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THE TRIPOLITANIA GAZETTE
APR. 1943



THE TRIPOLITANIA GAZETTE

PUBLISHED BY THE BRITISH MILITARY ADMINISTRATION
OF TRIPOLITANIA UNDER THE AUTHORITY OF THE
GENERAL OFFICER COMMANDING EIGHTH ARMY.

No. 3 of 1943.

WITH SUPPLEMENT

1st. April 1943.

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No. 3 of 1943 1st April 1943.

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LEGAL NOTICE No. 16

SUSPENSION OF PROSECUTIONS UNDER ANTI-JEWISH LAWS

The Deputy Chief Civil Affairs Officer has directed that no criminal prosecution shall be instituted against Jews in any Court whatsoever in the Occupied Territory of Tripolitania under any law which discriminates against them upon the ground of their race.

Tripoli, 14th March, 1943.

L. F. DAWSON

Lieut-Colonel,
Legal Adviser

GENERAL NOTICE No. 4.

The Deputy Chief Civil Affairs Officer has appointed the following officers to be members of the Standing Military Court for Tripolitania:

Lt-Col. T.R. BLACKLEY.
Lt-Col. H. MERCER, M.C., D.F.C.
Lt-Col. P.B.E. ACLAND, M.C.
Lt-Col. H.C.E. ROUTH.
Lt-Col. I.F.W. SCHOFIELD.
Lt-Col. G.E.C. WISDOM.
Major A.R.A. de GARSTON.
Major C.R.F. YOUNG.
Major A.D. HOUSTON.
Major G.F. MACKAY.
Major R.A. VOSPER.
Major W.H. HENSHAW.

Major	F.M. URQUHART.
Major	C.H.L.T. CHAMBERLAYNE, M.C.
Major	E.A. PICKARD-CAMBRIDGE.
Capt.	D.W. JAMES.
Capt.	P.D. ELTON.
Capt.	J. MUIRHEAD.
Capt.	H.C. CORBIN.
Capt.	W. DINHAM.
Capt.	C.P. CONNELL.
Capt.	I.D. HOWARD.
Capt.	H.R. PATTULLO.
Capt.	H.C.T. MILLERS.
Capt.	K.P. HICKMAN.
Capt.	LL.B. MOSTYN-DAVIES.
Capt.	C.A. JAMES.
Capt.	E. ROCKSBOROUGH-SMITH.
Capt.	A.J. STEWART.
Capt.	H.J. LINNELL.
Capt.	E.J.P.S. RUFFIER.
Capt.	C. MET DEN ANCXT.
Capt.	C.W. ATKINSON-GRIMSHAW.
Capt.	W.J. GALLAGHER.
Capt.	T.B. CARR.
Capt.	A.J. STEELE-GREIG.
Capt.	M. ARKIN.
Capt.	H.B. LLOYD-DAVIES.
Capt.	R.C. BENTLEY.
Lieut.	I.C. COLLINGWOOD.
Lieut.	W.W. PEREIRA.
Lieut.	J. BURT.
Lieut.	D. COATES.

Tripoli, 12th. March 1943.

L. F. DAWSON
Lieut-Colonel,
Legal Adviser.

GENERAL NOTICE No. 5

CORRIGENDUM

GAZETTE No. 2 OF 1943

General Notice No. 3 of 1943, Line 2. Delete. "in the Province of Tripoli".

ERRATUM

GAZETTE No. 2 OF 1943

On Index Page, for "General Notice No. 4 of 1943", read "General Notice No. 3 of 1943".

BRITISH MILITARY ADMINISTRATION, TRIPOLITANIA

TRIPOLITANIA GAZETTE SUPPLEMENT

No. 3 of 1943

1st. April 1948.

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Legal Notice No. 17.**British Military Time (Amendment No. 1).****PROCLAMATION No. 15.**

I, BERNARD LAW MONTGOMERY, Knight Commander of the Order of the Bath, Member of the Distinguished Service Order, hereby PROCLAIM.

Article 1.*Short Title.*

This Proclamation may be cited as the British Military Time (Amendment No. 1) Proclamation No. 15.

Article 2.*Amendment to Article 2 of Principal Proclamation.*

Article 2 of Proclamation No. 12 is hereby amended and British Military Time shall as from 22.00 hours (by existing British Military Time) on the date of signature of this Proclamation be one hour in advance of Greenwich Mean Time or the same as Central European Time.

Dated this 22nd day of February 1943.

B. L. MONTGOMERY

General,
General Officer Commanding Eighth Army.

Legal Notice No. 18.**Registration and Restriction of Movement.****PROCLAMATION No. 17.**

WHEREAS it is expedient to provide for the registration of Italian Metropolitan Citizens and for the restriction of their movement, NOW, THEREFORE, I, BERNARD LAW MONTGOMERY, Knight Commander of the Order of the Bath, Member of the Distinguished Service Order, hereby PROCLAIM : —

Short Title.

1. This Proclamation may be cited as the Registration and Restriction of Movement Proclamation No. 17.

Italian Metropolitan Citizenship.

2. (1) For the purpose of this Proclamation, the question of whether any particular person is or is not an Italian Metropolitan Citizen shall be determined in accordance with the Italian Law No. 555 dated 13th June, 1912, as amended by Law No. 108 dated 31st January 1926.

(2) For information only and without in any way restricting the application, of this Proclamation, brief particulars of the principal methods of acquiring Italian Metropolitan Citizenship under the aforesaid laws are set out in the Schedule hereto. For full details, reference should be made to the text of the relevant laws.

(3) If in any case any person claims that he or she is not an Italian Metropolitan Citizen the onus of proving such claim shall be upon such person.

Powers of D. C. P. O.

3. The Deputy Chief Political Officer may by Order duly published; —

(i) Require every Italian Metropolitan Citizen, male or female, of the age of 17 years and over now residing in the Territory, to register himself or herself, to obtain and carry an identity card and to produce the same on demand to any duly authorised person.

(ii) Restrict the movement of Italian Metropolitan Citizens.

(iii) Prohibit every Italian Metropolitan Citizen from changing his or her registered address without prior notification to the prescribed Authority of his or her intention so to do.

(iv) Provide for the enforcement of any such Order by a Military Court with a penalty which may extend to imprisonment for a term not exceeding five years or a fine not exceeding Two Hundred Pounds or to both such imprisonment and fine.

4. (1) In any Order issued under Article 3 (i) the D.C.P.O. may prescribe: —

(a) The area or areas in which Registration is to take place;

(b) the date or dates upon which such Registration is to commence and to be completed;

(c) The Officer or Officers by whom Registration is to be effected;

(d) all other matters which he deems it necessary to prescribe for the effective carrying out of the Registration herein provided for.

(2) In any Order issued under Article 3 (ii) the D.C.P.O. may prescribe: —

(a) The class of persons whose movement shall be restricted;

(b) the Provinces, Districts or areas within or between which such movement shall be restricted;

(c) the extent of such restriction;

(d) all other matters which he deems it necessary to prescribe for effectively restricting the movement of Italian Metropolitan Citizens.

(3) In any order issued under Article 3 (iii) the D.C.P.O. may prescribe: —

(a) The class of persons by whom an intended change of registered address shall be notified.

(b) the method by, time within which, and the person to whom such notification shall be given;

(c) the Provinces, Districts or Areas in which such notification shall be given;

(d) all other matters which he deems it necessary to prescribe for effectively controlling changes of address by Italian Metropolitan Citizens.

Schedule.

The following (inter alia) are declared by Italian Law to be Italian Metropolitan Citizens : —

1. (*Acquisition by birth*) : —

(a) A person whose father is Italian.

(b) (i) A person whose mother is Italian, whose father is unknown, or is neither an Italian Citizen nor a citizen of any other State.

(ii) A person whose mother is Italian, whose father is a foreigner, and who is unable to adopt the citizenship of his father's State, in accordance with the laws thereof.

(c) (i) A person born in Italy, both of whose parents are unknown or are neither Italian Citizens, nor citizens of any other State.

(ii) A person born in Italy of foreign parents who is unable to adopt the citizenship of his parents in accordance with the laws of their State.

A person found in Italy whose parents are unknown is presumed, unless the contrary is proved, to have been born in Italy.

2. (*Acquisition by residence or service*) : —

A foreigner born in Italy, or whose parents have resided in Italy for more than 10 years since his birth, provided that

(a) He has undergone military service in Italy or has accepted employment in the service of the Italian State, or.

(b) Upon attaining the age of 21 years and being then resident in Italy, he has, by declaration made before attaining the age of 22 years, elected to adopt Italian Citizenship, or

(c) He has resided in Italy for 10 years and has not, before attaining the age of 22 years made a declaration that he intends to retain his foreign citizenship.

A foreigner born in Italy, or whose parents have resided in Italy for more than 10 years since his birth, provided that

(a) He has undergone military service in Italy or has accepted employment in the service of the Italian state, or

(b) Upon attaining the age of 21 years and being then attaining the age of 22 years, elected to adopt Italian Citizenship, or

3. *(Acquisition by Royal Grant).*

Any person to whom a grant of Italian Citizenship has been made by Royal Decree.

4. *(Acquisition by Special legislation).*

Any person to whom a grant of Italian Citizenship has been made by special legislation of the Italian State.

Dated in Tripoli this 22nd day of February 1943.

B. L. MONTGOMERY

General,
General Officer Commanding Eighth Army.

Legal Notice No. 19.

Delegation of Functions.

PROCLAMATION No. 18.

Whereas certain territory in Tripolitania, recently under Italian rule, has been occupied by the Forces under my command;

And whereas all legislative, executive, political and administrative functions in the Occupied Territory are vested in me as General Officer Commanding the Eighth Army;

And whereas it is now expedient that I should delegate such functions;

NOW, THEREFORE, I, BERNARD LAW MONTGOMERY, Knight Commander of the Order of the Bath, Member of the Distinguished Service Order, hereby PROCLAIM : —

Article 1.*Short Title.*

This proclamation may be cited as the Delegation of Functions Proclamation No. 18.

Article 2.*Delegation of Functions.*

All the legislative, executive, political and administrative functions, including that of confirming any sentence of death now vested in me as General Officer Commanding the Eighth Army shall with effect from the 22nd day of February 1943 and until I shall otherwise decide vest in and be exercised in accordance with the laws and usages of war by Major General Sir Brian Hubert Robertson, Baronet, Commander of the Most Excellent Order of the British Empire, Member of the Distinguished Service Order, upon whom His Majesty has been pleased to confer the Decoration of the Military Cross, General Officer Commanding Tripolitania Base Lines of Communication Eighth Army (hereinafter referred to as the General Officer Commanding Tripolitania Base).

Article 3.*Saving of Legislation already promulgated.*

All Proclamations, Orders, Regulations and other Instruments having legislative effect issued in the Occupied Territory by me or by Officers acting under my authority shall continue in full force and vigour unless and until they are revoked or amended by the General Officer Commanding Tripolitania Base or by any Officer acting under his authority.

Article 4.*Interpretation.*

Where in any Proclamation, Order, Regulation or other instrument having legislative effect in the Occupied Territory reference is made to the General Officer Commanding the Eighth Army such reference shall for the purpose of such Proclamation, Order, Regulation or other instrument be deemed to be a reference to the General Officer Commanding Tripolitania Base.

Dated at Tripoli this 22nd day of February 1943.

B. L. MONTGOMERY

General,
General Officer Commanding Eighth Army.

Legal Notice No. 20.

Restriction of Photography

PROCLAMATION No. 19.

WHEREAS it is expedient to make provision for the restriction and control of photography within the Occupied Territory and for the declaration to the proper authority of all photographic stores, stocks or apparatus.

NOW THEREFORE, I BRIAN HUBERT ROBERTSON, BARONET, Commander of the Most Excellent Order of the Bath Commander of the Most Excellent Order of the British Empire, Member of the Distinguished Service Order, upon whom His Majesty has been pleased to confer the decoration of the Military Cross, hereby PROCLAIM:

Article 1.

Short Title.

This Proclamation may be cited as the Restriction of Photography Proclamation No. 19.

Article 2.

Prohibition of Photography

All persons within the Territory are hereby expressly forbidden to take photographs of any kind whatsoever, whether with still, cinematograph or any other type or form of camera.

Article 3.

Prohibition of Printing and Developing

No person within the Territory unless expressly authorised in writing by the Senior Political Officer of the Province concerned (the burden of proving which shall rest upon such person) shall develop or print any photographic film, whether cinematograph or of any other nature, or any photographic plate, whether received from members of His Britannic Majesty's Forces or those of His Allies or from any other persons.

Article 4.*Declaration of Cameras and Photographic Goods.*

All persons within the Territory having, whether solely or jointly with any other person or persons, the possession, custody or control of any of the articles or goods specified in the Schedule hereto or of any other articles or goods of a similar nature, shall forthwith declare in writing the location, types and quantities of the same, to the nearest Political Officer so as to reach him on or before a date to be fixed by him by notice under his hand.

Article 5.*Information to be given.*

All persons within the Territory are required forthwith to give any information they possess as to the existence or location of such articles or goods to the nearest Political Officer on or before the date fixed by the notice referred to in Article 4.

Article 6.*Penalties.*

Any persons failing to comply with any of the provisions of this Proclamation shall be guilty of an offence and liable on conviction by a Military Court to imprisonment for a term not exceeding five years, or to a fine not exceeding Two Hundred Pounds or to both such fine and imprisonment, and further the Court may at its discretion order the confiscation of any articles or goods proved to have been the subject matter of the offence.

Schedule.

Cameras, cine or still and accessories.
Projecting apparatus.
Darkroom equipment.
Unexposed film, cine or still.
Printing Paper.
Photographic Chemicals of all kinds.
Binoculars.

Dated at Tripoli this 7th day of March 1943.

B. H. ROBERTSON

Major General,
General Officer Commanding,
Tripolitania Base Lines of Communication Eighth Army.

Legal Notice No. 21.

Restriction of Rents and Control of Leases**PROCLAMATION No. 20.**

WHEREAS it is expedient to make provision for the regulation and control of the rents exigible from buildings and of the conditions of letting of the buildings in the Territory.

NOW THEREFORE, I, BRIAN HUBERT ROBERTSON, Baronet, Commander of the Most Excellent Order of the Bath, Commander of the Most Excellent Order of the British Empire, Member of the Distinguished Service Order, upon whom His Majesty has been pleased to confer the Decoration of the Military Cross, HEREBY PROCLAIM:—

Article 1.

This Proclamation may be cited as the Restriction of Rents and Control of Leases Proclamation No. 20.

Article 2.

With effect from the 1st day of February One thousand Nine hundred and forty three, the Decree of the Governor General of Libya No. 983 Series A of 9 January 1938, published in the Bollettino Ufficiale della Libia, No. 3 dated 11 January 1938, at page 125, as extended and amended by:

Decree of the Governor General of Libya No. 641 of 14 June 1938, and Decree of the Governor General of Libya No. 824 of 17 December 1938;

and Decree of the Governor General of Libya No. 361 of 15 December 1939;

and Decree of the Governor General of Libya No. 306, 423 of 4 April 1940;

and Decree of the Governor General of Libya No. 320, 204 of 19 November 1940;

and Decree of the Governor General of Libya No. 6 of 10 February 1942, is hereby further extended, in so far as it is applicable to Tripolitania, and shall remain in force until further notice.

Article 3.

With effect from the 1st day of February One thousand nine hundred and forty three the Decree of the Governor General of Libya No. 373 of 13 January 1940, published in the BOLLETTINO UFFICIALE della Libia No. 5 dated 1 February 1940 at page 180, as extended and amended by:

Decree of the Governor General of Libya No. 306, 603 of 1 April 1940, and
Decree of the Governor General of Libya No. 321, 831 of 20 December
1940;

and Decree of the Governor General of Libya No. 32 of 11 March 1942,
is hereby further extended, in so far as it is applicable to Tripolitania,
and shall remain in force until further notice.

Article 4.

All contracts written or verbal entered into on or subsequently to the
1st day of February One thousand nine hundred and forty three which are
in conflict with the laws as set forth in Articles 2 and 3 above, or any of them,
or which would have been in conflict with them had the said laws been then
in force, shall be null and void, and any rent or other payment made in
terms of such contract may be recovered by the person having made it by
action brought before the appropriate Italian Court.

Dated at Tripoli this 9th day of March 1943.

B. H. ROBERTSON

Major General,
General Officer Commanding,
Tripolitania Base Lines of Communication Eighth Army.

Legal Notice No. 22.

Change of Titles

PROCLAMATION No. 21.

I, BRIAN HUBERT ROBERTSON, Baronet, Commander of the Most
Excellent Order of the Bath, Commander of the Most Excellent Order of
the British Empire, Member of the Distinguished Service Order, upon whom
His Majesty has been pleased to confer the Decoration of the Military Cross,
HEREBY PROCLAIM : —

Article 1.

Short Title.

This Proclamation may be cited as the Change of Titles Proclamation
No. 21.

Article 2.*Change in Officers' Titles.*

Where in any Proclamation, Regulation, Rule, Order, Contract or other or other Instrument whatsoever issued or made before the coming into force of this Proclamation reference is made to any of the Officers holding the respective titles specified in Column one of the Schedule hereto such reference shall be construed after the said date as a reference to the corresponding titles set out in Column two of the said schedule.

Article 3.*Power of Deputy Chief Civil Affairs Officer to fix date of coming into force by notice.*

Wherever any change in title of any office of the Administration occurs, the Deputy Chief Civil Affairs Officer, if occasion requires, may by notice, to be published in the same manner as a Proclamation, declare that such change of title shall take effect from a date specified in such notice, and with effect from such date any reference in any Proclamation, Regulation, Rule, Order, Contract or other instrument whatsoever to the former title of such Office shall be read and construed as a reference to that Office by such new title as the Deputy Chief Civil Affairs Officer may declare in such Notice.

Article 4.*Date of coming into force.*

This Proclamation shall come into force and take effect on and from the 10th day of March 1943.

Schedule.

<i>Column 1. Old Title</i>	<i>Column 2. New Title</i>
Chief Political Officer.	Chief Civil Affairs Officer.
Deputy Chief Political Officer	Deputy Chief Civil Affairs Officer.
Political Officer.	Civil Affairs Officer.

Dated at Tripoli this 9th day of March 1943.

R. H. ROBERTSON

Major General,
General Officer Commanding,
Tripolitania Base Lines of Communication Eighth Army.

Legal Notice No. 23.

Prohibited Places and Controlled Areas - Proclamation No. 14

ORDER No. 14 OF 1943.

I, MAURICE STANLEY LUSH, Commander of the Most Excellent Order of the British Empire, upon whom His Majesty has been pleased to confer the Decoration of the Military Cross, Brigadier, Deputy Chief Political Officer, Tripolitania, in exercise of the powers conferred upon me by Article 1 of Proclamation No. 14 of 1943 and by Article 1 (b) of Proclamation No. 6 of 1942, hereby order as follows: —

1. Order No. 8 of 1943 is hereby repealed.
2. The place hereunder described shall be a Prohibited Place.

The Area bounded on the EAST by a line running due North from the East side of the BU SETTA RACECOURSE (IPPODROMO), on the SOUTH by the coast line, on the WEST by a line running due North from FORT BURG BU LELA and on the NORTH by a line running due East and West through a point five miles North of the most Northerly point of the SPANISH FORT MOLE.

3. Article 1 of Order No. 4 of 1943 is hereby repealed, and there is substituted therefor Article 2 of this Order.

Dated at Tripoli this 7th day of March 1943.

M. S. LUSH

Brigadier, Deputy Chief Political Officer,
Tripolitania

Legal Notice No. 24.

Restriction of Movement - Tripolitanian - Tunisian Frontier

ORDER No. 15 OF 1943.

I, MAURICE STANLEY LUSH, Commander of the Most Excellent Order of the British Empire, upon whom His Majesty has been pleased to confer the Decoration of the Military Cross, Brigadier, Deputy Chief Civil

Affairs Officer, Tripolitania, in exercise of the powers conferred upon me by Article 4 (b) of Proclamation No. 6 of 1942 hereby Order as follows : —

1. No person shall cross from East to West the frontier between the Occupied Territory of Tripolitania and Tunisia.
2. No person shall cross from East to West or from West to East a line running North from BARGH EN NUSF through RAS EL HASCIANA and AIN GHEZAIA to TUIL BEN SCERIF and thence due North as far as the Tunisian frontier.
3. No person shall enter or remain in such area or areas within the district of NALUT as the Civil Affairs Officer may from time to time prescribe by notice duly published.
4. Any person who contravenes any of the provisions of this Order shall be guilty of an offence and liable upon conviction by a Military Court to imprisonment for a term up to five years or to a fine not exceeding Two hundred pounds or to both such imprisonment and fine.

Dated at Tripoli this 11th day of March 1943.

M. S. LUSH

Brigadier, Deputy Chief Civil Affairs Officer,
Tripolitania

Legal Notice No. 25.

Registration and Restriction of Movement - Proclamation No. 17

ORDER No. 16 OF 1943.

I, MAURICE STANLEY LUSH, Commander of the Most Excellent Order of the British Empire, upon whom his Majesty has been pleased to confer the Decoration of the Military Cross, Brigadier, Deputy Chief Political Officer, Tripolitania, in exercise of the powers conferred upon me by Article 3 (i) of Proclamation No. 17 hereby order as follows : —

1. Every Italian Metropolitan citizen, male or female, of the age of 17 years or over, now residing in the Municipal Area of Tripoli shall register himself or herself with the Commissioner of the Tripolitania Police Force and shall make application for an identity card in accordance with the instructions set out in the Schedule hereto.
2. As from the date of issue of his or her identity card every such person shall

carry such card at all times and produce the same on demand to any duly authorised person.

3. Any person who contravenes any of the provisions of this Order shall be guilty of an offence and liable upon conviction by a Military Court to imprisonment for a term not exceeding five years or to a fine not exceeding Two Hundred Pounds or to both such imprisonment and fine.

Schedule.

1. The undermentioned Post Offices in Tripoli will be opened for the issue and subsequent collection of Forms of Application for identity cards between 09.00 hours and 13.30 hours and between 14.30 hours and 17.30 hours on the days mentioned below.

(1) Main counter Via Luigi Mercatelli No. 17.

(2) Succursal No. 3 Corso Italo Balbo No. 189 and 191.

(3) Succursal No. 8 Sciarra Serim No. 191.

2. Persons whose surnames commence with a letter from A to H inclusive will apply for Application Forms on Monday March the eighth 1943.

3. Persons whose surnames commence with a letter from I to P inclusive will apply on Tuesday March the ninth 1943.

4. Persons whose surnames commence with a letter from Q to Z inclusive will apply on Wednesday March the tenth 1943.

5. The Application Forms will be issued in DUPLICATE, taken away by the Applicant and completed in BLOCK LETTERS.

6. Completed Application Forms ACCOMPANIED BY TWO PHOTOGRAPHS 5cm x 5cm will be handed back to the issuing office as under : —

By persons whose surnames commence with a letter from A to H inclusive on Thursday March the eleventh 1943.

By persons whose surnames commence with a letter from I to P inclusive on Friday March the twelfth 1943.

By persons whose surnames commence with a letter from Q to Z inclusive on Saturday March the thirteenth 1943.

7. The method by, the date on, the hours between, and the place at which identity cards will be issued will be notified in such form as the Commissioner of the Tripolitania Police Force may decide.

Dated at Tripoli this 5th day of March 1943.

M. S. LUSH

Brigadier, Deputy Chief Political Officer,
Tripolitania

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