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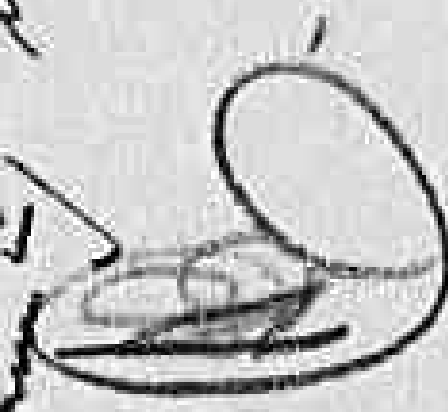
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LOCAL GOV'T ORGANIZATION, GENERAL
JAN. - APR. 1945; (JUN. 1945)

MINUTE SHEET NO. 2.

DATE		PAGE
28 Nov.	<i>CAS</i> <u>4</u> <i>Ref this 16 and your minute on 9/10/CA. Note</i> <i>I advise that this is a matter to be taken up with</i> <i>the Presidency of the Council of Ministers, it would</i> <i>be then about the Lord of the Sub. Commission.</i> <i>I'm told of my conversation yesterday with C.O.</i> <i>CAS. I am returning the file.</i> 	15

L.G.S.C.

are being made now.

Raspl R Temple
As Director Lg S/C

(2)

G.D.O. to V.P.

V.P. will like to see folios 13 and 13 A. for
information
P. Keator, Maj.
C. Section

26 Mar.

5 April

CAS (att. Col. Criff) (3)

1. Please refer to folio P 15.
2. I do not think the memorandum (P13A) should be distributed widely as suggested. It is a very elementary guide for the military who are unfamiliar with military government. It was prepared hurriedly with that purpose in mind and consequently, could be picked to pieces by sub-commissioners and PCs who might feel that we slighted or omitted certain aspects of their work. There is a wealth of material already out on Italian civil administration which military govt people are familiar with or certainly should be, at this stage of the game. However, valuable this memo is to the uninitiated, it would serve no useful purpose in distributing it as suggested. (4)

6/p/15.

Letter

I entirely agree
Administration

R. R. Temple, Maj.
D/Director Local Cont. S/C

CR

11A file 17

LEGISLATIVE DECREE OF THE LIEUTENANT GENERAL
12 April 1945 No. 203

Complementary provisions to the legislative Decree of the Lieutenant General of the 4th April 1945 concerning the composition of the "Giunta Provinciale Amministrativa" in its jurisdictional capacities and the decisions of the recourses concerning the local courts.

Art. 1

The "Giunta Provinciale Amministrativa" in its jurisdictional capacities, is composed of the Prefect or his deputy, who will be the chairman, of two Prefecture Councillors appointed by the Prefect at the beginning of every year, and of two senior members, of those appointed by the Deputation Provincial, who have been longer in service. The seniority is reckoned on the precedence in appointment; in case of equal length of service, on the age.

In case of absence or of inability to attend, the Prefecture Councillors will be substituted by an assistant, and the senior members named by the Deputation Provincial by those who follow them, according to order of precedence.

Art. 2

As contemplated in art. 282 of the "Testo Unico" for local finance approved by Royal Decree of the 14 September 1931 n. 1175, two effective members and two assistants, chosen by the Prefect on ternal proposal of the Chambers of Commerce, Industry and Agriculture, are attached to the "Giunta Provinciale Amministrativa" for the Decisions on recourses. These Members remain in charge four years.

Art. 3

Any dispositions contradictory to the present Decree are annulled.

Art. 4

The present Decree shall become effective on the day after the date of its publication on the Gazzetta Ufficiale del Regno.

We order, that the present decree, bearing the Seal of the State be added to the "Raccolta delle Leggi e Decreti del Regno d'Italia", and ~~and~~ whom it concerns, to observe it and make it observed as a law of the State.

Rome 12th April 1945.

Umberto di Savoia.

UMBERTO DI SAVOIA
Principe di Piemonte
Luogotenente Generale del Regno

In virtu' dell'autorita' a Noi delegata:

Visto il Decreto-legge Luogotenenziale 25 giugno 1944, No 151;

Visto il testo unico per la finanza locale approvato con R. decreto 14 settembre 1931, No 1175, e successive modificazioni;

Visto il testo unico della legge comunale e provinciale approvato con R. decreto 3 marzo 1934, No 383;

Visto il R. decreto legge 4 aprile 1944, II. 111;

Visto il decreto legislativo luogotenenziale 10 febbraio 1945, No 58;

Vista la deliberazione del consiglio dei Ministri;

Sulla proposta del Presidente del Consiglio dei Ministri, Ministro per l'interno, di concerto con il Ministero delle finanze;

Abbiamo sanzionato e promulgiamo quanto segue:

Art. 1

La Giunta provinciale amministrativa, in sede giurisdizionale, si compone del Prefetto o di chi ne fa e vaci che la presiede, di due consiglieri di prefettura designati al principio di ogni anno dal prefetto e dei due membri piu' anziani fra quelli nominati dalla Deputazione provinciale. L'anzianita' e' desunta dalla precedenza della nomina e, a pari anzianita' di nomina, dell'eta'.

In caso di assenza od impedimento, i consiglieri di prefettura sono sostituiti dal supplente ed i membri anziani nominati dalla Deputazione provinciale da quelli che li seguono secondo l'ordine di precedenza.

Art. 2

Sono aggregati alla giunta provinciale amministrativa per la ricoluzione dei ricorsi, previsti dall'art. 232 del testo unico per la finanza locale approvato con R. Decreto 14 settembre 1931, No 1175, due membri effettivi e due supplenti scelti dal prefetto su terne proposte dalla camera di commercio, industria e agricoltura. Detti membri durano in carica un quadriennio e possono essere confermati.

Art. 3.

Sono aurogate le disposizioni in contrasto con quelle del presente decreto.

Art. 4.

Il presente decreto entra in vigore il giorno successivo a quello della sua pubblicazione nella Gazzetta Ufficiale del Regno.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserito nella Raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare come legge dello Stato.

Dato a Roma, addi' 12 aprile 1945.

Visto il decreto legislativo
 Vista le deliberazioni del Consiglio dei Ministri;
 Sulla proposta del Presidente del Consiglio dei Ministri, Ministro per l'Interno,
 di concerto con il Ministero delle Finanze;
 Abbiamo sanzionato e promulgiamo quanto segue:

Art. 1

La Giunta provinciale amministrativa, in sede giurisdizionale, si compone del Prefetto o di chi ne fa e vice che la presiede, di due consiglieri di prefettura designati al principio di ogni anno dal prefetto e dei due membri più anziani fra quelli nominati dalla Deputazione provinciale. L'anzianità è desunta dalla precedenza della nomina e, a pari anzianità, di nomina, dall'età.

In caso di assenza o impedimento, i consiglieri di prefettura sono sostituiti dal supplente ed i membri anziani nominati dalla Deputazione provinciale da quelli che li seguono secondo l'ordine di precedenza.

Art. 2

Sono aggregati alla giunta provinciale amministrativa per la risoluzione dei ricorsi, previsti dall'art. 282 del testo unico per la finanza locale approvato con R. Decreto 14 settembre 1931. No 1175, due membri effettivi e due supplenti scelti dal prefetto su terne proposte dalla camera di commercio, industria e agricoltura. Detti membri durano in carica un quadriennio e possono essere confermati.

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Dato a Roma, addì 12 aprile 1945.

16

UMBERTO DI SAVOIA

Bonomi - Presente

Visto, il Guardasigilli: Turini

Registrato alla Corte dei conti, addì 12 maggio 1945
 Atti del Governo, registro No 4, foglio No 38.-Frasca

1 A

Real Government 16

AIDE MEMOIRE

1007

- 1 Under the Fascist Republican Government certain functions were carried out from the central Ministry and were not decentralised to Provinces. Examples are Finance, Industry, Agriculture, State Railways, Public Works and Public Safety.
- 2 It is not desirable, or even possible, for Allied Military Government to dissolve these departments immediately. To attempt to do so would create administrative chaos.
- 3 In several cases a Commissario has been appointed and the department is operating under his direction.
- 4 It is desired that these departments should be dissolved, and their functions taken over by the Government, as quickly as possible. Although that wish cannot be fulfilled entirely until the territory is handed back to the Italian Government, the period of Allied Military Government can be used to make the necessary preparations.
- 5 It is recommended that the Italian Government send to Milan, at the earliest possible date, a Commission to discuss this matter with the CINA.

connected with archives matter - being
handled by C.C. (W. ed. Bonham-Carter)

RRT

5 June 45

15/193

13

6024/LG

0423

IA
HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

- 4 ADD 1-45

Tel: 289

3 April 1945.

Ref: 2807/13/EC

SUBJECT: Memorandum on the Italian Civil Administration.

4 APR 1945

TO : Civil Affairs Section.

Reference your AC/1/A/LG of 30 March 1945, the Acting Executive Commissioner would like a "C" plus serials 62 and 63 distribution to be given to the Memorandum on the Italian Civil Administration "for the information and guidance of all concerned by Command etc."

NFA

Shorden
6/4/45

P.13
P.13A
14
D. Newby
For Chief Staff Officer, J.C.A. 5457/LG
To Executive Commissioner.

3151

0426

5. NATIONAL ADMINISTRATION.

The form of National administration of Italy is highly centralized in and controlled from the Government in Rome.

The department of government responsible for ~~the~~ civil administration and internal matters is the Ministry of the Interior. Its principal functions include general and personnel affairs, civil administration, public safety, public health, fire service and religious affairs.

For purposes of administration and immediately below the Ministry of the Interior, the country is divided into 94 provinces which vary in nature and area. ~~Each province is presided over by a prefect as described below.~~

The next and smallest separate administrative unit is the commune. This term applies to all towns and villages which may vary in size and population from the largest cities e.g. Naples down to the smallest community.

There are approximately 7163 communes throughout Italy. The number of communes in any given province varies. See chart A.

The above are administrative units. Reference may however be made to the so called "compartimenti". This is a geographical division of the country and not an administrative one. A compartment includes a number of provinces varying in area and population, but as above mentioned, it is merely a division and has no administrative significance.

NB. The above was requested by the VP in substitution for para 5 of the Memo. (1348 on file) handed to Lt. Col. Jackson. It was approved by Lt. Col. Higgs the contents conveyed verbatim as the telephone to Lt. Col. Jackson at 12.20 hrs. on 28 March.

Over on 28 March
CJH

File AC/1A/UG.
14

0427

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

Tel: 620

AE/L/A/IG

SUBJECT: Memorandum of Italian Civil Administration.

24 March 1945

TO : Civil Affairs Section.

1. Pursuant to your request, I have prepared the attached memorandum, copy of which I have handed to Lt. Col. Jackman of AFHQ, as authorized by Col. Cripps.
2. Charts were attached to the copy given Col. Jackman.

for *P. R. Temple*
R. C. B. SPICER
Colonel
Director
Local Government Sub Commission

RRL/pec

HEADQUARTERS UNITED STATES
AFSC 394
LOCAL GOVERNMENT AND COMMUNITY

Tel: 473390

MEMORANDUM

On the Italian Civil Administration

1. The purpose of this memorandum is to give a brief description of the organization and functions of local government administration operating in that part of Italy which has been wholly restored to the jurisdiction of the Italian Government.
2. The information contained herein is not exhaustive but is intended for the purpose of para. 1 and also to give general particulars of the senior officials and departments concerned with the various branches of civil administration.
3. For convenience, the subject matter hereof is dealt with under the following heads:

National Administration
A. Provincial " "
B. Communal " "
Summary

4. The following charts are attached:

A. Skeleton or organization of Italian local government
B. Detailed " " " "

National Administration

See separate sheet. 14 copies.
The Department of the Interior is the central authority for the country's civil administration and internal matters. The Ministry of the Interior. Its principal functions include General and Personal Affairs, Civil Administration, Public Safety, Police, Prison, and Delinquency.

Provincial Administration

There are at present (March 1945) 37 Provinces in restored Italy each of which is governed from the Prefettura of its capital city.

7. The head of the administration of a Province is the Prefect.
8. Prefects are usually career officials who have advanced by promotion through the administrative civil service. Italian law, however, enables a certain (smaller) percentage of non-career men to be appointed Prefects. Appointees of the latter category are persons of outstanding public repute and ability.

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A. Skeleton or organization of Italian local government
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5. National Administration
~~The Department of the Interior is the Ministry of the country's civil administration and internal matters. Its principal functions include General and Personal Affairs, Civil Administration, Public Safety, Police, Prison, and Sanitation.~~
6. Provincial Administration
 There are at present (March 1945) 37 Provinces in restored Italy each of which is governed from the Prefettura of its capital city.
7. The head of the administration of a Province is the Prefect.
8. Prefects are usually career officials who have advanced by promotion through the administrative civil service. Italian law, however, enables a certain (smaller) percentage of non-career men to be appointed Prefects. Appointees of the latter category are persons of outstanding public repute and ability.
9. The Prefect is appointed by the Italian Government and is the highest authority of State and Province throughout the area over which he presides as the Government's direct representative. In the Italian table of precedence, he ranks with a General of Army Corps with the title (even if retired, replaced, or dismissed) of "Excellency".
10. He is the source of all provincial activity which he initiates and co-ordinates in accordance with existing law and any Government orders or directives.
11. In addition to his Provincial status, he also has important controlling and supervisory functions in relation to the administration of all communes situated in his Province (See Chart A).
12. The Prefect has, as his immediate subordinates, one or two Vice Prefects who are empowered to act for him in his absence.

See
 details
 sheet
 14 on file.

- 2 -

13. The various branches of work comprised in the Provincial Administration are undertaken by separate Departments of the organization, each with its own chief official the large majority of whom are controlled by the Prefect.

14. The most important of such Departments and the title of the chief official of each thereof are as follows:

- | | |
|---|--|
| (i) Agriculture | Ispettore Provinciale dell'Agricoltura |
| (ii) Civil Defense | (Unione Nazionale Protezione Anti Aerea UNPA)
- Prefect |
| (iii) Pincers | Ragioniere Capo - Ispettore |
| (iv) Fire Services | (Vigili del Fuoco) - Prefect |
| (v) Food | (Sezione Provinciale Alimentazione (SEPAI))
- Prefect |
| (vi) Police, Carabinieri, Public Safety and Movement of Civilians | Questore |
| (vii) Public Health Hygiene Medicine Provinciale and Sanitation | |
| (viii) Prisons | Direttore delle Carceri |
| (ix) Public Works, Roads & Bridges | Genio Civile |
| (x) Licensing of motor vehicles | (Reale Automobile Club d'Italia RACI)
- Prefect |
| (xi) Veterinary Services | Veterinario Provinciale |
| (xii) Welfare | Assistenza Pubblica |
| (xiii) Weights & Measures | (Reale Ufficio Metrie) - Prefect |

It will be observed that while separate officials preside over many of the departments concerned, the Prefect himself actually deals with the sections of the administration undertaking the special items mentioned. In practice, it will be found that much of the work can be done by war and emergency conditions, e.g. refugees, bomb damage, devastated areas, is in fact personally dealt with by the Prefect.

15. The position and status of the Prefect is indicated by the foregoing. As head of the administration, he is the official who should be contacted or communicated with in regard to all matters affecting the Provincial Administration.

- (i) Agriculture
 Ispettore Provinciale dell'Agricoltura
 (Unione Nazionale Protezione Anti Aerea UNPA)
 - Prefect
- (ii) Civil Defense
 Ragioniere Capo - ~~Assistent~~
 (Vigili del Fuoco) - Prefect
- (iii) Finance
 Ragioniere Capo - ~~Assistent~~
 (Vigili del Fuoco) - Prefect
- (iv) Fire Service
 Ragioniere Capo - ~~Assistent~~
 (Vigili del Fuoco) - Prefect
- (v) Food
 Ragioniere Capo - ~~Assistent~~
 (Vigili del Fuoco) - Prefect
- (vi) Police, Carabinieri,
 Public Safety and
 Movement of Civilians
 Ragioniere Capo - ~~Assistent~~
 (Vigili del Fuoco) - Prefect
- (vii) Public Health, Hygiene Medicine Provinciale,
 and Sanitation
 Ragioniere Capo - ~~Assistent~~
 (Vigili del Fuoco) - Prefect
- (viii) Prisons
 Ragioniere Capo - ~~Assistent~~
 (Vigili del Fuoco) - Prefect
- (ix) Public Works, Roads & Canals, Civil
 Bridges
 Ragioniere Capo - ~~Assistent~~
 (Vigili del Fuoco) - Prefect
- (x) Licensing of motor vehicles (Reale Automobile Club d'Italia RACI)
 Ragioniere Capo - ~~Assistent~~
 (Vigili del Fuoco) - Prefect
- (xi) Veterinary Services
 Ragioniere Capo - ~~Assistent~~
 (Vigili del Fuoco) - Prefect
- (xii) Welfare
 Ragioniere Capo - ~~Assistent~~
 (Vigili del Fuoco) - Prefect
- (xiii) Weights & Measures
 Ragioniere Capo - ~~Assistent~~
 (Vigili del Fuoco) - Prefect

It will be observed that while separate officials preside over many of the departments concerned, the Prefect himself actually deals with the sections of the administration undertaking the special items mentioned. In practice, it will be found that much of the work can be done by war and emergency conditions, e.g. refugees, bomb damage, devastated areas, is in fact personally dealt with by the Prefect.

15. The position and status of the Prefect is indicated by the foregoing. As head of the administration, he is the official who should be contacted or communicated with in regard to all matters affecting the Provincial Administration. Whilst there is no real objection to a direct approach to the Chief official concerned with any given subject (and detailed work may have to be eventually dealt with by such official), it is, for obvious reasons, strongly recommended that, in the first instance, the subject matter in question should be initiated by and through the Prefect.

16. The foregoing is confined to the permanent administrative officials. It should, however, be borne in mind that the Italian law provides for the existences of certain provincial bodies (e.g. Deputazioni Provinciali) composed of members of the public (who the Prefect may rightly desire or may be legally required to consult before giving a decision). Owing to the impossibility of holding elections, the members so serving are not yet selected by the local populace but are nominated by the Prefect. The Government is, however, at present taking the preliminary steps necessary for the eventual organization of local government elections with a view to such bodies being truly representative of the public's wishes.

17. Special reference must be made to Sicily and Sardinia. Provincial administration under the Prefect is as above described, but at the head of each island and controlling and co-ordinating the work of all Prefects the Government have appointed a High Commissioner. This was done owing to difficulties of communication and contact with the Central Government. He is, in effect, "the Government" in relation to matters on an island-wide basis. For practical purposes, however, Provincial affairs are dealt with by the Prefect in the usual way and the Communal position referred to in the following paragraphs remains unchanged.

18. Whilst it is not a matter of practical importance in dealings with the Provincial Administration, it might be borne in mind that there are certain Government Departments (other than the Ministry of Interior) whose work reaches down to the Province. The most important of these are Justice and Education. The representatives of these departments are legally independent of the Prefect but can always, in practice, be contacted through him.

19.

Communal Administration

The head of the Administration of a Comune is the Mayor (Sindaco) who, during the Fascist regime, was styled "Podestà".

20. He is not a career official but is an unpaid member of the public appointed by the Prefect. In certain large Communes, there may be a Vice Sindaco.

21. The principal official of a Comune is the Communal Secretary (Segretario Comunale) who, unlike the Sindaco, is a permanent employee. He co-ordinates the various branches of the Communal administration.

22. The Comune is governed from its Town Hall (Municipio) in which all officials are generally housed and, as in the Province (paras 13-14) the local administration is divided into Departments. In practice, such divisions, their descriptions and the respective titles of their chief officials may vary slightly according to the size, population, importance and type of the particular Comune. For this reason, and to prevent confusion, this memorandum will not contain a list of such titles. The following, however, are the principal functions undertaken in an average size Comune and for all practical purposes, the directing head can be taken to be the Sindaco.

- | | |
|--------|---|
| (i) | Education |
| (ii) | Food |
| (iii) | Finance |
| (iv) | Municipal Police |
| (v) | Personnel employees |
| (vi) | Public Health, Hygiene and Sanitation |
| (vii) | Public Works, Roads and Bridges |
| (viii) | Public Services (Gas, Water, Electricity which are not owned but are controlled to some extent by the Comune) |
| (ix) | Public Municipal institutions |
| (x) | Vital Statistics (Births, deaths, marriages) |
| (xi) | Welfare and Public Assistance |
| (xii) | Weights and Measures |

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- (iii) Finance
- (iv) Municipal Police
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- (vi) Public Health, Hygiene and Sanitation
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- (viii) Public Services (Gas, Water, Electricity which are not owned but are controlled to some extent by the Comune)
- (ix) Public Municipal Institutions
- (x) Vital Statistics (Births, deaths, marriages)
- (xi) Welfare and Public Assistance
- (xii) Weights and Measures

See Chart B.

It will be seen that certain of these subjects follow the same pattern as in the Province and in fact some of the departments are merely the Communal agency of the Provincial authority.

- 4 -

23. The Sindaco is ordinarily assisted by a Communal Council (Giunta Comunale) the members of which (varying in number according to local population) are also appointed by the Prefect for the reasons stated in para 16 regarding elections. As in the case of the Prefect, the Sindaco may legally require a decision of his Giunta.

24. Special reference might be made to an official who may be encountered in connection with Communal government known as a "Comissario Prefettizio". Such an appointment is made by the Prefect in cases of Communal emergency or where no Sindaco and Giunta have been appointed. Such a Comissario is a "town manager" with full powers and is an official of the Prefect's staff. For a considerable time after the invasion of Italy, many such persons had to be appointed but with the establishment of Sindaci and Giunte, such emergency appointees are fast disappearing.

25. The authority with whom to communicate upon Communal affairs is the Sindaco or failing him the Communal Secretary.

26. As mentioned in para 11 and indicated in the attached Charts, Communal Government is for many purposes subject to the supervision and control of the Prefect of the Province (particularly e.g. in regard to financial expenditure) and is thus connected with the National Government.

27.

Summary

The contents of this memorandum can, therefore, be completely summarized as follows:

(i) In all local government matters affecting a Province, an area thereof, or more than one Comune therein, the authority to contact and with whom, in the first instance, to deal is always the Prefect.

(ii) In all such matters affecting a single Comune, the authority with whom to deal is the Sindaco.

0435

CHART OF
ITALIAN LOCAL GOVERNMENT

NATIONAL GO
MINISTRO DE
POLICE CIVIL
ADMINISTRATION

VICE PREFETTO
ISPEETTORE
PREF
(PRE

QUESTORE Police Public Safety Movement of Civilians	U.N.P.A. Unione Nazi- onale Prote- zione Anti- Area CIVILIAN DEFENSE	VIGILI DEL FUOCO FIRE SERVICE	MEDICO PROVINCIALE Public Health Hygiene Sanitation	UFFICIO METRICO Weights & Measures	S.E.P.A.A.L. Sezione Provinciale Alimentazione Food Distribution	Ragioneria Capo ACCOUNTS	VETERINA PROVINCIALE Veterin Servic
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SIN
(MA

SEGRETARIO
COMUNALE

EDUCATION
FOOD
FINANCE
MUNICIPAL
POLICE
PERSONNEL AND
EMPLOYEES
PUBLIC HEALTH
HYGIENE
& SANITATION

QUESTORE Police Public Safety Movement of Civilians	U.N.P.A. Unione Nazi- onale Proto- zione Anti- area CIVILIAN DEFENSE	VIGILI DEL FUOCO FIRE SERVICE	MEDICO PROVINCIALE Public Health Hygiene Sanitation	REALE UFFICIO MATERICO Weights & Measures	S.L.P.R.A.L. Sezioni Provinciale Alimentazione Food Distribution	Ragioneria Capo ACCOUNTS	VETERINA PROVINCIALE Veterin Servizi
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SIN
(MA)

SEGRETERIO
COMUNALE

EDUCATION	FOOD	FINANCE	MUNICIPAL POLICE	PERSONNEL AND EMPLOYEES	PUBLIC HEALTH HYGIENE & SANITATION
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----- DIRECTLY DEPENDENT ON PREFECT -----
 ----- DIRECTLY DEPENDENT ON SOME OTHER NATIONAL MINISTRY -----

VERMONT

LL'INTERNO

PUBLIC HEALTH ASSISTANCE

ETTO

PECT)

VICE PREFETTO

VICARIO

DEPUTAZIONE
PROVINCIALE
PROVINCIAL
LEGISLATION

GIUNTA PROVINCIALE
AMMINISTRATIVA
REVIEWS COMMUNAL
ACTS

Intendente
di Finanza
Finances
Taxes

R.A.C.I.
Reale
Automobile
Club Italiano
Motoring
Permits
and Licenses

Direttore
delle
Carceri
Prisons

Direttore
Delle Poste
e dei
Telegrafi
Posts and
Telegraph

GENIO
CIVILE
Public
Works and
Utilities
Roads-Bridges

Ispettore
Provinciale
dell'
Agricoltura
Agriculture

Provveditore
Agli Studi
Education

RIO
ALL
any
es

DAGO

YOR)

GIUNTA COMUNALE

MUNICIPAL BOARD

WEIGHTS AND
MEASURES

WELFARE AND
PUBLIC
ASSISTANCE

VITAL
STATISTICS

INSTITUTIONS

PUBLIC
UTILITIES

PUBLIC WORKS
COMMUNAL
ROADS & BRIDGES

0438

ADMINISTRATIVE
REVIEWS COMMUNAL
ACTS

PROVINCIAL
PROVINCIAL
LEGISLATION

RIO AMS	Provveditori AGLI Studi Education	Ispectore Provinciale dell' Agricoltura Agriculture	GENIO CIVILE Public Works and Utilities Roads-Bridges	Direttore Delle Poste e del Telegrafi Posts and Telegraph	Direttore delle Carceri Prisons	R.a.C.I. Reale Automobile Club Italiano Motoring Permits and Licenses	Intendente di Pienza Pienza Taxes
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DACC
YOR)

GIUNTA COMUNALE
MUNICIPAL BOARD

PUBLIC WORKS COMMUNAL ROADS & BRIDGES	PUBLIC UTILITIES	INSTRUMENTS	VITAL STATISTICS	WELFARE AND PUBLIC ASSISTANCE	WEIGHTS AND MEASURES
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LOCAL GOVERNMENT SUB COMMISSION
ALLIED COMMISSION
27 MARCH 1945

COPY

1A

(2)

MINISTRY OF THE INTERIOR

Cabinet

TELEGRAM

TO : THE PREFECTS OF THE REALM (Provinces administrated by the Italian Government
(and for information)
ALLIED COMMISSION
LOCAL GOVERNMENT SUB COMMISSION

A. T.
C. G. L.
M. L.

From investigations made by the Prefect Inspector General in some of the Provinces it appears that in many of the Communes the ordinary administration has not been constituted yet and that therefore the Communes themselves are held by Commissari Prefettizi (Prefectural Commissioners). The Government considers that the constitution of the normal administrations in all the Communes is an urgent and indispensable task. The carrying out of this order is urgent because of the need to apply democratic criterions in the communal administration and prepare adequately a certain number of public administrators. This aimed must be pursued even if the Committee of Liberation for contingent reasons cannot designate representants of the different parties within the Administration. If this happens it is the duty of Your Excellencies to find adapted persons for the above-mentioned offices. I order that the above instructions be applied at once and that before the 31st of March this Ministry must be informed of the number of Communes which are still held by Commissari Prefettizi.

PRESIDENT OF THE COUNCIL OF MINISTERS :
MINISTRY OF THE INTERIOR . 6
BONOMI

TC/Tr.

5058
5064

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

LOCAL GOVT (LA)

Originator's Reference: 836175
 Date Time of Origin: FEB 21/ 1220

Message Centre No: D/2748
 Date Time Rec'd: FEB 21/1545
 Precedence: ROUTINE FEB 1945

FROM: PROVINCE AMMINISTRATE DAL GOVERNO ITALIANO
 TO: PC COMMISSIONE ALLEATA SOTTOCOMMISSIONE GOVERNO LOCALE ROMA

IN CLEAR.

3784 ALT 5013 GAB DA ACCERTAMENTI COMPIUTI DA PREFETTO ISPETTORE GENERALE IN TALUNE PROVINCE EST RISULTATO CHE IN MOLTI COMUNI NON EST ANCORA STATA COSTITUITA AMMINISTRAZIONE ORDINARIA ET CHE PERTANTO COMUNI STESSI SONO TUTTORA RETTI DA COMMISSARI PREFETTIZI STOP GOVERNO RITIENE CHE LA COSTITUZIONE DELLA NORMALI AMMINISTRAZIONI IN TUTTI I COMUNI SIA COMPITO URGENTE ET INDISPENSABILE STOP ATTUAZIONE TALE DIRETTIVA EST RECLAMATA DA NECESSITA APPLICARE CRITERI DEMOCRATICI NELL AMMINISTRAZIONE COMUNALE ET PREPARARE ADAGUATAMENTE UN CERTO NUMERO PUBBLICI AMMINISTRATORI STOP TALE FINALITA DEVE ESSERE PERSEGUITA ANCHE SE COMITATI LIBERAZIONE PER RAGIONI CONTINGENTI NON SIANO IN GRADO DESIGNARE RAPPRESENTANTI PARTITI IN SENO PREDETTE AMMINISTRAZIONI STOP IN TALE EVENTUALITA EST COMPITO ECCELLENZE LORO TROVARE PERSONE DATTE ANCHE DAL PUNTO DI VISTA POLITICO PER CARICHE PREDETTE STOP DISPONGO CHE SOPRARIFERITE ISTRUZIONI SIANO SENZ ALTRO APPLICATE ET CHE ENTRO TRENTUNO MARZO P V SIA COMUNICATO AT QUESTO MINISTERO NUMERO COMUNI TUTTORA RETTI DA COMMISSARI PREFETTIZI STOP

+ PRESIDENTE CONSIGLIO MINISTRI INTERNO
 BONOMI +

ACTION

DIST

Action: Local Govt
 Info: CA SEC
 File

HEADQUARTERS
 21 FEB 1945 5
 5064

C O P I AMINISTERO DELL'INTERNO
GabinettoT E L E G R A M M A

21 FEB 1945

P R E F E T T I

R E G N O

(Province amministrate dal Governo Italiano)

e, per conoscenza :

COMMISSIONE ALLEATA

Sottocommissione Governo Locale

R O M A

Da accertamenti compiuti da Prefetto Ispettore Generale in talune provincie est risultato che in molti Comuni non est ancora stata costituita amministrazione ordinaria et che pertanto Comuni stessi sono tuttora retti da Commissari Prefettizi stop Governo ritiene che la costituzione delle normali amministrazioni in tutti i Comuni sia compito urgente et indispensabile stop attuazione tale direttiva est reclamata da necessità applicare criteri democratici nell'amministrazione comunale et preparare adeguatamente un certo numero pubblici amministratori stop Tale finalità deve essere perseguita anche se Comitato Liberazione per ragioni contingenti non siano in grado designare rappresentanti partiti in seno predette amministrazioni stop In tale eventualità est compito Eccellenze Loro trovare persone adatte dal punto di vista politico per cariche predette stop Dispengo che soprariferite istruzioni siano senz'altro applicate et che entro trentuno marzo p.v. sia comunicato at questo Ministero numero Comuni tuttora retti da Commissari Prefettizi stop

PRESIDENTE CONSIGLIO MINISTRO INTERNO
BONOMI

18 Feb 1945 - left by N. B. B. when he visited
per.

0442

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

IS/RE.

3 January 1945

AC/4010/2/L.

SUBJECT : Implementation of Italian legislation in Military Government and Army Territory.

13 JAN 1945

TO : See Distribution List.
P.100 on 1st jacket

1. The following text is substituted for that contained in ACC/4010/2/L dated 25 July 1944. It will be noted that the basic procedure established by the previous directive remains unaltered.

2. At para (4) below is reproduced in English the text of the attached explanatory circular in Italian which will be handed to the Prefect on the occasion (a) of a province passing under Regional Control or (b) whenever the Army Authorities decide to apply the system of implementation in advance to a province within the zone under Army control and the competent SCAO issues an order to that effect.

At the fact of the directive is a form of acknowledgement which will be signed by each Provincial Legal Officer and returned to the Legal sub-Commission for the purpose of recording that the circular was duly delivered to the Prefect when one of the aforesaid alternatives have taken place.

3. As is indicated in paras (2) and (3) of the circular to the Prefects, the Provincial Legal Officer will be responsible for assisting the Provincial Commissioner in carrying out the required formalities, and also for remitting to the Legal Sub-Commission at HQ AC the receipts essential for maintaining the records.

The Regional Legal Officers will see that all Provincial Commissioners and Provincial Legal Officers become thoroughly familiar with this directive exercising all possible care in putting it into effect and especially that the receipts are forwarded regularly and without delay.

Whenever acknowledgment of "Gazzetta Ufficiale" is dispatched to a Province for distribution a warning note is sent to the Regional Legal Officer concerned giving the number of packets dispatched and the corresponding issue number of "Gazzetta Ufficiale", thus keeping the RLO informed and enabling him to ensure proper delivery by checking with the message center of his HQ.

4. Translation of the Circular to Prefects.

1. The following text is substituted for that contained in ACC/4010/2/L dated 25 July 1944. It will be noted that the basic procedure established by the previous directive remains unaltered.

2. At para (4) below is reproduced in English the text of the attached explanatory circular in Italian which will be handed to the Prefect on the occasion (a) of a province passing under Regional Control or (b) whenever the Army Authorities decide to apply the system of implementation in advance to a province within the zone under Army control and the competent SCAO issues an order to that effect.

At the foot of the directive is a form of acknowledgment which will be signed by each Provincial Legal Officer and returned to the Legal Sub-Commission for the purpose of recording that the circular was duly delivered to the Prefect when one of the aforesaid alternatives have taken place.

3. As is indicated in paras (2) and (3) of the circular to the Prefects, the Provincial Legal Officer will be responsible for assisting the Provincial Commissioner in carrying out the required formalities and also for remitting to the Legal Sub-Commission at HQ AC the receipts essential for maintaining the records.

The Regional Legal Officers will see that all Provincial Commissioners and Provincial Legal Officers become thoroughly familiar with this directive exercising all possible care in putting it into effect and especially that the receipts are forwarded regularly and without delay.

Whenever acknowledgment of "Gazzetta Ufficiale" is dispatched to a Province for distribution a warning note is sent to the Regional Legal Officer concerned giving the number of packets dispatched and the corresponding issue number of "Gazzetta Ufficiale", thus keeping the RLC informed and enabling him to ensure proper delivery by checking with the message center of his H.

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4. Translation of the Circular to Prefects:

MINISTRE DE L'EDUCATION AND JUSTICE
Office for Publication of Laws
and Decrees

Rome, 5 Jan. 1945

To: Their Excellencies the Prefects

SUBJECT: Efficacy and promulgation of decrees enacted by the Italian Government and published in the "Gazzetta Ufficiale" of the Kingdom.

The Allied Commission (A.C.) has ordered the distribution of the

4672

of the "Gazzetta Ufficiale" of the kingdom in territories administered by the Allied Military Government (A.M.G.) exclusive of the provinces in the zone of operations controlled by the Army.

However in the last mentioned provinces the distribution may be made from time to time on the order of the competent Senior Civil Affairs Officer (SCAO).

By agreement with this Ministry the said Allied Commission has issued the following instructions in respect of the efficacy and promulgation in the aforesaid territories of the legislation enacted by the Italian Government and published in the "Gazzetta Ufficiale" of the kingdom:

- (1) Said legislation shall be made operative in territories administered by A.M.G. by virtue of a special endorsement of the Deputy Chief of Staff of the Allied Commission, published at the end of the "Gazzetta" and referring to legislative provisions published in one or more issues of the "Gazzetta" preceding the issue containing the said endorsement. By way of exception the said endorsement may refer to legislative provisions contained in the same issue of the "Gazzetta" in which the endorsement is printed. The provisions thus made operative will become effective in each Province of the aforesaid territories as of the date on which the competent Prefect receives from A.C. (as explained below in para 2) the copies of the "Gazzetta" containing the above mentioned endorsement, for distribution to addressees within his Province.

However the Deputy Chief of Staff of the Allied Commission may in his endorsement exclude the application to the aforesaid territories of any legislative provision published in those issues of the "Gazzetta" to which the endorsement refers. The legislative provisions thus excluded are published in said territories for information only.

- (2) The distribution of the "Gazzetta" is entrusted in each Province of the said territories to the Prefect. For this purpose the Prefect receives from the A.C. through the Office of the Provincial Commissioner, and specifically through the Provincial Legal Officer, a package containing as many copies of the "Gazzetta" as are to be distributed under the Prefect's supervision to the addressees indicated on each copy.

(1) Said legislation shall be made operative in territories administered by A.M.B. by virtue of a special endorsement of the Deputy Chief of Staff of the Allied Commission, published at the end of the "Gazzetta" and referring to legislative provisions published in one of more issues of the "Gazzetta" preceding the issue containing the said endorsement. By way of exception the said endorsement may refer to legislative provisions contained in the same issue of the "Gazzetta" in which the endorsement is printed. The provisions thus made operative will become effective in each Province of the Affiliated territories as of the date on which the competent Prefect receives from A.C. the explained below in para 2) the copies of the "Gazzetta" containing the above mentioned endorsement, for distribution to addressees within his Province.

However the Deputy Chief of Staff of the Allied Commission may, in his endorsement exclude the application to the aforesaid territories of any legislative provision published in those issues of the "Gazzetta" to which the endorsement refers. The legislative provisions thus excluded are published in said territories for information only.

(2) The distribution of the "Gazzetta" is entrusted in each Province of the said territories to the Prefect. For this purpose the Prefect receives from the A.C. through the Office of the Provincial Commissioner, and specifically through the Provincial Legal Officer, a package containing as many copies of the "Gazzetta" as are to be distributed under the Prefect's supervision to the addressees indicated on each copy.

(3) In order to record and make known the date of receipt of the individual issues of the "Gazzetta" containing the endorsement set out above in para 1 each Prefect before distribution is made shall cause every copy to be stamped or otherwise marked with the date on which he has received the specific issue of the "Gazzetta"; this date, as explained above in para 1, shall be the effective date in the Province concerned of the legislative provisions thus rendered operative therein. To ensure compliance with this requirement the Prefect receives from A.C. with each packet mentioned above in para 2 a triplicate form of receipt in Italian and English to be executed and signed by

signed by him at the request of the Provincial Commissioner thus certifying the date of receipt.

The Prefect shall forward two copies of the aforesaid triplicate form of receipt to the Provincial Commissioner attention Provincial Legal Officer (one for onward transmission to the Legal Sub-Commission of the A.C. and the other to be filed in the files of the Provincial Commissioner) - and shall keep the third copy among the records at the Prefecture. In course, no receipt forms will accompany packets of the "Gazzetta" that do not contain any endorsement.

(4) The legislative provisions enacted by the Italian Government at Brindisi and Salerno and published in the "Gazzetta Ufficiale" Nos. 12 to 5/3 of 14/3 and 1/4. 1 to 39 of 1944 have been reprinted and collected in one special volume. On page 564 of this volume is reproduced an endorsement of the Allied Commission regarding the major part of said legislative provisions operative in territories administered by the A.M.G. The above set out instructions relating to the "Gazzetta" shall apply equally to the procedure for the putting into effect and divulgation of the provisions reprinted in this "Collection".

(5) It should be noted that when the above system first begins to operate in a Province, the Prefect concerned will receive in one or more consignments a considerable number of packages each containing an appropriate number of copies of the "Collection" referred to above in para 4 and of the subsequent issues of the "Gazzetta Ufficiale" beginning with issue N. 40. At this initial stage particular attention will be required to ensure that the receipt forms mentioned above in para 3, relating to the packets to which they are attached, are dealt with in accordance with para 3 of this directive.

(6) Considering the importance attaching to this service designed to ensure within the limits of present possibilities the continuity of the Italian legislative system in territories not yet restored to the Administration of the Italian Government, Your Excellencies are enjoined at the request of the A.C. to supervise personally the proper application of this directive. For any question arising out of these matters please consult the individual Provincial Legal Officers.

contain an endorsement.

- (4) The legislative provisions enacted by the Italian Government in Brindisi and Salerno and published in the "Gazzetta Ufficiale" Nos. 22 to 5/3 of 1/43 and Nos. 1 to 39 of 1944 have been reprinted and collected in one special volume. On page 554 of this volume is reproduced an endorsement of the Allied Commission regarding the major part of said legislative provisions operative in territories administered by the A.I.A.C. The above set out instructions relating to the "Gazzetta" shall apply equally to the procedure for the putting into effect and divalvation of the provisions reprinted in this "Collection".
- (5) It should be noted that when the above system first began to operate in a Province, the Prefect concerned will receive in one or more consignments a considerable number of packages each containing an appropriate number of copies of the "Collection" referred to above in para 4 and of the subsequent issues of the "Gazzetta Ufficiale" beginning with issue No. 40. At this initial stage particular attention will be required to ensure that the receipt forms mentioned above in para 3, relating to the packets to which they are attached, are dealt with in accordance with para 3 of this directive.
- (6) Considering the importance attaching to this service designed to ensure within the limits of present possibilities the continuity of the Italian legislative system in territories not yet restored to the administration of the Italian Government, Your Excellencies are enjoined at the request of the A.I.C. to supervise personally the proper application of this directive. For any question arising out of these matters please consult the individual Provincial Legal officers.

Enclosure
Gazzetta Ufficiale of the Kingdom
and Official Collection of Laws
and Decrees.
(sgd) A. NICOLINI

By Command of Rear Admiral STONE:

W. F. STONE

W. F. STONE

Chief Legal Advisor

Distributed a list: (see over)

4672

**MINISTERO DI GRAZIA E GIUSTIZIA**

UFFICIO PUBBLICAZIONE LEGGI E DECRETI

Roma, 5 gennaio 1945.

Alle LL. EE. i Prefetti

**OGGETTO: Efficacia e divulgazione dei provvedimenti emanati dal
Governo Italiano e pubblicati nella "Gazzetta Ufficiale", del Regno.**

La Commissione Alleata (A.C.) ha disposto la distribuzione della *Gazzetta Ufficiale* del Regno, nel territorio sottoposto all'Amministrazione del Governo Militare Alleato (A.M.G.) eccezione fatta per le provincie incluse nella zona delle operazioni, sotto controllo delle armate, alle quali provincie, tuttavia, può esserne fatto invio ove lo disponga, di volta in volta, il competente Ufficiale Capo Affari Civili (S.C.A.C.).

D'intesa con questo Ministero, detta Commissione Alleata impartisce le istruzioni in ordine alla entrata in vigore ed alla divulgazione, in detti territori, dei provvedimenti emanati dal Governo Italiano e pubblicati nella *Gazzetta Ufficiale* del Regno:

1) Detti provvedimenti vengono resi operativi nel territorio amministrato dall'A.M.G. mediante una speciale ordinanza del Sottocapo di Stato Maggiore della Commissione Alleata pubblicata in calce alla *Gazzetta* stessa e relativa ai provvedimenti pubblicati in uno o più numeri della *Gazzetta* precedenti il numero ove è inserita l'ordinanza stessa. Eccezionalmente l'ordinanza suddetta potrà riferirsi a provvedimenti contenuti nello stesso numero della *Gazzetta* in cui l'ordinanza viene pubblicata. I provvedimenti così resi operativi entrano in vigore, in ciascuna Provincia nel detto territorio, dalla data sotto la quale il Prefetto competente riceve, dall'A.C., come specificato al n. 2), gli esemplari della *Gazzetta* che contengono la menzionata ordinanza, per la distribuzione ai destinatari della sua Provincia.

Il Sottocapo di Stato Maggiore della Commissione Alleata si riserva, però, la facoltà, sempre limitatamente agli stessi spazi territoriali di escludere con la stessa sua ordinanza l'efficacia di alcuni fra i provvedimenti pubblicati nei numeri della *Gazzetta* cui l'ordinanza si riferisce. I provvedimenti così esclusi vengono resi noti, in detti territori, unicamente a scopo informativo.

2) La distribuzione della *Gazzetta* viene affidata, per ciascuna Provincia in detto territorio, al Prefetto. Allo scopo Egli riceve dall'A.C., per tramite degli Uffici dei Commissari provinciali ed in particolare degli Ufficiali Legali Provinciali un pacco contenente tanti esemplari della *Gazzetta* quanti dovranno distribuirsi, a sua cura, ai destinatari indicati su ogni copia.

3) Per rendere certa e per divulgare la data di ricezione degli esemplari della *Gazzetta* che pubblica l'ordinanza di esecutorietà menzionata al n. 1), ciascun Prefetto deve, prima di distribuirli, far timbrare, o annotare ufficialmente in altro modo, su ognuno di essi, la data di ricezione da parte sua di quello specifico numero della *Gazzetta*, che, come precisato al n. 1), rappresenta la data di entrata in vigore nella relativa Provincia, dei provvedimenti così resi operativi. Per meglio assicurare questo adempimento, egli riceve dall'A. C., insieme col pacco menzionato al n. 2), un modulo in triplice copia redatto in lingua inglese ed italiana. A richiesta del Commissario provinciale, lo riempie e lo firma per attestare la data di ricevimento degli esemplari. Delle tre copie dei moduli anzidetti, ne invia due al Commissario provinciale - all'attenzione dell'Ufficiale Provinciale Legale - (una per l'invio alla Sottocommissione legale dell'A. C. e l'altra per la conservazione negli atti dell'Ufficio) e trattiene la terza negli atti della Prefettura. Naturalmente nessun modulo di ricevuta accompagna quei pacchi di *Gazzette* che non contengono ordinanze di esecutorietà.

4) I provvedimenti emanati a Brindisi e a Salerno dal Governo Italiano e pubblicati nella *Gazzetta Ufficiale* dal n. 1/B al n. 6/B nell'anno 1943 e dal n. 1 al n. 39 dell'anno 1944, sono ristampati e raccolti in un volume speciale ove a pagina 661 trovasi pubblicata un'ordinanza della Commissione Alleata che rende operativi nei territori amministrati dall'A.M.G. la maggior parte di detti provvedimenti. Anche per l'entrata in vigore di essi e per la divulgazione della loro « Raccolta », valgono le istruzioni sopra menzionate per la *Gazzetta*.

5) E' da notare che allorché in una Provincia il sistema sopra esposto ha la sua prima applicazione, il Prefetto interessato riceverà in una o più consegne un rilevante quantitativo di pacchi contenenti il necessario numero di copie della « Raccolta » di cui al n. 4) e dei successivi numeri della *Gazzetta* dal n. 40 in poi. Particolare cura sarà necessaria esprimere in tale stadio iniziale affinché le ricevute relative ai pacchi cui sono allegate, vengano utilizzate in conformità di quanto precisato al n. 3).

6) Data l'ovvia importanza che attiene al regolare funzionamento di questo servizio, con il quale si vuole assicurare per quanto possibile, la continuità del sistema legislativo italiano nei territori non ancora restituiti all'Amministrazione del Governo Italiano, a richiesta dell'A.C. si prega affinché le I.L. EE. i Prefetti seguano personalmente l'applicazione delle istruzioni che formano oggetto della presente.

Per ogni questione relativa a tale soggetto le I.L. EE. i Prefetti vogliano rivolgersi ai singoli Ufficiali Legali Provinciali.

Il Direttore
della *Gazzetta Ufficiale del Regno*
e della *Raccolta Ufficiale delle leggi e dei decreti*
G. GIOLITTI

(B)

for distribution to
PLoS in AMG
and Army
territory.

for info

Civil Affairs Section HQ AO

Civil Affairs Section HO

NAVY S/C

Air Forces 3/0

Farmer, D. L. and L. C. 1960

Minister of Pardon and Justice

L.O. (attn: R.L.O.) Southern Region

pared

TO: HQ, ARMED COLLECTION, Legal Sub-Commission.

AC/4070-1/L of
I have noted the content of the directive file of
1 Jan. 1945 and delivered the circular attached to
the prefect of

Provincial Legal Officer

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for
info

R.O. (attn: R.L.O.) Lombardia Region
R.O. (attn: R.L.O.) Venezia Region

SCAC (attn: legal officer) AMG 5th Army
SCA AMG 3th Army
Chief of Staff HQ AC
Civil Affairs Section HQ AC
Economic Section HQ AC
Civil Affairs Section HQ
15th Army Group
Navy S/C
Land Forces S/C
Air Forces S/C
Communications S/C
War Mat. S/C and 1st S/C
Public Relations Branch
Minister of Pardon and Justice
R.C. (attn: R.L.O.) Sicily Region
R.C. (attn: R.L.O.) Southern Region
R.C. (attn: R.L.O.) Sardinia Region
Spares

ACCOMPLISHMENT

TO: HQ. ALLIED COMMISSION, Legal Sub-Commission

1

I have noted the content of the directive file of 3 Jan. 1945 and delivered the circular attached to the Prefect on

Provincial Legal Officer
Province

4672

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