

785016

ACC

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DRAFT D  
PUBLICAT  
NOV. 1943

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10000/142/724

DRAFT D  
PUBLICAT  
NOV. 1943

142/724

DRAFT DECREE ON CONTROL OF THE PRESS (LICENSING OF  
PUBLICATIONS, ALLIED PUBLICATIONS BOARD)  
NOV. 1943 - JULY 1944

FILE CLOSED 7 Jul 1944

57



PARTITO FASCISTA REPUBBLICANO  
FEDERAZIONE DELLA VOCE

II. COMMISSARIO FEDERALE

785016

*To J. P. Admin*  
*see file*  
*4104/7*

*Col. Upjohn - P.Y.P.*

*(24A)*

*(Handwritten mark)*

7 July 44.

CONFERENCE with Under-Secretary of the Interior Sig. Spataro and Major Rossini, Italian Government Press Officer.

11 JUL 1944

SUBJECT : Press Law.

TO : Mr. George W. Edman, ADPRO (Lib) Italy.

1. The Under-Secretary explained that pending consideration of the projected Press Law by the cabinet he proposed sending a circular of instructions to the Prefects substantially based on the points of the suggested Press Law itself.
2. Copy of the suggested circular to Prefects was left with me. I consider it a first-class document. The salient points are: Recognition that it is a Commission and not the Prefect which has exclusive power to authorize, suspend or revoke publications; that the only preventive censorship is military; and that "political crimes are excluded from any application of the existing penal code" (which is, of course, still the Fascist one until that can be adjusted by the Italian Government some time hence).
3. The Under-Secretary believes that it might be a month or so before this circular could be transformed into terms of a decree by the cabinet, but in any case this makes it applicable de facto though not de jure.

*I. S. Munro*  
*for* 56

I. S. MUNRO,  
Lt. Col.,  
Chief Press Officer, Italy.

Copy to: Mr. Rayner.  
Col. Upjohn. ✓  
Major Fielden.

*To A/C.L.O.*  
*for info & file*

*4/16.1/AS*

*g...*  
*TO JUS*  
*Noted*  
*RAW*  
*A/109*  
*from ...*

REAR HEADQUARTERS  
 ALLIED CONTROL COMMISSION  
 LEGAL SUB-COMMISSION  
 AFU 394

GRR/PA

23A

REFERENCE : ~~AGC/401/1~~ 27 Jun 44  
 SUBJECT : Region 6 Conference.  
 TO : Director Interior Sub-Commission.

1. Ref. your AGC/1/6/1st. dated 21 June 1944.
2. The Allied Publications Board has as you know been negotiating with the Italian Government to pass a decree which will supersede R.D.L. No.13 of 19 Jan.44 and will enact that there will be NO political prepublication censorship but of course the Allied Military Censorship will remain. Permits to publish and so on will remain in the lines of the above-mentioned R.D.L.
3. Ref your para 2 I see no reason why an editor should publish an article received by him even if of bona fide interest if he does NOT want to. Surely we are fighting for the freedom of the press and the right to publish or not to publish as the editor desires?

GERALD R. SPJOHN,  
 Colonel,  
 Chief Legal Officer.

Copy to : RLO (thru RC) Region 6.  
 File AGC/4104/7/L.

55

14104/7

HEADQUARTERS  
ALLIED CONTROL COMMISSION  
R.C. & M.G. Section  
APO 394

5403  
Legal  
22A

Ref/282/183/CA.

24 May 1944.

SUBJECT: Regional Orders.

TO : R.C. Region III.

1. Reference your R/2017 of 19 May 1944, the position of the three draft Regional Orders is as follows :

(a) Aliens.

This Order is being prepared, as you know, for issue as a General Order. Since, among other things, the proposed legislation has to do with matters concerning internment, the Public Safety Sub-Commission felt obliged to consult A.A.I. before making any recommendations on the subject.

(b) Public Meetings.

This Order has been prepared and approved. It is being published as General Order No.25 and is now in the hands of the printers.

(c) Newspapers and Publications.

Reference is made to this HQ letter 291/19/CA of 4 April 1944. The suggested Decree has been drafted and approved but is under discussion with the Italian Government. It is hoped that it will be finally approved before the next meeting of the A.P.B. on 29 May 1944.

*gm*

*Howard K. ...*

JSB/RAC.

NORMAN B. FISKE,  
Colonel,  
Deputy Executive  
Commissioner.

54

Copy to: Admin Section - For Legal Sub-Comm.  
File 291.  
" 381.  
" 397.



File in Allied Publications Board files

-1- 21A

Draft.

by Col. Muro

-1-

4104/7

In the light of military and economic exigencies and in order to secure uniformity of regulations and procedure in Royal Italian Government territory and Allied Military Government territory, the Italian Government hereby issues the following Decree:

Art. 1.

Whosoever publishes or intends to initiate the publication, printing or reproduction of journals or of other periodicals must first apply for authorisation to the Prefect of the Province in which the said periodicals are published or to be published. A similar obligation is imposed upon whomsoever intends to print, publish or reproduce papers or writings of a non-periodic character whether in the form of books, pamphlets, brochures, posters or otherwise. The Prefect of the Province shall forthwith transmit all such applications to the Minister of the Interior for immediate consideration of a specially appointed publications board to whom is delegated the sole right to grant such authorisation. The right to suspend or revoke such authorisation is likewise delegated to the publications board.

Art. 2.

The application for authorisation must contain, in case of periodic publications, the following data:

- (a) Name and place of publication.
- (b) Purpose intended by the publication.
- (c) Financial backing.
- (d) Political affiliation, if any.
- (e) Statement as to whether the publication is to appear daily, weekly, monthly, etc.
- (f) Selling price.
- (g) Seat of the management of the editor and of the administration.
- (h) Name, surname and address of the responsible director, of the responsible vice-director and of the administrative director.
- (i) Name, surname and address of the owner or owners.
- (j) Name and address of the printing establishment and of its director.
- (m) Number of copies of each issue.
- (n) Size and number of pages.
- (o) Estimate of monthly paper requirements with indication whether in sheets or rolls.
- (p) Area and means of distribution.
- (q) Quantity of paper already held at the time of application and its location.
- (r) Specification of the quantity of paper which it is assumed will be necessary to use and place where it can be found.

Art. 3.

The application for authorisation must contain in the case of non-periodical publications the following data in addition to that required under Article 2 (a), (b), (c), (d), (f), (l), (p), (q) and (r):

- (a) Name, surname and domicile or residence of the publisher or publishers, and of the author or editor;
- (b) Number of copies intended to be printed;
- (c) Size and number of pages;
- (d) Estimate of required quantity and type of paper.

Art. 4.

Any change in ownership, management, and direction, declared political affiliation, professed purpose of a periodic publication, name or place of publication as declared by the applicant in terms of Arts 4 & 5 hereof shall be immediately notified through the same channels as the original application, and upon failure so to do, the authorisation theretofore granted shall forthwith lapse and be of no force and effect.

Art. 5.

There shall be no pre-publication <sup>political</sup> scrutiny or censorship, but nothing herein contained shall be construed to modify or in any way effect the regulations for Allied Military censorship which may from time to time be in force.

Art. 6.

Copies of all publications authorized shall be delivered on the day of publication to persons or authorities in accordance with such instructions as may from time to time be issued by the Allied and Italian authorities.

Art. 7.

Every periodical publication shall carry the name of its responsible editor; every non-periodical publication shall carry the name of the publisher or printer.

Art. 8.

Any journal or other periodical, paper, writing of a non-periodical character, book, pamphlet, brochure, poster or other thing or matter, printed or published in violation of the provisions of this decree shall be confiscated and its authorisation automatically revoked

The confiscation shall be undertaken by the (Public Safety Authorities) without any special authorisation.

to be defined

-3-

Art. 9.

The violation of this decree shall be punished by a fine of 10,000 lire to 50,000 lire; or by reclusion from three months to one year; or by both.

The following persons shall answer for the said violation:

(a) in case of a periodic publication whoever holds the position of the responsible editor and the owner of the periodical or its legal or de facto representative.

(b) in case of a non-periodical publication whoever ordered the publication to be made and its owner as well as its publisher or, in the absence of the latter, the printer.

Art. 10.

R D L 14 January, 1944, No. 13 is hereby suspended together with all legislation which has the effect of imposing pre-publication scrutiny or censorship in the Italian Press.

Art. 11.

The provisions of the foregoing articles shall be applicable for the duration of war.

Art. 12.

This decree shall become effective on the day of its publication in the Gazzetta Ufficiale of the Kingdom - Special Series - and shall be presented to the legislative assembly to be embodied into law.

The Minister of the Interior is authorised to present the relative bill.

to order whoever is concerned to obey this decree and enforce it as the law of the State.

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-1-

Publication -- the above Decree should be accompanied by an exchange of letters between the Chief Commissioner, Allied Control Commission and the Prime Minister of the Royal Italian Government in which it is recognised that:

The special publication board referred to in Decree No..... is the Central Allied Publications Board.

The Central Allied Publication Board has the power to delegate authority to local Publication Boards subject to confirmation by the Central Board.

The said Central and local Allied Publication Boards shall each include a representative nominated by the Italian Government and approved by the respective Boards who shall act in a consultant and advisory capacity only.

The Minister of the Interior or his delegate will transmit with as little delay as possible all applications referred to in the Decree to the appropriate local Allied Publication Board.

The authority vested in the Central Allied Publication Board shall be handed over to the Royal Italian Government at such time as may be designated by the Commander in Chief of the Allied Forces.

The Minister of the Interior or his delegate shall likewise communicate the recommendations and decisions of the Allied Publication Board to applicants and take the necessary action for implementation with as little delay as possible, informing the Central APB.

The Minister of the Interior or his delegate will work out a modus operandi with the Executive Secretary of the Central Allied Publications Board or his delegate to ensure the speediest possible transmission.

*(Suggest that papers sent copy of all applications to local APB)*

*File*

NEAR HEADQUARTERS  
ALLIED CONTROL COMMISSION  
Legal Subcommittee  
APO 394

GRU/ap

20A

AGC/4104/7/I

16 May 1944.

SUBJECT : All-Italy Press Law.

TO : H. E. The Minister of the Interior.

1. I have the honour to hand your Excellency here-  
with a new draft decree designed to replace RDL 14 January  
1944 no.13, and to reflect the policy of our governments  
toward the Italian Press.

2. With that objective the Legal Subcommittee  
at the request of the Allied Publication Board has prepared  
the attached suggested draft decree for your perusal and  
consideration. It will also be necessary to repeal RDL 14  
January 1944, No. 13 together with all legislation if any which  
has the effect of imposing pre-publication scrutiny or censor-  
ship on the Italian Press.

3. An early expression of your Excellency's view on  
the draft would be greatly appreciated.

*Top Reached to  
200 hours 17.5.44  
[Signature]*

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

REAR HEADQUARTERS  
ALLIED CONTROL COMMISSION  
LEGAL SUB-COMMISSION  
APO 394.

9 May, 1944.

REFERENCE : ACC/4104/7/L.  
SUBJECT : All-Italy Press Law.  
TO : Lt. Col. Munro,  
Allied Publications Board,  
167, Corso Umberto,  
NAPLES.

1. Thank you for your letter of the 2nd May 1944.
2. This Sub-Commission has noticed with the gravest concern your condition described in para.4 of your letter. Col. Wilmer and Majors Grossman and Thackrah join with me in expressing our earnest wishes for your speedy recovery. We are entirely at a loss to understand how your condition can have arisen and can only ascribe it to the dust of Salerno on your last visit here. For our part we are always elevated by a visit from you and (of course) Miss Peart.
3. Your comments on our draft are noted and with regard to your paras. 5 and 7 we think that these matters can be taken care of in the Italian translation.
4. <sup>repealing</sup> ~~repeating~~ With regard to para. 8, there will be no difficulty in ~~repeating~~ (in the proposed decree) the old law.
5. We are asking the V.P. Admin. to present the draft to the Minister of Interior for his observation and comments.

GERALD R. UPJOHN,  
Colonel,  
Chief Legal Officer.

GRU/wow.

PUBLIC RELATIONS BRANCH  
ALLIED CONTROL COMMISSION

Legal  
18A  
-9 MAY 1944

PRB 6.

8 May 1944.

Subject: Press decrees.

Not in the Lt. Cripps

To: Lt Col R.R. Cripps, Interior Sub-Commission.

Further to my letter of 1 May 1944 will you please transmit the draft press decrees to the Italian Government without delay, so that points of discussion, if any, may be cleared and the decrees put into law as soon as possible.

*Lionel Fielden*

LIONEL FIELDEN,  
Major,  
Public Relations Director.

Copy to: Chief Legal Officer  
CA Branch.

Tel. 54209.

Legal

How does this matter stand.

*R.R. Cripps*

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

167 Corso Umberto  
NAPLES

2 May 44.

SUBJECT : All-Italy Press Law.  
TO : Col. G. R. Upjohn,  
Legal Sub-Commission,  
Allied Control Commission.

1. This is to confirm the telephone call made this evening by my assistant, Miss Peart. The Central Allied Publications Board, at its meeting on May 1st, approved the inclusion of an Italian representative on the Central and Local Boards, to act in a consultant and advisory capacity.
2. This is also to confirm that Major Fielden, at the meeting yesterday, undertook to communicate this decision to Lt. Col. Cripps.
3. The question of Italian representation on the Central and Local Boards was the only point in the draft law brought before the meeting.
4. I received your letter ACC4104/7L of April 29th, enclosing the revised draft, with your comments, and duly crawled into a corner in a thoroughly humiliated and demoralised condition.
5. Having recovered slightly, I would beg to point out that your article VII is ambiguous. Allied military censorship exercises pre-publication censorship and to say that there shall be none, while at the same time safe-guarding existing rights of the Allied military authorities, will surely lead to confusion. I feel that the Allied military censorship position should be clearly stated by itself and that the character of any other kind of scrutiny or censorship should be clearly stated, even in its negative form. I would therefore suggest that the wording of Article VII in my draft should be restored. Its merit lies in the word "other"; and that word cannot be employed without first defining the military part. 48
6. The Board took no exception to the words "and approved by the respective Boards" in your Article III.
7. I do not understand the second paragraph of Article X nor your comments on it. However clearly the Public Safety authorities may be designated I should imagine that they would re-



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

167 Corso Umberto  
NAPLES

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TO : Col. G. R. Upjohn,  
Legal Sub-Commission,  
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- 2 -

quire to have special authorisation to act, and that such authorisation would emanate from the Allied Publications Board. I would appreciate your guidance on this and also on how that should be translated so as to fit in with the Italian police organisation.

8. I would also like your opinion on the possibility of revoking the former decree. It was conceived by APB in error, and with the misguided intention of saving the face of the Italian Government by not publishing the fact that APB was behind the Prefects, and has put a weapon of power in the hands of the said Prefects such as they never enjoyed even in the most violent days of Fascism. I feel I could never be comfortable were I to leave Italy and feel that all I had succeeded in doing was to betray (albeit unwittingly) Liberty of the Press. How can we have the previous decree washed off the slate?
9. I enclose a copy of the aide memoire of our last meeting, as promised, and may I add how much I appreciate your help in all this.

I. S. Munro  
Lt. Col.

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

17B

MINUTES of a meeting held in the offices of the Legal Sub-Commission, ACC, Salerno, on 27 April 44, to discuss the proposed all-Italy Licensing Law

PRESENT : Col. G. R. Upjohn, Legal Sub-Commission, ACC.  
Major M. J. Grossman, Legal Sub-Commission, ACC.  
Major A. R. Thackray, Legal Sub-Commission, ACC.  
Lt. Col. R. G. B. Spicer, Interior Sub-Commission, ACC.  
Lt. Vernon Lewis, Interior Sub-Commission, ACC, and  
Lt. Col. I. S. Munro, Executive Secretary, APB.

Acting on recommendation of the Central Allied Publications Board (see minutes of meeting held 17 April), Col. Munro read a copy of the resolution adopted by the Board "with a view to expediting the work of the Legal Sub-Commission, ACC, in drafting an all-Italy Press Licensing and Procedure Law for application in ACC territory and for the suggested acceptance of the Italian Government."

Col. Upjohn said the Legal Sub-Commission, on being informed that the APB was dealing with the Italian Government direct, through Lord Stansgate, and that the former Minister of the Interior took strong exception to the proposed law (as per his letter to Lord Stansgate under date of 4 April 44), had suspended all work on draft of the law. He said that, through a misunderstanding, Col. Munro had not been informed of this fact.

Col. Munro pointed out that the APB had made no approach to the Italian Government with regard to the proposed law; that Sig. Reale's letter was sent to Lord Stansgate in reply to APB's request, transmitted through Lord Stansgate, that he designate Prefects to sit on Regional Boards.

Col. Munro said that Sig. Reale's letter, and reports on difficulties experienced in some Local Board centres with regard to licensing powers of Prefects, had been tabled at the last Board meeting, but action had been suspended so as not to handicap the work of the Legal Sub-Commission.

#### New Draft

It was therefore agreed that a fresh start, on draft of the proposed law, could be made. To this end, Col. Munro tabled a suggested draft, based on the Legal Sub-Commission's earlier draft, and texts were compared and changes noted.

Col. Munro said the Board was aware of the administrative difficulties involved in having Prefects sit on Local Boards but that these could be overcome if the Italian Government were to appoint its own nominee to sit on Local Boards, responsible to the Government and with the necessary authority for the particular job.

- 2 -

(118)

It was noted that the new draft called for Italian Government representation on Local Boards and on the Central Board, in a consultative and advisory capacity. Col. Munro said he had submitted a proposal for consideration of the Central Board at its next meeting, to the effect that the Italian Government should be invited to appoint a representative to the Central Board.

It was agreed that the Legal Sub-Commission could not complete its draft until the Board reached a decision on this outstanding issue. In the meantime, however, Col. Upjohn and his colleagues undertook to re-word some of the clauses of the draft under consideration, without altering in any way any of the principles set forth, and Col. Munro agreed to communicate the Board's decision with regard to Italian representation on the Central Board immediately it was taken.

#### Censorship

Col. Upjohn said that the Italian Government appeared to be finding difficulty in reconciling the principle of Freedom of the Press with Italian Government policy. He pointed out that Italian law, long before Fascism, gave the Government certain powers of censorship, and that the former Minister of the Interior, and others, were very much opposed to the Government being deprived of those powers.

When Col. Upjohn suggested that this question also required clarification, Col. Munro pointed out that only one form of censorship existed in Italy today, namely Allied Military Censorship; that pre-publication political scrutiny, both by Allied and by Italian authorities, ceased on 7 April 44, in accordance with a decision of the Allied Publications Board as approved by Gen. Mason MacFarlane, and that all concerned had been so informed, including the Italian Government. The question of censorship could therefore be considered settled.

48

785016

41047

PUBLIC RELATIONS BRANCH  
ALLIED CONTROL COMMISSION

File  
(16A)

PRB 14.

1 May 1944.

Subject: Italian Government representative on APB.

To: Lt Col R.G.B. Spicer, Interior Sub-Commission.

The attached minute by Lt Col Munro was approved today by the Central Allied Publications Board. This clears some of the ground for the preparation of the decrees which should go forward as soon as possible.

*Lionel Fielden*

LIONEL FIELDEN,  
Major,  
Public Relations Director.

Copy to : Chief Legal Officer -  
CA Branch.

LEGAL SUB-COMMISSION	
CLO	<input checked="" type="checkbox"/>
...	<input type="checkbox"/>
Chief Counsel	<input type="checkbox"/>
...	<input type="checkbox"/>
Italian Section	<input type="checkbox"/>
CLERKS	<input type="checkbox"/>
...	<input type="checkbox"/>
...	<input type="checkbox"/>

*42*  
*info*  
*copy*

PUBLIC RELATIONS BRANCH  
ALLIED CONTROL COMMISSION  
-----

(16B)

1 May 1944.

C O P Y  
-----Central APB Meeting 1.5.44

As the discussions and reasons behind APB decisions are often veiled from the Italian Government or officials, leading to misunderstandings and, on occasion, misrepresentations; and as this situation puts a smoke-screen between ourselves and the Italian Government, choking goodwill and smothering real understanding, I propose that, in order to ensure a better working machine to promote Allied war aims in Italy, the Italian Government be invited to nominate a representative to attend the Central and Local Board meetings in a consultative and advisory capacity.

-----

With regard to the above, it might be useful to recall that Italian administrative difficulties in appointing a Prefect to sit on Local Boards (because one Prefect cannot speak for other Prefects whose jurisdiction may also be within the Local APB area) will be solved by inviting "a Government representative, thus leaving it to the Italian Government to choose their man and to give him the necessary authority for the particular job even if he is a Prefect.

Apart from solving the local problem of Prefects, the above proposal also solves the illogical position of having Italian representatives on Local Boards which are responsible to the Central Body on which they have no representation.

(sgd) I. S. MUNRO,  
Lt Col,  
Executive Secretary.

41

785016

File

15A

WAR REPARATIONS  
ALLIED CONTROL COMMISSION  
LITERATURE COMMISSION  
LSC 396

ACC/1304/77.

23 April 1944

Subject: Licensing of Publications.

To: Allied Publications Board.

1. Pursuant to our conversation of 27 April, enclosed is revised draft of suggested terms covering above subject matter.
2. The following comments are to be noted in connection with the draft submitted by you, and our draft enclosed herewith.
  - a. Article I has been entirely rewritten in the interests of clarity and better draftsmanship.
  - b. Article II has been revised with the objective of leaving no doubt that the Board shall have the sole right in its absolute discretion and without the giving of reasons to suspend and revoke authorizations.
  - c. Article III has been revised so as to make it clear that the representatives referred to shall be nominated by the Italian Government and shall act in a consultant and advisory capacity only. It occurred to us that it might be desirable to require that such nominations should first be approved by the Board so as to guard against imprudent and unworkable nominations and this Article has been prepared accordingly. This obviously is solely a matter of policy and is for you to decide. If this suggestion is not acceptable the matter can be remedied by the omission of the phrase "and approved by the respective Boards."
  - d. Articles IV and V have been slightly revised as to language in the interests of clarity but without any substantial change.
  - e. Article VI has been entirely rewritten with the objective of making it mandatory upon the publisher to notify the Board of any of the changes referred to therein. No such requirement was contained in your draft. Unlike your draft a change in ownership, etc. does not operate automatically to cancel the authorization. We have provided that failure to notify the Board of such change does so operate but if notice is given as required, it then becomes discretionary with the Board as to whether or not the change is of such a nature as to warrant a cancellation. Thus, the matter remains entirely within the control of the Board, but obviates

(157)

what might result in unnecessary work and complications if an automatic cancellation of the authorization followed from some inconsequential change.

f. Article VII of your draft is a rearrangement of Article IV of our original draft. We believe that our draft legally better accomplishes the objective thereof and we have accordingly restored the language of Article IV of our original draft.

g. Article VIII of your draft covers the subject matter of Article V of our original draft. We fail to understand what is intended by your Article VIII. Moreover, the matters covered thereby are purely administrative and can better be handled, in our opinion, along the lines of Article V of our old draft which has now been made Article VIII of our new draft.

h. Article IX of your draft has been revised to substitute the word "shall" for "will" and the word "authorization" for "license." We also omitted the phrase "as prima facie evidence of authorization to publish" since it would seem to serve no useful purpose. We have also added at the end of the Article the phrase "or otherwise reproduced" since your Article IX as drafted would appear to cover printed copies only whereas the intention is clearly to cover all other types of reproduction.

i. Article X of your draft is a revision of Article VI of our original draft. In view of the serious consequences following upon a violation of provisions of the Decree as therein provided, we think it is desirable that the various types of publications referred to be specifically listed and we accordingly prefer our draft to yours. Moreover, we have concluded that it is preferable to provide for the automatic revocation of the authorization in case of violation rather than for the prohibition against future publication. Article X has been re-drafted accordingly. When and if this Article is translated into Italian, it is imperative that the phrase "Public Safety Authorities" be so translated as to specifically designate the particular authority which you have in mind.

OSWALD R. WILSON,  
Colonel,  
Chief Legal Officer.

Copy to: Deputy Executive Commissioner,  
Rm 100,  
Administrative Section.

33



(SB)

3rd Draft

ART. 1

The Central Allied Publications Board is hereby vested with the sole power to grant the authorizations hereinafter referred to. Such power may by it be delegated to Local Allied Publications Boards.

No journal, newspaper or other periodical, paper, writing of a non-periodical character, book, pamphlet, brochure, poster or other like publication shall be printed or otherwise reproduced or published without the prior authorization of the Central Allied Publication Board, or such Local Allied Publications Boards as may by it be designated.

Applications for such authorizations shall be filed with the prefect of the Province in which the proposed publication is to be printed, or otherwise reproduced, and by him forthwith transmitted as directed by the Allied Publications Board.

ART. 2

The Central Allied Publications Board shall have the sole right in its absolute discretion and without any statement of reasons therefore to suspend and revoke authorizations.

ART. 3

The said Central and Local Allied Publications Boards shall each include a representative nominated by the Italian Government and approved by the respective Boards who shall act in a consultant and advisory capacity only.

ART. 4

The application for authorization must contain, in case of periodic publications, the following data:

- (a) Name and place of publication.
- (b) Purpose intended by the publication.
- (c) Financial backing.
- (d) Political affiliation, if any.
- (e) Statement as to whether the publication is to appear daily, weekly, monthly, etc.
- (f) Selling price.
- (g) Seat of the management of the editor and of the administration.
- (h) Name, surname and address of the responsible director, of the

ART. 3

The said Central and Local Allied Publications Boards shall each include a representative nominated by the Italian Government and approved by the respective Boards who shall act in a consultant and advisory capacity only.

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- (a) Name and place of publication.
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- (c) Financial backing.
- (d) Political affiliation, if any.
- (e) Statement as to whether the publication is to appear daily, weekly, monthly, etc.
- (f) Selling price.
- (g) Seat of the management of the editor and of the administration.
- (h) Name, surname and address of the responsible director, of the responsible vice-director and of the administrative director.
- (i) Name, surname and address of the owner or owners.
- (l) Name and address of the printing establishment and of its director.
- (m) Number of copies for each issue.
- (n) Size and number of pages.
- (o) Estimate of monthly paper requirements with indication whether in sheets or rolls.
- (p) Area and means of distribution.
- (q) Quantity of paper already held at the time of application and its location.
- (r) Specification of the quantity of paper which it is assumed will be necessary to use and place where it can be found.

ART. V

The application for authorization must contain in the case of non-periodical publications the following data in addition to that required under Article 4 (a), (b), (c), (d), (f), (i), (l), (p), (q) and (r):

(156)

- (a) Name, surname and domicile or residence of the publisher or publishers, and of the author or editor;
- (b) Number of copies intended to be printed;
- (c) Size and number of pages;
- (d) Estimate of required quantity and type of paper.

ART. 6

Any change in ownership, management, director, declared political affiliation, professed purpose of a periodic publication, name or place of publication as declared by the applicant in terms of Arts 4 & 5 hereof shall be immediately notified through the same channels as the original application, and upon failure so to do, the authorization theretofore granted shall forthwith lapse and be of no force and effect.

ART. 7

There shall be no pre-publication scrutiny or censorship, but nothing herein contained shall be construed to modify or in any way affect the regulations for Allied Military censorship which may from time to time be in force.

ART. 8

Immediately following publication copies thereof shall be delivered to the persons or authorities as in the authorization provided.

ART. 9

Every periodical publication shall carry the name of its responsible editor; every non-periodical publication shall carry the name of the publisher or printer; and all publications of whatsoever nature shall carry its authorization number on every copy printed *on skins reproduced*.

ART. 10

Any journal or other periodical, paper, writing of a non-periodical character, book, pamphlet, brochure, poster or other thing or matter, printed or published in violation of the provisions of this decree shall be confiscated and its authorization automatically thereupon revoked.

The confiscation shall be undertaken by the Public Safety authorities without any special authorization.

Immediately following publication copies thereof shall be delivered to the persons or authorities as in the authorization provided.

ART. 2

Every periodical publication shall carry the name of its responsible editor; every non-periodical publication shall carry the name of the publisher or printer; and all publications of whatsoever nature shall carry its authorization number on every copy printed *or otherwise reproduced*.

ART. 10

Any journal or other periodical, paper, writing of a non-periodical character, book, pamphlet, brochure, poster or other thing or matter, printed or published in violation of the provisions of this decree shall be confiscated and its authorization automatically thereupon revoked.

The confiscation shall be undertaken by the Public Safety authorities without any special authorization.

ART. 11

The violation of this decree shall be punished by a fine from 10,000<sup>00</sup> lire to 50,000 lire; or by reclusion from three months to one year; or by both.

The following persons shall answer for the said violations:

- (a) in case of a periodic publication whoever holds the position of the responsible editor and the owner of the periodical or its legal or de facto representative.
- (b) in case of a non-periodical publication whoever ordered the publication to be made and its owner as well as its publisher or, in absence of the latter, the printer.

ART. 12

The provisions of the foregoing articles shall be applicable for the entire duration of war.

(196)

ART. 13

This decree shall become effective on the day of its publication in the Gazette Officielle of the Kingdom - Special Series - and shall be presented to the legislative assembly to be embodied into law.

The Minister of the Interior is authorized to present the relative bill.

We order whoever is concerned to obey this decree and enforce it as law of the State.

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- 3 -

REAR HEADQUARTERS  
 ALLIED CONTROL COMMISSION  
 APO 394  
 ADMINISTRATIVE SECTION

*File*

(14A)

AGS/4101/7/2

21 Apr 44

SUBJECT : Licensing of Publications.

TO : RC & MG Sec.

(15A)

- 1 Your 291/25 CA of 17 Apr addressed to us for Legal Sub Commission.
- 2 The Allied Publications Board passed certain resolutions on the 14 Apr among others, one including Prefects on certain Regional Boards. This resolution was passed without previously consulting either the Interior Sub Commission or the Italian Government.
- 3 At the same time the APB asked the Legal Sub Commission to draft a decree to implement their resolutions but did not inform the Legal Sub-Commission that there had been no agreement in principle with the Italian Government.
- 4 This Section was then asked to obtain from the Italian Government the names of the Prefects to sit on these Boards. Our letter asking for nominations was the first that the Italian Government had heard of the proposed formation of these Boards. For reasons stated in the Minister of the Interior's letter 274 of 4 Apr (some of which the Interior Sub Commission considers to be perfectly sound) the Italian Government objected to making these appointments. A copy of the Minister's letter of objection was forwarded to the APB on the 9 Apr since when no communication has been received from the APB.
- 5 Until the question of whether Prefects are or are not to be members of Regional Boards has been settled with the Italian Government, the drafting of the decree cannot proceed.

*R. R. Cripps*  
 R. R. CRIPPS,  
 Lt. Colonel,  
 for VP Adm Sec.

35

Copy to: Interior Sub Comm refce 76/INT.  
Copy for: ~~file 4009/2~~

41047

41047

*Legal*

HEADQUARTERS  
ALLIED CONTROL COMMISSION  
R.C. & M.G. Section  
APO 394

(13A)

Ref/291/25/CA.

17 April 1944.

SUBJECT: Licensing of Publications.

TO : V.P. Admin. Section - For Legal Sub-Comm.

(11A)

A copy of 291/19/CA of 4 April is enclosed.

2. May this Section be informed of the action taken in accordance with para.3 of this letter.

*N.E. Fiske*  
NORMAN E. FISKE  
Colonel,  
Deputy Executive  
Commissioner.



*20 on 44 V7.  
copy already on.*

*33*

12A

HEAD HEADQUARTERS  
ALLIED CONTROL COMMISSION  
Legal Subcommittee  
APO 354

AKI/gf

~~ACC/10004~~

7 April 1944

SUBJECT: Control of the Press.

TO : H.E. The Minister of the Interior.

Since addressing to Your Excellency this morning a suggested draft decree and covering letter concerning certain measures proposed in accord with the AFP, it has been learned that the matter has already been the subject of correspondence between the Ministry and the Vice-President of the Administrative Section of ACC. Accordingly, Your Excellency is requested to kindly treat this Subcommittee's letter as remaining in abeyance until these prior matters have been given due consideration.

G. R. UPTON  
Colonel  
Chief Legal Officer.

Copy to, VP Admin. Section.

*copy for:- Legal Sub Commission* 10 APR RECD  
2898

~~SECRET~~  
L

HEADQUARTERS  
ALLIED CONTROL COMMISSION  
R.C. & M.G. Section  
APO 394

(11A)

Ref#291/19/CA.

4104/7

4 April 1944  
*4/10/44*  
*ADW*

SUBJECT: Licensing of Publications.

TO : R.C. Region III.

*copy not read by legal*

1. Reference your letter of 23 March 1944 enclosing a draft order regarding the Licensing of Publications.
2. The draft order has been carefully considered at this H.Q. at a conference with Col. Monroe and other members of the Allied Publishing Board and as a result I am directed to inform you that this order is not approved.
3. The Allied Publications Board do not wish this matter to be the subject of a Regional Order. They are very anxious to have an amended Italian decree which would be operative in occupied and unoccupied territory. The principals of such a decree have been discussed and the matter is being taken up with the Italian Government forthwith.

NORMAN E. FISKE  
Colonel,  
Deputy Executive  
Commissioner.

REAR HEADQUARTERS  
ALLIED CONTROL COMMISSION  
LEGAL SUB-COMMISSION  
A.P.O. 394

(10A)

ART/ead

ACC/4014/7/L

6th April 1944

Subject: Control of the Press

To : H.R. The Minister of the Interior,  
Palazzo Comunale, Salerno.

It is understood that Your Excellency has already been in consultation with representatives of the Allied Psychological Warfare Branch on the advisability of making certain modifications to the existing Decree Law of 14 Jan. 1944 No. 13.

With such end in view this Sub-Commission has at the request of the P.W.B. advised upon the text of a new decree designed to meet present exigencies and future evolution of the Italian press in both unoccupied and occupied territory, it being the intention to coordinate the law in both.

The attached draft, as agreed with the PWB, and based upon the above-mentioned RDL is attached for information and favour of perusal; but before coming to any decision this Subcommission would be most grateful for Your Excellency's views thereon, and accordingly suggests a meeting to discuss the matter, say on Friday afternoon next at 3 o'clock at the Palazzo Comunale, if this day and hour be convenient.

G. R. UPTON, Colonel  
Chief Legal Officer.

Enclosure, 1 copy of draft.

Draft of by Stat Bureau

PREAMBLEART. 1

Whoever intends to initiate the publication, printing or reproduction of journals or of other written periodicals must first apply for authorization to the Prefect of the Province in which the said periodical is published.

A like obligation is imposed upon whoever intends to print, publish or reproduce papers or writings of a non-periodical character whether in the form of books, pamphlets, brochures, posters or otherwise.

The Prefect of the Province shall forthwith transmit all such demands to the Central Allied Publications Board in which is vested the sole right to grant such authorization, which authorization, however, may be delegated to Local Allied Publications Boards.

The publication of the said newspapers or writings shall not take place for any reason whatsoever until the said authorization shall have been granted. At the instance of the Central Allied Publications Board or upon the application of any person thereto, authorizations may at any time be revoked or suspended.

ART. 2

The said local Allied Publications Boards shall include the Prefect of the Province through whom the application has been made, or his representative.

ART. 3

The application for authorization mentioned in the preceding articles must contain, in case of periodic publications, the following data:

- (a) Name and place of publication.
- (b) Purpose intended by the publication.
- (c) Financial backing.
- (d) Political affiliation, if any.
- (e) Statement as to whether the publication is to appear daily, weekly, monthly, etc.
- (f) Selling price.
- (g) Seat of the management of the editor and of the administration.
- (h) Name, surname and address of the responsible director, of the responsible vice-director and of the administrative director.
- (i) Name, surname and address of the owner or owners.
- (l) Name and address of the printing establishment and of its director.
- (m) Number of copies for each issue.
- (n) Size and number of pages.
- (o) Estimate of monthly paper requirements with indication whether in sheets or rolls.

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Lud. Drott

ART. 2

The said Local Allied Publications Boards shall include the Prefect of the Province through whom the application has been made, or his representative.

ART. 3

The application for authorization mentioned in the preceding articles must contain, in case of periodic publications, the following data:

- (a) Name and place of publication.
- (b) Purpose intended by the publication.
- (c) Financial backing.
- (d) Political affiliation, if any.
- (e) Statement as to whether the publication is to appear daily, weekly, monthly, etc.
- (f) Selling price.
- (g) Seat of the management of the editor and of the administration.
- (h) Name, surname and address of the responsible director, of the responsible vice-director and of the administrative director.
- (i) Name, surname and address of the owner or owners.
- (l) Name and address of the printing establishment and of its director.
- (m) Number of copies for each issue.
- (n) Size and number of pages.
- (o) Estimate of monthly paper requirements with indication whether in sheets or rolls.
- (p) Area and means of distribution.
- (q) Quantity of paper already held at the time of application and its location.
- (r) Specification of the quantity of paper which it is assumed will be necessary to use and place where it can be found.

The application for non-periodical publications must contain the following data in addition to those under (a), (b), (c), (d), (f), (i), (l), (p), (q) and (r):

- (a) Name, surname and domicile or residence of the editor.
- (b) Number of copies intended to be printed.
- (c) Size and number of pages.
- (d) Estimate of required quantity and type of paper.

ART. 4

There shall be no pre-publication scrutiny or censorship, but nothing herein contained shall be construed to modify or in any way affect the regulations

108

for Allied Military censorship which may from time to time be in force.

ART. 5

Immediately following publication copies thereof shall be delivered to the persons or authorities as in the authorization provided.

ART. 6

Any journal or other periodical, paper, writing of a non-periodical character, book, pamphlet, brochure, poster or other thing or matter, printed or published in violation of the provisions of this decree shall be confiscated and their publication in future prohibited.

*its author or other automatically thereupon*  
The confiscation shall be undertaken by the Public Safety authorities without any special authorization.

ART. 7

The violations of this decree shall be punished by a fine from 10,000 to 50,000 lire; or by reclusion from three months to one year; or by both.

The following persons shall answer for the said violations:

- (a) In case of a periodic publication whoever holds the position of the responsible editor and the owner of the periodical or its legal or de facto representative.
- (b) In case of a non-periodical publication whoever ordered the publication to be made and its owner as well as its editor or, in absence of the latter, the printer.

ART. 8

The provisions of Art. 1 shall be applicable for the entire duration of war.

ART. 9

This decree shall become effective on the day of its publication in the Gazzetta Ufficiale of the Kingdom - Special Series - and shall be presented to the legislative Assembly to be embodied into law.

The Minister of Interior is authorized to present the relative bill.

The violations of this decree shall be punished by a fine from 10,000 to 50,000 lire; or by reclusion from three months to one year; or by both.

The following persons shall answer for the said violations:

- (a) In case of a periodic publication whoever holds the position of the responsible editor and the owner of the periodical or its legal or de facto representative.
- (b) In case of a non-periodical publication whoever ordered the publication to be made and its owner as well as its editor or, in absence of the latter, the printer.

ART. 8

The provisions of Art. 1 shall be applicable for the entire duration of war.

ART. 9

This decree shall become effective on the day of its publication in the Gazzetta Ufficiale of the Kingdom - Special Series - and shall be presented to the legislative Assembly to be embodied into law.

The Minister of Interior is authorized to present the relative bill.

The order whoever is concerned to obey this decree and enforce it as law of the State.

23

350

MEMO ON FILE

9A

1. Before attempting to draft any notices it would be advisable to make a study of Italian Law on the subject. It may be that there exist specific directives issued by the Ministry of Interior which would fully satisfy the purpose of the AB if properly enforced. Such procedure would conform to our policy to interfere with Italian law as little as possible.
2. It appears that licensing of all printed matter including books, posters, etc. is contemplated (See V, para 1 of the memo). Different machinery is provided for licensing and supervision of periodical and nonperiodical publications. However, the heading of the notice contained in App A does not make it clear whether only periodical publications of any kind or periodical publications and any type of "news or opinion" or periodical and non periodical publications are included. It would seem that a notice should clearly state just what type of publications are intended to be covered. Two alternatives would seem to be open.
  - (a) The notice would include all publications in which case the heading would read as follows: "...newspaper, magazine, pamphlet, brochure, periodical, book, poster, placard, and any form of news or opinion."
  - (b) There would be two different types of notices, one of which would cover only periodical publications, the other one would cover the nonperiodical literature. This question must be settled before any drafting is attempted.
3. The first para of this notice should read, "All persons or organizations now publishing, printing or reproducing any of the above enumerated publications." Under (1) the competent product must be specified in relation to applicant's domicile or residence, seat of corporation, etc. It should be made clear that if one person or organization is printing and another publishing a publication, both persons or organizations must file the applications. The sentence "All printed forms....to the above" should be omitted.
4. The remarks stated in para. 3 above apply to the second part of the notice as well. The closing sentence should read as follows:
 

After January 15, 1943 none of the above enumerated publications will be published prior to the receiving of the license from the district government authorizing such publication.



(b) There would be two different types of notices, one of which would cover only periodical publications, the other one would cover the non-periodical literature.

The question must be settled before any drafting is attempted.

3. The first part of this notice should read, "All persons or organizations now publishing, printing or reproducing any of the above mentioned publications."

Under (1) the competent Prefect must be specified in relation to applicant's domicile or residence, seat of corporation, etc.

It should be made clear that if one person or organization is printing and another publishing a publication, both persons or organizations must file the applications. The sentence "All printed forms...." to the above should be omitted.

4. The sentence stated in para. 3 above apply to the second part of the notice as well. The closing sentence should read as follows:

After January 15, 1943 none of the above mentioned publications will be published prior to the receiving of the license from the competent Prefect authorizing such publication.

No receipt or other publishing material such as.... shall be allotted by proper authority except upon presentation of a license number....

No license will be issued for a period exceeding three months.

An application for renewal may be filed at least 15 days prior to the date of expiration of the license. Failure to file such application within the indicated time will be considered as indication of cessation of publication.

5. Please consider the following: Before a license is granted, the matter will pass seven offices (Prefect, Ministry of Interior, AGI, ASI, AGI, Ministry of Interior and Prefect). Such "circumventing and circumventing back" through seven offices will take place every three months in the case of periodical newspapers. If this cumbersome procedure is absolutely necessary, should there not be a simplified procedure, at least for the renewal of licenses?

6. It is suggested that an excerpt be made of the ASI Memo giving the procedure and scope of censoring and this excerpt with the copies of Appendices 1-3 be left with the Italian Ministry of Interior for comment.

For Quadrant Cooper with W.P.B.

8A

REAR HEADQUARTERS  
ALLIED CONTROL COMMISSION  
Legal Subcommittee  
APO 394

APT/gmf

31 March 1944.

TO: Chief Legal Officer.

Memorandum on Licensing of Publications - Region 3

1. Although RC Region 3 in his explanatory letter to the Executive Commissioner (No. 10 in File) states in para. 4 thereof that APB & FWE are in agreement with the proposed Regional Order, no reference is made to the Italian RDL, 14 Jan. 44 No. 13.

2. This RDL was inspired by the APB in accordance with its memo to ACC dated 14 Dec. 43 (attached) and followed the policy laid down in MGS letter ref. MGS 334-34 dated 27 Nov. 43 namely that the procedure to be followed in the then AMG territory should be substantially the same as that under ACC.

3. The annexed comparison of the Italian RDL and the proposed Region 3 Order shows that they are substantially the same in effect. In view of the fact that Region 3 is under ACC administration, the question arises as to whether it would not be sounder policy to implement the Italian legislation in both Regions 3 & 5, always assuming that the APB and FWE are in accord.

A. R. THACKERAY, Major.

Use same words as original directions from AFSA  
Every publication should be same of printer of date to committee

3 Categories - 1 Publications  
2 Books, Pamphlets, Brochures  
3 Periodicals  
Existing orders existing circumstances not affected

Compare 2 attached

Endorsement - For which power is handed over to Prefect  
Rental rights to present source would not be done  
It published that APB was controlling

Scheme for Regional Press Officers to supervise Editors and give advice when called upon  
Pro. Publications existing with case in ACC. areas

Suggested amendments - to State Orders

Printing of business should be only of a limited nature  
Regional Board - Administrative Services to Prefects  
Censorship - Military Censorship shall remain p12

3 matter removed clause also eliminated.

3 Scripps the word "position" in Italian sense

Authority advice vested in APB. <sup>Local</sup> ~~Regional~~ <sup>Domestic</sup>

Questions to comment.

3 matter resolved.

3 Capital no power to, withheld became a source  
country - finally to channel to set on decline of  
level future board.

3 things: ACE writes to members of Council who connect with  
Prefect.

3 Naples, Bari, Palermo, Cagliari & Potenza?

Summary of  
RDL 14 Jan. 44 No. 13  
Regulating the Press in time of war

Art. 1

All publishers of printed matter, newspapers or other periodicals, containing news or political opinions must apply for express authorization to the Prefect of the Province where edited before 31 Jan. 1944.

Applies to pubs already authorized. If prefect withholds authorization publication must cease on date of notification of such.

Art. 2

All intending publishers of printed matter as in Art. 1 must first obtain Prefectoral authorization at place of publication.

Same rule applies to printed matter of non-periodical character if it contains news or political opinions.

No publication without prior authorization.

Art. 3

Sets out form of application for authorization for both periodicals and non-periodicals including information as to stocks of paper and estimation of quantities required.

Art. 4

Application for authorization to be renewed every 3 months.

Art. 5

Contravening of regulations involves sequestration by "Pubblica Sicurezza".

Art. 6

Infringements punishable with 10,000 to 50,000 lire fine and/or 3 months to 1 years imprisonment.

Compare with Region 3 Order  
No. 74 (Draft)  
Provinces of Naples, Benevento &  
Avellino.

Existing licences issued by Allied  
Pubs Board remain in force.

Intending publishers to make application to Provincial Commissioner of place of printing.

No publication without prior authorization.

Licences valid anywhere in Italy south of Army boundaries. To be issued by Questore of Province where printed.

Refusals to be notified to Provincial Commissioner.

No information as to stocks of paper  
No periodical renewal of application.

Italian Law

Authors, printers and publishers must conform to existing Italian law. Political pamphlets and posters to

bear names and addresses of committee. No publication to instigate violence or opposition to military or civil

news or political opinions.  
No publication without prior authorization.

Art. 3

Sets out form of application for authorization for both periodicals and non-periodicals including information as to stocks of paper and estimation of quantities required.

Art. 4

Application for authorization to be renewed every 3 months.

Art. 5

Contravening of regulations involves sequestration by "Pubblica Sicurezza".

Art. 6

Infringements punishable with 10,000 to 50,000 lire fine and/or 3 months to 1 years imprisonment.

(a) For periodicals - Responsible persons: manager and proprietor or who has legal or de facto representation.

(b) Non-periodicals - Publisher, proprietor, editor or in default, the printer.

NB:

1. No reference to APB control.
2. No specific reference to Political pamphlets and posters and necessity for publishing names and addresses of committee. X
3. Prefectoral authorization only, at place of publication.

*embellishment*

No publication without prior authorization.

Licences valid anywhere in Italy south of Army boundaries. To be issued by Questore of Province where printed. Refusals to be notified to Provincial Commissioner. No information as to stocks of paper. No periodical renewal of application.

Italian Law

Authors, printers and publishers must conform to existing Italian law. Political pamphlets and posters to bear names and addresses of committee. No publication to instigate violence or opposition to military or civil authority or publish anything in violation of any proclamation, order or existing Italian law.

51  
40

Infringement is punished under Sec. 1 of Art. IV of Proclamation No. 11 and with cancellation of licence and forfeiture of property involved.

NB. Provincial Commissioner and Questore authorize and issue instead of Prefect, at place of printing.

This draft to be kept on file on desks of Col. App. in

8c

DRAFT PRESS LAW IDEAS

1st Draft

ART. 1

Whoever publishes or intends to initiate the publication, printing or reproduction of journals or of other periodicals must first apply for authorisation to the Prefect of the Province in which the said periodicals are published or to be published.

A like obligation is imposed upon whomsoever intends to print, publish or reproduce papers or writings of a non-periodical character whether in the form of books, pamphlets, brochures, posters or otherwise.

The Prefect of the Province shall forthwith transmit

all such applications to the Local Allied Publications Board to whom is delegated the sole right, vested in the Central Allied Publications Board to grant such authorisation. *but the right may be delegated by it to local allied publication boards*

The publication of the said newspapers or writings shall not take place for any reason whatsoever until the said authorisation shall have been granted.

ART. 2

*authorisation*  
~~The right to suspend or revoke licences is vested in~~

The Prefect of the Province shall forthwith transmit

all such applications to the Local Allied Publications Board. ~~The Central Publications Board is vested with the~~ ~~Board to whom is delegated the sole right, vested in the~~ ~~Sole right to~~ ~~grant or refuse~~ ~~such authorisations~~ ~~Central Allied Publications Board, to grant such authorisa-~~ ~~tion.~~ ~~But the same may be delegated by it to local allied publication boards~~

The publication of the said newspapers or writings shall not take place for any reason whatsoever until the said authorisation shall have been granted.

ART. 2

25

~~The right to suspend or revoke~~ <sup>authorisation</sup> ~~licences is vested in~~

~~the Central Allied Publications Board alone~~  
The Central Allied Publications Board shall have the sole right in its absolute discretion and without any ~~interference~~ ~~of~~ ~~any~~ ~~kind~~ ~~to~~ ~~suspend~~ ~~and~~ ~~revoke~~ ~~authorisation.~~

ART. 3

The said Central and Local Allied Publications Board

(8c)

*nominal by*

shall each include a representative of the Italian Government and approved by the respective Government who shall act in a consultant and advisory capacity only.

ART. 4

The application for authorisation ~~shall be submitted to the~~ *must* contain, in case of periodic publications, the following data:

(See printed form) Same as Article 3 up to *place marked X*

ART. V

*authorisation*

The application for non-periodical publications must contain the following data in addition to those under ART. 4

- (a) Name, surname and domicile or residence of the publisher or publishers, and of the author or editor;
- (b) Number of copies intended to be printed;
- (c) Size and number of pages;
- (d) Estimate of required quantity and type of paper.

ART. 6

*management, direction*  
Any change in the ownership <sup>management, direction</sup> or political affiliation

*ownership, management, direction*  
*that it a periodic publication*  
*has application preferred in*  
*advance as declared by the*  
*author of article 4. It must*  
*include a notice that the same*  
*is required application, and upon*  
*approval of the application for*  
*authorisation, the publisher*  
*is required to print the*  
*application in the printed*  
*form with copies and to*  
*submit a copy of the*  
*application to the*  
*relevant authorities*



- 4 (a), (b), (c), (d), (f), (i), (l), (p), (q) and (r):
- (a) Name, surname and domicile or residence of the publisher or publishers, and of the author or editor;
- (b) Number of copies intended to be printed;
- (c) Size and number of pages;
- (d) Estimate of required quantity and type of paper.

ART. 6

*management, direction*

Any change in the ownership <sup>management, direction</sup> or political affiliation

or professed purpose of a periodic publication, or any change in the name and place of publication as declared by the applicant in terms of ART. 4 above, will nullify any license granted. Any proposed changes of the above character must be accompanied by a new application for authorisation.

Any change in ownership, management, direction or political affiliation, or any change in the name and place of publication as declared by the applicant in terms of Art 4 and 5 shall be null and void unless the applicant has first notified the Registrar in writing of the proposed change and the Registrar has issued a license for the proposed change.

ART. 7

*Same as an art 4*

Nothing in this Decree shall be deemed to modify or in any way affect the regulations for Allied Military Censorship <sup>which</sup> ~~may~~ be in force from time to time, and there shall be no ~~other censorship~~ nor pre-publication political scrutiny ~~or censorship~~, but

ART. 8

*Same as an art 5*

The responsible editors ~~of~~ <sup>shall</sup> periodical publications are ~~required~~ to send twenty copies, and the publishers or printers of all non-periodical publications, five copies on the day of publication direct to such Allied and Italian authorities as <sup>may</sup> will be requested through the Prefects.

*by whom?*

ART. 9

Every periodical publication <sup>shall</sup> ~~will~~ carry the name of its responsible editor; every non-periodical publication <sup>shall</sup> ~~will~~ carry the name of the publisher or printer; and all publications of whatsoever nature <sup>shall</sup> ~~will~~ carry its <sup>authorisation</sup> ~~license~~ number on every copy printed (as ~~prima facie~~ evidence of authorisation to publish).

*See our art 6*

ART. 10

*Same as an Article 6*

Periodical or non-periodical matter published in violation of the provisions of this decree shall be confiscated and publication in future prohibited. The confiscation shall be undertaken by the Public Safety Authorities without any special authorisation.

- 4 -

ART. 11

The violation of this decree shall be punished by a fine from 10,000 lire to 50,000 lire; or by reclusion from three months to one year, or by both.

The following persons shall answer for the said violations:

(a) in case of a periodic publication whoever holds the position of the responsible editor and the owner of the periodical or its legal or de facto representative.

(b) in case of a non-periodical publication whoever ordered the publication to be made and its owner as well as its publisher or, in absence of the latter, the printer.

ART. 12

The provisions of the foregoing articles shall be applicable for the entire duration of war.

ART. 13

This decree shall become effective on the day of its publication in the Gazzetta Ufficiale of the Kingdom - special series  $\frac{4}{2}$  and shall be presented to the legislative assembly to be embodied into law.

The Minister of the Interior is authorized to present the relative bill.

We order whoever is concerned to obey this decree and  $\frac{2}{2}$  enforce it as law of the State.

Art I

The sole power to grant the authorization hereinafter referred to is

The Central Allied Publications Board is hereby vested with the sole power to grant the authorization hereinafter referred to. Such power may by it be delegated to local Allied Publication Boards.

No journal, newspaper or other periodical, paper, writing of a non periodical character, book, pamphlet, brochure, poster or other like publication shall be printed or otherwise reproduced or published without the prior authorization of the Central Allied Publication Board, or such local Allied Publications Board as may by it be designated.

Applications for such authorization shall be filed with the project office in which the proposed publication is to be printed or otherwise reproduced, and by him forthwith transmitted as directed by the Allied Publication Board

any other, to change, publish or  
like publication shall be printed or  
otherwise reproduced or published without  
the prior authorization of the Central  
Allied Publications Board, or such Local  
Allied Publications Board as may be  
be designated.

Applications for such authorization  
shall be filed with the project office  
in which the proposed publication is to  
be printed or otherwise reproduced, and by  
him forthwith transmitted as directed by  
the Allied Publications Board

cc/4010/L  
10 April 1944  
LEGAL SUBCOMMISSION

SUBJECT: Gazzetta Ufficiale No. 17 of 3 April 1944.  
TO : See Distribution List.

The above mentioned issue contains the following:

- (a) R. Decree Law 2 March 1944, No. 95. Authorization of the Minister for Air to fill at his discretion vacancies on the roll of the R. Air Force Officers.
- (b) R. Decree Law 20 March 1944, No. 91. Facilitation of the celebration of civil marriages and of the registration of the religious marriages. Certain requirements (public announcement of the intended marriage, consent of certain persons) are dispensed with where compliance is prevented by circumstances arising out of the present war emergency.
- (c) R. Decree Law 3 April 1944, No. 95. Rules for rationing of electricity. Rules for an overall control and limitation of the use of electricity and establishment of controlling organs (Provincial Commissions and Central Commission at the Ministry of Public Works).
- (d) R. Decree 5 April 1944, No. 95. Amnesty and pardon for common and military offences and offences against rationing regulations.
- (e) Decree of the Chief of Government 21 March 1944. Appointment of a Commissioner for the Legioni Volontari d'Italia "Giulio Cesare" for the Provincia di Sicilia and the Legione Garibaldina (General Micòlo GIACCHINI).
- (f) Decree of the Chief of Government 24 March 1944. Appointment of a Commissioner for the Italian Red Cross Association (Prof. Dr. Michele IUNGHI).
- (g) Extract from a circular of the Ministry of Industry, Commerce and Labour establishing wholesale prices of coal.

air to fill at his discretion vacancies on the roll of the R. Air Force Officers.

(b) R. Decree Law 30 March 1944, No. 94. Facilitation of the celebration of civil marriages and of the registration of the religious marriages. Certain requirements (public announcement of the intended marriage, consent of certain persons) are dispensed with where compliance is prevented by circumstances arising out of the present war emergency.

(c) R. Decree Law 2 April 1944, No. 95. Rules for rationing of electricity. Rules for an overall control and limitation of the use of electricity and establishment of controlling organs (Provincial Commissions and Central Commission at the Ministry of Public Works).

(d) R. Decree 5 April 1944, No. 98. Amnesty and pardon for common and military offences and offences against unifying regulations.

(e) Decree of the Chief of Government 21 March 1944. Appointment of a Commissioner for the Sezione Volontari d'Italia "Giulio Cesare" for the Reperti d'Italia and the Sezione Carabinieri (General Nicolo GUGLIELMI).

(f) Decree of the Chief of Government 24 March 1944. Appointment of a Commissioner for the Italian Red Cross Association (Prof. Dr. Michele IUNGARO).

(g) Extract from a circular of the Ministry of Industry, Commerce and Labour establishing wholesale prices of coal.

Note: Submissions recommended to be included in the indorsement in the "Gazzetta Ufficiale" will make their return not later than by 1700 hours, Saturday, 15 April 1944. The return will be made by Submissions at Salerno to the Administrative Section and by Submissions at Naples to the Executive Commissioner through the competent section. All returns will be rendered.

C. G. HAWKINS, Major  
Officer i/c Italian Section  
for Chief Legal Officer.

MM (7A)

NEAR HEADQUARTERS  
ALLIED CONTROL COMMISSION  
INTERNAL SUB-COMMISSION  
APO 394.

19th February 1944.

LCC/4009/L.

REFERENCE :

SUBJECT : Freedom of the Press.

TO : V. P. Administration Section.

1. The question has arisen as to how far the Italian press may be allowed to go in its statements criticizing the present Italian Government and its Members and what steps we will permit the Italian Government to take to control the press and control journalists in the Occupied Territory to prevent criticism.
2. In approaching this question we are met with two lines of approach which will at times vary widely and yet which will have to be reconciled to be made workable. The first is the freedom of the press. The second is the necessity of supporting the present Government until a more permanent one can be formed in Rome, so as to keep liberated territory in order and free of turmoil which might endanger the war effort.
3. The report of the declaration regarding Italy enunciated at the Moscow Conference states :-

.....

"2. Freedom of speech, of religious worship, of political belief, of press and of public meeting shall be restored in full measure to the Italian people who shall also be entitled to form anti-Fascist political groups."

.....

"In making this declaration the three foreign secretaries recognise that so long as active military operations continue in Italy the time at which it is possible to give full effect to the principles stated



approach which will at times vary widely. The first is the freedom of the press. The second is the necessity of supporting the present Government until a more permanent one can be formed in Rome, so as to keep liberated territory in order and free of turmoil which might endanger the war effort.

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"In making this declaration the three foreign secretaries recognise that as long as active military operations continue in Italy the time at which it is possible to give full effect to the principles stated above will be determined by the commander in chief on the basis of instructions received through the combined chiefs of staff."

The latter paragraph gives the Commander-in-Chief certain powers of control of the press. He also has complete control of censorship under the Armistice terms. However, as much that comes out of Italy is misunderstood at home, any action taken by the Commander-in-Chief permitting the Italian Government to exert control will have to be considered from at least five angles :-

- (a) Military necessity.
- (b) Support of present Government.
- (c) Misunderstanding outside of Italy.
- (d) Adverse effect on all Italy itself.
- (e) German propaganda.

4. The entire question is political rather than legal but the certain suggestions do appear to be pertinent to present consideration. It should be added that while no definite lines can be laid down for guidance in so nebulous a field, a course of procedure can be suggested for meeting a particular situation when it arises.

*[Handwritten scribbles]*  
70

5. It should be clearly understood by the Italian Government that without the permission of A.C.C. it will not take any affirmative steps to control or suppress the press. That does not mean that a representative of the Government might not attempt to persuade a particular editor for the good of the country and the war effort to desist from any particular line of attack.

6. If the Italian Government believes that it is being damaged by any attack in the press, as to which it is powerless to deal, it should so advise A.C.C. through its appropriate minister.

7. The ordinarily would not permit of a reference to C.C.S. of the question and, for better or for worse, it will have to be decided by the Chief Commissioner as to what steps he will permit the Italian Government itself to take to remedy the situation. It may well be that a suggestion from the Chief Commissioner to the offending press will solve the difficulty, but if not he will have to advise the Italian Government specifically how far it may go on its own initiative. Certainly at this stage it is impossible to lay down any specific limitations as to what kind and degree of criticism to the press is permissible and what is not permissible.

8. As to criticisms of the United Nations, A.C.C. etc. or praise of enemies or Fascists there would seem to be no difficulty as to what may be done by or at the direction of A.C.C.

9. The Political Section which would have particular interest in this question and would probably be relied upon principally for advice, should be consulted. It may have already received some instructions that are pertinent.

RICHARD H. WITMER,  
Lieutenant-Colonel, C.A.C.  
Deputy Chief Legal Officer.

RICHARD E. WISER.  
Lieutenant-Colonel, C.A.C.  
Deputy Chief Legal Officer.

74

MEM/PROV.

is consistent  
pertinent.

ALLIED PUBLICATIONS BOARD

OFFICE OF THE  
167 Corso Umberto  
NAPLES

6A

MINUTES of Special Meeting of the Board  
called for Tuesday, 14 March 1944, to  
discuss reorganisation proposal

PRESENT : Mr. George W. Edman, PWB (Chairman).  
Major Lionel Fielden, PRO, ACC.  
Capt. Henry Haas, Economic Section, ACC.  
Major J. W. Colville, INC.  
Mr. J. M. Minifie, PWB.  
Lt. Col. I. S. Munro, PWB (Executive Secretary).

Mr. Minifie read a memorandum covering the proposed reorganisation of the Board which had been drafted by himself and Major Woolfolk in accordance with a decision taken at the last Board meeting.

With some amendments, the proposal was approved and adopted as follows:

REORGANISATION OF ALLIED PUBLICATIONS BOARD

Recommendations have already been made to General Wilson to reconstitute the Allied Publications Board with representatives from PWB, ACC, Censorship and G-2. This brings the Board's Charter up to date by eliminating the AMG (15 Army Group).

It is desirable that in other respects the new Charter follow the lines of AFHQ Administrative Memorandum No. 89, 11 December 1943, as amended by AFHQ Administrative Memorandum No. 96, para 1, 29 December 1943, and Signal No. 51612, 15 February 1944.

The Present Charter gives APB the power to determine the method by which its mission shall be carried out, para 3 reading: "The Board is empowered to draft such regulations and perform such functions as are necessary properly to carry out the fol-

of the Board which had been drafted by himself and Major Woolfolk in accordance with a decision taken at the last Board meeting.

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The Present Charter gives APB the power to determine the method by which its mission shall be carried out, para 3 reading: "The Board is empowered to draft such regulations and perform such functions as are necessary properly to carry out the following."

Under this authority the following regulations are approved:

- 1) That Regional APB Boards be set up in PALERMO, BARI, CAGLIARI and NAPLES.
- 2) That in view of the difficulty of dealing with CALABRIA and LUCANIA from either BARI or NAPLES, arrangements be made to set up a Regional Board at POTENZA.
- 3) That PALERMO authority extend over SICILY and contiguous islands; that CAGLIARI's extend over SARDINIA; that BARI's extend over APULIA and the ABRUZZI; that POTENZA's authority extend over CALABRIA and LUCANIA, and that NAPLES' authority extend over CAMPANIA.
- 4) That in PALERMO, BARI, CAGLIARI and POTENZA the Regional

Boards be composed of representatives of PWB, ACC, Censorship and the local Prefect.

- 5) That the Central Board be composed of representatives of PWB, Censorship, G-2, ACC Political Section, ACC PRO, and Economic Section ACC.
- 6) That the Regional APB Boards be authorized to grant licenses for the publication of newspapers, magazines, books, posters, placards, brochures and similar publication products, in their Regions.
- 7) That their decisions be governed by considerations of security, political policy, and printing facilities and supplies in or available to their Region; directives on these matters to be sent from time to time from the Central APB.
- 8) That the Regional Boards meet once a week or call special meetings if circumstances justify them.
- 9) That the Central Board sit in NAPLES for the present, meeting fortnightly or oftener if circumstances justify it.
- 10) That Regional Boards report fortnightly on all action taken.
- 11) That the Central Board reserve the right to review decisions by Regional Boards, and possess sole powers to suspend or revoke licenses.
- 12) That in case of complaints, the Regional PWB Press Officer inform the editor concerned that "the matter has been referred to higher authority." The Regional PWB Press Officer, keeping the Regional Board informed, will immediately communicate with his Theatre Chief, forwarding three marked copies of the offending newspaper and all necessary information. Any action taken will be reported back to the Regional PWB Press Officer, who will again keep Regional Board informed, the Chief Press Officer likewise informing the Central Board.

In the event of PWB Theatre Chief considering that a case involves revocation or suspension of license, he will immediately lay the matter before the Central Allied Publications Board, the Board to be in a position to recommend action after consultation with ACC.

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In the event of PWB Theatre Chief considering that a case involves revocation or suspension of license, he will immediately lay the matter before the Central Allied Publications Board, the Board to be in a position to recommend action after consultation with ACC.

No complaint will be entertained if not made within four days of publication of the offending issue.

- 13) That the Central Board periodically circularise Regional Boards with information as to the quantity of newsprint assigned to each Region, and formulate policy by which Regional Boards will be guided.

- 14) That the Chairman of the Central Board be empowered to take executive action to establish such local Boards immediately.

MOVED by Major Fielden and seconded by Major Colville that a committee of the Board, as presently constituted, be appointed to function, for the time being, as Regional Board in Naples. Carried.

It was agreed:

- a) That members of the present Board (i.e. Mr. Edman, Major Fielden, Major Woolfolk, Major Colville and Capt. Haas), or their official

- designees, constitute, for the time being, the Regional Board in Naples;
- b) That Naples Regional Board convene every Monday, at 10.30 a.m., at 167 Corso Umberto, and
- c) That the Central APB meet alternate Mondays, at 2:30 p.m., at 167 Corso Umberto, the first meeting to be held on March 20th.

It was further agreed:

- i) That the Executive Secretary communicate with PWB Press Officer in Palermo, Bari and Cagliari, informing them of the reorganisation of the Board, and instructing them to take initiative in setting up Regional Boards in those centres. (It was pointed out that PWB and Censorship would have to make special arrangements for representation on the Potenza Regional Board, as both organisations are without local units there.);
- ii) That the Executive Secretary initiate action, through ACC, on the part of Minister of the Interior Reale in designating Prefects to sit on Regional Boards in Bari, Potenza, Palermo and Cagliari.
- iii) That Major Fielden likewise communicate with Brig. Lush, sending him copy of Order No.89 creating the Allied Publications Board, informing him of the reorganisation of the Board, outlining for him licensing procedure, and asking him to appoint ACC representatives to sit on Regional Allied Publications Boards in Bari, Potenza, Palermo and Cagliari.

The Executive Secretary agreed to furnish Major Fielden with a memorandum covering licensing procedure, and also to see that the GAZZETTA DEL MEZZOGIORNO and the RISORCIAMENTO carried a clarifying piece on the reorganisation of, and procedure attendant upon, the APB.

Question of Chairman

Mr. Minifie tabled copies of a memorandum from Lt. General F. N. MacFarlane, Chief Commissioner of Allied Control Commission, to the Chief of Staff, AFHQ, in which he proposed certain



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#### Question of Chairman

Mr. Minifie tabled copies of a memorandum from Lt. General F. N. Mason MacFarlane, Chief Commissioner of Allied Control Commission, to the Chief of Staff, AFHQ, in which he proposed certain changes in composition of the APB, and also suggested that the Chairman of the Board should be either the DPWO from ACOMP or the PWB Liaison Officer with ACC." Reply to this communication was also tabled. Infit, it was stated that PWB considered that "the most suitable candidate for the post would be the Deputy Chief of PWB, Italy, as his office is in charge of occupational services."

The Meeting was agreed that Mr. Edman (Deputy Chief of PWB, Italy) should continue to serve as Chairman.

#### Minutes approved

When the Meeting agreed to consider further business, the Chairman called for adoption of minutes of the last meeting. The Executive Secretary pointed out that application of L. RISCORSA had not been held over, but had been rejected. With this correction, and on motion of Capt. Haas, seconded by Major Fielden, minutes were adopted.

Licenses Granted

The Executive Secretary reported that, acting on blanket authority granted at the last meeting of the Board, he had issued a license to IL CORRIERE (Government daily published in Salerno). His action was approved by the Board.

License was also granted to LA VERITA to publish weekly in Salerno.

Sale Price of Newsprint

It was agreed that the Board recommend to the Allied Control Commission that the provisional sale price of newsprint be established at \$175 per ton.

Capt. Haas was authorized to inform ACC, Region I (Sicily), in reply to an inquiry, that the sale price of newsprint had been established, provisionally, at \$175 per ton.

Paper Subsidy

The Executive Secretary reported Minister Reale as saying officially that the Italian Government was prepared to give favourable consideration to the granting of a paper subsidy, on condition that the subsidy was a general one, without discrimination. It was pointed out that the way was thus paved for a discussion with the Italian Government on the subject, but it was agreed that such discussion should not be undertaken at the present time, as the general opinion among editors appeared to be that even \$200 per ton for newsprint was not an excessive price, as compared with Black Market demands.

Other Business

Major Fielden was asked to inquire from Capt. Lummus what action he had taken to remedy the confusion he had caused with regard to licenses authorized at the last meeting of the Board.

It was agreed that Capt. Haas should make a trip to Algiers to dis-

to an inquiry, that the sale price of newsprint had been established, provisionally, at \$175 per ton.

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It was agreed that Capt. Haas should make a trip to Algiers to discuss with AFK authorities questions of newsprint, zinc, spare parts for presses, and linotype matrices, the Chairman to communicate this decision to Col. Evans, .CC.

The meeting adjourned.

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U.S. RESTRICTED  
(Equals British Restricted)

*Adman Sec* 20 MAR 1944

ALLIED FORCE HEADQUARTERS  
APO 512

TJB/vp

*m' 207*  
*mt*  
5A

ADMINISTRATIVE MEMORANDUM )  
NUMBER 12 )

12 March 1944

Allied Publications Board . . . . . I  
Granting of Interviews to the Press . . . . . II

I -- ALLIED PUBLICATIONS BOARD.

Paragraph 1, Administrative Memorandum Number 89, 1943, is rescinded and the following substituted therefor:

"1. There is herewith created the Allied Publications Board comprised of representatives of each of the following:-

- a. Psychological Warfare Branch, INC (Chairman)
- b. Censorship Branch, INC.
- c. G-2 Section.
- d. Allied Control Commission.

Allied Control Commission to be represented by the following:

- a. Psychological Warfare Branch Liaison Officer.
- b. Representative of Political Section, A.C.C.
- c. Public Relations Officer." (AG 600.76-1 INC-0)

II -- GRANTING OF INTERVIEW TO THE PRESS.

1. a. Senior Officers may give "on record" press conferences or interviews only after obtaining permission of the Commander-in-Chief. In cases involving British Officers, C-in-C permission must have further concurrence and permission from the Admiralty, War Office, or Air Ministry. Request for permission should, if possible, contain a brief outline of what Senior Officer proposes to say.

b. In giving such authorized "on record" press conferences, the speaker must make it clear to the press as to the statements on which he is prepared to be directly quoted. If in reply to questions, the speaker departs from his subject, he must advise the press that such matter is "off the record" and not for publication. In such authorized conferences or

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U.S. RESTRICTED  
(Equals British Restricted)

Administrative Memorandum No. 12  
dated 13 March 1946 (Cont'd).

interviews the name of the officer can be quoted.

2. Senior Officers may give "off the record" (not for publication) conferences without obtaining the permission of higher authority, but will be responsible for instructing the press that information so given is not for publication.

3. The above instructions do not apply to interviews or to conferences held to give guidance and background to the press, nor does it apply to regular conferences given by Public Relations Officers or Staff Officers where the only aim is to inform the press.

4. Subject to usual censorship, officers other than Senior Officers may give candid accounts of operations in which they have participated and names may be quoted, except in cases where Divisional or higher echelon Commanders may see fit to prohibit such interviews.

5. For the purpose of this memorandum, Senior Officers are defined as the following grades and above:

- British Army . . . . . Lieutenant Colonel
  - U. S. Army and Air Forces . . . . . Lieutenant Colonel
  - R. A. F. . . . . Wing Commander
  - U. S. and British Navy . . . . . Commander
- (AG 000.71-1 IFC-)

By command of General WILSON:

*[Handwritten Signature]*  
 S. V. DIERKS,  
 Colonel, AM,  
 Adjutant General

DISTRIBUTION:

1000

ALLIED FORCE HEAD QUARTERS  
Psychological Warfare Branch, Bari Unit

21 December 43.

T O  
ALL DIRETTORI RESPONSABILI  
OF NEWSPAPERS

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

By virtue of that disposition all political parties of the nation could openly publish their newspapers and freely spread their political ideas.

Six weeks experience has revealed that in some cases there is evidence of profound ignorance of what "liberty" in civilized society implies in general and what "liberty of the Press" implies in particular. There is also distressing evidence that the realities and exigencies of war are far removed from the conceptions of those responsible for much that is published in the name of "liberty."

The Allied authorities are,--in conjunction with those responsible for the present Government of liberated Italy,--therefore constrained to call the attention of Direttori Responsabili to the following:

1. The Italian Press cannot be extended a greater freedom from military censorship, decency of language, accuracy of facts and political constraint than that exercised in the countries of the Allied nations themselves, especially as such censorship, decency, accuracy and restraint in the countries of the Allies is conducted in a spontaneous sense of citizenship rather than by the imposition of the opposite measures, wartime or otherwise.
2. The Allied authorities made their attitude to Italian affairs perfectly clear at the time of the armistice and since, namely
  - a) The future of Italy at the Peace Table depends on the contribution which the Italian people and Italian arms make in the common cause of driving the Germans beyond the Brenner.
  - b) The Allied authorities have recognized and recognize the Government of Marshal Badoglio and the existing institutional position in the present task of cooperation as co-

belligerents, at the same time recognizing that the Italian people ultimately shall be given every opportunity to decide their own forms of governmental and other institutions based on democratic principles when paramount military requirements permit.

- c) The Allied authorities are quite aware of institutional differences of opinion among Italian parties and groups. The Allied position is one of complete neutrality. The only proviso is that the time at which it is possible to give full effect to the principles of complete liberty of action will be determined by the Commander-in-Chief on the basis of instructions received through the Combined Chiefs of Staff of the American, British and Soviet Republics forces.
3. The above does not imply a restriction of political opinion. On the contrary, the Allied authorities have explicitly expressed their hopes and desires to see the basis of the Italian Government extended to encompass all legitimate political thought. Liberty of the Press was considered an essential contribution to that end.
  4. Abuse of that liberty will not be tolerated.
  5. Grievances may be aired; opinions may be voiced; points of view may be advanced; differences may be debated; polemical discussion may be developed,--as in all democratic countries.
  6. Incitations of class against class; threats; vulgar epithets; anonymous accusations; insinuations and innuendoes; personal vilification; willful accusations will no longer be allowed.
  7. No criticism reflecting on the honour or goodfaith of Italian soldiers, irrespective of rank, fighting or cooperating with the Allied forces will be allowed.
  8. No writing calculated to disturb or foment the public, or calculated to lead to public disorder and disaffection can be allowed.
  9. The existing wartime censorship control exercised in Apulia is considerably less than that exercised in allied countries at this time.
  10. In order to lighten the task of those responsible for censorship, no material concerning the work of Italian individuals or units operating with the Allies are to be submitted in page proof or published unless the facts contained in such statements have been verified. Page proofs must similarly be free of all abuses such as those cited in para 6, 7 and 8 above.

- 3 -

11. Any infringement of this order will mean not only the cancellation of the offending items, but cancellation of the whole number, the Allied authorities reserving to themselves any further action considered necessary.
12. To avoid such inevitable consequences, the authorities appeal to all newspaper Direttori Responsabili to think more of the dignity of the Italian Press than of its "liberty." The former will guarantee the latter.

I. B. MUNRO,  
Lt. Col.,  
Capo Ufficio Stampa,  
PWB, AFHQ.

D i s t r i b u t i o n

Italian Version: Dott. Naldi, Capo Ufficio Stampa  
of the Italian Government (for  
information).

Direttori Responsabili of -  
Gazzetta del Mezzogiorno.  
Civiltà Proletaria.  
Avanti.  
L'Italia del Popolo.  
L'Idea Liberale.  
Il Risveglio.  
La Rassegna.  
La Settimana.

English Version: 5 copies accompanying weekly report  
(to Mr. Edman for Col. Hazeltine).

ACC.

AMC.

PWB, 15th Army Group (with copies for  
PWB, 8th and 5th Armies).



Subject:- Allied Publications Board.

AMG HQ.,  
15 Army Group,  
C.M.F.

JdJ

(3A)

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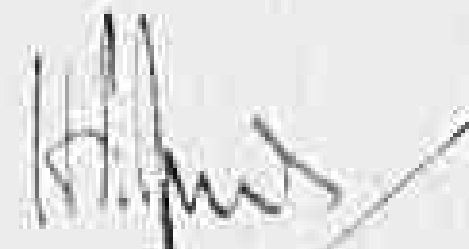
Ref. AMG/32/37.  
20 December 43.

Chief Legal Officer,  
Legal Sub-Commission,  
Allied Control Commission, BRINDISI.

The drafts comprising Appendices A to D attached to memo of above Board dated 14 Dec have, I understand, been submitted to you by Major Cain for approval, before submission to the Italian Government.

2. I should make it clear that the contents of the notices are approved by this HQ as to the matters which the Board desires to see brought into effect, but that the form is entirely for drafting by you and the Italian Government.

3. The Board is very anxious to press on with its work and if you will let me have a copy of the Proclamation or other legislation as finally made by the Italian Government, I will link the same up by drafting military legislation for the occupied territories under the jurisdiction of this HQ.



H. E. ROWE,  
Lt. Colonel,  
Chief Legal Officer.

HER/ES.

Copy to:- Allied Publications Board.

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2A

14 December 43.

F O R : The Allied Control Commission.

- I. For some time the Allied Governments have viewed with growing concern the multiplication of publications--authorized, unauthorized and clandestine--through all zones of liberated Italy from Sicily, Sardinia to the fighting lines.
- II. Three questions of major importance to Allied and Italian interests are involved in such productions: security (military censorship); political policy; and availability of printing facilities and supplies (paper and printing materials).
- III. The existing machinery of control is not adequate for present and future requirements.
- IV. General Eisenhower has accordingly created an Allied Publications Board comprised of members of PWS, AMG, ACC, Military Censorship and Security.
- V. The Board is empowered to draft such regulations and perform such functions as are necessary properly to carry out the following:
  1. Authorize the granting and revoking of licenses for the publication of newspapers, books, posters, placards, brochures and similar publication products.
  2. Control the flow into Italy, Sicily and Sardinia of all newsprint, and to control and distribute all newsprint found in Italy; to perform such functions as are necessary to maintain an adequate supply of newsprint.
  3. Control the construction, rehabilitation and allotment of line and radio services necessary for news; that is, all existing news wire and radio services necessary to maintain a steady-flow service to publications.
  4. Direct the consolidation, movement or rehabilitation of all equipment necessary for publication production.
  5. Enforce the directives of the various sections concerned with publication problems, and to issue censorship and policy directives as are necessary to the proper carrying out of the Commission's authority.
- VI. As a necessary preliminary, all publications now being printed,

- whether previously authorized or not, must file application for a license. (See Appendix A)
- VII. Application forms are available at the offices of all Prefects. (See Appendix B)
- VIII. All applications must be executed and filed with the Prefect prior to January 15th, 1944.
- IX. The Prefect may add his comments to the application and then channelize same to the Minister of the Interior.
- X. The Minister of the Interior may express his comments to the application and then present the application to the ACC who will direct the application to the Allied Publications Board for consideration and action.
- XI. It shall then be the duty of the APB to grant or disallow the issuance of a directive which will empower the local Prefect to so issue the license to publish and such directive if granted shall specifically set forth the terms of the license, i.e. duration of the license which will be standardized at three months, authorized circulation, size of the newspaper, and other clarifying matter.
- XII. The directive of the APB shall be channelized back to the applicant through the same procedure as its receipt.
- XIII. In the analysis of the applicant's request the APB shall take into consideration the following factors:
1. The availability of newsprint.
  2. The availability of adequate military censorship.
  3. The availability of PWB editorial direction.
  4. The general desirability of the newspaper from the standpoints of security, the need for such a newspaper in the locality in which publication is proposed, and other factors deemed important to determine whether directive shall be issued.
  5. The APB shall be further aided in its determination by special analysis reports filed with the board by the representatives in the field of ACC, Censorship, PWB and G-2.
- XIV. In order to carry out proposed censorship of publications in Italy, Sicily and Sardinia in conformity with the plan approved of by the Chief of Staff, the following procedure must be adopted:

1. Italian Press censorship must be established in all locations where publications have been or will be authorized.
  2. The Italian personnel to be used for censorship will work directly under the Italian Prefects and will follow the censorship instructions to be issued by the Censorship Branch, AFHQ. The Prefect will be held responsible for any breaches of the Allied Censorship directives.
  3. No Italian censors will be appointed by the Prefects until they have been approved of by security personnel and the SCAO's attached to the Prefects. On approval full particulars should be forwarded to Chief, Censorship Branch at AFHQ.
- XV. Notwithstanding the foregoing procedure, all printed forms of news or opinion that are not fundamentally continuing or periodical in character, may be authorized or denied locally by a committee consisting of:
1. The Prefect.
  2. Censorship Branch, AFHQ.
  3. Psychological Warfare Branch, AFHQ.
- XVI. All persons or organizations having in their possession newsprint stock (roll or flatbed) and printing materials shall immediately report the inventory of the newsprint and its location to the Prefect. (See Appendices C and D)
- XVII. The above procedures are deemed adequate for proper publications' control. However, these procedures are subject to change by the Allied Publications Board and full notification shall be given such changes.

A P P E N D I X AN O T I C E

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TO ALL PERSONS OR ORGANIZATIONS NOW PUBLISHING OR PRINTING OR DESIRING TO PUBLISH OR PRINT A NEWSPAPER, MAGAZINE, PAMPHLET, BROCHURE, OR PERIODICAL IN ITALIAN TERRITORY.

All persons or organizations now publishing, printing or reproducing a form of news or opinion shall, prior to January 15 1944, conform to the following:

1. Secure from the Prefect an application for license form.
2. Completely execute this application form.
3. File the executed form with the Prefect prior to January 15, 1944.

All printed forms of news or opinion now being published, whether authorized or not, shall conform to the above.

All persons or organizations proposing to publish, print or reproduce a form of news or opinion shall, prior to publishing same, conform to the following:

1. Secure from the Prefect an application for license form.
2. Completely execute this application form.
3. File the executed form with the Prefect.
4. Upon receipt of a license authorizing the publication, the publication may commence.

Under no circumstances shall any publication commence prior to the receiving of the license from the Italian Government authorizing such publication.

No newsprint shall be allotted to any unlicensed publication.

PENALTIES

A P P E N D I X B

2c

A P P L I C A T I O N T O P U B L I S H

All applications must be accompanied by the following data, on the forms provided by the licensing authorities.

All licenses will be reviewed every three months for periods not exceeding three months, renewable on demand. The absence of a renewal demand will be considered as tacit intimation of voluntary cessation of publication.

---

Name of proposed publication.  
Location.  
Scope of publication.  
Financial Status.  
Political Affiliation.  
Daily or Weekly, etc.  
Price.  
Registered address and telephone number.

Name and address of responsible editor.  
Chief Sub-Editor.  
Manager.  
Proprietors.  
Publishers.  
Printers.

Number of copies per issue.  
Format and number of pages.  
Estimated monthly paper requirements.  
Flatbed or rotary.  
Area of circulation.  
Means of circulation.  
Amount Stocks of Paper on Hand and Where Located.  
Amount Stocks of Paper Expected to be Used and where located.

---

Comment by local authority. (Please include background information if proposed paper is one already in existence before or after Armistice.)

APPENDIX C

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N O T I C E

TO ALL PERSONS OR ORGANIZATIONS HAVING IN THEIR POSSESSION NEWS-  
PRINT STOCK (ROLL OR FLATBED) AND/OR PRINTING MATERIALS AND SUPPLIES  
OF ANY TYPE OR NATURE.

All persons or organizations now owning or having in  
their possession newsprint stock (roll or flatbed) and/or printing  
materials and supplies of any type or nature, shall immediately  
take the following steps:

1. Secure from the Prefect an official inventory  
form.
2. Completely execute this form.
3. File the executed form with the Prefect prior  
to January 15, 1944.

PENALTIES

APPENDIX D

(2E)

STATEMENT OF PUBLISHING MATERIALS

The undersigned does hereby declare that he has in his possession the following stocks of publishing materials:

Flatbed Paper

Types of paper.  
Sizes.  
Numbers of Sheets.

Reel Paper

Quality of reels.  
Number of reels.  
Width of reels.

Ink

Quantity in Kilos.  
Colour.

Printing Machinery

Size and Make.  
Letterpress.  
Lithographic.

I declare that I am/am not the owner or part owner of the above listed materials. These materials are at the following address:

Signature.....

N.B. - If the answer is "not", state name and address of owner. If part owner, then state name and address of share partner:



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FAST AIR

DSJ/DW/mit

ALLIED FORCE HEADQUARTERS

Military Government Section

27 November 1943

MGS-334-34

SUBJECT: Allied Publications Board - Procedure

TO : HQ Allied Control Commission, Brindisi  
(Attention Major Cain)  
HQ AMG, CMF  
HQ AMG, 15 Army Group  
HQ Allied Control Commission, Region 6, B.N.A.F.

1. In order intelligently to supervise and control the publication of newspapers in Italy, Sicily, and Sardinia and to eliminate waste of newsprint, evasion of military censorship, and needless duplications, approval is being sought for the formulation of an Allied Publications Board (APB). In this connection it should be noted that, notwithstanding anything that may be stated to the contrary in the attached documents and papers, such approval has not yet been given.

2. In order to save time, however, and in expectation of the receipt of approval to this project measures will be taken to prepare for the operation of the APB, and prior to notification of the expected approval, to regulate and supervise the publication of papers and to further such other activities as are specified in the preceding paragraph, within the terms of reference and procedure which it is anticipated will be authorized for the said Board.

3. Both FWB and INC, as being concerned in the matters herein mentioned, will be represented on the APB. Details of the procedure to be followed by the Board, and of the action required of AMG/ACC are included in the subsequent paragraphs, and in Appendices "A", "B" and "C" to this letter.

4. FWB.

(a) Attached at Appendix "A" is a copy of instructions by FWB to their Team Leaders in Italy, Sicily, and Sardinia which detail the purpose and constitution of the APB, and specify the procedure for its operation with particular application to FWB.

(b) At Appendix "B" is attached a copy of a directive by FWB specifying the operational procedure for the Board. In this connection

1A

Press

Press

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2. In order to save time, however, and in expectation of the receipt of approval to this project measures will be taken to prepare for the operation of the APB, and prior to notification of the expected approval, to regulate and supervise the publication of papers and to further such other activities as are specified in the preceding paragraph, within the terms of reference and procedure which it is anticipated will be authorized for the said Board.

3. Both FWB and INC, as being concerned in the matters herein mentioned, will be represented on the APB. Details of the procedure to be followed by the Board, and of the action required of AMG/ACC are included in the subsequent paragraphs, and in Appendices "A", "B" and "C" to this letter.

4. FWB.

- (a) Attached at Appendix "A" is a copy of instructions by FWB to their Team Leaders in Italy, Sicily, and Sardinia which detail the purpose and constitution of the APB, and specify the procedure for its operation with particular application to FWB.
- (b) At Appendix "B" is attached a copy of a directive by FWB specifying the operational procedure for the Board. In this connection it is desired to establish that prior to the formulation of the Board the functions and powers which it is intended to attribute to it shall be dispensed by AMG or ACC as may be appropriate, subject to the proviso that the issuance of all licenses to publish shall be referred to this Headquarters for confirmation. <sup>4</sup>
- (c) It is appreciated that until the APB is instituted certain of the procedure contained in the directive as in Appendix "B" may require amendment in the light of local conditions. The authority for such amendments as may be necessary is delegated to Headquarters AMG/ACC, subject only to the proviso in sub-para (b), above.

5. INC.

Attached at Appendix "C" are details of the censorship procedure which should be adopted in regard to publications in Italy, Sicily, and Sardinia in relation to the APB. Copies of an Allied Censorship Directive will be forwarded shortly for issue to the authorities concerned, and to such Italian censors as may be appointed.

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-2-

6. In order to regularise the conditions under which publication is at present permitted, it is requested that the foregoing instructions shall be implemented as soon as possible.

*D. S. Jackling*

Per D. S. JACKLING  
Lt. Col.

Copy to:- (With Appendices)

- G-2
- G-2 NATOUISA
- INC
- PWB (6 copies)
- The Office of the American Ambassador
- The Office of the British Resident Minister
- MG Centre.

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Appendix "A"

27 November 1943

TO: P/B TEAM LEADERS IN ITALY, SICILY AND SARDINIA.

In order intelligently to supervise and control the publication of newspapers in Italy, Sicily and Sardinia and eliminate waste of newsprint, evasion of military censorship and needless duplications, an Allied Publications Board has been set up by order of the Chief of Staff, as per copy attached.

Members of this board consist of: P/B(Chairman), Censorship, Allied Control Commission, Allied Military Government, G-2.

The procedure to be followed will be as follows:

1. The territory of Italy, Sicily and Sardinia over which this Board shall function is in two categories:

- A. Territory under Allied Control Commission jurisdiction.
- B. Territory under Allied Military Government jurisdiction.

2. In ACC territory, an Italian person, group or institution, seeking to publish or now engaged in publishing a newspaper, periodical or any printed form of public expression, shall present an application for license to publish to the properly designated local Italian official and such application shall be on forms so provided for that purpose.

(a) The local official may add his comments to the application and then channelize same to his central government.

(b) The central government may express its comments to the application and then present the application to the ACC who will direct the application to the Allied Publications Board for consideration and action.

(c) It shall then be the duty of the APB to grant or disallow the issuance of a directive which will empower the local Italian official to so issue the license to publish and such directive if granted shall specifically set forth the terms of the license, i.e. duration of the license which should be standardized at three months, authorized circulation, size of the newspaper, and other clarifying matter.

B. Territory under Allied Military Government jurisdiction.

2. In ACC territory, an Italian person, group or institution, seeking to publish or now engaged in publishing a newspaper, periodical or any printed form of public expression, shall present an application for license to publish to the properly designated local Italian official and such application shall be on forms so provided for that purpose.

- (a) The local official may add his comments to the application and then channelize same to his central government.
- (b) The central government may express its comments to the application and then present the application to the ACC who will direct the application to the Allied Publications Board for consideration and action.
- (c) It shall then be the duty of the APB to grant or disallow the issuance of a directive which will empower the local Italian official to so issue the license to publish and such directive if granted shall specifically set forth the terms of the license, i.e. duration of the license which should be standardized at three months, authorized circulation, size of the newspaper, and other clarifying matter.

3. In the analysis of the applicants request the APB shall take into consideration the following factors:

- (a) The availability of newsprint.
- (b) The availability of adequate military censorship.
- (c) The availability of P/B editorial direction.
- (d) The general desirability of the newspaper from the standpoints of security, the need for such a newspaper in the locality in which publication is proposed, and other factors deemed important to determine whether directive shall be issued.

(e) The APB shall be further aided in its determination by special analysis reports filed with the board by the representatives in the field of ACC, Censorship, P/B and G-2.

4. The directive of the APB shall be channelized back to the applicant through the same procedure as its receipt.

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5. In the territory controlled by AMG, the original request for publication is made directly to the local AMG official who forwards it through AMG channels to APB. The procedure followed by the APB in determining the directive shall be the same as in the procedure covering ACC territory applicants except that the APB will be most interested in an analysis report directed to APB by the local AMG field representative.

6. All newspapers of Italy, Sicily or Sardinia, now in publication or to be published in the future, are subject to the above regulations and must secure a license to so publish.

(a) Those now in publication with the proper local, Censorship and PWB approval shall within ten days of the publication of notice make application for such license.

(b) Those newspapers now in publication without proper approval to so do must immediately discontinue publication until a license to so publish has been issued.

(c) Newspapers planning to publish shall properly make application prior to engaging in publication.

7. APB will advise all enforcement agencies of its decisions and the minimum and maximum penalties for violations thereof.

(a) In ACC territory formal enforcement of the APB directives shall be in the hands of the Italian Government.

(b) In AMG territory the formal enforcement shall rest with AMG.

Your participation in this work will be twofold:

A. On the basis of local intelligence available to you, you will advise APB of Italians desiring to start publications, together with your analysis of the desirability of the proposed publication. You will also advise APB of all clandestine publications in your area.

B. When a request for licensing a newspaper in your area has come through to APB, you will be the FWB field representative consulted to make the necessary investigation and report on the proposed paper. Your report will be from a purely FWB standpoint, but you are requested during the course of your investigation to collaborate with ACC or AMG.

7. APB will advise the minimum and maximum penalties for violations thereof.

- (a) In ACC territory formal enforcement of the APB directives shall be in the hands of the Italian Government.
- (b) In AMG territory the formal enforcement shall rest with AMG.

Your participation in this work will be twofold:

- A. On the basis of local intelligence available to you, you will advise APB of Italians desiring to start publications, together with your analysis of the desirability of the proposed publication. You will also advise APB of all clandestine publications in your area.
- B. When a request for licensing a newspaper in your area has come through to APB, you will be the FWB field representative consulted to make the necessary investigation and report on the proposed paper. Your report will be from a purely FWB standpoint, but you will be expected during the course of your investigation to collaborate with the field representatives of Censorship, G-2, ACC or AMG, as the case may be, who will also be conducting their investigation.

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Appendix "B"

27 November 1943

SUBJECT: OPERATIONAL PROCEDURE FOR ALLIED PUBLICATIONS BOARD

From : Psychological Warfare Branch (INC) AFHQ

1. The territory of Italy, Sicily and Sardinia over which this Board shall function is in two categories:
  - A. Territory under Allied Control Commission jurisdiction.
  - B. Territory under Allied Military Government jurisdiction.
2. In ACC territory, an Italian person, group or institution, seeking to publish or now engaged in publishing a newspaper, periodical or any printed form of public expression, shall present an application for license to publish to the properly designated local Italian official and such application shall be on forms so provided for that purpose.
  - (a) The local official may add his comments to the application and then channelize same to his central government.
  - (b) The central government may express its comments to the application and then present the application to the ACC who will direct the application to the Allied Publications Board for consideration and action.
  - (c) It shall then be the duty of the APB to grant or disallow the issuance of a directive which will empower the local Italian official to so issue the license to publish and such directive if granted shall specifically set forth the terms of the license, i.e. duration of the license which should be standardized at three months, authorized circulation, size of the newspaper, and other clarifying matter.
3. In the analysis of the applicants request the APB shall take into consideration the following factors.
  - (a) The availability of newsprint.
  - (b) The availability of adequate military censorship.
  - (c) The availability of P.B editorial direction.
  - (d) The general desirability of the newspaper from the standpoints



(b) The central government may express its comments to the application and then present the application to the ACC who will direct the application to the Allied Publications Board for consideration and action.

(c) It shall then be the duty of the APB to grant or disallow the issuance of a directive which will empower the local Italian official to so issue the license to publish and such directive if granted shall specifically set forth the terms of the license, i.e. duration of the license which should be standardized at three months, authorized circulation, size of the newspaper, and other clarifying matter.

3. In the analysis of the applicants request the APB shall take into consideration the following factors.

- (a) The availability of newsprint.
- (b) The availability of adequate military censorship.
- (c) The availability of P/B editorial direction.

(d) The general desirability of the newspaper from the standpoints of security, the need for such a newspaper in the locality in which publication is proposed, and other factors deemed important to determine whether directive shall be issued.

(e) The APB shall be further aided in its determination by special analysis reports filed with the board by the representatives in the field of ACC, Censorship, P/B and G-2.

4. The directive of the APB shall be channelized back to the applicant through the same procedure as its receipt.

5. In the territory controlled by AMG, the original request for publication is made directly to the local AMG official who forwards it through AMG channels to APB. The procedure followed by the APB in determining the directive shall be the same as in the procedure covering ACC territory applicants except that the APB will be most interested in an analysis report applied to APB by the local AMG field representative.

6. All newspapers of Italy, Sicily or Sardinia, now in publication or to be published in the future, are subject to the above regulations and must secure a license to so publish.

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(a) Those now in publication with the proper local, Censorship and PWB approval shall within ten days of the publication of notice make application for such license.

(b) Those newspapers now in publication without proper approval to so do must immediately discontinue publication until a license to so publish has been issued.

(c) Newspapers planning to publish shall properly make application prior to engaging in publication.

7. APB will advise all enforcement agencies of its decisions and the minimum and maximum penalties for violations thereof.

(a) In ACC territory formal enforcement of the APB directives shall be in the hands of the Italian Government.

(b) In AMG territory the formal enforcement shall rest with AMG.

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APPENDIX 'C'

27 November 1943

SUBJECT: Censorship of Authorized Publications  
in Italy, Sicily and Sardinia

1. In order to carry out proposed censorship of publications in Italy, Sicily and Sardinia in conformity with the plan approved of by the Chief of Staff, the following procedure must be adopted:

- a. Italian Press censorship must be established in all locations where publications have been or will be authorized.
- b. The Italian personnel to be used for censorship will work directly under the Italian Prefects and will follow the censorship instructions to be issued by the Censorship Branch, AFHQ. The Prefect will be held responsible for any breaches of the Allied Censorship directives.
- c. No Italian censors will be appointed by the Prefects until they have been approved of by security personnel and the SCAO's attached to the Prefects. On approval full particulars should be forwarded to Chief, Censorship Branch at A.F.H.Q.

c. No Italian censors will be appointed by the Prefects until they have been approved of by security personnel and the SCAO's attached to the Prefects. On approval full particulars should be forwarded to Chief, Censorship Branch at A.F.H.Q.

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