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ITALIAN DECREES
(SEPT. 1943 - JAN. 1945);
MAR. - JULY 1945

14180/75 14057

ver PS 6A

FOURTEENTH ANNUAL COMMISSION

EO 394

FOURTH SUB-COMMISSION

11 July 1945.

AC/4010/9/L.

SUBJECT : Economic Decrees.

11 AUG 1945

TO : See Distribution List.

1. Reference is made to directive AC/4010/9/L of 30 April 1945.
2. By order of AMG published in Gazzetta Ufficiale No. 50 dated 5 July 1945 the following 5 economic decrees have been implemented in Northern Italy:--

RDL No. 18/E of 6 Dec 1943;
 RDL No. 85 of 13 Mar 1944;
 DDL No. 328 of 18 Nov 1944;
 DLL No. 3 of 11 Jan 1945;
 DLL No. 41 of 30 Jan 1945.

3. This order, which is a "further order of AMG" for the purposes both of General Order No. 44 Art. 2 and DLL No. 180 of 26 April 1945, has the effect of supplementing the official 8 Sept 1943 salaries and pensions of the persons affected in the manner laid down in these decrees. It will be observed that the increases are not related to the salaries which were being paid on 3 April 1945 and which were continued de facto by General Order No. 44 and DLL No. 180.

4. It will further be noted that the decrees implemented include DLL No. 3 of 11 Jan 1945, although this decree is not specifically mentioned in letters from Finance Sub-Commission 13065/F of 27 June and 2 July 1945.

By Command of Major General

W. E. BEIDENS,

Colonel,

Chief Legal Advisor.

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 Finance S/C (2) (4)

are not related to the salaries which were being paid on 3 April 1945 and were continued de facto by General Order No. 41 and DIL No. 180.

4. It will further be noted that the decrees implemented include DIL No. 3 of 11 Jan 1945, although this decree is not specifically mentioned in letters from Finance Sub-Commission 13065/F of 27 June and 2 July 1945.

By Command of [Signature] Chief

W. E. DEERNS,

Colonel,
Chief Legal Advisor.

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HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel: 489081-580

11 June 1945

AC/14180/PS

SUBJECT : Venezia Giulia.

TO : Legal Sub-Commission.

1. Reference AC/4188/1/L dated 8 June 1945.
2. This Sub-Commission has no comment.

Walter Doherty
Col
for JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director, Public Safety
Sub-Commission.

WD/ae

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HEADQUARTERS ALLIED COMMISSION
ATO 394
LEGAL SUB-COMMISSION

AC/4188/1/L.

/rlp.
8 June 1945.

SUBJECT : Venezia Giulia.

TO : See distribution.

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1. Replies have now been received to this sub-commission's letter AC/4188/1/L of 25 May 1945.

2. Attached hereto is a draft directive prepared on the basis of these replies which it is suggested should be issued for the guidance of RC, Venezia Giulia.

3. Sub-commissions will notice that some of their suggestions have not been incorporated. The reason for this is that, in some cases, the laws proposed for re-issue are out of date, while in others they are beyond the jurisdiction of an occupying power, e.g., there is no authority to require national courts to try new offences or award increased penalties. In some cases the suggestions do not refer to laws but to directives issued by sub-commissions. These will no doubt be modified by the sub-commissions themselves.

4. Will you please forward to this sub-commission by 13 June 1945 your comments on this draft.

BY command of Rear Admiral STONE:

W. E. PEHRENS,
Colonel,
Chief Legal Advisor.

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HEADQUARTERS ALLIED COMMISSION

ATO 394

145-611-22-10-1-1

DRAFT

AO/4188/1/L.

SUBJECT : Legislation in Venezia Giulia.

June 1945.

TO : Regional Commissioners, Venezia Giulia and Venezia Regions,
SMAO 8th Army.

1. In order to avoid the appearance of introducing into Venezia Giulia current legislation passed by the Italian Government it has been decided that the policy of implementing Italian Governmental and Ministerial Decrees will not be adopted in this Region.

The sole exception to this policy is that D.L. No. 142 of 22 April 1945, which constitutes the Special Courts of Assize, will be implemented in the usual way, since under international law an occupying power has no authority to constitute national courts which are contrary to the existing law of the occupied territory. To confer jurisdiction upon these courts it will be necessary also to implement portions of D.L. No. 159 of 27 July 1944. Arrangements are being made for the supply of the necessary documents for this purpose.

2. The absence of this Italian legislation leaves certain gaps in the legislation required for the administration of the Region, which are not filled by the current Proclamations or General Orders of 1943 and which will necessitate the issue of separate Regional Orders. The Proclamations and General Orders will continue to be published in accordance with the general policy of this HQ and the following paragraphs of this directive indicate the special subjects upon which Regional Orders are required. Nothing in this directive is intended to prohibit the normal issues by the Regional Commissioner of Regional Orders on particular regional problems as and when the need for such orders arises.

3. Agriculture. A Regional Order is required for the amassing of wool to incorporate the provisions of DM dated 21 April 1945 (G.U. No. 49 of 24 April 1945).

4. Commerce. A Regional Order is required for the blocking of all essential non-subsistence materials as listed in AC Manual on Materials, Section 3, categories 1, 3 and 4 as amended by Monthly Supplements for April and May 1945. This Order will replace Ministerial Decrees of 21 Oct 1944 (G.E. No. 73 of 26 Oct 1944) and of 12 Dec 1944 (G.U. No. 15 of 3 Feb 1945).

5. Communications. Current Italian decrees provide for Internal Postal Rates, Internal Telegraph Rates and Urban Telephone Rates (all in G.U. No. 39 of 31 March 1945), Foreign Postage Rates (Ministerial Decree 31 March 1945 in G.U. No. 56 of 9 May 1945), and Interurban Telephone Rates (Min. No. 61 of 10 April 1945).

2. The absence of this Italian legislation leaves certain gaps in the legislation required for the administration of the Region, which are not filled by the current Proclamations or General Orders of ARS and which will necessitate the issue of separate Regional Orders. The Proclamations and General Orders will continue to be published in accordance with the general policy of this ARS and the following paragraphs of this Directive indicate the special subjects upon which Regional Orders are required. Nothing in this Directive is intended to prohibit the normal issue by the Regional Commissioner of Regional Orders on particular regional problems as and when the need for such orders arises.

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5. Communications. Current Italian decrees provide for Internal Postal Rates, Internal Telegraph Rates and Urban Telephone Rates (all in G.U.No.39 of 31 March 1945), Foreign Postage Rates (Ministerial Decree 31 March 1945 in G.U.No.56 of 9 May 1945), and Interurban Telephone Rates (DL No.247 of 5 April 1945 in G.U.No.65 of 30 May 1945). As and when these various services are available in the Region, Regional Orders should be issued so that the rates conform with the rest of Italy.

6. Finance. The undementioned 11 decrees require reissue as Regional Orders. The first eight can conveniently form the subject matter of one Order. It will be necessary at a later stage to reissue a large number of revenue decrees, of which details will be supplied:

RDL No.12/E of 2 Dec 1943, RDL No.18 of 21 Jan 1944, RDL No.74 of 2 Mar 1944, RDL No.84 of 10 Mar 1944, RDL No.108 of 6 April 1944 (all in Raccolta Ufficiale)
 DIL No.165 of 3 Aug 1944 (G.U.No.43 of 5 Aug 1944), RDL No.233 of 8 Sept 1944 (G.U.No.68 of 14 Oct 1944), RDL No.380 of 9 Nov 1944 (G.U.No.98 of 23 Dec 1944),
 DIL No.234 of 8 Sept 1944 (G.U.No.68 of 14 Oct 1944), DIL No.301 of 19 Oct 1944 (G.U.No.81 of 14 Nov 1944), DIL No.505 of 6 Dec 1944 (G.U.No.36 of 24 Mar 1945).

7. Food. If and when required, Regional Orders should be issued to control the anassing of olive oil, the slaughter of animals, the manufacture and sale of sweets and the operation of eating houses on the basis of the following

decrees :- DI 7 Sept 1944 (G.U.No. 54 of 12 Sept 1944), DI 19 Sept 1944 (G.U.No. 59 of 23 Sept 1944), DI 16 Oct 1944 (G.U.No. 71 of 20 Oct 1944), DI 3 Nov 1944 (G.U.No. 78 of 7 Nov 1944), DI 4 Jan 1945 (G.U.No. 1 of 16 Jan 1945), Decree of the High Commissioner for Alimentation of 20 March 1945 (G.U.No. 36 of 24 March 1945 P.367), DIL No. 345 of 12 Oct 1944 (G.U.No. 90 of 5 Dec. 1944) and DIL No. 99 of 1 March 1945 (G.U.No. 41 of 5 April 1945).

Prices will be controlled under General Order No. 41 or further orders issued thereunder.

A Regional Order should bring into operation the official ration scales.

2. Labour DIL No. 505 of 6 Dec 1944 (G.U.No. 36 of 24 March 1945) extended Italian Social Insurance to Allied Force Employees. The Italian Government accepted this liability by reason of their armistice obligations to make labour available. A similar arrangement should be made locally and the appropriate Regional Order issued.

9. Legal The policy of autonomy involves the suspension of appeal to the Court of Cassation in all cases, whether under the normal Italian law or under DIL No. 142 of 22 April 1945. A Regional Order is required.

10. In drafting Regional Orders in accordance with the above policy care must be taken to ensure that all references to and duties of Italian Central Governmental bodies are excluded.

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478427-580

25 May, 1945.

AC/14180/PS

SUBJECT : Venezia Giulia.

TO : Legal Sub-Commission

1. Ref. AC/14188/1/L dated 25 May 1945.

2. The following decrees are selected as those suitable for treatment under para 4 (a) of the above letter :-

DLL 184/44 52/44 (Art. 665 of the Penal Code)

Alcoholic beverages, penalty for the illegal sale thereof

RDL 31/44	7/44	200)	) Crimes against Allied Forces
RDL 112/44	22/44	444)	
DDL 442/44	17/45		Black Market offences
BANDO 24.9.43			
DDL 291/44	80/44		Currency, Allied Military
RDL 139/44	31/44	544	Permit for automobiles.

JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission.

WD/G.

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HEADQUARTERS ALLIED COMMISSION

SECRET

APO 384

LEGAL SUB-COMMISSION

U R G E N T

25 May 1945

AC/1122/1/L

SUBJECT: Venezia Giulia

TO : See distribution

pl

1. It has been decided that the procedure of implementation of Italian decrees will not be adopted in Venezia Giulia. The law to be administered there will be :-

(a) Italian law as existing at 8 September 1943 less any provisions (e.g. Fascist doctrines) which are excluded from operation in the territory; and

(b) All Regional Orders.

2. It should be pointed out that Venezia Giulia will be administered as an autonomous area and not as dependent from any central organization in Rome or elsewhere.

3. It follows from this policy that a considerable number of Regional Orders will have to be issued to cover matters which in other Axis territory are regulated by Italian decrees. Examples are: payment of wages, agricultural regulations, blocking of commercial products, transportation.

4. Will you please notify this sub-commission by 29 May 1945 without fail :-

(a) What points should be covered by Regional Orders to be issued in Venezia Giulia;

(b) Whether the Orders to be issued on these points should consist of a redraft of the existing Italian decrees modified as necessary for the purpose of an AMG order or whether an entirely new policy should be adopted. In this case please indicate the policy.

W. J. J. J.

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W.F. BERNERS,
Colonel,
Deputy Chief Legal Advisor.

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18 April 1945

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SUBJECT : Index of Italian decrees.

TO : See distribution list.

1. Enclosed herewith is an index of selected decrees passed by the Italian Government during the period from 6 Sep 1943 to 1 Mar 1945.

2. Only such decrees are listed in the index as are considered of practical interest for the work of the legal officers.

3. It is recommended that the index be kept up to date by each individual holder.

4. No additional copies are available.

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W. A. BERRIS,
Colonel,
Deputy Chief Legal Advisor.

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

I N D E X
OF SELECTED DECREES
PROCLAMATIONS ETC
OF THE ITALIAN GOVERNMENT
FROM 8 SEPTEMBER 1943 TO 1st MARCH 1945
-----COC-----

1st MARCH 1945.

770

	Reference to Decree or Pro- clamation	Number of Gazzetta Ufficiale
Administration, communal and provincial	R.D.L. 111/44	21/44
Adviser, technical, employed by Judicial Authorities	R.D.L. 405/44	4/45
Age limit for notaries	R.D.L. 144/44	36/44
Alcoholic beverages, penalty for illegal sale of	D.L.L. 184/44	52/44
Alimentation - constitution of a High Commissariat for	D.L.L. 416/44	11/45
Functions of the High Commissariat for	D.L.L. 411/44	11/45
Allied Forces:		
Crimes against	R.D.L. 31/44	7/44
	R.D.L. 112/44	22/44
Representation of, by Avvocatura dello Stato	D.L.L. 166/44	15/44
Marriage of members of American Forces in Italian Territory	D.L.L. 430/44	24/45

	Reference to Decree or Pro- clamation	Number of Gazzetta Ufficiale	Page in Raccolta Ufficiale	Previous Laws affected
	R.D.L. 111/44	21/44	435	Consolidated text 3 March 1934, No. 383
Authorities	R.D.L. 405/44	4/45	-	
	R.D.L. 144/44	36/44	603	
le of	D.L.L. 184/44	32/44	-	Art. 665 of the penal code
Minister for	D.L.L. 410/44	11/45		
or	D.L.L. 411/44	11/45		
	R.D.L. 31/44	7/44	200	
	R.D.L. 112/44	22/44	444	
to State	D.L.L. 166/44	45/44	-	
es in Italian Territory	D.L.L. 430/44	1/45	-	

Allied Military Currency

Bando 21/9/43
D.L.L. 291/44

18/4
80/4

Allowances, travelling, etc for State employees

R.D.L. 131/44

30/4

for continuing official missions of State employees

D.L.L. 386/44

99/4

Assessing -

Of grain crops

D.M. 2/5/44

24/4

D.M. 19/6/44

36/4

D.L.L. 153/44

39/4

D.M. 7/9/44

54/4

D.M. 19/9/44

59/4

D.L.L. 345/44

90/4

D.M. 4/1/45

7/4

as assessed

Provisions for future occupied territory

D.M. 22/1/45

13/4

"Immonizione"

D.L.L. 4/9/44

7/4

Amnesty, in certain cases, for offences committed during Allied Occupation

R.D.L. 95/44

17/4

of penalties for financial offences

D.L.L. 261/44

74/4

D.L.L. 252/44

74/4

Appeal to Court of Cassation, provisional liberty in case of

R.D.L. 12/44

8/4

	Benda 24/9/43 D.L.L. 291/44	18/43 80/44	23 537	
es	R.D.L. 131/44	30/44	537	
of State employees	D.L.L. 336/44	39/44	-	
	D.M. 3/5/44 D.L.L. 19/6/44 D.L.L. 153/44 D.M. 7/9/44 D.M. 19/9/44 D.L.L. 345/44 D.M. 4/1/45	24/44 36/44 39/44 54/44 59/44 90/44 7/45	475 609 656 - - - -	
ary	D.L.L. 22/1/45	13/45	-	
	D.L.L. 419/44	7/45	-	Arts 773, 156, 164, 158, 169, 182 of Consolidated Text of Law of F.S. approved by R.D. 18 June 1954 No. 773.
itted during Allied	R.D.L. 95/44	17/44	375	
	D.L.L. 261/44 D.L.L. 262/44	74/44 74/44		
erty in case of	R.D.L. 12/44	8/44	224	Art. 273 of the code of penal procedure

Appointments previously made on designation of Fascist Party

D.L.L. 206/44

55/44

Arrest

"Immunizzazione" and "Confino"

D.L.L. 419/44

7/45

"Arresto", temporary amendment of Codice di Procedura Penale

D.L.L. 194/44

10/44

"Ferma", temporary amendments of Codice di Procedura Penale

R.D.L. 43/44

8/44

D.L.L. 106/44

4/45

Assistance - see E.C.A.

Assize, Court of, composition of, for cases under D.L.L. 159/44

D.L.L. 170/44

47/44

Court of composition

D.L.L. 290/44

79/44

Automobiles -

Declaration of

R.D.L. 83/44

15/44

R.D.L. 165/44

20/44

D.L.L. 723/44

64/44

Permits for circulation of

R.D.L. 133/44

3/44

ion of Fascist Party	D.L.L. 206/44	33/44	-	6
	D.L.L. 419/44	7/45	-	Arts. 773, 166, 184, 168, 169, 182 of Consolidated Text of Law of P.S. approved by R.D. 13 June 1931, No. 773
codici di procedure penale	D.L.L. 194/44	31/44	-	Arts 239, 236, 233, 254, 272 of the code of penal procedure
dice di Procedure Penale	R.D.L. 45/44	8/44	229	Arts 230, 224 of the code of penal procedure
	L..... 406/44	4/45	-	Arts 230, 235 sis of code of penal procedure
es under D.L.L. 159/44	D.L.L. 170/44	47/44	-	
	D.L.L. 296/44	75/44	-	
	R.D.L. 83/44	15/44	336	
	R.D.L. 105/44	20/44	417	
	D.L.L. 223/44	64/44	-	
	R.D.L. 135/44	34/44	544	

Avvocatura dello Stato representation of allied interests

D.L.L. 166/44

15/4

Bargaining, collective - see Wages

Barley -

Assessing of

D.M. 2/5/44
D.L.L. 153/44
D.M. 22/1/45

24/4
39/4
13/4

Price of

D.M. 21/6/44

38/4

Bills of exchange - payment by instalments

D.L.L. 8/45

15/4

Black market offences, amendment of rules relating to

D.L.L. 442/44

17/4

Cancellieri - see Judicial Officials

Cassation, Court of - see Appeal to Court of Cassation

Exercise by Minister of Justice of certain powers

R.D.L. 77/44

13/4

Censorship - see Press, control of

Chambers of Commerce

R.D.L. 23/44
D.L.L. 315/44

4/4
85/4

Circulation permits for automobiles

R.D.L. 133/44

3/4

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D.L.L. 166/44

15/44

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D.M. 2/5/44
D.L.L. 153/44
D.M. 22/1/4524/44
39/44
13/45475
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D.M. 21/6/44

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D.L.L. 8/45

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D.L.L. 442/44

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R.D.L. 77/44

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R.D.L. 23/44
D.L.L. 315/444/44
85/44162
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R.E. 133/44

34/44

544

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Codice civile - provisions relating to the reform of civil law

D.L.L. 287/44

79/44

Codice Penale - provisions relating to the reform of penal law

D.L.L. 288/44

79/44

Codice di Procedura Penale, temporary amendments of -
"Arresto"

D.L.L. 194/44

55/44

"Fermo"

R.D.L. 45/44

8/44

D.L.L. 406/44

8/45

Provisions relating to the reform of penal law

D.L.L. 288/44

79/44

See also Penal Code of Procedure

Collective bargaining - see wages

Co.Cen. It. - Constitution of -

D.L.L. 314/44

85/44

Commerce, Chambers of - see Chambers of Commerce

Commissioners for Private Undertakings operating public services

D.L.L. 222/44

63/44

D.L.L. 420/44

8/45

Commissioners - appointment of extraordinary commissioners for
parasyndical bodies

D.L.L. 340/44

89/44

vil law	D.L.L. 287/44	79/44	-	Arts. 811, 1371, 147, 1175, 2060, 2071, 1, 91, 155, 292, 342, 348, 404, 2196, 2295, 2328, 2475, 2518, of the Civil Code.
mal law	D.L.L. 288/44	79/44	-	Arts. 62, 280, 281, 282, 289, 290, 313, 336, 337, 338, 339, 341, 342, 343, 596 of the penal code.
	D.L.L. 194/44	55/44	-	Arts. 235, 236, 253, 254, 272 of the code of penal procedure.
	R.D.L. 15/44	8/44	229	Art. 236, 224 of the code of penal procedure.
	D.L.L. 406/44	8/45	-	Arts. 238, 238 bis of code of penal procedure.
law	D.L.L. 288/44	79/44	-	Arts. 74, 468, 470, 640, 647 of the code of penal procedure.
	D.L.L. 314/44	85/44	-	
services	D.L.L. 222/44	63/44	-	
	D.L.L. 420/44	8/45	-	
ners for	D.L.L. 340/44	89/44	-	

Council Administration

R.D.L. 111/44

21/44

D.L.L. 177/44

31/44

"Confino" - see arrest

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