Declassified E.O. 12356 Section 3.3/NND No. 785016

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10000/142/961

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10000/142/961

ITALIAN LOCAL GOV'T
SEPT., NOV. 1943

Folio.	Date.	Ref.	To/From.
1.	21.9.43.	Amgot/4037/L.	From AMGOT Sicily
2.	7.11.43.	–	" 8 Army.
3.	20.11.43.	OA/13/-	" " "
4	27.11.43.	–	Memo to CCAO.
5.	28.11.43.	–	" " "
6.	30.11.43.	AMG/221/6.	To. Reg 3+4 5+8 army AMG Palermo.

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Subject:- Regolamenti Comunali.

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

Ref. G5(G)/221/6.
30 November 43.

R.C.A.O., Region III,
" Region IV.
S.C.A.O. AMG 5 Army,
" " 8 Army.

Reference General Administrative Instruction No.19 (Amgot/4037/L) of 21 September, 1943, all Regolamenti Communali published in any place in the occupied territory north of the Provinces of BARI, POTENZA and SALERNO after receipt of this instruction will bear, at the head of the Regolamenti, the words "Publicato con il permesso del Governo Militare Alleato".

(Sd)
Colonel,
for Major-General,
Chief Civil Affairs Officer.

ES.

Copy to:- HQ. Allied Military Government, SALERNO.

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C.C.A.O.

A. AMG VIII Army ask approval to issue order to Italian Local Courts. That order, violation of which might be punished by Italian Courts, should be endorsed "Authorised by A.M.G.".

This seems to be sound & in accordance with Gen. Admin Order 15. I suggest approval.

B. C.A.O. raises further issue as to whether para 2 of this order should be annulled. I agree with Jaques. I do not agree with the reinstatement of Councils & the Prefettura Councils. ~~before fascists~~ This would safeguard ordinary Italian Procedure where absolutely necessary. and effects sensible.

§ 2 G.A.1. No 19 29/11

25/XI

MEMO

4

To: C.C.A.C.

Subject:- local Italian Legislation.

A.M.G. 8th Army, have raised the question of whether local Italian legislature in their area should be published under the endorsement "Published with the permission of the Allied Military Government".

2. The point is a small one but it raises the much larger one of whether General Administrative Instruction No. 19 (See copy at page 1 of this file) now requires amendment.

3. I have made no enquiry yet as to whether Councils of the Prefettura and Provincial Giuntas are operating generally in the occupied territory in Italy or as to whether they could be re-established if they are not so operating.

4. I never much liked the above Administrative Instruction as it purported to suspend and alter the Italian Constitutional law, without leading to any new or better system for the future. As areas may soon be returned to the full sovereignty of the Italian Government, I think it is important that action should be taken to re-establish the Provincial administrations in the form in which they will continue to operate after Military Government is withdrawn.

5. The matter would appear to be one of political policy to be discussed between A.C.C. and the Italian Government and whatever decision is come to will not concern us much so long as it does not interfere with Military Government. It is important though, I think, for this Administration to re-establish the Italian local Government system on the right basis so that the eventual hand-over is facilitated.

6. May I please have your directions as to whether I should raise this matter with Colonel Upjohn and as to any lines of policy you wish put forward.

Lt.Colonel,
Chief Legal Officer.

27 Nov 43.

0604

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0605

Declassified E.O. 12356 Section 3.3/NND No. 785016

SUBJECT: Execution of general or local orders.

AAG.HQ.Eighth Army.

A/13/2 4 [illegible] 3

20 Nov.43.

15 Army Group AAG.

1. I have received the enclosed memorandum from my Legal Officer, the contents of which I [illegible]. As however, this is a matterwhich would affect units other than Eighth Army AAG, it is passed to you for approval, in case you should wish to put it into general effect.

Group Captain,
Officer Commanding,
AAG.HQ.Eighth Army.

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CAMPOBASSO

17 Nov. '43

SUBJECT: Execution of general or local orders

To: C.L.O., A.M.G. Hq., 15 Army Group,
through S.C.A.O., 8th Army Hq.

1.- Undersigned has advised that all prders, the violation of which might be properly punished by Italian Courts, be issued by the appropriate Italian Official over his signature and opposite his signature appear " Authorized by A.M.G. .....
(Name and Office of A.M.G. OFFICER)"

2.- That such orders be submitted by the Italian official to his legal advisor to insure that it is in such form that violations may be successfully prosecuted by Italian Courts.

3.- The result sought to be accomplished is to be able to direct prosecution of violations by Italian Courts excepting such cases as we may wish to try.

4. Please advise if you approve.

EDWIN J. MERCER, MAJ. O[illegible]
SENIOR LEGAL OFFICER, 8[illegible]

1 copy for
8th Army Hq.

0697

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COPY.

HEADQUARTERS AMGOT

SICILY

AMGOT/4037/1.

21st September 1943.

1

GENERAL ADMINISTRATIVE INSTRUCTION NO.19.

The following instructions have been issued :-

As from the date hereof until further notice, Regolamenti Communali shall be made in accordance with the following procedure :-

1. Regolamenti Communali will be submitted to the Prefect of the Province for approval after being made.

2. The Prefect will not submit Regolamenti Communali to the Council of the Prefettura or to the Provincial Giunta for advice or to the Central Government for approval.

3. The Prefect will after considering Regolamenti Communali received by him for approval submit the same to the Senior Civil Affairs Officer of the Province with his recommendations.

4. The Senior Civil Affairs Officer, after considering the Regolamenti Communali together with the recommendations of the Prefect and of the Civil Affairs Officer (if any) for the Commune, issue directions to the Prefect to approve or refuse approval of the Regolamenti.

5. Regolamenti Communali, after approval by the Prefect as abovementioned shall be of full force and effect.

(Sgd) CHARLES M. SPOFFORD,
Colonel, C.S.C.
Chief Staff Officer.

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0608