

ACC

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10000/142/59

PRESS PLAN FOR ITALY
JULY - OCT. 1944

11A

OFFICE OF THE CENTRAL
ALLIED PUBLICATIONS BOARD

Room 108, 62 Via Veneto
ROME

20 September 44.

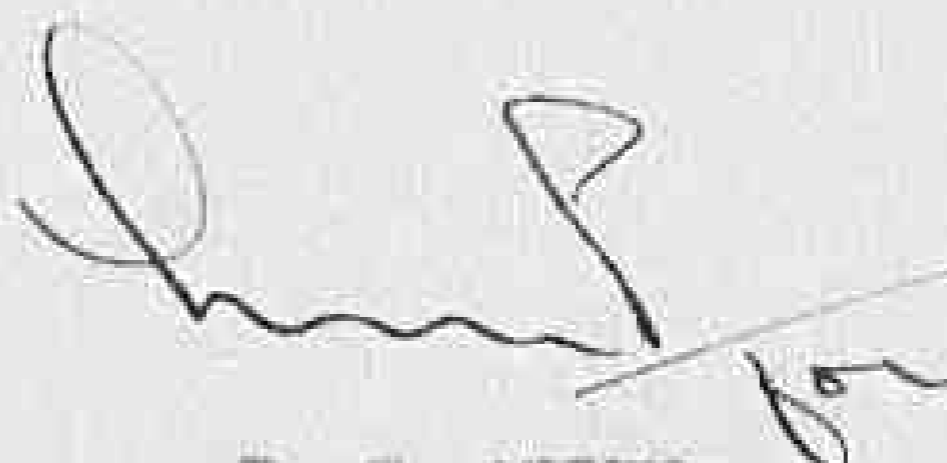
SUBJECT : Draft Italian Press Law.

TO : Mr. Egan. Mr. Schott.
Brigadier Upjohn. Lt. Col. Brown.
Col. Wilmer. ✓ Major Fielden.
Mr. Dowling. Major Alexander.
Mr. Hopkinson. Major Colville.
Mr. Caccia. Mr. Minifie.

1. An important point in the Draft Law, which required correction, escaped attention at the meeting of 15 September.

2. Article XIX reads: "Anyone who intends to continue, or initiate, the publication of a newspaper.....", etc. The words "to continue" must be cancelled; otherwise all the papers already licensed by APB will be obliged to make new application through the Italian Commission.

3. If you approve this deletion, kindly acknowledge.



I. S. MUNRO,
Lt. Col.,
Executive Secretary.

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ve ad essere accompagnata da un riassunto della pubblicazione, di non oltre 500 parole. La domanda deve contenere i dati del modulo C, di cui si allega un esemplare e cioè, oltre a quelli delle lettere a, b, c, d, f, l, m, n, q, ed r, del modulo A, i seguenti:

- 1) Nome, cognome e domicilio o residenza dell'editore o degli editori;
- 2) Nome, cognome e domicilio o residenza dell'autore, direttore o compilatore dell'opera;
- 3) Numero di copie che s'intende stampare;
- 4) Formato e numero di pagine;
- 5) Preventivo del quantitativo di carta occorrente e relativo tipo.

Tutte le domande saranno instruite dalle Prefetture al fine di accertare la veridicità dei dati in esse contenuti e quindi trasmessa il più sollecitamente possibile, e con parere motivato, alla Commissione Nazionale per la Stampa presso il Sottosegretariato Stampa e Informazioni, ovvero alla eventuale Commissione regionale o interregionale competente per territorio.

Le Prefetture decideranno direttamente sulle domande di autorizzazione concernenti opuscoli e stampati non periodici di pubblicità commerciale o industriale, ove sia richiesta la stampa di carta, apponendo il timbro "Pubblicazione autorizzata il....." su entrambe le copie della domanda d'autorizzazione, di cui una sarà restituita all'interessato e l'altra trattenuta con firma di ricevuta da parte del l'interessato stesso.

Si avverte che ogni cambiamento di proprietà, del direttore, del redattore responsabile, del direttore amministrativo, della tendenza politica, dello scopo dichiarato della pubblicazione periodica e del nome e del luogo della pubblicazione, come dichiarati dal richiedente sui moduli A e C, deve essere immediatamente notificato per lo stesso tramite della domanda originaria. In mancanza di detta notifica l'autorizzazione già concessa si intende revocata alla data della intervenuta variazione.

- 3 -

Si avverte altresì che, qualora trattasi di traduzione di libri stranieri, (ove sia richiesta l'assegnazione o lo sblocco di carta), la domanda di autorizzazione deve essere corredata di un certificato attestante l'avvenuta regolare cessione del diritto d'autore.

La legge citata sulla stampa sancisce inoltre, sempre nelle norme transitorie, che lo stampatore è tenuto a consegnare alla Prefettura due copie di ogni pubblicazione, in aggiunta a quelle consegnate alla Procura del Re. Si precisa che tali due copie devono essere trasmesse con la massima sollecitudine al sottosegretariato Stampa e Informazioni (Анархоса).

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20th October 1944.

NOTES ON "EXCHANGE OF LETTERS" BETWEEN ACP AND ITALIAN GOVERNMENT.

Para. 4) APB will also be represented on all Regional and Inter-regional Committees, the formation of which must receive the approval of APB.

New paragraphs required:

- 1) BOOKS - Assurance must be given:
 - a) That decisions of the Italian Press Commission with respect to books are referred to APB for rectification.
 - b) That books approved by the Italian Press Commission will in no way violate Allied Military Censorship regulations or contain anything prejudicial to the Allied cause.
 - c) That APB be informed of the amount and kind of paper involved and where located.

- 2) One copy of all printed matter to be sent to Allied Military Censors by Italian Press Commission.

16M

SECRET
U.S. GOVERNMENT PRINTING OFFICE
1945 O-380-000
ROME

21 July 44.

His Excellency,
The Under-Secretary for Press and Information,
Rome.

Your Excellency,

In notifying its approval of the text of the Circular Letter to the Prefects on the new Press Law, the Allied Publications Board, in accord with the Allied Control Commission, desire me to communicate the following as arranged:

The Mandate and authority assigned to the Allied Publications Board by Allied Force Headquarters in Administrative Memorandum No. 89, and amendments, remain inviolate and unaffected. Copies of Order 89 and all amendments to date are attached hereto in addition to the copies which have been sent to the Italian Government in the past.

In keeping with paragraph 3a of Administrative Memorandum 89 the Allied Publications Board agrees that the Royal Italian Government will set up an Italian Press Commission under the Chairmanship of the Under-Secretary of Press and Information to perform the functions in Royal Italian territory hitherto performed by Local Allied Publications Boards.

A representative of APB will attend the meetings of the Italian Press Commission as observer and consultant only. A representative of the Italian Government will likewise attend the meetings of APB as observer and consultant.

The Secretariat of the Italian Commission will ensure that a copy of each successive agenda reaches the Executive Secretary of APB seven days before each sitting of the Italian Commission.

The Minutes and decisions of the Italian Commission will be sent after each meeting to APB for approval and ratification, such approvals and ratifications being there-

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The Secretariat of the Italian Commission will ensure that a copy of each successive agenda reaches the Executive Secretary of APB seven days before each sitting of the Italian Commission.

The Minutes and decisions of the Italian Commission will be sent after each meeting to APB for approval and ratification, such approvals and ratifications being thereafter put into executive effect by the Italian Commission or its delegates in Royal Italian territory.

Any decision not approved or ratified by APB will be re-examined by the Italian Commission in the light of APB's objections.

Dispositions, present and future, by the Allied authorities for Military Censorship remain unaffected by this exchange of letters. Dispositions, present and future, for organs directly or indirectly under editorial control of INC, PWB, likewise remain unaffected. They remain the responsibility of Allied Force Headquarters.

(Sgd) I. S. MUNRO, Lt. Col.,
Executive Secretary, APB.

This is to confirm the contents of the above letter and to agree to the fulfillment of its contents. (sgd).....

4009/2

(ISA)

PUBLIC RELATIONS BRANCH
ALLIED CONTROL COMMISSION

PRB/R3

18 October 1944.

TO: Colonel Wilmer, Legal Sub-Commission.

FROM: Public Relations Branch.

I note that Mr. Caccia has sent you a draft on the news agency, radio, and film problems. My own view is that he is over-simplifying the issues chiefly because he has not had the time to go into the various ramifications of these problems. To say that institutions are not Fascist because the Bonomi govt is in power, or the Bonomi government is "free" to do what it likes, is to shut one's eyes to the real fact that the Bonomi govt is doing nothing and allowing the continuation or re-establishment of Fascist institutions. We certainly can keep to the letter of the Armistice terms and shut our eyes: I think we ought to do better.

The attached draft was written by me in an effort to get myself into line with Caccia's arbitrary "divisions": I do not particularly like it because I doubt if such divisions exist in fact: but it may fill some gaps which Caccia leaves open.

Lionel Fielden

LIONEL FIELDEN,
Major,
Public Relations Director.

Can you very kindly return his draft as
it is my only copy.

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17 October 1944

1. The question has recently arisen of what the attitude of the ~~allied~~

should be to various proposals which are being put forward on the Italian

side as well as by EFB for the re-establishment of independent Italian

industry. ^{of press news} ~~agencies to run a/ agency, a broadcasting system and the film / industry.~~

~~some allied control is lifted.~~

2. The scope of the Allied Control Commission is laid down in Article 37

of the Amintore in which it is "charged with regulating and executing the

present Instrument (i.e. the Amintore) under the orders and general direc-

tions of the Allied Commander-in-Chief". ^{Directly pertinent} ~~The~~ articles of the

Amintore are Articles 16 and 30 which read as follows:-

" 16

~~16~~ No radio or telecommunication installations or other

forms of intercommunication service or effort under Italian con-

rol, whether belonging to Italy or any nation other than the

United Nations, will transmit until directions for the control

of these installations have been prescribed by the Allied Com-

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2. The scope of the Allied Control Commission is laid down in Article 37 of the Armistice in which it is "charged with regulating and executing the present Instrument (i.e. the Armistice) under the orders and general directions of the Allied Commander-in-Chief". ^{Directly, pursuant} The ~~15~~ articles of the

Armistice are Articles 15 and 30 which read as follows:-

"16

~~SECTION:~~ No radio or telecommunication installations or other

forms of intercommunication ashore or afloat under Italian con-

trol, whether belonging to Italy or any nation other than the

United Nations, will transmit until directions for the control

of these installations have been prescribed by the Allied Com-

mander-in-Chief. The Italian authorities will conform to such

measures for control and censorship of press and of other pub-

lications, of theatrical and cinematograph performances, of

broadcasting, and also of all forms of intercommunication as

the Allied Commander-in-Chief may direct. The Allied Comander-

in-Chief may, at his discretion, take over radio, cable and

other communication stations."

THIRTY: All fascist organizations, including all branches of the Fascist Militia (MVSI), the Secret Police (OVRA) and Fascist Youth Organizations will, in so far as this is not already accomplished, be disbanded in accordance with the directions of the Allied Commander-in-Chief. The Italian Government will cooperate with all such further directions as the United Nations may give for abolition of Fascist institutions, the dismissal and internment of Fascist personnel, the control of Fascist funds, the suppression of Fascist ideology and teaching.

3. In applying these Articles to a news agency, ^{or other similar} broadcasting station or the film industry it is convenient to divide the problem into two distinct parts

INDEX:-

- (A) The control of output, whether of news, broadcast programs ^{or films,} to conform with the general propaganda requirements of the ^{and other} Allied Commander in Chief
- (B) and Censorship have under Article 16 dealt with this, ^{as} expected and will no doubt continue to do so so long as ^{is} ~~is~~ ^{permitted by the Allied Commander in Chief} ~~is~~ ^{the} policy of the Allied Com-

ply with all such further directions as the United Nations may give for abolition of Fascist Institutions, the dismissal and internment of Fascist personnel, the control of Fascist funds, the suppression of Fascist ideology and teaching.

3. In applying these Articles to a news agency, ^{or general system of} broadcasting system ^{Party} or the film industry it is convenient to divide the problem into two distinct

issues:-

(A) the control of output, whether of news, broadcast programs or films, to conform with the general propaganda requirements of the ^{United Nations} Allied-Authorities.

^{and then} FCB and Comorbip have under Article 16 dealt with this aspect and will no doubt continue to do so so long as ^{permitted by the Allied Comorbip} ~~it~~ ^{is} the policy of the Allied

~~authorities to carry out the functions strictly in accordance with Article 16.~~

^{structure of the machine} (B) The other side of the question is the ^{mechanism} ~~method~~ by which news or

programs or films are put over. At the moment the actual position is that FCB run a monopolistic news service called the United Nations News Service; that they have taken over the Eiar Italian Broadcasting System but have come

^(Excluded from FCB) to an agreement with Eiar in June last to leave administration ^{in the hands}

of that Italian Corporation; that the Italian Film Industry is at present

conspicuous protection

at a standard and that all films shown are either approved old stock or

importations from Allied sources, or *foreign* newspapers or periodicals locally
under PW is supervision

4. The principle question that arises for the future is whether the

Italians should be entirely free to set up whatever institutions they *check*

for for ~~news~~ *news* or *news* ~~system~~ *system* or a film industry, when ~~the~~ with-

ness. Before taking each in turn the legal opinion of the Allied Control

Commission *(aside from matters affecting the military situation,* is that *our* rights under the Amistice) are restricted to Article

30, that is, the abolition of fascist institutions. Provided that this is

done we are advised by the Chief Legal Adviser that the Amistice does not

of itself give us the right to *require* *and* *structure* establish any particular *institutions*.

5. News Agency. In this case the only existing news agency being the

Allied United Nations News Service ~~the~~ *application of* Article 30 does not

apply ~~to~~ *apply* The Italians are, therefore, free so far as the Amistice ~~is~~ *concerned*

to set up any form of news agency *or* *agency* that they think fit provided that they do

not create a "fascist institution." In view of the composition of the pre-

sent Government, this ~~can~~ *can* presumably be ~~aided~~ *aided* ~~cut~~ *cut*, there is nothing in

aside from matters affecting the military situation, Commission, as that your rights under the Amnisties are restricted to Article 30, that is, the abolition of Fascist Institutions. Provided that this is done we are advised by the Chief Legal Advisor that the Amnisties does not of itself give us the right to ^{require} establish any particular institution.

5. New Agency. In this case the only existing news agency being the Allied United Nations News Service ~~the explanation of Article 30 does not~~

^{apply} ~~apply~~. The Italians are, therefore, free so far as the Amnisties ^{is} concerned to set up any form of news agency, ^{or agencies} that they think fit provided that they do not create a "Fascist Institution." In view of the composition of the present Government, this ~~can~~ ^{can} presumably be ruled out ^{and unless the case} there is nothing in the Amnisties to prevent the Italian Government from deciding as they wish ^{from authorizing the establishment}

the question of how much, if any, of the mechanism or personnel of the Nations News Service they may wish to take over, ^{should be taken over as released by PWTB under} when this withdrawal, as a matter of policy, however, ^{subject to} though not of Amnisties right, the Allied Comandante feel strongly that the Allies should resist any attempt exclusive contracts by whatever agency is set up by the Italians.

This applies not only to the gathering and dissemination of local news but also to the gathering of local news for consumption and dissemination of foreign news within Italy.

Generalissimo

Amnisties

6. Broadcasting System. As the Charter of EIAR was granted by the Fascist Government in November 1927 the applicability of Article 30 does arise.

question of the

The personnel should not only be defascistized in accordance with the Government decree for defascistization, but also the question arises whether the

Corporation is a "Fascist Institution" within the meaning of Article 30, and, if so, what shall be done. As to that, EIAR is itself a subsidiary of ^{the Government controlled body} IAL,

^{by the} for which horizontal ^{independent of each} ~~combine~~, the Italian Government have already appointed

a ^{Commissioner} commissioner. The existence of one broadcasting organization controlled

by the Government does not of itself make the organization a Fascist organization

^{unless formed and} ~~in~~ the manner in which it is con-

ducted. It is the view of the AGO that their role in this matter should be

a negative one, i.e. to prevent the Italians from ^{continuing} ~~establishing~~

a Fascist Institution. We understand this obligation in the following sense:

If on examination the documents creating EIAR or IRI or regulating the activities

or functions of these two organizations are found to contain politically

undemocratic and ~~unacceptable~~ restrictions, such restrictions should be removed

if not sufficiently broad should be amended to

the same document is not sufficiently broad should be amended to

for better or for ill
for which horizontal controls the Italian Government have already appointed
Commissioner
a commissioner. The existence of one broadcasting organization controlled

by the Government does not of itself make the organization a Fascist organization
inhibition
-tion. It is rather the matter of its *legal format* *only* the manner in which it is con-

ducted. It is the view of the ACC that their role in this matter should be
a negative one, i.e. to prevent the Italians from *creating* ~~establishing~~
a Fascist Institution. We understand this obligation in the following sense:

If on examination the documents creating ENI or IRI or regulating the activities
or functions of these two organizations are found to contain politically
undemocratic ~~and undesirable~~ restrictions, such restrictions should be removed

and likewise the documents if not sufficiently broad should be amended to
give the greatest freedom from control by the Government *of interest that should be protected* or any particular
party of ~~programs or~~ *structure of broadcast system* political policies. Apart from this obligation it is

not up to us to force any particular selection upon the Italian Authorities.
Mr. Johnson
No doubt they may seek or PRR may offer recommendations on what the solution

should be, but these would be recommendations and not instructions.
in addition to the Commission to be formed to study the
7. Films. Much the same arguments apply to the future structure of the
to be prepared
film industry since ~~most~~ of the film industry is run by various subsidiaries
of IRI. In the opinion of the Central Commission ~~these~~ *these* attitude should be
respective as in the case of the broadcasting system.

With the same message as in the previous report
Commercial
5 page 5

Proposed by
at least
in addition

PUBLIC RELATIONS BRANCH
ALLIED CONTROL COMMISSION

FRR/R 2

17 Oct 1944.

Acting Chief Commissioner
(Copy to: Chief of Staff
Political Section)

DRAFT RECOMMENDATIONS IN THE FORM SUGGESTED BY MR CACCIA

Considerable activity is now developing in the field of the Italian press, radio, and film industry; and it would appear that some clarification of the powers and function of the Allied Control Commission in this field is needed.

In each case the problem may be divided under three heads, viz:

- (a) Present control
- (b) Separation of personnel
- (c) Future structure.

It would seem that the present control of all means of propaganda properly belongs to the PWB, although there exists some doubt on certain points e.g. the control of news agency matters, the control of theatres, the control of Italian film production.

The separation of personnel is controlled in theory by the Italian Government but it is clear from experience that the ACC cannot dissociate itself entirely from this, and that the process needs watching and checking. This, as will be shown, involves questions touching both present control and future structure.

Future structure involves questions such as the establishment of an Italian news agency, the disposition of the assets, equipment and buildings of the Stefani Agency, the revocation (or continuation) of the charter and monopoly of the FIAP, the disposition of the assets, equipment and buildings of parasital film concerns such as LUCE, ENIC, CERI etc, the re-publication or veto of large newspapers such as Il Messaggero, Il Giornale d'Italia, La Tribuna etc, and, last but not least, the whole question of the powers and duration of appointment of Commissari, who, though providing a convenient means of temporarily controlling Fascist concerns, may also be regarded, if the powers and duration of their appointment are unlimited, as constituting the nucleus of a complete Government monopoly.

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15c

- (a) Present control
- (b) Separation of personnel
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It would seem that the present control of all means of propaganda properly belongs to the FVB, although there exists some doubt on certain points e.g. the control of news agency matters, the control of theatres, the control of Italian film production.

The separation of personnel is controlled in theory by the Italian Government but it is clear from experience that the ACC cannot dissociate itself entirely from this, and that the process needs watching and checking. This, as will be shown, involves questions touching both present control and future structure.

Future structure involves questions such as the establishment of an Italian news agency, the disposition of the assets, equipment and buildings of the Stefani Agency, the revocation (or continuation) of the charter and monopoly of the RAI, the disposition of the assets, equipment and buildings of para-statal film concerns such as LUCE, ENIC, CEPI etc, the revocation or veto of large newspapers such as Il Messaggero, Il Giornale d'Italia, La Tribuna etc, and, last but not least, the whole question of the powers and duration of appointment of Commissari, who, though providing a convenient means of temporarily controlling Fascist concerns, may also be regarded, if the powers and duration of their appointment are unlimited, as constituting the nucleus of a complete Government monopoly.

The various problems, together with the Allied Control Commission's recommendations for dealing with them, are as follows:-

(1) Radio.

(a) Present control. All Italian radio has been and is completely controlled by the FVB. It is presumed that under the powers conferred upon it, the FVB cannot delegate this control without reference to AFHQ. The Italian Government has, before and since August 15, requested that either time or transmitters be allotted to it, and it would seem that some such allotment will have to be considered before very long. The FVB has put forward a plan for the allocation of musical programmes only, with severe limitations, to Italian Jurisdiction as a first measure, all spoken programmes being retained by the FVB. (This measure was actually carried out on October 1). The ACC dissenters from this plan on the ground that it is a half-measure which will please nobody and that in fact it would pass on a slight measure of control not to the Italian Government but to the present employees of FVB who are clearly under

suspicion of endeavoring to perpetuate a monopoly of their own. The ACC is of the opinion that under war conditions a legal case can be made for the retention of control over all radio transmissions, but that, as soon as military necessity permits, a complete hand-over should be made. It must be added that very considerable differences of opinion have developed between PWB and ACC in this field, the ACC having insisted on the re-instatement of personnel dismissed by PWB for having criticized programmes.

(b) Evolution. The Evaporation Committee was formed in August. Up to the time of writing it has considered 14 cases only and no final action has been taken in any single case. It must therefore be questioned whether Busca, the Commissario appointed, is fulfilling his functions.

(c) Structure. The EIAR is described in the Fascist annual of 1939 as "radiating to the furthest continents the irrefutable truths which derive from the genius of the Duce and the realization of Fascism." The Charter of the EIAR was laid down by the Fascist Government in November 1927. It can hardly therefore be denied that it is a Fascist institution for Fascist ideology and thus falls under Art 30 of the Armistice Terms, under para 3 point 3 of the Moscow declaration and under the declaration of the Badoglio Government made on 13 November 1943. The Allied Control Commission therefore suggests that there is full justification, and even under present circumstances urgent necessity, for the formation of an Allied-Italian Board, including representatives of ACC, PWB, Italian Education, Press and Industry, to make recommendations on the methods of supervising, controlling and administering the radio services of Italy as soon as they are handed over to Italian jurisdiction.

(2) News Agency.

(a) Present control. The control and distribution of news is at present in the hands of the PWB through its United Nations News Service. The Italian Government has asked for permission to establish an Italian news agency. It is understood that various negotiations are now on foot between PWB and Reuters, which has a contract with PWB, and between AP and the Association of Italian Editors, who are shortly to put forward a definite proposal. It has further been stated that some PWB officials have imposed on the Italian Editors Association the condition that they should take over UNNS staff and equipment, which they are disinclined to do. Although present control over news is effective, it is clear that the UNNS does not, and is not likely to, provide for very long a substitute for an Italian agency carrying Italian news, and the natural tendency of the Italian Government

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and the realization of Fascism." The Charter of the PNR was laid down by the Fascist Government in November 1937. It can hardly therefore be denied that it is a Fascist institution for Fascist ideology and thus falls under Art 30 of the Armistice Terms, under para 3 point 3 of the Moscow declaration and under the declaration of the Badoglio Government made on 13 November 1943. The Allied Control Commission therefore suggests that there is full justification, and even under present circumstances urgent necessity, for the formation of an Allied-Italian Board, including representatives of ACC, PWB, Italian Education, Press and Industry, to make recommendations on the methods of supervising, controlling and administering the radio services of Italy as soon as they are handed over to Italian jurisdiction.

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68

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(b) Separation. This does not arise unless and until an Italian news agency is formed. Questions which will then arise will be

- (i) Should a Commissario be appointed by the Italian Government to deal with the Stefani property?
- (ii) Should a special Separation Committee be set up to deal with the personnel of any agency formed?

(c) Future structure. In this as in other fields the Allied Control Commission feels that an effort should be made to avoid the recreation of monopolies of a Fascist type, which can be used to direct public opinion in an authoritarian manner. On the other hand it is felt that the Italians should be allowed the greatest possible latitude in establishing their own democratic structures. In the case of a news agency this would mean only that the United Nations, acting through the ACC, would favour a proposal of a cooperative and representative kind more than a proposal emanating from or controlled by a

single group, party, or Government.

Further the ABC would resist all exclusive contracts which might tend to be made for the import, export and distribution of news, and would endeavour to see that the field is left open for a free and normal interchange of information without, of course, subjecting Italy to a complete monopoly of foreign news services.

(3) Film Industry.

(a) Present control. The distribution of films is controlled by PWB and no Italian companies are actually operating, though it must be recognized (1) that Italian film organizations, some of them Fascist, are operating in the field of distribution and circuits and (2) that Italian units are growing up and operating nearly autonomously under PWB. It is in fact very doubtful whether PWB can fully control at the present time all the film circuits of Italy, Sicily and Sardinia and it must be recognized that strong agencies are at work to undermine such control. A situation is developing in which the better elements of the Italian cinema are being excluded and big business (both Italian and Allied, including Russian) is attempting either (a) to swamp any possibility of an Italian industry by wholesale film importation, or (b) to seize the immense assets of Cinecitta, LUCE, SAGIC etc and build a new monopoly, or (more probably) (c) both. The present policy of showing English and American films, in English and American, to Italian audiences is sheer idiocy (and a subject of music-hall jokes) and the process of dubbing adopted in some instances is far too long to meet the demand.

(b) Reparation. A Committee of Reparation was formed in September and has so far considered 6 names and taken action on none. More serious, Vincenzo Galvino, formerly Head of Division IV (cinema) in the Fascist Government, has been appointed Commissario of the LUCE. The appointment was made by M. E. Spataro, who was himself Consigliere d'Amministrazione of the Societa Generale Italiana Cinematografica directed by Pavia, who still associates with Spataro and also with Lombroso, one of the best known Fascist film directors, now down for reparation.

(c) Future structure. Films, like the press and the radio, will play an immense part in the re-education or re-fascistization of Italy. It seems useless to have formed an Education sub-Commission and spent much labour in separating thousands of teachers and much money in printing millions of text-books, if the cinema is to be left in its original Fascist structure with little or no reparation. But it is, the Allied Control Commission believes, quite impossible even to permit

the present time all the film circuits of Italy, Sicily and Sardinia and it must be recognized that strong agencies are at work to undermine such control. A situation is developing in which the better elements of the Italian cinema are being excluded and big business (both Italian and Allied, including Russian) is attempting either (a) to swamp any possibility of an Italian industry by wholesale film importation, or (b) to seize the immense assets of Cinecitta, LUCE, etc and build a new monopoly, or (more probably) (c) both. The present policy of showing English and American films, in British and American, to Italian audiences is sheer idleness (and a subject of music-hall jokes) and the process of subbing adopted in some instances is far too long to meet the demand.

(b) Epuration. A Committee of Epuration was formed in September and has so far considered 8 names and taken action on none. More serious, Vincenzo Calvino, formerly Head of Division IV (cinema) in the Fascist Government, has been appointed Commissario of the LUCE. The appointment was made by R. S. Spataro, who was himself Consigliere d'Amministrazione of the Societa Generale Italiana Cinematografica directed by Proia, who still associates with Spataro and also with Lombro, one of the best known Fascist film directors, now down for epuration.

(c) Future structure. Films, like the press and the radio, will play an immense part in the re-education or re-fascistization of Italy. It seems useless to have formed an Education sub-Commission and spent such labour in equating thousands of teachers and such money in printing millions of text-books, if the cinema is to be left in its original Fascist structure with little or no epuration. But it is, the Allied Control Commission believes, quite impossible even to permit the building by Italians of a foundation for a better structure unless the whole film industry in Italy is carefully examined and recommendations made to exclude from it at any rate the most glaring examples of corruption and monopoly. The interests in this field are so powerful - and international - and the potential prizes at the moment so great, that a laissez-faire policy will almost certainly lead to disaster. The ICC therefore strongly recommends that here, as in the field of radio, an Allied-Italian commission be set up without delay to enquire into the present situation, assets, potentialities and personnel of the industry, to make recommendations as to its future control, and to advocate a policy for the export and import of Italian and foreign films.

LIONEL FIELDEN,
Major,
Public Relations Director.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ACC/4000/2/L.

/rlp.
29 September 1944.

SUBJECT : Draft Italian Press Law.

TO : Allied Publications Board, Room 108, 62 Via Veneto, ROME.

1. Reference your letter 20 Sept 44, unnumbered.
2. I noted the minutes of the meeting; also the comments on these minutes made by Brigadier Upjohn to which I agree. Otherwise the minutes seem to be substantially correct. I did comment on the lightness of penalties generally; if these penalties were supposed to bring about a deterrent effect, I should think that could be mentioned to the Italian Government as a general proposition.
3. As to the letter to be written to ACC, the scope of it seems to be somewhat increased in the minutes. However, that is a matter we can work out at the proper time.
4. As soon as you can ^{again} make the revised text I would like to see it. At that time I can prepare draft of letter.

RICHARD H. WILMER,
Colonel, GAC,
Chief Legal Officer.

✓
6009/2

13A

OFFICE OF THE CENTRAL
A L L I E D P U B L I C A T I O N S B O A R D

Room 108, 62 Via Veneto
ROME

28 September 44.

SUBJECT : Draft Italian Press Law.

TO :	Colonel Wilmer. ✓	Major Fielden.
	Mr. Dowling.	Major Alexander.
	Mr. Caccia.	Major Colville.
	Mr. Schott.	

1. On 20 September, minutes of meeting held 15 September were distributed together with recommendations in connection with "Draft of a Circular to Prefects", for your written approval.

2. As further action is being delayed, pending receipt of your reply, we would appreciate hearing from you as soon as possible.

I. S. Munro

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I. S. MUNRO, *I.S.M.*
Lt. Col.,
Executive Secretary.

LEGAL SUB-COM
→ CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS

4009/2

File

12A

OFFICE OF THE CENTRAL
ALLIED PUBLICATIONS BOARD

Room 108, 62 Via Veneto
ROME

20 September 44.

SUBJECT : Draft Italian Press Law.

TO :	Mr. Edman.	Mr. Schott.
	Brigadier Upjohn.	Lt. Col. Brown.
	Colonel Wilmer. ✓	Major Fielden.
	Mr. Dowling.	Major Alexander.
	Mr. Hopkinson.	Major Colville.
	Mr. Caccia.	Mr. Minifie.

1. I enclose Minutes of Special Meeting on the above subject, held on 15 September.

2. With reference to para (g), page one, of these Minutes, I enclose the recommendations for your written approval.

3. On receipt of your approval, the matter of the Exchange of Letters referred to in the Minutes will be taken up with Brigadier Upjohn and Colonel Wilmer.

I. S. MUNRO,
Lt. Col.,
Executive Secretary.

LEG. COUNCIL	
DCLO	✓
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	

4009/2 sec

17A

DRAFT LEGISLATION FOR THE PRESS

TITLE I

- Art. 1) - The Press is free. Offences committed by means of the Press shall be punishable under the ordinary penal laws.
- Art. 2) - For offences committed by means of the periodical press the author of the article is answerable however when the article is not signed or the author cannot be identified such responsibility is borne by the Director or Editor concerned. For offences committed in non periodical publications the author is answerable, if the article is not signed or the author cannot be identified, the publisher and when the publisher cannot be traced the printer, in order that one person shall always be held responsible in the absence of the other. However the ordinary provisions (of the law) on persons cooperating in an offence shall also apply.
- Art. 3) - The author of the article and the owner of the publication are jointly liable for damages claimable for offences committed by means of the press, in their absence the publisher or the printer, if the publisher is not traceable.
- Art. 4) - Periodical publications must bear the names of the Director, the responsible editor and the printer together with the date of publications. Non periodical publications must bear the names of the publisher and printer and the date of publication. Furthermore all daily newspapers and similar periodicals must show the name of the owner. When the owner is a Company the list of directors must appear once a month. All periodicals issuing less than twelve numbers yearly, shall publish the list above referred in every other number.

the author is answerable, if the article is not signed or the author cannot be identified, the publisher and when the publisher cannot be traced the printer, in order that one person shall always be held responsible in the absence of the other. However the ordinary provisions (of the law) on persons cooperating in an offence shall also apply.

Art. 3) - The author of the article and the owner of the publication are jointly liable for damages claimable for offences committed by means of the press, in their absence the publisher or the printer, if the publisher is not traceable.

Art. 4) - Periodical publications must bear the names of the Director, the responsible editor and the printer together with the date of publications. Non periodical publications must bear the names of the publisher and printer and the date of publication. Furthermore all daily newspapers and similar periodicals must show the name of the owner. When the owner is a Company the list of directors must appear once a month. All periodicals issuing less than twelve numbers yearly, shall publish the list above referred in every other number.

TITLE II

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Art. 5) - The owner of a newspaper or other periodical must:

- a) - keep an appropriate and separate register of all the copies printed and issued;
- b) - keep an appropriate and separate register of all paid advertisements in order that the number of insertions and the cost thereof shall clearly appear;
- c) - annex to their balance sheet a summary of all accounts of revenue other than those indicated at a) and b);
- d) - deposit at the Registry of Tribunals having territorial jurisdiction an annual balance sheet not later than 40 days after its completion and its approbation if this is required (by statutes), together with the registers specified at a) and b) and the summary at c).

The balance sheet, registers and annexes above referred must show directly underneath the last entry the declaration by the person responsible for effecting the deposit that such balance sheet registers and annexes are genuine and true.

11.

The above mentioned regulations applicable in the case of commercial companies shall not exclude the provisions of the Civil Code in this matter, which shall also remain in force.

Art. 6) - The deposit referred to in ^{the} precedent article shall be announced in the newspaper or periodical concerned in the first number appearing after such deposit has been effected.
The registers specified in a) and b) shall not be removed from the Registry until 30 days from the date of the said announcement in the newspaper shall have elapsed.

Art. 7) - Under the penalty of being declared null and void, deeds for the constitution of Companies or Association having for principal and accessory purpose the publication of newspapers or periodicals must be passed by public act or under private seal.
Such deeds must be registered within the time limits set out in the existing legislation on Registration Taxes, under the penalty of being declared null and void.
Registration offices, Notaries, registrars and in general all public officials with whom may be deposited originals or copies of the deeds above referred to are legally bound to produce these to any person making such request and also to supply to such persons at their request and expense, copies of the said deeds on unstamped paper.

Art. 8) - Violation of the provisions set out in the precedent articles shall be punishable by a fine not exceeding Lira 50000.

However the provisions of Art. 5 and 6 shall not apply to publications issued by the public administration, scientific, artistic or literary bodies legally constituted, religious bodies recognized by the State, nor to scientific and literary periodicals.

Art. 9) - No newspaper and periodical published in Italian language may accept any direct or indirect subsidy in any form whatsoever from a foreign government. The violator shall be liable to a penalty of imprisonment (arresto) up to one year.

TITLE III

Art. 10) - Simultaneously with the act of distribution or

newspapers or periodicals must be passed by public act or under private seal. Such deeds must be registered within the time limits set out in the existing legislation on Registration Taxes, under the penalty of being declared null and void. Registration offices, notaries, registrars and in general all public officials with whom may be deposited originals or copies of the deeds above referred to are legally bound to produce these to any person making such request and also to supply to such persons at their request and expense, copies of the said deeds on unstamped paper.

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However the provisions of Art. 5 and 6 shall not apply to publications issued by the public administration, scientific, artistic or literary bodies legally constituted, religious bodies recognized by the State, nor to scientific and literary periodicals.

Art. 9) - No newspaper and periodical published in Italian language may accept any direct or indirect subsidy in any form whatsoever from a foreign government. The violator shall be liable to a penalty of imprisonment (arresto) up to one year.

TITLE III

Art. 10) - Simultaneously with the act of distribution or delivery of any printed matter to the consignee the printer shall have the duty to transmit four copies to the Procuratore del Regno at the Tribunale within whose territorial jurisdiction the printing plant is located.

Art. 11) - Of the four copies received, the Procuratore del Regno shall retain one for his own archives, and shall transmit one to the National Library of Florence, one to the library Vittorio Emanuele of Rome and one to the nearest public library through the competent purveyor for studies.

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Art. 12) = whoever violates the provisions of the preceding article shall be punished by a fine (ammenda) up to 10,000 Lira.

TITLE IV

Art. 13) = Simultaneously with or subsequent to the initiation of penal proceedings the competent judge may order sequestration of printed matter containing an offence against the honour of the Head of the State, His Holiness The Pope, the Heads and representatives of foreign States or vilification of the State religion or of admitted religious denominations, and apology of a crime or an instigation to a crime.
Such sequestration of printed matter may also be ordered in case of offences to morality.

Art. 14) = Furthermore such sequestration may be ordered in case of a printed matter reproducing acts of penal pretrial investigation or reports of hearings conducted before a court in camera or reports on secret sessions of legislative assemblies.

Art. 15) = A preventive sequestration of printed matter may not be ordered under any circumstances.

Art. 16) = The offences set out in Art. 13 shall in any case fall within the jurisdiction of the Court of Assize.
The ordinary rules determining jurisdiction shall apply, as far as proceedings are concerned, for all other offences or for contraventions committed by means of press.

Art. 17) = Contraventions to the provisions contained in this decree of the Lieutenant General shall be subject to prescription (statute of limitation) after three months.

TITLE VI

TRANSITIONAL PROVISIONS

Art. 19) = The following transitional provisions shall remain in

in case of offences to morality.

- Art. 14) = Furthermore such sequestration may be ordered in case of a printed matter reproducing acts of penal pretrial investigation or reports of hearings conducted before a court in camera or reports on secret sessions of legislative assemblies.
- Art. 15) = A preventive sequestration of printed matter may not be ordered under any circumstances.
- Art. 16) = The offences set out in Art. 13 shall in any case fall within the jurisdiction of the Court of Assize. The ordinary rules determining jurisdiction shall apply, as far as proceedings are concerned, for all other offences or for contraventions committed by means of press.
- Art. 17) = Contraventions to the provisions contained in this decree of the Lieutenant General shall be subject to prescription (statute of limitation) after three months.

TITLE VI

TRANSITIONAL PROVISIONS

- Art. 19) = The following transitional provisions shall remain in effect until the termination of the state of war, but as long as the exigencies of the war so require.
- Art. 20) = Whoever wishes to continue or commence the publication of a newspaper or other periodical shall have the duty to obtain an authorization upon application directed to the Prefecture of the Province, in which the publication takes or is to take place.
- Art. 21) = Such application shall be adjudicated by a National Commission for the Press with seat at Rome to which in addition shall be delegated the power to suspend or revoke the authorizations already granted.
- Art. 22) = The National Commission for the Press shall be presided over by the Secretary of State for the Press or by a person delegated by him, and shall be composed of six representatives.

of the National Press Federation, of one representative of the Association of daily newspapers, and of one representative of the Association of books and reviews, of one official representing the following departments: Ministry of Interior, Ministry of Foreign Affairs, Ministry of Finance and Justice, Ministry of Public Instruction, Ministry of Industry, Commerce and Labour and of two officials of the Undersecretariat for Press.

The members of the Commission shall be appointed by a decree of the Presidency of the Council of Ministers.

Art. 23) - All or some of the powers of the National Commission for Press may be delegated to Regional of Interregional Commissions by a decree of the Presidency of the Council of Ministers issued in agreement with the National Commission for Press.

Art. 24) - The authorization, suspension and revocation of the publication shall be ordered by a decree of the Prefect in conformity with the decision of the National or Local Commission.

Art. 25) - The publication of news and comments of military character or which may have any relation whatsoever to military topics shall be subject to preventive censorship.

Art. 26) - The contraventions of the provisions contained in the present title shall be punishable by penal servitude (reclusione) up to 6 months and by a fine (ammenda) up to 50000 Lira.

Simultaneously with the commencement of the penal proceeding the judicial authority may order a sequestration of printed matter containing news the divulgence of which has been prohibited.

The sequestration of printed matter published in conformity with the provisions of this decree may not be ordered except in cases contemplated in Arts. 13 and 14 and by the preceding para. of this article.

Art. 27) - The printer shall have the duty to forward one copy to the Prefettura in addition to the copies referred to in Art. 10.

Art. 28) - The present decree of the lieutenant general becomes effective on the day subsequent to its publication in the Gazzetta Ufficiale.

Art. 24) - The authorization, suspension and revocation of the publication shall be ordered by a decree of the Prefect in conformity with the decision of the National or local Commission.

Art. 25) - The publication of news and comments of military character or which may have any relation whatsoever to military topics shall be subject to preventive censorship.

Art. 26) - The contraventions of the provisions contained in the present title shall be punishable by penal servitude (reclusione) up to 6 months and by a fine (ammenda) up to 50000 Lire.

Simultaneously with the commencement of the penal proceeding the judicial authority may order a sequestration of printed matter containing news the divulcation of which has been prohibited.

The sequestration of printed matter published in conformity with the provisions of this decree may not be ordered except in cases contemplated in arts. 13 and 14 and by the preceding para of this Article.

Art. 27) - The printer shall have the duty to forward one copy to the Prefettura in addition to the copies referred to in Art. 10.

Art. 28) - The present decree of the lieutenant general becomes effective on the day subsequent to its publication in the Gazzetta Ufficiale.

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DEPT CIRCULAR TO PROPRIETORS FOR THE APPLICATION
OF THE PRESS LAW

The transitional provisions of the new press law provide that whoever wishes to continue or initiate the publication of a newspaper or other periodical must obtain an authorization to be issued upon application to the Prefecture of the Province in which the publication takes or is to take place.

The application for authorization shall be submitted in duplicate and shall contain the data set out in the attached form A, to wit:

- (a) title and place of publication;
- (b) purpose of the publication;
- (c) financing of the undertaking
- (d) political tendency, if any;
- (e) the periods in which the publication will appear;
- (f) the selling price
- (g) the seat of the Director's office and of the administration;
- (h) name, surname and address of the Director and, in case he does not assume the responsibility, the name, surname and address of the responsible editor;
- (i) name, surname and address of the administrative director;
- (l) name, surname and address of the proprietor or proprietors;
- (m) name, surname and address of the publisher;
- (n) name, surname and address of the printing establishment and of its director;
- (o) number of copies;
- (p) size and number of pages;
- (r) estimate of paper requirements with the indication of the place where it is thought the paper will be available;
- (r) quantity of paper already on hand at the time of the application and the place where it is thought to be available.
- (s) estimate of monthly indents for paper (with indication whether in sheets or in rolls).

The application of books, pamphlets and non-periodical printed matter serving commercial and industrial publicity purposes is free provided that no request is made for allotment of paper or unfreezing of blocked paper lots. In the latter cases an application must be made by the publisher for the publication to be authorized and must be accompanied by a synopsis not exceeding 500 words.

The application must contain the data set out in form C a copy of which is attached, to wit: the data enumerated above under (a), (b), (c), (d), (f), (l), (m), (n) (q) and (r) of form A the following:

- 1) name, surname and domicile or residence of the publisher or publishers;
- 2) name, surname and domicile or residence of the author, director or

(f) the selling price
(g) the seat of the director's office and of the administration;
(h) name, surname and address of the director and, in case he does not assume the responsibility, the name, surname and address of the responsible editor;

(i) name, surname and address of the administrative director;
(l) name, surname and address of the proprietor or proprietors;
(m) name, surname and address of the publisher;

(n) name, surname and address of the printing establishment and of its director;
(o) number of copies;

(p) size and number of pages;
(q) estimate of paper requirements with the indication of the place where it is thought the paper will be available;

(r) quantity of paper already on hand at the time of the application and the place where it is thought to be available;
(s) estimate of monthly indents for paper (with indication whether in sheets or in rolls).

The application of books, pamphlets and non periodical printed matter serving commercial and industrial publicity purposes is free provided that no request is made for allotment of paper or unfreezing of blocked paper lots. In the latter cases an application must be made by the publisher for the publication to be authorized and must be accompanied by a synopsis not exceeding 550 words.

The application must contain the data set out in form C a copy of which is attached, to wit: the data enumerated above under (a), (b), (c), (d), (e), (f), (l), (m), (n) (q) and (r) of form A the following:

- 1) name, surname and domicile or residence of the publisher or publishers;
- 2) name, surname and domicile or residence of the author, director or of the person who compiled the publication;
- 3) number of copies to be printed.
- 4) size and number of pages.
- 5) estimate of quantity and type of required paper.

All the applications shall be investigated by the Prefettura for the purpose of verifying the data contained therein and transmitted with every possible speed with an opinion setting forth the reasons to the National Press Commission at the Undersecretariat for Press and Information or to the competent Regional or Interregional Commission, if any.

The Prefettura shall adjudicate directly applications for authorization in respect of pamphlets and non periodical printed matter serving commercial or industrial publicity where the unblocking of paper is requested. The approval of such application will be given by stamping the words "pubblicazione autorizzata" in on both copies one of which shall be returned to the

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party concerned and the other shall be kept on files with a receipt signed by the said party.

It is pointed out that any change in the ownership or in the person of the director, responsible editor, administrative director, in the political tendency or declared aim of the periodical publication and in the name or place of publication as stated by the applicant in forms A and C must be immediately communicated through the same channels as the original application. In case of a failure to submit this communication the authorization previously granted shall be considered revoked as a result of the change.

It is also made known that an application involving a translation of a foreign book (where allotment or unfreezing of paper is requested) must be accompanied by a document certifying the regularity of the transfer of author's right.

The transitional provisions of the said press law provide furthermore that the printer shall be obliged to hand it to the Prefettura two copies of each publication in addition to the copies delivered to the Procura del Re.

It is pointed out that these two copies must be transmitted with the utmost diligence to the Underscretariat for Press and Information (Ameroteon).

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

(16)

file
ACC/4009/2/L.

/rlp.
21 October 1944.

SUBJECT : Draft press law.

TO : Executive Secretary, Allied Publications Board, 62 via Veneto,
ROME.

1. In reply to your letter of the 20th of October, the views of Brigadier Upjohn and of the Legal Sub-Commission on the above draft law were fully set forth at the meeting on the 15th of September.

2. The next step, therefore, is for a new draft to be agreed with the Italian Government so far as possible on the basis of the decisions then reached.

3. When this revised draft has been submitted by the Italian Government we shall be happy to furnish our advice upon its contents.

4. The exchange of letters can only usefully be prepared on the basis of the new decree since the contents of the letters may well be influenced by the terms of the decree.

5. We do not think we can usefully add anything further at this stage.

RICHARD H. WILMER,
Colonel, GAC,
Chief Legal Advisor.

4009/2

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OFFICE OF THE CENTRAL
ALLIED PUBLICATIONS BOARD
Room 108, 62 Via Veneto
ROME

20 October 1944.

From: Lt. Col. I.S. Munro.

Dear Colonel Wilmer,

Please find enclosed:

- a) Minutes of Special Meeting on draft of Italian Press Law;
- b) Text of draft, with APB recommendations and requirements;
- c) Text of proposed Circular to Prefects;
- d) Exchange of Letters as at present existing as a "modus vivendi", together with additional notes by APB. for its final form as part of the Press Law set up.

As you will see from par. 1 c) of attached Minutes, this Exchange of Letters should be drawn up by the Legal Sub-Commission.

Please therefore do not look on the enclosed draft of "Exchange of Letters" as any usurpation but merely as an informative document.

I would be obliged if you would be good enough to acknowledge receipt of these documents and if possible give me a general indication for the Board as to about when your valued suggestions and texts can be expected.

If any information over and above the enclosed documents is required, I shall be only too happy to answer any call you may make on me.

With kind regards,

LEGAL SUB-COMMISSION	
CLO	
→ DCLO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	
21 OCT 1944	

I S Munro
Lt Col
I. S. Munro,
Lt. Col.

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MINUTES of special meeting called to give a first reading to the Draft Press Law submitted by the Under-Secretariat for Press and Information for the consideration of Allied authorities concerned. The meeting convened in the Conference Hall, 62 Via Veneto, on Friday, 15 September 44, at 3 p.m.

PRESENT : Mr. George W. Edman, ADPWO Italy (Lib), and Chairman, APB (presiding).
 Brigadier G. R. Upjohn, Vice-President, Administrative Section, ACC.
 Colonel Richard H. Wilmer, Chief Legal Officer, Legal Sub-Commission, ACC.
 Mr. Walter Dowling, representing Mr. Alexander Kirk.
 Mr. H. A. Caccia, Vice-President, Political Section, ACC, and member of APB.
 Mr. Wm. Schott, Vice-President, Political Section, ACC, and member of APB.
 Lt. Col. I. S. Munro, Chief Press Officer, FWB, and Executive Secretary, APB.
 Lt. Col. Enoch Brown, Liaison, ACC, and member of APB.
 Major Lionel Fielden, Public Relations Director, ACC, and member of APB.
 Major I. C. Alexander, Censorship, and member of APB.
 Major J. W. Colville, Censorship, and member of APB.
 Mr. James M. Minifie, FWB-ACC Liaison, and member of APB.

It was agreed:

- a) That the meeting should judge the text from the point of view of policy only and not concern itself with juridical phraseology;
- b) That Allied comments on the draft should be communicated to the Italian authorities in the form of "recommendations" and "requirements";
- c) That text of a secret exchange of letters drawn up by the Legal Sub-Commission, ACC, and designed to safeguard Allied rights and responsibilities under the Armistice Terms and under AFHQ Administrative Memorandum 89, should be consigned, together with the Draft Press Law in its approved form, to the Italian authorities for their required acceptance and circulation to functionaries

Sub-Commission, ACC.
 Mr. Walter Dowling, representing Mr. Alexander Kirk.
 Mr. H. A. Caccia, Vice-President, Political Section, ACC, and member of APB.
 Mr. Wm. Schott, Vice-President, Political Section, ACC, and member of APB.
 Lt. Col. I. S. Munro, Chief Press Officer, PWB, and Executive Secretary, APB.
 Lt. Col. Enoch Brown, Liaison, ACC, and member of APB.
 Major Lionel Fielden, Public Relations Director, ACC, and member of APB.
 Major I. C. Alexander, Censorship, and member of APB.
 Major J. W. Colville, Censorship, and member of APB.
 Mr. James M. Minifie, PWB-ACC Liaison, and member of APB.

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- a) That the meeting should judge the text from the point of view of policy only and not concern itself with juridical phraseology;
- b) That Allied comments on the draft should be communicated to the Italian authorities in the form of "recommendations" and "requirements";
- c) That text of a secret exchange of letters drawn up by the Legal Sub-Commission, ACC, and designed to safeguard Allied rights and responsibilities under the Armistice Terms and under AFHQ Administrative Memorandum 89, should be consigned, together with the Draft Press Law in its approved form, to the Italian authorities for their required acceptance and circulation to functionaries concerned;
- d) That, as a matter of principle, the Allied authorities could do no more than approve the eventual Press Law and could not be considered as having advocated it;
- e) That the text should be seen and finally approved by Allied authorities after it had been considered by the Council of Ministers and before it actually became law, so as to ensure that no changes had been made;
- f) That no publicity should be given to the Draft, or to the present negotiations, until AFHQ signified approval of the text, and
- g) That Lt. Col. Brown and Lt. Col. Munro should redraft the proposed "Circular to Prefects" and circulate their recommendations for approval of those present.

Background

The Chairman called on Lt. Col. Munro, as Executive Secretary of the Allied Publications Board, to review the negotiations undertaken to date with the Italian authorities and to comment on the Draft.

Col. Munro said that the Italian Government, in agreement with ACC, APB and PWB, had created an Italian Press Commission to work along parallel, but subsidiary, lines with APB and to function in territory under Italian Government jurisdiction.

In announcing the creation of the Italian Press Commission and the Press Regulations in force in the Kingdom of Italy, APE sought to boost the prestige of the Italian authorities by not specifying APB as the ultimate authority in the regulations, but naming instead a "Commission" and backing this up with a letter between APB and the Italian Under-Secretary for Press and Information, making it clear that responsibility of APB under Order 89 remained unaffected.

The above arrangement was, however, looked on as merely a working one pending the translation of these arrangements into a Decree. The Italian Government undertook to draft that Decree and to submit it for the comments and approval of the Allied authorities concerned.

Col. Munro noted that instead of translating the existing arrangements into Articles of a proposed law, the Italian Government had produced two documents, one devoted to the proposed text of the law and divided into Permanent and War Duration Articles; and the other designed to instruct Prefects on permit-demand procedure.

The War Duration Articles embodied the provisional regulations already in operation pending the passage of the new law, but instead of referring to "a Commission", an "Italian National Press Commission" was named as final authority without any reference, even in a covering letter, to the all-essential recognition of APB's paramount authority under Order 89. Equal authority was also given to "Local National Commissions." And no reference was made to authority to issue permits, or paper, for books.

Exchange of Letters

Col. Munro expressed the opinion that the War Duration Articles should refer to an undefined "Commission" and not to a specific "Italian National Press Commission." In a separate document the Italian authorities would then agree that the "Commission" was the Allied Publi-

as the ultimate authority in the regulations, but naming instead a "Commission" and backing this up with a letter between APB and the Italian Under-Secretary for Press and Information, making it clear that responsibility of APB under Order 89 remained unaffected.

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The War Duration Articles embodied the provisional regulations already in operation pending the passage of the new law, but instead of referring to "a Commission", an "Italian National Press Commission" was named as final authority without any reference, even in a covering letter, to the all-essential recognition of APB's paramount authority under Order 89. Equal authority was also given to "Local National Commissions." And no reference was made to authority to issue permits, or paper, for books.

Exchange of Letters

Col. Munro expressed the opinion that the War Duration Articles should refer to an undefined "Commission" and not to a specific "Italian National Press Commission." In a separate document the Italian authorities would then agree that the "Commission" was the Allied Publications Board and acknowledge its authority.

The Press Decree of 14 January 44, on the face of it, had put licensing powers in the hands of Prefects, some of whom had chosen to disregard the procedure arranged between APB and the Italian Government and proceeded to exercise their apparent powers. Time and again APB was thus faced with difficulties. Col. Munro foresaw the same sort of trouble arising again if the War Duration Articles, as drafted, became law.

Brigadier Upjohn supported the Draft, in its present form, on the grounds that it ensured a democratically constituted Italian National Press Commission. Col. Munro's objection could be overcome by a strongly supported Exchange of Letters which would guarantee APB's authority. Col. Munro concurred.

Queries

Colonel Wilmer said he had been advised that the Italian version of the Press Law contained the following drafting errors:

- a) Article VII. Should read "per atto pubblico...."
- b) Article VIII. "Multe" should be "ammenda" cp Articles IX and XVI.
- c) Article XXV. "Reclusione" should be "arreste."

It was agreed to query the Italian authorities on these, and the following, points:

- 1) Does Article III apply to Article II?
- 2) Article III. Is it reasonable to anticipate the absence of "author and proprietor"?
- 3) Article V. Is not "40 days after its preparation" too vague? Annual balance sheets might be drawn up at some unspecified future date, even ten years hence.
- 4) Article IX. What is its intent? Would it prevent a foreign government publishing a scientific or scholastic work in Italy?
- 5) Article XIV. Is the suggested sequestration practicable? Presumably the offending journal would be partly, or wholly, distributed before the "offence" was discovered and sequestration would be meaningless.

Requirements

It was agreed that the Italian authorities should be required to:

- 1) accept the Exchange of Letters submitted by the Allied authorities.
- 2) Delete Article XXVIII as irrelevant.
- 3) Ask Allied council before creating regional or inter-regional committees (see Article XXII).

Recommendations

It was also agreed to make the following recommendations to the Ita-

- 2) Article III. Is it reasonable to anticipate the absence of "author and proprietor"?
- 3) Article V. Is not "40 days after its preparation" too vague? Annual balance sheets might be drawn up at some unspecified future date, even ten years hence.
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Requirements

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- 1) Accept the Exchange of Letters submitted by the Allied authorities
- 2) Delete Article XXVIII as irrelevant.
- 3) Ask Allied council before creating regional or inter-regional committees (see Article XXII).

Recommendations

It was also agreed to make the following recommendations to the Italian authorities:

- 1. That "La Stampa e libera" stand alone as Article I. "I reati commessi....", etc., would thus become Article II, and each succeeding article advance by one.
- 2. That the maximum fine, under Article VIII, be increased.
- 3. That the term, "accademie letterarie", also under Article VIII, be clarified. "Scholastic academy" was considered a more precise classification.
- 4. That Article XIII be confined to "seditious and/or blasphemous matter." (According to the legal and political experts present this clause, as drafted, was open to unjust interpretation, and therefore dangerous.)

- 4 -

5. That the "ordinary procedure" referred to in Article XV apply also to "offences specified under article XIII." Such offences would not, therefore, come within the competence of "the Court of Assizes."
6. That Prefects be required to forward applications to the National Press Commission within a specified time.
7. That APB be represented on all "regional or inter-regional committees" envisaged under Article XXII. (Italian authorities would signify their agreement in the Exchange of Letters).
8. That a breach of Article XXIV be made punishable in a special way.
9. That printers, under Article XXVI, be required to deliver three copies to the Prefettura. (In the Exchange of Letters the Italian authorities would agree to forward one copy to Allied Military censors. See re-draft of "Instructions to Prefects.")
10. That a clause be added requiring authorisation to publish a book, or books.

Comments

Col. Brown tabled his objection to Articles V and VI. If the Italian Government desired to give free access to the books of "a newspaper or other periodical", he would not attempt to reverse their decision. But he would in no way advocate such a measure.

Brigadier Upjohn, when the phrase "until the cessation of the state of war" (Article XVIII), was questioned as being too vague, explained that the cessation, like the declaration of a state of war, was declared and the date marked by the publication of a Decree in the Italian Official Gazette.

The meeting adjourned.

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20th October 1944

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NOTES ON DRAFT OF PRESS LAW.

Subsidies from Foreign Governments.

Art. 10. Does this mean that Foreign Governments, institutions or persons would be prevented from publishing a scientific or scholastic work in Italy, or that a foreign-supported foreign-language newspaper could not be published?

Art. 14. Would it be "seditious", for instance, to campaign against Unberto?
What exactly is "blasphemy"?

Art. 23. ACC to be consulted before creating regional and inter-regional commissions.

NOTE: Paragraph 6) of DRAFT LETTER TO PREFECTS should be incorporated under TITOLO VII of Press Law (it refers to change of proprietor, etc).

16E
 16th October, 1944.
 (2 only)

Draft of PRESS LAW (incorporating all suggested changes put forward at APE Meetings and in various correspondence).

The original text is shown first, then the changes underlined.

T I T O L O I

Art. 1. La stampa è libera.

Art. 2. I reati commessi a mezzo della stampa sono puniti secondo la legge penale comune.

Art. 3. Dei reati commessi a mezzo della stampa periodica risponde l'autore dello scritto e, ove l'autore non sia sottoscritto o altrimenti identificato, il direttore o redattore responsabile (..... Risponde il direttore responsabile).

Dei reati commessi a mezzo di pubblicazioni non periodiche risponde l'autore e, ove l'autore non sia sottoscritto o altrimenti identificato, l'editore e, ove l'editore manchi, il tipografo, in modo che l'uno sia sempre tenuto sussidiariamente in luogo dell'altro. Sono tuttavia applicabili le norme ordinarie sul concorso di persona nel reato (... risponde l'editore etc. etc.).

Art. 4. Civilmente responsabili per i reati commessi a mezzo della stampa sono solidalmente l'autore ed il proprietario della pubblicazione e, in loro mancanza, l'editore ovvero il tipografo, ove anche l'editore manchi.

Art. 5. Le pubblicazioni periodiche debbono portare stampata l'indicazione del direttore o del redattore responsabile e del tipografo.

Le pubblicazioni non periodiche debbono portare stampata l'indicazione dell'editore, del tipografo e della data di pubblicazione.

Inoltre qualsiasi giornale quotidiano o altro scritto periodico deve portare l'indicazione del proprietario. Qualora si tratta

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Inoltre qualsiasi giornale quotidiano o altro scritto periodico deve portare l'indicazione del proprietario. Qualora si tratta di Società, dovrà essere riprodotta la lista dei componenti il Consiglio di Amministrazione.

TITOLO II

Art. 6. Il proprietario di un giornale od altro periodico deve:

- a) tenere apposito e distinte registrazioni delle copie stampate ed esitate;
- b) tenere apposite e distinte registrazioni delle inserzioni a pagamento, così che ne risulti il numero e la tariffa.
- c) allegare al bilancio un estratto di tutti i proventi non compresi nelle registrazioni indicate nelle precedenti lettere a) e b).
- d) depositare nella Cancelleria del Tribunale competente per-

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territorio il bilancio annuale non oltre quaranta giorni dopo la sua compilazione o dopo la sua approvazione, se questa sia richiesta, insieme ai registri indicate alle lettere a) e b) ed all'allegato di cui alla lettera c) (.....too vague, a definite time limit should be given).

Il bilancio, i registri di cui sopra e gli allegati devono convenire, subito dopo l'ultima scritturazione, la dichiarazione di chi è tenuto ad effettuare il deposito, che il bilancio, l'allegato ed i registri sono confermi a verità. L'applicazione delle norme suddetta alle società commerciali non sostituisce deroga alle norme del codice civile in materia, che rimangono egualmente in vigore.

Art. 7.

Il deposito di cui al precedente articolo dovrà essere annunziato nel giornale o periodico. I registri di cui alle lettere a) e b) non potranno essere ritirati dalla Cancelleria del Tribunale se non dopo trascorsi 30 giorni dalla data dell'annuncio del deposito comparso nel giornale.

Art. 8.

Devono farsi per atto (.... pubblico) o per scrittura privata, sotto pena di nullità i contratti con cui si creano società od associazioni aventi per scopo principale od accessorio la pubblicazione di giornali o periodici.

Tale contratti devono essere registrati, a pena di nullità, nel termine prescritto dalle vigenti leggi sulle Tasse del Registro.

Gli Uffici del Registro, i notai, i cancellieri ed in generale tutti i pubblici ufficiali presso i quali si trovino depositati in originale od in copia gli atti di cui sopra, sono tenuti a lasciarne prender visione a chiunque ne faccia richiesta, e dovranno anche rilasciarne copia autentica in carta libera, a spese del richiedente.

Art. 9.

La violazione delle precedenti disposizioni sarà punita con 1k multa (.....(L'ammenda) fino a lire 10 mila (..... amount should be increased)).

Le disposizioni di cui agli articoli 5 e 6 non si applicano alle pubblicazioni fatte da pubbliche amministrazioni; accademie scientifiche, artistiche, e letterarie (..... scolastiche) legalmente costituite, da autorità religiose riconosciute dallo Stato, e ai periodici scientifiche e letterari.

Art. 10.

Nessuna convenzione

Art. 7. Il deposito di cui al precedente articolo dovrà essere annunziato nel giornale o periodico. I registri di cui alle lettere a) e b) non potranno essere ritirati dalla Cancelleria del Tribunale se non dopo trascorsi 30 giorni dalla data dell'annuncio del deposito comparso nel giornale.

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Art. 10. Nessuna sovvenzione (.....) diretta o indiretta da parte di governi stranieri può essere accettata sotto qualsiasi forma. I contravventori incorrono nella pena dell'arresto fino ad un anno.

TITOLO III

Art. 11. Di qualsiasi stampato il tipografo, all'atto della diffusione e della consegna al committente, è tenuto a rimettere quattro copie complete al Procuratore del Regno presso il Tribunale nella cui giurisdizione territoriale ha sede la tipografia.

Art. 12. Delle copie ricevute, le Procure del Regno tratteranno un esemplare per il proprio archivio, invieranno un esemplare alla Biblioteca Nazionale di Firenze, uno alla Biblioteca del Ministero di Grazia e Giustizia, la quale tratterà per sé le pubblicazioni di indole giuridica e trasmetterà le altre alla Biblioteca Vittorio Emanuele di Roma, e uno alla Biblioteca pubblica più vicina.

Art. 13. Chiunque contravvenga alle disposizioni dell'articolo precedente è punito con l'ammenda fino a lire 10 mila (..... increase??).

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3.
24h October 1944TITOLO IV

Art. 14. Contemporaneamente all'inizio dell'azione penale o successivamente può essere ordinato dal giudice competente il sequestro degli stampati quando si tratti di offesa all'onore del Capo dello Stato e del Sommo Pontefice, dei Capi e dei rappresentanti di Stati esteri, di vilipendio e di offesa della religione dello Stato e dei Culti ammessi, di apologia di reato, di istigazione a delinquere, quando i delitti medesimi siano commessi per mezzo della stampa. Nelle medesime circostanze può altresì ordinarsi il sequestro degli stampati nei casi di offese al pudore. (..... suggested to limit this to "seditious and/or blasphemous matter").

Art. 15. Nelle medesime circostanze può infine ordinarsi il sequestro degli stampati che riproducono atti di istruttoria penale o resoconti di dibattimenti svoltisi davanti alla autorità giudiziaria a porte chiuse, o resoconti delle sedute segrete delle Assemblee legislative. (..... is sequestration practicable? Paper would be distributed before offence discovered).

Art. 16. In nessun caso può farsi luogo al sequestro preventivo degli stampati.

TITOLO V.

Art. 16. Appartiene sempre alla Corte di Assise la cognizione dei delitti di cui all'art. 14. (..... it seems unnecessary to require that these offences be heard by the Court of Assize when committed by the press, since when they are committed otherwise, they are heard in the Tribunale).

Nei procedimenti per gli altri delitti e per le contravvenzioni commessi col mezzo della stampa si applicano le norme ordinarie di competenza.

TITOLO VI.

Art. 17. Le contravvenzioni alle disposizioni del presente decreto legislativo lucgotenenziale si prescrivono in tre mesi.

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Nelle medesime circostanze può infine ordinarsi il sequestro degli stampati che riproducono atti di istruttoria penale o resoconti di dibattimenti svoltisi davanti alla autorità giudiziaria a porte chiuse, o resoconti delle sedute segrete delle Assemblies legislative. (..... is sequestration practicable? Paper would be distributed before offence discovered).

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TITOLO VI.Art. 17.

Le contravvenzioni alle disposizioni del presente decreto legislativo luogotenenziale si prescrivono in tre mesi.

Art. 18.

Il presente decreto legislativo luogotenenziale abroga le seguenti leggi e decreti;

RD. Legge 15 Luglio 1923 N. 3288 sui requisiti del gerente responsabile, sua diffida e revoca. Procedimenti per reati di stampa;

R.D. Legge 10 Luglio 1924 N. 1081, contenente norme di attuazione del R.D. Legge 15 Luglio 1923, N. 3288;

Legge 31 Dicembre 1925, N. 2307 contenente ~~XXXXXX~~ disposizioni sulla stampa periodica;

R.D. Legge 4 Marzo 1926 N. 371 contenente l'approvazione del regolamento relativo alle disposizioni sulla stampa periodica;

R.D. Legge 24 Novembre 1932 N. 1550 contenente approvazione elenco biblioteche pubbliche alle quali è destinato in ogni provincia il terzo esemplare d'obbligo di ogni stampa;

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5th October 1944

R.D. Legge 24 Ottobre 1935 N. 2040 contenente attribuzioni del Ministero della Cultura Popolare in materia di stampati;

R.D. Legge 8 Giugno 1936 N. 1313 completante l'elenco delle biblioteche pubbliche destinarie, per ciascuna provincia, del terzo esemplare d'obbligo di ogni stampato;

Legge 2 Febbraio 1939 N.374 contenente norme per la consegna obbligatoria di esemplari degli stampati e delle pubblicazioni;

R.D. Legge 13 Dicembre 1940 N.2052 contenente l'approvazione del regolamento per l'attuazione delle legge 2 Febbraio 1939 N.374.

R.D. Legge 14 Gennaio 1944 N.14 contenente norme sulla autorizzazione delle pubblicazioni;

Sono considerate altresì come abrogate tutte le disposizioni delle altre leggi e decreti contrarie alle disposizioni del presente decreto.

TITOLO VII DISPOSIZIONI TRANSITORIE

Art. 19.

Fino alla cessazione dello stato di guerra, e in relazione con le esigenze della guerra medesima, saranno in vigore le seguenti disposizioni transitorie.

Art. 20.

Chiunque intenda continuare (..... delete "continuare o") iniziare la pubblicazione di giornali o di altri scritti periodici, deve ottenere la autorizzazione con domanda alla Prefettura della Provincia in cui la pubblicazione si-effettua e deve effettuarsi.

Art. 21.

Sulle domande giudica una Commissione nazionale (..... delete "nazionale") per la stampa (..... delete "nazionale") per la stampa è presieduta dal Sottosegretario di Stato per la Stampa e le informazioni o da un suo delegato, ed è composta da tre rappresentanti della Federazione Nazionale della Stampa, da un rappresentante dell'Associazione editori di giornali, a da uno dell'Associazione editori di libri e riviste, da un funzionario per ciascuno dei seguenti Uffici Ministero dell'Interno, Ministero dell'Istruzione Pubblica e da due funzionari del Sottosegretario per la Stampa e le informazioni.

Art. 22.

La Commissione nazionale (..... delete "nazionale") per la stampa è presieduta dal Sottosegretario di Stato per la Stampa e le informazioni o da un suo delegato, ed è composta da tre rappresentanti della Federazione Nazionale della Stampa, da un rappresentante dell'Associazione editori di giornali, a da uno dell'Associazione editori di libri e riviste, da un funzionario per ciascuno dei seguenti Uffici Ministero dell'Interno, Ministero dell'Istruzione Pubblica e da due funzionari del Sottosegretario per la Stampa e le informazioni.

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Art. 21.

Sulle domande giudica una Commissione nazionale (..... delete "nazionale") per la stampa con sede in Roma, alla quale è parimenti delegato il potere di sospendere o revocare le autorizzazione già concesse.

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La Commissione nazionale (..... delete "nazionale") per la stampa è presieduta dal Sottosegretario di Stato per la Stampa e le informazioni o da un suo delegato, ed è composta da tre rappresentanti della Federazione Nazionale della Stampa, da un rappresentante dell'Associazione editori di giornali, da un uno dell'Associazione editori di libri e riviste, da un funzionario per ciascuno dei seguenti Enti: Ministero dell'Interno, Ministero dell'Istruzione Pubblica e da due funzionari del Sottosegretariato per la Stampa e le Informazioni.

Membrati della Commissione sono nominati con Decreto della Presidenza del Consiglio dei Ministri.

Art. 23.

Con Decreto della Presidenza del Consiglio dei Ministri, e su conforme parere della Commissione Nazionale (..... delete "nazionale") per la Stampa, tutte le attribuzioni della Commissione Nazionale per la Stampa o parte di esse possono essere delegate a Commissioni regionali o interregionali.

Nello stesso decreto saranno determinati la composizione delle Commissioni e gli organi che dovranno procedere alla nomina di esse.

Art. 24.

L'autorizzazione, la sospensione e la revoca della pubblicazione viene ordinata con decreto del Prefetto in conformità con la decisione della Commissione Nazionale (?) o locale.

5th Ottobre 1944

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5.

Art. 25.

La pubblicazione di notizie e commenti di carattere militare o che comunque possano avere rapporti con argomenti militari è soggetta a censura preventiva. (..... a breach of this clause should be made punishable in a special way). (See Clause 26)

Art. 26.

Le contravvenzioni alle disposizioni del presente titolo sono punite con l'arresto fino a 6 mesi e con l'ammenda fino a Lire 50 mila.

Contemporaneamente all'inizio dell'azione penale, qualora trattisi di pubblicazione di notizie di cui sia vietata la divulgazione, ai sensi dell'articolo precedente, può essere ordinato dall'autorità giudiziaria il sequestro degli stampati.

In nessun altro caso, oltre quelli contemplati nell'articolo 13 o dal precedente capoverso può procedersi al sequestro degli stampati la cui pubblicazione sia avvenuta in conformità delle disposizioni del presente decreto.

Art. 27.

Oltre alle copie indicate agli art. 10 ed 11 il tipografo è tenuto ad inviarne due (..... tre) alle Prefetture.

Art. 28.

Fino a quando non saranno emanate norme circa gli albi professionali dei giornalisti, il compito della tenuta degli albi stessi è demandato alle Associazioni professionali, regionali e nazionale. (..... to be deleted, as irrelevant).

Art. 29.

Il presente decreto legislativo luogotenenziale entra in vigore il giorno successivo della sua pubblicazione nella Gazzetta Ufficiale.

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20th October 1944.

NOTES ON DRAFT LETTER TO PREFECTS

- Para. 1) Delete "continuare".
- " 4) Some definite time limit should be given.
- " 5) Delete words: "pubblicità commerciale ed industriale".
Permit is not necessary for commercial advertising,
as only small quantity of paper is involved.
But all other types of booklets and leaflets (for
instance, political, etc.) should have permit.
- " 6) Should be incorporated in SECTION VII of Press Law.
- " 7) Delete "ove sia richiesta l'assegnazione o lo
sblocco di carta".
- " 8) Three copies required.

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SCHEMA DI CIRCOLARE AI PREFETTI IN APLICAZIONE
ALLA LEGGE SULLA STAMPA

La nuova legge sulla stampa, nelle norme transitorie, stabilisce che chiunque intenda continuare od iniziare la pubblicazione di giornali od altri scritti, di carattere periodico, deve ottenere l'autorizzazione ed domanda alla Prefettura della provincia in cui la pubblicazione si effettua o dove effettuarsi.

La domanda di autorizzazione, da presentarsi in duplice copia, deve contenere i dati di cui al modulo A, che si allega, e cioè:

- a) Titolo e luogo della pubblicazione;
- b) Scopo della pubblicazione;
- c) Finanziamento dell'impresa;
- d) Eventuale tendenza politica;
- e) Periodicità;
- f) Prezzo di vendita;
- g) Sede della direzione e della amministrazione;
- h) Nome, cognome e indirizzo del direttore, e, ove questi non assuma la qualità di responsabile, nome, cognome e indirizzo del redattore responsabile;
- i) Nome, cognome e indirizzo del direttore amministrativo;
- l) Nome, cognome e indirizzo del proprietario o dei proprietari;
- m) Nome, cognome e indirizzo dell'editore;
- n) Nome e indirizzo della tipografia e del suo direttore;
- o) Tiratura;
- p) Formato e numero di pagine;
- q) Preventivo di fabbisogno di carta con la indicazione del luogo dove si ritiene di poterla trovare;
- r) Quantitativo della carta già disponibile al momento della domanda; e luogo dove si ritiene di poterla trovare;
- s) Preventivo delle richieste censili di carta (con l'indicazione se in fogli o in rotoli);
- t) Zona e mezzi di distribuzione.

La pubblicazione di libri, opuscoli, e stampati non periodici di pubblicità commerciali e industriali, è libera purchè non venga richiesta assegnazione di carta o blocco di partite di carta vincolate. In questi casi dovrà essere presentata domanda di autorizzazione alla pubblicazione. La domanda deve essere presentata dall'editore.

MINUTES of special meeting called to give a first reading to the Draft Press Law submitted by the Under-Secretariat for Press and Information for the consideration of Allied authorities concerned. The meeting convened in the Conference Hall, 62 Via Veneto, on Friday, 15 September 44, at 3 p.m.

PRESENT : Mr. George W. Edman, ADPWC Italy (Lib), and Chairman, APB (presiding).
 Brigadier G. R. Upjohn, Vice-President, Administrative Section, ACC.
 Colonel Richard H. Wilmer, Chief Legal Officer, Legal Sub-Commission, ACC.
 Mr. Walter Dowling, representing Mr. Alexander Kirk.
 Mr. H. A. Caccia, Vice-President, Political Section, ACC, and member of APB.
 Mr. Wm. Schott, Vice-President, Political Section, ACC, and member of APB.
 Lt. Col. I. S. Munro, Chief Press Officer, PWB, and Executive Secretary, APB.
 Lt. Col. Enoch Brown, Liaison, ACC, and member of APB.
 Major Lionel Fielden, Public Relations Director, ACC, and member of APB.
 Major I. C. Alexander, Censorship, and member of APB.
 Major J. W. Colville, Censorship, and member of APB.
 Mr. James M. Minifie, FWB-ACC Liaison, and member of APB.

It was agreed:

- a) That the meeting should judge the text from the point of view of policy only and not concern itself with juridical phraseology;
- b) That Allied comments on the draft should be communicated to the Italian authorities in the form of "recommendations" and "requirements";
- c) That text of a secret exchange of letters drawn up by the Legal Sub-Commission, ACC, and designed to safeguard Allied rights and responsibilities under the Armistice Terms and under AFHQ Administrative Memorandum 89, should be consigned, together with the Draft Press Law in its approved form, to the Italian authorities for their required acceptance and circulation to functionaries.

Sub-Commission, ACC.
 Mr. Walter Dowling, representing Mr. Alexander Kirk,
 Mr. H. A. Caccia, Vice-President, Political Section, ACC,
 and member of APB.
 Mr. Wm. Schott, Vice-President, Political Section, ACC,
 and member of APB.
 Lt. Col. I. S. Munro, Chief Press Officer, PWB, and Executive Secretary, APB.
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- d) That, as a matter of principle, the Allied authorities could do no more than approve the eventual Press Law and could not be considered as having advocated it;
- e) That the text should be seen and finally approved by Allied authorities after it had been considered by the Council of Ministers and before it actually became law, so as to ensure that no changes had been made;
- f) That no publicity should be given to the Draft, or to the present negotiations, until AFHQ signified approval of the text, and
- g) That Lt. Col. Brown and Lt. Col. Munro should redraft the proposed "Circular to Prefects" and circulate their recommendations for approval of those present.

Background

The Chairman called on Lt. Col. Munro, as Executive Secretary of the Allied Publications Board, to review the negotiations undertaken to date with the Italian authorities and to comment on the Draft.

Col. Munro said that the Italian Government, in agreement with ACC, APB and PWB, had created an Italian Press Commission to work along parallel, but subsidiary, lines with APB and to function in territory under Italian Government jurisdiction.

In announcing the creation of the Italian Press Commission and the Press Regulations in force in the Kingdom of Italy, APB sought to boost the prestige of the Italian authorities by not specifying APB as the ultimate authority in the regulations, but naming instead a "Commission" and backing this up with a letter between APB and the Italian Under-Secretary for Press and Information, making it clear that responsibility of APB under Order 89 remained unaffected.

The above arrangement was, however, looked on as merely a working one pending the translation of these arrangements into a Decree. The Italian Government undertook to draft that Decree and to submit it for the comments and approval of the Allied authorities concerned.

Col. Munro noted that instead of translating the existing arrangements into Articles of a proposed law, the Italian Government had produced two documents, one devoted to the proposed text of the law and divided into Permanent and War Duration articles; and the other devoted to instruct Prefects on permit demand procedure.

The War Duration Articles embodied the provisional regulations already in operation pending the passage of the new law, but instead of referring to "a Commission", an "Italian National Press Commission" was named as final authority without any reference; even in a covering letter, to the all-essential recognition of APB's paramount authority under Order 89. Equal authority was also given to "Local National Commissions." And no reference was made to authority to issue permits, or paper, for books.

Exchange of Letters

Col. Munro expressed the opinion that the War Duration Articles should refer to an undefined "Commission" and not to a specific "Italian National Press Commission." In a separate document the Italian National Press Commission was the "Commission" was the Allied Press

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Exchange of Letters

Col. Munro expressed the opinion that the War Duration Articles should refer to an undefined "Commission" and not to a specific "Italian National Press Commission." In a separate document the Italian authorities would then agree that the "Commission" was the Allied Propaganda Board and acknowledge its authority.

The Press Decree of 14 January 44, on the face of it, had put licensing powers in the hands of Prefects, some of whom had chosen to disregard the procedure arranged between APB and the Italian Government and proceeded to exercise their apparent powers. Time and again APB was thus faced with difficulties. Col. Munro foresaw the same sort of trouble arising again if the War Duration Articles, as drafted, became law.

Brigadier Upjohn supported the Draft, in its present form, on the grounds that it ensured a democratically constituted Italian National Press Commission. Col. Munro's objection could be overcome by a strongly supported Exchange of Letters which would guarantee APB's authority. Col. Munro concurred.

Queries

Colonel Wilmer said he had been advised that the Italian version of the Press Law contained the following drafting errors:

- a) Article VII. Should read "per atto pubblico...."
- b) Article VIII. "Multa" should be "ammenda" of Articles IX and XVI.
- c) Article XXV. "Reclusione" should be "arreste."

It was agreed to query the Italian authorities on these, and the following, points:

- 1) Does Article III apply to Article II?
- 2) Article III. Is it reasonable to anticipate the absence of "author and proprietor"?
- 3) Article V. Is not "40 days after its preparation" too vague? Annual balance sheets might be drawn up at some unspecified future date, even ten years hence.
- 4) Article IX. What is its intent? Would it prevent a foreign government publishing a scientific or scholastic work in Italy?
- 5) ^{But see articles 4 and 5 above.} Article XIV. Is the suggested sequestration practicable? Presumably the offending journal would be partly, or wholly, distributed before the "offence" was discovered and sequestration would be meaningless.

Requirements

It was agreed that the Italian authorities should be required to:

- 1) Accept the Exchange of Letters submitted by the Allied authorities.
- 2) Delete Article XXVIII as irrelevant.
- 3) Ask Allied Council before creating regional or inter-regional committees (see Article XXII).

Recommendations

Recommendations to the Italian

- 1) Does Article III apply to Article II?
- 2) Article III. Is it reasonable to anticipate the absence of "author and proprietor"?
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- 4) Article IX. What is its intent? Would it prevent a foreign government publishing a scientific or scholastic work in Italy?
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- 1) Accept the Exchange of Letters submitted by the Allied authorities
- 2) Delete Article XXVIII as irrelevant.
- 3) Ask Allied council before creating regional or inter-regional committees (see Article XXII).

Recommendations

It was also agreed to make the following recommendations to the Italian authorities:

1. That "La Stampa e libera" stand alone as Article I. "I reati commessi...", etc., would thus become Article II, and each succeeding article advance by one.
2. That the maximum fine, under Article VIII, be increased.
3. That the term, "accademie letterarie", also under Article VIII, be clarified. "Scholastic academy" was considered a more precise classification.
4. That Article XIII be confined to "seditious and/or blasphemous matter." (According to the legal and political experts present this clause, as drafted, was open to unjust interpretation, and therefore dangerous.)

5. That the "ordinary procedure" referred to in Article XV apply also to "offences specified under Article XIII." Such offenses would not, therefore, come within the competence of "the Court of Assizes."
6. That Prefects be required to forward applications to the National Press Commission within a specified time.
7. That APB be represented on all "regional or inter-regional committees" envisaged under Article XXII. (Italian authorities would signify their agreement in the Exchange of Letters).
8. That a breach of Article XXIV be made punishable in a special way. *Merely not sufficient*
9. That printers, under Article XXVI, be required to deliver three copies to the Prefettura. (In the Exchange of Letters the Italian authorities would agree to forward one copy to Allied Military censors. See re-draft of "Instructions to Prefects.")
10. That a clause be added requiring authorisation to publish a book, or books.

Comments

Col. Brown tabled his objection to articles V and VI. If the Italian Government desired to give free access to the books of "a newspaper or other periodical", he would not attempt to reverse their decision. But he would in no way advocate such a measure.

Brigadier Upjohn, when the phrase "until the cessation of the state of war" (Article XVIII), was questioned as being too vague, explained that the cessation, like the declaration of a state of war, was declared and the date marked by the publication of a Decree in the Italian Official Gazette.

The meeting adjourned.

9A

In accordance with the wish of the Allied authorities assembled Friday, 15 September 44 (to give a first reading to the Draft Press Law, as submitted by the Italian Government), Lt. Cols. Knock Brown and I. S. Munro met Saturday, 16 September, to scrutinize the "Draft of a Circular to Prefects regarding the Application of the Press Law."

In the opinion of Lt. Cols. Brown and Munro:

1. Para 3, as drafted, is incompatible with AFM Administrative Memorandum No. 89, creating the Allied Publications Board. Under that Order APB is charged with the responsibility of controlling all paper imported into, found in, or derived from Italy. The Board cannot, therefore, in any circumstances, allow books to be published freely, as suggested. In view of Order 89, all stocks of paper are "blocked"--or in other words APB-controlled--and no applicant can claim to have "his own paper." This false distinction, as between "blocked" and "unblocked" stocks, occurs throughout the draft.

Books, on the one hand, and leaflets and non-periodical printed matter, on the other, should be treated separately.

In the case of books, all applicants should be required to comply with the procedure advanced in the Draft, and not merely those who request paper.

As regards "leaflets and non-periodical matter" the procedure set forth in paragraph beginning "le Prefetture decideranno direttamente" is acceptable because paper in quantity is in no way affected.

2. Direttori Responsabili, and not Prefects, should be required to notify "any change of proprietor, director...", etc. It would be more logical, therefore, to incorporate the instructions in question in Section VII, as a temporary regulation.
3. The bracketed phrase, "ove sia richiesta.....", etc., in the penultimate paragraph, should be deleted.
4. Printers should deliver to the Prefettura three copies of every publication, instead of two copies, as stated in the final paragraph of the draft.

It is therefore recommended that the Italian Press Commission be required to redraft the "Instructions to Prefects", as submitted, in compliance with the above.

- 2 -

It is further recommended that the proposed Exchange of Letters include (a) a paragraph dealing with books, and (b) a paragraph covering the requirements of Allied Military Censorship, as previously stated by their representatives, namely that the Italian authorities be required to forward to Allied Military Censorship one copy of "every publication" (see para 4, above).

With respect to (a), assurance must be given:

- i) That decisions of the Italian Press Commission, with respect to books, are referred to APB for ratification;
- ii) That books approved by the Italian Press Commission are not frivolous, in no way violate Allied military Censorship regulations, and contain nothing prejudicial to the Allied cause, and
- iii) That APB is informed of the amount and kind of paper involved, and where located.

Lastly, it is recommended that the Italian Press Commission be queried as to the intent of the phrase "pubblicata commerciali e industriali" (in para beginning "Le Prefetture decideranno direttamente"). If, as it appears, reference is made to advertising of a purely commercial character, then deletion of the phrase is strongly recommended. To compel advertisers to apply for permission to advertise does indeed seem an unnecessary piece of red tape.

19 September 44.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

File
ACC/4009/2/L.

3A
/ap.
13 September 1944.

SUBJECT : Press Law.

TO : Adm Sec.

1. We have now seen the Italian version of the press law and are advised that it contains the following drafting errors.

- (a) Art. 7. As drafted this art. is meaningless. It should read "per atto pubblico..."
- (b) Art. 8. "Multa" should be "ammenda" cp arts 9 and 16.
- (c) Art. 25. "Reclusione" should be "arreste".

2. The following points are also brought to your notice.

- (a) Art. 3. It might be preferable to impose liability upon the editor without the necessity of showing the absence of both the author and the proprietor.
- (b) Art. 15. If it is decided that Art. 13 shall remain it nevertheless seems unnecessary to require that these offences be heard by the Court of Assize when committed by the press, since when committed otherwise they are heard in the Tribunale.

RICHARD H. WILMER,
Colonel, CAC.,
Chief Legal Officer.

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4009/2
✓

(7A)

OFFICE OF THE GENERAL
ALLIED PUBLICATIONS BOARD

Room 108, 62 Via Veneto
ROME

13 September 44.

SUBJECT : Draft Press Law.
TO : Colonel R. H. Wilmer,
Legal Sub-Commission,
ACC.

Italian text of the Draft Press Law is here-
with attached. It will come up for discussion at a meet-
ing in the Conference Hall, Ground Floor, 62 Via Veneto,
on Friday, 15 September, at 3 p.m. On instructions of the
Allied Publications Board I have to invite you to sit in
on the discussion.

I. S. MUNRO

I. S. MUNRO,
Lt. Col.,
Executive Secretary.

LEGAL SUB-COMMISSION	
→ CLO	<input checked="" type="checkbox"/>
DCLO	<input type="checkbox"/>
Chief Counsel	<input type="checkbox"/>
CJO	<input type="checkbox"/>
Italian Section	<input type="checkbox"/>
CL RKS	<input type="checkbox"/>
	<input type="checkbox"/>
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SCHEMA DI LEGGE SULLA STAMPATITOLO I

- Art. 1°) - La stampa è libera.
I reati commessi a mezzo della stampa sono puniti secondo la legge penale comune.
- Art. 2°) - Dei reati commessi a mezzo della stampa periodica risponde l'autore dello scritto e, ove l'autore non sia sotto-scritto o altrimenti identificato, il direttore o redattore responsabile.
Dei reati commessi a mezzo di pubblicazioni non periodiche risponde l'autore e, ove l'autore non sia sottoscritto o altrimenti identificato, l'editore e, ove l'editore manchi, il tipografo, in modo che l'uno sia sempre tenuto sussidiariamente in luogo dell'altro. Sono tuttavia applicabili le norme ordinarie sul concorso di persona nel reato.
- Art. 3°) - Civilmente responsabili per i reati commessi a mezzo della stampa sono solidalmente l'autore ed il proprietario della pubblicazione e, in loro mancanza, l'editore ovvero il tipografo, ove anche l'editore manchi.
- Art. 4°) - Le pubblicazioni periodiche debbono portare stampata l'indicazione del direttore e del redattore responsabile e del tipografo.
Le pubblicazioni non periodiche debbono portare stampata la indicazione dell'editore, del tipografo e della data di pubblicazione.
Inoltre qualsiasi giornale quotidiano o altro scritto periodico deve portare l'indicazione del proprietario. Qualora si tratti di società dovrà essere riprodotta la lista dei componenti il Consiglio di Amministrazione.

TITOLO II

- Art. 5°) - Il proprietario di un giornale od altro periodico deve:

de l'autore dello scritto e, ove l'autore non sia sottoscritto o altrimenti identificato, il direttore o redattore responsabile.
Dei reati commessi a mezzo di pubblicazioni non periodiche che risponde l'autore e, ove l'autore non sia sottoscritto o altrimenti identificato, l'editore e, ove l'editore manchi, il tipografo, in modo che l'uno sia sempre tenuto sussidiariamente in luogo dell'altro. Sono tuttavia applicabili le norme ordinarie sul concorso di persona nel reato.

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TITOLO II

35

Art. 5°) - Il proprietario di un giornale od altro periodico deve:

- a) tenere apposite e distinte registrazioni delle copie stampate ed esitate;
- b) tenere apposite e distinte registrazioni delle inserzioni a pagamento così che ne risulti il numero e la tariffa;
- c) allegare al bilancio un estratto di tutti i proventi non compresi nelle registrazioni indicate nelle precedenti lettere a) e b);
- d) depositare nella Cancelleria del Tribunale competente per territorio il bilancio annuale non oltre quaranta giorni

- 2 -

dopo la sua compilazione o dopo la sua approvazione, se questa sia richiesta, insieme ai registri indicati alle lettere a) e b) ed all'allegato di cui alla lettera c).

Il bilancio, i registri di cui sopra e gli allegati devono contenere, subito dopo l'ultima scritturazione, la dichiarazione di chi è tenuto ad effettuare il deposito, che il bilancio, l'allegato ed i registri sono conformi a verità. L'applicazione delle norme suddette alle società commerciali non costituisce deroga alle norme del codice civile in materia, che rimangono egualmente in vigore.

Art. 6°) - Il deposito di cui al precedente articolo dovrà essere annunziato nel giornale o periodico. I registri di cui alle lettere a) e b) non potranno essere ritirati dalla Cancelleria del Tribunale se non dopo trascorsi 30 giorni dalla data dell'annuncio del deposito comparso nel giornale.

Art. 7°) - Devono farsi per atto o per scrittura privata, sotto pena di nullità i contratti con cui si creano società od associazioni aventi per scopo principale od accessorio la pubblicazione di giornali o periodici.

Tali contratti devono essere registrati, a pena di nullità, nel termine prescritto dalle vigenti leggi sulle tasse del Registro.

Gli Uffici del Registro, i notai, i cancellieri ed in generale tutti i pubblici ufficiali presso i quali si trovino depositati in originale od in copia gli atti di cui sopra,

L'applicazione delle norme suddette alle società commerciali non costituisce derogà alle norme del codice civile in materia, che rimangono egualmente in vigore.

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Art. 8°) - La violazione delle precedenti disposizioni sarà punita con la multa fino a 10 mila lire.

Le disposizioni di cui agli articoli 5 e 6 non si applicano alle pubblicazioni fatte da pubbliche amministrazioni, Acca

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denie scientifiche, artistiche, e letterarie legalmente costituite, da autorità religiose riconosciute dallo Stato, nè ai periodici scientifici e letterari.

Art. 99) - Nessuna sovvenzione diretta o indiretta da parte di governi stranieri può essere accettata sotto qualsiasi forma. I contravventori incorrono nella pena dell'arresto fino ad un anno.

TITOLO III

Art. 100) - Di qualsiasi stampato il tipografo, all'atto della diffusione e della consegna al committente, è tenuto a rimettere quattro copie complete al Procuratore del Regno presso il Tribunale nella cui giurisdizione territoriale ha sede la tipografia.

Art. 110) - Delle copie ricevute, le Procure del Regno trasmetteranno un esemplare per il proprio archivio, invieranno un esemplare alla Biblioteca Nazionale di Firenze, uno alla Biblioteca del Ministero di Grazia e Giustizia, la quale trasmetterà per sé le pubblicazioni di indole giuridica e trasmetterà le altre alla Biblioteca Vittorio Emanuele di Roma, e una alla Biblioteca pubblica più vicina.

Art. 120) - Chiunque contravvenga alle disposizioni dell'articolo precedente è punito con la ammenda fino a lire 10 mila.

TITOLO IV

Art. 130) - Contemporaneamente all'inizio dell'azione penale o successivamente può essere ordinato dal giudice competente il sequestro degli stampati quando si tratti di offesa all'onore del Capo dello Stato e del Sommo Pontefice, dei Capi e dei rappresentanti di Stati esteri, di vilipendio e di offesa della religione dello Stato e dei Culti ammessi, di apologia di reato, di istigazione e delinquere, quando i delitti medesimi siano commessi per mezzo della stampa. Nelle medesime circostanze può altresì ordinarsi il sequestro degli stampati nei casi di offese al pudore.

Art. 140) - Nelle medesime circostanze può infine ordinarsi il seque-

Art. 10°) - Di qualsiasi stampato il tipografo, all'atto della diffusione e della consegna al committente, è tenuto a rimettere quattro copie complete al Procuratore del Regno presso il Tribunale nella cui giurisdizione territoriale ha sede la tipografia.

Art. 11°) - Delle copie ricevute, le Procure del Regno tratteranno un esemplare per il proprio archivio, invieranno un esemplare alla Biblioteca Nazionale di Firenze, uno alla Biblioteca del Ministero di Grazia e Giustizia, la quale tratterà per sé le pubblicazioni di indole giuridica e trasmetterà le altre alla Biblioteca Vittorio Emanuele di Roma, e uno alla Biblioteca pubblica più vicina.

Art. 12°) - Chiunque contravvenga alle disposizioni dell'articolo precedente è punito con la ammenda fino a lire 10 mila.

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Art. 13°) - Contemporaneamente all'inizio dell'azione penale o successivamente può essere ordinato dal giudice competente il sequestro degli stampati quando si tratti di offese all'onore del Capo dello Stato e del Sommo Pontefice, dei Capi e dei rappresentanti di Stati esteri, di vilipendio e di offesa della religione dello Stato e dei Culti ammessi, di apologia di reato, di istigazione e delinquere, quando i delitti medesimi siano commessi per mezzo della stampa. Nelle medesime circostanze può altresì ordinarsi il sequestro degli stampati nei casi di offese al pudore.

Art. 14°) - Nelle medesime circostanze può infine ordinarsi il sequestro degli stampati che riproducono atti di istruzione penale o resoconti di dibattimenti svoltisi davanti alla autorità giudiziaria a porte chiuse, o resoconti delle sedute segrete delle assemblee legislative. In nessun caso può farsi luogo al sequestro preventivo degli stampati.

TITOLO V

Art.150) - Appartiene sempre alla Corte di Assise la cognizione dei delitti di cui all'art. 13. Nei procedimenti per gli altri delitti e per le contravvenzioni commessi col mezzo della stampa si applicano le norme ordinarie di competenza.

TITOLO VI

Art.160) - Le contravvenzioni alle disposizioni del presente decreto legislativo luogotenenziale si prescrivono in tre mesi.
Art.170) - Il presente decreto legislativo luogotenenziale abroga le seguenti leggi e decreti:

R.D.Legge 15 luglio 1923 n.3238 sui requisiti del gerente responsabile, sua diffida e revoca. Procedimenti per reati su stampa;

R.D.Legge 10 luglio 1924 n.1081 contenente norme di attuazione del R.D.Legge 15 luglio 1923 n.3238;
Legge 31 dicembre 1925 n.2307 contenente disposizioni sulla stampa periodica;

R.D.Legge 4 marzo 1926 n.371 contenente l'approvazione del regolamento relativo alle disposizioni sulla stampa periodica;

R.D.Legge 24 novembre 1932 n.1550 contenente approvazione elenco biblioteche pubbliche alle quali è destinato in ogni provincia il terzo esemplare d'obbligo di ogni stampato;

R.D.Legge 24 ottobre 1935 n.2040 contenente attribuzioni del Ministero della Cultura Popolare in materia di stampati;

R.D.Legge 3 giugno 1936 n.1313, completa l'elenco delle biblioteche pubbliche destinate, per ciascuna provincia, del terzo esemplare d'obbligo di ogni stampato;

Legge 2 febbraio 1939 n.374 contenente norme per le consegne obbligatorie di esemplari degli stampati e delle pubblicazioni.

TITOLO VI

- Art.16°) -- Le contravvenzioni alle disposizioni del presente decreto legislativo luogotenenziale si prescrivono in tre mesi.
- Art.17°) - Il presente decreto legislativo luogotenenziale abroga le seguenti leggi e decreti:
- R.D.Legge 15 luglio 1923 n.3238 sui requisiti del gerente responsabile, sua diffida e revoca. Procedimenti per reati su stampa;
- R.D.Legge 10 luglio 1924 n.1081 contenente norme di attuazione del R.D.Legge 15 luglio 1923 n.3238;
- Legge 31 dicembre 1925 n.2307 contenente disposizioni sulla stampa periodica;
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- R.D.Legge 24 novembre 1932 n.1550 contenente approvazione elenche biblioteche pubbliche alle quali è destinato in ogni provincia il terzo esemplare d'obbligo di ogni stampato;
- R.D.Legge 24 ottobre 1935 n.2040 contenente attribuzioni del Ministero della Cultura Popolare in materia di stampati;
- R.D.Legge 3 giugno 1936 n.1313, completante l'elenco delle biblioteche pubbliche destinatarie, per ciascuna provincia, del terzo esemplare d'obbligo di ogni stampato;
- Legge 2 febbraio 1939 n.374 contenente norme per la consegna obbligatoria di esemplari degli stampati e delle pubblicazioni. 32
- R.D.Legge 12 dicembre 1940, n.2052 contenente l'approvazione del regolamento per l'attuazione della legge 2 febbraio 1939 n.374;
- R.D.Legge 14 gennaio 1944 n.14 contenente norme sulla autorizzazione delle pubblicazioni.
- Sono considerate altresì come abrogate tutte le disposizioni delle altre leggi e decreti contrarie alle disposizioni del presente decreto.

TITOLO VIIDISPOSIZIONI TRANSITORIE

- Art.18°) Fino alla cessazione dello stato di guerra, e in relazione con le esigenze della guerra medesima, saranno in vigore le seguenti disposizioni transitorie.
- Art.19°) Chiunque intenda continuare o iniziare la pubblicazione di giornali o di altri scritti periodici, deve ottenere la autorizzazione con domanda alla Prefettura della Provincia in cui la pubblicazione si effettua o deve effettuarsi.
- Art.20°) - Sulle domande giudica una Commissione nazionale per la stampa con sede in Roma, alla quale è parimenti delegato il potere di sospendere o revocare le autorizzazioni già concesse.
- Art.21°) - La Commissione nazionale per la stampa è presieduta dal Sottosegretario di Stato per la stampa e le Informazioni o da un suo delegato, ed è composta da rappresentanti della Federazione Nazionale della Stampa, da un rappresentante della Associazione editori di giornali, e da uno dell'Associazione editori di libri e riviste, da un funzionario per ciascuno dei suoi Enti: Ministero dell'Interno, Ministero dell'Istruzione Pubblica e da due funzionari del Sottosegretariato per la Stampa o le Informazioni.
- I membri della Commissione sono nominati con Decreto della Presidenza del Consiglio dei Ministri.
- Art.22°) - Con decreto della Presidenza del Consiglio dei Ministri e su conforme parere della Commissione Nazionale per la Stampa tutte le attribuzioni della Commissione nazionale per la stampa o parte di esse possono essere delegate a Commissioni regionali o interregionali.
- Nello stesso decreto saranno determinati la composizione delle Commissioni, e gli organi che dovranno procedere alla nomina di esse.
- Art.23°) - L'autorizzazione, la sospensione o la revoca della pubblicazione viene ordinata con decreto del Prefetto in conformità con la decisione della Commissione Nazionale o locale.

- Art.20°) - Sulle domande giudica una Commissione nazionale per la stampa con sede in Roma, alla quale è parimenti delegato il potere di sospendere o revocare le autorizzazioni già concesse.
- Art.21°) - La Commissione Nazionale per la stampa è presieduta dal Sottosegretario di Stato per la stampa e le Informazioni o da un suo delegato, ed è composta da rappresentanti della Federazione Nazionale della Stampa, da un rappresentante della Associazione editori di giornali, e da uno dell'Associazione editori di libri e riviste, da un funzionario per ciascuno dei suoi Enti: Ministero dell'Interno, Ministero dell'Istruzione Pubblica e da due funzionari del Sottosegretariato per la stampa e le Informazioni.
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- Art.22°) - Con decreto della Presidenza del Consiglio dei Ministri e su conforme parere della Commissione Nazionale per la Stampa tutte le attribuzioni della Commissione nazionale per la stampa o parte di esse possono essere delegate a Commissioni regionali o interregionali.
- Nello stesso decreto saranno determinati la composizione delle Commissioni, e gli organi che dovranno procedere alla nomina di esse.
- Art.23°) - L'autorizzazione, la sospensione o la revoca della pubblicazione viene ordinata con decreto del Prefetto in conformità con la decisione della Commissione Nazionale o locali.
- Art.24°) - La pubblicazione di notizie e commenti di carattere militare o che comunque possano avere rapporti con argomenti militari è soggetta a censura preventiva.
- Art.25°) - Le contravvenzioni alle disposizioni del presente titolo sono punite con la reclusione fino a 6 mesi e con l'ammenda fino a lire 50 mila.

- 6 -

Contemporaneamente all'inizio dell'azione penale, qualora trattata di pubblicazione di notizia di cui sia vietata la divulgazione, ai sensi dell'articolo precedente, può essere ordinato dall'autorità giudiziaria il sequestro degli stampati.

In nessun altro caso, oltre quelli contemplati nell'articolo 13 o dal precedente capoverso può procedersi al sequestro degli stampati la cui pubblicazione sia avvenuta in conformità delle disposizioni del presente decreto.

Art.26°) - Oltre alle copie indicate agli articoli 10 e 11 il tipografo è tenuto ad inviarne due alla Prefettura.

Art.27°) - Fino a quando non saranno emanate norme circa gli albi professionali dei giornalisti, il compito della tenuta degli albi stessi è demandato alle associazioni professionali, regionali, e nazionali.

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Art.28°) - Il presente decreto legislativo luogotenenziale entra in vigore il giorno successivo della sua pubblicazione nella Gazzetta Ufficiale.

SCHEMA DI CIRCOLARE AI PREFETTI IN APPLICAZIONE
ALLA LEGGE SULLA STAMPA

La nuova legge sulla stampa, nelle norme transitorie, stabilisce che chiunque intendesse continuare od iniziare la pubblicazione di giornali od altri scritti, di carattere periodico, deve ottenere l'autorizzazione con domanda alla Prefettura della Provincia in cui la pubblicazione si effettua o deve effettuarsi.

La domanda di autorizzazione, da presentarsi in duplice copia, deve contenere i dati di cui al modulo A, che si allega, e cioè:

- a) Titolo e luogo della pubblicazione;
- b) scopo della pubblicazione;
- c) finanziamento dell'impresa;
- d) eventuale tendenza politica;
- e) periodicità;
- f) prezzo di vendita;
- g) sede della direzione e della amministrazione;
- h) nome, cognome e indirizzo del direttore, e, ove quest'ultimo assumesse la qualità di responsabile, nome, cognome e indirizzo del redattore responsabile;
- i) nome, cognome e indirizzo del direttore amministrativo;
- l) nome, cognome e indirizzo del proprietario od dei proprietari;
- m) nome, cognome e indirizzo dell'editore;
- n) nome e indirizzo della tipografia e del suo direttore;
- o) tiratura;
- p) formato e numero di pagine;
- q) preventivo del fabbisogno di carta con l'indicazione del luogo, dove si ritiene di poterla trovare;
- r) quantitativo della carta già disponibile al momento della domanda e luogo dove si ritiene di poterla trovare;
- s) preventivo delle richieste mensili di carta (con l'indicazione se in foglio o in tolti);
- t) zone e pezzi di distribuzione.

La pubblicazione di libri, opuscoli e stampati non periodici

l'autorizzazione con domanda alla Prefettura della Provincia in cui la pubblicazione si effettua o deve effettuarsi.

La domanda di autorizzazione, da presentarsi in duplice copia, deve contenere i dati di cui al modulo A, che si allega, e cioè:

- a) Titolo e luogo della pubblicazione;
- b) scopo della pubblicazione;
- c) finanziamento dell'impresa;
- d) eventuale tendenza politica;
- e) periodicità;
- f) prezzo di vendita;
- g) sede della direzione e della amministrazione;
- h) nome, cognome e indirizzo del direttore, e, ove quest'ultimo assuma la qualità di responsabile, nome, cognome e indirizzo del redattore responsabile;
- i) nome, cognome e indirizzo del direttore amministrativo;
- l) nome, cognome e indirizzo del proprietario od dei proprietari;
- m) nome, cognome e indirizzo dell'editore;
- n) nome e indirizzo della tipografia e del suo direttore;
- o) tiratura;
- p) formato e numero di pagine;
- q) preventivo del fabbisogno di carta con l'indicazione del luogo, dove si ritiene di poterla trovare;
- r) quantitativo della carta già disponibile al momento della domanda e luogo dove si ritiene di poterla trovare;
- s) preventivo delle richieste mensili di carta (con l'indicazione se in foglio o in rotoli);
- t) zona e mezzi di distribuzione.

La pubblicazione di libri opuscoli e stampati non periodici di pubblicità commerciali e industriali è libera, purchè non venga richiesta assegnazione di carta o sblocco di partite di carta vincolate. In questi casi dovrà essere presentata domanda di autorizzazione alle pubblicazioni. La domanda deve essere presentata dall'editore ed essere accompagnata da un riassunto della pubblicazione, di non oltre 550 parole. La domanda deve contenere i dati del modulo

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C, di cui si allega un esemplare e cioè, oltre a quelli delle lettere a, b, c, d, f, l, m, n, q, ed r, del modulo A, i seguenti:

- 1) Nome, cognome e domicilio o residenza dell'editore o degli editori;
- 2) nome, cognome e domicilio o residenza dell'autore, direttore o compilatore dell'opera;
- 3) numero di copie che si intende stampare;
- 4) formato e numero di pagine;
- 5) preventivo del quantitativo di carta occorrente e relativo tipo.

Tutte le domande saranno istruite dalle Prefetture al fine di accertare la veridicità dei dati in esse contenuti e quindi trasmesse il più sollecitamente possibile e con parere motivato alla Commissione Nazionale per la Stampa presso il Sottosegretariato Stampa e Informazioni, ovvero alla eventuale Commissione regionale o interregionale competente per territorio.

Le Prefetture decideranno direttamente sulle domande di autorizzazione concernenti opuscoli e stampati non periodici di pubblicità commerciale o industriale, ove sia richiesto lo sblocco di carta, apponendo il timbro "pubblicazione autorizzata il" su entrambe le copie della domanda di autorizzazione, di cui una sarà restituita all'interessato e l'altra sarà tenuta con firma di ricevuta da parte dell'interessato stesso.

Si avverte che ogni cambiamento di proprietà, del direttore, del redattore responsabile, del direttore amministrativo, della tendenza politica, dello scopo dichiarato della pubblicazione periodica e del nome e del luogo della pubblicazione, come dichiarati dal richiedente sui moduli A e C, deve essere immediatamente notificato per lo stesso tramite della domanda originaria. In mancanza di detti

4) formato e numero di pagine;

5) preventivo del quantitativo di carta occorrente e relativo tipo.

Tutte le domande s.r.no istruite dalle Prefetture al fine di accertare la veridicità dei dati in esse contenuti e quindi trasmesse il più sollecitamente possibile e con parere motivato alla Commissione Nazionale per la Stampa presso il Sottosegretariato Stampa e Informazioni, ovvero alla eventuale Commissione regionale o interregionale competente per territorio.

Le Prefetture decideranno direttamente sulle domande di autorizzazione concernenti opuscoli e stampati non periodici di pubblicità commerciale o industriale, ove sia richiesto lo sblocco di carta, apponendo il timbro "pubblicazione autorizzata il" su entrambe le copie della domanda da autorizzazione, di cui una sarà restituita all'interessato e l'altra sarà tenuta con firma di ricevuta da parte dell'interessato stesso.

Si avverte che ogni cambiamento di proprietà, del direttore, del redattore responsabile, del direttore amministrativo, della tendenza politica, dello scopo dichiarato della pubblicazione periodica e del nome e del luogo della pubblicazione, come dichiarati dal richiedente sui moduli A e C, deve essere immediatamente notificato per lo stesso tramite della domanda originaria. In mancanza di detta notizia l'autorizzazione già concessa si intende revocata alla data della intervenuta variazione.

Si avverte altresì che, qualora trattisi di traduzione di libri stranieri (ove sia richiesta l'assegnazione e lo sblocco di carta), la domanda di autorizzazione deve essere corredata di un certificato attestante l'avvenuta regolare cessione del diritto d'autore.

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La legge citata sulla stampa sancisce inoltre, sempre nelle norme transitorie, che lo stampatore è tenuto a consegnare alla Prefettura due copie di ogni pubblicazione, in aggiunta a quelle consegnate all'Ufficio di Procura del Re. Si precisa che tali due copie devono essere trasmesse con la massima sollecitudine al Sottosegretario alla Stampa e Informazioni (Biblioteca).

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5 September 44.

Office Memorandum

This morning I telephoned Avv. Rossini and asked him why it was possible for the draft Press Law to have been submitted to the Italian Press Federation and not possible for it to be submitted to APB before the end of September or the beginning of October, as stated in the Under-Secretary's letter. I told him that the Allied authorities were more than anxious to know what was going on.

Avv. Rossini said that the project was being discussed with the Press Federation again tomorrow and that on the day after tomorrow he would send the draft to me. I asked him to attach to it comments of the Press Federation.

Avv. Rossini told me that the Press Federation had taken exception to the references to APB (sic) in the part of the draft law concerning wartime measures. He explained that the draft was in two parts one of which represented an established Press Law and the other representing a wartime measure. I told the Avv. that no Freedom of the Press could be acquired through a Press Law and that as far as the Allies were concerned the whole measure under consideration was a wartime one. The Avv. said that on such a serious question they felt it necessary to keep the public informed.

I later wrote Avv. Rossini (copy attached) with special reference to proposed publicity.

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I. S. MUNRO,
Lt. Col.

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Distribution

Mr. Edman.
Political Section, ACC.
Col. Wilmer. ✓
Major Fielden.
Mr. Minifie.
Count Della Chiesa.

RSM

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ALLIED PUBLICATIONS BOARD
OFFICE OF THE CENTRAL
Room 103, 62 Via Veneto
ROME

5 September 44.

SUBJECT : Proposed Press Law.
TO : Avv. A. Rossini,
Press Chief,
Under-Secretariat of Press and Information.

A note of our conversation by telephone this morning has been handed on to all Allied authorities concerned. In view of the extreme inadvisability of publicising or discussing any aspect of the proposed Press Law before such draft has been examined by the Allied authorities and before their comments can be made known, please take note that any such premature publicity is to be avoided. Please send me concurrence by return.

I look forward to receiving the draft project, as promised, on the day after tomorrow.

15/9/44

I. S. MUNRO,
Lt. Col.,
Executive Secretary.

Distribution

Mr. Edman.
Sig. Spataro.
Col. Wilmer. ✓
Political Section, ACC.
Major Fielden.
Count Della Chiesa.

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Col. Wilmer (4A)
Legal Sub Committee
ACC

ALLIED FORCES HEADQUARTERS
Information and Censorship Section
PWS ITALIAN THEATRE HEADQUARTERS
Unit No. 18 APO 518 U.S. Army

22 August 44.

STATEMENT OF PRESS PLAN
ITS PURPOSE, APPLICATION AND FUTURE

PWS Press Office operations have been consistently conducted with a view to their eventual consignment into the hands of the Italian people. Its stated short-term policy is "to follow official Allied directives; to see constructive freedom of expression put into practice without fear or favour; to make Italian editors take more interest in news than in polemics; and to promote Italian concentration on a common war effort." PWS Press Office long-term policy is "to be prepared to fade out of the scene, when ordered, in such a way that we leave behind us a loyal and respected instrument for the social reconstruction of Italy on democratic lines; and, in cooperation with the Italian Government, to create the machinery of the Press in a manner calculated to facilitate its eventual transition to the Italian people."

When PWS Press Office began the task of translating these aims into facts it was aware that it had embarked on an experiment unique in the history of journalism and perhaps unique in the history of war, namely, foundation of free expression of the printed word among an ex-enemy people who had not exercised that privilege for two generations, and the development of a free Press in a country which was still a theatre of operations.

PRESS PLAN

To reconcile Italian Press freedom with war conditions, the PWS Press Plan was devised. It had to take care of PWS propaganda obligations, military security, economic (newsprint) restrictions and local effervescence. An examination of that Press Plan (Annex A) will reveal that the economic difficulty was met by the device of priorities. Allied propaganda demands, Italian political expression and social needs were thus served. Military censorship was stipulated. Newborn journalistic exuberance was checked with a "Letter of Conduct" (Annex B) put into the hands of all editors. Newspapers became authorized and responsible. 24

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A. P. S.

It is obvious that the PMS Press Plan could not be put into effective operation without the help and cooperation of other departments vitally concerned such as Censorship, Policy and Supplies. The Allied Publications Board was set up (Annex C). The Press Plan and Letter of Conduct to Editors were officially adopted. Each may be adjusted as circumstances dictate; the Plan has, in fact, been modified in recent weeks to encompass political expression which had the support of a substantial body of public opinion outside the National Front of Liberation. The machinery was thus set going. PMS and APS worked, and still work, in harness and in harmony. Thanks to that the position of the Press in Italy today is a successful translation of PMS's short-term aims into facts.

What are these facts?

Sicily, Sardinia and the mainland as far North as Rome has a network of 22 dailies and 194 other periodicals of all colours and character run by proven anti-fascists (ACC takes care of operation), and designed to inform and stimulate the populace. Allied news and views have their expression in editorially controlled dailies at key points. All serve a liberated populace of some twenty million souls. The papers are free from pre-publication political censorship. With negligible exceptions the editors and people have risen to that trust. PMS news services open vistas for them beyond colonies and their own parishes, laying foundations for recovery of European thought and world cooperation.

As the liberation of Italy moves northward, so does the PMS-APS network put out new strands. Umbria and Tuscany are now being organised in coordination with APS and ACC (Annex D).

TOWARDS ITALIAN RESPONSIBILITY

As ACC territory on the other hand passes back to Italian jurisdiction, so does APS coordinate its labours with the Italian authorities. The first step was an invitation to the Italian Government to have a representative at APS meetings as an observer and consultant. The next step was to enlist the assistance of the Italian Government Press Office, the Giunta, and the National Federation of the Italian Press in the examination of applications to APS for newspapers and periodicals. Useful understanding was built up all round, because ACC Sub-Commissions also assist in judging the applications dealing with specialised subjects.

From this position the transfer of authority to an Italian counterpart of APS was easy. When the Allied Publications Board, on 1 August, transferred responsibility to an Italian Press Commission for the Press in territory under Italian Government jurisdiction,

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subject, of course, to AFB ratification, the Press Office saw its long-term policy coming to fruition.

PRESENT STATUS OF ITALIAN PRESS COMMISSION

Negotiations For New Press Law

An Italian Press Commission has been formed with the delegated power to grant, suspend and repeal newspaper licenses in territory under Italian jurisdiction, subject to AFB approval.

It includes representatives from the Ministries of Interior, Press, Justice and Education; Newspaper Publishers Association; National Federation of the Italian Press.

AFB is insisting that it also include a delegate from the Ministry of National Economy, for newsprint questions.

An AFB observer has been appointed to attend all meetings of the Commission.

An Italian observer has been appointed to attend meetings of AFB.

Press licensing regulations, with reference to the Commission, are to be embodied in a new Press Decree.

The proposed Decree is still in the draft stage. Until that is ready a Modus Operandi consisting of a "Circular to Prefects" and an "Exchange of Letters" (Annexes B and F) makes the wheels go round.

These documents have not yet got the force of law. They provide an experimental phase pending formulation of the new Decree.

AFB continues to import, distribute, store and sell newsprint. It has not relinquished that responsibility--and power--to the new Italian Commission.

Precautions: - Any eventual Decree must encompass repeal of the Press Decree of 14 January 44, which measure, on a literal reading, puts power of license in the hands of the Prefects.

AFB is alive to the fact that any Press decree putting licensing or suspension powers into the hands of a Commission or any other official body or person, is a war-time measure necessitated by economic and non-political motives, and that the

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proposed new Decree should not be operative after the Allies abandon control over Italian Press affairs. For this reason precautions have been taken to ensure that copies of the draft Press Decree are sent to the PWB Press Office before the law is put into effect so that AFSA, ACC, APS and PWB can scrutinize and decide the war-time and post-war potentialities of the proposed text.

THE FUTURE

(WITH RECOMMENDATIONS)

Experience has shown that the approach of the Italian Commission to the issuance of licenses tends to be political and influenced by extraneous high-placed backers, and not economic, which is just the opposite from the approach of APS. To prevent any such political or other favoritism and to eliminate press control as a monopoly in the hands of officials or any Commission, PWB Press Office strongly recommends that APS, before it is dissolved, makes sure that (a) the Decree of 14 January 44 is revoked; (b) the existing Modus Operandi be formally cancelled by APS and the Italian Government; and (c) the proposed new Decree as a war-time measure be stopped, or, if passed, revoked.

Newsprint Problems

The problem of an equitable distribution of imported newsprint will still remain when APS is gone.

For that reason the Press Office recommends that the critical question of newsprint imports be brought to the attention of the Allied post-war economic planning authorities, for adjustment with Article IV of the Atlantic Charter.

As the conception of the Allied Publications Board is economic and is dictated by the newsprint situation, it stands to reason that it should be succeeded in post-war Italy by Allied observers trusted with the duty of seeing that Italian quotas of imported items continue to be distributed on a democratic basis without any infiltration of biased control or Government monopoly.

ACC has initiated the revival of paper mills in Italy, but even at the best the importation of paper and raw materials will always be necessary.

5.

PNB Controlled Newspapers

At this moment PNB has a direct editorial control over five dailies by private agreement. This editorial control was acquired because there was no other way by which PNB directives could be put into propaganda operation without asking favours of anyone and without giving orders to Italian editors in the Fascist manner. Any eventual handover in this category is one of a simple business nature without reference to Government.

News Agency

No paper can exist without a blood-stream of news and an arterial agency system to carry it. The departure of UPI will therefore cause fatal anemia to the APB Press network. But the democratic character of that network will be ruined by the establishment of any monopoly, state or otherwise, replacing UPI. This office therefore recommends that any Italian news agency be organized on a non-official cooperative basis with an international hook-up and on equal terms with the recognized world agencies. (See PNB News Operations Plan. *Annex 27*)

Penal Code

It so happens that the still non-abrogated Penal Code is one of Mussolini's vaunted triumphs. Freedom of the Press confronted by the Fascist Penal Code has a chance of survival something less than that of a rabbit in the jaws of a hyena. In addition to the Press Plan "Letter of Conduct" (Annex B), an attempt has been made to file at least one of the fangs of the hyena by inserting in the "Circular to Prefects" (Annex E, para 6c), for inclusion in the new Press Law, an all-important parenthesis that any prohibitions exclude "political crimes"---so called in the Fascist Code.

FINAL WARNING

In conclusion PNB Press Office cannot too strongly wax and urge:

- (i) That the Fascist Penal Code be abolished in favour of the pre-Fascist Code;
- (ii) That a Habeas Corpus Act be introduced, and
- (iii) That summary courts of justice be created to deal swiftly and severely with libel. 21

Without these basic reforms and institutions our Press accomplishments to date in Italy will just fade away. *ISA/mmo*

I. G. MURRO, Lt. Col., *LT/51*
Chief Press Officer, Italy.

- 2 -

depend on their own performance. If any of them reveal after a fair trial that there is a real demand for bettering their circulation, this will be favourably considered with a view to allowing an increase in circulation and/or an increase in the number of pages.

6. Third Priority Papers

The third and last priority is for any other paper useful for social development.

7. Publication Centres

Publication of second and third priority papers, other than in Palermo, Bari, Naples and eventually Rome, must be governed largely by transport and distribution considerations.

8. Complaints

No complaints from Italian sources will be entertained unless lodged with the local PWB Press Officer within four days after publication of the items complained of.

9. Contact

Acting on guidance from the PWB Press Chief, the local PWB Press Officers will keep in contact with local editors of the news-papers and with local Government officials.

10. Combat Zone

The above priority plan will not apply to the A.A.I. zones of operations. Any Italian language publications in those areas remain the PWB Combat Teams' respective responsibility under the direction and control of the Military Commander in whose areas they are operating.

to allowing an increase in circulation and/or an increase in the number of pages.

6. Third Priority Papers

The third and last priority is for any other paper useful for social development.

7. Publication Centres

Publication of second and third priority papers, other than in Palermo, Bari, Naples and eventually Rome, must be governed largely by transport and distribution considerations.

8. Complaints

No complaints from Italian sources will be entertained unless lodged with the local FwB Press Officer within four days after publication of the items complained of.

9. Contact

Acting on guidance from the FwB Press Chief, the local PwB Press Officers will keep in contact with local editors of the news-papers and with local Government officials.

10. Combat Zone

The above priority plan will not apply to the A.A.I. zones of operations. Any Italian language publications in those areas remain the FwB Combat Teams' respective responsibility under the direction and control of the Military Commander in whose areas they are operating.

(SGD) I. S. MUNRO,
Lt. Col.,

Press Chief, FwB Italy.

ANNEX A

(48)

ALLIED FORCE HEADQUARTERS
INFORMATION AND CENSORSHIP SECTION
PSYCHOLOGICAL WARFARE BRANCH

4 March, 1944.

PRESS PLAN FOR ITALY

1. The following Press Plan, based on the principles of the Atlantic Charter, has been set up. It is based on a system of priorities designed to reconcile the freedom of the press, without discrimination, with military exigencies.
2. First Priority Papers
The first priority will be the establishment in Palermo, Bari and Naples respectively, and eventually Rome, of four page (two-sheet) newspapers under the immediate direction of PWB and with circulations in ratio to demand. The functions of these newspapers will be to:
 - Carry straight news, principally based on the United Nations News Service;
 - Maintain a neutral and objective attitude towards all parties;
 - Carry official and semi-official communications duly marked as such, of the Italian Government and of the Allied authorities;
 - Develop Allied Directives in editorials and layout.
 - Publish material submitted by political protagonists when space allows, if fully signed and presented as outside viewpoints.
3. Business Safeguard
To safeguard PWB interests, PWB will appoint a business manager to audit and supervise the business and contractual sides of publications under the editorial direction of PWB.

2. First Priority Papers

The first priority will be the establishment in Palermo, Bari and Naples respectively, and eventually Rome, of four-page (two-sheet) newspapers under the immediate direction of F.B. and with circulations in ratio to demand. The functions of these newspapers will be to:

- Carry straight news, principally based on the United Nations News Service;
- Maintain a neutral and objective attitude towards all parties;
- Carry official and semi-official communications duly marked as such, of the Italian Government and of the Allied authorities;
- Develop Allied Directives in editorials and layout.
- Publish material submitted by political protagonists when space allows, if fully signed and presented as outside viewpoints.

3. Business Safeguard

To safeguard F.B. interests, F.B. will appoint a business manager to audit and supervise the business and contractual sides of publications under the editorial direction of P.B.

4. Second Priority Papers

The second priority will be to provide an equal opportunity to publish in Palermo, Bari, Naples and such other centres (see Para 7) as may be determined, a series of two-page (one-sheet) weeklies with an initial maximum of 50,000 copies each, sponsored and authorized respectively by the Italian Government and the six parties of the National Front. In addition, since the Government, under the arrangement immediately above, would find itself outnumbered by the Opposition in respect of several internal Italian questions, it is proposed that the official bulletin of the Government, issued in Salerno with a restricted circulation, be transformed by the Government, if it so wishes, into a daily Salerno one-sheet paper with the restricted elements (monitoring of enemy radio, etc.) eliminated.

5. The future of the seven weekly papers of the second priority will

depend on their own performance. If any of them reveal after a fair trial that there is a real demand for bettering their circulation, this will be favourably considered with a view to allowing an increase in circulation and/or an increase in the number of pages.

6. Third Priority Papers

The third and last priority is for any other paper useful for social development.

7. Publication Centres

Publication of second and third priority papers, other than in Palermo, Bari, Naples and eventually Rome, must be governed largely by transport and distribution considerations.

8. Complaints

No complaints from Italian sources will be entertained unless lodged with the local FwB Press Officer within four days after publication of the items complained of.

9. Contact

Acting on guidance from the FwE Press Chief, the local FwB Press Officers will keep in contact with local editors of the newspapers and with local Government officials.

10. Combat Zone

The above priority plan will not apply to the A.A.I. zones of operations. Any Italian language publications in those areas remain the FwB Combat Teams' respective responsibility under the direction and control of the Military Commander in whose areas they are operating.

(SGD) I. S. MUNRO,
Lt.Col.,

Press Chief, FwB Italy.

ANNEX B

ALLIED PUBLICATIONS BOARD

(4c)

TO ALL THE DIRETTORI RESPONSABILI OF THE ITALIAN NEWSPAPERS

In compliance and sympathy with the objectives of liberation for which the Allied Nations of the United States of America, Great Britain and the Union of Soviet Republics are fighting, Marshal Badoglio on October 29th, 1943 declared that liberty of press was restored in Italy.

By virtue of such a disposition, all political parties of the nation can openly publish their newspapers and freely spread their political ideas, and this not on clandestine or irresponsible sheets but on newspapers duly authorized.

The Allied Authorities believe in the opportunity of calling the attention of the Direttori Responsabili, editors, administrators etc., to the following:

1. The Italian Press cannot be conceded a greater freedom from military censorship, decency of language, accuracy of facts and political constraint than that exercised in the countries of the Allied Nations themselves, especially since such censorship, decency, accuracy and restraint in the Allied countries is conducted more in a spontaneous sense of citizenship rather than by the imposition of restraining measures in war time or otherwise.
2. The above does not mean any limitation of the liberty in political opinions. On the contrary, the Allied authorities have explicitly expressed their hopes and desires to see the basis of the Italian Government extended to encompass all legitimate political thoughts. Liberty of Press was considered an essential contribution towards that end.
3. Abuse of that liberty will not be tolerated.
4. Grievances may be aired; opinions may be voiced; points of view may be advanced; differences may be debated; polemical discussions may be developed, as is practised in all democratic countries.

TK

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3. Abuse of that liberty will not be tolerated.

4. Grievances may be aired; opinions may be voiced; points of view may be advanced; differences may be debated; polemical discussions may be developed, as is practised in all democratic countries.

5. Incitations of class against class, vulgar epithets, anonymous accusations, insinuations and innuendoes, personal vilification, wilful accusations will no longer be allowed.

6. No criticism reflecting on the honour or good faith of Italian soldier, irrespective of rank, fighting or co-operating

- 2 -

with the Allied Forces will be allowed.

7. No writing calculated to disturb or foment the public or calculated to lead to public disorder can be allowed.
8. In order to lighten the task of those responsible for military censorship, no material concerning the work of Italian individuals or units, operating with the Allies, are to be allowed.
9. Any infringement of this order will mean not only the cancelling of the offending items, but the suspension of the publication, the Allied Authorities reserving themselves any further action considered necessary.
10. To avoid such inevitable consequences, the Authorities appeal to all newspaper "Direttori Responsabili" to think more of the importance of a dignified Press than of a free one.

I.S. MURRO
Lt. Col.
Executive Secretary. A.P.D.

April, 1944

ANNEX C

42

U.S. RESTRICTED
(Equals British Restricted)

ALLIED FORCE HEADQUARTERS
APO 512

11 December 1943.

ADMINISTRATIVE MEMORANDUM)

NUMBER 89 ;)

ALLIED PUBLICATIONS BOARD

1. There is herewith created the Allied Publications Board comprised of five members, one representing each of the following:

- a. Psychological Warfare Branch (INC) - (Chairman)
- b. Allied Military Government (15th Army Group)
- c. Censorship Branch (INC)
- d. G-2 Section
- e. Allied Control Commission.

2. G-1, NATOUSA, in conjunction with G-1 (British), will designate a representative who will sit as a member of the Board whenever a question involving any of the officially designated troop morale newspapers (e.g. STARS AND STRIPES, UNION JACK, EIGHTH ARMY NEWS AND YANK), is before the Board.

3. The Board is empowered to draft such regulations and perform such functions as are necessary properly to carry out the following:

- a. Grant and revoke licenses for the publication of newspapers, magazines, books, posters, placards, brochures and similar publication products.
- b. Control the flow into Italy, Sicily and Sardinia of all newsprint, and to control and distribute all newsprint found in Italy; to perform such functions as are necessary to maintain an adequate supply of newsprint.
- c. Control the construction, rehabilitation and allotment of line and radio services necessary for news; i.e., all existing news wire and radio services necessary to maintain a steady-flow

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c. Control the construction, rehabilitation and allotment of line and radio services necessary for news; i.e., all existing news wire and radio services necessary to maintain a steady-flow service to publications.

d. Direct the consolidation, movement or rehabilitation of all equipment necessary for publication production.

e. Enforce the directives of the various sections concerned with publication problems, and to issue censorship and policy directives as are necessary to the proper carrying out of this authority.

4. Stars and Stripes, Union Jack, Yank, and other officially designated troop morale newspapers are specifically exempt from Allied Publications Board control and supervision except for paper stocks, materials and facilities acquired in or derived from paper SICILY and SARDINIA, which shall be allotted by APB based upon need and availability, it being understood that in the event of acute facility shortages officially designated troop morale publications will be permitted to participate in the use of available facilities

on a "share and share alike" basis with other licensed publications. The APB will not exercise any control or supervision over any expeditionary radio stations, British or American.

5. It shall be the duty of the Board to report its activities and submit any recommendations beyond the scope of this order to this headquarters via Allied Military Government or Allied Control Commission, depending upon which of these organizations has territorial jurisdiction.

6. The place for this Board to sit will be determined by said Board; and its initial session shall be called by the Chairman at a mutually convenient location.

(AG 000.76-7 INC-AGM)

By command of General EISENHOWER:

T. J. DAVIS,
Brigadier General, United States Army,
Adjutant General.

DISTRIBUTION:
"C"

RB:

(4E)

COPY
ALLIED FORCE HEADQUARTERS
APO 512

ADMINISTRATIVE MEMORANDUM)
:)
NUMBER 96)
29 December 1943.

Paragraph 3 c, Administrative Memorandum No. 89, this Headquarters, cs, is rescinded and the following substituted there-
fore.

"3 c. Control the allocation to specific publications and news organizations of all such communications facilities as are made available by the Chief Signal Officer, this Headquarters, for collecting and disseminating news and press matter within ITALY."

ADMINISTRATIVE MEMORANDUM)
:)
NUMBER)
15 February 44.

Paragraph 3 b, Administrative Memorandum No. 89, this Headquarters, is amended to read as follows:

"Control the flow into ITALY, SICILY and SARDINIA of all newsprint and other forms of paper used for printing publica-
tions referred to in Section 3-a; to control and distribute all such paper found in ITALY, SICILY and SARDINIA; to perform such functions as are necessary to maintain an adequate supply of such paper."

14 March 44.

ADMINISTRATIVE MEMORANDUM)

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14 March 44.

ADMINISTRATIVE MEMORANDUM)
;)
NUMBER 13

15

Paragraph 5, Administrative Memorandum Number 89, 1943, is rescinded and the following substituted therefor:

"5. It shall be the duty of the Board to report its activities and submit any recommendations beyond the scope of this order to this headquarters via Allied Control Commission."

(4F)

ANNEX D

OFFICE OF THE
ALLIED PUBLICATION BOARD
62 Via Veneto
ROME

18 August 44.

SUBJECT : Newspaper Authorizations.
TO : Allied Control Commissions (for all AMG CAC's in
Combat Territory or forward areas not yet under
ACC Administration).

The following notes are written in response to requests for information and guidance made by various CAC's in forward areas to this office and to PWB Combat Team Press Officers.

1. Experience shows that liberated towns and areas have a hunger for news almost equal to that for food.
2. Moreover, experience also shows that AMG and other Allied authorities need an immediate publicity outlet for their Proclamations, regulations and advisory instructions. Controlled local news sheets and wall bulletins fulfill these functions.
3. PWB Combat Teams operating with 5 and 8 Armies have Press Officers who take care of these things in close cooperation with local AMG. But these Press Officers move forward with the advancing operations. They may not therefore be available when demands may be made locally for AMG permits to publish a newspaper.
4. In such cases the following points should be noted by AMG officials:

- a) Suspend all existing papers. This is to prevent the survival of Fascist or Fascist-inspired or political uncontrolled sheets.

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4. In such cases the following points should be noted by AMG officials:
 - a) Suspend all existing papers. This is to prevent the survival of Fascist or Fascist-inspired or political-ly uncontrolled sheets.
 - b) Provisionally authorize the publication of one non-party or Committee of Liberation information paper devoid of political party editorials and comment ex-

- 2 -
- cept such as may be approved or inspired by AMG or PWB.
- c) Do not authorize political or party papers. These will be taken care of by APB in due course as indicated in para. 6 of this note.
- d) Allow approved papers the financial fruits -- and risks -- of their enterprise.
5. PWB can provide a news service within the limits of whatever communications exist or may be established. Contact the local PWB Combat Team Press Officer or PWB Chief Press Officer (through HQ ACC) for details as required.
6. All papers provisionally approved by local AMG and set going will, if proven desirable, be given first consideration by the Allied Publications Board when the editors (or CAC on their behalf) make an eventual demand for APB authorization. Forms on which to make such demands can be got on application to "Executive Secretary, Allied Publications Board, c/o HQ, ACC." This procedure will ensure that such publications are safeguarded for the future and will come within the compass of APB Press Plan which takes care of even total Party organs and in due course merges Allied control with Italian responsibility for a free Press.

I. S. MURRO,
Lt. Col.,
PWB Chief Press Officer, and
Executive Secretary, APB

ANNEX E

OFFICE OF THE PRESIDENT OF THE COUNCIL OF MINISTERS
Undersecretary of the Press Office and Information

N.1074/ST
(Circular)

Rome, July.....

TO all Prefects of Territory under Italian Jurisdiction

SUBJECT : Directives of the Press.

Considering that the D. R. L. 10 January 44 N.14 does not fully discipline all printed matter for the Press, and while awaiting that new legislative directives be given, Your Excellency will please adhere to the orders of the present circular:

1. Whoever actually publishes, or intends to start the publication, the printing, or the reproduction of newspapers or other literary matter, even if not of a periodical nature, must ask for authorisation to the provincial Prefects where the publication is or is to be published. The requests will have to be forwarded from the Prefecture to the Under-Secretary of the Press Office and Information to undergo the examination of a Commission to which is delegated power to authorise any publication whatever. This Commission is equally authorised to suspend or revoke any authorisation. Till new orders are given, the authorised newspapers may continue, however, to be published without asking for a new authorisation.
2. If periodical publications are concerned, the requests must contain the following:

(Text of Modula A)

 - a) Full name and address of the Editor or Editors and the author or managing Editor.
 - b) Number of copies which one intends to publish.
 - c) Size and number of pages.
 - d) An estimate of the quantities and kind of paper requested.
3. If non-periodical publications are dealt with requests for authorisation must contain the following details, besides those already asked for in the preceding paragraph, in the letters a), b), c), d), e), f), g), h), i), o) and p):
 - a) Full name and address of the Editor or Editors and the author or managing Editor.
 - b) Number of copies which one intends to publish.
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2. If periodical publications are concerned, the requests must contain the following:

(Text of Article 4)

3. If non-periodical publications are dealt with requests for authorisation must contain the following details, besides those already asked for in the preceding paragraph, in the letters a), b), c), d), e), f), g), h), i), j), k), l), m), n), o) and p):
 - a) Full name and address of the Editor or Editors and the author or Managing Editor.
 - b) Number of copies which one intends to publish.
 - c) Size and number of pages.
 - d) An estimate of the quantities and kind of paper requested.
4. Any change regarding the property, the administrative or editorial management, the political tendency, the aim stated by the periodical and the name and locality of the publication itself, as declared by the applicant, according to paragraphs 2 and 3, must be immediately notified through the same routine of the original request. Should this be lacking, the authorisation already conceded will immediately cease to be valid.
5. The publications dealt with in paragraph 1 are subject to preventive censorship only for news and comments of a military nature on which may have any relationship whatever with military matters.
6. As soon as whatever material is printed the printer must send a copy to the Prefettura and three copies to the Procuratore del Re presso il Tribunale Competente of the place where the printing works is established.

7. After having dated the copies received the Procuratore del Re must send one of them to the National Library of Florence; one to the Ministry of Justice, which will keep the publications or a juridical nature for itself and send the others to the Victor Emmanuel Library of Rome; and one to the nearest Governmental Public Library. The Prefectures will send two copies to the Under-Secretary for the Press and Information and will keep the third for their own files.

8. Sequestration of the written or typed publications may be ordered in the following cases:

- a) Violation of the orders given in paragraphs 1 and 4 or the present circular;
- b) The publishing of news and comments banned by the censor according to the fifth paragraph of the present circular.
- c) The publishing of writings or designs dealing with incitements to commit crime, defence of a deed which the penal laws regard as criminal (political crimes excluded); incitement to disobey laws, offence towards the head of the State or other organs of the legislative power or of the Pope; offence towards the prestige and honour of the head of a foreign country or towards Ambassadors, Ministers, Attaches or other diplomats of foreign countries, publishing of documents regarding legal enquiries or legal disputes in cases in which the legal proof of facts is not allowed, publishing of debates held privately before judges and Courts.

Sgd.....

ANNEX P 4H

23 Via Veneto
ROME

21 July 44.

His Excellency,
The Under-Secretary for Press and Information,
Rome.

Your Excellency,

In notifying its approval of the text of the Circular Letter to the Prefects on the new Press Law, the Allied Publications Board, in accord with the Allied Control Commission, desire me to communicate the following as arranged:

The Mandate and authority assigned to the Allied Publications Board by Allied Force Headquarters in Administrative Memorandum No. 89, and amendments, remain inviolate and unaffected. Copies of Order 89 and all amendments to date are attached hereto in addition to the copies which have been sent to the Italian Government in the past.

In keeping with paragraph 3a of Administrative Memorandum 89 the Allied Publications Board agrees that the Royal Italian Government will set up an Italian Press Commission under the Chairmanship of the Under-Secretary of Press and Information to perform the functions in Royal Italian territory hitherto performed by Local Allied Publications Boards.

A representative of APB will attend the meetings of the Italian Press Commission as observer and consultant only. A representative of the Italian Government will likewise attend the meetings of APB as observer and consultant.

The Secretariat of the Italian Commission will ensure that a copy of each successive agenda reaches the Executive Secretary of APB seven days before each sitting of the Italian Commission.

The Minutes and decisions of the Italian Commission will be sent after each meeting to APB for approval and ratification, such approvals and ratifications being thereupon put into executive effect by the Italian Commission or

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The Minutes and decisions of the Italian Commission will be sent after each meeting to APB for approval and ratification, such approvals and ratifications being thereafter put into executive effect by the Italian Commission or its delegates in Royal Italian territory.

Any decision not approved or ratified by APB will be re-examined by the Italian Commission in the light of APB's objections.

Dispositions, present and future, by the Allied authorities for Military Censorship remain unaffected by this exchange of letters. Dispositions, present and future, for organs directly or indirectly under editorial control of INC, PWB, likewise remain unaffected. They remain the responsibility of Allied Force Headquarters.

(Sgd) I. S. MUNRO, Lt. Col.,
Executive Secretary, APB.

This is to confirm the contents of the above letter and to agree to the fulfillment of its contents. (sgd).....

Amney G (49)

ALLIED FORCE HEADQUARTERS
PSYCHOLOGICAL WARFARE BRANCH (INC)
A.P.O. 794

NEWS OPERATIONS PLAN FOR LIBERATED ITALY

FORWORD:

AFM Memorandum No. 56, dated 1 July 1943, charged PWB with the mission of conducting all propaganda activities in liberated Italy and to occupied Italy. On December 7, 1943 PWB submitted to the Chief of Staff AFM a general plan for news operations in the Mediterranean theatre. Both plans, modified somewhat to square with changing military necessities, have been adhered to since the invasion of Sicily.

Recent military successes, however, imply an extension of the Italian plan to embrace also well-defined procedures for:

1. Giving the Italian more and more responsibility in the restoration of news and press activities in liberated Italy;
2. For determining the points at which privately owned news agencies, both foreign and domestic, shall be allowed to take over the news functions in Italy now carried out by PWB, and
3. For insuring at least the foundation of a free press in Italy once Allied military and diplomatic authorities have decreed that all news and press activities can be entrusted to the foreign news agencies and to the Italians themselves.

INCREASING RESPONSIBILITY FOR ITALY

I.

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I.

INCREASING RESPONSIBILITY FOR ITALIAN

With the recent centralization of its news operations in Rome, PWB is in a position to make greater and greater use of Italian personnel, especially for gathering news about liberated Italy, for processing it in the English language and for distributing it to an Italian clientele.

PWB's English-speaking staff, using the facilities at the disposal of PWB, provides in English an ample flow of world-wide news (of the war, of Allied war efforts, of post-war plans, etc.). PWB's Italian-speaking staff translated this world-wide flow and adds to it news about liberated Italy (political developments, economic progress, ACC achievements, etc.). Thus the Italian press and radio received a militarily secure, policy-guided news agency service in which Italians can assume an increasingly important role.

II.

WHEN TO ADMIT PRIVATE NEWS AGENCIES

The question of when privately owned news agencies (Reuter I.F.N.P., a new Italian agency, etc.) should be permitted to operate within liberated Italy is of course one which must be settled on the highest military and diplomatic levels. From a military viewpoint, there are at least three important considerations:

1. Propaganda is a vital war weapon, and its control and direction are as important as the control and direction of any other weapon. News, of course, is the largest single element in propaganda.
2. Uncensored news might result in the dissemination of information which would aid or comfort the enemy.
3. Order in community life, co-operation of civilians, and other rear-area factors all affect military operations and all are affected by news.

On the political or diplomatic front there are other grave considerations. If it is accepted that of the four freedoms "the first is freedom of speech and expression", it appears in order to say that the Allies should not relinquish their influence unless and until they have set in motion the machinery which would give the Italians at least a fighting chance for a free press in the future.

III.

ASSURANCES OF A FREE PRESS

No press in any country can be labelled "free" unless the news agencies supplying the news are also free. A publisher may be able to report at will on the events in his immediate area, but he is at the mercy of the news agency for a dependable interpretation of the news from other parts of his own country or the world. If, for example, the news he receives from these agencies is angled according to the designs of an unprincipled group of owners, or is controlled by a government determined to extend its power, the publisher

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In England and America there are two factors which protect the press against any such exploitation and which are greatly responsible for the success of the press in these countries:

1. News is free at the source. (This stimulates competition and forces the hand of any one who would twist the news to his own interests. His accounts must stand up against those released by competition.)

- 3 -

2. The trend is toward co-operative news agencies.

Because few if any publishers have the facilities to cover all of the news at its source, they are relying more and more on news agencies for coverage of certain types of news. And since a given news agency must serve a variety of customers, it is prompted to deliver product which will be of the greatest value to the greatest number of clients -- to be as unbiased as possible in its reporting.

This, in turn, has led to the trend toward co-operative news agencies--agencies in which both ownership and control are being shared by more and more publisher members.)

IV.

CAN ITALY HAVE A FREE PRESS?

In Italy, perhaps more than in any other country in Europe, the Allies have an opportunity to lay the foundation of a free press. A simple, straightforward approach to the problem will discourage the countless political and economic pressures which are bound to be brought to bear by interested parties to cash in on a rare opportunity. Moreover, because this approach is one which would offer no single group an advantage over another group, it is probably the only one that can be taken which will receive the approval of all concerned.

Currently PWB is functioning as the only agency distributing news to the press and radio in Italy. It is organized in such a way that the approved anti-Fascist personnel now being assembled and trained to collect and distribute Italian news can form the nucleus of an effective domestic news agency ready to carry on when the Allied authorities decide that Italy can manage its own affairs. By calling in Reuters, United Press, Associated Press, International News Service, and other privately owned news agencies, and asking them to provide the world-wide news now being supplied by PWB, this group would be in a position to offer a rounded news agency service.

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V.

THE PROBLEM OF OWNERSHIP

The remaining all-important question is: who should own and control this Italian News Agency?

Recognizing the evils inherent in a government-controlled agency or in an agency controlled by a limited few, and taking note of the trends of today in England and America toward wide-spread ownership of agencies, it seems logical that Allied authorities should point toward a cooperative, non-profit news agency for Italy, in which the ownership and control would be shared by any publisher willing to subscribe to it, pay his pro-rata share of the operating costs,

and pull his weight in its management.

Details of organization, voting rights, communications facilities and other problems will have to be worked out, but these should be chiefly the task of such organizations as the Press Committee of the National Committee of Liberation the National Federation of the Italian Press, and existing and prospective Italian newspaper publishers, working with ACC and PAB. The chief contribution from the Allied authorities at this time would be a high-level decision to encourage the development of a co-operative, non-profit news agency for Italy.

Such a decision should meet with general approval. No single group -- political or financial -- would be justified in objecting to it, since it would not encourage special privileges for any. No outside news agency (Reuter, AP, U.P., IHS, etc.) could object, since each would be free to sell its service or any part thereof to either the Italian agency or direct to any other client in Italy. Few if any newspaper publishers could object, since it would offer the means of creating, and the means of preserving, a free press in Italy.

3A

SECRET

Room 18, 62 Via Veneto
ROME

Special meeting of the Central APB
held in the above offices on 21
July 44, at 3:30 p.m.

PRESENT : Lt. Col. I. S. Munro, PWB (Executive Secretary and
Acting Chairman).
Mr. H. A. Caccia, Political Section, ACC.
Lt. Col. Enoch Brown, ACC Liaison.
Major Lionel Fielden, PRO, ACC.
Major E. R. Green, Economics Section, ACC.
Major I. C. Alexander, Censorship.
Major J. W. Colville, Censorship.
Mr. James M. Minifie, PWB.

The Executive Secretary tabled (a) text of a directive for the Press, drawn up by the Under-Secretary for Press and Information and addressed to Prefects in territory under Italian jurisdiction, and (b) draft of proposed exchange of letters between APB and the Italian Government.

The Board noted that (a) covered all the salient points of the proposed Press Law and that (b) provided a modus operandi for the Italian Press Commission which would take over the duties hitherto performed by the Local APB's in territory under Italian jurisdiction.

With some minor adjustments the texts were approved on motion of Mr. Caccia, seconded by Mr. Minifie, and the Executive Secretary was instructed to forward them to the Under-Secretary for his written acceptance, and to inform him that the Board desired the new arrangement to take effect on 1 August 44. Col. Munro was authorized to sign the agreement on behalf of APB. (Translation of approved texts attached.)

The Executive Secretary was also asked to instruct Local Boards to wind up outstanding business in time to allow for Central Board confirmation on or before 31 July 44.

It was agreed that any publicity given the turn-over should be based on the Under-Secretary's Directive to Prefects (text (a)), and that the release should emanate from the office of the Executive Secretary.

Lt. Col. Enoch Brown, ACC Liaison.
 Major Lionel Fielden, PRO, ACC.
 Major E. R. Green, Economics Section, ACC.
 Major I. C. Alexander, Censorship.
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The Executive Secretary was also asked to instruct Local Boards to wind up outstanding business in time to allow for Central Board confirmation on or before 31 July 44.

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It was agreed that any publicity given the turn-over should be based on the Under-Secretary's Directive to Prefects (text (a)), and that the release should emanate from the office of the Executive Secretary; further, that the exchange of letters between APB and the Under-Secretary (text (b)) should not be disclosed to the public.

The Newsprint Sub-Committee undertook to examine the problem of newsprint importation and distribution in light of the new arrangement, their findings to be communicated to the Italian Government in due course.

Mr. Caccia pointed out that APB, in turning over to the Italian Government responsibility for the Press in territory under Italian Government jurisdiction, subject to APB confirmation, was conforming to the overall Allied plan for Liberated Italy. The Executive Secretary added that the Board was handing over a network of newspapers and other periodic publications which embraced the principle of freedom of political expression and met the social needs of the populace, given the limitations imposed by wartime economic conditions and military security.

Applications were approved and rejected, as per attached list. The meeting adjourned.

OFFICE OF THE PRESIDENT OF THE COUNCIL OF MINISTERS
Undersecretary of the Press Office and Information

N.1074/ST
(Circular)

Rome, July.....66.

TO all Prefects of Territory under Italian Jurisdiction

SUBJECT : Directives of the Press.

Considering that the D.R.L. 10 January 44 N.14 does not fully discipline all printed matter for the Press, and while awaiting that new legislative directives be given, Your Excellency will please adhere to the orders of the present circular:

1. Whoever actually publishes, or intends to start the publication, the printing, or the reproduction of newspapers or other literary matter, even if of a periodical nature, must ask for authorisation to the provincial Prefects where the publication is or is to be published. The requests will have to be forwarded from the Prefecture to the Under-Secretary of the Press Office and Information to undergo the examination of a Commission to which is delegated power to authorise any publication whatever. This Commission is equally authorised to suspend or revoke any authorisation. If new orders are given, the authorised newspapers may continue, however, to be published without asking for a new authorisation.
2. If periodical publications are concerned, the requests must contain the following:
(Text of Modula A)
3. If non-periodical publications are dealt with requests for authorisation must contain the following details, besides those already asked for in the preceding paragraph, in the letters a), b), c), d), e), f), g), h), i), j), n), o) and p):
 - a) Full name and address of the Editor or Editors and the author or managing Editor.
 - b) Number of copies which one intends to publish.
 - c) Size and number of pages.
 - d) An estimate of the quantities and kind of paper requested.

new regulations have themselves be given, your Excellency will please adhere to the orders of the present circular:

1. Whoever actually publishes, or intends to start the publication, the printing, or the reproduction of newspapers or other literary matter, even if not of a periodical nature, must ask for authorisation to the provincial Prefects where the publication is or is to be published. The requests will have to be forwarded from the Prefecture to the Under-Secretary of the Press Office and Information to undergo the examination of a Commission to which is delegated power to authorise any publication whatever. This Commission is equally authorised to suspend or revoke any authorisation. Till new orders are given, the authorised newspapers may continue, however, to be published without asking for a new authorisation.
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3. If non-periodical publications are dealt with requests for authorisation must contain the following details, besides those already asked for in the preceding paragraph, in the letters a), b), c), d), e), f), g), h), i), j), n), o) and p):
 - a) Full name and address of the Editor or Editors and the author or managing Editor.
 - b) Number of copies which one intends to publish.
 - c) Size and number of pages.
 - d) An estimate of the quantities and kind of paper requested.
4. Any change regarding the property, the administrative or editorial management, the political tendency, the aim stated by the periodical and the name and locality of the publication itself, as declared by the applicant, according to paragraphs 2 and 3, must be immediately notified through the same routine of the original request. Should this be lacking, the authorisation already conceded will immediately cease to be valid.
5. The publications dealt with in paragraph 1 are subject to preventive censorship only for news and comments of a military nature or which may have any relationship whatever with military matters.
6. As soon as whatever material is printed the printer must send a copy to the Prefettura and three copies to the Procuratore del Re presso il Tribunale Competente of the place where the printing works is established.

" 4 "

7. After having dated the copies received the Procuratore del Re must send one of them to the National Library of Florence, one to the Ministry of Justice, which will keep the publications or a juridical nature for itself and send the others to the Victor Emmanuel Library of Rome, and one to the nearest Governmental Public Library. The Prefectures will send two copies to the Under-Secretary for the Press and Information and will keep the third for their own files.

8. Sequestration of the written or typed publications may be ordered in the following cases:

- a) Violation of the orders given in paragraphs 1 and 4 of the present circular;
- b) The publishing of news and comments banned by the censor according to the fifth paragraph of the present circular;
- c) The publishing of writings or designs dealing with incitements to commit crime, defence of a deed which the penal laws regard as criminal (political crimes excluded), incitement to disobey laws, offence towards the head of the State or other organs of the legislative power of the Pope, offence towards the prestige and honour of the head of a foreign country or towards Ambassadors, Ministers, Attaches or other diplomats of foreign countries, publishing of documents regarding legal enquiries or legal disputes in cases in which the legal proof of facts is not allowed, publishing of debates held privately before judges and Courts.

Sgd.....

2A

CC Via Veneto
Rome

21 July 44.

His Excellency,
The Under-Secretary for Press and Information,
Rome.

Your Excellency,

In notifying its approval of the text of the Circular Letter to the Effects of the new Press Law, the Allied Publications Board, in accord with the Allied Control Commission, desire me to communicate the following as arranged:

The Mandate and authority assigned to the Allied Publications Board by Allied Force Headquarters in Administrative Memorandum No. 89, and amendments, remain inviolate and unaffected. Copies of Order 89 and all amendments to date are attached hereto in addition to the copies which have been sent to the Italian Government in the past.

In keeping with paragraph 3a of Administrative Memorandum 89 the Allied Publications Board agrees that the Royal Italian Government will set up an Italian Press Commission under the Chairmanship of the Under-Secretary of Press and Information to perform the functions in Royal Italian territory hitherto performed by Local Allied Publications Boards.

A representative of APB will attend the meetings of the Italian Press Commission as observer and consultant only. A representative of the Italian Government will likewise attend the meetings of APB as observer and consultant.

The Secretariat of the Italian Commission will ensure that a copy of each successive agenda reaches the Executive Secretary of APB seven days before each sitting of the Italian Commission.

The Minutes and decisions of the Italian Commission will be sent after each meeting to APB for approval and ratification, such approvals and ratifications being there-
after put into executive effect by the Italian Commission or

Commission, desire me to communicate the following as arranged:

The Mandate and authority assigned to the Allied Publications Board by Allied Force Headquarters in Administrative Memorandum No. 89, and amendments, remain inviolate and unaffected. Copies of Order 89 and all amendments to date are attached hereto in addition to the copies which have been sent to the Italian Government in the past.

In keeping with paragraph 5a of Administrative Memorandum 89 the Allied Publications Board agrees that the Royal Italian Government will set up an Italian Press Commission under the Chairmanship of the Under-Secretary of Press and Information to perform the functions in Royal Italian territory hitherto performed by Local Allied Publications Boards.

A representative of APB will attend the meetings of the Italian Press Commission as observer and consultant only. A representative of the Italian Government will likewise attend the meetings of APB as observer and consultant.

The Secretariat of the Italian Commission will ensure that a copy of each successive agenda reaches the Executive Secretary of APB seven days before each sitting of the Italian Commission.

The Minutes and decisions of the Italian Commission will be sent after each meeting to APB for approval and ratification, such approvals and ratifications being thereafter put into executive effect by the Italian Commission or its delegates in Royal Italian territory.

Any decision not approved or ratified by APB will be re-examined by the Italian Commission in the light of APB's objections.

Dispositions, present and future, by the Allied authorities for Military Censorship remain unaffected by this exchange of letters. Dispositions, present and future, for organs directly or indirectly under editorial control of INC, PWB, likewise remain unaffected. They remain the responsibility of Allied Force Headquarters.

(Sgd) I. S. MUNRO, Lt.Col.,
Executive Secretary, APB.

This is to confirm the contents of the above letter and to agree to the fulfillment of its contents. (sgd).....

(1A)

Form of letter from Capt Stone
to Mr. Bremer

I transmit herewith draft of Italian
Press decree which understands is in
form approved, for ~~approval~~ ^{approval} by you

Government. This Allied Control Commission
is ⁱⁿ ~~not~~ ^{not} ~~subject~~ ^{subject} to its ⁱⁿ ~~not~~ ^{not} ~~subject~~ ^{subject} in
its ⁱⁿ ~~not~~ ^{not} ~~subject~~ ^{subject} in

This form, provided it is clearly

understood that ~~the~~ the powers of

the Commission referred to in art - 2

The enclosed draft shall be exercised
subject to ^{the} the rights and responsibilities

of ^{the} Allied Publications Board pursuant to

Order 89 which shall remain effective.
also enclosed: 1

about enclosure?

I have sent herewith draft of Statute
Does agree with understanding is in
form approved, for submission by your
to the member of the House and Department

Government. The Allied Control Commission,
indicated prejudice to any rights reserved under the American zone,
does not object to its enactment in
in that change

This form, provided it is clearly

understood that the power of

the Commission referred to in Art - 2

the enclosed draft shall be exercised
subject to the rights and responsibilities

of the Allied Publications Board pursuant to

Order 89 which shall remain effective.

A copy of Order 89 is ^{also enclosed.} attached

This letter need not be made public

but I will appreciate an early reply
from you confirming the above understanding.

What about enclosure?

