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LEGAL INFORMATION FROM M.E.
NOV, DEC. 1943

ALLIED FORCE HEADQUARTERS
Military Government Section

12 December 1943.
(Date)

File No. 313.3

SUBJECT: Transmittal of Document(s).

TO : HQ. AMG, 15th Army Group, CMF.

1. Forwarded herewith are... ^{is} ^{copy} 1... copies of... **CYRENAICA, THIRD...**
BRITISH OCCUPATION, MILITARY LEGISLATION, PROCLAMATIONS....
11-20.

2. Please acknowledge receipt on the form below, detach and return immediately to Military Government Section, Allied Force Headquarters A.F.O. #512.

J. C. Holmes
For- J. C. HOLMES,
Brigadier General, G.S.C.,
Chief, Military Government Section

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Ref. No: 11813/CA.

CIVIL AFFAIRS BRANCH,
G.H.Q., M.E.F.

Ext. No: ME.523 - Ext.2.

Date 12th November, 1943.

To: Angot H.Q.,

Rear 15 Army Group, C.M.F.

~~21 NOV 1943~~

21 NOV 1943

The papers noted below are transmitted for:-
information.

~~consideration and reply.~~

~~necessary action.~~

*Leave file
on new file recorded
last information from
M.E.F.*

R. W. Hunter
Colonel,
CHIEF SECRETARY,
CIVIL AFFAIRS BRANCH.

DATE AND REFERENCE	DESCRIPTION OF ENCLOSURE(S)
12/11/43. 11813/48/CA.	2 copies of C.C.A.O's Directive on Gazettes.

No. 11813/48/CA.

B.M.A. GAZETTES.

DIRECTIVE BY C.C.A.O.

1. TERMINOLOGY.

- (a) Proclamation. This is a military legislative enactment, signed if necessary by the C-in-C., but usually by the G.O.C. of the occupying force in Phase I, by the D.C.C.A.O., and by the Chief Administrator in Phase III.
- (b) Order. This will be used only to describe enactments signed by the D.C.C.A.O. in Phase I, or by the Chief Secretary under generally delegated power, or by officers on the staff of the D.C.C.A.O. or Chief Administrator under specially delegated power in Phases II and III respectively.
- (c) Regulation. This term refers to the legislative acts of Civil Affairs Officers in charge of Divisions, Provinces or Districts.
- (d) General Notice. These are notices of appointments, notices drawing attention to regulations, etc. They have no legal effect.
- (e) General Order. As this term is used in the Army to describe an order by a General to his troops, its use will be discontinued in describing B.M.A. legislation.
- (f) Local Regulation. This term is synonymous with "Regulation" and will not be used.
- (g) Local Order. This term is also synonymous with "Regulation" and will not be used.
- (h) Legal Notice. Although this term has been freely used to refer to all legislation, including delegated legislation and notices confirming delegated legislation, it has been sometimes abused by the inclusion under this heading of matters of no legislative effect. By numbering Legal Notices serially each proclamation, etc., acquires two series of numbering which leads to confusion, especially when yet a third series may arise through reference to the issue and page number of the Gazette. The term "Legal Notice" will not be used.
- (i) Delegation. There are a number of references bearing this title in the Eritrean Gazette by which various powers have been delegated. None of them achieve anything which cannot be done by Proclamation, Order, Regulation or General Notice. This term will not be used.
- (j) Rules. The only proper use of this term is with regard to rules for the conduct of the Courts, which do NOT require to appear in a Gazette.

(k) Summary of above. The only terms that may be used...

- signed by the D.C.C.A.O. in Phase I, or by the Chief Secretary under generally delegated power, or by officers on the staff of the D.C.C.A.O. or Chief Administrator under specially delegated power in Phases II and III respectively.
- (c) Regulation. This term refers to the legislative acts of Civil Affairs Officers in charge of Divisions, Provinces or Districts.
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- (f) Local Regulation. This term is synonymous with "Regulation" and will not be used.
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- (h) Legal Notice. Although this term has been freely used to refer to all legislation, including delegated legislation and notices confirming delegated legislation, it has been sometimes abused by the inclusion under this heading of matters of NO legislative effect. By numbering Legal Notices serially each proclamation, etc., acquires two series of numbering which leads to confusion, especially when yet a third series may arise through reference to the issue and page number of the Gazette. The term "Legal Notice" will not be used.
- (i) Delegation. There are a number of references bearing this title in the Eritrean Gazette by which various powers have been delegated. None of them achieve anything which cannot be done by Proclamation, Order, Regulation or General Notice. This term will not be used.
- (j) Rules. The only proper use of this term is with regard to rules for the conduct of the Courts, which do NOT require to appear in a Gazette.
- (k) Summary of above. The only terms that may be used in future are "Proclamation", "Order", "Regulation", and "General Notice".

2. CONTENTS.

The Courts have to take judicial notice of Proclamations, Orders and Regulations, all of which will be included in the Gazette.

Reasons for including all Regulations.

- (a) It is essential that some means should exist whereby the Courts may take judicial notice of all Regulations; otherwise they have to satisfy themselves
- (i) as to the actual making of the Regulation, and
 (ii) that the Regulation, when made, was brought to the notice of the accused.

2. CONTENTS (continued)

(2)

- (b) Many offences tried by the Courts are offences against Regulations. It is impossible to understand, much less to analyse, the Court Returns and Crime Reports without being able to refer to such Regulations.
- (c) It is expected that an act of indemnity confirming and validating all legislative acts will be passed by Parliament after the war. This must apply not only to Proclamations and Orders, but also to Regulations, which should be published in the Gazette for purposes of record.

Extent of inclusion of Regulations.

Publishing all Regulations means using much space and paper, particularly when some Regulations have lengthy Schedules. In this connection see paragraph 5 below.

3. ARRANGEMENT OF CONTENTS.

- (a) Part I will contain General Notices which may include:
- (i) appointments;
 - (ii) reminders of acts to be done in pursuance of legislation;
 - (iii) administrative and legal announcements of many kinds.

Not all General Notices published in the territory need to be included, but only the most important.

- (b) Part II will contain Proclamations, Orders and Regulations. This part will be published separately from Part I and will, when necessary, be capable of wider distribution.

4. FREQUENCY OF ISSUE.

The Gazette will normally be published on the 1st and 15th of each month. Extra Ordinary Gazettes may be published at any time. All legislation will come into force, not on date of publication in the Gazette, but on the date of signature or on a date specified in the enactment itself.

5. REDUCTION OF MATERIAL TO BE PUBLISHED.

- (a) Legislation will be as concise and simple as possible. Articles authorising the use of a short title will not be included. Marginal notes will not be used.
- (b) Legal advisors are responsible for advising on all legislation within the territory. They will ensure that Regulations conform with one another as far as possible throughout the territory. Each Head of Administration will draw up a list of reserved subjects upon which no officer of his staff or in his territory will be allowed

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(c) Orders and Regulations frequently have Schedules attached to them. In such cases the essence of the enactment is nearly always in the Schedule. M.M.L. Chapter 14, footnote to para. 447, makes it clear that some publication of both Order (or Regulation) and Schedule is necessary if it is intended to punish infringements thereof. But in addition to any publication by posting it is essential, for ease of proof and in order that the Gazette should be complete, that the Schedule and not merely the Regulation alone should be published in the Gazette. For reasons of economy and convenience every effort should therefore be made to avoid lengthy and complicated schedules.

(3)

6. FOREIGN LANGUAGES.

The Gazettes will be published separately in each language authorized for use in the territory. Although it is important that both Parts should be published in each language so authorized, it is unnecessary for more than a few copies in foreign languages to be distributed outside the territory.

7. FORM OF GAZETTE.

- (a) Size of Paper. All Gazettes will be 16.25 x 23.25 cms.
- (b) Table of Contents. A table of contents of Part II of the Gazette will be issued on 1st January, and will refer to all legislation issued during the past year. No table of contents for Part I will be published.
- (c) Proclamations, Orders and Regulations will respectively be numbered consecutively from the beginning to the end of each year and every effort should be made to keep them in chronological order.

8. DISTRIBUTION.

The strictest possible economy will be used with regard to distribution both inside and outside the territory, and large reserves will not be built up to cover possible future requirements. Distribution outside the territory will, so far as possible, be made by the territories themselves and not by this Headquarters. Territories wishing to have copies of the Gazettes of other territories will themselves apply direct to the issuing territory.

The above directions will come into force on 1st January, 1944.

CIVIL AFFAIRS BRANCH,
G.H.Q., M.E.F.

12th November, 1943.

/FB.

P. N. F.

GIOVENTU' ITALIANA DEL LITTORIO
COMANDO FEDERALE DI MATERA

Comando G. I. L. di Fascio di _____

CARTELLA PERSONALE

della Giovane Fascista _____

Tessera Anno 19 _____ - A. F. _____ - N. _____

Tessera Anno 19 _____ - A. F. _____ - N. _____

Tessera Anno 19 _____ - A. F. _____ - N. _____

Trasferita al Comando federale di _____ il _____

Trasferita al Comando federale di _____ il _____

Trasferita al Comando federale di _____ il _____

CARTELLA PERSONALE

della Giovane Fascista

Tessera Anno 19 . . . - A. F. . . . - N.

Tessera Anno 19 . . . - A. F. . . . - N.

Tessera Anno 19 . . . - A. F. . . . - N.

Trasferita al Comando federale di . . . il

Trasferita al Comando federale di . . . il

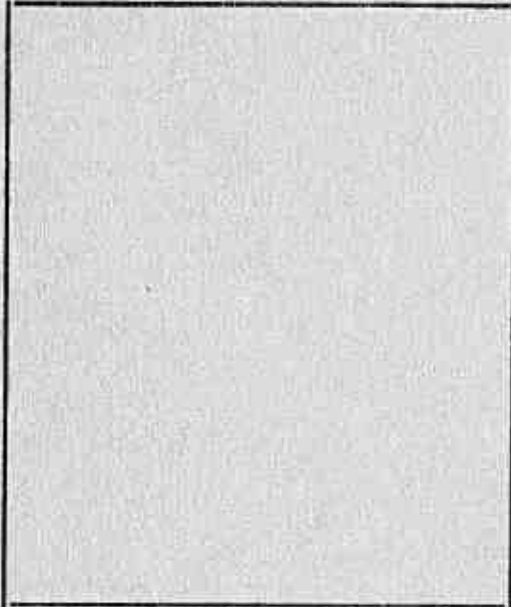
Trasferita al Comando federale di . . . il

La Giovane Fascista

è passata ai Fasci Femminili il 19 . . . - Anno

0571

0572



Cognome e nome _____
 figlia di _____ e di _____
 nata a _____ prov. di _____
 data di nascita _____
 residente nel Comune di _____
 Via _____ N. _____
 professione _____

titolo di studio _____
 passata alle giovani fasciste con la leva e con anzianità _____
 passata al P. N. F. con la _____ leva fascista il _____

GRADI CONSEGUITI NELLA G. I. L.

- Piccola Italiana scelta _____
- Piccola Italiana vice caposquadra il _____
- Piccola Italiana caposquadra il _____
- Giovane Italiana scelta il _____
- Giovane Italiana vice caposquadra il _____
- Giovane Italiana caposquadra il _____
- Giovane Fascista scelta il _____
- Giovane Fascista vice caposquadra il _____
- Giovane Fascista caposquadra il _____
- Dirigente Sottocapomanipolo il _____

ATTIVITÀ SPORTIVA PRATICATA

passata alle giovani fasciste con la leva e con anzianità
passata al P. N. F. con la leva fascista il

GRADI CONSEGUITI NELLA G. I. L.

Piccola Italiana scelta

Piccola Italiana vice caposquadra il

Piccola Italiana caposquadra il

Giovane Italiana scelta il

Giovane Italiana vice caposquadra il

Giovane Italiana caposquadra il

Giovane Fascista scelta il

Giovane Fascista vice caposquadra il

Giovane Fascista caposquadra il

Dirigente Sottocapomanipolo il

ATTIVITÀ SPORTIVA PRATICATA

Sport nel quale emerge

0574