lists--notify electors affected by decisions of Electoral Commission or Sub-Commission.	15 from receipt of List, etc.	90
Publish notice of deposit of Definitive Electoral Lists.	10 from receipt of List from Communes	100
Deposit Definitive Electoral Lists with Segreteria Comunale for public inspection.	for 10 days	110
May appeal to Court of Appeal and thence to Court of Cassation. (N.B. --the time limits for appeals are not stated here, because pending appeals do NOT affect the Definitive Electoral Lists, until finally decided)	Immediately on completion of amendments in Deposited lists.	----
Transfers of Registration	--	----
May apply for cancellation of registration in Commune <u>from</u> which it is desired to transfer	15 from publication of Definitive List	115
Cancel registration and send applicant a Declaration of Cancellation	Immediately	----
Send to Electoral Commission or Sub Commission a list of cancellations so made	10 from last day for applications for cancellation	125
Apply to be registered in Commune <u>to</u> which it is desired to transfer, forwarding the Declaration of Cancellation above-mentioned	15 from last day for applications for cancellation	1?0

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

30.	Sindaco & Segretario Comunale	In the Comune to which it is desired to transfer: — (a) if the Electoral Lists have NOT yet been completed (see para. 14 above) register the elector in the ordinary way; (b) if the Electoral Lists HAVE been completed (see para 14 above) register the elector by publishing a Supplemental List.
		E - Division of Comune into Polling-Districts ("Sezioni Elettorali") (N.B.— This process is contemporaneous with Stage C, paras. 14-23 above)
31.	Sindaco & Segretario Comunale	Publish Decision as to division of Comune into polling-districts, description of polling districts, and polling-places for each district—notify Prefect— complete Electoral Lists for each District.
32.	"	Decision of Sindaco to be deposited for public inspection.
33.	Any citizen	May lodge objections to Sindaco's Decision at Town Hall, for transmission to Electoral Commission.
34.	Sindaco & Segretario Comunale	Forward Decision, Polling District Lists and objections to Electoral Commission
35.	Electoral Commission	Decide objections and approve Polling-District Lists.

11203

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

In the Comune to which it is desired to transfer: -- (a) if the Electoral Lists have NOT yet been completed (see para.14 above) register the elector in the ordinary way; (b) if the Electoral Lists HAVE been completed (see para 14 above) register the elector by publishing a Supplemental List.	Supplemental Lists to be published at monthly intervals	
Division of Comune into Polling-Districts ("Sezioni Elettorali") (N.B.-- This process is contemporaneous with Stage C, paras. 14-23 above)		
Publish Decision as to division of Comune into polling-districts, boundaries of polling districts, and polling-places for each district---notify Prefect-- complete Electoral Lists for each District.	15 from completion of Lists	75
Decision of Sindaco to be deposited for public inspection.	for 10 days	85
May lodge objections to Sindaco's Decision at Town Hall, for transmission to Electoral Commission.	10 from publication of decision	"
Forward Decision, Polling District Lists and objections to Electoral Commission	5 from last day for lodging objections	90
Decide objections and approve Polling-District Lists.	15 from receipt of Decision etc.	105

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

173

APPENDIX B

ITALIAN AGENCIES involved in preparation of electoral lists

Generally at all Stages

Sindaco
Segretario Comunale
Prefect

Vice Prefect Inspector
Electoral Office - to be organised in each Prefecture in charge of a specially designated official.

Stage A - Ascertainment of Qualifications

Public Assistance Institutions (e.g. hospitals, workhouses, orphanages, etc.)
Ente Comunale D'Assistenza (ECA)
Provincial Commissions appointed under DLL. 159 of Oct 6 - consisting of a Magistrate and two persons qualified to be jurors at Courts of Assize
Questore, and local branches of the Questure.

Judicial Records Offices at Tribunali

The Central Judicial Records Office of the Ministry of Pardon and Justice

Stage C - Completion and approval of lists

Deputazione Provinciale - to appoint 3 out of 4 members of Electoral Commissions and Sub-Commissions
Presidents of Tribunali - to preside over Electoral Commissions and to appoint Chairmen of Sub-Commissions.
Pretori - to act instead of the President of the Tribunali where there is no such Court in the "mandamento"
Magistrates, serving or retired - to preside over Electoral Sub-Commissions.

Appeals to the Courts

88

Court of Appeal
Court of Cassation
Procuratore del Regno of the Provincial Capital.

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

33rd Mtg

RESTRICTED

172

~~HEADQUARTERS ALLIED COMMISSION~~
Office of the Executive Commissioner
A.C.O. 394

~~Executive Memorandum~~)
) ~~Cancelling~~ Executive Memorandum No. 61, dated 13 December 1944.
Number 61/45)

6 June, 1945.

JUN 8 1945

MILITARY TRAVEL AUTHORISATIONS

1. Persons leaving Italy (including Sicily and Sardinia) for destinations abroad ~~must be in possession of Military Travel Authorisations~~ with the exception of those referred to in paragraph 2.

2. The persons referred to below may leave Italy without Military Travel Authorisations :

(a) A person who is travelling by direct means (i.e. not transiting other territories on the way) to :

United States of America
United Kingdom
Malta, Gibraltar and other territories to which British visa regulations apply,
Egypt.

provided such person is in possession of a visa as applicable (Egyptian visas are granted in Italy by British Consulates).

(b) A person who is listed in Appendix "A" to this Memorandum.

3. A person requiring a Military Travel Authorisation will make application for such authorisation to the agencies indicated :-

Classification of Applicants	Agency to whom application must be made
(a) Displaced Persons (those persons who wish to return to the states to which they belong)	Consulate of the state to which they belong, or nearest office or camp maintained by Displaced Persons and Repatriation Sub-Commission. 87
(b) (i) Diplomats (ii) Consular Officers (iii) Vatican Officials (iv) Members of Special Economic and Political Missions	Liaison Division, HQ. Allied Commission.

those referred to in paragraph 2.

2. The persons referred to below may leave Italy without Military Travel Authorisations :

(a) A person who is travelling by direct means (i.e. not transiting other territories on the way) to :

United States of America
United Kingdom
Malta, Gibraltar and other territories to which British visa regulations apply.
Egypt.

provided such person is in possession of a visa as applicable (Egyptian visas are granted in Italy by British Consulates).

(b) A person who is listed in Appendix "A" to this Memorandum.

3. A person requiring a Military Travel Authorisation will make application for such authorisation to the agencies indicated :-

Classification of Applicants	Agency to whom application must be made
(a) Displaced Persons (those persons who wish to return to the states to which they belong)	Consulate of the state to which they belong, or nearest office or camp maintained by Displaced Persons and Repatriation Sub-Commission.
(b) (i) Diplomats (ii) Consular Officers (iii) Vatican Officials (iv) Members of Special Economic and Political Missions	Liaison Division, A.F. Allied Commission.
(c) Applicants not falling within groups (a) and (b).	(i) Nearest Allied Commission Allied Military Government Officer (ii) Questore of the Province in which applicant finds himself.

4. Application forms for Military Travel Authorisations will be completed in duplicate. They will be typewritten or written in ink in block capitals where no typewriter is available. Two full face and two profile photographs of passport size must be attached to the forms as indicated thereon.

RESTRICTED

87

ACTION COPY ON 360/EC

(Mrs Nelson)

PA 9/6

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

5. An agency receiving an application will satisfy itself as to the identity of the applicant and as to the reasons for the proposed journey, and will ensure that the application forms are fully and properly completed. It will note in the "Remarks" section on the back of the forms (or attach a report as may be necessary) any information available locally concerning applicant, and it will add any comments of its own. Otherwise the forms will be endorsed "Nothing known against" (Nulla Osta). The receiving agency will then countersign the forms and append its office stamp.

6. A Military Travel Authorisation is an authorisation to leave Italian territory. It does not authorise entry into the country of intended destination whose visa requirements must be met.

7. Application forms completed by persons in the category referred to in paragraph 3 (c), will be forwarded to Headquarters, Allied Commission (Public Safety Sub-Commission) through the channels indicated :-

AC/AAI Officers	-	Regular AAI/AC channels.
Questori (Italian Government territory)	-	Ministry of Interior.
Questori (Allied Military Government territory)	-	Allied Military Government.

8. Military Travel Authorisations will be issued only to approved individuals proposing to travel in the Allied interest, and to :-

(a) Scholars, artists and members of the learned professions who are nationals of Italy or of one of the United Nations, if the journey is approved for the purpose of free trade in knowledge of learning between the people of Italy and the United Nations. Ecclesiastics and journalists will not be considered in this category.

(b) Officials serving at posts in the Vatican who are appointed to posts outside Italy involving permanent change of station.

(c) Approved refugees and repatriates.

9. The reasons for the refusal of Military Travel Authorisations will not be communicated to applicants and no attempt will be made to indicate the time which may elapse before applications are decided.

10. Application forms for Military Travel Authorisations will be made available to Questori in Allied Military Government territory, by Regional Public Safety Officers, and to Questori in Italian Government territory by the Ministry of Interior. Application forms may be obtained from Public Safety Sub-Commission .

11. Authority : AFHQ letter AG.371.2/013 GBG - G, dated 14 May, 1945.

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

Safety Sub-Commission) through the channels indicated :-

AC/AMG officers	-	Regular AMG/AC channels.
Questori (Italian Government territory)	-	Ministry of Interior.
Questori (Allied Military Government territory)	-	Allied Military Government.

6. Military Travel Authorisations will be issued only to approved individuals proposing to travel in the Allied interest, e.g. to :-

(a) Scholars, artists and members of the learned professions who are nationals of Italy or of one of the United Nations, if the journey is approved for the purpose of free trade in knowledge of learning between the people of Italy and the United Nations. Ecclesiastics and journalists will not be considered in this category.

(b) Officials serving at posts in the Vatican who are appointed to posts outside Italy involving permanent change of station.

(c) Approved refugees and repatriates.

9. The reasons for the refusal of Military Travel Authorisations will not be communicated to applicants and no attempt will be made to indicate the time which may elapse before applications are decided.

10. Application forms for Military Travel Authorisations will be made available to Questori in Allied Military Government territory, by Regional Public Safety Officers, and to Questori in Italian Government territory by the Ministry of Interior. Application forms may be obtained from Public Safety Sub-Commission .

11. Authority : AFHQ letter AG.371.2/013 GEC - C, dated 14 May, 1945.

/ Full H Cd
Brigadier
Executive Commissioner.

DISTRIBUTION :

"A" (plus 42, 43, 46 and 47)
AFHQ G-2 (C1) Section
15 Army Group GSI (b)
Ministry of Interior
Ministry for Foreign Affairs
Commanding General CC.AA.
Commanding General CC.FF.

RESTRICTED

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

(17)

RESTRICTED

Executive Memorandum)
)
Number 61/45)

APPENDIX "A"

6 June 1945.

With reference to paragraph 2 (b), the persons listed below may leave Italy (including Sicily and Sardinia) for destinations abroad without Military Travel Authorisations :-

(a) ALLIED service personnel on duty.

(b) ALLIED Diplomats and Consular Officials.

(c) British and United States Civilians employed by and travelling on duty for, the following Governmental Agencies :

(1) UNRRA,
(2) Office of War Information.
(3) Psychological Warfare Branch.
(4) War Shipping Administration.
(5) Ministry of War Transport,
(6) Any of the Service Ministries in the United Kingdom or United States providing they are in possession of Service identity cards; for example, technicians in possession of AGO cards, who are assigned to this theater.
(7) Combined Economic Warfare Agencies.
(8) Foreign Economic Administration.

(d) British and United States civilians employed by, and travelling on duty for, any of the following organisations :

(1) The Council of Voluntary War Work, which embraces :
Catholic Women's League - Church Army - Church of Scotland Huts - Church of Christ Scientist - Jewish Hospitality Committee - Salvation Army - Toc H - YMCA - YWCA.
(2) American or British Red Cross.
(3) USO
(4) ENSA
(5) NAAFI
(6) Allied Commission (Italy)
(7) AFHQ
(8) American Field Service
(9) Friends Ambulance Unit.

86

(e) War correspondents accredited to AFHQ.

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

(c) British and United States Civilians employed by and travelling on duty for, the following Governmental Agencies :

(1) UNRRA,
(2) Office of War Information,
(3) Psychological Warfare Branch,
(4) War Shipping Administration,
(5) Ministry of War Transport,
(6) Any of the Service Ministries in the United Kingdom or United States providing they are in possession of Service identity cards; for example, technicians in possession of MCO cards, who are assigned to this theatre.
(7) Combined Economic Warfare Agencies,
(8) Foreign Economic Administration.

(d) British and United States civilians employed by, and travelling on duty for, any of the following organizations :

(1) The Council of Voluntary War Work, which embraces : Catholic Women's League - Church Army - Church of Scotland Huts - Church of Christ Scientist - Jewish Hospitality Committee - Salvation Army - Toc H - YMCA - YWCA.
(2) American or British Red Cross,
(3) USO
(4) ENSA
(5) NAAFI
(6) Allied Commission (Italy)
(7) AFHQ
(8) American Field Service
(9) Friends Ambulance Unit.

86

(e) War correspondents accredited to AFHQ.

(f) Merchant seamen serving in Allied or Allied - operated merchant ships.

(g) Merchant seamen, other than Italian, leaving Italy to join ships elsewhere.

(h) Persons in possession of Joint Chiefs of Staff permits or Allied Force Permits valid for Italy, provided that these documents are not indorsed "for single journey only", or of Allied Expeditionary Force permits valid for entry into territory controlled by SHAEF.

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

Exec. Commissioner 168

RESTRICTED

HEADQUARTERS ALLIED COMMISSION
Office of the Executive Commissioner
APO 394

AC/14080/5/1/PS 33 30 April, 1945

Executive Memorandum) Cancelling Executive Memorandum No.77
dated 31 August, 1944.

NUMBER 77/45)

MAY 2 REC'D

CONTROL OF MOVEMENT
(Civilian and Italian Armed Forces)

Paragraphs	Subject	Page
1	Introduction	1
2-3	Definitions	1-2
4	Enforcement Orders	2
5	Restrictions and Authority for issue of passes	2-3-4-5
6	Refugees	5
7	Passes, Form of, and instructions as to issue	5-6
8	Issue of Passes in Special cases	6-7-8
9	Issue of Semi-permanent passes	8
10	Supplies of passes	8
11	Emergency Passes issued by Military	9
12	Issue of Travel Tickets	9
13	Military Travel Authorisation	9
14	Check Posts	9-10
15	Amendments	10
	Appendix "A"	
	Appendix "B"	

1. Introduction.

In the interests of security a wide and effective system of control of civilian movement must be maintained. The instructions contained herein must be strictly followed by all concerned at all times.

Each Sub-Commission and Section at Headquarters will appoint an officer to deal with questions relating to the issue of passes which arise within the Sub-Commission or Section. (As to the issue of passes, see paras.5 (a) (vi) and (vii), and 7 (b)).

Travel into the Army Zone is prohibited unless such travel is approved by the Senior Civil Affairs Officers, Allied Military Governments, Armies or the Regional Commissioners concerned. 85

In general, the issue of passes will be a public safety responsibility. Passes improperly issued must be impounded and forwarded to Headquarters Allied Commission with covering reports.

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

4	Enforcement Orders	2
5	Restrictions and Authority for issue of passes	2-3-4-5
6	Refugees	5
7	Passes, Form of, and instructions as to issue	5-6
8	Issue of Passes in Special cases	6-7-8
9	Issue of Semi-permanent passes	8
10	Supplies of passes	8
11	Emergency Passes issued by Military	8
12	Issue of Travel Tickets	8
13	Military Travel Authorisation	9
14	Check Posts	9-10
15	Amendments	10
	Appendix "A"	
	Appendix "B"	

1. Introduction.

In the interests of security a wide and effective system of control of civilian movement must be maintained. The instructions contained herein must be strictly followed by all concerned at all times.

Each Sub-Commission and Section at Headquarters will appoint an officer to deal with questions relating to the issue of passes which arise within the Sub-Commission or Section. (As to the issue of passes, see paras. 5 (e) (vi) and (vii), and 7 (b)).

Travel into the Army Zone is prohibited unless such travel is approved by the Senior Civil Affairs Officers, Allied Military Governments, Armies or the Regional Commissioners concerned.

In general, the issue of passes will be a public safety responsibility. Passes improperly issued must be impounded and forwarded to Headquarters Allied Commission with covering reports.

2. Definitions.

Three zones and two dividing lines affect civilian travel in Italy as defined in Sub-paragraphs (a) to (c) below (see also Appendix "A").

(a) Army Zone. The territory which lies forward of the Rear Army Security Control Line will, for the purposes of this memorandum, be described as the "Army Zone".

(b) Rear Army Security Control Line. The line of demarcation between the Army Zone and the Restricted Zone. Special posters are exhibited on all roads which cross the line. A 24 hour system of control is maintained. This control is a military responsibility.

RESTRICTED

(All Officers) (less - Fine Arts)

Copy to 'Control of Movement' 3610/22

see M&G 77

10/5

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

(c) Restricted Zone. The territory which lies between the Rear Army Control Line and the Restricted Line, and such other territory as may be declared to be a Restricted Zone.

(d) Restricted Line. The line of demarcation between the Restricted Zone and the Free Zone.

(e) Free Zone. The territory not included within the Army Zone or the Restricted Zone.

Circulation is free on the islands of Elba, Sicily and Sardinia, but civilians travelling between the islands and between the islands and the mainland must be in possession of movement passes (See para.5 (c)).

3. Details concerning the Rear Army Security Control Line and Restricted Line, and other territorial boundaries mentioned in this Memorandum, are given in Appendix "A". They are also shown diagrammatically in Appendix "B". Details of the Rear Army Security Control and Restricted Lines must be published locally as may be necessary. This will be an Allied Military Government responsibility in Allied Military Government territory, and an Italian Government responsibility in the territory under control.

4. Enforcement Orders.

The restrictions relating to civilian movement will be enforced by means of the following orders which will be issued by Allied Military Government and the Italian Government as indicated below :-

(a) Allied Military Government Territory.

(i) Army Zone - Proclamation No.1 or such other Special orders as may be issued.
(ii) Restricted Zone - General Order No.2A (Revised)
(iii) Elba - Orders issued by Prefetto.

(b) Italian Government Territory.

Movement between Sicily, Sardinia and Mainland.

Orders issued by the Prefetti on the instructions of the Ministry of Interior.

5. Restrictions and Authority for Issue of Passes.

(a) Army Zone and Rear Army Security Control line.

(i) Civilians are forbidden to travel more than specified distances from their place of residence, or enter or

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

3. Details concerning the Rear Army Security Control Line and Restricted Line, and other territorial boundaries mentioned in this Memorandum, are given in Appendix "A". They are also shown diagrammatically in Appendix "B". Details of the Rear Army Security Control and Restricted Lines must be published locally as may be necessary. This will be an Allied Military Government responsibility in Allied Military Government territory, and an Italian Government responsibility in the territory under control.

4. Enforcement Orders.

The restrictions relating to civilian movement will be enforced by means of the following orders which will be issued by Allied Military Government and the Italian Government as indicated below :-

(a) Allied Military Government Territory.

(i) Army Zone - Proclamation No.1 or such other Special Orders as may be issued.
(ii) Restricted Zone - General Order No.24 (Revised)
(iii) Elba - Orders issued by Prefetto.

(b) Italian Government Territory.

Movement between Sicily, Sardinia and Mainland.

Orders issued by the Prefetti on the instructions of the Ministry of Interior.

5. Restrictions and Authority for issue of Passes.

(a) Army Zone and Rear Army Security Control Line.

(i) Civilians are forbidden to travel more than specified distances from their place of residence, or enter or leave the zone, unless in possession of a pass issued by the Senior Civil Affairs Officer, Allied Military Government, Fifth or Eighth Army. When, however, a province within the Army Zone has been handed over to Regional Control, the competent authority to issue a pass is the Regional Commissioner concerned and not the Senior Civil Affairs Officer, Allied Military Government, Fifth or Eighth Army.

(ii) Applications for entry into the Army Zone should be referred by Regional Commissioners and Senior Civil Affairs Officers to G-2 (CI)/GSI(t) Army for checking against security records. For movement out of the Army Zone or between points within the Army Zone the security

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

167

check should be carried out by the nearest CIC Det/FS Sec.

(iii) Civilians resident outside the zone who wish to cross the control line into the Army Zone will make application for passes to the Questura or Allied Military Government/Allied Commission office at the point of departure.

(iv) Regional Commissioners will refer all applications which originate in Allied Military Government territory direct to the Senior Civil Affairs Officer or Regional Commissioner concerned within the Zone for his approval (See preceeding sub-paragraphs).

(v) In Italian Government territory, Questore will submit recommended applications to the Ministry of Interior, Direzione Generale della Pubblica Sicurezza, who, if satisfied that the journeys will directly benefit the war effort, will forward such applications to Headquarters Allied Commission for onward transmission to Senior Civil Affairs Officer/Regional Commissioner concerned.

(vi) Applications for passes which originate in Headquarters Allied Commission will be submitted through Sections, or, in the case of Independent Sub-Commissions, by the Sub-Commission concerned, to Public Safety Sub-Commission who will be responsible for such applications being transmitted in a proper form to the Senior Civil Affairs Officer/Regional Commissioner.

(vii) Applications will be accompanied by completed standard passes which, if approved, will be signed by the Senior Civil Affairs Officer/Regional Commissioner and returned to office of origin. The passes will be completed by the Ministry of Interior, or in the case of Headquarters Allied Commission by the Sub-Commission concerned. Books of passes may be held by Sections and Independent Sub-Commissions for this purpose.

(viii) Documents in Italian will not be transmitted unless accompanied by a translation.

84

(ix) The issue of passes will be strictly limited to those cases in which the journeys will directly benefit the Allied cause and applications must not be forwarded to Senior Civil Affairs Officers/Regional Commissioners except in such cases.

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

(v) In Italian Government territory, Questore will submit recommended applications to the Ministry of Interior, Direzione Generale della Pubblica Sicurezza, who, if satisfied that the journeys will directly benefit the war effort, will forward such applications to Headquarters Allied Commission for onward transmission to Senior Civil Affairs Officer/Regional Commissioner concerned.

(vi) Applications for passes which originate in Headquarters Allied Commission will be submitted through Sections, or, in the case of Independent Sub-Commissions, by the Sub-Commission concerned, to Public Safety Sub-Commission who will be responsible for such applications being transmitted in a proper form to the Senior Civil Affairs Officer/Regional Commissioner.

(vii) Applications will be accompanied by completed standard passes which, if approved, will be signed by the Senior Civil Affairs Officer/Regional Commissioner and returned to office of origin. The passes will be completed by the Ministry of Interior, or in the case of Headquarters Allied Commission by the Sub-Commission concerned. Books of passes may be held by Sections and Independent Sub-Commissions for this purpose.

(viii) Documents in Italian will not be transmitted unless accompanied by a translation.

(ix) The issue of passes will be strictly limited to those cases in which the journeys will directly benefit the Allied cause and applications must not be forwarded to Senior Civil Affairs Officers/Regional Commissioners except in such cases.

(x) Where, in cases of extreme urgency, the procedure outlined in Sub-paragraph (a) (ii) would be impracticable owing to the time factor, the passes may be issued at the point of departure providing prior approval is obtained from the Senior Civil Affairs Officer or Regional Commissioner concerned by signal or telephone. In such cases details of the issue of such passes will be forwarded immediately to the Senior Civil Affairs Officer/Regional Commissioner of the area of destination. The back of every such pass issued will bear the following endorsement ':

84

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

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

"I certify that prior approval for the issue of this pass was obtained from ..... on ..... vide .....and details of the pass have been forwarded to Senior Civil Affairs Officer/Regional Commissioner concerned in accordance with Executive Memorandum No.77.

(Office) Name .....
Date .....(Stamp) Rank .....

(xi) When the Senior Civil Affairs Officer, Fifth or Eighth Army, requests the presence of a civilian in Army Zone, the Sub-Commission dealing with this matter will apply for a movement of civilian pass to Public Safety who, before issue of a pass, will obtain from the Adjutant a permit for the civilian to travel by W.D. transport.

(xii) Allied Naval, Military and Air Force officers on the staff of the Allied Commission who wish to visit the army Zone will obtain clearance from the Senior Civil Affairs Officer of Fifth or Eighth Army as the case may be.

(xiii) The validity of passes to enter the Army Zone will not be extended except by Public Safety Officers, Allied Military Government/ Allied Commission.

(xiv) The Headquarters of Allied Military Organisations employing civilians who are required to enter the Army Zone in order to perform their duties may, if they prefer, make applications for passes for such civilians direct to Public Safety Sub-Commission of the Allied Commission.

(b) Restricted Zone and Restricted Line.

(i) No civilian may travel from one province to another or cross the Restricted Line unless in possession of a pass.

(ii) The issue of passes will be limited to persons who show good and sufficient reasons why they wish to travel, whether on official matters, business or family grounds. Passes will not be issued to places in Allied Military Government territory for political purposes.

(iii) In Allied Military Government territory, South of the Rear Army Security Control Line, Regional Commissioners may authorise specified officers of the Questura to issue passes as may be required, but they are responsible for ensuring that these instructions are fully understood by the officers concerned.

for the civilian to travel by W.D. transport.

(xii) Allied Naval, Military and Air Force officers on the staff of the Allied Commission who wish to visit the army Zone will obtain clearance from the Senior Civil Affairs Officer of Fifth or Eighth Army as the case may be.

(xiii) The validity of passes to enter the Army Zone will not be extended except by Public Safety Officers, Allied Military Government/ Allied Commission.

(xiv) The Headquarters of Allied Military Organisations employing civilians who are required to enter the Army Zone in order to perform their duties may, if they prefer, make applications for passes for such civilians direct to Public Safety Sub-Commission of the Allied Commission.

(b) Restricted Zone and Restricted line.

(i) No civilian may travel from one province to another or cross the Restricted line unless in possession of a pass.

(ii) The issue of passes will be limited to persons who show good and sufficient reasons why they wish to travel, whether on official matters, business or family grounds. Passes will not be issued to places in Allied Military Government territory for political purposes.

(iii) In Allied Military Government territory, South of the Rear Army Security Control line, Regional Commissioners may authorise specified officers of the Questure to issue passes as may be required, but they are responsible for ensuring that these instructions are fully understood by the officers concerned.

(iv) In Italian Government Territory, passes to places South of the Rear Army Security Control line will be issued by the Questure at the point of departure.

(v) Passes will not be issued to points within 10 km to the South of the Rear Army Security Control Line, where there is any reason to suppose that the applicant intends to make a further application to enter the Army Zone when he arrives at his destination, unless good grounds exist for entering the Army Zone in which case the application will be made in the first instance for the standard movement of civilian pass.

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

166

(c)

(vi) Public Safety Sub-Commissio will ensure that the Ministry of the Interior makes these instructions known to all Questori and that the Ministry takes steps to ensure that passes are only issued in accordance with them.

(c) Restriction of travel between Elba, Sicily, Sardinia and the Mainland.

Passes may be issued as under sub-paragraph (b).

(d) Commune of Naples.

Freedom of movement exists between the Commune of Naples and the surrounding Italian Government territory, subject of course to the general instructions contained in this memorandum. The Questore, Naples, will submit applications for travel into the Army Zone to the Ministry of the Interior (See sub paragraph (a) (v)).

6. Refugees.

Passes must not be issued to refugees except when coordinated with the Regions concerned, or in accordance with policy laid down by Displaced Persons & Repatriation Sub-Commission.

7. Passes.

(a) Form of Pass.

The standard Movement of Civilian pass (yellow form with blue duplicate) will be used. No other form of pass is permitted with the exception of the authorization mentioned in para d below. (The colour of the pass may vary slightly from time to time owing to difficulties in obtaining yellow paper).

(b) Instructions as to the issue of passes.

It is necessary that uniformity shall be observed in the wording of facilities granted and therefore the following instructions will be strictly followed :- 83

(i) All passes must be signed by an officer who will be responsible for them being fully and properly completed, and issued in accordance with relevant instructions. Facsimile signature stamps will not be used.

(ii) Passes should be typewritten or written in ink. Indelible pencil may be used but the use of blacklead

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

for travel into the Army Zone to the Ministry of the Interior (See sub paragraph (a) (v)).

6. Refugees.

Passes must not be issued to refugees except when coordinated with the Regions concerned, or in accordance with policy laid down by Displaced Persons & Repatriation Sub-Commission.

7. Passes.

(a) Form of Pass.

The standard Movement of Civilian pass (yellow form with blue duplicate) will be used. No other form of pass is permitted with the exception of the authorization mentioned in para 8 below. (The colour of the pass may very slightly from time to time owing to difficulties in obtaining yellow paper).

(b) Instructions as to the issue of passes.

It is necessary that uniformity shall be observed in the wording of facilities granted and therefore the following instructions will be strictly followed :-

83

(i) All passes must be signed by an officer who will be responsible for them being fully and properly completed, and issued in accordance with relevent instructions. Facsimile signature stamps will not be used.

(ii) Passes should be typewritten or written in ink. Indelible pencil may be used but the use of blacklead pencils is forbidden.

(iii) The holders FULL name, address and identity card number must be shown.

(iv) Separate passes must be issued in respect of each person, except in the case of organised parties of refugees (para 6); in which case one pass may be issued with a nominal roll giving, name, address and identity card number attached. Such roll will bear the office stamp and the signature of the issuing officer.

(v) In authorising travel to a Provincial capital, the name of the capital will be followed by the word "city", eg. Florence City, Pisa City, in order that the pass may not be used for travel in other parts of the province.

RESTRICTED

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

(vi) The precise nature of the journey must be clearly defined.

(vii) Particulars of motor vehicles will not be recorded on passes unless circulating permits covering the use of the vehicles and motor fuel ration coupons have been issued for the journeys in question.

(viii) The validity of passes shall not exceed the minimum time required to complete the proposed journeys and to transact the business of the holders. In the case of travel into the Army Zone, passes will be made out for one specific journey and will not be made out for indefinite periods.

(ix) All amendments (e.g., with regard to routes, validity, etc), will be made by way of endorsements on the back of the pass. The endorsement will be worded simply and clearly so that no question of ambiguity arises. The office of issue must be informed of any endorsements.

3. Issue of Passes in Special Cases.

(a) Officials of the Central Italian Government Travelling on Duty.

(i) Applications for passes will be made to the Ministry of Interior (Direzione Generale della Pubblica Sicurezza), who will issue passes to places SOUTH of the Rear Army Security Control Line.

(ii) Applications for passes to places in the Army Zone will be referred by the Ministry of Interior to Public Safety Sub-Commission. Applications will be accompanied by completed standard passes as provided in para 5 (vii).

(b) Special Passes for Ministers of the Central Italian Government.

Standard passes for Ministers of the Central Italian Government will be prepared by the Ministry of Interior who will forward them (with duplicates) to Public Safety Sub-Commission. The passes will cover movement anywhere south of the Rear Army Security Control Line. They will be valid for a period of three months, expiring 31 March, 30 June, 30 September and 31 December and will bear the following endorsement on the back :

" S..... (name and title of holder) is hereby autho-
[illegible] to any part of Italy to the rear of the

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

(ix) All amendments (e.g., with regard to routes, validity, etc), will be made by way of endorsements on the back of the pass. The endorsement will be worded simply and clearly so that no question of ambiguity arises. The office of issue must be informed of any endorsements.

3. Issue of Passes in Special Cases.

(a) Officials of the Central Italian Government Travelling on Duty.

(i) Applications for passes will be made to the Ministry of Interior (Direzione Generale della Pubblica Sicurezza), who will issue passes to places SOUTH of the Rear Army Security Control Line.

(ii) Applications for passes to places in the Army Zone will be referred by the Ministry of Interior to Public Safety Sub-Commission. Applications will be accompanied by completed standard passes as provided in para 5 (vii).

(b) Special Passes for Ministers of the Central Italian Government.

Standard passes for Ministers of the Central Italian Government will be prepared by the Ministry of Interior who will forward them (with duplicates) to Public Safety Sub-Commission. The passes will cover movement anywhere south of the Rear Army Security Control Line. They will be valid for a period of three months, expiring 31 March, 30 June, 30 September and 31 December and will bear the following endorsement on the back :

" S..... (name and title of holder) is hereby authorised to proceed to any part of Italy to the rear of the Rear Army Security Control Line. He should be given every facility and courtesy."

The passes will be signed by Public Safety who will forward them to Allied Forces Headquarters, G-2 Section, for counter signature.

(c) Italian Armed Forces.

(i) When in uniform and on duty.

Members of the Italian Armed Forces when travelling in uniform on duty must be in possession of proper movement orders (Foglio di Viaggio) and identity documents. If such personnel are travelling in a group a nominal roll will be attached to the movement order. Movement of Civilian passes will not be necessary, but, in the case

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

of movement into the Army Zone the movement orders must be countersigned by the General Staff (Ops) or any General Staff Section (GS), or as indicated below :-

Land Forces.

Military Mission Italian Army Liaison Officers
Public Safety Sub-Commission (Carabinieri).

Naval Personnel.

Navy Sub-Commission
Flag Officer, Northern Area, Mediterranean.
Flag Officer, Taranto, Adriatic.
British Naval Officers in charge of the rank of Captain or above.

Air Force Personnel.

Air Forces Sub-Commission.

The Countersignature will be accompanied by the office stamp of the officer countersigning.

(ii) When in uniform on leave.

Personnel proceeding on leave in uniform to places south of the Rear Army Security Control Line may use leave passes (Biglietto di licenza) in lieu of standard movement of civilian passes.

(iii) When in civilian clothes whether on duty or not.

Personnel in civilian clothes whether on duty or not are subject to the same restrictions as civilians.

(iv) Demobilization. 82

Demobilization papers will be regarded as proper credentials for movement South of the Rear Army Security Control Line for the original journey home on discharge.

(v) The Italian Service Ministries have instructed Italian Service Commanders that leave will not be granted to places in the Army Zone except in the case of combat troops. Standard movement passes will be issued to combat troops

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

Flag Officer, Northern Area, Mediterranean.
Flag Officer, Taranto, Adriatic.
British Naval Officers in charge of the rank of Captain or above.

Air Force Personnel.

Air Forces Sub-Commission.

The Countersignature will be accompanied by the office stamp of the officer countersigning.

(ii) When in uniform on leave.

Personnel proceeding on leave in uniform to places south of the Rear Army Security Control Line may use leave passes (Biglietto di Licenza) in lieu of standard movement of civilian passes.

(iii) When in civilian clothes whether on duty or not.

Personnel in civilian clothes whether on duty or not are subject to the same restrictions as civilians.

82

(iv) Demobilization.

Demobilization papers will be regarded as proper credentials for movement South of the Rear Army Security Control Line for the original journey home on discharge.

(v) The Italian Service Ministries have instructed Italian Service Commanders that leave will not be granted to places in the Army Zone except in the case of combat troops. Standard movement passes will be issued to each individual in such cases by British Liaison Units attached to combat groups or Military Mission Italian Army Liaison Officers.

(vi) Italian Military Personnel found committing breaches of Orders relating to movement may be tried before Allied Military Courts.

(d) Italian Police Personnel. (excluding Carabinieri personnel - see § (c) (i) above).

Police personnel are subject to the same restrictions as military personnel.

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

Individual Police Officers moving into the Army Zone on duty will be in possession of civilian movement passes. In the case of formed bodies moving into the Army Zone, the necessary orders will be obtained by Public Safety Sub-Commission.

(e) Diplomatic Corps.

Members of the Diplomatic Corps requiring passes will apply to the Ministry for Foreign Affairs who will issue passes for journeys South of the Rear Army Security Control Line.

Applications for passes to cross the Rear Army Security Control Line will be referred by the Ministry for Foreign Affairs to the Ministry of Interior who will deal with such applications as in para 5 (a) (v).

(f) Vatican Officials, Knights of Malta.

Applications for passes for Vatican Officials and officials of the Sovereign Order of the Knights of Malta will be dealt with by Liaison Division, Headquarters Allied Commission, in the manner outlined in para 5.

(g) Journalists.

Bona fide Italian journalists are issued by the Public Relation Officer, Headquarters Allied Commission, with a green card "TESSERA DI RICONOSCIMENTO". This card bears an endorsement on the back to the effect that "The bearer is permitted to travel in liberated Italy to circulate after curfew and to enter official premises occupied by Allied Commission in Liberated Italy. This pass does not apply to Army Areas." This tessera and endorsement will be considered to be the equivalent of the standard movement of civilian pass in the Restricted and Free Zones, but a standard pass will be required in addition to the Tessera to enter the Army Zone.

(h) Military Railway Services (MRS)

Personnel of the Italian State Railways (ISR) and Contractors under the direction of the MRS and ISR may apply for passes to the MRS who are authorised to issue standard movement passes in accordance with this Memorandum.

9. Issue of Semi-Permanent Passes.

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

Affairs to the Ministry of Interior who will deal with such applications as in para 5 (a) (v).

(f) Vatican Officials, Knights of Malta.

Applications for passes for Vatican Officials and officials of the Sovereign Order of the Knights of Malta will be dealt with by Liaison Division, Headquarters Allied Commission, in the manner outlined in para 5.

(g) Journalists.

Bona fide Italian journalists are issued by the Public Relation Officer, Headquarters Allied Commission, with a green card "TESSERA DI RICONOSCIMENTO". This card bears an endorsement on the back to the effect that "The bearer is permitted to travel in liberated Italy to circulate after curfew and to enter official premises occupied by Allied Commission in Liberated Italy. This pass does not apply to Army Areas." This tessera and endorsement will be considered to be the equivalent of the standard movement of civilian pass in the Restricted and Free Zones, but a standard pass will be required in addition to the Tessera to enter the Army Zone.

(h) Military Railway Services (MRS)

Personnel of the Italian State Railways (ISR) and Contractors under the direction of the MRS and ISR may apply for passes to the MRS who are authorised to issue standard movement passes in accordance with this Memorandum.

9. Issue of Semi-Permanent Passes.

In the case of persons living near a Provincial boundary and whose place of employment is in, or partly in, an adjoining Province or Provinces, a semi-permanent pass may be issued and such passes shall expire on 31 March, 30 June, 30 September and 31 December annually, and then become renewable upon further application. Such passes may also be issued to all persons who have sufficient reason for frequent travel between Provinces. The Provision will not apply to travel into the Army Zone.

10. Supplies of Passes.

Supplies of passes may be obtained upon application to Public Safety Sub-Commission. Questore in Allied Military Government territory will obtain supply from Regional Commissioners. In Italian Government territory from the Ministry of the Interior. (Direzione Generale della Pubblica Sicurezza).

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

162

11. Emergency Passes issued by Military.

It has been agreed with Headquarters 15 Army Group that if a responsible Allied Military authority has occasion to employ a civilian on a particular operational or intelligence task requiring the issue of a pass, and if it is impracticable, owing to the time factor or other circumstances, for the appropriate Allied Commission/Allied Military Government pass to be obtained, the military authority concerned may make out a temporary pass for the purpose. There will rarely be occasion for the issue of this type of authorization.

12. Issue of Travel Tickets.

Transport tickets must not be issued by the railway authorities or other travel agencies to places within the Army or Restricted Zone unless the persons applying for tickets are in possession of civilian movement passes to their intended destination. This will be a Ministry of Interior responsibility in Italian Government territory, and an Allied Military Government responsibility elsewhere.

13. Military Travel Authorisation (to travel outside Italy).

Applications for Military Travel Authorisations will be dealt with in accordance with the instruction contained in Executive Memorandum No.61.

14. Check Posts.

(a) In Allied Military Government Territory.

In the Army Zone and in territory outside that Zone administered by Allied Military Government, every effort will be made to enforce the above restrictions by means of a widespread system of "snap" check posts, which will be established for a few hours daily at irregular times and at varying points. The responsibility for arranging such checks will rest with the Military Security Authorities.

The object of these check posts will be :-

(i) To turn back those seeking to move outside the prescribed limits without a pass.

(ii) To take action against those who have committed serious and flagrant breaches of the regulations.

81

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

ties or other travel agencies to places within the Army or Restricted Zone unless the persons applying for tickets are in possession of civilian movement passes to their intended destination. This will be a Ministry of Interior responsibility in Italian Government territory, and an Allied Military Government responsibility elsewhere.

19. Military Travel Authorisation (to travel outside Italy).

Applications for Military Travel Authorisations will be dealt with in accordance with the instruction contained in Executive Memorandum No.61.

14. Check Posts.

(a) In Allied Military Government Territory.

In the Army Zone and in territory outside that Zone administered by Allied Military Government, every effort will be made to enforce the above restrictions by means of a widespread system of "snap" check posts, which will be established for a few hours daily at irregular times and at varying points. The responsibility for arranging such checks will rest with the Military Security Authorities.

The object of these check posts will be :-

(i) To turn back those seeking to move outside the prescribed limits without a pass.

(ii) To take action against those who have committed serious and flagrant breaches of the regulations.

(iii) To question or detain for investigation persons whose conduct or "story" is suspicious.

(b) Italian Government Territory.

In the territory administered by the Italian Government a similar system of "snap" check posts will be established. In this instance, however, the object will be limited to :-

(i) Briefly questioning those passing the point with a view to discovering suspicious individuals who should be subject to further interrogation and investigation, and

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

(ii) Instilling a sense of insecurity in the minds of agents or other undesirable individuals so that they may hesitate to move about or even abandon their mission.

(c) Organisation and Composition.

This system of check posts will be organized by Army, Corps, District and Base Section Headquarters and not by Allied Military Government/Allied Commission, both in Military Government and Italian Government territories.

These check posts will normally be manned by appropriate combinations, according to circumstances, of Field Security and Counter Intelligence Corps personnel, Italian Army Intelligence (Security Police), Carabinieri and Guardia di Finanza.

Every effort will be made by Allied Commission officers to ensure the fullest co-operation of the Italian Police in connection with these duties.

15. Amendments.

Any future alterations to these regulations, which are now to be considered as standard, will be issued in the form of amendments to this Memorandum.

Brigadier,
Executive Commissioner.

DISTRIBUTION :

"A" (Plus 42, 43, 46, & 47)
AFHQ, G-2 Section
15 Army Group (GS² (b)).
Military Railway Services, Italy.
Ministry of Interior.

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

These check posts will normally be manned by appropriate combinations, according to circumstances, of Field Security and Counter Intelligence Corps personnel, Italian Army Intelligence (Security Police), Carabinieri and Guardia di Finanza.

Every effort will be made by Allied Commission officers to ensure the fullest co-operation of the Italian Police in connection with these duties.

15. Amendments.

Any future alterations to these regulations, which are now to be considered as standard, will be issued in the form of amendments to this Memorandum.

Brigadier,
Executive Commissioner.

DISTRIBUTION :

"A" (Plus 42, 43, 46, & 47)
AFHQ, G-2 Section
15 Army Group (GS+ (b)).
Military Railway Services, Italy.
Ministry of Interior.
Ministry for Foreign Affairs.
Commanding General CC.RR.
Commanding General GG.FF.

RESTRICTED

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

(163)

Executive Memorandum)

Number 77/45)

Dated 30 April, 1945.

APPENDIX "A"

1. With reference to paragraph 3. of Executive Memorandum No.77, details relating to the Rear Army Security Control line and Restricted line and other territorial boundaries mentioned in the memorandum are given below :-

(a) Rear Army Security Control line.

PORTO GORSINI, RAVENNA, FORLI, PONTASSIEVE, PISTOIA, PRATO, PISTOIA, PESCIA, LUCCA, MASSAROSA, VIAREGGIO.

(b) Restricted line

Northern Boundaries of Provinces of VITERBO, RIETI, AND TERAMO.

(c) Territory under the jurisdiction of AAI (5th Army, 8th Army and IV Corps).

	5th Army	8th Army	IV Corps
Provinces of	FIORENZO PISTOIA LUCCA		

(d) Territory under the jurisdiction of AAI (Allied Commission)

	TOSCANA	UMBRIA-MARCHE	EMILIA
Provinces of	LIVORNO PISA AREZZO SIENA GROSSETO	PESARO ANCONA MACERATA ASCOLI PERUGIA UMBRIA	FORLI RAVENNA FERRARA

And the Commune of NAPLES (which includes the PORT and city of NAPLES).

80

(a) Territory in Area Italian Government Jurisdiction.

Provinces of SICILY and PROVINCE OF SALERNO SOUTH

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

PORTO CORSINI, RAVENNA, FORLI, RIMINI, FLORENCE, PRATO, PISTOIA, PESCIA, LUCCA, MASSAROSA, VIAREGGIO.

(b) Restricted Line

Northern Boundaries of Provinces of VITERBO, RIETI, and TERAMO.

(c) Territory under the jurisdiction of AFHQ (5th Army, 8th Army and IV Corps).

	5th Army	8th Army	IV Corps
Provinces of	FLORENCE PISTOIA LUCCA		

(d) Territory under the jurisdiction of AFHQ (Regional Commissioners)

	TOSCANA	UMBRIA-MARCHE	EMILIA
Provinces of	LIVORNO PISA AREZZO SIENA GROSSETO	PESARO ANCONA MACERATA ASCOLI PERUGIA RIETI	FORLI RAVENNA FERRARA

All the Province of NAPLES (which includes the PORT and City of NAPLES).

(e) Territory under Italian Government jurisdiction.

The islands of SICILY and SARDINIA, and all Territory SOUTH of the northern boundaries of the provinces of VITERBO, RIETI and TERAMO with the exception of Province of NAPLES (which includes the Port and City of NAPLES).

80

2. Amendments to this Appendix will be circulated as and when changes are made in these boundaries.

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

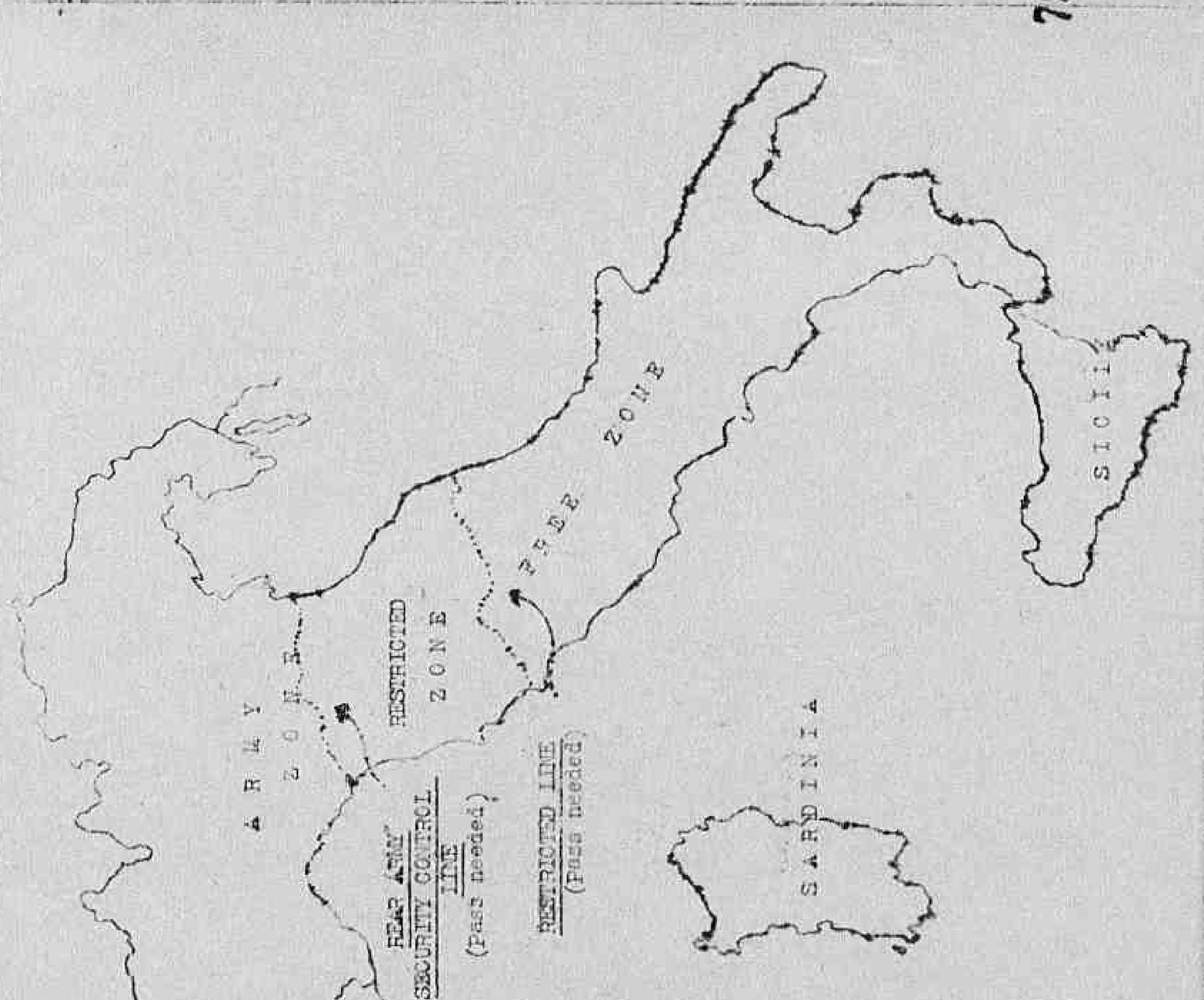
11233

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

162

APPENDIX "2"

Executive Report (Item)
Number 77
Dated 30 April, 1945.





79

N.B. Passes are required for movement between Elba, Sicily, Sardinia and the mainland.

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

Executive Communique No 2

(161)

HEADQUARTERS ALLIED COMMISSION
APO 394

33.

Ref: P.22.91.08

19th April, 1944

EXECUTIVE MEMORANDUM)
NUMBER 35/1944) (Revised)

APR 23 Recd

Original sent to Bd on 4

POSTAL SERVICES

Executive Memorandum No. 35 of 1st March, 1944 is hereby cancelled and the following is substituted therefor.

1. In order that Postal Services introduced in Allied Military Government (A.M.G.) territory shall be on a uniform basis, the following instructions will be observed.

2. All postal services are normally suspended when areas are liberated and correspondence in course of post must be held at the disposal of Censorship.

3. Post Office Provincial Directors will be instructed to "freeze" and record all postage stamps and other "carte valori" on hand at Post Offices. In particular postage stamps of the Republican Government will not be sold. A "Guide to the restoration of Postal Services", which contains instructions to Provincial Directors as to the work necessary prior to such restoration, is issued by the Communications Sub-Commission.

4. Post Office Financial Services.
It is usually necessary to restore certain of these services on a local or provincial basis prior to the re-introduction of postal deliveries. Relative instructions are contained in Executive Memorandum No. 35 and the Guide referred to in para. 3 above.

5. Prisoner of War Correspondence and International Red Cross Messages.
When Post Offices have been opened for Financial Services, Provincial Commissioners may authorise mail from Italian Prisoners of War and International Red Cross Committee messages received through A.M.G. channels to be distributed to Post Offices in the province for delivery to "callers". A house to house delivery by postmen of such correspondence is not usually permitted for reasons of security at this stage. Correspondence addressed to Prisoners of War and International Red Cross Committee [illegible]

78

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

1. In order that Postal Services introduced in Allied Military Government (A.M.G.) territory shall be on a uniform basis, the following instructions will be observed.

2. All postal services are normally suspended when areas are liberated and correspondence in course of post must be held at the disposal of Censorship.

3. Post Office Provincial Directors will be instructed to "freeze" and recall all postage stamps and other "carte valori" on hand at Post Offices. In particular postage stamps of the Republican Government will not be sold. A "Guide to the restoration of Postal Services", which contains instructions to Provincial Directors as to the work necessary prior to such restoration, is issued by the Communications Sub-Commission.

4. Post Office Financial Services.
It is usually necessary to restore certain of these services on a local or provincial basis prior to the re-introduction of postal deliveries. Relative instructions are contained in Executive Memorandum No. 6 and the Guide referred to in para. 3 above.

5. Prisoner of War Correspondence and International Red Cross Messages.
When Post Offices have been opened for Financial Services, Provincial Commissioners may authorise mail from Italian Prisoners of War and International Red Cross Committees. Messages received through A.M.G. channels to be distributed to Post Offices in the Province for delivery to "callers". House to house delivery by postmen of such correspondence is not usually permitted for reasons of Security at this stage. Correspondence addressed to Prisoners of War and International Red Cross Committee. Messages posted at Post Offices in the Province should be made up in packets or bags containing only such items and addressed to the Allied Censor Control Officer at the Provincial Capital. The bags or packets may be conveyed to the Provincial Capital by the same means as are used for the conveyance of documents relating to the Financial Services. If there is no Allied Censor Control Officer at the Provincial Capital the Communications Sub-Commission should be consulted as to the appropriate address for these P.W. despatches.

6. Local Services.
Except in the case of the largest towns it is rarely worth while introducing a local postal delivery service, prior to the restoration of ordinary postal services. If such a service is proposed and the agreement of the Security and Censorship authorities has been obtained it should normally be confined to a collection and delivery of postcards within the Provincial

78

(Ans Offrs)

Copy on: 9757/EC.

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

Capital and possibly other large towns in the Province. Notices should be printed and exhibited in advance of the opening date. The rate of postage for a service of this kind is the current rate for local delivery in force in Italian Government territory and should be verified at the time.

7. Exceptional Post-card service to largest cities.
In order to satisfy the natural desire for news of relatives and to remove excuses for the large amount of illicit travel and conveyance of communications which often follows the liberation of a large city, agreement in principle has been obtained to a 25 word postcard service with the rest of Liberated Italy (where postal services are in operation) being opened in the following places as soon as possible after their liberation:-
Bologna, Genoa, Milan, Turin, Verona, Venice.
15 Army Group will advise the Allied Commission and Army concerned when such services can commence. The Postal Officer of the Region concerned will visit the city as early as possible to make the technical arrangements relating to the service.

8. Restoration of Postal Service with other Provinces.
The restoration of ordinary postal communications between the Province concerned and other parts of Italy where postal services are in operation requires the approval of 15 Army Group which must be sought through Communications Sub-Commission.

9. International Posts.
No steps will be taken locally in connection with the introduction of foreign posts. All arrangements will be made and the relative instructions issued by AC. HQ. Normally the Foreign mail service is resumed at the same time as ordinary postal communication with the Italian system is restored.

10. Transport Contracts.
If, in connection with the introduction of internal mail, it is necessary to fix new contracts with private firms for the conveyance of mails, such contracts should only be placed after full discussion with the Provincial Directorate and should be on short-term basis (say three months), with Post Office option to cancel or renew.

11. Assistance.
In any case of doubt or uncertainty on Postal matters, the question should be referred to the Communications Sub-Commission which will render all assistance possible, and if desired, will lend a postal officer for consultation.

12. Delivery Agencies.
Prior to the war certain classes of correspondence could be

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

[illegible] Group will advise the Allied Commission and Army concerned when such services can commence. The Postal Officer of the Region concerned will visit the city as early as possible to make the technical arrangements relating to the service.

8. Restoration of Postal Service with other Provinces.
The restoration of ordinary postal communications between the Provinces concerned and other parts of Italy where postal services are in operation requires the approval of 15 Army Group which must be sought through Communications Sub-Commission.

9. International Posts.
No steps will be taken locally in connection with the introduction of foreign posts. All arrangements will be made and the relative instructions issued by AC. HQ. Normally the Foreign mail service is resumed at the same time as ordinary postal communication with the Italian system is restored.

10. Transport Contracts.
If, in connection with the introduction of internal mail, it is necessary to fix new contracts with private firms for the conveyance of mails, such contracts should only be placed after full discussion with the Provincial Directorate and should be on short-term basis (say three months), with Post Office option to cancel or renew.

11. Assistance.
In any case of doubt or uncertainty on Postal matters, the question should be referred to the Communications Sub-Commission which will render all assistance possible, and if desired, will lend a postal officer for consultation.

12. Delivery Agencies.
Prior to the war certain classes of correspondence could be delivered by authorised agencies other than the State Postal Monopoly, upon payment of appropriate fees. For censorship and security reasons steps must be taken to prevent the operation of such agencies for the collection and delivery of correspondence. They may, however, be permitted to act independently of the Post Office, as agents for publishers, and deliver daily newspapers and the like.

NORMAN E.FISKE
Colonel,
A/Executive Commissioner

DISTRIBUTION "A"

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

1239

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

33 Executive Communications 60

HEADQUARTERS ALLIED COMMISSION
APO 394

Ref: 106/5/EST - 138/EST.

17 March 1945.

MAR 20 1945

EXECUTIVE MEMORANDUM
NUMBER 1

AMENDMENT No.1.

Executive Memorandum No.1, HQ Allied Commission, 12 February 1945, is amended by adding thereto the following:

"7. Wherever, in the preceding paragraphs, reference is made to the travel of nationals of countries not receiving lend-lease, whose travel is sponsored and for whom travel orders are issued by AC, such reference will be interpreted to include the travel of nationals of countries receiving lend-lease, whose travel is sponsored and for whom travel orders are issued by AC, when such nationals are directly employed by AC, and are paid from AFA funds at the rates laid down for locally employed Italian civilians, and when the travel performed is in the interest of AC, rather than of the nation of which the traveller is a citizen."

Brigadier,
Executive Commissioner.

Distribution "A",
Plus 150 copies for Finance Sub-Commission.

77

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

33 Executive Correspondence

159

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

Ref. 547/39/EC

7 March 1945
MAR 11 1945

EXECUTIVE MEMORANDUM)
:
NUMBER 4)

ALLIED MILITARY RELATIONS WITH SAN MARINO

1. The Allied Commission's responsibility for maintaining liaison with the Republic of San Marino is vested in the Regional Commissioner, Emilia Region. Accordingly, the Region has designated a Resident Political Liaison Officer at San Marino. This officer is the only accredited representative and agent of the Allied Commission with the Government of San Marino.

2. It is directed that all AC/AMG personnel having official business with the Republic of San Marino conduct such affairs through the Resident Political Liaison Officer.

For the Chief Commissioner:

L.S. LUSH,
Brigadier,
Executive Commissioner.

DISTRIBUTION:
"A"

76

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

158

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

Ref: 34/19/EC

9 March 1945.

EXECUTIVE MEMORANDUM)
: Amendment No.1
NUMBER 60/1944)

DESCRIPTIONS OF ITALIAN TERRITORY

Executive Memorandum No.60 dated 19 May 1944 is amended as follows:

Insert sub-para 1 (d):

"d) Both (a) and (b) together - Liberated Italy."

Brigadier, G.S.
A/Executive Commissioner.

DISTRIBUTION:

'A'

75

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

33 8 1 157

HEADQUARTERS ALLIED COMMISSION
APO 394

Ref: IPW/46/2

13 March 1945

EXECUTIVE MEMORANDUM)
NUMBER 3)

MAR 17 1945

REPATRIATION OF ITALIAN NATIONALS TO ITALY.

1. This Memorandum sets out the classes into which Italian Nationals held as Prisoners of War and Internees are divided, and the procedure which must be followed in making application for their repatriation.

2. There are two main classes:

(a) Italian Prisoners of War i.e. members of the Italian Forces in Allied hands and Italian Merchant Seamen who have been interned by any of the Allied nations.
(b) Civilians and groups of civilians living or interned outside Italy.

ITALIAN PRISONERS OF WAR AND MERCHANT SEAMEN.

3. WAR MATERIALS DISPOSAL AND ITALIAN PRISONERS OF WAR SUB COMMISSION is responsible for the handling of all questions concerning the repatriation of Italian Prisoners of War and Italian Merchant Seamen.

4. The following are the categories in which Prisoners of War or Merchant Seamen may be repatriated.

(a) Entitled Repatriates.

Sick, wounded, those who are 60 years of age or over, those who are over 50 years of age and have been two years in captivity. These Prisoners of War are now being repatriated automatically as shipping becomes available and will be demobilized on arrival in Italy.

(b) Compassionate cases.

Cases where Prisoners of War are required to take care of a family who have no other means of support, the conditions similar to those under which an Allied soldier would be posted home. Such cases are comparable to those of men of military age exempted from service, and will be demobilized on arrival in Italy.

(c) Priority workers.

2. There are two main classes:

(a) Italian Prisoners of War i.e. members of the Italian Forces in Allied hands and Italian Merchant Seamen who have been interned by any of the Allied nations.
(b) Civilians and groups of civilians living or interned outside Italy.

ITALIAN PRIS NERS OF WAR AND MERCHANT SEAMEN.

3. WAR MATERIALS DISPOSAL AND ITALIAN PRISONERS OF WAR SUB COMMISSION is responsible for the handling of all questions concerning the repatriation of Italian Prisoners of War and Italian Merchant Seamen.

4. The following are the categories in which Pris ners of War or Merchant Seamen may be repatriated.

(a) Entitled Repatriates.

Sick, wounded, those who are 60 years of age or over, those who are over 50 years of age and have been two years in captivity. These Prisoners of War are now being repatriated automatically as shipping becomes available and will be demobilized on arrival in Italy.

(b) Compassionate cases.

Cases where Prisoners of War are required to take care of a family who have no other means of support, on conditions similar to those under which an Allied soldier would be posted home. Such cases are comparable to those of men of military age exempted from service, and will be demobilized on arrival in Italy.

(c) Priority workers.

Workers who are required by a U.S. or British agency or by an Italian Government agency for important work as a direct contribution to the Allied War Effort. Such cases are comparable to those of men of military age exempted from service as key workers, and will be demobilized on arrival in Italy.

(d) Effective Members of the Italian Armed Forces.

Prisoners of War who are required for active service with the Italian Armed Forces. Approval must first be obtained from the Service Sub-Commission concerned.

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

PROCEDURE TO BE FOLLOWED IN DEALING WITH ITALIAN PRISONERS OF WAR AND MERCHANT SEAMEN.

5. All applications and enquiries regarding repatriation within classes 4 (a) and (b) will be forwarded direct to the Italian High Commissioner for Prisoners of War, Corso Vittorio Emanuele 110, Rome.

6. Requests will only be submitted under 4 (c) when responsibility is accepted by the Director of the Sub-Commission, Regional Commissioner or the Italian Government agency, submitting the case that the Prisoner of War concerned will fill and is qualified to fill the appointment for which he has been requested. Requests under 4 (c) made by an Italian Government agency will in the first place be submitted to the Italian High Commissioner for Prisoners of War.

7. All requests for repatriation under 4 (d) will be initiated by the service Ministry concerned to the appropriate service Sub-Commission. The requests will give full particulars of the personnel required and their proposed employment in the Armed Forces. After approval by the service Sub-Commission concerned the requests will be returned to the service Ministry for submission to the Italian High Commissioner for Prisoners of War. Prisoners of War will not be absorbed into the Armed Forces in ITALY by any other means.

8. The Italian High Commissioner for Prisoners of War will check and collate all applications and requests made to him and will forward them to War Materials Disposal and Italian Prisoners of War Sub-Commission which will, if it approves, make formal application to higher authority.

9. In all cases under the above conditions repatriated Italian Prisoners of War of military age will only be demobilized or released from service for other duties provided the service Ministry concerned does not require their retention in the Armed Forces.

CIVILIANS LIVING OR INTERNED OUTSIDE ITALY.

10. The DISPLACED PERSONS AND REPATRIATION SUB-COMMISSION will be responsible for the handling of all applications for the repatriation of civilians and groups of civilians living or interned outside ITALY.

11. The following are the conditions on which applications may be made for repatriation of civilians to ITALY.

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

under 4 (c) made by an Italian Government agency will in the first place be submitted to the Italian High Commissioner for Prisoners of War.

7. All requests for repatriation under 4 (d) will be initiated by the service Ministry concerned to the appropriate service Sub-Commission. The requests will give full particulars of the personnel required and their proposed employment in the Armed Forces. After approval by the service Sub-Commission concerned the requests will be returned to the service Ministry for submission to the Italian High Commissioner for Prisoners of War. Prisoners of War will not be absorbed into the Armed Forces in ITALY by any other means.

8. The Italian High Commissioner for Prisoners of War will check and collate all applications and requests made to him and will forward them to War Materials Disposal and Italian Prisoners of War Sub-Commission which will, if it approves, make formal application to higher authority.

9. In all cases under the above conditions repatriated Italian Prisoners of War of military age will only be demobilized or released from service for other duties provided the service Ministry concerned does not require their retention in the Armed Forces.

CIVILIANS LIVING OR INTERNED OUTSIDE ITALY.

10. The DISPLACED PERSONS AND REPATRIATION SUB-COMMISSION will be responsible for the handling of all applications for the repatriation of civilians and groups of civilians living or interned outside ITALY.

11. The following are the conditions on which applications may be made for repatriation of civilians to ITALY.

(a) Compassionate cases.

Cases where civilians are required to return to ITALY to take care of a family who have no other means of support. All cases on compassionate grounds will however be considered on their merits.

(b) Priority workers.

Cases where civilians are necessary to the war effort and will be a direct contribution thereto.

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

156

12. All requests from Sub-Commissions or Regional Commissioners for repatriation of civilians or groups of civilians under para 11 (a) and (b) will be forwarded direct to DISPLACED PERSONS AND REPATRIATION SUB-COMMISSION who will be responsible for screening all applications and approving them prior to forwarding them to higher authority. Directors of Sub-Commissions and Regional Commissioners will be responsible for insuring that the applications they submit are warranted by the circumstances and facts put before them. In applications under 11 (b) the civilian for whom the application is made must be qualified to hold the appointment for which he is asked and will fill the appointment after repatriation.

M.S.LUSH,
Brigadier,
Executive Commissioner.

Distribution:

List A - Groups I & II.

72

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

M.S.LUSH,
Brigadier,
Executive Commissioner.

Distribution:

List A - Groups I & II.

72

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

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

33

155

PCK

15 L 0/A

HEADQUARTERS ALLIED COMMISSION
APO 394

Ref. LS/13.03

26 February 1945

EXECUTIVE MEMORANDUM)
)
NUMBER 2)

FEB 25 1945

HANDLING OF IMPORTED SUPPLIES BY ISTITUTO NAZIONALE PER IL COMMERCIO ESTERO (ICE)

1. The Italian Government has announced its intention of appointing by decree (at present in process of issuance) the Istituto Nazionale per il Commercio Estero, known as ICE, to receive, handle and account for all imported supplies with the exception of foodstuffs, medical supplies, coal and POL, and agricultural supplies normally warehoused and distributed by the Federazione dei Consorzi Agrari or its agents.

154-A

2. The procedure for the handling of these imports (hereinafter called miscellaneous supplies) through ICE is set out in the attached Appendix "A", but the general principles to be observed by all Sub-Commissions may be summarized as follows:

3. Sub-Commissions should agree their distribution program with the relative Italian Ministries at the time the goods are requisitioned. When notification is received that the goods are expected, the Italian Ministry concerned and not the AC Sub-Commission or Regional Division should give the necessary disposal instructions to ICE.

4. ICE will be responsible for checking the goods off the ship (except in ports where for military reasons they are excluded, in which cases they will have to take delivery from AC/AMG warehouses). ICE will deliver the goods according to the instructions to be given to them by the interested Italian Ministry, will fix the sale price (in conjunction with the Ministry) and will collect the sale proceeds from the customer. They will account to the Ministry of the Treasury for such proceeds and will submit to the Chief Accountant AC such receiving reports and other accounts as may be required by him.

71

5. Apart from future imports of miscellaneous supplies to be received by ICE direct from shipside there are already quantities of goods of the category covered by this Executive Memorandum in AC/AMG warehouses. These will be distributed by ICE in the same way as goods to be received by ship. The procedure (as set

appointing by decree (at present in process of issuance) the Istituto Nazionale per il Commercio Estero, known as ICE, to receive, handle and account for all imported supplies with the exception of foodstuffs, medical supplies, coal and POL, and agricultural supplies normally warehoused and distributed by the Federazione dei Consorzi Agrari or its agents.

2. The procedure for the handling of these imports (hereinafter called miscellaneous supplies) through ICE is set out in the attached Appendix "A", but the general principles to be observed by all Sub-Commissions may be summarized as follows:

3. Sub-Commissions should agree their distribution program with the relative Italian Ministries at the time the goods are requisitioned. When notification is received that the goods are expected, the Italian Ministry concerned and not the AC Sub-Commission or Regional Division should give the necessary disposal instructions to ICE.

4. ICE will be responsible for checking the goods off the ship (except in ports where for military reasons they are excluded, in which cases they will have to take delivery from AC/AMG warehouses). ICE will deliver the goods according to the instructions to be given to them by the interested Italian Ministry, will fix the sale price (in conjunction with the Ministry) and will collect the sale proceeds from the customer. They will account to the Ministry of the Treasury for such proceeds and will submit to the Chief Accountant AC such receiving reports and other accounts as may be required by him.

5. Apart from future imports of miscellaneous supplies to be received by ICE direct from shipside there are already quantities of goods of the category covered by this Executive Memorandum in AC/AMG warehouses. These will be distributed by ICE in the same way as goods to be received by sea. The procedure (as set out in Appendix "A") will of necessity differ slightly, but the main principles will remain the same and disposal instructions should be given to ICE by the interested Italian Ministry.

6. In the early stages of ICE's operations it is appreciated that emergencies may arise whereby delivery of imported supplies covered by this Executive Memorandum may sometimes require to be made by AC/AMG themselves either from shipside or warehouse instead of by ICE. In such cases ICE will be responsible for billing the customer and collecting the proceeds of sale, although delivery was made by AC/AMG. In order that ICE may be in a position to do this, the Sub-Commission making the delivery must notify them. The procedure for doing this is laid down in the attached Appendix "A".

/2. . . . . .

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

152

7. As explained in Appendix "A" notification to ICE and to Italian Ministries of expected arrival of supplies and authority to ICE to accept same from shipside or AC/AMG warehouse will always be given by the relative Section or Sub-Commission on the same standard form, specimen of which is attached as Appendix "B".

8. The procedure as set out in this Executive Memorandum and attached Appendices will come into force at once. Insofar as Appendix "A" mentions particular AC officers now serving in the South, it will have to be adapted when withdrawal from the South takes place. It is intended to print a supply of the form shown as Appendix "B"; until this is done, Sub-Commissions and other Divisions concerned should use typewritten forms drawn up to contain the same information.

M.S. LUSH,
Brigadier,
Executive Commissioner.

DISTRIBUTION
List "A" - Group 1 & 2.
A.F.H.Q., G-5 Section (30 copies)
Chief accountant (20 extra copies)

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

164A

APPENDIX "A"

PROCEDURE FOR NOTIFICATION OF EXPECTED ARRIVAL BY SHIPS OF SUPPLIES TO BE DISTRIBUTED BY ICL AND DISPOSAL INSTRUCTIONS.

1. Supply and Resources Division of Economic Section will, as at present, notify the requisitioning Sub-Commission that the requisition has been approved by AFHQ.

2. The requisitioning Sub-Commission will inform the Italian Ministry concerned that the requisition has been approved by AFHQ, giving details of the commodities ordered and will agree with the Ministry plans for the subsequent disposition and use of the requisitioned commodity.

3. Supply and Resources Division receive notification from Washington that the requisition has been accepted and a shipping number allotted. They will on receipt of this notification inform the Sub-Commission concerned who will in turn inform the interested Italian Ministry.

4. It is hoped that arrangements can be made with Washington and London to notify AC when the requisitioned commodities are called forward for shipment. If this proves possible the Sub-Commissions and Ministries concerned will be duly notified. Until and unless such arrangements are made the next information as to the progress of the requisition will be when the list of scheduled arrivals for the next ten day maintenance period is received from AFHQ. On the basis of this document Supply and Resources Division will notify the interested parties as set out below; in many cases however a copy of the ocean manifest is received by the Supply and Resources Division and in such cases the notification to the interested parties will be based on the manifest and will carry reference to the requisition numbers. Where no manifest is received it will not be possible to include reference to the requisition number in the notification to interested parties.

5. All authorizations for release of miscellaneous supplies will be made by a "Notification Note" Form F/S/50 (Appendix "B"). On receipt of the scheduled arrivals or the ocean manifest, the Supply and Resources Division will prepare a Notification Note in sextuplicate. The original will be forwarded to ICL as notification to prepare for reception of the goods (see para 7); the duplicate and triplicate will be forwarded to the interested Sub-Commission; the quadruplicate will be sent direct to the Transportation Sub-Commission (Port and Warehouse Division); the quintuplicate will be sent to the Chief Accountant, and the sextuplicate will be retained by the Supply

70

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

tion and use of the requisitioned commodity.

3. Supply and Resources Division receive notification from Washington that the requisition has been accepted and a shipping number allotted. They will on receipt of this notification inform the Sub-Commission concerned who will in turn inform the interested Italian Ministry.

4. It is hoped that arrangements can be made with Washington and London to notify AC when the requisitioned commodities are called forward for shipment. If this proves possible the Sub-Commissions and Ministries concerned will be duly notified. Until and unless such arrangements are made the next information as to the progress of the requisition will be when the list of scheduled arrivals for the next ten day maintenance period is received from AFHQ. On the basis of this document Supply and Resources Division will notify the interested parties as set out below; in many cases however a copy of the ocean manifest is received by the Supply and Resources Division and in such cases the notification to the interested parties will be based on the manifest and will carry reference to the requisition numbers. Where no manifest is received it will not be possible to include reference to the requisition number in the notification to interested parties.

5. All authorizations for release of miscellaneous supplies will be made by a "Notification Note" Form F/F/60 (Appendix "B"). On receipt of the scheduled arrivals or the ocean manifest, the Supply and Resources Division will prepare a Notification Note in sextuplicate. The original will be forwarded to ICE as notification to prepare for reception of the goods (see para 7); the duplicate and triplicate will be forwarded to the interested Sub-Commission, the quadruplicate will be sent direct to the Transportation Sub-Commission (Port and Warehouse Division), the quintuplicate will be sent to the Chief Accountant, and the sextuplicate will be retained by the Supply and Resources Division. Supply and Resources Division will be responsible for notifying ICE of the approximate landed cost either on the Notification Note or later.

6. The Sub-Commission handling such supplies will transmit the duplicate copy to the Italian Ministry requesting them to give the necessary final disposal instructions to ICE. In early stages of the hand over to ICE and in emergency cases where the time element makes the above procedure impracticable it may be necessary for AC and not Italian Government to give the disposal instructions to ICE, this is dealt with in para 19 below.

/2. . . . . .

Declassified E.O. 12356 Section 3.3/NND No. 785011

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

their liaison officer in the expected port of arrival. ICE will notify officer will keep in close contact with the port liaison officer of the Transportation Sub-Commission and shall make the necessary arrangements for warehousing should this be necessary.

9. Shipping or ack of Movements Division, Transportation Sub-Commission will inform ICE of arrivals &c diversions of all vessels carrying civilian supplies. ICE will pass this information to the Ministries and sub-commissions interested and will obtain final disposal instructions in the light of this information.

10. Regional and provincial officers will give every assistance to the ICE agencies including placing at their disposal facilities for letter and telegraphic communication literally and with ICE Head Office in Rome through Hq AC.

RECEIPT AND ACKNOWLEDGEMENT OF IMPORTED GOODS

11. Under authority from AFHQ ICE representatives have the necessary authority to enter port offices &c to obtain the information as to off-loading programme necessary to them. ICE will on receipt of this information arrange for their representatives to check the cargo off the ship for the purpose of same in conformity with the instructions issued by the interested Italian Ministry. Should such instructions not have been received, ICE will arrange for warehousing through the local Port and Warehousing Division or such Italian agency as may be operating the warehouse at the port.

12. ICE will submit to the Port Liaison Officer or Zone Supply Officer a Receiving Report in a specified form. The Port Liaison Officer or Zone Supply Officer will be responsible for forwarding this Receiving Report to the Regional Supply Accountant. This Receiving Report and the whole accounting procedure is dealt with in separate instructions.

13. The Chief Accountant will transmit to Supply and Resources Division a monthly schedule of Receiving Reports received from ICE.

/3. . . . . .

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

(15A)

14. ICE will submit to the Supply and Resources Division a statement as at the end of each month showing the quantities of each type of merchandise warehoused by them pending receipt of disposal instructions; the Supply and Resources Division will in turn notify the interested Sub-Commissions.

15. ICE may take delivery from AC/AMG warehouses (a) of goods which were already in the warehouses prior to their taking over the receipt and distribution of imports, (b) where for any reason ICE representatives are not allowed in the dock area to check the goods, as may be the case in certain ports in military areas; in such cases delivery must be taken by ICE ex AC/AMG warehouses, and (c) in any cases where for exceptional circumstances imports have been received by AC/AMG.

16. In the case of goods warehoused in the circumstances described in the preceding paragraphs it will be necessary for AC/AMG to authorise the warehouse to release the goods to ICE. It will be the responsibility of the interested Sub-Commissions or Regional Division to do this by means of the same Notification Note as for imports, made out in sextuplicate (Form F/F/60 Appendix "B"). The original copy will be given to ICE as authority to take delivery; the duplicate will be sent to the interested Italian Ministry for disposal instructions; the triplicate will be retained by the issuing Sub-Commission or Regional Division; the quadruplicate will be sent to the Transportation Sub-Commission (Port and Warehouse Division); the quintuplicate to the Chief Accountant, and the sextuplicate to the Supply and Resources Division who will see that the landed cost is communicated to ICE.

17. Upon presentation of the Notification Note, and on receipt of the goods, ICE will give a receiving report to the warehouse in the usual form and as provided for in the accounting instructions.

EMERGENCY DELIVERIES BY AC/AMG DIRECT TO CUSTOMERS FROM SHIP SIDE

18. In early stages of the handing over to ICE and in emergency cases it may happen that goods are received from ship side by AC/AMG officers and despatched direct to the customer by AC/AMG means instead of being handled by ICE. In such cases the responsibility for agreeing the price with, and collecting the 69
hire proceeds of the sale from, the customer will remain with ICE although they have not actually made delivery themselves. In order that ICE may be in a position to do this they will require notification of the delivery and the AC/AMG officer or Regional

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

circumstances imports have been released by AC/AMG.

16. In the case of goods warehoused in the circumstances described in the preceding paragraphs it will be necessary for AC/AMG to authorise the warehouse to release the goods to ICE. It will be the responsibility of the interested Sub-Commissions or Regional Division to do this by means of the same Notification Note as for imports, made out in sextuplicate (Form Z/F/60 Appendix "E"). The original copy will be given to ICE as authority to take delivery; the duplicate will be sent to the interested Italian Ministry for disposal instructions, the triplicate will be retained by the issuing Sub-Commission or Regional Division, the quadruplicate will be sent to the Transportation Sub-Commission (Port and Warehouse Division), the quintuplicate to the Chief Accountant, and the sextuplicate to the Supply and Resources Division who will see that the landed cost is communicated to ICE.

17. Upon presentation of the Notification Note, and on receipt of the goods, ICE will give a receiving report to the warehouse in the usual form and as provided for in the accounting instructions.

EMERGENCY DELIVERIES BY AC/AMG DIRECT TO CUSTOMERS FROM SHIP SIDE

18. In early stages of the handing over to ICE and in emergency cases it may happen that goods are received from ship side by AC/AMG officers and despatched direct to the customer by AC/AMG means instead of being handled by ICE. In such cases the responsibility for agreeing the price with, and collecting the lire proceeds of the sale from, the customer will remain with ICE although they have not actually made delivery themselves. In order that ICE may be in a position to do this they will require notification of the delivery and the AC/AMG officer or Regional Division responsible therefor will:

(a) Make out the usual form of Notification Note as provided in para 15 as though they were instructing ICE to make delivery from AC/AMG warehouse; they will, however, endorse the Notification Note with a statement that delivery has already been made to the consignee as stated thereon and that it is submitted for information only. Distribution of the Notification Note will be the same as in normal circumstances (see para 15).

69

/4. . . . . .

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

(b) Obtain a receiving report from the consignee in quintuplicate to be distributed as provided in the accounting instructions. The receiving report must state clearly the name of the ship on which the goods arrived, the number of cases with the markings of each case and the nature of the goods.

(c) Obtain from the Port Liaison Officer a copy of the ocean manifest relating to the cargo and send this to the Chief Accountant attached to the copy Notification Note and Receiving Report.

(d) Notify Supply and Resources Division of the delivery with a request that they notify ICL of the landed costs.

DELIVERIES BY AC/AMC DIRECT TO CUSTOMER FROM WAREHOUSE

19. Starting immediately, ICL will be responsible for collecting the proceeds of sales in respect of all deliveries to be made in future from AC/AMC warehouses direct to customers even though, as may occur in the early stages of the handover, delivery is made by AC/AMC and not by ICL. In these cases procedure will be the same as for similar direct deliveries from ship side as set out in the preceding paragraph, except that the receiving report will quote the warehouse from which delivery was made instead of the name of the ship, and no copy of the ocean manifest will be obtained.

CHANNELS OF COMMUNICATION

20. In case of necessity ICL will communicate direct with the Sub-Commission which has requisitioned the imported goods, as notified to them by Supply and Resources Division (See para 5), or, on matters of warehousing and transport, with Port and Warehouse Division of the Transportation Sub-Commission. On general matters they will communicate with Supply and Resources Division and on accounting matters with the Chief accountant's department.

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

(153)

APPENDIX "B"

Form F/F/60

ALLIED COMMISSION

NOTIFICATION NOTE

Ref.....

No.....

FROM.....
(Name of AC/AMG issuing note)

Date.....

TO: Istituto Nazionale per il Commercio Estero
Ministry of.....
Sub-Commission.....
Transportation Sub-Commission.....
Chief Accountant, AC
Other (Specify).....

1. This note constitutes the authority for Istituto Nazionale per il Commercio Estero (ICE) to take delivery of undermentioned goods which

(a) are expected to arrive at the port of.....
during the period..... to.....; or

(b) are available in the warehouse situated at.....

(NOTE: Strike out whichever not applicable)

2. Delivery will be made against Receiving Report to be handed by ICE to Port Liaison Officer or Zone Supply Officer in the case of (a), and to the Warehouse in the case of (b).

Requisition Number	Commodity	Trade Unit (Specify)	Approx. Landed Cost per Unit	Number of Cases, Boxes, etc. in lot	Weight	Identification Markings

3. The above goods were requisitioned by.....

4. For the purpose of clearing

68

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

Chief Accountant, AC
Other (Specify).....

1. This note constitutes the authority for Istituto Nazionale per il Commercio Estero (ICE) to take delivery of undermentioned goods which

(a) are expected to arrive at the port of.....
during the period..... to.....; or

(b) are available in the warehouse situated at.....

(NOTE: Strike out whichever not applicable)

2. Delivery will be made against Receiving Report to be handed by ICE to Port Liaison Officer or Zone Supply Officer in the case of (a), and to the warehouse in the case of (b).

Requisition Number	Commodity	Trade Unit (Specify)	Approx. Landed Cost per Unit	Number of Cases, Boxes, etc. in lot	Weight	Identification Markings

3. The above goods were requisitioned by.....

4. For the purpose of fixing the sale price the approximate landed cost per unit is quoted above. If the cost is unknown at the time of completing this document the word "later" will be inserted in the appropriate column.

.....
(Name and rank of issuing Officer.)

Special instructions for disposition of supplies:
.....
.....
.....
.....

.....
(Name and title)

68

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

(152)

HEADQUARTERS ALLIED COMMISSION
APO 394

12 February 1945

EXECUTIVE MEMORANDUM)
)
NUMBER 1)

PAYMENT FOR AIR TRAVEL WITH MATS AND ATC OF NATIONALS OF COUNTRIES NOT RECEIVING LEND-LEASE FACILITIES

1. Instructions have been received that in future (a) the transport by MATS or ATC of nationals of countries receiving lend-lease facilities will be charged against lend-lease account, and (b) the transport of nationals of countries not receiving lend-lease will be paid for in cash.

2. AC is not concerned with the accounting for the transport referred to in 1 (a) above, which will be handled by the U.S. transport agencies concerned.

3. With regard to 1 (b), the individuals to be transported fall under two categories, (a) individuals whose travel orders are not obtained by AC, and (b) individuals whose travel is sponsored and travel orders issued by AC, (e. g. Italians travelling on AC business, or nationals of countries not receiving lend-lease transported by Displaced Persons and Repatriation Sub-Commission).

4. AC is not concerned with the procedure for the transport referred to in 3 (a), as payment of the transport charges will be made by the agency sponsoring the travel.

5. With regard to 3 (b), namely nationals of countries not receiving lend-lease whose travel is sponsored and whose travel orders are made out by AC, the payment of the transport charges will be made by AC. The procedure will be as follows:-

(a) Establishment Section, Regional Executive Officer or other Office or Officer responsible for issuing the travel order will give the individual for whom the ticket is required an extra copy of the orders. The Establishments Section, Regional Executive Officer etc.will ascertain the price of the ticket and indorse it on the extra copy of the travel orders.

67

(b) The traveller will present this extra copy of the travel orders

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

by MATS or ATC of nationals of countries receiving lend-lease facilities will be charged against lend-lease account, and (b) the transport of nationals of countries not receiving lend-lease will be paid for in cash.

2. AC is not concerned with the accounting for the transport referred to in 1 (a) above, which will be handled by the U.S. transport agencies concerned.

3. With regard to 1 (b), the individuals to be transported fall under two categories, (a) individuals whose travel orders are not obtained by AC, and (b) individuals whose travel is sponsored and travel orders issued by AC, (e. g. Italians travelling on AC business, or nationals of countries not receiving lend-lease transported by Displaced Persons and Repatriation Sub-Commission).

4. AC is not concerned with the procedure for the transport referred to in 3 (a), as payment of the transport charges will be made by the agency sponsoring the travel.

5. With regard to 3 (b), namely nationals of countries not receiving lend-lease whose travel is sponsored and whose travel orders are made out by AC, the payment of the transport charges will be made by AC. The procedure will be as follows:-

(a) Establishment Section, Regional Executive Officer or other Office or Officer responsible for issuing the travel order will give the individual for whom the ticket is required an extra copy of the orders. The Establishments Section, Regional Executive Officer etc.will ascertain the price of the ticket and indorse it on the extra copy of the travel orders.

67

(b) The traveller will present this extra copy of the travel orders to the Headquarters Commandant or Regional Headquarters Sub-Accountant. The latter will pay over the price of the ticket as shown on the copy of the travel orders, which he will retain as a supporting document to his cash book.

(c) The Sub-Accountant issuing the funds will charge the payment to "Air transport paid for nationals of countries not receiving lend-lease".

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

6. For purposes of reference the countries receiving lend-lease are:

Argentina	Australia
Belgium	Bolivia
Brazil	Canada
Chile	China
Colombia	Costa Rica
Cuba	Czechoslovakia
Dominican Republic	Ecuador
Egypt	El Salvador
Ethiopia	France
Greece	Guatemala
Haiti	Honduras
Iceland	India
Iran	Iraq
Liberia	Mexico
Netherlands	New Zealand
Nicaragua	Norway
Panama	Paraguay
Peru	Poland
Saudi Arabia	South Africa
Turkey	United Kingdom
U.S.S.R.	Uruguay
Venezuela	Yugoslavia

Form 7 - see folio 10

Brigadier,
Chief of Staff.

Distribution "A"
Plus 150 copies for Finance Sub-Commission

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

11263

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

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

EXECUTIVE MEMORANDUM)
NUMBER 67 (REVISED))

33

April 45

APR - 7 1945

TREATMENT OF ITALIAN OFFICIALS ENCOUNTERED IN ADVANCE NORTHWARDS.

1 This revised Executive Memorandum to 67 is issued in the light of experience gained in the working of the original Memorandum to 67 of 3 July 1944, which is hereby cancelled. The policy and the principle of operation remain the same.

2 Our object is to remove from territory, immediately on liberation, all leading fascists from important posts, especially those collaborationists put in office by the Republican Fascist Government. This Memorandum is intended as a guide for such an initial purge.

It will be followed by a more detailed purge under GO 35 and ultimately by the procedure under Dir. 152 and leading Decrees and therefore this Directive is not concerned with minor posts or minor fascist officials; they can be dealt with later. The Allies must create a sound impression by quickly removing the leading fascists from the important posts.

3 Many officials will have been placed in office by the Republican Fascist Government; others will have taken the oath of allegiance to the Fascist Government; on the other hand, others will be career officials who have considered it their duty to stick to their posts in the interests of the civil administration: others, again, (it is understood from reliable reports) have remained at their posts at great peril and have refused to take the oath of allegiance. Wholesale dismissals are, therefore, to be avoided as much injustice may be done quite apart from rendering it difficult to carry on the administration.

It is safe to assume that the worst fascists will be removed by CLNs before arrival of the Allies; the remainder of those in office will be dealt with in accordance with this directive.

4 Two lists attached to the original memorandum have been brought up-to-date and set out in a more convenient form.

Appendix 'A' to this Memorandum contains a list of important Italian governmental and ministerial offices which should be cleared of fascist personnel as quickly as possible. Other officials of lower rank who are important and too numerous to be dealt with at this stage should not be considered.

Appendix 'B' contains a list of purely fascist offices and serves as a guide to the type of fascist party members who are particularly obnoxious.

5 These two lists will normally be used together. Thus if it is found that a person who occupied one of the offices in Appendix 'A' and also has had one of the party affiliations contained in Appendix 'B' he should be removed at once.

6 If there is any doubt as to the fascist background of any person holding an office included in Appendix 'A' he may be required to complete a Scheda Personale. The Provincial Commissioner may, if he considers it desirable, consult the Prefect or CLN on any particular case. No attention will be paid to anonymous communications.

7 Persons suspended under this Memorandum, except those mentioned in paragraphs 8 and 9, will be paid on the same basis as persons suspended under Dir. 152. Temporary

66.

Copy n: 2502/EC

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

employees, whether employed on a day-to-day basis or on a fixed term basis, e.g. 6 months, will, however, be dismissed.

8 Lists of persons suspended under this Memorandum, specifying the offices from which they have been removed, will be submitted to HQ AC for attention of the appropriate Sub-Commission or where none is appropriate to the Civil Affairs Section.

9 In addition to the foregoing, all Italian administrative organizations whose continued existence is inconsistent with the sovereign rights of the Italian National Government, or which have been abolished by decree thereof, are deemed no longer to exist: the holders of office in such organizations will probably have fled, but if any such are found reporting to hold any office or to exercise any executive functions in connection therewith they will be removed from office.
Such bodies include:
a) All Ministries and Departments of the Republican Fascist Government;
b) National, Federal, Provincial and Communal organizations of the Fascist party; of the Chamber of Fasci and of Corporations; of Fascist Syndicates and Federations;
c) The Fascist Militia, the National Republican Guard and OVRA;
d) Prefetti, Vice Prefetti and Podestà of Provinces; Consulte of Communes;
e) the Tribunali Speciali, the Tribunali Straordinari Provinciali and the "Fascist" Court of Cassation.

10 Officials (as well as any other persons) regarded as potentially dangerous will in addition to suspension be taken into custody immediately. They may be interned or on the request of the Italian Govt to AC be handed over to the custody of that Government. Whenever a person is interned a report will forthwith be made to HQ AC.

11 It is understood that in carrying out the important duty of ridding the country of fascists nothing herein is intended to prejudice the right of SCAOs and RCs to dismiss and/or intern individuals at their discretion without reference to their present official position or past fascist office.

12 SCAOs and RCs have discretion in most exceptional cases to retain as a purely temporary expedient a fascist in office where the immediate administration of any locality renders this essential and no local replacement can be found. In all such cases the case of the individual should be closely supervised and application should be made at once for a replacement to the appropriate Sub-Commission. In the North, however, it should seldom, if ever, be necessary to exercise this discretion.

N.E. FISKE, Col
Acting Executive Commissioner
for Chief Commissioner

Distribution :
Groups I & II: List A less serials 29/43 & 34/63
Group III : List B plus No 1 & No 2 District (2 copies)

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

APPENDIX "A" TO EX MEMO No 67 (REVISED)

Offices from which persons may be removed on evidence of Fascism in Appx "B"

1 As to Professional Organizations, Statal and Para-Statal Concerns
Presidents, Vice-Presidents, Directors, Managers and Secretaries.

2 As to Local Government
Podesta, Vice Podesta and Chiefs of Cabinet of Provinces;
Mayors of cities and communes.

3 As to the Judiciary
First President, Procurators and Avvocati Generali, Presidents of Sessions, Consiglieri and Giudici Istruttori of the Court of Appeal;
President, Presidente of Session, Procuratore del Regno (della Repubblica) and Giudici Istruttori of the Tribunals;
Prime Pretore of towns of over 40,000 inhabitants.

4 As to Education
Rectors and Professors of Universities;
Provveditori agli Studi and Ispettori of Provinces;
Direttori Didattici and Presidi and Direttori of Schools.

5 As to Public Safety
Ispettori Generali, Questori and Vice-Questori of Provinces;
Commandants of Fire Brigades.

6 As to Finance
Intendenti di Finanza and Ragionieri Capo of Provinces;
Senior Provincial Officers of Banks, Finance and Insurance concerns.

7 As to Transportation and Communications
Directors of Transport and Port Commandants;
Provincial Directors and Inspectors of Postal and Telegraph Services;
Divisional Directors and Engineers of Telegraph and Telephone Services.

8 As to Commerce, Food, Agriculture and Labour
Directors and Secretaries of Consigli Provinciali dell'Economia Corporativa;
Direttori dell'Alimentazione, Directors of Consorzi;
Directors of Social Insurance Agencies, Ispettori del Lavoro.

11266

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

APPENDIX "B" TO EX MEMO I-67 (REVISED)

Evidence of fascism deemed to justify removal from office under Article "A"

1 If a "New Comer" employed, received an appointment after 11 Oct 43.

2 Held a Ministerial or senior Executive grade appointment in the Republican/Fascist Government or any Ministry or Department thereof.

3 Held an office in any National Federal Provincial or Communal Organisation of:
i the Fascist Party;
ii the Chamber of Fasci and Corporations;
iii the Fascist Syndicates and Federations;
iv the Fascist Militia (Except officers of the Militia Contingent, Costiera or Forestale unless they are within some other provision hereof).

4 Held (except as an honorary distinction for some non-political reason) the title of:
Sansepolcrista, Squadrista, Antemarcia, Marcia su Roma, Seniore Littorio.

5 Was during the Fascist regime, a member of:
the Central Government, the Senate, the Chamber of Deputies, the National Council, the Grand Council, the Tribunali Speciali, the Tribunali Straordinari Provinciali.

6 Conducted public advocacy of Fascism whether over the radio, in the press, or otherwise and whether as author, speaker, editor, director, or organiser.

7 Was promoted or promoted or otherwise rewarded for political services by the Republican/Fascist or German Governments.

8 Has taken the oath of allegiance to the fascist republican government.

NOTE :- All expressions referring to any Fascist organisation include the equivalent Republican Fascist organisation.

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

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

Ref : 201/55/EC. 6 April 1945.

EXECUTIVE MEMORANDUM) : Amendment No. 1.
NUMBER 82/1944)

Amended 7/4 JJ.

NOMENCLATURE OF REGIONS.

1. Para 2, Executive Memorandum No. 82 dated 23 September 1944, is amended as follows:

Delete : all existing detail in respect of SICILIA, SARDEGNA, SOUTHERN and LAZIO Regions.

Amend : (1) 'ABRUZZI-MARCHE' to read 'UMBRIA-MARCHE' and Region 'V' to read 'IV and V'.

(2) 'VENEZIA' to read 'VENEZIE'.

2. It has been decided that it is preferable to use the plural form when referring to VENEZIA Region.

[signature]
Colonel,
Acting Executive Commissioner.

DISTRIBUTION:
"A" Plus serials 42-48.

64

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

33

Exec Commissioner

Ex Officio Board
Ex Officio Chairman

See Conclusion of

HEADQUARTERS ALLIED COMMISSION
APO 394

Executive Memorandum No. 30 } Amendment No. 1

23 February 1945

FEB 23 1945

APPOINTMENT OF PREFECTS IN NORTHERN ITALY

1. Under the provisions of Executive Memorandum No. 30, para 1(d) Prefects of Provinces in Military Government Territory are appointed or removed by order of RC, but only with prior approval of Hq AC.

2. Prior consent of AC is not required for Vice Prefects and officials of junior rank in Prefectures. These are appointed by the Prefect with the approval of the PC, who places his "visto" on the Prefect's order of appointment.

3. Para 1(d) of Executive Memorandum No. 30 is hereby amended to authorise RC's EMILIA, LIGURIA, LOMBARDY, PIEDMONT and VENETIA Regions to appoint and remove Prefects Regent without first obtaining the approval of Hq AC.

4. Any such appointment or removal is, however, to be reported as soon as possible to Hq AC with full particulars of the person appointed or the reasons for the removal.

Brigadier
Executive Commissioner

Distribution "A"

63

(Copy to PA to EC)

PA

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

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Chief of Staff

Ref. 4/4B/CA

27 January 1945

SUBJECT: Executive Memorandum No 45.

TO : See Distribution Below.

Executive Memorandum 45 dated 17 Mar 44 is cancelled and pages 90-97 inclusive of the handbook "Instructions for the Guidance of Officers of the Commission" will be noted accordingly.

Brigadier,
Chief of Staff.

Distribution "A"

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

33 Chief of Staff

HEADQUARTERS ALLIED COMMISSION
APO 394

23 January 1945

JAN 24 1945

EXECUTIVE MEMORANDUM)
NUMBER 83 (Revised))

C U S T O M S D U T I E S

1. General

Executive Memorandum number 83 dated 24 November 1944, is hereby cancelled and the following instructions are substituted therefor.

2. Objects of Directive

The objects are to restore the Customs, Guardia di Finanza and Capitaneria di Porto (Harbour-Master) controls at ports already handed back to the Italian Government and at other ports to the extent to which the Naval and Military authorities will permit it locally; to facilitate the prevention of smuggling and theft of cargoes; to prepare for the resumption of commercial traffic; to ensure uniformity of procedure and, so far as possible, to relieve AC/AMG Officers of any work which the appropriate Italian officials are qualified and able to perform without prejudice to security.

3. Control

(A) Control of Ports and Ships

(1) The Capitaneria di Porto will exercise his normal control of ports, except those controlled by Allied Naval or Military authorities. At ports handed back to the Italian Government where there is an Italian Navy Port Officer in charge, he will function under the supervision of that officer.

The Capitaneria di Porto will also exercise his normal control of ships except:

(a) Ships of war
(b) Ships owned or chartered by the Allies, and
(c) Ships controlled and/or operated by the Mediterranean Shipping Board (MEDSO), including ships under the War Shipping Administration (WSA), Ministry of War Transport (MWT) and Principal Sea Transport Officer (PSTO).

61

(2) Harbour and port dues, maritime dues, and similar charges applicable to the ship and its personnel, will be levied forthwith, except on the ships excluded from control by sub-paragraphs 1(a), 1(b) and 1(c) above.

The objects are to restore the Customs, Guardia di Finanza and Capitaneria di Porto (Harbour-Master) controls at ports already handed back to the Italian Government and at other ports to the extent to which the Naval and Military authorities will permit it locally; to facilitate the prevention of smuggling and theft of cargoes; to prepare for the resumption of commercial traffic; to ensure uniformity of procedure and, so far as possible, to relieve AC/AMG officers of any work which the appropriate Italian officials are qualified and able to perform without prejudice to security.

3. Control

(A) Control of Ports and Ships

(1) The Capitaneria di Porto will exercise his normal control of ports, except those controlled by Allied Naval or Military authorities. At ports handed back to the Italian Government where there is an Italian Navy Port Officer in charge, he will function under the supervision of that officer.

The Capitaneria di Porto will also exercise his normal control of ships except:

(a) Ships of war
(b) Ships owned or chartered by the Allies, and
(c) Ships controlled and/or operated by the Mediterranean Shipping Board (MEDSB), including ships under the War Shipping Administration (WSA), Ministry of War Transport (MWT) and Principal Sea Transport Officer (PSTO).

(2) Harbour and port dues, maritime dues, and similar charges applicable to the ship and its personnel, will be levied forthwith, except on the ships excluded from control by sub-paragraphs 1(a), 1(b) and 1(c) above.

61

(B) Control of Cargoes

(1) The Customs are responsible, inter alia, for the assessment and collection of import and export duties, licence and certain other fees and the collection of harbour, etc., dues (Harbour dues are assessed by the Capitaneria di Porto). The Guardia di Finanza are responsible for the revenue control of vessels and their cargoes, and for the revenue protection of the sea-coast and land boundaries.

(2) Cargoes on all ships and coast-wise vessels except the ships excluded from control by sub-paragraphs A(1)(a), (b) and (c) above, will be subject to Customs control unless an Allied officer certifies that the ship contains cargo which, for security reasons, must not be so controlled.

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

(3) Customs officers and Guardia di Finanza will be allowed to control such cargoes at the ship's side, whenever this can be permitted without prejudice to security. Otherwise they will be allowed to bring cargoes under their control at the earliest practicable stage thereafter, e.g. at dock exits or warehouses.

(C) Action by AC/AMG Officers

(1) Regional Finance Officers will consult the Naval and Military port authorities at ports not yet handed over to the Italian Government with a view to obtaining their co-operation and authority for the admission of Customs and BGF officials to port areas. It should be stressed that these officials are regarded as of high integrity and that, as they are expert in the detection and prevention of smuggling and pilfering their functioning in port areas would check the prevalent theft of Allied goods and property.

(2) If these authorities refuse to permit the Customs and Guardia di Finanza to operate within any restricted area, arrangements should be made for the revenue control of the perimeter of the area for the purpose of detecting and preventing smuggling and theft by civilians.

Duties on Goods Imported

(A) No duties, taxes, imposts or fees of any kind are chargeable on goods imported for the use of the Allied Forces; Allied Nationals employed by them and Allied Forces' welfare organisations or on goods imported under Allied auspices for distribution free of charge for civilian relief purposes and not for sale. Officers dealing with the latter should give a written certificate to the Customs that the goods are for free distribution for civilian relief.

(B) (1) The Italian Government have agreed to exempt temporarily from all Customs duties, charges and licence fees, all goods imported by the Allied Nations for commercial or civilian use except alcohol; tobacco; mechanical lighters and lighter flints; cigarette papers and tubes; matches and petroleum.

(2) Tobacco, mechanical lighters and lighter flints, cigarette papers and tubes must be handed over to the State Monopoly Administration for distribution.

Matches must be handed over to the sole authorised distributors, the Consorzio Industri. Fiammiferi (CIF).

Petroleum distribution for non-military use is the responsibility of the Comitato Italiano Petroli (CIP).

For all these goods special arrangements exist whereby the duty is collected by the State Monopoly, C.I.F. and C.I.P. respectively.

Alcohol must not be released for civilian or commercial use unless

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

these officials are regarded as of high integrity and that, as they are expert in the detection and prevention of smuggling and pilfering their functioning in port areas would check the prevalent theft of Allied goods and property.

(2) If these authorities refuse to permit the Customs and Guardia di Finanza to operate within any restricted area, arrangements should be made for the revenue control of the perimeter of the area for the purpose of detecting and preventing smuggling and theft by civilians.

Duties on Goods Imported

(A) No duties, taxes, imposts or fees of any kind are chargeable on goods imported for the use of the Allied Forces; Allied Nationals employed by them and Allied Forces' welfare organizations or on goods imported under Allied auspices for distribution free of charge for civilian relief purposes and not for sale. Officers dealing with the latter should give a written certificate to the Customs that the goods are for free distribution for civilian relief.

(B) (1) The Italian Government have agreed to exempt temporarily from all Customs duties, charges and licence fees, all goods imported by the Allied Nations for commercial or civilian use except alcohol; tobacco; mechanical lighters and lighter flints; cigarette papers and tubes; matches and petroleum.

(2) Tobacco, mechanical lighters and lighter flints, cigarette papers and tubes must be handed over to the State Monopoly Administration for distribution.

Matches must be handed over to the sole authorised distributors, the Consorzio Industriale Fiammiferi (CIF).

Petroleum distribution for non-military use is the responsibility of the Comitato Italiano Petroli (CIP).

For all these goods special arrangements exist whereby the duty is collected by the State Monopoly, C.I.F. and C.I.P. respectively.

Alcohol must not be released for civilian or commercial use unless all the import duties have been paid.

It is emphasised that the directions in this sub-paragraph relate to goods imported for commercial or civilian use. The same procedure, however, should be applied to similar goods imported for the use of the Allied Forces should they be diverted to commercial or civilian use.

(C) Imported goods not covered by the exemptions in paras 4(A) and 4(B) continue to be subject to all the duties, taxes, imposts, fees and rights prescribed by the existing Italian laws, which must be paid at the time and in the manner prescribed therein.

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

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

5. Liaison with Customs Officers

Close liaison will be maintained by E. & S.D. Officers with the Senior Customs Official at each port. The Minister of Finance has agreed that the services of the Customs and Guardia di Finanza may be used, whenever required by AC/AMG, on checking, tallying and guard duties. E. & S.D. Officers will therefore avail themselves of the services of these trained personnel for such work whenever practicable.

6. Duties on Goods Exported

The Statutory export duties and licence fees will be charged on all goods exported except on goods certified in writing by the Allied Officer responsible for shipment as being shipped, under Allied auspices, to Allied Government Departments.

7. Reports

Finance Officers will request the Customs Inspector in charge of the Compartment to furnish a brief monthly statement on the progress of Customs work for attachment to the Regional Finance Officers monthly report to this Headquarters. The Inspector should be asked to refer in his statement to any matters of doubt or difficulty which may have arisen in the previous month.

Brigadier,
Chief of Staff.

Distribution "A"
Plus 300 copies for Finance Sub-Commission.

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

(144)

HEADQUARTERS ALLIED COMMISSION
(E) 2A
CIVIL AFFAIRS SECTION

AC/A(A)12/3/ts

28 December, 1944.

SUBJECT : Military Travel Authorizations.

TO : (See Distribution below).

(Cancellation noted on Original)

27 Vol I

(143)

1. Exec. Memo 61 dated 29 May 1944 is hereby cancelled and the Exec. Memo 61 dated 28 December 1944 enclosed herewith is substituted therefore.

2. Supplies of the application form referred to are being forwarded to Regional Commissioners under separate cover. Further supplies may be obtained on application to the Public Safety Sub-Commission.

For the Chief Commissioner :

C.S. ROBINSON, Brig.
A/VP, CA Sec.
A/CCS, AC.

Distribution :

"A"
A/HQ C-2 (CI) Section
A.I CSA (E).

59

(143)

HEADQUARTERS ALLIED COMMISSION
Office of the Chief of Staff
APO 394

Executive Memorandum Number 61. } Cancelling Executive Memorandum No.61 dated 25 May 44. 15 December, 1944.

MILITARY TRAVEL AUTHORISATIONS.

1. Every person desirous of leaving Italy must before he can do so, unless he is an excepted person (see appendix A on back hereof), obtain a Military Travel Authorisation (MTA).

2. No MTA shall be issued unless the journey to which it relates is of direct benefit to the Allied War Effort.

3. MTAs will be completed and forwarded whenever there is a prima facie case even if it is considered probable that permission will not be granted.

4. MTAs, except in the cases of persons mentioned in para 7 below, will be completed in the presence of an Officer and submitted in duplicate, they will be typewritten (but if a typewriter is not available, forms completed in block capitals will be accepted); two full face and two profile photographs must be attached to the form in accordance with the directions thereon.

5. The officer will satisfy himself that the form is correctly completed, that the applicant is in fact the person named, and that the alleged reason for the journey is true. He will enter in the remarks column any relevant information available locally, and for a journey to a country which requires a visa he will state whether or not the applicant has obtained a visa. He will add his own comments or recommendation as may be appropriate.

6. He will then obtain the endorsement of PSS/CIC and on return of the form will countersign it, append his office stamp and transmit the form to HQ Allied (for attention Public Safety Sub-Commission).

7. In the following cases the application forms will be prepared and forwarded as stated, instead of As above

(a) Italian Diplomatic and Consular Officers and Italian members of special economic or political Missions : by the Italian Foreign Office to PSL Sec.
(b) Members of the Italian Armed Forces : by the Ministry concerned to the appropriate Independent Sub-Commission.
(c) In the case of Refugees and Repatriates the form will be prepared and dealt with by the Displaced Persons and Repatriation Sub-Commission.

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

Authorisation (MTA).

2. No MTA shall be issued unless the journey to which it relates is of direct benefit to the Allied War Effort.

3. MTAs will be completed and forwarded whenever there is a prima facie case even if it is considered probable that permission will not be granted.

4. MTAs, except in the cases of persons mentioned in para 7 below, will be completed in the presence of an Officer and submitted in duplicate, they will be typewritten (but if a typewriter is not available, forms completed in block capitals will be accepted); two full face and two profile photographs must be attached to the form in accordance with the directions thereon.

5. The Officer will satisfy himself that the form is correctly completed, that the applicant is in fact the person named, and that the alleged reason for the journey is true. He will enter in the remarks column any relevant information available locally, and for a journey to a country which requires a visa he will state whether or not the applicant has obtained a visa. He will add his own comments or recommendation as may be appropriate.

6. He will then obtain the countersignature of PSS/CIC and on return of the form will countersign it, append his office stamp and transmit the form to HQ Alcom (for attention Public Safety Sub-Commission).

7. In the following cases the application forms will be prepared and forwarded as stated, instead of as above

(a) Italian Diplomatic and Consular Officers and Italian members of special economic or political Missions : by the Italian Foreign Office to POL Sec.
(b) Members of the Italian Armed Forces : by the Ministry concerned to the appropriate Independent Sub-Commission.
(c) In the case of Refugees and Repatriates the form will be prepared and dealt with by the Displaced Persons and Repatriation Sub-Commission.

MS(0.2

58 Brigadier
Chief of Staff.

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

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

Exec Memo No. 61

Appendix A.

The following do not require MTAs.

1. Allied Service personnel on duty
except Jugoslav nationals not proceeding to Jugoslavia.

2. Accredited Diplomatic and Consular officials.
except (a) Italian nationals.
(b) Jugoslavs not proceeding to Jugoslavia.

3. Br/US civilians employed by and travelling on duty for the following Government agencies :

(a) UNRRA
(b) Office of War Information
(c) Psychological Warfare Branch
(d) War Shipping Administration
(e) Ministry of War Transport
(f) Combined Raymonds Administration
(g) Foreign Economic Administration

(h) Any of the Service Ministries in the United Kingdom or United States providing they are in possession of MSC identity cards, e.g. technicians in possession of MSC cards, who are assigned to this theater.

4. Br/US Civilians employed by and travelling on duty for
RC SRC WSA. UNRA USO ENS. FAMI

5. War correspondents accredited to FHQ.

6. Merchant Seamen serving in Allied or Allied operated merchant ships.

7. Merchant Seamen, other than Italians, leaving Italy to join ships elsewhere.

8. Persons already in possession of Inter-Allied Leisure Passes (issued in French North Africa or in Italy)
Joint Chiefs of Staff Permits (issued in Washington), or Allied Force Permit (issued in London), provided that these documents are not endorsed "for single journey only" (unless for single journey to Italy, France or Corsica).

(Authority AFHQ letter AG 371/2/Gi5 GEN C of 6 Nov.44).

33 M Chiefs of Staff (142) FAB 16/12

HEADQUARTERS ALLIED COMMISSION
APO 394

13 December 1944

EXECUTIVE MEMORANDUM)
NUMBER 34)

15 DEC 1944

APPLICATIONS FOR ELECTRICITY, ROME

1. Applications for electric current, exemptions from the electricity rationing scheme, or additional current, are constantly being received at this HQ from applicants in Rome. Rome Electricity Committee also receive numerous similar applications, some of which claim to be in connection with work for the Allies, and which have to be referred back to the appropriate Sub-Commission of AC for vetting, etc. Difficulty is also experienced in rating the applications as to their relative priority grading.

2. There is no doubt that more applications are received in this HQ in consequence of its location in Rome than would otherwise be the case.

3. In future, the only applications which will be considered by sections and Sub-Commissions of this HQ will be those from:

(a) Government Departments
(b) Central Administration Services

which are located in Rome and on which Sections or Sub-Commissions of AC will be the best informed to judge the merits of the application.

4. All such applications will be forwarded with recommendations to the Public Works & Utilities Sub-Commission for grading as to priority and onward transmission to the Rome Electricity Committee.

5. All other applications will be referred to the Lazio-Umbria Region HQ for action. 57

6. These instructions do not affect any existing arrangements in cases of applications for electricity outside Rome City.

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

1. Applications for electric current, exemptions from the electricity rationing scheme, or additional current, are constantly being received at this HQ from applicants in Rome. Rome Electricity Committee also receive numerous similar applications, some of which claim to be in connection with work for the Allies, and which have to be referred back to the appropriate Sub-Commission of AC for vetting, etc. Difficulty is also experienced in rating the applications as to their relative priority grading.

2. There is no doubt that more applications are received in this HQ in consequence of its location in Rome than would otherwise be the case.

3. In future, the only applications which will be considered by sections and Sub-Commissions of this HQ will be those from:

(a) Government Departments
(b) Central Administration Services

which are located in Rome and on which Sections or Sub-Commissions of AC will be the best informed to judge the merits of the application.

4. All such applications will be forwarded with recommendations to the Public Works & Utilities Sub-Commission for grading as to priority and onward transmission to the Rome Electricity Committee.

5. All other applications will be referred to the Lazio-Umbria Region HQ for action. 57

6. These instructions do not affect any existing arrangements in cases of applications for electricity outside Rome City.

H.S. Tod

Brigadier
Chief of Staff

Distribution: List C
plus
Lazio-Umbria Region

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

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

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Chief of Staff

REF: 520/91/OCS. 14 December 1944

EXECUTIVE MEMORANDUM)
: Amendment No. 1
NUMBER 76)

ISLAND OF ELBA

In the first line delete ' 20 September 1944' and substitute ' 20 December 1944 '.

Brigadier,
Chief of Staff.

DISTRIBUTION :

Group I - List 'C'
Group II- List 'A'

11282

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

(138)

6

Folio 138 - Novel Yugoslavia
re Executive S 9
transferred to file 311/608

55

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

33 Chief of Staff

HEADQUARTERS ALLIED COMMISSION
APO 394

13062/F

3 December 1944

EXECUTIVE MEMORANDUM)
NUMBER 83) Amendment No. 1

C U S T O M S D U T I E S

Delete all detail existing para 1 and substitute:

"1. General

Section 4 "Customs" of Executive Memorandum No. 10 (Revised) dated 4 Sept. 1944 is hereby cancelled and the following instructions are substituted therefor."

Brigadier,
Chief of Staff.

Distribution "A".
Plus 200 copies for Finance Sub-Commission.

amendment noted

P/A cwb 6/12

54

11284

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

To EOS 136 - re 33/136/EOS. 1/12

" 1364 Draft of amendment to Executive 36

53

Transferred to file 34/EOS 15/12 81

33 Chief of Staff (135)

HEADQUARTERS ALLIED COMMISSION
APO 394

#13062/F.

24 November 1944

30 NOV Recd

EXECUTIVE MEMORANDUM)
NUMBER 83)

C U S T O M S D U T I E S

1. General

Section 5 "Customs" of Executive Memorandum No. 10 dated 12 February, 1944 is hereby cancelled and the following instructions are substituted therefor.

2. Object of Directive

The object is to ensure the immediate resumption of Customs, Guardia di Finanza and Capitaneria di Porto control for the levying of duties, etc., and the prevention of smuggling and the theft of cargoes.

3. Control

(A) Control of Ports and Ships

(1) The Capitaneria di Porto will exercise full control of ports, except those controlled by Naval or Military Authorities, and of ships, and coast-wise vessels, other than ships of war, which expression includes:-

(a) Ships owned by Allies or under their charter, (demise, bare-boat, time or voyage charter) and
(b) Ships controlled and/or operated by the Mediterranean Shipping Board (MSDB), including ships of the War Shipping Administration and Ministry of War Transport.

(2) Harbour and port dues, maritime dues and similar charges applicable to the ship and its personnel, will be levied forthwith, except on Allied ships of war as defined at (1) above.

(B) Control of Cargoes

(1) The customs are responsible, inter alia, for the assessment and collection of import and export duties and licence fees and the collection of harbour, etc., dues (as assessed by the Capitaneria di Porto, a separate body). The Guardia di Finanza are responsible for

52

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

Section 5 "Customs" of Executive Memorandum No. 10 dated 12 February, 1944 is hereby cancelled and the following instructions are substituted therefor.

2. Object of Directive

The object is to ensure the immediate resumption of Customs, Guardia di Finanza and Capitaneria di Porto control for the levying of duties, etc., and the prevention of smuggling and the theft of cargoes.

3. Control

(A) Control of Ports and Ships

(1) The Capitaneria di Porto will exercise full control of ports, except those controlled by Naval or Military Authorities, and of ships, and coast-wise vessels, other than ships of war, which expression includes;-

(a) Ships owned by Allies or under their charter, (demise, bare-boat, time or voyage charter) and
(b) Ships controlled and/or operated by the Mediterranean Shipping Board (MEDSB), including ships of the War Shipping Administration and Ministry of War Transport.

(2) Harbour and port dues, maritime dues and similar charges applicable to the ship and its personnel, will be levied forthwith, except on Allied ships of war as defined at (1) above.

(B) Control of Cargoes

(1) The customs are responsible, inter alia, for the assessment and collection of import and export duties and licence fees and the collection of harbour, etc., dues (as assessed by the Capitaneria di Porto, a separate body). The Guardia di Finanza are responsible for the revenue control of vessels and their cargoes, and for the revenue protection of the sea-coast and land boundaries. It is essential that they should resume all their functions forthwith

(2) Cargoes on all ships, including coast-wise vessels, but excluding ships of war, will be subject to Customs control unless an Allied Naval or Military Officer certifies that the ship contains cargo which, for security reasons, must not be so subject.

(3) Customs Officers and Guardia di Finanza will be allowed to control such cargoes at the ship's side, whenever this can be permitted without prejudice to security. Otherwise they will be allowed to bring cargoes under their control at the earliest practicable stage thereafter, e.g. at dock exits or warehouses, and permitted the fullest freedom of action in the control of commercial traffic and smuggling, consistent with Military security.

/2.....

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

(C) Action by AC/AMG Officers

(1) To enable these controls to be carried out, Regional Finance Officers will consult the Naval and Military port authorities at every port with a view to obtaining their co-operation and authority for admission of Customs, etc., officials to port areas. It should be stressed that these officials are regarded as of high integrity and that, as they are expert in the detection and prevention of smuggling and pilfering their functioning in port areas would check the prevalent theft of Allied goods and property.

(2) If these authorities refuse to permit the Customs and Guardia di Finanza to operate within any restricted area, arrangements should be made for the revenue control of the perimeter of the area for the purpose of detecting and preventing smuggling and theft by civilians.

(3) Local AC/AMG Officers will also arrange for the Customs to be advised on or before the arrival of a vessel, of its category and whether it is subject to Customs control.

4. Duties on Goods Imported

(A) No duties, taxes, imposts or fees will, in any event, be charged on goods destined for the use of the Allied Forces, (excluding the Italian Forces) or civilian Allied Nationals employed by them, including all Allied Forces' welfare organizations. Goods certified as imported under Allied auspices for distribution free of charge for civilian relief purposes and not for sale, will be similarly treated.

(B) Further, the Italian Government have agreed to exempt temporarily from all Customs duties, charges and licence fees all goods for which a certificate is given by the responsible Allied Official that they have been imported by the Allied Nations for civilian use. This exemption does not include alcohol, tobacco, mechanical lighters and lighter flints, cigarette papers and tubes released direct into commerce or civilian use without passing through State Monopoly channels. When such goods are about to be released for such purposes, the Customs Officials must be given timely warning so that they may take immediate steps to secure the duties.

(C) Imported goods not covered by the exemptions in paras 4 (A) and 4 (B) remain chargeable to all the Customs duties, charges, and licence fees prescribed by the existing Italian laws, which must be paid at the time and in the manner prescribed therein.

5. Liaison with Customs Officers

(A) Close liaison will be maintained with the Senior Customs Offic[illegible] at each port. The Minister of Finance has agreed that the services [illegible]

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

civilians.

(3) Local AC/AMG Officers will also arrange for the Customs to be advised on or before the arrival of a vessel, of its category and whether it is subject to Customs control.

4. Duties on Goods Imported

(A) No duties, taxes, imposts or fees will, in any event, be charged on goods destined for the use of the Allied Forces, (excluding the Italian Forces) or civilian Allied Nationals employed by them, including all Allied Forces' welfare organizations. Goods certified as imported under Allied auspices for distribution free of charge for civilian relief purposes and not for sale, will be similarly treated.

(B) Further, the Italian Government have agreed to exempt temporarily from all Customs duties, charges and licence fees all goods for which a certificate is given by the responsible Allied Official that they have been imported by the Allied Nations for civilian use. This exemption does not include alcohol, tobacco, mechanical lighters and lighter flints, cigarette papers and tubes released direct into commerce or civilian use without passing through State Monopoly channels. When such goods are about to be released for such purposes, the Customs Officials must be given timely warning so that they may take immediate steps to secure the duties.

(C) Imported goods not covered by the exemptions in paras 4 (A) and 4 (B) remain chargeable to all the Customs duties, charges, and licence fees prescribed by the existing Italian laws, which must be paid at the time and in the manner prescribed therein.

5. Liaison with Customs Officers

(A) Close liaison will be maintained with the Senior Customs Officer at each port. The Minister of Finance has agreed that the services of the Customs and Guardia di Finanza may be used, whenever required by AC/AMG, on checking, tallying and guard duties. E & S D Officers will therefore avail themselves of the services of these trained personnel as a precaution against dockside pilfering and as a check on illicit traffic, which is prevalent.

(B) The import and export certificates referred to in paragraphs 4 and 6 hereto will be given to the customs by the AC/AMG Officer in charge of the cargoes.

6. Duties on Goods Exported

The Statutory export duties and licence fees will be charged on all goods exported except goods certified in writing by the Allied authority responsible for shipment as being shipped, under Allied auspices, to Allied Government Departments.

/3.....

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

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

(134)

7. Special Treatment of Certain Imported Goods

(A) Petroleum

AMG Petroleum Section have fixed duty-inclusive retail prices to be charged by the Comitato Italiano Petroli (CIP), the authorized distributors for commercial sales, who are required to remit the duty to the Customs.

(B) Matches

The Consorzio Industriale Fiammiferi (CIF) are the only authorized distributors of matches for civilian use. The prices have been fixed by this HQ. CIF are responsible for remitting the duty to the Customs.

(C) Coal

It is anticipated that the State Railways will shortly resume their former monopoly of distribution, but only in respect of coal for commercial or civilian use. Should there be any dutiable importations the State Railways will be responsible to the Customs for the duty.

8. Reports

All officers concerned will report to this HQ (Finance Sub-Commission) any matters of doubt or difficulty, any problem of general interest and all instances of serious neglect or inefficiency on the part of any Customs official.

Monthly reports by the Finance Officers should incorporate a concise statement on the progress and the state of Customs work.

9. Commercial Air and Frontier Traffic

These instructions will be applied to commercial air and frontier traffic when they are resumed.

10. In Italian Government territory the aim will be to relieve AC of all work which can properly be undertaken by the Customs and Guardia di Finanza.

Brigadier,
Chief of Staff.

51

Distribution "A"

Plus 200 copies for Finance Sub-Commission.

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

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

Ref/57/124/CA.

EXECUTIVE MEMORANDUM).

NUMBER 82.)

23 Sept 1944

NOMENCLATURE OF REGIONS

1. To render the titles of Regions descriptive of their localities a geographical designation will be adopted forthwith in place of the present numerical one.

2. The following are the new and old titles of Regions:-

Geographic Designation		Formerly
~~SICILIA~~	Region	~~Region I~~
~~CALABRIA~~	"	" V
~~SOMMERIA~~	"	" II, III & VII
~~LAZIO~~	"	~~IV~~,
UMBRIA ~~ABRUZZI-MARCHE~~	"	" V + IV
TOSCANA	"	" VIII
EMILIA	"	" IX
LIGURIA	"	" X
PIEMONTE	"	" XI
LOMBARDIA	"	" XII
VENEZIE	"	

Brigadier,
Executive Commissioner.

DISTRIBUTION

"A" /
Plus serials 42 - 50.

50

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

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

Ref/176/CA

19 September 1944

EXECUTIVE MEMORANDUM)
NUMBER 81)

HONORS, AWARDS AND DECORATIONS

1. Because of the peculiar relationship which exists between the Allied Control Commission and the Italian Government, it is the policy of the Commission that honors, noncombat decorations, orders, medals and emblems which may from time to time be offered by that Government to personnel of the Commission be not accepted until such time as the individual concerned shall have terminated his services with the Commission.

2. Similarly, Municipal and Academic honors shall not be accepted until the individual to whom they are offered has relinquished his post in the Municipality or Province, or is no longer in a position in the Commission where he exercises direct influence upon the municipality or institution concerned.

NORMAN E. FISKE
Colonel
Deputy Executive Commissioner

DISTRIBUTION:

"A"
Plus serials 42 - 50

1292

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

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

22 September 1944.

Ref/AC/12/GA.

SUBJECT: Amalgamation of Internees & Displaced Persons Sub-Commission and Italian Refugee Branch.

TO : Distribution as below.

Executive Memorandum No.80, ref AC/1/GA of 13 September 44, is hereby CANCELLED. A General Order promulgating this amalgamation will be issued shortly.

Brigadier,
Executive Commissioner,
For A/Chief Commissioner.

DISTRIBUTION
"A" plus Serials 42 - 50.

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

129

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.O. & M.G. SECTION
APO 394.

Ref/AD/4/CA.

19 September 1944.

EXECUTIVE MEMORANDUM)
NUMBER 30)

AMALGAMATION OF INTERNEES & DISPLACED PERSONS SUB-COMMISSION & ITALIAN REFUGEE BRANCH

1. W.e.f. 23 September, 1944, the Internees and Displaced Persons Sub-Commission and Italian Refugee Branch will be reorganized and amalgamated and will be known as the Displaced Persons and Repatriation Sub-Commission. The new Sub-Commission will carry out functions and activities previously performed by the above Sub-Commission and Branch, and includes repatriation.

2. Colonel C.B. Findlay, C.B.E., M.C., is appointed Director and will carry out the reorganisation.

Cancelled
see 130

for M.S. LUSH,
Brigadier,
Executive Commissioner.

DISTRIBUTION

" A "

EXECUTIVE MEMORANDUM)
NUMBER 30)

AMALGAMATION OF INTERNEES & DISPLACED PERSONS SUB COMMISSION & ITALIAN REFUGEE BRANCH

1. W.e.f. 23 September, 1944, the Internees and Displaced Persons Sub-Commission and Italian Refugee Branch will be reorganised and amalgamated and will be known as the Displaced Persons and Repatriation Sub-Commission. The new Sub-Commission will carry out functions and activities previously performed by the above Sub-Commission and Branch, and includes repatriation.

2. Colonel C.B. Findlay, C.B.E., M.C., is appointed Director and will carry out the reorganisation.

Cancelled
see 130

fr M.S. LUSH,
Brigadier,
Executive Commissioner.

DISTRIBUTION

"A"

47

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

128

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

Ref/350/53/CA.

12 Sept. 1944.

EXECUTIVE MEMORANDUM)
:
NUMBER 79)

TO: SCAO AMG Fifth Army.
" " Eighth Army.

LOCAL GOVERNMENT.

I. - Appointments to the Office of Prefect in Military Government Territory.

1. When the Senior Civil Affairs Officer proposes to appoint a local man to be a Prefect, Executive Memorandum No.70 states that he will first inform Interior Sub-Commission at this HQ, by telegram if necessary, so that the Sub-Commission can advise as to the proper title to be used.

2. It has been represented that this requirement may cause an undesirable delay in making the appointment.

3. Where for urgent administrative reasons it is desired to make an immediate appointment, Senior Civil Affairs Officers need no longer inform the Interior Sub-Commission before appointing a local man to be Prefect.

4. In such cases they will however:

(a) invariably give their nominee the title of "Prefetto Reggente":

(b) notify Interior Sub-Commission of the appointment as soon as possible after it has been made.

5. The above only applies in Army areas. In Provinces under Regional control the Regional Commissioner will continue to follow the procedure laid down in Executive Memorandum No.70.

II. - Sindaci and Commissari Prefettizi.

6. A Commune in liberated Italy today is governed by a Sindaco (or Mayor) and a Giunta Comunale (or Municipal Executive Committee). There cannot be a Sindaco without a Giunta or a Giunta without a Sindaco. 16

7. Wherever possible, it is hoped that both the Sindaco and the Giunta Comunale

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

I. - Appointments to the Office of Prefect in Military Government Territory.

1. When the Senior Civil Affairs Officer proposes to appoint a local man to be a Prefect, Executive Memorandum No.70 states that he will first inform Interior Sub-Commission at this HQ, by telegram if necessary, so that the Sub-Commission can advise as to the proper title to be used.

2. It has been represented that this requirement may cause an undesirable delay in making the appointment.

3. Where for urgent administrative reasons it is desired to make an immediate appointment, Senior Civil Affairs Officers need no longer inform the Interior Sub-Commission before appointing a local man to be Prefect.

4. In such cases they will however:

(a) invariably give their nominee the title of "Prefetto Reggente":

(b) notify Interior Sub-Commission of the appointment as soon as possible after it has been made.

5. The above only applies in Army areas. In Provinces under Regional control the Regional Commissioner will continue to follow the procedure laid down in Executive Memorandum No.70.

II. - Sindaci and Commissari Prefettizi.

6. A Commune in liberated Italy today is governed by a Sindaco (or Mayor) and a Giunta Comunale (or Municipal Executive Committee). There cannot be a Sindaco without a Giunta or a Giunta without a Sindaco.

7. Wherever possible, it is hoped that both the Sindaco and the Giunta Comunale will be appointed at an early stage. In such case the proper title for the head of the Commune is "Sindaco".

8. Where circumstances do not permit the immediate appointment of a Giunta Comunale it may nevertheless be necessary to appoint at once a new head of the Commune. In such case the head of the Commune may exercise all the municipal powers without the help of a Giunta. The proper title in such case is "Commissario Prefettizio".

9. When at a later stage a Giunta is formed, the title of "Commissario Prefettizio" should be changed to "Sindaco".

10. The title "Commissario Straordinario" will not be used.

11. There is/.....

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

11. There is no need to use any such title as Acting Sindaco. Even when the newly appointed head of the Commune is intended to hold office only for the shortest temporary period he should be called either "Commissario Prefettizio" (if there is no Giunta) or "Sindaco" (if a Giunta is appointed).

12. Once appointed or confirmed in his Office, should the Sindaco be absent or become ill, the Vice-Sindaco acts in his place. This is automatic and requires no appointment or other authorization. If there is no Vice-Sindaco, one should be appointed.

W. A. S. Dollard
Major

for M. S. LUSH,
Brigadier,
Executive Commissioner.

Copy to: Regions VIII, IX, Liguria, Piemonte, XI, XII.
Admin. Section.
Economic Section
HQ AAI.
AFHQ.
} For information.

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

11293

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

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

Ref/57/CA

11 Sept 1944

EXECUTIVE MEMORANDUM)
:
NUMBER 73)

ISLAND OF ELBA

Effective 0001 hours 20 ~~September~~ DECEMBER 1944 the island of ELBA ceases to be administered by HQ ACC and becomes a part of LIVORNO Province, Region VIII.

For

M.S. LUSH,
Brigadier,
Executive Commissioner.

DISTRIBUTION

"C" Plus Group 2 - List "A"

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

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

Ref/516/292/CA.

31 August 1944

SUBJECT : Control of Civilian Movement.

TO : Regional Commissioners,
Regions I, Southern, IV, V, VI, VIII, IX, X, XI, XII.
S.C.A.O's 5th and 8th Army.

1. A complete set of instructions (Executive Memorandum No. 77) dealing with restrictions on civilian movement is forwarded for the guidance of all concerned.

2. As the instructions are lengthy and involved, the following brief sketch may be of assistance in determining the broad outlines of the control, but officers issuing passes must refer to the detailed instructions which alone are authoritativ..

3. Zones and Boundaries.

Three zones and two boundary lines affect civilian travel in Italy:

(i) The Army Zone (north of the Rear Army Control Line)

(ii) Rear Army Control Line.

(iii) The Restricted Zone (between Rear Army Control Line and Restricted Line)

(iv) The Restricted Line.

(v) The Free Zone (South of the Restricted Line)

(See diagram Appendix "A")

The boundary lines are liable to change.

4. A civilian cannot cross either of the boundary lines without a pass. As to movement within the zones, see para 5.

5. Restrictions within the Zones.

(a) Army Zone.

No civilian may travel more than 10 km. or enter or leave the zone without a pass approved by A.M.G. Fifth or Eighth Army. When, however, a province within

1. A complete set of instructions (Executive Memorandum No. 77) dealing with restrictions on civilian movement is forwarded for the guidance of all concerned.

2. As the instructions are lengthy and involved, the following brief sketch may be of assistance in determining the broad outlines of the control, but officers issuing passes must refer to the detailed instructions which alone are authoritativ..

3. Zones and Boundaries.

Three zones and two boundary lines affect civilian travel in Italy:

(i) The Army Zone (north of the Rear Army Control Line)

(ii) Rear Army Control Line.

(iii) The Restricted Zone (between Rear Army Control Line and Restricted Line)

(iv) The Restricted Line.

(v) The Free Zone (South of the Restricted Line)

(See diagram Appendix "A")

The boundary lines are liable to change.

4. A civilian cannot cross either of the boundary lines without a pass. As to movement within the zones, see para 5.

5. Restrictions within the Zones.

(a) Army Zone.

No civilian may travel more than 10 km. or enter or leave the zone without a pass approved by A.M.G. Fifth or Eighth Army. When, however, a province within the Army Zone has been handed over to Regional Control, the competent authority to issue a pass is the Provincial Commissioner of the Province concerned, and not S.C. A.O. 5th or 8th Army.

Requests for passes to enter the Army Zone will not be considered unless the journey is in the direct interest of the war effort.

(b) Restricted Zone.

No civilian may travel from one province to another without a pass issued at the point of departure.

It will be noted that the Restricted Zone is partly under the control of A.M.G. and partly under the control of the Italian Government. The same restrictions apply in both portions of the Zone.

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

(a) Free Zone. Movement is unrestricted except between the islands of Elba, Sardinia, Sicily and the mainland. Passes will be issued at the point of departure. A pass is also required to move from the Free Zone to either the Restricted or Army Zone.

6. Passes.

(a) Passes will be issued sparingly and with due regard for travel facilities available. They will under no circumstances be issued to parties of refugees, except with the prior approval of Refugee Branch, HQ. ACC.

(b) The only pass recognised by the police is the standard yellow "Movement of Civilians" Pass.

7. The whole scheme for controlling civilian movement will be jeopardised unless uniformity is preserved by complying with the detailed instructions issued.

G. W. I. SHIPP

Brigadier,
Executive Commissioner.

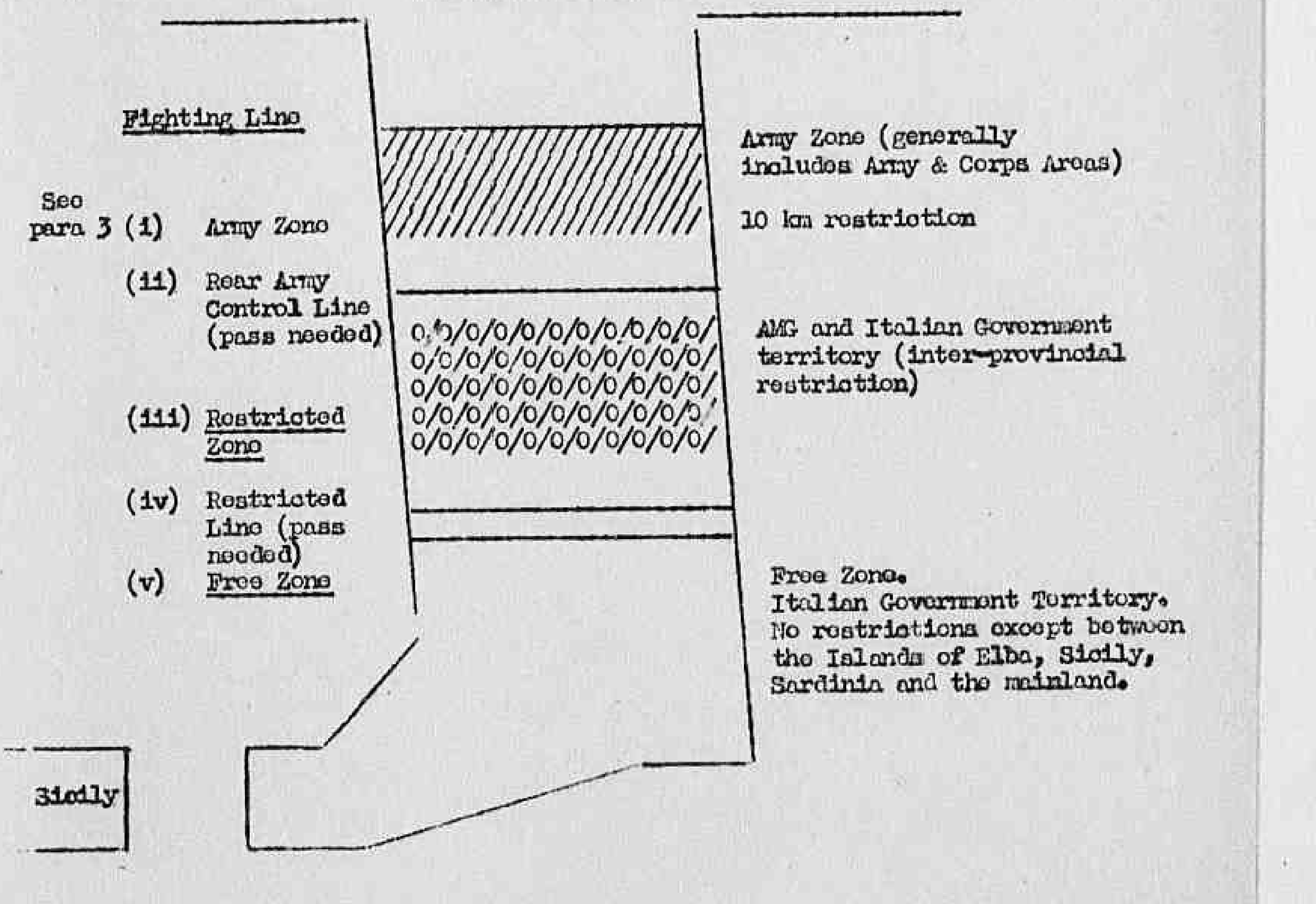
Distribution:

"A" (plus 42,43,46 & 47)
AAI GSI (5)
Admin. Section - for distribution to:
His Excellency, Minister of Interior
Comando Supremo
Commanding General , CC.RR.
" " CC.FF.

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

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

APPENDIX "A"



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

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

Ref/316/290/CA.

31 August 1944.

EXECUTIVE MEMORANDUM)
NUMBER 77)

CONTROL OF CIVILIAN MOVEMENT

1. This directive revises and consolidates the following memoranda, which should be cancelled :

316/76/CA "Control of Civilian Movement" dated 26th April 1944.

316/74/CA "Standard form of civilian pass" dated 26th April 1944.

316/77/CA "Control of Civilian Movement" dated 26th April 1944.

316/84/CA "Control of Movement" dated 4th May 1944.

316/ /CA "Control of Movement" dated 17th July 1944.

316/192/CA "Passes for Italian Government Officials" dated 21st July 1944.

2. Introduction.

In the interests of security it is imperative that a wide and effective system of control of civilian movement be maintained.

Allied Control Commission Officers will make themselves familiar with the following instructions, and will take all necessary measures to ensure that the instructions are scrupulously observed by all concerned. They will accord the military security services all possible assistance at all times.

3. Definitions.

1. This directive revises and consolidates the following memoranda, which should be cancelled :

316/76/CA "Control of Civilian Movement" dated 26th April 1944.

316/74/CA "Standard form of civilian pass" dated 26th April 1944.

316/77/CA "Control of Civilian Movement" dated 26th April 1944.

316/84/CA "Control of Movement" dated 4th May 1944.

316/ /CA "Control of Movement" dated 17th July 1944.

316/192/CA "Passes for Italian Government Officials" dated 21st July 1944.

2. Introduction.

In the interests of security it is imperative that a wide and effective system of control of civilian movement be maintained.

Allied Control Commission Officers will make themselves familiar with the following instructions, and will take all necessary measures to ensure that the instructions are scrupulously observed by all concerned. They will accord the military security services all possible assistance at all times.

3. Definitions. 42

(a) Army Zone means the territory which lies south of the fighting line and north of the Rear Army Control Line.

This territory approximately covers the Army and Corps areas.

(b) Rear Army Control Line means the line dividing the Army Zone from the restricted Zone.

AAI has published posters which will be exhibited on all roads which cross this line. A 24 hour system of control will be [illegible] by the Military Security authorities.

(c) Restricted Zone means the territory which lies south of the Rear Army Control Line and north of the Restricted Line.

(d) Restricted Line means the line dividing the Restricted Zone from the Free Zone.

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

(e) Free Zone means the territory which lies south of the Restricted Line.

N.B. The terms Rear Army Boundary referred to in General Order No.24 and Rear Army Control Line referred to in this instruction will be regarded as synonymous until further notice.

Note: Circulation is free on the islands of Elba, Sicily and Sardinia, but movement between the islands and the mainland is restricted. See para. 6 (c).

4. Details concerning the Rear Army Control Line and the Restricted Line are given in Appendix "A" to this memorandum. Details of these lines must be publicised locally from time to time. This will be an AMG/ACC responsibility.

5. Enforcement Orders.

(a) Army Zone - Proclamation No.1.
(b) Restricted Zone : AMG territory (General Order No.24 (Revised))
(c) Italian Government Territory (part of the Restricted Zone and restriction of movement between Sicily, Sardinia and Mainland). Orders issued by the Prefetti who act under instructions issued by the Minister of the Interior.
(d) Elba - Orders issued by the Prefetto.

6. Restrictions and Issuing Authority for Passes.

(a) Army Zone and Rear Army Control Line

(i) Civilians are forbidden to travel more than 10 kms, or enter or leave the zone, unless in possession of a pass issued by the SCAO Fifth or Eighth Army. When, however, a province within the Army Zone has been handed over to Regional Control, the competent authority to issue a pass is the Provincial Commissioner of the Province concerned, and not SCAO Fifth or Eighth Army.

(ii) Civilians resident outside the zone who wish to cross the control line into the Army Zone will make application for passes to the Questura or AMG/ACC office at the point of departure. Regional Commissioners will refer all such applications direct to the SCAO or Provincial Commissioner concerned within the zone (see preceding sub-paragraph) for his approval.

(iii) Directors of Sub-Commissions and Branches, HQ. ACC, may make application for passes for civilians to enter the Army Zone direct to SCAO Fifth or Eighth Army, or the Provincial Commissioner, concerned.

(iv) Officers dealing with such applications should complete standard passes (provided they are satisfied with the sufficiency of the reasons for such travel, see sub-

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

(b) Restricted Zone : AMG territory
(General Order No.21 (Revised))

(c) Italian Government Territory (part of the Restricted Zone and restriction of movement between Sicily, Sardinia and Mainland). Orders issued by the Prefetti who act under instructions issued by the Minister of the Interior.

(d) Elba - Orders issued by the Prefetto.

6. Restrictions and Issuing Authority for Passes.

(a) Army Zone and Rear Army Control Line

(i) Civilians are forbidden to travel more than 10 kms, or enter or leave the zone, unless in possession of a pass issued by the SCAO Fifth or Eighth Army. When, however, a province within the Army Zone has been handed over to Regional Control, the competent authority to issue a pass is the Provincial Commissioner of the Province concerned, and not SCAO Fifth or Eighth Army.

(ii) Civilians resident outside the zone who wish to cross the control line into the Army Zone will make application for passes to the Questura or AMG/ACC office at the point of departure. Regional Commissioners will refer all such applications direct to the SCAO or Provincial Commissioner concerned within the zone (see preceding sub-paragraph) for his approval.

(iii) Directors of Sub-Commissions and Branches, HQ. ACC, may make application for passes for civilians to enter the Army Zone direct to SCAO Fifth or Eighth Army, or the Provincial Commissioner, concerned.

(iv) Officers dealing with such applications should complete standard passes (provided they are satisfied with the sufficiency of the reasons for such travel, see sub-paragraph (v) below), and forward them together with the applications to the SCAO/PC of the destination for approval, signature and return.

(v) The issue of passes will be strictly limited to those cases where the journey will directly benefit the Allied cause, and applications must not be forwarded to SCAO's Armies or Provincial Commissioners except in such cases.

(vi) Where, in cases of extreme urgency, the procedure outlined in sub-paragraph (a) (ii) would be impracticable owing to the time factor, the passes may be issued at the point of departure providing prior approval is obtained from the SCAO or P.C. concerned by signal or telephone. In all such cases details of the issue of such passes will be forwarded immediately to the SCAO (or Provincial Commissioner) of the area of destination. The back of every such pass issued will bear the following endorsement:

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

" I hereby certify that prior approval for the issue of this pass was obtained from .....on ..... and that a copy of the pass has been forwarded to..... in accordance with Executive Memorandum No.77.

Name .....

Rank ..... "

(vii) When the SCAO Fifth or Eighth Army request the presence of a civilian in the Army and Corps areas, Sub-Commissions dealing with this matter will apply to the Adjutant for travel orders for the person concerned.

(viii) Attention is drawn to AGC letter 309/102/CA of 29 July 1944 as to AGC Officers visiting Army and Corps Areas.

(b) Restricted Zone and Restricted Line.

(i) No civilian may travel from one province to another or cross the restricted line unless in possession of a pass.

(ii) The issue of passes will be limited to persons who show good and sufficient reason why they wish to travel, whether on official matters, business or family grounds.

(iii) In Italian Government territory passes to places South of the Rear Army Control Line will be issued by the Questure at the point of departure. Regional Commissioners will supply Questori with the necessary 'Movement of Civilian' passes for this purpose. Regional Public Safety Officers will ensure that Questori are familiar with these instructions, and that passes are issued only in accordance with them.

(iv) In AMG Territory in the Restricted Zone, Provincial Commissioners may authorise specified approved officers of the Questure and CC,RR to issue passes for travel south of the Rear Army Control Line.

(v) It is emphasized that civilians wishing to cross the Rear Army Control Line must be in possession of passes issued by SCAO/ Provincial Commissioner within the Army Zone.

(c) Restriction of travel between Sicily, Sardinia and the Mainland.

Passes may be issued as under sub-paragraph (b).

(d) Commune of Naples.

Freedom of Movement exists between the Commune of Naples and the surrounding Italian Government territory subject of course to the general instructions contained in this memorandum.

7. Passes

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

(b) Restricted Zone and Restricted Line.

(i) No civilian may travel from one province to another or cross the restricted line unless in possession of a pass.

(ii) The issue of passes will be limited to persons who show good and sufficient reason why they wish to travel, whether on official matters, business or family grounds.

(iii) In Italian Government territory passes to places South of the Rear Army Control Line will be issued by the Questure at the point of departure. Regional Commissioners will supply Questori with the necessary "Movement of Civilian" passes for this purpose. Regional Public Safety Officers will ensure that Questori are familiar with these instructions, and that passes are issued only in accordance with them.

(iv) In AMG Territory in the Restricted Zone, Provincial Commissioners may authorise specified approved officers of the Questure and CC,RR to issue passes for travel south of the Rear Army Control Line.

(v) It is emphasized that civilians wishing to cross the Rear Army Control Line must be in possession of passes issued by SCAO/ Provincial Commissioner within the Army Zone.

(c) Restriction of travel between Sicily, Sardinia and the Mainland.

Passes may be issued as under sub-paragraph (b).

(d) Commune of Naples.

Freedom of Movement exists between the Commune of Naples and the surrounding Italian Government territory subject of course to the general instructions contained in this memorandum. 41

7. Passes.

(a) Form of Pass.

The standard form of civilian pass (yellow with blue duplicate) will be used. No other form will be recognised, with the exception of the authorization mentioned in para.6 below.

(b) Completion of Pass.

It is necessary that uniformity shall be observed in the wording of facilities granted and therefore the following instructions will be strictly observed:

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

(i) Passes will be completed in ink or typewritten - pencil will not be used.

(ii) The identity card number of the bearer will be endorsed on every pass at the time of issue.

(iii) All amounts, weights, sizes, involving the use of figures will be written in words as well as figures.

(iv) The precise nature of the journey must be clearly defined, and the nature and quantity of goods to be carried must be stated.

(v) No pass shall be issued in one province to enable persons to purchase "amassed" foods in another province without the prior approval of the Provincial Authorities concerned.

(vi) Particulars of motor vehicles will not be recorded on the passes unless a motorvehicle circulating permit covering the use of the vehicle has already been issued for the journey in question.

(vii) Permission to travel during hours of curfew will be granted only in exceptional circumstances.

(viii) The limit of availability of the pass shall not exceed the minimum of time necessary to complete the proposed journey and to transact the applicant's business. If unforeseen circumstances render an extension necessary the officer amending the pass will advise the original office of issue of his action. All amendments to, or endorsements upon, passes (e.g. with regard to extension, validity or duration) will be made on the back of the pass, and worded simply and clearly so that no question of ambiguity arises. In the case of the Army areas, however, passes will not be made out for indefinite periods nor for more than one specific journey.

8. Emergency Passes issued by Military.

It has been agreed with AAI that if a responsible Allied Military authority has occasion to employ a civilian on a particular operational or intelligence task requiring the issue of a pass and if it is impracticable, owing to the time factor or other circumstances for the appropriate ACC/AMG pass to be obtained, the military authority concerned may make out a temporary pass for the purpose. There will rarely be occasion for this type of authorization.

9. Issue of Travel Tickets.

Allied Control Commission officers will ensure that transport tickets are not issued by the railway authorities or other travel agencies to places within restricted areas unless the persons applying for tickets are in possession of a proper

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

(vi) Particulars of motor vehicles will not be recorded on the passes unless a motorvehicle circulating permit covering the use of the vehicle has already been issued for the journey in question.

(vii) Permission to travel during hours of curfew will be granted only in exceptional circumstances.

(viii) The limit of availability of the pass shall not exceed the minimum of time necessary to complete the proposed journey and to transact the applicant's business. If unforeseen circumstances render an extension necessary the officer amending the pass will advise the original office of issue of his action. All amendments to, or endorsements upon, passes (e.g. with regard to extension, validity or duration) will be made on the back of the pass, and worded simply and clearly so that no question of ambiguity arises. In the case of the Army areas, however, passes will not be made out for indefinite periods nor for more than one specific journey.

8. Emergency Passes issued by Military.

It has been agreed with AAI that if a responsible Allied Military authority has occasion to employ a civilian on a particular operational or intelligence task requiring the issue of a pass and if it is impracticable, owing to the time factor or other circumstances for the appropriate ACC/AMG pass to be obtained, the military authority concerned may make out a temporary pass for the purpose. There will rarely be occasion for this type of authorization.

9. Issue of Travel Tickets.

Allied Control Commission officers will ensure that transport tickets are not issued by the railway authorities or other travel agencies to places within restricted areas unless the persons applying for tickets are in possession of a proper pass to their intended destination.

10. Italian Government Officials.

(a) Government Officials of the Central Italian Government.

The method of issuing passes to Government officials of the Central Italian Government will be as follows : the official will apply to the corresponding ACC Section, Sub-Commission or Branch for a pass. If approved, Sub-Commissions or Branches of the Administrative, Economic and R.C. & M.G. Sections, will forward the passes in duplicate through their Sections, to the Secretary-General for signature. In the case of the Political Section, Independent Sub-Commissions and Public Relations Branch, passes approved by them will be forwarded direct to the Secretary-General for signature. All passes will be made out in duplicate on the standard yellow and blue forms, and the duplicate will bear the following endorsement, before they reach the Secretary-General :

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

" The facts set forth in the application for this pass have been verified and the provisions of Executive Memorandum No.77 have been fully complied with. "

Name .....

Date ..... Rank .....

(b) Special passes for Ministers of the Central Italian Government.

Passes for Ministers of the Central Italian Government will be prepared by appropriate Sub-Commissions and Branches (in duplicate) and forwarded through their Section to the Secretary-General for signature. Standard ACC yellow and blue passes only will be used, and they will cover movement anywhere south of the Rear Army Control Line. They will be valid for a period of three months, expiring 31 March, 30 June, 30 September and 31 December, and will bear the following endorsements :

" S.....(designation of office) is hereby authorised to proceed to any part of Italy south of the Army Control Line. He should be given every facility and courtesy".

After signature by the Secretary-General the passes will be forwarded by him to HQ. AAI, GSI(b) for counter-signature.

11. Italian Military Personnel.

The movement of members of the Italian Armed Forces is unrestricted provided they are on duty, in possession of proper credentials, and subject to certain regulations which have been laid down by the Allied Military authorities (with which the Italian Military authorities are conversant). The Italian Armed Forces when not on duty, e.g. when on leave, are subject to the same restrictions as civilians.

In the case of Italian Armed Forces moving north of the Rear Army Control Line, the credentials will be countersigned by MMLA, ACC, or MMLA Liaison Officers, General Staff (Br), or G-2 or G-3 Sections (US). The countersignature will be accompanied by the office stamp of the officer countersigning.

Demobilisation papers will be regarded as proper credentials for movement south of the Rear Army Control Line for the original journey home on discharge.

The Italian Supreme Command has instructed Italian Service Commanders that, in the case of Italian Military personnel :

(a) military leave passes to places requiring movement passes will be issued only after the civilian movement pass has been obtained and the two passes can be issued together.

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

expiring 31 March, 30 June, 30 September and 31 December, and will bear the following endorsements :

" S.....(designation of office) is hereby authorised to proceed to any part of Italy south of the Army Control Line. He should be given every facility and courtesy".

After signature by the Secretary-General the passes will be forwarded by him to HQ. AAI, CSI(b) for counter-signature.

11. Italian Military Personnel.

The movement of members of the Italian Armed Forces is unrestricted provided they are on duty, in possession of proper credentials, and subject to certain regulations which have been laid down by the Allied Military authorities (with which the Italian Military authorities are conversant). The Italian Armed Forces when not on duty, e.g. when on leave, are subject to the same restrictions as civilians.

In the case of Italian Armed Forces moving north of the Rear Army Control Line, the credentials will be countersigned by AMLA, ACC, or AMLA Liaison Officers General Staff (Br), or G-2 or G-3 Sections (US). The countersignature will be accompanied by the office stamp of the officer countersigning.

Demobilisation papers will be regarded as proper credentials for movement south of the Rear Army Control Line for the original journey home on discharge.

The Italian Supreme Command has instructed Italian Service Commanders that, in the case of Italian Military personnel :

(a) military leave passes to places requiring movement passes will be issued only after the civilian movement pass has been obtained and the two passes can be issued together.

(b) leave will not be granted to places in the Army Zone.

(c) movement passes will be obtained from the Allied Control Commission or the Questure by the Commanders concerned under arrangements made with local ACC officers.

12. (a) Vatican Officials and the Diplomatic Corps.

Applications for passes from Vatican Officials and the Diplomatic Corps will be dealt by the Liaison Officer, HQ. ACC and Political Section, respectively, in the manner outlined in paragraph 10 (a).

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

(b) Journalists.

Bona fide Italian journalists are issued by the Public Relations Officer, HQ. ACC, with a green card "TESSERA DI RICONOSCIMENTO". This card bears an endorsement on the back to the effect that "the bearer is permitted to travel in liberated Italy to circulate after curfew and to enter official premises occupied by Allied Control Commission in Liberated Italy. This does not apply to Army areas." This tessera and endorsement will be considered to be the equivalent of the standard pass in the Restricted and Free Zones, but a standard pass will be required in addition to the tessera to enter the Army Zone.

13. Semi-permanent Passes.

In the case of persons living near a Provincial boundary and whose place of employment is in, or partly in, an adjoining Province or Provinces, a semi-permanent pass may be issued and such passes shall expire on 31 March, 30 June, 30 September and 31 December annually, and then become renewable upon further application. Such passes may also be issued to all persons who have sufficient reason for frequent travel between Provinces. This provision will not apply to Army Areas.

14. Military Travel Authorizations (to travel outside Italy)

Applications will be dealt with in accordance with Executive Memorandum No.61 dated 25 May 1944.

15. Refugees.

Passes must not be issued to refugees except when coordinated with Regions concerned, or in accordance with policy laid down by Refugee Branch, HQ. ACC.

16. Check Posts.

(a) In Allied Military Government Territory.

In the Army Zone and in territory administered by Allied Military Government every effort will be made to enforce the above restrictions by means of a widespread system of "snap" check posts which will be established for a few hours daily at irregular times and at varying points. The responsibility of arranging such checks will rest with the Military [illegible] Authorities.

The object of these check posts will be :

(i) to turn back those seeking to move outside the prescribed limits without a pass.

(ii) to take action against those who have committed serious and flagrant breaches of the regulations.

(iii) to question or detain for investigation persons whose conduct or "story" is suspicious.

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

pass may be issued and such passes shall expire on 31 March, 30 June, 30 September and 31 December annually, and then become renewable upon further application. Such passes may also be issued to all persons who have sufficient reason for frequent travel between Provinces. This provision will not apply to Army Areas.

14. Military Travel Authorizations (to travel outside Italy)

Applications will be dealt with in accordance with Executive Memorandum No.61 dated 25 May 1944.

15. Refugees.

Passes must not be issued to refugees except when coordinated with Regions concerned, or in accordance with policy laid down by Refugee Branch, HQ. AOC.

16. Check Posts.

(a) In Allied Military Government Territory.

In the Army Zone and in territory administered by Allied Military Government every effort will be made to enforce the above restrictions by means of a widespread system of "snap" check posts which will be established for a few hours daily at irregular times and at varying points. The responsibility of arranging such checks will rest with the Military [illegible] Authorities.

The object of these check posts will be :

(i) to turn back those seeking to move outside the prescribed limits without a pass.

(ii) to take action against those who have committed serious and flagrant breaches of the regulations.

(iii) to question or detain for investigation persons whose conduct or "atery" is suspicious.

(b) Italian Government Territory.

In territory administered by the Italian Government a similar system of "snap" check posts will be established. In this instance, however, the objects will be limited to :

(i) briefly questioning those passing the point with a view to discovering suspicious individuals who should be subject to further interrogation and investigation, and

(ii) instilling a sense of insecurity in the minds of agents or other undesirable individuals so that they may hesitate to move about or even abandon their mission.

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

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

(c) Organisation and Composition.

This system of check posts will be organised by Army, Corps, District and Base Section Headquarters and not by AMG/ACC, both in Military Government and Italian Government territories.

These check posts will normally be manned by appropriate combinations, according to circumstances of PSP/CIC, SIM (CS), CC.RR and Guardia di Finanza.

Every effort will be made by Allied Control Commission Officers to ensure the fullest co-operation of the Italian Police in connection with these duties.

17. Any future alterations to these regulations, which are now to be considered as standard, will be issued in the form of amendments to this memorandum.

for Major General

M. S. LUSH,
Brigadier,
Executive Commissioner.

DISTRIBUTION:

"A" (plus 42,43,45 & 47)
HQ AAI (CSI(b)).
Admin Section - for distribution to:
His Excellency, Minister of Interior.
Comando Supremo
Commanding General, CC.RR
" CG.FF

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

120

APPENDIX "A"

Executive Memorandum No. 77.

(a) Rear Army Control Line (12A)

PORTO CIVITANOVA S 7813 - TOLENTINO S 4203 - VISSO B 2582 SPOLETO A 9759 - TODI A6866 - ORVIETO A 4659 - S. LORENZO A 2855 - thence route 74 to sea.

(b) Security Line

Line running along the southern portions of the boundaries of the Provinces of FOGGIA, CAMPOBASSO, FROSINONE and LITTORIA.

119

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

Ref/271/124/CA.

2 September 1944.

EXECUTIVE MEMORANDUM)
NUMBER 76)

REORGANISATION AND GOVERNANCE OF ITALIAN UNIVERSITIES AND ACADEMIES

The following instructions have been agreed with the Minister for Public Instruction and will apply with regard to the re-organisation and governance of Italian Universities and Academies.

1. Subject to the undermentioned provisions, Universities and Academies will continue to be governed by the existing Italian laws and will follow their present normal usages and customs.

2. Upon first re-occupation of territory University courses and Academy functions will be suspended. The Rector of a University or Head of an Academy will be suspended from office.

3. Procedures for all Universities:

(a) The SCAO Fifth and Eighth Army will appoint a Pro Rector who will exercise the powers, duties and other functions of the Rector until such time as a new Rector is elected as hereinafter provided. Whenever there is sufficient time to do so, the SCAO should inform the Education Sub-Commission of the nomination of the Pro Rector.

(b) The Pro Rector will distribute to the members of the University staff a Scheda Personale which he will require each member to complete and return to him within 10 days of his receiving the blank form. He will lay the completed forms before the Committee referred to in sub-paragraph (d).

(c) The Pro Rector will in as reasonably short time as possible submit to the SCAO through the Army EO the names of at least five persons free from Fascist sympathies whom he shall select impartially, without favour to any political views, as persons suitable to advise on the purging of the University Staff.

(d) The SCAO will appoint from this list a Committee to consider the political record of both the teaching and administrative members of the University Staff and recommend to the SCAO which members of the Staff should be

37

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

The following instructions have been agreed with the Minister for Public Instruction and will apply with regard to the re-organisation and governance of Italian Universities and Academies.

1. Subject to the undermentioned provisions, Universities and Academies will continue to be governed by the existing Italian laws and will follow their present normal usages and customs.

2. Upon first re-occupation of territory University courses and Academy functions will be suspended. The Rector of a University or Head of an Academy will be suspended from office.

3. Procedures for all Universities:

(a) The SCAO Fifth and Eighth Army will appoint a Pro Rector who will exercise the powers, duties and other functions of the Rector until such time as a new Rector is elected as hereinafter provided. Whenever there is sufficient time to do so, the SCAO should inform the Education Sub-Commission of the nomination of the Pro Rector.

(b) The Pro Rector will distribute to the members of the University staff a Scheda Personale which he will require each member to complete and return to him within 10 days of his receiving the blank form. He will lay the completed forms before the Committee referred to in sub-paragraph (d).

(c) The Pro Rector will in as reasonably short time as possible submit to the SCAO through the Army EO the names of at least five persons free from Fascist sympathies whom he shall select impartially, without favour to any political views, as persons suitable to advise on the purging of the University Staff.

(d) The SCAO will appoint from this list a Committee to consider the political record of both the teaching and administrative members of the University Staff and recommend to the SCAO which members of the Staff should be suspended from their appointments.

(e) The names of persons suspended by order of the SCAO and the evidence placed before the Committee shall without delay be forwarded to the Education Sub-Commission who will forward them to the Ministerial Commission of University Epuration with a request that they confirm the suspension and bring the cases to hearing as soon as possible.

(f) On the completion of this initial epuration:

(i) The titular professors who have not been suspended will elect a Rector.
(ii) The epurated faculties will by election fill the office of Dean.
(iii) Any other appointments (except titular appointments which will be filled only by the national concorsi) which it may be necessary to fill, will be filled on a temporary basis (incarichi).
(iv) Courses will resume.

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

(g) Within a reasonably short time after taking office the Pro Rector will supply the Army EO :

(i) With a statement showing the financial position of the University.
(ii) A list of the University buildings showing their condition.
(iii) A summary by faculties of the University staff, students, classes and calendar including examinations.

(h) He will also therefore supply monthly to the Army EO and the Intendenza di Finanza a budget in accordance with the forms rules and times previously observed or followed.

4. Procedures for all Academies:

The SCAO may select an Acting Head and Epuration may proceed on the advice of a Committee. This Committee will be appointed and will take action as far as it may be possible in the manner prescribed above for the University Committee. All other provisions prescribed for Universities shall likewise be applied and followed for Academies whenever such provisions may be applied appropriately. If, however, there is no urgent need for an Academy to resume operations, the Army EO may appoint a Special Commissioner to take custody of the property of the Academy and to order such other action as may be necessary or desirable.

5. In the case of a University or Academy in a Region which has not been dealt with as above, the above provisions will apply as if RO and REO were substituted for SCAO, and Army EO respectively, wherever these expressions occur.

M. S. LUSH,
Brigadier,
Executive Commissioner.

DISTRIBUTION:

Group 2 List "A".
Admin Section (6)

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

or followed.

4. Procedures for all Academies:

The SCAO may select an Acting Head and epuration may proceed on the advice of a Committee. This Committee will be appointed and will take action as far as it may be possible in the manner prescribed above for the University Committee. All other provisions prescribed for Universities shall likewise be applied and followed for Academies whenever such provisions may be applied appropriately. If, however, there is no urgent need for an Academy to resume operations, the Army EO may appoint a Special Commissioner to take custody of the property of the Academy and to order such other action as may be necessary or desirable.

5. In the case of a University or Academy in a Region which has not been dealt with as above, the above provisions will apply as if RO and REO were substituted for SCAO, and Army EO respectively, wherever these expressions occur.

M. S. LUSH,
Brigadier,
Executive Commissioner.

DISTRIBUTION:

Group 2 List "A".
Admins Section (6)

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

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

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

Ref/147/34/Ch. 21 August 1944.

EXECUTIVE MEMORANDUM)
NUMBER 75)

FORMATION OF SOUTHERN REGION -
ALLIED CONTROL COMMISSION.

1. In pursuance of the policy of this Commission to hand over more responsibility to the Italian Government, both centrally and locally, it has been decided to amalgamate Regions II, III and VII and the Provinces of FOGGIA and CAMPOBASSO into one Region, to be known as Southern Region.

2. This Region will have HQ at NAPLES and will have Local Headquarters at NAPLES, SALERNO, CATANZARO, TARANTO, BARI and FOGGIA for control of Provinces as directed by the Regional Commissioner.

3. The amalgamation of these Regions is taking place over a period of 15 days and will be completed by the 31st of August. Regions II, III and VII will close at 0001 hours 28th August and Southern Region will open at NAPLES at the same hour.

4. Col. C. E. TEMPERLY, D.S.O., will be Regional Commissioner for Southern Region. Special Orders dealing with all personnel are being issued separately. Transport and equipment, both W.D. and requisitioned, will be turned over by Regions II, III, VII, FOGGIA and CAMPOBASSO Provinces to Southern Region.

M. S. LUSH,
Brigadier,
Executive Commissioner.

DISTRIBUTION:

List "C" plus Group 2 List "A".

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

Ref/252/20/3A.

14 August 1944

EXECUTIVE MEMORANDUM)
:
NUMBER 74)

Release of Assets in the United Kingdom to British Subjects in Liberated Italy

1. Reference is made to Executive Memorandum No. 38, Emergency Financial Assistance to United States or British Nationals.

2. There are at present a number of British subjects in receipt of relief payments, some of whom were previously in receipt of payments made by the Protecting Power prior to the liberation of Italy and others have ceased to need advances since the liberation. Many of these British subjects possess money and/or assets in the United Kingdom, which so far have been held under the Custodian of Enemy Property and accordingly have not been available for the support of their owners in Italy.

3. Release of such assets in the United Kingdom belonging to British subjects in liberated Italy will be granted to each subject, who makes the appropriate application and who is found, on enquiry, not to be under suspicion of association during the war with activities disloyal to the British cause. When the application is approved, the money will be returned to the Bank in the United Kingdom, which originally acted for the British subject. The Bank concerned will be the agent for exercising Exchange Control and for seeing that remittances within the prescribed limits are made to the said subject.

4. Every British subject at present in receipt of any form of relief payment or advance will be asked whether he or she does possess money or other assets in the United Kingdom. If so, he or she will be requested to complete a form of application, specimen of which is attached.

5. The applicant will be informed of the maximum for monthly remittances, the signature will be witnessed and the form of application will be forwarded through the normal channels to the Finance Sub-Commission at the Headquarters of the Commission for onward transmission to the War Office.

6. The form will be accompanied by a short note stating that the interviewing officer is reasonably satisfied :

i. as to the person's identity.

ii. that he/she is a British subject.

iii. that he/she is not suspected of having been associated during the war with activities disloyal to the British cause.

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

Power prior to the liberation of Italy and others have come to need advances since the liberation. Many of these British subjects possess money and/or assets in the United Kingdom, which so far have been held under the Custodian of Enemy Property and accordingly have not been available for the support of their owners in Italy.

3. Release of such assets in the United Kingdom belonging to British subjects in liberated Italy will be granted to each subject, who makes the appropriate application and who is found, on enquiry, not to be under suspicion of association during the war with activities disloyal to the British cause. When the application is approved, the money will be returned to the Bank in the United Kingdom, which originally acted for the British subject. The Bank concerned will be the agent for exercising Exchange Control and for seeing that remittances within the prescribed limits are made to the said subject.

4. Every British subject at present in receipt of any form of relief payment or advance will be asked whether he or she does possess money or other assets in the United Kingdom. If so, he or she will be requested to complete a form of application, specimen of which is attached.

5. The applicant will be informed of the maximum for monthly remittances, the signature will be witnessed and the form of application will be forwarded through the normal channels to the Finance Sub-Commission at the Headquarters of the Commission for onward transmission to the War Office.

6. The form will be accompanied by a short note stating that the interviewing officer is reasonably satisfied :

i. as to the person's identity.

ii. that he/she is a British subject.

iii. that he/she is not suspected of having been associated during the war with activities disloyal to the British cause.

7. A supply of application forms is attached and should be used without alteration.

35/ [illegible]
M.S.LUSH,
Brigadier,
Executive Commissioner.

DISTRIBUTION:

"A"

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

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

APPLICATION BY BRITISH SUBJECT IN LIBERATED BELLIGERENT TERRITORY (ITALY) REQUIRING REMITTANCES FROM HIS OWN MONIES IN THE STERLING AREA

TO: The Under-Secretary of State, Foreign Office, LONDON, S.W.1.

1. I, _____
(Full Name)

_____
(Present Address)

a British subject resident in Italy, request the Board of Trade to direct the Custodian of Enemy Property to pay to:

_____ _____
(Name of Bank) (Address of Bank)

for my account all monies received by such Custodian on my behalf.

2. I attach a list showing the sources from which the Custodian should have received money on my behalf.

NOTE 1: Applicant should indicate such source by naming each Bank at which he has an account; each of his dividend paying investments the name and address of any Trustees or Solicitors who may have received money for his account; his Inspector of Taxes if a claim for repayment of tax has been lodged, etc.

NOTE 2: If any source is in Scotland or Northern Ireland the fact should be indicated.

3. I desire that my property other than money be freed from the operation of the Trading with the Enemy Act 1939 and Orders made thereunder.

4. I attach a request to the Bank mentioned in Paragraph 1 to arrange monthly remittances to me at the above address of £.....or such less amount as may be permitted and to report to me the balance at credit of my account.

(ACC/AMG Officer in Italy
to advise applicant of
normal limit)

Witness to the signature
of the above named.

Dated .....

Signed .....

NOTE: Wherever possible the witness should be an appropriate local officer of Allied Military Government who should affix his official stamps as well as his signature.

for my account all monies received by such Custodian on my behalf.

2. I attach a list showing the sources from which the Custodian should have received money on my behalf.

NOTE 1: Applicant should indicate such source by naming each Bank at which he has an account; each of his dividend paying investments the name and address of any Trustees or Solicitors who may have received money for his account; his Inspector of Taxes if a claim for repayment of tax has been lodged, etc.

NOTE 2: If any source is in Scotland or Northern Ireland the fact should be indicated.

3. I desire that my property other than money be freed from the operation of the Trading with the Enemy Act 1939 and Orders made thereunder.

4. I attach a request to the Bank mentioned in Paragraph 1 to arrange monthly remittances to me at the above address of £.....or such less amount as may be permitted and to report to me the balance at credit of my account.

(ACC/AMG Officer in Italy
to advise applicant of
normal limit)

Witness to the signature
of the above named.

Dated .....

Signed .....

NOTE: Wherever possible the witness should be an appropriate local officer of Allied Military Government who should affix his official stamps as well as his signature.

34

(Detachable)

TO : Bank

(Address)

1. Please reconstitute my account with you.
2. Please arrange to pay out of my account to the Foreign Office any indebtedness I may have incurred in respect of advances made to me by the Protecting Power or by Allied Military Government.
3. Please arrange to remit to me:

(Name) (Address)
until further notice the sum of L..... monthly at my risk through the channel available for private remittances or such lesser sum as may be permitted. Please also report the balance at credit of my account.

DATE. ..... SIGNED ....

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

Ref/253/20/G..

5 July 1944.

EXECUTIVE MEMORANDUM)
:
NUMBER 73) PAST DUE BILLS

Part I

DEBTS CONTRACTED BY THE FASCIST ITALIAN GOVERNMENT

1. The following procedure will be adopted by Finance Officers in AMG territory in relation to the payment of debts contracted by the Fascist Italian Government.

2. No payment shall be made on any obligation incurred by government agencies while under the jurisdiction of the Fascist Italian Government except:

(a) Where it can be clearly demonstrated that the non-payment of any such bills would be inimical to Allied interests because the production of goods necessary to the war effort might thereby be reduced; or might hamper or restrict any essential industry or undertaking at present in operation; or so affect any undertaking or service as to have an adverse effect of the rehabilitation of liberated Italy; or

(b) Where it can be proved that the non-payment of any such bills would result in the claimant becoming a vagrant and a charge on the State.

No payment shall be made under the principles (a) and (b) above until claims have been presented and examined, admitted, and payment approved by the Prefect and Intendente di Finanza, and subsequently by the proper AMG Finance Officer, and that the expenditures to which the accounts relate are not specifically prohibited by any law at present in force. Such payments shall be separately accounted for in order thatat any time it may be possible to know the amount and purpose of such payments. The payment of war damage claims is specifically excluded from the provisions of this order.

3. No payments shall be made under principles (a) and (b) in paragraph 2 in excess of the amount required to meet these conditions.

4. In AMG territory no cognisance should be taken of any debts of the Fascist Italian Government(including the debts of auxiliary enti of the State) unless claims are made that the non-payment of such debts would have results as expressed in paragraph 2 (a) and (b) above. Claims will be dealt with as described in Part IV.

PART II

DEBTS CONTRACTED BY THE ITALIAN LIBERATED STATE

1. Immediate payment shall be made of all outstanding bills relating to expe[illegible] auxiliary enti

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

2. No payment shall be made on any obligation incurred by government agencies while under the jurisdiction of the Fascist Italian Government except:

(a) Where it can be clearly demonstrated that the non-payment of any such bills would be inimical to Allied interests because the production of goods necessary to the war effort might thereby be reduced; or might hamper or restrict any essential industry or undertaking at present in operation; or so affect any undertaking or service as to have an adverse effect of the rehabilitation of liberated Italy; or

(b) Where it can be proved that the non-payment of any such bills would result in the claimant becoming a vagrant and a charge on the State.

No payment shall be made under the principles (a) and (b) above until claims have been presented and examined, admitted, and payment approved by the Prefect and Intendente di Finanza, and subsequently by the proper AMG Finance Officer, and that the expenditures to which the accounts relate are not specifically prohibited by any law at present in force. Such payments shall be separately accounted for in order thatat any time it may be possible to know the amount and purpose of such payments. The payment of war damage claims is specifically excluded from the provisions of this order.

3. No payments shall be made under principles (a) and (b) in paragraph 2 in excess of the amount required to meet these conditions.

4. In AMG territory no cognisance should be taken of any debts of the Fascist Italian Government(including the debts of auxiliary enti of the State) unless claims are made that the non-payment of such debts would have results as expressed in paragraph 2 (a) and (b) above. Claims will be dealt with as described in Part IV.

PART II

DEBTS CONTRACTED BY THE ITALIAN LIBERATED STATE

1. Immediate payment shall be made of all outstanding bills relating to expenditures contracted and incurred by the Italian liberated State, or by auxiliary enti of the State, as from the date of the liberation of the particular area concerned; provided that such expenditures have been approved by the body charged with that duty under Italian law, and also that such expenditures are not contrary to any law, decree, order or regulation in force at the time of payment.

PART III

ARREARS OF SALARIES AND WAGES.

1. Claims for the payment of arrears of salaries or wages will not be admitted except under the following conditions:

a. The claimant must establish by documentary evidence that he is, or was, an employee of the State, province, commune or other State agency, and that his salary has not been paid for the period claimed.

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

PART III (Cont'd)

b. That no payments may be made to former employees of the Fascist Party or its dependent organizations, or to former members of the Fascist Party with the qualification of Marcia su Roma, Squadrista or Scarpia Littoria;

c. That the claimant was not paid through causes beyond his control;

d. That, if the claim to the payment of arrears of salary or wages relates to a period when the claimant was under detention or restraint on a major charge (delitto), he has been found to be blameless, and if he had been suspended or discharged from service in consequence of such charge, he has been reinstated in his former position or office;

e. That all sums received by him or his dependents, covering the period in question, from his employing agency, or as relief or other assistance, shall be deducted from any amounts due as arrears.

PART IV

TREATMENT OF CLAIMS
Past due bills under Part I, and Arrears of
Salaries or wages under Part III.

1. Claims should be made in writing by the agency or individual to the Prefect of the proper province, and he, with the Intendente di Finanza, will make appropriate recommendations to the Provincial Finance Officer as to whether the circumstances are bona fide.

2. The Prefect and the Intendente di Finanza should reject summarily any claims to arrears of salaries or wages that do not comply with the conditions stated in part III. The Prefect must keep a record of all claims made and of their disposal.

3. If the arrears of salaries or wages that would be payable under this order amount to more than two months salary and allowances, the initial payment of such arrears shall not be more than the equivalent of two months salary and allowances. The balance of any arrears due will be paid in bi-monthly instalments, the amount of each instalment being not greater that the initial payment.

4. Any payments made under the authority of this instruction will be by the grant of a credit opened with the Provincial State Treasury; and will be charged to the proper capitolo of the appropriate budget, and cleared through the office of the Intendente di Finanza as a special account.

The Italian Government has made similar provisions regarding past due bills for that part of Italy under its jurisdiction.

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

PART IV

TREATMENT OF CLAIMS
Past due bills under Part I, and Arrears of
Salaries or wages under Part III.

1. Claims should be made in writing by the agency or individual to the Prefect of the proper province, and he, with the Intendente di Finanza, will make appropriate recommendations to the Provincial Finance Officer as to whether the circumstances are bona fide.

2. The Prefect and the Intendente di Finanza should reject summarily any claims to arrears of salaries or wages that do not comply with the conditions stated in part III. The Prefect must keep a record of all claims made and of their disposal.

3. If the arrears of salaries or wages that would be payable under this order amount to more than two months salary and allowances, the initial payment of such arrears shall not be more than the equivalent of two months salary and allowances. The balance of any arrears due will be paid in bi-monthly instalments, the amount of each instalment being not greater that the initial payment.

4. Any payments made under the authority of this instruction will be by the grant of a credit opened with the Provincial State Treasury; and will be charged to the proper capitolo of the appropriate budget, and cleared through the office of the Intendente di Finanza as a special account.

The Italian Government has made similar provisions regarding past due bills for that part of Italy under its jurisdiction.

M.S. LUSH
Brigadier
Executive Commissioner

DISTRIBUTION:
Action R.C's III, IV, V, VIII and IX and "Z"
Info. SCAO's 5 & 8 Armies
Admin. Section
Economic Section

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

R E S T R I C T E D

115

HEADQUARTERS
ALLIED CONTROL COMMISSION
RC&G SECTION
APO 394

Ref/383/35/CA /rlp.

28th July 1944.

EXECUTIVE MEMORANDUM)
:
NUMBER 72)

TO : Regional Commissioners, Regions I, II, III, IV, V, VI, VII and ROME Region
Provincial Commissioner, Foggia Province.

INSTRUCTIONS TO LEGAL OFFICERS IN REGIONS TRANSFERRED TO THE ITALIAN GOVERNMENT

1. General.

a. As stated in Memorandum dated 23 January 1944 (Executive Memorandum O.A.), to which this directive is supplemental, upon the restoration of territory to the Italian Government subject to control by the Allied Control Commission all powers of military government cease within the restored territory and the relationship between the Commission and the Italian Government depend entirely on contract. Such contract is contained in the Armistice Terms, and forms the charter of the Allied Control Commission, supplemented by certain terms reserved on the restoration of territory to the Italian Government.

b. For security reasons it is not possible to communicate the Armistice Terms or subsequent terms in written form but the Regional Legal Officers (RLOs) will be given any necessary information regarding them.

c. It will continue to be the duty of the RLOs to advise the Regional Commissioners (RCs) on all legal matters affecting the Region. This directive is intended in part to assist RLOs in giving advice to RCs in connection with the newly acquired powers and duties of the Commission personnel in the field. It must be appreciated that in furnishing such advice, as pointed out in para. (a) above, the position has essentially changed and the powers of military government have ceased and are superceded by the Armistice Terms. In particular and subject to any special directives that may be issued the functions of the RCs cease to be executive and become purely advisory and supervisory. Orders are no longer given by the RCs but by the Italian Administrative officials and it is the duty of the RC within his region to see that the Italian Administration carries out the orders received from higher Italian authority (as to which the RCs will be duly informed) and to report to the Headquarters of the Commission any failure to do so. In particular all proclamations and general and regional orders come to an end and cease to be of any force or effect; and it will no longer be within the power of the RCs to issue new orders. Problems may arise which will have, as a matter of policy, to be referred to the Chief Legal Officer (CLO), but in matters of urgency RLOs will not hesitate to exercise their judgment and common sense in giving advice pending the recei[illegible]

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

1. General.

a. As stated in Memorandum dated 23 January 1944 (Executive Memorandum O.A.), to which this directive is supplemental, upon the restoration of territory to the Italian Government subject to control by the Allied Control Commission all powers of military government cease within the restored territory and the relationship between the Commission and the Italian Government depend entirely on contract. Such contract is contained in the Armistice Terms, and forms the charter of the Allied Control Commission, supplemented by certain terms reserved on the restoration of territory to the Italian Government.

b. For security reasons it is not possible to communicate the Armistice Terms or subsequent terms in written form but the Regional Legal Officers (RLOs) will be given any necessary information regarding them.

c. It will continue to be the duty of the RLOs to advise the Regional Commissioners (RCs) on all legal matters affecting the Region. This directive is intended in part to assist RLOs in giving advice to RCs in connection with the newly acquired powers and duties of the Commission personnel in the field. It must be appreciated that in furnishing such advice, as pointed out in para (a) above, the position has essentially changed and the powers of military government have ceased and are superceded by the Armistice Terms. In particular and subject to any special directives that may be issued the functions of the RCs cease to be executive and become purely advisory and supervisory. Orders are no longer given by the RCs but by the Italian Administrative officials and it is the duty of the RC within his region to see that the Italian Administration carries out the orders received from higher Italian authority (as to which the RCs will be duly informed) and to report to the Headquarters of the Commission any failure to do so. In particular all proclamations and general and regional orders come to an end and cease to be of any force or effect; and it will no longer be within the power of the RCs to issue new orders. Problems may arise which will have, as a matter of policy, to be referred to the Chief Legal Officer (CLO), but in matters of urgency RLOs will not hesitate to exercise their judgment and common sense in giving advice pending the receipt of instructions from the CLO. 32

d. The RLOs and all legal officers remaining with them in the Region will retain their offices, motor equipment and requisitioned property to the extent necessary to perform their duties.

e. On restoration of territory in any Region the RLO will prepare and forward to the CLO his report on the activities of his office running from the date of his last monthly report to the date of restoration.

2. Closing of Allied Military Courts in Italian Government Territory.

a. Pending cases in which arrests have been made in connection with alleged offenses against Allied Proclamations or Orders prior to the restoration date will be completed as quickly as possible. Cases not involving particularly serious offenses may by agreement between the RLO and the PWB0 in the exercise of their discretion be transferred for investigation and trial by the appropriate Italian authorities and Courts.

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

b. All records, petitions for review, etc., will be speedily transmitted to the RLO, and the instructions as to Review, applications for clemency, etc., contained in Articles 32 and 33 of "Consolidated Instructions for Allied Military Courts" will apply.

c. In closing the activities of the Legal Division of any region as to Allied Military Courts the following specific acts among others shall be performed by the RLO, or as he shall direct:

(i) The Italian Government will be required to carry out all sentences imposed by Allied Courts as though imposed by their own Courts. However, all cases in which a conviction has resulted and the sentence has not fully executed will be re-examined. All such cases in which harsh sentences were originally and subsequently confirmed, because of military considerations which no longer prevail, should be reconsidered by the RLO with the advice, where possible, of the presiding officer who tried the case, and the RLO should forward his recommendation to the CLO. This is not to be regarded as an invitation to a general reduction in sentences, but only in very exceptional cases, and the Italian practice (which will be applicable to these cases) of granting conditional liberty after a portion of the sentence has been served must be borne in mind.

(ii) A careful check of outstanding fines will be made, steps will be taken to collect unpaid fines and a report will be made to the CLO. Where small individual fines are outstanding, application may be made to the CLO for authority to write them off.

(iii) All Allied Military Court dockets will be checked for accuracy of entries required to be made including data on payment of fines and to determine that all fines collected have been remitted to proper authorities. All records properly indexed and filed will be held by the RLO for disposition on orders from the CLO.

(iv) RLOs should see that records of all outstanding cases are prepared for transmission to Italian authorities in accordance with Article 37 of "Consolidated Instructions for Allied Military Courts" and should forward them to the CLO.

Note: No AMG records are to be handed over to Italians nor are they to be examined by Italians.

3. A.M. Courts in Italian Government Territory.

a. The Chief Commissioner has directed that only in the most exceptional circumstances will any cases in Italian Government territory be referred to A.M. Courts.

b. The policy and procedure in respect to holding of these Courts is set out in Article 3 of "Consolidated Instructions for Allied Military Courts which are however to be read subject to the instructions following.

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

reduction in sentences, but only in very exceptional cases and the Italian practice (which will be applicable to these cases of granting conditional liberty after a portion of the sentence has been served must be borne in mind.

(ii) A careful check of outstanding fines will be made, steps will taken to collect unpaid fines and a report will be made to th CLO. Where small individual fines are outstanding, applicati may be made to the CLO for authority to write them off.

(iii) All Allied Military Court dockets will be checked for accurac of entries required to be made including data on payment of fines and to determine that all fines collected have been remitted to proper authorities. All records properly indexed and filed will be held by the RLO for disposition on orders from the CLO.

(iv) RLOs should see that records of all outstanding cases are prepared for transmission to Italian authorities in accordance wi Article 37 of "Consolidated Instructions for Allied Military Courts" and should forward them to the CLO.

Note: No AMG records are to be handed over to Italians nor are they to be examined by Italians.

3. A.M. Courts in Italian Government Territory.

a. The Chief Commissioner has directed that only in the most exceptional circumstances will any cases in Italian Government territory b referred to A.M. Courts.

b. The policy and procedure in respect to holding of these Courts is set out in Article 3 of "Consolidated Instructions for Allied Military Courts which are however to be read subject to the instructions following.

c. The Chief Commissioner has directed that recommendations for the setting up of AMG Courts in territory under the jurisdiction of the Italian Government should, as questions of policy are concerned, be made by the RC concerned, after discussion with his RLO, to the HQ AMG Section. In submitting such recommendations the RC will give detailed reasons, together with the advice of his RLO, and, if the request has originated from the local military commander, the opinion of the GOC District concerned. These reasons, advice and opinion are required in addition to the facts and particulars already required by paras 3 (b) and 4 of Article 3 of "Consolidated Instructions for Allied Military Courts." The recommendations will then be passed with comment to the CLO who will advise the Chief Commissioner.

d. The Chief Commissioner has laid down for the guidance of RLOs specific directions in regard to cases involving groups of defendants charged with pro-fascist conspiracy or some like anti-Allied activity. In these cases a trial will be held only if it is necessary for exemplary or deterrent purposes; thus if there has recently been a case of similar type in the locality it may be

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

unnecessary to have another. When a trial is held:

(i) Only a few of the ringleaders will be tried, the remainder being interned (if this is required by the security agencies) and not tried.

(ii) The security agencies concerned must be prepared to produce all the evidence required to support their case quite strictly closed court and to permit full examination and cross-examination of their witnesses on all relevant matters in the presence of the accused;

(iii) It will be made quite clear at the opening of the court that the accused will in any event continue to be interned if such internment is required by the security agencies concerned. Initially all persons concerned in this type of case should be interned 371 POW Camp and brought out for hearing if it is decided to try them in A.M. Courts. In no instance will consideration be given to any such case being tried in an Italian Court unless and until the security situation would permit it.

4. War Crimes.

a. Instructions as to cases of war crimes are set out in AFHQ Circulars of 27/11/43 and 6/2/44 and in Article 5 of "Consolidated Instructions for Allied Military Courts", and must be strictly adhered to. The expression "War Crimes" in this context means violations of the laws and customs of war, e.g., maltreatment of prisoners of war, and does not include offenses against proclamations. Copies of AFHQ Circulars of 27/11/43 and 6/2/44 will be circulated under separate cover to RLOs.

b. It is the duty of all legal officers to see that no case of war criminals is tried in any Italian Court, civil or military, or in any A.M. Court. If an Italian Court is proposing to try such a case it should be advised against doing so, and an immediate report should be made to the CLO.

5. Italian Legislation and Law.

a. RCs and RLOs will not initiate any amendments to Italian Legislation or laws on the ground that they are Fascist or discriminatory, or with such suspension of such laws, as all such matters will be dealt with by Hq ACC. Any suggestion for abrogation, revision, or amendments of any Italian legislation will be transmitted to the CLO.

b. Amendments to rules of procedure which have been initiated during AMG, may, however, be continued by the Italian Administration and any departure from such amendments should forthwith be reported to the CLO.

6. Detainees.

The cases of all persons detained under Article VII of old Proclamation No. 2 or Article VIII of new Proclamation No. 1 will be reviewed and if the RC on the advice of the RLO decides to continue to detain any such persons, the RLO will make a full report to Hq ACC within 14 days of the restoration date. Such report will deal with all such detainees seriatim and will give the place of detention of each detainee

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

try th m in A.M. Courts [illegible] given to any such case being tried in an Italian Court unless a until the security situation would permit it.

4. War Crimes.

a. Instructions as to cases of war crimes are set out in AFHQ Circulars o 27/11/43 and 6/2/44 and in Article 5 of "Consolidated Instructions for Allied Military Courts", and must be strictly adhered to. The expression "War Crimes in this context means violations of the laws and customs of war, e.g., maltreatment of prisoners of war, and does not include offenses against proclamations. Copies of AFHQ Circulars of 27/11/43 and 6/2/44 will be circulated under separate cover to RLOs.

b. It is the duty of all legal officers to see that no case of war criminals is tried in any Italian Court, civil or military, or in any A.M. Court. If an Italian Court is proposing to try such a case it should be advised against doing so, and an immediate report should be made to the CLO.

5. Italian Legislation and Law.

a. RCs and RLOs will not initiate any amendments to Italian Legislation or laws on the ground that they are Fascist or discriminatory, or with such suspension of such laws, as all such matters will be dealt with by Hq ACC. Any suggestion for abrogation, revision, or amendments of any Italian legislation will be transmitted to the CLO.

b. Amendments to rules of procedure which have been initiated during AMG, may, however, be continued by the Italian Administration and any departur from such amendments should forthwith be reported to the CLO.

6. Detainees.

The cases of all persons detained under Article VII of old Proclamation No. 2 or Article VIII of new Proclamation No. 1 will be reviewed and if the RC on the advice of the RLO decides to continue to detain any such persons, the RLO will make a full report to Hq ACC within 14 days of the restoration date. Such report will deal with all such detainees seriatim and will give the place of detention of each detainee and the reasons for his continued 3f detention.

7. Attachment of legal officers to Courts of Appeal.

Wherever sufficient personnel are available, RLOs will appoint a legal officer to act with the First President of each Court of Appeal. It will be the duty of RLOs or of such legal officers when appointed:

a. To advise and assist the First President in opening any Courts not yet opened and in the administration of the Court of Appeal District.

b. To see that all appointments, promotions and removals of officials made by the Italian Government as notified to him by Hq ACC are duly carried out.

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

c. To notify immediately to the CLO (through Regional Hq) any purported appointments, promotions or removals not sanctioned by Hq ACC.

d. To report to the CLO any cases of biased or incompetent behavior on the part of the judges or officials which come to his notice and to investigate any complaints received from an advocate or prisoner of unfair treatment by an Italian Court, and if the complaint appears to be well founded to forward a report and recommendation to the CLO.

e. Generally to keep Regional Hq and the CLO advised of all relevant matters in the Court of Appeal District, such as the inadequacy in number or quality of Procuratori and judges, inefficiencies and delays of courts in handling cases, particularly those involving Allied interests, the Reorganization of the Bar Association, the holding of examinations for advocates or Procuratori, the reorganization of Notarial Councils, and so forth.

f. To carry out the other duties specifically set out below.

RLOs will inform the CLO of any officers attached to First Presidents as soon as possible after the transfer of any territory.

8. Italian Military Tribunals.

a. Italian Military Tribunals have been set up in various parts of the country and they have jurisdiction over Italian soldiers and civilians in accordance with the provisions of the Codice Penale Militare.

b. The primary duty of RLOs in connection with these Tribunals is to supervise cases affecting Allied interests, and to maintain contact with President of Military Tribunals and with Procuratore Militare to ensure (i) priority for such cases and (ii) adequate sentence in every case. The observations under para 11 below apply with equal force to Military Tribunals.

c. A legal officer has been appointed to act with the Procuratore Generale Militare (PGM), and in the event of (a) a Court repeatedly giving inadequate sentences or (b) sitting for too short hours a report must be made to the CLO, when the matter will be taken up with the PGM.

d. In no circumstances will the legal officer concern himself with purely disciplinary cases which do not in any way affect Allied interests. He should, however, from time to time ask to see records of cases which deal with deserters from the Italian Forces between 10 July - 8 September 1943 in order to see that such cases are dealt with in accordance with the agreement reached with the Italian Government the operative part of which is annexed as Annex I.

9. Italian Courts generally.

a. All civil and criminal courts functioning at the date of the restoration of territory to the Italian Government will continue to function and any attempt to close such Courts will forthwith be reported to the CLO.

b. If any Criminal Courts have not been reopened at the date of restoration, steps will be taken to encourage their reopening at the earliest possible date, subject to suitable personnel being available (see para 15 below). If any Courts

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

RLOs will inform the CLO of any officers attached to First Presidents as soon as possible after the transfer of any territory.

8. Italian Military Tribunals.

a. Italian Military Tribunals have been set up in various parts of the country and they have jurisdiction over Italian soldiers and civilians in accordance with the provisions of the Codice Penale Militare.

b. The primary duty of RLOs in connection with those Tribunals is to supervise cases affecting Allied interests, and to maintain contact with President of Military Tribunals and with Procuratore Militare to ensure (i) priority for such cases and (ii) adequate sentence in every case. The observations under para 11 below apply with equal force to Military Tribunals.

c. A legal officer has been appointed to act with the Procuratore Generale Militare (PGM), and in the event of (a) a Court repeatedly giving inadequate sentences or (b) sitting for too short hours a report must be made to the CLO, when the matter will be taken up with the PGM.

d. In no circumstances will the legal officer concern himself with purely disciplinary cases which do not in any way affect Allied interests. He should, however, from time to time ask to see records of cases which deal with deserters from the Italian Forces between 10 July - 8 September 1943 in order to see that such cases are dealt with in accordance with the agreement reached with the Italian Government the operative part of which is annexed as Annex I.

9. Italian Courts generally.

a. All civil and criminal courts functioning at the date of the restoration of territory to the Italian Government will continue to function and any attempt to close such Courts will forthwith be reported to the CLO.

b. If any Criminal Courts have not been reopened at the date of restoration, steps will be taken to encourage their reopening at the earliest possible date, subject to suitable personnel being available (see para 15 below). If any Courts remain unopened one month after the restoration of territory to the Italian Government a report stating the Courts remaining unopened and the reason therefor will be rendered to the CLO.

c. Subject to the special directives given below and to any subsequent directives, RLOs will not concern themselves with the supervision of Italian

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

Courts. The management and supervision of Italian Courts and personnel will be handed over by them to the First President of the Courts of Appeal within the Regions.

10. Collaboration between Italian Civil Courts and Military Tribunals. Where both types of Courts are sitting, RLOs should, if possible, arrange with the local Procuratore Generale or Procuratore del Re and with the PGM that all cases shall be submitted to the Procuratore del Re who will decide which cases are to be heard and determined before the Civil Courts and which before the Military Tribunals. A translation of a directive issued by the Ministry of Justice in this connection on the 8th March 1944 is attached as Annex II.

While it is for the Procuratore del Re to decide those questions, RLOs must satisfy themselves that this machinery is working smoothly and well. In particular, where both types of Courts are sitting, RLOs must see that the Procuratore del Re endeavors as far as possible to keep both Courts busy.

11. Cases affecting Allied Interests.

(a) It is a principal duty of the RLOs in Italian Government territory to see that close supervision is exercised over the work of the Italian Courts in trying cases which affect Allied interests. RLOs must ensure:

(i) that priority is given to all such cases and
(ii) that adequate sentence is imposed in every case. This can only be done by keeping a check on every case affecting Allied interests.

(b) This is best done by arranging with the local FSS, SIS, CIP and other bodies of the Allied Forces carrying out arrests and also with the local CC RR and other civilian police agencies for a copy of all arrest records to be sent periodically to the appropriate Legal Officer and entered by him in a register. It is convenient if all police bodies use the same forms. Specimens of an arrest form and a form of headings for such a Register are attached as Annex III.

It will then be the duty of the local Procuratore del Re to supply particulars periodically showing the progress of the case and sentence imposed.

The Legal Officer may also wish to obtain each week consolidated particulars from the Procuratore del Re of (a) cases tried during the week (b) cases ready for trial next week and so on.

The use of this register and form is not compulsory and any other system may be used provided that the results set out in sub-para (a) are achieved.

(c) Frequent and close liaison with the police bodies of the Allied Forces is necessary and weekly reports showing the progress of cases may properly be submitted to such bodies.

(d) Frequent and close li

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

11. Cases affecting Allied Interests.

(a) It is a principal duty of the RLOs in Italian Government territory to see that close supervision is exercised over the work of the Italian Courts in trying cases which affect Allied interests. RLOs must ensure:

(i) that priority is given to all such cases and
(ii) that adequate sentence is imposed in every case. This can only be done by keeping a check on every case affecting Allied interests.

(b) This is best done by arranging with the local FSS, SIS, CIP and other bodies of the Allied Forces carrying out arrests and also with the local CC RR and other civilian police agencies for a copy of all arrest records to be sent periodically to the appropriate Legal Officer and entered by him in a register. It is convenient if all police bodies use the same forms. Specimens of an arrest form and a form of headings for such a Register are attached as Annex III.

It will then be the duty of the local Procuratore del Re to supply particulars periodically showing the progress of the case and sentence imposed.

The Legal Officer may also wish to obtain each week consolidated particulars from the Procuratore del Re of (a) cases tried during the week (b) cases ready for trial next week and so on.

The use of this register and form is not compulsory and any other system may be used provided that the results set out in sub-para (a) are achieved.

(c) Frequent and close liaison with the police bodies of the Allied Forces is necessary and weekly reports showing the progress of cases may properly be submitted to such bodies. 30

(d) Frequent and close liaison with the Procuratore del Re and at the seat of the Court of Appeal the Procuratore Militare is also obviously essential. Individual cases should be discussed with the Procuratore del Re who should be requested to appeal where an inadequate sentence has been imposed and to have cases expedited where necessary.

(e) If any Court repeatedly gives inadequate sentences the fact should be reported to the CLO.

(f) Liaison with the First President of the Court of Appeal and Presidents of Tribunali is also necessary and the seriousness with which the Allies view offenses against Allied interests placed before them.

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

The short hours worked by the average Italian judicial official is a matter which may also properly be brought to their attention; with good will there is no reason why court personnel should not work longer hours in an attempt to make up for their admitted deficiencies in personnel. Serious cases of dereliction of duty in this respect should be reported to the CLO.

(g) The Minister of Justice has already directed (See Annex II) that provisional liberty in cases affecting Allied interests is only to be granted very sparingly; the granting of provisional liberty is a matter for the Procuratore del Re, but legal officers may give their advice thereon in difficult cases if asked or where they feel that such discretion is being used more than sparingly.

(h) The proper trial of cases before Italian Courts is facilitated by having proper medical particulars before it and attention is drawn to the directive issued by Hq AMI attached as "Annex IV."

12. Cases not affecting Allied Interests.

While cases affecting Allied interests must receive priority, legal officer should not neglect ordinary cases pending before the Courts and at any rate in places where there are no arrears of cases affecting such interests should satisfy themselves by periodic conversations with Italian officials, inspections of prisons, prison records, etc. that arrears of judicial business are not accumulating. Legal officers may properly request Italian courts to give a major portion of their time to criminal rather than civil cases. They must be active in seeing that arrangements are made for the holding of Assize Courts. While shortage of personnel is to be expected, RLOs will report to the CLO if such shortage is seriously hampering justice.

13. Prisons.

The responsibility of prisons is that of Public Safety and NOT Legal, but in view of the overcrowding of prisons in some areas, RLOs may have to give some time in an endeavor to assist in solving this problem.

14. V.D. Cases.

The strongest representations have been made to see that no provisional liberty is granted, save in exceptional cases, to accused pending trial or pending appeal, and every effort should be made to see such liberty is given only in the rarest cases. A synopsis of the provisions of the law in relation to prostitution together with copies of a number of directives and memoranda published by the Minister of Justice are attached as Annex V. A copy of a Directive on this subject issued by the Minister of Justice on 29 April 1944 is also attached (Annex VI).

15. Judges and Officials of Courts.

a. It has been agreed with the Minister of Justice that the names of the following officials shall be submitted to Hq AFHQ by the Minister before the appointment is made:

(1) First President of Court of Appeal.
(2) Counsellor of Cassation and of Appeal.
(3) Procuratore Generale.

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

While cases affecting Allied interests must receive priority, legal officer should not neglect ordinary cases pending before the Courts and at any rate in places where there are no arrears of cases affecting such interests should satisfy themselves by periodic conversations with Italian officials, inspections of prisons, prison records, etc. that arrears of judicial business are not accumulating. Legal officers may properly request Italian courts to give a major portion of their time to criminal rather than civil cases. They must be active in seeing that arrangements are made for the holding of Assize Courts. While shortage of personnel is to be expected, RLOs will report to the CLO if such shortage is seriously hampering justice.

13. Prisons.

The responsibility of prisons is that of Public Safety and NOT Legal, but in view of the overcrowding of prisons in some areas, RLOs may have to give some time in an endeavor to assist in solving this problem.

14. V.D. Cases.

The strongest representations have been made to see that no provisional liberty is granted, save in exceptional cases, to accused pending trial or pendingrappeal, and every effort should be made to see such liberty is given only in the rarest cases. A synopsis of the provisions of the law in relation to prostitution together with copies of a number of directives and memoranda published by the Minister of Justice are attached as Annex V. A copy of a Directive on this subject issued by the Minister of Justice on 29 April 1944 is also attached (Annex VI).

15. Judges and Officials of Courts.

a. It has been agreed with the Minister of Justice that the names of the following officials shall be submitted to Hq AFHQ by the Minister before the appointment is made:

(1) First President of Court of Appeal.
(2) Counsellor of Cassation and of Appeal.
(3) Procuratore Generale.
(4) Sostituto di Procuratore Generale.
(5) Presidente di Tribunale.
(6) Procuratore del Re.
(7) Primo Pretore in towns of at least 50,000.

All appointments, promotions and dismissals of officials within the above classes will be arranged direct between Hq AFHQ and the Minister of Justice and RLOs will be informed of all such arrangements. If any arrangements, particularly dismissals, other than those notified to RLOs are made, the CLO must be informed as soon as possible.

b. If any judge or official appointed by AMG is proposed to be removed without the sanction of Hq AFHQ, RLOs will advise the First President against taking any action without the consent of Hq AFHQ.

c. It will not be the duty of RLOs to take any steps to fill any vacan-

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

1342

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

cics to Italian legal offices. Committees appointed under the auspices of MG to consider the appointment of judges and officials will be abolished unless the First President desires their continuance.

16. The immediate reports and returns required under this directive are accordingly the following:

a. General report up to date of restoration (para 1 (e)).
b. Recommendations regarding severe sentences when original military considerations no longer apply (para 2(c) (i)).
c. Report regarding unpaid fines (para 2(c) (ii)).
d. Returns for Italian authorities (para 2 (c)(iv)).
e. Report concerning detainees (para 6).
f. Names of legal officers attached to First Presidents (para 7).
g. Report regarding unopened Italian Courts (para 9(b)).

17. This directive supercedes Executive Memo No. 7; Executive Commissioners' Directives 283/42 C. of 5/3/44 and 283/4 C. of 23/5/44; and the CLOs directives 4135 L of 1/5/44 and 4129/7/L of 19/6/44. It should however be read in conjunction with the "Consolidated Instructions for Allied Military Courts."

H. S. LUSH,
Brigadier,
Executive Commissioner.

Copies for information to:

R.C. Region VIII
R.C. Region IX
R.C. Region Z

Adm Sec (10 copies)
RC & IG Sec (10 copies)

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

Annex I

Extract from agreement concerning Deserters from Italian Army, dated 9th May 1944.

It has been agreed as follows:

1. "The position of all members of the Italian Armed Forces who have been or will be accused of having deserted such forces within the period July 10th - September 8th 43 inclusive, will be settled by the Italian authorities by the choice in each case of one of the following ways so that no punishment which is consequential to such desertion be undergone by the said members of the Italian Forces:

(a) "Archivazione degli atti" (nolle prosequi) according to Art. 74, para 3, Italian Code of Penal Procedure;

(b) "Revoca dell'azione penale" (revocation of criminal action) according to Art. 245, para. 4, Italian Military Penal Code of War;

(c) Acquittal at any stage;

(d) Conviction followed by "grazia" (pardon) or "condono" (general pardon).

2. "In the case of members of the Italian Armed Forces who have deserted within the period July 10th - September 8th, 1943, inclusive, and who have not answered subsequent requests to return to the Italian Armed Forces, included in ordinances or proclamations issued by Italian Military authorities after September 8th 1943 and duly published, the desertion perpetrated between July 10th and September 8th 1943, inclusive, shall not be punished as such and by itself but it shall be taken into account, if and whenever necessary, so as to punish as crime of desertion the failure to answer the requests to return to the Italian Armed Forces included in ordinances or proclamations subsequent to September 8th 1943.

3. "The above will not apply to those who deserted to the Germans or to other armies or military formations hostile to the Allied Forces.

"No publicity shall be given to the present agreement."

Salerno, May 9th, 1944.

TRANSLATION

ITEM II

Salerno, 8 March 1944.

MINISTRY OF JUSTICE

Central Office for Criminal Affairs

SUBJECT: Directive in regard to proceedings for offences of any description committed against the Allied Governments, Allied forces and property.

To all Procuratori Generali
Procuratori del Re.

Attention has been drawn on previous occasions by circular directive from this Ministry to the Procuratori Generali to the fact that offences of theft especially to the detriment of Allied Forces were on the increase and it was recommended not only that the police be given strict instructions in relation to the necessity of preventing such thefts by exercising the greatest watchfulness, but also that pre-trial investigations be carried out with care and solicitude, always bearing in mind the gravity of the offence when having to take a decision with regard to the personal freedom of the accused.

It was also requested at the time that this Ministry be kept informed, as soon as the charges were known, of any theft of correspondence and other serious crimes affecting the Allied Forces, and also of the result of the inquiries and proceedings.

Now, at the request of the Allied authorities, the general instructions hereunder, (in addition to and in partial modification of previous directives) shall be followed for any offence committed against the Allied Governments, their Forces and property.

In this respect, it must be remembered, that the Allied Military Police will inform at the same time the Allied Control Commission, the Royal Carabinieri (to whom prisoners shall be handed) and the Procuratore del Re of the names of the accused and of their offence.

As soon as such information is received, Procuratori del Re shall decide whether the offence committed falls within the jurisdiction of the Italian Military Courts or the ordinary Civil Courts, bearing in mind the provisions of Article 15 of the Italian Military Code of War, which this Ministry consider applicable in this connection.

As soon as the competence of the Civil Courts has been established the Procuratori del Re shall initiate penal proceedings forthwith and if necessary shall request from the Carabinieri a copy of the charge sheet (denuncia). The provisions of Article 91 of the Penal Code of Procedure shall be applied whenever the gravity of the offence renders it undesirable that such case be tried before a Pretorian Court and when possible the re-trial proceedings shall be cut down to the minimum, the Procuratore availing himself of the short procedure (giudizio direttissimo).

27

Furthermore, the Procuratore shall also certain that these proceedings

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

solicitude, always bearing in mind the gravity of the offence when having to take a decision with regard to the personal freedom of the accused.

It was also requested at the time that this Ministry be kept informed, as soon as the charges were known, of any theft of correspondence and other serious crimes affecting the Allied Forces, and also of the result of the inquiries and proceedings.

Now, at the request of the Allied authorities, the general instructions hereunder, (in addition to and in partial modification of previous directives) shall be followed for any offence committed against the Allied Governments, their Forces and property.

In this respect, it must be remembered, that the Allied Military Police will inform at the same time the Allied Control Commission, the Royal Carabinieri (to whom prisoners shall be handed) and the Procuratore del Re of the names of the accused and of their offence.

As soon as such information is received, Procuratori del Re shall decide whether the offence committed falls within the jurisdiction of the Italian Military Courts or the ordinary Civil Courts, bearing in mind the provisions of Article 15 of the Italian Military Code of War, which this Ministry consider applicable in this connection.

As soon as the competence of the Civil Courts has been established the Procuratori del Re shall initiate penal proceedings forthwith and if necessary shall request from the Carabinieri a copy of the charge sheet (denuncia). The provisions of Article 31 of the Penal Code of Procedure shall be applied whenever the gravity of the offence renders it undesirable that such case be tried before a Pretorian Court and when possible the re-trial proceedings shall be cut down to the minimum, the Procuratore availing himself of the short procedure (giudizio direttissimo).

27

Furthermore, the Procuratore shall take certain that these proceedings be given absolute priority during pre-trial investigations (istruttoria) and also in the lists, and that the findings be accurate and comprehensive, always remembering the gravity of such crimes which by interfering with the smooth running of the Allied services delays the achievement of the principal aim of the Italian State to drive the Germans out of Italy.

All decisions taken by the Procuratori as to proper jurisdiction, the results of pre-trial investigations and of the Court proceedings shall be communicated forthwith to the local Allied Legal Officer, to whom the Procuratori del Re may refer whenever they deem it useful during the investigations and trial, especially in regard to the actions of the police and the examination of their evidence.

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

Furthermore the Allied Control Commission have expressed the wish that provisional liberty (except under special circumstances) should not be granted for the offences in question or, that proper security be obtained in order to ensure that defendants shall not escape the law.

This request is perfectly legitimate because not only is the Commission personally interested in the punishment of such offenders but also it corresponds with the views of this Ministry in regard to the gravity of these crimes. Procuratori del Re are therefore urged, in cases when the granting of provisional liberty is optional, to make full use of their discretionary powers in this connection.

Finally in modification of previous instructions Procuratori Generali are requested to forward to this Ministry at the end of every month, a list of such cases, which have been tried in their district indicating the result of each proceeding and also a nominal roll of matters pending, either before the examining judge or the Court, giving the reasons why specific cases have not reached finality within the maximum time limit of two months after the notification from the Allied police has been received.

SI.

The Minister,
R. C. S. M.

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

ANNEX III

ALLIED CONTROL COMMISSION
COMMISSIONE ALLEATA DI CONTROLLO

FORM TO BE COMPLETED ON ARREST OF A PRISONER WHO IS TO BE BROUGHT BEFORE A COURT FOR TRIAL.

MODULO CHE DEVE ESSERE RIEMPITO ALL'ATTO DELL'ARRESTO DI UN PRIGIONIERO CHE DEVE ESSERE TRADOTTO DINANZI AD UN

IF, ON ARREST, the prisoner is taken before a military, naval or air force officer or N.C.O., this form must be completed by the person making the arrest and countersigned by the officer or N.C.O.- On completion it will be handed over together with the prisoner to the Carabinieri or other person detaining the prisoner until he is brought to trial.
IF, ON ARREST, the prisoner is taken direct to the Carabinieri barracks this form must be completed at the Carabinieri barracks by the person making the arrest and left with the Carabinieri.

SE, ALL'ATTO DELL'ARRESTO, il detenuto é condotto dinanzi ad un Ufficiale o N.C.O. dell'Esercito, della Marina, o dell'Aviazione, il presente modulo deve essere riempito dalla persona che opera l'arresto e controfirmato dall'Ufficiale o dal N.C.O. Quando é stato completato dovrà essere consegnato insieme al detenuto ai Carabinieri o ad altra persona che abbia custodia del detenuto finché egli non venga tradotto in giudizio.
SE, ALL'ATTO DELL'ARRESTO, il detenuto é condotto direttamente alla Caserma dei Carabinieri, questo modulo deve essere riempito nella Caserma stessa dalla persona che ha operato l'arresto, e lasciato ai Carabinieri.

NAME OF PERSON ARRESTED :
Nome della persona arrestata:

ADDRESS OF PERSON ARRESTED :
Indirizzo della persona arrestata :

NAME, RANK, NUMBER AND UNIT or ORGANIZATION of PERSON EFFECTING ARREST:

Nome, grado, numero e unità o organizzazione della persona che opera l'arresto :

CHARGE :

(Such as (a) interfering with communications by cutting

26

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

On completion it will be [illegible]
to the Carabinieri or other person detaining the prisoner until he is brought to trial.
IF, ON ARREST, the prisoner is taken direct to the Carabinieri barracks this form must be completed at the Carabinieri barracks by the person making the arrest and left with the Carabinieri.

SE, ALL'ATTO DELL'ARRESTO, il detenuto é condotto dinanzi ad un Ufficiale o N.C.O. dell'Esercito, della Marina, o dell'Aviazione, il presente modulo deve essere riempito dalla persona che opera l'arresto e controfirmato dall'Ufficiale o dal N.C.O. Quando é stato completato dovrà essere consegnato insieme al detenuto ai Carabinieri o ad altra persona che abbia custodia del detenuto finché egli non venga tradotto in giudizio.
SE, ALL'ATTO DELL'ARRESTO, il detenuto é condotto direttamente alla Caserma dei Carabinieri, questo modulo deve essere riempito nella Caserma stessa dalla persona che ha operato l'arresto, e lasciato ai Carabinieri.

NAME OF PERSON ARRESTED : _____
Nome della persona arrestata:

ADDRESS OF PERSON ARRESTED : _____
Indirizzo della persona arrestata :

NAME, RANK, NUMBER AND UNIT or ORGANIZATION of PERSON MAKING ARREST:

_____

Nome, grado, numero e unità o organizzazione della persona che opera l'arresto : _____

CHARGE :
(Such as (a) interfering with communications by cutting wire, (b) being in unlawful possession of firearms, (c) acquiring by gift or purchase any military equipment or war material belonging to the Allied Forces).

ACCUSA :
(Come per esempio (a) interrompeva le comunicazioni tagliando un filo, (b) era in illecito possesso di armi da fuoco, (c) otteneva in dono o per acquisto un capo di vestiario militare o un oggetto di materiale bellico appartenente alle Forze Alleate).

SKETCH: (if necessary for clearer understanding of case)
DISEGNO: (quando sarà necessario per la migliore esposizione del ca

NAMES OF WITNESSES, GIVING RANK AND NUMBER IF SERVICE PERSONNEL AND ADDRESS OF CIVILIANS :

NOMI DEI TESTIMONI, INDICANDO IL GRADO E IL NUMERO SE MILITARI, L'INDIRIZZO SE CIVILI :

26

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

1. Signature of person making arrest : _____
1. Firma della persona che opera l'arresto :

2. Countersignature of Officer or N.C.O. (if any) : _____
2. Controfirma dell'Ufficiale o N.C.O. (se occorre):

3. Signature of Carabinieri Officer if accused is handed over direct to Carabinieri : _____
3. Firma dell'Ufficiale dei Carabinieri se l'accusato è consegnato direttamente ad essi : _____

_____
UNIT (UNIT.')

_____
Station (Stazione)

STATEMENT OF FACTS:

Describe simply in the first person, that is, using the form of words "I saw.... I heard ....I said ..." or." We saw... We heard... We said" the facts caused you to make the arrest. Example : At 14.00 hours on 21st May 1943 I was on patrol duty at X when I saw the accus crouching behind a hedge cutting a piece of wire. As soon as he saw me he ran away. I chased and captured him then took him back to the spot where I had seen him crouching. There I found that a length of wire, about 30 feet, had been cut and was lying on the ground. The wire was British wire").

DESCRIZIONE DEL FATTO:

(si esponga brevemente in prima persona, usando le parole "Io ho visto... ho udito... ho detto..." ovvero " Noi abbiamo visto.... Noi abbiamo udito.... abbiamo detto....", quale è il motivo che ha spinto ad operare l'arresto. Esempio: "Alle ore 14 del 21 maggio 1943 mentre ero di servizio io vidi l'accusato accovacciato dietro una siepe e intento a tagliare un tratto di filo. Appena egli mi vide si diede alla fuga. Io lo inseguii, lo catturai e lo ricondussi sul luogo dove lo avevo visto accovacciato. Colà trovai un tratto di filo della lunghezza di circa 30 piedi era stato tagliato e giaceva in terra. Il filo era di fattura Inglese").

(...nth)

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

UNIT (UNIT.')

Station (Stazione)

STATEMENT OF FACTS:

Describe simply in the first person, that is, using the form of words "I saw.... I heard ....I said ..." or." We saw... We heard... We said" the facts caused you to make the arrest. Example : ..t 14.00 hours on 21st May 1943 I was on patrol duty at X when I saw the accus crouching behind a hedge cutting a piece of wire. As soon as he saw me he ran away. I chased and captured him then took him back to the spot where I had seen him crouching. There I found that a length of wire, about 30 feet, had been cut and was lying on the ground. The wire was British wire").

DESCRIZIONE DEL FATTO:

(si esponga brevemente in prima persona, usando le parole "Io ho visto... ho udito... ho detto..." oppure " Noi abbiamo visto.... Noi abbiamo udito.... Abbiamo detto...., cioè il motivo che ha spinto ad operare l'arresto. Esempio: "Alle ore 14 del 21 Maggio 1943 mentre ero di servizio io vidi l'accusato accovacciato dietro una siepe e intento a tagliare un tratto di filo. Appena egli mi vide si diede alla fuga. Io lo inseguii, lo catturai e lo ricondussi sul luogo dove lo avevo visto accovacciato. Colà trovai un tratto di filo della lunghezza di circa 30 piedi ora stato tagliato e giaceva in terra. Il filo era di fattura Inglese").

At _____ hours on _____ (day) _____(month)_____

(year)_____

Alle ore _____ del giorno _____ del mese _____

dell'anno _____

I/Io,

Io/Noi,

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

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

FORM OF REGISTER FOR ARREST RECORD REGISTER

No.	Name of accused	Date of Offence	Date of Arrest	short particulars	Ref.No. date of Allied Police Report and Unit making report.	Ref. No.date of Italian Police Report and Unit making report.	

Interlocutory Proceedings	Sentence asked for by P.P.	Short particulars of Appeal	

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

FORM OF HEADING FOR ARREST RECORD REGISTER

Date of Arrest	short particulars	Ref.No. date of Allied Police Report and Unit making report.	Ref. No.date of Italian Police Report and Unit making report.	Section under which charged.

Sentence asked for by P.M.	Short particulars of Appeal	Comments

ANNEX IV

SUBJECT: Allied Mil Personnel suffering from wounds caused by Italian Civilians or Military

HQ ALLIED TROOPS IN ITALY.

A.I.I/5001/1(PS)

15 May 44.

'A' HQ 1 District
'A' HQ 2 District
'A' HQ 3 District

1. In unoccupied territory (i.e. below the Northern boys of the Provinces of S [illegible], POTENZA and [illegible]) IT ITALIAN civilians and soldiers committing offences are normally tried by the IT ITALIAN Courts.

2. In the event of members of the Allied Forces being admitted to Hospitals, CCS or the like, suffering from wounds not received in combat, but which are suspected to have been inflicted by Italians or soldiers, the following procedure will be adopted to assist the Italian Judicial officials in their task of trying and sentencing offenders:

(a) The Senior Med Offr of the Hospital concerned will render a report (in duplicate) as quickly as possible to the nearest Provincial Commissioner AMG, containing:

(i) Full name, no., rank and regt/corps of the wounded soldier,

(ii) Description of wound (stating depth and probable cause),

(iii) Date of wound and number of days necessary for its cure specifying whether less than 10 days or more than 10 days, and less than 40 days or more than 40 days,

(iv) Whether the accused has been or is in danger of his life as a result of the wound,

(v) If it can be said that the wound will cause any permanent disability to, or loss of, any limb, sense or organ.

(b) In the event of a report having been submitted stating that a wound is curable within 40 days and either the cure is not completed within this period, or other complications set in, a further report should be submitted to the Provincial Commissioner.

(c) If death results from such wounds and the autopsy is performed by Allied Mil Authority, copies of the autopsy report and hospital case record

24

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

of S[illegible]O, PORTAL and A.M.) if any civilians and soldiers committing offences are normally tried by the M.G. Field Courts.

2. In the event of members of the Allied Forces being admitted to Hospitals, CCS or the like, suffering from wounds not received in combat, but which are suspected to have been inflicted by Italians or soldiers, the following procedure will be adopted to assist the Italian Judicial officials in their task of trying and sentencing offenders:

(a) The Senior Med Offr of the Hospital concerned will render a report (in duplicate) as quickly as possible to the nearest Provincial Commissioner or C, containing:

(i) Full name, no., rank and regt/corps of the wounded soldier,

(ii) Description of wound (stating depth and probable cause),

(iii) Date of wound and number of days necessary for its cure specifying whether less than 10 days or more than 10 days, and less than 40 days or more than 40 days,

(iv) Whether the accused has been or is in danger of his life as a result of the wound,

(v) If it can be said that the wound will cause any permanent disability to, or loss of, any limb, sense or organ.

(b) In the event of a report having been submitted stating that a wound is curable within 40 days and either the cure is not completed within this period, or other complications set in, a further report should be submitted to the Provincial Commissioner.

(c) If death results from such wounds and the autopsy is performed by Allied Mil Authority, copies of the autopsy report and hospital case record (giving details of the progress of the wounded man, treatment etc) will be sent to the Provincial Commissioner. 24

3. The reports, statements, case records, etc. referred to in para. 2 above, will be forwarded direct to the Regional Commissioner concerned.

4. It is emphasised that the above instructions do NOT apply in occupied territory where such offenders are tried before M.G. Courts.

5. Sufficient copies are enclosed for distribution down to all Med units affected.

/s/ ? ?
Major General
Chief Administrative Office

RTP/RL

Copies to: CC. FBS
Executive Commissioner, ACC.
(your 275/10/C1. dated 2 May 44 refers)
MG(US), AFHQ,
Med

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

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

Ministry of the Interio

To all Prefetti.

The Allied Authorities have informed the Italian government that private doctors who treat military personnel for venereal disease do not report the cases to proper quarters, as they are required to do by law. Thus the adoption of disciplinary and sanitary measures by the military authorities is made impossible. In order to obviate these difficulties, will you please inform the medical associations to the effect that soldiers are considered as "living in the community" and therefore in pursuance of the provisions of the Ministerial Decree of 25 April 1940, it is compulsory for the doctors to report all cases of syphilis, gonorrhea and venereal ulcers affecting military personnel which they may obtain knowledge of in the course of their professional activities.

All defaulters shall be punishable under the terms of Art. 254 of the consolidated text of the existing sanitary legislation. Please acknowledge.

The Minister.

Instructions to the following effect have been issued to all Procuratori Generali - Avvocati Generali - Procuratori del Re - Palermo.

Instructions for the cooperation with the Allied Authorities in order to eliminate the spreading of V.D. among troops.

A.F.H.Q. have requested the effective cooperation of the judicial authorities in order to prevent the spreading of V.D. among troops.

It has been agreed with the Ministry of the Interior that, where necessary, mixed squads of Allied and Italian police shall be organized to patrol the streets and prevent prostitutes from circulating with impunity and thus gaining easy contact with Allied soldiers. New observation centers have also been created in order to increase the possibilities of curing venereal disease and of detecting symptoms of a suspicious character (Diseased persons may be kept at these centres until cured).

It has been observed that the sojourn in jail of contaminated prostitutes, who have been either apprehended (fermati) or arrested (arrestati), and who have not been segregated from healthy ones tends to increase the spread of the disease, especially where there are large numbers of these women.

The attention of all Procuratori del Re and Pretori is therefore directed to the gravity of these facts which have a direct effect on Allied military activity and they are hereby instructed to lend every assistance in their power in this connection to the Allied authorities. More especially, the judicial police will be instructed to take all necessary steps to prevent prostitutes evacuating their lawful trade away from the special authorized houses.

Furthermore, in cases of prostitutes either apprehended for reasons of public safety or arrested the following rules shall apply:

(1) Prostitutes apprehended for reasons of public safety in pursuance of Article 19 of Legge di Publica Sicurezza shall be sent to the observation and treatment centres. They will not be returned to the prisons unless the doctors at the centres have declared them to be free from disease or even from suspected disease.

(2) Prostitutes apprehended pursuant to Art. 238 of the Code of Penal Procedure, or prostitutes arrested (arrestate) shall be carefully examined by

23

Instructions to the following effect have been issued to all Procuratori Generali - Avvocati Generali - Procuratori del Re - Palermo.

Instructions for the cooperation with the Allied Authorities in order to eliminate the spreading of V.D. among troops.

A.F.H.Q. have requested the effective cooperation of the judicial authorities in order to prevent the spreading of V.D. among troops.

It has been agreed with the Ministry of the Interior that, where necessary, mixed squads of Allied and Italian police shall be organised to patrol the streets and prevent prostitutes from circulating with impunity and thus gaining easy contact with Allied soldiers. New observation centres have also been created in town to increase the possibilities of curing venereal disease and of detecting symptoms of a suspicious character (Diseased persons may be kept at these centres until cured).

It has been reported that the epidemic in evil of contaminated prostitutes, who have been either apprehended (fermati) or arrested (arrestati), and who have not been secluded from healthy ones tends to increase the spread of the disease, especially where there are large numbers of these women.

The attention of all Procuratori del Re and Pretori is therefore directed to the gravity of these facts which have a direct effect on Allied military activity and they are hereby instructed to lend every assistance in their power in this connection to the Allied authorities. More especially, the judicial police will be instructed to take all necessary steps to prevent prostitutes evacuating their shameful trade even from the special authorised houses.

Furthermore, in cases of prostitutes either apprehended for reasons of public safety or arrested the following rules shall apply.

(1) Prostitutes apprehended for reasons of public safety in pursuance of Article 19 of Legge di Publica Sicurezza shall be sent to the observation and treatment centres. They will not be returned to the prisons unless the doctors at the centres have declared them to be free from disease or even from a suspected disease.

(2) Prostitutes apprehended pursuant to Art. 258 of the Code of Penal Procedure, or prostitutes arrested (arrestate) shall be carefully examined by the doctors at the prisons. All those found to be infected or suspected of being infected shall be segregated from the healthy ones and given adequate treatment at the prisons. If any "fondamentati" prison (i.e. a prison where persons are detained temporarily as distinct from one in which long - term prisoners serve sentences) is not equipped for such treatment, the prostitutes shall be transferred to a judicial prison.

(3) The names of all prostitutes released from gaol, for any reason whatsoever, shall be communicated by the Director concerned to the Italian Public Safety authorities who shall observe the relevant regulations of public safety in their cases.

(4) Care shall be taken to supervise both pretrial investigations and all proceedings connected with prostitution and other offences included in that general category in order to ensure that the various cases are adequately and properly dealt with.

23

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

DEPARTMENTS
ALLIED CONTROL COMMISSION
LEGAL SUBCOMMISSION
APO 394

ARMY

ACC/4005/L

2 March 1944

SUBJECT: Venereal Disease, Brothels, Pimps, etc.

TO : Deputy Provost Marshall, HQ 5 District.

Ref your PRO/5D/459 dated 26 Feb. 44.

1. Licensed prostitution is not allowed in England, but there is no federal law in the U.S. - in this respect each State issuing its own legislation on the matter.

2. In Italy licensed prostitution is regulated by the provisions of the Law of Public Safety of 18 June 1931 No. 773, Chapter VII, Articles 190 to 208.

3. As far as the law is concerned the above referred to articles provide

Art. 190: At the request of the keeper or at their discretion, Public Safety Authorities may declare premises where prostitution is exercised to be licensed premises.

Art. 191: No premises of this type can be opened without the License referred to in the preceding article; this provision is also applicable to premises where one person only exercises this practice. Penalty up to one year and 1,000 lire fine.

Art. 192: Public Safety authorities can close any such premises in the interest of morality, decency and public order.

Art. 193: Whoever desires to open a house of prostitution must fill in a special form provided by Public Safety authorities in which are determined the conditions under which he may exercise his profession.

Art. 194: No premises used for prostitution can be modified without the authorization of the P.S. authority. List of persons who exercise prostitution in licensed premises must be supplied to the P.S. authority. If through no licence sanitary measures are not taken and an infected person is admitted, even for a short time, in the licensed premises, penalties up to one year and 5,000 lire can be upheld.

Art. 195: Hours of opening are determined by the P.S. authorities.

Art. 196: The following are forbidden in premises where prostitution is exercised:-

22

(a) Gambling, dancing and any type of celebration.
(b) The ready sale of food and drink.
(c) Access to minors under 18.

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

the Law of Public Safety of 18 June 1931 No. 773, Chapter VII, Articles 190 to 208.

5. As far as the law is concerned the above referred to articles provide

Art. 190: At the request of the keeper or at their discretion, Public Safety Authorities may declare premises where prostitution is exercised to be licensed premises.

Art. 191: No premises of this type can be opened without the License referred to in the preceding article; this provision is also applicable to premises where one person only exercises this practice. Penalty up to one year and 1,000 lire fine.

Art. 192: Public Safety authorities can close any such premises in the interest of morality, decency and public order.

Art. 193: Whoever desires to open a house of prostitution must fill in a special form provided by Public Safety authorities in which are determined the conditions under which he may exercise his profession.

Art. 194: No premises used for prostitution can be modified without the authorization of the P.S. authority. List of persons who exercise prostitution in licensed premises must be supplied to the P.S. authority. If through no lipnse sanitary measures are not taken and an infected person is admitted, even for a short time, in the licensed premises, penalties up to one year and 5,000 lire can be upheld.

Art. 195: Hours of opening are determined by the P.S. authorities.

Art. 196: The following are forbidden in premises where prostitution is exercised:-

(a) Gambling, dancing and any type of celebration.
(b) The ready sale of food and drink.
(c) Access to minors under 18.
(d) Entering the premises carrying arms.

Penalties up to 6 months and 3,000 lire.

Art. 197: Full rights of perquisition at any time by P.S. authorities- and also of evacuation of all inmates.

Art. 198: The keeper cannot receive gifts of money or other articles from the inmates. Penalty - up to 3 months and 5,000 lire.

Art. 199: The keeper cannot retain an inmate wishing to leave the premises. Penalty up to 3 months and 5,000 lire.

Art. 200: Prostitution premises shall be closed when:-

1. Venereal diseases are prevalent.
2. Minors are found among the inmates.
3. Sanitary visits are not properly carried out.

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

4. The keeper tries to prevent such visits.
5. The keeper becomes an habitual offender under Art. 195 & 196.
6. The lease if any ends.

Art. 201: All such premises can also be closed for general hygiene motives or other reasons left at the discretion of P.S. authorities.

Art. 202: The keeper who maintains the premises open after the date of closing is liable to one year's imprisonment and 3000 lire fine.

Art. 203: Whoever contravenes the above provisions cannot receive a license for a period of five years.

Art. 204: One year is the minimum limit of time before any closed premises can be opened.

Art. 205: P.S. authorities can at any time order sanitary visits of the inmates or send them to special cure places.

Art. 206: Licenses are withdrawn if the keeper requests it when the premises are not used anymore for the exercise of prostitution.

Art. 207: All appeals against P.S. authority action can be made to a Commission convened by the Prefect, etc.

Art. 208: Incitement to debauchery is also forbidden, even by indirect means, in any public places.

It is also formally forbidden:
(a) to solicit by deeds or words in the streets
(b) to stand in public places in an indecent attitude.
(c) to expose one's person at the windows or on the threshold of licensed premises.
(d) to give the address or indicate in any way the location of licensed premises or to offer means of procuring.

Penalty up to six months.

4. It is hoped that this short synopsis of Italian legislation on the subject will answer most of the legal questions you are interested in. As prostitution control is entirely a police responsibility your letter has been passed to the Public Safety Subcommission together with a copy of our reply for their comments thereon and their observations on the question of fact.

G. P. [illegible] WOOD, Major
Officer i/c Italian Section, Legal Sub-Com.

Copy to: P.S. Subcommission.

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

TRANSLATION ANNEX VI

No. 27032 MINISTER OF GRACE AND JUSTICE 29 April 1944
rlp

SUBJECT : Instructions for cooperation to prevent the spreading of venereal disease among Allied Troops.

TO : All Procuratori and Avvocati Generali.

With reference to Circular No. 25046 of the 28th of this month on the above subject, the Allied Control Commission has brought to our notice the necessity that arrested prostitutes should not be given provisional liberty unless in the most exceptional circumstances, with the principal aim of preventing these women from circulating in the towns and closing off another source of infection from the Allied troops.

In fact, together with the procedure of the circular above referred to, every way must be eliminated whereby prostitutes, infected and for any reason whatever set free from prison, may be able to carry on their shameful trade, so the prison authority, before letting them out of prison, must communicate their names to the Public Security Authority, who, in turn, must accompany these prostitutes to the centers for examination and medical care, where they must remain until they have no longer any sign of suspicion of venereal disease.

In any case, in view of the legitimate desire of the Allied Commission, justified by the necessity of combatting, in every way the spread of venereal disease which is adversely affecting the duties of many Allied soldiers, it is considered proper that this shall be brought to the attention of the judicial authorities so that they may bear it in mind when in those cases where the concession of provisional liberty is optional, they make use of their discretionary powers in that respect as granted by the law.

Please acknowledge receipt of this letter after bringing it to the attention of all your subordinate judicial officers.

The Minister.

MINISTRY OF GRACE AND JUSTICE

No. 27031 Salerno, 29 April 1944

SUBJECT : Venereal disease and Prostitution.

With reference to the letter on the above subject this Ministry has communicated to the judicial authorities the request put forward by the Commission with regard to arrested prostitutes, in order that this request may be borne in mind when they make use of the discretionary powers, granted to the judge by law, to deny or grant provisional liberty.

It would appear however, that even if the judicial authorities deny prostitutes the benefit of provisional liberty in every case, the result that is intended in the letter referred to, will not always be obtained, namely that prostitutes shall be kept in prison until they are tried thus avoiding the possibility of their continuing to

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

every way must be eliminated whereby prostitutes, infected and for any reason whatever set free from prison, may be able to carry on their shameful trade, so the prison authority, before letting them out of prison, must communicate their names to the Public Security Authority, who, in turn, must accompany these prostitutes to the centers for examination and medical care, where they must remain until they have no longer any sign of suspicion of venereal disease.

In any case, in view of the legitimate desire of the Allied Commission, justified by the necessity of combatting, in every way the spread of venereal disease which is adversely affecting the duties of many Allied soldiers, it is considered proper that this shall be brought to the attention of the judicial authorities so that they may bear it in mind when in those cases where the concession of provisional liberty is optional, they make use of their discretionary powers in that respect as granted by the law.

Please acknowledge receipt of this letter after bringing it to the attention of all your subordinate judicial officers.

The Minister.

MINISTRY OF GRACE AND JUSTICE

No. 27031 Salerno, 29 April 1944

SUBJECT : Venereal disease and Prostitution.

With reference to the letter on the above subject this Ministry has communicated to the judicial authorities the request put forward by the Commission with regard to arrested prostitutes, in order that this request may be borne in mind when they make use of the discretionary powers, granted to the judge by law, to deny or grant provisional liberty.

It would appear however, that even if the judicial authorities deny prostitutes the benefit of provisional liberty in every case, the result that is intended in the letter referred to, will not always be obtained, namely that prostitutes shall be kept in prison until they are tried thus avoiding the possibility of their continuing to circulate in the town and affect healthy men. And the reason lies in the fact that in the course of the proceeding there goes together with the practice of provisional liberty that of releasing from jail which is not dependant on any discretionary power of the judge in cases falling within Arts. 246 (Provisions for the Procuratore del Re and the Praetor regarding the provisional liberty of an arrested person - 247 cases in which house arrest may be ordered)-269 (Release ordered by the examining judge or the Praetor) as 270 (Release ordered by the Public Ministero) of the Code of Criminal Procedure.

The Minister, being well aware of the danger that lies in infected prostitutes being free to circulate in the town, thinks that he has anticipated, in a better way, the will of Your Commission; having laid down, in the last three lines of Circular No. 25046 of 28th of this month, that the names of all prostitutes released from jail for any reason whatsoever, shall be sent by the competent prison authority to the Public Security authority. And the desired result in the letter referred to will be obtained without anything else, if the Public Security authority complying with the appropriate provisions for confinement for reasons of Public Security, make provision for the recovery of these prostitutes in the centers for inspection and medical care until they are declared free from any form whatsoever of venereal disease, even suspected, and moreover, after this shall make provision, if such be the case, that they be sent back to their respective communes in accordance with Art. 157 of the Public Security Law No. 773 of 18 June 1931.

21

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

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

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

Ref/160/58/CA

27 July 1944

SUBJECT: Executive Memorandum No. 39

TO : Distribution below.

Enclosed herewith is Executive Memorandum No. 39 (first revision). This supercedes Executive Memorandum No. 39 (undated), schedule and appendices appearing in pages 75 to 84 of the Instructions for the Guidance of Officers of the Commission.

M.S. LUSH
Brigadier
Executive Commissioner

DISTRIBUTION:

"C"
Group 2 List "A"

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

113

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

Ref/160/59/CA

July 1944

EXECUTIVE MEMORANDUM)
: (First Revision)
NUMBER 39)

ITALIAN LOCAL GOVERNMENT.

1. The present position with regard to the organization of Italian Provincial and Communal Administration in Italian Government Territory and Military Government Territory (with the exception of 5th and 8th Army AMG area) is as follows:

a. In Italian Government Territory local government is now regulated by Royal Decree No. 111, published in the Gazzetta Ufficiale on 22 April 1944. All Regional Orders dealing with the reorganization of local government ceased automatically to be effective in any territory on the date on which such territory was restored to the jurisdiction of the Italian Government.

b. In Military Government Territory (with the exception of 5th and 8th Army AMG areas) Royal Decree No. 111 was made applicable by virtue of the Executive Commissioner's endorsement published in the Gazzetta Ufficiale of 10 May 1944. The actual operation of the Royal Decree dates from the time a copy of the Gazzetta Ufficiale is actually handed to the Prefect by the Allied Control Commission, or by such other method as may authorize in the future.

2. With a view to uniformity and continuity of the same pattern of local government throughout Italy, those of the provisions of the Royal Decree No. 111 outlined in Schedule "A", as can be applied to 5th and 8th Army AMG areas shall be so applied as soon as possible. It should be noted, however, that Royal Decree No. 111 is a transitory measure, passed as a war emergency gap pending the restoration of elections.

3. a. Schedule "A" is an Administrative Instruction for the guidance of Senior Civil Affairs Officers, Regional Commissioners and the officers under their respective commands. It outlines the pattern of local government to be followed.

19

b. Schedule "B" is a chart of Italian local government.

1. The present position with regard to the organization of Italian Provincial and Communal Administration in Italian Government Territory and Military Government Territory (with the exception of 5th and 8th Army AMG area) is as follows:

a. In Italian Government Territory local government is now regulated by Royal Decree No. 111, published in the Gazzetta Ufficiale on 22 April 1944. All Regional Orders dealing with the reorganization of local government ceased automatically to be effective in any territory on the date on which such territory was restored to the jurisdiction of the Italian Government.

b. In Military Government Territory (with the exception of 5th and 8th Army AMG areas) Royal Decree No. 111 was made applicable by virtue of the Executive Commissioner's endorsement published in the Gazzetta Ufficiale of 10 May 1944. The actual operation of the Royal Decree dates from the time a copy of the Gazzetta Ufficiale is actually handed to the Prefect by the Allied Control Commission, or by such other method as may authorize in the future.

2. With a view to uniformity and continuity of the same pattern of local government throughout Italy, those of the provisions of the Royal Decree No. 111 outlined in Schedule "A", as can be applied to 5th and 8th Army AMG areas shall be so applied as soon as possible. It should be noted, however, that Royal Decree No. 111 is a transitory measure, passed as a war emergency gap pending the restoration of elections.

3. a. Schedule "A" is an Administrative Instruction for the guidance of Senior Civil Affairs Officers, Regional Commissioners and the officers under their respective commands. It outlines the pattern of local government to be followed. 19

b. Schedule "B" is a chart of Italian local government.

c. Schedule "C" is a list of Administrative Ranks of Civil Servants.

d. Schedule "D" is the English translation of Royal Decree No. 111.

M.S. LUSH
Brigadier
Executive Commissioner

DISTRIBUTION:

"C"
Group 2 List "A"

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

SCHEDULE "A"

ALLIED CONTROL COMMISSION

ADMINISTRATIVE INSTRUCTION NO.

SUBJECT: Reorganization of Provincial and Communal Administration.

TO : All Senior Civil Affairs Officers, Regional Officers and Officers under their respective commands.

1. The various government officers and organs herein mentioned derive their powers and functions from certain fundamental laws embodied in a Unified Text of Municipal and Provincial Laws of 1915 No. 148 with certain modifications made by the Royal Decree of December 30, 1923, No. 2839.

2. Provincial Administration is to be organized as follows:

a. The highest position in provincial administration is that of Prefect. Next in order come the Vice-Prefect (Vice Prefetto Vicario) and Vice Prefect Inspector (Vice Prefetto Ispettore). The Vice Prefect Vicario acts in the absence of the Prefect with the latter's powers. The Vice Prefect Ispettore is charged with the inspection of conditions of local government throughout the provinces.

b. When the post of Prefect is vacant, and a suitable civil service career official of the necessary grade and qualifications is available, he should be appointed with the title "Prefetto". If no such career official is available, a person must be nominated to the position who, possesses the requisite executive ability and does not have an objectionable political background. His title should be "Prefetto Reggente". The same principle applies when a vacancy exists for a Vice-Prefect when no suitable career official is available for appointment. Executive Memorandum No 12 sets forth the procedure in detail.

3. In both instances, nominations supported by information as to the qualifications of nominees, are to be submitted to the Senior Civil Affairs Officer or to the Regional Commissioner for transmission through (R.C. & M.G. Section C.A. Branch) channels to the Administrative Section for notification to the Italian Government and for approval by Allied Control Commission.

4. The principal organs of provincial government which are to be revived in consultation with the Prefect are the following:

a. CONSIGLIO DI PREFETTURA - ("Prefectural Council"): It is normally composed of the Prefect or his substitute, who presides, and two senior Councillors ("Consiglieri") of the Prefecture. Its powers and functions are principally advisory and are regulated by specific laws, although the Prefect may request the opinion of the Council on any matter. It also has certain functions relating to the approval of

18

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

a. The highest position in provincial administration is that of Prefect. Next in order come the Vice-Prefect (Vice Prefetto Vicario) and Vice Prefect Inspector (Vice Prefetto Ispettore). The Vice Prefect Vicario acts in the absence of the Prefect with the latter's powers. The Vice Prefect Inspettore is charged with the inspection of conditions of local government throughout the provinces.

b. When the post of Prefect is vacant, and a suitable civil service career official of the necessary grade and qualifications is available, he should be appointed with the title "Prefetto". If no such career official is available, a person must be nominated to the position who, possesses the requisite executive ability and does not have an objectionable political background. His title should be "Prefetto Reggente". The same principle applies when a vacancy exists for a Vice-Prefect when no suitable career official is available for appointment. Executive Memorandum No 12 sets forth the procedure in detail.

3. In both instances, nominations supported by information as to the qualifications of nominees, are to be submitted to the Senior Civil Affairs Officer or to the Regional Commissioner for transmission through (R.C. & M.G. Section C.A. Branch) channels to the Administrative Section for notification to the Italian Government and for approval by Allied Control Commission.

4. The principal organs of provincial government which are to be revived in consultation with the Prefect are the following:

a. CONSIGLIO DI PREFETTURA - ("Prefectural Council"): It is normally composed of the Prefect or his substitute, who presides, and two senior Councillors ("Consiglieri") of the Prefecture. Its powers and functions are principally advisory and are regulated by specific laws, although the Prefect may request the opinion of the Council on any matter. It also has certain functions relating to the approval of accounts of communes and certain institutions, in which capacity its composition is enlarged to include additional officials.

18

b. GIUNTA PROVINCIALE AMMINISTRATIVA - ("Provincial Administrative Board"): It is composed of ten members with the Prefect or Vice Prefetto Vicario as Presidente of the Board, and includes the following officials of the Prefecture: A Vice Prefect Inspector, two Councillors, the Chief Accountant ("Ragioniere Capo") or his substitute and the Intendent of Finance, ("Intendente di Finanza") or his substitute. The remaining four regular and two substitute members, are citizen appointees chosen from experts in legal administrative or technical matters, nominated by the Deputazione Provinciale, where it has been possible to constitute such body and confirmed by the Prefect subject to approval of the Allied Control Commission. The Giunta Provinciale Amministrativa has powers of review over communal administration.

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

The following persons cannot be members of the Giunta Provinciale Amministrativa:

I. The President, Vice-President and members of the Deputazione Provinciale.
II. Mayors and Aldermen of Communes
III. Paid Provincial and Communal functionaries
IV. Relatives up to the second degree; and first degree relatives of the Provincial tax-collector and tax-receiver.

c. DEPUTAZIONE PROVINCIALE - ("Provincial Deputation"): This body is revived to replace the fascist-created Rettorato, the latter body being now abolished. In Pre-fascist provincial government, the Deputation was normally appointed by, and from among, the members of a larger elected body known as the Consiglio Provinciale ("Provincial Council"). For present purpose since the elective Consiglio is not possible at this time, the Deputation is to be nominated by the Prefect and approved by the Allied Control Commission. It consists of a President and unpaid regular and substitute citizen members. The numerical composition of the Deputazione Provinciale varies according to the population as follows:

Inhabitants	Regular Deputies	Alternates
Over 600,000	10	4
" 300,000	8	2
Other provinces	6	2

The President is also the Head of Provincial Administration ("Capo dell' Amministrazione Provinciale"). He convokes, presides over, prepares the agenda for, and executes the decisions of the Deputazione Provinciale. The President, subject to the approval of the Prefect, may appoint a Vice-President from among the Provincial Deputies who assists him and substitutes for him in his absence. The President may entrust the deputies with special administrative duties.

5. Municipal Administration is to be organized as follows:

a. SINDACI: In place of "Podesta'" the democratic title of "Sindaco" (Mayor) must be adopted where a commune has a Giunta Comunale and "Commissario Prefettizio" where there is no such local body. New appointments or changes in the position of Mayor will be made by the Prefect, if in office, and approved by the Allied Control Commission. Appointments of Vice-Sindaci are to be similarly effected.

b. The Mayor may entrust to the Alderman (Assessori) special duties in connection with the municipal administration. The Mayor convokes, presides over, prepares the agenda for, and executes the decisions taken by the Giunta Municipale.

c. SEGRETARIO COMUNALE (Town Clerk): This official is a civil servant and cannot be appointed mayor, or be lightly dismissed. The Prefect has full power to effect transfers, retirements, and appointments of Town Clerks, and changes should be effected only through him under

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

regular and substitute civilian members. The numerical composition of the Deputazione Provinciale varies according to the population as follows:

Inhabitants	Regular Deputies	Alternates
Over 600,000	10	4
" 300,000	8	2
Other provinces	6	2

The President is also the Head of Provincial Administration ("Capo dell' Amministrazione Provinciale"). He convokes, presides over, prepares the agenda for, and executes the decisions of the Deputazione Provinciale. The President, subject to the approval of the Prefect, may appoint a Vice-President from among the Provincial Deputies who assists him and substitutes for him in his absence. The President may entrust the deputies with special administrative duties.

5. Municipal Administration is to be organized as follows:

a. SINDACI: In place of "Podesta'" the democratic title of "Sindaco" (Mayor) must be adopted where a commune has a Giunta Comunale and "Commissario Prefettizio" where there is no such local body. New appointments or changes in the position of Mayor will be made by the Prefect, if in office, and approved by the Allied Control Commission. Appointments of Vice-Sindaci are to be similarly effected.

b. The Mayor may entrust to the Alderman (Assessori) special duties in connection with the municipal Administration. The Mayor convokes, presides over, prepares the agenda for, and executes the decisions taken by the Giunta Municipale.

c. SEGRETARIO COMUNALE (Town Clerk): This official is a civil servant and cannot be appointed mayor, or be lightly dismissed. The Prefect has full power to effect transfers, retirements, and appointments of Town Clerks, and changes should be effected only through him under the standing procedure which must be closely followed.

d. GIUNTA COMUNALE -("Municipal Board of Aldermen"): This body is revived to replace the fascist-created Consulta Comunale. Normally, as in the case of the Provincial Deputation, its members, called "assessori" ("Aldermen") should be selected by, and from among the members of, an elected Consiglio Comunale ("Municipal Council"). Under present emergency conditions the members of the Giunta Comunale are appointed and removed by the Prefect, if in office, with the approval of the Allied Military Government. The Giunta Comunale should be established as early as conditions so permit. The numerical composition of the Giunta varies according to population and is as follows:

Inhabitants	Assessori (Aldermen)	Alternates
Over 250,000	10	4
" 60,000	8	4

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

11369

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

D (Cont'd)

Inhabitants	Assessori(Aldermen)	Alternates
Over 30,000	6	2
" 5,000	4	2
Other communes	2	2

6. Substitute or alternate members of any of the aforementioned agencies do not take part in their meetings except in the absence of the regular members.

7. In the selection of members of the above agencies, consideration should be given to various shades of political opinion according to their local strength. Labor and agriculture as well as industry and the professions, moreover, must be adequately represented. Persons who held such positions in the Fascist Party as specified in Article I of Royal Decree of December 28, 1943, No. 29/B are barred from office.

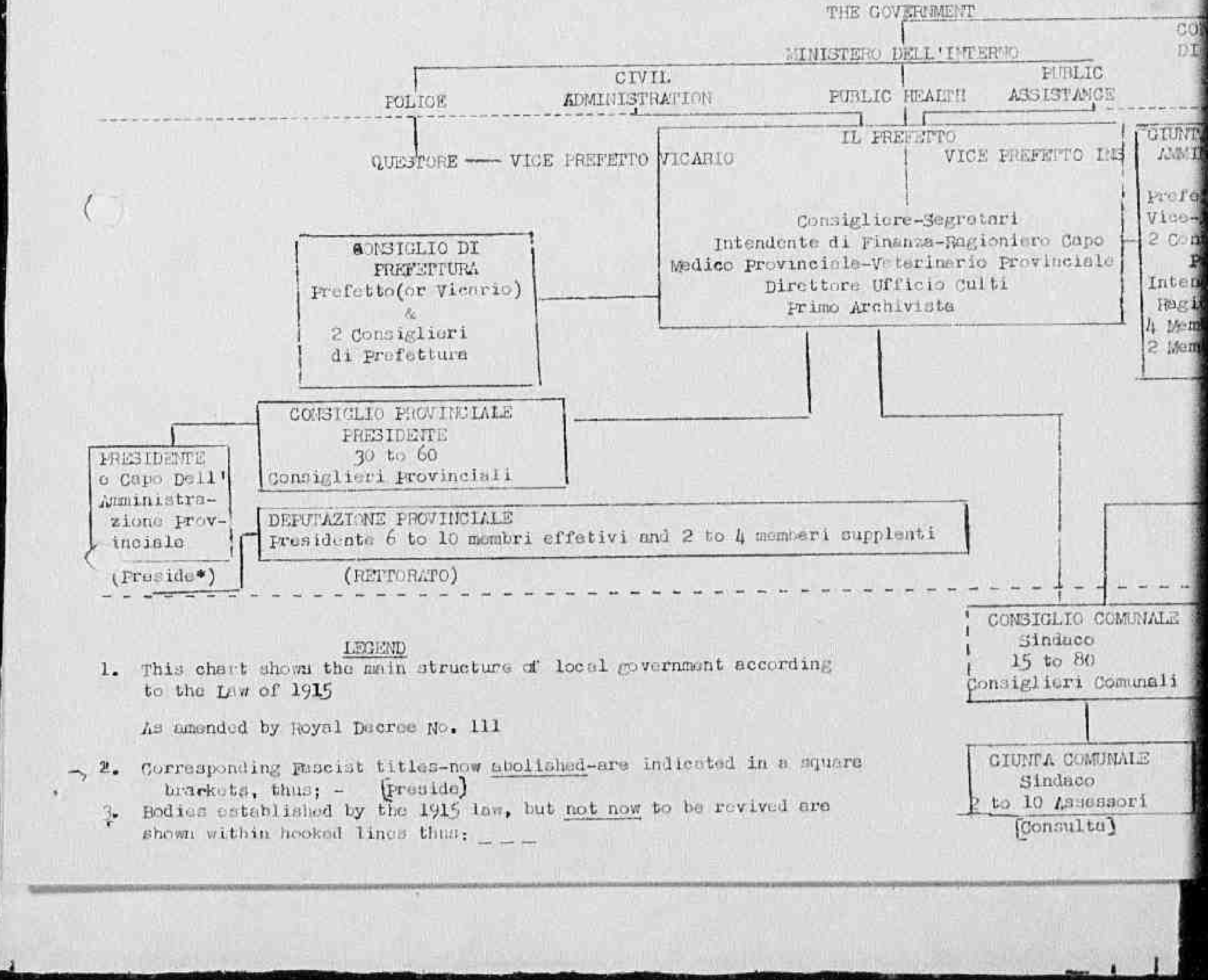
8. For the purposes of securing a proper understanding and a uniform application of these instructions, as well as other matters affecting local government, meetings of all Provincial Commissioners will be held at regular intervals. Similar meetings of all Prefects will also be held in order to assure a uniform application of the patterns of local government herein set forth.

9. In conformity with the above, from now onwards, all Provincial and Municipal Decrees and Orders must be issued in the name of the Prefect or local Mayor respectively and bear only the "VISTO" of the Allied Military Government Officer concerned.

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

SCHEDULE "D"

CHART OF ITALIAN LOCAL GOVERNMENT



LEGEND

1. This chart shows the main structure of local government according to the Law of 1915

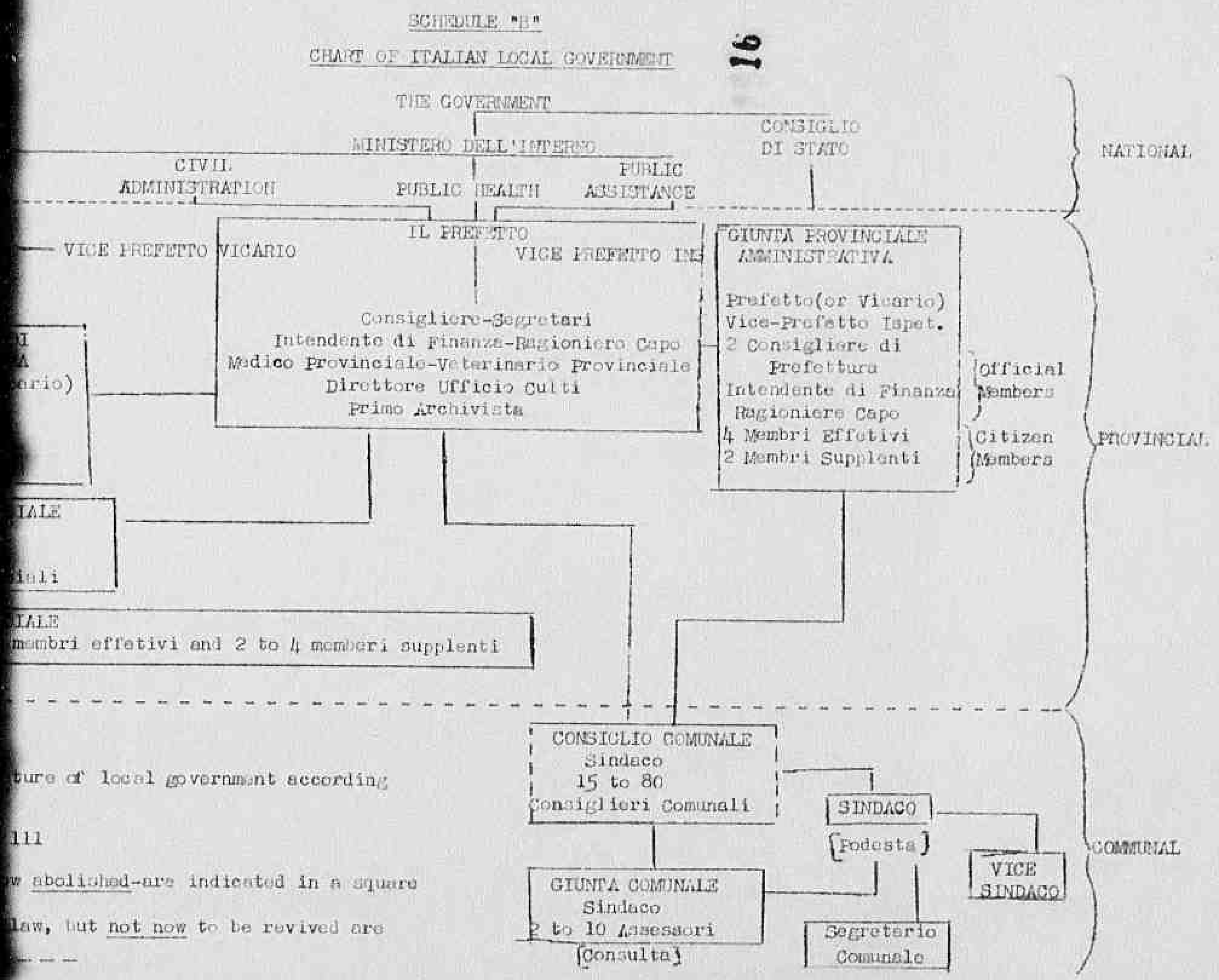
   As amended by Royal Decree No. 111

2. Corresponding Fascist titles-now abolished-are indicated in a square brackets, thus; - (Preside)
3. Bodies established by the 1915 law, but not now to be revived are shown within hooked lines thus: _ _ _

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

SCHEDULE "B"

CHART OF ITALIAN LOCAL GOVERNMENT



ture of local government according

111

w abolished-are indicated in a square

law, but not now to be revived are

1372

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

SCHEDULE "C"

Civil Servants are divided into three groups, A. B. and C.

The first deals with political and administration affairs; the second handles accountancy and administration; the third takes care of archives, registry, typing, etc.

ADMINISTRATIVE RANKS

Grade	XI	Under Secretary
"	X	Secretary
"	IX	First Secretary
"	VIII	Councillor Second Class
"	VII	" First Class
"	VI	Vice-Prefect - Inspector
"	V	" " - "Vicario"
"	IV	Prefect Second Class
"	III	" First "

In addition to the foregoing, there is another category of personnel appointed by the Ministry of Interior, who have not passed the prescribed civil service examination, consequently without rank, known as "personale avventizio".

SCHEDULE "D"

(Translation by Interi[illegible] Sub-Commission, A.C.C. - 10 M[illegible]944)

ROYAL DECRE - Law of APRIL 4th, 1944 No. 111

Transitory Rules for the Administration of Communes and Provinces.

VITTORIO EMANUELE III
By Grace of God and by the Will of the Nation
King of Italy

Whereas Art. 1d. of the Law of January 19th, 1939, No. 129;
Whereas the Unified Text of the Communal and Provincial Law approved by Royal Decree of March 3rd, 1934, No. 383;
Whereas the Royal Decree Law of October 30th, 1943, No. 2/B;
Having considered that it is necessary to issue transitory rules for the administration of Communes and Provinces while waiting to establish administrative elections;
Considering the state of emergency in consequence of the war;
After having heard the Council of the Ministers;
On the proposal of the Minister of Interior;

WE HAVE DECREED AND WE DECREE

Art. 1

Each commune has a mayor (Sindaco) and a board of aldermen (Giunta Municipale).
The mayor (Sindaco) and the aldermen (Assessori Municipale) are appointed by the Prefect.
They may be removed by the Prefect for not having complied with the duties of their office or for reasons of public order.
Against any measures of removal no appeal is allowed juridically or administratively.

Art. 2

The mayor (Sindaco), in the case of absence or inability to appear, is substituted by the alderman, delegated as such (Assessore Delegato), who will be appointed by the decision of the [illegible]yor (Sindaco) subject to approval of the Prefect.
The mayor (Sindaco) may, moreover, entrust to the aldermen (Assessori) special duties in connection with the administration of the commune.
The mayor (Sindaco) convokes and presides over the board of aldermen (Giunta Municipale), arranging the matters to be discussed at each meeting, and executes the decisions taken by the board.

Art. 3

The board of aldermen (Giunta Municipale) is empowered to deliberate on the matters over which the Unified Text of February 4th, 1915, No. 148, as modified by R. D. of December 30th, 1923, No. 2839, established the authority of the board of Aldermen (Giunta Municipale) and of the Communal Council (Consiglio Municipale), without prejudice to the provisions of special laws in force.

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

elections;
Considering the state of emergency in consequence of the war;
After having heard the Council of the Ministers;
On the proposal of the Minister of Interior;

WE HAVE DECREED AND WE DECREE

Art. 1

Each commune has a mayor (Sindaco) and a board of aldermen (Giunta Municipale).

The mayor (Sindaco) and the aldermen (Assessori Municipale) are appointed by the Prefect.

They may be removed by the Prefect for not having complied with the duties of their office or for reasons of public order.

Against any measures of removal no appeal is allowed juridically or administratively.

Art. 2

The mayor (Sindaco), in the case of absence or inability to appear, is substituted by the alderman, delegated as such (Assessore Delegato), who will be appointed by the decision of the mayor (Sindaco) subject to approval of the Prefect.

The mayor (Sindaco) may, moreover, entrust to the aldermen (Assessori) special duties in connection with the administration of the commune.

The mayor (Sindaco) convokes and presides over the board of aldermen (Giunta Municipale), arranging the matters to be discussed at each meeting, and executes the decisions taken by the board.

Art. 3

The board of aldermen (Giunta Municipale) is empowered to deliberate on the matters over which the Unified Text of February 4th, 1915. No. 148, as modified by R. D. of December 30th, 1923, No. 2839, established the authority of the board of Aldermen (Giunta Municipale) and of the Communal Council (Consiglio Municipale), without prejudice to the provisions of special laws in force.

Art. 4

The administration of each province is composed of a President (Presidente) and a Provincial Deputation (Deputazione Provinciale).

The President (Presidente) and the provincial deputies (Deputati Provinciali) are appointed by the Prefect. The provisions of paragraph 3 of Art. 1 apply to them.

Art. 5

The president (Presidente) may appoint a Vice-President (Vice Presidente) from among the provincial deputies (Deputati Provinciali), and he may entrust them with special duties in connection with the administration of the province..

The vice president (Vice Presidente) assists the president (Presidente) and substitute for him when absent or prevented by a justified reason.

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

Art. 5 (Cont'd)

The appointment of the Vice President (Vice Presidente) must be approved by the Prefect. The president (Presidente), moreover, convokes and precides over the provincial Deputation (Deputazione Provinciale) arranging the matters to be discussed at each meeting, and executes the decisions taken by the Provincial Deputation (Deputazione Provinciale).

Art. 6

The Provincial Deputation (Deputazione Provinciale) is empowered to deliberate on all matters over which the Unified Text of February 4th, 1915, No. 148, as modified by Royal Decree of December 30th, 1923, No. 2839, established the authority of the Provincial Deputation (Deputazione Provinciale) and of the Provincial Council (Consiglio Provinciale), without prejudice to the provisions of the special laws in force.

Art. 7

Besides the cases provided by the Unified Text of February 4th, 1915, No. 48 those persons cannot be appointed to the office of mayor (Sindaco), president (Presidente), alderman (Assessore Comunale), provincial deputy (Deputato Provinciale), or elective member (Membro Elettivo) of the Giunta Provinciale Amministrativa (G.P.A.) who come under any of the provisions of Art. 1 of the Royal Decree of December 28th, 1943, No. 29/B.

Art. 8

The composition, convocation, and functioning of the Board of Aldermen (Giunta Comunale) and of the Provincial Deputation (Deputazione Provinciale) are governed by the provisions of the Unified Text of February 4th, 1915, No. 148, as modified by Royal Decree of December 30th, 1923, No. 2839.

The decisions of the mayor (Sindaco), Board of Aldermen (Giunta Municipale,) President (Presidente) and of the Provincial Deputation (Deputazione Provinciale) are subject to the control of legality and of importance conferred on the Organs of the Government by the provisions of the laws in effect.

Art. 9

The Provincial Administrative Board (Giunta Provinciale Amministrativa) is composed of the Prefect or his deputy, who presides, of the Provincial Inspector, (Ispettore Provinciale), of the Finance superintendent (Intendente dei Finanza), of two councillors of the Prefecture (Consiglieri di Prefettura) appointed at the beginning of every year by the Prefect, of the Chief Accountant of the Prefecture (Ragioniere Capo della Prefettura), of four regular members (Membri Effettivi) and two substitute members chosen from among persons expert in juridical, administrative and technical matters, appointed by the decision of the provincial deputation (Deputazione Provinciale), subject to approval of the Prefect.

The Prefect and the finance superintendent (Intedente di Finanza) respectively designate as substitutes, a councillor of the Prefecture (Consigliere di Prefettura), an official of the accountancy office of the Prefecture, and an official of the Provincial Office of Taxes (Intendenza).

The Substitutes do not take part in the meetings of the board unless there is an insufficient number of the regular members in the respective category.

A quorum of five members is sufficient to render valid the decisions of the

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

sidente), alderman (Assessore Comunale), provincial deputy (Deputato Provinciale), or elective member (Membro Elettivo) of the Giunta Provinciale Amministrativa (G.P.A.) who come under any of the provisions of Art. 1 of the Royal Decree of December 28th, 1943, No. 29/B.

Art. 8

The composition, convocation, and functioning of the Board of Aldermen (Giunta Comunale) and of the Provincial Deputation (Deputazione Provinciale) are governed by the provisions of the Unified Text of February 4th, 1915, No. 148, as modified by Royal Decree of December 30th, 1923, No. 2839.

The decisions of the mayor (Sindaco), Board of Aldermen (Giunta Municipale,) President (Presidente) and of the Provincial Deputation (Deputazione Provinciale) are subject to the control of legality and of importance conferred on the Organs of the Government by the provisions of the laws in effect.

Art. 9

The Provincial Administrative Board (Giunta Provinciale Amministrativa) is composed of the Prefect or his deputy, who presides, of the Provincial Inspector, (Ispettore Provinciale), of the Finance superintendent (Intendente dei Finanza), of two councillors of the Prefecture (Consiglieri di Prefettura) appointed at the beginning of every year by the Prefect, of the Chief Accountant of the Prefecture (Ragioniere Capo della Prefettura), of four regular members (Membri Effettivi) and two substitute members chosen from among persons expert in juridical, administrative and technical matters, appointed by the decision of the provincial deputation (Deputazione Provinciale), subject to approval of the Prefect.

The Prefect and the finance superintendent (Intedente di Finanza) respectively designate as substitutes, a councillor of the Prefecture (Consigliere di Prefetture), an official of the accountancy office of the Prefecture, and an official of the Provincial Office of Taxes (Intendenza).

The Substitutes do not take part in the meetings of the board unless there is an insufficient number of the regular members in the respective category.

A quorum of five members is sufficient to render valid the decisions of the Giunta Provinciale Amministrativa in administrative session (in sede amministrativa). For an equality of votes, the President's vote prevails.

- 7 -

Art. 10

The following persons cannot be members of the Giunta Provinciale Amministrativa:

a. The President, the Vice President and the members of the Provincial Deputation (Deputazione Provinciale).
b. The Mayors (Sindaci) and the Aldermen (Assessori) of the communes of the province;
c. Provincial and Communal functionaries and employees as well as accountants and those persons of public institutions of assistance and charity who receive wages or salaries.
d. Those persons who do not possess the required qualifications for being appointed "Assessore" in conformity to the regulation in force concerning the "Corti D'Assise" (Grand Jury).

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

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

Art. 10 (Cont'd)

e. Relatives up to the second degree of relationship, and relatives of the Provincial tax-collector and tax-receiver in the first degree while he is fulfilling the office of the "Esattoria" and of the "Recevitoria". (Provincial Administration of Taxes).

Art. 11

In the case of the dissolution of the Provincial Deputation (Deputazione Provinciale) the elective members of the Giunta Provinciale Amministrativa go out of office but are empowered to act until the appointment of the new members.

The elective members who without justified motive do not attend three consecutive meetings lose their office. The dismissal is resolved by the Giunta itself on the proposal of the President (Presidente) after having heard the interested persons.

The vacancies resulting among the elective members are filled by the senior substitute elective member..

When there are no substitutes left, new ones are appointed by the Deputation (Deputazione).

Art. 12

To the elective members of the Giunta Provinciale Amministrativa a fee for each meeting attended by them is paid, the amount of which to be determined by Decree of the Minister of Interior.

The respective expenses are charged to the Provincial Administration.

Art. 13

The regulations of the Unified Text of March 3rd, 1934 No. 383, and subsequent legislation at variance or incompatible with the present decree are abrogated.

The Prefects will provide for the appointment of the aldermen (Assessori Comunale) and of the Provincial Deputies (Deputati Provinciali) within 60 days that this decree becomes effective.

The Provincial Deputations (Deputazione Provinciali) will provide, within a month after their installation in office, for the appointment of the elective members of the Giunta Provinciale Amministrativa in substitution of the members in office appointed by the Ministry.

Art. 14

The present decree which will become effective on the day following its publication in the "Gazzetta Officiale del Regno", Special Series, will be presented to the Legislative Assemblies for conversion into law.

The Minister of Interior, the proposer is authorized to present the respective bill of the Law.

We order, to whomsoever concerned, to observe this present decree and to see that it will be observed as a Law of the State.

The vacancies resulting among the elective members are filled by the senior substitute elective member..

When there are no substitutes left, new ones are appointed by the Deputation (Deputazione).

Art. 12

To the elective members of the Giunta Provinciale Amministrativa a fee for each meeting attended by them is paid, the amount of which to be determined by Decree of the Minister of Interior.

The respective expenses are charged to the Provincial Administration.

Art. 13

The regulations of the Unified Text of March 3rd, 1934 No. 383, and subsequent legislation at variance or incompatible with the present decree are abrogated.

The Prefects will provide for the appointment of the aldermen (Assessori Comunale) and of the Provincial Deputies (Deputati Provinciali) within 60 days that this decree becomes effective.

The Provincial Deputations (Deputazione Provinciali) will provide, within a month after their installation in office, for the appointment of the elective members of the Giunta Provinciale Amministrativa in substitution of the members in office appointed by the Ministry.

Art. 14

The present decree which will become effective on the day following its publication in the "Gazzetta Ufficiale del Regno", Special Series, will be presented to the Legislative Assemblies for conversion into law.

The Minister of Interior, the proposer is authorised to present the respective bill of the Law.

We order, to whomsoever concerned, to observe this present decree and to see that it will be observed as a Law of the State.

Dated at Salerno, April 4th. 1944.

VITTORIO EMANUELE

Badoglio - Reale.

Approved:

The Lord Privy Seal (Guardasigilli): Casati.

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

119

HEADQUARTERS
ALLIED CONTROL COMMISSION
RC & IC SECTION
APO 394

REF.251/39/CA

21 July 1944

EXECUTIVE MEMORANDUM)
NUMBER 71)

ACCOUNTING FOR IMPORTS

1. The attention of all Regional Commissioners is called to the following instructions which were originally issued on 13 March 1944 by the Economic Section. These instructions have not been followed out in some Regions and much time and labour has subsequently been wasted in rectifying errors which would not have arisen had the instructions been complied with in the first case.

2. Various Sub-Commissions and Regional Divisions other than the Economics and Supply Division have occasion to import goods into Italy. It is essential that accounting procedure should be understood by all such Sub-Commissions and Regional Divisions.

3. Accounting for all imports will be handled by the Economic and Supply Divisions of the Region into which the goods are imported irrespective of which Sub-Commission or Regional Division is responsible for their import.

4. When Sub-Commissions and other Divisions import goods which are delivered to AMG/A.C.C., warehouses, the accounting procedure will follow automatically on the normal warehouse procedure for receipt and issue of goods and no special notification to the Economics and Supply Division will be required.

5. Where, however, goods imported by any Sub-Commission or Regional Division other than the Economics and Supply Division do not pass through any AMG/A.C.C. warehouse, but are delivered direct to the customer, the Sub-Commission or Regional Division responsible for their import must notify the Economics and Supply Division of the Region into which the goods are imported in order that the supply accountant may properly record the transaction.

12

6. The following information should be included in the notification to the Economics and Supply Division :-

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

by the Economic Section. These instructions have not been followed out in some Regions and much time and labour has subsequently been wasted in rectifying errors which would not have arisen had the instructions been complied with in the first case.

2. Various Sub-Commissions and Regional Divisions other than the Economics and Supply Division have occasion to import goods into Italy. It is essential that accounting procedure should be understood by all such Sub-Commissions and Regional Divisions.

3. Accounting for all imports will be handled by the Economic and Supply Divisions of the Region into which the goods are imported irrespective of which Sub-Commission or Regional Division is responsible for their import.

4. When Sub-Commissions and other Divisions import goods which are delivered to AMG/A.C.C., warehouses, the accounting procedure will follow automatically on the normal warehouse procedure for receipt and issue of goods and no special notification to the Economics and Supply Division will be required.

5. Where, however, goods imported by any Sub-Commission or Regional Division other than the Economics and Supply Division do not pass through any AMG/A.C.C. warehouse, but are delivered direct to the customer, the Sub-Commission or Regional Division responsible for their import must notify the Economics and Supply Division of the Region into which the goods are imported in order that the supply accountant may properly record the transaction.

6. The following information should be included in the notification to the Economics and Supply Division :

(a) Origin of goods (i.e. from U.S.A., U.K., Army, etc.) and name of ship.
(b) Quantity shown on ship's manifest.
(c) Quantity actually received from ship.
(d) Quantity actually received by customer.
(e) Price to be charged to the customer.

7. The Supply Accountant in the Regional Economic and Supply Division prepares the Issue Voucher which will be used for billing the customer. but the actual presentation of the Issue Voucher to the customer will be the responsibility of the Sub-Commission or Regional Division responsible for the import. It will also be the responsibility of such Sub-Commission or Regional Division to see that the proceeds of the sale are paid into the bank by the customer according to such in-

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

structions as may be laid down by the Regional Supply Accountant.

8. The above instruction also applies to supplies which may be drawn from the Armies.

M.S. LUSH,
Brigadier,
Executive Commissioner.

DISTRIBUTION

RCs, Regions I - IX and Rome, with copies to RFOs and FIs.	(30)
SCAO's, 5th and 6th Armies, with copies to SFOs.	(4)
Managers of AFA Branches	(5)
Economic Section (including 8 for Finance Sub-Commission)	(12)
Administrative Section	(6)

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

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

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

Ref/226/61/CA

24 July 1944

SUBJECT: Amendment to Executive Memorandum No. 34.

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

Reference Executive Memorandum No. 34 dated 1 March published in Instructions for the Guidance of Officers of the Commission part 1 page 61.

1. The Executive Memorandum is not considered sufficiently clear on the procedures for sales of captured (Italian or German) medical supplies which have been turned over to AMG/ACC by Army Units. To clarify the memorandum the following amendment should be added to para iv D thereof:

"Captured medical supplies which have been turned over to the Public Health Officer of a Region or AMG Army may be sold at prices set by the Public Health Officer of the AMG/ACC unit. Payment for these supplies will be made by the receiving agency (consignee) to the nearest Finance Officer or Sub-Accountant. Payment should be made prior to delivery of supplies if possible. Where this is not practicable the Public Health Officer will notify the Finance Officer of the name of the customer and the amount which he shall pay; on receipt of the payment the Finance Officer will inform the Public Health Officer. The Issue voucher on which captured supplies are sold will clearly indicate that these supplies are captured supplies and not imported Allied supplies."

NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

Copy to:
Admin. Section
Econ. Section

110

HEADQUARTERS,
ALLIED CONTROL COMMISSION,
APO 394

Regional Control and Military Government Section.

Ref: 350/47/C.M.

16th July 1944.

EXECUTIVE MEMORANDUM)
NUMBER 70)

APPOINTMENTS TO THE OFFICE OF PREFECT
IN MILITARY GOVERNMENT TERRITORY

93

1. This Memorandum is supplementary to Executive Memorandum No.12 dated 12th June 1944.

2. Since that date and consequent upon the fall of Rome, a number of fully qualified Prefects have become available for forward provinces. The Italian Government now represents that these officials should retain the title of their rank and not be appointed as Reggenti.

3. Paragraph 3 of Executive Memorandum No.12 is cancelled and the following substituted:-

"3. In future Allied Military Government appointments the title "Prefetto" "will only be used if the appointee is already of the rank of Prefect. If "the candidate selected is of junior rank or is not a career official, the "title "Prefetto Reggente" will be used. The Italian Government lay great "stress on the use of the word "Reggente" in such cases.

"3A. When a candidate is sent forward from the rear, Interior Sub-Commission "will, when moving up the candidate, advise the Regional Commissioner or "Senior Civil Affairs Officer as to the proper title. When it is proposed "to appoint a local man, the Regional Commissioner or Senior Civil Affairs "Officer will first inform the Sub-Commission, by telegram if necessary, "and give all requisite particulars, so that the Sub-Commission can advise "in such cases also. Care will be taken "not to give a candidate who may "only be qualified to be appointed "Reggente"" the impression that he is "going to receive the substantive rank of "Prefetto".

"3B. When the appointment is that "Prefetto Reggente" that title will "invariably be used in formal document and official communications, both "by the Reggente and by officers of Allied Military Government; but there "is no objection to the Reggente being addressed or referred to in ordinary

10

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

IN MILITARY GOVERNMENT TERRITORY

1. This Memorandum is supplementary to Executive Memorandum No.12 dated 12th June 1944.

2. Since that date and consequent upon the fall of Rome, a number of fully qualified Prefects have become available for forward provinces. The Italian Government now represents that these officials should retain the title of their rank and not be appointed as Reggenti.

3. Paragraph 3 of Executive Memorandum No.12 is cancelled and the following substituted:-

"3. In future Allied Military Government appointments the title "Prefetto" "will only be used if the appointee is already of the rank of Prefect. If "the candidate selected is of junior rank or is not a career official, the "title "Prefetto Reggente" will be used. The Italian Government lay great "stress on the use of the word "Reggente" in such cases.

"3A. When a candidate is sent forward from the rear, Interior Sub-Commission "will, when moving up the candidate, advise the Regional Commissioner or "Senior Civil Affairs Officer as to the proper title. When it is proposed "to appoint a local man, the Regional Commissioner or Senior Civil Affairs "Officer will first inform the Sub-Commission, by telegram if necessary, "and give all requisite particulars, so that the Sub-Commission can advise "in such cases also. Care will be taken "not to give a candidate who may "only be qualified to be appointed "Reggente"" the impression that he is "going to receive the substantive rank of "Prefetto".

"3B. When the appointment is that "Prefetto Reggente" that title will "invariably be used in formal document and official communications, both "by the Reggente and by officers of Allied Military Government; but there "is no objection to the Reggente being addressed or referred to in ordinary "conversation as the Prefect."

4. When the appointment is that of "Prefetto", the words "Regent" and "Reggente" in the form shown at Appendix "A" to Executive Memorandum No.12 will be deleted.

Brigadier,
Executive Commissioner.

DISTRIBUTION: SCAO, AMG 5 Army
SCAO, AMG 6 Army
R.C., Region IV.
R.C., Region V.
R.C., Region VIII.
R.C., Region IX.
R.C., ROME Region.
Dist "C" and Group 2, List "A".

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

109

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

Ref/262/19/CA

17 July 1944

EXECUTIVE MEMORANDUM)
:
NUMBER 69)

GENERAL ORDER NO. 28 - LABOUR RELATIONS

1. The suppression of the Fascist Party has made inevitable the abolition of the Corporative Syndical System, which was perhaps the most characteristic feature of the Fascist Regime.

It stands to reason that the abolition of this System given rise to the necessity of providing new machinery and procedure as well as a democratic form of Trade Union organization which would effectively enable the Allied Military Government to cope with social and juridical problems in the labor field.

2. General Order No. 28 - Labor Relations, has been designed to provide for this urgent necessity and though it is self-explanatory, some points of guidance have been set out below in order to present a clearer picture of the background against which this Order is to be enforced.

3. A close examination of General Order No. 28 would show that

a. The abolition of the Corporative Syndical System has been clearly set out in all its features in Article I;

b. The fundamental democratic principle underlying the new order of things has been laid down in the words "to restore to labor the free right of collective bargaining" of the preamble and more specifically in Article II - "Right of Organization";

c. The minimum machinery required to govern labor relations, and to enable the State to discharge all its responsibilities in the labor field have been provided for in Articles III, V and VI.

4. General Order No. 28 does not cover many important details and Article IV may be regarded as a "savings clause" that would enable ACC/AMG to meet the situation as occasion demands. Article VII provides for enforcement of the fundamental principles and provisions contained in this General Order.

General Order No. 28 does not attempt to provide for:

a. The regulation of Trade Union constitution, registration, juridical recognition, in fact, all that pertains to the internal organization of the Trade

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

of the Corporative Syndical System, which was perhaps the most characteristic feature of the Fascist Regime.

It stands to reason that the abolition of this System gives rise to the necessity of providing new machinery and procedure as well as a democratic form of Trade Union organization which would effectively enable the Allied Military Government to cope with social and juridical problems in the labor field.

2. General Order No. 28 - Labor Relations, has been designed to provide for this urgent necessity and though it is self-explanatory, some points of guidance have been set out below in order to present a clearer picture of the background against which this Order is to be enforced.

3. A close examination of General Order No. 28 would show that

a. The abolition of the Corporative Syndical System has been clearly set out in all its features in Article I;

b. The fundamental democratic principle underlying the new order of things has been laid down in the words "to restore to labor the free right of collective bargaining" of the preamble and more specifically in Article II - "Right of Organization";

c. The minimum machinery required to govern labor relations, and to enable the State to discharge all its responsibilities in the labor field have been provided for in Articles III, V and VI.

9

4. General Order No. 28 does not cover many important details and Article IV may be regarded as a "savings clause" that would enable ACC/AMG to meet the situation as occasion demands. Article VII provides for enforcement of the fundamental principles and provisions contained in this General Order.

General Order No. 28 does not attempt to provide for:

a. The regulation of Trade Union constitution, registration, juridical recognition, in fact, all that pertains to the internal organization of the Trade Union movement and its relationship to the social life of the community.

b. The disposal of a number of para-syndical organizations, each of which would have to be dealt with independently on its respective merits with a view to re-institution in its existing or in a modified form;

c. The administrative detail pursuant to the institution of the Labor Offices - a matter which would be provided for under "Article IV - Rules and Regulations".

5. General Order No. 28 should be promulgated at the earliest possible time, NOT, however, before it is ascertained that all records and Estates belonging to the Syndical Corporative Offices have been placed at the responsibility of the Commissario Straordinario who should retain as much of the personnel of these offices as is considered necessary and trustworthy, and until such time as a proper hand-over to the newly created Labor Offices can be effected.

6. No reference whatever has been made in the present General Order of such labor matters as are dealt with by separate legislation.

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

This "Labor Relations" General Order, however, must be interpreted in the light of Italian legislation that has a bearing on labor matters and has not been rescinded and of other legislation promulgated by Allied Military Government separately. Thus, Strike and Lock-out remain illegal instruments for the settlement of Labor disputes, Collective Contracts remain in force, wages remain frozen and any re-adjustment of wages in any given industry or for any particular job would have to be claimed on a basis of comparison with similar industries and at a lower ceiling than wages of employees with the Armed Forces - such re-adjustments becoming operative only on the approval of A.C.C. Labor Sub-Commission.

7. General Order No. 28 may be regarded as a temporary measure. A Draft Decree "Abolishing the Fascist Syndical - Corporative System, reinstituting the freedom of Trade Union Organization, authorizing the institution of Labor Offices and governing Labor Relations " is now in the final stages of preparation by the Italian Government. It is proposed to make this Decree operative in Military Government territory, thus providing a uniform labor system for the whole of Italy.

M.S. Lush

M.S. LUSH
Brigadier
Executive Commissioner

DISTRIBUTION:

"C"
plus GROUP 2 list "A"

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

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

108

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

GENERAL ORDER No. 28

LABOUR RELATIONS

WHEREAS it is the policy of the United Nations to abolish the Fascist corporative syndicate system and to restore to labour the free right of collective bargaining;

Now, therefore, I, MAURICE STANLEY LUSH, C.B.E., M.C., Brigadier, Executive Commissioner, Allied Control Commission, hereby order as follows:-

Article I

Abolition of Certain Fascist Institutions

The Fascist Corporate Syndicate System is hereby abolished. All corporations, syndicates, institutions, unions, councils and other bodies which are or at any time were

(a) in any way dependent on the former Fascist party or the Fascist Corporative Syndicate System; and,

(b) concerned with the Fascist organization or regulations of labour in any form or aspect,

and all branches, constituent bodies and other dependencies and successor organizations of the Fascist corporations, syndicates, institutions, unions councils and bodies are hereby dissolved.

Article II

Right of Organization

Employees shall have the right to organise, hold meetings, and select representatives of their own choosing for the purpose of collective bargaining with respect to all matters pertaining to or connected with their employment, including such matters as concern hours, wages, working conditions, grievances, disputes and mutual social and economic assistance.

Article III

Creation of Labour Offices

The following institutions are hereby created :

(a) A Regional Labour Office for each of such Regions as may be established in Military Government Territory;

(b) A Provincial Labour Office for each Province in Military Government Territory, subordinate to the Regional Labour Office.

11389

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

Article IV

Rules and Regulations

Rules and Regulations will be issued by the Allied Military Government to enable the Regional and Provincial Labour Offices so established to fulfill their objects and perform and carry out their powers, duties and functions.

Article V

Objects of the Regional Labour Office

Subject to the Rules and Regulations to be issued as aforesaid, each Regional Labour Office will have the following powers, duties and functions, respectively:

a. To consider the most practicable and expeditious method of reestablishing and assuring freedom of Labour organization and representation throughout the Region.

b. The coordination of the work of and the information and statistics compiled by the Provincial Labour Offices:

c. The compilation of similar Regional statistics and information:

d. The issuing of periodical reports and bulletins on labour questions for issue to the public or otherwise:

e. To act as conciliator, mediator, and arbitrator in labour cases which are of special economic significance or of interest to the entire Region:

f. Generally to do all such other things in connection with labour matters within each Region as may be required.

Article VI

Objects of Provincial Labour Offices

Subject to the Rules and Regulations to be issued as aforesaid, each Provincial Labour Office will have the following powers, duties and functions within the Province in which it is established, and may exercise such powers, duties and functions pending the establishment of a Regional Labour Office:

a. Until the establishment of a Regional Labour Office with jurisdiction over the Province, to take steps for the reestablishment and guarantee of freedom of labour organization and representation throughout the Province:

b. The compilation of information and statistics on labour:

c. The establishment of offices for the registration and supply of labour:

d. To act as conciliator, mediators or arbitrators in labour disputes;

e. Generally to do all such other things in connection with labour matters within the Provi[illegible] as may be required.

13901

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

ARTICLE VII

Penalties

Any person interfering or assisting or attempting to interfere with any right conferred by Article II of this Order or otherwise failing to observe any provisions of this order shall upon conviction by an Allied Military Court be liable to punishment by imprisonment or fine or both and such other lawfullpunishment as the Court may determine.

ARTICLE VIII

Repeal of Conflicting Laws

Any and all provisions of Italian Law inconsistent or in conflict with the provisions of this Order are hereby repealed.

ARTICLE IX

Effective Date

This Order shall become operative in each Province or part thereof within the occupied territory on the date of its first publication therein.

FOR THE CHIEF COMMISSIONER

M.S. LUSH
Brigadier
Executive Commissioner
Allied Control Commission

Dated:

106

HEADQUARTERS,
ALLIED CONTROL COMMISSION,
APO 394.

Regional Control and Military Government Section.

Ref: 17/43/CA.

4 July 1944

EXECUTIVE MEMORANDUM)
NUMBER.....68)

RELATION BETWEEN ALLIED CONTROL COMMISSION HEADQUARTERS AND REGIONS. REGIONAL ORDERS.

1. The powers delegated to Regional Commissioners are set out in Paragraph 1 of Executive Memorandum No.30, to which this Memorandum is supplemental.

2. This Memorandum is issued with the intention of clarifying the principles which should govern the publication of Regional Orders in whatever form or by whatever description promulgated.

3. Regional Orders must not deal with over-all policies, such as censorship and defascistization.

4. Matters involving long term policy (i.e. extending beyond occupation) should be done by Italian decree, or by General Order (where it will take too long to await the issuance of an expected Italian decree), and not by Regional Order. A simple machinery has been established whereby Italian decrees can be made effective in Military Government Territory by an endorsement signed by the Executive Commissioner and published in the Gazzetta Ufficiale. The above procedure should be followed whenever possible and HQ. ACC should be approached to make the necessary arrangements.

5. It is important that Regional Orders should not contravene Proclamations or General Orders. It is not permissible for a Regional Order to purport to amend or construe a Proclamation or General Order, and any attempt to do so is legally ineffective. Further it is not permissible for a Regional Order to purport to transfer to Italian Courts the trial of offences which would normally be heard before Allied Military Courts. Whenever it is desired to make any such transfer, the matter must always be referred to HQ ACC.

6. Every Regional Order is to be submitted before signature to the

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

RELATION BETWEEN ALLIED CONTROL COMMISSION HEADQUARTERS AND REGIONS. REGIONAL ORDERS.

1. The powers delegated to Regional Commissioners are set out in Paragraph 1 of Executive Memorandum No.30, to which this Memorandum is supplemental.

2. This Memorandum is issued with the intention of clarifying the principles which should govern the publication of Regional Orders in whatever form or by whatever description promulgated.

3. Regional Orders must not deal with over-all policies, such as censorship and defascistization.

4. Matters involving long term policy (i.e. extending beyond occupation) should be done by Italian decree, or by General Order (where it will take too long to await the issuance of an expected Italian decree), and not by Regional Order. A simple machinery has been established whereby Italian decrees can be made effective in Military Government Territory by an endorsement signed by the Executive Commissioner and published in the Gazzetta Ufficiale. The above procedure should be followed whenever possible and HQ. ACC should be approached to make the necessary arrangements.

5. It is important that Regional Orders should not contravene Proclamations or General Orders. It is not permissible for a Regional Order to purport to amend or construe a Proclamation or General Order, and any attempt to do so is legally ineffective. Further it is not permissible for a Regional Order to purport to transfer to Italian Courts the trial of offences which would normally be heard before Allied Military Courts. Whenever it is desired to make any such transfer, the matter must always be referred to HQ ACC.

6. Every Regional Order is to be submitted before signature to the Regional Legal Officer, who should sign a certificate that the Order conforms with the principles laid down above and is in proper form for signature.

Brigadier,
Executive Commissioner.

GWIS/JG.

DISTRIBUTION:

"A"

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

SECRET

105

HEADQUARTERS
ALLIED CONTROL COMMISSION
M.G. & P.W. Section
APO 394

5 July 1944.

EXECUTIVE MEMORANDUM)
)
NUMBER 67)

TREATMENT OF ITALIAN OFFICIALS ENCOUNTERED BY ADVANCE NORTHWARDS.

1. Inasmuch as the Directive and the separate Memorandum of the Chief Commissioner both dated 2d May 1944 have given rise to a few questions, the following constitutes a revised and consolidated directive, designed to meet those questions and possibly to forestall others.

2. Many of the Italian officials in the area north of the line marking the beginning of the recent offensive were placed in office by the so called Republican Fascist Government or by the Germans. Others, however, may, despite their hostility to the Fascist Government, have been compelled through coercion to remain in office or through devotion to duty may have chosen to remain and serve their people. Others stayed at their posts for some months and then for alleged fear of persecution deserted. It is impossible at a distance to say in which of these classifications a particular public servant should be placed. Obviously many of the first classification, particularly those highly placed, will have fled before our advancing troops, but on the other hand many will remain and these must be dealt with in accordance with this directive.

3. The object of AMG is to rid the country as rapidly as possible of the important fascists and of persons put in office by the Republican Government. While many important fascists are not necessarily men who are now holding important administrative posts considerations of expediency make it necessary for SCAOs and RCs to confine themselves to an examination of those holding the more important posts.

For this purpose two lists have been prepared and are attached hereto. List A contains a list of Italian governmental and ministerial offices which should be cleansed of fascist personnel as quickly as possible as the offices are important. The list contains three categories in order of importance.

List B contains a list of purely fascist offices and serves as a guide as to what type of fascist party members are particularly obnoxious.

4. These two lists will normally be used together. Thus if you find a person who occupied one of the offices in List A and who had had one of the party affiliations contained in List B he is likely to be an official to be removed at once.

However an official holding office in List A who has newly been put into office by the fascist Republican Government should be dismissed whether or not he belongs to one of the fascist affiliations listed in List B.

5

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

following constitutes a revised and consolidated directive, designed to meet these questions and possibly to forestall others.

2. Many of the Italian officials in the area north of the line marking the beginning of the recent offensive were placed in office by the so called Republican Fascist Government or by the Germans. Others, however, may, despite their hostility to the Fascist Government, have been compelled through coercion to remain in office or through devotion to duty may have chosen to remain and serve their people. Others stayed at their posts for some months and then for alleged fear of persecution deserted. It is impossible to enumerate to any one which of these classifications a particular public servant should be placed. Obviously many of the first classification, particularly those highly placed, will have fled before our advancing troops, but on the other hand many will remain and these must be dealt with in accordance with this directive.

3. The object of AGC is to rid the country of, or to cotrol it of the important fascists and of persons put in office by the Republican Government. While many important fascists are not necessarily men who are now holding important administrative posts considerations of expediency make it necessary for SCAOs and RCs to confine themselves to an examination of those holding the more important posts.

For this purpose two lists have been prepared and are attached hereto. List A contains a list of Italian governmental and ministerial offices which should be cleaned of fascist personnel as quickly as possible as the offices are important. The list contains three categories in order of importance.

List B contains a list of purely fascist offices and serves as a guide as to what type of fascist party members are particularly obnoxious.

4. These two lists will normally be used together. Thus if you find a person who occupies one of the offices in List A and who has had one of the party affiliations contained in List B he is likely to be an official to be removed at once.

However an official holding office in List A who has newly been put into office by the Fascist Republican Government should be dismissed whether or not he belongs to one of the fascist offices contained in List B. 5

5. Officials(as well as any other persons) regarded as potentially dangerous should in addition be locked up immediately. They may be interned or if the Italian Government requests that they be turned over to it suitable arrangements should be made to comply with the request. Whenever a person is interned a report must forthwith be made to HQ ACC, ROA & MG Section.

6. It is emphasized that in carrying out the important duty of ridding the country of fascists nothing herein is intended to prejudice the right of SCAOs and RCs to dismiss and/or intern individuals at their discretion in proper cases without reference to their present official position or past fascist office.

7. In Rome officials of the Ministries and members of the Court of Cassation and of special courts of national, as opposed to local, jurisdiction will be dealt with by HQ ACC direct and not by Rome Region. Such offices in List A are marked with an asterisk.

8. SCAOs and RCs have full discretion in exceptional cases to retain as a purely temporary expedient a fascist in office where the immediate administration

.....Sheet Two..

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

of any locality renders this essential. In all such cases the work of the individual should be closely supervised and application should be made at once for a replacement to the appropriate Sub-Commission.

M. S. LUSH.
Brigadier,
Executive Commissioner,
for Chief Commissioner.

320/42/CA.

DISTRIBUTION :

R.C.s Regions IV, V, VIII, IX, SCAOs, AG 5th and 8th Armies.
A/Chief Commissioner.
Executive Commissioner.
Deputy Executive Commissioner
Admin. Section (3 Copies)
Economic Section (3 Copies)
Security Branch (3 Copies)
F.R.O.
Civil Affairs Branch (2 Copies)
Spares (20 Copies)

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

LIST 'A'

Category 1.

x 1. Ministers.

x 2. Undersecretaries of State.

x 3. Chiefs of Cabinet and Private Secretaries of Ministers.

4. National Councillors of the Chamber of Fasci and of Corporations.

5. Chief of the police attached to the Government.

6. Prefects in charge of provinces and assigned to the Ministry.

7. Presidents, Judges, procurators of the republic and Assistant Procurators of the republic at the special tribunals.

8. Secretary General, vice-secretary general, administrative secretary and vice-secretary, members of the National Directory, inspectors general, vice-inspectors general and respective private secretaries of the fascist national party.

9. Federal secretaries, administrative federal secretaries, federal inspectors, members of federal directory, zone inspectors of the fascist national party.

10. Directors and vice-directors of GIL.

11. Directors and vice-directors of the Opera Balilla.

12. Directors and vice-directors of the Opera Nazionale Dopolavoro.

13. Political secretaries of all communes.

x 14. Governor and vice-governor of Rome.

15. President (presid) of the province and vice-president(vice-presid).

16. Mayors (podesta) of cities with a population of more than 50,000 inhabitants.

17. Officers of any rank in the militia including those "fuori ruolo".(unassigned) and those who hold a civilian authority only.

18. Ambassadors and consuls of the republican government.

19. Inspectors general of public safety.

20. Presidents and directors of the national council of corporations.

21. All members of the National republican guard composed of volunteers with duties pertaining to public safety.

Category 2.

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

8. Secretary General, vice-secretary general, administrative secretary and vice-secretary, members of the National Directory, inspectors general, vice-inspectors general and respective private secretaries of the fascist national party.

9. Federal Secretaries, administrative federal secretaries, federal inspectors, members of federal Directory, zone inspectors of the fascist national party.

10. Directors and vice-directors of GIL.

11. Directors and vice-directors of the Opera Balilla.

12. Directors and vice-directors of the Opera Nazionale Dopolavoro.

13. Political secretaries of all communes.

x 14. Governor and vice-governor of Rome.

15. President (presido) of the province and vice-president(vice-presido).

16. Mayors (podesta) of cities with a population of more than 50,000 inhabitants.

17. Officers of any rank in the militia including those "fuori ruolo".(unassigned) and those who hold a civilian authority only.

18. Ambassadors and consuls of the republican government.

19. Inspectors general of public safety.

20. Presidents and directors of the national council of corporations.

21. All members of the National republican guard composed of volunteers with duties pertaining to public safety.

Category 2.

x 1. President of the Court of Cassation.

x 2. Procurator General of the Court of Cassation.

x 3. President of the Court of Accounts.

x 4. President of the Council of the State.

x 5. Advocate general of the treasury (Avvocato generale erariale).

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

6. Principals (rettori) of universities.

x 7. Directors general of all ministries.

x 8. Personal heads of all ministries.

9. Mayors (podesta) of all communes with a population of less than 50,000 inhabitants.

10. Members of the fascist directory (direttorio dei fasci) of all communes.

11. Presidents and directors of the Provincial council of corporations.

12. Presidents and provincial and communal directors of the Opera Nazionale Balilla, Dopolavoro and GIL.

Category 3

1. Vice-Prefects and chiefs of cabinet of prefects.

2. Procurators of the republic.

x 3. Advocates General of Cassation.

4. Presidents and secretaries of provincial sindicates of all professions and callings.

5. University professors who do not hold regular appointment (non di ruolo) but merely "charged" (incaricati) with instruction.

6. Provincial Superintendents of Studies (Provveditore agli Studi).

7. Intendents of Finance.

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

Category 3

3

1. Vice-Prefects and chiefs of cabinet of prefects.

2. Procurators of the republic.

x 3. Advocates General of Cassation.

4. Presidents and secretaries of provincial sindicates of all professions and ceilings.

5. University professors who do not hold regular appointment (non di ruolo) but merely "charged" (incaricati) with instruction.

6. Provincial Superintendents of Studies (Orovveditore agli Studi).

7. Intendents of Finance.

x officials marked with an asterisk will be dealt with by HQ ACC.

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

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

I-40

103

LIST "B"

A. A person who had the title or qualification of "Sanscpolcrista", squadrista", "antemarcia", "marcia su Roma", or "sciarpa littoria".

B. A person who was, during the fascist regime, a member of the Central Government, a member of the Grand Council, a member of the Academy of Italy, or a member of the Special Court for the Defence of the State.

C. A person who was a president, vice-president or executive secretary of a corporation confederation, federation, or syndical union.

D. A person who was a member of the fascist party and who was nominated as a senator on or after 3 January 1925 and who subsequent to such nomination obtained any office or post in any administration or undertaking included in Art.IV.

E. A person who was a national secretary or national vice-secretary of the fascist party, or a member of the national directory, or a national inspector.

F. A person who was nominated as a senator before 3 January 1925 and who, after that date, joined the fascist party and subsequently obtained any office or post included in List "A".

G. A person who was a fascist member of parliament or who was a national Counsellor.

H. A person who was a secretary federal, a federal vice-secretary or an administrative vice-secretary.

I. A person who was a member of the federal Directory or of the Directory of a fascio di combattimento or a fiduciario rionale of a chief centre of a province.

J. A person who was a federal inspector or a zone inspector.

K. A person who was a president or a member of the Corte Centrale of the federal disciplinary commission of the fascist party.

L. A person who was, during the fascist regime, a president or a vice-president or consultore or rector of a provincial administration.

M. A person who was, during the fascist regime, a mayor, vice mayor or a governmental or prefectural commissioner of a chief centre of a province.

N. A person who was during the fascist regime, mayor of a comune which had, at the date of the last census, a population of more than 50,000.

O. A person who was a political secretary.

P. A person who was a provincial fiduciario of the female fasci.

Q. A person who was, during the fascist regime, a president, a vice-president, a

3

party, or a member of the national directory, or a national inspector.

F. A person who was nominated as a senator before 3 January 1925 and who, after that date, joined the fascist party and subsequently obtained any office or post included in List "A".

G. A person who was a fascist member of parliament or who was a national Councellor.

H. A person who was a secretary federal, a federal vice-secretary or an administrative vice-secretary.

I. A person who was a member of the federal Directory or of the Directory of a fascio di combattimento or a fiduciario rionale of a chief centre of a province.

J. A person who was a federal inspector or a zone inspector.

K. A person who was a president or a member of the Corte Centrale of the federal desciplinary commission of the fascist party.

L. A person who was, during the fascist regime, a president or a vice-president or consultore or rector of a provincial administration.

M. A person who was, during the fascist regime, a mayor, vice mayor or a governmental or prefectural commissioner of a chief centre of a province.

N. A person who was during the fascist regime, mayor of a comune which had, at the date of the last census, a population of more than 50,000.

O. A person who was a political secretary.

P. A person who was a provincial fiduciaria of the female fasci.

Q. A person who was, during the fascist regime, a president, a vice-president, a director or a manager of a Statal, parastatal or public service organization.

R. A person who was, during the fascist regime, a political radio commentator.

S. A person who was, during the fascist regime, a director or chief editor of a newspaper or a political magazine.

T. A person who was, a professional journalist or publicist and who, after 3 January 1925, exalted the ideas and political aims of fascism.

U. A person who was a member of the Milizia Volontaria Sicurezza Nazionale in permanent active service, and who was not a person referred to in any other paragraph of this article and who, while such a member was :

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

(1) a member of the Milizia Contraerea or the Milizia Costiera, or
(2) a member of the Milizia Forestale who had been an official or employee of the former forest administration before the creation of the Milizia Forestale, and

V. A person who has been decorated by the German Government for special political services rendered to the Nazi party.

NOTE. For the purpose of this guide, the terms "fascism", "fascist party" and "fascist regime" include their equivalents as set up by Mussolini after the Armistice.

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

11403

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

102

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

Ref/382/54/CA

28 June 1944

EXECUTIVE MEMORANDUM)
NUMBER 66)

ASSISTANCE TO CHILDREN OF PROSTITUTES IN VD HOSPITALS

1. The Ministry of Interior has issued circular No. 15949-3-9, Div. 1 on the above mentioned subject. The circular and translation are enclosed.

2. In Military Government Territory, Regional Commissioners will instruct Prefetti to put the provisions of this circular into effect.

3. In Italian Government Territory, Regional Commissioners will determine that Prefects have put the order in operation.

M.S. LUSH
Brigadier
Executive Commissioner

DISTRIBUTION:

R.C's Regions I, II, III, IV, V, VI, VII, VIII and IX.
Rome Region.
S.C.A.O's 5 & 8 Armies.
Admin. Section (for Public Health Sub-Commission.)

MSL/JR

2

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

101

APPENDIX "A"

MINISTERO DELL'INTERNO

Directorate - General Civil Administration

N. 15949-3-9

Salerno 17 June 1944

SUBJECT: Assistance to Children of Prostitutes in VD Hospitals.

TO: All Prefetti of Liberated Provinces.
The High Commissioner, Sicily.
The High Commissioner, Sardinia.
The Prefetti of Naples, Benevento, Avellino, Foggia and Campobasso.

This Ministry has been notified that frequently prostitutes cared for in VD Wards are obliged to keep their children with them during their stay, for lack of anyone to care for the children.

Such conditions in addition to being a disturbance to the normal course of hospital activity, are harmful to the children themselves because of the serious moral effect which they may have on the minds of children often in an impressionable stage of development, who are in contact with such an environment.

Your Excellencies are authorised, therefore, in the above mentioned cases to arrange for the care of the children in question in the most suitable institutions for the period of the mother's stay, assuming there are no relations with whom they may be placed.

It remains understood, however, that the children must be returned to the mothers as soon as the latter are released from hospital.

The expenses of the stay are the responsibility of this Ministry. Your Excellencies will take care to notify the Ministry of the children so placed and afterwards submit the relevant account.

1

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

APPENDIX "B".

MINISTERO DELL'INTERNO

Direzione Generale Amm.ne Civile

Salerno 17.6.1944

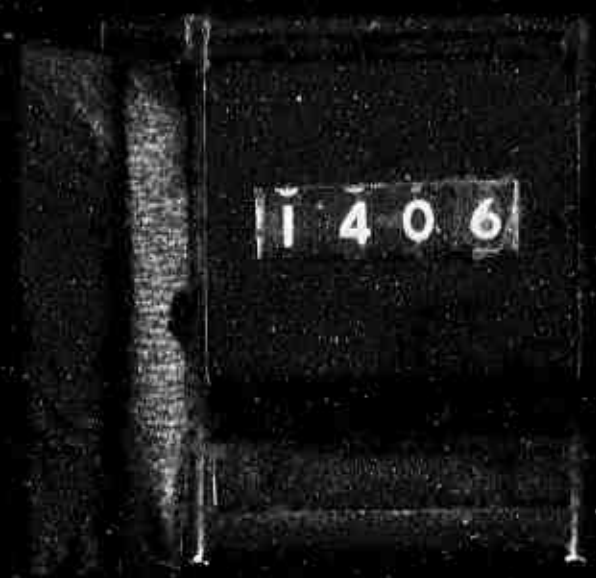
N° 19949-3-9
Div. I

OGGETTO: Assistenza ai bambini figli di prostitute ricoverate nelle sale celtiche.

ALLE LL.EE. I PREFETTI DELLE PROVINCE LIBERATE.
A.S.E. L'ALTO COMMISSARIO CIVILE PER LA SICILIA.
A S.E.L'ALTO COMMISSARIO CIVILE PER LA SARDEGNA.
ALLE LL.EE. I PREFETTI DI NAPOLI BENEVENTO, AVELLINO, FOGGIA, CAMPOBASSO.

E' stato segnalato a questo Ministero che spesso le prostitute ricoverate presso le sale celtiche sono costrette a tenere presso di sé durante la degenza, i propri figli, non avendo a chi affidarli.
Detta circostanza, oltre a generare intralcio per il normale svolgimento dell'attività ospedaliera, é deleteria per gli stessi bambini a causa delle gravi ripercussioni morali che si verificano sul loro animo quando, spesso in condizioni di sviluppo, vengano a trovarsi a contatto di un tale ambiente.
Si autorizzano, pertanto, LL.EE., nei casi suddetti, a disporre il ricovero dei bambini di che trattasi negli Istituti ritenuti più idonei, per il periodo di degenza delle madri, e sempre che manchino parenti cui possono essere affidati. Resta intesa, però, che i bambini stessi devono essere riconsegnati alle madri non a penna queste saranno dimesse dall'ospedale.
Le spese di degenza saranno a carico di questo Ministero, al quale le LL.EE. avranno cura di segnalare, volta per volta, i ricoveri disposti e di far pervenire poi le relative contabilità.

IL MINISTRO
F.to Aldisio


1406