0810

Declassified E.O. 12356 Section 3.3/NND No. 785021

ACC

10000/141/138
(1ST JACKET)

Declassified E.O. 12356 Section 3.3/NND No. 785021

/138
(CKET)

DEFASCISTIZATION DECREE
(AUG. - DEC. 1943); FEB. - OCT. 1944

0812

Declassified E.O. 12356 Section 3.3/NND No. 785021

DEFASCIZATION DECREE

Acc
dr 270

Copied

What about the land?

0813

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DATE		PAGE
Sept 25	(46) Director: 1. Again the returns from the Evacuation committee had to be returned because of incompleteness. In any event, apparently only 7 cases (5 Pub Health and 2 Civil Personnel) have been heard. 2. Pub Safety has not yet received its returns from the Evacuation Comm. 3. I hope to have the returns here before I get back from Perugia so that I can give Maj. Palmieri an aggregate report. RKT.	
Sept 25.	V.P. (Attention [illegible] to keep open is found [illegible] Note [illegible]	
12 Oct	(48) Director: Please see report sent 4415 to Maj. Palmieri. (p. 76 [illegible]) copy of RKT.	75
14 Oct	(49) Director (Please see precis of V.P.'s conference on Defense. (p. 78) RKT	78

0814

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DATE | PAGE

Minute 42, continued

are now 3 committees of Epuration in the Ministry, namely, one dealing with Public Safety personnel, another with Fire Brigade matters, and a third with other civil personnel.

R. R. TEMPLE

(43)

Sept. 14 — Ed Trautheim. Progress report by 21. Sept 14

(44)

Sept. 14 — Director: Yes, sir. RRT. 9/14

(45)

Sept. 21 — Director:

I can merely report progress to date, sir. It was necessary for me to return the forms that our Epuration Committee sent us because they were not completely filled out. At my direction the other sub-commissions did the same thing - viz. to turned the forms. More detailed instructions were given the Committee. Lt Col. White and Maj. Palmieri have been kept informed as to the situation constantly. I expect to get the corrected forms back in a day or so. A few regional reports were turned in by me to Lt Col White yesterday.

R. R. T.

MINUTE SHEET No. 8

date		page
44.2	Ed / Call Lt Col Frizelle re Comsky. Comply as please advise 61. agd Call. Templis return V	
11 Sept 44	42. DIRECTOR 1. Pursuant to your instructions, I contacted Major Palmieri and Lt Col White concerning the procedure in handling of epuration matters. 2. Major Palmieri was desirous of making personal contact with the Epuration Committee of the Ministry of Interior. Such an appointment was arranged and conference held on Monday, 11 Sep. Arrangements were made with Major Palmieri whereby I would be responsible for the gathering and presentation of statistical information of the Sub-Commissions whose activities on epuration Interio Sub-Commission is to co-ordinate. 3. I spoke to Lt Col Wilcox, Public Safety S/C, gave him the necessary forms and instructions and told him to contact the separately established committee on Public Safety personnel in the Ministry of Interior but to send the reports to me for consolidation in my report to Lt Col White. Col Wilcox informed me that the letter has been sent to the Epuration Committee, but no personal contact has been had with it. I arranged a meeting between him and Major Palmieri and suggested that both of them contact the Committee of Epuration as soon as possible. 4. I contacted Lt Col Frizelle of Public Health S/C and told him that pursuant to Lt Col White's instructions, I would arrange to have the Epuration Committee send its reports on Public Health and Welfare personnel to me after which I would refer them to him for any observations. He was further to use me as a medium of contact with the Epuration Committee and conversely, I would inform Col Frizelle concerning matters pertaining to his S/C.	

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epuration matters.

2. Major Palmieri was desirous of making personal contact with the Epuration Committee of the Ministry of Interior. Such an appointment was arranged and conference held on Monday, 11 Sep. Arrangements were made with Major Palmieri whereby I would be responsible for the gathering and presentation of statistical information of the Sub-Commissions whose activities on epuration Interio Sub-Commission is to co-ordinate.
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4. I contacted Lt Col Frizelle of Public Health S/C and told him that persuant to Lt Col White's instructions, I would arrange to have the Epuration Committee send its reports on Public Health and Welfare personnel to me after which I would refer them to him for any observations. He was further to use me as a medium of contact with the Epuration Committee and conversely, I would inform Col Frizelle concerning matters pertaining to his S/C.
5. I contacted Major Fielden, Public Relations, and made the same arrangements with him as with Col Frizelle. However, I have since learned that the Ministry of Interior has nothing to do with press matters. An autonomous sottosegretario is in charge of that, and accordingly I informed Major Fielden of this fact. This will mean that this Sub-Commission have no work in this connection with co-ordinating Public Relations matters. I ascertained that a separate committee on Epuration has been established in the Ministry of Interior for Fire Brigade ar anti-fire matters. Accordingly, after consulting Lt Col White, I saw Major Mason, gave him the necessary forms, and instructions and asked hi to contact the Epuration Committee direct but to send me the statistical reports.
6. On Monday, 11 Sep, accompanied by Major Palmieri, I called upon the Food Committee of Epuration in the Ministry, introduced the Major, had a general conference. I gave them the forms which were to be filled out, instructing them to have a separate sheet for Public Health and Welfare matters, and general administration matters, and send them to me direct. Besides the required forms, I asked that we be sent the names of the persons and their positions and grades as well.
7. Since Dr. Cardomone has an office in the Ministry, it was arranged that he be the person with whom our contact would be had. There

4413

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MINUTE SHEET No 7

DATE		PAGE
Aug 24	(30) adg. Please send copy of p 60 and pertinent part of p 50a to Finance S/C and Labor S/C (att. Lt Sollenberger) respectively with buck slip that these organizations fall within their sphere of interest and not ours. RRT. 24/8/44 (37) 24 Dir. Complied with. RRT.	

38

4 Sept 44 EX - Captain R. R. Temple

1. The position in regard to this Sub-Commission is not satisfactory. As far as I can see no contact has been made with the commission of the Ministero dell'Interno for Epuration, nor have any of the members been interviewed. It is essential that we have a list made out of action which they have taken and a detailed list of those individuals whom they have dealt with.
2. I hope it is realized that this Sub-Commission is charged with the duty of coordinating the whole of the Ministry of Interior Epuration which includes Pub. Safety, Pub. Health and any other departments which the Ministry embraces, and so we will require definite schedule from them insofar as they have gone in all these categories.
3. I must ask you to give this your complete attention upon your return, to the exclusion of other duties, particularly a report at an early date, of your contact with a member of the Commission and the establishment of a running schedule of such individuals as have been dealt with by the Minister dell'Interno.

Declassified E.O. 12356 Section 3.3/NND No. 785021

24 Dir. / Complied with. C. RTT. V

38

4 Sept 44 EX - Captain R. R. Temple

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R. G. H. SPICER
DIRECTOR

4412

Steph. Lee - 58
59
60

(39)

Kelly A. A. (For attention Lt. Col. White)
Please comment urgently /

(40)

Ind. Dated 4 Sept. 1944 Thank you for your letter of 4 Sept. 1944 in which you request that I advise you as to the action taken by this Commission in connection with the Ministero dell'Interno. I would be grateful if you would let me have a copy of the letter to which you refer.

Lt. Col. A.G.D.

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MINUTE SHEET No. 6

PAGE

DATE

(31)

Aug 9. Ed. 24th Temple. You will no doubt wish to refer to the Sub-Commission in this connection, please handle all relevant detail, refund as before. Thanks

DK (RH)

(32)

Aug. 12. Ed. Draft reply please. after close. Friday.

11331/1

17 August Admin Section

1. Reference your DF/28/AS of 11 August 1944

2. None of the Sub-Commissions we are concerned with has received any of the evidence referred to from Regions by the 15 August.

for Lt Col

Noted thankyou

22 AUG. 1944

(34)

23 Aug. Ack Phone see letter 52, 53 & 54 1944

4411

Declassified E.O. 12356 Section 3.3/NND No. 785021

Aug. 12

Ed. Draft reply please. after close, today.

//33//

17 August

Admin Section

1. Reference your DF/28/AS of 11 August 1944

2. None of the Sub-Commissions we are concerned with has received any of the evidence referred to from Regions by the 15 August.

for

Noted

22 AUG 1944

(34)

Dis Please see Letter 52, 53 & 54 (Ops.) 4411

Capt Tamblé

23 Aug — Ed, Please deal entirely with Ufficio "Casa di Risparmio" it is a sort of bank. Hardly within your sphere.

2. This is your responsibility Please — Ensure you to contact Lt. Col White earliest, get his detailed instructions report back Please.

(35)

29 Aug Director:

1. I spoke to Lt. Col White who said he had just completed writing the minutes of the meeting held last week and a copy would be sent to me. It contains all the information I need he said. (See p. 56)

2. I am looking into the Casa di Risparmio matter under the Min. of Finance. Lt. Smith said the org. was R.R.T.

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MINUTE SHEET No. 5

DATE		PAGE
July 15	(25) Ltr from U.S. Noted & for such action as deemed necessary. L	37E
July 18	(24) Adj - 1. Please attach extract of Col. Spiecia's interview with Donovan on this point. 2. Return file to me in 3 days. RLT	37C
19.	(23) Ex Off. 1. Herewith at No 37C. (22)	37C
July 22.	Directa. The O/S subject matter of 37B was dealt with during tour of NEW with Donovan on 17th inst. See note in 37C. Suggest letter of thanks and request for names be L.	
July 22	(27) V.C. Agreed. Please go ahead. H.L. Stimson (26)	
July 28.	A.D. To see please.	4410 37A
	(29) L	

Indi

Thanks you are to have been informed that you should receive the other two names to-morrow

H.L. Stimson Sgd
Sec of War

Admin
28 VII 1944
X-469.

(30)

Aug 2 Director

1. Saw Berrati + Carmena this morning with ref to min (29) + asked if other two names were ready.
= They said, not yet. I asked for them to be submitted as soon as possible, and that the news decree was published. Sgd V

0822

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Minute Sheet No. 4

DATE		PAGE
Jan 25.	20. Director - Ref. 19 Jan inform that RCMP have not replied to 36. Letter for signature. L.	
	21.	
25.	Director Please see 31. L 109	
July 27	Same as earlier letter as in (20) (22)	

Date | Minute sheet No. 3. | Page

(13)

June 17 V.P. For your information, please see p. 31, 31a, 32, 32a, 33.
Lt Temple, Capt Exc Off for Dir.

(14)

June 18 May I see the enclosures referred to in your No 34
R.R. Chipps Lt.

(15)

JUN. 20 Seen by V.P. R.R. Chipps Lt
20/JUN.40 for V.P. Aberdeen

(16)

June 21 V.A. Please see 6. My letter 5 on our Repatriation file refers. RC. Req VI wants three things

A. Copy of two forms of returns which I understood from Lt Col White he was forwarding.

B. Advisability of issuing of tickets. Price Req VI is Royal Italy, it seems to me This requires your decision

C. Who is responsible in Acc^{s}. Certainly not Interim although it is ~~not~~ interested
R.N. Thomas
Lt.Col.

(17)

Declassified E.O. 12356 Section 3.3/NND No. 785021

0823

refers. RL. Req. VI wants [illegible]

A. Copy of two forms of returns which I understood from [illegible] White he was preparing.

B. Advisability of issuing of Intends. Price Req VI in Royal Italy, it seems to me This requires your decision

C. Who is responsible in Acc^{a}. Certainly Col Interim although it is not interested

Ad Norman
Lt.Col.

(17)

Interim.

A. [illegible] prepared [illegible] from these returns on [illegible] office. The Minister asked whether the same supply [illegible] information from Provinces. The Minister will see Provincial Commissioners should be able to arrange with Provinces for a copy to be supplied to them.

4408

INT.

The new decree allows the whole machinery - all [illegible] officials will be vetted by Ministerial Committees. Only very small fish will be left to Provinces and even only of quasi-status concerned

Norman
21 JUL. 1944

19

(18). SO. Please draft reply as ab + to Req. VI
Copy Rec'd H.A.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

Minute sheet No. 2.

Date | Page

June 3 V.P.

A. Your Minute (7). Thankyou. (8)

B. I have no information - in regard to Rc. 44.

2. It should also be clearly stated that the Commission has had no official instructions or orders to deal with either the subjects of evacuation or defascistization, nor has it at present anything like the requisite staff to deal with this important subject. The Legal & Public Safety have until now been most primarily concerned.

(9)

June 3. Lt. Think 8 seen and noted. Can I have the file back & put before V.P.

V.P. Chiefs of Staff

June 3. Lt. Pub Relns to see please when draft completed! (10)

June 5 Lt. Col. T. Have draft go as revised, but eliminate last pencilled para marked X - & last sentence relating to Min of Info. as these lines of action is of considerable concern to SCC.

A copy of Caldecia letter should go. Ltr Reg'n VII

One for that purpose has not been made.

(12)

June 5 Director Love letter for signature, please. RRT

AC/74/INT

MINUTE SHEET No 1

Date.	Page

13 March — Legal See letter 5 ⑪

If this Sub-Commission is to advise it appears to me that Zanibeni and the decree are of little import. Should not my reply be that such questions must be solved by themselves?

19 March. The Legal Sub-Comm has no further comment to make at present on the application of the "defascistization" decree. ⑫ ⑬ Secy.

May 4. Public Safety ③

Col. Young is far more au fait with this subject than we are. Would be draft a letter to G. I. G. at his discretion - 16 ask. docs to affect a general inquiry as to present legislative program. ⑭ YP

May 7 The Italian Govt are now dealing with (a) defascistization (b) purification. They are submitting as legal as. matter this latter draft on (b). So far as I know little or nothing is being done by them re (a) although all the powers exist. I suggest that after (b) is considered, they be asked to report on their progress with (a)

Sec. A.C.P.I.

③ 4406

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Ltr to D. I. G. at his direction - 16 reb. docts to effect a general inquiry as to present position progress.

YP

(4)

Prag?

The Italian govt are now dealing with (a) defascistigation (b) purification. They are submitting as legal as possible their legal despatches on (b). So far as I know little or nothing is being done by them re (a) although all the powers exist. I suggest that after (b) is considered, they be asked to report on their progress with (a)

cf. W.C.P.I.

(5) 4406

Calendar of 15. May. to ascertain position

(6)

TO DIRECTORS:

May 15. Legal
Finance
P.S. (with)
Pub. Health
Education. TVS
Prosecutions Control.

Please file 21 - in sight, and pass on - last named return to Section

for Director,
Int. S.C.

(7)

JUN. 3. 44. Int.

See Regia VI letters L/1431 & L/1451 dated 19 & 27 MAY.

(1) Send to you for information & filing action

(2) Have you any information as to Int, R.C.M.P. see have taken re para 5 of letter dated 19th May 44

G. R. Heasman Capt

Declassified E.O. 12356 Section 3.3/NND No. 785021

0828

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PROSPET ON THE COURSE OF THE DEFASCISTIZATION
(S tate Administration)

PUBLIC HEALTH PERSONNEL

4405

GRADE	TOTAL N.	INVESTIGATION S		JUDGMENT
		Settled	deferring	concluded / re
a)	b)	c)	d)	e)
I				I
II				
III				
IV				
V				
VI				
VII	I			
VIII				
IX	I			I
	3			3
TOTAL	5			5

The sospension is not dispcsed by the Commission
but by Amministration

0329

Declassified E.O. 12356 Section 3.3/NND No. 785021

4405

to Sept 15, 1944

...PAT ON THE COURSE OF THE DEFASCISTIZATION
(State Administration)

PUBLIC HEALTH PERSONNEL

INVESTIGATIONS		JUDGMENTS		APPLICATIONS		
Settled	deferring	concluded	removal	presented	examinee	no confirmed
c)	d)	e)	f)	g)	h)	i)
		I	0			
		I	0			
		3	0			
		5	0			

The Commission has not new of the applications presented against her decisions to the Central Commissia

The sospension is not disposed by the Commission but by Amministration

s) for President
illegible

0830

Declassified E.O. 12356 Section 3.3/NND No. 785021

ADMINISTRATIVE PERSONNEL

GRADE	TOTAL No.	INVESTIGATIONS		JUDGMENTS	
		Settled	suspensions	concluded	removal
a)	b)	c)	d)	e)	f)
I					
II					
III					
IV					
V					
VI					
VII					
VIII					
XII Group C.		I	0	I	0
XIII " "		I	0	I	0
TOTAL	2	2	0	2	0

The suspension has not disposed by Commission but by Administration

404

s/

0831

Declassified E.O. 12356 Section 3.3/NND No. 785021

ADMINISTRATIVE PERSONNEL

785021

INVESTIGATIONS		IUDGMENTS		APPLICATIONS		
e d	sospensions	concluded	removal	presented	examinee	no confirmed
c)	d)	e)	f)	g)	h)	i)
The sospension has not disposed by Commission						
but by Administration						
0	0	I	0			
0	0	I	0			
0	0	2	0			

The Commission has not new of the applications presented against her decisions to Centrel Commission.

for President
e/ illegible

0832

Declassified E.O. 12356 Section 3.3/NND No. 785021

4403

GRADE	TOTAL N.	INVESTIGATIONS		JUDGMENTS	
		Settled	Sospensions	concluded	removal
a)	b)	c)	d)	e)	f)
I					
II					
III					
IV				N E G A T I V E	
V					
VI					
VII					
VIII					
IX					
TOTAL					

0833

Declassified E.O. 12356 Section 3.3/NND No. 785021

4403

For the period until
30 August 1944

INVESTIGATIONS		JUDGMENTS		APPLICATIONS		
Settled	Soepensions	concluded	removal	presented	examinee	no confirmed
c)	d)	e)	f)	g)	h)	i)

N E G A T I V E

For President
s/ illegible

0834

Declassified E.O. 12356 Section 3.3/NND No. 785021

DEFASCISM PROGRESS REPORT
(State Departments)

To Local Government; Public Health Section.

Return as to Ministry of Interior

For period 1 to 30 Sept 1945

GRADE	Total No.	Invectigations Completed	Suspensions	Hearing Completed	Dismissals	Lodged	Heard
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
I							
II							
III	5	5	3	5	3	1	0
IV	4	4	2	4	2	0	0
V							
VI	1	1	1	1	1	0	0
VII							
VIII							
IX							
X	1	1		1		1	0
TOTAL	11	11	6	11	6	2	0

I am of opinion that progress may be regarded as

sd

Instructions:

The figures to be entered in col (b) is the full strength of each grade employed. columns will be entered the total number of decisions etc made to the date on which the return number made during the period nor will the figures be adjusted because of the result of later in col (d) will be the total number of suspensions ordered; if the commissions restore some to ment and they are no longer suspended the number restored will NOT be deducted from the suspen

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DEFASCISM PROGRESS REPORT
(State Departments)

Local Government; Public Health Section.

Return as to Ministry of Interior

For period 24/02/45 to 30/ Se

GRADE	Total No.	Investigations Completed	Investigations Suspensions	Hearing Completed	Hearing Dismissals	Lodged	Heard
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
I							
II							
III	5	5	3	5	3	1	0
IV	4	4	2	4	2	0	0
V							
VI	1	1	1	1	1	0	0
VII							
VIII							
IX							
X	1	1		1		1	0
TOTAL	11	11	6	11	6	2	0

I am of opinion that progress may be regarded as

sd

Instructions:

The figures to be entered in col (b) is the full strength of each grade employed. columns will be entered the total number of decisions etc made to the date on which the return number made during the period nor will the figures be adjusted because of the result of inter e in col (d) will be the total number of suspensions ordered; if the commissions restore some to ment and they are no longer suspended the number restored will NOT be deducted from the suspens

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DEFASCISM PROGRESS REPORT
(State Departments)

For period ending Sept. 44

ns pensions	Hearing Completed	Dismissals	Appeals Lodged	Heard	Not Confirmed
(d)	(e)	(f)	(g)	(h)	(i)
3	5	3	1	0	
2	4	2	0	0	
1	1	1	0	0	
	1		1	0	
6	11	6	2	0	

as

ed

(b) is the full strength of each grade employed. In all other
cisions etc made to the date on which the return ends not the
ures be adjusted because of the result of later action for instance
ions ordered; if the commissions restore some to their appoint-
er restored will NOT be deducted from the suspensions.

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Dept of Govt, Pub Health, Pub Safety

Sub Comsn.

Return as to Ministry of Interior

DEFASCISM PROGRESS REPORT
(State Departments)

For period ending 30. Sept. 1945

GRADE	Total No.	Investigations Completed	Investigations Suspensions	Hearing Completed	Hearing Dismissals	Appeal Lodged	Appeal Heard	Appeal No
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	
I								
II								
III	5	5	3	5	3	1	0	
IV	4	4	2	4	2	0	0	
V				2	1	0	0	
VI	1	1	1	3	3	0	0	
VII								
VIII	4	4	1					
IX	1	1	1	1	1	1	0	
X	1	1		3				
XI	1	1	1					
XII								
XIII								
U.N.R.R.A.								
TOTAL	13 30	13 30	7 16	18	11	2	0	

I am of opinion that progress may be regarded as

ed

Instructions:
The figures to be entered in col (b) is the full strength of each grade employed. I columns will be entered the total number of decisions etc made to the date on which the return ends number made during the period nor will the figures be adjusted because of the result of later actio in col (d) will be the total number of suspensions ordered; if the commissions restore some to thei ment and they are no longer suspended the number restored will NOT be deducted from the suspensions

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Declassified E.O. 12356 Section 3.3/NND No. 785021

DEFASCISM PROGRESS REPORT
(State Departments)

For period ending
30. Sept 1947

itions Suepensions	Hearing Completed	Dismissals	Appeals Lodged	Heard	Not Confirmed
(d)	(e)	(f)	(g)	(h)	(i)
3	5	3	1	0	
2	4	2	0	0	
	2	1	0	0	
1	3	3	0	0	
1					
1	1	1			
	3	1	1	0	
1					
7					
16	18	11	2	0	

arded as

ed

col (b) is the full strength of each grade employed. In all other
of decisions etc made to the date on which the return ends not the
figures be adjusted because of the result of later action for instance
pensions ordered; if the commissions restore some to their appoint-
number restored will NOT be deducted from the suspensions.

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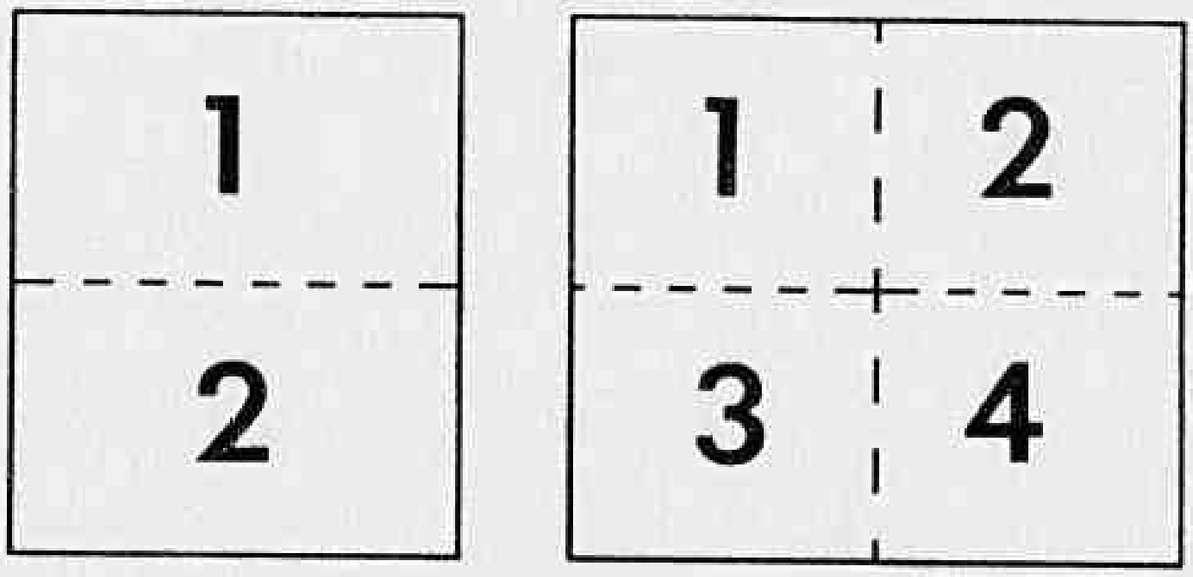
MAPS AND CHARTS TOO LARGE TO FILM
ON ONE EXPOSURE ARE FILMED CLOCKWISE
BEGINNING IN THE UPPER LEFT CORNER,
LEFT TO RIGHT, AND TOP TO BOTTOM.

SEE DIAGRAMS BELOW.



0 8 4 0 1

Declassified E.O. 12356 Section 3.3/NND No. 785021

SPECCHIO SULL'ANDAMENTO DELLA DEFASCIS
(Amministrazioni di Stato)

ALLA SOTTOCOMMISSIONE PER L'INTERNO

Specchio riguardante il personale del Ministero dell'Interno

Denunzie pervenute	N.	73	- Personale di Sanità	N.	5	Personale Am
Indagini in corso	N.	15	- id	id	0	id
Indagini espletate	N.	7	- id	id	5	id
Decisioni adottate	N.	7	(Dispense dal servizio -			Personale
			(Provvedimenti disciplinari		6	id
			(Non luogo a sanzioni		1	id

DIFFIDE

Nome e Cognome	Grado - Gruppo	Ufficio al quale è adde

PROVVEDIMENTI DISCIPLINARI

Nome e Cognome	Grado - Gruppo	Ufficio al quale è adde
1) SORINO Armando √	XII C -	Dir.Gen.Amministrazione le
2) MARINO Mario √	XIII C -	Dir.Gen.Affari Culto
3) CHIARENTI Dr.Antonio √	VII A	Medico Provinciale Pref

0841

Declassified E.O. 12356 Section 3.3/NND No. 785021

SULL'ANDAMENTO DELLA DEFASCISTIZZAZIONE

(Amministrazioni di Stato)

dal 1

al 15-9-19++

Sedute della Commissione N.+

'INTERNO

tero dell'Interno

di Sanità N. 5 Personale Ammin.vo N. 68

id 6 id id 15

id 5 id id 2

dal servizio - Personale di Sanità Personale Ammin.vo

menti disciplinari 6 id id 4 id id 2

o e sanzioni 1 id id 1 id id 0

4399

ppo	Ufficio al quale è addetto	Se in servizio o sospeso

ppo		Ufficio al quale è addetto	Se in servizio o sospeso
C	-	Dir.Gen.Amministrazione Civile	In servizio
C	-	Dir.Gen.Affari Culto	id
A		Medico Provinciale Prefettu-	id

0842

Declassified E.O. 12356 Section 3.3/NND No. 785021

2) [illegible]	√	AIII	A	Dir.Gen.Affari Culto
3) CHIARENTI Dr.Antonio	√	VII	A	Medico Provinciale Prefettura Cosenza
4) PANIGHI Dr.Giorgio	√	IX	A	Veterinario Provinciale Prefettura Sassari
5) DI DIO Vincenzo	√	Guardia di Sanità (non inquadrato in gradi)		Prefettura di Brindisi
6) CANDURA Alfredo	√	id	id	id id

NON ADDETTO A SANZIONI

Nome e Cognome	Grado - Gruppo	Ufficio al quale è addet
1) PILLA Salvatore √	Guardia di Sanità	Prefettura Sassari

Il personale civile dipendente dal Ministero dell'Interno esclusa l'Ammin.ne della Pubblica Sicurezza Gruppi A,B,C, e subalterni è composta di N.1258 impiegati di Gruppo A), N.768 impiegati di Gruppo B), N.1168 impiegati di Gruppo C), N.639 subalterni.

Provincie amministrate dal Governo Italiano N.30 - media
+0..... 1200
Ministero..... 540

Totale 1740 che

corrisponde al 3/7 circa del totale del personale.

0843

Declassified E.O. 12356 Section 3.3/NND No. 785021

Dir.Gen./Affari Culto	id	
Medico Provinciale Prefettura Cosenza	id	
Veterinario Provinciale Prefettura Sassari	id	
Prefettura di Brindisi	id	
id	id	id

	Ufficio al quale è addetto	Se in servizio o reduce
	Prefettura Sassari	In servizio

dell'Interno esclusa
, B, C, e subalterni è
.768 impiegati di Grup-
subalterni.

M.30 - media
..... 1200
..... 540
ale 1740 he
onale.

IL PRESIDENTE DELLA COMMISSIONE PER L'EPURAZIONE

0844

Declassified E.O. 12356 Section 3.3/NND No. 785021

(Translation)

....	.Administrative Personnel

The suspension has not been ordered by the Commission, but by the Administration

---

.....	.Public Health Personnel

On suspension

1)	.....	Formerly Prefect of Nola -	Suspended from Office		
2)	.....	" ..... "	Messina	" " " "	
3)	.....	" ..... "	"	Firenze	" " " "
4)	.....	Formerly General Director of Ministry			
5)		Formerly Vice-Governor of Rome			
6)		Formerly Head Office of the Ministry 's Settlement Section			

4398

0845

Declassified E.O. 12356 Section 3.3/NND No. 785021

1)	General Direction Ministry's U.C.	in service
2)	formerly Prefect of Messina	suspended from office
3)	Formerly General Director of the Ministry	Suspended from Office
4)	" " "	" " "

1)	General Director of Public Health	in service

4397

0846

Declassified E.O. 12356 Section 3.3/NND No. 785021

1

Specchio riguardante il Ministero dell'Interno - Personale Amministrativo

al..... settembre 1944

La sospensione non e' disposta dalla Commissione ma dall'amministrazione.

2

Specchio riguardante il Ministero dell'interno - Personale Sanita'pubblica

al ...settembre 1944

3

....

Rimaste pendenti

	Nome e cognome	grado	gruppo	Ufficio al quale e' addetto	se in servizio o sospeso
1	ZAMBENTI Emanuele	III	A	gia' prefetto di Pola	sospeso
2	D'ANDREA Angelo	III	"	" " di Messina	"
3	GAETANI Alfonso	III	"	" " di Firenze	"
4	MESSA Fortunato	IV	"	" Direttore Generale Ministero	"
5	MOCCIOTTA Leonida	IV	"	" Vice Governatore 4366	"
6	SPANO Egidio	VI	"	" gia' Capo Ufficio Stralcio Ministero	"

0847

Declassified E.O. 12356 Section 3.3/NND No. 785021

	Nome e cognome	grado	gruppo	Ufficio al quale e' addetto	Se in servizio o sospeso
1)	VALENTE Vito	X	C	Direzione Generale Ufficio Culto Ministero	in servizio
2)	SOLIMENA Federico	IV	A	gia' prefetto di Messina	sospeso
3)	MONTUORI Mario	III	A	gia' Direttore Gen.Ministero	"
4)	LA VIA Lorenzo	III	A	" " "	"
1)	MARCOTTA Prof. Domenico	IV	H	Direttore Generale Sanita' Pubblica	in servizio

0848

Declassified E.O. 12356 Section 3.3/NND No. 785021

DEFASCISM PROGRESS REPORT
(State Departments)

for P
15

Local Government, Public Health, and Public Safety Sub Comm.

Return as to Ministry of Interior

Grade (a)	Total No. (b)	Investigations Completed (c)	Suspensions (d)	Hearing Completed (e)	Dismissals Lodged (f)	(g)
I						
II						
III						
IV						
V	12	7	12	0	0	0
VI	19	11	18	0	0	0
VII	70	47	36	1	0	0
~~VIII~~	52	41	23	0	0	0
~~IX~~	55	30	47	1	0	0
~~X~~	16	16	13	0	0	0
XI	12	12	6	0	0	0
XII	1	1	0	1	0	0
XIII	1	1	0	1	0	0
Ungraded	9	9	2	3	0	0
TOTAL	247	175	157	7	0	0

I am of opinion that progress may be regarded as sd

Instructions: The figures to be entered in col (b) is the full strength of each grade
columns will be entered the total number of decisions etc made to the date on which
number made during the period nor will the figures be adjusted because of the resul
in col (d) will be the total number of suspensions ordered; if the commissions rest
ment and they are no longer suspended the number restored will NOT be deducted from

0849

Declassified E.O. 12356 Section 3.3/NND No. 785021

DEFASCISM PROGRESS REPORT
(State Departments)

For period ending
15 SEPT. 1944

4394

...ions Suspensions (d)	Hearing Completed (e)	Dismissals (f)	Lodged (g)	Appeals Heard (h)	Not Confirmed (i)
12	0	0	0		
18	0	0	0		
36	1	0	0		
23	0	0	0		
47	1	0	0		
13	0	0	0		
6	0	0	0		
0	1	0	0		
0	1	0	0		
2	3	0	0		
157	7	0	0		

...egarded as ...sd

...in col (b) is the full strength of each grade employed. In all other ...r of decisions etc ends to the date on which the return ends not the ...the figures be adjusted because of the result of later action for instance ...suspensions ordered, if the commissions restore some to their appoint- ...he number restored will NOT be deducted from the suspensions.

0850

Declassified E.O. 12356 Section 3.3/NND No. 785021

1)

CHART OF THE DEFASCISTIZATION

(State's Administrations)

Sittings of the

TO: the Interior Sub-Commission

CHART of the Ministry of Interior's Personnel

Denunciations arrived	N. 73	-	Public Health Personnel	N. 5	-	Administrative P		
Inquiries pending	N. 15	"	"	"	" 0	-	"	
Inquiries settled	N. 7	"	"	"	" 5	-	"	

Decisions adopted	(Dismiss from Office	- Public Health Personnel			Administrati	
	(Disciplinary Orders	6	id.	id.	4	id.
	(Sanctions non ordered	1	id.	id.	1	id.

2)

Dismissing

First name	Last name	Grade	Pool	Office

0851

Declassified E.O. 12356 Section 3.3/NND No. 785021

3933

ON

ministrations)

ssion

erior's Personnel

Sittings of the Commission N. 4

N.	73	-	Public Health Personnel	N.	5	-	Administrative Personnel	N. 68
id.	15		" " " "	0	-		" " "	15
id.	7		" " " "	5	-		" " "	2

from Office	- Public Health Personnel			Administrative Personnel		
linary Orders	6	id.	id.	4	id.	id.	2
ons non ordered	1	id.	id.	1	id.	id.	0

e	Pool	Office	-- in service or suspended

0852

Declassified E.O. 12356 Section 3.3/NND No. 785021

3)

ORDERS DISCIPLINARY

First Name Last Name	Degree -	Pool	Office
1) Sortino Armando	III	C	General Direction Civil Administra
2) Marino Mario	XIII	C	General Directi Cult
3) Chimenti Dr. Antonio	VII	A	Provincial Doc the Prefectu Cosenza
4) Penichi Dr. Giorgio	IX	A	Provincial Vete Prefecture of
5) Di Dio Vincenzo	Policemen of Health (Not enrolled in the Degrees)		Prefecture of B
6) Canolura Alfredo	id.	id.	id.

0853

Declassified E.O. 12356 Section 3.3/NND No. 785021

Degree -	Pool	Office	4342	In service or suspended from office
III	C	General Direction Civil Administration		in service
XIII	C	General Direction Cult		id.
VII	A	Provincial Doctor of the Prefecture of Cosenza		id.
IX	A	Provincial Veterinary Prefecture of Sassari		id.
liceman of Health Not enrolled in the Degrees)		Prefecture of Brindisi		id.
id.	id.	id. id.		id.

0854

Declassified E.O. 12356 Section 3.3/NND No. 785021

3)

Sanctions not ordered

First Name	Last Name	Degree	Pool	Office
(1)	Pilla salvatore	Policeman of Health		Prefecture of Sassari

THE PRESIDENT OF THE EPURATION C

The Civil Personnel dipending from the Ministry of the Interior, excluding the Administration of Public Security , Pool A, B, C, and subalterns is composed of N. 1258 employes of Pool A) N. 768 employes of Pool B, N. 1168 employes of group C) N. 639 subalterns.

Province administrate from the Italian Government N. 30 - average 40 1200
Ministry 570
Total 1740 which

about at 3/7 of the amount of the whole personnel

0855

Declassified E.O. 12356 Section 3.3/NND No. 785021

Degree	Pool	Office	In service or suspended from office
Policeman of Health		Prefecture of Sassari	In service

THE PRESIDENT OF THE EPURATION COMMISSION

...e Ministry of the
...n of Public Security ,
...osed of N. 1258 employes
... N. 1168 employes of group

...alian Government N. 30 - average 1200
. 570
Total 1740 which ... is corresponding

... of the whole personnel

0856

Declassified E.O. 12356 Section 3.3/NND No. 785021

SPECCHIO DELL'ANDAMENTO DELLA EPURAZIONE
(Amministrazioni di Stato)

Alla sotto Commissione

Specchio riguardante il Ministero dell'Interno - Personale Amministrativo

GRADO (a)	N. Totale (b)	Indagini Espletate (c)	Indagini Sospensioni (d)	Giudizi Conchiusi (e)	Giudizi Rim
I					
II		3		3	
III		2		2	
IV		1		1	
V					
VI					
VII					
VIII					
IX					
X					
TOTALE	6	6	2 Sospensioni revocate 4 Sospensioni mantenute - Assenza ingiustificata	6	

Istruzioni:- Le cifre da porsi nella colonna (b) indicano il numero complessivo degli imp
verra' esposto il numero totale delle decisioni ecc.., prese fino alla data a cui lo spec
prese durante il periodo in esame; tali cifre non dovranno essere mutate in base ai risul
nella colonna (d), verra' indicato il numero totale delle sospensioni disposte; se le Com
sti non sono piu' sospesi, il numero di essi NON sara' sottratto dal numero delle sospens

0857

Declassified E.O. 12356 Section 3.3/NND No. 785021

SPECCHIO SULL'ATTIVITÀ DELLA EPURAZIONE
(Amministrazioni di Stato)

Per il periodo fino al 15 Settembre 1946

'Interno - Personale Amministrativo

Totale	Indagini		Giudizi		Ricorsi		
	Espletate	Sospensioni	Conchiusi	Rimozioni	Presentati	Esaminati	Confermati
(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
	3		3	3	1		
	2		2	2			
	1		1	1			
		N.B. "Sospensioni" è il numero dei provvedimenti di sospensione presi. Quando un impiegato sospeso viene riammesso in servizio, il numero delle sospensioni non viene diminuito.			1	0	0
6	6		6	6	2	0	0

F.to Vincenzo Del Fiacco

Le colonne (b) indicano il numero complessivo degli impiegati di ciascun grado. In tutte le altre colonne le decisioni ecc.., prese fino alla data a cui lo specchio si riferisce, non il numero delle decisioni e le cifre non dovranno essere mutate in base ai risultati relativi a decisioni successive, per esempio, il numero totale delle sospensioni disposte; se le Commissioni riammettono taluni ai loro posti e se questi essi NON sara' sottratto dal numero delle sospensioni.

0858

Declassified E.O. 12356 Section 3.3/NND No. 785071

SPECCHIO SULL'ANDAMENTO DELLA DENAZIFICAZIONE
(Amministrazioni di Stato)

Alla Sotto Commissione

Specchio riguardante il Ministero dell'Interno - Personale Sanità - Pubbl...

4386

GRADO	N. Totale	Indagini Espletate	Indagini Sospensioni	Giudizi Conclusi	Giudizi Rimozio
(a)	(b)	(c)	(d)	(e)	(f)
I					
II					
III					
IV					
V					
VI					
VII					
VIII					
IX					
TOTALE					

Vedi retro

Istruzioni:-

Le cifre da porsi nella colonna (b) indicano il numero complessivo degli impiegati ... verra' esposto il numero totale delle decisioni ecc.., prese fino alla data a cui lo specchio si ... prese durante il periodo in esame; tali cifre non dovranno essere mutate in base ai risultati re... nella colonna (d), verra' indicato il numero totale delle sospensioni disposte; se le Commission... sti non sono piu' sospesi, il numero di essi NON sara' sottratto dal numero delle sospensioni.

0859

Declassified E.O. 12356 Section 3.3/NND No. 785021

ECCHIO SULL'ANDAMENTO DELLA DEMOCRATIZZAZIONE
(Amministrazioni di Stato)

Per il periodo fino al 15 30 Settembre 1946

Foro - Personale Sanità - Pubblica

6834

ale	Indagini Espletate	Indagini Sospensioni	Giudizi Conchiusi	Giudizi Rimozioni	Ricorsi Presentati	Ricorsi Esauriti	Ricorsi Non confermati
)	(c)	(d)	(e)	(f)	(g)	(h)	(i)

Segue zero

F.to

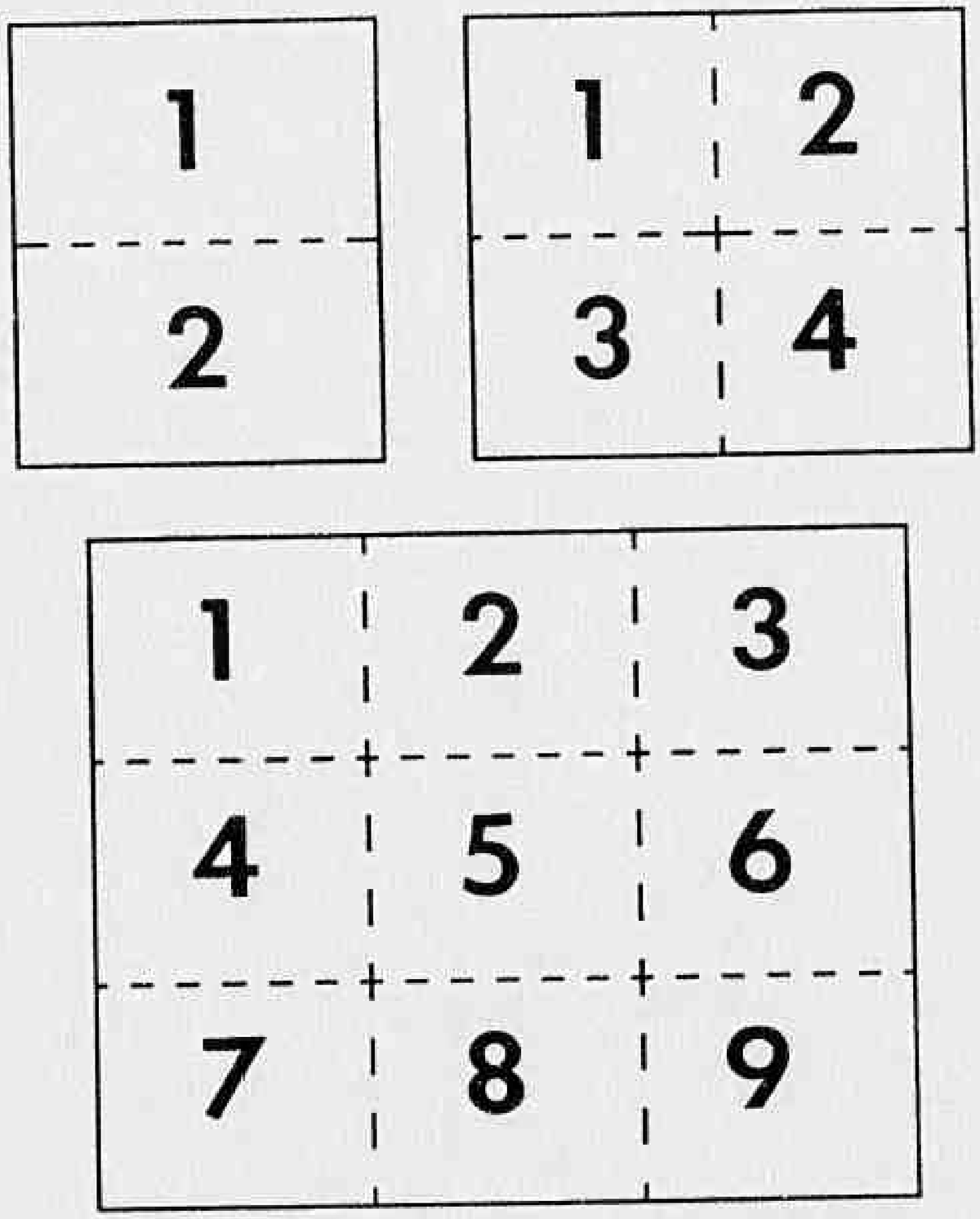
ma (b) indicano il numero complessivo degli impiegati di ciascun grado. In tutte le altre colonne sioni ecc.., prese fino alla data a cui lo specchio si riferisce, non il numero delle decisioni fre non dovranno essere mutate in base ai risultati relativi a decisioni successive, per esempio, ro totale delle sospensioni disposte; se le Commissioni riammettono taluni ai loro posti e se que- si NON sara' sottratto dal numero delle sospensioni.

0860

Declassified E.O. 12356 Section 3.3/NND No. 785021

MAPS AND CHARTS TOO LARGE TO FILM
ON ONE EXPOSURE ARE FILMED CLOCKWISE
BEGINNING IN THE UPPER LEFT CORNER,
LEFT TO RIGHT, AND TOP TO BOTTOM.

SEE DIAGRAMS BELOW.



0861

Declassified E.O. 12356 Section 3.3/NND No. 785021

SPECCHIO SULL'ANDAMENTO DELLA DEFASCISTIZZAZIONE
(Amministrazioni di Stato)

ALLA SOTTOCOMMISSIONE PER L'INTERNO — Sedute

Specchio riguardante il personale del Ministero dell'Interno

Denunzie pervenute	N. 1	Pers/le	Sanità	N. —	Pers/le	Amm/vo	N. 1
Indagini in corso	N. 1	id.	id.	N. —	id.	id.	N. —
Indagini espletate	N. 11	id.	id.	N. —	id.	id.	N. —
Decisioni adottate N° 11	(Dispensa dal servizio	Pers.	Sanità	N. —	Pers.	Amm.	N.
	(Provv/ti disciplinari	"	"	N. —	"	"	N.
	(Non luogo a sanzioni	"	"	N. 1	"	"	N.

DISPENSE

Nome e Cognome	Grado - Gruppo	Ufficio al quale è addetto	Se in s. sospe
1) Lanzetta Enea	III A	già Prefetto di Pola	Polizia
2) Cupini Luigi	III -	già Prefetto di Messina	"
3) Gazzoni Alfonso	III -	già Prefetto di Livorno	"
4) Mayda Ferdinando	III -	già Direttore Generale Assistenza	"
5) Maddalena Nicola	III -	già Commissario di Roma	"
6) Spada Biagio	III -	già Capo Ufficio Stato Civile	"

PROVVEDIMENTI DISCIPLINARI

Nome e Cognome	Grado - Gruppo	Ufficio al quale è addetto	Se in s. sospe
1) Valenza Vito	X C	Ragioniere Gen. Uff. Centr. Ragioneria	in ser.
2) Simone Fabrizio	IV A	già Prefetto di Messina	sospeso
3) Mondello Mario	III A	già Direttore Gen. Assistenza	"
4) Lavia Lorenzo	III -	" " " "	"

0862

Declassified E.O. 12356 Section 3.3/NND No. 785021

SPECCHIO SULL'ANDAMENTO DELLA DEFASCISTIZZAZIONE
(Amministrazioni di Stato)

4368

dal 15
al 30 Settembre 1944.

ISSIONE PER L'INTERNO — Sedute della Commissione N.

rsonale del Ministero dell'Interno

N. 1 Pers/le Sanità N. — Pers/le Amm/vo N. 1
N. 3 id. id. N. — id. id. N. —
N. 11 id. id. N. — id. id. N. —

(Dispensa dal servizio Pers. Sanità N. — Pers. Amm. N. 6
(Provv/ti disciplinari " " N. — " " N. 4
(Non luogo a sanzioni " " N. 1 " " N. 1

redo - Gruppo	Ufficio al quale è addetto	Se in servizio o sospeso
A	già Prefetto di Forlì	Pensione
"	già Prefetto di Macerata	"
"	già Prefetto di Firenze	"
"	già Questore di Grosseto Addetto	"
"	già Ispettore Generale di Roma	"
"	già Capo Ufficio Stato Maggiore	"

INARI

redo - Gruppo	Ufficio al quale è addetto	Se in servizio o sospeso
C	Direzione Gen. Pubb. Sicur. Ufficio	in servizio
H	già Vicario a Pizzighettone	sospeso
H.	già Questura Gen. Ufficio	"
H.	" " " "	"

0863

Declassified E.O. 12356 Section 3.3/NND No. 785021

ON LUOGO A SANZIONI

Nome e Cognome	Grado - Gruppo	Ufficio al quale è addetto	Se in se... sospes...
Marotta Prof. Domenico	IV	H. Prefettura Gen. Sanità Pubblica	in lung...

IL PRES...

Il personale civile dipendente dal Ministero dell'Interno esclusa l'Amministrazione della Pubblica Sicurezza Gruppi A, B, C e subalterni è composto di N. 1258 impiegati di Gruppo A), N. 768 impiegati di Gruppo B), N.1168 impiegati di Gruppo C), N.639 subalterni.

Provincie amministrate dal Governo Italiano N. 30 - media

40 1200

Ministero 540

TOTALE 1740 che

corrisponde a 3/7 circa del totale del personale.

0864

Declassified E.O. 12356 Section 3.3/NND No. 785021

Grado - Gruppo	Ufficio al quale è addetto	Se in servizio o sospeso
IV H.	Direttore Gen. Sanità Pubblica	in congedo

IL PRESIDENTE DELLA COMMISSIONE
PER L'EPURAZIONE

Vincenzo De Feo

...ndente dal Ministero dell'Interno esclusa
...Pubblica Sicurezza Gruppi A, B, C e subal-
...258 impiegati di Gruppo A), N. 768 impie-
...68 impiegati di Gruppo C), N.639 subalterni.

...del Governo Italiano N. 30 - media

..... 1200

..... 540

TOTALE 1740 che

...del totale del personale.

0865

Decree for the Defascization of Administration.

Decree 29/B of 28 Dec.43.

Art.1. Members of the Civil and Military Administration of the State, of local and parastatal bodies, whatever their organization or denomination, of syndical associations and collateral bodies and of all types of bodies and institutions of public law even if governed by autonomous organic law, which are subject to the supervision or guardianship of the State, and the employees of enterprises dependent on said administrations or on said bodies, or private enterprises performing service in public interest, who, having been militant on behalf of the Fascist Party, held the grade of "squadrista", "Marcia su Roma", hierarch (gerarca) or "Sciarpa littorio", shall be subject to procedure and sanctions under this decree. For the purpose of this decree the following are deemed to be hierarchs (gerarchi):

1. Secretaries and vice secretaries of the party; 2. Members of the National Directorate; 3. Inspectors of the party; 4. National Councillors; 5. Federal secretaries; 6. Federal vice-secretaries; 7. Administrative vice-secretaries (excluding the state and parastatal functionaries in charge of the administrative control of the Federations; 8. Federal inspectors; 9. Presidi of the provinces; 10. Political secretaries and mayors of localities with more than 50.000 inhabitants.

Art.2. Members of Administrations and enterprises enumerated in Art.1, who have been found guilty by a judgement rendered by organs described in the subsequent Article, of having committed acts constituting attacks against individual liberty, while being militant on behalf of the Fascist Party even though they have not held any of the above stated grades, shall be subject to the same sanctions. Such presupposition can be held valid only on the basis of concrete facts which will be evaluated without right of appeal by the organs described below.

Art.3. The determination of the imputations enumerated in the preceding articles will be undertaken; (a) in regard to members of state administrations of no lower than sixth grade by the Concil of Ministers; in regard to functionaries of lower than sixth grade or extraordinary or casual employees by the councils of administrations or disciplinary commissions of respective departments according as the case may fall in category of Art.1 or 2, (b) in regard to other bodies and the enterprises indicated in Art.1, by a provincial commission appointed by the prefect and presided over by the Prefect or Vice-Prefect delegated by him and composed of 4 members of whom 2 will be judical magistrates of not lower than sixth grade designated by the First President of the Court of Appeal and two will be chosen from wounded war veterans decorated for valor who have never taken active part in the fascist party from among citizens who have been convicted or con-

Declassified E.O. 12356 Section 3.3/NND No. 785621

Art.2. Members of Administrations and enterprises [illegible] Art.1, who have been found guilty by a judgement rendered by organs described in the subsequent Article, of having committed acts constituting attacks against individual liberty, while being militant on behalf of the Fascist Party even though they have not held any of the above stated grades, shall be subject to the same sanctions. Such presupposition can be held valid only on the basis of concrete facts which will be evaluated without right of appeal by the organs described below.

Art.3. The determination of the imputations enumerated in the preceding articles will be undertaken; (a) in regard to members of state administrations of no lower than sixth grade by the Concil of Ministers, in regard to functionaries of lower than sixth grade or extraordinary or casual employees by the councils of administrations or disciplinary commissions of respective departments according as the case may fall in category of Art.1 or 2, (b) in regard to other bodies and the enterprises indicated in Art.1, by a provincial commission appointed by the prefect and presided over by the Prefect or Vice-Prefect delegated by him and composed of 4 members of whom 2 will be judical magistrates of not lower than sixth grade designated by the First President of the Court of Appeal and two will be chosen from wounded war veterans decorated for valor who have never taken active part in the fascist party and one (sic:) from among citizens who have been convicted or confined for political motives. The Head of the Administration or office to which the investigated person belongs shall participate in the meetings of the commission mentioned under (b) as an ex officio member, except where he himself is the subject of the dismissal preceeding. In case of tie, the president's vote is decisive. The same organs shall determine the exemption in the case of the individuals enumerated in the following paragraph.

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Art.4. The sanctions of this decree will not necessarily apply to (a) legionaires of Fiume who, solely for this reason, have obtained any of the preceding attributes, and are able to show that they did not take active part in the activities and in the politics of the party (b) sciarpe littorio, who are able to prove that they have not participated in any political activity of the party (c) fascists, who having been members of squada of action and having participated in the March on Rome, were less than 18 years of age on the 31 of December 1922, provided that they are able to show that they did not take active part in the activities and politics of the party after 1922. (d) fascists who have distinguished themselves in German occupied zones in the struggle against the enemy, subsequent to Sept.8, 1943. (e) fascists found to have participated in slight political activity, whom it is deemed advisable to retain in the interest of the country because of special technical qualifications or distinguished merits.

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The evaluation of the merit mentioned under the letter (d) must in every case be in proportion to the degree of political responsability for fascist activities of the respective employee.The request for acknowledgement of reasons for exemption and the presentation of proofs in cases mentioned under letters (a),(b),(c) and (d) must be made by the interested party in the report dealt with in subpara 1 of Art.5 under circumstances provided therein and within 10 days after the denial of charges in cases provided for by Art.2 above.The provision contained under letter (e) will be applied upon application made by the Administration employing the concerned person and such application will be passed upon by the Council of the Ministers.

Art.5: To ensure the application of Art.1 of this decree the personnel therein enumerated shall be obliged to report within 15 days after the effective date of the decree to their respective heads of branch of service all the attributes they have held.The failure to file such report within the said term will be equivalent to a negative report within the meaning of Art.496 of the Penal Code and precludes the interested party from the benefits of Art.4 and 9.In cases provided for by Art.2 it is for the office heads of the bodies or enterprises employing the interested party to initiate the report which will be allowed to take its course only after a specific denial of the charges has been made by such party.In case the head of the office or body fails to act the Prefect will act in his place. The above mentioned report regarding the personnel located abroad or in enemy controlled territory must be made within one month from the day on which such personnel return or reach the liberated national territory.

Art.6: The organs described in Art.3 have investigative powers,may exclude testimony under oath and may request any act,document or information from any administration and also from judicial authorities. Organs of collective character may delegate such powers to one of their components.The interested party must be heard in person,if he so desires, and has a right to present explanations and written clarifications in his defence within a term fixed for such purpose , and not exceeding 2 months.

Art.7: The fascists mentioned in the preceding Art.1,who do not fall within any of the exceptions provided for by Art.4,must be removed from their office and employment.

Art.8: The act of dismissal from service or removal from office shall be executed on basis of the proposals formulated by the organs mentioned under Art.3:
(a) As regards employees of state administrations,by the head of the respective department following the normal procedures set out by the respective organic laws; as regards functionaries of higher than 7 th grade,by the Chief of the Government.
(b) As regards employees of other administrations,bodies and enter-

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territory must be made within one month from the day on which such personnel return or reach the liberated national territory.

Art.6: The organs described in Art.3 have investigative powers, may exclude testimony under oath and may request any act, document or information from any administration and also from judicial authorities. Organs of collective character may delegate such powers to one of their components. The interested party must be heard in person, if he so desires, and has a right to present explanations and written clarifications in his defence within a term fixed for such purpose , and not exceeding 2 months.

Art.7: The fascists mentioned in the preceding Art.1, who do not fall within any of the exceptions provided for by Art.4, must be removed from their office and employment.

Art.8: The act of dismissal from service or removal from office shall be executed on basis of the proposals formulated by the organs mentioned under Art.3:
(a) As regards employees of state administrations, by the head of the respective department following the normal procedures set out by the respective organic laws; as regards functionaries of higher than 7 th grade, by the Chief of the Government.
(b) As regards employees of other administrations, bodies and enterprises, mentioned in Art.1, by the Prefect, excepting however, the parastatal bodies, for which the necessary steps are taken by the heads of the department exercising control or supervision over them, or if there are none, by the Ministry of Interior. Whenever the organic laws of the administrations and bodies indicated under letter (b) require an opinion of councils or commissions for the validity of the above acts, the pronouncement of the organs described in Art.3 letter (b) is considered to be for all purposes in substitution of such opinion.

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Art.9: The personnel dismissed or relieved in execution of this decree retain their benefits of pensions or retirement to which they are entitled according to the respective organic laws. The state employees who have not served for a period prescribed for acquisition of the right to a pension and who were dismissed for motives indicated in Art.1 & 2, shall be granted a minimum pension in derogation of the valid laws, provided that they have completed 15 years of service ; in other cases an indemnity will be granted amounting to as many twelfths of the last salary as there are years of completed service. This rule is extended, as far as applicable, to employees of the bodies and enterprises indicated above in Art.1. Furthermore, functionaries and regular employees may be allowed to retain as an indemnity and in exclusion of any other

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indemnity the right to draw the entire salary until they shall be able to return to their place of residence located in enemy held territory.

The nonregular personnel situated similarly to that mentioned in the preceding subparagraph will be paid at the most a three months salary to the exclusion of further benefits other than those to which they are entitled by law or contract.

Art.10. The acts undertaken in accordance with Art.8 may be attacked only by recourse to the State Council solely on the grounf of lack of competence.The appeal must be filled within 30 days after notice of the act,the execution of which may not be suspended even under circumstances provided for by Art.39,2nd subpara of the Consolidated Text of 26 June 1924 No.1054 of the law on the State Council and relative modifications.

Art.11. The provisions of this decree will apply even in derogation of the respective organic laws,to functionaries of all classes or categories,who can otherwise not be removed from office under law.

Art.12. The purging provided for by the present decree must be completed within three months after the day of its publication in the Gazzetta Ufficiale del Regno,special series,in the zones under the Italian administration and in other provinces within 3 months after the date at which they have been returned under the Italian administration.

Art.13. This decree will be presented to the legislative assembly for enactment into law.The Chief of the Government proposing the decree is authorized to present the draft of the law.It shall become effective on the day subsequent to that of its publication in the Gazzetta Ufficiale del Regno.We order whomsoever it may concern to obey this decree and make it observed as law of the state.

Sgt.Eric Stein-Transl.

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at which they have been returned under the Italian administration.

Art.13. This decree will be presented to the legislative assembly for enactment into law.The Chief of the Government proposing the decree is authorized to present the draft of the law.It shall become effective on the day subsequent to that of its publication in the Gazzetta Ufficiale del Regno.We order whomsoever it may concern to obey this decree and make it observed as law of the state.

Sgt.Eric Stein-Transl.

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Declassified E.O. 12356 Section 3.3/NND No. 785031

Memo on the Decree for Defascization.

1. Article 1 d[illegible]snot include functionaries of such fascist offices or organization as GUF,GIL,Direttorio Federale,Fascist Militia,fiduciary of the gruppo rionale,members of the gruppo rionale,committee, capo settore,capo nucleo,fascist school associations etc.On the whole this Article in connection with other provisions of the decree meets the promise expressed in the Order of the Day of the Council of Ministers of 24 Nov.1943 para 7.

2. Article 2 in connection with other provisions of the decree on the whole fulfills the promise of the above mentioned Order of the Day Art.9.

3. The procedure for the purging as described in Art.3 seems to be reasonably well designed. There must be an error in the statement as to the member of the investigating commission mentioned under Art.3 b. Such commission is said to have 4 members but would seem to have 5 members excluding the presiding officer and the ex-officio member.It should be pointed out that the preponderance of the bureaucratic vote over the vote of the lay members has been carefully secured and that no private person or other state official than that enumerated under Art.3 has the right to call the attention of the examing authority to the fascist past of an official or functionary.

4. The examptions from the penalties described in Art.4 have a broad scope indeed. The exemption (e) permits a particularly broad discretion.

5. In regard to Art.5 some difficulty may arise as to what is meant by liberated national territory in the last sentence. The last sentence if technically interpreted would exclude the Italian diplomatic personnel located abroad from the application of the decree while performing their offices abroad.

6. In para 8 of the above mentioned order of the day the Council pledged to readmit in the Public Administration persons dismissed or retired for political motives,to reexamine advancements and lack of promotions because of political motives.It would seem that this pledge has not been fulfilled by the decree under consideration although the subject could have at least been partly covered by it. Many cases suggest themselves as for instance:There might have been promotion of officials not falling within Art.1 or 2 of the decree but which were due to the political pressure of relatives or friends of the promoted official.

7. It would seem rather strange that officials ousted under this decree retain their pension and receive indemnities.

over the vote of the lay members has been carefully secured and that no private person or other state official than that enumerated under Art.3 has the right to call the attention of the examing authority to the fascist past of an official or functionary.

4. The exemptions from the penalties described in Art.4 have a broad scope indeed. The exemption (e) permits a particularly broad discretion.

5. In regard to Art.5 some difficulty may arise as to what is meant by liberated national territory in the last sentence. The last sentence if technically interpreted would exclude the Italian diplomatic personnel located abroad from the application of the decree while performing their offices abroad.

6. In para 8 of the above mentioned order of the day the Council pledged to readmit in the Public Administration persons dismissed or retired for political motives, to reexamine advancements and lack of promotions because of political motives. It would seem that this pledge has not been fulfilled by the decree under consideration although the subject could have at least been partly covered by it. Many cases suggest themselves as for instance: There might have been promotion of officials not falling within Art.1 or 2 of the decree but which were due to the political pressure of relatives or friends of the promoted official.

7. It would seem rather strange that officials ousted under this decree retain their pension and receive indemnities.

Sgt.E.S.

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Memo on the Decree for Defascization.

1. Article 1 does not include functionaries of such fascist offices or organization as GUF, GIL, Littorio Federale, Fascist Militia, fiduciary of the gruppo rionale, members of the gruppo rionale, committee, capo settore, capo nucleo, fascist school associations etc. On the whole this Article in connection with other provisions of the decree meets the promise expressed in the Order of the Day of the Council of Ministers of 24 Nov. 1943 para 7.

2. Article 2 in connection with other provisions of the decree on the whole fulfills the promise of the above mentioned Order of the Day Art. 5.

3. The procedure for the purging as described in Art. 3 seems to be reasonably well designed. There must be an error in the statement as to the member of the investigating commission mentioned under Art. 3 b. Such commission is said to have 4 members but would seem to have 5 members excluding the presiding officer and the ex-officio member. It should be pointed out that the preponderance of the bureaucratic vote over the vote of the lay members has been carefully secured and that no private person or other state official than that enumerated under Art. 3 has the right to call the attention of the examing authority to the fascist past of an official or functionary.

4. The exemptions from the penalties described in Art. 4 have a broad scope indeed. The exemption (e) permits a particularly broad discretion.

5. In regard to Art. 5 some difficulty may arise as to what is meant by liberated national territory in the last sentence. The last sentence if technically interpreted would exclude the Italian diplomatic personnel located abroad from the application of the decree while performing their offices abroad.

6. In para 8 of the above mentioned order of the day the Council pledged to readmit in the Public Administration persons dismissed or retired for political motives, to reexamine advancements and lack of promotions because of political motives. It would seem that this pledge has not been fulfilled by the decree under consideration although the subject could have at least been partly covered by it. Many cases suggest themselves as for instance: There might have been promotion of officials not falling within Art. 1 or 2 of the decree but which were due to the political pressure of relatives or friends of the promoted official.

7. It would seem rather strange that officials dated under this decree retain their pension and receive indemnities.

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4. Some exemptions from the penalties described in Art.4 have a broad scope indeed. The exemption (e) permits a particularly broad discretion.

5. In regard to Art.5 some difficulty may arise as to what is meant by liberated national territory in the last sentence. The last sentence if technically interpreted would exclude the Italian diplomatic personnel located abroad from the application of the decree while performing their offices abroad.

6. In para 8 of the above mentioned order of the day the Council pledged to readmit in the Public Administration persons dismissed or retired for political motives, to reexamine advancements and lack of promotions because of political motives. it would seem that this pledge has not been fulfilled by the decree under consideration although the subject could have at least been partly covered by it. Many cases suggest themselves as for instance: there might have been promotion of officials not falling within Art.1 or 2 of the decree but which were due to the political pressure of relatives or friends of the promoted official.

7. It would seem rather strange that officials ousted under this decree retain their pension and receive indemnities.

Sgt.E.B.

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Decree for the Defascization of Administration.

Decree 29/B of 28 Dec 43.

Art.1. Members of the Civil and Military Administration of the State, of local and parastatal bodies, whatever their organization or denomination, of syndical associations and collateral bodies and of all types of bodies and institutions of public law even if governed by autonomous organic law, which are subject to the supervision or guardianship of the State, and the employees of enterprises dependent on said administrations or on said bodies, or private enterprises performing service in public interest, who, having been militant on b half of the Fascist Party, held the grade of "squadriste", Marcia su Roma", hierarch (gerarca) or "Sciarpa littorio", shall be subject to procedure and sanctions under this decree. For the purpose of this decree the following are deemed to be hierarchs (gerarchi):

1. Secretaries and vice secretaries of the party; 2. Members of the National Directorate; 3. Inspectors of the party; 4. National Councillors; 5. Federal secretaries; 6. Federal vice-secretaries; 7. Administrative vice-secretaries (excluding the state and parastatal functionaries in charge of the administrative control of the Federations; 8. Federal inspectors; 9. Presidi of the provinces; 10. Political secretaries and majors of localities with more than 50,000 inhabitants.

Art.2. Members of Administrations and enterprises enumerated in Art.1, who have been found guilty by a judgement rendered by organs described in the subsequent Article, of having committed acts constituting attacks against individual liberty, while being militant on behalf of the Fascist Party even though they have not held any of the above stated grades, shall be subject to the same sanctions. Such presupposition can be held valid only on the basis of concrete facts which will be evaluated without right of appeal by the organs described below.

Art.3. The determination of the imputations enumerated in the preceding articles will be undertaken: (a) in regard to members of state administrations of no lower than sixth grade by the Council of Ministers, in regard to functionaries of lower than sixth grade or extraordinary or casual employees by the councils of administrations or disciplinary commissions of respective departments according as the case may fall in category of Art.1 or 2, (b) in regard to other bodies and the enterprises indicated in Art.1, by a provincial commission appointed by the prefect and presided over by the Prefect or Vice-Prefect delegated by him and composed of 4 members of whom 2 will be judicial magistrates of not lower than sixth grade designated by the First President of the Court of Appeal and two will be chosen from wounded war veterans decorated for valor who have never taken active part in the fascist party and one (sic!) from among citizens who have been convicted or confined for political motives. The Head of the Administration or office to which the investigated person belongs shall participate in the

inhabitants.

Art.2. Members of Administrations and enterprises enumerated in Art.1, who have been found guilty by a judgement rendered by organs described in the subsequent Article, of having committed acts constituting attacks against individual liberty, while being militant on behalf of the Fascist Party even though they have not held any of the above stated grades, shall be subject to the same sanctions. Such preexposition can be held valid only on the basis of concrete facts which will be evaluated without right of appeal by the organs described below.

Art.3. The determination of the imputations enumerated in the preceding articles will be undertaken: (a) in regard to members of state administrations of no lower than sixth grade by the Council of Ministers, in regard to functionaries of lower than sixth grade or extraordinary or casual employees by the councils of administrations or disciplinary commissions of respective departments according as the case may fall in category of Art.1 or 2. (b) in regard to other bodies and the enterprises indicated in Art.1. by a provincial commission appointed by the prefect and presided over by the Prefect or Vice-Prefect delegated by him and composed of 4 members of whom 2 will be judicial magistrates of not lower than sixth grade designated by the First President of the Court of Appeal and two will be chosen from wounded war veterans decorated for valor who have never taken active part in the fascist party and one (also) from among citizens who have been convicted or confined for political motives. The head of the Administration or office to which the investigated person belongs shall participate in the meetings of the commission mentioned under (b) as an ex officio member, except where he himself is the subject of the disciplinal proceeding. In case of tie, the president's vote is decisive. The same organs shall determine the exemption in the case of the individual, as enumerated in the following paragraph.

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Art.4. The sanctions of this decree will not accrue to apply to (a) legionaires of Fiume who, solely for this reason, have obtained any of the preceding attributes, and are able to show that they did not take active part in the activities and in the politics of the party (b) sciarpe littorio, who are able to prove that they have not participated in any political activity of the party (c) fascists, who having been members of squads of action and having participated in the March on Rome, were less than 18 years of age on the 31 of December 1922, provided that they are able to show that they did not take active part in the activities and politics of the party after 1922. (d) fascists who have distinguished themselves in German occupied zones in the struggle against the enemy, subsequent to Sept.8, 1943. (e) fascists found to have participated in slight political activity, whose it is deemed advisable to retain in the interest of the country because of special technical qualifications or distinguished merits.

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The evaluation of the merit mentioned under the letter (d) must in every case be in proportion to the degree of political responsability for fascist activities of the respective employee. The request for acknowledgement of reasons for exemption and the presentation of proofs in cases mentioned under letters (a),(b),(c) and (d) must be made by the interested party in the report dealt with in subparn 1 of Art.5 under circumstances provided therein and within 10 days after the denial of charges in cases provised for by Art.2 above. The provision contained under letter (e) will be applied upon application made by the Administration employing the concerned person and such application will be passed upon by the Council of the Ministers.

Art.5: To ensure the application of Art.1 of this decree the personnel therein enumerated shall be obliged to report within 15 days after the effective date of the decree to their respective heads of branch of service all the attributes they have held. The failure to file such report within the said term will be equivalent to a negative report within the meaning of Art.136 of the Penal Code and precludes the interested party from the benefits of Art.4 and 6. In cases provided for by Art.2 it is for the office heads of the bodies or enterprises employing the interested party to initiate the report which will be allowed to take its course only after a specific denial of the charges has been made by such party. In case the head of the office or body fails to act the Prefect will act in his place. The above mentioned report regarding the personnel located abroad or in enemy controlled territory must be made within one month from the day on which such personnel return or reach the liberated national territory.

Art.6: The organs described in Art.3 have investigative powers, may exclude testimony under oath and may request any act, document or information from any administration and also from judicial authorities. Organs of collective character may delegate such powers to one of their components. The interested party must be heard in person, if he so desires, and has a right to present explanations and written clarifications in his defence within a term fixed for such purpose, and not exceeding 2 months.

Art.7: The fascists mentioned in the preceding Art.1, who do not fall within any of the exceptions provided for by Art.4, must be removed from their office and employment.

Art.8: The act of dismissal from service or removal from office shall be executed on basis of the proposals formulated by the organs mentioned under Art.3:

(a) As regards employees of state administrations, by the head of the respective department following the normal procedures set out by the respective organic laws; as regards functionaries of higher than 7 th

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allowed to take its course. [illegible]
has been made by such party. In case the head of the office or body fails to act the Prefect will act in his place. The above mentioned report regarding the personnel located abroad or in enemy controlled territory must be made within one month from the day on which such personnel return or reach the liberated national territory.

Art.6: The organs described in Art.3 have investigative powers, may exclude testimony under oath and may request any act, document or information from any administration and also from judicial authorities. Organs of collective character may delegate such powers to one of their components. The interested party must be heard in person if he so desires. and has a right to present explanations and written clarifications in his defence within a term fixed for such purpose, and not exceeding 2 months.

Art.7: The fascists mentioned in the preceding Art.1, who do not fall within any of the exceptions provided for by Art.4, must be removed from their office and employment.

Art.8: The act of dismissal from service or removal from office shall be executed on basis of the proposals formulated by the persons mentioned under Art.3:
(a) As regards employees of state administrations, by the head of the respective department following the normal procedures set out by the respective organic laws; as regards functionaries of higher than 7 th grade, by the Chief of the Government.
(b) As regards employees of other administrations, bodies and enterprises, mentioned in Art.1, by the Prefect, excepting however, the parastatal bodies, for which the necessary steps are taken by the heads of the department exercising control or supervision over them, or if there are none, by the Ministry of Interior. Whenever the organic laws of the administrations and bodies indicated under letter (a) require an opinion of councils or commissions for the validity of the above acts, the pronouncement of the organ described in Art.3 letter (-) is considered to be for all purposes in substitution of such opinion.

Art.9: The personnel dismissed or relieved in execution of this decree retain their benefits of pensions or retirement to which they are entitled according to the respective organic laws. The state employees who have not served for a period prescribed for acquisition of the right to a pension and who were dismissed for motives indicated in Art.1 & 2. shall be granted a minimum pension in derogation of the valid laws, provided that they have completed 15 years of service; in other cases an indemnity will be granted amounting to as many twelfths of the last salary as there are years of completed service. This rule is extended, as far as applicable, to employees of the bodies and enterprises indicated above in Art.1. Furthermore, functionaries and regular employees may be allowed to retain as an indemnity and in exclusion of any other

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indemnity the right to draw the entire salary until they shall be able to return to their place of residence located in enemy held territory.

The nonregular personnel situated similarly to that mentioned in the preceding subparagraph will be paid at the most a three months salary to the exclusion of farther benefits other than those to which they are entitled by law or contract.

Art.10. The acts undertaken in accordance with Art.9 may be attacked only by recourse to the State Council solely on the ground of lack of competence. The appeal must be filed within 30 days after notice of the act, the execution of which may not be suspended even under circumstances provided for by art.39, 2nd subpara of the Consolidated Text of 26 June 1924 No.1054 of the law on the State Council and relative modifications.

Art.11. The provisions of this decree will apply even in derogation of the respective organic laws, to functionaries of all classes or categories, who can otherwise not be removed from office under law.

Art.12. The purging provided for by the present decree must be completed within three months after the day of its publication in the Gazetta Officiale del Regno, special series, in the zones under the Italian administration and in other provinces within 3 months after the date at which they have been returned under the Italian administration.

Art.13. This decree will be presented to the legislative assembly for enactment into law. The Chief of the Government proposing the decree is authorized to present the draft of the law. It shall become effective on the day subsequent to that of its publication in the Gazzetta Officiale del Regno. We order whomsoever it may concern to obey this decree and make it observed as law of the state.

Sgt. Eric Stein-Transl.

Declassified E.O. 12356 Section 3.3/NND No. 785021

Memo on the Decree for Denazification.

1. Article 1 doesnot include functionaries of such fascist offices or organization as GUF,GIL, Direttorio Federale,Fascist Militia,fiduciary of the grappo rionale,members of the grappo rionale,committee, capo settore,capo nucleo,fascist school associations etc.On the whole this Article in connection with other provisions of the decree meets the promise expressed in the Order of the Day of the Council of Ministers of 24 Nov.1943 para 7.

2. Article 2 in connection with other provisions of the decree on the whole fulfills the promise of the above mentioned Order of the Day Art.9.

3. The procedure for the purging as described in Art.3 seems to be reasonably well designed. There must be no error in the statement as to the member of the investigating commission mentioned under Art.3 b. Such commission is said to have 4 members but would seem to have 5 members excluding the presiding officer and the ex-officio member.It should be pointed out that the preponderance of the bureaucratic vote over the vote of the lay members has been carefully secured and that no private person or other state official than that enumerated under Art.3 has the right to call the attention of the examing authority to the fascist past of an official or functionary.

4. The exemptions from the penalties described in Art.4 have a broad scope indeed. The exemption (e) permits a particularly broad discretion.

5. In regard to Art.5 some difficulty may arise as to what is meant by liberated national territory in the last sentence. The last sentence if technically interpreted would exclude the Italian diplomatic personnel located abroad from the application of the decree while performing their offices abroad.

6. In para 8 of the above mentioned order of the day the Council pledged to reacquit in the Public Administration persons dismissed or retired for political motives,to reasonable advancements and lack of promotions because of political motives.It would seem that this pledge has not been fulfilled by the decree under consideration although the subject could have at least been partly covered by it. Many cases suggest themselves as for instance there might have been promotion of officials not falling within Art.1 or 2 of the decree but which were due to the political pressure of relatives or friends of the promoted official.

7. It would seem rather strange that officials ousted under this decree retain their pension and receive indemnities.

Declassified E.O. 12356 Section 3.3/NND No. 785021

over the vote of the lay members has been carefully secured and that no private person or other state official than that enumerated under Art.3 has the right to call the attention of the examing authority to the fascist past of an official or functionary.

4. The exemptions from the penalties described in Art.4 have a broad scope indeed. The exemption (e) permits a particularly broad discretion.

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6. In para 8 of the above mentioned order of the day the Council pledged to readmit in the Public Administration persons dismissed or retired for political motives, to reexamine advancements and lack of promotions because of political motives. It would seem that this pledge has not been fulfilled by the decree under consideration although the subject could have at least been partly covered by it. Many cases suggest themselves as for instance there might have been promotion of officials not falling within Art.1 or 2 of the decree but which were due to the political pressure of relatives or friends of the promoted official.

7. It would seem rather strange that officials ousted under this decree retain their pension and receive indemnities.

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See 2ND JACKET.

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HEADQUARTERS ALLIED COMMISSION
APO 394
(Establishment Section)

2 NOV 1944

1 November 1944

MEMORANDUM:

TO : All Officers, Allied Commission

1. No officer of this Headquarters will, without approval from G-1 (B), in the case of British officers, or from G-1 (A), in the case of American officers, and from the appropriate section, branch or sub-commission, in all cases, visit the offices of a higher formation for the discussion of personal affairs, such as transfer, reassignment, release, assignment to AC, etc.

2. The provisions of this directive apply both to assigned and attached officers, and will be considered to include contacts with Hq, AAI, and G-5, AFHQ.

By command of Commodore STOKE:

NORMAN E. FISKE,
Colonel,
Deputy Chief of Staff.

OFFICIAL:

C. M. Parkin

C.M. PARKIN,
Colonel, Infantry,
Executive Officer (US).

Distribution - "A"

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NOV 1944

HEADQUARTERS, ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DF/3.10/CA

3 Nov 44

RHT

SUBJECT : Defascism.

TO : Au Distribution.

1 A meeting of Sub-Commission Representatives will be held in Room 58 Fifth Floor at 0900 hours on Sat 4 Nov. The attendance of your representative is requested.

2 The following matters will be discussed or dealt with
a) Oral Reports on Progress.
b) Difficulties and Problems.
c) General Order 35.—
d) DAI 257 /44 Expurgation of Senior Officials.
e) Asst High Commissioner's directive to Commissions.

S.M. WHITE Lt Col
for VP CA Section.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

1. A meeting of Sub-Commission [illegible] Room 58 fifth Floor at 0900 hours on Sat 4 Nov. The attendance of your representative is requested.

2. The following matters will be discussed or dealt with.

a) Oral Reports on Progress.
b) Difficulties and Problems.
c) General Order 35.—
d) DLI 257 /44 Expurgation of Senior Officials.
e) Asst High Commissioner's directive to Commissions.

[signature]
S. L. WHITE Lt Col
for VP CA Section.

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Col NEWMANS

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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Declassified E.O. 12356 Section 3.3/NND No. 785021

NAME : GLORIA PIO

Date of Birth : 1885

Place of birth : Genova

Career : Enrolled in the fasciet party after the march on Rome. Began his career in 1943. Offices held : Vicenza. Left service after german occupation. Retired on 16/2/44.

File : 4/22 p.61Cl.

(89)

ASSISTANT HIGH COMMISSIONERS
Directive
to Epuration Commissions

24 Oct 44

C I R C U L A R No. 4

SUBJECT : Directives for the Commissions for Epuration.

In order that DLL of 27 July be interpreted and applied according to uniform criteria, I should like to make known some general directives based on inquiries submitted to this High Commissariat by some Commissions.

The sanctions prescribed by CDL No. 159 of 27 July 1944, include besides dismissal from service, loss of right to pension, demotion of grade and restitution to the original personnel lists, also the application of less severe disciplinary measures. These refer to the sanctions prescribed by Art 56 No 2960 of 30 December 1923.

In applying these sanctions we must avoid adopting measures which, from a practical point of view, are incompatible with the task pursued by the legislator of rehabilitating the public administrations. Therefore, it will be advisable for the Commissions to refrain generally from adopting such measures which, like the reduction of allowances or salaries, aggravate the economic conditions of the party concerned without serving the purpose of epuration. The same can be said of the suspension from the grade or the temporary removal from office; these are measures which usually end by being an obstacle to the speedy return of the administrations to their normal operation.

Censure for civilians and an analogous sanction for military personnel will therefore suffice as "less severe disciplinary measures".

Loss of right to pension.

The Commissions for Epuration shall proceed with special care in exercising the power conferred to them by Art. 32 para 1 of DLL No 159 of 27 July 1944 (loss of right to pension).

It must be borne in mind that in many cases the pension constitutes

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besides dismissal from service, loss of right to pension, demotion of grade and restitution to the original personnel lists, also the application of less severe disciplinary measures. These refer to the sanctions prescribed by Art 36 No 2960 of 30 December 1923.

In applying these sanctions we must avoid adopting measures which, from a practical point of view, are incompatible with the task pursued by the legislator of reconstituting the public administrations. Therefore, it will be advisable for the Commissions to refrain generally from adopting such measures which, like the reduction of allowances or salaries, aggravate the economic conditions of the party concerned without serving the purpose of epuration. The same can be said of the suspension from the grade or the temporary removal from office; these are measures which usually end by being an obstacle to the speedy return of the administrations to their normal operation.

Censure for civilians and an analogous sanction for military personnel will therefore suffice as "less severe disciplinary measures".

Loss of right to pension.

The Commissions for Epuration shall proceed with special care in exercising the power conferred to them by Art. 22 para 1 of DLL No 159 of 27 July 1944 (loss of right to pension).

It must be borne in mind that in many cases the pension constitutes the only source of income of the official dismissed from service.

It is then advisable to avoid creating desperate situations, which are rendered more grave by the fact that the consequences would fall also on persons who are innocent and unaware of others' guilt and responsibility, and which would constitute a negative element in the life of the Nation at a time that its reconstruction is under way.

Hence, we urge the Commissions to weigh carefully each individual case before deciding on the loss of pension, which can be fully and objectively considered as justified only in the cases of a legal enrichment or of serious forms of collaboration with the expulsion fascist government. In the other cases, instead, we must consider the economic and family conditions of the official dismissed from service : if the person concerned does not possess any riches and the loss of pension would be to him a loss of the means of support for himself and his family, it is a good general practice to avoid the severe measure of loss of pension, provided no circumstances exist which would demand and justify the maximum severity.

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The Commissions shall, therefore, weigh each single case, basing their judgement on the considerations pointed out above, as a general criterium for interpretation of the law.

Manifestations of Apology for Fascism.

The place or the manner in which the apology is made cannot have weight in the interpretation of cases of "manifestations of apology for fascism", contemplated by Art 12 No 1 of DLL No 159 of 27 July 1944. The place can be the Chamber or the Senate as well as any other public or private place. The manner may be a book or an other publication, a piece of writting which is not even intended for publication or a defensive memorandum, provided it is written spontaneously. However, it may also consist of simple talk, whether before a more or less large audience or if to a single individual, provided they were "reported".

It is substantially important, and hence sufficient, that from the apology a moral judgement can be drawn, based exclusively on the words pronounced and the reflections made to others' opinions or convictions, or that should have been made according to the intentions of the accused.

Collaboration with the Republican Fascist Government.

"Collaboration" according to Art. 17 p.p. of the mentioned DLL is found not only in the intentional and continuous actively favouring the republican fascist government (such an activity, particularly for a military, would assume the characterization of treason) but even in the single acts from which usefulness to the republican fascist government was derived or could have been derived, meaning, by usefulness, not only the advantage materially and actually gained, but also that resulting from the repercussion of the attitude of the accused on the conduct of others.

Under this aspect, the office, the position, the grade and the functions of the accused acquire particular value; the Commissions shall therefore take the greatest account of these particulars.

Proof of the circumstance contemplated by Art 16.

The application of the exhonerating circumstance contemplated by Art.16 cue of the attenuating circumstance referred to in Art. 17 in regard to those who have distinguished themselves in the fight against the Germans, have aided the patriots . . . can not damage to the government they were apparently [illegible] must be submitted to an objective and precise investigation, which must

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and the reflections made in others' opinions or convictions, have been made according to the intentions of the accused.

Collaboration with the Germanic Fascist Government.

"Collaboration" according to Art. 17 P.p. of the mentioned DL is found not only in the intentional and continuous activity favouring the republican fascist government (- such an activity, particularly for a military, would assume the characteristics of treason) but even in the single acts from which usefulness to the republican fascist government was derived or could have been derived, meaning, by usefulness, not only the advantage materially and actually gained, but also that resulting from the repercussion of the attitude of the accused on the conduct of others.

Under this aspect, the office, the position, the grade and the functions of the accused acquire particular value, the Commissions shall therefore take the greatest account of these particulars.

Proof of the circumstances contemplated by Art 16.

The application of the abovementioned circumstance contemplated by Art.16 and of the attenuating circumstance referred to in Art. 17 in regard to those who have distinguished themselves in the fight against the German or have aided the patriots [illegible] and done damage to the government they were apparently serving must be submitted to an objective and precise investigation, which must exclude the possibility of any decisions being made on documents of unproven contents and of doubtfull source.

Therefore, all statements made by private individuals, and so-called partisans bodies or associations must be considered as having no value because of the abuse and the illicit use that has been maliciously made of attestants of this kind. Only the statements made by the Ministerial Committee for patriots (Comitato Ministeriale Patriotti) must be considered as valid for all purposes of ascertainment. This body is the only one that has received legal recognition and has the power and possibilities of releasing trustworthy statements.

Suspensions effected on the basis of regional Ordinances

For those who have been suspended on the basis of regional ordinances issued by the Allied Authorities prior to DLL No 159 of 27 July 1944, those measures which were valid at the time they were adopted shall remain in effect.

In this latter case, however, the interested party may appeal to the competent Agencies to accelerate a final decision or take a motion for a regular measure revoking the suspension.

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Until the final decision on the revocation has been adopted, all those suspended from service, whatever the rules of the Authorities which have ordered the suspension may be, shall receive only the salary without any other allowance begining on the date of suspension, according to article 22 of ALL No 159 of 27 July 1944.

Reinstatement of officials into service.

Since the decisions of the Commissions shall be carried out only when they have become final, the dismissed official cannot be reinstated into service on the basis of a decision of first degree, unless the time limits allowed for appeals have expired fruitlessly, or unless the Control Commission sends its approval.

While the trial of first and second degree is pending, it is indeed necessary that the administrations refrain from any act which, while directly or indirectly implying a judgment on the charges, may interfere with the criteria of judgments which belong to the Commissions. The Commissions will report any interference of this kind to this office.

a/ SXXXXXXXX
Assistant High Commissioner
for Epuration

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limits allowed for appeals have expired fruitlessly, or unless the Central Commission sends its approval.

While the trial of first and second degree is pending, it is indeed necessary that the administrations refrain from any act which, while directly or indirectly implying a judgment on the charges, may interfere with the criteria of judgments which belong to the Commissions. The Commissions will report any interference of this kind to this office.

s/ SCOCCIMARO
Assistant High Commissioner
for Epuration

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Local Govt 9/C 27 28

RT

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

CF/S.9/CA 31 Oct 44

SUBJECT : Defascism.

TO : See Distribution.

Herewith two copies of the translation refered to in para 3 of CS/S.9 of 26 Oct 44.

Fit A.G. 12.3 Gazzetta Ufficiale

27

W.H. WHITE Lt Col,
for CF CA Section

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RHF EF/5.9/Ca. 1 Nov 45

Decree

for providing for

The Rapid Expulsion of Senior Officials.

The Italian version of this decree is the only authoritative text. The version below is not a literal translation; its object is to inform officers conveniently of the provisions contained in the decree.

Officers are referred to the Italian text for all points of detail or matters of procedure or dispute. The brackets indicate additions to the original text made to clarify the meaning.

1 The time limit (for the commencement of epuration proceedings) against civil or military employees of the first four grades or against officials of corresponding rank in the employ of the State Railways shall in lieu of that contained in Art 25 of DLL 159/44 be 30 days from the coming into force of this decree.

The Commission (of first instance) to which an epuration proceeding concerning any such person (has been referred) shall communicate its decision to the High Commissioner and to the "defendant" within 30 days from the day on which the case was referred to it. An appeal under Art 20 of DLL 159/44 from any such decision shall be lodged by the High Commissioner within 10 days and by the defendant within 5 days of the communication (to them respectively) of such decision. The Central Commission shall give priority of hearing to appeals concerning such persons.

The President of the Council of Ministers (PCM) may on the application of the President of the Epuration Commission on being satisfied that the exceptional complexity of the investigation (of any particular case) so requires extend the time limit (for hearing) contained in the last preceding paragraph as may be requisite up to (a maximum of) a further 30 days.

Declassified E.O. 12356 Section 3.3/NND No. 785021

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The President of the Council of Ministers (PCM) may on the application of the President of the Epuration Commission on being satisfied that the exceptional complexity of the investigation (of any particular case) so requires extend the time limit (for hearing) contained in the last preceding paragraph as may be requisite up to (a maximum of) a further 30 days.

2 Within 60 days from the coming into force of this decree the PCM having heard the appropriate Minister or on the request of the person concerned may place any civil or military State employee of the first four grades or an official of corresponding rank in the employ of the State railways in retirement. Such power shall be exercisable even if the official belongs to an "irremovable" class or after Epuration proceedings have been commenced.

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The military personnel to whom this article applies shall be given the status provided for by the laws in force.

3 All persons retired under the last preceding article shall, if they are "irremovable", be entitled to add a period of ten years and other personnel so retired five years to their service to count for pension.

Provided nevertheless that the service to count for pension hereunder shall not exceed forty nor be less than twenty years.

For the purpose of this article, the following personnel shall be considered to be "irremovable"; members of the Judiciary; of the Council of State; of the Court of Accounts and professors of Universities. Where the first paragraph of this article is not applicable the provisions of Law 737/40 shall apply.

4 The High Commissioner for Defascism (HCD) shall be notified of every order for retirement made under Art 2 and where he is of opinion

Declassified E.O. 12356 Section 3.3/NND No. 785021

that (a case is grave and that) para 2 of Art 22 of DLL 159/44 may apply he may refer the case to the (appropriate) Epuration Commission for decision as to whether or not the "defendants" pension shall be forfeited. An Epuration commission may, as an alternative, (to its powers under Art 22) order forfeiture of any increase to which the "defendant" would otherwise be entitled under Art 3 hereof.

An order as to loss of pension or of any increase shall take effect on the first day of the month following the decision of the Central Commission (in the case of an appeal) or (where there is no appeal) the first of the month following the day on which the decision of the Commission of first instance became unappealable.

The hearing (of any case referred hereunder) shall be (conducted) in accordance with the provisions contained in DLL 159/44 and Art 4 thereof.

5 As regards State employees residing in any territory which, on the date on which this decree comes into force, has not been restored to Italian Administration, the time limits contained in para 1 of Art 1 and in Art 2 shall run from the date on which DLL 159/44 and this decree become effective in such territory.

When, following the liberation of any territory not now liberated, any important evidence is discovered against any State employee which could not (previously) have come to the knowledge of the Epuration Commission, the HCM may, provided that the time limits contained in para 1 of this Art are not exceeded, by decree order that Art 1 of this decree shall apply to such case even though the time limits prescribed (in that Art) have expired.

In similar circumstances the HCM may within the time limits of the para 1 of this Art submit for decision cases to which Art 4 hereof applies.

When employees reside outside the National Territory the time limits referred to in para 1 hereof shall run from the cessation of hostilities.

Where there is obvious evidence that employees, within the provisions of paras 1 and 4 of this Art are actively collaborating or have collaborated with the so-called republican fascist government, proceedings for epuration or for forfeiture of pension under Art 4 may be commenced before the time limits of this Article commence to run and without allowing the time for the preparation of the defence which is allowed by para 1 of Art 19 of DLL 159/44.

6 Appeals through neither administrative nor judicial channels shall be allowed against decisions under 2 hereof or on appeal of forfeiture

Declassified E.O. 12356 Section 3.3/NND No. 785021

Italian Administration, the time limits contained in para 1 of Art 1 and in Art 2 shall run from the date on which DLL 159/44 and this decree become effective in such territory.

When, following the liberation of any territory not now liberated, any important evidence is discovered against any State employee which could not (previously) have come to the knowledge of the Epuration Commission, the NCD may, provided that the time limits contained in para 1 of this Art have not expended, by decree order that Art 1 of this decree shall apply to such case even though the time limits prescribed (in that Art) have expired.

In similar circumstances the NCD may within the time limits of the para 1 of this Art submit for decision cases to which Art 4 hereof applies.

When employees reside outside the National Territory the time limits referred to in para 1 hereof shall run from the cessation of hostilities.

Where there is obvious evidence that employees, within the provisions of paras 1 and 4 of this Art are actively collaborating or have collaborated with the so-called republican fascist government, proceedings for epuration or for forfeiture of pension under Art 4 may be commenced before the time limits of this Article commence to run and without allowing the time for the preparation of the defence which is allowed by para 1 of Art 19 of DLL 159/44.

6 Appeals through neither administrative nor judicial channels shall be allowed against decisions under Art 2 hereof or an award of forfeiture of pension under Art 4 hereof except on grounds of incompetence of the (hearing) commission.

7 Until the epuration of the Public Administration has been completed, the NCD shall be notified of all proposals as to promotions and appointments to the first four grades of State employees or to offices of corresponding rank in the State Railway Service.

The NCD may, within ten days of receiving such notification state his reasons for opposing the aforesaid promotion or appointment. When any Minister does not propose to accept the view of the NCD, the matter shall be referred to the Council of Ministers for decision.

Except where para 2 of Art 5 applies personnel appointed in accordance with the provisions of this article shall not be subject to further epuration.

8 This decree shall come into force on the 1 Nov 44.

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Final Document No 87

HEADQUARTERS
ALLIED COMMISSION
APO 394
CA SECTION

28 OCT 1944

26 Oct 44

DE/S.9/CA

285.

SUBJECT : Defascism.

TO : See Distribution.

1 A new decree with regard to defascism has been issued. Its object is to expedite the removal of senior officials so that non fascists can be promoted to head charge of their new departments, get hold of them reorganize and get their staffs to settle down.

2 The new decree introduces a special procedure for epurating officials of Grades I - IV (and of the corresponding grades of the State Railways); as regards all other officials Part II of LL 129/44 will continue to apply unchanged and as regards those officers to whom the new decree applies those provisions of Pt II which are not inconsistent with the new decree continue to apply.

3 Translations of the decree will be issued to Sub-Commissions who will remain responsible for supervising control defascisting. Regions and Areas, who are not concerned with the procedure but only with results, will however be sent translations for their information.

4 The new decree requires, in effect, that any epuration proceedings against officers of the first four grades (or equivalent ranks of Railway officials) shall be commenced before the 30 Nov; that the Epuration Commissions shall give their findings before the 30 Dec and that appeals by an employee shall be lodged within 3 days of a decision. There is power to extend the time for hearing up to a further 30 days in cases of exceptional difficulty.

5 The Government has also taken power to retire officers of the first four grades (and of corresponding Railways grades) even if they do not come within the provisions for dismissal, if they are considered unsuitable for retention. Such retirement can take place before purging and persons retired may be epurated and lose the whole or part of their pensions. "Irremovable" officers retired may if they are not fascist be compensated for their office by addition of service to count for pension.

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6 Promotions to fill vacancies in the first four grades must be cleared by the appropriate epuration commission before being made.

7 In territory now in enemy occupation the various time limits contained in this decree commence to run for any from the date the decree comes into effect in that area.

BY COMMAND OF COMMISSIONER STONE :

C.F. STONE Brig.
A.F. AC Section
ACAS

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Mod 839

86

Ministero dell'Interno

ELENCO NUMERICO del personale di ruolo dell'Amministrazione civile dell'Interno in servizio al Ministero -

G r u p p o A

Prefetti	grado	3°	N. 4	(1)
Prefetti	"	4°	" 19	(1)
Viceprefetti	"	5°	" 14	
Viceprefetti ispettori . .	"	6°	" 25	
Consiglieri di 1^ classe .	"	7°	" 43	
Consiglieri di 2^ classe .	"	8°	" 24	
Primi segretari	"	9°	" 21	
Segretari	"	10°	" 4	
Vice segretari	"	11°	" 23	
			N. 177	

(1) = 1 Capo di Gabinetto Presidenza Consiglio Ministri
1 Capo di Gabinetto Ministero dell'Interno
5 Direttori Generali
1 Vice Capo della Polizia
11 Ispettori Generali
1 Capo di Gabinetto Presidenza Camera dei Deputati
1 Capo di Gabinetto Alto Commissariato Sanzioni contro il fascismo
1 Capo di Gabinetto Alto Commissariato Profughi Guerra
1 Reggente il Ministero della Real Casa

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0901

Declassified E.O. 12356 Section 3.3/NND No. 785021

3891

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Total Document 87

HEADQUARTERS
ALLIED COMMISSION
APO 394
CA SECTION

28 OCT 1944

RRT

DE/S.9/CA

26 Oct 44

285.

SUBJECT : Defascism.

TO : See Distribution.

1 A new decree with regard to defascism has been issued. Its object is to expedite the removal of senior officials so that non fascists can be promoted to take charge of their new departments, get hold of them reorganize and get their staffs to settle down.

2 The new decree introduces a special procedure for ejecting officials of Grades I - IV (and of the corresponding grades of the State Railways); as regards all other officials Part II of ACC 153/44 will continue to apply unchanged and as regards those officers to whom the new decree applies those provisions of Pt II which are not inconsistent with the new decree continue to apply.

3 Translations of the decree will be issued to Sub-Commissions who will remain responsible for supervising control defascisation. Regions and Armies, who are not concerned with the procedure but only with results, will however be sent translations for their information.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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BY COMMAND OF DOMINION STONE :

K L

S.N. DESOHN Brig.
V.F. CA Section
ACAS

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Declassified E.O. 12356 Section 3.3/NND No. 785021

3 & 12

Mod. 839

86

Ministero dell'Interno

ELENCO NUMERICO del personale di ruolo dell'Amministrazione civile dell'Interno in servizio al Ministero -

G r u p p o A

Prefetti	grado 3°	N. 4	(1)
Prefetti	" 4°	" 19	(1)
Viceprefetti	" 5°	" 14	
Viceprefetti ispettori . .	" 6°	" 25	
Consiglieri di 1^ classe .	" 7°	" 43	
Consiglieri di 2^ classe .	" 8°	" 24	
Primi segretari	" 9°	" 21	
Segretari	" 10°	" 4	
Vice segretari	" 11°	" 23	
		N. 177	

(1) = 1 Capo di Gabinetto Presidenza Consiglio Ministri
1 Capo di Gabinetto Ministero dell'Interno
5 Direttori Generali
1 Vice Capo della Polizia
11 Ispettori Generali
1 Capo di Gabinetto Presidenza Camera dei Deputati
1 Capo di Gabinetto Alto Commissariato Sanzioni contro il fascismo
1 Capo di Gabinetto Alto Commissariato Profughi Guerra
1 Reggente il Ministero della Real Casa

./.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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Ispettori Superiori di Ragioneria 1^ classe . . .	grado 5°	N.	1
Ispettori Superiori di Ragioneria 2^ classe . . .	" 6°	"	5
Ragionieri capi 1^ classe.	" 7°	"	I2
Ragionieri capi 2^ classe.	" 8°	"	I7
Primi ragionieri	" 9°	"	I8
Ragionieri	" I0°	"	I2
Vice ragionieri	" 11°	"	20
		N.	85

G r u p p o C

Archivisti capi	grado 9°	N.	22
Primi archivisti	" I0°	"	29
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Applicati	" I2°	"	45
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		N.	I52

Personale subalterno

Primi commessi	N.	I5
Uscieri capi	"	70
Uscieri.	"	I6
Inservienti	"	I7
	N.	118

Roma, I3 ottobre I944

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Declassified E.O. 12356 Section 3.3/NND No. 785021

GRUPPO B

Ispettori Superiori di Ragioneria di 1ª classe	grado 5°	N.	1
Ispettori Superioli di Ragioneria 2ª classe	" 6°	"	5
Ragionieri capi di 1ª classe	" 7°	"	12
Ragionieri capi di 2ª classe	" 8°	"	17
Primi ragionieri	" 9°	"	18
Ragionieri	" 10°	"	12
Vice ragionieri	" 11°	"	20
		N.	85

GRUPPO C

Archivisti capi	grado 9°	N.	22
Primi archivisti	" 10°	"	29
Archivisti	" 11°	"	28
Applicati	" 12°	"	45
Aiunni d'ordine	" 13°	"	28
		N.	152

Personale subalterno

Primi commessi	N.	15
Uscieri capi	"	70
Uscieri	"	16
Inservienti	"	17
	N.	118

Roma, 13 ottobre 1944

4371

0906

Declassified E.O. 12356 Section 3.3/NND No. 785021

Mod 830

868

Ministero dell'Interno

ELENCO NUMERICO del personale di ruolo dell'Amministra= civile dell'Interno in servizio nelle Prefetture delle 30 Provincie amministrate dal Governo Italiano -

G r u p p o A

Prefetti	grado	3°	N. 6
Prefetti	"	4°	" 2I
Viceprefetti	"	5°	" I7
Viceprefetti ispettori . .	"	6°	" 38
Consiglieri di 1^ classe .	"	7°	" 44
Consiglieri di 2^ classe .	"	8°	" 36
Primi segretari	"	9°	" 76
Segretari	"	I0°	" I3
Vice segretari	"	11°	" 62
			N.3I3

G r u p p o B

Ispettori Superiori di Ragioneria di 2^ clas. .	grado	6°	N. 7
Ragionieri capi 1^ classe.	"	7°	" 30
Ragionieri capi 2^ classe.	"	8°	" 46
Primi ragionieri	"	9°	" 7I
Ragionieri	"	I0°	" 24
Vice ragionieri	"	11°	" 5I
			N. 229

4370

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0907

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G r u p p o C

Archivisti capi	Grado 9°	N.	23
Primi archivisti	" I0°	"	49
Archivisti	" 11°	"	74
Applicati	" I2°	"	119
Alunni d'ordine	" I3°	"	25
			N. 290

Personale subalterno

Uscieri capi	N.	89
Uscieri	"	53
Inservienti	"	36
	N.	I78

Roma, I3 ottobre I944

0908

Declassified E.O. 12356 Section 3.3/NND No. 785021

86C

GRUPPO C

Archivisti capi	gredo 9°	N. 23
Primi archivisti	" 10°	" 49
Archivisti	" 11°	" 74
Applicati	" 12°	" 119
Alunni d'ordine	" 13°	" 25
		N° 290

Personale subalterno

Uscieri capi	N. 89
Uscieri	" 53
Inservienti	" 36
	N. 178

Roma, 13 ottobre 1944

0909

Declassified E.O. 12356 Section 3.3/NND No. 785021

HEADQUARTERS
ALLIED CONTROL COMMISSION
LOCAL GOVERNMENT SUB COMMISSION
APO 394

ACC/3/2/LG 26 October 1944

SUBJECT: Defascistization Reports.

TO : Civil Affairs Section (attention Major Paladieri)

1. Attached herewith Defascistization Progress Reports for the period ending October 15th, covering activities of the Epuration Committees in the Ministry of Interior (Local Government, Public Health, and Public Safety Sub-Commissions concerned).

R. G. B. SPICER
Colonel
Director
Local Government Sub Commission

RBS/pec
Encls. as in (1) above.

0910

Declassified E.O. 12356 Section 3.3/NND No. 785021

12
82

Local Govt., Pub. Health, and Pub. Safety Sub Comm.

DEFASCISM PROGRESS REPORT
(State Departments)

For per
15
80

Return as to Ministry of Interior

GRADE	Total No.	Investigations Completed	Suspensions	Hearing Completed	Dismissals	Lodged	Hea
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h
I							
II							
III	2	2	0	2	0	1	
IV	3	0	1	0	0	0	
V							
VI							
VII	2	2	2	2	1	0	
~~VIII~~	0	0	0	7	1	0	
~~IX~~	1	1	1	0	0	0	
~~X~~	0	0	0	0	0	0	
~~XI~~	5	5	1	1	0	0	
Employees	4	4	3	15	1	0	
TOTAL	17	14	7	29	3	1	

I am of opinion that progress may be regarded as slow

sd

Instructions:
The figures to be entered in col (b) is the full strength of each grade emplo
columns will be entered the total number of decisions etc made to the date on which the re
number made during the period nor will the figures be adjusted because of the result of la
in col (d) will be the total number of suspensions ordered; if the commissions restore som
ment and they are no longer suspended the number restored will NOT be deducted from the st

0911

Declassified E.O. 12356 Section 3.3/NND No. 785021

DEFASCISM PROGRESS REPORT
(State Departments)

For period ending 15 October 1945

15 Oct

Investigations Suspensions (d)	Hearing Completed (e)	Hearing Dismissals (f)	Appeals Lodged (g)	Appeals Heard (h)	Appeals Not Confirmed (i)
0	2	0	1	0	0
0	0	0	0	0	0
2	2	1	0	0	0
0	7	1	0	0	0
1	0	0	0	0	0
0	0	0	0	0	0
0	1	0			
1	2	0	0	0	0
3	15	1	0	0	0
7	29	3	1	0	0

Recorded as clear

Signed R K Temple Capt.

Figure in col (b) is the full strength of each grade employed. In all other
Number of decisions etc made to the date on which the return ends not the
should the figures be adjusted because of the result of later action for instance
where suspensions ordered, if the commissions restore some to their appoint-
ments the number restored will NOT be deducted from the suspensions.

0912

Declassified E.O. 12356 Section 3.3/NND No. 785021

85B

DEFASCISM PROGRESS REPORT
(State Departments)

Fo
15
30

Pub li • Safety Sub Comsn.

Return as to Ministry of Interior (Public Security Personnel & Corps)

GRADE	Total No.	Investigations Completed	Suspensions	Hearing Completed	Dismissals	Lodged
(a)	(b)	(c)	(d)	(e)	(f)	(g)
VII	2	2	2	2	1	
VIII						
IX	1	1	1	7	1	Nil rep
X						
XI						
Employees	5	5	1	1		
Corps	4	4	3	2		
				15	1	
TOTAL	12	12	7	27	3	

I am of opinion that progress may be regarded as SLOW

ed R

Instructions:

The figures to be entered in col (b) is the full strength of each grade em
columns will be entered the total number of decisions etc made to the date on which the
number made during the period nor will the figures be adjusted because of the result of
in col (d) will be the total number of suspensions ordered; if the commissions restore
and they are no longer suspended the number restored will NOT be deducted from the

0913

Declassified E.O. 12356 Section 3.3/NND No. 785021

IEFASCISM PROGRESS REPORT
(State Departments)

omen.

(Public Security Personnel & Corps)

For period ending 15/30 October

4366

Investigations Completed (c)	Investigations Suspensions (d)	Hearing Completed (e)	Hearing Dismissals (f)	Appeals Lodged (g)	Appeals Heard (h)	Appeals Not Confirmed (i)
2	2	2	1			
1	1	7	1	Nil report from the Fire-Service		
5	1	I 2				
4	3	15	1			
12	7	27	3			

may be regarded as SLOW so Known trend

entered in col (b) is the full strength of each grade employed. In all other
eal number of decisions etc made to the date on which the return ends not the
or will the figures be adjusted because of the result of later action for instance
umber of suspensions ordered; if the commissions restore some to their appoint-
ed/Demoted the number restored will NOT be deducted from the suspensions.

0914

Declassified E.O. 12356 Section 3.3/NND No. 785021

852

DEFASCISM PROGRESS REPORT
(State Departments)

Local Govt Sub Comen.

Return as to Ministry of Interior

For period ending
15
30 October

GRADE	Total No.	Investigations Completed	Suspensions	Hearing Completed	Dismissals	Appeals Lodged	Heard	Not
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	
I								
II								
III	2	2	0	2	0	1	0	
IV	3	0	0	0	0	0	0	
V								
VI								
VII								
VIII								
IX								
TOTAL	5	2	0	2	0	1	0	0

I am of opinion that progress may be regarded as ~~above~~ below

sd R.K. Temple, Capt

Instructions:

The figures to be entered in col (b) is the full strength of each grade employed. In all columns will be entered the total number of decisions etc made to the date on which the return ends not number made during the period nor will the figures be adjusted because of the result of later action fo in col (d) will be the total number of suspensions ordered; if the commissions restore some to their ap ment and they are no longer suspended the number restored will NOT be deducted from the suspensions.

0915

Declassified E.O. 12356 Section 3.3/NND No. 785021

DEFASCISM PROGRESS REPORT
(State Departments)

For period ending
15
~~30~~ October

1365

ns pensions	Hearing Completed	Hearing Dismissals	Appeals Lodged	Appeals Heard	Appeals Not Confirmed
(d)	(e)	(f)	(g)	(h)	(i)
0	2	0	1	0	0
0	0	0	0	0	0
0	2	0	1	0	0

ied as ~~Secretary~~ Attorney

ed R. Temple, Capt

ol (b) is the full strength of each grade employed. In all other
decisions etc made to the date on which the return ends not the
figures be adjusted because of the result of later action for instance
ensions ordered; if the commissions restore some to their appoint-
umber restored will NOT be deducted from the suspensions.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

(85-D)

SPECCHIO SULL'ANDAMENTO DELLA DEFASCISTIZZAZIONE
(Amministrazioni di Stato) dal 1 o
al 15

ALLA SOTTOCOMMISSIONE PER L' INTERNO

Specchio riguardante il personale del Ministero dell'Interno Sedute della Comm

Denunzie pendenti N. 55
" pervenute " 5 Per/ le Sanita' N. Persle Amm/vo N. 5
Indagini in corso " 5 " " " " " 5
" espletate " 2 " " " " " 2

Decisioni adottate N.2 (dispensa dal servizio Pers.Sanita' N. Pers. Amm. N. 1
(Provv.disciplinari " " " " " N. 1
(Non luogo a sanzioni " " " " " N.-

DISPENSE

Nome e cognome	Grado - Gruppo	Ufficio al quale e' addetto	Se i
Giovenco dott. Giuseppe	III A	- - - - -	sos

PROVVEDIMENTI DISCIPLINARI

Nome e cognome	Grado - Gruppo	Ufficio al quale e' addetto	Se i
Vitelli dott.Giovanni	III A	-- - - - -	

NON LUOGO A SANZIONI

Nome e cognome	Grado - Gruppo	Ufficio al quale e' addetto	S
--	-- --	-----	

IL PRESIDENTE DELLA COMMISSION

0917

Declassified E.O. 12356 Section 3.3/NND No. 785021

SPECCHIO SULL'ANDAMENTO DELLA DEPASCISTIZZAZIONE

(Amministrazioni di Stato)

dal 1 ottobre 1944
al 15 " 1946

436

SIONE PER L' INTERNO

Sedute della Commissione N.2

te il personale del Ministero dell'Interno

i N. 55
" 5 Per/ le Sanita' N. Perse le Amm/vo N. 5
so " 5 " " " " " 5
te " 2 " " " " " 2

servizio Pers. Sanita' N. Pers. Amm. N. 1
linari " " " " N. 1
sanzioni " " " " N.-

Grado - Gruppo	Ufficio al quale e' addetto	Se in servizio o sospeso
III A	- - - - -	sospeso

ARI

Grado - Gruppo	Ufficio al quale e' addetto	Se in servizio o sospeso
III A	-- - - - -	sospeso

NI

Grado - Gruppo	Ufficio al quale e' addetto	Se in servizio o sospeso
-- --	-----	------

IL PRESIDENTE DELLA COMMISSIONE PER EPURAZIONE

0918

Declassified E.O. 12356 Section 3.3/NND No. 785021

SPECCHIO SULL'ANDAMENTO DELLA DEFASCISTIZZAZIONE

(Amministrazioni di Stato) dal 1 al 15

ALLA SOTTOCOMMISSIONE PER L' INTERNO

Specchio riguardante il personale del Ministero dell'Interno Sedute della Com

Denunzie pendenti	N. 55						
" pervenute	" 5	Per/ le	Sanita'	N.	Perale	Amm/vo	N. 5
Indagini in corso	" 5	"	"	"	"	"	" 5
" espletate	" 2	"	"	"	"	"	" 2

Decisioni adottate N.2 (dispensa dal servizio Pers. Sanita' N. Pers. Amm. N. 1
(Provv.disciplinari " " " " " N. 1
(Non luogo a sanzioni " " " " " N.-

DISPENSE

Nome e cognome	Grado - Gruppo	Ufficio al quale e' addetto	Se
Giovenco dott. Giuseppe	III A	- - - - -	so

PROVVEDIMENTI DISCIPLINARI

Nome e cognome	Grado - Gruppo	Ufficio al quale e' addetto	Se
Vitelli dott.Giovanni	III A	-- - - - -	

0919

Declassified E.O. 12356 Section 3.3/NND No. 785021

SPECCHIO SULL'ANDAMENTO DELLA DEPASCISTIZZAZIONE

(Amministrazioni di Stato)

dal 1 ottobre 1944
al 15 " 4364

L' INTERNO

Sedute della Commissione N.2

Personale del Ministero dell'Interno

Per/ le Sanita' N. Perse le Amm/vo N. 5
" " " " " 5
" " " " " 2

Pers.Sanita' N. Pers. Amm. N. 1
" " " " N. 1
" " " " N.-

- Gruppo	Ufficio al quale e' addetto	Se in servizio o sospeso
A	- - - - -	sospeso

- Gruppo	Ufficio al quale e' addetto	Se in servizio o sospeso
A	-- - - - -	sospeso

0920

Declassified E.O. 12356 Section 3.3/NND No. 785021

PROVVEDIMENTI DISCIPLINARI

Nome e cognome	Grado - Gruppo	Ufficio al quale e' addetto	S
Vitelli dott.Giovanni	III A	-- - - - -	

NON LUOGO A SANZIONI

Nome e cognome	Grado - Gruppo	Ufficio al quale e' addetto	
--	-- --	-----	

IL PRESIDENTE DELLA COMMISSI

0921

Declassified E.O. 12356 Section 3.3/NND No. 785021

Grado - Gruppo	Ufficio al quale e' addetto	Se in servizio o sospeso
III A	-- - - - -	sospeso

Grado - Gruppo	Ufficio al quale e' addetto	Se in servizio o sospeso
-- --	-----	-------

IL PRESIDENTE DELLA COMMISSIONE PER EPURAZIONE

0922

Declassified E.O. 12356 Section 3.3/NND No. 785021

854

SPECCHIO SULL'ANDAMENTO DELLA DEFASCISTIZZAZIONE (Amministrazioni di Stato)

Per il p
dal 1
al 15

Alla Sotto Commissione _____

Specchio riguardante il Ministero dell'Interno

Grado	N.Totale	Indagini Epilet.- Sospens		Giudizi Conch.- Rimozioni		Ricorsi Presentati- Esaminati-Non	
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
I							
II							
III	2	2	Non e' provvedimento della Commissione, ma dell'Amministrazione dell'Interno -	2	0	1	0
IV							
V							
VI							
VII							
VIII							
IX							
TOTALE	2	2		2	0	1	0

Istruzioni -le cifre da porsi nella colonna (b) indicano il numero complessivo di ciascun grado. I
le altre colonne verra' esposto il numero totale delle decisioni ecc., prese fino alla data a cui
riferisce, non il numero delle decisioni prese durante il periodo in esame; tali cifre non dovrann
in base ai risultati relativi a decisioni successive, per esempio, nella colonna (d), verra' indicato
totale delle sospensioni disposte; se le Commissioni riammettono taluni ai loro posti e se questi n
piu' sospesi. il numero' di essi NON sara ' sottratto dal numero delle sospensioni -

0923

Declassified E.O. 12356 Section 3.3/NND No. 785021

Per il periodo dal
dal 1 ottobre 1944
al 15 " 1946

4366

CCHIO SULL'ANDAMENTO DELLA DEFASCISTIZZAZIONE
(Amministrazioni di Stato)

nterno

agini - Sospens.	Giudizi Conch. - Rimozioni		Ricorsi Presentati - Esaminati - Non confermati		
(d)	(e)	(f)	(g)	(h)	(i)
Non e' provveduto dall'Amministrazione dell'Interno - Tale Commissione	2	0	1	0	0
	2	0	1	0	0

colonna (b) indicano il numero complessivo di ciascun grado. In tutte
umero totale delle decisioni ecc. prese fino alla data a cui lo specchio si
oni prese durante il periodo in esame; tali cifre non dovranno essere
ioni successive, per esempio, nella colonna (d), verra' indicato il numero
le Commissioni riammettono taluni ai loro posti e se questi non sono
sara ' sottratto dal numero delle sospensioni -

0924

Declassified E.O. 12356 Section 3.3/NND No. 785021

(84)

ED/CWW/cz

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO394
Education Sub Commission

23, October, 1944

ED/3.16/ACC

SUBJECT : Professor Castellani

TO : H.E. the Minister of Education

What follows confirms our passed conversations/

1. We agreed to ask the Committee of Epuration to examine the case of Prof. Castellani at once.

2. In case the Committe judges that Prof. Castellani can be kept in office, the Education Sub Commission will immediatly give it's autorisation.

3. We ask Y.E. to explain to the President of the Committee of Epuration that the Education Sub-Commission does not consider that any measure taken by the Allied Authorities concerning the personnel employed by the Ministry of Education, may in any way prevent or hinder the work of the Commission itself

CARLETON W. WASHBURNE
Major, U.S.A.
A/ Director of Education.

4362

0925

Declassified E.O. 12356 Section 3.3/NND No. 785021

84A

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
Education Subcommission

ED/CWW/cz

ED/3.16A/ACC

23 ottobre 1944

OGGETTO : Professor Castellani.

A : S.E. il Ministro della Pubblica Istruzione

Quanto segue a conferma delle nostre passate conversazioni.

1. Rimanemmo d'accordo di far subito esaminare dal Comitato di Epurazione il caso del Prof. Castellani.

2. Nel caso il Comitato giudichi che il Prof. Castellani debba essere ritenuto in carica, la Sottocommissione dell'Educazione dara' immediatamente il suo nulla osta.

3. Si prega l'E.V. di chiarire al Presidente del Comitato di Epurazione che la Sottocommissione per l'Educazione non considera che nessun provvedimento preso dalle Autorita' Alleate nei riguardi del personale dipendente dal Ministero della Pubblica Istruzione, debba in alcun modo ostacolare o impedire il lavoro della Commissione stessa.

CARLETON W. WASHBURNE
Major, A.U.S.
A/Director of Education.

0926

Declassified E.O. 12356 Section 3.3/NND No. 785021

Roma 1943

3779

C Roma 17 Ottobre 1944

83

Ministero dell'Interno
COMMISSIONE per l'epurazione

Al Sig.Cpt. Ralph
TEMPLE
Interior Sub
Commission A. C. C.

Direzione Gen. le
Uff. I - 63/44

Sez.
Allegati 1

Risposta al foglio
Del Sez. I^a

OGGETTO Invio elenco funzionari sospesi.-

Si trasmette l'unito elenco dei funzionari della Amministrazione Civile di questo Ministero sospesi a termini dell'art.22 del D.L. 27/7/1944 n° 159, elenco comunicato a questa Commissione in data odierna dalla Direzione Generale del Personale, per l'inoltro a cotesta on. Commissione.-

IL P R E S I D E N T E
(V. De Ficchy)
d'ordine
Il Segretario della Commssione
(I.Bianchi)

4360

FUNZIONARI SOSPESI A TUTT'OGGI A TERMINI DELL'ART.22 DEL DECRETO LEGISLATIVO LUOGOTENENZIALE 27 LUGLIO 1944 n°159

———oOo———

Roma, 17 ottobre 1944

ZANNELLI dr. Emanuele	Prefetto
MACCIOTTA dr.Leonida	id.
MESSA dr. Fortunato	id.
SOLIMENA dr. Federico	id.
SEVERINI dr. Ugo	id.
PETRAGNANI dr.Umberto	id.
PALMARDITA dr.Umberto	id.
FUSCO dr. Umberto	Viceprefetto
SPANO dr. Egidio	id.
IANNONI dr. Sante	id.
TOSARONI dr. Inigo	id.
BELLI CONTARINI dr.Edoardo	id.
VALENTE dr. Fabio	id.
LAGRASTA dr. Vito	id.
D'AMBROSIO dr. Vincnezo	id.
RICCIARDI dr. Domenico	id.
COCCIA dr. Francesco	id.
LIUTI dr. Alberto	Viceprefetto Ispettore
VACIRCA dr. Vincenzo	id.
GAZZILLI dr. Giuseppe	id.
VADALA' dr. Riccardo	id.
SANDRELLI dr.Luigi	id.
GENTILE dr. Vincenzo	Consigliere
NICASTRO dr.Raimondo	id.
FUSCO dr. Gaetano	id.
GIOVENGO dr. Luigi	id.

Declassified E.O. 12356 Section 3.3/NND No. 759023

VALENTE dr. Fabio	id.
LAGRASTA dr. Vito	id.
D'AMBROSIO dr. Vincenzo	id.
RICCIARDI dr. Domenico	id.
COCCIA dr. Francesco	id.
LIUTI dr. Alberto	Viceprefetto Ispettore
VACIRCA dr. Vincenzo	id.
GAZZILLI dr. Ciuseppe	id.
VADALA' dr. Riccardo	id.
SANDRELLI dr.Luigi	id.
GENTILE dr. Vincenzo	Consigliere
NICASTRO dr.Raimondo	id.
FUSCO dr. Gaetano	id.
GIOVENGO dr. Luigi	id.
ROSSI dr. Ugo	id.
SGAMBELLURI dr.Renato	id.
BILANCIA dr. Francesco	id.
BARRESI dr. Francesco	id.
COTUGNO dr.Emanuele	id.
CRISCUOLI dr.Darwin	id.
SGANGA dr. Santino	id.
INCISA DI CAMERANA dr.Carlo	id.

4359

0928

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

CASO dr. Giuseppe	Consigliere di 1^ classe
PROSPERI dr.Simone	id.
FABRIS dr. Giulio	id. 2^ classe
PIZZARI dr. Massimiliano	id.
LICATA dr. Giuseppe	id.
DEODATO dr. Mario	id.
CURRI dr. Raimondo	1° Segretario
BALLERO dr. Carlo	Vice Segretario in prova
PASSALACQUA dr. Nicolò	id.
PUCCI SISTI dr. Domenico	id.
PANTALEO rag. Giuseppe	Ispettore Superiore Ragioneria 1^ cl.
TOMASSETTI rag.Domenico	Ragioniere Capo
DI RIENZO rag. Rocco	id.
QUARTA rag. Michele	id.
AMIDEI Francesco	Archivista
GRIMALDI Francesco Paolo	id.
COCCIA Giovanni	id.
TATEO Antonio	Applicato

Declassified E.O. 12356 Section 3.3/NND No. 960221

0930

Declassified E.O. 12356 Section 3.3/NND No. 785021

HEADQUARTERS
ALLIED CONTROL COMMISSION
LOCAL GOVERNMENT SUB COMMISSION
APO 394

82

17 October, 44.

ACC/3/A/LG.

SUBJECT : Avv. Luigi BONIFORTI.

TO : PC Florence.

1. Reference the letter of 12 October addressed to you by the Prefect of Florence, which isreturned herewith.

2. The selection of the membems of the Provincial Committee of Epuration rests with the Prefect, with the exception of one member who is appointed by the High Commissioner.

for R.G.B. SPICER, Colonel
Director
Local Government Sub Commission.

1 Encl.

INFORMATION

4358

2359

0931

Declassified E.O. 12356 Section 3.3/NND No. 785021

81

R. [illegible] di Palermo

File : 3254 Div. Gen. Florence, 12, October, 1944.

Subject: Avv. Luigi BONIFORTI -Judging Member of Comision of epuration

to Col. PAUL H L. POLPH
Provincial Commissioner of the A.M.G.

FLORENCE

As referring to your verbal request, I propose ,as judging mem ber for the C ommission of Epuration of the Local Bodys for the sanctions against fascism, the Avv. Luigi BONIFORTI, professionist very esteemed for his probity and for his political opinions.

Boniforti appears never t o have been ins cribed in the Fascio: he was arrested in the fascist republican period and appears amongst those who were at that time officiously designated as member of the Commission of Epuration by the C.T .L .N.

THE PREFECT
(Paterno)

0932

Declassified E.O. 12356 Section 3.3/NND No. 785021

3753 3A (80)

Notes of Meeting
of
Sub Comms Representatives
14 Oct 44

OCT 1944

1 The main object of the meeting was to obtain views of Sub Comms of a scheme for Epurating in Italy by AMG order if progress under the Italian procedure proved too slow. A draft order had been drawn but one or two gaps remained for completion when the views of Sub Comms had been ascertained. The draft if put in force would operate through a Provincial Committee of Italians appointed by AMG who would only have power to suspended not to dismiss. Persons suspended would later appear before the Italian Epuration Commission.

2 The first point upon which Sub Comms views was required was as to whether suspension should be with or without pay or whether that should be within the discretion of the committee.
IT WAS AGREED that persons suspended should receive their basic pay without allowances as in Art 22 of GL. 159.

3 The second point upon which advice was desired was this. It was intended to remove most quickly the heads of various services. Then to deal with the more important of the remainder and to leave, unless they were very military, the lowest grades to the Italians entirely. Where should the demarcation lines be drawn.
IT WAS AGREED that the first priority should include Grade VI and the second Grade IX.

4 The next point was as to the corresponding grades in civil occupations.
IT WAS AGREED that all Heads should be of first priority namely Directors, Managers (including Works and Branch Managers and Technical Heads) and that all other grades mentioned in the fortnightly return proforma should be second priority namely Deputy and Assistant Managers (whether of Head office Branch or Works), Senior Technicians and Senior Foremen. Heads of departments would be in this class.

5 Brig UPJOHN reported on progress of proposed legislation
a) The rules of procedure had been agreed except for one point that it was now proposed to appoint the Provincial Committees centrally. He personally thought that was likely to lead to delay but the Italians were suggesting the contrary. If their lists of appointees were ready they might be right. He was enquiring as to this. There was also to be considered whether centrally appointed commissions would be acceptable in the North.

43566

0933.

Declassified E.O. 12356 Section 3.3/NND No. 785021

b) Priority of Grades I-IV. The new proposal took the sting out of the scheme, on the face it appeared to slow down procedure, but more again the Italians claimed that in fact acceleration would be achieved.

6 Sub Commissions were asked to enquire how many persons had been invited not to attend their offices or been otherwise regularly suspended and to take steps to get their cases determined quickly. They should as soon as possible either return to DO the work for which they were paid or be dismissed and their pay be stopped.

7 It should be agreed with the Italian Government :
a) that persons appointed as Commissaries should be cleared by the appropriate Epuration Commission before appointment.
c) That persons suspended by AMG should not be eligible for any new appointment until they had appeared before an epuration commission and been cleared.

8 Sub-Commissions would meet again in 14 days time.

NOTE: - Under 6 above the next meeting would be held on 30 Oct. As the next return is for the period ending 30 (not 31) Oct. It is considered desirable to hold the next meeting on 1 Nov. Sub-Commissions are asked to do their best to get the returns in before the meeting.

DISTRIBUTION :-

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Legal Sec	Agric S/C	Transportation S/C
		FTB

COPY TO :- V.P.
CAI HEADQUARTERS

0934

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I9 and I9A REMOVED FROM FILE

AND GIVEN TO CIVIL AFFAIRS

SECTION

0935

Declassified E.O. 12356 Section 3.3/NND No. 785021

SUBJECT:Precis of Conference on DEFASCISTIZATION, 14 Oct 1944.

1. Brigadier Upjohn presided at the meeting which was called to order at 0900 hours. Representatives of all Sub-Commissions dealing directly or co-ordinating Defascistization were present.

2. Brig. Upjohn said the primary purpose of the meeting was to discuss an order which was being prepared by Col [redacted] of Legal Sub-Commission for the handling of epuration in the northern regions preliminary to the application of the Decree no. 159. It was stated that the terms followed those in the Decree.

3. No one was to be dismissed but merely was to be suspended pending hearing of his case.

4. In order that big men be dealt with first, it was decided to create 3 groups. One that was to be handled immediately, one would be normal, and the third postponed. The first group consisted of officials down to Grade VI, the second group from VII to IX, and the third group from IX downward.

5. A formal statement on this point would be circulated later.

6. The question of payment of salaries of employees during suspension came up for discussion. It was felt that since the Government's position was to give the basic pay to persons during their suspension, according to the present Decree, that this policy would be followed in the order as well. Sentiment was expressed that it was undesirable to leave it at the discretion of the Committees of each province or region.

7. The question of appointment of Provincial Committees was discussed. Scoccimarro is in favour of having Provincial Committees appointed centrally, instead of by the Prefects. The opposing view being by appointment by the Prefects. The VP stated that he was afraid of delay if there was central appointment, but requested expression of opinion. I stated that generally speaking, that it was desirable to have appointment by Prefects if there was assurance that the Prefects themselves were epurated and were not undesirable officials. Unless this assurance was had, the Commissions would not be worthwhile. There was agreement on this and it was decided to see whether Scoccimarro had a list in readiness and if he had, since the responsibility was ultimately that of the Italian Governments, then to proceed accordingly. If not, the job of appointment of provincial commissions would be in the hands of Prefects who had been epurated.

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8. Major Palmieri pointedout that an extra-legal procedure apparently had been adopted by many Ministries. This was "to invite people not to frequent their offices". This should stop since either the cases should be up for epuration and disposed, or else not be brought up at all. It was requested that the Ministries be asked for a list of persons whomad been so invited to stay away from their offices and the Epuration Committee should be given this list.

9. It was tentatively proposed to call another meeting in 2 weeks, but a formal notice tothis effect would be circulated.

R. R. TEMPLE
Captain
Executive Officer
Local Government S/C

RRT/ jgt

0937

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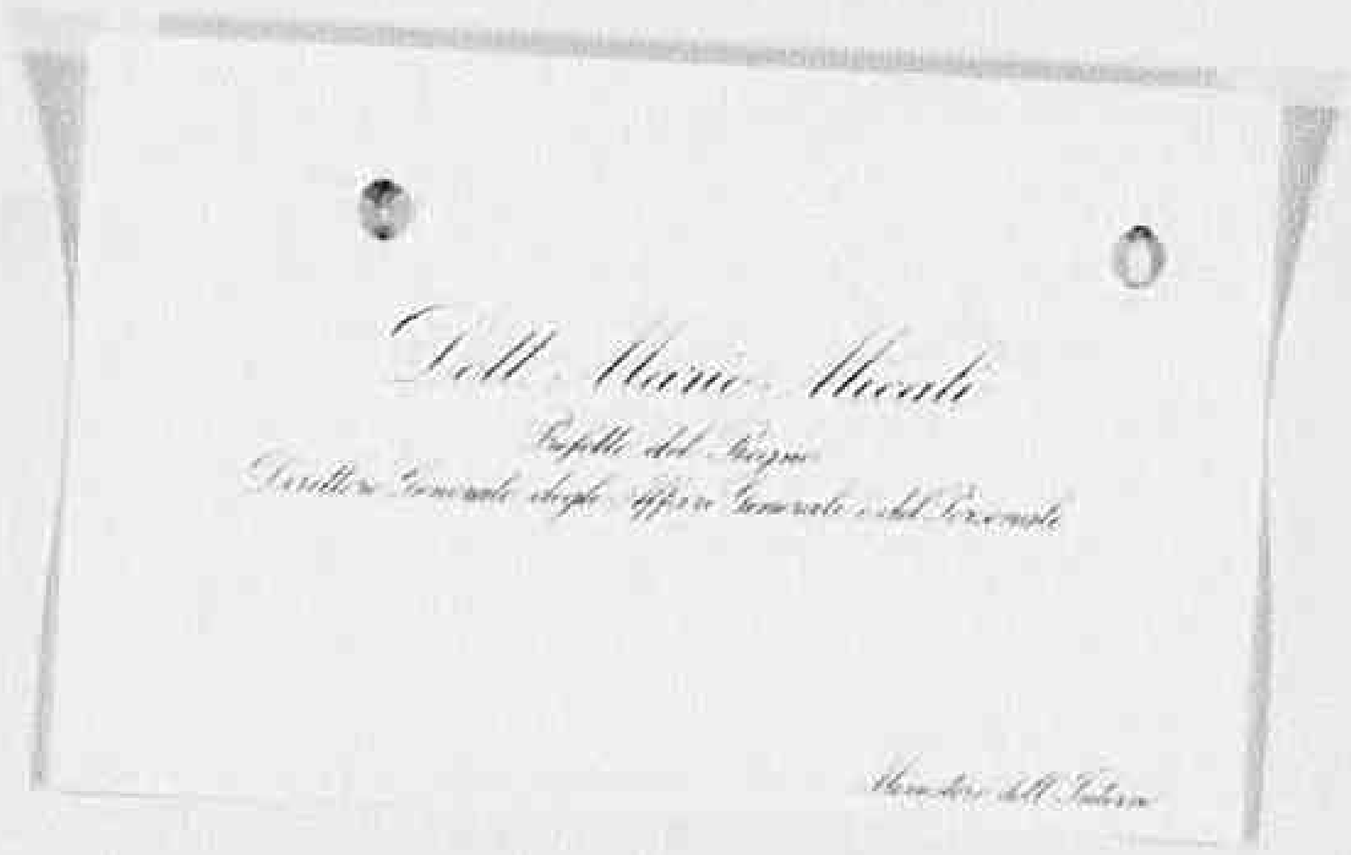

Sott. Henri Hervé

Capitaine du Génie

Directeur Commandant des Ecoles Officiers Commandant le Détachement

Membre de l'Institut

0938

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Mod 839

Ministero dell'Interno

77

ELENCO NUMERICO DEL PERSONALE DI RUOLO DELL'AMMINISTRAZIONE CIVILE DELL'INTERNO IN SERVIZIO NELLE PREFETTURE DELLE 30 PROVINCIE AMMINISTRATE DAL GOVERNO ITALIANO

Gruppo A

Prefetti	N. 27
Viceprefetti	" 17
Viceprefetti ispettori	" 38
Consiglieri	" 80
Primi segretari	" 76
Segretari	" 13
Vice segretari	" 62
	N. 313

Gruppo B

Ispettori Superiori di Ragioneria	N. 7
Ragionieri capi	" 76
Primi ragionieri	" 71
Ragionieri	" 24
Vice ragionieri	" 51
	N.229

(segue)

4352

0939

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G r u p p o C

Archivisti capi	N.	23
Primi archivisti	"	49
Archivisti	"	74
Applicati	"	144
	N.	290

Subalterni . . . . . N. 178

Roma, I3 ottobre I944

0940

Declassified E.O. 12356 Section 3.3/NND No. 785021

Mod 839

Ministero dell'Interno

ELENCO NUMERICO DEL PERSONALE DI RUOLO DELL'AMMINISTRAZIONE CIVILE DELL' INTERNO IN SERVIZIO AL MINISTERO

G r u p p o A

Prefetti	N.	23	(1)
Viceprefetti	"	14	
Viceprefetti ispettori	"	25	
Consiglieri	"	67	
Primi segretari	"	2I	
Segretari	"	4	
Vice segretari	"	23	
	N.	177	

(1) = 1 Capo di Gabinetto Presidenza Consiglio Ministri
1 Capo di Gabinetto Ministero dell'Interno
5 Direttori Generali
1 Vice Capo della Polizia
11 Ispettori Generali
1 Capo Gabinetto Presidenza Camera Deputati
1 Capo Gabinetto Alto Commissariato Sanzioni contro il fascismo
1 Capo Gabinetto Alto Commissariato Profughi guerra
1 Reggente il Ministero della Real Casa

(segue)

0941

Declassified E.O. 12356 Section 3.3/NND No. 785021

G r u p p o B

Ispettori Superiori di ragioneria	N.	6
Ragionieri capi	"	29
Primi ragionieri	"	I8
Ragionieri	"	I2
Vice ragionieri	"	20
	N.	85

G r u p p o C

Archivisti capi	N.	22
Primi archivisti	"	29
Archivisti	"	28
Applicati	"	73
	N.	I52

Subalterni . . . . . N. II8

Roma, I3 ottobre I944

0942

Declassified E.O. 12356 Section 3.3/NND No. 785021

For Gov. S/C

3695

D

3A

O

11 OCT 1944

(76)

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
CA SECTION

Ex/3.10/CA 11 Oct 44

SUBJECT : Defeatism.

TO : As Distribution.

1 A meeting of Sub-Commission Representatives will be held in Room 50 fifth floor at 0900 hours on Sat 14 Oct. The attendance of your representative is requested.

2 The following matters will be discussed or dealt with
a) Oral Reports on Progress.
b) Difficulties and Problems
c) Pending Legislation.
d) Proposed Order as to N. Italy.

S.H. MAIN Lt Col
for V.P.C. - tion

DISTRIBUTION : - CA Sec / Econ Sec / Polit Sec / Loc Govt S/C / Legal Sec / Educ S/C / Commerce S/C / Public Works S/C / Finance S/C / Agric S/C / Air S/C / Army S/C / Naval S/C / Communications S/C / Transportation S/C / FAO

COPY TO : V...
Col Lothrop
Maj Feldhorst

4350

(2396)

0943

Declassified E.O. 12356 Section 3.3/NND No. 785021

(75)

HEADQUARTERS
ALLIED CONTROL COMMISSION
LOCAL GOVERNMENT SUB COMMISSION
APO 394

AGO/S/2/LG 13 October 1944

SUBJECT: Defascistization Reports

TO : Civil Affairs Section (attention Major Palmieri)

1. Attached herewith Defascistization Progress Reports for periods ending September 14th and September 30th, covering activities of the Epuration Committees ~~with~~ the Ministry of Interior (Local Government, Public Health, and Public Safety Sub-Commissions concerned).

2. Attached also is a brief summary of the position to date.

R. R. Lamplough Capt.

for R. G. B. SPICER
Colonel
Director
Local Government Sub Commission

0944

Declassified E.O. 12356 Section 3.3/NND No. 785021

REPORT ON DEFASCISTIZATION FOR MONTH ENDING 20 SEPTEMBER 1944

(15a)

1. Personal contact has been made with the members of the Epuration Commission. Detailed instructions for the compilation of Reports and its work and progress have been given it. Public Safety and Public Health Sub Commissions, whose epuration activities are co-ordinated by this Sub Commission, have been instructed accordingly.

2. The Committee in the Ministry of Interior dealing with the personnel in which this Sub Commission is interested has been proceeding as rapidly as conditions warrant. A total of 74 cases (including 5 Public Health) have been presented for the month of September. Of these, however, more than half involved persons north of Rome who are not available and consequently charges cannot be sent to the accused. Twelve cases have been taken away from the Commission by the High Commissioner for the formal presentation of charges. This means that about 35 cases to date are available for handling by the Commission. Of these 23 hearings have been completed and 18 judgments pronounced. Of the 18, six resulted in removals and 12 reductions in service involving disciplinary action being taken. Two cases have been appealed. The majority of the cases presented involved high ranking officials of the Prefect and Vice Prefect class.

3. The Civil personnel dependent on the Ministry of Interior, excluding the administration of Public Security, is composed of:

1258	Group A
765	" B
1162	" C
639	Subalterns
3823	Total

4. Of the foregoing, about one-half are in territory administered by the Italian Government, distributed approximately as follows:

Employed by the Ministry	540
Employed in 36 provinces, with average of 40 in each..	1440
Total	1980

5. There are three Epuration Committees in the Ministry of Interior; namely, one dealing with Public Safety personnel, another with Fire Brigade matters, and a third with Administrative personnel. The last Committee deals with personnel which is within the sphere of interest of the Local Government Sub Commission and the Public Health Sub Commission.

4348

0945

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(756)

6. Attached hereto are summary sheets showing the progress made by the Committees of Epuration up to 30 September 1944. The largest number of cases up for consideration so far concern Public Safety personnel--a total of 259 being involved. Of these, 157 investigations have been completed. However, only seven hearings have been completed, resulting in five dismissals.

7. The Committee dealing with Anti-Fire personnel has presented a nil report to date. As indicated before, a separate Committee deals with this personnel.

8. In the field of Public Health, a total of six cases have been completed, resulting in no dismissals, the retention of four with disciplinary measures taken, and the retention of two with no sanctions ordered.

9. Twelve cases involving Administrative personnel have been completed, resulting in six dismissals, and disciplinary action with retention in service of the remaining six. Two appeals have been filed.

10. In summary, I would state that the Committees of Epuration in the Ministry of Interior are making satisfactory progress in the handling of their job.

R. R. Temple

R. R. TEMPLE
Captain
Executive Officer
Local Government Sub Commission

4347

0946

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(756)

DEPASCISTIZATION OF ADMINISTRATIVE PERSONNEL

	September 1-15	September 15-30	Total for September
Cases up for consideration	68	1	69
Investigations in course	15	3	18
Investigations completed	2	10	12
Hearings completed	2	10	12
Dismissals	0	6	6
Disciplinary measures (retained)	2	4	6
No sanctions ordered	0	0	0
Appeals	0	2	2

0947

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150

DEFASCISTIZATION OF PUBLIC HEALTH PERSONNEL

	September 1-15	September 15-30	Total for September
Cases up for consideration	5	0	5
Investigations in course	0	0	0
Investigations completed	5	1	6
Investigations completed (judgments)	5	1	6
Dismissals	0	0	0
Disciplinary measures (retained) ..	4	0	4
No sanctions ordered	1	1	2
Appeals	0	0	0

4345

5-24

0948

Declassified E.O. 12356 Section 3.3/NND No. 785021

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DEFASCISTIZATION OF PUBLIC SAFETY
PERSONNEL

	September 1-15	September 15-30	Total for September
Cases up for consideration	340	19	359
Investigations completed	168	19	187
Suspended (during investigation) ...	157	10	167
Hearings completed	0	7	7
Dismissals	0	0	0
Appeals (lodged).....	0	0	0
Appeals (heard)	0	0	0
Appeals (not confirmed)	0	0	0

0 9 4 9

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(75)

DEFASCISTIZATION OF ANTI-FIRE PERSONNEL

	September 1-15	September 15-30	Total for September
NIL	NIL	NIL	NIL

0950

Declassified E.O. 12356 Section 3.3/NND No. 785021

b.c.

Local Govt.,Publ.Health,and Publ.Safety
Sub Comen.

DEFASCISM PROGRESS REPORT
(State Departments)

Return as to Ministry of Interior

GRADE	Total No.	Investigations Completed	Investigations Suspensions	Hearing Completed	Hearing Dismissals	Lodged
(a)	(b)	(c)	(d)	(e)	(f)	(g)
I						
II						
III	5	5	3	5	3	1
IV	4	4	2	4	2	0
V				2	1	
VI	1	1	1	3	3	0
VII						
VIII	4	4	1			
IX.	1	1	1	1	1	
X	1	1		3	1	1
XI	1	1	1			
Ungraded	13	13	7			
TOTAL	30	30	16	28	11	2

I am of opinion that progress may be regarded as

sd

Instructions:
The figures to be entered in col (b) is the full strength of each grade o
columns will be entered the total number of decisions etc made to the date on which th
number made during the period nor will the figures be adjusted because of the result o
in col (d) will be the total number of suspensions ordered; if the commissions restore
ment and they are no longer suspended the number restored will NOT be deducted from th

0951

Declassified E.O. 12356 Section 3.3/NND No. 785021

13442

30 SEP

FEFASCISM PROGRESS REPORT
(State Departments)

For period ending
30 September 1944

ations Suspensions	Hearing Completed	Dismissals	Appeals Lodged	Heard	Not Confirmed
(d)	(e)	(f)	(g)	(h)	(i)
3	5	3	1	0	
2	4	2	0	0	
	2	1			
1	3	3	0	0	
1					
1	1	1			
	3	1	1	0	
1					
7					
16	18	11	2	0	

garded as

ed

n col (b) is the full strength of each grade employed. In all other
of decisions etc made to the date on which the return ends not the
he figures be adjusted because of the result of later action for instance
uspensions ordered, if the commissions restore some to their appoint-
e number restored will NOT be deducted from the suspensions.

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Unclassified E.O. 12356 Section 3.3/NND No. 785021

752

DEFASCISM PROGRESS REPORT
(State Departments)

For period
15 Sept.
30

Local Government, Public Health, and Public Safety Sub comsn.

Return as to Ministry of Interior

GRADE	Total No.	Investigations Completed	Suspensions	Hearing Completed	Dismissals Lodged	Heard	A
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
I							
II							
III							
IV							
V	12	7		12	0	0	0
VI	19	11		18	0	0	0
VII	70	47		36	1	0	0
VIII	52	41		23	0	0	0
IX	55	30		47	1	0	0
X	16	16		13	0	0	0
XI	12	12		6	0	0	0
XII	1	1		0	1	0	0
XIII	1	1		0	1	0	0
ungraded	9	9		2	2	0	0
TOTAL	247	175		157	7	0	0

I am of opinion that progress may be regarded as

ed

Instructions: The figures to be entered in col (b) is the full strength of each grade employed columns will be entered the total number of decisions etc made to the date on which the retur number made during the period nor will the figures be adjusted because of the result of later in col (d) will be the total number of suspensions ordered; if the commissions restore some t ment and they are no longer suspended the number restored will NOT be deducted from the susp

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Declassified E.O. 12356 Section 3.3/NND No. 785021

...IEFASCISM PROGRESS REPORT
(State Departments)

For period ending
15 Sept. 1944
30

15 SEP

...e ...nsions (d)	Hearing Completed (e)	Hearing Dismissals Lodged (f)	Appeals Heard (g)	Appeals Not Confirmed (h)	(i)
12	0		0	0	
18	0		0	0	
36	1		0	0	
23	0		0	0	
47	1		0	0	
13	0		0	0	
6	0		0	0	
6	1		0	0	
0	1		0	0	
2	3		0	0	
157	7		0	0	

...ed as ...ed

...l (b) is the full strength of each grade employed. In all other ... decisions etc made to the date on which the return ends not the ...igures be adjusted because of the result of later action for instance ...nsions ordered, if the commissions restore some to their appoint- ...mber restored will NOT be deducted from the suspensions.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

DEFASCISM PROGRESS REPORT
(State Departments)

Public Safety Sub Comsn.

For perio
15
30 Septe

Return as to Ministry of Interior (Personnel of Public Security)

GRADE	Total No.	Investigations Completed	Investigations Suspensions	Hearing Completed	Hearing Dismissals	Lodged	Hear
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
V				2	1	Nil	Nil
VI				2	2		
VII				-	-	Nil returns	
VIII	4	4	1	-	-		
IX	1	1	1	1	1		
X	-	-	-	2	1		
XI	1	1	1	-	-		
Employees	2	2	-	-	-		
Agents	11	11	7	-	-		
TOTAL	19	19	10	7	5		

I am of opinion that progress may be regarded as

sd

Instructions:

The figures to be entered in col (b) is the full strength of each grade employed
columns will be entered the total number of decisions etc made to the date on which the retur
number made during the period nor will the figures be adjusted because of the result of later
in col (d) will be the total number of suspensions ordered; if the commissions restore some t
them and they are no longer suspended the number restored will NOT be deducted from the susp

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Declassified E.O. 12356 Section 3.3/NND No. 785021

DEFASCISM PROGRESS REPORT
(State Departments)

el of Public Security)

For period ending
15
30 September 1944.

igations Suspensions	Hearing Completed	Dismissals	Appeals lodged	Heard	Not Confirmed
(d)	(e)	(f)	(g)	(h)	(i)
	2	1	Nil	Nil	Nil
	2	2			
	-	-			
1	-	-			
1	1	1			
-	2	1			
1	-	-			
-	-	-			
7	-	-			
10	7	5			

Nil returns from the Fire Service.

garded as

ed Savini Nicci.
Lt Colonel Capt.

in col (t) is the full strength of each grade employed. In all other
r of decisions etc made to the date on which the return ends not the
the figures be adjusted because of the result of later action for instance
suspensions ordered; if the commissions restore some to their appoint-
he number restored will NOT be deducted from the suspensions.

0956

Declassified E.O. 12356 Section 3.3/NND No. 785021

SUBJECT: Defascistization.

3A

Interim

To: Rear Eighth Army. (I)

CA/22

26 Sep 44. 2303

HQ Allied Control Commission,
Executive Commissioner's Branch.

Copy to Interior Sub-Commission, HQ ACC.
RC AMG Region IV (without list)

1. Herewith additional list of 108 officials detained in Perugia province.

2. Please let Region IV know as soon as possible which persons the Italian Government desire detaining further in order that they may deal with them.

HEADQUARTERS
28 SEP
A

E. Pierson
Lt.Col.,
S.O.2,
for Group Captain,
Officer Commanding,
AG Eighth Army.

0957

Declassified E.O. 12356 Section 3.3/NND No. 785021

3x90

3A

CONFIDENTIAL

(1)

HEADQUARTERS
ALLIED CONTROL COMMISSION
SECURITY BRANCH
APO 394

CEF/mdp

26 SEP 1944

Ref. : SB/I40.IO 25September I944

SUBJECT : Epuration Committee - Ministry of Interior

TO : Interior Sub-Commission

In accordance with your instructions I have screened Prefect Comm. Francesco Vicedomini, and have found him acceptable from a security standpoint.

FOR THE DIRECTOR :

Carl E. Fehr

CARL E.FEHR
Lieutenant
Security Branch

CONFIDENTIAL

4338

0958

Declassified E.O. 12356 Section 3.3/NND No. 785021

CONFIDENTIAL

(72)

HEADQUARTERS CEF/mdp
ALLIED CONTROL COMMISSION
SECURITY BRANCH
APO 394

3 SEP 1944

Ref. : SB/I40.I00 22 September I944

SUBJECT : Epuration Committee - Ministry of Interior

TO : Interior Sub-Commission Colonel Spicer

According to your request I have screened the following officials.

Cav. Uff. Dr. Vincenzo De Ficchy
Avv. Filippo A. Acchinto
Comm. Dr. Cesare Cardamone

They are all acceptable from a security standpoint.

Carl E. Fehr Lt.

CARL E.FEHR
Lieutenant
Security Branch

4337

CONFIDENTIAL

0959

Declassified E.O. 12356 Section 3.3/NND No. 785021

(D)

[illegible]

17th September, 1944.

[illegible]: Epuration Commission - Ministry of Interior.

TO : Security Branch.

1. I have been informed that Prefect Comm. Francesco Vicedomini is an alternative member of the Epuration Commission for the Ministry of Interior.

2. Will you please have his accounts and inform me as to the result.

for R.C.M. [illegible],
Colonel,
Director,
Interior Sub-Commission.

ERT/p/w.

4836

0960

Declassified E.O. 12356 Section 3.3/NND No. 785021

3/2

(70)

TRANSLATION No. 265

SEP 1944

MINISTRY OF THE INTERIOR ROME, 29 August 1944

File No. 2782

SUBJECT: 1st. Commission of 1st. grade for the epuration of the regular personnel of the Ministry of the Interior.

TO : A.C.C.
INTERIOR SUB-COMMISSION
R O M E

We are sending for information, a copy of the decree for the nomination of a substitute member of the 1st. Commission of 1st. grade for the epuration of the regular personnel of the Ministry of the Interior.

BY ORDER OF THE MINISTER

0961

Declassified E.O. 12356 Section 3.3/NND No. 785021

1329

Roma 29 agosto 1944

15 SEP 1944

Ministero dell'Interno
Gabinetto

Alla Commissione Alleata di Controllo = Sotto-commissione Interni
R O M A

Direzione Sez.
Prot. N° 27/52 Allegati 1

Risposta al f. del
Div. Sez. N°

OGGETTO I^Commissione di 1° grado per l'epurazione del personale di ruolo del Ministero Interno.

Si trasmette per notizia copia del decreto di nomina di un membro supplente nella I^ Commissione di 1°grado per l'epurazione del personale di ruolo del Ministero dell'Interno.

D'ORDINE DEL MINISTRO

Cam/Co

1334

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Declassified E.O. 12356 Section 3.3/NND No. 785021

70B

THE MINISTRY OF THE INTERIOR

Whereas its decree of 4 August 1944;

Considering the necessity of nominating a substitute member, representing the Ministry of the Interior, in the 1st Commission of 1st. grade for epuration of the regular personnel of the Ministry;

Whereas article 12 of the R.D.L. of 27 July 1944, No. 159

D E C R E E S

Prefect Comm. Francesco Vicedomini is appointed substitute member in the 1st. Commission of 1st grade for epuration of the regular personnel of the Ministry of the Interior.

ROME, 29 August, 1944

T H E M I N I S T E R
Bonomi

006931

70c

IL MINISTRO DELL'INTERNO

Visto il proprio decreto in data 4 agosto 1944 ;

Ritenuta la necessità di nominare un membro supplente, in rappresentanza del Ministero dell'Interno, nella I^ Commissione di 1° grado per l'epurazione del personale di ruolo del Ministero;

Visto l'art. 18 del D.L.L. 27 luglio 1944, n. 159

D E C R E T A

Il prefetto Comm. Francesco VICEDOMINI è nominato membro supplente nella I^ Commissione di 1° grado per l'epurazione del personale di ruolo del Ministero dell'Interno.

Roma, 29 agosto 1944=

I L M I N I S T R O

BONOMI

Declassified E.O. 12356 Section 3.3/NND No. 785021

del Ministero;

Visto l'art. 18 del D.L.L. 27 luglio 1944, n. 159

D E C R E T A

Il prefetto Comm. Francesco VICEDOMINI è nominato membro supplente nella I^ Commissione di 1° grado per l'epurazione del personale di ruolo del Ministero dell'Interno.

Roma, 29 agosto 1944=

I L M I N I S T R O

BONOMI

4332

p.c.c.

IL CAPO DI GABINETTO

Declassified E.O. 12356 Section 3.3/NND No. 785021

0965

Declassified E.O. 12356 Section 3.3/NND No. 785021

Min. of Finances

3A

Fire Brigade

69

1) PRESIDENTE

PROF. ARTURO RIZZOLI

Consigliere Corte d'Appello

2) MEMBRI

ING. CARLO VALBUSA

3) ING. GIUSEPPE FULCIO

MEMBRO SUPPLENTE

ING. MARIO GALANI

0966

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68

HEADQUARTERS
ALLIED CONTROL COMMISSION
IN ITALY (FOR CORRESPONDENCE)
APO 394.

AFHQ/3/A/Int. 12 September, 1944.

SUBJECT: Extradition Committee - Ministry of Interior.

TO : Security Branch.

1. I have been informed that the Committee set up for the control and administration of the Ministry of Interior is constituted as follows:-

(a) Chairman - Lieutenant Colonel [illegible] - Lieutenant

(b) Assistant - Designated by the High Commissioner - Member

(c) Capt. [illegible] - Member

2. Will you please take the above-mentioned persons nominated and inform us as to the results.

for [illegible]
Capt.

[illegible],
Colonel,
Director,
Interior Sub-Commission.

HEF/ycw.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

(61)

HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

AGO/3/A/Int 11 September 1944

SUBJECT: Epuration Committee

TO : Major L. Fielden, Public Relations Sub-Commission

1. Captain Temple consulted the Epuration Committee of the Ministry of Interior, as well as the Capo di Gabinetto of the Ministry today and was informed that the Ministry have nothing to do with press matters now but that the Sottosegretario Per La Stampa has jurisdiction over these matters.

2. Lt Col White, Administrative Section, has therefore instructed me to inform you to make direct contact with the Sottosegretario, as well as arrangements for the handling of epuration matters which concern your Sub-Commission. Interior Sub-Commission, which originally had been assigned to co-ordinate the epuration activities for your Sub-Commission as well as other Sub-Commissions, in the Ministry, therefore have no concern with whatever arrangements made and reports compiled pursuant thereto. I suggest that you consult Lt Col White for any further information.

R C Temple Capt

for R. C. H. SPICER
Colonel
Director
Interior Sub-Commission

Copy: Lt Col White, Adm Section

RCT/jet

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Declassified E.O. 12356 Section 3.3/NND No. 785021

Copy 1 3A Aretino Temple 66

SUBJECT: -Treatment of Italian Officials encountered in advance Northwards

Main HQ, AMG
Eighth Army

OM/ 72

24 Aug. 44

RC & MG SECTION,
HQ, ALLIED CONTROL COMMISSION

1. In accordance with your Executive Memorandum No. 67 dated 5 Jul 44, your are notified that the majority of important fascist officials in the province of AREZZO had already fled before the allied occupation.

2. The following two officials have, however, been dismissed from office :

Vice-Prefetto - Ferrara Francesco

Vice-Prefetto Ispettore - Di Giovanni Filippo.

Group Captain
Officer Commanding
AMG EIGHTH ARMY.

Copy to : Interior Sub-Commission
HQ, ACC.

4328

file 4/1/63

0969

Declassified E.O. 12356 Section 3.3/NND No. 785021

DEFASCISM PROGRESS REPORT
(Bodies of National Importance)

_____ Sub-Comsn.

Return as to Ministry of _____

for per
15
30

	Total No.	Investigations Completed	Suspensions	Hearing Completed	Dismissals	Lodged	App Hea
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h
HEAD OFFICE							
Directors							
Managers							
Managers Asst or Deputy							
Works Managers							
Works Managers Ass.Dpty.							
Technical Heads							
Senior Technicians							
Senior Foremen							
BRANCH							
Managers							
Deputy-Asst mangs							
Senior Technicians							
Works Managers							
Works Managers Asst.							
Senior Foremen							
TOTAL							

I am of opinion that progress may be regarded as _____ sd _____

Instructions: Normally one return for all bodies dealt with by each Ministerial Sub-Comsn will s
seperate return may be required for any large organisations or group of organisations which have a
particular importance. The figures to be entered in col (b) is the estimated total number of em
particular grade. In all other cols will be entered the total number of decisions etc made to t
return ends not the number made during the period nor will the figures be adjusted because of the
action for instence in col (d) will be the total number of suspensions ordered; if the commissions
their appointments and they are no longer suspended the number restored will NOT be deducted from

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Declassified E.O. 12356 Section 3.3/NND No. 785021

EFASCISM PROGRESS REPORT
es of National Importance)

for period ending
15
30

nvestigations ted Suspensions		Hearing Completed Dismissals		Appeals Lodged Heard not confirmed		
)	(d)	(e)	(f)	(g)	(h)	(i)

as

ed

odies dealt with by each Ministerial Sub-Comen will suffice but a
organisations or group of organisations which have a separate or
ntered in col (b) is the estimated total number of employees of the
e entered the total number of decisions etc made to the date on which the
riod nor will the figures be adjusted because of the result of later
tal number of suspensions ordered; if the commissions restore some of
ended the number restored will NOT be deducted from the suspensions.

39

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Declassified E.O. 12356 Section 3.3/NND No. 785021

SPECCHIO SULL'ANDAMENTO DELLA DEFASCISTIZZAZIONE
(Enti d'Importanza Nazionale)

Alla Sotto Commissione: _____

Specchio riguardante il Ministero de _____

	N. Totale	Indagini Espletate	Indagini Sospensioni	Giudizi Conchiusi	Giudizi Rimozi
(a)	(b)	(c)	(d)	(e)	(f)
DIREZIONE GENERALE					
Consiglieri d'Amm.ne					
Direttori					
Vice Direttori					
Direttori di Stabilimento					
Vice Direttori di Stabilimento					
Capi Tecnici					
Tecnici Specializzati					
Capi Reparto					
FILIALE					
Direttori					
Vice Direttori					
Tecnici Specializzati					
Direttori di Stabilimento					
Vice Direttori di Stabilimento					
Capi Reparto					
TOTALE					

Istruzioni:-

Generalmente sara' sufficiente un solo specchio per tutti gli Enti seguiti da cia
pero' necessario un separato specchio per ogni Istituto bancario o gruppo di Istituti che abbi
registrare nella colonna (b) indicano il presunto numero totale dei dipendenti di un determina
sposto il numero totale delle sospensioni ecc.., presa fissa alla data a cui lo specchio si rife
durante il periodo in esame; tali cifre non dovranno essere mutate in base ai risultati relati
la colonna (d), verra' indicato il numero totale delle sospensioni disposte; se le Commissioni
sti non sono piu' sospesi, il numero di essi NON sara' sottratto dal numero delle sospensioni.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

...IO SULL'ANDAMENTO DELLA DEFASCISTIZZAZIONE
(Enti d'Importanza Nazionale)

Per il periodo fino al
15
30_____

...le	Indagini Espletate (c)	Sospensioni (d)	Giudizi Conchiusi (e)	Rimozioni (f)	Ricorsi Presentati (g)	Esaminati (h)	Confermati (i)

F.to_____

...e un solo specchio per tutti gli Enti seguiti da ciascuna Sotto Commissione Ministeriale; sara' ...ogni Istituto Bancario o gruppo di Istituti che abbiano un'importanza particolare. Le cifre de... ...presunto numero totale dei dipendenti di un determinato grado. In tutte le altre colonne verra' ...pec.., prese fino alle data a cui lo specchio si riferisce e non il numero delle decisioni prese ...on dovranno essere mutate in base ai risultati relativi a decisioni successive, per esempio, nel... ...totale delle sospensioni disposte; se le Commissioni riammettono taluni ai loro posti o se quo... ...ni NON sara' sottratto dal numero delle sospensioni.

7 Sept. 1944 61

DIRECTOR

1. As instructed by you, I today saw Comm. Dott. Cesare CARDONGNE (a Prefect) who is the representative of the Ministry of Interior on the Commission for Epuration of the personnel of that Ministry.

2. I explained the interest of the Interior Sub-Commission in the subject and stated that it was desired to obtain a general picture with regard to the activities of the epuration Commission and the progress so far made in relation to Ministry of Interior personnel.

3. Dott CARDONE gave the following information:
(i) Some delay has been caused by the necessity for the preparation of a more detailed form of Scheda Personale than that previously used. This was now completed.
(ii) The Commission has met on numerous occasions. At present they were sitting twice weekly but when the procedure was properly established, they were prepared to sit daily if necessary.
(iii) The Commission were most anxious to complete their work without delay. It is wholly unsatisfactory for all concerned that completion be postponed and the Commission is satisfied that their task must be speedily disposed of before the work of the Administration can "settle down".
(iv) Cases of 7 Prefects have so far been considered. Of these 4 will be finally settled at today's meeting.
(v) It is the policy of the Commission to deal firstly with non-career Prefects appointed to office by the Fascists. Two such cases are included in the four mentioned in (iv) above.
(vi) It is intended to examine the records of all Prefects.
(vii) The Commission will willingly provide Interior Sub-Commission with all necessary information as to their deliberations, decisions, etc., in such a form and at such times as may be required.
(viii) CARDONE will expect a further early contact from this Sub-Commission to settle arrangements required under (vii)

4. The information necessary under 3 (vi) and vii) Above is covered by Memorandum AF/GA/AS of 5 - See No. 59 on File.

As far as Interior Sub-Commission is concerned it must be borne in mind that it has the following dual function and interest:
(i) to insure that the necessary steps are taken to epurate local Government Officials of the type for which the Sub-Commission is concerned, and
(ii) to co-ordinate the similar activities of other Sub-Commissions who deal with the Ministry of Interior, viz: P.W., P.S., P.R.O.. See

Declassified E.O. 12356 Section 3.3/NND No. 785081

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(i) to insure that the necessary steps are taken to epurate local Government Officials of the type for which the Sub-Commission is concerned, and

(ii) to co-ordinate the similar activities of other Sub-Commissions who deal with the Ministry of Interior, viz: P.H., P.S., P.M.O.. See Memo A/CC.250 No. 57 D on File. (NOTE: A separate Commission has been established for Police Epuration.)

4325

5. It is suggested that the co-ordinating functions should then be settled and the necessary procedure thereunder agreed and adopted by all concerned.

The forms of return should be issued in the light of the agreed arrangements with the necessary explanation to the Ministry of the position of the respective Sub-Commissions concerned. (NOTE: as P.S., P.M., and P.M.O. are not on the distribution list of Memorandum No. 59 on file, the inference is that it is incumbent on Interior Sub-Commission as co-ordinating body to acquaint those Sub-Commissions and arrange accordingly. Similarly Labour Sub-Commission is not on distribution list, presumably as Commerce is the co-ordinator)

W. V. M. LEWIS
Captain
Staff Officer
Interior Sub-Commission

/dat

Declassified E.O. 12356 Section 3.3/NND No. 759081

121

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(80)

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DF/SB/AS

5 Sep 44

5 SEP 1944

SUBJECT: Defascism - Appointment of Major E.L. Palmieri.

TO : See Distribution.

1 Major E.L. Palmieri has been appointed special liaison officer for Defascism. He will visit your Sub-Commission to contact your officer responsible for supervising defascising. Will you please arrange for him to be put into the picture so far as your own organization and progress is concerned and introduce him to the officials at the Ministries who are responsible for defascising and ask them to give Major Palmieri particulars of their own particular set up progress and difficulties. Will you please also arrange for Major Palmieri to attend the deliberations of their Sub-Commissions.

2 It is hoped that with Major Palmieri in touch with the work of all Ministries we shall be able to get a picture of their relative efficiency keenness and progress; see where the weak spots are and enable us to devise improvement or exert pressure as may be desirable.

3 His work should be invaluable, will you please give him every assistance or facility you can.

S.H. WHITE Lt Col,
for VP Admin Section

Ext 469
SHW/jwf

DISTRIBUTION:

Admin Sec	Educ SC	Air SC
Econ Sec	Commerce SC	Navy SC
Polit Sec	Public Works SC	Communication SC
RC&C Sec	Finance SC	Transportation SC
Interior SC	Agric SC	
Legal SC	Army SC	

Declassified E.O. 12356 Section 3.3/NND No. 785021

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S.H. WHITE Lt Col,
for VP Admin Section

Ext 469
SHW/jwf

DISTRIBUTION: Admin Sec, Econ Sec, Polit Sec, RCMG Sec, Interior SC, Legal SC, Educ SC, Commerce SC, Public Works SC, Finance SC, Agric SC, Army SC, Air SC, Navy SC, Communication SC, Transportation SC

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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(59)

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

5 SEP 1944

5 Sep 44

DF/6A/AS

SUBJECT : Defascism - Fortnightly Return.

TO : See Distribution.

1 It has been decided to ask all Ministerial Sub-Commissions to make a return on Defascism on a stereotyped form a draft of which has been submitted to the Asst High Commissioner and approved by him.

2 One form at least should be completed by each Ministerial Sub-Commission but this will not prevent a separate return being required for any large organisation or group of organisations such as banks which have a particular or separate importance which it may be desirable to watch separately.

3 These returns will be for the information of Sub-Commissions.

4 Sub-Commissions will keep Administrative Section informed of the position by aggregating the returns received by them and submitting to Administrative Section two returns one for Civil Servants the other for other concerns.

5 Ministries will be informed that we require the information in this form and that we ask this with the approval of the Asst High Commissioner.

6 Sub-Commissions can obtain from Chief Clerk, Administrative Section supplies of the form in Italian at the rate of 10 (5 Months) for each Ministerial Sub-Commission with which they deal of either or both forms as may be necessary and also forms in English for their aggregated returns to Administrative Section.

7 The first return will be made immediately after the 15 Sep and will consist of two sets of forms. An opening form showing the position as at the 30 Aug and a second form showing the position as at 15 Sep.

8 With regard to the form itself; a comparison of the columns mentioned below shows

Cols	Indication
c/b	how far investigation is complete.
d/c	the proportion of suspensions.
e/d	the progress made with hearings and cases pending.
	the proportion of convictions, the attitude of the

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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Cols		Indication
c/b		how far investigation is complete.
d/c		the proportion of suspensions.
e/d		the progress made with hearings and cases pending.
f/e		the proportion of convictions, the attitude of the commission.
g/f		how far the decisions are accepted.
h/g		progress of hearing of appeals and appeals outstanding.
i/h		the proportion in which decisions are upset and the attitude of the Appeal Tribunal.
f Less i/c		shows the total proportion dismissed.

S.H. WHITE Lt Col,
for VP Admin Section

Ext 469
SHW/jhf

DISTRIBUTION:
Admin Sec
Econ Sec
Polit Sec
SCMG Sec
Interior SC
Legal SC
Educ SC
Commerce SC
Public Works SC
Finance SC
Agric SC
Army SC
Air SC
Navy SC
Communications SC
Transportation SC

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3/A 0 58

4 SEP 1944

Defascism
Notes of meeting of representatives
of Sub Commissions.

4 Sep 44

1 It was considered that greater efforts should be made to make the present defascicing scheme function succesfully before attempting to find other methods.

2 With this subject in view -

i The Italian Government should be pressed to issue at once regulations for the conduct of proceedings before the Purging Commissioners.

ii Sub-Commissions should press the Purging Commission to proceed more quickly and with this object should open direct liaison with the Commissions and attend some of their sessions.

iii The Purging Commission should be asked to commence making returns of their actions.

iv That the matter should be reconsidered in 14 days time with the adequacy of progress under the present scheme.

3 It was suggested that if the new scheme were adopted it would be better to word the decree to dismiss at a future date those who had not made application to remain in the Service then there need be no break in efficiency as planning to fill vacancies could be made.

DISTRIBUTION:- Admin Sec, Econ Sec, Polit Sec, ROMG Sec, Interior S.C., Legal S.C., Educ S.C., Commerce S.C., Public Works S.C., Finance S.C., Agric S.C., Army S.C., Air S.C., Navy S.C., Communications S.C., Transportation S.C.

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3A 57

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HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

3 SEP 1944

2 Sep 44

DF/3.10/AS

SUBJECT : Defascism

TO : As Distribution

1 A meeting of the representative of the Sub-Commissions concerned to supervise defascism will be held at 0900 hours on Monday 4 Sep 44 in the room of the VP Admin Sec (No 58 5th floor). Will you please arrange to be represented.

2 The following matters will be discussed or dealt with-

a Oral reports from Sub-Comms - difficulties or problems.

b Proposed legislation

i The Italian Government is encountering serious difficulties in that the most senior officials are somewhat securely entrenched - that much documentary evidence has been destroyed - that persons under suspension cannot be replaced until their cases have been decided - that relatively long time is elapsing between suspension and dismissal and that the disorganization of work caused by this delay is serious.

ii Accordingly the Italian Government is considering publishing a decree peremptorily dismissing on a certain date all officials of grade I to IV. Providing that every official so dismissed may submit an application for re-employment. The applications will go before the appropiate Ministerial Defascising Commissions those refused re-employment will lose their pensions. The others will be re-instated. The Italian Government suggests that some 4/500 persons will have to be dealt with and average of only some 20 or so per commission which they think could be dealt with by the commissions in two days.

iii They therefore hope that all Epuration of senior officials would be completed in two or three days only that the present disorganization be finished the necessary promotions made and anti-fascists take charge of the machinery.

iv The proposal is ingenious in that it makes persons their own [illegible] If a man has knowledge of a fascist past he will not apply [illegible] It achieves quickly at

Declassified E.O. 12356 Section 3.3/NND No. 759021

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iii They therefore hope that all Epuration of senior officials would be completed in two or three days only that the present disorganisation be finished the necessary promotions made and anti-fascists take charge of the machinery.

iv The proposal is ingenious in that it makes persons their own purgers. If a man has knowledge of a fascist past he will not apply for re-employment and risk his pension. It achieves quickly at one strokewithout the labour and time involved by investigation or the friction and ill feeling of a trial the purging of all the senior ranks - in fact the bulk of that in which ACC is interested and will create the minimum likelihood of trouble or martyrdom - for no one need take this course.

v Fascists of course who retire will draw their pensions but the cost and immense labour of investigation will be saved, time will be saved and the chance of strife avoided. This will not of course free those who retire from proceedings in respect of "crimes"or "enrichment"

4321

S. H. WHITE Lt Col,
For VP Admin Section

Ext 1.69
SHW/jwf

DISTRIBUTION: Admin Sec, Econ Sec, Polit Sec, ROMG Sec, Interior S.C., Legal S.C., Educ S.C., Commerce S.C., Public Works S.C., Finance S.C., Agric S.C., Army S.C., Air S.C., Navy S.C., Communications S.C., Transportation S.C.

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Declassified E.O. 12356 Section 3.3/NND No. 785028

56

2D 76 IE/3.10/AG

NOTES OF A MEETING OF DEFASCISM - 19 AUGUST 1944

Present : All Sub-Commission concerned except Interior.

Col. UPJOHN reported that the progress being made by the Italian Government was on the whole very satisfactory at least three more decrees had been received proposing further powers, these were under discussion. Sub-Commissions would be informed of the contents when these had been settled. There was also a draft of proposed regulations which were being looked into by legal. He had also received a copy of a circular letter which the High Commissioner had written to the judging commissions. Sub-Commissions should know of the contents of these and a copy would be circulated after he had had Legal Sub-Commissions comments.

Col. UPJOHN then referred to the Pellegrini incident and that while ACC had the view that no person might be indispensable it was necessary, in the Allied interest that Army operations should not be adversely effected. The Army required, and it was agreed that high grade technical experts should not be suspended unless a capable substitute was forthcoming while none could be found the suspension would be deferred until the Army was no longer interested or a substitute was found. A letter on the subject was being issued. Sub-Commissions would consider with the appropriate Army service whether any and what Italians came within this provision and arrange according with the Ministry. The Sub-Commissions most likely to be effected by this were Communications, Transportation and Public Works.

Reports were received from Sub-Commissions Commerce, Communications and Agriculture expressed dissatisfaction with the rate at which their Ministries were working. In some, the delay was due to the absence of the Minister from Rome on important work and the reluctance or inability of any one to act for him in his absence.

Reference was made to the proposals by the Army to purge itself rather than by the Statutory Commission.

Reference was made to Art. 22 and the payment of persons suspended thereunder a conference between Finance, Legal and Admin Sec would discuss the matter.

Reference was made to the type of information required to enable progress to be effectively watched Lt Col White was instructed to draw a pro-forma.
[illegible] this was agreed fresh instructions as to reports would be issued cancel-

view that no person might be indispensable it was necessary, in the Allied interest that Army operations should not be adversely affected. The Army required, and it was agreed that high grade technical experts should not be suspended unless a capable substitute was forthcoming while none could be found the suspension would be deferred until the Army was no longer interested or a substitute was found. A letter on the subject was being issued, Sub-Commissions would consider with the appropriate Army service whether any and what Italians came within this provision and arrange according with the Ministry. The Sub-Commissions most likely to be effected by this were Communications, Transportation and Public Works.

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Reference was made to the type of information required to enable progress to be effectively watched Lt Col White was instructed to draw a pro-forma. When this was agreed fresh instructions as to reports would be issued cancelling the present instructions.

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- - - - - - - - - - - -

DISTRIBUTION: Acting Chief Commissioner
PG & MG SECTION
Agriculture Sub-Comsn.
Legal Sub-Comsn.
Commerce Sub-Comsn.
Communication Sub -Comsn.
Education Sub-Commission
Finance Sub-Comsn.
Admin Section
Army Sub-Comsn.
Public Works & Utilities Sub-Comsn.
Transportation Sub-Comsn.
Political Section
Air Sub-Comsn.
Navy Sub-Commission
Shipping Sub-Comsn.
File

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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23 AUG 1944

55

TRANSLATION No. 182

August 19, 1944

MINISTRY OF THE INTERIOR
Cabinet
File No. 3285

SUBJECT: Vice-Prefect Dr. Umberto FUSCO

TO : THE A.C.C.
INTERIOR SUB-COMMISSION
ROME

Dr. Umberto Fusco has been removed from his office as Vice-Prefect of Rome.

He will be handed over to the Commission for Epuration of the personnel.

Two investigations on his activities, ordered for some time by this Ministry, have been executed, and the finding will be communicated to the afore-mentioned Commission.

BY ORDER OF THE MINISTER

0985

Declassified E.O. 12356 Section 3.3/NND No. 785021

30-3

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54

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

20 Aug 44.

AG 1944

AIN/ZB/AS.

SUBJECT : Defunctions.

TO : HCs, Regions I, II, III, IV, V, VI, VII, VIII & IX.

Reference AIN/ZB/AS of 31 Jul.

Documentary evidence relating to persons to be purged centrally may be sent in bulk to Admin Sec instead of to the several Sub-Commissions concerned.

B.H. WHITE Lt Col
for A/Hd Admin Sec.

EXT 469
SHB/gnl

Copies to: Econ Sec 10.
Adm Sec 8.
AIN Sec 2.

0986

Declassified E.O. 12356 Section 3.3/NND No. 785021

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HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

RCN 1

8 AUG 1944

DF/SH/AS

20 Aug 44

SUBJECT : Defascism.

TO : All Sections and Sub-Commissions.

1 In order to ensure continuity of services necessary for military purposes it has been decided that Italians employed in the higher grades in technical professions and in public utility undertakings will not be removed from such appointments for reasons of epuration without the prior consent of the Allied Authorities having been obtained.

2 Sub-Commissions responsible for the supervising of Defascism will arrange with the appropriate Minister that no higher grade employee engaged in a technical profession or in a public utility undertaking whose work is or may be necessary for military purposes shall be dismissed or suspended without the consent of ACC having been previously obtained and that such consent cannot be given if no adequate replacement is available. It will therefore facilitate the granting of consent in cases of doubt if the names and qualifications of suitable substitutes are submitted with the request for suspension.

3 It should also be impressed upon Ministers that no information as to any proposed action should be allowed to be com known prior to consent being granted by ACC.

4 It should be emphasised that this instruction applies only to technical experts and that the numbers affected will be kept to a minimum.

5 Sub-Commissions are reminded that the Army is particularly interested in the services of communications, transportation and in the provision of electricity but interests in other spheres must not be overlooked.

6 No action hereunder is authorised beyond such as is essential to protect military interests and any delay imposed shall be the minimum necessary for that purpose and every possible assistance shall be afforded to the quickest termination of epuration proceedings as is consistent with military interests.

4317

S.H.WHITE, Lt Col
for G.R.UPJOHN, Colonel,
Acting Head, Admin Section.

Ext: 469
SHW/wb.

0987

Declassified E.O. 12356 Section 3.3/NND No. 785021

3021

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52

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION 2

16 August 44

REF: - PS/B/SP

SUBJECT: - Defascistization

TO : - R.C. & M.G. Section
HQ. A.C.C. APO 394

The following is a report on the progress of Defascistization in Region II as of the 15 August, 1944.

BARI PROVINCE

No meetings have been held since 6July 44., no further information is available as to the exact procedure to be adopted under the new law.

The Prefect understands that Provincial and Communal Commissions will be set up, but has not yet received instructions.

TARANTO PROVINCE

No one liable to Defascistization procedure fills a public office.

LECCE PROVINCE

Prefect still awaiting official publication of the new decree.

No change.

POTENZA PROVINCE

In accordance with the new decree of the Italian Government the officials are in the process of forming a new committee.

4316

F.H. McCleary, Lt.Col.
Regional Commissioner.

Copy to: Interior Sub-Comm.

0988

Declassified E.O. 12356 Section 3.3/NND No. 785021

2056

EXT 469

3A

SHW/gal
1 AUG 1944
DF/3.13/AS.

SUBJECT : Defascism.

TO : Interior Sub-Commission.

Enclosed is a list received from the Italian Government of Public Concerns for the defascising of which the Ministry of Interior is responsible and which therefore will be supervised by your Sub Comsn. Will you please consult as to how responsibility should be divided.

S.H. WHITE Lt Col,
for A/Hd. Admin Sec.

ADMIN SEC
15 Aug 44

4315

0989

Declassified E.O. 12356 Section 3.3/NND No. 785021

51A

MINISTERO DEGLI INTERNI

Associazione Nazionale Famiglie Caduti, Mutilati e Invalidi Civili per bombardamenti aerei nemici

Croce Rossa Italiana

Istituto Nazionale Dipendenti Enti Locali

Pio Istituto S. Spirito in Roma

Unione Comunita' Israelitiche (e simili Unioni)

Ente Comunale di Assistenza

Asili Infantili

Orfanotrofi

Ospedali

Manicomi

Istituti per Ciechi e Sordomuti

Operie Pie Varie

Vigili del Fuoco

Casellario Centrale Infortuni

4214

0990

Declassified E.O. 12356 Section 3.3/NND No. 785021

2095

EXT 469

3P 0

SIW/gal

(50)

SUBJECT : Defascism. DF/3.13/AS.

TO : Interior Sub Comsn. 1 AUG 1944

Enclosed is a list received from the Italian Government, of persons suspended in the Ministry of the Interior. If any of the above are technical experts, the loss of whose services may affect the Army's operations please report the circumstances.

4313

S.H. WHITE Lt Col,
for A/Hd. Admin Sec.

ADMIN SEC
15 Aug 44

0991

Declassified E.O. 12356 Section 3.3/NND No. 78193

9 Aug 1944

SPECCHIO SULL'ANDAMENTO DELLA DEFASCISTIZZAZIONE
(Amministrazioni di Stato)

Alla Sotto Commissione

Specchio riguardante il Ministero dell'Interno

Manifesto [illegible] 2132

GRADO	N. Totale	Indagini Espletate	Indagini Rinvii	Giudizi Conchiusi
(a)	(b)	(c)	(d)	(e)
I				
II				
III	15 20	20	6	20 5
IV	20 18	18		18
V	27 9	9		9
VI	67 6	6		6
VII	114 3	3		3
VIII	49 7	7		7
IX	111 12	12		12
TOTALE	453 75	75	207	75

N. 207 Compresi i gradi inferiori al IX ed i funzionari residenti al Nord.

Istruzioni:-

Le cifre da porsi nella colonna (b) indicano il numero complessivo degli i
verra' esposto il numero totale delle decisioni ecc... prese fino alla data a cui lo sp
prese durante il periodo in esame; tali cifre non dovranno essere mutate in base ai ri
nella colonna (d), verra' indicato il numero totale

0992

Declassified E.O. 12356 Section 3.3/NND No. 785 (8)

SULL'ANDAMENTO DELLA DEFASCISTIZZAZIONE
(Amministrazioni di Stato)

Cumulativo dalla inizio fino al 30 6

4212

Per il periodo fino al
15
30

Indagini		Giudizi		Ricorsi		
Espletate	Rinvii	Conclusi	Sanzioni	Presentati	Esaminati	Confermati
(c)	(d)	(e)	(f)	(g)	(h)	(i)
206	N. 207 Compresi i gradi inferiori al IX ed i funzionari residenti al Nord	20 5				
		18				
		9				
		6				
		3				
		7				
		12				
207		75				

F.to Il Presidente della Commissione
Senatore Brandis

COMMISSIONE PER L'EPURAZIONE DELL'APPARATO STATALE

Indicare il numero complessivo degli impiegati di ciascun grado. In tutte le altre colonne, invece, deve essere fino alla data a cui lo specchio si riferisce, non il numero delle decisioni che devranno essere mutate in base ai risultati relativi a decisioni successive, ~~pervenute~~, ~~[illegible]~~ dei rinvii alla Commissione di Epurazione.

0993

Declassified E.O. 12356 Section 3.3/NND No. 785021

50A

MINISTERO DEGLI INTERNI

Elenco funzionari proposti per la sospensione

CASSA DI RISPARMIO

BATTOCCHIO Cr. Uff. Dott. Luigi

CARPI Comm. Enrico

DONELLI Gino

GAROFOLI Dott. Cav. Corradino

MASPES Rag. Comm. Fortunato

SARDINI Cav. Giovanni

SARPINI Comm. Rag. Carlo

(Baretta said this org. was under the Min. of Finance)

Finance S/C

ENTE MUTUALITA'

MALFETTANI Dott. Livio

Labor S/C

0994

Declassified E.O. 12356 Section 3.3/NND No. 785021

50B

MINISTERO DEGLI INTERNI

Elenco funzionari proposti per l'immediata sospensione:

Gen. GUASCO Francesco - Prefetto di Brindisi

0995

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(49)

3A

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DF/ZR/AS. 15 Aug 44.

SUBJECT : Defascism.

TO : As Distribution

1 A Meeting on the subject of Defascism will be held in Col Upjohn's Room on Sat 19 Aug at 0900 hrs. The attendance of your representative is requested.

2 The following matters will be discussed or dealt with.
- i Review of position - proposed further legislation.
- ii Oral Reports by Sub Comsns on position.
- iii Difficulties and problems.
- iv Progress Reports - their frequency, contents and form.
- v Bodies for whose Defascism Sub Comsns will be responsible.

S.H. WHITE Lt Col,
for A/Hd. Admin Sec.

XXT 469
SHW/gal

DISTRIBUTION :-

Political Section
Interior Sub Comsn
Legal Sub Comsn
Finance Sub Comsn
Commerce Sub Comsn
Public Works S.C.
Agriculture S.C.
Education Sub Comsn.
Army Sub Comsn.
Air Sub Comsn.
Navy Sub Comsn.
Communications S.C.
Transportation S.C.

0996

Declassified E.O. 12356 Section 3.3/NND No. 785021

1021

3A

(48)

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Safety Sub-Commission
APO 394

15 Aug 1944

13 July,1944

ACC/14503/PS

SUBJECT : Defascistizzazione -
Ing. Dr. Bigi Luigi.

TO : Ministry of Interior
(Anti Fire Service)

Reference your 7/3533/11/17 dated 5th July.

1. The remarks on the above named officer have been noted.

2. It is understood that Ing. Bigi has placed his records and statements at the disposal of the Ministry with a request that his case be considered by the Defascistizzazione Committee.

3. It is hoped that this investigation can be expedited and this H.Q. informed of the decision as soon as possible.

PAUL G. KIRK
Col. Inf.
Director Public Safety
Sub-Commission.

4208

C.

09971

Declassified E.O. 12356 Section 3.3/NND No. 785021

2029

(47)

HEADQUARTERS
ALLIED CONTROL COMMISSION
AIC 334
ADMINISTRATIVE SECTION

1 AUG 1944

DX/ZB/AS

11 Aug 44

SUBJECT : Defascism.

TO : Economic Section

P.42

Reference DX/ZB/AS of 31 Jul 44

Would you be good enough to report by say 17 Aug, how many and which of your Sub-Commissions concerned have received any of the evidence referred to from Regions by the 15 Aug.

SHW/gal
Ext 469

S.H. WHITE Lt Col,
for A/Hd. Admin Sec.

4307

Copy to Int, Legal, Education, who will please report similarly.

1ª SERIE SPECIALE

Conto corrente con la Posta

Anno 85° — Numero 41

GAZZETTA UFFICIALE DEL REGNO D'ITALIA

PARTE PRIMA

ROMA - Sabato, 29 luglio 1944

DIREZIONE - REDAZIONE PRESSO IL MINISTERO DI GRAZIA E GIUSTIZIA - UFFICIO PUBBLICAZIONE DELLE LEGGI — TELEF. 50-139 51-236 51-554

CONDIZIONI DI ABBONAMENTO

ALLA PARTE PRIMA E SUPPLEMENTI ORDINARI

In Italia e Colonie	Abb. annuo	L. 200	All'Estero	Abb. annuo	L. 400
	» semestrale	» 100		» semestrale	» 200
	» trimestrale	» 50		» trimestrale	» 100
	Un fascicolo	» 4		Un fascicolo	» 8

AI SOLO «BOLLETTINO DELLE ESTRAZIONI» (sorteggio titoli, obbligazioni, cartelle)

In Italia e Colonie: Abbonamento annuo L. 100 — Un fascicolo Prezzi vari

All'Estero: Abbonamento annuo L. 200 — Un fascicolo Prezzi vari

ALLA PARTE SECONDA

In Italia e Colonie	Abb. annuo	L. 120	All'Estero	Abb. annuo	L. 240
	» semestrale	» 60		» semestrale	» 120
	» trimestrale	» 30		» trimestrale	» 60
	Un fascicolo	» 4		Un fascicolo	» 8

Per gli annunzi a inserire nella Gazzetta Ufficiale vedansi le norme riportate nella testata della parte seconda

La «Gazzetta Ufficiale» e tutte le altre pubblicazioni ufficiali sono in vendita al pubblico presso i negozi della Libreria dello Stato in Roma, Via XX Settembre, nel palazzo del Ministero delle Finanze; Corso Umberto, 234 (angolo Via Marco Minghetti, 3-24); e presso le librerie depositarie di Roma e dei Capoluoghi delle provincie.

Le inserzioni nella Parte II della «Gazzetta Ufficiale» si ricevono in ROMA - presso l'Ufficio "Inserzioni" della Libreria dello Stato - Palazzo del Ministero delle Finanze.

SOMMARIO

LEGGI E DECRETI

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DECRETO MINISTERIALE 11 luglio 1944.
Autorizzazione ad alcuni Istituti a fungere da agenzie della Banca d'Italia . . . . . Pag. 292

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Ministero delle finanze - Opera nazionale di previdenza ed assistenza per i dipendenti statali: Concorso per n. 50 posti in convitti ed orfanotrofi e per n. 550 borse di studio. Pag. 293

LEGGI E DECRETI

DECRETO LEGISLATIVO LUOGOTENENZIALE 27 luglio 1944, n. 159.
Sanzioni contro il fascismo.

Visto il R. decreto-legge 29 maggio 1944, n. 134, per la punizione dei delitti e degli illeciti del fascismo;

Visto il R. decreto-legge 12 aprile 1944, n. 101, recante norme integrative dei Regi decreti-legge 28 dicembre 1943, n. 29/B, e 6 gennaio 1944, n. 9;

Visto il decreto-legge Luogotenenziale 25 giugno 1944, n. 151, concernente l'Assemblea per la nuova costituzione dello Stato, il giuramento dei Membri del Governo e la facoltà del Governo di emanare norme giuridiche;

Visto il R. decreto-legge 26 ottobre 1943, n. 2/B, riguardante la sospensione delle norme relative all'emanazione, promulgazione, registrazione e pubblicazione dei Regi decreti e di altri provvedimenti;

Visto il R. decreto-legge 29 maggio 1944, n. 206, che istituisce presso la sede del Governo una Sezione speciale di controllo della Corte dei conti;

Vista la deliberazione del Consiglio dei Ministri;

Sulla proposta del Presidente del Consiglio dei Ministri, Primo Ministro Segretario di Stato, di concerto con tutti i Ministri;

Abbiamo sanzionato e promulghiamo quanto segue:

Declassified E.O. 12356 Section 3.3/NND No. 786621

8660

La « Gazzetta Ufficiale » e tutte le altre pubblicazioni ufficiali sono in vendita al pubblico presso i negozi della Libreria dello Stato in Roma, Via XX Settembre, nel palazzo del Ministero delle Finanze; Corso Umberto, 234 (angolo Via Marco Minghetti, 43-24); e presso le librerie depositarie di Roma e dei Capoluoghi delle provincie.

Le inserzioni nella parte II della « Gazzetta Ufficiale » si ricevono in ROMA — presso l'Ufficio " Inserzioni „ della Libreria dello Stato — Palazzo del Ministero delle Finanze.

SOMMARIO

LEGGI E DECRETI

DECRETO LEGISLATIVO LUOGOTENENZIALE 27 luglio 1944, n. 159.
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DECRETO MINISTERIALE 11 luglio 1944
Autorizzazione ad alcuni Istituti a fungere da agenzie della Banca d'Italia . . . . . Pag. 263

CONCORSI

Ministero delle Finanze - Opera nazionale di previdenza ed assistenza per i dipendenti statali: Concorso per n. 50 posti in convitti ed orfanotrofi e per n. 350 borse di studio. Pag. 263

LEGGI E DECRETI

DECRETO LEGISLATIVO LUOGOTENENZIALE 27 luglio 1944, n. 159.
Sanzioni contro il fascismo.

UMBERTO DI SAVOIA
PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

In virtù dell'autorità a Noi delegata;

Visto il R. decreto-legge 2 agosto 1943, n. 704, che sopprime il partito nazionale fascista;

Visto il R. decreto-legge 9 agosto 1943, n. 720, riguardante la devoluzione allo Stato dei patrimoni di non giustificata provenienza;

Visto il R. decreto-legge 28 dicembre 1943, n. 29/B, per la defascistizzazione delle Amministrazioni dello Stato, degli Enti locali e parastatali, degli Enti comunque sottoposti a vigilanza o tutela dello Stato e delle Aziende private esercenti servizi pubblici o di interesse nazionale;

Visto il R. decreto-legge 25 maggio 1944, n. 134, per la punizione dei delitti e degli illeciti del fascismo;

Visto il R. decreto-legge 12 aprile 1944, n. 101, recante norme integrative dei Regi decreti-legge 28 dicembre 1943, n. 29/B, e 6 gennaio 1944, n. 9;

Visto il decreto legge Luogotenenziale 25 giugno 1944, n. 151, concernente l'Assemblea per la nuova costituzione dello Stato, il giuramento dei Membri del Governo e la facoltà del Governo di emanare norme giuridiche;

Visto il R. decreto-legge 26 ottobre 1943, n. 2/B, riguardante la sospensione delle norme relative all'emanazione, promulgazione, registrazione e pubblicazione dei Regi decreti e di altri provvedimenti;

Visto il R. decreto-legge 29 maggio 1944, n. 106 che istituisce presso la sede del Governo una Sezione speciale di controllo della Corte dei conti;

Vista la deliberazione del Consiglio dei Ministri;

Sulla proposta del Presidente del Consiglio dei Ministri, Primo Ministro Segretario di Stato, di concerto con tutti i Ministri;

Abbiamo sanzionato e promulghiamo quanto segue:

TITOLO I.

Punizione di delitti.

Art. 1.

Sono abrogate tutte le disposizioni penali emanate a tutela delle istituzioni e degli organi politici creati dal fascismo.

Le sentenze già pronunciate in base a tali disposizioni sono annullate.

Art. 2.

I membri del governo fascista e i gerarchi del fascismo, colpevoli di aver annullate le garanzie costituzionali, distrutte le libertà popolari, creato il regime

Declassified E.O. 12356 Section 3.3/NND No. 785021

fascista, compromesse e tradite le sorti del Paese condotto alla attuale catastrofe, sono puniti con l'ergastolo e, nei casi di più grave responsabilità, con la morte.

Essi saranno giudicati da un'Alta Corte di giustizia composta di un presidente e di otto membri, nominati dal Consiglio dei Ministri fra alti magistrati, in servizio o a riposo, e fra altre personalità di rettitudine intemerata.

Art. 3.

Coloro che hanno organizzato squadre fasciste, i quali hanno compiuto atti di violenza o di devastazione, e coloro che hanno promosso o diretto l'insurrezione del 28 ottobre 1922 sono puniti secondo l'art. 120 del Codice penale del 1889.

Coloro che hanno promosso o diretto il colpo di Stato del 3 gennaio 1925 e coloro che hanno in seguito contribuito con atti rilevanti a mantenere in vigore il regime fascista sono puniti secondo l'art. 118 del Codice stesso.

Chiunque ha commesso altri delitti per motivi fascisti o valendosi della situazione politica creata dal fascismo è punito secondo le leggi del tempo.

Art. 4.

I delitti previsti dall'articolo precedente sono giudicati, a seconda della rispettiva competenza, dalle Corti d'assise, dai Tribunali e dai Pretori.

Le Corti d'assise sono costituite dai due magistrati, previsti dal Testo unico delle disposizioni legislative sull'ordinamento delle Corti di assise, e da cinque giudici popolari estratti a sorte da appositi elenchi di cittadini di condotta morale e politica illibata.

Art. 5.

Chiunque, posteriormente all'8 settembre 1943, abbia commesso o commetta delitti contro la fedeltà e la difesa militare dello Stato, con qualunque forma di intelligenza o corrispondenza o collaborazione col tedesco invasore, di aiuto o di assistenza ad esso prestata, è punito a norma delle disposizioni del Codice penale militare di guerra.

Le pene stabilite per i militari sono applicate anche ai non militari.

I militari saranno giudicati dai Tribunali militari, i non militari dai giudici ordinari.

zione determinato dal fascismo. La pronuncia al riguardo è affidata ad una Sezione della Suprema Corte di Cassazione, designata dal Ministro Guardasigilli.

Le disposizioni del presente articolo non si applicano ai delitti punibili con pena detentiva non superiore nel massimo a tre anni.

Art. 7.

Per i reati previsti nel presente titolo, la pena può essere ridotta fino ad un quarto, e alla pena di morte o dell'ergastolo può essere sostituita la reclusione non inferiore a cinque anni:

a) se il colpevole, prima dell'inizio della presente guerra, ha preso posizione ostile al fascismo;

b) se ha partecipato attivamente alla lotta contro i tedeschi.

Se ricorrono le circostanze attenuanti generiche, previste dal Codice penale del 1889, alla pena di morte o all'ergastolo è sostituita la reclusione per trent'anni e le altre pene sono diminuite di un sesto.

Il colpevole potrà essere dichiarato non punibile, se nella lotta contro i tedeschi si sia particolarmente distinto con atti di valore.

Art. 8.

Chi, per motivi fascisti o avvalendosi della situazione politica creata dal fascismo, abbia compiuto fatti di particolare gravità che, pur non integrando gli estremi di reato, siano contrari a norme di rettitudine o di probità politica, è soggetto alla interdizione temporanea dai pubblici uffici ovvero alla privazione dei diritti politici per una durata non superiore a dieci anni.

Qualora l'agente risulti socialmente pericoloso può essergli disposta l'assegnazione ad una colonia agricola o ad una casa di lavoro per un tempo non inferiore ad un anno ne superiore a dieci.

I provvedimenti previsti dal presente articolo sono applicati da Commissioni provinciali presiedute da un magistrato e composte di due altri membri estratti a sorte, fra i giudici popolari di cui all'art. 4.

Quanto ai membri di Assemblee legislative o di enti ed istituti che con i loro voti o atti contribuirono al mantenimento del regime fascista ed a rendere possibile la guerra, la decadenza dalla loro carica sarà decisa dall'Alta Corte di cui all'art. 2; ciò senza pregiudizio delle sanzioni di cui al presente decreto in quanto siano applicabili.

Art. 9.

Declassified E.O. 12356 Section 3.3/NND No. 895021

Coloro che hanno promosso o diretto il colpo di Stato del 3 gennaio 1925 e coloro che hanno in seguito contribuito con atti rilevanti a mantenere in vigore il regime fascista sono puniti secondo l'art. 118 del Codice stesso.

Chiunque ha commesso altri delitti per motivi fascisti o valendosi della situazione politica creata dal fascismo è punito secondo le leggi del tempo.

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I delitti previsti dall'articolo precedente sono giudicati, a seconda della rispettiva competenza, dalle Corti d'assise, dai Tribunali e dai Pretori.

Le Corti d'assise sono costituite dai due magistrati previsti dal Testo unico delle disposizioni legislative sull'ordinamento delle Corti di assise, e da cinque giudici popolari estratti a sorte da appositi elenchi di cittadini di condotta morale e politica illibata.

Art. 5.

Chiunque, posteriormente all'8 settembre 1943, abbia commesso o commetta delitti contro la fedeltà e la difesa militare dello Stato, con qualunque forma di intelligenza o corrispondenza o collaborazione col tedesco invasore, di aiuto o di assistenza ad esso prestata, è punito a norma delle disposizioni del Codice penale militare di guerra.

Le pene stabilite per i militari sono applicate anche ai non militari.

I militari saranno giudicati dai Tribunali militari, i non militari dai giudici ordinari.

Art. 6.

Non può essere invocata la prescrizione del reato e della pena a favore di coloro che, pur essendo colpevoli dei delitti di cui al presente decreto, sono rimasti finora impuniti per l'esistenza stessa del regime fascista.

Per lo stesso motivo le amnistie e gli indulti concessi dopo il 28 ottobre 1922 sono inapplicabili ai delitti di cui al presente decreto e, se sono già stati applicati, le relative declaratorie sono revocate.

L'Alto Commissario potrà proporre la revoca di grazie sovrane già concesse.

Le sentenze pronunziate per gli stessi delitti possono essere dichiarate giuridicamente inesistenti quando sul la decisione abbia influito lo stato di morale creat[illegible]

Se ricorrono le circostanze attenuanti generiche, previste dal Codice penale del 1889, alla pena di morte o all'ergastolo è sostituita la reclusione per trent'anni e le altre pene sono diminuite di un sesto.

Il colpevole potrà essere dichiarato non punibile, se nella lotta contro i tedeschi si sia particolarmente distinto con atti di valore.

Art. 8.

Chi, per motivi fascisti o avvalendosi della situazione politica creata dal fascismo, abbia compiuto fatti di particolare gravità che, pur non integrando gli estremi di reato, siano contrari a norme di rettitudine o di probità politica, è soggetto alla interdizione temporanea dai pubblici uffici ovvero alla privazione dei diritti politici per una durata non superiore a dieci anni.

Qualora l'agente risulti socialmente pericoloso può essere disposta l'assegnazione ad una colonia agricola o ad una casa di lavoro per un tempo non inferiore ad un anno né superiore a dieci.

I provvedimenti previsti dal presente articolo sono applicati da Commissioni provinciali presiedute da un magistrato e composte di due altri membri estratti a sorte, fra i giudici popolari di cui all'art. 4.

Quanto ai membri di Assemblee legislative o di enti ed istituti che con i loro voti o atti contribuirono al mantenimento del regime fascista ed a rendere possibile la guerra, la decadenza dalla loro carica sarà decisa dall'Alta Corte di cui all'art. 21 ciò senza pregiudizio delle sanzioni di cui al presente decreto in quanto siano applicabili.

Art. 9.

Senza pregiudizio dell'azione penale, i beni dei cittadini i quali hanno tradito la patria ponendosi spontaneamente ed attivamente al servizio degli invasori tedeschi sono confiscati a vantaggio dello Stato.

Nel caso di azione penale la confisca è pronunciata dall'autorità giudiziaria che pronuncia la condanna. In caso diverso dal Tribunale competente per territorio, su richiesta dell'Alto Commissario.

Art. 10.

Per ciò che non è previsto nel presente titolo valgono, in quanto applicabili, le disposizioni del Codice di procedura penale.

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TITOLO II

Epurazione dell'Amministrazione.

Art. 11.

Sono sottoposti a giudizio di epurazione gli appartenenti:

1) alle Amministrazioni civili e militari dello Stato, anche se con ordinamento autonomo;

2) agli Enti locali ed agli altri Enti ed Istituti pubblici;

3) alle Aziende speciali dipendenti da Amministrazioni ed Enti pubblici, alle Aziende private concessionarie di servizi pubblici ed a quelle riconosciute di interesse nazionale.

Art. 12.

Sono dispensati dal servizio:

1) coloro che, specialmente in alti gradi, col partecipare attivamente alla vita politica del fascismo e con manifestazioni ripetute di apologia fascista, si sono mostrati indegni di servire lo Stato;

2) coloro che, anche nei gradi minori, hanno conseguito nomine od avanzamenti per il favore del partito o dei gerarchi fascisti.

Art. 13.

Sono altresì dispensati dal servizio i dipendenti dalle Amministrazioni di cui all'art. 11, i quali abbiano dato prova di faziosità fascista o della incapacità o del rifiuto costume introdotti dal fascismo nelle pubbliche Amministrazioni.

Qualora dal giudizio di epurazione risultino elementi di reato, dovrà esserne fatta denuncia all'autorità competente.

Art. 14.

Coloro che hanno rivestito la qualifica di squadrista, o sansepolcrista, o antemarcia, o marcia su Roma, o sciarpa littorio, o che sono stati ufficiali della M.V.S.N. sono dispensati dal servizio. Qualora però non abbiano dato prova di settarietà e di intemperanza fascista sono soggetti a misure disciplinari di minore gravità.

Art. 15.

Nel caso di indebiti avanzamenti o di preferenze nei concorsi per titoli fascisti può essere, in luogo della dispensa, disposta la retrocessione o la restituzione al minore e pericoli per la persona propria o dei propri congiunti.

Possono andare esenti da ogni sanzione coloro che hanno in modo efficace, con l'opera propria, aiutato i patrioti e danneggiata l'azione dei tedeschi e del governo che apparentemente servivano.

In ogni caso si farà luogo al conguaglio degli assegni che sarebbero spettati e di quelli effettivamente percepiti; nè sono dovute le indennità e le somme ricosse a causa del trasloco.

Art. 18.

Il giudizio di epurazione è affidato in primo grado a Commissioni costituite presso ogni Ministero o Amministrazione o Ente autonomo. Quando si tratta di personale di diversi ruoli possono essere costituite più Commissioni presso lo stesso Ministero.

Le Commissioni sono nominate dal Ministro competente e composte di un magistrato dell'ordine giudiziario o amministrativo, in servizio o a riposo, che le presiede, del Capo del personale o di un funzionario dell'Amministrazione e di un terzo membro designato dall'Alto Commissario per le sanzioni contro il fascismo.

Per i Comuni, le Provincie, le Istituzioni pubbliche di beneficenza e gli Enti sottoposti a controllo dell'Amministrazione locale è istituita una Commissione nominata dal Prefetto e composta di un magistrato, in servizio o a riposo, di un funzionario di Prefettura e di un membro designato dall'Alto Commissario.

Nelle forme prevedute dai commi precedenti possono essere nominati membri supplenti e la Commissione può dividersi in sotto-commissioni.

Art. 19.

All'impiegato proposto per la dispensa è fissato un termine non minore di giorni 10 per presentare le sue deduzioni.

Le Commissioni, direttamente o attraverso un membro da esse delegato, hanno facoltà di esentare testi, di chiedere atti e documenti all'autorità giudiziaria e alla pubblica Amministrazione e possono sentire personalmente l'interessato, anche se questi non ne faccia richiesta.

Art. 20.

Le conclusioni della Commissione di primo grado sono comunicate all'Alto Commissario ed all'interessato. E' ammesso ricorso, nel termine di tre giorni per

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Sono dispensati dal servizio:

1) coloro che, specialmente in alti gradi, col partecipare attivamente alla vita politica del fascismo e con manifestazioni ripetute di apologia fascista, si sono mostrati indegni di servire lo Stato;

2) coloro che, anche nei gradi minori, hanno conseguito nomine od avanzamenti per il favore del partito o dei gerarchi fascisti.

Art. 13.

Sono altresì dispensati dal servizio i dipendenti dalle Amministrazioni di cui all'art. 11, i quali abbiano dato prova di faziosità fascista o della incapacità o del malcostume introdotti dal fascismo nelle pubbliche Amministrazioni.

Qualora dal giudizio di epurazione risultino elementi di reato, dovrà esserne fatta denuncia all'autorità competente.

Art. 14.

Coloro che hanno rivestito la qualifica di squadrista, o sansepolcrista, o antemarcia, o marcia su Roma, o sciarpa littorio, o che sono stati ufficiali della M.V.S.N. sono dispensati dal servizio. Qualora però non abbiano dato prova di settarietà e di intemperanza fascista sono soggetti a misure disciplinari di minore gravità.

Art. 15.

Nel caso di indebiti avanzamenti o di preferenze nei concorsi per titoli fascisti può essere, in luogo della dispensa, disposta la retrocessione o la restituzione al ruoli di provenienza.

Art. 16.

Chi, dopo l'8 settembre 1943, si è distinto nella lotta contro i tedeschi, può essere esente dalla dispensa e da ogni misura disciplinare.

Art. 17.

Gli impiegati che, dopo l'8 settembre 1943, hanno seguito il governo fascista o gli hanno prestato giuramento o hanno collaborato con esso, sono dispensati dal servizio.

Può essere loro inflitta una pena disciplinare minore, qualora dimostrino di essersi trovati esposti a gravi

tente e composto di un magistrato dell'ordine giudiziario o amministrativo, in servizio o a riposo, che le presiede, del Capo del personale o di un funzionario dell'Amministrazione e di un terzo membro designato dall'Alto Commissario per le sanzioni contro il fascismo.

Per i Comuni, le Provincie, le Istituzioni pubbliche di beneficenza e gli Enti sottoposti a controllo dell'Amministrazione locale è istituita una Commissione nominata dal Prefetto e composta di un magistrato, in servizio o a riposo, di un funzionario di Prefettura e di un membro designato dall'Alto Commissario.

Nelle forme prevedute dai commi precedenti possono essere nominati membri supplenti e la Commissione può dividersi in sotto-commissioni.

Art. 19.

All'impiegato proposto per la dispensa è assato un termine non minore di giorni 10 per presentare le sue deduzioni.

Le Commissioni, direttamente o attraverso un membro da esse delegato, hanno facoltà di escutere testi, di chiedere atti e documenti all'autorità giudiziaria e alla pubblica Amministrazione e possono sentire personalmente l'interessato, anche se questi non ne faccia richiesta.

Art. 20.

Le conclusioni della Commissione di primo grado sono comunicate all'Alto Commissario ed all'interessato. E' ammesso ricorso, nel termine di tre giorni per l'interessato, di venti per l'Alto Commissario, ad una Commissione centrale nominata dal Presidente del Consiglio dei Ministri e composta di un presidente, di due magistrati dell'ordine giudiziario o amministrativo in servizio o a riposo, di due funzionari delle Amministrazioni centrali e di due membri, designati dall'Alto Commissario per le sanzioni contro il fascismo.

Nelle stesse forme possono essere nominati membri supplenti e la Commissione può dividersi in sottocommissioni.

Art. 21.

La dispensa è, conformemente alle conclusioni delle Commissioni, pronunciata dall'Autorità cui spetta, secondo le norme comuni, tale forma di provvedimento.

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La stessa Autorità emana i provvedimenti disciplinari previsti dal presente titolo, sempre conformemente alle conclusioni delle Commissioni.

Art. 22.

L'impiegato dispensato dal servizio è ammesso a liquidare il trattamento di quiescenza che possa spettargli a norma delle disposizioni vigenti.

Nei casi più gravi può essere disposta la perdita del diritto a pensione.

L'impiegato sottoposto a procedimento per l'epurazione può essere sospeso dall'ufficio. In tal caso gli è corrisposto a titolo alimentare lo stipendio, esclusa ogni altra indennità. Il provvedimento di sospensione è adottato dal Ministro competente o, nei casi di cui al terzo comma dell'art. 18, dal Prefetto.

Art. 23.

Presso gli ordini professionali e gli organi incaricati della tenuta di albi per l'esercizio di professioni, arti o mestieri, sono istituite Commissioni incaricate di rivedere le iscrizioni agli albi, applicando i criteri di cui agli articoli precedenti.

Le Commissioni sono nominate dal Ministro competente o dall'autorità da lui delegata, e composte di un presidente, di un membro designato dagli organi incaricati della tenuta dell'albo e di un membro designato dall'Alto Commissario per le sanzioni contro il fascismo.

Contro le conclusioni delle Commissioni è ammesso ricorso, nei termini previsti dall'art. 20, a Commissioni centrali costituite, per ogni ordine o professione, dal Ministro competente e composte di un presidente, di due magistrati dell'ordine giudiziario o amministrativo, in servizio o a riposo, di quattro membri designati dagli organi professionali e di due altri membri designati dall'Alto Commissario per le sanzioni contro il fascismo.

Nei casi meno gravi, in luogo della cancellazione, può essere inflitta la sospensione temporanea dall'esercizio della professione, arte o mestiere.

Art. 24.

Contro i provvedimenti previsti dal presente titolo è dato il ricorso al Consiglio di Stato, limitatamente

TITOLO III.

Avocazione dei profitti di regime.

Art. 26.

I profitti derivati dalla partecipazione o adesione al regime fascista sono avocati allo Stato, indipendentemente dall'esercizio dell'azione penale per i fatti costituenti reato.

Gli incrementi patrimoniali conseguiti dopo il 28 ottobre 1922, da chi ha rivestito cariche pubbliche o comunque svolta attività politica, come fascista, si presumono profitti di regime, a meno che gli interessati dimostrino che gli arricchimenti hanno avuto lecita provenienza. Ciò vale anche se i beni abbiano cessato di appartenere alla stessa persona.

Si presumono altresì profitti di regime gli incrementi patrimoniali degli ascendenti, dei discendenti e del coniuge e di chi, anche non iscritto al partito fascista, aveva relazioni di associazione o cointeressenza con le persone indicate nel primo comma.

Nella determinazione degli incrementi patrimoniali si ha riguardo anche ai beni in qualunque modo acquistati o posseduti per interposte persone.

Art. 27.

Beni determinati esistenti nel patrimonio del debitore, l'acquisto dei quali sia particolarmente dovuto a profitti di regime, possono essere avocati allo Stato.

Art. 28.

Delle somme liquidate a titolo di avocazione di profitti di regime risponde tutto il patrimonio del debitore.

Nel caso previsto dal terzo comma dell'art. 26, le persone di cui al secondo comma dell'articolo stesso sono solidalmente responsabili con i loro congiunti, associati e clienti.

Art. 29.

Se il patrimonio del debitore risulta insufficiente a pagare le somme dovute allo Stato, sono privi di effetto rispetto a questo:

1) gli atti a titolo gratuito posti in essere dal debitore nel quinquennio anteriore al 25 luglio 1943;

2) qualsiasi atto di disposizione effettuato dopo tale data.

Di fronte allo Stato e ai fini del realizzo del suo credito per profitti di regime, i beni acquistati entro il

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L'impiegato sottoposto a procedimento per l'epurazione può essere sospeso dall'ufficio. In tal caso gli è corrisposto a titolo alimentare lo stipendio, esclusa ogni altra indennità. Il provvedimento di sospensione è adottato dal Ministro competente o, nei casi di cui al terzo comma dell'art. 18, dal Prefetto.

Art. 23.

Presso gli ordini professionali e gli organi incaricati della tenuta di albi per l'esercizio di professioni, arti o mestieri, sono istituite Commissioni incaricate di rivedere le iscrizioni agli albi, applicando i criteri di cui agli articoli precedenti.

Le Commissioni sono nominate dal Ministro competente o dall'autorità da lui delegata, e composte di un presidente, di un membro designato dagli organi incaricati della tenuta dell'albo e di un membro designato dall'Alto Commissario per le sanzioni contro il fascismo.

Contro le conclusioni delle Commissioni è ammesso ricorso, nei termini previsti dall'art. 29, a Commissioni centrali costituite, per ogni ordine o professione, dal Ministro competente e composte di un presidente, di due magistrati dell'ordine giudiziario o amministrativo, in servizio o a riposo, di quattro membri designati dagli organi professionali e di due altri membri designati dall'Alto Commissario per le sanzioni contro il fascismo.

Nei casi meno gravi, in luogo della cancellazione, può essere inflitta la sospensione temporanea dall'esercizio della professione, arte o mestiere.

Art. 24.

Contro i provvedimenti previsti dal presente titolo è dato il ricorso al Consiglio di Stato, limitatamente al motivo di incompetenza.

Art. 25.

Il termine per l'inizio delle procedure previste nel presente titolo è di sei mesi dall'entrata in vigore di questo decreto.

Il procedimento davanti alla Commissione di primo grado deve essere ultimato entro tre mesi dall'inizio.

Per i territori non liberati e per quelli liberati ma non ancora affidati all'Amministrazione del Governo italiano, la scadenza del termine indicato nel primo comma è prorogata fino a sei mesi dopo il passaggio all'Amministrazione italiana dei territori stessi.

qualunque avere attività politica, concessioni, si presumono profitti di regime, a meno che gli interessati dimostrino che gli arricchimenti hanno avuto lecita provenienza. Ciò vale anche se i beni abbiano cessato di appartenere alla stessa persona.

Si presumono altresì profitti di regime gli incrementi patrimoniali degli ascendenti, dei discendenti e del coniuge e di chi, anche non iscritto al partito fascista, aveva relazioni di associazione o cointeressenza con le persone indicate nel primo comma.

Nella determinazione degli incrementi patrimoniali si ha riguardo anche ai beni in qualunque modo acquistati o posseduti per interposte persone.

Art. 27.

Beni determinati esistenti nel patrimonio del debitore, l'acquisto dei quali sia particolarmente dovuto a profitti di regime, possono essere avocati allo Stato.

Art. 28.

Delle somme liquidate a titolo di avocazione di profitti di regime risponde tutto il patrimonio del debitore.

Nel caso previsto dal terzo comma dell'art. 26, le persone di cui al secondo comma dell'articolo stesso sono solidalmente responsabili con i loro congiunti, associati e clienti.

Art. 29.

Se il patrimonio del debitore risulta insufficiente a pagare le somme dovute allo Stato, sono privi di effetto rispetto a questo:

1) gli atti a titolo gratuito posti in essere dal debitore nel quinquennio anteriore al 25 luglio 1943;

2) qualsiasi atto di disposizione effettuato dopo tale data.

Di fronte allo Stato e ai fini del realizzo del suo credito per profitti di regime, i beni acquistati entro il quinquennio anteriore al 25 luglio 1943 dal coniuge del debitore, si considerano appartenenti a questo.

Art. 30.

L'accertamento e la liquidazione dei profitti di regime sono di competenza di una Sezione speciale della Commissione provinciale delle imposte, formata dal presidente del Tribunale o dal giudice da lui delegato e da quattro commissari nominati dal Ministro per le finanze su designazione del Prefetto fra cittadini di provata probità e competenza.

La Sezione speciale procede all'accertamento in base ad indicazioni dell'Alto Commissario, ad informazioni degli organi finanziari e a segnalazioni firmate di privati

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La Sezione medesima giudica i reclami del debitore e della finanza avverso la propria proposta di accertamento e liquidazione dei profitti di regime.

Nell'udienza, che è pubblica, è ammesso il contraddittorio dell'Amministrazione finanziaria che può farsi rappresentare dall'Avvocatura dello Stato e della persona sottoposta all'accertamento che può farsi rappresentare da un procuratore legale od avvocato.

Le decisioni sono notificate al debitore, all'Amministrazione finanziaria ed all'Alto Commissario.

Art. 31.

La Sezione speciale della Commissione provinciale ha tutti i poteri di indagine, accesso, ispezione, controllo e richiesta di dati, conferiti agli agenti delle imposte dirette e alle Commissioni amministrative per l'accertamento dell'imposta straordinaria sui maggiori utili relativi allo stato di guerra.

Non è ammesso il diritto di astenersi dal testimoniare nei casi dell'art. 352 del Codice di procedura penale.

Chi, chiamato come testimonio o perito, non ottempera agli obblighi o commette falsità è punito a termine degli articoli 366, 372, 373 del Codice penale.

Chi non adempie alle altre richieste della Sezione è punito con la reclusione fino a sei mesi o con la multa da 300 a 5000 lire.

Le Amministrazioni e gli Enti pubblici, ove abbiano conoscenza che sono stati realizzati profitti di regime, debbono immediatamente comunicarlo all'Alto Commissario. Chi è tenuto a fare tali comunicazioni e non vi adempie è punito come al comma precedente.

Per l'assolvimento dei compiti della Sezione speciale, può essere comandato presso di esse personale delle polizia giudiziaria o di altri ruoli amministrativi e tecnici dello Stato.

Art. 32.

Contro le decisioni della Sezione speciale della Commissione provinciale il debitore e l'Amministrazione finanziaria possono presentare ricorso entro 30 giorni. Può ricorrere anche l'Alto Commissario entro sessanta giorni.

La deliberazione in grado di appello è rimessa ad una Sezione speciale della Commissione centrale delle imposte costituita da un presidente, appartenente all'ordine giudiziario, di grado non inferiore a quello di primo presidente di Corte di appello, e da quattro commissari da nominarsi, l'uno e gli altri, dal Consiglio

Art. 34.

L'Alto Commissario può, anche fuori del termine suddetto, ma non oltre un biennio, promuovere la rettifica dell'accertamento, sebbene divenuto definitivo, in base a fatti di importanza notevole che non risultino dalla motivazione delle decisioni essere stati considerati nei procedimenti anteriori.

Tale rettifica è in ogni caso di competenza della Sezione speciale della Commissione centrale.

Art. 35.

Prima ancora che siano costituite le Sezioni speciali delle Commissioni provinciali, il presidente del Tribunale può, su richiesta dell'Alto Commissario o dell'Amministrazione finanziaria, disporre, con proprio decreto, il sequestro conservativo, anche presso terzi, dei beni mobili e immobili di pertinenza delle persone indicate all'art. 26.

La stessa facoltà spetta, anche di ufficio, ai presidenti delle Commissioni.

Si applicano le disposizioni del settimo e ottavo comma dell'art. 19 del Testo unico delle leggi in materia di imposta straordinaria sui maggiori utili relativi allo stato di guerra, approvato col R. decreto 3 giugno 1913, n. 598.

Art. 36.

In seguito a decreto dell'Alto Commissario da pubblicarsi nella *Gazzetta Ufficiale* del Regno, coloro che detengono beni di pertinenza delle persone indicate nel decreto stesso, quali ritenuti profittatori del regime, o che sono verso di esse debitori a qualsiasi titolo, debbono dichiararlo nei modi e termini che saranno stabiliti nel decreto, astenendosi dal consegnare i beni o dall'adempiere le obbligazioni verso il proprio creditore. Il termine rimane senza effetto qualora non venga eseguito sequestro entro sessanta giorni dalla scadenza del termine per la dichiarazione e questa sia stata fatta.

Chi non adempie agli obblighi previsti nel presente articolo è punito come all'art. 31, quarto comma; salva la responsabilità civile per il pregiudizio alla finanza.

Chiunque, al fine di sottrarre all'azione dello Stato beni appartenenti alle persone ritenute profittatori del regime, aliena o comunque trasferisce presso terzi od occulta tali beni o chiunque li acquista, li riceve od occulta, ovvero si intromette nel farli acquistare, ricevere od occultare, è punito con la reclusione fino a dieci anni e con la multa fino a lire centomila.

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La Sezione speciale della Commissione provinciale ha tutti i poteri di indagine, accesso, ispezione, controllo e richiesta di dati, conferiti agli agenti delle imposte dirette e alle Commissioni amministrative per l'accertamento dell'imposta straordinaria sui maggiori utili relativi allo stato di guerra.

Non è ammesso il diritto di astenersi dal testimoniare nei casi dell'art. 352 del Codice di procedura penale.

Chi, chiamato come testimonio o perito, non ottempera agli obblighi o commette falsità è punito a termine degli articoli 366, 372, 373 del Codice penale.

Chi non adempie alle altre richieste della Sezione è punito con la reclusione fino a sei mesi o con la multa da 300 a 5000 lire.

Le Amministrazioni e gli Enti pubblici, ove abbiano conoscenza che sono stati realizzati profitti di regime, debbono immediatamente comunicarlo all'Alto Commissario. Chi è tenuto a fare tali comunicazioni e non vi adempie è punito come al comma precedente.

Per l'assolvimento dei compiti della Sezione speciale, può essere comandato presso di essa personale delle polizia giudiziaria o di altri ruoli amministrativi e tecnici dello Stato.

Art. 32.

Contro le decisioni della Sezione speciale della Commissione provinciale il debitore e l'Amministrazione finanziaria possono presentare ricorso entro 30 giorni. Può ricorrere anche l'Alto Commissario entro sessanta giorni.

La deliberazione in grado di appello è rimessa ad una Sezione speciale della Commissione centrale delle imposte costituita da un presidente, appartenente all'ordine giudiziario, di grado non inferiore a quello di primo presidente di Corte di appello, e da quattro commissari da nominarsi, l'uno e gli altri, dal Consiglio dei Ministri.

Al procedimento avanti la Sezione speciale della Commissione centrale si applicano le disposizioni dell'articolo 30, penultimo ed ultimo comma, e dell'art. 31.

Art. 33.

Le decisioni della Sezione speciale della Commissione centrale possono essere impugnate soltanto per assoluto difetto di giurisdizione davanti alle Sezioni unite della Corte di cassazione. Il ricorso deve essere presentato dal debitore o dall'Amministrazione finanziaria entro quarantacinque giorni, salvo all'Alto Commissario la facoltà di ricorrere entro tre mesi.

Prima ancora che siano emanate le decisioni delle Commissioni provinciali, il presidente del Tribunale può, su richiesta dell'Alto Commissario o dell'Amministrazione finanziaria, disporre, con proprio decreto, il sequestro conservativo, anche presso terzi, dei beni mobili e immobili di pertinenza delle persone indicate all'art. 26.

La stessa facoltà spetta, anche di ufficio, ai presidenti delle Commissioni.

Si applicano le disposizioni del settimo e ottavo comma dell'art. 19 del Testo unico delle leggi in materia di imposta straordinaria sui maggiori utili relativi allo stato di guerra, approvato col R. decreto 3 giugno 1943, n. 598.

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In seguito a decreto dell'Alto Commissario da pubblicarsi nella *Gazzetta Ufficiale* del Regno, coloro che tengano beni di pertinenza delle persone indicate nel decreto stesso, quali ritenuti profittatori del regime, o che sono verso di esse debitori a qualsiasi titolo, debbono dichiararlo nei modi e termini che saranno stabiliti nel decreto, astenendosi dal consegnare i beni o dall'adempiere le obbligazioni verso il proprio creditore. Il fermo rimane senza effetto qualora non venga eseguito sequestro entro sessanta giorni dalla scadenza del termine per la dichiarazione o questa sia stata fatta.

Chi non adempie agli obblighi previsti nel presente articolo è punito come all'art. 31, quarto comma; salva la responsabilità civile per il pregiudizio alla finanza.

Chiunque, al fine di sottrarre all'azione dello Stato beni appartenenti alle persone ritenute profittatori del regime, aliena o comunque trasferisce presso terzi od occulta tali beni o chiunque li acquista, li riceve od occulta, ovvero si intromette nel farli acquistare, ricevere od occultare, è punito con la reclusione fino a dieci anni e con la multa fino a lire centomila.

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Art. 37.

La proposta di liquidazione della Commissione provinciale, quando non è stato avanzato reclamo dal debitore, ed in ogni caso la decisione della stessa, anche contenente l'appello alla Commissione centrale, e la decisione di quest'ultima sono titoli esecutivi, anche agli effetti delle trascrizioni nei registri immobiliari.

La riscossione delle somme attribuite allo Stato a titolo di profitto di regime può farsi con la procedura e i privilegi stabiliti per la riscossione dell'imposta straordinaria sui maggiori utili relativi allo stato di guerra. L'intero debito può essere iscritto in ruolo straordinario, riscuotibile in unica soluzione.

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TITOLO IV.

Liquidazione dei beni fascisti.

Art. 38.

I beni del cessato partito nazionale fascista e delle organizzazioni soppresse dal R. decreto-legge 2 agosto 1943, n. 704, sono devoluti allo Stato.

Su proposta dell'Alto Commissario, i beni stessi saranno destinati, con decreto del Presidente del Consiglio, di concerto coi Ministri competenti, a servizi pubblici o a scopi di interesse generale, anche mediante cessione ad altri Enti pubblici o ad Associazioni assistenziali, sportive e simili.

Art. 39.

Al realizzo delle attività del partito nazionale fascista e degli enti soppressi provvede l'Amministrazione finanziaria dello Stato.

TITOLO V.

L'Alto Commissario.

Art. 40.

Ad assicurare l'applicazione del presente decreto è istituito un Alto Commissario per le sanzioni contro il fascismo.

L'Alto Commissario è nominato su deliberazione del Consiglio dei Ministri, ed è per la durata della carica equiparato ai magistrati dell'ordine giudiziario di primo grado.

Egli è assistito da alti commissari aggiunti per ciascuno dei rami di sua competenza.

In caso di suo impedimento essi possono sostituirlo ognuno per il proprio ramo.

Essi sono nominati dal Presidente del Consiglio dei Ministri su proposta dell'Alto Commissario, e sono equiparati ai magistrati di terzo grado.

All'Alto Commissariato possono essere assegnati commissari in numero non maggiore di due per ogni ramo, nominati nella forma prevista dal comma precedente.

All'ufficio dell'Alto Commissario vengono assegnati, su richiesta nominativa, magistrati e funzionari in numero adeguato, ed è posto alla sua dipendenza un nucleo di polizia giudiziaria composto di personale dei carabinieri, della pubblica sicurezza e della guardia di [illegible]

L'Alto Commissario può, in casi di eccezionale gravità, derogare alle norme sulla competenza, deferendo all'Alta Corte di giustizia persone diverse da quelle indicate nell'art. 2 anche per reati non contemplati nel medesimo articolo stesso.

Fermi restando gli obblighi e le attribuzioni del pubblico ministero, delle pubbliche Amministrazioni e di altri organi o enti, l'Alto Commissario può altresì, di sua iniziativa o su denuncia dei privati, promuovere:

1) l'azione per gli altri delitti previsti dal Titolo I;

2) l'azione per l'applicazione delle sanzioni stabilite dall'art. 8;

3) l'azione per la confisca dei beni di coloro che hanno collaborato coi tedeschi, ai sensi dell'art. 9;

4) il giudizio per l'epurazione delle Amministrazioni e la dispensa dal servizio, davanti alle apposite Commissioni di primo grado, ed in sede di ricorso a quella centrale;

5) l'accertamento e l'avocazione dei profitti di regime fascista, a cura delle Commissioni locali e della Commissione centrale delle imposte, con facoltà di promuovere in casi eccezionali la rettifica delle decisioni della stessa Commissione centrale;

6) le proposte per l'assegnazione regolare e più opportuna dei beni già di proprietà dei fasci e di enti fascisti;

7) ogni altra attribuzione prevista dal presente decreto e da altri provvedimenti.

TITOLO VI.

Disposizioni finali e transitorie.

Art. 42.

Per l'applicazione del presente decreto sono abolite tutte le prerogative, compreso quelle previste dagli articoli 36, 37 e 47 dello Statuto.

Art. 43.

I pubblici ufficiali e gli incaricati di pubblici servizi, investiti a norma del presente decreto di funzioni relative alla repressione dei delitti dei fascisti, all'epurazione delle Amministrazioni, all'avocazione dei profitti di regime e alla liquidazione dei beni fascisti, i quali si rendono responsabili di alcuno dei reati previsti e puniti dagli articoli 314, 316, 317, 318, 319, 320, 323, 324, 326 e 328 del Codice penale, sono puniti con le pene previste da detti articoli, aumentati da un terzo alla metà.

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Declassified E.O. 12356 Section 3.3/NND No. 788021

...enziali, sportive e simili.

Art. 39.

Al realizzo delle attività del partito nazionale fascista e degli enti soppressi provvede l'Amministrazione finanziaria dello Stato.

TITOLO V.

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L'Alto Commissario è nominato su deliberazione del Consiglio dei Ministri, ed è per la durata della carica equiparato ai magistrati dell'ordine giudiziario di primo grado.

Egli è assistito da alti commissari aggiunti per ciascuno dei rami di sua competenza.

In caso di suo impedimento essi possono sostituirlo ognuno per il proprio ramo.

Essi sono nominati dal Presidente del Consiglio dei Ministri su proposta dell'Alto Commissario, e sono equiparati ai magistrati di terzo grado.

All'Alto Commissariato possono essere assegnati commissari in numero non maggiore di due per ogni ramo, nominati nella forma prevista dal comma precedente.

All'ufficio dell'Alto Commissario vengono assegnati, su richiesta nominativa, magistrati e funzionari in numero adeguato, ed è posto alla sua dipendenza un nucleo di polizia giudiziaria composto di personale dei carabinieri, della pubblica sicurezza e della guardia di finanza. Degli uffici di segreteria possono essere chiamati a far parte anche estranei all'Amministrazione.

L'Alto Commissario e gli uffici dipendenti possono richiedere l'opera della polizia giudiziaria, che è tenuta ad eseguirne gli ordini.

Art. 41.

L'Alto Commissario dirige ed invigila l'opera di tutti gli organi a mezzo dei quali si adempiono le sanzioni contro il fascismo.

Spetta all'Alto Commissario di promuovere, di sua iniziativa o su segnalazione delle pubbliche amministrazioni o su denuncia sottoscritta da privati, l'azione per i delitti di cui all'art. 2, procedendo alla relativa istruttoria e deferendo l'imputato all'Alta Corte indicata nello stesso articolo, presso la quale egli esercita personalmente o per delega le funzioni di pubblico ministero.

hanno collaborato coi tedeschi, ai sensi dell'art. 9;

4) il giudizio per l'epurazione delle Amministrazioni e la dispensa dal servizio, davanti alle apposite Commissioni di primo grado, ed in sede di ricorso a quella centrale;

5) l'accertamento e l'avocazione dei profitti di regime fascista, a cura delle Commissioni locali e della Commissione centrale delle imposte, con facoltà di promuovere in casi eccezionali la rettifica delle decisioni della stessa Commissione centrale;

6) le proposte per l'assegnazione regolare e più opportuna dei beni già di proprietà dei fasci e di enti fascisti;

7) ogni altra attribuzione prevista dal presente decreto e da altri provvedimenti.

TITOLO VI.

Disposizioni finali e transitorie.

Art. 42.

Per l'applicazione del presente decreto sono abolite tutte le prerogative, comprese quelle previste dagli articoli 36, 37 e 47 dello Statuto.

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Art. 44.

I procedimenti già iniziati per la punizione dei delitti fascisti, per la epurazione e per l'avocazione dei profitti di regime, sono proseguiti con le norme del presente decreto, restando fermi gli atti compiuti che non siano incompatibili con le norme stesse.

I provvedimenti già emanati saranno riveduti se in contrasto con le disposizioni del presente decreto.

Art. 45.

Sarà, con successivi decreti legislativi, provveduto, in quanto occorra, all'esecuzione delle norme contenute nel presente decreto legislativo.

Il Ministro pel tesoro è autorizzato ad apportare, con propri decreti, le variazioni al bilancio dello Stato, occorrenti per il funzionamento dell'Alto Commissariato e degli organi istituiti dal presente decreto.

Art. 46.

Sono abrogati i Regi decreti-legge 9 agosto 1943, n. 729, 28 dicembre 1943, n. 29/B, 26 maggio 1944, n. 134.

Sono altresì abrogate le disposizioni contenute nel R. decreto-legge 12 aprile 1944, n. 101, nella parte ridettante la materia regolata dal presente decreto.

Art. 47.

Il presente decreto entra in vigore il giorno della sua pubblicazione nella *Gazzetta Ufficiale* del Regno serie speciale.

Ordiniamo, a chiunque spetti, di osservare il presente decreto e di farlo osservare come legge dello Stato.

Dato a Roma, addì 27 luglio 1944

UMBERTO DI SAVOIA

BONOMI — CIASCA — DE GASPERI — RUINI — SARAGAT — SFORZA — TOGLIATTI — CARANDINI — TUPINI — SIGLIENTI — SOLERI — CASATI — DE COURTEN — PIACENTINI — DE RUGGIERO — MANCINI — GULLO — CERABONA — GRONCHI

Visto, *il Guardasigilli*: TUPINI
Registrato alla Corte dei conti, addì 27 luglio 1944
Registro n. 1 Presidenza, foglio 54. — MASI

DECRETO MINISTERIALE 11 luglio 1944.

Autorizzazione ad alcuni Istituti a fungere da agenzie della Banca d'Italia.

IL MINISTRO PER IL TESORO

Visto il decreto Ministeriale 8 dicembre 1943, che stabilisce l'obbligo della cessione dei mezzi di pagamento derivanti da esportazioni e che detta norme per il commercio di ogni mezzo che possa servire a pagamenti all'estero;

Visto l'art. 10 del suddetto decreto Ministeriale 8 dicembre 1943, secondo il quale alcune Banche possono essere autorizzate a funzionare da agenzie della Banca d'Italia limitatamente agli scopi indicati dagli articoli del detto decreto Ministeriale e nel modo nel medesimo specificato;

Visto il decreto del 22 dicembre 1942 del Ministero [illegible] col quale furono autoriz-

CONCORSI

MINISTERO DELLE FINANZE

ENTE NAZIONALE DI PREVIDENZA ED ASSISTENZA PER I DIPENDENTI STATALI

Previdenza per il personale civile e militare dello Stato

Concorso per n. 50 posti in convitti ed orfanotrofi e per n. 350 borse di studio

ASSISTENZA SCOLASTICA AGLI ORFANI DEGLI ISCRITTI

Convitti ed orfanotrofi

I posti gratuiti in convitti ed orfanotrofi (maschili e femminili) da conferirsi per l'anno scolastico 1944-45 mediante concorso per titoli agli orfani degli iscritti sono 50.

Per la partecipazione al concorso occorre che gli orfani abbiano non meno di 7 anni e non più di 12 anni al 30 settembre 1944.

Per gli orfani ammessi in convitto o in orfanotrofio l'Ente assume l'onere della retta, dell'uniforme, delle tasse scolastiche, dei libri e della rinnovazione delle calzature.

Il corredo prescritto dal convitto e le conseguenti riparazioni e rinnovazioni nonchè tutte le altre spese accessorie sono a carico delle rispettive famiglie.

Borse di studio

Le borse di studio da conferirsi per l'anno scolastico 1944-1945 agli *orfani* degli iscritti, mediante concorso per titoli, sono distribuite come appresso:

n. 100 da L. 800 per le scuole elementari;

n. 130 da L. 1000 per la scuola media di 1° grado e per la scuola di avviamento professionale;

n. 15 da L. 1500 per il ginnasio superiore;

n. 80 da L. 1900 per il liceo, l'istituto tecnico superiore, l'istituto magistrale superiore e per la scuola tecnica;

n. 20 da L. 3000 per le università e gli altri istituti di istruzione superiore;

n. 7 da L. 3500 per corsi di specializzazione o di perfezionamento postuniversitari.

ASSISTENZA SCOLASTICA AI FIGLI DI ISCRITTI IN SERVIZIO ATTIVO

Borse di studio

Le borse di studio da conferirsi per l'anno scolastico 1944-1945 *ai figli* degli iscritti, mediante concorso per titoli, sono distribuite come appresso:

n. 100 da L. 1000 per il liceo, l'istituto tecnico superiore

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Ordiniamo, a chiunque spetti, di osservare il presente decreto e di farlo osservare come legge dello Stato.

Dato a Roma, addì 27 luglio 1944

UMBERTO DI SAVOIA

BONOMI — CIANCA — DE GASPERI — RUINI — SARAGAT — SFORZA — TOGLIATTI — CAMANDINI — TUPINI — SIGLIENTI — SOLERI — CASATI — DE COURTEN — PIACENTINI — DE RUGGIERO — MANCINI — GUELLO — CREMONA — GRONCHI

Visto, il Guardasigilli: TUPINI
Registrato alla Corte dei conti, addì 27 luglio 1944
Registro n. 1, Presidenza, foglio 51. — MOSI

DECRETO MINISTERIALE 11 luglio 1944.

Autorizzazione ad alcuni Istituti a fungere da agenzie della Banca d'Italia.

IL MINISTRO PER IL TESORO

Visto il decreto Ministeriale 8 dicembre 1931, che stabilisce l'obbligo della cessione dei mezzi di pagamento derivanti da esportazioni e che detta norme per il commercio di ogni mezzo che possa servire a pagamenti all'estero;

Visto l'art. 10 del suddetto decreto Ministeriale 8 dicembre 1931, secondo il quale alcune Banche possono essere autorizzate a funzionare da agenzie della Banca d'Italia limitatamente agli scopi indicati dagli articoli del detto decreto Ministeriale e nel modo nel medesimo specificato;

Visto il decreto del 22 dicembre 1942 del Ministero per gli scambi e per le valute col quale furono autorizzati, fra gli altri, il Banco di Napoli e il Banco di Sicilia a funzionare da agenzie della Banca d'Italia dal 1° gennaio al 31 dicembre 1943;

Ritenuta la opportunità di estendere le suddette funzioni dei Banchi di Napoli e di Sicilia anche all'anno 1944;

Decreta:

Il Banco di Napoli ed il Banco di Sicilia sono autorizzati, con decorrenza dal 1° gennaio 1944 fino al 31 dicembre 1944, a continuare a funzionare da agenzie della Banca d'Italia, sotto il controllo della stessa, ai fini contemplati nel su menzionato decreto 8 dicembre 1931.

Roma, addì 11 luglio 1944

Il Ministro: SOLERI

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e per n. 550 borse di studio

ASSISTENZA SCOLASTICA AGLI ORFANI DEGLI ISCRITTI

Convitti ed orfanotrofi

I posti gratuiti in convitti ed orfanotrofi (maschili e femminili) da conferirsi per l'anno scolastico 1944-45 mediante concorso per titoli agli orfani degli iscritti sono 50.

Per la partecipazione al concorso occorre che gli orfani abbiano non meno di 7 anni e non più di 12 anni al 30 settembre 1944.

Per gli orfani ammessi in convitto o in orfanotrofio l'Ente assume l'onere della retta, dell'uniforme, delle tasse scolastiche, dei libri e della rinnovazione delle calzature.

Il corredo prescritto dal convitto e le conseguenti riparazioni e rinnovazioni nonchè tutte le altre spese accessorie sono a carico delle rispettive famiglie.

Borse di studio

Le borse di studio da conferirsi per l'anno scolastico 1944-1945 agli orfani degli iscritti, mediante concorso per titoli, sono distribuite come appresso:

n. 100 da L. 800 per le scuole elementari;

n. 120 da L. 1200 per la scuola media di 1° grado e per la scuola di avviamento professionale;

n. 15 da L. 1500 per il ginnasio superiore;

n. 80 da L. 1800 per il liceo, l'istituto tecnico superiore, l'istituto magistrale superiore e per la scuola tecnica;

n. 70 da L. 3000 per le università e gli altri istituti di istruzione superiore;

n. 7 da L. 3500 per corsi di specializzazione o di perfezionamento postuniversitari.

ASSISTENZA SCOLASTICA AI FIGLI DI ISCRITTI IN SERVIZIO ATTIVO

Borse di studio

Le borse di studio da conferirsi per l'anno scolastico 1944-1945 *ai figli* degli iscritti, mediante concorso per titoli, sono distribuite come appresso:

n. 100 da L. 1500 per il liceo, l'istituto tecnico superiore e l'istituto magistrale superiore;

n. 50 da L. 3000 per le università e gli altri istituti di istruzione superiore;

n. 8 da L. 3500 per corsi di specializzazione o di perfezionamento postuniversitari aventi la durata massima di tre anni.

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AVVERTENZE

Al concorso possono partecipare soltanto gli orfani e i figli degli *iscritti* e cioè del personale civile *di ruolo* dello Stato, dei marescialli e degli ufficiali in S. P., categorie queste già iscritte all'Opera di previdenza per i personali civili e militari dello Stato, incorporata in questo Ente dal 1° settembre 1942, nonchè gli orfani e i figli dei soli insegnanti elementari di ruolo dello Stato iscritti all'Ente dal 1° ottobre 1942.

Per l'ammissione al concorso per posti in convitti ed orfanotrofi, nonchè per le borse di studio, l'aspirante non deve essere in ritardo con gli studi, e deve aver conseguito l'ammissione o la promozione nella sessione estiva del corrente anno scolastico 1943-44.

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Le domande devono pervenire al più presto e comunque non oltre il 15 settembre 1941 all'Ente nazionale di previdenza ed assistenza per i dipendenti statali, via Liana, 51, Roma.

Detti termini sono inprorogabili. Le domande non pervenute in tempo debito, o non regolarmente documentate, non saranno prese in considerazione.

Nelle domande è necessario precisare a quale beneficio si intenda concorrere e il corso di studio che si vuol seguire, e indicare con esattezza il domicilio.

I documenti rilasciati dall'ufficio di stato civile debbono essere legalizzati dalla competente autorità.

Le domande e i documenti sono esenti dalle tasse di bollo, giusta l'art. 25 della legge 19 gennaio 1942, n. 22.

Documenti da produrre a corredo delle domande nell'interesse degli orfani

1. Estratto dell'atto di nascita del concorrente.
2. Estratto dell'atto di morte dell'impiegato o del militare.
3. Estratto dell'atto di matrimonio dei genitori del concorrente.
4. Documenti che comprovino se il concorrente sia eventualmente orfano di guerra.
5. Certificato municipale da rilasciarsi in data posteriore al presente bando di concorso, sulla conforme dichiarazione di tre testimoni, ed in base alle risultanze anagrafiche e dello stato civile, dal quale risulti la situazione della famiglia nonchè la professione e la condizione economica di ciascun membro della famiglia anche non convivente. Dal detto certificato deve pure risultare se il concorrente o qualcuno dei suoi fratelli sia ricoverato, oppure assistito, a cura di qualche Ente.
6. Il decreto col quale è stata liquidata alla vedova o agli orfani l'indennità e la pensione.
7. La copia dello *stato di servizio* dell'impiegato o del militare.
8. Estratto dell'atto di morte della moglie dell'impiegato o del militare, se l'orfano che concorre è privo di entrambi i genitori.
9. Atto di nascita del figlio, se l'orfano è minorenne e privo di entrambi i genitori.
10. Certificato de l'autorità scolastica con i voti riportati per l'ammissione o la promozione al corso da frequentare. Se l'aspirante trovasi già iscritto all'università o ad altro istituto superiore dovrà unire un certificato con le seguenti indicazioni:

a) corso e anno a cui lo studente è iscritto;

b) elenco delle materie obbligatorie consigliate dalla Facoltà per tutti i corsi frequentati;

c) esami superati durante gli anni scolastici già percorsi, col voto conseguito in ciascuna materia.

Documenti da produrre a corredo delle domande nell'interesse dei figli di iscritti in servizio attivo

I figli degli iscritti all'Opera di previdenza, che desiderino concorrere ad una delle borse di studio per frequentare il liceo, l'istituto tecnico, l'istituto magistrale, l'università e gli altri istituti di istruzione superiore, devono unire alla istanza i documenti indicati ai nn. 1, 3, 4, 5, 7 e 10, e una dichiarazione dell'Amministrazione da cui risulti che l'iscritto è in attività di servizio.

Per partecipare al concorso suddetto occorre che l'ammissione o la promozione al corso da frequentare sia stata conseguita *con una media non inferiore a 8 decimi* e che con la detta media siano stati superati gli esami di tutte le materie consigliate dalla Facoltà per i corsi frequentati.

Per quelli che già frequentino l'università o altro istituto superiore equipollente occorre inoltre che sia prodotto un certificato dell'autorità scolastica da' quale risulti che è stato conseguito a suo tempo, in unica sessione e con una media generale non inferiore a 8 decimi, il titolo di studio necessario per l'ammissione all'università o all'istituto superiore equipollente.

Documenti da produrre a corredo delle domande per borse di studio per frequentare corsi di perfezionamento o di specializzazione degli orfani e dei figli di iscritti in servizio attivo.

Per concorrere alle borse di studio per i corsi di specializzazione o di perfezionamento tanto gli orfani quanto i figli degli iscritti debbono inviare, oltre la domanda — nella quale debbono essere indicati il corso che si intende seguire, la durata, e la località nella quale il corso stesso verrà tenuto — i documenti segnati ai nn. 1, 2, 3, 5 e 7 e, occorrendo, a seconda dei casi, anche quelli indicati ai nn. 4, 6, 8 e 9; e un certificato della competente Autorità scolastica, dal quale risultino i voti riportati nell'esame di laurea e in tutti gli esami speciali, avvertendo che la votazione dell'esame di laurea, conseguita da non oltre due anni, non deve essere inferiore a 8 decimi, nonchè una dichiarazione dell'università o dell'istituto di istruzione superiore che il corso indicato dall'aspirante è un corso di specializzazione o di perfezionamento post-universitario, al quale possono iscriversi *esclusivamente* i laureati. Si farà altresì risultare la durata del corso, indicando che questo avrà inizio nell'anno accademico 1941-42.

I candidati possono unire altresì le pubblicazioni e i certificati che credessero opportuno di presentare.

Roma, addì 30 giugno 1941

Il Commissario: GEN. F. CALLORI

GIOLITTI GIUSEPPE, *direttore* SANTI RAFFAELE, *gerente*

Roma — Istituto Poligrafico dello Stato — G. C.

Declassified E.O. 12356 Section 3.3/NND No. 785021

1979

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(45)

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

9 AUG 1944

Ref: 313/167/CA

4 August 44

Subject: Defascism.

To: Regional Commissioners, Region: I II III IV V VI VII VIII IX Z.
S.C.A.C.'s 5 and 8 Armies.

1. AML 159 "Sanctions against Fascism" was published on July 29. A translation has already been circulated for distribution down to Provincial Commissioners.

2. The decree has already been extended to Military Government Territory which is under Regional Control and all Regional Orders or other instructions on this subject will no longer be enforced.

3. The decree which is in six parts, deals with three main classes of cases:
   a Part I declares certain political acts committed in the past to be crimes against the state, sets up courts to try such cases and lays down the punishments.
   b Part II provides the machinery for investigating the political background of officials and of employees of national concerns and of local bodies and directs the removal from office or employment of those with fascist sympathy.
   c Part III provides for the investigation of cases of "enrichment" and for forfeiture of property where no satisfactory explanation of "enrichment" is forthcoming.
   d The other three parts are of an administrative nature.

and 3c are for the time being regarded as

1 of 3
Declassified E.O. 12356 Section 3.3/NND No. 785021

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ers.

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b Part II provides the machinery for investigating the political background of officials and of employees of national concerns and of local bodies and directs the removal from office or employment of those with fascist sympathy.
c Part III provides for the investigation of cases of "enrichment" and for forfeiture of property where no satisfactory explanation of "enrichment" is forthcoming.
d The other three parts are of an administrative nature.

4. So far as ACC is concerned 3a and 3c are for the time being regarded as matters domestic to the Italian people though ACC may have to take supervisory steps later; but, ACC is pledged (as is the Italian Government) to remove fascists and to clear Italian administration and industry of fascism. 3b therefore is very much the concern of ACC.

5. The decree provides for the setting up in every Ministry of a commission which is responsible for investigating the political history and in appropriate cases dismissing or otherwise dealing with not only the officials of that Ministry down to junior officials in rural areas but of all employees of national concerns for which under Italian law the Ministries are responsible, again right down to the branch office.

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6. At HQ ACC the appropriate Sub-Commission is responsible for ensuring that defascism is effectively carried out by these Commissions (col 2 of A/CC 250 of 15 Jul). Though these Sub Comsns will be notified by the Ministerial Commissions of persons dismissed that will give them no picture of the persons remaining in Regions who ought to be but have not been dealt with, nor with the rate at which defascising is proceeding; for this information they must rely upon reports from Regions. At Regional level Regional Commissioner will be responsible for supervising the progress of defascising: he will ensure that his divisional officers keep him and Sub-Comsns fully informed of the progress of defascism and in particular report persons who should be but have not been dealt with and see that any dismissals ordered are effectively carried out.

Declassified E.O. 12356 Section 3.3/NND No. 785031

7. The decree also provides for the setting up in every province of a Provincial Commission which is responsible for dealing with the officers and employees of local bodies, welfare institutions and the like which are under the control of provinces or communes and do not come directly under any Ministry.

8. The responsibility for supervising the progress of defascising by the Provincial Commissions devolves upon the Regional Commissioner. Instructions as to the returns required to enable progress to be watched will be the subject of a separate communication.

9. The usual distinction between military and Italian Government territory will apply; namely that in the former the responsible officer can direct the prefect to set up a commission and ensure that it functions; in the latter he can only advise and press. In the latter case if no satisfactory response is obtained, the matter will be reported so that HQ AOC (which has received the Italian Government's undertaking that defascising will be dealt with expeditiously) can through that Government bring pressure to bear on the defaulting party.

10. It is important that as much progress as possible should be made in areas soon to be restored to the Italian Government. If it is possible to get provincial commissions formed and functioning before the Italian Government takes over, much time will be saved.

11. Nothing in this decree affects the right of a CA officer in Military Government territory to remove any Italian officials from their employment whether for fascism, incompetence, corruption or for any other reason.

In Army areas in particular, it is important that the directions contained in Exec Memo 67 should continue to be effectively applied.

NORMAN E. FISKE,
Colonel,
Deputy Executive
Commissioner.

Copy to : Acting Chief Commissioner.
Econ Sec (10)
Admin Sec (10)
Pol Sec (2)
Army Sub Comsn (2)
Navy Sub Comsn (2)
Air Sub Comsn (2)
Communication Sub Comsn (2)

Declassified E.O. 12356 Section 3.3/NND No. 780131

can only advise and press. In the latter case if no satisfactory response is obtained, the matter will be reported so that HQ ACC (which has received the Italian Government's undertaking that defascising will be dealt with expeditiously) can through that Government bring pressure to bear on the defaulting party.

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In Army areas in particular, it is important that the directive contained in Exec Memo 67 should continue to be effectively applied.

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Colonel,
Deputy Executive
Commissioner.

Copy to : Acting Chief Commissioner.

Econ Sec	(10)
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Army Sub Comsn	(2)
Navy Sub Comsn	(2)
Air Sub Comsn	(2)
Communication Sub Comsn	(2)
Security Branch	(2)
PRO	(2)
File	(2)

Declassified E.O. 12356 Section 3.3/NND No. 795021

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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TRANSLATION NO. 97 - Interior - 5-8-44

MINISTRY OF THE INTERIOR
Cabinet

ROME, 4th. Aug. 1944

TO: THE A.C.C.
INTERIOR SUB-COMMISSION

SUBJECT: Commission for epuration.

We are forwarding you a copy of the Ministerial Decree for the constitution of the Commission of first instance for the epuration of the personnel in the rolls of this Ministry with the exclusion of the Public Safety personnel, for whom a special commission will be set up.

BY ORDER OF THE MINISTER

Declassified E.O. 12356 Section 3.3/NND No. 785021

THE MINISTER OF THE INTERIOR

Whereas article 15 of the R.D.L. of 29th. July, 1944

Having considered the designations of the Minister of Justice and of the High Commissioner for the sanctions against fascism;

HEREBY DECREES

The Commission of first instance for the epuration of the personnel of roll of the Ministry of the Interior, excluding the Public Safety personnel, is constituted as follows:

Cav. Uff. Dr. Vincenzo De Ficchy, section President of the Supreme Court of Cassation - President

Avv. Filippo A. Occhiuto - designated by the High Commissioner for the sanctions against fascism - Member

Comm. Dr. Cesare Cardamone - Prefect - Member

ROME, 4th. August 1944

THE MINISTER
BONOMI

This is a certified copy
The Chief of Cabinet
/s/

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Declassified E.O. 12356 Section 3.3/NND No. 785021

Trasm. n. 97 5 AUG 1944

Roma 4 agosto

Ministero dell'Interno
- Gabinetto -

Div. Sez.
Pos. N. Allegati

Al la COMMISSIONE ALLEATA
DI CONTROLLO
Sottocommissione per
l'Interno - ROMA -

Risposta al f. del
Div. Sez. N.

OGGETTO: **Commissione per l'epurazione.**

Si trasmette copia del decreto ministeriale di costituzione della Commissione di I° grado per l'epurazione del personale dei ruoli di questo Ministero esclusi quelli di Pubblica Sicurezza, per i quali sarà costituita una apposita commissione.

D'ORDINE DEL MINISTRO

Cam/

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IL MINISTRO DELL'INTERNO

Visto l'art. 18 del D.L.L. 29 luglio 1944, n.159;

Visto le designazioni del Ministro di Grazia e Giustizia e dell'Alto Commissario per le sanzioni contro il fascismo;

D E C R E T A

La Commissione di primo grado per l'epurazione del personale dei ruoli del Ministero dell'Interno, esclusi quelli di Pubblica Sicurezza, è costituita come segue:

Gr.Uff. Dott. Vincenzo De Ficchy, presidente di sezione della Corte Suprema di Cassazione - Presidente

Avv. Filippo A. Occhiuto - designato dall'Alto Commissario per le sanzioni contro il fascismo - Membro

Comm. Dott. Cesare Cardamone-prefetto- Membro

Declassified E.O. 12356 Section 3.3/NND No. 785021

fascismo;

D E C R E T A

La Commissione di primo grado per l'epurazione del personale dei ruoli del Ministero dell'Interno, esclusi quelli di Pubblica Sicurezza, è costituita come segue:

Gr.Uff. Dott. Vincenzo De Vicchy, presidente di sezione della Corte Suprema di Cassazione - Presidente

Avv. Filippo A. Cecchiuto - designato dall'Alto Commissario per le sanzioni contro il fascismo - Membro

Comm. Dott. Cesare Cardamone-prefetto- Membro

Roma 4 agosto 1944

IL MINISTRO

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BONOMI

p.c.c.:
IL CAPO DI GABINETTO

Declassified E.O. 12356 Section 3.3/NND No. 785021

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

3 AUG 1944

DF/2B/AS

3 Aug. 44

SUBJECT ; Defascism.

TO ; VP, Political Section,
Director, Interior
Commerce
Agriculture
Air
Legal
Communications
Education
Navy
Finance
Public Works
Army
Transportation
Sub-Commission.

Will you please instruct the officer who will be responsible to you for Defascism to attend a conference on that subject when Col Upjohn A/Head Administrative Section will explain the new decree "Sanctions against Fascism2 and the machinery which the Italian Government and ACC propose to establish respectively to carry out the decree and to supervise that defascism is effectively carried out.

The meeting will take place in Room 58 5th Floor at 1000 hours Sunday 6 August.

S.H. WHITE. Col
for A/Head Admin Section.

EXT ; 469
SHW/arm.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

8 AUG 1946

13/26/...

SUBJECT : Interzonal

TO : Political Section
Director, Interior / Finance Economics
Public Works Agriculture Army
Air Navy Communications
Transportation, Sub-Commissions.

1. The names of persons appointed to the Ministerial Commission on Germanium have not yet been received. Will you please submit them and let us have an estimate of the date by which it is expected that this personnel matter will be completed.

2. It is understood that some Ministries have put forward as an excuse for delay that they have not received the name of the Judicial member. It is for them to obtain this from the President of the Supreme Court, the Ministry of Justice or the Ministry of the Interior according to whether they require a Judicial or administrative Judge.

[signature]
S.H.Smith, Lt Col.
for A/Chief, Admin Section

Ext. 463
SHS/ame

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Declassified E.O. 12356 Section 3.3/NND No. 785021

1944

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HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

AUG 1944

31 Jul 44.

DF/ZB/AS.

SUBJECT : Defascism.

TO : Regional Commissioners,
Regions I, II, III, IV, V, VI, VII, VIII, & IX.

1 Will you please arrange to review what documentary evidence including Schede Personale as is in your hands and arrange to transmit that which relates to persons whom you think should be removed from office, to the appropriate Sub-Commission (v. col 2 of Z/CC of 15 Jul). So that evidence may be laid before the appropriate Ministerial Commission.

2 This evidence should include documents, records and other papers of any spuration proceedings which were in hand or contemplated. It should also include evidence as to persons who have been removed from office as these are regarded as only suspended until they are removed from office under this decree.

3 In this connection you will no doubt bear in mind that parrental or "national" undertakings will be purged by the Commission of that Ministry responsible for supervising the work of such concern.

G.R. (Brig) Col,
A/Dep. Admin Soc.

Copies to: Economic Section (10)
HCMC Section (2)
Administrative Section (10)

Ext 469
SHW/sal

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HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

2 AUG 1944

AS/2-3/AS 2 Aug. 44

SUBJECT : Defascism

TO : Distribution below.

1. The enclosed copies of an English translation of ACC 159, Sanctions against Fascism, is for distribution down to Provinces.

2. It is hoped that the translation will be of assistance as a means of ready reference but it will be appreciated that it is not always possible to find "le mot juste" and that it is the Italian version which is authoritative and to which reference must be made whenever any point is in question.

3. A short general instruction on Defascism has been prepared and will be issued as soon as possible.

G.K. UPJOHN, Col
A/Chief, Admin Sec.

Number of enclosures

DISTRIBUTION: Secretary General ..... (2)
ALL sections ..... (2)
ALL Sub-Commissions ..... (2)
ALL Regions * ..... (2)
CS, AMG ..... (2)

*-Regions I & II - 2 extra each

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Sit: 525
AMW/ZS

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THE

DECREE

AS TO

SANCTIONS AGAINST FASCISM

Part I - Crimes

Part II - Purging

Part III - Enrichment

Part IV - Fascist Funds

Part V - The High Commissioner

Part VI - Miscellaneous

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Declassified E.O. 12356 Section 3.3/NND No. 785021

Part IV - Fascist Funds

Part V - The High Commissioner

Part VI - Miscellaneous

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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PART I PUNISHMENT OF CRIMES

1 All penal provisions issued to safeguard institutions and political organisations created by fascism are hereby repealed.

Decisions already pronounced by virtue of such provisions are hereby annulled.

2 Members of the Government and high ranking members of fascism, guilty of annulling the guarantees given under the constitution, of destroying the liberty of the people, of erecting the fascist regime, of compelling and betraying the fortunes of the country bringing it to the present disaster shall be punished by penal servitude for life and, in cases where the responsibility is greater, by death.

They shall be tried by a High Court of Justice composed of a President and eight members, chosen by the Council of Ministers, from among high ranking judicial officials serving now or in retirement and from among other persons of unquestionable rectitude.

3 Those who organised fascist squads, committing acts of violence and pillage and those who promoted and directed the revolt of 28 October 1922 shall be punished according to Art 120 of the Penal Code 1889.

Those who promoted and directed the Coup d'Etat of 3 January 1925 and those who have since contributed by any relevant action to maintain the fascist regime in power shall be punished in accordance with Art 118 of the aforesaid code.

Whosoever has committed any other crime for fascist reasons or taken advantage of the political situation created by fascism shall be punished according to the laws obtaining at the time of the crime.

4 Those crimes described in the preceding Article shall be tried by the Court of Assize, by the Tribunals and by the Pretors according to their respective jurisdiction.

The Court of Assize shall be composed of two judicial officials as described in the law as to the constitution of the Courts of Assize, and of five lay Judges chosen by lot from special lists of citizens of unblemished moral and political behaviour.

5 Whosoever whether a member of the Armed Forces or not, after 8 September 1943 has committed a crime against loyalty and the military defence of the State, by any kind whatsoever of action collaboration help or assistance given to the German invader shall be punished according to the provisions of the Military Penal Code of War.

Members of the armed forces shall be tried by Military Courts, civilians by ordinary Courts.

6 Any limitation of time with regard to the offence or the punishment

Declassified E.O. 12356 Section 3.3/NND No. 785021

Those who promoted and directed the Coup d'Etat of 3 January 1925 — those who have since contributed by any subsequent action to maintain the fascist regime in power shall be punished in accordance with Art 118 of the aforesaid code.

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Members of the armed forces shall be tried by Military Courts, civilians by ordinary Courts.

6 Any limitation of time with regard to the offence or the punishment decreed shall not apply to any person guilty of, any crime described in this decree, who because of the existence of the fascist regime has not been punished.

For the same reason amnesties and pardons granted after 28 October 1922 in respect of any crime described in this decree shall be invalid, any already granted shall be revoked.

The High Commissioner may propose the revocation of any royal pardon already granted.

When a decision regarding any such crimes has been influenced by any moral co-ercion resulting from fascism, such decision may be declared to be legally non-existent.

Declarations in this respect shall be made by a Section of the Supreme Court of Cassation appointed by the Minister of Justice.

The provisions of this decree shall not apply in regard to any crimes punishable by imprisonment for three years or less.

7 The punishment prescribed for any crime described in this part may be reduced by up to one quarter and imprisonment for not less than five years may be substituted for a sentence of death or of imprisonment for life.

a if the accused had before the outbreak of this war either retired from political life or had been openly opposed to fascism;

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b if the accused has actively participated in the struggle against the Germans

c Where general extenuating circumstances exist imprisonment for 30 years shall be substituted for penal servitude for life and other penalties shall be reduced by one sixth.

The guilty party shall be declared not punishable if he distinguished himself by special acts of valour in the struggle against the Germans.

8 Any person who for fascist reasons or, by taking advantage of the political situation created by fascism has committed acts acts particularly serious which while not being offences in the eyes of the law are nevertheless contrary to the rules of social and political integrity shall be subjected to temporary disqualification from holding any public office or to loss of political rights for a period of not more than ten years.

Whenever such a person is deemed to be a danger to society he may be sent to an agricultural colony or a labour institution for a period of not less than one or more than ten years.

The provisions contained in this Article shall be administered by a Provincial Commission presided over by a judicial official and composed of two other members chosen by lot from among the lay judges described in Art 4.

As regards members of the legislative assemblies or other institutions who by their votes or actions contributed to the maintenance of the fascist regime and made war possible, they shall be dismissed from their office on decision of the High Court described in Art 7, without prejudice to any of the other provisions set out in this Decree in so far as they may be applicable.

9 Without prejudice to any legal action, the property of any citizen who has betrayed his country placing himself voluntarily and actively at the service of the German invaders shall be forfeited to the State.

In penal proceedings such forfeitures shall be pronounced by a judicial authority competent to pronounce sentence of confiscation. In other cases referred to thereby the High Commissioner, by the Tribunals territorially competent.

10 In regard to any matter not specifically provided for by this part the rules of the Code of Penal Procedure shall obtain whenever may be applicable.

PART II PURGING OF THE ADMINISTRATION

11 Officials and employees of the following bodies shall be subject to epuration proceedings:-

(1) civil and military State Administrations, even if autonomous;

Declassified E.O. 12356 Section 3.3/NND No. 785021

Art 4.

As regards members of the legislative assemblies or other institutions who by their votes or actions contributed to the maintenance of the fascist regime and made war possible, they shall be dismissed from their office on decision of the High Court described in Art 2, without prejudice to any of the other provisions set out in this Decree in so far as they may be applicable.

9 Without prejudice to any legal action, the property of any citizen who has betrayed his country placing himself voluntarily and actively at the service of the German invaders shall be forfeited to the State.

In penal proceedings such forfeitures shall be pronounced by a judicial authority competent to pronounce sentence of condemnation. In other cases referred to thereby the High Commissioner, by the Tribunals territorially competent.

10 In regard to any matter not specifically provided for by this part the rules of the Code of Penal Procedure shall obtain whatsoever may be applicable.

PART II PURGING OF THE ADMINISTRATION

11 Officials and employees of the following bodies shall be subject to epuration proceedings:-

(1) civil and military State Administrations, even if autonomous;
(2) local authorities and other public bodies and institutions;
(3) special concerns operating under public authorities or bodies and
(4) private concerns recognised by the State as controlling public utility undertakings or concerns having nation wide interests.

12 The following shall be dismissed from service:

(1) any person, particularly if when holding high office, who has by participating actively in the political life of fascism or by showing himself as a consistant apologist of fascism, shown that he is unworthy of serving the State;

(2) any person who has obtained an appointment or promotion through party favouritism of the party or of fascist officials of high rank.

13 Any employee who has been guilty of fascist bias incompetence or corrupt practices such as have been introduced by fascism into public administration, shall be likewise dismissed.

Whenever evidence of an offence is found during an epuration proceeding, such evidence shall be reported to the competent authority.

Declassified E.O. 12356 Section 3.3/NND No. 785021

14 Any person who has held the position of "squadrista" or "sansepolcrista" or "antemarcia", "Marcia su Roma", "Sciarpa littorio" or who has been an officer in the Fascist Militia if he has been guilty of Fascist partisanship or improper conduct shall be dismissed from his office or employment, but if not so guilty he may be awarded less severe punishment.

15 Any person who has received undue promotion or any preference in any competitive examinations because of his fascist position may in lieu of dismissal be reduced in rank or be returned to his former position.

16 Any person who has after 8 September 43 distinguished himself in the struggle against the Germans may be exempted from dismissal or other disciplinary measure.

17 Any employee who, after 8 September 43, moved to North Italy with or has pledged allegiance to or has in any way collaborated with the (Republican) Fascist Government shall be dismissed.

Punishment of lesser degree may be awarded to such as show that he or his relatives were exposed to serious threats or danger.

Any person who by his acts has effectively aided the patriots or has undermined the work of the Germans or of the (Republican) Fascist Government which they were apparently serving, may be exempt from punishment.

In every case on account shall be made of the allowances that were due under the original terms of employment and of any excess payment which may unjustly have been received. Any special allowance or sum granted or paid on account of any transfer to the North will be disallowed.

18 The Commission of First Instance to hear epuration proceedings will be a Commission to be established in every Ministry or autonomous authority or body. When personnel of different classes of functions is employed in a Ministry more than one Commission may be established in that Ministry.

Such Commissions will be appointed by the competent Minister and will be composed of a judicial or administrative magistrate of that serving or retired, who will preside over them, and of the Chief of personnel or of an official of the Administration, and of a third member nominated by the High Commissioner for the Sanctions against Fascism.

A Commission to be appointed by a Prefect composed of a judicial official, either serving or retired, an official of the Prefecture, and a member to be nominated by the High Commissioner, will be instituted for Communes, Provinces, Public Welfare Institutions and under the control of the local authorities.

According to the provisions set out in the preceding paragraphs substitute members may be appointed and the Commission may be divided into Sub-Commissions.

Declassified E.O. 12356 Section 3.3/NND No. 795021

which they were apparently serving, may be [illegible]

In every case no account shall be made of the allowances that were due under the original terms of employment and of any excess payment which may naturally have been received. Any special allowance or sum granted or paid on account of any transfer to the North will be disallowed.

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Such Commissions will be appointed by the competent Minister and will be composed of a judicial or administrative magistrate either serving or retired, who will preside over them, and of the Chief of personnel or of an official of the administration, and of a third member nominated by the High Commissioner for the Sanctions against Fascism.

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According to the provisions set out in the preceding paragraphs substitute members may be appointed and the Commission may be divided into Sub-Commissions.

19 Not less than ten days shall be allowed to an employee whose dismissal is proposed to prepare his defence.

The Commissions, or any member delegated by them, shall have the power to examine witnesses, to require the production of deeds and documents from judicial or administrative authorities and may personally hear the interested party if he applies for such a hearing.

20 The finding of the Commission of the first instance shall be communicated to the High Commissioner and to the party concerned. The interested party may within three days, and the High Commissioner within twenty days appeal to a central Commission appointed by the President of the Council of Ministers and composed of a president, two officials of the central administration, two judicial or administrative magistrates serving or retired and two other members nominated by the High Commissioner for Sanctions against Fascism.

In the same manner substitute members may be appointed and the Commission may be divided into sub-commissions.

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21 Dismissal from office, in accordance with the finding of the Commissions, shall be carried out by the authority which normally has such power.

The same authority shall put into effect the punishments hereby authorized in accordance with the finding of the Commissions.

22 Any employee dismissed from office shall be entitled to such pension privileges as may be due to him according to the provisions then in force.

In more serious cases forfeiture of pension privileges may be ordered.

Any employee the subject of epuration proceedings may be suspended from office. In such case he shall receive, for his support, his salary without any other further allowance. Suspension from office shall be ordered by the competent Minister, or in cases under para 3 of Art 16 by the Prefect.

23 Commissions responsible for inspecting the registers shall be set up in each professional association or other body responsible for keeping registers of professional men, artists and skilled workers shall apply the principles set out in the preceding articles.

Such Commissions shall be appointed by the competent Minister or by any authority designated by him, and shall be composed of a President, a member nominated by the body keeping the register in question and of a member nominated by the High Commissioner for Sanctions against Fascism.

An appeal against a finding of a Commission may be lodged within the time set out by Art 20, to a Central Commission which shall be established, for each professional association or body, by the competent Minister and composed of a President, of two judicial or administrative Judges, serving or retired, of four members nominated by the professional associations and of two other members nominated by the High Commissioner for Sanctions against Fascism.

In less serious cases a temporary suspension from the exercise of a profession, art or trade may be ordered in lieu of being struck off the register.

24 An employee dismissed from office may appeal to the State Council only on grounds of incompetence (i.e. of the Commission or officer concerned).

25 The proceedings set forth in this part shall be initiated within 6 months of this decree becoming effective.

Any proceeding before the Commission of First Instance shall be ended within three months after its initiation.

For the territory not yet liberated and for that part which has been liberated but not yet restored to the administration of the Italian Government, the time limit indicated in the first paragraph is extended to six months after the restoration of such territories to the Italian Administration.

Declassified E.O. 12356 Section 3.3/NND No. 785021

of professional men, artists and skilled workers shall apply as set out in the preceding articles.

Such Commissions shall be appointed by the competent Minister or by any authority designated by him, and shall be composed of a President, a member nominated by the body keeping the register in question and of a member nominated by the High Commissioner for Sanctions against Fascism.

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PART III Disposal of Profits derived from the Regime.

26 Profit derived from participation in or adherence to the fascist regime shall be forfeited to the State regardless whether or not a penal proceeding is instituted for acts constituting an offence.

An increase of property obtained after the 28 October by persons holding public offices or in any way engaged in political activity as a fascist shall be presumed to constitute a profit derived from the regime unless the party concerned shall show that such increase was derived from a legitimate source and this shall be the case even if the property acquired has ceased to belong to the same person.

Such presumption shall likewise apply to increases in property of the ascendants, descendants and spouse of any person, who even if not a member of the fascist party, exercised political patronage or was associate or client with the persons indicated in the first paragraph.

In assessing increases of property consideration shall be given to property in any way acquired or held through intermediaries.

Declassified E.O. 12356 Section 3.3/NND No. 785021

27 Specific property constituting profit derived from the regime and owned by the debtor (Note: Without any explanation the decree uses the word "debtor" to denote the person who has acquired profit from the regime) may be forfeited to the State.

28 The entire property of the debtor is liable for the satisfaction of the assessed debt to the State on profit derived from the regime.

In cases contemplated by the 2nd para of Art 26 persons set out in first paragraph of the said Article shall be liable jointly with their spouse, associates or clients.

29 If the property of the debtor is not sufficient to pay the amounts owed to the State the following dealings with property (by the debtor) shall be considered void:

(1) transfers made by the debtor without valuable consideration during the five years prior to 25 July 43;

(2) any disposition made after such date.

As far as the State is concerned property acquired within the five year period prior to 25 July 43 by the spouse of the debtor shall for the purpose of satisfying the State's claim for profit derived from the regime be considered as belonging to the debtor.

30 The investigation and assessing of the amount of the profit derived from the regime shall be within the jurisdiction of a Special Section of the Provincial Commission for Taxation, comprised of the President of the Tribunal or a judge delegated by him and of four Commissioners appointed by the Minister of Finance on the nomination of the Prefect from citizens of proven probity and competence.

The Special Section shall initiate the investigation on information by the High Commissioner or by a finance or taxation officer or on one signed by a private citizen.

The said Section shall also adjudicate complaints of the debtor or of the finance office against the proposed assessment of the profit derived from the regime.

The hearing shall be open to the public and both the Avvocatura dello Stato and the person the subject of the investigation may adduce evidence introduced; the latter may choose to be represented by a procuratore legale or by an avvocato.

The decision shall be communicated to the debtor, to the finance officer concerned and to the High Commissioner.

31 The Special Section of the Provincial Commission shall have all the powers of investigation, entry, search, control and inquiry, conferred upon the agents for direct taxation and upon the administrative commissions for investigation of extraordinary war profits.

The privilege to abstain from testimony in cases set out in Art 352 of

Declassified E.O. 12356 Section 3.3/NND No. 795021

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...ored as belonging to the debtor.

30 The investigation and assessing of the amount of the profit derived from the regime shall be within the jurisdiction of a Special Section of the Provincial Commission for Taxation, comprised of the President of the Tribunal or a judge delegated by him and of four Commissioners appointed by the Minister of Finance on the nomination of the Prefect from citizens of proven probity and competence.

The Special Section shall initiate the investigation on information by the High Commissioner or by a finance or taxation officer or on one signed by a private citizen.

The said Section shall also adjudicate complaints of the debtor or of the finance office against the proposed assessment of the profit derived from the regime.

The hearing shall be open to the public and both the Avvocatura dello Stato and the person the subject of the investigation may adduce evidence in rebuttal; the latter may choose to be represented by a procuratore legale or by an avvocato.

The decision shall be communicated to the debtor, to the finance offices concerned and to the High Commissioner.

31 The Special Section of the Provincial Commission shall have all the powers of investigation, entry, search, control and inquiry, conferred upon the agents for direct taxation and upon the administrative commissions for investigation of extraordinary war profits.

The privilege to abstain from testimony in cases set out in Art 352 of the CPP shall not apply.

Any person summoned as witness or expert who does not faithfully carry out his duties or gives false evidence shall be punished in accordance with Articles 366, 372 and 373 of the CP.

Any person who fails to comply with other requests of the Section shall be punished by imprisonment up to six months or by fine from 300 to 5,000 lire.

Administrative or other bodies having knowledge of cases in which profit has been derived from the regime, shall immediately report the same to the High Commissioner. Any person responsible for making any such report who fails to do so shall be punished in accordance with the preceding paragraph.

Personnel of the judicial police or of other administrative or technical branches of the administration may be assigned to the Special Section for the execution of its duties.

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32 The debtor and the Avvocatura dello Stato may within thirty days lodge an appeal against the decisions of the Special Section of the Provincial Commissioner. The High Commissioner may also appeal within 60 days.

The appeal shall be adjudicated by a special section of the Central Commission for taxation comprised of a President, a judicial official holding a grade not lower than that of a first president of Court of Appeal, and of four commissioners; all to be appointed by the Council of Ministers.

The provisions of the last two paragraphs of Art 30 and of Art 31 shall apply to the proceedings before the Special Section of the Central Commission.

33 The decisions of the Special Section of the Central Commission may be opposed before the Plenary Section of the Cassation solely on the ground of absolute lack of jurisdiction. An appeal must be lodged by the debtor or by the Avvocatura dello Stato within 45 days; the High Commissioner may appeal within 6 months.

34 The High Commissioner may, even after the lapse of the above period but not after the lapse of two years, move that the decision, although final be amended on the ground that facts of considerable importance have been discovered always provided that the reasons set out in the decision disclose that such facts were not in evidence in the previous proceeding.

Such amendment of the decision is in any case within the jurisdiction of the Special Section of the Central Commission.

35 Even before the Special Sections of Provincial Commissions are constituted, the President of the Tribunal may, upon request of the High Commissioner or of the Finance Administration, order by decree a protective attachment of chattels or realties belonging to persons set out in Art 26 although they may be held by third parties.

Such power may be exercised by the Presidents of the Commissions by virtue of their office.

Provisions of para 7 and 8 of Art 19 of the Consolidated text of laws on the extraordinary tax on excess war profits, approved by LD 5 June 45, No 596, shall apply.

36 A decree of the High Commissioner shall be published in the Gazzetta Ufficiale of the Kingdom, listing persons who are considered profiteers of the regime; any person who may hold property belonging to such person or who may be indebted to him in any way whatever, shall be required to declare the same following the form and within the time limits established in the said decree; also he shall not return the property or fulfil his obligations to his creditor. Any such blocking shall become void if an attachment is not ordered within 60 days after the lapse of the time limit for the above said

Declassified E.O. 12356 Section 3.3/NND No. 859028

facts were not in evidence in the previous proceeding.

Such amendment of the decision is in any case within the jurisdiction of the Special Section of the Central Commission.

35 Even before the Special Sections of Provincial Commissions are constituted, the President of the Tribunal may, upon request of the High Commissioner or of the Finance Administration, order by decree a protective attachment of chattels or realties belonging to persons set out in Art 26 although they may be held by third parties.

Such power may be exercised by the Presidents of the Commissions by virtue of their office.

Provisions of para 7 and 8 of Art 19 of the Consolidated text of laws on the extraordinary tax on excess war profits, approved by RD 5 June 43, No 598, shall apply.

36 A decree of the High Commissioner shall be published in the Gazzetta Ufficiale of the Kingdom, listing persons who are considered profiteers of the regime; any person who may hold property belonging to such person or who may be indebted to him in any way whatever, shall be required to declare the same following the form and within the time limits established in the said decree; also he shall not return the property or fulfil his obligations to his creditor. Any such blocking shall become void if an attachment is not enforced within 60 days after the lapse of the time limit for the above said declaration.

Any person who may fail to comply with the duties set forth in this Article shall be punished in accordance with Art 31 para 4; he shall also be liable for any consequential loss suffered by the State.

Any person who, for the purpose of withholding from the State, property belonging to a person considered to have made a profit derived from the regime, acquires, receives or conceals such property or shuts their acquisition, receipt or concealment, shall be punished by imprisonment not exceeding 10 years and by a fine up to 100,000 lire.

37 The proposed assessment of the Provincial Commission if opposed by the debtor; the decision of such Commission, even pending appeal to the Central Commission, shall constitute good authority for execution even for entry in the real estate and mortgage registry. and the decision of the last named Commission

The collection of the amounts owed to the State as profits derived from the regime may be effected in accordance with the procedure and preference established for the collection of the extraordinary tax on excess war profits. The entire debt may be entered on a special roll and may be collected in a single instalment.

Declassified E.O. 12356 Section 3.3/NND No. 785021

PART IV Confiscation of Fascist Property.

38 The property of the disbanded fascist national party and of organisations suppressed by RDL 2 August 43, No 704, shall devolve upon the State.

Such property shall be used for the public service or the public benefit, this shall be effected on the proposal of the High Commissioner by decree of the President of the Council, in agreement with the Competent Ministers. If necessary such property may be transferred to another public body or organisation protecting welfare, sport or the like.

39 The finance administration of the State shall provide for the collection of assets of the fascist national party and the suppressed organisations.

PART V The High Commissioner.

40 To supervise the carrying out of this decree the office of High Commissioner for Sanctions against Fascism is created.

The High Commissioner shall be nominated by the Council of Ministers and appointed (i.e. by the President) and shall for the duration of his term of office rank as a judicial officer of the first grade.

He shall be assisted by Assistant High Commissioners for each of the branches of his jurisdiction.

In the event of the High Commissioner being unable to act each of the Assistant High Commissioners may so far as his own branch is concerned act in his name.

The Assistant High Commissioners shall be appointed by the President of the Council Of Ministers on the nomination of the High Commissioner and shall rank as judicial officials of the third grade.

Not more than two commissioners may be nominated for any one branch of the High Commission. They shall be appointed in the manner described in the preceding paragraph.

Sufficient judicial and other officials shall on request be assigned to the office of the High Commissioner and a nucleus of judicial police shall be placed at his disposal composed of personnel of the carabinieri of the public security or of the finance guards. Persons not members of the Administrations may be employed in the secretarial offices.

The High Commissioner and his subordinate officers may call on the judicial police who will carry out their orders.

41 The High Commissioner shall direct and supervise the work of all organisations by which Sanctions against Fascism are carried out.

The High Commissioner shall be ~~[illegible]~~ bound on his own initiative or on the demand of any public authority or on an information signed by a private individual to commence proceedings in respect of any crime described in Art

Declassified E.O. 12356 Section 3.3/NND No. 785028

The High Commissioner shall be nominated by the Council of Ministers and appointed (i.e. by the President) and shall for the duration of his term of office rank as a judicial officer of the first grade.

He shall be assisted by Assistant High Commissioners for each of the branches of his jurisdiction.

In the event of the High Commissioner being unable to act each of the Assistant High Commissioners may so far as his own branch is concerned act in his name.

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Not more than two commissioners may be nominated for any one branch of the High Commission. They shall be appointed in the manner described in the preceding paragraph.

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The High Commissioner and his subordinate officers may call on the judicial police who will carry out their orders.

41 The High Commissioner shall direct and supervise the work of all organisations by which Sanctions against Fascism are carried out.

The High Commissioner shall be ~~required~~ bound on his own initiative or on the demand of any public authority or on an information signed by a private individual to commence proceedings in respect of any crime described in Art 2 and to carry out investigation as may be necessary and to remand the accused to the High Court in which he or his delegate act as "Ministero publico".

In cases of exceptional gravity the High Commissioner may exceed the normal powers in that respect and refer to the High Court any person other than those referred to in Art 2 and for any crime whether or not such is mentioned in Art 2.

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Without prejudice to the powers of the Ministero Publico, Public Authorities, and other bodies or organisations the High Commissioner may on his own initiative or on the information of a private individual commence proceedings.

(1) In respect of other crimes mentioned in Part 1.
(2) To apply the provisions set out in Art 6.
(3) To forfeit property belonging to persons who have collaborated with the Germans in accordance with Art 9.
(4) Before the appropriate commissions of first instances and before the Central Commission with regard to appeals, for purging the administration and for dismissing officers or employees from their office or employment.
(5) Before the Local and Central Commissions for taxation, for assessing and forfeiting as profit derived from the fascist regime, with power in exceptional cases to commence proceedings for rectification of any decision of the aforesaid Central Commission.

Declassified E.O. 12356 Section 3.3/NND No. 785021

He may also

(6) Make proposals for the correct and proper use of property previously belonging to the Fascist Party or to fascist organisations.

(7) Exercise any other functions contained in this decree or in any other decree or regulation.

PART VI Transitory and Final Provisions.

42 For the application of this decree all prerogatives including those set out in Arts 26, 37 and 47 of the Constitution are hereby abrogated.

43 Any public official or any person engaged in the public service responsible according to the provisions of this law for punishing fascist crimes, for purging the administrations, for forfeiting any profit derived from the regime and for confiscating fascist property, who may commit any offence set out in and punishable by virtue of Arts 314, 316, 317, 318, 319, 320, 323, 324, 326 and 328 of the Penal Code shall be punished in accordance with the provisions of these articles but increased by from one third to one half.

44 Proceedings already initiated for the punishment of fascist crimes for purgation and for the forfeiture of profit derived from the regime shall be carried through in accordance with the provisions of this decree, without prejudice to any action already taken incompatible with these rules.

Decisions already given shall be reviewed if they are in conflict with the provisions of this decree.

45 Successive decrees will be issued to provide when necessary for the execution of the rules established by the preceding Parts. by

The Minister of the Treasury is hereby authorised to make/his own decrees the necessary variations in the State budget occasioned by the functioning of the High Commissioner and the organisations established by this decree.

46 Royal Decree Laws 9 August 43 No 720, of 28 December 43 No 29/B, of 26 May 44 No 134, are hereby abrogated.

The provisions contained in Royal Decree law 12 April 44 No 101, so far as they relate to the contents of this decree are also abrogated.

47 This decree will come into force etc. etc.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

28 JUL 1944

DF/2.W/AS. 30 JUL 44.

SUBJECT : Defascism.

TO : ACHC Section (2)
Economic Section (10)
Political Section (2)
Navy Sub-Commission (2)
Army Sub-Commission (2)
Air Sub-Commission (2)
Communications S.C. (2)

1 The Defascism Decree has been issued and will at once come into force in both Military and Italian Government Territory.

2 A translation of the relevant parts is being prepared and will be circulated as soon as possible.

3 The attention of Sub Comms mentioned in Col 2 of A/CC 250 of 15 Jul is drawn to the fact that there is no longer even a puristically theoretical reason for Ministries not submitting the names of the persons appointed to Ministerial Commissions.

4. It is also pointed out that para 7 of A/CC of 15 Jul is no longer correct; the defascising of national concerns under the new decree is the responsibility of the Ministerial Commission responsible in Italian law for control of the concerns in question. The supervision of defascising these concerns including their branch offices will therefore devolve upon the sub-commissions concerned who can of course act through their "field officers".

G.S. Lad.

G.S. UEJOHN Col,
../HQ Admin Sec.

Copy to : Acting Chief Commissioner
Administrative Section (10)

STW/gnl.

Ext 4286

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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DF/2.5/AS.

16 JUL 1944

1886 SUBJECT : Defascism.

TO : Interior Sub-Commission

I have to inform you that the High Commissioner for Defascism has appointed the undermentioned person to be his representative in the Ministerial Commission of the Ministry of Interior -

Avv. Filippo A. Occhioto

S.H. WHITE Lt Col.
For A/Hd. Admin. Sec.

ADMIN SEC
29 Jul 44

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Translation No. 51 - Pfc. Bonanni -

29 JUL 1944

MINISTRY OF THE INTERIOR
Cabinet

ROME, 26th. July, 1944

TO: THE A.C.C.

INTERIOR SUB-COMMISSION
ROME

Reply to the letter of 22nd. July

Subject: Defascistization.

In reply to the above-mentioned letter we wish to inform you that this Ministry has selected its official for the Commission of first instance for the epuration of the personnel of the Ministry of the Interior.

Such official is Comm. Dr. Cesare CARDAMONE.

At the same time it has asked the High Commissioner for sanctions against fascism, and the Ministry of Justice to point out the other members of the Commission.

We also wish to communicate that the President of the Council has instructed all the Ministers to appoint the Commissions immediately.

BY ORDER OF THE MINISTER
/s/

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Declassified E.O. 12356 Section 3.3/NND No. 785021

Mod. 165

252 /

Ministero dell'Interno
Gabinetto

Roma 26 luglio

Risposta a foglio 27 VIII 1944 39B

Alla Commissione Alleata
di Controllo
Sottocommissione Interni
R O M A

Risposta al f. del 22 luglio
Div. Fac. 1-3/4

Div. Fac. Sez. Fasc. 1 Fol. 1 Allegati

OGGETTO Defascistizzazione.

In risposta alla nota sopradistinta si comunica che questo Ministero ha prescelto il proprio funzionario che dovrà far parte della Commissione di primo grado per l'epurazione del personale del Ministero dell'Interno nella persona del prefetto Comm. Dott. Cesare Cardamone.

In pari tempo ha chiesto all'Alto Commissario per le sanzioni contro il fascismo ed al Ministero di Grazia e Giustizia di designare a vista gli altri componenti della Commissione.

Per notizia si comunica che S.E. il Presidente del Consiglio ha impartito istruzioni a tutti i Ministeri perchè provvedano subito alla nomina delle Commissioni.

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D'ORDINE DEL MINISTRO

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HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

MCI/3A/Int 25 July 1944.

SUBJECT: Defascistization

TO : HC, Region VI

1. Referred your letter of 15th June I/4123 to PC & MG and particularly your enquiries on the above subject, as you are no doubt aware, the procedure for dealing with this matter will shortly be altered.

2. The new Decree of the Italian Government changes the whole machinery.

3. Under the new provisions all Government officials will be vetted by Ministerial Committees. Only minor officials of quasi state concerns will be left to and dealt with at Provincial level.

4. I understand that the new Decree will become effective at an early date, but I send you this information as I thought it would be of interest to you, having regard to the points you raised.

R. C. B. UTTER
Colonel
Director
Interior Sub-Commission

Copy to: MG & PC Section

VCU/jeb

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

ACC/3/4/Int 22 July 1944.

SUBJECT: Defascistization

TO : His Excellency the Minister of the Interior

Your Excellency:

1. At our interview on the 14th July you will recollect that we discussed the arrangements to be made for defascistization of the staffs of the various Ministries and particularly of the Ministry of Interior.

2. In view of the progress which has since been made it will be appreciated if Your Excellency will now be good enough to let me have the names and particulars of the persons who are to be appointed to the Commission for dealing with the Ministry of Interior.

3. I make this suggestion at this stage in order that time may be saved and the Commission enabled to function as soon as the decrees become effective.

W. G. B. HITCH
Colonel
Director
Interior Sub-Commission

WGH/jgt

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Declassified E.O. 12356 Section 3.3/NND No. 785021

HEADQUARTERS REGION VII

ALLIED CONTROL COMMISSION

File Ref R/VII/S/157 Date 20 July 44.

SUBJECT: Removal of Fascist officials from office.

TO: Executive Commissioner,
Headquarters, Allied Control Commission.
With RC-MG Section 30/7/44 pm

1. Reference my R/VII/S/157 dated 16 July 44, there is a general reluctance throughout Calabria to act in this matter, even Reggio being affected to a slight degree. Any loophole which offers a chance of not making a decision is eagerly utilised. Public opinion favours prompt action by the provincial committees; but no one will take the initiative and urge them to do their duty.

2. Nothing further has been done in Cosenza because according to the Vice Prefect no information has been received of any fascists still holding office. I had a long talk with him about this, and he said that there had been a crisis in the affairs of the Comitato di Liberazione, which had delayed that body in supplying particulars to the governmental committee. This has now been overcome and sittings will be resumed. Quite likely it is true that there are not many real fascists left in the government offices; but the Vice Prefect, who has other sources of information available, need not have suspended operations.

3. In Catanzaro, the letter and telegram to the Prefect from the Minister of the Interior, copies of which were forwarded under cover of the Interior Sub-Commission's memo AOI/3/Int. of 17 June 44, have been disregarded. The position is, that by the end of June after much persuasion the Prefect had been constrained to resume work, and it was hoped that sittings of the committee would continue: this hope was vain. In conversation on 6 July 44, the Prefect declared that there were a great many questions which would have to be decided before this could be done, because his instructions were obscure, and that many sentences of dismissal might have to be revoked. Nothing would move him from this standpoint, and attached is a copy of a letter which I asked him to write setting out his reasons.

4. The view previously expressed that he does not wish to carry this work to a successful conclusion is confirmed at every meeting I have with him. In some matters he is extremely helpful, and our personal relations might almost be described as cordial; but in this particular one I have the feeling of trying with buttered fingers to hold an eel.

G. C. Fenn
4280
C.G. FENN,
Lt. COL. R.A.,
REGIONAL COMMISSIONER.

Copy to:- Interior Sub-Commission.
Allied Control Commission.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

Catanzaro 14 luglio 1944

37A

ILL/mo SIG.
COMMISSARIO REGIONALE DELLA
COMMISSIONE ALLEATA DI CONTROLLO (ACC)
CATANZARO

Div.Gab. N.di Prot. 257

Oggetto: Relazione defascistizzazione.

Con riferimento alla nota 10 corrente n. RVII/3/137/429 pregiomi comunicare che durante la decorsa settimana (6-13 luglio) la Commissione Provinciale per le Defascistizzazione non ha tenuto alcuna seduta.

Le udienze di detto Consesso, infatti, in conformità ai voti formulati da tutti i Componenti nella seduta del 30 giugno pp., sono state sospese in attesa sella publicazione della nuova legge, tanto più che il comunicato stampa annunziante l'approvazione, nella tornata del 27 maggio u.s. del Consiglio dei Ministri di detta legge, comunicato publicato dal Risorgimento di Napoli, non è sufficientemente chiaro e preciso ed accenna anche a modifiche della procedura e dei termini.

Ad evitare che, continuando nei propri lavori, le decisioni della Commissione possano essere suscettibili di revisione dopo la pubblicazione delle integrativo del R.D.L. 28/12/1943, n. 29/B, è sembrata opportuna la sospensione dei lavori in attesa che il Ministero dell'Interno, già interessato in proposito, vorrà dare ulteriori istruzioni o quanto meno inviare un estratto Ufficiale delle norme di cui trattasi cui la Commissione possa uniformarsi nel riprendere i lavori.

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IL PREFETTO

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Interior

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HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

DF/4/1A/AS

20 Jul 44.

SUBJECT : Defascism.

TO : Distribution as below.

P.2

With reference the A/CC letter 250 of 15 Jul.

1 It is understood that some Ministries are suggesting that they are unable to proceed with the formation of the Ministerial defascising commissions as the authorising decrees have not been passed.

2 Ministers are perfectly aware of the new proposals which the decree will authorise and can perfectly well save time by considering now what persons they will appoint when this decree is passed. They can also supply us provisionally with the names of those persons to enable us to put screening in hand.

3 If this is not done much time will be quite unnecessarily lost after the decree comes into effect before the commissions will be able to get to work.

4 The Sections and Sub-Commissions mentioned in Col 2 of A/CC 250 of 15 Jul are therefore requested to press the Ministries concerned for the names of the persons they propose to appoint and to get them screened.

C.D.URQUHN. Col
A/Head, Adm Sec.

Declassified E.O. 12356 Section 3.3/NND No. 795021

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4. The Sections and Sub-Commissions mentioned in Col 2 of A/OC 250 of 15 Jul are therefore requested to press the Ministries concerned for the names of the persons they propose to appoint and to get them screened.

G.R.URQUHART, Col
A/Head, Adm Sec.

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DISTRIBUTION: Acting Chief Commissioner.

Administrative Section	(10)
Economic Section	(10)
EC & IG Section	(2)
Political Section	(2)
Navy Sub-Commission	(2)
Air Sub-Commission	(2)
Communications Sub-Commission	(2)
File	(2)

SHW/vb
Ext: 469.

Declassified E.O. 12356 Section 3.3/NND No. 785021

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Declassified E.O. 12356 Section 3.3/NND No. 785021

EXTRACT FROM NOTES OF INTERVIEW BETWEEN PRIME MINISTER DOMAT AND COLONEL U.C.B. SPICER ON 14TH JUNE 1944.

2. Defascistization - Col. Spicer enquired when the organization would be established under the Decree provisions to deal with defascistization of Ministerial staffs and particularly of Interior. The Prime Minister stated that this would be done without delay but that the position had been complicated by the fact that the Decree made no provision for separate bodies for different Ministries. It was intended to deal with this at tomorrow's Council meeting and he expected that the necessary bodies could be set up in about 7 days.

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3/4 Interior

CONFIDENTIAL (370)

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

17 JUL 1944

A/CC 250

15 Jul 44

SUBJECT : Defascistisation.

TO : Distribution Below.

1 This memorandum is concerned with the defascistisation of the personnel of national ministries at the seat of the Government including ministries temporarily situated elsewhere for convenience. It is not concerned with local bodies nor with governmental representatives in the field e.g. Prefects.

2 In each ministry there has been or will shortly be set up a committee to advise each minister on the defascistisation of the personnel in his ministry and it is essential that such work be completed as soon as possible.

3 In order therefore, to ensure that the various ministries do get to work on this matter, Sections and Sub-Commissions of this HQ will be responsible for ensuring that these boards are immediately set up (where this has not already been done), and that they carry out their work speedily and effectively.

4 Appended below are the ministries for which Sections and Sub-Commissions will be responsible. It is appreciated that in some instances (e.g. Public Safety in the Ministry of Interior) more than one Sub-Commission is concerned. In those cases, the Sub-Commission named in column 2 will be the responsible authority and will co-ordinate the work with those named in column 3.

1 MINISTRY	2 Sub-Comsn or Section	3 Sub Comsn
Foreign Affairs	Political Section	-
Interior	Interior	{ Public Health { Public Safety { PRC re Press. { and Information.

Declassified E.O. 12356 Section 3.3/NND No. 795021

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1 MINISTRY	2 Sub-Comsn or Section	3 Sub Comsn
Foreign Affairs	Political Section	-
Interior	Interior	Public Health Public Safety PRO re Press. and Information.
Grace and Justice	Legal	Public Safety
Treasury Finance	Finance	Property Control
Industry, Commerce & Labour	Commerce	Industry Labour
Public Works	Public Works	-
Agriculture	Agriculture	Food
Public Instruction	Education	MFAA
WAR	ARMY	-
Aviation	Air	-
Marine	Navy	-
Communications (Posts & Tel) (Roads & Rlys)	Communications Transportation	- Shipping.

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5 If Sub-Commissions have any information as to the fascist antecedents of any person concerned in their ministry, they should place any such information at the disposal of the minister concerned. If there is any doubt as to whether any information should or should not be disclosed on security grounds, the Security Branch RC & MG will be consulted.

6 It is obviously impracticable that all the personnel of ministries should be screened by the Security Branch. Directors of Sub-Commissions will exercise their discretion in referring the most important personnel in their respective ministries to the Security Branch for screening; this will particularly apply to the members of the ministerial committees.

7 NATION-WIDE INSTITUTIONS & PARASTATAL INSTITUTIONS.

A separate directive will shortly be issued with regard to the defascistisation of nation-wide institutions (e.g. Banca d'Italia, Banca di Napoli, Assurance companies and so on) and of parastatal institutions (e.g. I.R.I, I.M.E. and E.L.A.R.).

In the meantime the following principles are laid down for guidance.

(a) The defascistisation of the Head Office wherever situated of such institutions will be the responsibility of HQ ACC and not of the Regional Commissioner of the Region within which the Head Office is found.

(b) The defascistisation of branch offices, even those situated in the same city as the Head Office, will be the responsibility of the Regional Commissioner of the Region in which such offices are found.

8 Vice Presidents will ensure that the above instructions are carried out in their respective Sections. Progress reports to be rendered weekly commencing MONDAY 24 Jul 44 to Vice President, Administrative Section who will be the co-ordinating authority.

Not Rptd
See 50

HILARY W. STONE
Captain, USNR
Acting Chief Commissioner.

Declassified E.O. 12356 Section 3.3/NND No. 785021

A separate directive will shortly be issued with regard to the dissolution of nation-wide institutions (e.g. Banca d'Italia, Banca di Napoli, assurance companies and so on) and of parastatal institutions (e.g. I.R.I, I.M.E. and E.L.A.R.).

In the meantime the following principles are laid down for guidance.

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3 Vice Presidents will ensure that the above instructions are carried out in their respective Sections. Progress reports to be rendered weekly commencing MONDAY 24 Jul 44 to Vice President, Administrative Section who will be the co-ordinating authority.

Ref MBW
Sec 40

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner.

Distribution:
Acting Chief Commissioner. (10)
Administrative Section (10)
Economic Section (12)
RC & M: Section (for Regions) (2)
Political Section (2)
Navy Sub-Commission (2)
Army Sub-Commission (2)
Air Sub-Commission (2)
Communications Sub-Commission (2)
File

Declassified E.O. 12356 Section 3.3/NND No. 785021

1058

Declassified E.O. 12356 Section 3.3/NND No. 785021

2/4.

U. S. CONFIDENTIAL
Equals British CONFIDENTIAL

Interior Sub-Commission 37E

1724

EMS/6.JD

HEADQUARTERS
ALLIED CONTROL COMMISSION
Office of the Acting Chief Commissioner
APO 394

A/CC 250

14 July 1944

SUBJECT: Defascistization of Governmental Institutions in Rome

TO : Vice Presidents
Independent Sub-Commissions
Regional Commissioner, Rome Region
Regional Commissioner, Region IV

1. The responsibility for the removal of Fascist officials and employees of governmental institutions in Rome and their replacement is established as follows:

Municipal Institutions - Rome Region

Provincial Institutions - Region IV (with the concurrence of Rome Region where indicated)

National Institutions - Allied Control Commission

2. Initially, and until such time as the Italian Government can itself undertake the task of defascistization of national ministries and parastatal institutions, this work will be carried on by the relevant subcommission. The director or deputy director of each subcommission should, in consultation with the minister or under-secretary, set up and supervise the necessary machinery within each ministry.

3. Orders of dismissal and appointment will be promulgated by the ministry concerned.

4. Included as national institutions are all bodies of a national character which have heretofore been under the control of a ministry of the National Government but shall not include regional subdivisions thereof.

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

1275

U. S. CONFIDENTIAL
Equals British CONFIDENTIAL

1605.

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION 6

Interior
4337-6
36

L 25th June 1944.

To : Headquarters, Allied Control Commission, (A.C. and M.G. Section). 30 JUN 1944

Subject : Defascistization.

Reference : L/1423.

P.I on file 3/2.

1. I refer to my letter L/1431 dated 19th May 44. This letter though headed "Epuration" had reference, as its contents no doubt showed, to Defascistization.

2. It is understood(from Col. Spicer during his visit) that a monthly pro-forma return covering the activities of the Provincial Commissions set up under R.D. Law dated 28th December 1943 had been evolved and would shortly be brought into general use. It is presumed that the initial returns to be obtained on this form will cover the entire proceedings of each Provincial Commission up to date so that a complete picture of the Defascistization situation in each Province can be obtained. Receipt of the new pro-forma is awaited.

3. Information is also required as to whether a pro-forma for completion at Provincial or Regional level would be brought into use for recording progress of Defascistization of Statal Officials. The purpose of such a pro-forma would be to keep a check here on all cases submitted by the local representatives of the Ministries to the Commission established under the amending R.D. Law of 12th April 1944. In the case of this Region the necessary information to complete such a pro-forma could be obtained from the High Commissioner. It is presumed that this Headquarters will be advised of all action subsequently taken by this Commission.

Declassified E.O. 12356 Section 3.3/NND No. 785021

28th December 1943 had been evolved and would shortly be brought into general use. It is presumed that the initial returns to be obtained on this form will cover the entire proceedings of each Provincial Commission up to date so that a complete picture of the Defascistination situation in each Province can be obtained. Receipt of the new pro-forma is awaited.

3. Information is also required as to whether a pro-forma for completion at Provincial or Regional level would be brought into use for recording progress of Defascistination of Statal Officials. The purpose of such a pro-forma would be to keep a check here on all cases submitted by the local representatives of the Ministries to the Commission established under the amending R.D. Law of 12th April 1944. In the case of this Region the necessary information to complete such a pro-forma could be obtained from the High Commissioner. It is presumed that this Headquarters will be advised of all action subsequently taken by this Commission.

4. It seems clear that a necessary preliminary to any close inquiry into the situation is the completion by all officials liable to Defascistination of a form as nearly as possible the same as that used in A.M.G. territory and known as the Foheda Personale. No instructions have ever been received regarding the issue of such a form in this Region although it is understood that it has been issued in all other Regions. If such a form is to be issued at all it seems that it should be issued by the High Commissioner as regards Statal employees and by the Prefects as regards those persons falling to be dealt with by the Provincial Commissions.

4274

/Continued.

Declassified E.O. 12356 Section 3.3/NND No. 785021

36A

5. Although these matters have been discussed with the Interior Sub-Commission, Headquarters, Allied Control Commission (Col Spicer) this Headquarters is not clear which Branch at your Headquarters deals with Defascistization and Epuration. Can this point be clarified please?

M Carr Brigadier

M. CARR.
Brigadier.
Regional Commissioner.

HC/ajr.

Copy to: Interior Sub-Commission, Allied Control Commission.

Declassified E.O. 12356 Section 3.3/NND No. 785021

Copy to: Interior Sub-Commission, Allied Control Commission.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

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Declassified E.O. 12356 Section 3.3/NND No. 785021

35

PEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

AGO/Int 26 June 1944

SUBJECT: Epuration and Defascistination

TO : HQ and HQ Section (Civil Affairs)

1. After consultation with the Italian Government, I can only clarify the position as follows:

I. Epuration - A further decree was promulgated today, 26 June, dated June 24, 1944. This Epuration organization and action is being handled entirely by the Italian Government under the direction of Count Sforza and Signor Berlinguer.

II. Defascistization - The interpreting decree which modifies and/or amplifies the previous three decrees dealing with Defascistization is still on the stocks. This new interpreting decree lines up with the three previous decrees - but this has not been published by the Italian Government.

2. The Council of Ministers themselves deal with the first six grades of government officials.

3. The grades below the sixth grade are dealt with by the Provincial Councils, and these Councils also deal with parastatal officials, such as bank managers, etc.

4. Signor Omodeo is not a cabinet minister, and as I have already reported to Option VI, is therefore automatically no longer chairman of the committee which was to organise such Provincial Committees. Up to the time of writing this letter, his successor has not been appointed.

R. A. B. SPICER
Colonel
Director
Interior Sub-Commission

Copy to: HQ Region VI
AGO/Int

4272

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Declassified E.O. 12356 Section 3.3/NND No. 785021

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

ACC/3A/Int 17 June 44

SUBJECT: Defascistisation

TO : HC, Region VII
HC, Region VI

1. Region VII - reference your letter CC/46/13 of 30 May 1944, and our letter of 5 June 1944, file:ACC/3A/Int.
Region VI - reference your letter of 27 May 1944 and of 19 May 1944, file L/14/31 and our letter of 5 June 1944, file:ACC/3A/Int.

2. We are enclosing English translation of letters received from the Minister of Interior indicating the action taken by them in regard to the suspension of the meetings of the Defascistisation Committee.

for R. C. M. MILLER
Colonel
Director
Interior Sub-Commission

Encls: as in 2, above.

ACC/jgt

427271

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Declassified E.O. 12356 Section 3.3/NND No. 785021

33

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

AXO/S&A/Int

17 June 1944.

SUBJECT: Defascistization

TO : Minister of Interior, Italian Government

Your Excellency:

I acknowledge with thanks the receipt of your letter of 5 June, 1944, file No. 3526, and also your letter of 3 June, 1944, file No. 3515.

for R. C. B. SPEIER
Colonel
Director
Interior Sub-Commission

RCBS/Jet

4270

134

1066

Declassified E.O. 12356 Section 3.3/NND No. 785021

Translation of Tel. — Interior — 12.6.44 — Received 19.

(32A)

Ministry of the Interior

Cabinet

Tel. no. 3526

Subject: Defascistization.

With reference to the above-mentioned letter we are sending you a copy of the telegram sent to the Prefects on the 3rd June last, concerning the subject matter.

"3461/Cab. confirming telegraph circular 2892 of 19th May. I request you give decisive impetus to defascistization operations commissioned which must not (emphasise not) be suspended while awaiting further further completing instructions though concerning cases for which Law gives provisions with limitations according information given press.

Hector Bastian.

4269

1067

Declassified E.O. 12356 Section 3.3/NND No. 785021

Translation of Tel — Interior — 12.6.44 — Secret

Secretary of the Interior

Cabinet

(32A)

1.19

To the A.C.C. & Interior

Administration, Malaya

Reply to letter of 5th inst.

P.27

Your No. 1526

Subject: Defortification

P.27

With reference to the above mentioned letter and sending you a copy of the telegram sent to the Resident on the 2nd June last, concerning the subject matter.

3461/Cabt. confirming telegraph circular 2891 of 19th May I request you give clearance in false declarations of casualties communicated which must not (emphasise not) be circulated while awaiting announcement of publication further completed instructions even though concerning cases for which have given various relations according information given press.

4269

Thanks Minister.

1068

Declassified E.O. 12356 Section 3.3/NND No. 785021

14/19

Telegrafico

11 JUN 194

Salerno, 9 Giugno

Ministero dell'Interno

GABINETTO

Partenza Lo

Prot. N. 3526 Allegato

All'ON. COMMISSIONE ALLEATA DI CONTROLLO SOTTOCOMMISSIONE INTERNI - SALERNO -

Risposta al f. del 5/6/44

Div. Int. Sez. ACC/3/A

OGGETTO DEFASCISTIZZAZIONE.

Con riferimento al foglio sopradescritto, si trascrive il telegramma inviato ai Prefetti il 3 Giugno u.s., relativamente all'oggetto:

"3461/Gab. confermando circolare telegrafica 2690 del 19 Maggio invito imprimere impulso decisivo lavori commissioni defascistizzazione che non (dico non) devono essere sospesi in attesa imminente pubblicazione nuove norme integrative bensì proseguiti per casi per i quali legge non sancisce diverse soluzioni secondo quanto comunicato stampa".

IL MINISTRO

4268

Cant/

1069

Declassified E.O. 12356 Section 3.3/NND No. 785021

Translation of 699 - Interior - 12th June - Romania (311)

1418

Ministry of the Interior

Cabinet

P.26

File no. 3515 - Refers to Lett. of 3/6/44.

Subject: Defascistization

To U.C.C. - Interior

Intercommunication

P.26

With reference to the above-mentioned letter, I wish to inform you that I have already given today sent instructions by telegraph to the Prefects and I have ~~stated~~ said, in my letter of today, that they are not to suspend the operations of defascistization which are going on for the removal of fascist elements which have been already recommended by the previous authorities.

In any case, I have entrusted the Prefects of Control zone to transfer the said operations to the Allied

#265

#267

1070

Declassified E.O. 12356 Section 3.3/NND No. 785021

1418

11 JUN 1944

Salerno, 9 Giugno 1944.

Ministero dell'Interno

GABINETTO

Divisione Sez.

Pos. 3515 Allegati

Al l'ON. COMMISSIONE ALLEATA DI CONTROLLO-SOTTOCOMMISSIONE INTERNA- SALERNO-

Risposta al foglio 3/6/44

Div. Int. Sez. ACC/3/A

P. 26

OGGETTO DEFASCISTIZZAZIONE

P. 20

Con riferimento al foglio sopradescritto, comunico di aver già dato istruzioni telegrafiche a Prefetti come ho comunicato con mia nota odierna, perchè non sospendano i lavori di defascistizzazione, in attesa della emanazione di nuove norme, già annunziate dalla stampa.

In ogni modo, ho provveduto a sollecitare il Prefetto di Catanzaro perchè i predetti lavori procedano alacremente.

IL MINISTRO

J/4266

Cant./

1071

Declassified E.O. 12356 Section 3.3/NND No. 785021

Page 30 Transferred to file
4/2/3 page 1.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

6 JUN 1944

29

1340

H.Q. ALLIED CONTROL COMMISSION
Office of the Vice President
Administrative Section

W/23M/AB

5 June 1944

TO : H.E. GUIDO, Minister of Education,
Italian Government.

Defascitization.

The Allied Control Commission is interested in being informed as to the steps now being taken and proposed to be taken with respect to defascitization in Italian Government Territory with relation to RDL No. 29/B 28 Dec 1943 as amended. It is my understanding that certain regulations either have been issued or are in preparation giving further directions as to the enforcement of the above-mentioned law.

From the standpoint of a better understanding on the part of the Commission, it would be most helpful if you would give me a clear picture in as much detail as possible, of the means and methods aside from the provisions of the law itself used or proposed to be used in the defascitization programme of your government.

S

The Rt. Hon. The Viscount Stansgate,
Vice President, Administrative Section,
Allied Control Commission.

Copy to Interior

4265

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1073

Declassified E.O. 12356 Section 3.3/NND No. 785021

(28)

REAR HEADQUARTERS
ALLIED CENTRAL MEDITERRANEAN FORCE
MILITARY MISSION AND COMMISSION
APO 534

ADC/3/A/Int 5 June 1944.

SUBJECT: Defascistization

TO : G, Region VII, Region IX

1. Region VII - refers your letter 04/AG/13. of 31 May 1944 from Lt. Col. C. C. Peabody.
Region IX - letter of 27 May refers, also letter 4/1/54 of 15 May.

2. Legal Sub-Commission has been consulted in this respect and their advice has been obtained.

3. It is essential to keep defascistization and epuration as two distinct subjects.

4. In regard to defascistization, which is in other words the removal of fascist officials, this is a setting up of governmental committees by the Royal Decree of 25 December, which has not been rescinded.

5. Royal Decree of 12 April modifies and/or abolishes the constitution of the committees enumerated in the Royal Decree-Law of 25 December and amongst other details which are self-explanatory, prolongs the time for the enforcement of the original Decree of 25 December.

6. There is no question that the policy insofar as A.C.C. is concerned, should be to keep the committees in force and operating.

7. It is once more explained that this letter refers to defascistization and the operation of Royal Decrees of 25 December and 12 April, and not with epuration.

8. In conclusion, Legal Sub-Commission advises that under the Royal Decree-Laws Prefects have no statutory right whatever to suspend the sittings of these governmental committees and they should be urged to resume them.

9. The matter is being brought to the notice of the Minister of Interior.

4264

[signature]
[illegible], Colonel
Director
Interior Sub-Commission

Encl: Copy letter ADC/3/A/Int of 3 June 1944 to H.E., Sig. Aldisio, Minister of Interior.

ADC/dgv

1230

T 0 7 4

Declassified E.O. 12356 Section 3.3/NND No. 785021

(27)

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

ACC/3/A/Int 5 June 1944

SUBJECT: Defascistization

TO : His Excellency, Sig. S. Aldisio, Minister of Interior

Your Excellency:

Reference my letter of 3 June 1944, file ACC/3/A/Int., I should appreciate your advising me as to whether the Italian Government has issued direct instructions to Prefects to suspend sittings of the governmental committees dealing with Defascistization.

R. G. H. SPIDER
Colonel
Director
Interior Sub-Commission

RGHS/jgt

4265

1231

1075

Declassified E.O. 12356 Section 3.3/NND No. 785021

(26)

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

AGO/3/A/Int

3 June 1944.

SUBJECT: Defascistization

TO : His Excellency, Signor S. Aldisio, Minister of Interior

Your Excellency:

1. Region VII (Calabria) reports the suspension of sittings for the removal of Fascist officials from office on the part of the Prefect of Catanzaro.

2. Since R. D. L. of 28 December and that of 12 April have not been rescinded, I shall be grateful if you would instruct this Prefect to see that such sittings are resumed immediately.

R. G. B. SPICER
Colonel
Director
Interior Sub-Commission

AGO3/1st

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Unclassified E.O. 12356 Section 3.3/NND No. 785021

BEST COPY POSSIBLE

10771

ALLIED CONTROL COMMISSION
PROVINCE OF CATANZARO

SECRET.

(25)

1256

SUBJECT Removal of Fascist Officials

DATE 30 May '44

REF. CZ/46/I3.

To. Col.R.G.Kirkwood,
Regional Commissioner,
Region VII.

At a meeting with Dott.G.B.Postiglione,Prefect of Catanzaro this morning,he informed me that he had suspended the sitting of the Commission for the removal of fascists from office,until the new laws on the subject were received from the Italian Government.

2. He gave me to understand(Lieut Tito translating) that it was proposed to review the cases of those recently dismissed,and that a man would not be considered undesirable as an official just because he had been a squadrista,or had held some particular position.

3. I formed the impression that behind his official smile,he had his own ideas on the subject,that they did not coincide with ours,and that he did not intend to allow any real action to be taken,using the new decree as published in the Naples paper as a justification.

4. He will co-operate in the letter,if he cannot avoid doing so;but not in the spirit. His attitude,when he does not wish to commit himself, or when he wishes to obstruct,is precisely that of the Ethiopian officials who when he did not want to take action would say that he had received no orders from his Emperor:the Prefect says that he is awaiting them from his Government. The Executive Commissioner will understand exactly what I mean by this.

5. There is no question of his considering as fascists the classes of persons listed in the attachment to RVII/R/137/89 of 27May forwarding an extract from the Chief Commissioner's letter

6. It seems advisable that you should have this information while at [illegible] the Chief Commissioner's orders,with

Gel no 1512

Declassified E.O. 12356 Section 3.3/NND No. 785021

1078

ALLIED CONTROL COMMISSION
PROVINCE OF CATANZARO

SECRET.

SUBJECT Removal of Fascist Officials

DATE 30 May '44

REF. CZ/46/I3.

To. Col.P.G.Kirkwood,
Regional Commissioner,
Region VII.

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2. He gave me to understand(Lieut Tito translating) that it was proposed to review the cases of those recently dismissed,and that a man would not be considered undesirable as an official just because he had been a squadrista,or had held some particular position.

3. I formed the impression that behind his official smile,he had his own ideas on the subject,that they did not coincide with ours,and that he did not intend to allow any real action to be taken,using the new decree as published in the Naples paper as a justification.

4. He will co-operate in the letter,if he cannot avoid doing so;but not in the spirit. His attitude,when he does not wish to commit himself, or when he wishes to obstruct,is precisely that of the Ethiopian officials who when he did not want to take action would say that he had received no orders from his Emperor:the Prefect says that he is awaiting them from his Government. The Executive Commissioner will understand exactly what I mean by this.

5. There is no question of his considering as fascists the classes of persons listed in the attachment to RVII/R/137/89 of 27May forwarding an extract from the Chief Commissioner's letter

6. It seems advisable that you should have this information while at [illegible] of the Chief Commissioner's orders,with

Declassified E.O. 12356 Section 3.3/NND No. 785081

Jel no 1512

2. He gave me to understand([illegible] translating) that he would propose to review the cases of those recently dismissed,and that a man would not be considered undesirable as an official just because he had been a squadrista,or had held some particular position.

3. I formed the impression that behind his official smile,he had his own ideas on the subject,that they did not coincide with ours,and that he did not intend to allow any real action to be taken,using the new decree as published in the Naples paper as a justification.

4. He will co-operate in the letter,if he cannot avoid doing so;but not in the spirit. His attitude,when he does not wish to commit himself, or when he wishes to obstruct,is precisely that of the Ethiopian official who when he did not want to take action would say that he had received no orders from his Emperor:the Prefect says that he is awaiting them from his Government. The Executive Commissioner will understand exactly what I mean by this.

5. There is no question of his considering as fascists the classes of persons listed in the attachment to RVII/R/217/89 of 27May forwarding an extract from the Chief Commissioner's letter

6. It seems advisable that you should have this information while at HQ,for there is little prospect of the Chief Commissioner's orders,with which I so fervently agree,being carried out so long as the Prefect can fall back on the line of awaiting orders from his Government,which may or may not be true.

G.C. Peasey

(G.C.Peasey) Lt.Col.R.A.,
Acting Regional Commissioner,Region VII.

4261

Declassified E.O. 12356 Section 3.3/NND No. 785021

1080

Declassified E.O. 12356 Section 3.3/NND No. 785021

8 JUN 1944

SECRET

(24)

COPY

HEADQUARTERS ALLIED CONTROL COMMISSION
Office of the Chief
Commissioner.

FINN/rj

1354

Ref. CC/G/331.

24th. May, 1944.

MEMORANDUM

To: Regional Commissioner, Region I
" " " II
" " " III
" " " IV
" " " V
" " " VI
" " " VII
S.C.A.O., A.H.Q. 8 Army (Field)
" " 5 Army (Field)
" " 5 Army (Rear HQ)

In dealing with the always difficult question of deciding whether an individual should be considered "Fascist" and, therefore, debarred from employment in a public capacity, unless the circumstances are most exceptional, the attached list which defines categories of persons who should be regarded as Fascist is issued as a guide.

NOEL MASON MACFARLANE
Lieutenant General
Chief Commissioner

1260

(24A)

a. The person who has the title or qualification of "Sansepolcrista", "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 Defense 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 national secretary or national vice-secretary of the fascist party, or a member of the National Directory, or a national inspector;

e. 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 Article IV;

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 in any administration or undertaking included in Article IV;

g. A person who was a fascist member of parliament or who was a national Counsellor;

h. A person who was a federal secretary, 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 center 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 or 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 center of a province;

n. A person who was, during the fascist regime, a mayor of a commune 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;

Declassified E.O. 12356 Section 3.3/NND No. 785021

h. A person who was a federal secretary, a federal vice-secre[illegible] nistrative 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 center 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 or 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 center of a province;

n. A person who was, during the fascist regime, a mayor of a commune 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 an administration or undertaking included in Article IV of this Order;

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

(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.

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NOTE: For the purpose of this guide, the terms "fascism", "fascist party" and "fascist regime" include their equivalent as set up by Mussolini after the Armistice.

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Pages 22 and 23 Transferred To
File 3/2 Pages 1 and 2.

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Declassified E.O. 12356 Section 3.3/NND No. 785181

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

PERSONAL & SECRET

Ref: 333/69/CA.

5 May 1944.

SUBJECT: Removal of Fascists.

TO : Regional Commissioners Regions I - VII.

1. The official declaration made by the new Italian Government includes two clauses which deal with the removal of Fascists and Fascism. These, and the constitution of the Government, make it practically certain that more drastic measures will be taken to remove from office Italians deemed to be Fascists and to take action against others holding Fascist views.

2. The armed services will not escape this purge and we may find that many men who still remain in the services, including the Carabinieri, as well as in the Civil Administration, will be removed.

3. It is the Chief Commissioner's wish that no obstacles will be placed in the way of the new Italian Government in carrying out this policy. Although the Chief Commissioner reserves and has the right to treat any case on its merits he does not delegate that power to Regional Commissioners, and he directs there should be no local opposition on the part of Provincial Officers who should refer doubtful cases to Headquarters for discussion with the Italian Government.

4. Regional Commissioners are once again reminded that it is their duty to ensure as far as possible that suitable Italian personnel are earmarked and trained to take the place of any official whose personal background renders them liable to epuration. In the meantime Regional Commissioners will report each week on the progress of the implementation of the Government's official declaration in order that the Chief Commissioner may be kept fully in touch with the situation in the field.

5. In the case of Region III and V and other Regions in Allied Military Government territory, Headquarters Allied Control Commission will direct them with regard to any case for request for removal of any officials which may be received from the Italian Government. Regional Commissioners will likewise report to Headquarters any requests which they may receive from the Italian authorities, unless they are in complete agreement with such suggestions.

Brigadier,
Executive Commissioner.

MEL/RAC.

Copy to: SCAOs 5th & 8th Armies.
Admin Section.

TRANSLATION.

(20)

DEFASCISTIZATION.

The Council of Ministers have examined the problem of "Defascistization" and having resolved to speed up this work, dismissing from the State administration and from other Public Organizations all persons who have been connected with the Fascist Regime, has appointed the Minister of National Education as President of the Commission, referred to in R.D. 12 April 1944 No.101, which will soon start its work.

Each minister will denounce cases outstandingly serious, either for the importance of the connection or for the high position occupied by the civil servant concerned. Such cases should be examined immediately. In the meantime the civil servants will be suspended from service. Only a part of their pay being handed them w which will suffice to cover their needs, under the title of basic expenses until the final decision of the Commission has been made.

A Decree will soon be published, according to which equal powers will be conferred to provincial commissioners as far as employees of provincial and communal administration are concerned.

The Council of Ministers has thereby ordered the suppression of the Ministry of Exchange and Foreign Currencies. All services concerned with this Ministry have been passed over to a new General Direction depending from the Ministryof Finance.

The Council has also ordered the suppression of the Ministr y of Popular Culture. It has ordered that the services of Interior and Foreign Press will work under the Ministry of Interior; those concerning Touring and Broadcasting from the Ministry of Communications; those concerning cinema and Theatre from the Ministry of National Education.

The Council has considered the economic situation of employees and has decided that immediate measures must be taken for the purpose of raising the standard of living of such classes.

The President then announced that next Saturday a conference will be held in Naples for the purpose of studying and deciding on the possibility of improving the economic condition of those employed by the State. This conference will be attended by the Minister of Finance, the Minister of Industry, and the Minister of Communication, and by the representatives of the Sub-Commission of Finance of the Allied Control Commission. Another meeting will be held by the Minister of Industry together with the representatives of the correspondent subcommission. Such conference will examine the same problems as far as workers are concerned.

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Finally after a report made by the Minister, Keeper of the Seals, an agreement has been reached concerning a Decree-Law that will fix punishments for the crimes of Fascism. The definite text of this Decree will be examined in the next meeting of the Council.

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ANNO I - N. 45 PREZZO: LIRE UNA Salerno

IL CORRIERE

Per inserzioni U. P. I. Santobrigida, 51 Tel. 51777 Napoli
Agenzia U. P. I. Via Mercanti n. 71 — Salerno

QUOTIDIANO DI INFORMAZIONI

DIREZIONE: VIA ZONE: VE

IL CONSIGLIO DEI MINISTRI

L'ammasso del frumento assicura il fabbisogno alimentare agli italiani

Non un chilo di grano sottratto al popolo - Il prezzo del frumento non provocherà inflazione monetaria

Il nuovo Governo, come appare dal comunicato che riportiamo si è messo alacremente al lavoro

A nessuno sfugge la grande importanza dei provvedimenti presi e la complessità dei problemi affrontati.

Era costume del passato regime ampliare e magnificare ogni benchè minimo provvedimento preso ma, nel nuovo clima politico della Nazione, occorre badare solo ai fatti che alle vuote ed altisonanti parole.

Di questa solida e seria espressione politica offre un esempio evidente il comunicato che segue

Il Consiglio dei Ministri si è riunito stamane alle ore 10, sotto la Presidenza del Maresciallo Badoglio, con l'intervento di tutti i Ministri, compresi quelli senza portafoglio. Segretario, il Sottosegretario di Stato alla Presidenza.

Il Presidente del Consiglio ha

coli, e, nella loro assegnazione sarà tenuto principalmente conto del dovere compiuto conferendo ai granai del popolo l'intero prodotto.

Ogni italiano deve rendersi conto realisticamente, che, con le enormi deficienze alimentari, provocate da una guerra che dilaga in tutti i continenti, ciascun paese deve prima di tutto utilizzare onestamente e nel miglior modo gli alimenti di propria produzione, e, se questi non bastano, chiedere alle altre Nazioni l'aiuto indispensabile minimo e ciò allo scopo di non nuocere allo sforzo comune.

La defascistizzazione

Il Consiglio si è poi occupato della «defascistizzazione» e, ritenuta la necessità di imprimere il più sollecito ritmo a tale opera, allontanando dalle amministrazioni dello Stato e degli altri Enti pubblici tutti quelli che hanno avuto responsabilità nel regime fascista, ha nominato il Ministro dell'Educazione Nazionale presidente della Commissione, di cui al R. D. 12 aprile 1944, num. 101, che istituì

decreto che attribuirà analoghe facoltà alle commissioni provinciali per i dipendenti delle amministrazioni comunali e provinciali.

Il Consiglio dei Ministri ha deliberato quindi la soppressione del Ministero degli Scambi e Valute, approvando la istituzione di un'apposita Direzione Generale del Ministero delle Finanze, alla quale verranno attribuiti i compiti del cessato Ministero.

IL GRANO PER IL POPOLO

Una dichiarazione del Maresciallo Badoglio

Il Maresciallo Badoglio ha fatto la seguente dichiarazione sul contributo che gli agricoltori dell'Italia liberata dovranno dare al momento del raccolto:

«Sono sicuro che gli agricoltori italiani daranno prova della loro volontà di contribuire allo sforzo di guerra e alla liberazione del resto d'Italia, conferendo con lealtà tutto il grano ai granai del popolo. Dimostreranno così che una disciplina profondamente sentita può far conseguire risultati superiori di gran lunga a quelli raggiunti con metodi esclusivamente coercitivi.

Per assicurare ad ogni cittadino il minimo indispensabile di pane e di pasta è necessario, prima di tutto, utilizzare con onestà e razionale distribuzione, i prodotti del nostro suolo. Gli agricoltori italiani, con il successo di un raccolto destinato integralmente a tale distribuzione, difenderanno la loro prosperità futura e quella dell'intero popolo italiano, al quale, attraverso appositi Comitati Comunali, sarà devoluto il preciso controllo dell'ammasso.

Da parte il Governo, consapevole degli sforzi compiuti dagli agricoltori per superare infinite difficoltà per la coltivazione non mancherà di fare il possibile per

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PREZZO LIRE UNA

Salerno, Venerdì 5 maggio 1944

CORRIERE

QUOTIDIANO DI INFORMAZIONI

DIREZIONE REDAZIONE E AMMINISTRAZIONE: VIA MERCANTI, 78 TEL. 11-06

O DEI MINISTRI

Frumento assicura entare agli italiani

ttratto al popolo - Il prezzo cherà inflazione monetaria

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lefascistizzazione

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LO SCAMBIO DEI CIVILI CON L'ITALIA OCCUPATA

Il nostro giornale si è già occupato della dolorosa sorte delle famiglie delle stato guerra e si è fatto eco di alcune proposte, recentemente apparse dalla stampa, per lo scambio dei civili tra le zone occupate.

Pubblichiamo oggi una serie di proposte inviateci da un lettore e che sottoponiamo all'attenzione delle autorità.

Lo scambio dei civili, che investe tanta somma di familiari affetti, è una delle questioni che più sono, che nell'animo di quanti - e sono moltissimi - per le vicende della guerra sono stati tolti alla famiglia ed alla casa.

Lo testimoniano le numerose lettere e sollecitazioni che riceviamo sull'argomento. Ben volentieri pertanto, portiamo il nostro contributo per una possibile risoluzione di un così importante problema.

A seguito della iniziativa precedentemente promossa dalla stampa di Bari e ripresa in questi giorni da alcuni quotidiani, è scaturito un grande interesse intorno all'angoscioso problema di restituire alla sede abituale delle singole famiglie, donne, bambini e vecchi emigrati avanti l'armistizio e divisi, dopo il 9 settembre, dalla linea del fronte in Italia.

Tale problema, come riferiscono i giornali, avrebbe trovato onesta comprensione da parte del governo

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Badoglio, con l'intervento di tutti i Ministri, compresi quelli senza portafoglio. Segretario, il Sottosegretario di Stato alla Presidenza.

Il Presidente del Consiglio ha richiamato l'attenzione dei Ministri sul decreto del Ministro dell'Agricoltura - 2 maggio 1944 - che disciplina l'ammasso del frumento e dell'orzo e sulla necessità di compiere ogni sforzo per assicurare agli Italiani, con un tesseramento efficiente e di tipo unico per le varie provincie, un quantitativo di alimenti atto a soppetire il minimo fabbisogno fisiologico.

Il primo passo su questa via è costituito appunto dalle recenti norme sull'ammasso del frumento e dell'orzo, che, pur consentendo a coloro che effettivamente contribuiscono alla produzione granaria, di trattenere un'equa quantità di cereale per la propria alimentazione e la semina, stabilisce l'obbligo a consegnare il resto senza evasioni di sorta.

Al successo delle operazioni dovranno naturalmente contribuire, per il tramite dei Comitati Comunali dell'Agricoltura di prossima istituzione, tutti i cittadini.

Si è cercato di semplificare quanto più possibile la complicata burocrazia degli ammassi, pur mantenendo un severissimo controllo sulle razioni ed una completa utilizzazione dei generi ammassati. Non un solo chilo di grano dovrà andare p e r d u t o, p e r c h è la vita di tutta la popolazione non agricola dipende dal successo della raccolta dei cereali e della loro razionale e tempestiva distribuzione.

La determinazione di un prezzo del grano, che, senza provocare inflazioni monetarie, tenga in debito conto il reale costo di produzione, è oggetto di attento esame da parte del Governo e della Commissione Interalleata di Controllo, sarà reso noto prima che si inizi la mietitura.

Ogni sforzo è stato fatto per assicurare all'agricoltore italiano, con l'aiuto delle Nazioni Unite, i più essenziali rifornimenti agricoli, approvando la istituzione di un'apposita Direzione Generale del Ministero delle Finanze, alla quale verranno attribuiti i compiti del cessato Ministero.

Ha altresì deliberato la soppressione del Ministero per la Cultura Popolare, attribuendo i servizi di stampa per l'Interno e per l'Estero al Ministero dell'Interno; quelli del Turismo e della Radiodiffusione al Ministero della Comunicazione e quelli della Cinematografia e del Teatro all'Educazione Nazionale.

Il Consiglio si è poi occupato della situazione economica degli impiegati e salariati ed ha rilevato l'urgenza di provvedimenti diretti ad alleviare lo stato di disagio delle dette classi.

Il Presidente ha comunicato in proposito che sabato prossimo si riunirà a Napoli una commis-

(continua in seconda pagina)

regime fascista, ha nominato il Ministro dell'Educazione Nazionale presidente della Commissione, di cui al R. D. 12 aprile 1944, num. 101, che inizierà quindi subito i suoi lavori.

I singoli Ministri provvederanno inoltre a segnalare i casi che rivestono particolare carattere di gravità, per l'importanza dell'addebito e per la delicatezza della posizione del funzionario o dell'impiegato, perchè vengano esaminati con precedenza assoluta sugli altri e nel frattempo applicheranno un provvedimento di sospensione dalle funzioni, conservando agli impiegati od ai funzionari sospesi soltanto una parte della remunerazione, che continuerà ad essere corrisposta a titolo di alimento, fino all'esito del giudizio definitivo della Commissione.

In tal senso sarà emanato un

sopperire agli sforzi compiuti dagli agricoltori per superare infinite difficoltà per la coltivazione, non mancherà di fare il possibile per garantire al prodotto un equo compenso».

Il prezzo del grano all'ammasso fissato

in base ai conti colturali

La Gazzetta Ufficiale pubblica il Decreto Ministeriale del 2 maggio 1944 del Ministro dell'Agricoltura e Foreste sulla disciplina di ammasso del grano e dell'orzo del raccolto 1944.

Già, nel nostro giornale di ieri, abbiamo sottolineato l'importanza del provvedimento che verrà probabilmente ad assicurare - secondo le previsioni - l'autosufficienza alimentare per l'Italia liberata.

Il decreto, emanato d'accordo con le autorità alleate, dispone l'ammasso dell'orzo oltre che del frumento ed assicura che «i prodotti conferiti sono immediatamente pagati nella base dei prezzi fissati in relazione agli attuali costi di produzione risultanti dai conti culturali».

Il decreto fissa inoltre le quantità di grano che possono essere trattenute per il consumo familiare e che vanno da 1 q.le a 2 per ogni persona delle diverse persone delle categorie interessate alla conduzione ed alla coltivazione di aziende agricole.

In sostituzione totale o parziale di grano possono essere trattenuti, per ogni quintale di grano, quintali 1,30 di orzo prodotto dalla stessa azienda agricola.

Il decreto fissa inoltre le quantità di grano che possono essere trattenute per la semina.

In questi ultimi giorni molte ingiustificate apprensioni si erano diffuse tra gli agricoltori timorosi di non aver sufficiente grano per la semina. Il decreto invece, fissa senza alcuna possibilità di equivoco le quantità da essere trattenute.

I quantitativi che possono es-

(continua in seconda pagina)

AZIONI DI PATTUGLIE SUL FRONTE ITALIANO

Un lieve attacco nemico è stato respinto dalle truppe indiane della 5 armata sul fronte adriatico. Sugli altri settori si segnalano soltanto attività di pattuglie e duelli di artiglieria.

Gli scali ferroviari di Ventimiglia, presso la frontiera francese, sono stati ieri bombardati da velivoli alleati. Anche efficacemente colpiti sono stati gli obbiettivi ferroviari dell'Italia centrale, fra cui Foligno, Terni e gli scali portuali di Civitavecchia, nonchè depositi di rifornimento a nord della zona di battaglia. Naviglio nemico e linee di comunicazioni in Dalmazia sono stati bersagliati.

1357 unità nipponiche affondate dal 1942

LONDRA, 4 — La B.B.C. dà notizia di una intensa attività aerea in tutte le zone del Pacifico occidentale. Principale obiettivo colpito ieri la base giapponese di Rabaul nella Nuova Britannia. Da questa operazione 2 velivoli alleati non facevano ritorno alla base. Unità navali alleate affondavano ieri numerose chiatte e piccole imbarcazioni, di cui i giapponesi si servono per il trasporto di rifornimenti, in mancanza di navi di maggiore tonnellaggio.

Il comunicato di Mac Arthur annuncia che dal 1942 ad oggi sono state affondate oltre 1.357 unità giapponesi e 3.548 sono state gravemente danneggiate. Le perdite dell'aviazione nipponica durante il mese di aprile sono 7 volte maggiori a quelle subite dall'aviazione alleata.

L'esercito di Tito pone l'assedio a Spalato

LONDRA, 4 — La Radio «Libera Jugoslavia» ha annunciato che l'assedio di Spalato è cominciato ad opera dell'esercito di liberazione. Il comunicato del Quartier Generale di Tito informa che combattimenti sono in corso in Slovenia presso Sciamic.

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...zoli Ministri provvede... ...noltre a segnalare i casi ...stono particolare carat... ...gravità, per l'importanza ...bito e per la delicatezza ...izione del funzionario ...mpiegato, perchè vengano ...ti con precedenza assolu... ...altri e nel frattempo ...rranno un provvedimento ...pensione dalle funzioni, ...ndo agli impiegati ed ...ionari sospesi soltanto ...te della remunerazione, ...linuerà ad essere corri... ...titolo di alimento, fino ...del giudizio definitivo ...mmissione.

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Il Consiglio si è poi occupato della situazione economica degli impiegati e salariati ed ha rilevato l'urgenza di provvedimenti diretti ad alleviare lo stato di disagio delle dette classi.

Il Presidente ha comunicato in proposito che sabato prossimo si riunirà a Napoli una commis...

(continua in seconda pagina)

...IONI DI PATTUGLIE ...L FRONTE ITALIANO

...ve attacco nemico è sta...nto dalle truppe indiane ...armata sul fronte adria... ...gli altri settori si segna...tanto attività di pattuglie ...di artiglieria.

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...unità nipponiche ...ndate dal 1942

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Il prezzo del grano all'ammasso fissato

in base ai conti colturali

La Gazzetta Ufficiale pubblica il Decreto Ministeriale del 2 maggio 1944 del Ministro dell'Agricoltura e Foreste sulla disciplina di ammasso del grano e dell'orzo del raccolto 1944.

Già, nel nostro giornale di ieri, abbiamo sottolineato l'importanza del provvedimento che verrà probabilmente ad assicurare - secondo le previsioni - l'autosufficienza alimentare per l'Italia liberata.

Il decreto, emanato d'accordo con le autorità alleate, dispone l'ammasso dell'orzo oltre che del frumento ed assicura che i prodotti conferiti sono immediatamente pagati nella base dei prezzi fissati in relazione agli attuali costi di produzione risultanti dai conti culturali.

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I quantitativi che possono es...

(continua in seconda pagina)

...in Italia.

Tale problema, come riferiscono i giornali, avrebbe trovato questa comprensione da parte dei governi belligeranti, che studierebbero al riguardo.

E' bene però non farsi illusioni eccessive su una facile realizzazione di tale piano. Riferendosi a quanto avvenuto in altre occasioni, si indica, ad esempio, i rimpatri dall'Africa. Ma le basi del problema furono allora sostanzialmente diverse: le navi ed il loro delicato carico di civili rimpatriati partivano da un territorio ove più non infieriva la guerra ed il viaggio si svolgeva quasi nella lunga rotta, con scarsi pericoli.

Per attuare ora un piano di « scambio » di civili emigrati dalle loro case e distaccati dalle loro famiglie fra le « due parti dell'Italia » in guerra, pare si richieda un complesso lavoro statistico organizzativo prima; un delicato duplice viaggio poi, in senso discendente ed ascendente lungo la penisola per ponti prestabiliti di affluenza e di approdo delle navi, nei mari Tirreno ed Adriatico.

Sembra egualmente che il sistema più idoneo, sia quello di navi viaggianti sotto l'insegna dello Stato Città del Vaticano o del Comitato Internaz. C. R. di Ginevra, navi che toccherebbero dalla Liguria alla Sicilia da una parte e dalla Venezia Giulia a Taranto dall'altra, determinati punti di approdo che dovrebbero costituire altrettanti punti di momentaneo silenzio. Le donne, i bambini, i vecchi dovrebbero affluirvi per le vie interne più indicate, con mezzi recanti le insegne della C. R. Organismo che disimpegnerebbe anche l'assistenza sino all'imbarco, e viceversa da sotto bordo a determinati punti di smistamento.

Per ragioni comprensibili nell'attuale momento, è facile immaginare che sarebbero ben maggiori le domande di « rimpatrio » da nord al sud e cioè per le regioni peninsulari ed insulari dell'Italia, particolarmente in riflesso alla guerra che ha per direttiva il nord.

Ma un lavoro preliminare di statistica sarebbe ostacolato dalla incertezza di molti elementi a chiudere il ritorno alla abituale residenza, quando della residenza abituale e della sorte dei loro cari, essi generalmente mancano di notizie da un semestre. Diversi, se sistemati ora alla meno peggio, avrebbero il dubbio di lasciare que-

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minimo di sistemazione angosciosa, per un più incerto lontano.

Lo scambio meno lento di sicure notizie fra i membri divisi di una stessa famiglia, appare la prima condizione indispensabile per domandare od aderire, in questi delicatissimi momenti ad un movimento di donne e di bambini da zone di guerra. Senza di che il fortunoso viaggio potrebbe divenire un'avventura pericolosa, se non insensata.

Si parla, come si vede, del complesso e grave lavoro inerente ad un nuovo «scambio» di civili dalle due opposte parti d'Italia, privi del capo di famiglia, sprovvisti di mezzi e sofferenti dal lungo distacco.

Ma è necessario riconoscere subito che il 50% dell'angoscioso problema potrebbe civilmente ed umanamente reputarsi risolto senza nessuno, per ora, progettare movimento di navi e di infelici, se la infelicità loro che commuove la stampa l'angoscia di tanti addolorati capi famiglia lontani, fosse lenita da provvedimenti di sensibilità assistenziale, ben più molesti ma pratici:

1.) dal consentire un più idoneo e rapido sistema di scambio di notizie, non sottoposte al giro del globo, ma solo alla ordinaria necessaria censura;

2.) dal consentire l'invio di ordinari mezzi finanziari di sostentamento, dopo accertamento dei casi, ed a mezzo dei comuni vaglia postali internazionali. Sette mesi di lontana residenza, trovano oramai e da tempo, queste donne, bimbi e vecchi, sprovvisti di tutto. (Berna o Ginevra potrebbero funzionare da eventuale stanza di compensazione dei vaglia internazionali per con conguaglio valute).

Ora, in fatto di scambio di notizie tra questi disgraziati civili, la realtà appare diversa dal desiderio di vedere realizzati, in questo momento, estesi e difficili passi.

E' anche la delegazione di Napoli del Comitato Internazionale Croce Rossa che cortesemente informa i tanti ansiosi postulanti per un oneroso dispaccio telegrafico di richiesta notizie, occorrono presumibilmente tre mesi per vederlo di ritorno e "senza impegno,,; per un ordinario dispaccio modulo C.R.

Fronte aereo occidentale

PROSEGUE L'ATTACCO sull'Europa occupata

LONDRA, 4 - Continua l'offensiva aerea degli alleati dalla Gran Bretagna, dal Mediterraneo e dalla Russia. Nella giornata di ieri, sono stati attaccati obbiettivi nella Francia del nord. La scorsa notte bombardieri della RAF hanno attaccato obbiettivi nella Francia e nella Germania. Gli impianti di Molivier presso Amiens sono stati bombardati. Tutti gli attacchi sono riusciti data la perfetta visibilità atmosferica. Dalle operazioni della notte 49 apparecchi non hanno fatto ritorno alle loro basi.

Oggi l'aviazione alleata del Mediterraneo, con bombardieri medi e pesanti, ha attaccato la capitale rumena.

Un corrispondente dell'Ente radiofonico britannico scrive che il continuo martellamento dei centri ferroviari tedeschi ha provocato il caos nel sistema delle comunicazioni tedesche. L'alto comando germanico ha deciso di accentrare tutta la potenza aerea sui principali centri della Germania, lasciando a protezione della Francia soltanto l'artiglieria contraerea.

E' noto che durante il mese di aprile 81 mila tonnellate di bombe sono state lanciate in territorio nemico e particolarmente sulle linee di comunicazioni ferroviarie. (B. B. C.)

L'attività dell'esercito clandestino polacco

LONDRA, 4 - La B. B. C. informa che in occasione dell'anniversario della costituzione po- particolari delle azioni effettuate dall'esercito clandestino. Le forze tedesche sono state attaccate per 81 volte. 600 soldati del movimento clandestino polacco e centinaia di altri prigionieri di guerra sono stati liberati da unità di patrioti. 1.173 agenti della Gestapò e 12 funzionari tedeschi sono stati giustiziati con l'accusa di criminali. 83 treni tedeschi sono stati fatti deragliare; 19 ponti ferroviari sono stati fatti saltare in aria; più di 2000 locomotive sono state distrutte.

(B. B. C.)

Violente incursioni dell'aviazione sovietica

LONDRA, 4 - L'intensa offensiva aerea sovietica si è sviluppata ieri nel settore carpatico ed in quello romeno. Secondo l'organo «Stella Rossa», i sovietici son penetrati coi loro velivoli fin nelle profonde valli carpatiche. Gli altri obbiettivi colpiti sono i nodi ferroviari di Leopoli ed i suoi aerodromi, e l'aerodromo di Stanislawow, il nodo ferroviario di Sambor e gli aerodromi di Roman. 114 velivoli tedeschi sono stati abbattuti sul fronte Carpatico dall'aviazione sovietica che opera ora anche nelle zone della Romania settentrionale.

Nella zona settentrionale l'aviazione sovietica ha sferrato numerosi attacchi contro il nodo ferroviario di Leopoli.

Più di 90 velivoli tedeschi sono stati distrutti al suolo; 24 abbattuti nei cieli romeni e della [illegible] (B. B. C.)

CRO

MAGGIORE SORVEGL alla igiene pubb

Uno spauracchio che abbi sul nostro tavolo, riassume ticamente l'attività svolta nell'ultima settimana dai v bani.

Leggiamo varie operazi vano dalla repressione de pero alle infrazioni al rego sulla pubblica igiene e sulla urbana.

L'opera è senza dubbio ma occorre intensificare a campo della pubblica igie diciamolo francamente, la siderare.

Vi sono alcuni quartieri vio della città che giacciono stato di abbandono riprov

Avanza la stagione calda incertezze, bisogna agire.

Nell'Associazione di C

Mercoledì prossimo s ranno le conversazioni Sezione Teatro dell'Asso di Cultura terra per i s particolarmente si interes teatro.

Coloro che avessero d'intervenire e di far pa Compagnie Sperimentali tro drammatico dell'Asso di Cultura, dovranno fa nire personalmente la l sione presso la sede del ciazione stessa in Via A n. 1, dalle ore 16 alle o

Contravvenzioni per i vanza delle non sul mercato itti

Dagli Agenti della loca stura sono stati elevati di contravvenzione a ca

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Fronte aereo occidentale

...SEGUE L' ATTACCO ...ll'Europa occupata

...A, 4 - Continua l'offe... degli alleati dalla ...gna, dal Mediterraneo ...si. Nella giornata di ...stati attaccati obbiet... Francia del nord. La ...te bombardieri della ...o attaccato obbiettivi ...cia e nella Germania. ...ti di Mulhler presso ...no stati bombardati. ...attacchi sono riusciti ...fetta visibilità atmo... Alle operazioni della ...apparecchi non hanno ...no alle loro basi.

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...che durante il mese ...81 mila tonnellate di ...no state lanciate in ter...mico e particolarmente ...e di comunicazioni fer...

(B. B. C.)

...tà dell'esercito ...destino polacco

...RA, 4 - La B. B. C. in... in occasione dell'an... della costituzione po... particolari delle azioni effettuate dall'esercito clandestino. Le forze tedesche sono state attaccate per 81 volte. 600 soldati del movimento clandestino polacco e centinaia di altri prigionieri di guerra sono stati liberati da unità di patrioti. 1.173 agenti della Gestapò e 12 funzionari tedeschi sono stati giustiziati con l'accusa di criminali. 83 treni tedeschi sono stati fatti deragliare; 19 ponti ferroviari sono stati fatti saltare in aria; più di 2.000 locomotive sono state distrutte.

(B. B. C.)

Violente incursioni dell'aviazione sovietica

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CRONACA

MAGGIORE SORVEGLIANZA alla igiene pubblica

Uno specchietto che abbiamo qui, sul nostro tavolo, riassume schematicamente l'attività svolta in quest'ultima settimana dai vigili urbani.

Leggiamo varie operazioni, che vanno dalla repressione del mercato nero alle infrazioni al regolamento sulla pubblica igiene e sulla Polizia urbana.

L'opera è senza dubbio lodevole, ma occorre intensificare ancora nel campo della pubblica igiene, che, diciamolo francamente, lascia a desiderare.

Vi sono alcuni quartieri e alcune vie della città che giacciono in uno stato di abbandono riprovevole.

Avanza la stagione calda e, senza incertezze, bisogna agire.

Nell'Associazione di cultura

Mercoledì prossimo si inizieranno le conversazioni che la Sezione Teatro dell'Associazione di Cultura terrà per i soci che particolarmente si interessano di teatro.

Coloro che avessero interesse d'intervenire e di far parte delle Compagnie Sperimentali del teatro drammatico dell'Associazione di Cultura, dovranno far pervenire personalmente la loro adesione presso la sede della Associazione stessa in Via Alfano I, n. 1, dalle ore 10 alle ore 12

Contravvenzioni per inosservanza delle norme sul mercato ittico

Dagli Agenti della locale Questura sono stati elevati verbali di contravvenzione a carico dei

Notizie profughi di guerra

Il profugo di guerra Galluppi Giovanni da Tattoria, che ora trovasi ricoverato nel campo sfollati di Sala Consilina, in provincia di Salerno, non riceve notizie della moglie Cecenza Flavia fu Gelantonio, di anni 48, e dei figli Galuppi Tullio - Ida, Iolanda, Lidia, e Luigi tutti imbarcatisi a Littoria il 15-3-44. Chi ne potesse dare notizie farebbe opera altamente umanitaria a scrivere al profugo di guerra Galluppi Giovanni in Sala Consilina (Salerno).

Chiunque abbia notizie delle seguenti persone, è pregato comunicarle al Ministero dell'Interno, ufficio Assistenza profughi di guerra - Salerno.

Russo Angelina di Attilio da Scauri, Russo Giovanni di Attilio da Scauri, Mosetti Cristina da Scauri, Zottola Giovanna fu Luigi da Scauri, Mosetti Raffaele fu Angelo da Scauri, Porcia Benedetto fu Pasquale da Scauri, Pimpinelli Gaspare da Scauri, Forcina Salvatore da Scauri, Tregua Antonio fu Francesco da Scauri, Di Renzo Alvaro di Giuseppe da S. Pietro Avellana, Filacora Maria Antonia fu Salvatore da Formia, Filacora Maria (vedova Bellozzi) da Formia, Coletti Vincenzo da Castelforte, Lapezza Antonio da Castelforte, Cappelli Umberto fu Pietro da Camponorto, Amata Emilia da Camponorto, Tagialatri Antonio da Pescina, Fusco Teodolinda da Castelforte, Fusco Guido da Castelforte, Fusco Civita da Castelforte, Solis Anna da Castelforte, Solis Cecilia da Castelforte, Solis Giusto da Castelforte.

Distribuzione di fave secche

Il Municipio di Salerno rende noto che sabato, 6 corrente, avrà inizio una distribuzione di fave secche, in ragione di grammi 200 pro capite. Il prezzo è di L. 18 il Kg.

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forma i tanti zelanti postulanti: per un oneroso dispaccio telegrafico di richiesta notizie, occorrono presumibilmente tre mesi per vederlo di ritorno e "senza impegno"; per un ordinario dispaccio (modulo C. 31) non meno di quattro mesi. Il granite della Santa Sede subisce, presso a poco, la stessa sorte.

Se questa basilare e preliminare condizione di informazione, di orientamento e di pratico civile aiuto, non è possibile riserverla fra i governi belligeranti con un nuovo chiaro ed idoneo sistema a pro della categoria di infelici civili sofferenti ed esasperati, ripresa ora in esame della stampa, appare grave, al cuore dei capi famiglia responsabili della sorte dei propri cari, uomini al cuore dei congiunti in trepidante attesa, sentire parlare di navi, di movimenti avventurosi, imbarchi e sbarchi di tanti discretati, fra territori in attivo stato di guerra.

Può solo, questa letteratura, aggravare il dolore in tanti affitti animi. Lasciando naturalmente il problema allo stato di più desiderio. Mentre la guerra totalitaria intensifica il suo ritmo.

Chi scrive, è a sua volta da duecento giorni ignaro della sorte della sua unica creatura sfollata al nord.

Luigi Caniggia

Giornali clandestini lanciati dalla RAF in Olanda

LONDRA, 4 - Sempre più notevoli sono gli atti di sabotaggio che vengono a verificarsi in Olanda. Si ha notizia da Londra che due giornali clandestini vengono sistematicamente gettati in territorio olandese da apparecchi della RAF. (B. B. C.)

Nell'Italia occupata

Scontri tra patrioti e sicari fascisti

LONDRA, 4 — Nelle provincie di Alessandria e Genova sono avvenuti diversi scontri fra patrioti e fascisti. Questi ultimi hanno subito gravi perdite. In altri punti i patrioti hanno tagliato numerose linee telefoniche. (B.B.C.)

clandestino polacco

LONDRA, 4 - La B. B. C. informa che in occasione dell'anniversario della costituzione polacca, sono stati resi noti alcuni

merosi attacchi contro il nodo ferroviario di Leopoli.

Più di 90 velivoli tedeschi sono stati distrutti al suolo, 24 abbattuti nei cieli romeni e della Bessarabia. (B. B. C.)

IL CONSIGLIO DEI MINISTRI

(continuazione della prima pagina)

sione composta dal Ministro delle Finanze, da quello dell'Industria, Commercio e Lavoro e da quello delle Comunicazioni, insieme con i rappresentanti della sottocommissione delle Finanze, della Commissione interalleata di Controllo per studiare e decidere la possibilità di miglioramenti economici per i dipendenti dello Stato. Analoga riunione terrà lunedì il Ministro dell'Industria, Commercio e Lavoro, con i rappresentanti della detta sottocommissione per quanto riguarda i provvedimenti che potranno essere adottati per gli operai.

Su relazione del Ministro Guardasigilli è stato quindi approvato nelle linee essenziali un decreto legge per la punizione dei delitti del fascismo il cui testo definitivo verrà sottoposto all'esame del Consiglio nella prossima seduta.

Sono stati infine approvati i seguenti schemi di decreti legge:

Su proposta del Presidente del Consiglio:

— Schema di decreto legge concernente l'aumento del trattamento di missione ai dipendenti dello Stato all'interno del Regno;

— Schema di decreto legge concernente il passaggio dell'Associazione Italiana della Croce Rossa alle dipendenze della Presidenza del Consiglio;

— Schema di decreto legge concernente l'istituzione della carica di Segretario Generale della Croce Rossa Italiana;

— Schema di provvedimento per la nomina del Segretario Generale dell'Alto Commissario Civile in Sicilia.

Su proposta del Ministro di Grazia e Giustizia:

— Uno schema di decreto legge per l'ammortamento dei titoli smarriti.

Su proposta del Ministro della Guerra:

— Uno schema di decreto legge concernente modifiche alle norme relative al matrimonio degli ufficiali, sottufficiali e militari di truppa dei CC. RR.

Dopo l'approvazione di alcuni provvedimenti di ordinaria amministrazione, la seduta è stata tolta alle ore 18,30.

Il prezzo del grano

(continuazione della prima pagina)

sono trattenuti per le semine sono, per ettaro: grano di varietà precoce: q.li 1,80; grano di varietà tardiva: q.li 1,20; orzo per produzione di panella: q.li 1,00. Non sono, invece, consentite trattenute di grano e di orzo per usi zootecnici. Particolarmente importante ci sembra la disposizione relativa ai prezzi dei prodotti conferiti all'ammasso di cui all'articolo 1 del decreto.

I prezzi saranno fissati in base all'effettivo costo di produzione.

I produttori, finora recalcitranti a conferire all'ammasso prodotti solo insufficientemente compensati da un prezzo non adeguato alle reali spese di coltura, di raccolto, di salari, finora in quasi aperta ribellione alla legge e tenaci evasori della legge stessa reputata ingiusta e non aderente alle attuali condizioni, potranno sedere tranquillamente il loro frutto ed il loro orzo all'ammasso, sicuri di riceverne un adeguato compenso alle loro fatiche.

vanza delle norme sul mercato ittico

Dagli Agenti della locale Questura sono stati elevati verbali di contravvenzione a carico dei sottoindicati individui:

Girelli Ersilia fu Pasquale; Papalardo Angelo fu Sabato; Squieri Rosario fu Sabato; Trapani Giuseppe fu Andrea, per inosservanza di prezzi sulla vendita al minuto di prodotti ortofrutticoli.

Giunti Ferdinando fu Francesco; Iacovarsi Vincenzo fu Francesco, per inosservanza delle norme del decreto prefettizio sulla disciplina del mercato ittico.

"DON PASQUALE" al Ve

Non abbiamo mancato, tempo addietro, di salutare e incoraggiare, con una certa fiducia, le iniziative delle Compagnie liriche che da Napoli vengono più di una volta la settimana per ricreare il pubblico salernitano. E pensavamo che all'essere bandi, avremmo fatto ottenuto prima o dopo qualcosa di buono.

Ieri sera il Maestro Pasquale e un complesso, di cui faceva parte anche la Remi, hanno presentato il *don Pasquale*. Non intendiamo formarci in particolari. Ogni minimale intenditore si rende conto delle difficoltà enormi con cui impegna il genere comico della lirica.

Difficoltà d'ordine tecnico, drammatico, oltre che vocale. Ieri il maestro, complesso orchestrale, complesso artistico hanno dimostrato di non essersi reso conto delle proprie responsabilità.

Facciamo questa accusa perchè vogliamo essere buoni e pure ottimisti. Difatti, avremmo potuto anche ammettere che questi artisti, si siano reso conto e non diano conto delle loro responsabilità e delle difficoltà che devono incontrare la loro fatica e che diano più opportuno subordinare preoccupazioni a preoccupazioni di indole commerciale. Non vogliamo ammetterlo, dovremmo essere assai duri e severi. Il pensiero non possa fare del nostro melodramma una volgare bottega torrenziale mortificazione a noi tutti. Quanto ieri sera sembrava [illegible] scena in una bottega.

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elandestino polacco

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Ieri sera il Maestro Pasquariello e un complesso, di cui faceva parte anche la Remi, hanno presentato il *don Pasquale*. Non intendiamo fermarci in particolari. Ogni normale intenditore si rende conto delle difficoltà enormi con cui impegna il genere comico della lirica.

Difficoltà d'ordine tecnico, drammatico, oltre che vocale. Ieri sera maestro, complesso orchestrale e complesso artistico hanno dimostrato di non essersi resi conto delle proprie responsabilità.

Facciamo questa accusa perchè vogliamo essere buoni e piuttosto ottimisti. Difatti, avremmo potuto anche ammettere che questi "artisti,, si siano reso conto e si rendano conto delle loro responsabilità e delle difficoltà che dovrebbe incontrare la loro fatica e che credano più opportuno subordinare tali preoccupazioni a preoccupazioni di indole commerciale. Non vogliamo ammetterlo, dovremmo essere assai duri e severi. Il pensiero che si possa fare del nostro melodramma una volgare bottega tornerebbe di mortificazione a noi tutti. E Donizzetti ieri sera sembrava proprio scesso in una bottega.

V. R.

Distribuzione di fave secche

Il Municipio di Salerno rende noto che sabato, 6 corrente, avrà inizio una distribuzione di fave secche, in ragione di grammi 200 pro capite. Il prezzo è di L. 18 il Kg.

Contro l'illecito commercio del vino

Gli Agenti della Squadra Mobile, hanno dichiarato in contravvenzione, le seguenti persone, perchè nelle loro abitazioni, somministravano abusivamente vino a militari: Festa Rosa di Vincenzo da Salerno, Rosiello Amalia fu Giuseppe da Salerno, Carucci Vincenzo fu Orazio da Salerno, Palo Alfonso fu Giuseppe da Salerno.

Compenso di lire trentamila

ed altro regalo molto gradito saranno dati a chi metterà in condizione il proprietario di ricuperare l'argenteria, la biancheria, ecc. derubate in questi giorni in Acquamela. Rivolgersi al Ristorante "La Rosetta,, via Raffaele Conforti, Salerno.

Dott. Vittorio Sisto Specialista Veneree, pelle - Analisi. Diatermia - Raggi U. V. Napoli Piazza Cavour, 152 (9-11-18-19)

Note di Cronaca

Prof. Blount - Gambrosier
Manuale completo per lo studio pratico della lingua inglese - Grammatica, frasseologia, conversazioni, dizionario e pronunzia figurata. Presso le principali librerie o depositario Scotti, Via Foria, 177 Napoli.

AVVISI ECONOMICI

CUCINA ELETTRICA termosifoni-scalda bagni - ferro stiro - offrire: Magaldi - Buccino.

Alfredo Annunziata
Direttore responsabile

Tip. Fratelli Jovane di Gaetano
Salerno - Via Mercanti - Tel. 11-9

1996

Declassified E.O. 12356 Section 3.3/NND No. 785021

Lt. 1087 3/8/19

Will you please draft the request to the Italian Govt. for information as to the progress of defascistization

A.H. White Major
for [illegible]

Admin
11 May 44.

1097

Declassified E.O. 12356 Section 3.3/NND No. 785021

Put
Please file
DS

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

ACC/74/INT

25 Apl 44

SUBJECT : Defascistisation.

TO : Secretary General.

1 The Chief Commissioner enquired whether the position of H.E. Tito ZANIBONI was affected by the recent change in Government. The answer is that it is not.

2 The following progress has recently been made and appeared in the Gazettes 15th and 19th April.

12 Apr Decretal Law 101 modifying Decretal Law 29/B of last December by varying some of the proposed machinery and (because matters have not moved as fast as was hoped) extending the time for denunciation of fascists etc.

13 Apl Decretal Law 110 establishing appointment of High Commissioner for purgation of fascism the appointment to be made by Royal Decree and the objects and powers would be defined by the Chief of Government.

13 Apl Royal Decree appointing Sig Tito ZANIBONI High Commissioner for national purgation of fascism.

3 I shall be obliged if you will be good enough to inform the Chief Commissioner accordingly.

H.F.CRIPPS,
Lieut-Colonel,
for VP Adm Sec.

4233

Kings Decree of Aug.2nd.1943 n.704. E 74/17

Abolition of the National Fascistic Party.

VITTORIO EMANUELE III
By Grace of God and the will of the nation
King of Italy and Albania,
Emperor of Ethiopia

Whereas Art.18 of the Law of Jan.19th.1939 No.129,
Having retained the state of necessity caused by war,
Having heard the Council of the Ministers,
At the proposal of the Chief of Government,Prime Minister,Secretary of State,

We have decreed and we decree.

Art.1.

The National Fascistic Party is abolished.

Moreover are abolished:

The groups of the Fascists of the Universities (G.U.F.);

The feminine Fascists with the sections of countrywomen and of workers and labourers at home;

The National Institut ion of fascistic Culture;

The fascistic ~~xxxxxxxxxxxx~~familiar Association for fallen,mutilated and wounded people in consequence of the revolution,

The fascistic Union of the Senate.

Art.2.

The designation "Duce del Fascismo","Capo del Governo" contained in laws,Kings Decrees and other regulations is substituted by the following "Capo del Governo,Primo Ministro,Segretario di Stato.(Chief of the Government,Prime Minister,Secretary of State).

In the laws,Kings Decrees and the other regulations the indication (declaration) of the fascistic year is abolished.

Art.3.

The denomination "Fascistic" accepted by unions,Institute and agencies is abolished.

Art.4.

The activities of assistance generally exercised by the National Fascistic Party are transferred to the communal unions of assistance

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The National Institut ion of fascistic Culture;
The fascistic ~~xxxxxxxxxx~~familiar Association for fallen,mutilated and wounded people in consequence of the revolution,
The fascistic Union of the Senate.

Art.2.

The designation "Duce del Fascismo","Capo del Governo" contained in laws,Kings Decrees and other regulations is substituted by the following "Capo del Governo,Primo Ministro,Segretario di Stato.(Chief of the Government,Prime Minister,Secretary of State).
In the laws,Kings Decrees and the other regulations the indication (declaration) of the fascistic year is abolished.

Art.3.

The denomination "Fascistic" accepted by unions,Instituts and agencies is abolished.

Art.4.

The activities of assistance generally exercised by the National Fascistic Party are transferred to the communal unions of assistance.

Art.5.

The dependence of the administrations (administrative offices) is fixed for each indicated one of the following organisations:
Of the Presidence of the Council of the Ministers:
For the National familiar Association for the fallen men (people) in war;
For the National Association of the mutilated and invalid men (people) of war;
For the National Association of Combatants;
For the National Institut (Work) for the orphan people (orphans) of war;
For the Group of the golden medal granted for ~~xxxxxxxxxx~~ military merits of Italy,
For the Institut of the "Blue ribbon" for Combatants dacorated for military merits
For the Voluntary Legion of Italy "Julius Caesar";
For the audacious units of Italy;(Reparti arditi d'Italia);
For the Garibaldic Legion;
For the National Association of the Tricolore-Ribbon (Nastro Tricolore)
for the decorated people (men) for civil merits,~~xx~~those for the Navy and

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for the Air-Force;
For the National Association ~~for~~ of public service;
For the National Association of the school;
For the National Association of the functionaries and employees of the State,
For the National Association for the functionaries and employees of the Postal,Telegraphical and Telephonical Services,
For the National Association of the attached people (men) to the Industrial enterprises (agencies) of the State;
~~National~~ National Olympic Committee of Italy;
National Work (Institut) for the time for leaving off work (Opera Nationale Dopolavoro);

Of the Ministry of Interior:
For the National familiar Association for the fallen,mutilated and invalid civilian people in consequence of the hostile raids;

Of the Ministry of Finance:
For the Financial Legion of Italy;

Of the Ministry of War:
For the National Union of discharged officers of Italy,
For the armed ~~Units~~ and specialized Units of the R.Army;

Of the Ministry of the Navy;
For the Groups of Sailors of Italy;
For the ~~League~~ Naval League of Italy;

Of the Ministry for the Air-Force:
For the National Association for the families of the fallen people (men) of the Air-Force and for mutilated men of flying;
For the Groups of Italian Air-men;

Of the Ministry of Agriculture and forest:
For the National ~~Committee for~~ forestal and mountainous Committee.

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invalid civilian people in consequence of the hostile raids;

Of the Ministry of Finance:

For the Financial Legion of Italy;

Of the Ministry of War:

For the National Union of discharged officers of Italy,

For the armed Units and specialized Units of the R.Army;

Of the Ministry of the Navy;

For the Groups of Sailors of Italy;

For the Naval League of Italy;

Of the Ministry for the Air-Force:

For the National Association for the families of the fallen people (men) of the Air-Force and for mutilated men of flying;

For the Groups of Italian Air-men;

Of the Ministry of Agriculture and forest:

For the National forestal and mountainous Committee.

Of the Ministry of National Education:

Italian Alpinistic Centre.

Of the Ministry of Corporations (Industry): 4253

National Union of providence and assistance for the dependent people of the State.

Art.6.

The duties (obligations) conferred upon the Gioventù Italiana del Littorio (G.I.L.) (Italian Fascistic Youth) are transferred to the Ministry of War and to the Ministry of National Education corresponding to the respective competence.

Art.7.

The personnel dependent of the State and of other public unions who is commanded to do service at the National Fascistic Party and at the organizations indicated in the preceding article will return (come back) in the lists (registers) of the respective administrations.

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Art.8.

The personnel nominated (appointed) directly (immediately) by the (of the) National Fascistic Party and by the (of the) organizations mentioned in Art.5(will be)discharged and(will have)the authorization (will be allowed) to have the use of the treatment (accomplishing) of the liquidation in the sense of the dispositions being effective. (of the effective dispositions).

The not registered personnel nominated (appointed) directly (immediately) of the (by the) organizations provided in Art.5 who is superfluous concerning the personnel-state (concerning the demand) of the respective services will be discharged and will have the authorization (will be allowed) to have the use of the treatment (accomplishing) of the liquidation in the sense of the dispositions being effective (of the effective dispositions).

Nothing will be renewed concerning the provisions fixed in the regulations in view of single organic the registered personnel of the organizations mentioned in Art.5.

Art.9.

For the liquidation of the credits and debts (obligations) of the National Fascistic Party and of the organizations mentioned in Art.1 the Ministry of Finance is providing (provides).The Ministry of Finance has the competence to nominate (to appoint) liquidators for this purpose who will submit to this Ministry the settlements of the respective administration.The forms which are perhaps necessary for this liquidation will be fixed by the norms concluding (to conclude) from the Art.3 No.1 of the Law of Jan.31th. 1926 No.100.

Art.10.

The credits remaining from the liquidation of the stock (capital) of the National Fascistic Party and of the organizations mentioned in Art.1 are transferred to the State.

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single organic [illegible] sonnel of the organizations mentioned in Art.5.

Art.9.

For the liquidation of the credits and debts (obligations) of the National Fascistic Party and of the organizations mentioned in Art.1 the Ministry of Finance is providing (provides).The Ministry of Finance has the competence to nominate (to appoint) liquidators for this purpose who will submit to this Ministry the settlements of the respective administration.The forms which are perhaps necessary for this liquidation will be fixed by the norms concluding (to conclude) from the Art.3 No.1 of the Law of Jan.31th. 1926 No.100.

Art.10.

The credits remaining from the liquidation of the stock (capital) of the National Fascistic Party and of the organizations mentioned in Art.1 are transferred to the State.

To the organizations mentioned in Art.5 and to the Ministry of War and of National Education are transferred the credits and debts (obligations) perhaps included in the stocks of the abolished National Fascistic Party and the property of the single organizations so far as it concerns the duties (obligations) conferred (transferred) to them by the norms of Art.6.

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Art.11.

The representatives of the National Fascistic Party and of the dependent organizations and the members of the Party itself and of the organizations mentioned above however they may be nominated or designated,in councils,Committees,collegiates,commissions and in analogous organs of active or consultative administration of the State and of the other public anions are removed of their respective charges.

In case that there are reasons of necessity or opportunity the Ministry of which the administrative organs mentioned in the preceding sentence are dependent or about which the Ministry has the duty to

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exercise the supervision or the inspection of the unions mentioned in the preceding sentence, has the authority to substitute the discharged (removed) members or to promote the dissolution (disbandment) of the mentioned councils, committees, collegiates, commissions and analogous organs, proceeding, if it is necessary, to the nomination of a commissioner for extraordinary administration.

In case of the discharge (removal) of composed collegiates, of mayors (sindaci) of revisers and of analogous organs of control the competent Minister provides for the substitution of the discharged (removed) members also if he has already proceeded to the nomination of a commissioner for extraordinary administration.

Art.12 .

The disposition mentioned in the first sentence of the preceeding Art.11 is applicable also to unions, to councils of administration and to communal collegiates of joint-stock-companies of which the State or other public unions have a participation.

For the substitution of discharged (removed) members there is provided in conformity to the norms of the Civil Code.

Art,13.

The contrary dispositions or those which are incompatible with the norms of this decree are repealed which becomes effective on the following day after its publication in the Gazzetta Ufficiale del Regno (Collection of Laws and Decrees of the Kingdom). The decree will be submitted to the Legislative Assembly for conversion in Law.

The Chief of the Government, Prime Minister, Secretary of State as proposer is authorized for the presentation of the respective scheme of Law.

We give the order that this decree furnished with the seal of the State will be inserted in the Official Collection of the Laws and Decrees of the Kingdom of Italy ordering to everybody to observe it and to let it observe.

nd

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to communal collegiates of joint-stock-companies of which the State ... other public unions have a participation.

For the substitution of discharged (removed) members there is provided in conformity to the norms of the Civil Code.

Art.13.

The contrary dispositions or those which are incompatible with the norms of this decree are repealed which becomes effective on the following day after its publication in the Gazzetta Ufficiale del Regno (Collection of Laws and Decrees of the Kingdom).The decree will be submitted to the Legislative Assembly for conversion in Law.

The Chief of the Government,Prime Minister,Secretary of State as proposer is authorized for the presentation of the respective scheme of Law.

We give the order that this decree furnished with the seal of the State will be inserted in the Official Collection of the Laws and Decrees of the Kingdom of Italy ordering to everybody to observe it and to let it observe.

Given at Rome,Aug.2nd. 1943.

VITTORIO EMANUELE

Badoglio.

4231

Seen:The Lord Privy Seal:Azzariti.
Registrated at the Court of Registration,Aug.5th. 1943 No.705.
Acts of Government,Register 460,Page 4 - Mancini.

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REGGIO-DECRETO LEGGE 2 agosto 1943, n.704 .

SOPPRESSIONE DEL PARTITO NAZIONALE FASCISTA

VITTORIO EMANUELE III
Per Grazia di Dio e per volonta' della Nazione
RE D'ITALIA E D'ALBANIA
IMPERATORE D'ETIOPIA

Visto l'art.18 della legge 19 gennaio 1939, n.129;
Ritenuto lo stato di necessita' derivante da causa di guerra ;
Sentito il Consiglio dei Ministri ;
Sulla proposta del Capo del Governo,Primo Ministro Segretario di Stato;
Abbiamo decretato e decretiamo :

A R T . 1

Il Partito Nazionale Fascista e' soppresso.
Sono altresi' soppressi :
I Gruppi dei Fascisti Universitari (G.U.F.);
I Fasci Femminili con le sezioni delle massaie rurali e delle operaie e lavoranti a domicilio ;
L'Istituto Nazionale di Cultura Fascista ;
L'Associazione fascista famiglie caduti, mutilati e feriti per la rivoluzione ;
L'Unione fascista del Senato .

A R T . 2

La dizione " Duce del Fascismo",Capo del Governo " contenuta in leggi, Regi decreti ed altri provvedimenti e' sostituita dalla seguente : " Capo del Governo Primo Ministro Segretario di Stato" .
Nelle leggi,nei Regi decreti e negli altri provvedimenti e' soppressa l'indicazione dell'appartenenza fascista .

A R T . 3

La denominazione " Fascista" assunta da Enti, Istituti ed aziende e' soppressa .

A R T . 4

Le attivita' assistenziali in genere esercitate dal Partito nazionale fascista sono deferite agli enti comunali di assistenza .

A R T . 5

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I Fasci Femminili con le sezioni delle massaie rurali e delle operaie e lavoranti a domicilio ;
L'Istituto Nazionale di Cultura Fascista ;
L'Associazione fascista famiglie caduti, mutilati e feriti per la rivoluzione ;
L'Unione fascista del Senato .

ART . 2

La dizione " Duce del Fascismo",Capo del Governo " contenuta in leggi, Regi decreti ed altri provvedimenti e' sostituita dalla seguente : " Capo del Governo Primo Ministro Segretario di Stato" .
Nelle leggi,nei Regi decreti e negli altri provvedimenti e' soppressa l'indicazione dell'annuale fascista .

ART . 3

La denominazione " Fascista" assunta da Enti, Istituti ed aziende e' soppressa .

ART . 4

Le attivita' assistenziali in genere esercitate dal Partito nazionale fascista sono defer ite agli enti comunali di assistenza .

ART . 5

Passano alle dipendenze delle Amministrazioni per ciascuna indicata le seguenti organizzazioni :
Alla Presidenza del Consiglio dei Ministri :
--Associazione Nazionale famiglie caduti in guerra ;
Associazione nazionale mutilati e invalidi di guerra ;
Associazione Nazionale combattenti ;
Opera nazionale orfani di guerra ;
Gruppo delle Medaglie d'oro al valor militare d'Italia ;
Istituto del"Nastro azzurro" fra combattenti decorati al valor militare ;
Legione Volontari d'Italia " Giulio Cesare ";
Reparti arditi d'Italia ;
Legione garibaldina ;
Associazione nazionale del "Nastro Tricolore " fra decorati al valor civile,di marina ed aeronautico ;
Associazione Nazionale del pubblico impiego ;
Associazione nazionale della scuola ;
Associazione nazionale dei ferrovieri dello Stato ;
Associazione nazionale dei postelegrafonici ;
Associazione nazionale degli addetti alle aziende industriali dello Stato ;
Comitato Olimpico nazionale Italiano ;
Opera Nazionale dopolavoro ;

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74/12

Al Ministero dell'Interno :
-- Associazione nazionale famiglie dei caduti, mutilati ed invalidi civili per bombardamenti nemici .
Al Ministero delle Finanze :
Legione finanzieri d'Italia .
Al Ministero della guerra :
Unione Nazionale ufficiali in congedo d'Italia ;
Reparti d'Arma e di specialita' (Associazioni d'arma) del Regio Esercito ;.
Al Ministero della marina :
Gruppi marinai d'Italia ;
Lega Navale Italiana .
Al Ministero dell'Aeronautica :
Associazione nazionale famiglie dei caduti dell'Aeronautica e mutilati del volo ;
Gruppi Aviatori d'Italia .
Al Ministero dell'Agricoltura e Foreste :
Comitato Nazionale forestale e montano .
Al Ministero dell'Educazione nazionale :
Centro alpinistico Italiano.
Al Ministero delle Corporazioni :
Ente nazionale di previdenza ed assistenza per i dipendenti statali .

A R T . 6

I compiti demandati alla Gioventu'Italiana del Littorio (G.I.L.), sono deferiti al Ministero della guerra ed a quello dell'Educazione Nazionale a seconda della rispettiva competenza.

A R T . 7

Il personale dipendente dallo Stato e da altri enti pubblici comandato presso il partito nazionale fascista e presso le organizzazioni indicate nel precedente articolo 1 rientra nei ruoli delle Amministrazioni di appartenenza .

Quello comandato presso le organizzazioni di cui all'art.5, qualora non sia trattenuto presso le organizzazioni stesse per le esigenze dei rispettivi servizi, rientra nei ruoli delle Amministrazioni di appartenenza .

A R T . 8

Il personale assunto direttamente dal Partito nazionale fascista e dalle organizzazioni di cui all'art.5, e' licenziato ed e' ammesso a fruire del trattamento di liquidazione ai sensi delle vigenti disposizioni .

Il personale non di ruolo assunto direttamente dalle organizzazioni previste dall'art.5, che sara' ritenuto esuberante rispetto alle esigenze dei relativi servizi sara' licenziato ed ammesso ~~ed esso~~ a fruire del trattamento di liquidazione ai sensi delle vigenti disposizioni .

Nulla e' innovato a quanto e' stabilito nei singoli regolamenti organici in confronto del personale di ruolo delle organizzazioni di cui all'art.5 .

A R T . 9

Declassified E.O. 12356 Section 3.3/NND No. 785021

I compiti demandati alla Gioventu'Italiana del Littorio (G.I.L.), sono doferiti al Ministero delle guerra ed a quello dell'Educazione Nazionale a seconda della rispettiva competenza.

A R T . 7

Il personale dipendente dallo Stato e da altri enti pubblici comandato presso il partito nazionale fascista e presso le organizzazioni indicate nel precedente articolo 1 rientra nei ruoli delle Amministrazioni di appartenenza .

Quello comandato presso le organizzazioni di cui all'art.5, qualora non sia trattenuto presso le organizzazioni stesse per le esigenze dei rispettivi servizi,rientra nei ruoli delle Amministrazioni di appartenenza .

A R T . 8

Il personale assunto direttamente dal Partito nazionale fascista e dalle organizzazioni di cui all'art.5, e' licenziato ed e' ammesso a fruire del trattamento di liquidazione ai sensi delle vigenti disposizioni .

Il personale non di ruolo assunto direttamente dalle organizzazioni previste dall'art.5,che sara' ritenuto esuberante rispetto alle esigenze dei relativi servizi sara' licenziato ed ammesso ad fruire del trattamento di liquidazione ai sensi delle vigenti disposizioni .

Nulla e' innovato a quanto e' stabilito nei singoli regolamenti organici in confronto del personale di ruolo delle organizzazioni di cui all'art.5 .

A R T . 9

Alla liquidazione delle attivita' e delle passivita' del Partito nazionale fascista e delle organizzazioni di cui al precedente art.1 provvede il Ministero delle Finanze. Il Ministero per le finanze ha facolta' di nominare all'uopo liquidatori che presenteranno al Ministro medesimo i rendiconti della rispettiva gestione. Le modalita' eventualmente occorrenti per tale liquidazione saranno stabilite con norme da emanarsi ai sensi dell'art.3, n.1, della legge 31 gennaio 1926,n.100 .

A R T . 10

Le attivita' residuate dalla liquidazione del patrimonio del Partito nazionale fascista e delle organizzazioni di cui all'art.1 sono devolute allo Stato .

Alle organizzazioni di cui al precedente articolo 5 nonche' ai Ministeri della guerra e dell'educazione nazionale per quanto riguarda i compiti loro demandati a norma dell'art.6, sono trasferite le attivita' e le passivita' eventualmente comprese nella consistenza patrimoniale del soppresso Partito nazionale fascista e di pertinenza delle singole organizzazioni .

A R T . 11

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74/11

Art.11

Decadono dalle rispettive cariche i rappresentanti del Partito nazionale fascista e delle organizzazioni dipendenti, e i membri, del Partito stesso e dalle dette organizzazioni comunque nominati o designati,in consigli,comitati,collegi,commissioni od organi analoghi di amministrazione attiva o consultiva dello Stato e degli altri enti pubblici .

Quando ricorrano ragioni di necessita' o di opportunita',il ministero dal quale dipendono gli organi amministrativi di cui al precedente comma od al quale spetta di esercitare la vigilanza o la tutela sugli enti di cui al comma stesso ha facolta' di sostituire i membri decaduti ovvero di promuovere lo scioglimento dei menzionati consigli,comitati,collegi,commissioni ed organi analoghi,procedendo,ove occorra, alla nomina di un commissario per la gestione straordinaria.

In caso di decadenza di componenti collegi,di sindaci,di revisori e di analoghi organi di controllo,il Ministero competente provvede alla sostituzione dei membri decaduti anche quando siasi proceduto alla nomina di un commissario per la gestione straordinaria.

Art.12

La disposizione di cui al primo comma del precedente art.11 si applica anche ai componenti dei consigli di amministrazione e dei collegi sindacali di societa' per azioni nelle quali lo Stato od altri enti pubblici abbiano una partecipazione.

Alla sostituzione dei membri decaduti si provvede secondo le norme del codice civile.

Art.13

Sono abrogate le disposizioni contrarie o comunque incompatibili con le norme del presente decreto,che entra in vigore il giorno successivo a quello della sua pubblicazione nella Gazzetta Ufficiale del Regno e sara' presentato alle assemblee legislative per la conversione in legge.

Il Capo del Governo,Primo Ministro Segretario di Stato,proponente, e' autorizzato alla presentazione del relativo disegno di legge .

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

Dato a Roma,addi' 2 agosto 1943

VITTORIO EMANUELE

BADOGLIO

Visto, il Guardasigilli: Azzariti
Registrato alla Corte dei conti,addi' 5 agosto 1943.a. 705
Atti del governo, registro 460,foglio 4 -Mancini .

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civile.

Art.13

Sono abrogate le disposizioni contrarie o comunque incompatibili con le norme del presente decreto,che entra in vigore il giorno successivo a quello della sua pubblicazione nella Gazzetta Ufficiale del Regno e sara' presentato alle assemblee legislative per la conversione in legge.

Il Capo del Governo,Primo Ministro Segretario di Stato,proponente, e' autorizzato alla presentazione del relativo disegno di legge .

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

Dato a Roma,addi' 2 agosto 1943

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BADOGLIO

Visto, il Guardasigilli: Azzariti
Registrato alla Corte dei conti,addi' 5 agosto 1943,n. 705
Atti del governo, registro 460,foglio 4 -Mancini .

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Kings Decree of Aug.16th. 1943.

Nomination of the Commission for the Statement and reversion to the State of fortune (patrimony) of of non justified provenince.

VITTORIO EMANUELE III

By Grace of God and the will of the nation

King of Italy and Alabania,

Emperor of Etiopia,

Whereas Art.2 of Kings Decree of Aug.9th. 1943 No.720,

At the proposal of Our Lord-Privy-Seal, Minister of Grace and Justice,

We have decreed and we decree:

The special commission charged to proceed with the statement and the reversion to the State of fortune belonging to those who are in the situation provided in the Kings Decree of Aug.9th. 1943, No.720 is composed as follows:

Casati Cav.di gr.cr.Ettore, Chief President of the High Court of Appeal, President,

Cipolla Cav.di gr.cr.Ettore, General Advocate of the High Court of Appeal, effective member,

Carboni, Comm.Giacomo, Chief President of the Court of Appeal, effective member,

Manca Comm.Antonio, Counsellor of the High Court of Appeal, acting member,

Borsari Gr.Uff.Umberto, Counsellor of the High Court of Appeal, acting member,

Feraudo Comm.Camillo, Acting Public Prosecutor of the High Court of Appeal, acting member,

Oggioni Cav.Uff.Luigi, Counsellor of the High Court of Appeal, acting member,

Our Lord-Privy-Seal mentioned above is charged with the execution of this decree.

Given at Rome, Aug.16th. 1943.

VITTORIO EMANUELE

Azzariti.

Registered at the Court of Registration on Aug.17th. 1943.

Registers 10 Grace and Justice Page 170 - Sorce.

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is composed as follows:

Casati Cav.di gr.cr.Ettore,Chief President of the High Court of Appeal, President,

Cipolla Cav.di gr.cr.Ettore,General Advocate of the High Court of Appeal,effective member,

Carboni,Comm.Giacomo,Chief President of the Court of Appeal,effective member,

Manca Comm.Antonio,Counsellor of the High Court of Appeal,acting member,

Borsari Gr.Uff.Umberto,Counsellor of the High Court of Appeal,acting member,

Feraudo Comm.Camillo,Acting Public Prosecutor of the High Court of Appeal,acting member,

Oggioni Cav.Uff.Luigi,Counsellor of the High Court of Appeal,acting member,

Our Lord-Privy-Seal mentioned above is charged with the execution of this decree.

Given at Rome,Aug.16th. 1943.

VITTORIO EMANUELE

Azzariti.

Registered at the Court of Registration on Aug.17th.1943.
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LEGGI E DECRETI

REGIO DECRETO LEGGE 9 agosto 1943,n.720.
DEVOLUZIONE ALLO STATO DEI PATRIMONI DI NON GIUSTIFICATA PROVENIENZA.

VITTORIO EMANUELE III
per Grazia di Dio e per volonta' della Nazione
RE D'ITALIA

Visto l'art. 18, comma 1, della legge 19 gennaio 1939,n.129 ;
Ritenuta la assoluta necessita' di provvedere;
Sulla proposta del primo Ministro,Capo del Governo, e del Ministro per la Grazia e Giustizia,d'intesa con i Ministri per l'interno e per le finanze;
Sentito il Consiglio dei Ministri;
Abbiamo decretato e decretiamo :

Art. 1

Indipendentemente dall'esercizio dell'azione penale per i fatti costituenti reato,sono devoluti allo Stato i beni immobili e mobili appartenenti a persone le quali,avendo coperto pubbliche cariche o esercitato attivita' politica durante il periodo decorso dal 28 ottobre 1922 al 24 luglio 1943,abbiano conseguito un rapido rilevante accrescimento del loro patrimonio,di cui non sia stata giustificazione.

La disposizione del comma precedente si applica anche riguardo ai beni mobili ed immobili appartenenti al coniuge ed altri componenti della famiglia o comunque posseduti per interposta persona .

La disposizione medesima si applica altresi' agli eredi od ai legatari delle persone indicate nei commi precedenti .

Art.2

E' istituita una speciale commissione con il compito di procedere,d'ufficio od a seguito di rapporto dei competenti organi finanziari dello Stato,per il tramite dell'intendente di finanza,o di altre pubbliche amministrazioni,per il tramite del Prefetto,ai necessari accertamenti ai fini dell'applicazione dell'art.1 e di promuovere,dopo di aver richiesto le giustificazioni delle parte,la devoluzione allo Stato di quei beni che ritiene corrispondenti all'ingiustificato arricchimento conseguito .

La commissione e' costituita con Decreto Reale ed e' composta di tre magistrati dell'ordine giudiziario,di cui uno di grado non inferiore al terzo,presidente, e gli altri due di grado non inferiore al quarto.

Possono essere nominati anche membri supplenti,scelti fra i magistrati aventi grado non inferiore al quarto,per coadiuvare i titolari e,ove occorra, per sostituirli.

La commissione puo' valersi dell'opera di esperti in materia economico-finanziaria designati dal Ministero per le Finanze.

Art. 3

La commissione procede ai necessari accertamenti anche a mezzo del presidente o,per incarico di questo,dei singoli componenti. A tal fine la commissione ed i suoi componenti hanno i poteri spettanti al giudice istruttore in materia penale e possono richiedere l'autorita' giudiziaria per sentire i testimoni o per compiere altri atti istruttori.

Le notizie e i documenti di cui la commissione viene in possesso hanno carattere riservato e di essi non,puo' essere fatto uso diverso da quello necessario ai compiti della commissione.

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ed immobili appartenenti al coniuge od altri componenti della famiglia o comunque posseduti per interposta persona .

La disposizione medesima si applica altresi' agli eredi od ai legatari delle persone indicate nei comma precedenti .

Art.2

E' istituita una speciale commissione con il compito di procedere, d'ufficio od a seguito di rapporto dei competenti organi finanziari dello Stato, per il tramite dell'intendente di finanza, o di altre pubbliche amministrazioni, per il tramite del Prefetto, ai necessari accertamenti ai fini dell'applicazione dell'art.1 e di pronunziare, dopo di aver richiesto le giustificazioni della parte, la devoluzione allo Stato di quei beni che ritiene corrispondenti all'ingiustificato arricchimento conseguito .

La commissione e' costituita con Decreto Reale ed e' composta di tre magistrati dell'ordine giudiziario, di cui uno di grado non inferiore al terzo, presidente, e gli altri due di grado non inferiore al quarto.

Possono essere nominati anche membri supplenti, scelti fra i magistrati aventi grado non inferiore al quarto, per coadiuvare i titolari e, ove occorra, per sostituirli.

La commissione puo' valersi dell'opera di esperti in materia economico-finanziaria designati dal Ministero per le Finanze.

Art. 3

La commissione procede ai necessari accertamenti anche a mezzo del presidente o, per incarico di questo, dei singoli componenti. A tal fine la commissione ed i suoi componenti hanno i poteri spettanti al giudice istruttore in materia penale e possono richiedere l'autorita' giudiziaria per sentire i testimoni o per compiere altri atti istruttori.

Le notizie e i documenti di cui la commissione viene in possesso hanno carattere riservato e di essi non puo' essere fatto uso diverso da quello necessario ai compiti della commissione.

Si applicano le disposizioni degli articoli 366 e 372 del codice penale alle persone chiamate ad adempiere incarichi alla commissione o ai singoli componenti di essa od alcuno degli uffici indicati nei detti articoli.

Art. 4

La pronunzia della commissione costituisce titolo traslativo della proprieta' ed autorizza senz'altro la presa di possesso dei beni da parte degli organi di Stato. Contro la pronunzia della commissione non e' ammessa alcuna impugnazione, ne' in via legislativa ne' in via giurisdizionale.

Art. 5

Il presidente della commissione, d'ufficio o su richiesta dell'intendente di Finanza, puo' ordinare il sequestro dei beni mobili ed immobili a tutela dei diritti spettanti allo Stato in dipendenza dell'applicazione del presente decreto.

Il sequestro si esegue con le forme prescritte dal Codice di procedura penale .

Art.6

E' nullo qualsiasi atto di disposizione effettuato successivamente al 24 luglio 1943, quando abbia per oggetto beni di cui sia pronunciata la devoluzione allo Stato entro il termine di un anno dell'entrata in vigore del presente ovvero beni che entro lo stesso termine, abbiano formato oggetto di sequestro o di iscrizione ipotecaria, ai sensi dell'art.4, e siano stati poi devoluti allo Stato.

Possono essere annullati, su istanza dell'intendente di finanza, gli atti di disposizi

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no a titolo gratuito dei beni indicati nel comma precedente,anche se compiuti anteriormente al 25 luglio 1944.

Art. 7

I Prefetti e gli intendenti di finanza debbono procedere,direttamente o a mezzo degli uffici dipendenti o degli organi di polizia,compresa quella tributaria, alle indagini occorrenti per individuare le persone indicate nell'articolo 1 e devono fare gli opportuni rapporti alla commissione entro il piu' breve tempo possibile.

Art.8

Con successivi provvedimenti saranno dettate le norme di carattere integrativo che possano occorrere per l'attuazione del presente decreto.

Art. 9

Il presente decreto entra in vigore nel giorno stesso della sua pubblicazione nella GAZZETTA UFFICIALE del Regno e sara' presentato alle Assemblee legislative per la sua conversione in legge, autorizzandosi il ministro per la grazia e giustizia a presentare il relativo disegno di legge.

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

Dato a Roma, addi' 9 agosto 1943

VITTORIO EMANUELE

Badoglio
Azzariti
Ferracciari
Bertolini

Visto il guardasigilli : Azzariti
Registrato alla Corte dei conti addi' 11 agosto 1943
Atti del Governo,registro 460,foglio 13 - Mancini

ROMA 16 AGOSTO 1943

NORME PER LA COMMISSIONE PER L'ACCERTAMENTO E LA DEVOLUZIONE ALLO STATO DEI PATRIMONI DI NON GIUSTIFICATA PROVENIENZA .

VITTORIO EMANUELE III
Per grazia di Dio e per volonta' della Nazione
RE D'ITALIA

Visto l'art.2 del R.Decreto-legge 9 agosto 1943, n.720 ;
Sulla proposta del nostro guardasigilli,Ministro di grazia e giustizia ;
Abbiamo decretato e decretiamo :

La Commissione speciale incaricata di procedere all'accertamento ed alla devoluzione allo Stato dei beni appartenenti a coloro che si trovano nelle condizioni prevedute dal R.Decreto-legge 9 agosto 1943,n.720, e' cosi' costituita :

Casati Cav.di gr. cr. Ettore,primo presidente della corte suprema di Cassazione,Presidente ;
Cipolla Cav. di gr.cr. Ettore, avvocato generale della Corte Suprema di cassazione,membro effettivo ;
Carboni,Comm. Giacomo,primo presidente di Corte d'Appello,membro effettivo;
Lucca Comm. Antonio, Consigliere della Corte suprema di cassazione,membro supplente;
Ferraudo Comm. Camillo sostituto procuratore generale della Corte suprema di cassazione membro supplente;
Scalzoni Cav .Uff. Luigi,Consigliere della Corte suprema di cassazione,membro supplente.
Il nostro guardasigilli suddetto e'incaricato dell'esecuzione del presente decreto.
Dato a Roma, addi' 16 agosto 1943 - VITTORIO EMANUELE

Azzariti

Registrato alla corte dei conti, addi' 17 agosto 1943
Registro 10 Grazia e Giustizia, foglio 170. SCHOW

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

AGO/74/Int 20 March 1944

SUBJECT: Defascization

TO : Minister of Interior, Italian Government

Your Excellency:

1. With reference to your letter on the above subject of 16 March, 1944, it is not possible for me to advise you in regard to this matter.

2. I am grateful to you for your adoption of the title "Sindaco" vice "podesta".

R. G. B. SPICER
Lt Colonel
Director
Interior Sub-Commission

Ministero dell'Interno

N. 213/GAB. RIS/

Risposta alla lettera

N. ..... *del* .....

OGGETTO

Defascistizzazione

Salerno, lì 15 marzo 1944

Alla COMMISSIONE ALLEATA di CONTROLLO
Sottocommissione Interni - Ten.Col.
SPICER.

SALERNO

In risposta alla nota sopraindicata, comunico che con provvedimento legislativo in corso di pubblicazione sono state apportate modifiche al R.D.L. 28 Dicembre 1943, n.29/B, sulla defascistizzazione delle Amministrazioni dello Stato e degli altri Enti pubblici.

Poichè la principale modifica riguarda la costituzione di una Commissione unica, cui dovrà essere demandata, invece che ai Consigli di Amministrazione dei singoli Ministeri, la valutazione degli addebiti e delle eventuali discriminanti, non si è potuta ancora compiere la prescritta epurazione.

Con lo stesso provvedimento vengono prorogati i termini per le denunce e per il compimento della epurazione.

In base alle denunce finora pervenute dai funzionari che interessa[illegible] codesta On/le Commissione, vi sono un prefetto, il Gr. Uff. Dott. Umberto Petragnani, già prefetto di Lecce - marcia su [illegible] prefetto ispettore, il Dott.

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Alla Commissione [illegible]
Sottocommissione Interni - Ten.Col.
SPICER.

S A L E R N O

In risposta alla nota sopraindicata, comunico che con provvedimento legislativo in corso di pubblicazione sono state apportate modifiche al R.D.L. 28 Dicembre 1943, n.29/B, sulla defascistizzazione delle Amministrazioni dello Stato e degli altri Enti pubblici.

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In base alle denunce finora pervenute dai funzionari che interessatto codesta On/le Commissione, vi sono un prefetto, il Gr. Uff.Dott.Umberto Petragnani, già prefetto di Lecce - marcia su Roma e sciarpa littorio - e un vice prefetto ispettore, il Dott. Giuseppe Gazzilli ispettore provinciale di Taranto, squadrista - marcia su Roma e sciarpa littorio.

Il prefetto Petragnani invoca la discriminante dell'art. 4 lettera d) del citato R.D.L.

La competenza a decidere è del Consiglio dei Ministri alle cui decisioni sottoporrò al più presto la istanza.

Prima di stendere la mia relazione, amerei conoscere il parere della Commissione e sono disposto a mettere a disposizione tutto il fascicolo.

I podestà dei comuni con popolazione superiore ai 50.000 abitanti sono stati tutti sostituiti con Sindaci.

IL MINISTRO

Cam/

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Ministero dell'Interno

N. .....

Risposta alla lettera

N. ..... *del* .....

OGGETTO

DEFASCISTIZZAZIONE
(Clearing out of Fascism)

Salerno, li 7o Marzo 1944

To A.C.C.
Sub Commission for the Interior
Lt.col.G.B. SPICER
S A L E R N O

With reference to the above note, I have to inform you that some changes have been brought by a legislative provision wich is going to be enforced, to the R.Law-Decree 25 December 1943, n.29/B, concerning the "defascistizzazione" in State Administrations and in other State Offices.

The planned clearing out did not yet took place because the chief variation brought to the above decree, is the establishment of an only Commission, at the place of the Consuels of the various Ministries, intrusted with the examination of the charges and of the possible discriminiations, against or in behalf of people under suspision.

By the same provision the terms are extented for the denounces and the achievement of the established "defascistizzazione".

Basing on the denounces already derived from the officials to whom this Commission is interested in, there are a Prefect: Dr. Uff. Dott. Umberto FERRAGNANI, formerly Prefect in Lecce - March on Roma and Sciarpa [illegible] and a Vice-Prefect Inspector: Dr. Giuseppe GAZZILLI, provincial

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changes have been brought by a legislative provision wich is going to be enforced, to the R.Law-Decree 26 December 1943, n.29/B, concerning the "defascistizzazione" in State Administrations and in other State Offices.

The planned clearing out has not yet took place because the chief variation brought to the above decree, is the establishment of an only Commission, at the place of the Conunsels of the various Ministries, intrusted with the examination of the charges and of the possible discriminiations, against or in behalf of people under suspision.

By the same provision the terms are extented for the denounces and the achievement of the established "defascistizzazione".

Basing on the denounces already derived from the officials to whom this Commission is interested in, there are a Prefect: Gr.Uff.Dott. Umberto PETRAGNANI, formerly Prefect in Lecce - March on Roma and Sciarpa Littorio -, and a vice-Prefect Inspector: Dr. Giuseppe GAZZILLI, provincial inspector in Taranto, squadrista, March on Rome and Sciarpa Littorio. The Prefect PETRAGNANI claims for this discrimination the ex Art.4, par.d) of the ab.R.Decree.

The Counsel of the Ministres is incharged with the statemens on such matters and I will submit to its examination as soon as possible PETRAGNANI's application.

Before laying down my report I should like to know which is the 4243 advice of the Commission, and I am keen to let at its disposal the whole file concerning PETRAGNANI.

./.

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The Podestas of the Communes having a population more than 20.000 inhabitants have been replaced by Sindaci.

THE MINISTER
Neale

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Memo on the decree for defascistaz()

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1. Article 1 doesnot include functionaries of such fascist offices or organisation as GIL, GIL, Direttorio Federale, Fascist Militia, fiduciary of the gruppo rionale, members of the gruppo rionale consistee, cano settore, capo nucleo, fascist school associations, etc. On the whole this Article in connection with other provisions of the decree meets the promise expressed in the Order of the Day of the Council of Ministers of 24 Nov. 1943 para 7.

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2. Article 2 in connection with other provisions of the decree on the whole fulfills the promise of the above mentioned Order of the Day Art. 2.

3. The procedure for the purging as described in Art. 3 seems to be reasonably well designed. There must be an error in the statement as to the member of the investigating commission mentioned under Art. 3b. Such Commission is said to have 4 members but would seem to have 5 members excluding the presiding officer and the ex-officio member. It should be pointed out that the preponderance of the bureaucratic vote over the vote of the lay members has been carefully secured and that no private person or other state official than that enumerated under Art. 3 has the right to call the attention of the examing authority to the fascist past of an official or functionary.

4. The exemptions from the penalties described in Art. 4 have a broad scope indeed. The exemption (e) permits a particularly broad dissertion.

5. In regard to Art. 5 some difficulty may arise as to what is meant by liberated national territory in the last sentence. The last sentence if technically interpreted would exclude the Italian diplomatic personnel located abroad from the application of the decree while performing their offices abroad.

6. In para 8 of the above mentioned order of the day the Council pledged to readmit in the Public Administration persons dismissed or retired for political motives, to reexamine advancements and lack of promotions because of political motives. It would seem that this pledge has not been fulfilled by the decree under consideration although the subject could have at least been partly covered by it. Many cases suggest themselves as for instance: There might have been promotion of officials not falling within Art. 1 or 2 of the decree but which were due to the political pressure of relatives or friends of the promoted official.

7. It would seem rather strange that officials ousted under this decree retain their pension and receive indemnities.

Sgt C.S.

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TEXT OF THE DECREE FOR DEFASCIZATION

74/3

ART 1: Members of the Civil and Military Administration of the State, of local and parastatal bodies, whatever their organization or denomination, of syndical associations and collateral bodies and of all types of bodies and institutions of public law even if governed by autonomous organic law, which are subject to the supervision or guardianship of the State, and the employees of enterprises dependent on said administrations or on said bodies, or private enterprises performing service in public interest, who, having been militant on behalf of the Fascist Party, held the grade of "squadrista", "Marcia su Roma", hierarch (gerarca) or "Sciarpa littorio", shall be subject to procedure and sanctions under this decree. For the purpose of this decree the following are deemed to be hierarchs (gerarchi):

1. Secretaries and vice secretaries of the party; 2. Members of the National Directorate; 3. Inspectors of the party; 4. National Councilors; 5. Federal secretaries; 6. Federal vice-secretaries; 7. Administrative vice-secretaries(excluding the state and parastatal functionaries in charge of the administrative control of the Federations); 8. Federal inspectors; 9. Presidi of the provinces; 10. Political secretaries and mayors or localities with more than 50,000 inhabitants.

ART 2: Members of Administrations and enterprises enumerated in Art 1, who have been found guilty by a judgement rendered by organs described in the subsequent Article, of having committed acts constituing attacks against individual liberty, while being militant on behalf of the Fascist Party even though they have not held any of the above stated grades, shall be subject to the same sanctions. Such presupposition can be held valid only on the basis of concrete facts which will be evaluated without right of appeal by the organs described below.

ART 3: The determination of the imputations enumerated in the preceding Articles will be undertaken; (a) in regard to members of state administrations of no lower than sixth grade by the Council of Ministers, in regard to functionaries of lower than six grade or extraordinary or casual employees by the councils of administrations or disciplinary commissions of respective departments according as the case may fall in category of Art. 1 or 2, (b) in regard to other bodies and the enterprises indicated in Art.1, by a provincial commission appointed by the prefect and presided over by the Prefect or vice-prefect delegated by him and composed of 4 members of whom 2 will be judicial magistrates of not lower than sixth grade designated by the First President of the Court of Appeal and two will be chosen from wounded war veterans decorated for valor who have never taken active part in the fascist party and one (sic;) from among citizens who have been convicted or confined for political motives. The Head of the Administration or [illegible]

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Art 2: Members of Administrations and enterprises enumerated in Art 1, who have been found guilty by a judgement rendered by organs described in the subsequent Article, of having committed acts constituing attacks against individual liberty, while being militant on behalf of the Fascist Party even though they have not held any of the above stated grades, shall be subject to the same sanctions. Such presupposition can be held valid only on the basis of concrete facts which will be evaluated without right of appeal by the organs described below.

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ART 4: The sanctions of this decree will not necessarily apply to (a) legionnaires of Fiume who, solely for this reason, have obtained any of the preceding attributes and are able to show that they did not take active part in the activities and in the politics of the party (b) sciarpe littorio, who are able to prove that they have not participated in any political activity of the party (c) fascists, who having been members of squads of action and having participated in the March on Rome, were less than 18 years of age on the 31 of December 1922, provided that they are able to show that they did not take active part in the activities and politics of the party after 1922. (d) fascists who have distinguished themselves in German occupied zones in the struggle against the enemy, subsequent to September 8, 1943. (e) fascists found to have participated in slight political activity, whom it is deemed advisable to retain in the interest of the country because of special technical qualifications or distinguished merits.

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The evaluation of the merit mentioned under the letter (d)must in every case be in proportion to the degree of political responsibility for fascist activities of the respective employee. The request for acknowledgement of reasons for exemption and the presentation of proofs in cases mentioned under letters (a),(b),(c) and (d) must be made by the interested party in the report dealt with in subpara 1 of Article 5 under circumstances provided therein and within 10 days after the denial of charges in cases provided for by Art. 2 above. The provision contained under letter (e) will be applied upon application made by the Administration employing the concerned person and such application will be passed upon by the Council of the Ministers.

ART 5: To ensure the application of Art.1 of this decree the personnel therein enumerated shall be obliged to report within 15 days after the effective date of the decree to their respective heads of branch of service all the attributes they have held. The failure to file such report within the said term will be equivalent to a negative report within the meaning of Art. 496 of the Penal Code and precludes the interested party from the benefits of Art. 4 and 9. In cases provided for by Art. 2 it is for the office heads of the bodies or enterprises employing the interested party to initiate the report which will be allowed to take its course only after a specific denial of the charges has been made by such party. In case the head of the office or body fails to act the Prefect will act in his place. The above mentioned report regarding the personnel located abroad or in enemy controlled territory must be made within one month from the day on which such personnel return or reach the liberated national territory.

ART 6: The organs described in Art. 3 have investigative powers, may exclude testimony under oath and may request any Act, document or information from any administration and also from judicial authorities. Organs of collective character may delegate such powers to one of their components. The interested party must be heard in person, if he so desires, and has a right to present explanations and written clarifications in his defense within a term fixed for such purpose, and not exceeding 2 months.

ART 7: The fascists mentioned in the preceding Art. 1, who do not fall within any of the exceptions provided for by Art. 4, must be removed from their office and employment.

ART 8: The act of dismissal from service or removal from office shall be executed on basis of the proposals formulated by the organs mentioned under Art. 3:
(a) As regards employees of state administrations, by the head of the respective department following the normal procedures set out by the respective organic laws: as regards functionaries of higher than 7th grade, by the Chief of the Government;

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report regarding [illegible] territory must be made within one month from the day on which such personnel return or reach the liberated national territory.

ART 6: The organs described in Art. 3 have investigative powers, may exclude testimony under oath and may request any Act, document or information from any administration and also from judicial authorities. Organs of collective character may delegate such powers to one of their components. The interested party must be heard in person, if he so desires, and has a right to present explanations and written clarifications in his defense within a term fixed for such purpose, and not exceeding 2 months.

ART 7: The fascists mentioned in the preceding Art. 1, who do not fall within any of the exceptions provided for by Art. 4, must be removed from their office and employment.

ART 8: The act of dismissal from service or removal from office shall be executed on basis of the proposals formulated by the organs mentioned under Art. 3:
(a) As regards employees of state administrations, by the head of the respective department following the normal procedures set out by the respective organic laws; as regards functionaries of higher than 7th grade, by the Chief of the Government;
(b) As regards employees of other administrations, bodies and enterprises, mentioned in Art. 1, by the Prefect, excepting, however, the parastatal bodies, for which the necessary steps are taken by the heads of the department exercising control or supervision over them, or if there are none, by the Ministry of Interior. Whenever the organic laws of the administrations and bodies indicated under letter (b) require an opinion of councils or commissions for the validity of the above acts, the pronouncement of the organs described in Art. 3 letter (b) is considered to be for all purposes in substitution of such opinion.

ART 9: The personnel dismissed or relieved in execution of this decree retain their benefits of pensions or retirement to which they are entitled according to the respective organic laws. The state employees who have not served for a period prescribed for acquisition of the right to a pension and who were dismissed for motives indicated in Art. 1 & 2, shall be granted a minimum pension in derogation of the valid laws, provided that they have completed 15 years of service; in other cases an indemnity will be granted amounting to as many twelfths of the last salary as there are years of completed service. This rule is extended, as far as applicable, to employees of the bodies and enterprises indicated above in Art. 1. Furthermore, functionaries and regular employees may be allowed to retain as an indemnity and in exclusion of any other

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indemnity the right to draw the entire salary until they shall be able to return to their place of residence located in enemy held territory.

The nonregular personnel situated similarly to that mentioned in the preceding subparagraph will be paid at the most a three monthe salary to the exclusion of further benefits other than those to which they are entitled by law or contract.

ART. 10. The acts undetaken in accordance with Art. 8 may be attacked only by recourse to the State Council solely on the grounf of lack of competence. The appeal must be filed within 30 days after notice of the act, the execution of which may not be suspended even under circumstances provided for by Art. 39, 2nd subpara of the Consolidated Text of 26 June 1924 no.1054 of the law on the State Council and relative modifications.

ART 11. The provisions of this decree will apply even in derogation of the respective organic laws, to functionaries of all classes or categories, who can otherwise not be removed from office under the law.

ART 12. The purging provided for by the present decree must be completed within three months after the day of its publication in the Gazzetta Ufficiale del Regno, special series, in the zones under the Italian administration and in other provinces within 3 months after the date at which they have been returned under the Italian administration.

ART 13. This decree will be presented to the legislative assembly for enactment into a law. The Chief of the Government proposing the decree is authorized to present the draft of the law. It shall become effective on the day subsequent to that of its publication in the Gazzetta Ufficiale del Regno. We order whomsoever it may concern to obey this decree and make it observed as law of the State.

Sgt. Eric Stein-Israel.

4230

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ART 12. The purging provided for by the present decree must be completed within three months after the day of its publication in the Gazzetta Ufficiale del Regno, special series, in the zones under the Italian administration and in other provinces within 3 months after the date at which they have been returned under the Italian administration.

ART 13. This decree will be presented to the legislative assembly for enactment into a law. The Chief of the Government proposing the decree is authorized to present the draft of the law. It shall become effective on the day subsequent to that of its publication in the Gazzetta Ufficiale del Regno. We order whomsoever it may concern to obey this decree and make it observed as law of the State.

Sgt. Eric Stein-Transl.

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Interior Sub-Comm

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GRU/gmf

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommission
APO 394

28 February 1944

ACC/4039/L

SUBJECT: Elimination of Fascists.

TO : ~~RLO~~ Region 3.

1. I have been informed that certain prefects have been putting into operation the "Epurazione", or fascist purge, set forth in the Defascistization Decree published in the Official Gazette on 29 Dec 43 R.D. No. 29/B and dismissing personnel under the terms thereof.

This is entirely premature as such decree is not part of the law of occupied territory and in fact by its terms only comes into force as and when territory ceases to be occupied. It is of course plain that AMG alone can appoint or dismiss officials in occupied territory and any dismissal of personnel by a body not acting under the orders of AMG but under the terms of the decree is unauthorised and any such dismissal is null and void.

2. With regard to the draft scheme proposed by Region 3 for the elimination of fascists (see your letter D/40 dated 10 Feb) and sent to the Political Section for its views; this matter will be dealt with as soon as the earlier Regional Orders mentioned in the draft scheme arrive at this HQ.

for 42[illegible]3

O. R. UPJOHN, Colonel
Chief Legal Officer.

Copy to: Interior Subcommission
Regions 4 & 5 (for info)
Political Director

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Decree for the Defascization of administration.

Decree 29/B of 28 Dec. 43.

Art.1. Members of the Civil and Military Administration of the State, of local and parastatal bodies, whatever their organization or denomination, of syndical associations and collateral bodies and of all types of bodies and institutions of public law even if governed by autonomous organic law, which are subject to the supervision or guardianship of the State, and the employees of enterprises dependent on said administrations or on said bodies, or private enterprises performing service in public interest, who, having been militant on behalf of the Fascist Party, hold the grade of "squadrista", "Marcia su Roma", gerarca (gerarca) or "Sciarpa littorio", shall be subject to procedure and sanctions under this decree. For the purpose of this decree the following are deemed to be hierarchs (gerarchi):

1. Secretaries and vice secretaries of the party; 2. Members of the National Directorate; 3. Inspectors of the party; 4. National Councillors; 5. Federal secretaries; 6. Federal vice-secretaries; 7. Administrative vice-secretaries (excluding the state and parastatal functionaries in charge of the administrative control of the Federations; 8. Federal inspectors; 9. Presidi of the provinces; 10. Political secretaries and mayors of localities with more than 50.000 inhabitants.

Art.2. Members of Administrations and enterprises enumerated in Art.1, who have been found guilty by a judgement rendered by organs described in the subsequent article, of having committed acts constituting attacks against individual liberty, while being militant on behalf of the Fascist Party even though they have not held any of the above stated grades, shall be subject to the same sanctions. Such presupposition can be held valid only on the basis of concrete facts which will be evaluated without right of appeal by the organs described below.

Art.3. The determination of the imputations enumerated in the preceding articles will be undertaken: (a) in regard to members of state administrations of no lower than sixth grade by the Council of Ministers, in regard to functionaries of lower than sixth grade or extraordinary or casual employees by the councils of administrations or disciplinary commissions of respective departments according as the case may fall in category of Art.1 or 2. (b) in regard to other bodies and the enterprises indicated in Art.1, by a provincial commission appointed by the prefect and presided over by the Prefect or Vice-Prefect delegated by him and composed of 4 members of whom 2 will be judical magistrates of not lower than sixth grade designated by the First president of the Court of Appeal and two will be chosen from wounded war veterans decorated for valor who have never taken active part in the fascist party and are (are) from among citizens who have been appointed

tical secretaries and mayors of localities with more than 50.000 inhabitants.

Art.2. Members of Administrations and enterprises enumerated in Art.1, who have been found guilty by a judgement rendered by organs described in the subsequent Article of having committed acts constituting attacks against individual liberty, while being militant on behalf of the Fascist Party even though they have not held any of the above stated grades, shall be subject to the same sanctions. Such presupposition can be held valid only on the basis of concrete facts which will be evaluated without right of appeal by the organs described below.

Art.3. The determination of the imputations enumerated in the preceding articles will be undertaken: (a) in regard to members of state administrations of no lower than sixth grade by the Concil of Ministers, in regard to functionaries of lower than sixth grade or extraordinary or casual employees by the councils of administrations or disciplinary commissions of respective departments according as the one may fall in category of Art.1 or 2. (b) in regard to other bodies and the enterprises indicated in Art.1, by a provincial commission appointed by the prefect and presided over by the Prefect or Vice-Prefect delegated by him and composed of 4 members of whom 2 will be judicial magistrates of not lower than sixth grade designated by the First President of the Court of Appeal and two will be chosen from wounded war veterans decorated for valor who have never taken active part in the fascist party and one (also) from among citizens who have been convicted or confined for political motives. The Head of the Administration or office to which the investigated person belongs shall participate in the meetings of the commission mentioned under (b) as an ex officio member except where he himself is the subject of the dismissal preceeding. In case of tie, the president's vote is decisive. The same organs shall determine the exemptions in the case of the individual as enumerated in the following paragraph.

Art.4. The sanctions of this decree will not necessarily apply to (a) legionnaires of Fiume who, solely for this reason, have obtained any of the preceding attributes, and are able to show that they did not take active part in the activities and in the politics of the party (b) sciarpe littorio, who are able to prove that they have not participated in any political activity of the party (c) fascists, who having been members of squads of action and having participated in the March on Rome, were less than 18 years of age on the 31 of December 1922, provided that they are able to show that they did not take active part in the activities and politics of the party after 1922. (d) fascists who have distinguished themselves in German occupied zones in the struggle against the enemy, subsequent to Sept.8, 1943. (e) fascists found to have participated in slight political activity, whom it is deemed advisable to retain in the interest of the country because of special technical qualifications or distinguished merits.

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The evaluation of the merit mentioned under the letter (d) must in every case be in proportion to the degree of political responsability for fascist activities of the respective employee. The request for acknowledgement of reasons for exemption and the presentation of proofs in cases mentioned under letters (a),(b),(c) and (d) must be made by the interested party in the report dealt with in subpara 1 of Art.5 under circumstances provided therein and within 10 days after the denial of charges in cases provided for by Art.2 above. The provision contained under letter (e) will be applied upon application made by the Administration employing the concerned person and such application will be passed upon by the Council of the Ministers.

Art.5: To ensure the application of Art.1 of this decree the personnel therein enumerated shall be obliged to report within 15 days after the effective date of the decree to their respective heads of branch of service all the attributes they have held. The failure to file such report within the said term will be equivalent to a negative report within the meaning of Art.496 of the Penal Code and precludes the interested party from the benefits of Art.4 and 5. In cases provided for by Art.2 it is for the office heads of the bodies or enterprises employing the interested party to initiate the report which will be allowed to take its course only after a specific denial of the charges has been made by such party. In case the head of the office or body fails to act the Prefect will act in his place. The above mentioned report regarding the personnel located abroad or in enemy controlled territory must be made within one month from the day on which such personnel return or reach the liberated national territory.

Art.6: The organs described in Art.3 have investigative powers, may exclude testimony under oath and may request any act, document or information from any administration and also from judicial authorities. Organs of collective character may delegate such powers to one of their components. The interested party must be heard in person, if he so desires, and has a right to present explanations and written clarifications in his defence within a term fixed for such purpose, and not exceeding 2 months.

Art.7: The fascists mentioned in the preceding Art.1, who do not fall within any of the exceptions provided for by Art.4, must be removed from their office and employment.

Art.8: The act of dismissal from service or removal from office shall be executed on basis of the proposals formulated by the organs mentioned under Art.3:

(a) As regards employees of state administrations, by the head of the respective department following the normal procedures set out by the respective organic laws; as regards functionaries of higher than 7 th grade, by the Chief of the Government.

(b) As regards employees of other administrations, bodies and enterprises, mentioned in Art.1, by the Prefect, excepting however, the parastatal bodies, for which the necessary steps are taken by the heads

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territory must be made within one month from the day on which such personnel return or reach the liberated national territory

Art.6: The organs described in Art.3 have investigative powers, may exclude testimony under oath and may request any act, document or information from any administration and also from judicial authorities. Organs of collective character may delegate such powers to one of their components. The interested party must be heard in person, if he so desires, and has a right to present explanations and written clarifications in his defence within a term fixed for such purpose, and not exceeding 2 months.

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Art.8: The act of dismissal from service or removal from office shall be executed on basis of the proposals formulated by the organs mentioned under Art.3:
(a) As regards employees of state administrations, by the head of the respective department following the normal procedures set out by the respective organic laws; as regards functionaries of higher than 7 th grade, by the Chief of the Government.
(b) As regards employees of other administrations, bodies and enterprises, mentioned in Art.1, by the Prefect, excepting however, the parastatal bodies, for which the necessary steps are taken by the heads of the department exercising control or supervision over them, or if there are none, by the Ministry of Interior. Whenever the organic laws of the administrations and bodies indicated under letter (b) require an opinion of councils or commissions for the validity of the above acts, the pronouncement of the organ described in Art.3 letter (b) is considered to be for all purposes in substitution of such opinion.

Art.9: The personnel dismissed or relieved in execution of this decree retain their benefits of pensions or retirement to which they are entitled according to the respective organic laws. The state employees who have not served for a period prescribed for acquisition of the right to a pension and who were dismissed for motives indicated in Art.1 & 2, shall be granted a minimum pension in derogation of the valid laws, provided that they have completed 15 years of service; in other cases an indemnity will be granted amounting to as many twelfths of the last salary as there are years of completed service. This rule is extended, as far as applicable, to employees of the bodies and enterprises indicated above in Art.1. Furthermore, functionaries and regular employees may be allowed to retain as an indemnity and in exclusion of any other

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indemnity the right to draw the entire salary until they shall be able to return to their place of residence located in enemy held territory.

The nonregular personnel situated similarly to that mentioned in the preceding subparagraph will be paid at the most a three months salary to the exclusion of further benefits other than those to which they are entitled by law or contract.

Art.10. The acts undertaken in accordance with Art.9 may be attacked only by recourse to the State Council solely on the ground of lack of competence. The appeal must be filed within 30 days after notice of the act, the execution of which may not be suspended even under circumstances provided for by Art.39, 2nd subpara of the Consolidated Text of 26 June 1924 No.1054 of the law on the State Council and relative edifications.

Art.11. The provisions of this decree will apply even in derogation of the respective organic laws, to functionaries of all classes or categories, who can otherwise not be removed from office under law.

Art.12. The purging provided for by the present decree must be completed within three months after the day of its publication in the Gazzetta Ufficiale del Regno, special series, in the zones under the Italian administration and in other provinces within 3 months after the date at which they have been returned under the Italian administration.

Art.13. This decree will be presented to the legislative assembly for enactment into law. The Chief of the Government proposing the decree is authorized to present the draft of the law. It shall become effective on the day subsequent to that of its publication in the Gazzetta Ufficiale del Regno. He order whomsoever it may concern to obey this decree and make it observed as law of the state.

Sgt. Eric Stein-Hummel.

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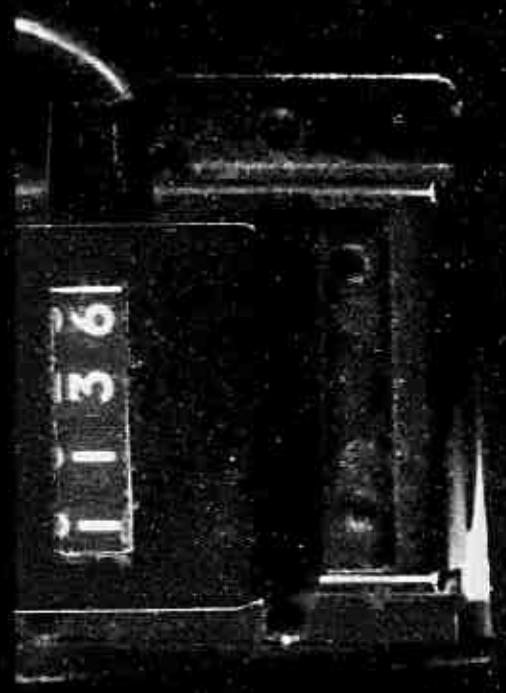
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