

2243

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

785016

ACC

10000/142/269

PROCLAM
CORRES
APR. - S

10000/142/269

PROCLAMATION NO. 4 (NEW SERIES), INTERPRETATION, ETC., &
CORRESPONDENCE THEREON
APR. - SEPT. 1944

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
Public Health Sub-Commission

D R A F T

26A

28 September 1944

SUBJECT : R.D.L. No. 113.

TO : Ministry of Interior
Italian Government
R O M E

1. R.D.L. No. 113 provides for the granting of Soccorso militare to the relatives of persons deported by the Germans. Proclamation No. 4, Revised, of the Allied Military Government, states that family allowances shall not be paid to persons known to be cooperating with the enemy.

2. It is possible to classify as "cooperating with the enemy" a person who was forcibly taken away by the Fascist Republicans or the Germans, as it is presumed that this person is now in their service. Such an assumption, however, creates an inconsistency between Proclamation No. 4 and R.D.L. No. 113.

3. Representatives of various ministries of the Italian Government have expressed diverse opinion in regard to this possible inconsistency. Some maintain that cooperation means voluntary action, and therefore anyone taken away involuntarily is not considered to be cooperating. Others state the criterion should be actual service, whether voluntary or not, in the interest of the enemy.

59.

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
Public Health Sub-Commission

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59.

4. Accordingly, the Public Health Sub-Commission requests the views of the Italian Government be obtained through the Council of Ministers or some other authority having jurisdiction over the various Ministries, in order that such views may be considered in clarifying the inconsistency which has been ^{discussed} ~~discussed~~.

5. In no instance is it proposed to deny general assistance through the enti comunali di Assistenza to families of persons considered to be cooperating with the enemy.

Brigadier G. S. PARKESON
Director, Public Health Sub-Commission.

5. Any person debarred by the interpretation of this phrase from receipt of the Soccorso militare, would, of course, be entitled to assistance through the Enti Comunali di Assistenza.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

274

ACC/4527/7/L.

/pa.
26 Sept 44.

SUBJECT : Proclamations.

TO : Regional Legal Officer TOSCANA Region.

1. I return herewith the letter from the PIO Siena which you forwarded with RVIII/19/2003 of 22 Sept 1944.
2. The translation of Proclamation 1 Art.V (35) is not as good as might be : but the position is not as serious as suggested by PIO Siena.
3. The word "Subornazione" in Italian legal parlance has usually the limited meaning of offering or promising " money or other advantage to a witness, expert or interpreter to induce him to give false evidence opinion or interpretation ". See Penal Code Art. 377. The word "Subornazione" has also, (according to the best available Italian dictionary) the far wider meaning of instigating a person to fail in his duty i.e. it includes the giving or promising of money or money's worth in order to discourage a person from carrying out his duty.
4. It is also to be remembered that no hardship is caused to the Italians by maintaining the present translation. The offer or acceptance of a bribe is well known in all civilised countries to constitute an offence : it is not a mere technical offence created by Proclamation to meet war-time needs. Moreover, any person laying himself open to a charge under the Proclamation also lays himself open to a charge under the Italian Penal Code (Art.s 318-321).

12
51
RICHARD H. WILDER,
Colonel, GAC,
Chief Legal Officer.

Encl. 1 letter.

1st Ind.

40277 Legal

VIII/19/2003.

22 Sept. 44.

Regional Legal Officer, Region VIII (Osceola).

TO : Chief Legal Officer, HQ. AGC.

1. Forwarded for your information.

John K. Weber
 JOHN K. WEBER,
 Colonel, Infantry,
 R.L.C., Region VIII.

LEGAL SUBCOMMISSION

CLO

DCLO

Chief Counsel

CJO

Italian Section

CL RKS

HEADQUARTERS

24 SEPT. 1944

A. C. C.

Col Grossman 56
 Passed to CJO

Answered
 File

26 Sep 44.

Art. 1

From March 1st 1944 any ^{subsidiary} allowance due to needy families of military personnel under the flag is increased by 70% ^{subsidies} due to families residing ~~allowances~~

abroad.

Art. 2.

A daily subsidiary, increased as provided in art. 1, may be granted ^{were} to relatives of citizens deported by the Germans, if such citizens ^{also} the heads of a family or the families depended on ^{these} for their support.

For the payment of said subsidiary art. 1, 3, 6 and followings of Law n. 115, of January 22 1934, as modified by subsequent laws, shall - when possible - apply -

Art. 3.

to be decided by the Communal

Art. 2.
A daily subsidy, increased as provided in art. 1, may be granted ^{were} to relatives of citizens deported by the Germans, if such citizens ^{were} the heads of a family or the families depended on them for their support.

For the payment of said subsidy art. 1, 3, 6 and followings of Law n. 115, of January 22.5.1934, as modified by subsequent laws,

shall - when possible - apply -

Art. 3.

The granting of subsidies shall be decided by the Communal Relief Commissions, ^{the} which for this purpose shall be added the following members:

a) The mayor of the commune or his representative, who will preside over them;

- b) ~~by~~ The commander of the Carabinieri;
- c) ~~by~~ The representative of the Intendente di S. Maria;
- d) ~~by~~ a citizen, ex combat-man -

-/.

PARTITO FASCISTA REPUBBLICANO

FEDERAZIONE DI ROMA

UFFICIO INFORMAZIONI

Risposta e nota N. del

Protocollo N. / U. I.

Oggetto:

Art. 4

~~Appello~~

Appeals against the decisions of the Communal Rel. of Com. 1950 may be lodged with a Provincial Appeal Commission within 30 days from the date on which a decision is notified to the applicant.

The Provincial Commissions shall be presided over by the Prefect or by his representative and shall be composed of ~~one~~ provincial representatives of the same ~~categories~~ organizations or categories mentioned in art. 3.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

MJC/pa.
21 Sept 44.

ACC/4027/7/L.

SUBJECT : Proclamation No. 4, Proclamation No. 4 (revised).

TO : Admin Section .

1. The legal situation is fully set forth in ours 10 Sept 44 ACC/4027/7/L folio 22A and 15 Sept 44 folio 23A .

2. Although Public Health and Finance Sub-Commissions have a difference of opinion as to a matter of policy, they both are agreed that Proclamation 4 (revised) Sect. 4 does not represent the present views and objectives of either.

3. It follows that after a decision on the matter in dispute has been made Proclamation No. 4 (revised) Sect. 4 must either itself be amended or the substance of an amendment accomplished by an interpretive directive.

4. The changes to be made are two :

- (1) to recognize not only ~~those~~ laws legally in force prior to 8 Sept 43, but also those thereafter created by the legitimate Italian Government, provided that no payments be made to the dependents of a certain category of persons in Germany or other enemy or enemy occupied Country.
- (2) A unambiguous definition of the category of persons so to be excluded.

5. There are three possible methods which might be pursued :

- (1) Merely an interpretation . . . by directive of the meaning of the clause " known to be cooperating with the enemy ".
If nothing beyond this were done, benefits under RIL 113 could not be paid because it makes effective a scheme subsequent to 8 Sept 43. Nothing however would preclude the giving of Communal relief to the same beneficiaries on a basis substantially equal to the standards provided under RIL 113. It would accordingly appear that they would not be materially prejudiced by an elimination of payments thereunder. The advantage of this limited procedure lies in the fact that the proclamation would not thereby be amended by the ^{the} direction as would, I believe, be the case under the second method following .
- (2) The second method would be by directive which in substance would set forth that the ~~exclusion of persons who had been in Germany~~ prior to 8 Sept 44.

schemes subsequently adopted by the legitimate Italian Government, provided only that such benefits shall not be paid to the dependents of the particular category defined in the directive (this definition would interpret the meaning of the phrase "voluntarily cooperating with the enemy").

The disadvantage of this method is that the directive in fact goes beyond an interpretation and in effect amends the proclamation. It would however be a more effective procedure.

- (3) The third and the most clear and efficacious method would be by amendment of the proclamation itself, but it is assumed that practical considerations would preclude such procedure.

6. In any case a decision must first be made as to the persons in Germany or other enemy or enemy occupied territory who are to be excluded from the benefits, whether such decision is or is not concurred in by both interested Sub-Commissions.

7. If decision having been reached as to para 6 above, it would then be necessary to decide on the method to be pursued.

8. Whatever change is effected and by whatever means, the information relative thereto should be communicated to the *UFFE CENTRALE D'ASSISTENZA* in each Comune, where it should be given such publicity as might be necessary to put prospective beneficiaries on notice of their rights.

HAROLD J. GROSSMAN,
Lieutenant Colonel,
Chief Counsel,
for Chief Legal Officer.

HEADQUARTERS
ALLIED CONTROL COMMISSION
FINANCE SUB-COMMISSION
APO 394
Tel 553 & 417

Wes. (248)

FILE : 13153/F

15 September 1944

SUBJECT : Proclamation No. 4, Section 4

TO : Legal Sub-Commission, Attn. Lt. Col. Grossman.

1. Reference is made to your ACC/4027/7/L of 10 September addressed to Public Health Sub-Commission, a copy of which you kindly sent to this Sub-Commission for information.

2. The purpose of both the directive prepared for the signature of the Acting Chief Commissioner and the revised version of section 4 of Proclamation No. 4 was to provide an incentive for Italian soldiers and workers to cooperate with us, while discouraging them from cooperating with the enemy. In that purpose the Finance and Labour Sub-Commissions remain agreed. The original arrangements favouring Italian workers in Germany and Italian soldiers serving with German forces were the result of agreements between the German and Fascist Republican Governments which we cannot possibly agree to implement in any way.

3. Doubt has arisen over the significance of the participle "cooperating". Specifically it has been interpreted as connoting "voluntary" as opposed to "involuntary" action. We are of the opinion that in most cases, there is no way of adequately documenting that one's actions were not "voluntary". In any case those we wish to make eligible to payments as a matter of legal right are those who in spite of every pressure, succeeded in withholding cooperation from the enemy.

4. Accordingly we suggest substitution of the following phrasing for "known to be cooperating with the enemy": "serving in Fascist Republican or German military service or employed in enemy territory. No restriction is placed, however, on the public assistance which communes are authorised and expected to give to the needy in relation to their verified needs".

4027/7
HEADQUARTERS
ALLIED CONTROL COMMISSION
FINANCE SUB-COMMISSION
APO 394
Tel 553 & 417

Wers: (24A)

FILE : 13153/F

15 September 1944

SUBJECT : Proclamation No. 4, Section 4

TO : Legal Sub-Commission, Attn. Lt. Col. Grossman. ✓

1. Reference is made to your ACC/4027/7/L of 10 September addressed to Public Health Sub-Commission, a copy of which you kindly sent to this Sub-Commission for information. 22A

2. The purpose of both the directive prepared for the signature of the Acting Chief Commissioner and the revised version of section 4 of Proclamation No. 4 was to provide an incentive for Italian soldiers and workers to cooperate with us, while discouraging them from cooperating with the enemy. In that purpose the Finance and Labour Sub-Commissions remain agreed. The original arrangements favouring Italian workers in Germany and Italian soldiers serving with German forces were the result of agreements between the German and Fascist Republican Governments which we cannot possibly agree to implement in any way.

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4. Accordingly we suggest substitution of the following phrasing for "known to be cooperating with the enemy": "serving in Fascist Republican or German military service or employed in enemy territory. No restriction is placed, however, on the public assistance which communes are authorised and expected to give to the needy in relation to their verified needs".

5. We agree that the phrase "legally in force prior to 8 September 1943", although intended to exclude changes made by the Fascist Republican Government, was not intended to exclude changes made by the legally recognised Italian Government in liberated territory. We believe the following phrase: "or was subsequently established in liberated territory by recognised Italian governmental authority", if inserted after "8 September 1943", will adjust this difficulty satisfactorily.

6. If these changes can be simultaneously made, or changes in the same sense, the revised wording will have the approval of Finance and Labour Sub-Commissions. If it is now too late to amend the Proclamation, a special directive by the ~~Acting Chief~~ Commissioner can accomplish the purpose.

A. G. Grabosky Smith

Colonel.

Joint Director,
Finance Sub-Commission.

Copy to Labour Sub-Commission.

23A

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

/rlp.
15 September 1944.

ACC/4027/7/L.

SUBJECT : Procl. No. 4 - Proc. No. 4 Revised.
TO : Admin Sec.

1. Reference Minute 46 on Public Health file 3135/1/PR.

2. The difficulty in this case has arisen from a conflict between
/ MG Proclamations 4 and 4 Revised on the one hand and RDL 113 of 13 April
1944 and Ministerial Circular based thereon on the other.

3. a. Proclamation 4 (dated 25 Apr 44) Sec. 3 provides;

Every...body...engaged in the administration of any...social
welfare scheme shall continue to...make all...payments due or
payable under any such scheme except payments of family allow-
ances to dependents of; (c) the worker in Germany or other
enemy or enemy occupied territory.

b. Proclamation 4 Revised, Sec. 4 adds after the words "payable
under any such scheme", the words: "provided the same was
legally in force prior to 8th Sept. 1943 except payments of
family allowances and military benefits to dependents of per-
sons in Germany or other enemy or enemy-occupied territory
known to be cooperating with the enemy."

c. RDL 113 provides:

- (1) From 1 March 1944 there shall be a temporary increase of
70% in the "soccorsio giornaliero" paid to needy families
of soldiers.
- (2) The "soccorsio giornaliero" may also be granted to the
families of civilians deported to Germany when the de-
portee is either the head of the family or the breadwinner.
- (3) The decision as to the grant of the "soccorsio giornaliero"
shall be made by the "Enti Comunali di Assistenza."

d. The Ministerial Circular provides for the resumption of assist-
ance in accordance with the terms of RDL 113.

4. RDL 113 was implemented by the Executive Commissioner on 29 July 44.

5. In reply to request - Folio 39 A - we expressed the opinion at 41A to which we adhere. Para. 3 was written after conference with Finance Sub-Commission. We had previously stated that in our opinion the test of "cooperating with the enemy" should be whether the deportation to Germany was voluntary or involuntary on the part of the deportee.

6. We are of opinion that, in AGS as opposed to ACC territory, RDL 113 even though implemented is ineffective to contradict Proclamation 4 Revised and that upon the true construction the position is:

- a. that no payments can be made under the RDL since it was not in existence before 3 Sept 43;
- b. that payments under a lawful scheme must be made to dependants of persons except when such persons are known to be cooperating with the enemy.

7. Considering the recommendations in para. 5 of Folio 43A we think, as to sub-para (a):

- a. To give effect to the desire of the writer requires an amendment of the proclamation or similar action.
- b. The writer has omitted the cases of persons who are known to be cooperating with the enemy.
- c. Finance Sub-Commission has not, so far as we know, said anything to depart from the terms of para. 3 of Folio 41A.

As to sub-para (b):

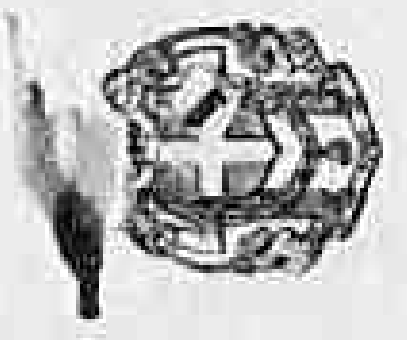
- a. In the existing state of the law there is nothing to prevent aid in case of need being extended through the Ente Comunale di Assistenza to the families of persons in enemy or enemy-occupied territory. Such aid would be the ordinary general poor relief assessed according to need and distinguished from the "soccorsi giornaliero."

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

50

2310

2313



Tribunale Civile e Penale di Napoli

N. 52

Div. N. Risposta a nota N. Div.
Oggetto: Manzella Cav. Uff. Alfio Ernesto - Cancelliere Capo Dirigente
del Tribunale di Napoli =

NAPOLI, 1 settembre 944 #A3=====

ALLA ONOREVOLE A.C.C.
(COMMISSIONE ALLEATA DI CONTROLLO)
R O M A

Con la presente lettera mi onoro informare che sono a disposizione dell' A.C.C. al fine di essere compreso fra i funzionari italiani esperti per assumere incarichi giudiziari nelle regioni della Italia settentrionale e specificatamente Torino, che gli Alleati presumamente libereranno dal giogo tedesco.

Sono anziano nella carriera dei cancellieri giudiziari; rimpiango il patriato nel 1925 dalla Libia perchè non iscritto al nefasto partito fascista.

La mia preghiera è di essere chiamato per la eventuale sistemazione delle cancellerie giudiziarie di Torino ove fui dirigente

2311

ALLA ONOREVOLE A.C.C.

(COMMISSIONE ALLEATA DI CONTROLLO)

R O M A

Con la presente lettera mi onoro informare che sono a disposizione dell' A.C.C. al fine di essere compreso tra i funzionari italiani esperti per assumere incarichi giudiziari nelle regioni della Italia settentrionale e specificatamente Torino, che gli Alleati possono liberamente libereranno dal giogo tedesco.

Sono anziano nella carriera dei cancellieri giudiziari; rimpiango patriato nel 1925 dalla Libia perché non iscritto al nefasto partito fascista.

La mia preghiera è di essere chiamato per la eventuale sistemazione delle cancellerie giudiziarie di Torino ove fui dirigente cancelliere di quel tribunale per ben quasi sette anni fino al luglio 1941 e quindi conoscitore di uomini e cose, sicuro che la mia modesta e fedele cooperazione potrebbe riuscire utile all'Ufficio legale Alleato.

Ringrazio riconoscente.

Dev/mo

(Menzella Alfio Ernesto)

Alfio Ernesto Menzella

(Via Cronzio Costa n.9-NAPOLI)

2312

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

785016

42

HEADQUARTERS
ALLIED CONTROL COMMISSION
LOCAL SUB-COMMISSION
APO 394

22A
HJG/pn.
10 Sept 44.

A/C/4027/7/1.

SUBJECT : Proclamation No. 4.

TO : Public Health Sub-Commission.

1. Reference year 5 September 1944 Acc/3435/1/PK.

2. The proposed Directive of the Ministry of Interior conflicts with the provisions of Proclamation No. 4 Revised, Art. I, Section 4, in the following respects :

a. The payment of benefits to Italian civilians and the 70% increase provided for under MHL No. 113 must be continued on a scheme not effective prior to 5 September 1945. Therefore such payments are not authorized under the terms of Proclamation No. 4 Revised.

b. The Directive does not exclude from benefit payments the dependents of Italian military personnel, in German or other enemy or enemy occupied territory as required under the foregoing provisions of Proclamation No. 4.

3. In spite of the foregoing, the Finance Sub-Commission seems agreeable to the payment of benefits provided for under MHL No. 113 supra including the 70% increase provided no such payments are made to the dependents of military personnel or civilians known to be cooperating with the enemy.

4. Some doubt has arisen as to the meaning of the phrase "known to be cooperating with the enemy". Finance Sub-Commission seems to take the position that persons known to be fighting or working with the enemy are cooperating with it whether their departure for the enemy territory was voluntary or not.

5. It would seem desirable that the interested Sub-Commissions agree as to what policy is desired in the following particulars and that the necessary documents by way of directives or otherwise be then prepared to give effect thereto.

a. That, if any, allowances in force subsequent to 8 September 1943 are to be recognized (e.g., acceptable parts of any of MHL No. 113) and payments permitted thereunder.

occupied territory as required under the foregoing provisions of Proclamation No. 4.

3. In spite of the foregoing, the Finance Sub-Commission seems agreeable to the payment of benefits provided for under HRL No. 113 subject including the 70% increase provided no such payments are made to the dependents of military personnel or civilians known to be cooperating with the enemy.

4. Some doubt has arisen as to the meaning of the phrase "known to be cooperating with the enemy". Finance Sub-Commission seems to take the position that persons known to be fighting or working with the enemy are cooperating with it whether their departure for the enemy territory was voluntary or not.

5. It would seem desirable that the interested Sub-Commissions agree as to what policy is desired in the following particulars and that the necessary documents by way of directives or otherwise be then prepared to give effect thereto.

a. That, if any, subversive force subsequent to 8 September 1943 are to be recognized (e.g., acceptable parts of any of HRL No. 113) and payments permitted thereunder.

b. That meaning is to be attached to phrase "known to be cooperating with the enemy".

MARG S. CHOW CHAN,
Lt. Colonel,
Chief Counsel,
for Chief Legal Officer.

Copy to : Finance Sub-Commission (Attn. Capt. Reed).

HEADQUARTERS
ALLIED CONTROL COMMISSION
FINANCE SUB-COMMISSION

INS/314/F/76

9 September 1944

SUBJECT : Soccorsi Militari and Italian Workers in Germany

TO : Legal Sub-Commission, attention Col. Grossman.

1. Reference is made to the attached correspondence regarding applicability of those portions of RDI 113 which extend soccorsi militari to families of Italian workers in Germany.
2. Section 4 of Proclamation n. 4 prohibits payments of family allowances and military benefits to dependents of persons in Germany or other enemy or enemy occupied territory known to be cooperating with the enemy. Persons who are known to be fighting with the Fascist Republican or German Armies, or working in enemy plants, or working for the Fascist Republican Government are regarded as "cooperating with the enemy".
3. The phrase "cooperating with the enemy" is not qualified by the adverb "voluntarily". It is doubtful that any useful investigation of "voluntariness" could be made. If persons are working or fighting for the enemy, whether voluntarily or otherwise, their dependents may not claim military benefits or family allowances as a matter of right.
4. This does not prevent them from applying for general relief to the extent that they are capable of establishing need. While certain tests of need are applied in the case of soccorsi militari, payment of these allowances has generally been a matter of automatic application of the legal scale if the persons were shown to be in need.
5. This is the situation in Military Government territory, and so far as payments of family allowances by Previdenza are concerned, in Italian Government territory as well.

L. Carson per cho.
Major R.A.S.C.
Insurance Department
Finance Sub-Commission

BUCK SLIP

DATE: 218

HEADQUARTERS
ALLIED CONTROL COMMISSION
FINANCE SUB-COMMISSION

From

To

	Col. A. P. Graftey-Smith	
	Col. E. H. Foley, Jr.	
	Col. H. G. Crawshaw	
	Lt-Col. A. H. F. Stephan	
	Lieut-Comdr. J. J. Lawler, USCGR	
✓	Major J. H. Penick	
	Major B. E. L. Timmons	
	Major A. J. Baxter	
	Major J. Osmon	
	Major P. D. Banning	
	Major W. E. Price	
	Major J. R. H. Hall	
	Capt. A. Kamarek	
	Capt. A. B. Hecker	
	Lieut. H. J. Tasca, USNR	
	Lieut. R. B. Eichholz, USNR	
	Lieut. (jg) J. E. Hicks, USCGR	
	SSM Angibault	
	Capt A H Reed	✓
	Economic Section	
	Pool of Interpreters	
	Message Center	

FOR:

- | | |
|-------------------------------|----------------------|
| ... Recommendations & Remarks | ... Necessary Action |
| ... Information & Retention | ... Perusal & Return |
| ... Approval or Disapproval | ... Filing |
| ... Investigation & Report | ... Despatch |

REMARKS

Col. Grossman, Legal S/C
would like answers to this
letter and folio 18A inside.
B48

20A

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
Public Health Sub-Commission

ACC/3135/1/PH

5 September 1944

SUBJECT : Proclamation No. 4.

TO : Legal Sub-Commission. ✓

1. The Ministry of Interior has requested that the enclosed directive be delivered to the prefetti of various provinces in AMG territory.

2. May this Sub-Commission, please, be advised whether all or any part of the directive is contrary to the revised section 4 of Proclamation No. 4.

3. Your ACC/4027/7/L, dated 31 August 44 does not answer this question.

19A

For Brigadier G. S. PARKESON



E. E. SILVEIRA
Capt. Spec. Res.

Chief, Welfare Branch.

EES/ae

Incl. (Folio 380)

LEGAL SUB-COMMISSION	
→ CLO	
DCLO	
→ Asst. Counsel	✓
CIO	
Italian Section	
CL RKS	

C O P Y

203

TRANSLATION No.

MINISTRY OF THE INTERIOR

Gen. Direction of Civ. Admin.

Div. A.G. Section I

Telegraph dispatch

To the Prefects of : VITERBO - TERNI - RIETI - LEGHORN -

FLORENCE - ASCOLI PICENO - PESCARA - CHIETI

TERAMO - PERUGIA - SIENA - AREZZO - MACERATA -

and ANCONA.

Their Ex. are asked to give their personal attention to the R.D.L. of 13th. April 1944, No. 113 containing amendments to the Law of 22nd January 1934, No. 115 stop. By effect of this provision:

- 1) the granting of daily assistance to the families of soldiers under arms is accomplished by the Ente Comunale di Assistenza, suitably increased by the Sindaco and other members of former Communal and Provincial Commissions;
- 2) the amount previously fixed for all next of kin is temporarily increased by 70%;
- 3) the assistance is now granted also to the next of kin of the civilians taken to Germany when the person taken is the head^{or} supporter of the family, stop. Will their Ex. therefore arrange for this important service to be resumed immediately in all the Communal Administrations, letting this Ministry know as soon as possible the cash required for the first three months of service, stop.

Kindly acknowledge receipt.

FOR THE MINISTER
Vicedomini

ALLIED MILITARY GOVERNMENT
OF OCCUPIED TERRITORY

PROCLAMATION No. 4 (Revised)

CLOSING OF FINANCIAL INSTITUTIONS
AND ESTABLISHMENT OF MORATORIUM

I, ELLERY W. STONE, Capt. U.S.N.R., Acting Chief Commissioner, Allied Control Commission, by virtue of the authority vested in me by HAROLD R.L.G. ALEXANDER, G.C.B., G.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of the Occupied Territory, hereby proclaim as follows:

ARTICLE I.

Closing of Financial Institutions

SECTION 1.- Closing of Institutions. Except as provided in Sections 2 and 3 hereof, every company, institution, corporation, body or person within the Military Government Territory engaged in the business of receiving and paying out deposits, making loans, selling or purchasing securities, exchanging money, dealing in foreign exchange, maintaining safe deposit facilities, transacting insurance, or engaging in any other forms of financial business shall forthwith suspend any and all such business and the premises shall be closed, except as in this article otherwise provided. The reopening of all such business shall be upon such terms and conditions and the transacting of further financial business shall be subject to such restrictions as the Chief Commissioner or any officer empowered by him may from time to time prescribe by order. Such orders may be general or specific application and may be notified by public announcement or by written communication addressed to any company, institution, corporation, body or person concerned.

SECTION 2.- Banking Institutions. Banking Institutions are authorized to engage in the following transactions:

- a) Accept payments of amount due to such banking

Territory engaged in the business of receiving and paying out deposits, making loans, selling or purchasing securities, exchanging money, dealing in foreign exchange, maintaining safe deposit facilities, transacting insurance, or engaging in any other forms of financial business shall forthwith suspend any and all such business and the premises shall be closed, except as in this article otherwise provided. The reopening of all such business shall be upon such terms and conditions and the transacting of further financial business shall be subject to such restrictions as the Chief Commissioner or any officer empowered by him may from time to time prescribe by order. Such orders may be general or specific application and may be notified by public announcement or by written communication addressed to any company, institution, corporation, body or person concerned.

SECTION 2.- Banking Institutions. Banking Institutions are authorized to engage in the following transactions:

- a) Accept payments of amount due to such banking institutions.
- b) Permit withdrawals in cash for payment of impost, taxes and social insurance contributions.
- c) Permit withdrawals in cash, when authorized by local representatives of the Allied Military Government, from the accounts of the following:
 - (i) Official Governmental accounts of the State, Provinces & Communes.
 - (ii) Social Insurance and Social Welfare Institutions.
 - (iii) Consorzi.
 - (iv) Such parastatal agencies as may be authorized by the Allied Military Government.
- d) Receive accounts and otherwise conduct new business with respect to persons and institutions described in sub-section (c) hereof.

SECTION 3.- Commercial Insurance Companies and Institutions. Every company, mutual or other institution, corporation, body or person engaged in life or general insurance business may continue to receive and collect such premiums and other payments as are due and payable to them in respect of life or general risks in Italy.

SECTION 4.- Social Insurance and Welfare Institutions. Every company, institution, corporation, body and person engaged in the administration of any Social Insurance or Social Welfare Scheme shall continue to receive and collect all contributions payable under any such Scheme, and to make all benefit, indemnity and other payments due or payable under any such Scheme, provided the same was legally in force prior to 8th September 1943, except payments of family allowances and military benefits to dependents of persons in Germany or other enemy or enemy occupied territory known to be cooperating with the enemy.

ARTICLE II.

Moratorium

SECTION 1.- Obligations affected. A moratorium is hereby proclaimed in respect of all debts, claims, deposits and all other obligations for the payment of money. The Chief Commissioner or any officer empowered by him may by general or specific order suspend or terminate the above moratorium in respect of any obligation or class of obligation or in any part of the territory.

SECTION 2.- Obligations Not Affected. The moratorium herein imposed shall not apply to:

- a) Any obligation affected by said moratorium, when the total amount due and to become due, under such obligation does not exceed 5000 lire, excepting obligations of financial business as defined in Article I of this

Proclamation

enemy.

ARTICLE II.

Moratorium

SECTION 1.- Obligations affected. A moratorium is hereby proclaimed in respect of all debts, claims, deposits and all other obligations for the payment of money. The Chief Commissioner or any officer empowered by him may by general or specific order suspend or terminate the above moratorium in respect of any obligation or class of obligation or in any part of the territory.

SECTION 2.- Obligations Not Affected. The moratorium herein imposed shall not apply to:

- a) Any obligation affected by said moratorium, when the total amount due and to become due, under such obligation does not exceed 5000 lire, excepting obligations of financial business as defined in Article I of this Proclamation.
- b) Any payment required or permitted to be made by Section 2, Section 3 or Section 4 of Article I of this Proclamation.

SECTION 3.- Effect of Moratorium. During the period of the moratorium, obligations affected by this proclamation are suspended and extended for the said period. No rights or powers shall be exercised at any time with respect to such obligations solely by reason of their non-performance as a result of this Proclamation. Subject to the extension hereby granted, all such obligations shall be of full force and effect upon termination of such moratorium.

The moratorium shall not apply to obligations entered into in any place within the Military Government Territory after the date on which this Proclamation shall come into force in such place.

ARTICLE III

Penalties

Any person violating the provisions of the Proclamation shall on conviction by an Allied Military Court be liable to imprisonment or fine, or both, as the Court may determine.

ARTICLE IV.

Effective Date

This Proclamation will become operative in each province or part thereof within the occupied territory on the date of its first publication therein.

For the Commander in Chief, Allied Armies in Italy
and Military Governor.

W. H. Stone
ELLERY W. STONE

CAPTAIN U.S.M.R.

Acting Chief Commissioner, Allied Control Commission

Effective Date

This Proclamation will become operative in each province or part thereof within the occupied territory on the date of its first publication therein.

For the Commander in Chief of Allied Armies in Italy
and Military Governor.

W. H. Stone
WILLIAM H. STONE
CAPTAIN U.S.M.R.

Acting Chief Commissioner, Allied Control Commission

Section 3. Prohibition of Other Notes. No transmission of any notes in which currency described in sections 1 and 2, Article VI hereof are employed shall be entered into, on the basis of notes of which or other than outlined by or under this regulation.

Section 4. Transmission Prohibited. From the effective date of this Regulation, except as authorized by the Allied Military Government from time to time:

- a) all transactions in foreign exchange, and the import and export of any coins, currency, securities, and all other securities are prohibited;
- b) all financial, commercial or other transactions involving trade or communication of any kind with any person outside the Military Government Territory are prohibited save only that the same may be conducted with persons in Italian Government Territory, provided always that such dealings are in accordance with Italian law, and provided that they do not conflict with the specific orders or regulations issued by the Allied Military Government.

Section 5. Receipt, Issue and Possession of Foreign Exchange Prohibited.

No currency and no coin of any country may be exported from or imported into the Military Government Territory except as authorized by the Allied Military Government. Currency and coin of any country, other than the currency described in sections 1 and 2 of Article VI hereof, may not be held, possessed, traded, exchanged, bargained or sold, but any such currency or coin must be delivered, against receipt, to the nearest Finance Officer for transfer to the Allied Finance Agency, or to the nearest branch of the Allied Finance

Territory are prohibited save only that the same may be conducted with persons in Italian Government Territory, provided always that such dealings are in accordance with Italian Law, and provided that they do not conflict with the specific orders or regulations issued by the Allied Military Government.

Section 5. Imports, Exports and Transportation of Goods Prohibited.

No currency and no coin of any country may be exported from or imported into the Military Government Territory except as authorized by the Allied Military Government. Currency and coin of any country, other than the currency described in sections 1 and 2 of Article IV hereof, may not be held, possessed, traded, exchanged, bargained or sold, but any such currency or coin must be delivered, against receipt, to the nearest Finance Officer for transfer to the Allied Finance Agency, or to the nearest branch of the Banca d'Italia.

Article 1. Prohibition of Speculation.

Section 1. Closing of Financial Institutions.

Section 1. Closing of Institutions. Except as provided in Section 2 and 3 hereof, every company, institution, corporation, body or person within the Military Government Territory engaged in the business of receiving and paying out deposits, making loans, selling or purchasing securities, exchanging money, dealing in foreign exchange, maintaining safe deposit facilities, transacting insurance, or engaging in any other form of financial business shall conduct

15B

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO

PROCLAMA NO. 4

CHIUSURA DEGLI ISTITUTI FINANZIARI E

DICHIARAZIONE DI MORATORIA

Io, ELLERY W. STONE, Capitano, U.S.N.R., facente funzione di Capo Commissario della Commissione Alleata di Controllo, in virtù dei poteri conferitimi da HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., Generale, Comandante in Capo delle Armate Alleate in Italia e Governatore Militare dei Territori Occupati, con il presente, proclamo quanto segue :

ARTICOLO 1.

Chiusura degli Istituti Finanziari

SEZIONE 1.- Chiusura di Istituti- Salvo quanto previsto nelle Sezioni 2 e 3 di cui appresso, ogni società, istituto, fondazione, ente o persona nel territorio del Governo Militare che tratti operazioni di accettazione e rimborso di depositi, di prestito, di compravendita di titoli, di cambiavalute, di custodia valori, di assicurazione, o qualsiasi altro genere di operazioni nel campo finanziario, deve immediatamente sospendere tali operazioni tutte e chiudere gli uffici, fatta eccezione di quanto altrimenti stabilito nel presente articolo. Da riprendi di dette operazioni e la trattazione futura di affari finanziari saranno soggette, rispettivamente, a quei termini e condizioni ed a quelle restrizioni che il Capo Commissario o un ufficiale da lui autorizzato può di volta in volta prescrivere a mezzo di ordini. Tali ordini possono essere di carattere generico o specifico ed essere notificati con avviso pubblico od a mezzo di comunicazione scritta diretta alla società, istituto, fondazione, ente, o persona interessati.

SEZIONE 2.- Istituti Bancari- Gli Istituti Bancari sono autorizzati a compiere le seguenti operazioni :

SEZIONE 1.- Chiusura di Istituti- Salvo quanto previsto nelle Sezioni 2 e 3 di cui appresso, ogni società, istituto, fondazione, ente o persona nel territorio del Governo Militare che tratti operazioni di accettazione e rimborso di depositi, di prestito, di compravendita di titoli, di cambiavalute, di custodia valori, di assicurazione, o qualsiasi altro genere di operazioni nel campo finanziario, deve immediatamente sospendere tali operazioni tutte e chiudere gli uffici, fatta eccezione di quanto altrimenti stabilito nel presente articolo. Da riprendere di dette operazioni e la trattazione futura di affari finanziari saranno soggette, rispettivamente, a quei termini e condizioni ed a quelle restrizioni che il Capo Commissario o un ufficiale da lui autorizzato può di volta in volta prescrivere a mezzo di ordini. Tali ordini possono essere di carattere generico o specifico ed essere notificati con avviso pubblico od a mezzo di comunicazione scritta diretta alla società, istituto, fondazione, ente, o persona interessati.

SEZIONE 2.- Istituti Bancari- Gli Istituti Bancari sono autorizzati a compiere le seguenti operazioni :

- a) accettare versa enti dovuti agli stessi istituti bancari;
- b) consentire prelievi in contanti per pagamento di imposte, tasse e contributi per assicurazione sociale;
- c) consentire prelievi in contanti; allorché autorizzati dal rappresentante locale del Governo Militare Alleato,
 - (i) a valere sulle disponibilità di bilancio dello Stato, Provincia e Comune,
 - (ii) sui conti intestati agli Istituti di Assicurazione e di Assistenza Sociale,
 - (iii) sui conti dei Consorzi,
 - (iv) sui conti di quegli uffici parastatali che fossero autorizzati dal Governo Militare Alleato.
- d) Aprire conti ed intraprendere altrimenti nuove operazioni nei confronti delle persone e degli istituti di cui al precedente comma c) .

SEZIONE 3.- Società ed Istituti Commerciali di Assicurazione- Ogni società, compagnia mutua o di altro tipo, fondazione, ente o persona che tratti operazioni di assicurazione sulla vita o generale

- 2 -

può continuare a ricevere o raccogliere quei premi ed altri pagamenti dovuti ed esigibili per effetto di assicurazione relativi ai rischi sulla vita o ai rischi generali, in Italia.

SEZIONE 4 -- Istituti di Assicurazione e di Assistenza Sociale- Ogni società, istituto, fondazione, ente o persona addetto all'amministrazione di un piano di Assicurazione/3 di Assistenza Sociale continuerà a ricevere e raccogliere tutti i contributi dovuti in base a tale piano, e pagherà tutti i sussidi, le indennità ed ogni altra somma dovuti e liquidabili in base a tale piano, purché questo fosse legalmente in vigore prima dell'8 Settembre 1943. Fanno eccezione i pagamenti degli assegni familiari e dei sussidi militari alle persone a carico di coloro che si trovano in Germania od in altro territorio nemico od occupato dal nemico e dei quali si sappia che collaborano col nemico.

ARTICOLO II

Moratoria

SEZIONE 1.- Obbligazioni colpite- Con il presente proclama viene dichiarata una moratoria nei confronti di tutti i debiti, rivendicazioni, depositi ed ogni altra obbligazione che richiedono pagamento in moneta. Il Capo Commissario od un ufficiale da lui autorizzato può con ordine generico o specifico sospendere o porre termine alla suddetta moratoria nei confronti di una qualunque obbligazione o tipo di obbligazione ovvero in una qualsiasi parte del territorio^{3d}.

SEZIONE 2.- Obbligazioni non colpite- La moratoria imposta con il presente proclama non si applica a :

a) qualsiasi obbligazione colpita dalla detta moratoria allorché l'importo totale dovuto e da liquidarsi per effetto di tale obbligazione non ecceda le lire 5000, fatta eccezione delle obbligazioni derivanti da operazioni finanziarie secondo quanto specificato nell'Art.1 del presente proclama.

b) qualsiasi pagamento la cui effettuazione sia richiesta

ARTICOLO II

Moratoria

SEZIONE 1.- Obbligazioni colpite- Con il presente proclama viene dichiarata una moratoria nei confronti di tutti i debiti, rivendicazioni, depositi ed ogni altra obbligazione che richiedono pagamento in moneta. Il Capo Commissario o un ufficiale da lui autorizzato può con ordine generico o specifico sospendere o porre termine alla suddetta moratoria nei confronti di una qualunque obbligazione o tipo di obbligazione ovvero in una qualsiasi parte del territorio. ^{3d.}

SEZIONE 2.- Obbligazioni non colpite- La moratoria imposta con il presente proclama non si applica a :

- a) qualsiasi obbligazione colpita dalla detta moratoria allorché l'importo totale dovuto e da liquidarsi per effetto di tale obbligazione non ecceda le lire 5000, fatta eccezione delle obbligazioni derivanti da operazioni finanziarie secondo quanto specificato nell'Art. 1 del presente proclama.
- b) Qualsiasi pagamento la cui effettuazione sia richiesta o consentita dalla Sezione 2, Sezione 3 o Sezione 4 dell'Art. 1 del presente proclama.

SEZIONE 3.- Effetti della Moratoria- Durante il periodo della moratoria le obbligazioni colpite dal presente proclama sono sospese e prorogate per lo stesso periodo. Nessun diritto o potere deve in alcun momento essere esercitato nei confronti di tali obbligazioni, in quanto per effetto del presente proclama esse sono inoperative. Salva la proroga accordata con il presente proclama, tali obbligazioni avranno tutta piena forza ed efficacia al termine di tale moratoria.

La moratoria non si applica alle obbligazioni contratte in qualunque località nel Territorio Militare Alleato dopo la data di entrata in vigore del presente proclama nella

ARTICOLO II

Moratoria

SEZIONE 1.- Obbligazioni colpite- Con il presente proclama viere dichiarata una moratoria nei confronti di tutti i debiti, rivendicazioni, depositi ed ogni altra obbligazione che richiedono pagamento in moneta. Il Capo Commissario od un ufficiale da lui autorizzato può con ordine generico o specifico sospendere o porre termine alla suddetta moratoria nei confronti di una qualunque obbligazione o tipo di obbligazione ovvero in una qualsiasi parte del territorio³¹.

SEZIONE 2.- Obbligazioni non colpite- La moratoria imposta con il presente proclama non si applica a :

- a) qualsiasi obbligazione colpita dalla detta moratoria allorché l'importo totale dovuto e da liquidarsi per effetto di tale obbligazione non ecceda le lire 5000, fatta eccezione delle obbligazioni derivanti da operazioni finanziarie secondo quanto specificato nell'Art.1 del presente proclama.
- b) qualsiasi pagamento la cui effettuazione sia richiesta o consentita dalla Sezione 2, Sezione 3 o Sezione 4 dell'Art.1 del presente proclama.

SEZIONE 3.- Effetti della Moratoria- Durante il periodo della moratoria le obbligazioni colpite dal presente proclama sono sospese e prorogate per lo stesso periodo. Nessun diritto o potere deve in alcun momento essere esercitato nei confronti di tali obbligazioni, in quanto per effetto del presente proclama esse sono inoperative. Salva la proroga accordata con il presente proclama, tali obbligazioni avranno tutte piena forza ed efficacia al termine di tale moratoria..

La moratoria non si applica alle obbligazioni contratte in qualunque località nel Territorio Militare Alleato dopo la data di entrata in vigore del presente proclama nella

- 3 -

località stessa.

ARTICOLO III
Penalità

Chiunque violi le disposizioni del presente del presente proclama sarà, se riconosciuto colpevole da un Tribunale Militare Alleato, passibile di prigione o di pena pecuniaria o di entrambi, a giudizio del Tribunale.

ARTICOLO IV

Data di entrata in vigore

Questo proclama entrerà in vigore in ogni Provincia o parte di essa nel territorio occupato alla data della sua prima pubblicazione nella stessa.

Per il Comandante in Capo delle Forze Armate Alleate
in Italia e Governatore Militare

36

ELIERY W. STONE
Capitano, U.S.M.R.,
Vicepresidente Funzioni Capo Commissario,
Commissione Alleata di Controllo.

4223/7.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 324

(19x)

ACC/4027/1/L.

WEB/pa.
1 Sept 44.

SUBJECT : Proclamations Nos. 1, 2, 3, and 4.

TO : E.O. & H.C. Section (Attn. Major Reakes).

1. According to instructions to proceed from Brigadier G.R. UNGER herewith proclamations required by Executive Commissioner to arrange for signature by General Alexander.

2. As you were informed one original and two copies are required for this purpose. Enclosed herewith are :-

(a) Original and two copies of Proclamations Nos. 2, 3 and 4.

(b) Original of Proclamation No. 1 as supplied by you.

3. You will no doubt have available and will attach the two additional copies of Proclamation No. 1.

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

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ALLIED MILITARY GOVERNMENT
of Occupied Territory

PROCLAMATION No. 4 (Revised)

CLOSING OF FINANCIAL INSTITUTIONS AND ESTABLISHMENT OF MORATORIUM

I, HAROLD R.L.G. ALEXANDER, G.C.B., G.S.I., D.S.O., M.C.,
General, Commander in Chief Allied Armies in Italy and Military
Governor of the Occupied Territory, hereby proclaim as follows:

ARTICLE I.

Closing of Financial Institutions

Section 1. - Closing of Institutions.- Except as provided in Sections 2 and 3 hereof, every company, institution, corporation, body or person within the Military Government Territory engaged in the business of receiving and paying out deposits, making loans, selling or purchasing securities, exchanging money, dealing in foreign exchange, maintaining safe deposit facilities, transacting insurance, or engaging in any other forms of financial business shall forthwith suspend any and all such business and the premises shall be closed, except as in this article otherwise provided. The reopening of all such business shall be upon such terms and conditions and the transacting of further financial business shall be subject to such restrictions as the Chief Commissioner or any officer empowered by him may from time to time prescribe by order. Such orders may be general or specific application and may be notified by public announcement or by written communication addressed to any company, institution, corporation, body or person concerned.

Section 2.- Banking Institutions.- Banking Institutions are authorized to engage in the following transactions:

dealing in foreign exchange, maintaining safe deposit facilities, transacting insurance, or engaging in any other forms of financial business shall forthwith suspend any and all such business and the premises shall be closed, except as in this article otherwise provided. The reopening of all such business shall be upon such terms and conditions and the transacting of further financial business shall be subject to such restrictions as the Chief Commissioner or any officer empowered by him may from time to time prescribe by order. Such orders may be general or specific application and may be notified by public announcement or by written communication addressed to any company, institution, corporation, body or person concerned.

Section 2.- Banking Institutions.- Banking Institutions are authorized to engage in the following transactions:

- a) Accept payments of amount due to such banking institutions.
- b) Permit withdrawals in cash for payment of impost, taxes and social insurance contributions.
- c) Permit withdrawals in cash, when authorized by local representatives of the Allied Military Government, from the accounts of the following:
 - (I) Official governmental accounts of the State, Provinces - and Communes.
 - (II) Social Insurance and social Welfare Institutions.
 - (III) Consorzi
 - (IV) Such parastatal agencies as may be authorized by the Allied Military Government.
- d) Receive accounts and otherwise conduct new business respect to persons and institutions described in sub section (c) hereof.

Section 3.- Commercial Insurance Companies and Institutions.- Every company, mutual or other institution, corporation, body or person engaged in Life or General Insurance business may continue to receive and collect such premiums and other payments as are due and payable to them in respect of life or general risks in Italy.

Section 4.- Social Insurance and Welfare Institutions.- Every company, institution, corporation, body and person engaged in the administration of any Social Insurance or Social Welfare Scheme shall continue to receive and collect all contributions payable under any such Scheme, and to make all benefit, indemnity and other payments due or payable under any such Scheme, provided the same was legally in force prior to 8th September 1943, except payments of family allowances and military benefits to dependents of persons in Germany or other enemy or enemy occupied territory known to be cooperating with the enemy.

ARTICLE II.

Moratorium

Section 1.- Obligations Affected.- A moratorium is hereby proclaimed in respect of all debts, claims, deposits and all other obligations for the payment of money. The Chief Commissioner or any officer empowered by him may by general or specific order suspend or terminate the above moratorium in respect of any obligation or class of obligation or in any part of the territory.

Section 2.- Obligations Not Affected.- The moratorium herein imposed shall not apply to:

- a) Any obligation affected by said moratorium, when the total amount due and to become due, under such obligation does not exceed 5000 lire, excepting obligations of financial

the same was legally in force prior to 8th September 1943, except payments of family allowances and military benefits to dependents of persons in Germany or other enemy or enemy occupied territory known to be cooperating with the enemy.

ARTICLE II.

Moratorium

Section 1.- Obligations Affected.- A moratorium is hereby proclaimed in respect of all debts, claims, deposits and all other obligations for the payment of money. The Chief Commissioner or any officer empowered by him may by general or specific order suspend or terminate the above moratorium in respect of any obligation or class of obligation or in any part of the territory.

Section 2.- Obligations Not Affected.- The moratorium herein imposed shall not apply to:

- a) Any obligation affected by said moratorium, when the total amount due and to become due, under such obligation does not exceed 5000 lire, excepting obligations of financial business as defined in Article I of this Proclamation.
- b) Any payment required or permitted to be made by Section 2, Section 3 or Section 4 of Article I of this Proclamation.

Section 3.- Effect of Moratorium.- During the period of the moratorium, obligations affected by this proclamation are suspended and extended for the said period. No rights or powers shall be exercised at any time with respect to such obligations solely by reason of their non performance as a result of this Proclamation. Subject to the extension hereby granted, all such obligations shall be of full force and effect upon termination of such moratorium.

The moratorium shall not apply to obligations entered into in any place within the Military Government territory after the date on which this Proclamation shall come into force in such place.

ARTICLE III.

Penalties

Any person violating the provisions of the Proclamation shall on conviction by an Allied Military Court be liable to imprisonment or fine, or both, as the Court may determine.

ARTICLE IV.

Effective Date

This Proclamation will become operative in each province or part thereof within the occupied territory on the date of its first publication therein.

H. R. ALEXANDER, General,
Commander in Chief.
Allied Armies in Italy
and Military Governor.

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H. R. ALEXANDER, General,
Commander in Chief,
Allied Armies in Italy
and Military Governor.

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(19A)

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

/rlp.
31 August 1944.

ACC/4027/7/L.

SUBJECT : Proclamation No. 4.

TO : Public Health Sub-Commission.

1. Reference your ACC/3034/PH of 29 Aug 44.

2. In reply to the two questions you raise in your above letter, please be advised,

a. (i) In Army areas the acts of the Italian Government to which you refer are completely non-effective. They are not, in fact, published in these areas.

(ii) In Italian Government Territory the AMG Proclamations are non-effective. The territory is administered according to Italian laws and regulations including those mentioned in your letter.

(iii) In Military Government Territory, the Italian laws which have been implemented by ACC (which include RDL 113) form part of the law of the land save in so far as they conflict with AMG Proclamations. Ministerial circulars are only administrative instructions; they are not substantive law, are not implemented by ACC and are certainly not valid if contrary to AMG Proclamations.

In any case of conflict or disagreement between proclamations and Italian laws, the law of the Proclamations prevails.

b. In our opinion the question of cooperation must be ~~justified~~ ^{31 determined} on the basis of whether the departure for the territory concerned was voluntary or involuntary.

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
PUBLIC HEALTH SUB-COMMISSION
Welfare Branch

29 August 1944

ACC/3034/PH

SUBJECT: - Effect of Revision of Proclamation No. 4.

TO : - Legal Sub-Commission, ACC HQ.

Folio 15A

1. It is the understanding of this Sub-Commission that Proclamation No. 4, Article 1, Section 4 has been revised to read:

"Every company, institution, corporation, body and person engaged in the administration of any Social Insurance or Social Welfare scheme shall continue to receive and collect all contributions payable under such scheme, and to make all benefits, indemnity and other payments due or payable under any such scheme, provided the same was legally in force prior to 8 September 1943, except payments of family allowances and military benefits to dependents of persons in Germany or other enemy or enemy occupied territory known to be cooperating with the enemy".

2. The following acts by the Italian Government may be affected by the revision:

a. ROL No. 113, adopted in April 1944, contains a provision granting Soccorso Militare to families of breadwinners deported by the Germans.

b. Circular from the Chief of the Government Prot. N. 475/AG, dated 20-10-1943, granting assistance to families of Italians resident in Germany for the purpose of working, and who cannot send money to their dependents in Italy.

c. Ministry of the Interior Circular No. 1/4802 - 1-9.6.44 22 May 1944, granting assistance to families of workers in enemy occupied territory.

3. These three forms of assistance, together with family allowances to families of Italian soldiers, are forms of public assistance as they are based upon a determination of need and of the fact that the persons requesting assistance were formerly supported by the Italian soldier, or by the person indicated in sections a, b and c of paragraph 2.

4. Interpretation of the revised Proclamation 4 in respect to these various programs is requested as follows:

a. What is the effect of revised Proclamation No. 4, when pasted upon the one decree and 2 circulars mentioned in paragraph 2?

ACC/3034/PH - Effect of Revision of Proc. No. 4 - (Continued.)

b. What is the meaning of "known to be cooperating with the enemy?" In the July report of the Finance Sub-Commission, page 25, last paragraph, it is stated that a certain group of persons "must be regarded as cooperating with the enemy." Is the fact of "cooperation" to be established on the basis that those who left voluntarily are cooperating, whereas those who left involuntarily are not?

For Brigadier G. S. PARKINSON:

Edward E. Silveira

EDWARD E. SILVEIRA,
Captain, Spec Res.,
Chief, Welfare Branch.

LEGAL SUBCOMMISSION	
→	Mr. C
→	Chief Counsel
	Mr. C
	Mr. C

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4027/7
HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUBCOMMISSION
APO 394

17A

ACC/4027/3/L

RHH/ap

~~12 Aug 44~~

15 AUG

SUBJECT : Proclamations No.1 (Revised), No.2 (Revised)
and No.4 (Revised).

TO : HQ & LG SECTION.

1. Enclosed herewith copies of Proclamations No.1 (revised) No.2 (Revised) and No.4 (Revised), all of which have been duly executed by Captain Stone.

2. Also enclosed are Italian translations of each.

3. Since there may be some further slight revision thereof, it is suggested that the minimum number of copies be now printed consistent with the anticipated needs in the forward areas.

RICHARD E. WILMER,
Colonel, GAO.,
Acting Chief Legal Officer.

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Copies to : ~~ACC/4027/3/L~~

→ ACC/4027/7/L

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

(6A)

ACC/4027/4/4

MJG/ap
4 Aug 44

SUBJECT : Suggested Amendments to Proclamations No.2
and No.4.

TO : Finance Sub-Commission (attention Col. GRAFFTEY SMITH)

1. Reference your letter 24 July 1944 (13153/F) and
pursuant to several conferences Col. GRAFFTEY SMITH - Col GROSSMAN,
enclosed herewith redraft of proposed amendments to Proclamations
2 and 4.

2. May the same be returned to this Sub-Commission
with your comments?

3. Under separate cover we have submitted to you
draft of amendments proposed to General Order No. 1.

MARC J. GROSSMAN,
Lt. Colonel,
Chief Counsel,
for Acting Chief Legal Officer.

Copy to : ACC/4027/5
ACC/4027/1

27

(DRAFT)

144

Draft of proposed amendments to Articles 6 and 7 of Proclamation No. 2.

Article VI. Currency.

Section 1. Allied Military Issue Notes. Issue currency in the form of

Allied Military notes of the denominations: one, two, five, ten, fifty, one hundred, five hundred, and one thousand lire is hereby constituted and made legal tender for the payment of any account in the Military Government Territory and no person shall refuse to accept such legal tender for the payment of any amount.

Section 2. United States Currency and British Military Authority Notes.

All United States currency bearing a yellow seal on the right face of the bill and known as "United States yellow seal currency", and all notes bearing the inscription "British Military Authority" in sterling denominations are hereby made legal tender in the Military Government Territory and no person shall refuse to accept such legal tender for the payment of any amount.

Article VII. Regulations, Exchange and Foreign Trade.

Section 1. Rates of Exchange. The rates of exchange between the currency mentioned in Section 2 of Article VI hereof and any form of denomination of lire shall be as follows:

THE AMERICAN DOLLAR TO EXCHANGE

One dollar in United States yellow seal currency equals 100 lire.

One pound sterling in British Military Authority notes equals 400 lire.

One pound sterling in British Military Authority notes equals four

dollars in United States yellow seal currency.

All United States currency bearing a yellow seal on the right face of the bill and known as United States yellow seal currency, and all notes bearing the inscription "British Military Authority" in sterling denominations are hereby made legal tender in the Military Government Territory and no person shall refuse to accept such legal tender for the payment of any amount.

Article VII. Regulations, Exchange and Foreign Trade.

Section 1. Rates of Exchange. The rates of exchange between the currency mentioned in Section 2 of Article VI hereof and any form of denomination of lire shall be as follows:

THE UNITED STATES OF AMERICA

One dollar in United States yellow seal currency equals 100 lire.

One pound sterling in British Military Authority notes equals 400 lire.

One pound sterling in British Military Authority notes equals four

dollars in United States yellow seal currency.

Section 2. Exchange of Currency. Within the Military Government

Territory every person in the business of holding or the exchange of money, on demand of any holder of currency described in Section 1 and Section 2 of Article VI hereof, shall exchange such currency for lire in his possession at the rates specified in the Schedule without charging any commission or fee for making such exchange. No person shall refuse to accept at its face value any form or denomination of lire currency.

2 3 4 7

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

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suspend any of all such business and the premises shall be closed, except as in this article otherwise provided. The reopening of all such business shall be upon such terms and conditions and the transacting of further financial business shall be subject to such restrictions as the Chief Commissioner or any officer empowered by him may from time to time prescribe by order. Such orders may be general or specific application and may be notified by public announcement or by written communication addressed to any company, institution, corporation, body or person concerned.

Section 2. Banking Institutions. Banking institutions are authorized

to engage in the following transactions:

- a) Receipt payments of amount due to such banking institutions.
- b) Permit withdrawals in cash for payments of import, taxes and social insurance contributions.
- c) Permit withdrawals in cash, when authorized by local representatives of the Allied Military Government, from the accounts of the following:
 - (i) Official governmental accounts of the State, Provinces & Communes
 - (ii) Social Insurance and social welfare institutions.
 - (iii) Consular.
 - (iv) Such parastatal agencies as may be authorized by the Allied Military Government.

Section 3. Commercial, Industrial and Financial Institutions.

- a) Receive accounts and otherwise conduct any business with respect to persons and institutions described in sub-section (c) hereof.

Section 3. Commercial, Industrial and Financial Institutions. Every

- c) Permit withdrawal in cash, when authorized by local representatives of the Allied Military Government, from the accounts of the following:
- (i) Official governmental accounts of the State, Province & Communes
 - (ii) Social Insurance and social welfare institutions.
 - (iii) Consignments.
 - (iv) Such parastatal agencies as may be authorized by the Allied

Military Government

- a) Receive accounts and official documents from business ~~with~~ respect to persons and institutions described in sub-section (a) hereof.

Section 3. Commercial Institutions and Limited Liabilities. Every company, institute, mutual or other institution engaged in life and General Insurance business may continue to receive and collect such premiums and other payments as are due and payable to them in respect of life and general risks in Italy.

Section 4. Social Insurance and Welfare Institutions. Every institution, corporation, body and person engaged in the said life Social Insurance or Social Welfare Scheme shall continue to receive all contributions payable under any such scheme, and to make all benefits and other payments due or payable under any such scheme, provided that such contributions are received prior to 8th September 1945, except that

allowances and military benefits to dependents of persons in Germany or other areas or any excluded territory known to be cooperating with the enemy.

Article II. Hostilities.

Section 1. Obligations Affected.

In respect of all debts, claims, deposits and all other obligations for the payment of money. The Chief Commissioner or any officer empowered by him may by general or specific order suspend or terminate the hostilities in respect of any obligation or class of obligation or in any part of the territory.

Section 2. Obligations Not Affected.

shall not apply to:

(a) any obligation affected by said hostilities, when the total amount due and to become due, under such obligation does not exceed 5000 lire, excepting obligations of financial business as defined in Article I of this

Proclamation.

(b) any payment required or permitted to be made by Section 2, Section 3 or Section 4 of Article I of this Proclamation.

Section 3. Effect of Hostilities. During the period of the hostilities, obligations affected by this proclamation are suspended and extended for the said period. No rights or powers shall be exercised at any time with respect to such obligations solely by reason of their non-performance as a result of this Proclamation. Subject to the extension hereby granted, all such

shall not apply to:

(a) any obligation affected by said moratorium, when the total amount due and to become due, under such obligation does not exceed 5000 lire, excluding obligations of financial business as defined in Article 2 of this

Proclamation.

(b) Any payment required or permitted to be made by Section 2, Section 3 or Section 4 of Article I of this Proclamation.

Section 3. Effect of Moratorium. During the period of the moratorium, obligations affected by this proclamation are suspended and extended for the said period. No rights or powers shall be exercised at any time with respect to such obligations solely by reasons of their non-performance as a result of this Proclamation. Subject to the extension hereby granted, all such obligations shall be of full force and effect upon termination of such moratorium.

The moratorium shall not apply to obligations entered into in any place within the Military Government Territory after the date on which this Proclamation shall come into force in such place.

4027/7

Legal Sub. Comm.

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

(13A)

10 July 1944

SUBJECT: Retranslation of documents regarding dependents
of persons called to arms.

TO : Regional Commissioner, Region III
" " " IV
" " Rome Region
" " Region V
" " " VIII
" " " IX
S.C.A.O. AMG 5 Army
" AMG 6 Army

For information to:
Regional Commissioner, Region I
" " " II
" " " VI
" " " VII

(9A)

1. Reference is made to the directive of 1 July 1944 rescinding Article I, Section 3 of AMG, Proclamation No. 4.

2. Two lines were inadvertently omitted from the Italian translation of both documents. We have used the opportunity of issuing a corrected version to alter the phrasing of other passages after consultation with the Italian Government. This was done in the interests of the clearest understanding by Italians of the terms of the documents, the English versions of which remain unchanged. Principal changes in the translation clarify the terms of sub-paragraphs 2 (d) and 2 (e) of the directive, and paragraphs III and IV of the instruction.

3. You will make any necessary adjustments in announcements given out in Italian by you or by your subordinates.

LEGAL SUB COMMISSION	
CIO	☐
CLIO	☒
Chief Counsel	☐
CJO	☐
Italian Section	☐
CL RKS	☐
	☐
	☐

/s/ Wilbur W. Stone
/t/ WILBUR W. STONE
Capt., U.S.A.R.
Acting Chief Commissioner.

II Con decorrenza dal 31 Marzo 1944, e con effettuazione immediata, saranno nuovamente corrisposti i pagamenti previsti dalla legge a favore delle persone a carico di coloro la cui ultima condizione conosciuta era quella di appartenente alle regie forze armate italiane in territorio liberato, e le cui famiglie furono private di ogni ulteriore pagamento il 31 Marzo 1944 dal Governo fascista repubblicano. Tali pagamenti avranno termine all'atto della cessazione del servizio militare, o, nel caso che non sia conosciuta la condizione attuale, all'atto della verifica della cessazione. Nel piu' breve termine possibile, saranno effettuati accertamenti per tutti i casi di questa categoria; ma intanto, sussistendo il dubbio, le famiglie riceveranno i pagamenti.

III Verranno nuovamente corrisposti o continuati i pagamenti previsti dalla legge a favore delle famiglie, sia si tratti di appartenenti alle regie forze armate italiane trattate come prigionieri di guerra degli Alleati, sia si tratti di appartenenti alle regie forze armate italiane internate o prigionieri del nemico. Questi ultimi casi saranno esaminati volta per volta in base alla migliore documentazione disponibile; e coloro ora successivamente saranno optati per l'esercito fascista o per quello tedesco saranno esclusi dai pagamenti.

IV Saranno corrisposti tutti i pagamenti previsti dalla legge a favore delle persone a carico di tutti coloro che prestarono servizio attualmente o che prestarono servizio nel Regio Esercito Italiano nel territorio liberato, inclusi i corpi speciali combattenti irregolari facenti parte di tale esercito ed aventi diritto agli stessi benefici. Per coloro che fanno parte del Regio esercito italiano o che precedentemente abbiano prestato servizio in bande regolarmente costituite di patrioti cooperanti con gli Alleati, il periodo di servizio in tali bande, purché documentato e certificato dalle competenti autorità militari, sarà computato agli effetti del calcolo dei pagamenti dovuti.

V. Qualora esistano dei dubbi in casi che rientrano in una qualunque delle suddette categorie, l'Istituto può richiedere alle parti interessate di firmare una dichiarazione con la quale si impegnino a rimborsare qualunque somma indebitamente percepita.

VI La presente disposizione ha carattere provvisorio e temporaneo, e può essere successivamente modificata o ampliata secondo le esigenze.

Colonello,
Co-Direttore,
Sotto-Commissione di Finanza.

4027/47 *ple*

ALLIED CONTROL COMMISSION
INTER OFFICE MEMO

#11

-3 JUL 1944

From: Adjutant's Office

FILE No.

SUBJECT: ACC Rear Cable No 3016 of 1 July 44

TO: Lt Col White, S.O. 1, Admin Section

2 July 1944

1. We have been advised by Signals that the above mentioned cable referring to the amendment of proclamation No. 4 can be repeated to AMG 5th and 8th Armies from the original, and there will be no need to prepare a new cable.

2. Holders of copies of this cable will be advised when this signal is cleared to the two added addressees and can amend their copies accordingly.

3. Your note of enquiry is returned herewith.

EJC
E. J. C.

21

4027/7

U. S. RESTRICTED
Equivalent British RESTRICTED

OUTGOING

CRISIS/RET

4/30

3016

JUNE 01 09 01 B

RESTRICTED

ROUTINE

ACC REAR

ROME AREA COMAND, AND REGION FIVE CAMBRASSO, MAIN HQ 8 ARMY, ACC REAR

AMENDMENTS TO PROCLAMATIONS IS SUBJECT TO REPORTED THAT LABOUR COMMISSION
HAS SUGGESTED MAKING CERTAIN IMMEDIATE AMENDMENTS TO PROCLAMATION FOUR PD
TO ROME AREA COMAND FOR ROME REGION AND AND REGION FOUR CM AND REGION FIVE
CAMBRASSO CM MAIN HQ HIGHWAY FOR AND REGION EIGHT CM CC MAIN FOR REGION
NINE FROM ACC REAR FROM CHIEF SIGNED STATE PD YOUR ATTENTION IS DRAWN TO
FACT THAT NO RET NO ALTERATIONS TO PROCLAMATIONS MAY BE MADE EXCEPT ON PERSONAL
ORDERS FROM CHIEF COMMISSIONER PD CONSEQUENTLY ALL PROCLAMATIONS WILL CONTINUE
TO BE POSTED AS PRINTED UNTIL FURTHER NOTICE

AUTHENTICATED:

E. J. Chiocca
E. J. CHIOCCA
CWO USA
Adjutant 20

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- 1. LEGAL

U. S. RESTRICTED
Equivalent British RESTRICTED

SUBJECT : Amendments proposed by Finance to
General Order I and Proclamations 2 and 4.

TO : Col. Upjohn .

File 4027/7

1. I have discussed the foregoing at length with Col. Grafftey-Smith.
2. He desires to circulate all of the proposed amendments among his Staff before submitting the same to us. There accordingly will be some delay.
3. He had not seen Capt. Stone's direction with respect to payment of family allowances and accordingly did not know of the conflict between it and his views. This subject too will be discussed with his Staff.
4. He firmly holds the view that none of the proposed amendments need be published in the rear areas with the possible exception of Naples and probably not even there. He therefore thinks that all the proposed amendments should be accomplished by "revised" proclamations and not by General Orders - and that the same should be published only in the forward areas.
5. He wishes us to hold all these matters in abeyance awaiting his further advice.

HAROLD J. GROVERAS,
Lt. Colonel.

TO COL. GROSSMAN.

1. noted .
2. in view of early restoration of certain territory I am agreeable merely to a reprinting in forward areas.
3. Don't let finance sleep on too long.

G.R. UPJOHN,
Colonel,
Chief Legal Officer.

2 3 3 9

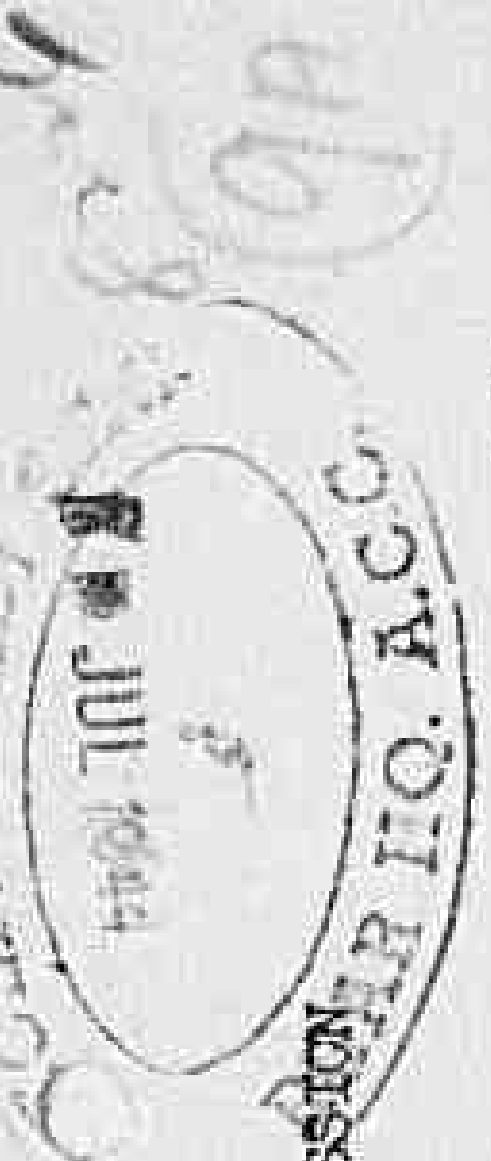
Acting Vice President
Administrative Section

12 JUL 1944

HEADQUARTERS

ALLIED CONTROL COMMISSION

AFPO 394



5 July 1944

SUBJECT: AMG Proclamation No. 4, "Closing of Financial Institutions and Establishment of Moratorium", dated 25 April, 1944.

TO : Regional Commissioner, Region III
" " " " IV
" " " " Rome Region
" " " " Region V
" " " " " VIII
" " " " " IX
S.C.A.O. AMG 5 Army
" AMG 8 Army

For information to:
Regional Commissioner, Region I
" " " " II
" " " " VI
" " " " VII

1. Reference is made to Article 1, Section 3, "Social Insurance and Welfare Institutions", in the above proclamation.

2. Effective at once, the general prohibition of "payment of family allowances to dependents of: (a) Persons engaged in military service; (b) unarmored prisoners of war; and (c) Italian workers in Germany or other enemy or enemy occupied territory" is rescinded, notwithstanding the terms of Article 1, Section 3, and lawful payments shall be made to such dependents, subject to the following provisions:

(a) All further benefit payments by Communes or by the Istituto Nazionale della Previdenza Sociale with respect to dependents of men serving in Fascist Republican or German military service, or with respect to Italian workers in enemy territory for whom payment of family allowances was arranged under an agreement with the German government, are prohibited.

(b) No restrictions are placed on the public assistance which communes are authorized and expected to give to the needy, on the basis of their verified needs, and nothing in sub-paragraph (a) above, shall be construed as preventing such public assistance.

(c) Benefit payments provided by law will be resumed immediately,

1. Reference is made to Article 1, Section 3, "Social Insurance and Welfare Institutions", in the above proclamation.

2. Effective at once, the general prohibition of "payment of family allowances to dependents of: (a) Persons engaged in military service; (b) unemployed prisoners of war; and (c) Italian workers in Germany or other enemy or enemy occupied territory" is rescinded, notwithstanding the terms of Article 1, Section 3, and lawful payments shall be made to such dependents, subject to the following provisions:

(a) All further benefit payments by Communes or by the Istituto Nazionale della Previdenza Sociale with respect to dependents of men serving in Fascist Republican or German military service, or with respect to Italian workers in enemy territory for whom payment of family allowances was arranged under an agreement with the German government, are prohibited.

(b) No restrictions are placed on the public assistance which communes are authorized and expected to give to the needy, on the basis of their verified needs, and nothing in sub-paragraph (a) above, shall be construed as preventing such public assistance.

(c) Benefit payments provided by law will be resumed immediately, retroactive to 31 March, 1944, for dependents of men whose last known status was that of a member of the Italian Armed Forces in liberated territory and whose families were deprived of further benefits by the Fascist Republican Government on 31 March, 1944.

(d) Benefit payments provided by law will be resumed or continued in the cases of men of the regular Italian Armed Forces held as Allied prisoners of war and also in the cases of men of the regular Italian Armed Forces interned or imprisoned by the enemy, except those who subsequently elected the option of joining the Fascist Republican or German armies.

(e) Benefit payments provided by law will be made to dependents of all men who are now serving or who enter service of the regular Italian Armed Forces. In the instance of men entering the regular Italian Armed Forces, who previously served in regularly constituted bands of patriots cooperating with the Allies, the period of effective service in the latter may be included for the purpose of calculating payments due, provided it is documented and certified by competent military authorities.

/2.....

- 2 -

3. For obvious reasons, it is desirable that the lifting of the general prohibition in Article 1, Section 3, of Proclamation No. 4 and the provisions of the present directive be publicized through available local channels.

Ellery W. Stone

ELLERY W. STONE,
CAPTAIN, U.S.N.R.,
ACTING CHIEF COMMISSIONER.

QUINTO GENERALE
COMMISSIONE ALLENIA DI CONTROLLO
APO 594

1 Giulio 1944

OGGETTO: Proclama No. 4 del Governo Militare Alleato (Ordinamento di Istituti Finanziari e Assicurativi di Moneta - Adm 25/4/1944).

AL : Commissario Regionale

Regione III

" IV

" V

" VI

" VII

" VIII

L'Ufficiale Superiore degli Affari Civili

AGG, Quirinale Armata

AGG, Ottava Armata

Per informazioni a:

Commissario Regionale

Regione I

" II

" III

" IV

" V

1. E' fatto riferimento all'art. 1, Sez. 3, "Istituti di Assicurazione e Benessere Sociali" nel suddetto Proclama.

2. Con effettuazione immediata, il divieto generale di realizzare i "pagamenti degli assegni familiari a favore dei dipendenti" (a) dalle persone che prestano servizio militare, (b) dai prigionieri di guerra non rilasciati sotto la loro parola di onore o (c) dai lavoratori italiani in Germania o altro territorio nemico o occupato dal nemico" e annullato, nonostante le condizioni dell' art. 1 Sez. 3, ed i pagamenti prescritti dalla legge saranno fatti a detti dipendenti alle seguenti condizioni:

(a) E' sospeso ogni ulteriore pagamento, da parte dei Comuni e dell' Istituto Nazionale della Previdenza Sociale, a favore delle persone a carico di coloro che prestano servizio nell'esercito fascista repubblicano o in quello tedesco, o a favore dello persone a carico di lavoratori italiani in Germania, per le quali sia stata effettuata la corresponsione degli assegni familiari in seguito ad accordo col governo tedesco.

1. E' fatto riferimento all'art. 1, Sez. 3, "Istituti di Assicurazione & Benessere Sociali" nel suddetto Proclama.

2. Con effettuazione immediata, il divieto generale di realizzare i "pagamenti degli assegni familiari a favore dei dipendenti" (a) dalle persone che prestano servizio militare, (b) dai prigionieri di guerra non rilasciati sotto la loro parola di onore e (c) dai lavoratori italiani in Germania o altro territorio nemico o occupato dal nemico" e annullato, nonostante le condizioni dell' art. 1 Sez. 3, ed i pagamenti prescritti dalla legge saranno fatti a detti dipendenti alle seguenti condizioni:

(a) E' sospeso ogni ulteriore pagamento, da parte dei Comuni o dell' Istituto Nazionale della Previdenza Sociale, a favore delle persone a carico di coloro che prestano servizio nell'esercito fascista repubblicano o in quello tedesco, o a favore delle persone a carico di lavoratori italiani in Germania, per le quali sia stata effettuata la corresponsione degli assegni familiari in seguito ad accordo col governo tedesco.

(b) Non viene posta alcuna restrizione all'assistenza pubblica, che puo e deve essere data ai bisognosi dai Comuni, nei casi di comprovata necessita, e niente nel sotto-capoverso (a), di cui sopra, deve essere inteso come un impedimento a tale assistenza pubblica.

(c) Con decorrenza dal 31 Marzo 1944, e con effettuazione immediata, saranno nuovamente corrisposti i pagamenti previsti dalla legge a favore di coloro la cui ultima condizione conosciuta era quella di appartenenti alle Regie Forze Armate Italiane in territorio liberato o le cui famiglie furono private di ogni ulteriore pagamento il 31 Marzo 1944 dal Governo fascista repubblicano.

(d) Verranno nuovamente corrisposti o continuati i pagamenti a favore delle famiglie degli appartenenti alle Regie Forze Armate Italiane, internati o prigionieri del nemico, ad eccezione di coloro che successivamente abbiano optato per l'esercito fascista o per quello tedesco.

(e) Saranno corrisposti tutti i pagamenti previsti dalla legge a favore delle persone a carico di tutti coloro che prestano attualmente servizio nelle Regie Forze Armate Italiane. Per coloro che abbiano prestato servizio

- 2 -

In base regolamento costituito di patriotti e partigiani e che si
arruolano nel Regio Esercito Italiano, il periodo di servizio in tali ruolo,
pure documentato o certificato dalle competenti autorità militari, sarà
computato agli effetti del calcolo dei pagamenti dovuti.

3. E' desiderabile per ragioni ovvie che l'abrogazione del divieto
generale nell'Art. 1, Sez. 3, del Proclama No. 4 ed i provvedimenti di
presente Ordine siano inseriti nelle più note pubblicazioni.

W. W. Stone

WILLIAM W. STONE,
CAPTAIN, U.S.M.R.,
ACTING CHIEF COMMISSIONER.
(IL FUNZIONANTE COMMISSARIO CAPO).

4027/7

OUTGOING

CRIPPS/msr

RESTRICTED

4/30

ROUTINE

3016

ACC REAR

JUNE 010402B

ROME AREA COMMAND, AMG REGION FIVE CAMPOBASSO, MAIN HQ 8 ARMY, ACC MAIN

AMENDMENTS TO PROCLAMATIONS IS SUBJECT PD REPORTED THAT LABOUR SUBCOMMISSION HAS SUGGESTED MAKING CERTAIN IMMEDIATE AMENDMENTS TO PROCLAMATION FOUR PD TO ROME AREA COMMAND FOR ROME REGION AND AMG REGION FOUR CMA AMG REGION FIVE CAMPOBASSO CMA MAIN HQ EIGHT ARMY FOR AMG REGION EIGHT CMA ACC MAIN FOR REGION NINE FROM ACC REAR SIGNED STONE PD YOUR ATTENTION IS DRAWN TO FACT THAT NO RPT NO ALTERATIONS TO PROCLAMATIONS MAY BE MADE EXCEPT ON PERSONAL ORDERS FROM CHIEF COMMISSIONER PD CONSEQUENTLY ALL PROCLAMATIONS WILL CONTINUE TO BE POSTED AS PRINTED UNTIL FURTHER NOTICE

AUTHENTICATED

E.J. CHIOCCA
CWO USA
Adjutant

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15

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

REF/DO

7A

1st July 44

REFERENCE : ACC/4077/7/L.

SUBJECT : Proposed amendments to Proclamations.

TO : RLOs (thru RCOs) Regions 4, 5, 8, 9 & Rome
SLOs (thru SCAOs) 2th and 8th Armies.

1. Without the approval of HQ ACC or this sub-Commission one of the sub-commissions has written a letter recommending certain changes in the initial issue of Proclamation No. 4 "pending general correction from Headquarters".

2. Recommendations so made must not be acted upon. In the event that after due consideration and consultation recommendations for amendments are approved the amending of a proclamation will take place in the usual manner and through the proper channels.

Richard H. Wilmer
RICHARD H. WILMER,
Colonel, C.A.C.,
acting Chief Legal Officer.

16

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

/pa

(6A)

REFERENCE : AGC/4027/7/L.

28 Jun 44

SUBJECT : AGC Proclamation No.4 .

TO : Director, Labor Sub-Commission.

1. Immediately upon receipt of yours 22 June 1944, we conferred with Major Babcock and requested that he communicate our views to you by telephone and request your comments. Not having received any further advices on this subject we spoke again to Major Babcock today and were informed by him that he had not yet discussed the matter with you. Under these circumstances we think it well briefly to confirm our reactions to yours of 22 June.

2. It would seem wholly impracticable at this stage to publish and post any amendments to the new Proclamations. They have already been and will be posted over wide areas. The difficulties in the way of printing and posting of any document which would have the effect of amending Proclamation 4, in areas within which the new Proclamation has already been posted, and in the new areas, as the areas advance will be obvious to you.

3. The simplest expedient under the circumstances would be a directive by the acting Chief Commissioner instructing payment to the three classes involved (A), (B) & (C) Article 1 Section 3, notwithstanding the terms of Proclamation No.4. In view of the fact that such payments are prohibited by Proclamation No.4, and important questions of policy are involved in their proposed resumption, they must not be made except upon the personal order of the acting Chief Commissioner.

4. Meanwhile of course, the proposed provisional directive referred to in Para 4 your letter 22 June must not be issued without personal authority of the acting Chief Commissioner.

GERALD R. UPJOHN, 13
Colonel,
Chief Legal Commissioner.

5A

MEMORANDUM.

SUBJECT : Proclamation No. 4.

TO : C.L.O.

1. The attached folio 3A was received yesterday. It contains the very annoying and belated request for amendment of new Proclamation 4.

2. I immediately contacted Lt.Comd. LAWLER, who on behalf of his Sub-Commission had sponsored new Proclamation No. 4. I found that he had no previous information as to the above request although Colonel Smith states that the same is made with the full concurrence of the Finance Sub-Commission.

3. Manifestly an amendment of the proclamation would involve all sorts of difficulties: First, the new proclamation has already been posted over wide areas and the task of going back and posting the amendment would be considerable. Second, if the amendment were to be accomplished by a new proclamation amended the present issue would have to be recalled from the armies and the new substituted. Third, if the amendment were to be accomplished by General Order (which course has on two occasions been followed although I think technically incorrectly) the armies would have two documents to post in forward areas instead of one: to wit the existing Proclamation and the new General Order. The question of paper is, of course, also involved.

4. It seems to me that a determination of whether there need be any publication of the proposed amendment turns entirely on the question of whether the new categories who are to receive benefits under the new plan would be prejudiced by a failure to receive notice thereof. To this end I made enquiry as to whether the filing of an application for benefits by any of the three classes referred to in Article 1, Section 3 of Proclamation 4 was a condition precedent to the payment thereof or whether the payments would follow automatically upon an amendment of the proclamation. Lt.Comd. LAWLER informed me that as to categories A and B the payments would be made without the filing of an application but he was unable to secure any information in this connection with regard to Class C.

5. If it should develop that payment would be made automatically to all three classes thus dispensing with the necessity, as a matter of fairness, of the publication of notice of the change my recommendation would be that new Proclamation 4 be allowed to remain as is and that the desired change be accomplished merely by a letter from the Chief Commissioner directing the Finance Sub-Commission to make such payments irrespective of the terms of new Proclamation 4. This procedure would obviate all the problems of printing, paper, posting and so forth.

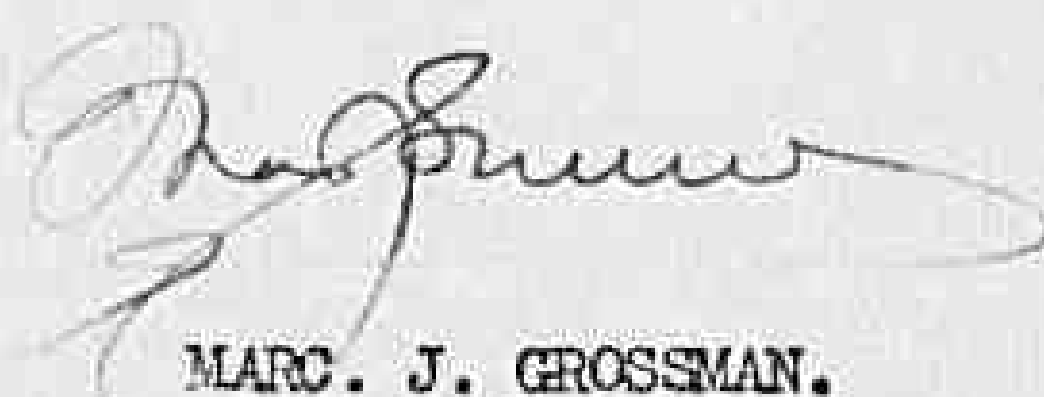
6. If the contrary is true in justice to the newly created beneficiaries a publication would seem necessary, I feel that we should

2.

insist that the matter be thoroughly thought out by the Labour Sub-Commission before any amendment is undertaken. If the request of the Labour Sub-Commission be now followed by eliminating the three categories and substituting "except as otherwise directed and so forth" upon further changes of policy new amendments will have to be published. It would seem to me that the Italian campaign is far enough advanced so that by now the fundamental policy of the social welfare ~~policy~~ should have been established. My point is that if there is to be an amendment by new Proclamation or by General Order the final policy should be set forth therein, rather than to leave an open end as a concealment for loose thinking with all the complications that would then follow changes in policy.

7. Under the foregoing circumstances I decided to take no action pending further consideration by the Labour Sub-Commission of the problem and I so informed Major Babcock at NAPLES. I explained the situation to him in detail and requested that he communicate with Rome by telephone if the matter was as urgent as it appeared.

8. Due to the fact that I am about to leave for CASERTA I thought it desirable to dictate this memorandum so that you might be informed of the position.


MARC. J. GROSSMAN.
Lt. Col.

HEADQUARTERS
AMG FIFTH ARMY
LEGAL DIVISION
APO 464 U.S. ARMY.

Legal

(4A)

✓(19)

26 June 1944
208/CA/7

SUBJECT: Amendments to Proclamations.

TO : C.L.O., A.C.C., HQ.

1. The enclosed copy of a letter addressed by the Labour Sub-Commission to Regional Commissioner Region VIII is forwarded for your information and comments.

2. While the initial issue of the Proclamations referred to in para 2 is made by AMG 5 Army and not by the Regions, no similar instruction has been received at this HQ. In view however of the doubtful propriety of amending the Proclamations otherwise than by authority of the Executive Commissioner, it is thought advisable to bring the matter to your attention at once.

H.M. Dickie W/Cdr.

H.M. DICKIE., W/Cdr., R.A.F.,
S.L.O. AMG Fifth Army.

ALLIED CONTROL COMMISSION
LABOUR SUB-COMMISSION
(ADVANCED HEADQUARTERS)

48

C O P Y

18 June 1944

SUBJECT: AMENDMENTS TO PROCLAMATIONS AFFECTING
SOCIAL INSURANCE AND WAGE ADJUSTMENTS

TO : REGIONAL COMMISSIONER, REGION VIII

1. Reference is made to Proclamation No 4 "Closing of Financial Institutions and Establishment of Moratorium," dated 25th April 1944. Experience in Region VI and Rome Region has indicated that the provision of Article I, Section 3, excluding payment of family allowance to dependents of persons listed under (a), (b) and (c) is subject to misconstruction, varying interpretation and the cutting off of necessary assistance to sizeable numbers of families definitely entitled to aid under policies in effect elsewhere in liberated territory.

2. It is therefore recommended that you make the following change in your initial issue of this proclamation, pending general correction from headquarters:

Strike out "except payments of family allowances to dependents of:
(a) Persons engaged in military service;
(b) Unparoled prisoners of war; and
(c) Italian workers in Germany or other enemy or enemy occupied territory."

Substitute "except as otherwise ordered by the Allied Military Government."

3. Further instructions will follow relative to limitations to be placed on certain social insurance payments.

4. Reference is also made to the proclamation relative to a temporary wage adjustment, providing for 70% increase. We have learned that the Fascist Republican Government ordered a general increase of 30% in public and private wages last winter. In order that the 70% increase will not be added to the 30% increase in the case of public employees, please correct the proclamation to read that the 70% increase shall apply to governmental salaries which were in effect 1 September, 1943.

/t/ JUNIUS P. SMITH
/s/ Junius P. Smith
Col., QMC
Deputy Director,
Labor Sub-Commission.

4027/2
 ADVANCE HEADQUARTERS
 ALLIED CONTROL COMMISSION
 LABOR SUB-COMMISSION
 AFV 394

JMS, tbw

(3A)

22 June, 1944

SUBJECT: A.M.G. Proclamation No. 4 -- "Closing of Financial Institutions and Establishment of Moratorium" -- dated 25 April, 1944

TO : Director, Legal Sub-Commission

1. Reference is made to Article I, Section 3 of the above proclamation, which provides for continuation of normal social insurance and assistance payments, "except payments of family allowances to dependents of:

- a. Persons engaged in military service;
- b. Unparoled prisoners of war; and
- c. Italian workers in Germany or other enemy or enemy occupied territory."

2. It is evident that the conditions which originally prompted the foregoing exceptions, when our first proclamations were issued, are no longer tenable. In fact, enforcement of the exceptions as stipulated would cut off, in some instances, and prevent, in others, necessary assistance to large numbers of families definitely entitled to aid under policies approved by the A.C.C. and the Italian Government and now in effect elsewhere in liberated territory. Among those denied assistance would be families of men fighting on the Allied side.

3. I have discussed this matter at length with Colonel Grafftey-Smith of the Finance Sub-Commission and we are in complete agreement as to the necessity for an immediate amendment to the proclamation to prevent injustice and the imposing of undue hardships on families properly entitled to benefits in the newly liberated provinces. The Labor and Finance Sub-Commissions, therefore, request that, effective at once, the portions of Article I, Section 3, underlined in para. 1 of this memorandum be stricken out and the following be substituted:

"except as otherwise directed by authority of the Allied Military Government."

4. The Italian national agency which administers family allowances and other special benefits to dependents of persons now excepted in Section 3 is the Istituto Nazionale della Previdenza Sociale. The Labor Sub-Commission is concerned and charged with the supervision of this institution and its social insurance program. As a follow-up to the amendment requested in Proclamation No. 4, this Sub-Commission is arranging for the issuance of the attached provisional directive to offices of the Istituto Nazionale della Previdenza Sociale to take care of the immediate and urgent situation.

5. It is urged that this matter be expedited.

2373

Ltr to Legal Sub-Comm dtd 22 June 44 (Cont'd)

Junius R. Smith
JUNIOR R. SMITH,
Colonel, Q.M.C.,
Dy Director, Labor Sub-Commission

Appx A to 1st Labor Sub-Comm dtd
22 June, 1944 subj Proc No 4

3B

The Labor Sub-Commission will issue the following provisional directive to the Istituto Nazionale della Previdenza Sociale, clarifying restrictions previously contained in the above Section 3 of Article I with respect to the economic treatment of dependents of those engaged in military service, unparoled prisoners of war, and Italian workers in enemy territory:

1. All further payments by the Institute with respect to dependents of men serving in Fascist Republican or German military service, or with respect to dependents of Italian workers in Germany for whom payment of family allowances was arranged under an agreement with the German Government, are suspended. It is not intended, however, to leave such dependents without the possibility of obtaining necessities of life. Therefore, no restrictions are placed on the public assistance which communes are authorized and expected to give to the needy, on the basis of their verified need. Accordingly, all families affected by the above suspension will be advised of their right to request, and if needy, to receive, communal public assistance.
2. Payments provided by law will be resumed immediately, retroactive to 31 March, 1944, for dependents of men whose last known status was that of a member of the Italian Armed Forces in liberated territory and whose families were deprived of further benefits by the Fascist Republican Government on 31 March, 1944. Such payments will cease upon termination of military service or upon verification of termination, where present status is unknown. Determination of the facts will be made as promptly as possible in all cases of this class, but meanwhile, benefit of the doubt will be given to the family.
3. Payments provided by law will continue in the cases of men of the regular Italian Armed Forces held as Allied prisoners of war and also in the cases of men of the regular Italian Armed Forces interned or imprisoned by the enemy. The latter cases will be examined individually on the basis of the best documentation available, and those who subsequently elected the option of joining the Fascist Republican or German armies will be excluded.
4. Payments provided by law will be made to dependents of all men now serving or who enter service of the regular Italian Armed Forces (including special corps legally considered part of such Forces and entitled to the same benefits). In the instance of men re-entering the regular Italian Armed Forces, who previously served in regularly constituted bands of patriots or partisans, the period of effective service in the latter may be included for the purpose of calculating payments due, provided it is documented and certified by competent military authorities.
5. In doubtful cases within any of the aforesaid classifications, the Institute may require interested parties to sign a declaration promising to refund, under penalty, any moneys received to which they are not entitled.
6. This directive is provisional and temporary in character and may be subsequently modified or supplemented as circumstances may require.

2A

ALLIED MILITARY GOVERNMENT OF RUSSIAN TERRITORY

PROCLAMATION NO. 4

CLOSING OF FINANCIAL INSTITUTIONS AND ESTABLISHMENT OF MONETARY

I, NOEL MASON MAC FARLANE, K.C.B., D.S.O., M.C., Lieut. General, Chief Commissioner, Allied Control Commission, by virtue of the authority vested in me by HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of the Occupied Territory, hereby proclaim as follows,

ARTICLE I

CLOSING OF FINANCIAL INSTITUTIONS

Section 1. Closing of Institutions. Except as provided in Section 2 and 3 hereof, every company, institution, corporation, body or person within the occupied territory engaged in the business of receiving and paying out deposits, making loans, selling or purchasing securities, exchanging money, dealing in foreign exchange, maintaining safe deposit facilities or transacting any other form of financial business shall forthwith suspend any and all such business and the premises shall be closed. The re-opening of all such business shall be upon such terms and conditions and the transacting of further financial business shall be subject to such restrictions as the Chief Commissioner or any officer empowered by him may from time to time prescribe by order. Such orders may be of general or specific application and may be notified by public announcement or by written communication addressed to any company, institution, corporation, body or person concerned.

Section 2. Banking Institutions. Banking Institutions are authorised to engage in the following transactions,

- (a) Accept payments of amounts due to such banking institutions;
- (b) Permit withdrawals in cash for payment of imposts, taxes and social insurance contributions;
- (c) Permit withdrawals in cash, when authorised by local representatives of the Allied Military Government, from the accounts of the following:
 - (1) Official governmental accounts of the State, Provinces and Counties;

and 3. Under, every company, institution, corporation, body or person within the occupied territory engaged in the business of receiving and paying out deposits, making loans, selling or purchasing securities, exchanging money, dealing in foreign exchange, maintaining safe deposit facilities or transacting any other form of financial business shall forthwith suspend any and all such business and the premises shall be closed. The re-opening of all such business shall be upon such terms and conditions and the transacting of further financial business shall be subject to such restrictions as the Chief Commissioner or any officer empowered by him may from time to time prescribe by order. Such orders may be of general or specific application and may be notified by public announcement or by written communication addressed to any company, institution, corporation, body or person concerned. y

Section 2. Banking Institutions. Banking Institutions are authorized to engage in the following transactions;

- (a) Accept payments of amounts due to such banking institutions;
- (b) Permit withdrawals in cash for payment of imposts, taxes and social insurance contributions.
- (c) Permit withdrawals in cash, when authorized by local representatives of the Allied Military Government, from the accounts of the following;

- (i) Official governmental accounts of the State, Provinces and Counties;

- (ii) Social Insurance and Social Welfare Institutions;

- (iii) Consorzi.

- (d) Receive accounts and otherwise conduct new business with the respect to persons and institutions described in subsection (c) hereof.

Section 3. Social Insurance and Welfare Institutions. Every company, institution, corporation, body and person engaged in the administration of any Social Insurance or Social Welfare Scheme shall continue to receive and collect all contributions payable under any such Scheme, and to make all benefit, indemnity and other payments due or payable under any such scheme except payments of family allowances to dependants of:

- (a) Persons engaged in military service;
- (b) Unemployed prisoners of war and
- (c) Italian workers in Germany or other enemy or enemy occupied territory.

- 2 -

ARTICLE II

MORATORIUM

Section 1. Obligations Affected. A moratorium is hereby proclaimed in respect of all debts, claims, deposits and all other obligations for the payment of money. The Chief Commissioner or any officer empowered by him may by general or specific order suspend or terminate the above moratorium in respect of any obligation or class of obligations or in any part of the territory.

Section 2. Obligations Not Affected. The moratorium herein imposed shall not apply to:

- (a) Any obligation effected by the said moratorium when the total amount due and to become due under such obligation does not exceed 5,000 lire, excepting obligations of financial businesses as defined in Article I of this Proclamation.
- (b) Any sums for wages or salaries payable monthly, or at less intervals.
- (c) Any payments required or permitted to be made by Section 2 or Section 3 of Article I of this Proclamation.

Section 3. Effect of Moratorium. During the period of the moratorium, obligations effected by this proclamation are suspended and extended for the said period. No rights or powers shall be exercised at any time with respect to such obligations solely by reasons of their non-performance as a result of this Proclamation. Subject to the extension hereby granted, all such obligations shall be of full force and effect upon the termination of such moratorium. The moratorium shall not apply to obligations entered into in any place within the occupied territory after the date on which this Proclamation shall come into force in such place.

ARTICLE III

PENALTIES

Any person violating the provisions of the Proclamation shall on conviction by an Allied Military Court be liable to imprisonment or fine, or both, as the Court may determine.

ARTICLE IV

EFFECTIVE DATE

to such obligations solely by reasons of their non-performance as a result of this Proclamation. Subject to the extension hereby granted, all such obligations shall be of full force and effect upon the termination of such moratorium. The moratorium shall not apply to obligations entered into in any place within the occupied territory after the date on which this Proclamation shall come into force in such place.

ARTICLE III

PENALTIES

Any person violating the provisions of the Proclamation shall on conviction by an Allied Military Court be liable to imprisonment or fine, or both, as the Court may determine.

ARTICLE IV

EFFECTIVE DATE

This Proclamation will become operative in each province or part thereof within the occupied territory on the date of its first publication therein.

FOR THE COMMANDER IN CHIEF ALLIED ARMIES IN ITALY
AND MILITARY GOVERNMENT.

Noel Mason Macfarlane

LEUTENANT GENERAL,
CHIEF COMMISSIONER,
ALLIED CONTROL COMMISSION.

DATED, 25 April, 1944.

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

PROCLAMATION NO. 4

CHIUSURA DI ISTITUTI FINANZIARI E DICHIARAZIONE DI MORATORIA

Io, Noel Mason Mac Farlane, K.C.B., D.S.O., M.C., ~~Tenente~~ Tenente Generale, Capo Commissario della Commissione Alleata di Controllo, in virtù dei poteri conferitimi da Harold R.L.G. Alexander G.C.B., C.S.I., D.S.O., M.C., Generale, Comandante in Capo delle Forze Armate Alleate in Italia e Governatore Militare del territorio occupato,

P R O C L A M O

Art.I

Chiusura di istituti finanziari

Sezione I - Chiusura di Istituti - Ad eccezione di quanto stabilito nelle Sezioni 2 e 3 di cui in appresso, ogni società, istituto, corporazione, ente o persona nel territorio occupato che tratti operazioni di accettazione e pagamento di depositi, di prestito, di compra-vendita di titoli, di cambialevalute, di custodia valori o di qualsiasi altra forma di attività finanziaria sospendere immediatamente ogni genere di tali operazioni e chiuderà gli uffici. La ripresa di tali operazioni avrà luogo secondo quei termini e condizioni e la ulteriore trattazione di affari finanziari sarà soggetta a quelle restrizioni che il Capo Commissario o qualsiasi ufficiale da lui delegato, può di volta in volta prescrivere a mezzo di ordini. Tali ordini possono essere di carattere generale o specifico ed essere notificati con avviso pubblico od a mezzo di comunicazione scritta indirizzata alla società, istituto, corporazione, ente o persona interessati.

Sezione 2) Istituti Bancari - Gli Istituti Bancari sono autorizzati a compiere le seguenti operazioni:

- a) accettare versamenti di importi dovuti agli stessi istituti bancari;
- b) consentire prelievi in contanti per pagamento di imposte, tasse e contributi per assicurazione sociale;
- c) consentire prelievi in contanti, se autorizzati dal rappresentante locale del Governatore Militare Alleato, dai conti seguenti:
 - I) conti governativi ufficiali dello Stato, Provincie e Comuni;
 - II) Istituti di assicurazione sociale e di assistenza sociale;
 - III) Consorzi.
- d) aprire conti ed intraprendere altrimenti nuove transazioni con le

Chiusura di istituti finanziari

Sezione I - Chiusura di Istituti - Ad eccezione di quanto stabilito nelle Sezioni 2 e 3 di cui in appresso, ogni società, istituto, corporazione, ente o persona nel territorio occupato che tratti operazioni di accettazione e pagamento di depositi, di prestito, di compra-vendita di titoli, di cambiavalute, di custodia valori o di qualsiasi altre forma di attività finanziaria sospenderà immediatamente ogni genere di tali operazioni e chiuderà gli uffici. La ripresa di tali operazioni avrà luogo secondo quei termini e condizioni e la ulteriore trattazione di affari finanziari sarà soggetta a quelle restrizioni che il Capo Commissario o qualsiasi ufficiale da lui delegato, può di volta in volta prescrivere a mezzo di ordini. Tali ordini possono essere di carattere generale o specifico ed essere notificati con avviso pubblico od a mezzo di comunicazione scritta indirizzata alla società, istituto, corporazione, ente o persona interessati.

Sezione 2) Istituti Bancari - Gli Istituti Bancari sono autorizzati a compiere le seguenti operazioni:

- a) accettare versamenti di importi dovuti agli stessi istituti bancari;
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- I) conti governativi ufficiali dello Stato, Province e Comuni;
- II) Istituti di assicurazione sociale e di assistenza sociale;
- III) Consorzi.

- d) aprire conti ed intraprendere altrimenti nuove transazioni con le persone e le istituzioni di cui al precedente comma c).

Sezione 3) Istituti di Assicurazione e di Assistenza Sociale + Ogni Società, istituto, corporazione, ente o persona impegnato nell'amministrazione di una qualsiasi attività di assicurazione sociale o di Assistenza sociale continuerà a ricevere ed a raccogliere tutti i contributi relativi a tale attività, liquidare i sussidi e le indennità ed effettuare tutti gli altri versamenti dovuti o pagabili in base a tale attività ad eccezione dei pagamenti degli assegni famigliari alle persone a carico di:

- 2 -

- a) militari
- b) prigionieri di guerra non rilasciati sulla parola
- c) lavoratori italiani in Germania o in altro territorio nemico occupato dal nemico.

Art. II

Moratoria

Sezione 1 - Obbligazioni soggette - Con il presente proclama viene dichiarata una moratoria rispetto a tutti i debiti, rivendicazioni, depositi, ed ogni altra obbligazione richiedente il pagamento in moneta. Il Capo Commissario o qualunque altro ufficiale da lui delegato può con ordine generale o specifico sospendere o far cessare in qualsiasi parte del territorio la predetta moratoria rispetto a qualsiasi obbligazione o tipo di obbligazione.

Sezione 2) Obbligazioni non soggette. La moratoria imposta con questo proclama non si applica a

- a) ogni obbligazione soggetta alla predetta moratoria quando l'ammon-tare dovuto o che sarà dovuto per effetto di tale obbligazione non ecceda le 5000 lire, ad eccezione delle obbligazioni di natura finanziaria specificate nell'art. I di questo proclama.
- b) ogni ammontare per stipendi o salari pagabili mensilmente o a minore intervallo.
- c) ogni pagamento necessario o consentito in base alla Sezione 2 e Sezione 3 dell'art. I di questo Proclama.

Sezione 3 - Effetti della Moratoria - Durante il periodo della moratoria le obbligazioni ad essa soggette per effetto di questo proclama sono sospese e prorogate per il periodo di durata della stessa.

Nessun diritto od azione potrà essere esercitato in nessun momento nei riguardi di tali obbligazioni unicamente per il fatto che la loro esecuzione origina da questo stesso proclama.

Ad eccezione della proroga accordata con questo proclama, tutte queste obbligazioni avranno piena forza ed effetto al termine di questa moratoria. La moratoria non si applicherà alle obbligazioni contratte in qualsiasi luogo nel territorio occupato dopo la data alla quale il presente proclama sarà entrato in vigore in detto luogo.

tare dovuto o che sarà dovuto per effetto di natura finanziaria ecceda le 5000 lire, ad eccezione delle obbligazioni di natura finanziaria specificate nell'art.I di questo proclama.

- b) ogni ammontare per stipendi o salari pagabili mensilmente o a minore intervallo.
- c) ogni pagamento necessario o consentito in base alla Sezione 2 e Sezione 3 dell'art.I di questo Proclama.

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Nessun diritto od azione potrà essere esercitato in nessun momento nei riguardi di tali obbligazioni unilaterale per il fatto che la loro esecuzione origina da questo stesso proclama.

Ad eccezione della proroga accordata con questo proclama, tutte queste obbligazioni avranno piena forza ed effetto al termine di questa moratoria. La moratoria non si applicherà alle obbligazioni contratte in qualsiasi luogo nel territorio occupato dopo la data alla quale il presente proclama sarà entrato in vigore in detto luogo.

Art.III
Pene

Chiunque violi le disposizioni di questo proclama sarà, se riconosciuto colpevole da un Tribunale Militare Alleato, passibile di reclusione o di multa, o di entrambi, a seconda della decisione del Tribunale.

Art.IV

Data di entrata in vigore

Questo proclama diverrà operativo in ogni Provincia o parte di essa nel territorio occupato dalla data della sua prima pubblicazione nella stessa.

PER IL COMANDANTE IN CAPO DELLE FORZE ARMATE IN ITALIA
E GOVERNATORE MILITARE.

AID:

Aprile 1944.

TENENTE GENERALE,
CAPO COMISSARIO,
COMMISSIONE ALLEATA DI CONTROLLO.

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