Declassified E.O. 12356 Section 3.3/NND No. 785015

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Declassified E.O. 12356 Section 3.3/NND No. 785015

10000/110/238 6/XOA - REQUISITIONING, AND DE-REQUISITIONING OF INDUSTRIAL FACILITIES IN A.I.C./AMG TERRITORY.
MAR. 45 - AUG. 45

Declassified E.O. 12356 Section 3.3/NND No. 785015

Col. C A Parkin

HEADQUARTERS
ALLIED COMMISSION
APO 394
(Establishment Section)

CMF/HIA/ac

G4/41/A

30 August 1945

MEMORANDUM

SUBJECT: Transfer of Requisitions and Allied Papers.

TO : Chief Commissioner.

1. In accordance with the agreements reached at Conference held on 14 June 1945 (copy of minute attached) between Allied Commission representatives, members of the Italian Prime Minister's office, and the Ispettorato Generale della Motorizzazione, requisition documents and Allied papers to include all civilian motor vehicles and vehicle accessories requisitioned by AMG/AC, were formally transferred to the Ispettorato Generale della Motorizzazione Civile at 1130 hours, 29 August 1945.

2. Attached for your information are copies of letter of transmittal and receipt pertaining to transfer.

C. M. PARKIN
Colonel, Infantry
Acting Vice President.

4 Incls.
Incl 1. Minute of Conference held on 14 June 45.
Incl 2. Cy of ltr Hq, AC, Est Section, file G4/41/A, dtd 28 August 45.
Incl 3. Receipt for documents (cy in english).
Incl 4. " " " (cy in italian).

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6/XOA

Col. Backer

CP

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HEADQUARTERS ALLIED COMMISSION
APO 394
INDUSTRY SUB-COMMISSION

WRLM/hh

Tel.237

30 April 1945

Ref.AC/5587/IND.

SUBJECT : Security in relation to procedure for Requisitioning and De-requisitioning of Industrial Plants.

TO : Distribution Below.

1. This Headquarters' circular to Regional and Provincial AC/AMG Industry Officers AC/5587/IND of 26th April 1945 is subject.

2. The designation of units making use of or intending to make use of industrial facilities, and the purpose of the actual or intended use which is being, or will be made of such facilities will NOT be communicated to the officers of the U.P.I.C. nor by such offices to the Ministry of Industry, Commerce and Labour.

3. This information will, therefore, be deleted from all correspondence between AC/AMG offices and the civil authorities.

W.J. MASKREY
Lt. Colonel,
Deputy Director,
Industry Sub-Commission.

Distribution : -
All Regional Commissioners
(Attn.: Industry Division)
All Provincial Industry Officers

Declassified E.O. 12356 Section 3.3/NND No. 785015

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Distribution : -
All Regional Commissioners
(Attn.: Industry Division)
All Provincial Industry Officers
All Sub-Commissions HQ.AC.

and for information TO :
AFHQ G-5 Section
AFHQ G-4 American
AFHQ G-4 British
AFLRS, RAAC
HQ AMG 15 Army Group
SCAC, AMG 5th Army
SCAC, AMG 8th Army
File 5615

3348

Declassified E.O. 12356 Section 3.3/NND No. 785015

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HEADQUARTERS ALLIED COMMISSION
APO 394
INDUSTRY SUB-COMMISSION

NRLM/ag

Tel. 237

26 April 1945

Ref. AC/5587/IND.

SUBJECT : Requisitioning and De-requisitioning of Industrial Facilities in AC/AMG Territory.

TO : Distribution Below.

1. Requisitioning : Under Administrative Memorandum No. 14 of 7th March 1945 (copy attached), policy on requisitioning and procedure for the de-requisitioning of industrial premises occupied by the Armed Forces is laid down.

To enable this procedure to be put into effect the responsibilities of the Italian Government, Allied Commission and the Armed Forces must be understood.

2. In the first place, no industrial facilities should be requisitioned by any Allied unit in AC/AMG territory without reference to the local AC/AMG representative.

3. It will be the responsibility of all AC/AMG Industry officers to make contact with all Town Majors within their respective areas in order to ensure that no misunderstanding exists as to this procedure.

4. The guiding principle of Allied Commission's policy with relation to Italian industry is that every facility which can be made use of towards the successful prosecution of the war and the restoration of economic stability shall be so employed.

5. In consequence, when applications are received by AC/AMG regional or provincial officers from Allied unit commanders who desire to requisition industrial facilities, the Industry officers affected must consider each case in the light of this over-riding principle and the degree of importance of the facility to the local or national economy.

6. At the same time it must be borne in mind that

Declassified E.O. 12356 Section 3.3/NND No. 785015

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5. In consequence, when applications are received by AC/AMG regional or provincial officers from Allied unit commanders who desire to requisition industrial facilities, the Industry officers affected must consider each case in the light of this over-riding principle and the degree of importance of the facility to the local or national economy.

6. At the same time it must be borne in mind that for one or a variety of reasons, it will often prove to be impossible to restore industrial facilities to even partial activity, under existing conditions, in which case there can be no objection to the projected requisition.

7. Among the factors which might prevent an industrial facility from being utilised for its original purpose may be listed the following :

3347

a) Damage to buildings or plant of a nature which cannot be made good under immediate or reasonably immediately foreseeable conditions.

b) Inability to procure electric power or fuel.

Declassified E.O. 12356 Section 3.3/NND No. 785015

Declassified E.O. 12356 Section 3.3/NND No. 785015

a) The lack of even one essential machine or raw material which cannot be procured during the conduct of the war, either from local civilian or military or from overseas Allied sources.

d) A shortage of labour of the type required to operate the facility.

e) Inability to procure the transportation necessary for reactivation, either for bringing in raw materials to the plant, or for despatching the finished goods.

8. To prevent loss of time which might result from the misinformed representations of industrialists to AC/AMG Regional and Provincial Headquarters in matters concerning the requisitioning of industrial facilities, the closest contact should be maintained with the local officials of the U.P.I.C., where such exist. All such cases should be examined in collaboration with these officials, and no case submitted to AC/AMG Industry officers until such an examination has been made.

9. Thus where U.P.I.C. offices are functioning no representation should be made to AC/AMG Industry officers by industrialists until the case has been examined and carefully screened by the local U.P.I.C. office.

10. When, after having considered all the circumstances, it is decided by the AC/AMG Regional H.Q. concerned that the facility ought not to be requisitioned, and if, having so informed the Allied requisitioning authority, the reply is to the effect that the requisitioning is essential, the requisitioning authority's attention should be drawn to the terms of the above-quoted Administrative Memorandum (para 4, sub-para (e) and Para 5, sub-para (a)) and the matter at once referred, with all the relevant facts, to this Headquarters for examination, by the AC/AMG Headquarters affected. The requisitioning authority should be notified, in writing, at the same time, of the action taken, and parallel action should be taken by the local U.P.I.C. office with the Ministry of Industry, Commerce and Labour. This will enable a joint examination of the circumstances to be made between this Headquarters and the Ministry.

11. If the circumstances warrant it, the case will be submitted by this Headquarters to the responsible Area, District Base Section or Army Commander, and thence, if necessary to the Industrial Coordination Committee [illegible]

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11. If the circumstances warrant it, the case will be submitted by this Headquarters to the responsible Area, District Base Section or Army Commander, and thence, if necessary to the Industrial Coordination Committee, AFLR(I)3 for adjudication. If examination shows that the circumstances do not warrant opposition to the projected requisition, this Headquarters will be obliged to instruct the AC/AMG Headquarters concerned not to oppose the requisitioning, and similar instructions will be issued by the Ministry to the local U.P.I.C.

12. It is desired to emphasize that the strongest support will be given to all cases submitted to this Headquarters where such cases are completely supported. However as each case will be subjected to examination at high Staff levels it is essential that the circumstances, as presented, be capable of supporting the most careful scrutiny.

Declassified E.O. 12356 Section 3.3/NND No. 785015

13. It is hoped that the above procedure will prevent the requisitioning of industrial facilities necessary to the war effort and to the civil economy except where adequate military reasons exist.

14. De-requisitioning. Where applications are made for the de-requisitioning of industrial facilities, those applications should first be examined and screened by the local U.P.I.C. office before approach is made to the AC/AMG authority affected.

15. If, having considered all the circumstances, it is decided to take action for de-requisitioning, and if the matter is one which cannot be arranged by the local Town Major, application for de-requisitioning should be made to the Area or equivalent commander, and this Headquarters informed accordingly. At the same time the local U.P.I.C. office should inform the Ministry.

16. Should the application be denied by the military authority, and should the circumstances warrant it, the matter will then be referred to this Headquarters with all the relevant details. Parallel action will be taken between the U.P.I.C. office and the Ministry.

17. Similar action will then be taken by this Headquarters as outlined in paras 10/12 above.

18. Should the situation be such as to warrant reference to this Headquarters, the most accurate information on all the relevant details must be furnished by both AC/AMG and the U.P.I.C. office. As a guide in the preparation of the case, there is attached hereto a list of heads which is indicative of the type of information which should be included whenever practicable.

19. This Headquarters may be able to obtain a satisfactory settlement by application at the appropriate Staff level. If this is refused, the case will be submitted to the Industrial Coordination Committee of the Allied Force Local Resources (Italian) Board.

20. The award made by the I.C.C. will be binding upon all parties unless an objection is lodged within 48 hours.

W. J. MASKREY
Lt. Colonel

Distribution :
All Regional Commissioners

Declassified E.O. 12356 Section 3.3/NND No. 785015

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Lt. Colonel,
Deputy Director,
Industry Sub-Commission.

Distribution :
All Regional Commissioners
(Attn.: Industry Division)
All Provincial Industry Officers.
All Sub-Commissions HQ, AC.

and for information TO :
AFHQ G-3 Section
AFHQ G-4 American
AFHQ G-4 British
AFLRS, RAAC.
HQ AMG 15 Army Group.
SCAO, AMG 5th Army
SCAO, AMG 8th Army
File 5615

Enclosures :
Questionnaire as per para 18.
Administrative Memorandum No. 14, dtd. 7 March 1945.

3346

Declassified E.O. 12356 Section 3.3/NND No. 785015

1. Name of Firm

2. Name of Executive

3. Location

4. Date of requisitioning

5. Exact designation of military authority responsible for requisitioning

6. Exact designation of occupying unit

7. Description of facility

   a. Number of building
   b. Dimension of each building
   c. Use which has normally been made of each building
   d. Diagram of building

8. Statement as to the nature of the normal production

9. General Statement as to the importance to the Italian economy of the products manufactured.

10. Statement as to the requirements of the output

    a. By the Allied armed forces
    b. By the Italian armed forces
    c. By the civilian population

11. Statement as to the availability in Italy of the product indicating the quantity now being imported from Allied sources

12. Statement as to the present condition of premises and of the machinery and equipment

13. Statement as to whether repairs, if necessary, can be effected and as to whether the machinery can be operated

14. Quantities of materials required for rebuilding and quantities available locally.

15. Statement as to stocks of raw materials on hand

16. Statement as to requirements of raw materials in addition to those available.

17. Statement as to availability of raw materials.

18. Statement as to requirements of power

19. Statement as to availability of power

20. Statement as to requirements of transport

Declassified E.O. 12356 Section 3.3/NND No. 785015

c. Use which has formerly been made of each building
d. Diagram of building

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19. Statement as to availability of power

20. Statement as to requirements of transport

21. Statement as to availability of transport, proximity to rail transport, etc.

22. Statement as to present productive capacity of entire facility giving due regard to feasibility of making repairs, availability of raw materials, power, transport & labour.

23. Statement as to productive capacity of the portion of facility and equipment which it is proposed to de-requisition.

3345

Declassified E.O. 12356 Section 3.3/NND No. 785015

24. Statement as to availability of substitutes for products manufactured by the facility

25. Statement as to the nature of the military occupancy

a. Number of men occupying premises
b. Use to which facility is being put by military authorities
c. Statement as to portion of plant requisitioned and machinery and equipment requisitioned.
d. Extent to which permanent damage is being done to the facility by the occupation

26. Justification for de-requisitioning.

Declassified E.O. 12356 Section 3.3/NND No. 785015

Declassified E.O. 12356 Section 3.3/NND No. 785015

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ALLIED FORCE HEADQUARTERS
APO 512

IOA/ag

ADMINISTRATIVE MEMORANDUM)
:
NUMBER 12)

7 March 1945

USE OF COMMERCIAL FACILITIES FOR CIVIL REQUIREMENTS

1. It is the responsibility of the Supreme Allied Commander to provide for the civil population of liberated territory that which is necessary to prevent disease and unrest. It is his policy to make the maximum use of local resources in providing for the essential civilian requirements.

2. The duty of all ranks of the Armed Forces in the discharge of the Supreme Allied Commander's responsibility to the civil population should be constantly present in their minds. All ranks must, even in the stress of active operations, remind themselves that whenever it is possible to achieve a military object by a choice of means otherwise equal, the method which damages least the essential needs of the civil economy is the method to be preferred and adopted. Care must be taken by the responsible commander that, except in definite emergencies he neither occupies a premise that is essential to the civil economy nor dismantles, nor removes by purchase or requisition, the equipment therein. Except to prevent combat damage or destruction, or to meet the immediate operational needs, raw materials essential to civil economy will not be purchased, requisitioned or removed except by the procedures set forth in Section III, AFHQ Administrative Memorandum No. 46, 1944.

3. a. In the detailed planning for the occupation of an area, the military authority responsible for such planning and the Allied Commission, will consult as to the anticipated military and civil requirements in that area affecting local resources. The military authority will elaborate his plan so far as practicable to include any proposals agreed as the result of such consultation. Any such agreement must of necessity be tentative and adjustments made dependent upon the physical condition of the area when occupied and upon the military situation. So far as practicable the agreement should include definite facilities preserved by the military and definite facilities reserved for essential civil requirements. Facilities not so defined will not initially be reserved for either military or civil exploitation but are subject to further agreement as the need is recognized.

b. In sections of the country for which no definite military operational plan is considered necessary, instructions defin-

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b. In sections of the country for which no definite military operational plan is considered necessary, instructions defining military requirements and those civil commitments for which the military assume responsibility will be issued by the military authority responsible for planning for the area as a whole, if so desired by Allied Commission.

3344

c. In the case of property to be used by the military which Allied Commission has stated to be essential to the civil economy, the

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Declassified E.O. 12356 Section 3.3/NND No. 785015

AFHQ Adv. Memo N. 14 RESTRICTED
(cont'd)

probable degree of development by the military and the estimated period of occupancy will be stated in the plan .

d. In the immediate execution of operational plans the decision of the Army or equivalent commander in operational command will govern. However, when Allied Commission is of the opinion that the use of the facility during military tenancy will cause undue harm to the civil economy, and local agreement cannot be reached, Allied Commission may, without interrupting the operational plan or its immediate execution, inform the Army or equivalent commander that an appeal will be made, and submit such an appeal as indicated in paragraph 4 below.

e. In the further execution of a plan in Army or equivalent areas, or in routine functioning within or without Army areas, in the event there is a conflict between military interests and interest which Allied Commission considers essential to the civil economy with respect to:

(1) The equitable allocations of factories, warehouses, and other commercial and industrial facilities including mines and space, and

(2) The control of their use and operation the procedures set forth in paragraph 4 will be followed.

4. a. The Allied Commission may present its case and recommend action to the responsible Area District, Base Section or Army Commander, or other responsible military authority whether urgent operational need has been advanced by the military authority or not. Allied Commission will accompany their case with a complete and factual justification.

b. The responsible military authority to which the case is referred will consider the case and every effort will be made to reach a solution satisfactory to Allied Commission and the military commander. In the event a satisfactory solution cannot be found, the military commander will return the request to Allied Commission with a written statement as to the extent to which he can meet Allied Commission's desires and as to the conditions which he cannot accept.

c. Allied Commission then may submit the matter to an investigating subcommittee appointed by the Industrial Co-ordination Committee of the Allied Force Local Resources (Italian) Board, through AFLRS. The investigating sub-committee will investigate the case in detail and attempt to find some solution agreeable to the parties concerned.

d. If no such solution can be found, the sub-committee will submit the case to the ICC (Industrial Co-ordination

Declassified E.O. 12356 Section 3.3/NND No. 785015

valent areas, or in routine functioning within or without Army areas, in the event there is a conflict between military interests and interest which Allied Commission considers essential to the civil economy with respect to:

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c. Allied Commission then may submit the matter to an investigating subcommittee appointed by the Industrial Co-ordination Committee of the Allied Force Local Resources (Italian) Board, through AFLRS. The investigating sub-committee will investigate the case in detail and attempt to find some solution agreeable to the parties concerned.

d. If no such solution can be found, the sub-committee will submit the case to the ICC (Industrial Co-ordination Committee) with recommendations.

e. The ICC will then adjudicate and make its award. If no protest is received by AFLRS from an interested party within 48 hours after the award, such award will become effective. In the event of a protest, the matter will be referred to the AFLR(I)Board, the decisions of which will be binding upon all parties.

5. a. Except in the immediate execution of operation plans as stated in paragraph 3d above, the military will not exercise initial control of a facility concerning which Allied Commission has initiated a request for adjudications, until definite action has been taken in

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Declassified E.O. 12356 Section 3.3/NND No. 785015

accordance with these instructions.

b. When a plant, mine or other commercial facility has been de-requisitioned to permit of its producing materials or services essential to civil economy, all machinery, fixtures, equipment and plant essential to such production, except that which may have been installed by the using Service, shall be exempt from sub-sequent requisition unless the facility itself is again requisitioned. Surplus materials, as declared under the provision of Section III, AFHQ Administrative Memorandum Number 46, 1944 are subject to allocation as set forth in that memorandum.

c. Plants, mines or other commercial facilities which may be declared not subject to requisition or which have been de-requisitioned under the provisions of this memorandum will be adequately posted by the local district base section, or army commander or other responsible military commander, to prevent unauthorized entry or removal of protected equipment, fixtures, machinery and materials.

d. When considering matters of requisitioning and de-requisitioning, military authorities will show special leniency with respect to facilities of the monopoly industries of the Italian Government such as those engaged in the manufacture of matches, the processing of tobacco and the extraction of salt. These are of special importance in providing essential revenue to the Italian Government.

By COMMAND OF FIELD MARSHAL ALEXANDER :

/s/ C.N. Christensberry
/t/ C.N. CHRISTENSBERRY
Colonel, AGD
Adjutant General

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/t/ C.W. CHRISTENBERRY
Colonel, AGD
Adjutant General

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