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Declassified E.O. 12356 Section 3.3/NND No. 785021

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INSTRUCTIONS FOR THE GUIDANCE OF OFFICERS OF THE COMMISSION

VOL I EXECUTIVE MEMORANDA

1064

Declassified E.O. 12356 Section 3.3/NND No. 785021

1001

Not to be published

ALLIED CONTROL COMMISSION - ITALY

INSTRUCTIONS FOR THE GUIDANCE OF OFFICERS OF THE COMMISSION

VOL. I

EXECUTIVE MEMORANDA

2923

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FOLDER

PERSONAL PAPERS

FROM AUG 1944

TO

CATALOGUE

August 1944

1961

Declassified E.O. 12356 Section 3.3/NND No. 785021

LEWIS M'INTYRE MAJOR
AUS.

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ALLIED CONTROL COMMISSION - ITALY

INSTRUCTIONS FOR THE GUIDANCE OF OFFICERS OF THE COMMISSION

1st March 1944

Declassified E.O. 12356 Section 3.3/NND No. 785021

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FOREWORD

These memoranda, to be supplemented from time to time, constitute a guide to the activities of Regional Commissioners, their staffs and all officers of the Allied Control Commission.

A study of the memoranda should help all officers to realise the importance of the task of the Commission, their own individual responsibilities and the means by which they can help each other to overcome the problems by which all are faced.

Noel Mason-MacFarlane

CHIEF COMMISSIONER

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HEADQUARTERS
ALLIED CONTROL COMMISSION - APO 394

It is found necessary to issue instructions, from time to time, as experience and expediency dictate. Efforts to reduce these instructions are continually being made.

One of these efforts is the publication of this handbook. Another is the reduction in type of the various memoranda covering all aspects of Allied Control Commission work.

To this end, all orders and instructions issuing from this Headquarters will, as far as possible, be in one of the following forms:

(a) *Executive Memoranda* which will deal with:
- (i) Orders for the conduct of Regional Administration.
- (ii) Organization of Regions (Geographical boundaries).
- (iii) Administrative instructions by Sub-Commissions concerning Military Government or Allied Control.
- (iv) Matters of Policy.
- (v) Reports: Preparation, Submission, Circulation.

(b) *Establishment Memoranda* which will deal with all matters pertaining exclusively to:
- (i) Personnel of the Allied Control Commission, including appointments, assignments, promotions, discipline, reports, (G-1).
- (ii) Transport and equipment of formations (G-4).
- (iii) Authorization for Travel.
- (iv) Any matters not covered by Daily bulletins and Orders (American), Daily Routine Orders (British).
- (v) Office Memoranda which are of general interest.

(c) *Office Memoranda* which will deal with:
- (i) Internal organization of the Commission.
- (ii) Office procedure.
- (iii) Establishment Branch matters applicable only to commission Headquarters. (Where these are sent to Regions for information they will be circulated as Executive Memoranda).

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The distribution of the above types of memoranda will normally be controlled by the office of origin and will generally be in accordance with the Distribution Lists given in Part II.

All memoranda will be issued by the Regional Control and Military Government Section. The memomnda as published in this handbook have in some cases been amended from the original. Amendments are indicated by a double marginal line and underlining (e.g. see page 1).

All subsequent issues of memoranda will be on paper the same size as this handbook and should be inserted in the appropriate part. The index cross-referenced, should be kept up to date. Suitable index references will be indicated at the end of each new issue.

In the bottom left corner of the last page of each memorandum will appear the file reference of the office of origin. Direct communications with sub-commissions on the subject matter of a memorandum should quote this reference.

M. S. Lush
Executive Commissioner

Declassified E.O. 12356 Section 3.3/NND No. 785021

24 August 1944

SUBJECT: Instructions for the Guidance of Officers of the Commission

To: All Holders of Book.

1. Additional Executive and Establishment Memoranda have now been printed for inclusion in this book. It has been decided to divide the book into two volumes:

(a) Volume I. - To contain Ex memo only with Index.

(b) Volume II. - To contain Establishment Memorandum and Office Memorandum.

2. Part IV (the appendices) will be reprinted for insertion with their appropriate Memoranda and the pages numbered accordingly.

3. The present Index will not be continued but the holders may retain it if they so wish and bring it up-to-date themselves. A modified form of Index is provided for Executive Memoranda; the other indices for Establishment and Office Memoranda are in course of preparation.

4. A number of amendments to the book are necessary and will be published in due course.

5. New covers for Volume I are forwarded along with the additional Executive Memoranda, which are now printed up-to-date. It is the responsibility of each holder of the book to arrange the volumes in conformity with the above instructions and to insert the printed additions in their correct places.

6. " Stickers a are also sent to paste on the front of the original convers which now become Volume II.

NORMAN E. FISKE,
Colonel,
Deputy Executive Commissioner.

Ref/589/1/CA.

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PART I

EXECUTIVE MEMORANDA

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Issued as.

Issued
21 January 1944

MEMORANDUM TO: ALL CONCERNED

(to be known as Executive Memorandum No O.A.)

1. Effective 0001 hrs 11 Feb. 1944 the Allied Military Government turned over to Italian Government certain portions of the territory occupied by the Allied Forces. At that time Allied Military Government ceased and the Italian administration assumed full responsibility for civil government in such territory. Subsequent transfers may be expected and these guiding principles will apply.

Transfer involves the withdrawal of a part of the Allied Military Government personnel from the territory. The balance will continue as representatives of the Allied Control Commission.

This memorandum is to outline certain general principles which will guide commission personnel in the territories administered by the Italian Government.

PRESENT STATUS — CO-BELINGERENCY

2. Effective September 3, 1943 the Italian Government concluded an Armistice with the Governments of the United States and Great-Britain acting in the interests of the United Nations. Subsequently the Italian Government signed an instrument of surrender governing the relations between the United Nations and Italy, which instrument contained various provisions designed to protect the interests of the Allies and to promote the war effort, and called for the appointment of a Control Commission to enforce and implement those provisions.

3. Following the declaration of war on Germany, Italy was accorded the status of co-belligerent. According to the tripartite statement of 13 October 1943 announcing this new status,

> « The relationship of co-belligerency between the Government of Italy and the United Nations' Governments cannot of itself affect the terms (of the Instrument of Surrender) recently signed, which retain their full force and can only be adjusted by agreement between the Allied Governments in the light of the assistance which the Italian Government may be able to afford to the United Nations' cause. »

The situation of a co-belligerent does not mean that Italy is recognized as one of the United Nations or is admitted as an ally. It means that the Italian Government is fighting the same enemy and in this respect has the support of the United Nations.

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General Functions Allied Control Commission

4. The general functions of the Allied Control Commission, as laid down in the directive of the Combined Chiefs of Staff, are as follows:

(*a*) To enforce and execute the instrument of surrender under the orders and general directives of the Allied Commander-in-Chief.

(*b*) To insure that the conduct of the Italian Government conforms to the requirements of an Allied Base of Operations, especially transportation and communications.

(*c*) To be the organ through which the policy of the United Nations towards the Italian Government is conducted and the relations between the United Nations and the Italian Government are handled.

Organization of the Allied Control Commission

5. The Supreme Allied Commander, Mediterranean Theater of Operations will be ex-officio President of the Commission. The General Officer Commanding in Chief, Allied Armies in Italy will be acting President. The Acting senior officer of the Commission will be Chief Commissioner who will serve as Deputy President of the Commission.

6. The Commission will be divided into five sections: Regional Control & Military Government, Economic, Administrative, Political and Independent Sub-Commissions. Sections will be in charge of Vice President, or Directors and, in each case, will comprise one or more Sub-Commissions.

7. Each Section or Subcommission will maintain a headquarters staff. Some will also have representatives in the field. The existing regional organizations will be continued initially to correspond to such authority as may be set up by the Italian Goverment, or otherwise as administrative convenience may dictate.

8. *Cancelled and substituted by Executive Memoranda* 21.

Function and General Duties of Allied Control Commission Officers in the Field

9. Particulars as to the nature of the duties of the Commission's officers in the field will be specified by the Subcommissions to which they are assigned. However, the following guides are applicable to all.

(*a*) The primary function of the Commission's officers in the field will be to give assistance and guidance to and to supervise the local Italian officials and to convey such instructions to them as may be authorized either in specific instances or generally under this and further directives.

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(b) Each officer of the Commission will also carefully observe the operation of the Italian Government in the area or administrative field of his responsibility in order to determine whether the terms of the surrender are being vigorously and effectively enforced. The results of such observations will be the subject of periodic or special reports to higher headquarters.

(c) Commission field personnel will have no power to command or direct Italian officials in connection with the performance to their duties. In this respect their powers and duties are to be contrasted with those of officers of Allied Military Government.

(d) Particulary during the transition stage and until the authority of the Italian Government is fully established and the administrative machine is functioning smoothly, the Italian officials will probably require considerable advice, information and assistance from officers of the Commission. It is entirely proper in this way to support the authority of the Italian officials. Care should be taken, however, not to interfere directly or to give the appearance of interfering directly in or with the local administration except in real emergency.

(e) Commission personnel must also take great care to avoid becoming involved in political disputes or conflicts Officers of the Commission will deal only with the officials selected by the Italian Government. The competency of these officials and the quality of their administration will be the responsibility of the Italian Government. However, when officials behave in a manner likely to prejudice the position of the Allied Forces by violation of the terms of surrender or otherwise, Commission personnel will take any action that may be authorized and promptly submit a report with recommendations to higher headquarters.

(f) Close coordination will be necessary between Commission and tactical and administrative forces in the area. Certain committees have already been established (i.e. Local Resources Boards). Information as to these committees and other inter-service agencies will be communicated to field personnel where necessary. It is essential in order that confusion be avoided that the channels of communication with the Italian authorities remain as few and as simple as possible.

10. The disposition of Commission personnel and their operations will be communicated by Regional Commissioners or by Commission Headquarters. The following general rules, will, however, apply:

(a) Generally there will be no officers of the Commission in the field or in the communes or in a position comparable to that of the Civil Affairs Officers or Civil Affairs Police Officers under Allied Military Government. General administration will, therefore, be subject to Commission control at the provincial level. Such local inspection as may be required will be worked out from Commission, regional or provincial Headquarters.

(b) In the transition stage and until the Italian administration is functioning satisfactorily, Commission personnel will, subject to sub-paragraph (a) above, be disposed on a basis approaching that of Allied Military Government. An effort will be made to reduce numbers as quickly as conditions permit.

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REGIONAL ORGANIZATION

11. It is understood that the Italian Government intends to appoint Italian Regional Commissioners in certain areas to function until the Italian Government can effectively communicate with and maintain control of the provinces. In other areas to be turned over, the Italian Government may communicate directly with the provincial officials. In either case, the Commission will initially appoint a Regional Commissioner. In regions in which there is an Italian Regional Commissioner the Regional Commissioner will, under directives of Commission headquarters, establish control at the regional level and work with his Italian counterpart. In regions where there is no Italian commissioner the Regional Commissioner will serve as channel for communication with Commission personnel in the field and as a regional representative of Commission Headquarters.

ATTITUDE TOWARD ITALIAN OFFICIALS

12. The members of the Commission, whether acting officially or otherwise, should maintain a correct attitude toward members of the Italian Government, neither autocratic on the one hand nor familiar on the other.

It must be emphasized that the Allied Control Commission occupies a position in relation to the Italian Government which is quite different from that of Allied Military Government. The Commission advies and supervises; it does not govern. This fundamental difference must be thoroughly understood by all officers who will adjust accordingly their attitude toward Italian officials and agencies, allowing them to develop their functions without undue interference.

If basic differences arise between officers of this Commission and the corresponding representatives of the Italian Government, the matter at issue will be submitted to the Chief Commissioner for adjustment with the Head of the Italian Government.

/s/ Charles Spofford Col, GSC for
NOEL MASON MACFARLANE
Lieutenant General
Chief Commissioner
Allied Control Commission

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Issued as.

Issued
31 January 1944

MEMORANDUM TO:
to be known as

Executive Memorandum No. O. b.

1. With effect from 0001 hrs 11 February 1944 « that portion of Italy south of the northern boundaries of the Province of Salerno, Potenza, and Bari, and Sicily and adjacent Islands » will be handed over to the Italian Government and jurisdiction subject to the guidance and instructions of the Allied Control Commission under the Chief Commissioner.

2. North of this line Allied Military Government will continue under the direction of the Chief Commissioner acting for the Military Governor (G.O.C.-in-C. AAI).

3. AMG 5th and 8th Armies and Regions III and IV will therefore continue theid present functions. Region V has been added. Regions I and II will thenceforth assume an advisory capacity only, as described in para 8 of the Chief Commissioner's memorandum of 23 January.

4. Thus both Military Government in the forward areas and the advisory functions the Commission in territory administered by the Italian Government will be carried on by one organization.

5. The Administrative and Economic Sections and the Subcommissions coming under their direction will extend their advisory functions to cover the whole of liberated Italy and will advise the Chief Commissioner in their respective spheres on matters both north and south of the dividing line.

6. It is the wish of the Chief Commissioner that the Regional organization should continue both in the areas under Military Government and those under advisory control. The S.C.A.Os, 5th and 8th Armies the Regional Commissioners of Regions III, IV and V, and the Regional Commissioners of Sardinia and Regions I and II will maintain their organizations (on a reduced scale in the two latter cases) and all specialist officers in the Regions as well as the Civil Affairs Officers, Civil Affairs Police Officers will be under their command.

REGIONAL CONTROL & MILITARY GOVERNMENT SECTION

7. In order to centralize control of the Regional organizations (including 5th and 8th Armies AMG) and to ensure compliance by the Italian Government with the advice rendered to them and the execution of the Chief Commissioner's orders, as advised by the Economic and Administrative Sections, a third Section has been

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set up to be called the Regional Control and Military Government Section headed by an Executive Commissioner having the status of a Vice President under whose immediate command will come the Regional Commissioners and their staffs both administrative and specialist in all matters, and the Senior Civil Affairs Officers 5th and 8th Armies and military personnel of Headquarters of the Commission, for administration and discipline.

8. On all matters of policy the Chief Commissioner's orders, and directives (as advised by the Subcommissions) will be passed to the Regional Commissioners by this Section. Heads of Subcommissions will correspond with their representatives in the Regions (but not with representatives of other Subcommissions) on routine technical matters only. Senior Civil Affairs Officers and Regional Commissioners will address themselves on all matters to the Vice President of the R.C. and M.G. Section, which will also carry out (in the Establishment Branch), the Military Secretary (B) Adjutant and Quartermaster, G1 and G4 duties for all personnel of the Commission. All postings and assignments to Regions and to Headquarters will be made by the Section and no transfers of personnel from Region to Region will be carried out except by this Section.

9. This Section will also be responsible for Displaced Persons, Security and for proper liaison between the Commission and Regions and all Allied military (all services) formations.

10. It is important to maintain the channel of communication to Regions and Army AMGs through this Section in order that coordination of policy, continuity in administration and close liaison with military formations and units may be ensured, so far as is possible, both in the areas administered by Allied Military Government and in the territory in which the Allied officers act in an advisory capacity only.

11. It is therefore the Chief Commissioner's wish that Subcommissions should on the side of passing too much through this Section, especially during the early stage, rather than of dealing direct with their representatives in the field.

By command of Lieut. General MacFARLANE:

M. S. LUSH
Brigadier
Executive Commissioner
Allied Control Commission

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EXECUTIVE MEMORANDUM NO. 1
issued 4th February 1944 is included in Part III as
Office Memorandum No. 2

EXECUTIVE MEMORANDUM NO. 2
issued 7th February 1944 is included in Part II as
Establishment Memorandum No. 1

Issued
7 February 1944

EXECUTIVE MEMORANDUM NUMBER 3

CONTROL OF RABIES

1. It has been reported that a comparatively high incidence of rabies exists in dogs and cats on the Italian mainland. The consequences to both the civil and military populations may be serious. The spread of this disease must therefore be arrested.

2. Immediate steps must be taken to make effective the provisions of the existing Italian decrees relating to the registration of dogs, and the measures to be taken in the case of an outbreak of rabies. The main provisions of the decrees are reproduced for information, (Schedule "A").

3. It is the duty of the Veterinario Provinciale, assisted by the communal veterinarians and the police agencies, to enforce the provisions of these decrees.

4. Regional Commissioners will ensure that the authorities named act promptly and with diligence in this matter. Veterinarians will be empowered to employ dog catchers to assist them in the same manner as they did under the Italian Government.

5. Special attention will be given in the communes of:

Salerno	Cosenza	Catanzaro
Naples	Matera	Reggio

6. Monthly progress reports will in future include a report covering action taken on this memorandum.

By Command of Lieut. General MacFarlane:

M. S. Lush,
Brigadier,
Executive Commissioner,
Allied Control Commission

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SCHEDULE « A »

CONTROL OF RABIES

EXTRACT FROM DECREES DATED 10 MAY 1914

(Plizia Veterinaria e Vigilanza Zooiatrica (1939) Par. 4 Rabies 24)

Art. 48 — In every community the following regulations are to be observed:

(*a*) Dogs must be registered by the owners at the municipal office.

(*b*) In the streets and in any other public place dogs, when not on a leash must be muzzled.

(*c*) Watch dogs can be kept without being muzzled only within the limits of the places which they are to guard, and sheep dogs and hunting dogs, when they are respectively utilized for the guarding of herds and hunting.

Art. 49 — Stray dogs, found without a muzzle, must be caught and placed in a proper place of detention. After 6 days, if their owners have not claimed them, the seized dogs, with the exception of those mentioned in Articles 50 & 51, must be killed or turned over to any scientific institution, which may request them.

Art. 50 — Any animal found to be suffering from rabies will be killed immediately and the corpse disposed of in the manner prescribed, skinning being prohibited. The place where the animal was found will be disinfected. All animals, bitten by another animal known or suspected to be suffering from rabies, will be killed or isolated under terms of Art. 51. Dogs and cats which have bitten persons will whenever possible, be caught and placed under observation under the supervision of the local authorities, for a period of time required to enable the veterinarian to establish whether or not they are suffering from rabies.

Art. 51 — Dogs, cats and other animals suspected of rabies and those bitten by animals suspected of rabies, if they are not killed, must be isolated, in suitable premises, at the owner's expence, and kept under observation under the supervision of the veterinarian and the sanitation official. Observation periods must be not less than four months for dogs and cats and two months for bovines, equines, pigs, sheep and goats. During the period of observation equines and bovines may be put to work providing measures are taken to prevent persons from becoming infected. Bovines, equines, pigs, sheep and goats under observation will not be removed without permission which may only be granted where the need is acute. Sanitation authorities will ensure that the prescribed period of observation is undergone.

Art. 52 — When an animal suspected of rabies dies or is killed the prescribed examination will be carried out.

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Art. 53 — In community where cases of rabies have been found or where an infected dog has run free the following additional measures must be taken:

(*a*) During the six weeks following discovery, dogs, even if muzzled, cannot circulate unless led on leash.

(*b*) Seized dogs will not be returned to their owners unless a favourable result is obtained from the period of observation prescribed in Art. 51.

Issued
7 February 1944

EXECUTIVE MEMORANDUM NUMBER 4

RIGHT OF PARDON IN OCCUPIED TERRITORY

1. During the period of Military Occupation the exercise of the powers of the Crown of Italy are suspended and all powers of government and jurisdiction in the Occupied Territory and final administrative responsability are vested in the Military Governor (Proclamation 1). Accordingly the power of pardon vested in the King of Italy is suspended during the period of Military Occupation, and in consequence petitions for pardon, should be addressed through channels to the Military Governor and not to the King.

2. The Military Governor may deal with petitions for pardon whether the offence and/or sentence were before or after occupation.

3. The procedure and channels to be pursued are the same as under usual Italian Practice save only that the documents will be forwarded to the Regional Commissioner in lieu of the Minister of Justice, and the Regional Commissioner, acting upon the advice of the Regional Chief Legal Officer, will forward the same to the Chief Legal Officer, Headquarters of the Commission for transmission to the Military Governor.

4. The subject of provisional or conditional liberty pending consideration of petition of pardon is fully covered by previous directives (see memorandum on Italian Courts and Legal Set Up, Appendix A).

5. For your information the following is the Italian Procedure in connection with application for pardons and is to be followed subject, however, to the foregoing (i. e. Pardons will be addressed to the Military Governor and forwarded to the Regional Commissioner).

The request for Royal Pardon is addressed to the King but forwarded to the Minister of Justice. It must be signed by the prisoner, a near relative, his guardian or his legal attorney.

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The request on stamped paper, can be presented to the competent Procuratore del Re' or Pretore, as the case may be for trasmission to the Minister, with all *information available* about the case and *comments.*
It can be also done through the Director of the Prison where the prisoner is serving his sentence.
The King acts on the Formal recommendation of the Minister.

6. It is the duty of the Regional Chief Legal Officers to bring the contents of this directive to the notice of all Directors of Prisons, Procuratore del Re' and Pretore in his Region.

By Command of Lieut. General MacFarlane:

M. S. Lush,
Brigadier,
Executive Commissioner.

EXECUTIVE MEMORANDUM No. 5
Issued 11 Feb. 1944 is included in Part III as
Office Memorandum No. 3

Issued
10 February 1944

EXECUTIVE MEMORANDUM NUMBER 6

ALLIED MILITARY COURTS IN OCCUPIED TERRITORY

1. General Military Courts.

(1) No General Military Court shall be appointed other than by the Chief Commission.

(2) Application for the appointment of a General Military Court shall be addressed to the Chief Legal Officer, Headquarters of the Commission.

(3) The application shall specify:
(*a*) the nature of the charges;
(*b*) the date on which the prosecution will be ready to proceed with the case;
(*c*) the names of the officers available to sit in the Court;
(*d*) the names of the prosecutiong officer, interpreter, and officers available to act for the defense in the event of the accused not being represented by counsel;
(*e*) the expected duration of the case.

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2. Superior Military Courts.

(1) Except where a judicial officer is specially authorised by the Chief Legal Officers of the Commission to sit alone as a Superior Military Court, a Superior Military Court shall consist of at least two officers, one of whom shall be a judicial officer. Application for such special authorization may be made forthwith accompanied by a statement of the officer's experience and qualifications.

(2) Every Superior Court shall be properly convened by the Provincial Commissioner of the Province in which the Court shall sit.

(3) In no case shall an officer while sitting as a Summary Court assume the powers of a Superior Court by an announcement to that effect or otherwise. If the case which he is hearing as a Summary Court proves to be one which should be dealt with by a Superior Court, the officers shall remit the case for trial by a Superior Court and a Superior Court will be duly convened. Such Summary Court Officer is not disqualified from sitting as a member of the Superior Court to try the case so remitted.

3. Procedure.

(1) Attention is called to the statement in Special Administrative Instructions Legal No. 1 that « It is as important that justice should seem to be done as that it should be done ». Every care should be taken:

(a) to ensure not only that judges are impartial, but that they appear to be impartial alike to prosecution and defense. No officer who has taken part in the investigation of any case (other than merely determining whether the case is suitable for trial by a General, Superior or Summary Court) is eligible to hear that case;

(b) to ensure that evidence is fairly and accurately interpreted, particularly where evidence for the prosecution is given in a language other than Italian. The judge should address his remarks directly to the witness and the interpreter should interpret literally the judge's words. Interpreters should not be allowed to frame questions themselves not to give merely the purport of the questions and answers.

(c) A time limit for speeches should not be imposed on defending advocates, but they may be directed to confine themselves to arguments based on facts adduced in evidence.

M. S. Lush,
Brigadier,
Executive Commissioner.

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Issued
12 February 1944

EXECUTIVE MEMORANDUM NUMBER 7

INSTRUCTIONS TO LEGAL OFFICERS IN REGIONS TRANSFERRED TO THE ITALIAN GOVERNMENT

(EXECUTIVE MEMORANDUM O. R.)

1. GENERAL.

(a) As stated in Memorandum dated 23 January 1944 (Executive Memorandum O.R.), to which this directive is supplemental, upon the restoration of territory to the Italian Government subject to control by the Allied Control Commission all powers of military government cease within the restored territory and the relationship between the Commission and the Italian Government depend entirely on contract. Such contract is contained in the Armistice Terms, and forms the charter of the Allied Control Commission.

(b) For security reasons it is not possible to communicate now in written form the Armistice Terms, but from time to time the Chief Legal Officers in the Regions will be given appropriate information sufficient to enable them to carry out their duties.

(c) It will continue to be the duty of the Chief Legal Officers in the Regions to advise the Regional Commissioners (R.C.'s) on all legal matters affecting the Region. This directive is intended in part to assist the Chief Legal Officers in the Regions in giving advice to the R.C.'s in connection with the newly acquired powers and duties of the Commission personnel in the field. It must be appreciated that in furnishing such advice, as pointed out in para (a) above, the position has essentially changed and the powers of military government have ceased and are superseded by the Armistice Terms. In particular and subject to any special directives that may be issued the functions of the Regional Commissioners cease to be executive and become purely advisory and supervisory. Orders are no longer given by the R.C.'s but by the Italian Administrative officials and it is the duty of the R.C. within his region to see that the Italian Administration carries out the orders received from higher Italian authority (of to which the R.C.'s will be duly informed) and to report to Headquarters of the Commission any failure to do so. It will no longer be within the province of the R.C.'s to issue proclamations and General or Regional Orders but to advise and supervise the local authorities in such matters. It follows that in the initial stages and until the Italian Government has proved its capacity to govern, a number of problems may arise which will have, as a matter of policy, to be referred to Headquarters of the Commission, but in matters of urgency Chief Legal Officers in the Regions will not hesitate to exercise their judgement and common sense in giving advice pending the receipt of instructions from Headquarters of the Commission.

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(*d*) Initially the Chief Legal Officer in a Region and his Legal Officers will remain at their posts to carry out their duties set forth herein and will retain their offices, motor equipment and requisitioned property to the extent necessary to perform their duties.

(*e*) On the restoration of territory the Chief Legal Officer in a Region will prepare and forward to the Headquarters of the Commission, through the R.C., his report on the activities of his office running from the date of his last monthly report to the date of restoration.

2. ALLIED MILITARY COURTS.

(*a*) Legal Officers will see that all pending cases are completed as quickly as possible and the records, petitions for review, etc., are speedily transmitted to the Chief Legal Officer in the Region.

(*b*) All reviews will be expedited and the following system (as set out in Proclamation No. 14) will be followed:

(i) Any person convicted by an Allied Military Court may, within thirty days after imposition of sentence, file with the trial court or forward to the Chief Legal Officer in the Region a petition addressed to the Chief Commissioner submitting reasons why the conviction should be set aside or the sentence should be modified.

(ii) Every record of trial by an Allied Military Court shall be transmitted to the Chief Legal Officer in the Region for examination and file. The record in any case may on the recommendation of the Chief of the Legal Sub-Commission, and shall, in the event of the sentence exceeding two years imprisonment or a fine of L. 50,000 be reviewed by the Chief Commissioner or by an Officer of the Commission not below the rank of Lieutenant Colonel who may be appointed by the Chief Commissioner for that purpose. Where there has been no petition of appeal as above provided and the sentence does not exceed two years imprisonment or a fine of L. 50,000 the Chief Legal Officer in the Region shall review the case and may appoint a judicial officer not below the rank of Major for that purpose. Confirmation of death sentences remains as heretofore.

(*c*) If Military Zones are established in unoccupied territory and Allied Military Courts function therein, Summary and Superior Military Courts will be established either by the Commanding Officer, if the power to do has been delegated to him, or by the R.C., if still functioning; otherwise by Headquarters of the Commission. A General Military Court may be established only by Headquarters of the Commission.

(*d*) If Allied Military Courts are to be set up at all in any other part of unoccupied territory, the requisite Military Court, will be established by Headquarters of the Commission at the request of the R. C. concerned. A separate Directive with regard to the constitution and mode of application for such courts will be issued.

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(c) All cases tried by Allied Military Courts referred to in 2 (c) and (d) above, will be reviewed solely by Headquarters of the Commission until further order.

(f) In closing the activities of the Legal Division of any region as to Allied Military Courts the following specific acts among others shall be performed by the Chief Legal Officer in the Region, or as he shall direct:

(i) The Italian Government will be required to carry out all sentences imposed by Allied Courts as though imposed by their own Courts. However, all cases in which a conviction has resulted and the sentence has not been fully executed will be re-examined and in appropriate cases recommendation for pardon or modification will be made to the Regional Commission and Military Government Section of the Commission, for the Legal Sub-Commission, with reasons therefor. All cases in which severe sentences were originally passed and subsequently confirmed, because of military considerations which no longer prevail should therefore be reconsidered by the Chief Legal Officer in the Region with the advice, where possible, of the presiding officer who tried the case, and the Chief Legal Officer in the Region should forward his recommendation to the Legal Sub-Commission, Headquarters of the Commission. This is not to be regarded as an invitation to a general reduction in sentences especially having regard to the Italian practice (which will be applicable to these cases) of granting provisional liberty after a portion of the sentence has been served.

(ii) A careful check of outstanding fines will be made, steps will be taken to collect unpaid fines and a report will be made to the Chief of the Legal Sub-Commission at Headquarters of the Commission.

(iii) All Allied Military Courts dockets will be checked for accuracy of entries required to be made including data on payment of fines and to determine that all fines collected have been remitted to proper authorities. All records properly indexed and files will be held by the Chief Legal Officer of the Region for disposition on orders from Chief of the Legal Sub-Commission, Headquarters of the Commission (H.Q.A.C.C.).

3. War Crimes.

In the event that any evidence should come to the notice of Legal Officers indicating that a War Crime has been committed of the type mentioned in A.F.H.Q. Circular dated 27 November 1943, of which copies were transmitted to the Chief Legal Officers of Regions I and II on 6 January 1944, this will be immediately brought to the notice of the Chief of the Legal Sub-Commission, H.Q.A.C.C., and a report in the manner set forth in such directive shall be made to the Chief of the Legal Sub-Commission, H.Q.A.C.C. If an Italian Court is proposing to try such a case it should be advised against doing so and an immediate report on this situation should be transmitted to the Chief of the Legal Sub-Commission, H.Q.A.C.C.

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4. ITALIAN LEGISLATION AND LAWS.

The Chief Legal Officers in the Regions, acting through Regional Commissioners (R.C.'s) will not concern themselves with any amendments to Italian legislation or laws on the ground that they are Fascist or discriminatory, or with suspension of such laws, as all such matttrs will be dealt with by H.Q.A.C.C. Any suggestions for abrogation, revision or amendment of any Italian legislation will be transmitted to H.Q.A.C.C.

Amendments to rules of procedure which have been initiated during Allied Military Government will, however, be continued by the Italian Administration and any departure from such amendments will forthwith be reported to H.Q.A.C.C.

5. DETAINEES.

No persons detained under Article VII of Proclamation N.º 2 will be released without further orders from Headquarters of the Commission, but Chief Legal Officers in the Region will prepare lists of persons so detained. Such lists will show places of detention, and the Chief Legal Officers in the Regions will forward them with his comments to H.Q.A.C.C. within 14 days of the restoration of territory to the Italian Government.

6. ITALIAN MILITARY TRIBUNALS.

These Tribunals will be allowed to function in accordance with the Military Penal Code of Law (Codice Penale Militare di Guerra) and the restrictions laid down by Directive with regard to the holding of these courts under Allied Military Government will be disregarded. If any reports are received indicating that any trial has been unsatisfactory the circumstances will be investigated and a report made to H.Q.A.C.C.

7. ITALIAN COURTS GENERALLY.

All civil and criminal courts functioning at the date of the restoration of territory to the Italian Government will continue to function and any attempt to close such courts will forthwith be reported H.Q.A.C.C.

If any Criminal Courts have not been reopened at the date of restoration steps will be taken to encourage their reopening at the earliest possible date subject to suitable personnel being available (see para. 8 below). If any Courts remain unopened one month after the restoration of territory to the Italian Government a report stating the Courts remaining unopened and the reason therefor will be rendered to H.Q.A.C.C.

The above does not apply to any Corte di Cassazione which will only be reconstituted under orders of Headquarters of the Commission.

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The Chief Legal Officer in the Region will no longer concern himself with the supervision of Italian Courts except for the purpose of carrying out his duties under this or any subsequent directive and he will formally hand over to the First President of the Courts of Appeal within his Region the management and supervision of Italian Courts and personnel.

8 JUDGES AND OFFICIALS OF COURTS.

(*a*) All judges and Italian legal officers will be appointed, promoted or removed by the Italian Government with the consent of H.Q.A.C.C. and the Regional Commissioner will not be responsible for any further appointments promotions or removals.

(*b*) Chief Legal Officers in the Regions will appoint a legal liaison officer to act with the First President of each Court of Appeal who will carry out the following duties:

(i) To advise and assist the First President in opening any Courts not yet opened in the administration of the Court of Appeal District.

(ii) To see that all appointments, promotions and removals of officials made by the Italian Government as notified to him by H.Q.A.C.C. are duly carried out.

(iii) To notify immediately H.Q.A.C.C. (through Regional Headquarters) of any purported appointments, promotions or removals not sanctioned by H.Q.A.C.C. If any judge or official appointed by the Allied Military Government is proposed to be removed without the sanction of H.Q.A.C.C. he will advise the First President against taking any action without the consent of H.Q.A.C.C.

(iv) To report to H.Q.A.C.C. (though Regional Headquarters) any cases of biased or incompetent behavior on the part of judges or officials which come to his notice and to investigate any complaints received from an advocate or prisoner of unfair treatment by an Italian Court, and if the complaint appears to be well founded to forward a report and recommendation to H.Q.A.C.C. (through Regional H.Q.).

(v) Generally to keep Regional Headquarters and Headquarters of the Commission advised of all relevant matters in the Court of Appeal District such as the Reorganization of the Bar Association, the holding of examinations for advocates or procuratori, the reorganizzation of Notarial Councils and so forth.

(*c*) Chief Legal Officers in the Regions will inform H.Q.A.C.C. of the Officers appointed as liason officers to First Presidents as soon as possible.

(*d*) Committees already sitting to consider the appointment of judges and officials will be abolished unless the First President desires their continuance, nor will it be the duty of the Chief Legal Officers in the Region to take any steps to fill any vacancies to Italian Legal offices.

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(c) If a list of judges has not already been compiled and sent to H.Q.A.C.C. the Chief Legal Officers in the Regions will compile a list of all judges and legal officials in office and forward it to H.Q.A.C.C. as soon as possible.

9. CONCLUSION OF DUTIES OF LEGAL OFFICERS.

(a) Any Legal Officer in the Region who has completed his work may be ordered by the R.C. to another post in the Region to assist another officer to complete his work or be otherwise assigned in the Region as circumstances warrant.

(b) When Legal Officers have completed all cases and have performed all other duties assigned to them, they will so report to the Chief Legal Officer in the Region and the in turn will so report to the Legal Sub-Commission. H.Q.A.C.C. If then so ordered they will close their offices and report in person to the Chief Legal Officer in the Region with all records and equipment other than that which has been requisitioned and turned back to the owners upon receipt from them.

(c) It is essential that all Legal Officers complete their work with the utmost expedition, as their services are urgently required in occupied territory.

By Command of Lieutenant General MASON MACFARLANE.

M. S. LUSH,
Brigadier,
Executive Commissioner.

Issued
12 February 1944

EXECUTIVE MEMORANDUM NUMBER 8

INSTRUCTIONS TO CIVIL AFFAIRS POLICE OFFICERS IN REGIONS TRANSFERRED TO THE ITALIAN GOVERNMENT

1. Your attention is invited to Executive Memorandum No. G.A. issued 23 January 1944, which sets out the general principles to guide Allied Control Commission personnel in the field at and after the time when the administration of portions of Italian territory occupied by the Allies is transferred to the Italian Government. Hereinafter are set forth the functions and duties of C.A.P.O.s. (Civil Affairs Police Officers).

2. From and after the date of the transfer Provincial Police Officers will not direct the activities of the Italian police, prison, fire, civil defense, or other

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officials. They will not issue commands to the Italian authorities, but will advise, assist, and observe them.

3. The review of all cases involving Civilian Internees now pending, or undisposed of at the date of transfer, will be expedited, the Board holding such special sittings as may be necessary. Disposition will be made in accordance with the current practice. As soon after the effective date of tranfer as may be, there will be furnished to the Prefect the names, records, and places of internment of those whose continued internment has been decided upon.

4. All Police Officers in cooperation with Legal Officers, will expedite the trial of all pending cases before the Allied Military Courts, relating to offenses alleged to have been committed before the date of transfer.

5. All pleadings, evidence, and information pertaining to cases still under investigation and not ready for trial on the date and which are within the jurisdiction of the Italian Courts, will be turned over to the local Italian police officials or the Procuratore del Re for continued investigation and appropriate action.

6. All confiscated firearms will be turned over to the C.C.R.R. (upon the direction of the Regional Commissioner) together with such evidence of ownership as may be at hand. Receipts will be obtained therefor.

7. Such other action as may be necessary properly to dispose of unfinished business will be promptly taken.

8. Copies of all papers transmitted to officials of the Italian Government in connection with the foregoing will be forwarded to the Regional Commissioner.

9. Upon the accomplishment of the transfers above outlined, the Regional Commissioner will submit to Headquarters of the Commission the names of the Civil Affairs Police Officers whose continued service within the Region is considered necessary. In general, officers below the provincial level will be relieved by A.C.C.Hq., unless circumstances of an unusual nature warrant their retention as a temporary measure. Such circumstances should be clearly stated by the Regional Commissioner having in mind the essential differences between Allied Military Government and the Allied Control Commission as set forth in memorandum dated 23 January 1944. The probable duration of the continued assignment should be stated.

10. Civil Affairs Police Officers who are absorbed by the Allied Control Commission will observe and report to higher authority the action taken by the Italian authorities in furtherance of the matters turned over to them pursuant to the provisions of this instruction. They will be alert to observe and report promptly acts or developments which tend to affect adversely the interests of the United Nations, including in particular the following:

(*a*) Sabotage.

(*b*) Strikes, or other forms of industrial agitation which affect war production.

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(c) Revival of Fascism, or attempts to reintroduce Fascist leaders into the official life of Italy.

(d) Civil disorder or other manifestations of indiscipline, other than those of of a minor isolated nature.

(e) Black market operations.

11. Forms of summary periodic reports will be distributed shortly.

12. Flexibility of organization under the Commission is desired. Circumstances may require that more Provincial Police Officers be present in one area than in another, in which case the requisite transfers will be made by Hq., A.C.C. Temporary transfers to meet contingencies within Regional or Provincial areas may be made by the Regional Commissioner. If such transfer exceeds a period of two weeks HQ., A.C.C. will be so advised.

By command of Lieut. General MASON MacFARLANE:

M. S. LUSH,
Brigadier.
Executive Commissioner.

Issued
12 February 1944

EXECUTIVE MEMORANDUM NUMBER 9

ACCOUNTING FOR CIVILIAN SUPPLIES

1. It has been decided that the routine and responsibility for the counting for Civilian Supplies should be more clearly defined and standardized in all Regions.

2. At present there are in most Regions accounting officers on the staff of the Chief Accountant who are employed exclusively on Civilian Supplies Accounting. Their status and responsibilities in the various Regions at present varies considerably and it has therefore been decided that the following organization will be adopted in all Regions, whether Allied Control Commission of Allied Military Government.

3. (a) The responsibility for seeing that the accounts for Civilian Supplies are properly kept rests primarily with the Regional Commissioner who will in turn hold the Regional Economic & Supply Officer responsible.

(b) In order to assist the Regional Supply Officers in all matter pertaining to accounts, the Accountants at present working on Civilian Supplies in the various Regions, will be appointed Regional Supply Accountants and will be transferred to the staff of the Regional Supply Officer.

(c) The relationship of the Regional Supply Accountant to the Chief Accountant at this Headquarters will be similar to that of the Regional Chief

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Accountant. He will work as far as all technical matters of accounting are concerned under instructions from the Chief Accountant, who will be responsible for laying down the system to be followed, and will communicate direct with him on such matters.

(*d*) The Chief Accountant may at any time send or nominate any representative from his own Headquarters or Regional Staff to inspect the manner in wich the accounting for Civilian Supplies is being carried out and to render such advice or assistance as may be within his power. Representatives from the Chief Accountant's Headquarters will report to the Regional Commissioner. Request for inspection by the Regional Accountants Staff will be made through Regional Headquarters.

(*e*) Although the above procedure relieves the Regional Chief Accountant of direct responsibility for the accounting for Civilian Supplies, there must be close collaboration between him and the Regional Supply Accountant and it will be his responsibility in conjunction with Allied Military Finance Agency to see that sums paid into Allied Military Finance Agency bank account in respect of sales agree with the figures shown by the Regional Supply Account.

By command of Lieut. General MASON MCFARLANE.

M. S. LUSH,
Brigadier,
Executive Commissioner.

Ref/253/CA. 4 Sept. 1944

EXECUTIVE MEMORANDUM NUMBER 10
(Revised)

Cancelling Executive Memorandum No. 10 of 12 Feb. 44.

INSTRUCTIONS TO FINANCE OFFICERS IN REGIONS TRANSFERRED TO THE ITALIAN GOVERNMENT

1. (a) The instrument of surrender, between the Italian Government and the United Nations reserves very broad authority to enable the Finance Sub-Commission to carry out its functions.

(b) Even after the Italian Government takes over legal responsibility for new areas, it may not be able at that time to function effectively throughout such areas. Consequently, it may be necessary for Finance Sub-Commission personnel in the field as well as at Headquarters to perform activities in the same manner as they have been performing them under Allied Military Government conditions. Gradually, as the Italian government can more effectively

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administer the area, certain of the functions performed by financial personnel of Allied Military Government will be performed by the Italian Government.

(c) Further instructions will be issued from time to time indicating the changes in procedures to be followed, as a result of arrangements worked out between Headquarters of the Finance Sub-Commission and the Italian Ministries of Finance and Treasury.

2. *Allied Financial Agency.*

The functions of Allied Financial Agency in Allied Military Government territory will remain unchanged from those of Allied Military Financial Agency. In Italian Government territory, Allied Financial Agency will continue existing procedures in furnishing funds to Allied military formations and for the administrative expenses of the Allied Control Commission, for supplying funds to the Sub-Commission of the Commission and in receiving the proceeds of sales of Allied Control Commission imports sold locally. In Italian Government territory, the Italian Government is expected to finance local and State deficits and prior approval of the Joint Directors of Finance Sub-Commission must be obtained for any advance of ACC funds which would constitute an exception to this rule. It is expected that at some future date, steps will be taken to withdraw from circulation yellow seal currency and British Military Authority notes.

3. *Budgets, Revenue and Expenditure Control.*

(a) When territory is transferred from Allied Military Government to Italian Government jurisdiction, the change is facilitated by the existence of approved budgets on the SB or LGB forms for all State and parastatal offices, provinces and communes. As AMG budget procedure was modelled on the Italian system no break in the continuity of control will occur, and as new provinces are turned over to the Italian Government the information will be incorporated into the Italian Government budget in force for the area. From the date of the transfer of territory no cash advances or authorizations of credit of any kind, may be made by Finance Officers in the field. All financing of State and local government functions will be the direct responsibility of the Italian Government. The Combined Chiefs of Staff require that sufficient control and scrutiny of Italian Governmental expenditures be maintained so that the Allied Control Commission is satisfied that the amounts of such expenditure are reasonable and appropriate. Accordingly, arrangements have been made with the Italian Government to submit current and past revenue and expenditure data, with a break-down by provinces, showing the purpose of all expenditures, including military expenditure, public debt, salaries, etc., and the source of revenue.

(b) Budgets have been prepared and are in operation for all divisions of the State Government for the current financial year (1st July, 1944 to 30th June, 1945), and these budgets will be adjusted from time to time as new areas are brought under Italian jurisdiction. Control over expenditures has been strengthened by the re-establishment of the Corte dei Conti, which maintains close liaison with, and regularly reports all its operations to, the Finance Sub-

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Commission. Each Italian Ministry is required to report detailed figures of expenditures authorized and disbursements made. Verification of these figures is obtained from the monthlyreturns from the Treasury section of the Bank of Italy and the Ufficio di Collegamento. The budgets of communes and provinces cover the current calendar year, and with the re-establishment of the Central Commission for Local Finance, the proper normal Italian controls are in operation. General control over all local government expenditures is obtained through periodic reports from the Ministeries of Treasury and Interior.

(c) Finance Sub-Commission Headquarters will review the material submitted to it by the Italian Government. Headquarters in certain instances may ask Finance Officers in the field to provide additional statistics and to check certain parts of such data, or otherwise to investigate governmental expenditure and revenue problems in the areas to which they are assigned.

(d) In view of the inflationary situation that exists and the need for reducing the deficit in Italian State and local budgets, it is the function of the Finance Sub-Commission and Finance Officers in the field to study the governmental expenditures and revenue situation constantly with a view to ascertaining: —

(i) What expenditure can be reduced or eliminated;

(ii) What changes in existing budgetary control should be made by Italian State or local government;

(iii) What changes should be made in tax laws and revenue administration.

4. *Customs*

(a) Italian customs activity will be resumed in all areas not specifically reserved to Allied Naval or military operations and to the latter as and when they are released. The Finance Officers will maintain liaison between Army and Navy operations Officers and the Italian Customs service to the end that a continuous customs barrier may be maintained on the perimeter of reserved areas.

(b) Close contact with the principal Italian Customs Officer of the Region will be maintained.

(c) Failure of personnel of the R. Guardia di Finanza or of the Capitaneria di Porto properly to perform customs related functions should be immediately reported.

(d) The principal customs offices will be visited from time to time and a report submitted on any irregular or unusual features.

(e) The Italian Customs service will function in accordance with the existing Customs laws and regulations except as regards the levying and collection of Customs Import and Export duties and Licence Fees, which, with the exception of Petroleum, for which duty-inclusive retail prices have been fixed, are to be treated as temporarily suspended. A directive on this subject will shortly be issued.

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(f) Internal taxes, e.g. the Imposte Fabbricazione (Manufacturing Taxes), are not supended and remain chargeable on all importations for civilian use. The Imposte sull'Entrata is chargeable on all imports or export commercial transactions subject thereto under existing Italian law.

5. *Financial Institutions*

(a) The function of supervising social and private insurance institutions, post office financial services, stock exchanges, banks and all other financial and credit institutions is primarily the responsibility of the Italian Government. Finance officers in the field will give every assistance possible to aid the government supervisory agencies, including the Banca d'Italia, performing their tasks efficiently.

(b) Finance officers will keep headquarters advised of important financial developments in their areas, will make suggestions and recommendations for the formulation of policy, and will call to the attention of headquarters any matters which should be discussed with the Italian central government.

(c) As impartial representatives in the field, Finance officers will perform a vital function in observing and reporting how the broad financial directives of the central government (anti-inflation program - prohibition of financing of speculative activity, credits to be made available to necessary productive enterprises, etc.) are applied in the provinces.

(d) The accounts and safe deposit boxes which have been blocked are to remain under such restrictions, subject to licensing through the appropriate Italian governmental channels.

(e) Information as to any additional persons or institutions to be blocked should be furnished to Headquarters, Finance Sub-Commission for transmittal to the Italian government for appropriate action.

(f) The administration by the Italian government of the blocking program will be diligently observed. Any violation of the general principle that the use of funds is to be withheld from dangerous fascist elements will be reported to Headquarters, Finace Sub-Commission- at once.

6. *Foreign Exchange and Trading with the Enemy.*

The Italian Government will maintain a system of foreign exchange control and will control all trade communications with any area other than Italian areas under Allied Control. Violation of such Italian control or laxness in the enforcement of such controls will be reported by Finance Officers in the field to Haedquarters in order that appropriate representations may be made to the Italian authorities.

7. *Financial and Economic Intelligence.*

Finance Officers in the field will obtain and furnish to Headquarters all categories of financial and economic intelligence that will be of assistance to Headquarters in dealing with its varied functions. Headquarters will from time

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to time request Finance Officers in the field to make certain studies and obtain certain financial or economic information or intelligence.

2. *General.*

Finance Officers in the field will be the means for obtaining relevant data and information on subjects of interest to the Finance Sub-Commission, of checking to see that programmes desired by the Finance Sub-Commission and agreed to by the Italian authorities are carried out, and to report whether Italian personnel are properly discharging their functions in the field of finance or are unfit to carry on such activities. Headquarters Allied Control Commission will keep Finance Officers in the field generally informed of the programmes which it is working out with the Italian Government and will furnish from time to time general or specific directives covering things to be done by all or certain Field Finance Officers.

M. S. LUSH,
Brigadier,
Executive Commissioner.

EXECUTIVE MEMORANDUM NUMBER 11

«Use of Papal Property by the Allies» issued 12 Feb. 1944 is being re-written and will be issued under a new number.

Ref/350/30/CA. 12 June 1944

EXECUTIVE MEMORANDUM NUMBER 12

Replacing Executive Memorandum No. 12 of 13 Feb. 1944.

APPOINTMENTS TO THE OFFICE OF PREFECT IN MILITARY GOVERNMENT TERRITORY

1. Where the office of Prefect is vacant, the Senior Civil Affairs Officer or Regional Commissioner will endeavour to find a suitable candidate locally. If such a candidate is available, the appointment will be initiated in accordance with established procedure.

2. When a suitable candidate is not available locally, resort will be had to a list of suitable candidates which is being prepared in consultation with the Italian Government and will be circulated to Senior Civil Affairs Officers and to the Regional Commissioners concerned. This list will constitute a pool from which candidates may be selected. In the meantime a telegram should be sent to Admin. Section stating requirements.

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3. When an appointment to fill the office of Prefect is to be made by Allied Military Government, such appointment will in future be made under the title of « Prefetto Reggente » and not under the title of « Prefetto ». Provided, however, that the title of « Prefetto Reggente » is invariably used in formal documents and official communications, by both the Reggente and officers of Allied Military Government, there is no objection to the Reggente being addressed or referred to in conversation as the Prefect. The Italian Government lay great stress on the title « Reggente ».

4. When necessary to draw on the pool the Senior Civil Affairs Officer or Regional Commissioner will communicate with Interior Sub-Commission, Rear Headquarters, Allied Control Commission. If he has a preference for a particular name on the list, he should state whom he prefers and his reasons. The Sub-Commission will arrange for the person selected to be directed forward. On arrival of the candidate the Senior Civil Affairs Officer or Regional Commissioner will formally appoint him to his office.

5. The Prefect will be sent to the AMG. Headquarters of the Army concerned, or to the Regional Headquarters. It will be the SCAO's or R.C's responsability to send him to his post.

6. The procedure here laid down in no way impairs the right of the Allied Military Government to appoint and remove such officials as they consider necessary.

7. Appointments to the office of « Prefetto Reggente » will be made in the form shown as Appendix « A ».

8. In exceptional circumstances in forward areas, an oral appointment may be made, but if so made, a written order drawn so as to operate from the date of the oral appointment will be executed as soon thereafter as is reasonably possible.

9. S.C.A.O's and R.C's should do their utmost in the interests of continuity to abide strictly by this procedure.

M. S. LUSH,
Brigadier,
Executive Commissioner.

EXECUTIVE MEMORANDUM NUMBER 13
Issued 14 Feb. 1944 has been withdrawn.

EXECUTIVE MEMORANDUM NUMBER 13
Will be issued as an Establishments Memorandum.

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APPENDIX « A »

ALLIED MILITARY GOVERNMENT

..... REGIONAL HEADQUARTERS

OFFICIAL ORDER NUMBER .....

(Date) .....

WHEREAS the office of Prefect of the Province of ..... has become vacant; and

WHEREAS it has in consequence become necessary to make provision for the exercise of the functions of Prefect in the said Province;

BY VIRTUE of the powers conferred upon me, I, ...

....., Regional Commissioner for .....

ORDER

That Sgr

be appointed, as from to-day's date Prefect Regent of the Province of ..... with the powers inherent in the office of Prefect.

.....
Regional Commissioner.

T O Z

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PROVINCIAL COMMISSIONERS' GUIDE IN ORGANIZING LOCAL GOVERNMENT

1. Read the following Executive Memoranda attached hereto:-

   a. Revised Executive Memorandum No. 39 dealing with Italian Local Government Organization. (Appendix "A")

   b. Revised Executive Memoranda No. 12 and 78. dealing with title of Prefect (Appendix "B" and "C")

   c. Executive Memorandum No. 62 dealing with the filling of vacancies in Italian Civil Service positions. (Appendix "D")

2. Read list of offices in an Italian Provincial Administration (Appendix "E").

3. Know what KEY officials must be filled as soon as possible in a Province and Commune. These are starred in Appendix "E".

4. Contact Committee of National Liberation and Patriot Committees regarding recommendations for offices. It should be made clear to the Committee of Liberation that it is an advisory body only, whose advice, when asked for by the Provincial Commissioner or the Prefect, may be accepted or rejected.

5. Contact Bishops and other prominent people regarding prospective officials and problems of Provinces and Communes.

6. Obtain Scheda Personale forms and have them completed and reveiwed by Security Officers for all officials in office or proposed.

7. Interview and form opinion of officials. Get following biographical data in writing. Name, title; honours; career (listing grades, positions held, places employed, dates; military service).

8. Report to your commanding officer the names, designated positions, and information of officials (career and non-career) available after getting Security Report (Scheda Personale) and interviews.

9. The Giunta Communale (Municipal Board) in each town should be formed as early as conditions permit by CAOs after having appointed a Sindaco (Mayor) and a Segretario Comunale (Communal Secretary). The Giunta Comunale will vary in numbers from 2 to 10 depending on the size of the population. Consult the Local Committee of Liberation for suggested nominees who should represent varying political and occupational interests. See to it that this first step in the rebirth of democratic institutions is followed by regularly held meetings of the Giunta. (See Executive Memorandum No. 39 for details)

10. Request SCAO (or Regional Commissioner if so authorized) to appoint formally the Prefect and Vice-Prefect. Then have Prefect appoint other officials with your approval.

11. Obtain from RC copies of Royal Decree No.111.

Prefect. (Appendix "B" and "C")

c. Executive Memorandum No. 62 dealing with the filling of vacancies in Italian Civil Service positions. (Appendix "D")

2. Read list of offices in an Italian Provincial Administration (Appendix "E").

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10. Request SCAO (or Regional Commissioner, if so authorized) to appoint formally the Prefect and Vice-Prefect. Then have Prefect appoint other officials with your approval.

11. Obtain from HQ copies of Royal Decree No.111.

12. Hand a copy of Royal Decree to Prefect as soon as conditons permit. Obtain receipt on form provided since the Decree takes effect from date handed to Prefect.

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13. In organizing Provincial Administration, the first body to be revived is the Deputazione Provinciale which varies in size from 6 to 10 unpaid citizen members depending on the population in the province. All shades of political opinion and occupational interests should be represented on this body. It is presided over by a separately chosen President, who is also the "Capo dell' Amministazione Provinciale." Have the Prefect consult the Committee of Liberation and have Scheda Personale forms completed before submitting the names of his nominees to you for ACC approval. (See Revised Executive Memorandum No. 39 for details).

14. Once formed, the first job of the Deputazione Provinciale will be to nominate the 4 regular and 2 substitute citizen members of the Giunta Provinciale Amministrative in order that they be confirmed by the Prefect, subject to approval of ACC. Here again, great care should be taken to select persons who represent popular opinion. (See Revised Executive Memorandum No. 39 for details).

15. See that Fascist government organs are abolished and officials removed; particularly the "Retoratto" and the "Preside" (on the Provincial level) and the Podesta' and "Consulta" (on the Communal level). (See Executive Memorandum No. 67, RC & MG Section Circular on Defascism dated 4 August 1944; and English translation of DLL 159 on Sanctions against Fascism distributed by Administrative Section, ACC, on 2 August 1944).

APPENDICES:

"A" - Executive Memorandum No. 39. dated 27 July 1944.

"B" - Executive Memorandum No. 12. dated 13 February 1944.

"C" - Executive Memorandum No. 70. dated 18 July 1944.
"D" - Executive Memorandum No. 62. dated 16 June 1944.
"E" - List of Principal Prefectural, Provincial, and Communal Officials and Bodies.

All of above, except Appendix "E", which is attached, should be obtained for your files from Regional Headquarters.

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14. Once formed, the first job of the Deputazione Provinciale will be to nominate the 4 regular and 2 substitute citizen members of the Giunta Provinciale Amministrative in order that they be confirmed by the Prefect, subject to approval of ACC. Here again, great care should be taken to select persons who represent popular opinion. (See Revised Executive Memorandum No. 39 for details).

15. See that Fascist government organs are abolished and officials removed; particularly the "Rettoratto" and the "Preside" (on the Provincial level) and the Podesta' and "Consulta" (on the Communal level). (See Executive Memorandum No. 67, RC & MG Section Circular on Defascism dated 4 August 1944; and English translation of DIL 159 on Sanctions against Fascism distributed by Administrative Section, ACC, on 2 August 1944).

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APPENDIX "E"

LIST OF PRINCIPAL PREFECTURAL, PROVINCIAL, AND COMMUNAL OFFICIALS AND BODIES

I. ADMINISTRATIVE OFFICIALS OF PREFETTURA

+ A. Prefect (Prefetto)

+ B. Vice-Prefect Vicario (Vice-Prefetto Vicario)

C. Vice-Prefect Inspector (Vice-Prefetto Ispettore)

+ D. Councillors (Consiglieri)

+ E. Secretaries (Segretari)

+ F. Questor (Questore)

+ G. Head Accountant (Ragioniere Capo)

H. Intendent of Finance (Intendente di Finanza.)

+ I. Provincial Health Officer (Medico Provinciale)

J. Provincial Veterinary (Veterinario Provinciale)

K. Head Archivist (Primo Archivista)

L. Provincial Agricultural Inspector (Ispettore Provinciale dell' Agricultura)

II. ADMINISTRATIVE BODIES OF PREFECTURE

A. Provincial Administrative Board (Giunta Provinciale Amministrativa)

B. Prefectural Council (Consiglio di Prefettura)

C. Cabinet (Gabinetto)

III. PROVINCIAL ADMINISTRATION

A. President and Head of Provincial Administration (Presidente o Capo dell' Amministrazione Provinciale)

B. Provincial General Secretary (Segretario Generale Provinciale)

C. Provincial Deputation (Deputazione Provinciale)

IV. COMMUNAL ADMINISTRATION

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AND COMMUNAL OFFICIALS AND BODIES

I. ADMINISTRATIVE OFFICIALS OF PREFETTURA

+ A. Prefect (Prefetto)

+ B. Vice-Prefect Vicario (Vice-Prefetto Vicario)

C. Vice-Prefect Inspector (Vice-Prefetto Ispettore)

+ D. Councillors (Consiglieri)

+ E. Secretaries (Segretari)

+ F. Questor (Questore)

+ G. Head Accountant (Ragioniere Capo)

H. Intendent of Finance (Intendente di Finanza)

+ I. Provincial Health Officer (Medico Provinciale)

J. Provincial Veterinary (Veterinario Provinciale)

K. Head Archivist (Primo Archivista)

L. Provincial Agricultural Inspector (Ispettore Provinciale dell' Agricoltura)

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A. Provincial Administrative Board (Giunta Provinciale Amministrativa)

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III. PROVINCIAL ADMINISTRATION

A. President and Head of Provincial Administration (Presidente e Capo dell' Amministrazione Provinciale)

B. Provincial General Secretary (Segretario Generale Provinciale)

C. Provincial Deputation (Deputazione Provinciale)

IV. COMMUNAL ADMINISTRATION

+ A. Major (Sindaco)

+ B. Communal Secretary (Segretario Comunale)

C. Communal Board (Giunta Comunale)

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(Italian Translation)

GOVERNO MILITARE ALLEATO
QUARTIERE REGIONALE ALLEATO
DELLA .....

ORDINE UFFICIALE NUMERO .....

VISTO che il posto di Prefetto della Provincia di .....
è divenuto vacante;

RITENUTO, pertanto, che si rende necessario provvedere all'esercizio delle funzioni di Prefetto nella suddetta Provincia;

IN VIRTU' dei poteri conferitimi, Io, ...

Ufficiale Regionale degli Affari Civili della .....

ORDINO

Il Signor ..... è nominato, a decorrere da oggi, Prefetto Reggente della Provincia di ..... con i poteri inerenti alla carica di prefetto.

.....
Ufficiale Regionale degli Affari Civili

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22 May 1944

EXECUTIVE MEMORANDUM NUMBER 15

Cancelling Executive Memorandum No. 15 of 14 February 1944 and Appendix K (Part IV).

INSTRUCTIONS TO REGIONAL CONTROLLERS OF PROPERTY

Part I — Duties

1. The Controller of Property will be responsible for the custody of:

a) Property of Allied Governments or Nationals.

b) Such property of the Italian State, including that of semi-statal institutions and the Fascist Party, as is not in the custody of some other branch of the Armed Forces or AMG, or of the Italian officials responsible therefor.

c) Enemy State property not in the custody of some other branch of the Armed Forces or of a protecting power.

d) Such abandoned property or property belonging to absentee owners of whom no representative can be found in the occupied territory, as the Chief Commissioner or an officer empowered by him may direct.

For the purpose of *a)* above the term « Allied » will be deemed to include all the United Nations and France. With respect to *c)* above, the term « Enemy State property » includes all property owned, controlled or administered by any state at war with any of the United Nations, and also that of companies, institutions or bodies in which any such state has any substantial interest or over which it exercises substantial control.

2. He may also be required to take into his control, when directed to do so by the Chief Commissioner or an officer empowered by him:

a) Any property the control of which is in the opinion of the Chief Commissioner or an officer empowered by him, essential to the need of the Allied Forces or inhabitants of the Occupied Territory.

b) The property of any person, company or institution whose activities are deemed by the Chief Commissioner or an officer empowered by him, to be prejudicial to the safety of the Allied Forces or to public order.

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PART II — POWERS

3. The Controller of Property will have the following powers with respect to any property taken under his control. These will be exercisable at his discretion subject to the limitations laid down in para 4 below:

a) To sell any part of the property which consists of perishable goods, produce, growing crops, stock-in-trade or other movable property under his control, whose physical condition is from its nature likely to depreciate.

b) To let property capable of being let.

c) To pay any rates, taxes or other imposts due in respect of the property.

d) To pay any mortgage interest or other charge accrued on the property.

e) To pay any other sum necessary for the preservation on the property.

f) To enter into any contract or execute any instrument necessary for the exercising of the foregoing powers.

g) To carry on in person or by duly appointed agent any business or commercial undertaking.

h) To do all such things in relation to the property which he takes under his control as he could do if he held a general power of attorney from the owner.

i) With the consent of the Director of Property Control to make payments from time to time out of the assets under his control, to dependents of an absent owner for their maintenance and support.

4. The powers of the CP will be subject to the following limitations:

a) In all cases where it is necessary to raise money on the security of the property for its preservation or maintenance, he will before taking any action obtain the authority of the DPC. In the case of commercial enterprises no loans other than temporary advances contracted in normal ways of business shall be raised, nor shall any assets of the company be pledged without the consent of the DPC.

b) Where it is necessary to enter into any contract, or to execute an instrument necessary for the exercise of any of his powers, other than for the purposes mentioned in para 3 above, authority of the DPC will first be obtained.

c) Where the expenditure required for repairs to any property exceeds the sum of Lire 20,000, the CP will, before entering into any contract or incurring any obligation, with respect to the case, submit an estimate to and obtain the approval of the DPC.

d) Where the income from a property is insufficient to meet the necessary expenses of maintenance, the CP will nevertheless authorize the advance of the sum necessary to pay such expenses, provided the operating net deficit of the

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property, plus the amount of the contemplated advance, does not exceed the value of the property established at the time of sequestration, or such lesser value as the CP believes to represent the realizable cash value of the property. If such operating net deficit plus the amount of the contemplated advance exceeds either of such values, or if the amount of the contemplated advance exceeds the sum of Lire 20,000, then before making such advance, the CP will obtain the authorization of the DPC.

e) Where in the opinion of the CP it is necessary to make repairs to prevent deterioration of a property damaged by military action, the CP will submit to the DPC for approval an estimate enclosed by the Genio Civile of the cost of such repairs. However, if the cost of such repairs does not exceed the sum of Lire 2,000, the CP upon obtaining the endorsement of the Genio Civile may upon his own initiative authorize such repairs to be made, in which case he will notify the DPC of his action.

Part III — Operations

5. The task of the CP after the effective military occupation of an area will be:

a) First, to locate and protect from damage, and their contents from looting (whether by civilians or by members of the Armed Forces), the more important properties referred to in para 1 *a* to *c*. He will arrange with SCAO:

i to have notices posted or signs erected stating that the premises in question are under the custody of the AMG and that entrance by unauthorized persons is forbidden.

ii to request military or police guards to be posted to protect them.

b) Secondly, to obtain from the appropriate authorities a complete list of Allied properties in the district, with description of the same, and send this to,

i the DPC.

ii AD Claims and Hirings (see para (b) (v) below) and/or to the Real Estate Section of the Corps of Engineers, U. S. Army.

6. The CP will proceed to take formal custody of the properties specified in para. 1 above, in accordance with the following directives.

7. Allied Property

a) i Under Italian war legislation a special department of the Ministry of Finance called « EGELI » (Ente di Gestione e Liquidazione Immobiliare) was established to deal with real properties belonging to enemy nationals. This Department appointed as sequestrators for the same principal mortgage loan institutions (Istituto di Credito Fondiario) in the region in which the property was situated, e. g. the Banco di Sicilia for Sicily and the Banco di Napoli for southern Italy.

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On taking custody of properties the CP will normally, unless either the owner or his agent or representative legally authorized to manage the property is available, instruct these institutions to continue to manage them on his behalf. Before doing so the CP will satisfy himself that the institution has been acting in a trustworthy manner. If he has reason to be dissatisfied with their conduct he will report to the DPC, recommending the appointment of some other person or institution to manage the properties.

ii If an agent or representative legally authorized to manage the property is available, the management thereof should, unless there are special reasons to the contrary, be entrusted to him after written verification of his authority by the Legal Officer.

iii If the owner is available the CP should, unless there are special reasons to the contrary, place him in possession of his property after verification of his title by the Legal Officer, and a verbale di consegna should be executed by arrangement with the prefect and the Intendente di Finanza.

iv Where an agent or representative so authorized is entrusted with management, or the owner himself is placed in possession, the CP shall

a) place in the file respecting such property a copy of the opinion of the Legal Officer verifying such authority or title,

b) notify the DPC that the property has been turned over to the owner, or a representative of the owner,

c) close the file with respect to such property.

v Where the property of an Allied national or company has been let or sublet, it will be the duty of the CP to satisfy himself that the terms of any lease or sublease granted by the sequestrator are reasonable, and take such steps as are in his power to ensure that the terms of the lease or sublease are being duly carried out, and that the rents are paid as and when they become due. If in his opinion the said terms are inequitable the CP may, with the consent of the DPC, terminate the lease or sublease. On the expiry of such lease or sublease, the CP will make arrangements either for its renewal of for the granting of a new lease or sublease. Such renewals or new leases shall not, except with the consent of the DPC, exceed the term of one year.

vi Where the property of an Allied national or company consists of mortgage, the CP will take custody of the mortgage deed and take such action as may be appropriate to ensure that the terms of the said contract are carried out, both as to the payment of the interest and the repayment of the principal sum. The CP may however make arrangements for the renewal of the same for a period not exceeding one year at any one time.

vii On taking custody of any property the CP will make full note of its condition and prepare a detailed inventory of its contents, unless an

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inventory has been taken by the sequestrator. If such an inventory is in existence he will check it and agree a list of shortages with the sequestrator, from whom he will obtain a copy of the original inventory. The CP will obtain from the sequestrator a financial statement as at the date of the taking of custody.

viii All expenses for management and maintenance of Allied property taken into custody by the CP will be charged against the estates in question. The CP will not employ AMG funds for this purpose unless expressly authorized to do so by the CFC.

ix In all cases where real property, including enemy property is taken into custody, the appropriate Ufficio del Registro should be informed and required to record the fact in his register.

b) Property requisitioned by the Armed Forces.

The following procedure has been laid down in respect of requisitioning and payments for property belonging to Allied Nationals in British Military Areas:

i Requisition forms will be served by the Hiring Officer either on the local authorities (commune) or on the Italian Military Authority «Genio Militare». Hirings Officer will inform the Comando Genio Militare of particulars of premises requisitioned, and the latter will be responsible for seeing that payments are made through the Banca d'Italia.

ii Where the owner or occupier of requisitioned property is a national of the United Nations, the Hirings Officer will see that a correct schedule of condition is prepared by the Comando Genio Militare, and that a fair rental is agreed and paid promptly. Schedules of condition and hiring agreement will be prepared by the Comando Genio Militare and submitted for approval to the Hirings Officer.

iii Payments will be made by the Italian authorities to CP, or where the property has been handed over to him, to the owner or his legal representative.

iv On de-requisitioning, the Hirings Officer will ensure that dilapidations are properly assessed and compensation paid.

v The CP will, at the earliest opportunity, furnish AD Claims and Hirings with a list of properties belonging to Nationals of the United Nations, and AD Hirings will in person inform the CP of the requisitioning or the de-requisitioning of such properties.

vi The procedure outlined in i and ii above will also be applied in the case of properties belonging to friendly neutral states. AD Claims and Hirings will inform the CP of any such property requisitioned, and the CP will, if the owner or legal representative is absent, apply to the Italian Courts for the appointment of a curatore for the same, and

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inform the AD Chiefs and Hirings of the name and address of the person appointed.

vii Procedure in US Military areas follows in general arrangements specified in i above. CPs should make themselves acquainted with the provisions in AFHQ Administrative Memoranda No's 85 and 95.

c) Chattels. The CP will take formal custody of chattels belonging to an Allied National or company, and will satisfy himself that the arrangements for their custody are adequate, and if not, make such arrangements, e. g., in the safe deposit of a bank, warehouse, etc.

d) Bank Balances, etc. The CP will take custody of all Bank Balances and negotiable instruments, etc., belonging to an Allied National or Company, lying in the Banks in his district. He will transfer them to his account, where they will be kept in the name of the CP for account of the owner, and where appropriate place on time deposit for such period as may seem desirable a similiar procedure will be followed with respect to Postal and Savings Bank deposits. Where any such balances etc., have been transferred by the order of the Italian Government to a central institution (e. g., Banco d'Italia or Instituto Cambi), the CP will forward to DCP a list of the items so transferred, showing:

i The name and where possible the address of the owner.

ii The name and branch of the transferring bank.

iii The date of sequestration.

iv The name and address of the institution to which transferred, and

v The date of transfer.

e) Securities.

The CP will take custody of all securities belonging to Allied nationals or companies lying in banks and financial institutions. He will transfer any such securities as may be found elsewhere to a reliable bank. Securities will be held in the name of the CP for the account of the owner, and bank. Securities will be held in the name of the CP for the account of the owner, and banks will be instructed to collect and pay into the appropriate account any sums in respect of dividends, sinking fund payments, etc. which may accrue or have accrued, where they will be held, where suitable, on fixed deposit. Where securities belonging to Allied nationals have been transferred by order of the Italian Government to a central institution, the CP will forward a schedule of securities so transferred, with details similar to those laid down in section (i) to (v) of the previous paragraph, to DPC.

f) Commercial and Industrial Undertakings.

i The sequestration of industrial and commercial concerns and businesses was entrusted by the Italian Government to the Ministry of Corpora-

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tions, who appoint individual sequestrators for each business. These sequestrators were frequently high ranking Fascist Party officials, who assumed the functions of the Board of Directors, leaving the actual conduct of the business to a manager. The CP, unless there are strong reasons to the contrary, will dispense with the services of the sequestrators and will normally retain the existing management, provided he is not so satisfied, he will appoint a suitable person or persons to manage the business on his behalf.

ii On taking formal custody of an industrial or commercial business the CP will, as regards a record of condition, the preparation of inventories, etc., follow the procedure laid down in para 7 (a) (vii). He will also cause a balance sheet to be prepared, showing the financial position of the undertaking on the date of taking custody, and will submit to the DPC monthly an income and expenditure account, and such other records as may from time to time be required by the DPC. All surplus funds not required for the day to day operations of the undertaking will be paid into the CP's account.

iii Where any Allied business or company has been put into liquidation and the liquidation has not been completed, the CP will report the facts to the DPC, together with his recommendation as to whether the liquidation should be allowed to proceed or whether the business should be re-started.

iv Where in addition to being sequestrated, the assets of the Allied business or company have also been expropriated by the Italian Government and handed over to an Italian undertaking, the CP will report to the DPC, who will issue instructions as to the action to be taken.

v Where any industrial or commercial concern operates in more than one region, all decisions on policy will be referred to the DPC., who may delegate to one of the Regional CP's the responsibility for the supervision of its operation.

8. Enemy Property.

a) Property of Enemy States.

Except where such property has been placed under the protection of a protective power, the representative of which is in a position to exercise effective control (e. g., Embassies, Legations, Consulates, etc.) the CP will, unless otherwise instructed, be responsible for the custody of all property in occupied territory belonging to enemy states, not occupied by AMG or any other branch of the Armed Forces.

b) Property of Enemy Nationals.

Under international law an occupying power has no right to seize or sequestrate private property belonging to enemy nationals merely on the

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grounds of enemy ownership. Such property may however be seized or requisitioned if it is needed for military purposes, and it may be taken into custody for the reasons laid down in para 2 (a) and (b) above. The following rules will therefore be observed.

i Real and Movable Property.
Owners or their representatives will be left in possession unless otherwise directed under para 2 (b) above. When neither the owner nor a representative appointed by him is present, the property will be treated as «abandoned», (see para 11 below).

ii Commercial and Industrial Firms, etc.
Where owners or their representatives are present, they will be permitted to carry on the business, unless otherwise directed under para 2 (a) or (b) above. When neither owners nor their representatives are present the concern will be treated as «abandoned» (see para 11 below).
The above procedure will be followed also in the case of Italian registered companies in which enemy states or nationals have a controlling interest, except that in the case of branches or agencies of firms whose main offices are situated in enemy occupied Italian territory, CP will arrange with RLO to instruct the Prefect to appoint a Commissario Speciale, in accordance with Article 2 of the Royal Decree Law of 15 November 1943 No. 8/43, which has been made operative in occupied territory by order of the Executive Commissioner dated 8 April 1944.

The CP will at the earliest opportunity forward to the CIC and the FSS a list of all property belonging to enemy nationals.

9. Italian State Property.

a) Property of the Italian State.

In general, all such property of the Italian state as is not already in the custody of AMG or of some other branch of the Armed Forces will be looked after by the appropriate Italian officials, the major portion of whom are expected to remain at their posts. There will therefore be no necessity for the CP to take formal custody. Instructions should however be given to Italian officials at the earliest opportunity to check inventories and establish lists of shortages, dilapidations, etc. Cases may occasionally arise, e. g., state premises previously occupied by the Armed Forces and subsequently evacuated by them, where the CP will have to make arrangements for their temporary custody. Liaison should be maintained for this purpose with Real Estate Branch of the U. S. Corps of Engineers and/or AD Claims and Hirings. The CP should obtain from Hirings Officer (British) and/or Real Estate Branch U. S. Corps of Engineers, a list of all government premises occupied by them, together with a record of dates of occupation and evacuation.

b) Property of the Fascist Party.

Subject to the qualifications contained in Article 3 of proclamation No. 7 the property of the Fascist Party will be treated as property of the Italian

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State (see (a) above), but as occasions may arise when all responsible party officials may have run away, the duty of looking after Fascist Party property may fall in some instances on the CP, who will, when so directed by the Chief Commissioner, or officer empowered by him, take such steps as he deems necessary to secure the protection of such buildings and their contents as are not occupied by AMG or the Armed Forces, in the absence of any authorized officials of the Italian Government.

10. Municipal Property.

Municipal property is regarded as private property under international law, and as municipalities, being bodies corporate, will not be dissolved, municipal property will be treated as private property whose owner is present. The CP therefore will not be responsible for taking it into custody unless specially directed to do so by the Chief Commissioner or an officer empowered by him.

11. Abandoned Property.

The CP will take abandoned property into his custody only in exceptional circumstances. Wherever practicable he will arrange with the Regional Legal Officer for the appointment by the Italian courts of a curator for such property, in accordance with the instructions contained in the Legal Sub-Commission's letter of 16 March 1944 (ref. ACC/p663).

12. Private Industrial and Commercial Undertakings.

a) Where private industrial or commercial undertakings are operated under the control of the CP in accordance with para 2 (a) and (b) above, the procedure laid down in para 7 (a) (vii) above will be observed.

b) If the property in question has been previously operated by any branch of the Armed Forces, the co-operation of the operating unit should be obtained in the preparation of inventories, with a view to establishing a list of any plant, machinery, etc. which may have been removed by them.

13. Agents and Managers.

Agents and managers appointed by the CP will not, unless authorized in writing to do so:

a) Dispose of or contract a charge upon land.

b) Alter the object or legal form of an undertaking.

c) Dispose of or liquidate any undertaking.

d) Dispose of any capital assets except in the ordinary course of business.

e) Contract new leases.

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14. Reports and Returns.

The CPs will render to DPC, through the appropriate channels, the following returns.

a) Lists by nationalities of all United Nations properties in their Regions, together with a brief description, location, name and address of the owner, former sequestrator and present occupier, of each property.

b) Lists by nationalities of all enemy property in their Regions, together with a brief description, location, name and address of owner, tenant or manager.

c) Initial reports on each commercial or industrial concern contained in *a* and *b* above.

e) Copies of Declarations of Custody.

f) Monthly reports on the activities of CPs, to reach DPC not later than the fifth day of the succeeding month.

g) Monthly income and expenditure or operating statements for each industrial and commercial concern under their control.

h) Quarterly income and expenditure statements for all real properties under their control (except those of insignificant value which have been left to the custody of the owners' relatives).

15. Duties and Procedure on Restoration of Territory to Italian Government.

The following are the chief modifications in the duties and powers of Regional Controllers of Property on the transfer of territory to the Italian Government.

i. *Allied property.*

Duties and powers of Regional CPs remain unchanged. CP will retain in custody all United Nations and French Property already taken over, and will continue to take into custody such property as still remains outside his control. The Italian Government has issued a decree law abrogating the application of the provisions of the War Law of 1938 to the property of states or nationals of the United Nations and France. They have also issued instructions to all Prefects and Intendenti di Finanza, ordering them formally to re-consign such property to the owner if present and available, or in his absence to the DPC or an officer delegated by him by special mandate in his capacity as representative of absent owners. These formalities are required to regularize under Italian law the custody of Allied property by MCC, and CP will arrange for their implementation with the officials concerned.

ii. *Italian Property.*

CP will cease to be responsible for the custody of property belonging to the Italian Government (including that of the Fascist Party), to semi-

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statal institutions, or to Italian nationals. Such property in his custody at the date of transfer of territory will be handed back to the Italian authorities.

iii. *Neutral Property.*

CP will cease to be responsible for the custody of property belonging to nationals of neutral states, for which in the normal course of events 'curatori' should have been appointed by the Italian courts, as laid down in para 8 above. If any such property still remains in his custody at the date of the transfer of territory, he will arrange for the appointment of a 'curatori' for the same.

iv. *Enemy Property.*

CP's duties with respect to enemy property cease to be executive, and he will therefore no longer be responsible for the custody of such property. If any property belonging to enemy nationals is in his custody at the date of transfer of territory he will report the same to DPC, who will make arrangements with the Italian Government for its disposal.

M. S. Lush
Brigadier,
Executive Commissioner

(This Executive Memorandum cancels Executive Memorandum No. 15 dated 1 March 1944 and Appendix 'K' part IV of the Instruction for the Guidance of Officers of the Commission).

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dates on which they were (a) taken into custody, and (b) handed to the Finance Officer.

Where such funds remain in the C.P's account, they will be transferred to the account of the Intendente di Finanza.

Receipts in triplicate will be obtained and disposed of as in section (i) above.

(iii) *Property of the Fascist Party.*

Lands, building, furniture, etc., if not already disposed of, will be handed back to the Prefect, and funds to the Intendente di Finanza, in accordance with the procedure laid down in (i) and (ii) above.

(iv) *Property of Semi-Statal Concerns.*

Inventories and accounts will be dealt with as in (i) above, and balances as in (ii) above.

(v) *Property belonging to Enemy States and Nationals.*

Where such property has been taken into custody it will be dealt with as in (i) and (ii) above.

(vi) *Abandoned Property.*

The C.P. will apply to the President of the Tribunale for the appointment of a curatore in accordance with procedure laid down in letter to S.C.A.O. AMG(G)T/600/CP of 30 September 1943. The property will be handed over to curatore in accordance with the procedure laid down in (i) and (ii) above.

By command of Lieut. General MASON MACFARLANE.

M. S. LUSH,
Brigadier,
Executive Commissioner.

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EXECUTIVE MEMORANDUM N.° 16

« Organisation of HQ ACC » has been incorporated in Establishment Memorandum N.° 2 (See Part II)

Issued
14 February 1944

EXECUTIVE MEMORANDUM NUMBER 17

REORGANIZATION OF REGIONS

1. Owing to the great difficulty of lateral communications on the Italian peninsular in war time it has been decided to reorganize Regions IV and V on an east and west basis.

2. Effective 0001 hours 15 Feb Region IV will comprise the compartments of Lazio and Umbria and Region V will comprise the compartment of Marche and Abruzzi together with the province of Foggia.

3. Control of Foggia Province passes from Region IV to Region V with effect from 0001 hours 15 Feb. Further territory will be taken over by these two Regions from Senior Civil Affairs Officers of the Allied Military Government 5 and 8 Armies as and when the Army Rear Boundaries move forward.

4. Consequent upon the restoration to the jurisdiction of the Italian Government of Regions I and II (exclusive of the islands of Pantellaria, Lampedusa and Linosa) the Regional Commissioner of Region II has taken over control of Allied Control Commission activities in the Provinces of Bari, Brindisi, Lecce and Taranto as from 0001 hours on 11 Feb. 44.

5. Region III will remain, as at present, in control of the Provinces of Naples, Benevento and Avellino.

By command of Lieutenant General Mason MacFarlane.

Norman E. Fiske
Colonel, Cavalry
Deputy Executive Commissioner

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Issued
14 February 1944

EXECUTIVE MEMORANDUM N.° 18

POWERS OF REGIONAL LEGAL OFFICERS

Military Courts

1. The Regional Commissioner shall have the authority and is responsible for the establishment of Superior and Summary Military Courts in his region. He will request Headquarters Allied Control Commission to appoint a General Court whenever necessary.

2. Reviews of the decisions of Allied Military Courts will be in accordance with Proclamation No. 14 as it amends Proclamation No. 4 which provides for reviews substantially in the following manner:

Any person convicted by a Military Court may, within thirty days after imposition of sentence, file with the trial court or forward to the Chief Legal Officer of the Region a petition addressed to the Chief Commissioner submitting reasons why the conviction should be set aside or the sentence should be modified.

Every record of trial by an Allied Military Court shall be transmitted to the Chief Legal Officer of the Region for examination and file. The record in any case may on the recommendation of the Chief of the Legal Sub-Commission, and shall, in the event of the sentence exceeding two years imprisonment or a fine of L. 50,000 be reviewed by the Chief Commissioner or by an officer of the Allied Military Government not below the rank of Lieutenant Colonel who may be appointed by the Chief Commissioner for that purpose. Where there has been no petition of appeal as above provided and the sentence does not exceed two years imprisonment or a fine of L. 50,000 the Chief Legal Officer of the Region shall review the case and may appoint a judicial officer not below the rank of Major for that purpose. Confirmation of death sentences remains as heretofore.

3. By Proclamation No. 14 referred to above the Regional Commissioner may order an Allied Military Court to sit in camera. The Chief Legal Officer of the the Region may also perform the functions previously assigned to the Chief of the Legal Sub-Commission (C.L.O. in connection with the detention of suspects. See Proclamation 2, Article VII, Section 2.

Italian Courts and Personnel.

4. The Regional Commissioner may remove Italian Judges and officials connected with the Italian Courts and will report such removal to Headquar-

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ters of the Allied Control Commission (H.Q.A.C.C.) with the reasons briefly for making such removal. The R.C. may also appoint Judges and legal officials, but in the following cases all such appointments are subject to approval by H.Q.A.C.C., and except in emergency are only to be made after prior consultation with H.Q.A.C.C., namely.

First President of the Court of Appeal.
Procuratori Generali.
Procuratori del Re.
Presidenti dei Tribunali.
First Pretori in towns of over 40,000 inhabitants.

All such appointments will be expressed to be « until further order ». For the purpose of securing assistance and advice on Italian legal and doubtful matters he may appoint a Central Committee of Italian citizens. All appointments will be reported to H.Q.A.C.C. as soon as possible.

5. The opening and functioning of all Italian Courts, criminal, civil, is the responsibility of the Regional Commissioner.

Italian Military Tribunals.

6. The Regional Commissioner acting on the advice of the Chief Legal Officer of the Region will be responsible for permitting Italian Military Tribunals to function within ris region in accordance with the Directive issued in that regard.

Prisons.

7. The Regional Commissioner shall be responsible for investigating the circumstances of all prisoners held in jail without trial and for investigating all cases of complaint by prisoners that they have been unjustly condemned for their political views. The Regional Commissioner shall forward to Headquarters of the Commission his recommendations for release of all such prisoners and may pending receipt of orders thereon grant provisional or conditional liberty or release, on parole, after consultation with the appropriate Italian Judicial Official. Investigation will also be made of persons charged with crimes and never brought to trial because of political connections and report made to Headquarters of the Commission.

Italian Legislation and Laws.

8. The Regional Commissioner shall not abrogate or amend any laws on the ground that they are discriminatory or of a fascist nature and this matter is reserved to Headquarters of the Allied Control Commission. The Regional Commissioner may, however, temporarily amend Italian rules of procedure for the more expeditious hearing of trials but only in accordance with directives already issued.

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GENERAL.

9. Headquarters of the Allied Control Commission will issue orders and directives binding upon regions, to assign, attach, relieve or replace regional legal personnel, and to review decisions of Allied Military Courts in accordance with paragraph 3 above.

10. The Chief Legal Officer of the Region will NOT issue directives or render opinions dealing with matters of general policy without previous reference to Headquarters of the Commission. He will NOT fix penalties for prescribed offences but it is his duty to secure reasonable uniformity of sentences commensurate with the prevalance of any particular type of crime in his region, and commensurate with the particular crime itself.

By command of Lieut. General MASON MACFARLANE.

M. S. LUSH
Executive Commissioner
Brigadier

EXECUTIVE MEMORANDUM NO. 19

MS matters (British Personnel) issued 15 February 1944
is included in Part II as Establishment Memorandum No. 3

EXECUTIVE MEMORANDUM NO. 20

Not Issued

Declassified E.O. 12356 Section 3.3/NND No. 785021

Issued
15 February 1944

EXECUTIVE MEMORANDUM NUMBER 21

TITLES AND POSTINGS OF OFFICERS IN REGIONS

Titles of Officers in Regions.

1. Paragraph 8 of Allied Control Commission Memorandum of 23 January is cancelled. The following titles will be used in all Regions whether Allied Military Government or Advisory:

« Regional Commissioner » instead of « Regional Civil Affairs Officer » or « Regional Control Commissioner ».
« Executive Officer » instead of « Chief of Staff ».
« Provincial Commissioner » instead of « Senior Civil Affairs Officer ».
« Provincial Officer » instead of « Civil Affairs Officer ».
« Provincial Police Officer » instead of « Civil Affairs Police Officer ».

« Regional Legal Officer »
« Regional Supply Officer »
« Regional Public Safety Officer »
« Regional Public Health Officer »
« Regional Education Officer » etc.
} instead of previous title.

« Provincial Legal Officer »
« Provincial Supply Officer »
« Provincial Public Safety Officer »
« Provincial Public Health Officer »
« Provincial Education Officer » etc.
} instead of previous title.

2. The titles at present used in Allied Military Government 5 and 8 Armies, will remain unchanged.

Postings.

3. Posting of all personnel to Regions and Army Allied Military Government will be made by Regional Control and Military Government Section, Allied Control Commission.

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4. Posting of specialist officers will be made either on the recommendation of or in agreement with the Heads of Sub-Commissions concerned, and, so far as is possible, in consultation with Regional Commissioners and Senior Civil Affairs Officers.

By command of Lieut. General MASON MACFARLANE.

M. S. LUSH
Brigadier
Executive Commissioner

Issued
15 February 1944

EXECUTIVE MEMORANDUM NUMBER 22

ALLIED MILITARY GOVERNMENT - ROME

1. The responsibility for Military Government in the initial occupation of Rome rests with AMG 5th Army. All correspondence dealing with the occupation will be addressed to S.C.A.O. AMG 5th Army. Additional personnel required temporarily for the occupation of Rome will be attached by this H.Q. to AMG 5th Army. Attached personnel not immediately required for planning will be released on AMG 5th Army orders to their respective permanent assignment on 7 days' notice, exept in certain special cases, which will be arranged directly with AMG 5th Army by this Headquarters. Attached transportation likewise will be returned on 7 days call. The organization of AMG 5th Army to accomplish this mission is the responsibility of the Senior Civil Affairs Officer, AMG 5th Army.

2. This Headquarters approves the organization into two parties:

(a) AMG 5th Army Field.

(b) AMG 5th Army Rome.

AMG 5th Army Rome to consist in the planning of a small nucleus under an officer selected by the S.C.A.O. 5th Army; subsequent allocation of personnel to and the movements of both parties to be contingent upon military operations.

By command of Lieut. General MASON MACFARLANE.

M. S. LUSH
Brigadier
Executive Commissioner

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EXECUTIVE MEMORANDUM NO. 23

"Authorization for Travel" issued 19 February 1944 is included in Part II as Establishments Memorandum No. 4

EXECUTIVE MEMORANDUM NUMBER 24

1 March 1944

MOTOR VEHICLE PERMITS AND AUTHORIZATIONS FOR PETROLEUM SUPPLIES

1. Motor vehicle permits and authorizations for petroleum products will be issued only in accordance with:

(a) General Order No. 20 which will be transmitted shortly.

(b) AFHQ Adv. Adm. Echelon Instruction No. 12, as amended.

(c) Supplementary instructions given below.

2. Where necessary local Orders will be published cancelling all superfluous Orders and permits, and implementing this memorandum.

3. No civilian motor vehicle shall be used unless:

(a) licensed in accordance with existing Italian Law, and

(b) a permit covering its use, and an authorization for petroleum supplies, have been issued under the authority of Allied Military Government of Allied Control Commission (AMG/ACC).

4. The licensing of motor vehicles in Italy is handled by two National bodies:

(a) The Ispettorato Generale della Motorizzazione Civili.

(b) The Reale Automobile Club d'Italia (RACI) and the Conservatore del Pubblico Registro.

These agencies will be re-established as soon as possible. They will be instructed that they must jointly ensure that no license, or permit, is issued in respect of a vehicle until the ownership of the vehicle has been fully established. All matters relating to these agencies which would normally be dealt with by their respective head offices in Rome (e. g., appointment of Directors, printing of bollettari, etc.) will be referred to this Headquarters for action.

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5. The Ispettorato Generale della Motorizzazione operates through Regional (Compartimentale) Directors and Provincial Engineer Inspectors, and is responsible for the fitness of vehicles and the competence of drivers. The Compartimentali in Southern Italy, and the provinces which they control, are indicated below:

Compartimentale	*Provinces*
BARI	Bari, Brindisi, Foggia, Ionio (Taranto), Lecce and Matera.
CATANZARO	Catanzaro, Cosenza and Reggio di Calabria.
NAPLES	Naples, Avellino, Benevento, Campobasso, Potenza and Salerno.
ROME	Rome, L'Aquila, Frosinone, Grosseto, Littoria Perugia, Rieti, Terni and Viterbo.

Where the compartimentali and AMG/ACC Regions do not coincide, neighbouring Regional Commissioners will make such arrangements (without changing the Italian system) as will ensure that the work of the compartimentali is carried out in all provinces.

6. The RACI is a revenue collecting agency and operates from provincial offices located in the chief town of each province. The Conservatore del Publico Registro is the motor vehicle registration authority. The Conservatore is subject to the control of RACI in whose offices it is usually located.

7. Statistical licences issued in the case of non-industrial vehicles will be valid until 31 December. Licenses issued in the case of industrial vehicles and trailers, and all permits will expire 30 April, 31 August and 31 December.

8. Petroleum products will be handled only by Comitato Italiano Petroli.

9. Italian agencies will be used to the fullest extent in connection with the issuance of permits and authorizations. The number of the current circulating permit must be endorsed on the authorization for petroleum products. The purpose for which a vehicle is authorized to be used will be entered on the permit in manuscript, and an exact copy of the manuscript additions will be entered on the Record Card. Where, for security reasons, it is undesirable that a civilian vehicle owned by a military unit should bear military vehicle marks a civilian permit may be issued on application being made by the Commanding Officer of the unit.

10. An authorization for supplies of petroleum products will be valid only for a period of one month; except in special cases when not more than two authorizations, covering a period of two months, will be issued at any one time in respect of any one vehicle.

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11. A charge of 50 Lire will be made for each permit issued, except that no charge will be made for the issue of a permit or duplicates in the case of:

(a) a vehicle which is the property of or in use by the Armed Forces,

(b) a vehicle which is Italian state owned (fire, police, etc.) and is not subject to motor vehicle taxation.

Only one charge of 50 lire per vehicle will be made in respect of any period of four months expiring 30 April, 31 August and 31 December. A similar fee may be charged in respect of permits for single journey or short periods. No refund will be made in respect of unexpired periods of a permit. Duplicate permits will be so marked. A charge of 50 lire will be made for each duplicate permit issued.

12. The number of motor vehicle permits which are issued will be restricted to the lowest minimum to conserve rubber and fuel.

13. This memorandum will be brought to the notice of the CC. RR. and Questori will be instructed that special measures must be taken to enforce the provisions of General Order No. 20 and the existing Italian law. A system of road checks will be instituted, and patrolling officers of the Italian police force will be instructed to take prompt action when breaches of the regulations are observed.

14. A report on the working of this registration program will be forwarded to reach this Headquarters not later than 31 March 1944, and thereafter a reference to it will be included in monthly reports.

15. Accounting instructions to be used in connection with enforcement of this directive are attached as Schedule « A » hereto.

By command of Lieut. General MASON MACFARLANE.

NORMAN E. FISKE
Colonel, Cavalry
Deputy - Executive Commissioner

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SCHEDULE « A »

ACCOUNTING INSTRUCTIONS FOR DEALING WITH FEES CHARGED FOR ISSUING PERMITS TO USE MOTOR VEHICLES

1. Fees collected for motor vehicle permits constitute revenue to Allied Military Government (AMG) and must be paid into a Sub-Accountant, crediting:
Head: Miscellaneous Receipts.
Sub-Head: Office Fees (Motor Vehicle Permits).

2. It is intended that all permits will be issued to the provincial office of RACI (Royal Automobile Club of Italy) for delivery to the owners of the vehicles and in these cases the fees of lire 50 each will be collected on behalf of AMG/ACC by R.A.C.I. against a receipt issued by the latter. The receipt to be used by R.A.C.I. will be the AMG Receipt Voucher (Form F/1), which must be issued in support of all collections of AMG revenue.

3. Books of 50 prenumbered Receipt Vouchers each, in triplicate, should be provided by the Provincial Finance Officers to the local office of R.A.C.I. in accordance with the latter's requirements. An acknowledgement will be obtained from R.A.C.I. by the Finance Officer when these books are turned over to R.A.C.I. officials and it must be impressed upon them the necessity of accoun- the former. The use of these Receipt Vouchers must be explained to the R.A.C.I. officials and it must be impressed upon them the necessity of accounting for each and every form in these books (see the section of the « Accounting Manual » dealing with « Collectors of Revenue » particulaly paras. 3 and 7).

4. The R.A.C.I. officials must be instructed to pay their total collections (without any deductions) to the Provincial Finance Officer or the other Sub-Accountant designated by you at given intervals, which may be weekly or half-monthly. These payments must be accompanied by a list of the serial numbers of the permits in respect of which fees have been collected and will be supported by the duplicates of the Receipt Vouchers (Form F/1) and the originals and duplicates of any cancelled Receipt Vouchers; these lists will be checked at Regional Headquarters against returns of permits issued, to verify that all fees due have been collected. When a book of Receipt Vouchers is exhausted the triplicates (which remain in the book) must be turned in to the Finance Officer by R.A.C.I before a new book is issued.

5. Where the services of R.A.C.I. are not used for the collection of these fees, the amounts will be collected by an Allied Military Government officer designated to act as a Collector of Revenue for this purpose. Further books of Receipt Vouchers may be obtained from the Regional Chief Accountant, but it must be clearly understood that the R.A.C.I. may not be in possession of more than two (or where the volume is very large, four) books at any given time.

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EXECUTIVE MEMORANDUM NO. 25

Issued 18 February 1944 is incorporated in Establishments Memorandum No. 2 (See Part II)

Amended
1 March 1944

EXECUTIVE MEMORANDUM NUMBER 26

LIAISON

1. In order to facilitate the work of the Commission in its contacts with elements of the Armed Forces, liaison officers have been appointed (Exec. Memorandum 26, issued 24 February 1944) to maintain contact with Peninsular Base Section, Port of Naples, Headquarters AAI, AAI, Administrative Echelon, Island Base Section, Districts I, II and III and 12th Air Force; other commands may be added.

2. In the interest of orderly approach to the organizations concerned, it is desired that the various elements of the Commission make maximum use of these liaison officers. However, after original contact has been effected through the Liaison Division, subsequent business in connection with the same subject-matter may be conducted directly between officers of the Commission and the officers of the military formations concerned, provided the appropriate liaison officer is informed and agrees.

3. Liaison is, in its essence, a reciprocal arrangement, involving mutual obligations. Therefore, in return for the courtesies and services which the Commission and its subdivisions have received and expect to receive from the military formations with which liaison is maintained, officers of the Commission are enjoined to facilitate the operations of such formations by all means at their command. Normally this should be reduced to writing in the form of a specific proposal, before the services of the liaison officer are engaged.

4. The aid of other formations should not be sought until the desired objective and the proposed means of attainment are clear, and the reasons why the aid sought is indispensible have been formulated.

5. In general, priority should be given to requests from other formations for the aid, co-operation and advice of the Commission. In the nature of its operations, the Commission will normally receive from other formations more aid than it will be required to give. For this reason it is essential to the preservation of cordial relations and reciprocity that what the Commission can do shall be done with the minimum of delay and the maximum efficiency.

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6. Only those officers whose appointments as liaison officers have been published in official orders of this headquarters will be authorized to act in a liaison capacity.

M. S. LUSH
Brigadier
Executive Commissioner

EXECUTIVE MEMORANDUM NO. 27

Was not issued, the matter being incorporated in Executive Memorandum No. 35

EXECUTIVE MEMORANDUM NO. 28

"Local Purchases & Contracts" issued 20 February 1944 is included in Part II as Establishments Memorandum No. 5

1 March 1944

EXECUTIVE MEMORANDUM NUMEBER 29

TELECOMMUNICATIONS SERVICES

1. GENERAL. In order that telecommunications services shall be introduced on a uniform basis, attention is drawn to the following instructions.

2. RELATIONS WITH MILITARY. The essential telecommunications requirements for government and administration of the territory will be represented to the Chief Signal Officer (CSO) of the area concerned, normally through a Communications Board under his chairmanship. As the military interest in areas decreases general authority should be obtained from the Chief Signal Officer for work to be carried out and services restored on as wide a basis as possible without reference for each separate installation. Undue restrictions on facilities likely to result in inefficient governmental control will be represented to this Headquarters.

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3. Restoration of Services. Telecommunications services will normally be best restored in the following order:

(*a*) local telephone services

(*b*) telegraph services between main centres

(*c*) inter-urban telephone service.

At each stage prior permission to work on routes and to restore services will be obtained from the military signals, military security and censorship branches concerned, to ensure that military communications will not be hampered and that adequate censorship arrangements are available.

Permission to use the services will be given firstly to government authorities. Civilian use of a local telephone service will be permitted by Allied Control Commission personnel when acceptable to the military authorities concerned; civilian use of telegraph services will normally be permitted wherever censorship arrangements can be made; civilian use of long distance telephone services will not normally be permitted, owing to difficulty of censorship and lack of facilities except for special cases authorized by high ranking officials.

4. Equipment and Material. The release of major quantities of telecommunication equipment and material is controlled by the military authorities.

Within the territories administered by the Italian Government, the Under Secretary of State for Telecommunications and Posts controls the issues of all stores from Italian depots, civil or military, but their release is subject to authorization by HQ AAI, except that minor quantities of stores for maintenance purposes on existing circuits and stores obtained by recovery from damaged or secondary routes are available without prior authorization.

In areas not under the Italian Government, stores are controlled directly by military authorities.

Lists of major quantities of stores required for rehabilitation are submitted to this Headquarters by the Italian Government together with a project outlining the proposed circuit provision. Telecommunication officers may assist in the preparation of such projects and be prepared to represent the case to this Headquarters or to the military authorities as required; in areas not under Italian Government control such projects and stores lists will be prepared by the Telecommunication Officer on the R.C.'s staff.

5. Labor.

(*a*) Civilian workmen will only be employed outside their normal civilian organization in exceptional circumstances.

(*b*) No work by civilian organizations will be ordered in areas under military control without prior consent of the C.S.O. concerned.

(*c*) No work by civilian organizations will be ordered on routes carrying military circuits without prior consent of the C.S.O. concerned.

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6. FINANCE.

(a) *Telephone and Telegraph Rates.* Systems of payment for telecommunication facilities which existed at the time of the Allied invasion of Italy will remain unchanged, both in the manner and in the extent of the payments, unless and until advice to the contrary be issued by this Headquarters.

(b) *Systems of Financial Control.* Encouragement, and assistance where possible, should be given to the controlling officers of the Italian telecommunications staffs, whether civil servants or employed by the concessionary companies, in regard to the restoration where absent of systems of financial check upon the operations of their local branches.

Cash financing which may be required by these companies, as a result of their present reduction in revenue, will be handled by advances or subsidies from the Italian Government through the Ministry of Communications.

For work done by a concessionary company for the Allied Forces, the company will send its account to the Allied Headquarters for whom the work has been done. It will be checked there and if it reprsents the true position, a certificate will be given to the Italian Government that the work, for which payment is claimed, has been done. The Italian Government will be left to decide the extent of the payment for the services stated and to make such payments if and as they wish.

7. REPORT. Each month a report should be sent to this Headquarters stating any changes in the provision or cessation of facilities, or important changes in conditions, since the last report. Such information should cover the position at exchanges and repeater stations, the restoration or cessation of long distance telegraph or telephone circuits, any considerable changes in the extent of the use by the Italian telecommunications labor, the acquisition of transport for use by the Italian telecommunications staff, and important salvage results. General information should also be supplied of military switching centres and their connection with the civil system. Details of numbers of circuits are not required. It is necessary that this Headquarters should have knowledge of the complete telephone exchange arrangements in any important exchange area.

By command of Lieut. General MASON MACFARLANE.

M. S. LUSH
Brigadier
Executive Commissioner

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Executive Commissioner
1 March 1944

EXECUTIVE MEMORANDUM NUMBER 30

RELATION BETWEEN ALLIED CONTROL COMMISSION HEADQUARTERS AND REGIONS

1 GENERAL PRINCIPLES. The Regional Commissioner (RC) shall be responsible to the Chief Commissioner for the administration of military government in his region. Generally speaking he will have full power of command and decision on all matters relating to government, subject to the following limitations:

(a) Action taken will be within the framework of policies established by Allied Control Commission Headquarters (ACC HQ) by proclamation, order, directive or otherwise. Interpretations issued by ACC HQ of proclamations and orders will be binding upon each region. Questions of interpretation raising any point likely to affect other regions must be resolved by ACC HQ.

(b) Certain institutions or activities which by their nature must be dealt with on a uniform basis throughout occupied territory are specifically reserved from the scope of authority of the R.C. in schedule A attached hereto and action in such cases will be directed from ACC HQ. Allied Finance Agency is one activity so reserved. Other activities so reserved will be separately notified from time to time hereafter.

(c) Matters on which policy has not been established and which do not affect an activity specifically reserved to ACC HQ will nevertheless be referred to ACC HQ when:

(i) The subject matter is likely to affect occupied territory as a whole, as opposed to the specific region (e. g. price, wage and ration scales, exportable food surpluses, control and allocation of imported food supplies).

(ii) The subject matter involves some relationship with other regions (e. g. inter-regional shipments, inter-regional supply movement, movement of refugees).

(iii) The subject matter raises legal, political or ecclesiastical questions of a character which may require handling by ACC HQ or higher headquarters (e. g. policy as to internees and foreign nationals, matters affecting ecclesiastical personnel, repeal or suspension of Fascist Laws).

(iv) The subject matter involves a substantial change in Italian law or administrative procedure, other than of local application (e. g. modification of social insurance systems, agricultural or farinaceous control, tax structure, labor laws).

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(v) The subject matter involves policy affecting institutions organized or operating on a National basis (e. g. banks, insurance companies).

(*d*) Appointments or removals of Prefects and other administrative officers of like rank will be subject to prior approval by ACC HQ. Appointments or removals of certain judicial, educational and other officials, some of whom are mentioned in Schedule B hereto and others to be separately notified, will also be subject to such prior approval. Appointments and removals of all officials will be reported to ACC HQ.

2. PERSONNEL. R.C.s will command all personnel assigned to their respective regions. R.C.s together with the senior regional officer of the opposite nationality, will have the power to discipline personnel under their command and will make recommendations for promotions and transfers to or from the Region.

In the case of many officers and some EM/ORs assigned to regions, the field of activity in which they are to be engaged will be specified. Any assignments of such specialist personnel must be observed, except in cases of emergency and then only for the duration of the emergency.

3. COMMUNICATIONS. Orders to personnel in the regions, including specialist personnel, will be issued only by the R.C. Communications on technical matters from ACC HQ to the specialist personnel in the regions must be sent through the R.C.

Officers from ACC HQ may and will make frequent inspection trips within the regions. On such occasions they will make their presence and the nature of their mission known to the R.C., or where impracticable, to the nearest Provincial Commissioner (P.C.). No orders or directives will be communicated by such officers to the specialist in the field; technical observations, may however, be so communicated from Headquarters personnel to specialists in the Regions or vice versa. If these are in written form, copies will be furnished to the R.C.

4. PROCEDURE. For obvious reasons it will be desirable that procedure adopted by R.C.s particularly in dealing with the Italian administration, shall be uniform as between the regions. In cases where uniform procedure has been or is hereafter prescribed by ACC HQ, such procedure will be binding uniformly on the staffs in each Region.

5. PROCLAMATIONS AND ORDERS. Proclamations and orders of a public nature which are published by posting up or publication in a newspaper are of three types, Proclamations, General Orders and Regional Orders. (See Schelule « C »).

(*a*) *Proclamations.* All proclamations are signed by the Military Governer and will only be issued on the authority of ACC HQ.

(*b*) *General Orders.* All General Orders are signed by Chief Commissioner or his Deputy and will only be issued on the authority of ACC HQ.

(*c*) *Region Orders.* R.C.s may publish within their Regions orders signed by the R.C. which shall be described as « Regional Order No.....»

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6. GENERAL UNIFORMITY. It is obviously impracticable to establish by specific category all of these matters which are within the authority of the R.C. and those which are reserved for ACC HQ. If the subject of any proposed action is not specifically dealt with herein or in memoranda supplemental hereto, it will be referred to Allied Control Commission Headquarters when good judgement would indicate that uniformity of action is required or that a major matter of policy is involved.

By command of Lieut. General MASON MACFARLANE,

NORMAN E. FISKE
Colonel, Cavalry
Deputy Executive Commissioner

SCHEDULE « A »

ACTIVITIES TO BE DEALT WITH

ALLIED CONTROL COMMISSION HEADQUARTERS

1. The following activities will be dealt with under specific instructions from Headquarters until further notice:

(a) Allied Finance Agency.

(b) The fixing of rates of exhange.

(c) Accounting.

(d) Foreign exchange.

(e) Freezing controls.

(f) Matters relating to currency problems.

(g) Financing exports, stockpiling programs and purchases for the Allied Forces.

(h) Control and operation of semi-statal or privately owned industries controlled by the Property Controller where the activities of the industry extend to more than one Region.

(i) The sale or disposal of any captured enemy war material or stores.

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SCHEDULE « B »

SPECIFIC LIMITATIONS ON THE POWERS OF REGIONAL COMMISSIONERS (RC's)

PUBLIC SAFETY.

1. No public official in this field having jurisdiction over more than one province will be appointed without the prior approval of Allied Control Commission Headquarters (ACC HQ). No Brigadier General or higher ranking officer of the CCRR may be appointed or removed without the prior approval of ACC HQ. Except as stated above, any public official in this field may be removed by the R.C. without prior approval.

INDUSTRY AND COMMERCE.

2. No plant shall be rendered substantially less effective by cannibalization except upon prior approval of ACC HQ.

3. No goods in transit or in storage in warehouses or at other points pending their removal to their eventual destination shall be consumed unless prior authority is received from ACC HQ.

4. Prices of rationed articles and prices of other basic or generally used articles or commodities which are likely to affect prices in other regions must be approved by ACC HQ.

COMMUNICATIONS.

5. *General.* The rates charged for services provided by State and para-Statal organizations or for any utility services shall not be altered except after prior approval from ACC HQ.

6. *Internal Transportation.* No action will be taken in any Region with reference to railroads under the control of the Allied Forces except in accordance with AFHQ Administrative Memorandum No. 76 of 9 November 1943.

7. *Postal.*

(*a*) Postal services will not be permitted without prior concurrence of the Military Security Branch.

(*b*) No change will be authorized in postal rates or postage stamp requirements without approval of ACC HQ.

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(c) No civil postal services outside Provincial boundaries will be permitted without approval of ACC HQ.

8. *Telecommunications.*

(a) Civilian use of telegraph services other than for government purposes will not permitted without prior concurrence of the Military Security Branch.

(b) Civilian use of long distance telephone services other than for government purposes will not be permitted without approval of ACC HQ.

(c) No equipment or supplies in stock will be utilized without approval of ACC HQ, except for routine maintenance and repairs necessary for Military and Governmental communications.

(d) Civilian workmen will not be employed outside normal civilian organizations except in extraordinary circumstances.

(e) No work by civil organizations will be ordered in areas under Military control or on routes carrying military circuits without the consent of the Chief Signal Office concerned.

(f) No change will be authorized in the rates in force nor in the system of charging without approval from ACC HQ.

PROPERTY CONTROL.

9. The following will be treated as matters of policy, and no action will be taken in the Regions except in accordance with instructions from ACC HQ.

(a) Classes of property to be taken into custody, (e. g. U.S., British, Greek, French, etc., Italian Government, Fascist Party, « Parastatal », etc.).

(b) Methods of disposal, recording and accounting for properties taken into custody, e. g. bank balances, Fascist funds, real estate, etc.

(c) Industrial concerns (whether Allied or otherwise) whose activities extend beyond a single region (e. g. ACIP, NNIC, etc.).

10. The Regional Controller of Property (CP) shall have delegated to him all general powers of the Director of Property Control (DPC) with respect to properties in his Region, except that he shall not without the authority of the D.P.C.: —

(a) In the case of real property, raise money on the security of any property or its maintenance, beyond the limit of 40,000 lire;

(a)(b) In the case of commercial enterprises, etc., (i) contract any loans other than temporary advances obtained in the normal way of business, (ii) pledge any of the assets of the company or concern (iii) close down any business in his custody;

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(b) (c) Borrow or expend monies for the reparation of damage, ~~due to faits~~ ~~de guerre~~; War with the exception of minor repairs not exceeding the cost of 2000 Lire.

(c) (d) Enter into any ~~legal~~ contract or execute a deed necessary for the exercise of any of the powers of the D.P.C., except for the purposes laid down in ~~General Administrative Instructions No. ... para ... sub-(a) to (e).~~ Execution Memo #15 of 22 May 44.

LABOR.

11. Any announcement of labor policy effecting hours of work or collective bargaining or changing substantially conditions of work will be submitted to ACC HQ before it is published.

12. No change in the Italian law on the subject of wages, regulations and inspection measures and methods; supply, registration and distribution of manpower; industrial and labor relations; employee and employer organizations; hours of work; or absorption of demobilized soldiers in the economy will be made without the prior approval of ACC HQ.

PUBLIC WORKS & UTILITIES.

13. Materials which may be from time to time declared critical by the Public Works and Utilities Subcommission will not be used for ordinary maintenance without prior authority from ACC HQ.

14. In view of the necessity for control and allocation of structural materials, all contracts for public works or utility construction of services are subject to prior approval by ACC HQ, except where the contracts do not exceed 100,000 lire and only involve the use of available local materials.

15. Engineering, structural or building material or contractors' plants shall not be moved out of the Region in which they are located without the approval of ACC HQ.

16. No person shall be appointed to or removed from any of the following offices without the prior approval of ACC HQ.

(*a*) Compartimental Chiefs of A.A.S.S. (Public Highways).

(*b*) Compartimental Chiefs of the Provveditorato alle opere publiche.

EDUCATION.

17. The following subjects are reserved from the scope of authority of the R.C. and action thereon will be directed from ACC HQ.

(*a*) The procedure for the appointment or removal of all school personnel.

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(b) Conditions under which schools and universities will be opened or closed.

(c) The establishment of school programs, text books and school organization.

(d) Alterations in the existing types of schools.

(e) Appointment or removal, in all universities and institutions of similar rank, of

(i) Rectors and heads.

(ii) Presidi of faculties.

(iii) Titular professors, all members of the Lenatus Academicus, and personnel of equivalent rank.

(f) The establishment or abolition of chairs in universities or other institutions of similar rank.

AGRICULTURE.

18. All inter-Regional allocation of seeds, seed potatoes, artificial fertilizers, insecticides, fungicides and farm machinery shall be made by ACC HQ.

19. Production goals for agriculture, forestry or fisheries will not be established without prior approval by ACC HQ.

20. No alteration in producer prices or in the quantities retainable by producers for consumption or seed will be made with respect to controlled commodities, except after prior approval by ACC HQ.

21. No Italian government agency or quasi-governmental agency in this field will be substantially altered or abolished without the prior approval of ACC HQ.

22. No appointment or removal of the Chiefs of the Ispettorato Agrario Compartimentale or Provinciale will be made without the prior approval of ACC HQ.

SCHEDULE « C »

1. ACC HQ will be responsible for the preparation and printing of all Proclamations and General Orders and for their distribution to Regions who will be responsible for the actual publication thereof.

If any R.C. considers that any matter should be dealt with by Proclamation or General Order he will submit a report in writing to ACC HQ.

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2. Regional orders will make it plain in the body of the Order over what territory such Regional Order is applicable. All such Orders will be numbered consecutively and 6 copies thereof sent to ACC HQ on the day of publication. One copy will be sent to each other region for information.

3. All Regions under Allied Military Government shall from time to time publish Gazettes which shall be entitled:

« Italy Gazette No. ..... ». Region .....

Such Gazettes shall be numbered consecutively and shall contain copies of all Proclamations, General Orders and Regional Orders published in the Region subsequent to these published in Italy Gazette No. 1.

1 March 1944

EXECUTIVE MEMORANDUM NUMBER 31

REQUESTS FOR RELEASE OF PRISONERS OF WAR

1. Requests made to Allied Control Commission Headquarters (ACC HQ) for release of certain categories of Prisoners of War (POWs) will be handled by Interior Sub-Commission for recommendation and final decision of the Chief Commissioner.

2. Applications for release will only be considered by that Sub-Commission if it can be shown that the person whose release is requested is necessary for specific work connected with communal, provincial, regional, or ACC administration. Favourable recommendation will not be made unless the release is deemed likely to further the war effort.

3. Verbal requests will not be entertained. Initial requests must be made in writing to Communal or Provincial AMG/ACC Headquarters; personal applicants will be so instructed. Written requests will then be sent to Interior Sub-Commission who will examine the requests, and recommend action by the Chief Commissioner.

4. Requests to or by any other Sub-Commission or Division of AMG/ACC HQ, will be forwarded direct to Interior Sub-Commission, as prescribed in para. 5 below.

5. Original written requests for release of POWs will be forwarded, accompanied by a *completed* Prisoner Release Information Sheet (Form PR-1) to HQ ACC (attention Interior Sub-Commission). No request will be considered unless the form is complete. Blank forms are being supplied to Headquarters of Regions. Sub-Commissions may obtain copies on application to Interior Sub-Commission.

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6 Action at Allied Control Commission Headquarters:

(a) Interior Sub-Commission will acknowledge receipt of Form PR-1 and complete Form PR-2 parts 1-4 inclusive.

(b) Interior Sub-Commission will submit Form PR-1 and Form PR-2 to Chief Commissioner. If part 4 of Form PR-2 recommends release, covering letter to Military Government Section (MGS) AFHQ will be prepared and accompany the papers.

(c) Authorities for release when received at HQ ACC will be sent to Interior Sub-Commission, who will follow case until the object of the original application is attained.

(d) Refusals at any stage will be notified to the applicant through the channels by which they were received.

7. Requests for release of civilian interners (as distinguished from Prisoners of War) will be submitted to Regional Review Boards, or holding authority, using Form PR-1.

By Command of Lieut. General MASON MACFARLANE.

M. S. LUSH
Brigadier
Executive Commissioner

Issued
24 February 1944

EXECUTIVE MEMORANDUM NUMBER 32

ITALIAN MILITARY EQUIPMENT

1. Instructions from A.F.H.Q. require Italian Military resources on the mainland to be released to the Italians forthwith. Requests have been received for the return to Italian control of such equipment, including military transport, as is now in the hands of the Allied Control Commission on the mainland. Accordingly, all such equipment should at once be turned over to the Italian Military authorities.

2. If in special cases the release of Italian military equipment would seriously hamper the work of the Commission or the Allied Military Government,

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report should be made immediately to this Headquarters requesting permission for temporary retention and stating the time when the equipment will be released. Report of this action should be made to the local Headquarters of Districts or Base Sections pending instructions from this Headquarters.

By Command of Lieut. General MASON MACFARLANE.

NORMAN E. FISKE
Colonel, Cavalry
Deputy Executive Commissioner

Issued
27 February 1944

EXECUTIVE MEMORANDUM NUMBER 33

REORGANIZATION OF REGIONS

The following adjustments in Regional organization will take effect from 1st March 1944.

1. ROME SUB-REGION.

(a) ROME area will be known as ROME Sub-Region.

(b) ROME Sub-Region will form part of Region IV.

(c) Personnel for ROME Sub-Region will be the personnel allotted and in most cases already earmarked for the ROME area. A revised list of this personnel is being published immediately. This list will show the assignment of each individual until such time as it is necessary to concentrate the personnel of the Sub-Region prior to the forward move.

(d) As long as ROME area remains in or ahead of 5 Army area the Sub-Region will be under the operational control of the Commanding General, 5 Army area and SCAO, AMG, 5 Army will exercise control over the Sub-Region as well as over other Allied Military Government (AMG) areas in 5 Army area.

(e) When ROME Sub-Region ceases to be included in 5 Army area its personnel will remain with the Sub-Region which will automatically come under the control of HQ Region IV.

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2. SALERNO PROVINCE.

The Province of SALERNO will be tranferred from Region II to Region III (HQ. Naples, Regional Commissioner - Lt. Col C. Poletti, AUS). The Provincial Commissioner (Lt. Col H.P.P. Robertson) and his staff, including all ACC personnel assigned to SALERNO Province at that date, will come under the command of Regional Commissioner, Region III. Details of personnel will be sent to G-1, ACC HQ for record.

The attention of Regional Commissioner, Region III is directed to the fact that the Province of SALERNO forms part of the territory turned over to the Italian Government on 11th February 1944 and that control will be of an advisory and not of an executive nature.

Transport vehicles, office equipment, supplies, etc. will similarly be transferred and handing over certificates will be furnished with details to G-4 ACC HQ for record.

3. PONZA ISLAND.

The Western group of the PONTINE Islands of which PONZA is the largest, will be transferred from Region IV (Province of Littoria) to Region III (Province of NAPLES). The island is already being administered by Region III and the change is, therefore, merely for the purpose of record.

4. PANTELLERIA, LAMPEDUSA AND LINOSA ISLANDS.

The Islands of PANTELLERIA, LAMPEDUSA and LINOSA, hitherto administered by Region I AMG will continue to be so governed under the powers of Military Government which are hereby accorded to Regional Commissioner, Region I (Lt. Col. A. N. Hancock).

5. REGIONAL HEADQUARTERS.

Headquarters of Region II will be transferred from MATERA to BARI as soon as possible.

Headquarters of Region V has been established at CAMPOBASSO. The address is c/o Provincial Commissioner, Prefettura, CAMPOBASSO.

By Command of Lieut. General MASON MACFARLANE.

M. S. LUSH
Brigadier
Executive Commissioner

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1 March 1944

EXECUTIVE MEMORANDUM NUMBER 34

INSTRUCTIONS FOR HANDLING MEDICAL SUPPLIES

I. The following instructions have been drawn up in order to standardize the methods of receiving, storing, distributing, and accountig for the medical supplies being brought into Italy. They supercede those instructions set forth in Special Administrative Instructions Nos. 8 and 9 (Public Health Sub-Commission) and modify the accounting instructions as set forth in ACCOUNTING MANUAL. The Regional Commissioner will be responsible for carrying out these instructions, and whatever duties or responsibilities are indicated as the responsibilies of the Regional Public Health Officer, it is assumed that these duties and responsibilities will be delegated to him by the Regional Commissioner.

II. General.

A. A Central Medical Depot (ACC) for Medical Supplies has been set up in the vicinity of Naples under the control of the Supply Section of the Public Health Sub-Commission. Supplies coming from the U.K., U.S.A., or North Africa will be received at this depot, stored, and distributed to the Regional Warehouses on requisition (indent). Occasional shipments may be received at ports other than Naples, in which case, they will be dealt with as explained in Para. III, A. 7.

B. Regional Warehouses will be set up under the direction of the Regional Public Health Officer. These Warehouses will receive supplies from the Central Depot, store and sell then to the Medici Provinciali. All supplies will cease to be the property of Allied Military Government/Allied Control Commission (AMG/ACC) when they are shipped from the Regional Warehouse to the Italian agency to which they are sold.

C. All supplies purchased by a Province will be taken into a provincial storehouse and will be distributed throught the Province under the direction of the Medico Provinciale with the approval of the Regional Public Health Officer. One system which has been found to work very well and is recommended for use in every Province is for the Medico Provinciale to hire such personnel as may be needed to operate his own wholesale establishment, operating it on Provincial funds without profit.

D. In communes located in forward areas under the 5th and 8th Armies, where no Sindaco, Medico Provinciale, Ente Communale di Assistenza, or other local governmental official or unit is functioning, medical supply officers may make free issues of limited quantities of medical supplies in emergency cases (sufficient only to meet the needs of the immediate occasion), provided a certificate citing the emergency is made on the related issue vouchers.

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III. RESPONSIBILITIES.

A. Regional Public Health Officer (R.P.H.O.).

1. Set up, staff, equip, and operate at least one Medical Supply Warehouse for the Region.

2. Maintain accounts and submit reports as specified in the Accounting Section of these instructions.

3. Submit long terra requirements for the Region to the Public Health Sub-Commission every six months beginning February 1, 1944, for the period July 1. Public Health Sub-Commission will submit information of combined requirements to Industry and Commerce Sub-Commission 15 days prior to deadline date for each period.

4. Submit to the Public Health Sub-Commission by the 10th of each month, requests for the delivery of supplies to cover the following month. The exception being those Regions whose supplies are received direct from U.K. U.S.A. or other sources. All Regions will submit emergency requisitions (indents) whenever necessary.

5. Sell such supplies as are requested by a Province to the Province. In this respect, sales will be made « Ex Regional Warehouse ». The R.P.H.O. will not be responsible for delivering the supplies to the Provinces (see III B. (3)).

6. Control prices both to the hospitals and pharmacies, and to the ultimate consumers. Prices of imported American supplies and supplies obtained from the United States Army will be charged to the first Italian agency as per the Schedule in Appendix « A ». The prices of Italian supplies still in the hands or under the control of the Regions or Provinces will be established by the R.C.P.O. of the various Regions. The sale of these drugs should be encouraged by setting a fair price on them. The Pharmacist should be allowed approximately a 33 % profit on the selling price (50 % on cost) on patent medicines, package drugs, dressings, etc., and 50 % profit on selling price (100 % on ingredient cost) on items which must compound for prescriptions.

7. Receive, tally-in, store, and notify this Headquarters of the contents of any direct shipments of supplies which may be shipped to a port in the Region directly from U.K., U.S.A., or North Africa.

8. Assist reputable manufacturers of essential drugs and biologicals to resume production, reporting to the Public Health Sub-Commission the productive capacity available by each item manufactured. This Headquarters will render such assistance as possible in the rehabilitation of reputable firms.

9. Authorize the warehouse under his control to prepare any additional copies of reports and documents which may be needed for administrative purposes.

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B. Medico Provinciale.

1. Submit to the Regional Warehouse requests for such supplies for his Province as are authorized and necessary at such intervals and times as the R.P.H.O. may determine.

2. Have deposited with the local Sub-Accountant or into the proper bank to the credit of Allied Finance Agency's (AFAs) account funds for the purchase of the supplies. The correct AFA bank account number will be designated by AFA for each Region.

3. Pick up or arrange for the delivery of supplies from the Regional Warehouse to the Province. His responsibility for the supplies will start when they leave the Regional Warehouse.

4. Distribute supplies throughout the Province by his own method of distribution, but with the approval of R.P.H.O. Regardless of the system of distribution which may be used, the following priorities will apply: (1) Hospitals and Clinics, (2) Doctors and Midwives, (3) Pharmacies and other retail channels.

IV. Accounting.

A. Sources and types of supplies. There are several probable sources of Medical Supplies. Supplies from each source must be segregated, both physically in the warehouse and on all accounting records and documents. The following accounting code letters, placed after the U.S.A. item number, will be used on all records and documents to identify the supplies by types and sources:

Type of Source	*Code Letter*
1. U.S.A. Imports	A
2. U.K. Imports	B
3. U.S.A. Army	X
4. U.K. Army	Z
5. Captured or confiscated Italian Supplies	H
6. Captured or confiscated German Supplies	G
7. Purchased Supplies (Specify Source)	P
8. Miscellaneous (Other Allied Nations)	Specify

Examples of the use of the above accounting codes are as follows:

10110-A Acid, Boric, USP (U.S.A. Imports)
10110-B Acid, Boric, USP (U.K. Imports)
10110-X Acid, Boric, USP (U.S.A. Army)

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B. *Basis of Accounting.* The cost or value of Medical Supplies received will not appear on accounting records and documents kept or prepared at the Medical Supply Warehouse for supplies imported, confiscated, or obtained from the Armies of the U.S.A. or U. K. Cost will be reflected for supplies acquired by direct commercial purchase from Italian or other sources. The prices at which supplies are sold will be reflected on pertinent documents and records prepared or kept at the issuing warehouse.

C. *Requisitioning (Indents).* Requisitions (Indents) for supplies will be forwarded from the Regional Warehouses to the Public Health Sub-Commission Supply Section by the 10th of the month for the following month. Requisitions (indents) will be submitted from the Provinces to such places and at such intervals and times as the R.P.H.O. may stipulate. These requisitions (indents) will be prepared in triplicate on ordinary stationery and will give the following information: (1) where and how the supplies are to be shipped, (2) the basis for the requisition (indent) i. e. the population of the Region or Province or an adequate reason for requisitioning more than the allowance as set forth in the C.A.D. Basis Cost and Allowance Schedule, (3) the item number, (4) nomenclature, (5) unit, (6) quantity of the item required. The original and one copy will be forwarded to the Public Health Sub-Commission Supply Section, in the case of the Regions; to the Regional Warehouse, in the case of the Provinces. The triplicate will be retained by the originating agency. Regions which receive supplies direct from the U.S.A. will submit only emergency requisitions.

D. *Sales.* Sales, based on an approved requisition, will be prepared on « Issue Voucher » F/F 18 in triplicate. (See Appendix « B »). The form will show the item number, nomenclature, unit, quantity, unit and total sales price for each item, the instructions concerning how and where payment is to be made. In order to facilitate the preparation of monthly reports (See Paras I and J below) separate Issue Vouchers will be prepared for sales from each source of supply in cases where a single requisition (indent) is filled from more than one source of supply. The amount involved in the sales will be covered by full payment into a bank for AFA, with a notation that the collection is on account of Public Health Division. Copies of the bank deposit slips will be obtained and attached to the monthly report of sales. To facilitate identification of specific items, each Issue Voucher will be paid for separately, and an individual deposit thereof made in the bank. In forward areas this procedure may not be possible, in which case, payment will be made to the nearest Finance Officer or Sub-Accountant. Particulars of payment will be noted on the duplicate and triplicate of the Issue Voucher. The purchaser or his representative must present a signed copy of a bank deposit slip, sign the receipt certificate, and the Warehouse Officer musta sign the issue certificate on the duplicate, and triplicate copies. The duplicate will be retained at the warehouse as a medium for posting to the Store Ledger. The triplicate will be accumulated until the end of the month; and then forwarded in accordance with instructions in Para I below.

Issue vouchers F/F 18 for any free issues of supplies in emergency cases (as provided in para. III) shall contain the following certificate over the signature of the issuing officer: « Emergency free issue-No organized local governmental unit in vicinity ».

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E. *Transfers.* Transfers of supplies between warehouses will be prepared on «Transfer Voucher» F/F 17 in triplicate. (See Appendix «C»). This form will show the number of boxes shipped and the same information that is on the «Issue Voucher», except that the prices will not be shown, and the certificate of receipt need not be signed by the receiving officer. The distribution of the copies will be the same as the distribution of the «Issue Voucher».

F. *Receiving Reports.* When Medical Supplies are received at the warehouse, either directly or by transfer, they will be tallied-in and entered on the «Receiving Report» F/F 13 in triplicate. (See Appendix «D»). This form will show (1) the source of the supplies, (2) the markings on the cases this applies only to supplies when they first come into the country), (3) the quantities received, (4) comments as to the nature and apparent cause of any damage or shortages. It is unnecessary to fill in the quantities called for on the delivery note, B/L, or equivalent document. The total number of pieces received will be reported at the top of the page. The form will be signed by the Receiving Officer. The original will be retained at the warehouse as a medium for posting to the Store Ledger. The duplicates will be accumulated until the end of the month, and then forwarded in accordance with instructions in Para I below. The triplicate will be used to support claims for shortages or damage.

G. *Store Ledger.* A Store Ledger will be maintained at each warehouse on «Store Ledger» F/F 15. (See Appendix «E»). Quantities only will be recorded in this ledger. A separate page will be kept for each item by source of supply as prescribed in Para. IV A. On this record will be entered the date, from whom and to whom receipts or issues were made, the quantity issued or received, the voucher number, and the balance. When a physical inventory is taken, a notation will be made on the next vacant line to the Store Ledger showing the date, the remark «As per physical inventory», and the physical quantity. Adjusting entries for inventory differences should be made as outlined in Para IV H before the physical figure is entered.

H. *Inventories, Overages and Shortages.* A physical inventory of each item will be taken at each warehouse at least once a month. If the physical inventory discloses differences, the overages will be written up on a «Receiving Report» in duplicate, and the shortages on an «Issue Voucher» in triplicate. The facts pertaining to the case will be noted on the documents, which will be signed by the Warehouse Officer. The original and duplicate of the «Receiving Report» will be disposed of in the customary manner. The copies of the «Issue Voucher» showing shortages will be distributed as follows: (1) the original will be retained at the warehouse except where there is a shortage of any item in excess of Lire 10,000 in which case it will be forwarded to the R.P.H.O. for review and decision, (2) the duplicate will be retained at the warehouse as a medium for posting to the Store Ledger (shortages in excess of Lire 10,000 will be entered in pencil only until they are approved by the R.P.H.O., (3) the triplicate will be disposed of in the customary manner. If it is decided by either the R.P.H.O. or the Warehouse Officer, as may be appropriate, that any particular individual or individuals are responsible for the shortages or damage, payment for such shortages or damages will be collected and will be deposited to the correct AFA bank.

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I. *Monthly Stock Reports.* At the end of each month summary reports on the transaction on each item, by source of supply, will be submitted to the Public Health Sub-Commission through the R.P.H.O. A separate report in the form of Appendix « F » will be prepared from the Store Ledger for each source of supply. These reports will be accompanied by the duplicate of the « Receiving Reports » and the triplicates of the « Issue Voucher ». The reports and supporting documents will be dispatched by the warehouse to reach the R.P.H.O. by the 8th of the month, and will be forwarded by him to reach the Public Health Sub-Commission by the 15th of the month.

J. *Monthly Report of Sales.* At the end of each month, reports of sales will be prepared from « Issue Vouchers » in the form shown in Appendix « G »; the report will consist of a list of issue vouchers with copies of the bank payment slips referred to in Para IV D. A separate report will be prepared for sales made from stocks of each source of supply. Individual issue vouchers will be listed; but specific items thereunder will not be listed. These reports will be sent to the Regional Chief Accountant by the 8th of the month, who will verify that the proceeds of all sales have been credited to the appropriate AFA bank account. Also at the end of each month a report of free issues will be prepared similar to the form shown in Appendix « G », consisting of a list of the related issue vouchers showing the medical supply and quantity.

By Command of Lieut. General MASON MACFARLANE.

M. S. LUSH
Brigadier
Executive Commissioner

Appendices herein referred to will be supplied in sufficient copies on request of officers concerned.

Appendix A - CAD Basic Cost and Allowance Schedule.
B - F/F 18 Issue Voucher.
C - F/F 17 Transfer Voucher.
D - F/F 13 Receiving Report.
E - F/F 15 Store Ledger.
F - Monthly Stock Report.
G - Monthly Report of Sales.

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1 March 1944

EXECUTIVE MEMORANDUM NUMBER 35

POSTAL SERVICES

In order that Post services introduced in Allied Military Government (AMG) territory shall be on a uniform basis, attention is drawn to the following instructions, which will be followed from the outset whenever Postal Services are re-established or extended.

1. INTRODUCTION.

Postal services will not be introduced without the prior concurrence of Military Security and INC (Censorship). The Allied Control Commission Headquarters will be advised whenever a service is introduced or extended. No postal service will be permitted to operate except in accordance with all Allied military censorship and security regulations.

2. LOCAL SERVICES.

When introduced, the service should normally be confined, in the first instance, to a collection and delivery of postcards within the Provincial capital and possibly other large towns. Notices on the lines of appendix « E » should be printed and exhibited in advance of the opening date.

3. TYPE OF STAMPS.

Italian stamps will normally used, but AMG stamps may be used if Italian stamps are not available. Supplies of the AMG type are being sent over from America and under no circumstances should any printing or over-printing be undertaken locally. It will be necessary to ensure that adequate supplies of stamps are available before any service is introduced.

4. POSTAGE RATES.

The rate of postage for the service indicated in para 2 will be that formally in force i.e. 15 centesimi.

5. INTERNAL SERVICE.

As soon as possible, and subject again to Security and INC, the local service may be extended within the province. Ordinary letters up to a weight of 50 gms may be included if Security and INC concur. In such an event it will be necessary to amend and amplify the notice relating to the local service.

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6. Rates of Postage.

For a service within the province, the rates of postage will be as follows:

	For local delivery	*For delivery outside the town*
Postcards	15 centesimi	30 centesimi
Letters	25 »	50 »
	for each 15 gms	for each 15 gms (limit in each case 90 gms)

7. Inter-Provincial Service.

If at any time in a forward area it appears that the time is opportune to link up a service within a province with [illegible]

9. Transport Contracts

If, in connection with the introduction of internal mail, it is necessary to fix new contracts with private firms for the conveyance of mails, such contracts should only be placed after full discussion with the Provincial Directorate and should be on short-term basis (say three months), with Post Office option to cancel or renew.

[illegible] to establish additional services such as parcels, insurance, registration and financial transactions (e.g. money orders, savings bank postal bonds, etc.) must be submitted to ACC HQ.

11. Assistance.

In any case of doubt or uncertainty on Postal matters, the question should be referred to the Allied Control Commission (Telecommunication and Posts Sub-Commission) who will render all assistance possible, and if desired, will lend a postal officer for consultation.

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12. Prior to the war certain classes of correspondence could be delivered by authorised agencies other than the State Postal Monopoly, upon payment of appropriate fees. For censorship and security reasons steps must be taken to prevent the operation of such agencies for the collection and delivery of correspondence. They may, however, be permitted to act independently of the Post Office, as agents for publishers, and deliver daily newspapers and the like.

By Command of Lieut. General MASON MacFARLANE.

M. S. LUSH,
Brigadier,
Executive Commissioner.

EXECUTIVE MEMORANDUM NUMBER 36 — 7 June 1944

Cancelling Executive Memorandum No. 36 of 1 March 1944.

OPERATION OF POST OFFICE FINANCIAL SERVICES

1. The principal financial services undertaken by the Italian Post Office are: Savings Bank, Postal Bonds, Current Accounts, Money Orders, and miscellaneous Agency Services. They affect the Finance Sub-Commission so far as the scope and financing of the services is concerned, and the Communications Sub-Commission with regard to their operations.

2. The development of financial services falls broadly into three main stages:

a. Firstly, town by town, as the occupation proceeds.
b. Secondly, linking up these facilities with one another and with those in adjacent and distant provinces already operating.
c. Thirdly, removal of restrictions necessarily imposed at the outset and restoration of normal administration control procedure.

Note - Stages (a) and (b) will apply to the AMG period of control. Stage (c) will normally be appropriate to such time as the Italian Government has resumed control.

3. The following relative procedure has been agreed upon between the Finance and Communications Sub-Commissions in so far as their joint interests are concerned:

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a. Provincial Finance Officers will visit each Post Office in the Forward areas of their respective Provinces as soon as possible, in relation to the points set out in Appendix « A ».

b. As soon as the Finance Officer is satisfied:

i. that general conditions are suitable,
ii. that an adequate supply of cash is available and can be maintained by his own resources,
iii. that the Postmaster has the necessary supplies, records and payment authorities,

he will authorize the Postmaster to re-open the Post Office and to resume operation of the classes of business shown on Appendix « B ». Certain restrictions must however necessarily be applied at the outset owing to initial difficulties of inter-connection between all Post Offices, and to the normal centralized control arrangements for services such as Savings Bank. Brief outlines of such services, and particulars of the governing restrictions, are given in the handbook « Guide to the re-introduction of Post Office Services », prepared by the Communications Sub-Commission and issued by the R.C. & M.C. Section.

4. *a.* A postal Officer (from the Communications Sub-Commission) will be assigned to each *Region*. The Finance Officer in each *Province* and the relative Regional postal Officer, will maintain contact in order that the latter may be kept acquainted of the progress of the reopening of offices.

b. As and when the stated services are extended to new provinces, the Postal Officer concerned will pursue the question of linking up such provinces with one another and with rearward provinces. He will plan in advance for this step, taking into consideration Security requirements. Until such time as civil mail services are available for the transmission of Financial documents between provinces, official conveyance will have to be used. Unrestricted restoration of Financial Services must necessarily await the restoration of ordinary mail facilities — for communications to and from members of the public — and the establishment of contact with controlling Offices holding essential records.

5. Such restrictions on services as are provided for have essentially a technical bearing. Based on experience to date, the Finance Sub-Commission has not found it necessary to impose any general limit on the amount of cash withdrawals. If however at any time modifications in this respect should become necessary, they will notify the Communications Sub-Commission accordingly.

6. This memorandum, which embodies the agreed views of the interested Sub-Commissions, is issued for the guidance of all concerned.

M. S. LUSH,
Brigadier,
Executive Commissioner.

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APPENDIX « A »

NOTES FOR FINANCE OFFICERS

On taking over a town the Post Office will remain closed while the Financial Officer carries out a survey of its condition. In connection with this the following points are of importance:

a. Whether or not the premises are in working order, and the contents intact and under lock and key. (If Safe accommodation is not available, alternative Safe Deposit arrangements will be necessary).
b. The name of the Postmaster and whether or not he is available and reliable.
c. What amount of cash in on hand or has been withdrawn for safe custody. (In the latter case its disposal and availability should be ascertained).
d. The detailed amounts of all unused Postage, Revenue, and insurance stamps on hand.
e. Particulars of Postal Savings Bonds on hand.
f. Total number of Postal Savings Bank Accounts held in the Post Office, and the total amount standing to the credit of these accounts. (Details of (d), (e), and (f) to be furnished by the Postmaster on standard forms appropriate).

APPENDIX « B »

POST OFFICE FINANCIAL SERVICES

1. Ministry of Industry- Commerce and Labor.
   a. Social Insurance contributions and payments (Instituto Nazionale della Previdenza Sociale).
2. Ministry of Finance.
   a. Payment of State Pensions.
   b. Payment of salaries and allowances to State employees off duty.
   c. Sale of Buoni del Tesoro and payment at maturity.
   d. Payment of Public Debt coupons (Debito Pubblico).
   e. Payment of interest on Nominal Bonds (Titoli Nominativi).
3. Ministry of Communications.
   a. Payment of salaries and various indemnities to Postal and Telegraph personnel.
   b. Payment of R. P. Employee's pensions.
4. Ministry of Justice.
   a. Payments of fees and expenses of Witnesses and Experts.
5. Board of Education.
   a. Payment of salaries and allowances to Primary School Teachers.
6. Ministry of Interior.
   a. Military subsidies (Sussidi Militari).
7. All Ministries.
   a. Payment of Mandates and orders of credit.
   b. Orders for payment issued by the Prefettura.
8. Postal Money Orders (Vaglia Postali).
9. Current Accounts (Conti Correnti).
10. Savings Bank (Risparmi).
11. Postal Savings Bonds (Buoni Postali Fruttiferi).

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EXECUTIVE MEMORANDUM NUMBER 47

1 March 1944

POWERS OF SENIOR CIVIL AFFAIRS OFFICERS (SCAO's) AND SENIOR LEGAL OFFICERS (SLO's) 5th AND 8th ARMY

1. By Proclamation No. 14 certain powers, originally granted to the Chief Legal Officers (CLO's) by Proclamation No. 2 and 4, were extended to Regional Legal Officers (RLO's) of Regions. In order to have uniformity in exercise of review and other powers, it has seemed wise to extend to the SLO's 5th and 8th Armies, the same powers conferred on RLO's by Proclamation No. 14. You are therefore herewith instructed that the powers conferred by Proclamation No. 14 on RLO's are hereby extended to and conferred on the SLO's of 5th Army and on the SLO's 8th Army.

2. As a result of the authority so granted, the procedure with respect to reviews, 5th and 8th Armies, shall hereafter be as follows:

All petitions for review originating in the 5th and 8th Army areas may be filed with the trial court or may be forwarded to the S.L.O. of the army concerned but shall be addressed to the Chief Commissioner. Every record originating in the army area shall be transmitted to the S.L.O. that army, for examination and file. Where no petition for review has been filed under Proclamation No. 4, Art. VII, Section I and the sentence does not exceed two years' imprisonment or a fine of 50,000 lire, the Army SCAO shall review the case and may appoint a judicial officer not below the rank of Major for that purpose. In all cases where there is a petition for review or where the sentence exceeds 2 years' imprisonment or a fine of 50,000 lire, the record and petition for review, if any, shall be forwarded to the C.L.O., Allied Control Commission Headquarters for examination and review.

3. Other powers, functions and duties conferred on R.L.Os by Proclamation No. 14 now applicable to S.L.Os 5th and 8th Army are the following:

(a) The S.L.Os. may now in his area perform the functions previously assigned to the C.L.O. with respect to detention of suspects (Proc. No. 2, Art. VII, Section 2).

(b) The S.L.O. may now order an Allied Military Court in his area to sit in camera. (Proc. No. 4, Art. VII, Section I).

(c) The S.L.O. may now exercise the power of prohibiting any lawyer or other person from appearing in any court in his area. (Proc. No. 4, Art. IV, Section 2 (b)).

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4. In order to preserve the mobility of HQ in army areas the SCAO 5th and 8th Army is at liberty in cases where under para. 2 hereof he has reviewed a case *and after all action thereon has been taken*, to send to the Regional Legal Office of the Region which will be ultimately responsible for the area in which the case was heard, the record and petition (if any) for safe keeping.

5. This memorandum supercedes all previous directives issued by H.Q. A.M.G. or H.Q. A.M.G. 15 Army Group inconsistent herewith.

By Command of Lieut. General MASON MACFARLANE.

M. S. LUSH,
Brigadier,
Executive Commissioner.

Ref/252/CA.

4 Sept. 1944

EXECUTIVE MEMORANDUM NUMBER 38 (Revised)

EMERGENCY FINANCIAL ASSISTANCE TO UNITED STATES OR BRITISH NATIONALS PROCEDURE TO BE FOLLOWED BY OFFICERS OF THE ALLIED CONTROL COMMISSION

1. Having regard to the relatively low rate of relief payments being made by Italian organization in territory coming under Allied Military Government and Allied Control Commission jurisdiction, officers of the Commission are hereby authorized to accord emergency financial assistance in the form of advances to United States or British nationals who are in need thereof, within the limits imposed and providing the conditions set out herein are fulfilled.

2. Applicants for emergency financial assistance will complete, in quintuplicate, section (A) of a REQUEST FOR EMERGENCY FINANCIAL ASSISTANCE TO U.S./BRITISH NATIONALS (Form F/10A Appendix A) for U.S. nationals or Form F/10B (Appendix B for British nationals). These forms will be presented by the applicants, together with the documents substantiating their nationality and identity, to the officer of the Commission concerned. Each copy of the REQUEST must be signed by the applicant and care must be taken to see that all of the particulars called for on the forms are duly filled in.

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3. In the case of U.S. nationals, officers of the Commission may approve advances only to persons submitting one of the following documents:

(a) A U.S. Passport valid on 30 June 1941.

(b) A U.S. Certificate of Registration valid on 30 June 1941.

(c) A letter from a U.S. diplomatic or consular officer informing the individual that his or her application for registration has been approved by the State Department for a period extending beyond 30 June 1941; or

(d) Evidence that payments have in the past been made by Swiss diplomatic representatives for the State Department.

4. In the case of British nationals, officers of the Commission may approve advances only if the applicant submits an Empire passport valid on 11 June 1940.

5. If the officer of the Commission is satisfied that the documents substantiating the nationality of the applicant, as defined in paras 3 and 4 above, and the documents evidencing his or her identity are in order, he will complete section (B) on all five copies of the REQUEST, fixing the amount which may be advanced within the limits prescribed hereinafter.

6. If the applicant is unable to produce the documents specified in para 3 above, all five copies of the REQUEST together with pertinent supporting documents will be transmitted through the Regional Commissioner to the nearest American Consul General for a decision as to nationality. The American Consul General will indicate on all copies of the REQUEST his opinion as to citizenship status and the interviewing officer will be guided accordingly. In the case of British applicants, doubtful cases should be forwarded to the Finance Sub-Commission who will refer the documents to the appropriate authorities for a decision. An exception is made in that Military Authorities dealing with British Prisoners of War may, after interrogation, certify the nationality of applicants claiming British nationality who do not possess British Empire passports valid on 11 June 1940.

7. The various copies of the REQUEST FOR EMERGENCY FINANCIAL ASSISTANCE will be disposed of in accordance with the instructions printed at the foot thereof.

8. It should be noted that retroactive payments are *not* authorized; financial assistance commences as of the date of application. It is emphasized that the rates of payment authorized in para. 10 are maximum and it is expected that wherever possible, the actual sums advanced will be less than the permitted maximum and such advances should in no event be more than enough to provide for minimum essential needs.

9. In all cases the advances will be made in lire, but the obligations are fixed in terms of legal tender dollars of the United States in the case of U.S. nationals, and in terms of legal tender sterling of the United Kingdom in the

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case of British nationals. The advances to U.S. nationals may be repaid either in legal tender dollars, or in lire equivalent to the dollar amount, calculated at the rate of exchange prevailing on the date of *repayment*. Advances to British nationals, however, may be repaid either in legal tender sterling or in lire equivalent to the sterling amount calculated at the rate of exchange prevailing on the date on which the advance was *granted*. A RECEIPT VOUCHER (Form F/) will be made out in the usual manner in support of any LIRE repayments received by officers of the Commission, with a reference thereon to the approved REQUEST FOR EMERGENCY FINANCIAL ASSISTANCE. Sub-Accountants will prepare and submit *three* certified true copies of this voucher to the Finance Sub-Commission at A.C.C. Headquarters.

10. Until further notice, payments will be limited to a maximum of lire 4,000 (four thousand lire) per month per U.S. or British national and to not more than lire 12,000 (twelve thousand lire) per month per household. In considering applications for advances submitted by U.S. nationals, officers of the Commission will deduct from the above maximum the total sums received as remittances from abroad by the applicant or his household during the month immediately preceding the date of the application. The applicants certificate should be accepted as prima facie evidence. Where the amount of the remittances received exceeds the above limits no advance will be made. In reviewing the applications submitted by British nationals, the officer of the Commission will ensure that the sum of advances granted and remittances received in any one period of three months does not exceed the total amount of 12,000 lire per quarter per individual or 36,000 lire per quarter per household. Reasonable precautions will be taken to ensure that limits set herein are observed, but it is appreciated that individual officers cannot be held responsible if an unscrupulous applicant does not declare the amount of remittances received or obtains advances from two or more sources.

11. In the special case of Maltese and Cypriots, the monthly advances will be limited to lire 1,600 (one thousand six hundred lire) per individual and to lire4,000 (four thousand lire) per household- in view of the lower standard of living, unless special circumstances are cited and approval for larger advances is obtained from the Finance Sub-Commission or the military authorities dealing with British Prisoners of War.

12. When the monthly advances are made, receipts therefor will be obtained, in quintuplicate, on RECEIPTS FOR EMERGENCY ASSISTANCE TO U.S./BRITISH NATIONALS (Form F/10-1A (Appendix C) for U.S. nationals and For F/10-1B (Appendix D) for British nationals). At the same time, particulars of these advances must be endorsed on the back of the original of the *approved* REQUEST FOR EMERGENCY FINANCIAL ASSISTANCE, which must be produced by the applicant before any payment is made by Sub-Accountant of the Commission. These RECEIPTS will be disposed of in accordance with the instructions printed thereon.

13. With respect to advances made heretofore, every effort should be made to secure receipts, in quintuplicate, on the forms now prescribed, F/10-1A for U.S. nationals and F/10-1B for British nationals). Only one «global

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receipt s need be obtained from each national even though several previous advance have been made to him. In addition, a request form (F/10A or F/10B) should be obtained wherever possible, from each U.S. or British national to cover past advances, except that this may be dispensed with where future advances are to be made to the same individual, provided the advances heretofore made are endorsed on the REQUEST form he has signed.

14. A small supply of RECEIPT AND REQUEST forms is available at Headquarters and they should be used without alteration. However, in order to replenish supplies each Region should have its own supply printed locally as soon as possible. (See Appendices « A », « B », « C », « D »).

15. Advances will be shown in the books and accounts of the Allied Financial Agency under « ADVANCES - To Allied Nationals », separate accounts will be maintained by the Allied Financial Agency in sub-ledgers for each individual to whom payments are made.

16. Applicants should be informed that the financial assistance provided must not be considered as public bounty but as loans from public funds to U.S. and British nationals finding themselves in an abnormal position by reasons of the war. It is accordingly expected that, as already indicated, all sums advanced will eventually be repaid. However, the ability to repay is *not* to be considered as an essential condition to financial assistance and U.S. or British nationals able to qualify therefor should in no event be refused payment simply because they cannot forsee a time when they will be able to repay the sums advanced.

17. Claimants should be informed that remittances may be received from the United States and the United Kingdom through the Banco di Sicilia and the Banco di Napoli and they should be invited to contact their banks or relatives in those countries through the civilian mails requesting them to remit funds. British subjects who have money, or other assets in the United Kingdom, at present blocked by the Custodian of Enemy Property may apply to the Foreign Office for the release thereof. A standard form of application is in course of preparation and will be available shortly.

M. S. LUSH,
Brigadier,
Executive Commissioner.

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Appendix « A ».

ALLIED FINANCIAL AGENCY

F/F 104

Region ..... No. .....

A. REQUEST FOR EMERGENCY FINANCIAL ASSISTANCE

TO AMERICAN NATIONALS:

..... (City) (Country) (Date)

I, (printed or typed) ....., declare that I am a national of the United States, bearing the following evidence of my nationality:

.....

(Give date and number of passport and by whom issued or similar details respecting other evidence of nationality)

It is my intention as soon as possible to return for permanent residence to the United States, where my permanent address is:

..... (Street and Number) (City) (State)

I have friends, relatives, employers, attorneys (as indicated below) in the United States at the following addresses and I request that they be asked to make provision for my maintenance here:

Name Address Relationship

.....

.....

I hereby request the ALLIED FINANCIAL AGENCY to make advances to me in the amount of $ ..... per month. My reason for this request is that: (a) until ..... 194. I was receiving remittance of Lire ..... per month through the Swiss Legation at ..... and can no longer obtain this: (b) I was released from internment at .... on ..... 194..... and now have no other resources; (c) (Any other reason not covered by (a) or (b) above)

.....

I am entitled to a monthly pension of $ ..... from ..... and hereby authorize the Treasurer of the United States to recover from that source any advance made to me. Alternatively, I undertake to repay to AFA on demand any sums which may be advanced to me in answer to this request. In the meantime, I understand that the sums so advanced to me will not bear interest.

.....

Signature of Applicant

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ALLIED FINANCIAL AGENCY

A. REQUEST FOR EMERGENCY FINANCIAL ASSISTANCE TO BRITISH NATIONALS:

..... (City) ..... (Country) ..... (Date)

1. I, (printed or typed name) ..... declare that I am a British subject and am the holder of British Passport No. ..... dated ..... issued at ....., I further ..... declare that my permanent address is .....

2. I, hereby request the Allied Financial Agency, acting on behalf of H. M. Government, to make advances to me in the amount of L. ..... per month, for the purpose of my repatriation and maintenance pending repatriation, and I undertake to repay on demand, without interest, all advances made in this connection, (a) in Sterling to H.M. Government, or (b) in Lire, at the rate or rates of exchange for Sterling prevailing on the respective dates such advances are made, to the Allied Financial Agency, for account of H.M. Government.

....
Signature of Applicant

B. APPROVAL OF ADVANCES BY AMG/ACC OFFICER:

I have interviewed the above applicant, have examined the documents submitted and hereby approve a monthly advance of (in words) Lire:..... equivalent to (in words) ..... Sterling, payable on the ..... day of each month commencing ..... 194....

Date: ..... 194.....

.....
Signature of AMG/ACC Officer

Rank and AMG/ACC Title: .....

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Original: To be given to applicant after approval. Applicant must produce the original in order to draw his monthly advance, particulars of which will be endorsed on reverse.

Duplicate, Triplicate & Quadruplicate: To be forwarded at the end of each month to the Finance Sub-Commission, ACC Headquarters.

Quintuplicate: To be retained by approving officer.

ENDORSEMENT OF PAYMENTS OF ADVANCES

(1) Date: ..... 194... Amount (in figures) Lire: .....
Initials of Paying Officer: ..... Rank & Title: .....
Receipt No. .....

B. APPROVAL OF ADVANCES BY AMG/ACC OFFICER:

(2) Date: ..... 194... Amount (in figures) Lire .....
Initials of Paying Officer: ..... Rank & Title: .....
Receipt No. .....

(3) Date: ..... 194... Amount (in figures) Lire .....
Initials of Paying Officer: ..... Rank & Title: .....
Receipt No. .....

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Appendix «C»
F/F 10-1A

Region ..... No. .....

ALLIED FINANCIAL AGENCY

RECEIPT FOR EMERGENCY ASSISTANCE TO U.S. NATIONALS

1. I certify that I have received remittances totalling $ ..... from the United States during the month ending ..... 194....

2. I (printed or typed name) ....., hereby acknowledge receipt from the Treasurer of the United States, through the Allied Financial Agency, of the sum of (in words) Lire ..... equivalent to (in words) ..... dollars, which (a), I promise to repay to the Treasurer of the United States, without interest, upon demand, in legal tender of the United States, or to the Allied Financial Agency, for account of the Treasurer of the United States, in lire equivalent to this dollar amount at the official rate of exchange prevailing at the time of repayment, or (b) I hereby authorize the Treasurer of the United States to recover from the Monthly pension of $ ..... due me from .....

Date ..... 194....

.....
Signature of Recipient

3. I certify that the above amount of Lire: ..... was paid by me to the person entitled thereto, that I examined approved REQUEST FOR EMERGENCY FINANCIAL ASSISTANCE TO U. S. NATIONALS No. ..... and evidence of the identity of the payee and that I have endorsed particulars of this advance on the original of the foregoing REQUEST.

Paying Officer: .....
Signature Rank Title

The original, duplicate, triplicate & quadruplicate of this receipt are to be sent to the Regional Accountant with the Paying Officer's Monthly Report of Receipts and Disbursements. The *quintuplicate* of this receipt is to be retained by the Paying Officer.

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Appendix «D»
F/F 10-1B

ALLIED FINANCIAL AGENCY

..... Region ..... No. .....

RECEIPT FOR EMERGENCY ASSISTANCE TO BRITISH NATIONALS

1. I certify that I have received remittances totalling L. ..... from theU.K. during the three months ending ..... 194.....

2. I, (printed or typed name) ....., hereby acknowledge receipt from H. M. Government, through the Allied Financial Agency, of advances of funds in the sum of (in words) Lire: ..... equivalent to (in words) ..... Sterling, which is for the purpose of my repatriation and maintenance pending repatriation and which I undertake to repay on demand, without interest, (a) in Sterling, or (b) in Lire at the rate of (rate of exchange on day this RECEIPT in signed) .....

Date ..... 194.....

.....
Signature of Recipient

3. I certify that the above amount of Lire: ..... was paid by me to the person entitled thereto, that I examined approved REQUEST FOR EMERGENCY FINANCIAL ASSISTANCE TO BRITISH NATIONALS No. ..... and evidence of the identity of the payee, and that I have endorsed particulars of this advance on the original of the foregoing REQUEST.

Paying Officer: .....
Signature Rank Title

The original, duplicate, triplicate & quadruplicate of this RECEIPT are to be sent to the Regional Accountant with the Paying Officer's Monthly Report of Receipts and Disbursements. The *quintuplicate* of this RECEIPT is to be retained by the Paying Officer.

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Declassified E.O. 12356 Section 3.3/NND No. 785021

Ref/160/59/CA

July 1944

EXECUTIVE MEMORANDUM NUMBER 39 (First Revision)

ITALIAN LOCAL GOVERNMENT

1. The present position with regard to the organization of Italian Provincial and Communal Administration in Italian Government Territory and Military Government Territory (with the exception of 5th and 8th Army AMG area) is as follows:

a. In Italian Government Territory local government is now regulated by Royal Decree No. 111, published in the Gazzetta Ufficiale on 22 April 1944. All Regional Orders dealing with the reorganization of local government ceased automatically to be effective in any territory on the date on which such territory was restored to the jurisdiction of the Italian Government.

b. In Military Government Territory (with the exception of 5th and 8th Army AMG areas) Royal Decree No. 111 was made applicable by virtue of the Executive Commissioner's endorsement published in the Gazzetta Ufficiale of 10 May 1944. The actual operation of the Royal Decree dates from the time a copy of the Gazzetta Ufficiale is actually handed to the Prefect by the Allied Control Commission, or by such other method as may be authorized in the future.

2. With a view to uniformity and continuity of the same pattern of local government throughout Italy, those of the provisions of the Royal Decree No. 111 outlined in Schedule « A », as can be applied to 5th and 8th Army AMG areas shall be so applied as soon as possible. It should be noted, however, that Royal Decree No. 111 is a transitory measure, passed as a war emergency gap pending the restoration of elections.

3. *a.* Schedule « A » is an Administrative Instruction for the guidance of Senior Civil Affairs Officiers, Regional Commissioners and the officers under their respective commands. It outlines the pattern of local government to be followed.

b. Schedule « B » is a chart of Italian local government.

c. Schedule « C » is a list of Administrative Ranks of Civil Servants.

d. Schedule « D » is the English translation of Royal Decree No. 111.

M. S. LUSH,
Brigadier,
Executive Commissioner.

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SCHEDULA « A »

ALLIED CONTROL COMMISSION

ADMINISTRATIVE INSTRUCTION

SUBJECT: Reorganization of Provincial and Communal Administration.

TO : All Senior Civil Affairs Officers, Regional Officers and Officers under their respective commands.

1. The various government officers and organs herein mentioned derive their powers and functions from certain fundamental laws embodied in a Unified Text of Municipal and Provincial Laws of 1915 No. 148 with certain modifications made by the Royal Decree of December 30, 1923, No. 2839.

2. Provincial Administration is to be organized as follows:

a. The highest position in provincial administration is that of Prefect. Next in order come the Vice-Prefect (Vice Prefetto Vicario) and Vice Prefect Inspector (Vice Prefetto Ispettore). The Vice Prefect Vicario acts in the absence of the Prefect with the latter's powers. The Vice Prefect Ispettore is charged with the inspection of local government throughout the provinces.

b. When the post of Prefect is vacant, and a suitable civil service career official of the necessary grade and qualifications is available, he should be appointed with the title « Prefetto ». If no such career official is available, a person must be nominated to the position who, possesses the requisite executive ability and does not have an objectionable political background. His title should be « Prefetto Reggente ». The same principle applies when a vacancy exists for a Vice-Prefect when no suitable career official is available for appointment. Executive Memorandum No. 12 sets forth the procedure in detail.

3. In both instances, nominations supported by information as to the qualifications of nominees, are to be submitted to the Senior Civil Affairs Officer or to the Regional Commissioner for transmission through R.C. & M.G. Section C.A. Branch) channels to the Administrative Section for notification to the Italian Government and for approval by Allied Control Commissions.

4. The principal organs of provincial government which are to be revived in consultation with the Prefect are the following:

a. CONSIGLIO DI PREFETTURA - (« Prefectural Council »): It is normally composed of the Prefect or his substitute, who presides, and two senior Councillors (« Consiglieri ») of the Prefecture.

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Its powers and functions are principally advisory and are regulated by specific laws, although the Prefect may requeste the opinion of the Council on any matter. It also has certain functions relating to the approval of accounts of communes and certain institutions, in which capacity its composition is enlarged to include additional officials.

b. GIUNTA PROVINCIALE AMMINISTRATIVA - (« Provincial Administrative Board »): It is composed of ten members with the Prefect or Vice Prefetto Vicario as Presidente of the Board, and includes the following officials of the Prefecture: A Vice Prefect Inspector, two Councillors, the Chief Accountant (« Ragioniere Capo ») or his substitute and the Intendent of Finance, (« Intendente di Finanza ») or his substitute. The remaining four regular and two substitute members, are citizen appointees chosen from experts in legal administrative or technical matters, nominated by the Deputazione Provinciale, where it has been possible to constitute such body and confirmed by the Prefect subject to approval of the Allied Control Commission. The Giunta Provinciale Amministrativa has powers of review over communal administration.

The following persons cannot be members of the Giunta Provincial- Amministrativa:

I. The President, Vice-President and members of the Deputazione Provinciale.
II. Mayors and Aldermen of Communes.
III. Paid Provincial and Communal functionaries.
IV. Relatives up to the second degree; and first degree relatives of the Provincial tax-collector and tax-receiver.

c. DEPUTAZIONE PROVINCIALE - (« Provincial Deputation »): This body is revived to replace the fascist-created *Rettorato*, the latter body being now abolished. In Pre-fascist provincial government, the Deputation was normally appointed by, and from among, the members of a larger elected body known as the *Consiglio Provinciale* (« Provincial Council »). For present purpose since the elective Consiglio is not possible at this time, the Deputation is to be nominated by the Prefect and approved by the Allied Control Commission. It consists of a President and unpaid regular and substitute citizen members. The numerical composition of the Deputazione Provinciale varies according to the population as follows:

Inhabitants	*Regular Deputies*	*Alternates*
Over 600,000	10	4
» 300,000	8	2
Other provinces	6	2

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The President is also the Head of Provincial Administration (« Capo dell'Amministrazione Provinciale »). He convokes, presides over, prepares the agenda for, and executes the decisions of the Deputazione Provinciale. The President, subject to the approval of the Prefect, may appoint a Vice-President from among the Provincial Deputies who assists him and substitutes for him in his absence. The President may entrust the deputies with special administrative duties.

5. Municipal Administration is to be organized as follows:

a. SINDACI: In place of « Podestà » the democratic title of « Sindaco » (Mayor) must be adopted where a commune has a Giunta Comunale and « Commissario Prefettizio » where there is no such local body. New appointments or changes in the position of Mayor will be made by the Prefect, if in office, and approved by the Allied Control Commission. Appointments of Vice-Sindaci are to be similarly effected.

b. The Mayor may entrust to the Alderman (Assessori) special duties in connection with the municipal Administration. The Mayor convokes, presides over, prepares the agenda for, and executes the decision taken by the Giunta Municipale.

c. SEGRETARIO COMUNALE (Town Clerk): This official is a civil servant and cannot be appointed mayor, or be lightly dismissed. The Prefect has full power to effect transfers, retirements, and appointments of Town Clerks, and changes should be effected only through him under the standing procedure which must be closely followed.

d. GIUNTA COMUNALE – (« Municipal Board of Aldermen »): This body is revived to replace the fascist-created Consulta Comunale. Normally, as in the case of the Provincial Deputation, its members, called « assessori » (« Aldermen ») should be selected by, and from among the members of, an elected Consiglio Comunale (« Municipal Council »). Under present emergency conditions the members of the Giunta Comunale are appointed and removed by the Prefect, if in office, with the approval of the Allied Military Government. The Giunta Comunale should be established as early as conditions so permit. The numerical composition of the Giunta varies according to population an is as follows:

Inhabitants	*Assessori (Aldermen)*	*Alternates*
Over 250,000	10	4
» 60,000	8	4
» 30,000	6	2
» 3,000	4	2
Other communes	2	2

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6. Substitute or alternate members of any of the aforementioned agencies do not take part in their meetings except in the absence of the regular members.

7. In the selection of members of the above agencies, consideration should be given to various shades of political opinion according to their local strength. Labor and agriculture as well as industry and the professions, moreover, must be adequately represented. Person who held such positions in the Fascist Party as specified in Article I of Royal Decree of December 28, 1943, No. 29/B are barred from office.

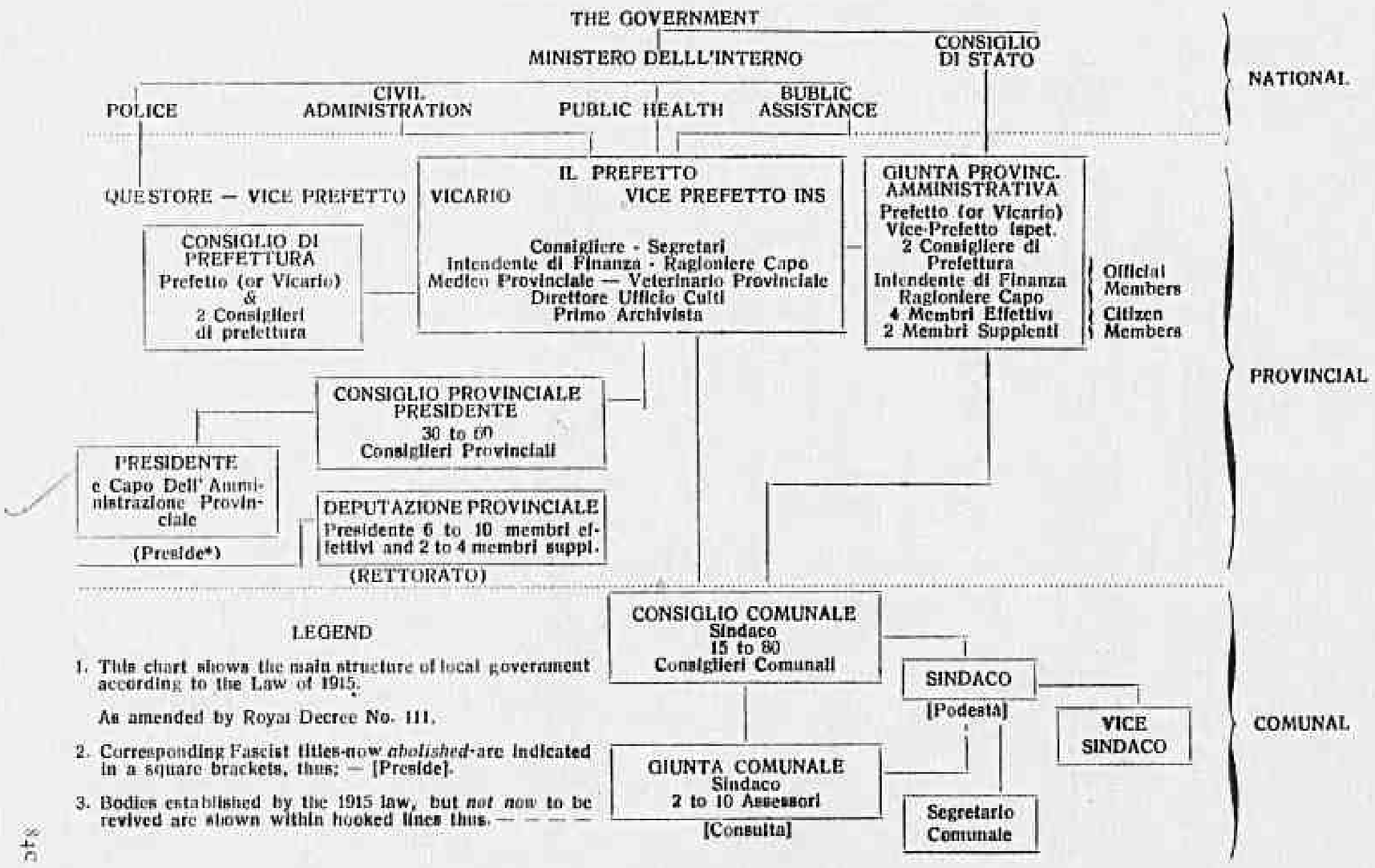
8. For the purposes of securing a proper understanding and a uniform application of these instructions, as well as other matters affecting local government, meetings of all Provincial Commissioners will be held at regular intervals. Similar meetings of all Prefects will also be held in order to assure a uniform application of the patterns of local government herein set forth.

9. In conformity with the above, from now onwards, all Provincial and Municipal Decrees and Orders must be issued in the name of the Prefect or local Mayor respectively and bear only the «VISTO» of the Allied Military Government Officer concerned.

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SCHEDULE « B »

CHART OF ITALIAN LOCAL GOVERNMENT



LEGEND

1. This chart shows the main structure of local government according to the Law of 1915.

   As amended by Royal Decree No. 111.

2. Corresponding Fascist titles-now *abolished*-are indicated in a square brackets, thus; — [Preside].

3. Bodies established by the 1915 law, but *not* now to be revived are shown within hooked lines thus. — — — —

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SCHEDULE «C»

Civil Servants are divided into three groups, A. B. and C.
The first deals with political and administration affairs; the second handles accountancy and administration; the third takes care of archives, registry, typing, etc.

ADMINISTRATIVE RANKS

Grade	XI	Under Secretary
»	X	Secretary
»	IX	First Secretary
»	VIII	Councillor Second Class
»	VII	» First Class
»	VI	Vice-Prefect - Inspector
»	V	» » - «Vicario»
»	IV	Prefect Second Class
»	III	» First »

In addition to the foregoing, there is another category of personnel appointed by the Ministry of Interior, who have not passed the prescibed civil service examination, consequently without rank, known as «personale avventizio».

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SCHEDULE « D »

(Translation by Interior Sub-Commission, A.C.C. – 10 May 1944)

ROYAL DECRE - Law of APRIL 4th, 1944, No. 111

Transitory Rules for the Administration of Communes and Provinces.

VITTORIO EMANUELE III

By Grace of God and by the Will of the Nation

King of Italy

Whereas Art. 1d. of the Law of January 18th, 1939, No. 129;
Whereas the Unified Text of the Communal and Provincial Law approved by Royal Decree of March 3rd, 1934, No. 383;
Whereas the Royal Decree Law of October 30th, 1943, No. 2/B;
Having considered that it is necessary to issue transitory rules for the administration of Communes and Provinces while waiting to establish administrative elections;
Considering the state of emergency in consequence of the war;
After having heard the Council of the Ministers;
On the proposal of the Minister of Interior;

WE HAVE DECREED AND WE DECREE

Art. 1.

Each commune has a mayor (Sindaco) and board of aldermen (Giunta Municipale).

The mayor (Sindaco) and the aldermen (Assessori Municipali) are appointed by the Prefet.

They may be removed bu the Prefect for not having complied with the duties of their office or for reasons of public order.

Against any measures of removal no appeal is allower juridically or administratively.

Art. 2.

The mayor (Sindaco), in the case of absence or inability to appear, is substituted by the alderman, delegated as such (Assessore Delegato), who will be appointed by the decision of the mayor (Sindaco) subject to approval of the Prefect.

The mayor (Sindaco) may, moreover, entrust to the aldermen (Assessori) special duties in connection with the administration of the commune.

The mayor (Sindaco) convokes and presides over the board of aldermen (Giunta Municipale), arranging the matters to be discussed at each meeting, and executes the decisions taken by the board.

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Art. 3.

The board of aldermen (Giunta Municipale) is empowered to deliberate on the matters over which the Unified Text of February 4th, 1915, No. 148, as modified by R. D. of December 30th, 1923, No. 2839, established the authority of the board of aldermen (Giunta Municipale) and of the Communal Council (Consiglio Municipale), without prejudice to the provisions of special laws in force.

Art. 4.

The administration of each province is composed of a President (Presidente) and a Provincial Deputation (Deputazione Provinciale).

The President (Presidente) and the provincial deputies (Deputati Provinciali) are appointed by the Prefect. The provisions of paragraph 3 of Art. 1 apply to them.

Art. 5.

The president (Presidente) may appoint a Vice-President (Vice Presidente) from among the provincial deputies (Deputati Provinciali), and he may entrust them with special duties in connection with the administration of the province.

The vice president (Vice Presidente) assists the president (Presidente) and substitute for him when absent or prevented by a justified reason.

The appointment of the Vice President (Vice Presidente) must be approved by the Prefect. The president (Presidente), moreover, convokes and precides over the provincial Deputation (Deputazione Provinciale) arranging the matters to be discussed at each meeting, and executes the decisions taken by the Provincial Deputation (Deputazione Provinciale).

Art. 6.

The Provincial Deputation (Deputazione Provinciale) is empowered to deliberate on all matters over which the Unified Text of February 4th, 1915, No. 148, as modified by Royal Decree of December 30th, 1923 No. 2839, established the authority of the Provincial Deputation (Deputazione Provinciale) and of the Provincial Council (Consiglio Provinciale), without prejudice to the provisions of the special laws in force.

Art. 7.

Besides the cases provided by the Unified Text of February 4th, 1915, No. 48 those persons cannot be appointed to the office of mayor (Sindaco), president (Presidente), alderman (Assessore Comunale), provincial deputy (Deputato Provinciale), or elective member (Membro Elettivo) of the Giunta Provinciale Amministrativa (G.P.A.) who come under any of the provisions of Art. 1 of the Royal Decree of December 28th, 1943, No. 29/B.

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Art. 8.

The composition, convocation, and functioning of the Board of Aldermen (Giunta Comunale) and of the Provincial Deputation (Deputazione Provinciale) are governed by the provisions of the Unified Text of February 4th, 1915, No. 148,, as modified by Royal Decree of December 30th, 1923, No. 2839.

The decisions of the mayor (Sindaco), Board of Aldermen (Giunta Municipale), President (Presidente) and of the Provincial Deputation (Deputazione Provinciale) are subject to the control of legality and of importance conferred on the Organs of the Government by the provisions of the laws in effect.

Art. 9.

The Provincial Administrative Board (Giunta Provinciale Amministrativa) is composed of the Prefect or his deputy, who presides, of the Provincial Inspector, (Ispettore Provinciale), of the Finance superintendent (Intendente di Finanza), of two councillors of the Prefecture (Consiglieri di Prefettura) appointed at the beginning of every year by the Prefect, of the Chief Accountant of the Prefecture (Ragioniere Capo della Prefettura), of four regular members (Membri Effettivi) and two substitute members chosen from among persons expert in juridical, administrative and technical matters, appointed by the decision of the provincial deputation (Deputazione Provinciale), subject to approval of the Prefect.

The Prefect and the finance superintendent (Intendente di Finanza) respectively designate as substitutes, a councillor of the Prefecture (Consigliere di Prefettura), an official of the accountancy office of the Prefecture, and an official of the Provincial Office of Taxes (Intendenza).

The Substitutes do not take part in the meetings of the board unless there is an insufficient number of the regular members in the respective category.

A quorum of five members is sufficient to render valid the decisions of the Giunta Provinciale Amministrativa in administrative session (in sede amministrativa). For an equaltiy of votes, the president's vote prevails.

Art. 10.

The following persons cannot be members of the Giunta Provinciale Amministrativa:

a. The President, the Vice President and the members of the Provincial Deputation (Deputazione Provinciale).

b. The Mayors (Sindaci) and the Aldermen (Assessori) of the communes of the province;

c. Provincial and Communal functionaries and employees as well as accountants and those persons of public institutions of assistance and charity who receive wages or salaries.

d. Those persons who do not possess the required qualifications for being appointed « Assessore » in conformity to the regulation in force concerning the « Corti d'Assise » (Grand Jury).

e. Relatives up to the second degree of relationship, and relatives of the Provincial tax-collector and tax-receiver in the first degree while he is fulfilling the office of the « Esattoria » and of the « Recevitoria ». (Provincial Administration of Taxes).

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Art. 11.

In the case of the dissolution of the Provincial Deputation (Deputazione Provinciale) the elective members of the Giunta Provinciale Amministrativa go out of office but are empowered to act until the appointment of the new members.

The elective members who without justified motive do not attend three consecutive meetings lose their office. The dismissal is resolved by the Giunta itself on the proposal of the president (presidente) after having heard the interested persons.

The vacancies resulting among the elective members are filled by the senior substitute elective member.

When there are no substitutes left, new ones are appointed by the Deputation (Deputazione).

Art. 12.

To the elective members of the Giunta Provinciale Amministrativa a fee for each meeting attended by them is paid, the amount of which to be determined by Decree of the Minister of Interior.

The respective expenses are charged to the Provincial Administration.

Art. 13.

The regulations of the Unified Text of March 3rd, 1934 No. 383, and subsequent legislation at variance or incompatible with the present decree are abrogated.

The Prefects will provide for the appointment of the aldermen (Assessori Comunali) and of the Provincial Deputies (Deputati Provinciali) within 60 days that this decree becomes effective.

The Provincial Deputations (Deputazione Provinciale) will provide, within a month after their installation in office, for the appointment of the elective members of the Giunta Provinciale Amministrativa in substitution of the members in office appointed by the Ministry.

Art. 14.

The present decree which will become effective on the day following its publication in the «Gazzetta Ufficiale del Regno», Special Series, will be presented to the Legislative Assemblies for conversion into law.

The Minister of Interior, the proposer is authorized to present the respective bill of the Law.

We order, to whomsoever concerned, to observe this present decree and to see that it will be observed as a Law of the State.

Dated at Salerno, April 4th. 1944.

VITTORIO EMANUELE

Badoglio - Reale.

Approved:

The Lord Privy Seal (Guardasigilli): *Casati.*

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11 March 1944

EXECUTIVE MEMORANDUM NUMBER 40

TO: All Regional Commissioners & S.C.A.Os. 5 and 8 Army.
(Copies for Regional Finance Officers and Regional Accountant Officer).

ACCOUNTABLE FUNDS HELD BY OFFICERS TO BE TRANSFERRED FROM ANY REGION

1. Cases have occured where officers transferred from one Region to another or to other theatres of war have left behind uncleared balances in respect of accountable funds held by them.

2. If such transfers take place without the knowledge of the Regional Accountant Officer he is unable to take the necessary steps to clear the officer's account before he leaves the territory. You should, therefore, make the necessary arrangements to see that all permanent changes of station of officers who are accountable for funds from your territory are notified to the Regional Accountant Officer who will immediately inform you if there are any uncleared balances against such officers. Should such cases arise you should take the necessary steps to see that the balances are cleared before the officer leaves the territory.

M. S. Lusk
Brigadier
Executive Commissioner

11 March 1944

EXECUTIVE MEMORANDUM NUMBER 41

EMOLUMENTS OF CIVILIAN EMPLOYEES

1. Your attention is drawn to the fact that in certain cases the maximum wage scales for civilian employees, as laid down by the District or Base Section Commander, are being exceeded by AMG/ACC.

2. It is of the utmost importance that in areas where wage rates are laid down by the military authorities such rates should not be exceeded. It will,

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therefore, be your responsibility to see that all civilian employees are engaged by an officer or department fully conversant with such rates. It will in turn be the responsibility of the Regional Accountant Officer, or in the case of AMG 5th and 8th Armies, the Finance Officer, to bring to the notice of the Regional Commissioner, or in the case of 5th and 8th Armies the S.C.A.O., any instances in which these rates are being exceeded.

3. In areas where there are no rates fixed by the Army authorities, Regional Commissioners must exercise care to see that wages and salaries paid are in conformity with existing local rates and in order to maintain adequate control he should himself draw up a schedule of rates of pay which will be operative throughout his Region for AMG/ACC civilian employees.

M. S. Lush
Brigadier
Executive Commissioner

Declassified E.O. 12356 Section 3.3/NND No. 785021

19 March 1944

EXECUTIVE MEMORANDUM NUMBER 42

FINANCING OF OPERATIONS OR PROJECTS IN WHICH SUB-COMMISSIONS HAVE AN INTEREST

1. This memorandum will outline the procedure to be observed by all Sub-Commissions in the financing of operations or projects in which they have an interest.

2. In territory now under the control of the Italian Government (Regions I, II, VI, VII and Salerno Province in Region III), the Finance Sub-Commission does not consider requests for funds for individual purposes. The Finance Sub-Commission exercises control over Italian Governmental expenditures through an examination of the Italian Government's consolidated budget covering all Governmental activities. Accordingly, the provision of finance for particular purposes should be discussed by the interested Sub-Commission with its opposite number in the Italian Government. When the Sub-Commission and Ministry concerned are in agreement, the Ministry will then arrange with the Minister of Finance for consideration of the item with a view to its being included in the Italian Government's consolidated budget.

3. In territory under Allied Military Government (Regions III, IV, V and the two Army areas) a Sub-Commission interestal in a particular project involving expenditure of funds should, in conjunction with the appropriate Regional officials, consult with the Italian official or Governmental agency having jurisdiction over such work or activity in the Region. When it has been agreed that the proposed expenditure should be undertaken, it will be the responsibility of the appropriate Italian official to include such expenditure in the proper budget (State, provincial or communale). Control over the total volume of expenditure is obtained through examination of such budgets by Regional Finance Officers.

4. Nothing in this intruction shall be deemed to alter the procedure in effect in forward areas under control of AMG Fifth and Eight Armies, in those circumstances where direct AMG finance has to be provided.

M. S. Lush
Brigadier,
Executive Commissioner

Ref/45/33/CA

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EXECUTIVE MEMORANDUM NUMBER 43

21 March 1944

The Legal Sub-Commission requires for its proper functioning a copy of all orders or other publications controlling conduct of, or prescribing any form of procedure with regard to Italian nationals. It is desired that you furnish to the Legal Sub-Commission copies of such orders and publications as may now be in force, and that in the future you send a recond copy to the Legal Sub-Commission whenever any such documents are published.

NORMAN E. FISKE
Colonel,
Deputy Executive
Commissioner

Ref/218/57/CA.

EXECUTIVE MEMORANDUM NUMBER 44

31 March 1944

DIVISION OF RESPONSIBILITY

Between Education Sub-Commission and Regional Education Officers

I

1. The division of responsibility hereinafter set out, between the Education Sub-Commission ACC and Regional Education Officers, applies to all regions while under Allied Military Government. There is also set forth, herein, the general lines of responsibility for advice and assistance to be given to Italian Education Officials, in territory under the Italian Government and Allied Control Commission.

II

Responsibilities of the Education Sub-Commission will include the following:

1. Establishment of general policies, applicable to more than one region, in regard to:
   a. Conditions of appointment or approval and of dismissal of all school personnel.
   b. Conditions under which schools and universities may be opened or closed.
   c. Matters of school programs, text books, and organization.
2. Any alterations in the existing types of schools.
3. Production, approval or disapproval of all text books or parts thereof.
4. Appointment, approval and dismissal in all universities and institutions of university rank, of:
   a. Rectors and heads;
   b. Presidi of Faculties;

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c. Titular professors, all members of the senatus academicus, and personnel of equivalent rank.

5. Establishment and abolition of chairs in universities and other institutions of similar rank.

III

Responsibilities of Regional Education Officers will include the following:

1. Approval, appointment and dismissal of all Provveditori, inspectors, directors, teachers and other personnel for schools below university rank subject only to Headquarters policies as to conditions affecting appointment and dismissal.

2. Approval, appointment and dismissal of all personnel for universities and institutions of University rank, except:

a. Rectors or heads of such institutions;

b. Presidi of Faculties;

c. Titular Professors, members of the senatus academicus and persons of corresponding rank subject only to Hq. policies as to conditions affecting such appointments.

3. All local provincial or regional administrative matters connected with universities, and other higher institutions, elementary and secondary schools, kindergartens, and out-of-school youth and adult education programs, within the general framework of headquarters policies.

4. All arrangements for covering « ordinary » expenses of educational institutions, heretofore paid on a provincial level.

5. All arrangements for covering « extraordinary » expenses for repair of bombed or damaged buildings, etc. subject to approval of this plan by the CFO.

6. The opening of state and church schools, under general policies of Hq.

7. The opening of establishments of new state or church schools subject only to conformity with Hq. policies.

8. Determination of dates of opening and closing schools, (Hq. to be kept informed).

9. Same for opening and closing of universities (Names to be added).

10. The Regional Commissioner, of the Region concerned, shall be advised of any action taken under sub-paragraphs 1 to 9, inclusive, above.

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The Education Sub-Commission retains the authority to establish policies of dismissal, and also the power to dismiss any teacher personnel of any educational institution over which the Allied Control Commission has jurisdiction; and nothing herein above set forth shall be construed to abrogate or limit this authority.

M. S. Lush
Brigadier,
Executive Commissioner

17 March 1944

EXECUTIVE MEMORANDUM NUMBER 45

SCREENING ITALIAN OFFICIALS IN AREAS UNDER MILITARY GOVERNMENT

1. This directive indicates the method which will be followed in occupied territory for the « Screening » of Italian officials.

2. This investigation, an explanation of which follows, will be the responsibility of the Regional Commissioner (R. C.) and is designed to eliminate officials who from their past record and character appear to be unsuitable to hold public office under the aegis of Allied Military Government. It is intended primarily to expel those individuals who through their own choice and inclination were ardent or prominent members or supporters of the Fascist Party.

3. The principle of this scheme is that each official is considered individually according to his personal merits and not in accordance with arbitrary criteria. Each investigation begins with the personal background of the official in his own locality and opportunity is afforded for the opinion of Allied Security and Military Government Officers who are on the spot and therefore in the best position to judge.

4. Unless such officials have already been investigated to the satisfaction of the R. C., the following measures will be adopted.

5. The R. C. will classify the officials to be investigated into two groups, List «A» indicating the Senior Officials and List « B » indicating those of lesser importance. A guide to this classification is attached, /Schedule 1), which should be followed subject to any special Regional requirements.

6. Priority of attention will be given to List « A » on the principle that if the senior officials are bona fide, they themselves will be likely to see that their subordinates are equally trustworthy.

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7. The R. C. will distribute through his Provincial Commissioners, questionaire forms or Schede of an approved type to be completed by the Italian officials concerned and to be returned by them to the issuing Provincial Officer. This Scheda is designed to reveal details of personal history in the Fascist Party and a guide to its use is attached (Schedule II). Supplies of Scheda are obtainable on request to HQ ACC or may be printed in Regions provided that no alteration is made to the standard form.

8. The completed forms will be forwarded to the Public Safety Officer who after reference to the local military security services available, e.g. C.I.C. or F.S.S., will record any such information on the Scheda and will consult with the Provincial officer who will endorse his recommendation as to retention or dismissal and forward it to the Provincial Commissioner who will act as follows:

a) In the case of List « B » officials who are *not* members of a national or centralized agency, such as Questure, Postal or Railway officials, decide whether or not they should remain in office and endorse the Schede with his decision.

b) In the case of List « B » officials who *are* members of a national or central agency, he may decide to retain them in office, but, if in his opinion they should be dismissed, the consent of the head of the appropriate specialist at Regional Headquarters must first be obtained; (i.e. if the Provincial Commissioner is of the opinion that a Bank Director should be removed, he must obtain the consent of the Regional Financial Officer before so doing). In the event of disagreement between the Provincial Commissioner and the Regional officer concerned or in the absence of the latter officer, reference will be made to the R.C.

c) In the case of List « A » officials, the Provincial Commissioner will add his recommendation to the Scheda and forward it to the R.C. At Regional HQ the Regional Public Safety Officer will refer to whatever military security functions are available and record such further information on the Scheda. The R.C. in consultation with the Regional Officer concerned will then decide whether or not the official should be retained.

d) In the instance of difficulty arising in the case of List « B » officials, the matter will be referred to the R.C. for decision.

9. Normally List « A » officials should be suspended rather than dismissed from office until such action has been confirmed by HQ ACC.

10. The Schede of List « A » officials should be retained for filing at Regional HQ and those of List « B » at Provincial level.

11. A limited number of experienced officers who are qualified to advise and assist R.C.'s in these investigations are available from the Security Branch HQ ACC and application for their services on a temporary basis should made to this Headquarters.

12. Regional Commissioners will inform HQ Allied Control Commission:

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a) the date on which this « screening » is begun
b) the date of conclusion
c) the result of such measures including the number and categories of officials who have been either confirmed in office or removed.

Monthly progress reports as at (c) will be submitted.

By Command of Lt. General Mason MacFARLANE:

M. S. LUSH
Brigadier,
Executive Commissioner

SCHEDULE 1

LIST « A »

1. Prefect
2. Vice-Prefect
3. Questore
4. Vice-Questore
5. Director of Food Supply
6. Director of Transport
7. Maritime Director (Port Commandante)
8. Chamber of Commerce Director
9. Employment Director
10. Provincial Director Post Office
11. Inspector General Post Office
12. Rector and Heads of University Departments
13. Vice-President of Court of Appeal
14. Procuratore Generale of Court of Appeal
15. Avvocato Generale of Court of Appeal
16. Presidente di Tribunale
17. Procuratore del Re
18. Intendente di Finanza
19. Ragioniere Capo (Chief Accountant)
20. Commandanti of Fire Brigade of Categories 1 and 2 (i.e. Lt. Cols).

LIST « B »

1. *Prefecture*

(a) Chief of Cabinet (Capo del Gabinetto)
(b) Secretary (Segretario)
(c) Councillors of the Prefecture (Consiglieri di Prefettura)
(d) Secretaries of the Prefecture (Segretari di Prefettura).

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2. *Questura*

(a) Commissars of Public Safety (Commissari di Pubblica Sicurezza).

3. *Magistrates (Magistrati)*

(a) First Pretori in towns over 40,000 population
(b) Capo Cancelliere.

4. *Communes (Comuni)*

(a) Mayor and Vice-Mayor (Sindaco e Vice-Sindaco)
(b) Communal Secretary (Segretario Comunale).

5. *Social Insurance Office (Ufficio di Previdenza Sociale)*

(a) Director and Assistant Directors (Direttori ed Assistenti).

6. *Universities (Università)*

Professors

7. *Banks and Credit Institutions*

Directors

8. *Transportation and Communications*

Chief Technicians.
Post: Postmasters, Chief of Telegraph and Telephone Offices.
Railways: Capi Stazione at Principal railway stations.

Commissioned officers of Carabinieri and Guardia di Finanza will be screened through their own official channels for which the Chief of Public Safety ACC HQ and Commanding Generals CC. RR. (Carabinieri) and GG. FF. (Guardia di Finanza) will be responsible.

N. B. — These lists have been framed as minimum requirements and should be extended to other officials according to Regional requirements and resources available.

SCHEDULE II

GUIDE IN ANALYZING « SCHEDA » RETURNS.

The SCHEDA PERSONALE has been designed to obtain personal information concerning the background of Italian public officials with particular reference to their Fascist history.

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In order to arrive at a proper conclusion some points of guidance are set out below. It should, however, be borne in mind *that each case must be judged on its individual merits* and that the guiding principles set out below are merely of an informative nature and not absolute rules.

WHAT TO LOOK FOR IN A COMPLETED SCHEDA.

1. *Party membership (Item No. 4).*

Membership in the Fascist Party (PNF) is not in itself of great significance. Public officials, whether ministerial appointees or career civil servants and people otherwise holding jobs of any responsibility, were practically forced to belong to the Party. The same is true of prominent business and professional men who were obliged to give at least lip service to the Party in order to exist.

The time of joining the party and the length of membership are of importance. If, for instance, it is shown that membership began in 1922, or before, and was uninterrupted until Allied occupation, it is one indication of an « Old Fascist ».

Membership at later dates is proportionately of less significance depending, of course, on the age of the individual and the other factors shown on the Scheda.

2. *Mussolini « Originals » and « March-on-Rome » Fascists (Item 5 (a) and (b)).*

The founders of the Fascist Party — Mussolini's « Old Guard » — were known as « Sansepolcristi ». They were relatively few in number, consequently there will be few « Si » answers to this question. But if one is found the significance is obvious.

The Blackshirts who were in the « March on Rome » October 28, 1922, or were subsequently so considered, were known as « Squadristi ». They constituted the strong-arm and « castor-oil » squads who violently repressed opposition to Fascism and who formed the nucleus of the Fascist government throughout Italy. Unless there be overwhelming evidence to the contrary, *any person who was a « Squadrista » may be considered as a leading, active and probably dangerous Fascist.*

3. *Fascist Militia (MVSN) (Item 5 (c) and (d)).*

The Fascist Militia (Milizia Volontaria Sicurezza Nazionale) was created by Mussolini first as as a volunteer police force and then as a Party Army separate from the regular armed forces and police services, to maintain the power of the dictatorship.

Membership in the Militia has to be judged from the indication of the *type* of Militia unit to which the individual belonged and his period of service with each unit. For instance, service in the « Militia Ordinaria » — the basic, regular type of volunteer Blackshirts — if performed during *peace time* is proof that the individual was a maintain of the party but if performed only during *war time*, and a result of being drafted for that service, this fact should not be held against the individual.

The same is true for the other types of militia, except for the « Moschettieri del Duce » (The Duce's Musketeers) who were Mussolini's personal bodyguard and Fascists carefully picked for this duty.

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The least significant of the Militia units were the Anti-aircraft Militia and the Naval Artillery Militia which were so close to ordinary military units that it may well be said that membership in those units was not much more than regular military service.

4. *Party Jobs (Item 6 (a) to (o)).*

These are positions of prime importance. The jobs listed are arranged generally in order of their significance but all are important as indicating the degree to which the individual occupied positions of responsibility in the Party itself. The general rule should be that a person who held any one of these jobs is to be regarded as clearly prominent in Fascist rank and as a party leader, at whatever level the position was held. Judgement should be modified, however, by consideration of the period of service in any one or more of these appointments. For instance, the lesser positions if held only for a few months preceding Allied occupation might indicate that a minor official had been left in an invidious position by a more prominent Fascist who fled before Allied arrival. Of major significance are indications that the individual held progressively greater responsibilities in the Party.

5. *OVRA & other secret-police activities (Items 7 to 9).*

The OVRA (Opera Volontaria Repressione Anti-Fascista) was a volunteer secret police system. Each person who belonged to this system was part of a web of spies and informers who reported on activities or sympathies regarded by the Fascists as subversive. Every unit of the government, of private business, of the professional world, of the police and even of the army had its OVRA. The OVRA itself had an inside OVRA.

Since it was virtually impossible for Italians themselves to know who OVRA members were, it is unlikely that persons will admit their activities of this type on the schedà. But some instances have occurred in which the admission has been made. Moreover, intelligence agencies of the Allied forces have been able to get lists of OVRA members which can be checked against the Schedà.

Any individual who was a member of the OVRA should be regarded as a dangerous and undesirable person.

Officials who were part of the « political office » of the Publica Sicurezza (Metropolitan police) should be similarly regarded.

6. *Corporative and syndical Positions (Item 10).*

Note the question in this section asks whether the individual was a functionary in a Corporazione, Sindicato, or Consorzio Agrario. Every employer or employee under the Fascist corporative had to belong to some such organization. Consequently such membership indicates nothing as to the Fascist character of the individual. But positions of official authority in the administration of such organizations were usually given to tried and true Fascists. Again, the period of service and the nature of the duties have a highly important bearing.

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7. *Governmental and Quasi-Governmental Positions (Item 11).*

The most important item in the listing of governmental or « Parastatal » positions occupied by the individual is the *method by which he was appointed.* If by regular civil service examination, the fact that the person held a government job under the Fascist regime is of no significance. But if the appointment was made by decree Ministerial or Prefectual the probabilities are that the individual attained his position not by merit but as a political reward for being a good Fascist.

8. *Sources of Income (Item 12).*

The replies in this section are significant if they show (a) that the major source of income was from the Fascist Party or from Corporative or Governmental jobs to which the individual was appointed under the Fascist regime, or (b) that the income was excessive in terms of the functions performed. Even private incomes from business or professional sources should be thus regarded. The ordinary business man or professional person was not permitted under the Fascist Tax and penalty system to earn excessive amounts unless he was favored by the regime.

9. *Military Service (Item 13).*

Ordinary military service is not, of course, evidence against an individual. Significant are the items indicating whether the individual was a volunteer in the various wars or interventions of the Fascist regime. Also of considerable significance is the fact that the individual may have been exempted from military service by reason of special discrimination in his favor.

10. *Anti-Fascist political activity.*

The replies to this question are significant in the following respects: (a) As indicating those who were genuinely opposed to the Fascist regime before Allied occupation, and (b) to obtain some data as to the nature and strength of anti-Fascist parties. Many will now claim affiliations for obvious reasons, but generally the answers should be accepted, subject to check with well-known members of the parties or groups mentioned.

11. *False Statements in the Scheda.*

The individual filling out a Scheda is warned twice of the penalties for false statement. Any proof of false statement should be followed by prosecution.

12. *Witnessing signature.*

Since there is the possibility that Scheda may subsequently be produced as evidence in legal proceedings, it is strongly recommended that wherever possible the signature of the official concerned be witnessed by an Allied Officer who should countersign to that effect.

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13. *Supplies of Scheda Printed Forms.*

As sufficient copies of the Scheda are not available in Naples for distribution to all Regions, Regional Commissioners and SCAO's Armies should make their own arrangements for printing of supplies.

EXECUTIVE MEMORANDUM NUMBER 46

31 March 1944

ITALIAN GOVERNMENT MESSAGE TRAFFIC

1. INTERNAL.

a) Italian Government messages within Government territory are not subject to censorship; messages may be in clear or in cipher. They may be subject to inspection, if required, to check the official nature of the message.

b) Italian Government messages will be accepted and passed *over the military operated submarine cables from Naples to Palermo* (Sicily) and thence to Cagliari (Sardinia), taking priority after military and United States and United Kingdom Government traffic.

The detailed procedure for dealing with this traffic is given in Attachment «A».

2. EXTERNAL.

a) Italian Government messages may continue to be passed in Allied ciphers *over the military radio circuits to Algiers* for adresses abroad. The rules and procedure for dealing with this traffic are established.

b) Italian Government messages may be passed *over the commercially* (Cable and Wireless) *operated submarine cables from Naples to Malta* or from *Brindisi to Malta*, for the Italian Government offices in Madrid or Lisbona only. Messages are subject to the approval of the Political Section, Allied Control Commission; they may be in clear or in the codes and ciphers approved by Allied Force Headquarters. The detailed procedure for dealing with this traffic is given in Attachment « B ».

c) Italian Government messages may be passed *over the commercially operated radio circuits from Naples* to the United States (Radio Corporation of America Communications) or from Naples to the United Kingdom (Cable and Wireless) for any addresses dealt with by the operating companies. On these circuits, messages are subject to the approval of the Political Section and also to Field Press Censorship; they may only be in *clear*, and will be of an entirely non-secret nature such as press releases. The detailed procedure for dealing with this traffic is given in Attachment « C ».

M. S. LUSH
Brigadier,
Executive Commissioner

Ref/56/13/CA.

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ATTACHMENT « A »

PROCEDURE FOR DEALING WITH ITALIAN GOVERNMENT TRAFFIC OVER THE MILITARY OPERATED CABLES NAPLES-PALERMO AND PALERMO-CAGLIARI

1. Messages will be handed in by the Italian Government to the H. Q. Adjutant's Office, Room 21, Provincia Building, Naples. (Arrangments for transmission between Salerno and Naples will be made by the Italian Government).

2. The H. Q. Adjutant's Office will type the message on the form required for transmission by the military unit operating the cable, authenticate, and pass to the Signal Office concerned.

3. Incoming messages from Palermo or Cagliari will be delivered by the Signal Office of the unit operating the cable to the H. Q. Adjutant's Office, Allied Control Commission, Naples, via Allied Control Commission Signal Center, from where they will be collected by Italian Government courier.

4. Similar arrangements, as convenient locally, will be made at Palermo and Cagliari.

5. At no stage is translation or deciphering required, but copies of messages should be retained for reference.

ATTACHMENT « B »

PROCEDURE FOR DEALING WITH ITALIAN GOVERNMENT TRAFFIC OVER THE COMMERCIALLY OPERATED CABLES NAPLES-MALTA AND BRINDISI-MALTA

1. All messages will bear the message instruction « **FIL** » (to be transmitted by landline or cable only) at the beginning.

2. Outgoing messages may only be addressed to the Italian Government Offices at Madrid or Lisbona.

3. *Outgoing messages for transmission in clear.* Messages will be handed by the Italian Government to the Political Section, Allied Control Commission, Salerno, which will either approve locally or forward to the Political Section, Allied Control Commission, Naples, for approval. In either case, after approval they will be forwarded by the Political Section to the H. Q. Adjutant's Office, Allied Control Commission, Naples, with an endorsement on one copy « Approved for transmission

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over commercial cables in CLEAR » signed by the endorsing officer. The message will then be authenticated by the H. Q. Adjutant's Office and passed via Allied Control Commission Signal Center to Peninsular Base Section Signal Center for transmission.

4. *Outgoing messages for transmission in cipher.* Cipher and clear text copies will be handed by the Italian Government to the Political Section, Allied Control Commission, Salerno, which will either approve locally or forward to the Political Section, Allied Control Commission, Naples, for approval. In either case, after approval they will be forwarded by the Political Section to the H. Q. Adjutant's Office, Allied Control Commission, Naples, with an endorsement on one cipher copy « Approved for transmission over commercial cables in CIPHER », signed by the endorsing officer. A ciphered copy will then be authenticated by the H. Q. Adjutant's Office and passed to Peninsular Base Section Signal Center via Allied Control Commission Signal Center for transmission. A second cipher copy together with a clear copy will be sent by the H. Q. Adjutant's Office to Allied Control Commission Signal Center, Naples, for check. After check both copies will be forwarded by Allied Control Commission Signals Center to the Political Section, Naples, with any necessary comment. It should be noted that cipher copies of approved messages may be passed for transmission without being delayed for the check by Allied Control Commission Signals for agreement of texts.

5. *Incoming messages.* Incoming messages for the Italian Government in clear or in cipher will be delivered by Peninsular Base Section Signal Center to the H. Q. Adjutant's Office, Allied Control Commission, Naples, via Allied Control Commission Signal Center, who will pass them without delay to the Italian Government, sending a copy of each message to the Political Section (via Allied Control Commission Signals for deciphering if in cipher). Messages need not be delayed for the check by the Political Section before being delivered to the Italian Government.

6. All charges by the cable company will be met by the Italian Government.

ATTACHMENT « C »

PROCEDURE FOR DEALING WITH ITALIAN GOVERNMENT TRAFFIC OVER THE COMMERCIALLY OPERATED RADIO CIRCUITS NAPLES-UNITED STATES AND NAPLES-UNITED KINGDOM

1. Outgoing messages may be addressed to any address dealt with by the operating companies.

2. Messages will be in clear only, and will only be of an entirely non-secret nature such as press releases.

3. Messages will be handed to the Political Section, Allied Control Commission, Salerno, who will forward to Political Section, Allied Control Commission, Naples.

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If approved, they will be sent by the Political Section to the H. Q. Adjutant's Office, Allied Control Commission, Naples, with an endorsement on one copy « Approved for transmission over commercial radio IN CLEAR subject to Field Press Censorship approval » signed by the endorsing officer. The message will then be authenticated by the H. Q. Adjutant's Office and passed to the Field Press Censorship office, C/o Allied Force Headquarters Public Relations Officer, 8 San Felice, Naples. If approved they will be duly endorsed and forwarded by that office to the radio operating company for transmission.

4. Incoming messages will be sent by the Field Press Censorship Office to the H. Q. Adjutant's Office, Allied Control Commission, Naples, who will pass them without delay to the Italian Government, sending a copy to the Political Section, Allied Control Commission.

5. All charges by the commercial radio company will be met by the Italian Government.

1 April 1944

EXECUTIVE MEMORANDUM NUMBER 47

ESTABLISHMENT OF A PUBLIC RELATIONS BRANCH

1. A Public Relations Branch of the Allied Control Commission is established as of this date. It shall consist of one Director, two Deputy Directors and an establishment of Public Relations Officers, Conducting Officer and EM/OR's, of which a table of personnel will shortly be published.

2. The appointments of Regional and Army A.M.G. Public Relations Officers are abolished. Personnel hitherto holding these appointments are hereby transferred to the Public Relations Branch at Headquarters, A.C.C.

3. The Director of Public Relations will report directly to the Chief Commissioner through the Secretary-General.

4. The Public Relations Branch will be responsible for providing all facilities required by the Press in connection with the work of the A.C.C. They will be responsible for providing transportation and making all arrangements for members of the Press who desire to study the work of A.C.C. in the field.

5. The Public Relations Branch will be the sole channel for issue from A.C.C. of releases and explanations of A.C.C. activities intended for publication or broadcasting. The P.R. Branch will also be responsible for the direction and issue of all photography and photographic material concerning the A.C.C. Press interviews with members of the A.C.C. at Hq. and in the Regions, and Press Conferences will be arranged through or by P.R. Branch.

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6. The Director of Public Relations will be a member of the Allied Publications Board.

7. The Public Relations Branch will be the normal channel for comunications and enquiries concerning the Allied and Italian Press.

NOEL MASON MACFARLANE
Lieutenant General
Chief Commissioner

Ref/385/1/CA.

31 March 1944

EXECUTIVE MEMORANDUM NUMBER 48

DIVISION OF RESPONSIBILITY

Between Educational Sub-Commission and Regional Educational Officiers.

I

1. The division of responsibility hereinafter set out, between the Educational Sub-Commission ACC and Regional Educational Officers, applies to all regions while under Allied Military Government. There is also setforth, herein, the general lines of responsibility for advice and assistance to be given to Italian Educational Officials, in territory under the Italian Government and Allied Control Commission.

II

Responsibilities of the Education Sub-Commission will include the following:

1. Establishment of general policies, applicable to more than one region, in regard to:

a. Conditions of appointment or approval and of dismissal of all school personnel.

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b. Conditions under which schools and universities may be opened or closed.

c. Matters of school programs, text books, and organization.

2. Any alterations in the existing types of schools.

3. Production, approval or disapproval of all text book or parts thereof.

4. Appointment, approval and dismissal in all universities and institutions of university rank, of:

a. Rectors and heads;

b. Presidi of Faculties;

c. Titular professors, all members of the senatus academicus, and personnel of equivalent rank.

5. Establishment and abolition of Chairs in universities and other institutions of similar rank.

III

Responsibilities of Regional Education Officers will include the following:

1. Approval, appointment and dismissal of all Provveditori, inspectors, directors, teachers and other personnel for schools below university rank subject only to Headquarters policies as to conditions affecting appointment and dismissal.

2. Approval, appointment and dismissal of all personnel for universities and institutions of University rank, except:

a. Rectors or heads of such institutions;

b. Presidi of Faculties;

c. Titular, Professors, members of the senatus academicus and persons of corresponding rank subject only to Hq. policies as to conditions affecting such appointements.

3. All local provincial or regional administrative matters connected with universities, and other higher institutions, elementary and secondary schools, kindergarterns, and out-of-school youth and adult education programs, within the general framework of headquarters policies.

4. All arrangements for covering «ordinary» expenses of educational institutions, heretofore paid on a provincial level.

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5. All arrangements for covering « extraordinary » expenses for repair of bombed or damaged buildings, etc. subject to approval of this plan by the CFO.

6. The opening of state and church schools, under general policies of Hq.

7. The opening of establishments of new state or church schools subject only to conformity with Hq. policies.

8. Determination of dates of opening and closing schools, (Hq. to be kept informed).

9. Same for opening and closing of universities (Names to be added).

10. The Regional Commissioner, of the Region concerned, shall be advised of any action taken under sub-paragraphs 1 to 9, inclusive, above.

IV

The Education Sub-Commission retains the authority to establish policies of dismissal, and also the power to dismiss any teacher personnel of any educational institution over which the Allied Control Commission has jurisdiction; and nothing herein above set forth shall be construed to abrogate or limit this authority.

M. S. Lush
Brigadier,
Executive Commissioner

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Issued
10 April 1944

EXECUTIVE MEMORANDUM NUMBER 49

1. In order to simplify regional organisation under advisory conditions the Chief Commissioner has decided to divide Region II by detaching from it the compartimento of Calabria and placing it under a Regional Commissioner. The transfer was effective 0001 hrs 23 April 1944.

2. Region II will thereafter consist of the Provinces of Lecce, Brindisi, Taranto, Matera, Potenza and Bari with Headquarters at **BARI.**

3. *a*) The new Region which will be known as Region VII will consist of the three Provinces of Reggio, Cosenza and Catanzaro. Headquarters Region VII has been established at the Prefettura, CATANZARO, telephone N.o 1592, reached from Naples through Long Distance (Naples) via MATERA or REGGIO, or FATIMA REAR and ask for CATANZARO.

b) The Offices of the Provincial Commissioners are:

REGGIO (Calabria), Prefettura,	phone	2000
COSENZA, Prefettura,	»	1380
CATANZARO	»	1747

4. *a*) Colonel J. T. Zellars (A) will be RegionalCommissioner for Region II.

b) Colonel R. G. Kirkwood (A) will be Regional Commissioner Region VII.

c) Colonel C. B. Findlay, D.S.O., will be Director of Displaced Persons Sub-Commission.

5. Instructions on transfer of personnel, transport and equipment will be issued later.

Ref/57/CA.

M. S. Lusii
Brigadier,
Executive Commissioner

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10 April 1944

EXECUTIVE MEMORANDUM NUMBER 50

SOCIETY OF FRIENDS.

AMBULANCE UNIT.

1. An ambulance unit of the Society of Friends has been placed at the disposal of the Allied Control Commission and is officially recognised as a part of the Commission.

2. The unit is actively engaged in assisting the Internees & Displaced Person Sub-Commission and the Italian Refugee Branch (R. C. & M. G. Section).

3. The members of the unit are to be regarded as members of the Allied Forces insofar as rations and accommodation are concerned. Regional Commissioners and Heads of Sub-Commissions and Branches with whom the unit operates are requested to give all facilities.

4. The members of the unit are:

	Name	*Initial.*	*F.A.U. No.*
	Bamford	P.B.	544
†	Barns	H.N.	429
	Brown	I.C.	771
	Brown	P.D.	772
†	Davies	L.E.	179
	Foster	S.W.	790
†	Gibson	J.A.C.	791
	Gibson	P.L.	298
†	Giffard	C.C.	247
	Hamblett	E.P.	728
	Hawthorne	J.C.W.	566
	Hemingway	G.S.	731
	Lambert	K.S.	736
	Mann	D.E.	632
†	Marriage	S.D.	146
	Miles	J.P.	740
	Odel	G.A.	741

† Now in Sicily (Region 1)

Ref/229/2/CA.

M. S. LUSH
Brigadier,
Executive Commissioner

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EXECUTIVE MEMORANDUM NUMBER 51 — 24 April 1944

MOTOR VEHICLE PERMITS AND AUTHORIZATIONS FOR PETROLEUM SUPPLIES

1. Motor vehicle permits and authorizations for petroleum products will be issued only in accordance with:

a) General Order No. 20.

b) AFHQ Adv Adm Echelon Instruction No. 12, as amended.

c) Supplementary instructions given below.

2. Where necessary local Orders will be published cancelling all superfluous Orders and permits, and implementing this memorandum.

3. No civilian motor vehicle shall be used unless:

a) Licensed in accordance with existing Italian Law, and

b) A permit covering its use, and an authorization for petroleum supplies, have been issued under the authority of the Allied Control Commission.

4. The licensing of motor vehicles in Italy is handled by two National bodies:

a) The Ispettorato Generale della Motorizzazione Civile.

b) The Reale Automobile Club d'Italia (RACI) and the Conservatore del Registro.

These agencies will be re-established as soon as possible. All matters relating to them which would normally be dealt with by their respective head offices in Rome (e. g. appointment of Directors, printing of bollettari, etc.) will be referred to this Headquarters for action.

5. The Ispettorato Generale della Motorizzazione operates through Regional (Compartimentale) Directors and Provincial Engineer Inspectors, and is responsible for the fitness of vehicles and the competence of drivers. Tre Compartimentali in Southern Italy, and the provinces which they control, are indicated below:

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Compartimentale	*Provinces*
BARI	Bari, Brindisi, Foggia, Ionio (Taranto), Lecce and Matera.
NAPLES	Naples, Avellino, Benevento, Campobasso, Potenza and Salerno.
ROME	Rome, L'Aquila, Frosinone, Grosseto, Littoria, Perugia, Rieti, Terni and Viterbo.

Where the compartimentali and Regions do not coincide, neighbouring Regional Commissioners will make such arrangements (without changing the Italian system) as will ensure that the work of the compartimentali is carried out in all provinces.

6. The RAC1 is a revenue collecting agency and operates from provincial offices located in the chief town of each province. The Conservatore del Pubblico Registro is the motor vehicle registration authority. The Conservatore is subject to the control of RAC1 in whose offices it is usually located.

7. Statistical licenses issued in the case of non-industrial vehicles will be valid until 31 December. Licenses issued in the case of industrial vehicles and trailers, and all permits, will expire on 30 April, 31 August and 31 December.

8. Petroleum products will be handled only by Comitato Italiano Petroli.

9. All applications for permits and authorizations for P.O.L. will be made on forms ACC-Pet 1, ACC-Pet 2, and ACC-Pet 3, to the Consiglio Provinciale dell'Economia (C.P.E.) or its equivalent. Separate instructions are being issued on the subject of the C.P.E. Meanwhile temporary arrangements will be made.

10. The C.P.E. or its equivalent will, on receipt of the application forms, make recommendations to the Provincial Commissioners after verifying the following:

a) *Motor Vehicles.* (Through RAC1 and the Ispettorato Generale della Motorizzazione).
That the ownership of the vehicle has been fully established, that it is licensed in accordance with the Italian law, and that the fee of 50 Lire for the permit has been paid.

b) *Non Vehicular Users including Fishing.*
The reasonableness of the demands and the necessity for the continued operation of the machinery. In the case of fishing the application will be submitted to C.P.E. via the Capitanerie di Porto who will satisfy himself that the demand is reasonable and that the fisherman has delivered to the authorised market a reasonable return for the P.O.L. previously granted.

c) *Agriculture (through the Ispettorati Agrari).*
The availability of the agricultural machinery and the reasonableness of the demand having regard to the crops raised, etc.

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11. In the case of load carrying vehicles, all permits and authorizations will be approved by the Provincial Civil Supply and Road Haulage Control office. All vehicles under the control of this office, *whether civilian or military*, will be subject to this instruction.

12. After approval by the Provincial Commissioner, C.P.E. will deliver the circulation permits and the authorizations for P.O.L. (forms ACC-Pet 1A, 1B, 1C, 1D, 2A) to the applicant. C.P.E. will be entitled to levy the charges authorized under existing Italian law.

13. The number of the current circulating permit must be endorsed on the authorization for petroleum products. The purpose for which a vehicle is authorized to be used will be entered on the permit. Where for security reasons, it is undesirable that a civilian vehicle owned by a military unit should bear military vehicle marks a civilian permit may be issued on application being made by the Commanding Officer of the Unit.

14. An authorization for P.O.L. will be valid only for a period of one month and only one will be issued in respect of any one vehicle. In special cases two such authorizations may be issued to cover a period not exceeding two months in all.

15. Authorizations will be renewed automatically during the currency of the circulation permit on presentation of the expiring P.O.L. authorization.

16. A Record Card (Pet-ACC 1AA) will be completed at the same time as the permit with the use of carbon paper. Details of the authorizations issued will be shown on the rear side of card.

17. A charge of 50 Lire will be made for each permit issued, except that no charge will be made for the issue of a permit or duplicates in the case of:

a) A vehicle which is the property of or in use by the Armed Forces.

b) A vehicle which is Italian state owned (fire, police, etc.) and is not subject to motor vehicle taxation.

Only one charge of 50 Lire per vehicle will be made in respect of any period of four months expiring 30 April, 31 August and 31 December. A similar fee may be charged in respect of permits for single journey or short periods. No refund will be made in respect of unexpired periods of a permit. Duplicate permits will be so marked. A charge of 50 Lire will be made for each duplicate permit issued.

18. The number of motor vehicle permits which are issued will be restricted to the barest minimum to conserve rubber and fuel.

19. Requisitioned civilian vehicles operated by Allied Control Commission will be the subject of a further communication.

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20. The Italian Government is introducing a similar scheme using identical forms for unoccupied territory. Permits and authorizations issued in Military Government territory will be valid in Italian Government territory and vice-versa.

21. This memorandum will be brought to the notice of the CC. RR., and Questori will be instructed that special measures must be taken to enforce the provisions of General Order No. 20 and the existing Italian law. A system of road checks will be instituted, and patrolling officers of the Italian police force will be instructed to take prompt action when breaches of the regulations are observed.

22. A report on the working of this registation programme will be forwarded to reach this Headquarters not later than 30 June, 1944, and thereafter a reference to it will be included in monthly rpots.

23. Accounting instructions to be used in connection with enforcement of this directive are attached as Schedule "A" hereto.

24. Executive Memorandum No. 24 is hereby cancelled and substituted by this Memorandum.

M. S. Lush
Brigadier,
Executive Commissioner.

Ref/324/15/CA.

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ACCOUNTING INSTRUCTIONS FOR DEALING WITH FEES CHARGED FOR ISSUING PERMITS TO USE MOTOR VEHICLES

1. Fees collected for motor vehicle permits constitute revenue to AMG and must be paid into a Sub-Accountant, crediting:

Sub-Head: Office Fees (Motor Vehicle Permits).

Head : Miscellaneous Receipts.

2. It is intended that the fees of lire 50 each will be collected on behalf of AMG by the Consiglio Provinciale dell'Economia (C.P.E.) or the Reale Automobile Club d'Italia, against a receipt issued by the latter. The receipt to be used will be the AMG Receipt Voucher (Form B/1) which must be issued in support of all collections of AMG revenue.

3. Books of 50 pre-numbered Receipt Vouchers each, in triplicate, should be provided by the Provincial F.O. to the local office of CPE or RACI in accordance with their requirements. An acknowledgement will be obtained from the CPE or RACI by the F.O. when these books are turned over to them. The use of these Receipt Vouchers must be explained to the officials and it must be impressed upon them the necessity of accounting for each and every form in these books (see the section of the « Accounting Manual » dealing with « Collections of Revenue » particularly paras. 5 and 7).

4. The officials must be instructed to pay their total collections (without any deductions) to the Provincial F.O. or other Sub-Accountant designated by you at given intervals, which may be weekly or half-monthly. These payments must be accompanied by a list of the serial numbers of the permits in respect of which fees have been collected and will be checked at Regional Headquarters against returns of permits issued, to verify that all fees due have been collected. When a book of Receipt Vouchers is exhausted, the triplicates (which remain in the book) must be turned in to the F.O. by CPE or RACI before a new book is issued.

5. Where the services of CPE or RACI are not used for the collection of these fees, the amounts will be collected by an AMG Officer designated to act as a Collector of Revenue for this purpose. Further books of Receipt Vouchers may be obtained from the Regional Chief Accountant, but it must be clearly understood that CPE or RACI may not be in possession of more than two (or where the volume is very large, four) books at any given time.

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19 April 1944.

EXECUTIVE MEMORANDUM NUMBER 52

TO: R.C's Regions III, IV, V, VIII and IX.
S.C.A.C's 5th and 8th Armies.

PROPERTY OF ENEMY NATIONALS ETC.

1. Under international law an occupying power has no right to seize or sequestrate private property belonging to enemy nationals merely on the grounds of enemy ownership. It is of course permitted to seize or requisition such property if it is needed by the Armed Forces, and under Article IV of Proclamation No. 6, control may be taken of such property if it is:

(*a*) being used or there are grounds for supposing that it will be used for subversive purposes, or

(*b*) essential tothe economic needs of the occupied territory, or

(*c*) abandoned.

2. The following rules will therefore be observed with regard to the private property of German and other enemy nationals:

(*i*) *Real and Movable Property.* This may be requisitioned if needed for militar purposes, but if not so needed, owners where present will be left in undisturbed possession, unless this is considered undesirable for security reasons. If the owner is absent, the property will be left in charge of his legal representative if present, provided that there are no security reasons to the contrary. Where neither the owner nor his legal representative are present, the property will be treated as «abandoned», and application will be made to the President of the local Tribunale for the appointment of a curatore, in accordance with the procedure laid down by the Italian Civil Code (see Executive Memorandum No. 15, Directive on Property Control, para. 2).

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(ii) *Commercial and Industrial Concerns.* If the owner is present, or has left behind him in his absence a duly appointed legal representative, these will be permitted to carry on the business, subject to security considerations, unless it is decided to take control of the concern on the grounds indicated in para. 1 (b) above.

Where neither owner nor legal representative are present, you will instruct the Prefect to appoint a commissario speciale by decree. Similar rules will apply in the case of Italian -registered companies whose shares are enemy owned. Where a duly appointed legal representative of the shareholders is present, he will be allowed to carry on the business. If none such are to be found a commissario speciale will be appointed.

3. You will compile and submit to this H.Q. at the earliest opportunity a list by nationalities of all properties belonging to the class specified in para 2 (i) and (ii) above. Copies of this list will be transmitted to local representatives of CIC and FSS.

M. S. LUSH
Brigadier,
Executive Commissioner

Ref/342/15/CA.

EXECUTIVE MEMORANDUM NUMBER 53
(Not issued)

1201

Declassified E.O. 12356 Section 3.3/NND No. 785021

25 April 1944

EXECUTIVE MEMORANDUM NUMBER 54

MALARIA CONTROL.

1. Prevention of Malaria in this theatre is of fundamental importance to Allied Forces. Experiences of 1943 in Sicily and the notorious history of areas now occupied or which lie immediately ahead, indicate clearly that the Armies will sustain serious loss of manpower if malaria is not effectively controlled. All signs point to a season of unusually high density of malaria mosquitoes and of civilian carriers of the parasite — the two main factors in the transmission of malaria.

2. Protection of armed forces from malaria involves both intra and extra-cantonment control programmes. Army regulations, whether British, French, or American, clearly make it the duty of commanding officers of units, great or small, to take adequate steps for protection against malaria. *Within and immediately around a military installation malaria prophylaxis is definitely a command function.* In many areas there are civil malaria control problems contiguous to military camps. Allied Control Commission will provide as much assistance as possible to all cases where civilian malaria or malariogenic conditions are a menace to Allied military encampments.

3. A *Malaria Control Branch* has been established in the Public Health Sub-Commission of Allied Control Commission. It has the following functions:

a) To assist the Army Senior Civil Affairs Officers and Regional Commissioners of Allied Control Commission in restoring and implementing civilian malaria control agencies, and in directing their activities.

b) To assist in coordinating civil and military malaria control activities.

c) To carry out essential malaria control field tests in cooperation with the Allied Forces.

4. The Malaria Control Branch is located in Room 5, Regie Post Building, Naples. Mail should be addressed to H. Q. Allied Control Commission, Public Health Sub-Commission, Malaria Control Branch, APO 394. The staff of the Branch is as follows:

Medical Officer	Colonel Paul F. Russell, MC.
Malaria Engineer	Captain V. F. Tuzio, MC.
Entomologist	Captain T. D. Anderson, Sn.C.
Chief	1st Lieut. M. A. Manzelli, Sn.C.

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5. Direct communication on matters pertaining to malaria control is authorised between the Chief of the *Malaria Control Branch*, Regional Public Health Officers and Deputy Directors of Public Health AMG 5th and 8th Armies.

6. Regional and Army Public Health Officers, Allied Control Commission will send to the Chief, *Malaria Control Branch*, on the first of each month, beginning 1 May 1944, a brief report listing location, type, and budget of local civilian malaria control work in progress, equipment, supply, labor, and transportation conditions, spleen or parasite surveys, malaria incidence figures; and any pertinent comments on the malaria situation. Sketch and spot maps should be included when feasible. The first report should list active *Comitato Provinciale Antimalarico*, giving names and official titles of the members.

7. In each province where there is a malaria problem there will usually be found a Comitato Provinciale Antimalarico. If this committee has been dispersed, it should be reconstituted as soon as possible. The malaria committee should be advised that, if it has not already done so, it should immediately prepare malaria control plans and budgets along the general lines of preceding years. In Regions I, II, VI and VII these malaria control budgets will be submitted (through High Commissioners Sicily and Sardinia in Regions I and VI respectively) to the finance office of the Provincial Government for approval. Thence the approved budgets should be forwarded to the Minister of the Interior of the Italian Government. When approved by the Minister of the Interior, funds will be remitted to the Provincial Office. In Regions III, IV and V approved budgets will be forwarded from the provincial finance office to the Regional Finance Officer, Allied Control Commission, who, if he approves will establish credits at the provincial Banca d'Italia. Since the malaria season has already begun, prompt consideration will be given to such plans and budget proposals.

8. So far as Allied Control Commission supplies are concerned, malaria control will be based on drainage, maintenance of drainage canals, canalizing of streams, regulation of water, filling, oiling, and the proper treatment of clinical cases. Excepting as civilian supplies are available from last year's stocks, no Paris Green is obtainable by Allied Control Commission for the control of civil malaria. Oil in reasonable amounts is available for larvicialing. Sprayers for oil are in limited supply but brush oiling may be substituted for spraying in most cases, if necessary. Considerable ingenuity will be required in regard to transport where motor vehicles are not available on requisition. Full use must be made of mules, horses, donkeys and oxen. In many cases workers will have to walk to and from their work. Where vehicles are available but there is lack of gasoline, applications for gasoline will be favourably considered. Where the work is directly associated with military installations it may be possible to obtain transport assistance from the Commanding Officer.

9. Upon approval of plans and budgets, it is possible to obtain oil from the nearest agency of the *Comitato Italiano Petroli* on requisitions approved by the Provincial Officer or C.A.O. Transport will have to be provided by the *Comitato Provinciale Antimalarico* or the local requisitioning agency. The Medical Supply

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Branch, Allied Control Commission will send to each Regional Headquarters the provincial quota of sprayers. These may be obtained by the local malaria control agency from Regional Headquarters, Allied Control Commission.

10. Quinine is not available to Allied Control Commission for distribution but supplies of atabrine/mepacrine for therapeutic use have been provided. Each Regional Public Health Officer, Allied Control Commission, will requisition from the Medical Supply Branch, Public Health Sub-Commission, Allied Control Commission, the amount of atabrine/mepacrine required by his regional provinces. The Supply Branch will send the desired amount to the Regional Headquarters from which provincial distribution will be made to the local malaria committee on requisition.

Due to the inadequate supply, suppressive prophylactic use of atabrine/mepacrine can not be recommended for civilians. Every effort should be made (a) to facilitate distribution of atabrine/mepacrine to civil agencies for treatment of malaria, and (b) to check prophylactic use of atabrine/mepacrine among civilians unless they are engaged in operational war work or have been ordered by military authority to take it. In the latter case atabrine/mepacrine will be supplied from military sources.

11. Finally the importance of malaria control is again stressed. It is a general administrative problem in which every officer in the Region must play his part. Regional Commissioners, Provincial Commissioners, and all Allied Control Commission Health Officers must do everything in their power to stimulate and facilitate civilian malaria control programmes. The highest priority will be given to work in the vicinity of Allied military installations.

M. S. Lush
Brigadier,
Executive Commissioner

Rd/233/35/CA.

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1 May 1944

EXECUTIVE MEMORANDUM NUMBER 55

CONTROL OF RABIES

1. This supersedes Executive Memorandum No. 3, dated 7 February 1944.

2. There exists on the Italian Mainland a high incidence of Rabies in dogs. The immediate danger to both military and civilian personnel may be serious. The spread of this disease must, therefore, be arrested.

3. The Italian Minister of the Interior has issued an instructive to all prefects under the jurisdiction of the Italian Government as in Schedule "A" attached.

4. In provinces in Military Government Territory Prefects will be instructed to take immediate action regarding this most urgent problem.

5. All communes in Military Government Territory will be treated as infected areas. Stray dogs will be handled as follows:

a) All dogs other than those on a leash or with muzzle, found circulating, will be impounded and destroyed.

b) The provisions of the existing Italian decrees relating to the registration of dogs will be made effective.

c) Veterinarians will be empowered and instructed to employ dog catchers and provide and supervise suitable premises for impounding and destroying dogs.

6. Regional Commissioners will insure that the authorities named act promptly and with diligence in this matter. Monthly progress reports will in the future include a report covering action taken on this Memorandum.

M. S. LYON
Brigadier,
Executive Commissioner

Ref/237/9/CA.

Declassified E.O. 12356 Section 3.3/NND No. 785021

EXTRACT FROM DECREES DATED 10 MAY 1914

(Police Veterinaire e Vigilanza Zoosanitaria (1939) Par. 4 Rabies 23)

ART. 48 — In every community the following regulations are to be observed:

a) Dogs must be registered by the owners at the municipal office.

b) In the streets and in any other public place dogs, when not on a leash, must be muzzled.

c) Watch dogs can be kept without being muzzled only within the limits of the places which they are to guard, and sheep dogs and hunting dogs, when they are respectively utilized for the guarding of herds and hunting.

ART. 49 — Stray dogs, found without muzzle, must be caught and placed in a proper place of detention. After six days, if their owners have not claimed them, the seized dogs, with the exception of those mentioned in Articles 50 and 54, must be killed or turned over to any scientific institution, which may request them.

ART. 50 — Any animal to be found suffering from rabies will be killed immediately and the corpse disposed of in the manner prescribed, skinning being prohibited. The place where the animal was found will be disinfected. All animals, bitten by another animal known or suspected to be suffering from rabies, will be killed or isolated under terms of Art. 51. Dogs and cats which have bitten persons will whenever possible, be caught and placed under observation under the supervision of the local authorities, for a period of time required to enable the veterinarian to establish whether or not they are suffering from rabies.

ART. 51 — Dogs, cats and other animals suspected of rabies and those bitten by animals suspected of rabies, if they are not killed, must be isolated, in suitable premises, at the owners expense, and kept under observation under the supervision of the veterinarian and the sanitation official. Observation periods must be not less than four months for dogs and cats and two months for bovines, equines, pigs, sheep and goats. During the period of observation equines and bovines may be put to work providing measures are taken to prevent persons from becoming infected. Bovines, equines, pigs, sheep and goats under observation will not be removed without permission which may only be granted where the need is acute. Sanitation authorities will ensure that the prescribed period of observation is undergone.

ART. 52. — When an animal suspected of rabies dies or is killed the prescribed examination will be carried out.

ART. 53. — In communes where cases of rabies have been found or where an infected dog has run free the following additional measures must be taken:

a) During the six weeks following discovery dogs, even if muzzled, cannot circulate unless led on a leash.

b) Seized dogs will not be returned to their owners unless a favourable result is obtained from the period of observation prescribed in Art. 51.

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6 May 1944

EXECUTIVE MEMORANDUM NUMBER 56

CONTROL OF EQUINE GLANDERS (Morva)

1. Cases have occurred recently of Glanders in horses and mules belonging to civilians. The consequences may be serious if effective control measures are not employed immediately. Equine Glanders is transmissible to man. To prevent the spread of this disease to military and among civilian animals the measures undernoted will be carried out.

2. The Italian Laws provide for the immediate destruction and proper disposal of the carcases of animals infected with glanders. Provincial and Communal Veterinarians are familiar with the regulations pertaining to this disease.

3. Prefects in Military Government territory will be instructed, as follows:

a) All animals infected with Glanders will be destroyed immediately and the carcases properly disposed of.

b) Indemnity claims by owners of infected animals will be paid in the same manner as was done prior to the Allied occupation.

c) A supply of Mallein has been requested for use by the Veterinarians and may be requisitioned in the same manner as are veterinary supplies.

d) Under no circumstances will the destruction of infected animals be delayed. Communal Veterinarians will be given the authority to destroy infected animals immediately, without waiting for a decree from the Prefect.

4. The Italian Minister of the Interior is issuing similar instructions to the Prefects in Italian Government territory, see Schedule "A". A translation of the Italian Law pertaining to the disease is attached at Schedule "B".

M. S. LUSH
Brigadier,
Executive Commissioner

Ref/238/8/CA

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Schedule «A»

25 April 1944

To All Prefetti in Kingdom Italy.
« High Commissioner, Sicily.
« « « Sardinia.

Several cases of glanders have been detected in the Province of Foggia. Please instruct all municipal veterinarians to watch closely and search out suspected cases. Report immediately to this Ministry about suspected and confirmed diagnosis.

FOR THE MINISTER

Schedule «B»

MORVA (Glanders and farcy)

Art. 60—On Glanders being reported the Podesta will immediately put into force the measures laid down in Art. 7 and at once report the outbreak to the Prefect.

Horses diagnosed as suffering from Glanders will be destroyed without fail as provided by Art. 265 of the consolidated Sanitary Law enacted by Royal Decree of 27 July 1934 No. 1265.

Horses showing suspicious symptoms or suspected of contact will be submitted to special veterinary examination.

Where the result of such examination is positive and open sores likely to spread infection exist the animal will be slaughtered as above.

If the result is either indeterminate or positive without open sores and there is no danger of spreading infection (Latent Glander) the horses off fore hoof will be branded with the letters SM (sospetta morva) and the horse will be placed under strict veterinary observation until:

a) Symptoms of the disease are disclosed so as to require the animals destruction.

b) The animal has become immune in which case it will be freed from further veterinary supervision.

Animals under observation may be used singly for normal work but will not be taken to any market, fair, exhibition, public stable or horse trough nor carried by any train, tram, ship, etc.

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In ascertaining the value of an animal to be destroyed on account of Glanders there will be taken into account the stage which the disease has reached and the value of the service which the animal could render its owner if it were not destroyed.

Carcases of glandered animals will be dealt with as laid down in Art. 7 (number 6). They will not be skinned.

A prefectorial decree declaring a zone to be infected will be revoked under Art. 11 when all infected or suspected animals have been either destroyed or certified in writing by the veterinary to be free from infection.

In accordance with the provisions of Art. 38 any preventative measures undertaken on private initiative will be reported to the Podesta who will supervise the treatment.

Art. 61 — The Prefect will at once notify the Military authorities and the Director of the State Stud Farm in his vicinity of any outbreak of Glanders and of the ceasing of danger from infection.

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6 May 1944

EXECUTIVE MEMORANDUM NUMBER 57

CONTROL OF SWINE CHOLERA

1. Swine Cholera has made its appearance in civilian animals on the mainland. The control of this highly contagious disease depends basically on two factors namely.

a) the enforcement of a rigid quarantine for infected areas, and

b) the administration of Swine Cholera Antiserum and Virus to all swine in and around the infected areas.

2. The Italian Laws provide for the enforcement of a rigid quarantine of swine in infected areas and the Provincial Veterinarians and Police Agencies are familiar with these laws.

3. A supply of the necessary antiserum and virus will be available shortly for use by Italian Veterinarians in infected areas. Requisitions for this antiserum and virus should be made to the Medical Supply Branch, Public Health Sub-Commission, this HQ as soon as possible.

4. All Prefects in Military Government territory will be instructed and assisted to effect the necessary control measures regarding this disease. It is essential for the control of this disease that the Provincial Veterinarians of infected Provinces be provided with transportation so as to supervise the enforcement of an adequate quarantine and the administration of immunizing biologics.

5. The Italian Minister of the Interior is issuing similar instructions to the Prefects in Italian Government territory. A translation of the Italian laws pertaining to the disease is attached as Schedule "A".

M. S. LUSH
Brigadier,
Executive Commissioner

Ref: 39/8/CA.

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INFECTIOUS DISEASES OF SWINE

Mal rossino (Swine Erysipelas), Peste Suina (Swine Plague), Setticemia dei suini (Blood Poisoning)

Art. 68 — Immunisation against infectious diseases of swine will be carried out as prescribed by Art. 38 of these regulations, the period of veterinary observation will be 30 days and treatment shall not officially be required except for mal rossino (Swine Erysipelas).

Permits to remove animals out of an infected zone may be issued by Prefects as laid down in Art. 12.

Art. 69 — The slaughtering of swine suspected of contamination but which on veterinary examination show no symptoms of disease may on the request of the owner be authorised by the Prefect.

Slaughter will take place on the spot and the meat will not be used prior to veterinary examination.

When removal of swine outside an infected zone have been permitted, movement to the slaughter house will be carried out in accordance with ministerial instruction.

The carcases of diseased swine will be dealt with as laid down in Art. 7 (n. 6).

A prefectorial decree creating an infected zone may be revoked as laid down in Art. 11 either after the expiration of 30 days from the past cure or death or after every animal has been slaughtered.

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13 May 1944

EXECUTIVE MEMORANDUM NUMBER 58

SOCIAL WELFARE

1. Regional Commissioner (RCs) in Military Government territory will cause all Prefects to establish in their Provinces a Social Welfare Department to ensure:

a) the provision of assistance to those in need;

b) the care of dependent, neglected or delinquent children;

c) the institutional care of the aged, crippled or infirm;

d) guidance as to and control of other welfare activities for which provinces are or may become responsible.

2. The Establishment of Welfare Departments in areas under SCAOs 5 and 8 Armies is optional.

3. Schedule «A» is a draft in English and Italian upon which prefectorial orders setting up these departments may be based.

4. Regional Commissioners in Military Government territory will detail an officer of their HQ. staff hereinafter referred to as the Regional Welfare Officer (RWO) to be responsible to them for supervising the work of these departments.

5. Regional Commissioners of Italian Government territory will similarly detail an officer to be responsible to them for assisting, guiding and advising Italian officials as to their Welfare responsibilities and functions.

6. The primary functions of RWOs is to ensure the granting of adequate assistance to those whose means of support would otherwise be insufficient to enable them to acquire the necessities of life for themselves and their dependants whether that insufficiency is due to the low standard of wages, personal incapacity, infirmity, age or the number of dependants.

a) In Military Government Territory RWOs will ensure that suitable instructions as to the provision of assistance are issued and be responsible for seeing that these instructions are effectively carried out.

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b) In Italian Government Territory RWOs will watch the working of welfare organizations and use their best endeavours to procure the provision of adequate assistance.

7. RWOs in both Military Government and Italian Government Territory will keep the Welfare Branch of the Public Health Sub-Commission informed of the condition of the Welfare Service in their Region.

8. The agencies in Italy responsible for granting assistance in money or kind are set out in Schedule «B». RWOs will make themselves acquainted with the scope of these organizations and see that the full and best use is made of their resources and will endeavour to develop and extend their usefulness in their proper spheres.

9. The principal body responsible is the Ente Communale di Assistenza. This should be developed into an effective and general relief agency which should deal adequately and promptly with every application for relief or advice informing the applicant of the decision made.

Where it is decided that relief can more properly or efficaciously be afforded by some other agency a record in writing of that decision addressed to the proper agency will be handed to the applicant with sufficient instructions as to the course the applicant should pursue.

Methods as to the handling of applications, provision of funds, enquiries as to means, recording of assistance, prevention of fraud etc. will be laid down.

10. Records of accommodation of institutes will be maintained by classes and steps taken to ensure that such accommodation is used to the best advantage and for the most deserving or necessitous cases and arrangements will be made for the care of persons requiring institutional accommodation pending occurrence of vacancy.

11. Schemes for the medical treatment of the necessitous poor will be developed.

12. Effective supervision of institutes and of the machinery of relief requires constant visits and inspections which is the function primarily of Italian officials but RWOs cannot form an opinion of the effectiveness of such inspections unless they themselves are fully acquainted with the machinery and powers and themselves undertake inspections.

13. Schemes for the care of juvenile delinquents and their removal in suitable cases from an unsuitable environment should be developed in conjunction with Regional Legal Officers.

Ref/382/CA

M. S. Lush
Brigadier,
Executive Commissioner

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Schedule «A»

MODEL PROVINCIAL ORDER ESTABLISHING PROVINCIAL DEPARTMENT OF SOCIAL WELFARE

1. A Department of Social Welfare is hereby created for the Province of _____

2. Its Chief Officer will be a Provincial Director appointed by the Prefect with the approval of the Regional Commissioner.

3. The Department will consist of a Child Welfare Division, a Division of Public Assistance, an Administrative Division, and such other Divisions as may be found necessary to carry out responsibilities which may be allotted to the Department.

4. The Provincial Director will be responsible to the Prefect for developing an adequate well balanced social welfare programme for the Province of _____ and for directing the activities of the Department of Social Welfare. The term «Social Welfare» or «Assistenza Sociale» includes those activities which are designed to grant assistance to individuals and to restore them to a normal and self-supporting status in life. The Department is also responsible for the care of persons who may require public support for extended periods of time and will supervise the consolidation and simplification of welfare services at the communal level.

a) The Chief of the Child Welfare Division will be responsible to the Provincial Director for the care of dependant, neglected and delinquent children who have been, or need to be, removed from normal family life or who require special study or treatment or need protection from mal-treatment. Specific functions of the Child Welfare Division are:

i To establish minimum standards of child care for all children's institutions in the Province and to ensure compliance with the same.

ii To examine the programmes of children's institutions, supported by public funds, for the purpose of eliminating duplication, integrating related services and determining the need for reconstructing or re-establishing institutions damaged or abandoned because of the war.

iii To examine all requests for material or financial aid and to grant such relief as may seem appropriate.

iv To control admission of children to the various institutions according to the best interests of the individual child through the operation of a Central Registry of children under the care of both public and private agencies in the province.

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v To establish, in each commune, facilities for investigating the home situation of delinquent minors and reporting the same to Italian Court, as soon as possible before sentence, for the use of the Courts in deciding cases involving juvenile delinquency.

vi Maximum use will be made of the investigational staff of local public and private welfare agencies in securing the above reports and in supervising juveniles placed on parole or probation.

vii To cooperate fully with local and provincial public and private health agencies in the development and supervision of programmes for the improvement of motherhood and infancy.

6) The Chief of the Public Assistance Division will be responsible to the Provincial Director for the general supervision of the Ente Communale di Assistenza (ECA) programmes, Soccorsi Militari and other relief agencies, as well as for the supervision of all institutions (other than medical), which provide for the care of dependant adults. Specific functions of the Public Assistance Division are:

i To organize or, if necessary, re-organize, in every commune an Ente Communale di Assistenza (ECA) as the central public agency for meeting the primary necessities of life and providing for the rehabilitation of individuals and families in need.

ii To establish minimum and maximum standards of assistance for all communal ECA's and other public assistance agencies.

iii To review communal requests for assistance funds and recommend to Provincial fiscal authorities the amounts to be allowed each month.

iv To coordinate the work of ECA and other public assistance organizations with public employment offices, to emphasize to persons on relief the importance of obtaining work and the necessity for all able bodied persons registering for work.

v To establish minimum standards of care and treatment for dependant adults whether inside or outside of institutions and to ensure compliance by all agencies and institutions in receipt of public funds.

vi To cooperate fully with local and provincial public and private health agencies in the development and supervision of programmes for the medical care and treatment of dependant adults.

vii To cooperate with provincial divisions on social insurances, to the end that full advantage of such laws and benefits may be obtained by all entitled to them.

viii To establish in such communes as may be necessary, a central registry of families and persons receiving various forms of relief in order to avoid duplication of relief and unnecessary expenditure of public funds.

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c) The Chief of the Administrative Division will be responsible to the Provincial Director for such services as may be required which can be more efficiently carried on by employees who are specially trained. The more important of these activities are:

i Maintenance of personnel records.

ii Undertaking research, preparing statistics and making enquiries as may be required.

iii Financial control-budgeting, accounting, reporting and auditing.

iv Purchasing and the control of supplies, equipment, and materials.

v Office management services: — Clerical, stenographic, mail distribution, janitorial service, public reception, filing, duplicating and the improvement and simplification of procedures and system.

vi This division has no direct responsibility for the care of persons but will facilitate in every way possible the work of the two functional divisions which work directly with institutions, communal assistance agencies and individual children.

5. This order will take effect immediately.

THE PREFECT

Approved by:

Name

Rank

Regional Commissioner

NOTE: Paras 1, 2, 3, 4, 4*a*ii, 4*b*, 4*b*i, 4*b*ii, 4*b*iii, 4*c* of this order will not be altered. These parts of paras 4*a*, 4*b*, 4*c* not mentioned above may be varied by R.C.'s, provided the Public Health Sub-Commission is informed of the changes made and the general description of the functions to be performed remains similar in effect.

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Schedule «A»

NORMA PER L'ISTITUZIONE DELL'UFFICIO PROVINCIALE PER L'ASSISTENZA SOCIALE

1. Si istituisce un Ufficio di Assistenza Sociale per la provincia di _____

2. L'Ufficiale Capo sarà un Direttore Provinciale nominato dal Prefetto con approvazione del Commissario Regionale.

3. L'Ufficio sarà costituito da una Divisione per l'assistenza e la protezione dell'infanzia; una Divisione per l'assistenza famigliare ed agli inabili adulti; una Divisione amministrativa, ed altre Divisioni che possono risultare necessarie per l'esecuzione di altri compiti assegnati all'Ufficio.

4. Il Direttore Provinciale risponderà verso il Prefetto dello sviluppo di una adeguata e ben equilibrata attività di assistenza sociale per la Provincia di _____ e della direzione delle attività dell'Ufficio di Assistenza Sociale. Il termine «Assistenza Sociale» comprende tutte quelle attività intese a dare assistenza a persone ed a riportarle ad un tenore di vita normale ed indipendente. L'ufficio si occuperà anche dell'assistenza di persone che possono abbisognare di pubblica assistenza per lunghi periodi di tempo e controllerà l'unificazione e semplificazione dei servizi di assistenza su una base comunale.

a) Il Capo della Divisione per l'assistenza dell'Infanzia risponderà verso il Direttore Provinciale dell'assistenza di tutti i bambini indigenti, abbandonati e delinquenti che siano stati o debbano essere allontanati dalle rispettive famiglie o che abbisognano di particolare esame o cure, o di essere protetti da maltrattamenti. Le funzioni specifiche della Divisione per l'assistenza dell'Infanzia sono:

I. Stabilire i minimi di assistenza per i bambini per tutti gli Istituti d'Infanzia della Provincia ed assicurarsi della loro osservanza.

II. Esaminare i programmi degli Istituti d'Infanzia finanziati con fondi pubblici ed al fine di eliminare duplicazioni, integrare i servizi affini e determinare la necessità di ricostruire o ristabilire istituti danneggiati oppure abbandonati a causa della guerra.

III. Esaminare tutte le richieste di aiuti materiali e finanziari e accordare quella assistenza che sarà giudicata opportuna.

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IV. Controllare l'ammissione dei bambini nei diversi istituti al meglio dei loro interessi attraverso il funzionamento di un Ufficio Centrale per la tenuta di uno schedario dei bambini ricoverati nei vari Istituti pubblici e privati della Provincia.

V. Istituire in ogni Comune delle facilitazioni per l'accertamento delle condizioni famigliari dei minorenni delinquenti e farne rapporto all'AMG ed ai Tribunali Italiani al più presto possibile prima della sentenza, di modo che i Tribunali possano tenerne conto nel decidere quei casi nei quali è coinvolta la delinquenza dei minorenni.

VI. Investigatori appartenenti ad Agenzie di assistenza locale pubbliche e private saranno impiegati al massimo per ottenere i suddetti rapporti e sorvegliare i minorenni durante la libertà provvisoria o periodo di prova.

VII. Collaborare con gli Uffici di Sanità, pubblici e privati, locali e della Provincia, nello svolgimento e sorveglianza delle attività per il miglioramento delle Istituzioni della Maternità ed Infanzia.

b) Il Capo della Divisione per l'Assistenza famigliare risponderà verso il Direttore Provinciale della sorveglianza generale sulle attività dell'Ente Comunale di Assistenza (E.C.A.), Soccorsi Militari ed altre agenzie di assistenza, e della sorveglianza su tutte le istituzioni (anche ospedaliere) che provvedono all'assistenza degli adulti indigenti.

Le funzioni specifiche della Divisione per l'assistenza famigliare sono:

I. Organizzare e, se è necessario, riorganizzare in ogni comune un Ente Comunale di Assistenza (ECA) come pubblica agenzia centrale per sopperire alle principali necessità della vita e provvedere per la riabilitazione di individui e famiglie bisognose.

II. Stabilire il minimo ed il massimo di assistenza e trattamento per le E.C.A. di tutti i Comuni o per gli altri uffici di assistenza pubblica.

III. Esaminare le richieste comunali di fondi assistenziali sottomettendo alle Autorità Fiscali Provinciali gli importi da essere concessi ogni mese.

IV. Coordinare il lavoro dell'E.C.A. ed altre agenzie di assistenza pubblica con gli uffici di collocamento per mettere in evidenza a persone assistite l'importanza di ottenere lavoro e la necessità che tutte le persone fisicamente abili siano inscritte al collocamento.

V. Stabilire i minimi di assistenza e trattamento per bisognosi adulti sia dentro che fuori le istituzioni e vigilare sulla scrupolosa osservanza dei loro doveri da parte di tutte le agenzie ed istituzioni che ricevono fondi pubblici.

VI. Esercitare una stretta collaborazione con gli istituti di sanità della provincia tanto pubblici che privati per lo sviluppo e la sorveglianza delle

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loro attività nel campo dell'assistenza e cura medica per gli adulti bisognosi.

VII. Cooperare con le Divisioni provinciali di Assicurazioni Sociali, acciocchè tutti quelli che ne hanno il diritto possano ottenere i vantaggi offerti dalle leggi e benefici in questo campo.

VIII. Costituire nei Comuni dove è necessario un Ufficio Centrale per la tenuta di uno schedario di famiglie e persone che beneficano di varie forme di assistenza al fine di eliminare duplicazioni di assistenza e sbarsi non necessari di fondi pubblici.

c) Il Capo della Divisione Amministrativa risponderà verso il Direttore Provinciale dell'espletamento dei servizi richiesti che possono essere più efficacemente svolti da personale specializzato.

Le più importanti attività sono:

I. Aggiornamento dei dati del personale.

II. Fare ricerche, preparare statistiche e procurare informazioni a seconda delle richieste.

III. Controllo finanziario — preventivi, contabilità, rapporti e revisioni.

IV. Acquisto e controllo di provviste e materiali.

V. Servizio di funzionamento degli uffici: copisteria, stenografia, distribuzione della corrispondenza, servizio del basso personale, ricevimento del pubblico, archivio, duplicatori, miglioramento e semplificazioni delle organizzazioni.

VI. Questa divisione non ha responsabilità diretta per l'assistenza Pubblica, ma deve facilitare in ogni modo il lavoro delle altre due divisioni che hanno rapporti diretti con le istituzioni, con gli Enti Comunali di Assistenza e con le singole persone.

8. Questa disposizione entra immediatamente in vigore.

IL PREFETTO

Approvato da:

Nome:

Grado:

Ufficiale Superiore addetto
agli Affari Civili.

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Schedule "B"

RESPONSIBILITIES OF ITALIAN WELFARE AGENCIES AND SUB-COMMISSIONS CONCERNED WITH WELFARE AND RELATED SERVICES

1. *Purpose.* This appendix indicates those sub-commissions whose activities touch upon the welfare field and shows their respective responsibilities.

2. *The Public Health Sub-Commission.* Is responsible for general welfare activities. Through its Welfare Branch, the Sub-Commission works with Italian agencies whose functions involve assistance to civilians normally resident in the community who have insufficient means of support. The most important of these Italian agencies are:

a) Ente Communale di Assistenza (ECA). Is a general relief agency which operates in every commune. While these ECA's are governed by a local committee, they receive their funds from the National Government.

b) Provisional Welfare Departments supervise communal assistance programmes; insure appropriate care of dependent and neglected children; supervise institutional care for the aged or otherwise physically handicapped; supervise and control the use of funds allocated for relief purposes; and guide and control other essential welfare activities for which the provinces are, or may become responsible. The Provincial Departments are responsible to the Prefects.

c) Opera Nazionale Maternità ed Infanzia: is responsible for maternity and child welfare. The following services may be provided:

i Consultation for pregnant women.

ii Meals of pregnant women and nursing mothers (centrally given, or by means of orders for food).

iii Temporary care in maternity institutions.

iv Services for children; such as admission to pediatric clinics, provision of extra food and milk, day nurseries and nursery schools.

Supervision of this programme was formerly exercised by a national headquarters, but at present, the Ministry of the Interior has the responsibility. Money is supplied by the National Government.

d) Soccorso Militare: is a communal agency, dealing with necessitous near relatives of serving Italian soldiers. Officers excluded. Payment is usually made through the Post Office from funds supplied by the Italian Ministry of the Interior.

e) Various organizations for War Veterans and Their Dependents:

i *Opera Nazionale Orfani di Guerra:* Deals with war orphans. It may

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make financial grants to meet emergencies and grant aid for education, medical care, shelter in institutions, etc. It is governed by a national Headquarters. The National Government supplies its funds.

ii *Opera Nazionale Invalidi di Guerra:* Deals with disabled ex-service men, and civilians disabled as a result of military operations. Artificial limbs, medical treatment, hospitalization and drugs may be supplied. Cash grants for emergencies may be given, and loans for the acquisition of land be made. The organization is governed by a national Headquarters responsible to the President of the Council of Ministers. The National Government supplies its funds.

iii Certain voluntary organizations, whose functions are auxiliary to the two organizations mentioned above also exist. The most important of these is the Associazione Nazionale fra Mutilati ed Invalidi di Guerra.

c. *The Interior Sub-Commission.* Is responsible for all matters connected with local government and the administration of the Church. The purpose of Local Government is to ensure an efficient system of provincial and communal administration. These local authorities are responsible for the interests and wellbeing of the inhabitants of their respective areas, and their responsibilities necessarily include public health and welfare matters. In cases of inefficiency or lack of energetic support from the administration or its officials, the Public Health or Welfare Officers in the field should report the matter to the Regional or Provincial Commissioner.

d. *The Food Sub-Commission.*

a) The supply, rationing and distribution of food for the entire population is, with the assistance of certain other Sub-Commissions, under the jurisdiction of the Food Sub-Commission. Supplies of available foodstuffs are allocated to Regions according to ration scales fixed from time to time. Regional Supply Officers are directly responsible to the Food Sub-Commission for the correct distribution of all such supplies.

b) The Food Sub-Commission also obtains limited amounts of food, such as cheese, milk, and canned goods, which are made available to certain sections of the population; for example, refugee camps, hospitals and institutions for children and the aged.

c) Regional Public Health and Welfare Officers can obtain from Regional Supply Officers information about the types and amounts of food available, and the correct ration scales and prices of such foodstuffs and of the amounts of special food allocated to the Region.

d) Regional Public Health and Welfare Officers should at all times make known to the Public Health Sub-Commission their needs for any special foods, with evidence supporting these needs, so that it can supply the Food Sub-Commission with information on which to base future allocations.

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5. *The Labor Sub-Commission.* The Labor Sub-Commission works with those Italian agencies whose benefits are provided from contributions by the employee and employer, or where the benefits are in the nature of a wage substitute. Generally, these agencies are under the jurisdiction of the Italian Ministry of Labor, Industry and Commerce. The larger Italian agencies involved in this work are:

a) Istituto Nazionale della Previdenza Sociale: administers compulsory social insurances and is financed by contributions from workers or employers. Its functions include:

i Pensions for sickness and old age.

ii Care of tubercular persons, including medical and institutional care, as well as limited assistance to the families of such persons.

iii Unemployment insurance.

iv Loans on marriage.

v Cash Supplement to wages dependant upon the size of the family.

b) Istituto Nazionale per l'Assicurazione contro gli Infortuni: provides assistance to employees injured in industrial accidents or suffering from occupational diseases. It is supported by employer contributions. Typical benefits provided are:

i Cash indemnity.

ii Medical, surgical and hospital care.

iii Funeral expenses.

iv Pensions to the family of the deceased.

v Pensions to the totally disabled.

vi Financial and educational aid for orphans of insured workers.

c) Istituto Nazionale Assistenza Malattia ai Lavoratori: financed by contributions from employers and employees provides:

i Daily compensation during sickness.

ii Medical and surgical care to the insured.

iii Medical care to members of the insured's family.

iv Aid to cover special situations and funeral expenses.

v Grants at childbirth.

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6. The Italian Refugee Branch.

a) The Italian Refugee Branch (IRB), R.C. & M.G. Section, is concerned with the collection of refugees in the forward areas and their dispersal into selected rear areas. All types of persons of almost all nationalities are handled by the unit, though the majority are Italian peasants.

b) Refugee evacuation officers at AMG Fifth and Eighth Armies supervise the bringing of refugees into forward camps. The Refugee Evacuation Officer sees that they are dusted against typhus, receive medical attention, and are fed and sent to main camps. The stay in forward camps is as short as possible.

c) Main camps are established in the Naples (capacity 3000) and Foggia (capacity 2000) areas. Here refugees have a chance to rest, bathe, wash their clothing and are prepared for the journey to the dispersal areas. The main camps are controlled by HQ. IRB.

d) On arrival at the main camps, refugees are put through the following processes:

i Baggage is disinfested.

ii Red Cross clothing is issued to those in need.

iii Refugees are dusted against typhus, inoculated against typhoid and typhus, vaccinated against smallpox and medically inspected.

iv A central registry is kept, and all refugees are registered.

v Screening for security.

e) In both forward and main camps, the personnel employed is Italian military or Italian Red Cross, with the exception of a few Allied officers, OR's and British and American Red Cross personnel.

f) Dispersal areas are arranged between HQ. IRB and Regional Commissioners. Refugees are dispatched to these areas under arrangements made by IRB, and are billetted by Regional Commissioners through the Prefects. Upon arrival at their destination, refugees become the responsibility of the Italian Government.

g) Although the IRB has no executive powers relative to the care given refugees in dispersal areas, it does bring pressure to bear on local Italian administration to improve, where necessary, conditions among refugees. In performing this function, the IRB works through the Italian Minister of the Interior and the Interior Sub-Commission of Allied Control Commission.

7. Displaced Persons Sub-Commission.

a) Persons dealt with by the Displaced Persons Sub-Commission can be devided into two classes:

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i *Ex-Internees.*

Persons originally interned by the Italian Government and now living in a community such as Ferramonti. Such individuals purchase part of their foodstuffs locally, and are free to move about in the locality of the camp.

ii *Refugees.*

These are refugees of all nationalities, except Italians, which are received in this Sub-Commission's transit camps. After screening and disinfestation, they are sent to holding camps where they await shipment overseas. Certain refugees are stateless, and these remain in Italy. Refugees live in hutted camps or village communities in houses.

b) Ex-Internees receive food in kind up to 50% of their requirements; flour, pasta, rice, olive oil and purchase their other food and necessities with subsistence allowance paid to them through Italian provincial officials.

c) Refugees (other than Ex-Internees) in camps are issued with rations drawn from Army sources. This is either cooked at a communal kitchen or by household groups according to cooking facilities. Certain additional items of food may be drawn for invalids and children. Red Cross are also helping by supplementing the ration for children and special cases.

d) Two hospitals are maintained by the Displaced Persons Sub-Commission and the various camps have medical organizations for dealing with the sick.

e) The Displaced Persons Sub-Commission does not have direct contact with non-Italian Nationals living or finally established in communes. These are dealt with by Regional Commissioners, through their welfare officers. The Displaced Persons Sub-Commission desires notice of problems which Regional Commissioners may encounter in respect to such persons.

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17 May 1944

EXECUTIVE MEMORANDUM NUMBER 59

FUNDS HELD BY ACC/AMG OFFICERS

I. GENERAL:

In a number of cases, funds held by ACC/AMG officers have not been properly handled and accounted for, particularly as regards the proceeds of sales of supplies and deposits on returnable containers. The necessity for the exercise of the utmost care in handling public funds and obtaining proper documents in support of transactions cannot be over-emphasized. It is therefore directed that all ACC/AMG officers handling public funds shall strictly adhere to the following instructions, those contained in the « Accounting Manual » and Executive Memoranda (particularly Nos. 9, 24, 35, 38, 40 and 41) or issued from time to time by the ACC Chief Accountant.

II. BANK ACCOUNTS:

a) It is considered desirable that ACC/AMG funds should, wherever practicable, be lodged in bank accounts and that payments should be made by cheque to the greatest extent possible. These bank accounts will be operated and cheque payments made as explained below.

b) Effective immediately, all bank accounts in which ACC/AMG funds are lodged, including bank accounts of Finance Officers, Sub-Accountants, Imprest Holders, Supply Officers and others receiving and disbursing monies, will show the name of the organization, the official capacity of the officer(s) and the location (e. g. ACC Provincial Finance Officer, Palermo). In no case will ACC/AMG funds be deposited in the name of an individual (e. g. Capt. John Doe) and the titles of any such accounts now in existence must be changed forthwith.

c) Generally, ACC/AMG funds should be deposited only in branches of the Banca d'Italia, Banco di Sicilia or Banco di Napoli, but where branches of these banks do not exist, and until further notice, funds may be lodged with the Credito Italiano, Banca Commerciale Italiana, Banco di Roma or Banca Nazionale del Lavoro.

d) Wherever practicable, bank accounts will be operated by *two* officers signing *jointly*; it is, however, appreciated that in many instances an account will have to be operated by one officer signing alone. Furthermore, in order to avoid

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having ACC/AMG funds blocked in the event of an Officer being incapacitated, the Regional Finance Officer and two other Regional Headquarters officers (to be nominated by the Regional Commissioner) will be empowered to operate on the joint signatures of any two of them each and every bank account within their Region in which such funds are lodged, *except* accounts standing in the name of the Allied Financial Agency.

e) The Regional Finance Officer will maintain a record of all ACC/AMG bank accounts in his Region and will be responsible for seeing that upon transfer or release the signature of the incoming officer is substituted for that of the outgoing officer or that the account is closed.

f) No ACC/AMG bank account may be overdrawn and the Regional Finance Officer will notify all banks concerned to this effect. This does not preclude officers in forward areas from requisitioning currency from banks in cases of emergency.

g) Cheque books will be kept under lock and key and the counterfoils or stubs, which must be initialled by the officer(s) signing the cheques, will be duly filled out and preserved for audit or inspection purposes. Spoiled cheques must be marked «CANCELLED» and be attached to the relative counterfoils. Cheque numbers should be noted in the cash book and on the relative vouchers.

h) At the end of each month, a bank statement of account will be obtained in duplicate. This statement must be checked in detail with the entries in the cash book and a reconciliation statement prepared, where necessary, in the following form:

Balance per bank statement of account at 30 April 1944		10,000
Less: Cheques not yet cleared by bank:		
No. 123 - Apl. 29 - Commune of «X»	5,000	
No. 124 - Apl. 30 - Giuseppe Verdi	750	5,750
		4,250
Add: Deposit not yet credited by bank:		
Apl. 30 - Regional Finance Officer		25,000
Balance per cash book at 30 April 1944	Lire	29,250

One copy of the bank statement of account and of the reconciliation will be forwarded along with the monthly report submitted to the Regional Accountant or Regional Supply Accountant.

i) Cheques issued against ACC/AMG bank accounts will bear the title of the account, preferably in the heading, which may be printed, stamped or handwritten.

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j) In order to reduce the physical movement of cash to a minimum and thereby avoid extra work and the risk of loss in transit, where it is not possible to transfer ACC/AMG funds by cheque, officers will purchase a « vaglia cambiario » from their bank for transmission to the payee.

III. Maximum Balances:

a) It has been observed that Sub-Accountants frequently hold ACC/AMG funds in excess of foreseen requirements. This practice must cease.

b) In rear areas, the Regional Finance Officer, in co-operation with the Regional Accountant, will establish maximum balances to be held by Sub-Accountants in their Region on the basis of past experience and foreseen requirements and will arrange for amounts in excess thereof to be paid over promptly to the Allied Financial Agency branch serving the Region. These maximum balances will be reviewed and revised from time to time.

c) In forward areas, maximum balances will be established as in III (b) above wherever practicable; otherwise the Regional Finance Officer or Senior Finance Officer with the 5th or 8th Armies will review the average balances held by their Sub-Accountants at frequent intervals and will instruct them to refund any amounts in excess of prospective requirements to the Allied Financial Agency branch serving the area.

IV. Proceeds of sales of supplies and deposits on returnable containers:

a) To ensure that the proceeds of sales of supplies and deposits on returnable containers are promptly and properly recorded in the ACC/AMG accounts, the following instructions, which supersede all previous instructions, must be strictly adhered to.

b) The proceeds of sales of all supplies and all deposits on returnable containers will be paid into the Allied Financial Agency's No. 1 Account with the bank (Banca d'Italia, Banco di Sicilia or Banco di Napoli) used by the AFA branch which serves the Region.

c) In exceptional circumstances it may be found impracticable to follow the instructions outlined in para. IV (b) above. In such cases, the Supply Officer will inform the Chief Accountant at ACC Headquarters, through the Regional Finance Officer, of the circumstances and request permission to open an « intermediate » bank account in the name of the organization (e. g. ACC/ESD Provincial Supply Officer, Lecce). If permission is granted to open such an account, *all* collections deposited therein up to the close of business on the twentieth of each month will, on the next day, be transferred intact (by bank transfer, cheque or « vaglia cambiario ») to the Allied Financial Agency's No. 1 Account referred to in para. IV (b) above. When making such transfers, *care must be taken to indicate to the AFA branch the amounts representing (i) proceeds of sales of supplies, and (ii) deposits on returnable containers.*

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It must be clearly understood that no payments whatsoever will be made out of these « intermediate » bank accounts. Furthermore, any such accounts now in existence must be closed forthwith or else permission must be requested from the Chief Accountant at ACC Headquarters to continue them.

d) At the end of each month, each Supply Officer will prepare and submit to the Regional Supply Accountant either (i) a list of the funds deposited in accordance with instructions in para. IV (b) above, or (ii) a Monthly Report of Receipts and Disbursements covering transactions in « intermediate » bank accounts as per para. IV (c) above.

V. Losses of ACC/AMG Funds:

a) While recognition is given to the fact that in a theatre of war unusual circumstances may be encountered, it must be understood that no officer will be relieved of responsibility for any loss of public funds unless it can be clearly shown that the attendant circumstances which gave rise to the loss were beyond the control of the officer.

b) Any officer sustaining a loss in his accounts from which he desires to be relieved must file an application for relief, giving full particulars of all the circumstances which will be transmitted through channels to the Finance Sub-Commission for consideration.

c) The Regional Commissioner, or other officer acting in a similar capacity in forward areas, receiving an application for relief from a loss of ACC/AMG funds should decide whether a Board of Survey should be appointed to review the case. If a Board is appointed, its findings will be transmitted to the Finance Sub-Commission with the application for relief and any recommendations by the Regional tances which will be transmitted through channels to the Finance Sub-Commission for consideration.

M. S. Lush
Brigadier,
Executive Commissioner

Ref/258/9/CA.

1 2 3 4

Declassified E.O. 12356 Section 3.3/NND No. 785021

19 May 1944

EXECUTIVE MEMORANDUM NUMBER 66

DESCRIPTIONS OF ITALIAN TERRITORY

1. In order to avoid any confusion in the minds of officers of the Commission and in official correspondence, regarding the general types of territory into which Italy has become divided by the course of the war it has been decided that the following descriptions shall be adopted:

a) For territory handed back to the Italian Government — *Italian Government Territory.*

b) For territory under Allied Military Government — *Military Government Territory.*

c) For all other Italian territory — *German Occupied Territory.*

2. These names will be used, as required, in all correspondence.

3. Legal and other official documents will continue to conform to the descriptions of territory used in existing documents to which they refer unless otherwise stated in the preamble.

Ref/425/30/CA.

NORMAN E. FISKE
Colonel,
Deputy Executive Commissioner

1 2 3

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25 May 1944

EXECUTIVE MEMORANDUM NUMBER 60

MILITARY TRAVEL AUTHORIZATIONS

1. It is anticipated that from time to time applications will be received from civilians for Military Travel Authorizations to enable them to leave Italian territory for destinations outside Italy. Such applications should be discouraged and it should be borne in mind that only special cases will be considered. All such applications will be dealt with at this HQ by Public Safety Sub-Commission.

2. When any such application is submitted to HQ a covering letter will be forwarded giving the following particulars of the applicant:

a) Name.

b) Occupation.

c) Residence.

d) Nature of identity documents held.

The letter will also clearly state:

e) Intended destination.

f) Reasons for proposed journey.

g) Date of journey.

h) Degree of urgency.

i) Recommendation.

Action will be taken by Public Safety Sub-Commission.

3. Italian Government officials and Italian Military personnel desirous of applying for Military Travel Authorization should be instructed to apply through the Italian Foreign Ministry and the Italian Supreme Command respectively. Attention should be directed to the requirements of paras. 1 and 2 above.

4. Military Travel Authorization will only be granted if the journeys to be covered are of benefit to the war effort and the necessary permit and visa requirements have been met.

M. S. Lush
Brigadier,
Executive Commissioner

Rel/328/23/CA

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16 June 1944

EXECUTIVE MEMORANDUM NUMBER 62

FILLING OF VACANCIES IN ITALIAN CIVIL SERVICE POSITIONS

1. The Italian Government has called attention of the Allied Control Commission to the fact that in Military Government Territory, A.C.C. officers not only have filled vacancies in the Italian civil service structure but also have attempted to change the civil service grade of the person installed in office by promoting him from one grade to another.

2. Cases have also arisen where A.C.C. officers have extended the appointment of an official for a fixed term of years.

3. As a matter of military necessity an occupying power may dismiss any civil servant from office and may fill any vacancy by temporary appointment for the duration of the occupation. Furthermore the temporary appointee as long as he continues in such office may be paid the salary commensurate with the office he so fills. However, an occupying power may not change the civil service grade of such temporary appointee nor appoint him for a fixed term of years. No reason of military necessity requires it and consequently that is beyond the power of an occupant.

4. Any such purported change in grade or extended appointment for a fixed term of years whether made on the verbal or written order of an A.C.C. office not only is not binding on the Italian Government but is also the source of later embarrassment to the appointee when he learns that such purported promotion in grade or appointment is not later binding on the Italian Government.

5. Where any such promotions in grade or extension of appointment for a fixed term of years have been made, the orders purporting to do so must be so amended as to ensure that their temporary nature is understood by all concerned.

6. In making temporary appointments it must be clear that the appointments are temporary only. This is particularly necessary where an official is being appointed to an office of higher grade than that which he presently holds.

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7. Unless the filling of a vacancy requires an immediate temporary appointment, it is likely that through inquiry of the Italian Government it will be found that there is available for immediate placement a civil servant of appropriate grade and qualification. Any requests for suitable substitutes should be made to the appropriate sub-commission.

M. S. LUSH
Brigadier,
Executive Commissioner

Ref/348/25/CA

19 June 1944

EXECUTIVE MEMORANDUM NUMBER 63

REORGANIZATION OF REGIONS

1. The following adjustment in Regional Organization will take effect from 1 July 1944:

PONZA ISLAND

Para: 3 of Executive Memorandum No. 33 of 27 February is cancelled.

The western group of the Pontine Islands of which PONZA is the largest will revert to administration of Region IV (Province of LITTORIA) as soon as is practicable.

2. Detailed arrangements will be completed direct between the Regional Commissioners concerned. Completion to be reported to R.C. & M.G. Section, HQ. A.C.C.

M. S. LUSH
Brigadier,
Executive Commissioner

Ref/149/26/CA.

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21 June 1944

EXECUTIVE MEMORANDUM NUMBER 64

ACCOUNTING REORGANISATION

I. It has been decided to centralize at ACC Headquarters all bookkeeping and the preparation of accounts for the Allied Financial Agency and for ACC/AMG revenue and expenditure, as soon as this is possible. However, NO change in the present Supply Accounting procedure is contemplated for the time being.

II. The foregoing reorganisation is expected to achieve simplification, better control over expenditure, uniformity of procedures and classification, concentration of records and vouchers at Headquarters, and reduction in the work and staff.

III. It is believed that better results will be obtained if the present ACC/AMG accounting organisation and procedures are allowed to function in forward areas and consequently no change will be made at present in Regions IV, V and VIII or as regards Sub-Accountants with AMG 5th. and 8th. Armies. Officers in these regions are, however, warned that the reorganisation will be extended to their areas at the earliest possible moment and plans should be made accordingly.

IV. The accounts for all branches of the Allied Financial Agency for June 1944 will be prepared as heretofore, but beginning 1 July 1944 all branches will maintain only a record of cash and bank transactions and will report these transactions twice monthly to AFA Headquarters, where the ledger accounts will be maintained. Detailed instructions to Branch Managers are being issued by AFA Headquarters regarding the records to be maintained and reports and vouchers to be submitted.

V. The regional Statements of ACC/AMG Revenue and Expenditure for May 1944 will be prepared by all Regional Accountants from the Sub-Accountants' Reports for that month in the usual manner, but Reports of Sub-Accountants in Regions I, II, III, VI and VII for June 1944 and subsequent months will be dealt with at this Headquarters. The Regional Finance Officers of Regions I, II, III, VI and VII will accordingly instruct all Sub-Accountants in their Regions to forward their Monthly Reports of Receipts and Disbursements, with the usual supporting vouchers, to the R.F.O. These R.F.Os. will make such reviews of these Reports as they desire (but will NOT carry out any of the work formerly done by their Regional Accountants beyond requesting explanations of such items as appear to them to call for explanation) and will forward the Reports and vouchers as promptly as possible to the Chief Accountant at this

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Headquarters. Such Reports of Sub-Accountants for June 1944 as are received before the Regional Accountant leaves will be reviewed, classified and summarized on the spot and be brought to Headquarters by the R.A. ready for posting.

VI. The Chief Accountant will issue, in the near future, Sub-Accountants Instruction No. I, which will consolidate all accounting instructions pertaining to Sub-Accountants, Collectors of Revenue and Imprest Holders which were formerly contained in the Accounting Manual. Each Regional or Senior Finance Officer will be furnished with a supply of these instructions and it will be his duty to ensure that each and every Sub-Accountant, Collector of Revenue and Imprest Holder in his area is provided with a copy thereof and adheres thereto.

VII. Regional Finance Officers will also instruct all Sub-Accountants in their Regions to indicate clearly on all reports and vouchers the number of their Regions as well as their official title (e. g. Finance Officer, Palermo Province, Region I). This information must also be provideed to and repeated by AFA when deposits are made into AFA bank account or vouchers are approved for payment by AFA; this is of particular importance as regards collections from sales of supplies.

VIII. Orders will be issued during the early part of July 1944 instructing all AFA accountants and bookkeepers and all Regional Accountants and their staffs in Regions I, II and III to report to this Headquarters. On receipt of these orders the officers and EM/ORs concerned will proceed forthwith to this Headquarters, bringing with them all books, vouchers and accounting files; a reasonable supply of blank accounting forms will be left at each AFA branch and with the Regional Finance Officer and any surplus will be brought to Headquarters. In this connection, it is suggested that Regional Accountants should take advantage of the visit of any officer from their Regions to this Headquarters before the former leaves to send forward any vouchers, etc. not required for completion of the May 1944 accounts.

IX. Regional and Senior Finance Officiers are requested to review the Sub-Accountancies in their areas and to eliminate any which are no longer essential. Better results will be obtained if receipts and disbursements of ACC/AMG funds are concentrated in the hands of a few officers who are fully informed as to their duties and responsibilities in handling public funds.

X. The Chief Accountant, Finance Sub-Commission, intends to appoint an officer on his staff to travel through the various Regions, advise Sub-Accountants and clear up queries on the spot. Regional Finance Officers who desire to have this officer visit Sub-Accountants in their Regions will address their requests to the Finance Sub-Commission, attention Chief Accountant.

M. S. Lush
Brigadier,
Executive Commissioner

Ref/251/30/CA.

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21 June 1944

EXECUTIVE MEMORANDUM NUMBER 65

CONTROL OF FOOT AND MOUTH DISEASE

1. There are a limited number of animals now infected with Foot & Mouth disease in the Provinces of Taranto, Bari, Foggia, and Salerno. This disease is endemic in Italy and numerous cases will undoubtedly occurr throughout the summer and early fall months. It is essential that all possible control measures be employed.

2. The Italian Ministry of the Interior has instructed all prefetti under the jurisdiction of the Italian Government to report immediately any outbreak of the disease and to order the rigid employment of the Italian Regulations as in Appendix « A », attached.

3. It is imperative that all practicable precautions be taken to prevent the spread of Foot & Mouth disease to the United States and/or Great Britain. Since the disease may be carried on the shoes, equipment, or clothing of persons who come into contact with infected premises, every effort should be made to keep troop commanders informed as to the exact location of infected farms and the necessity for placing these farms out of bounds wherever it is possible and practicable to do so.

4. Prefetti in provinces will be instructed or advised to employ the following control measures:

a. The Italian Regulations regarding the control of foot & mouth disease will be rigidly enforced by the provincial and communal veterinarians and civil police.

b. The infected stables will be thoroughly sprayed with 1½ percent solution of caustic soda.

5. Regional Commissioners will ensure that the authorities named, act promptly and with diligence in this matter. Monthly progress reports will in the future include a report covering action taken on this memorandum.

M. S. LUSH
Brigadier,
Executive Commissioner

Ref/241/7/CA.

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APPENDIX « A »

EXTRACT FROM DECREES DATED 10 MAY 1944 - No. 533

Article 2) — When Foot & Mouth disease is discovered or suspected it must be immediately reported to the sindaco by the veterinarians, the proprietors, the owners of hotels with stables, farriers, and Reali Carabinieri.

Article 7) — The sindaco as soon as he receives the reports must order:

a. The counting of animals in the infected locality.

b. Inquiries in order to ascertain the origin of the infection.

c. The isolation of infected from non-infected animals.

d. The impounding of the animals residing in the infected areas with the following restrictions:

i. No strangers, dogs, cats or courtyard animals shall be allowed to enter the infected area.

ii. The personnel of the infected farm will avoid all contact with animals of the nearby farms.

iii. The transferring of hay, straw, manure, etc., from the infected premises will be forbidden.

iv. The animals shall not drink in streams or in troughs communicating with flowing water.

v. The infected premises shall be made clear by affixing placards with the name of the disease.

vi. The carcasses must be destroyed by deep burial (4 feet) or by complete burning.

Article 9) — The prefetti, when certain of the existence of Afta Epizootica, will publish the « decree of infected zone » with all provisions, the most important of which are:

a. To prohibit the transfer of animals from the infected zone to non-infected ones,

b. The prohibition of livestock markets in the infected zone.

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Article 12) — For purposes of slaughtering or for *urgent pasture needs* the Prefects may permit with a special authorization that animals susceptible to but not infected with Foot & Mouth disease be transferred out of the infected zone.

Article 42) — The sindaco may allow the slaughtering of the diseased animals on the place where the meat is to be consumed, after it is inspected by a veterinarian. The transport of such meat may be allowed in closed vehicles.

It is permitted to use hides and horns after desinfection for 4 days in milk of lime. (Slaked lime 10 % solution).

The decree of infected zone is to be withdrawn when at least 30 days have passed since the last case.

Article 13) — The sindaco may consent that in the infected stables or in the infected pastures the non-infected animals be aftized, i. e., artificiallycontaminated in order to speed up the normal course of the epidemic.

28 June 1944

EXECUTIVE MEMORANDUM NUMBER 66

ASSISTANCE TO CHILDREN OF PROSTITUTES IN VD HOSPITALS

1. The Ministry of Interior has issued circular No. 15949-3-9, Div. 1 on the above mentioned subject. The circular and translation are enclosed.

2. In Militari Government Territory, Regional Commissioners will instruct Prefetti to put the provisions of this circular into effect.

3. In Italian Government Territory, Regional Commissioners will determine that Prefects have put the order in operation.

M. S. Lush
Brigadier,
Executive Commissioner

Ref/382/54/CA.

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APPENDIX «A»

MINISTERO DELL'INTERNO

Directorate - General Civil Administration

Salerno, 17 June 1944

N. 15949-3-9

SUBJECT: Assistance to Children of Prostitutes in VD Hospitals.

TO: All Prefetti of Liberated Provinces.
The High Commissioner, Sicily.
The High Commissioner, Sardinia.
The Prefetti of Naples, Benevento, Avellino, Foggia and Campobasso.

This Ministry has been notified that frequently prostitutes cared for in VD Wards are obliged to keep their children with them during their stay, for lack of anyone to care for the children.

Such conditions in addition to being a disturbance to the normal course of hospital activity, are harmful to the children themselves because of the serious moral effect which they may have on the minds of children often in an impressionable stage of development, who are in contact with such an environment.

Your Excellencies are authorized, therefore, in the above mentioned cases to arrange for the care of the children in question in the most suitable institutions for the period of the mother's stay, assuming there are no relations with whom they may be placed.

It remains understood, however, that the children must be returned to the mothers as soon as the latter are released from hospital.

The expenses of the stay are the responsibility of this Ministry. Your Excellencies will take care to notify the Ministry of the children so placed and afterwards submit the relevant account.

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APPENDIX «B»

MINISTERO DELL' INTERNO

Direzione Generale Amministrazione Civile

Salerno, 17-6-1944

No. 15949-3-9
Div. I

OGGETTO: Assistenza ai bambini figli di prostitute ricoverate nelle sale celtiche.
ALLE LL. EE. I PREFETTI DELLE PROVINCE LIBERATE.

A S. E. L'ALTO COMMISSARIO CIVILE PER LA SICILIA.

A S. E. L'ALTO COMMISS. CIVILE PER LA SARDEGNA.

ALLE LL. EE. I PREFETTI DI NAPOLI, BENEVENTO, AVELLINO, FOGGIA, CAMPOBASSO.

E' stato segnalato a questo Ministero che spesso le prostitute ricoverate presso le sale celtiche sono costrette a tenere presso di sè durante la degenza, i propri figli, non avendo a chi affidarli.

Detta circostanza, oltre a generare intralcio per il normale svolgimento dell'attività ospedaliera, è deleteria per gli stessi bambini a causa delle gravi ripercussioni morali che si verificano sul loro animo quando, spesso in condizioni di sviluppo, vengano a trovarsi a contatto di un tale ambiente.

Si autorizzano, pertanto, LL. EE., nei casi suddetti, a disporre il ricovero dei bambini di che trattasi negli Istituti ritenuti più idonei, per il periodo di degenza delle madri, e sempre che manchino parenti cui possono essere affidati. Resta intesa, però, che i bambini stessi devono essere riconsegnati alle madri non appena queste saranno dimesse dall'Ospedale.

Le spese di degenza saranno a carico di questo Ministero, al quale le LL. EE. avranno cura di segnalare, volta per volta, i ricoveri disposti e di far pervenire poi le relative contabilità.

IL MINISTRO: F.to Aldisio

Declassified E.O. 12356 Section 3.3/NND No. 785021

5 July 1944

EXECUTIVE MEMORANDUM NUMBER 67

TREATMENT OF ITALIAN OFFICIALS ENCOUNTERED IN ADVANCE NORTHWARDS

1. Inasmuch as the Directive and the separate Memorandum of the Chief Commissioner both dated 24 May 1944 have given rise to a few questions, the following constitutes a revised and consolidated directive, designed to meet these questions and possibly to forestall others.

2. Many of the Italian officials in the area north of the line marking the beginning of the recent offensive were placed in office by the so called Republican Fascist Government or by the Germans. Others, however, may, despite their hostility to the Fascist Government, have been compelled through coercion to remain in office or through devotion to duty may have chosen to remain and serve their people. Others stayed at their posts for some months and then for alleged fear of persecution deserted. It is impossible at a glance to say in which of these classifications a particular public servant should be placed. Obviously many of the first classification, particularly those highly placed, will have fled before our advancing troops, but on the other hand many will remain and these must be dealt with in accordance with this directive.

3. The object of ACC is to rid the country as we get through it of the important fascists and of persons put in office by the Republican Government. While many important fascists are not necessarily men who are now holding important administrative posts considerations of expediency make it necessary for SCAOs and RCs to confine themselves to an examination of those holding the more important posts.

For this purpose two lists have been prepared and are attached hereto. List A contains a list of Italian governmental and ministerial offices which should be cleaned of fascist personnel as quickly as possible as the offices are important. The list contains three categories in order of importance.

List B contains a list of purely fascist offices and serves as a guide as to what type of fascist party members are particularly obnoxious.

4. These two lists will normally be used together. Thus if you find a person who occupied one of the offices in List A and who has had one ofthe party affiliations contained in List B he is likely to be an official to be removed at once.

Hower an official holding office in List A who has newly been put into

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office by the Fascist Republican Government should be dismissed whether or not he belongs to one of the fascist offices mentioned in List B.

5. Officials (as well as any other persons) regarded as potentially dangerous should in addition be locked up immediately. They may be interned or if the Italian Government requests that they be turned over to it suitable arrangements should be made to comply with the request. Whenever a person is interned a report must fortwith be made to HQ ACC, RC & MG Section.

6. It is emphasised that in carryng out the important duty of ridding the county of fascists nothing herein is intended to prejudice the right of. SCAOs and RCs to dismiss and/or intern individuals at their discretion in proper cases without reference to their present official position or past fascist office.

7. In Rome officials of the Ministries and members of the Court of Cassation and of special courts of national, as opposed to local, jurisdiction will be dealt with by HQ ACC direct and not by Rome Region. Such offices in List A are marked with an asterisk.

8. SCAOs and RCs have full discretion in exceptional cases to retain as a purely temporary expedient a fascist in office where the immediate administration of any locality renders this essential. In all such cases the work of the individual should be closely supervised and application should be-made at once for a replacement to the appropriate Sub-Commission.

320/42/CA.

M. S. Lush
Brigadier,
Executive Commissioner
for Chief Commissioner

LIST «A»

Category 1.

× 1. Ministers.
× 2. Undersecretaries of State.
× 3. Chiefs of Cabinet and Private Secretaries of Ministers.
4. National Councillors of the Chamber of fasci and of Corporations

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5. Chief of the police attached to the Government.

6. Prefects in charge of provinces and assigned to the Ministry.

7. Presidents, Judges, procurators of the republic and Assistant Procurators of the republic at the special tribunals.

8. Secretary General, vice-secretary general, administrative secretary and vice-secretary, members of the National Directory, inspectors general, vice-inspectors general and respective private secretaries of the fascist national party.

9. Federal secretaries, administrative federal secretaries, federal inspectors, members of federal directory, zone inspectors of the Fascist National Party.

10. Directors and vice-directors of GIL.

11. Directors and vice-directors of the Opera Balilla.

12. Directors and vice-directors of the Opera Nazionale Dopolavoro.

13. Political secretaries of all communes.

14. Governor and vice-governor of Rome.

15. President (preside) of the province and vice-president (vice preside).

16. Mayors (podestà) of cities with a population of more than 50,000 inhabitants.

17. Officers of any rank in the militia including those « fuori ruolo ». (unassigned) and those who hold a civilian authority only.

18. Ambassadors and consuls of the republican government.

19. Inspectors general of public safety.

20. Presidents and directors of the national council of corporations. with pertaining to public safety.

21. All members of the National republican guard composed of volunteers

Category 2.

1. President of the Court of Cassation.

2. Procurator General of the Court of Cassation.

3. President of the Court of Accounts.

4. President of the Council of the State.

5. Advocate general of the treasury (Avvocato generale erariale).

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6. Principals (rettori) of universities.

× 7. Directors general of all ministries.

× 8. Personal heads of all ministries.

9. Mayors (podestà) of all communes with a population of less than 50,000 inhabitants.

10. Members of the fascist directory (direttorio dei fasci) of all communes.

11. President and directors of the Provincial council of corporations.

12. Presidents and provincial and communal directors of the Opera Nazionale Balilla, Dopolavoro and GIL.

Category 3.

1. Vice-Prefects and chiefs of cabinet of prefects.

2. Procurators of the republic.

× 3. Advocates General of Cassation.

4. Presidents and secretaries of provincial sindicates of all professions and callings.

5. University professors who do not hold regular appointment (non di ruolo) but merely « charged » (incaricati) with instruction.

6. Provincial Superintendents of Studies (Provveditore agli Studi).

7. Intendants of Finance.

× Officials marked with an asterisk will be dealt with by HQ ACC.

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LIST « B »

A. A person who had the title or qualification of « Sansepolcrista », « squadrista », « antemarcia », « marcia su Roma », or « sciarpa littoria ».

B. A person who was, during the fascist regime, a member of the Central Government, a member of the Grand Council, a member of the Academy of Italy, or a member of the Special Court for the Defence of the State.

C. A person who was a president, vice-president or executive secretary of a corporation confederation, federation, or syndical union.

D. A person who was a member of the fascist party and who and who was nominated as a senator on or after 3 January 1925 and who subsequent to such nomination obtained any office or post in any administration or undertaking included in Art. IV.

E. A person who was a national secretary or national vice-secretary of the fascist party, or a member of the national directory, or a national inspector.

F. A person who was nominated as a senator before 3 January 1925 and who, after that date, joined the fascist party and subsequently obtained any office or post included in List « A ».

G. A person who was a fascist member of parliament or who was a national Counsellor.

H. A person who was a secretary federal, a federal vice-secretary or an administrative vice-secretary.

I. A person who was a member of the federal Directory or of the Directory of a fascio di combattimento or a fiduciario rionale of a chief centre of a province.

J. A person who was a federal inspector or a zone inspector.

K. A person who was a president or a member of the Corte Centrale of the federal disciplinary commission of the fascist party.

L. A person who was, during the fascist regime, a president or a vice-president or consultore or rector of a provincial administration.

M. A person who was, during the fascist regime, a mayor, vice mayor or a governmental or prefectural commissioner of a chief centre of a province.

N. A person who was during the fascist regime, mayor of a comune which had, the date of the last census, a population of more than 50,000.

O. A person who was a political secretary.

P. A person who was a provincial fiduciaria of the female fasci.

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Q. A person who was, during the fascist regime, a president, a vice-president, a director or a manager of a Statal, parastatal or public service organization.

R. A person who was, during the fascist regime, a political radio commentator.

S. A person who was, during the fascist regime, a director or chief editor of a newspaper or a political magazine.

T. A person who was, a professional journalist or publicist and who, after 3 January 1925, exalted the ideas and political aims of fascism.

U. A person who was a member of the Militia Volontaria Sicurezza Nazionale in permanent active service, and who was not a person referred to in any other paragraph of this article and who, while such a member was:

(1) a member of the Militia Contraerea or the Milizia Costiera, or

(2) a member of the Milizia Forestale who had been an official or employee of the former forest administration before the creation of the Milizia Forestale, and

V. A person who has been decorated by the German Government for special political services rendered to the Nazi Party.

NOTE. For the purpose of this guide, the terms « fascism », « fascist party » and « fascist regime » include their equivalents as set up by Mussolini after the Armistice.

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4 July 1944

EXECUTIVE MEMORANDUM NUMBER 68

RELATION BETWEEN ALLIED CONTROL COMMISSION HEADQUARTERS AND REGIONS. REGIONAL ORDERS.

1. The powers delegated to Regional Commissioners are set out in Paragraph 1 of Executive Memorandum No. 30, to which this Memorandum is supplemental.

2. This Memorandum is issued with the intention of clarifying the principles which should govern the publication of Regional Orders in whatever form or by whatever description promulgated.

3. Regional Orders must not deal with over-all policies, such as censorship and defascistization.

4. Matters involving long term policy (i. e. extending beyond occupation) should be done by Italian decree, or by General Order (where it will take too long to await the issuance of an expected Italian decree), and not by Regional Order. A simple machinery has been established whereby Italian decrees can be made effective in Military Government Territory by an endorsement signed by the Executive Commissioner and published in the Gazzetta Ufficiale. The above procedure should be followed whenever possible and HQ. ACC should be approached to make the necessary arrangements.

5. It is important that Regional Orders should not contravene Proclamations or General Orders. It is not permissible for a Regional Order to purport to amend or construe a Proclamation or General Order, and any attempt to do so is legally ineffective. Further it is not permissible for a Regional Order to purport to transfer to Italian Courts the trial of offences which would normally be heard before Allied Military Courts. Whenever it in desired to make any such transfer, the matter must always be referred to HQ ACC.

6. Every Regional Order is to be submitted before signature to the Regional Legal Officer, who should sign a certificate that the order conforms with the principles laid down above and is in proper form for signature.

M. S. LUSH
Brigadier,
Executive Commissioner

Ref/17/43/CA.

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17 July 1944

EXECUTIVE MEMORANDUM NUMBER 69

GENERAL ORDER No. 28 - LABOUR RELATIONS

1. The suppression of the Fascist Party has made inevitable the abolition of the Corporative Syndical System, which was perhaps the most characteristic feature of the Fascist Regime.

It stands to reason that the abolition of this System gives rise to the necessity of providing new machinery and procedure as well as a democratic form of Trade Union organization which would effectively enable the Allied Military Government to cope with social and juridical problems in the labor field.

2. General Order No. 28 - Labor Relations, has been designed to provide for this urgent necessity and though it is self-explanatory, some points of guidance have been set out below in order to present a clearer picture of the background against which this Order is to be enforced.

3. A close examination of General Order No. 28 would show that

a. The abolition of the Corporative Syndical System has clearly set out in all its features in Article I;

b. The fundamental democratic principle underlying the new order of things has been laid down in the words « to restore to labor the free right of collective bargaining » of the preamble and more specifically in Article II - « Right of Organization »;

c. The minimum machinery required to govern labor relations, and to enable the State to discharge all its responsibilities in the labor field have been provided for in Articles III, V and VI.

4. General Order No. 28 does not cover many important details and Article IV may be regarded as a « saving clause » that would enable ACC/AMG to meet the situation as occasion demands. Article VII provides for enforcement of the fundamental principles and provisions contained in this General Order.

General Order No. 28 does not attempt to provide for:

a. The regulation of Trade Union constitution, registration, juridical recognition, in fact, all that pertains to the internal organization of the Trade Union movement and its relationship to the social life of the community.

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b, The disposal of a number of para-syndical organizations, each of which would have to be dealt with independently on its respective merits with a view to reinstitution in its existing or in a modified form;

c, The administrative detail persuant to the institution of the Labor Offices - a matter which would be provided for under « Article IV - Rules and Regulations ».

5. General Order No. 28 should be promulgated at the earliest possible time, *NOT*, however, before it is ascertained that all records and Estates belonging to the Syndical Corporative Offices have been placed at the responsibility of the Commissario Straordinario who should retain as much of the personnel of these offices as is considered necessary and trustworthy, and until such time as a proper hand-over to the newly created Labor Offices can be effected.

6. No reference whatever has been made in the present General Order of such labor matters as are dealt with by separate legislation.

This « Labor Relations » General Order, however, must be interpreted in the light of Italian legislation that has a bearing on labor matters and has not been rescinded and of other legislation promulgated by Allied Military Government separately. Thus, Strike and Lock-out remain illegal instruments for the settlement of Labor disputes, Collective Contracts remain in force, wages remain frozen and any re-adjustment of wages in any given industry or for any particular job would have to be claimed on a basis of comparison with similar industries and at a lower ceiling than wages of employees with the Armed Forces - such re - adjustments becoming operative only on the approval of A.C.C. Labor Sub-Commission.

7. General Order No. 28 may be regarded as a temporary measure. A Draft Decree « Abolishing the Fascist Syndical - Corporative System, reinstituting the freedom of Trade Union Organization, authorizing the institution of Labor Offices and governing Labor Relations » is now in the final stages of preparation by the Italian Government. It is proposed to make this Decree operative in Military Government territory, thus providing a uniform labor system for the whole of Italy.

M. S. LUSH
Brigadier,
Executive Commissioner

Ref/262/19/CA.

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EXECUTIVE MEMORANDUM NUMBER 70 — 18th July 1944

APPOINTMENTS TO THE OFFICE OF PREFECT IN MILITARY GOVERNMENT TERRITORY

1. This Memorandum is supplementary to Executive Memorandum No. 12 dated 12th June 1944.

2. Since that date and consequent upon the fall of Rome, a number of fully qualified Prefects have become available for forward provinces. The Italian Government now represents that these officials should retain the title of their rank and not be appointed as Reggenti.

3. Paragraph 3 of Executive Memorandum No. 12 is cancelled and the following substituted:-

« 3. In future Allied Military Government appointments the title « Prefetto » « will only be used if the appointee is already of the rank of Prefect. If the « candidate selected is of junior rank or is not a career official, the title « Prefetto « Reggente » will be used. The Italian Government lay great stress on the use « of the word « Reggente » in such cases.

« 3A. When a candidate is sent forward from the rear, Interior Sub-Commis- « sion will when moving up the candidate, advise the Regional Commissioner or « Senior Civil Affairs Officer as to the proper title. When it is proposed to appoint « a local man, the Regional Commissioner or Senior Civil Affairs Officer will « first inform the Sub-Commission, by telegram if necessary, and give all requisite « particulars, so that the Sub-Commission can advise in such cases also. Care will « be taken « not to give a candidate who may only be qualified to be appointed « Reggente » » the impression that he is going to receive the substantive rank of « Prefetto ».

« 3B. When the appointment is that « Prefetto Reggente » that title will « invariably be used in formal document and official communications, both by « the Reggente and by officers of Allied Military Government; but there is no « objection to the Reggente being addressed or referred to in ordinary conversat- « ion as the Prefect ».

4. When the appointment is that of « Prefetto », the words « Regent » and « Reggente » in the form shown at Appendix « A » to Executive Memorandum No. 12 will be deleted.

M. S. LUSH
Brigadier,
Executive Commissioner

Ref/350/47/CA.

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21 July 1944

EXECUTIVE MEMORANDUM NUMBER 71

ACCOUNTING FOR IMPORTS

1. The attention of all Regional Commissioners is called to the following instructions which were originally issued on 13 March 1944 by the Economic Section. These instructions have not been followed out in some Regions and much time and labour has subsequently been wasted in rectifying errors which would not have arisen had the instructions been complied with in the first case.

2. Various Sub-Commissions and Regional Divisions other than the Economics and Supply Division have occasion to import goods into Italy. It is essential that the accounting procedure should be understood by all such Sub-Commissions and Regional Divisions.

3. Accounting for all imports will be handled by the Economic and Supply Divisions of the Region into which the goods are imported irrespective of which Sub-Commission or Regional Division is responsible for their import.

4. When Sub-Commissions and other Divisions import goods which are delivered to AMG/A.C.C., warehouses, the accounting procedure will follow automatically on the normal warehouse procedure for receipt and issue of goods and no special notification to the Economics and Supply Division will be required.

5. Where, however, goods imported by any Shb-Commission or Regional Division other than the Economics and Supply Division do not pass through any AMG/A.C.C. warehouse, but are delivered direct to the customer, the Sub-Commission or Regional Division responsible for their import must notify the Economics and Supply Division of the Region into which the goods are imported in order that the supply accountant may properly record the transaction.

6. The following information should be included in the notification to the Economics and Supply Division:

(a) Origin of goods (i. e. from U.S.A., U.K., Army, etc.) and name of ship.

(b) Quantity shown on ship's manifest.

(c) Quantity actually received from ship.

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(d) Quantity actually received by customer.

(e) Price to be charged to the customer.

7. The Supply Accountant in the Regional Economic and Supply Division prepares the Issue Voucher which will be used for billing the customer, but the actual presentation of the Issue Voucher to the customer will be the responsibility of the Sub-Commission or Regional Division responsible for the import. It will also be the responsibility of such Sub-Commission or Regional Division to see that the proceeds of the sale are paid into the bank by the customer according to such instructions as may be laid down by the Regional Supply Accountant.

8. The above instruction also applies to supplies which may be drawn from the Armies

Ref/251/39/CA.

M. S. Lush
Brigadier,
Executive Commissioner

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Declassified E.O. 12356 Section 3.3/NND No. 785021

28th July 1944

EXECUTIVE MEMORANDUM NUMBER 72

INSTRUCTIONS TO LEGAL OFFICERS IN REGIONS TRANSFERRED TO THE ITALIAN GOVERNMENT

1. *General.*

a. As stated in Memorandum dated 23 January 1944 (Executive Memorandum O.A.), to which this directive is supplemental, upon the restoration of territory to the Italian Government subject to control by the Allied Control Commission all powers of military government cease within the restored territory and the relationship between the Commission and the Italian Government depend entirely on contract. Such contract is contained in the Armistice Terms, and forms the charter of the Allied Control Commission, supplemented by certain terms reserved on the restoration of territory to the Italian Government.

b. For security reasons it is not possible to communicate the Armistice Terms or subsequent terms in written form but the Regional Legal Officers (RLOs) will be given any necessary information regarding them.

c. It will continue to be the duty of the RLOs to advise the Regional Commissioners (RCs) on all legal matters affecting the Region. This directive is intended in part to assist RLOs in giving advice to RCs in connection with the newly acquired powers and duties of the Commission personnel in the field. It must be appreciated that in furnishing such advice, as pointed out in para (a) above, the position has essentially changed and the powers of military government have ceased and are superceded by the Armistice Terms. In particular and subject to any special directives that may be issued the fonctions of the RCs cease to be executive and become purely advisory and supervisory. Orders are no longer given by the RCs but by the Italian Administrative officials and it is the duty of the RC within his region to see that the Italian Administration carries out the orders received from higher Italian authority (as to which the RCs will be duly informed) and to report to the Headquarters of the Commission any failure to do so. In particular all proclamations and general and regional orders come to an end and cease to be of any force or effect; and it will no longer be within the power of the RCs to issue new orders. Problems may arise which will have, as a matter of policy, to be referred to the Chief Legal Officer (CLO), but in matters of urgency RLOs will not hesitate to exercise their judgment and common sense in giving advice pending the receipt of instructions from the CLO.

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d. The RLOs and all legal officers remaining with them in the Region will retain their offices, motor equipment and requisitioned property to the extent necessary to perform their duties.

e. On restoration of territory in any Region the RLO will prepare and forward to the CLO his report on the activities of his office running from the date of his last monthly report to the date of restoration.

2. *Closing of Allied Military Courts in Italian Government Territory.*

a. Pending cases in which arrests have been made in connection with alleged offenses against Allied Proclamations or Orders prior to the restoration date will be completed as quickly as possible. Cases not involving particularly serious offenses may by agreement between the RLO and the RPSO in the exercise of their discretion be transferred for investigation and trial by the appropriate Italian authorities and Courts.

b. All records, petitions for review, etc., will be speedily transmitted to the RLO, and the instructions as to Review, applications for clemency, etc., contained in Articles 32 and 33 of «Consolidated Instructions for Allied Military Courts» will apply.

c. In closing the activities of the Legal Division of any region as to Allied Military Courts the following specific acts among others shall be performed by the RLO, or as he shall direct:

(i) The Italian Government will be required to carry out all sentences imposed by Allied Courts as though imposed by their own Courts. However, all cases in which a conviction has resulted and the sentence has not fully executed will be re-examined. All such cases in which harsh sentences were originally and subsequently confirmed, because of military considerations which no longer prevail, should be reconsidered by the RLO with the advice, where possible, of the presiding officer who tried the case, and the RLO should forward his recommendation to the CLO. This is not to be regarded as an invitation to a general reduction in sentences, but only in very exceptional cases, as the Italian practice (which will be applicable to these cases of granting conditional liberty after a portion of the sentence has been served must be borne in mind).

(ii) A careful check of outstanding fines will be made, steps will taken to collect unpaid fines and a report will be made to the CLO. Where small individual fines are outstanding, application may be made to the CLO for authority to write them off.

(iii) All Allied Military Court dockets will be checked for accuracy of entries required to be made including data on payment of fines and to determine that all fines collected have been remitted

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to proper authorities. All records properly indexed and filed will be held by the RLO for disposition on orders from the CLO.

(iv) RLOs should see that records of all outstanding cases are prepared for transmission to Italian authorities in accordance with Article 37 of «Consolidated Instructions for Allied Military Courts» and should forward them to the CLO.
Note: No AMG records are to be handed over to Italians nor are they to be examined by Italians.

3. *A.M. Courts in Italian Government Territory.*

a. The Chief Commissioner has directed that only in the most exceptional circumstances will any cases in Italian Government territory be referred to A.M. Courts.

b. The policy and procedure in respect to holding of these Courts is set out in Article 3 of «Consolidated Instructions for Allied Military Courts, which are however to be read subject to the instructions following.

c. The Chief Commissioner has directed that recommendations for the setting up of AMG Courts in territory under the jurisdiction of the Italian Government should, as questions of policy are concerned, be made by the RC concerned, after discussion with his RLO, to the RC&MG Section. In submitting such recommendations the RC will give detailed reasons, together with the advice of his RLO, and, if the request has originated from the local military commander, the opinion of the GOC District concerned. These reasons advice and opinion are required in addition to the facts and particulars already required by paras 3 (b) and 4 of Article 3 of «Consolidated Instruction for Allied Military Courts». The recommendations will then be passed with comment to the CLO who will advise the Chief Commissioner.

d. The Chief Commissioner has laid down for the guidance of RLOs specific directions in regard to cases involving groups of defendants charged with pro-fascist conspiracy or some like anti-Allied activity. In these cases a trial will be held only if it is necessary for exemplary or deterrent purposes; thus if there has recently been a case of similar type in the locality it may be unnecessary to have another. When a trial is held:

(i) Only a few of the ringleaders will be tried, the remainder being interned (if this is required by the security agencies) and not tried.

(ii) The security agencies concerned must be prepared to produce all the evidence required to support their case quite strictly in closed court and to permit full examination and cross-examination of their witnesses on all relevant matters in the presence of the accused.

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(iii) It will be made quite clear at the opening of the court that the accused will in any event continue to be interned if such internment is required by the security agencies concerned. Initially all persons concerned in this type of case should be interned in 371 POW Camp and brought out for hearing if it is decided to try them in A.M. Courts. In no instance will consideration be given to any such case being tried in an Italian Court unless and until the security situation would permit.

4. *War Crimes.*

a. Instructions as to cases of war crimes are set out in AFHQ circulars of 27/11/43 and 6/2/44 and in Article 5 of « Consolidated Instructions for Allied Military Courts », and must be strictly adhered to. The expression « War Crimes in this context means violations of the laws and customs of war, e.g., maltreatment of prisoners of war, and does not include offenses against proclamations. Copies of AFHQ Circulars of 27/11/43 and 6/2/44 will be circulated under separate cover to RLOs.

b. It is the duty of all legal officers to see that no case of war criminals is tried in any Italian Court, civil or military, or in any A.M. Court. If an Italian Court is proposing to try such a case it should be advised against doing so, and an immediate report should be made to the CLO.

5. *Italian Legislation and Laws.*

a. RCs and RLOs will not initiate any amendments to Italian Legislation or laws on the ground that they are Fascist or discriminatory, or with such suspension of such laws, as all such matters will be dealt with by Hq. ACC. Any suggestion for abrogation, revision, or amendments of any Italian legislation will be transmitted to the CLO.

b. Amendments to rules of procedure which have been initiated during AMG (may, be continued by the Italian Administration and any departure from such amendments should forthwith be reported to the CLO.

6. *Detainees.*

The cases of all persons detained under Article VII of old Proclamation No. 2 or Article VIII of new Proclamation No. 1 will be reviewed and if the RC on the advice of the RLO decides to continue to detain any such persons the RLO will make a full report to Hq ACC within 14 days of the restoration date. Such report will deal with all such detainees seriatum and will give the place of detention of each detainee and the reasons for his continued detention.

7. *Attachment of legal officers to Courts of Appeal.*

Wherever sufficient personnel are available, RLOs will appoint a legal officer to act with First President of each Court of Appeal. It will be the duty of RLOs or of such legal officers when appointed:

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a. To advise and assist the First President in opening any Courts not yet opened and in the administration of the Court of Appeal District.

b. To see that all appointments, promotions and removals of officials made by the Italian Government as notified to him by Hq ACC are duly carried out.

c. To notify immediately to the CLO (through Regional Hq) any purported appointments, promotions or removals not sanctioned by Hq ACC.

d. To report to the CLO any cases of biased or incompetent behavior on the part of the judges or officials which come to his notice and to investigate any complaints received from an advocate or prisoner of unfair treatment by an Italian Court, and if the complaint appears to be well founded to forward a report and recommendation to the CLO.

e. Generally to keep Regional Hq and the CLO advised of all relevant matters in the Court of Appeal District, such as the inadequacy in number or quality of Procuratori and judges, inefficiencies and delays of courts in handling cases, particularly those involving Allied interests, the Reorganization of the Bar Association, the holding of examinations for advocates or Procuratori, the reorganization of Notarial Councils, and so forth.

f. To carry out the other duties specifically set out below.

RLOs will inform the CLO of any officers attached to First Presidents as soon as possible after the transfer of any territory.

8. *Italian Military Tribunals.*

a. Italian Military Tribunals have been set up in various parts of the country and they have jurisdiction over Italian soldiers and civilians in accordance with the provisions of the Codice Penale Militare.

b. The primary duty of RLOs in connection with those Tribunals is to supervise cases affecting Allied interests, and to maintain contact with President of Military Tribunals and with Procuratore Militare to censure (i) priority for such cases and (ii) adequate sentence in *every* case. The observations under para 11 below apply with equal force to Military Tribunals.

c. A legal officer has been appointed to act with the Procuratore Generale Militare (PGM), and in the event of (a) a Court repeatedly giving inadequate sentences or (b) sitting for too short hours a report must be made to the CLO, when the matter will be taken up with the PGM.

d. In no circumstances will the legal officer concern himself with purely disciplinary cases which do not in any way affect Allied interests. He should, however, from time to time ask to see records of cases which deal with deserters from the Italian Forces between 10 July - 8 September 1943 in order to see

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that such cases are dealt with in accordance with the agreement reached with the Italian Government the operative part of which is annexed as Annex I.

9. *Italian Courts generally.*

a. All civil and criminal courts functioning at the date of the restoration of territory to the Italian Government will continue to function and any attempt to close such Courts will forthwith be reported to the CLO.

b. If any Criminal Courts have not been reopened at the date of restoration steps will be taken to encourage their reopening at the earliest possible date, subject to suitable personnel being available (see para 15 below). If any Courts remain unopened one month after the restoration of territory to the Italian Government a report stating the Courts remaining unopened and the reason therefor will be rendered to the CLO.

c. Subject to the special directives given below and to any subsequent directives, RLOs will not concern themselves with the supervision of Italian Courts. The management and supervision of Italian Courts and personnel will be anded over by them to the First President of the Courts of Appeal within the Regions.

10. *Collaboration between Italian Civil Courts and Military Tribunals.*

Where both types of Courts are sitting, RLOs should, if possible, arrange with the local Procuratore Generale or Procuratore del Re and with the PGM that all cases shall be submitted to the Procuratore del Re who will decide which cases are to be heard and determined before the Civil Courts and which before the Military Tribunals. A translation of a directive is sued by the Ministry of Justice in this connection on the 8th March 1944 is attached as Annex II.

While it is for the Procuratore del Re to decide those questions, RLOs must satisfy themselves that this machinery is working smoothly and well. In particular, where both types of Courts are sitting, RLOs must see that the Procuratore del Re endeavors as far as possible to keep both Courts busy.

11. *Cases affecting Allied Intrests.*

(a) It is a principal duty of the RLOs in Italian Government territory to see that close supervision is exercised over the work of the Italian Courts in trying cases which affect Allied interests. RLOs must ensure:

(i) that priority is given to all such cases and

(ii) that adequate sentence is imposed in *every* case. This can only be done by keeping a check on *every* case affecting Allied interests.

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(b) This is best done by arranging with the local FSS, SIS, CMP and other bodies of the Allied Forces carrying out arrests and also with the local CC RR and other civilian police agencies for a copy of all arrest records to be sent periodically to the appropriate Legal Officer and entered by him in a register. It is convenient if all police bodies use the same forms. Specimens of an arrest form and a form of headings for such a Register are attached as Annex III.

It will then be the duty of the local Procuratore del Re to supply particulars periodically showing the progress of the case and sentence imposed.

The Legal Officer may also wish to obtain each week consolidated particulars from the Procuratore del Re of (a) cases tried during the week (b) cases ready for trial next week and so on.

The use of this register and form is not compulsory and any other system may be used provided that result set out in sub-para (a) are achieved.

(c) Frequent and close liaison with the police bodies of the Allied Forces is necessary and weekly reports showing the progress of cases may properly be submitted to such bodies.

(d) Frequent and close liaison with the Procuratore del Re and at the seat of the Court of Appeal the Procuratore Militare is also obviously essential. Individual cases should be discussed with the Procuratore del Re who should be requested to appeal where an inadequate sentence has been imposed and to have cases expedited where necesary.

(e) If any Court repeatedly gives inadequate sentences the fact should be reported to the CLO.

(f) Liaison with the First President of the Court of Appeal and Presidents of Tribunali is also necessary and the seriousness with which the Allies view offenses against Allied interests placed before them.

The short hours worked by the average Italian judicial official is a matter which may also properly be brought to their attention; with good will there is no reason why court personnel should not work longer hours in an attempt to make up for their admitted deficiences in personnel. Serious cases of derilietion of duty in this respect should be reported to the CLO.

(g) The Minister of Justice has already directed (See Annex II) that provisional liberty in cases affecting Allied interests is only to be granted very sparingly; the granting of provisional liberty is a matter for the Procuratore del Re, but legal offices may give their advice thereon in difficult cases if asked or where they feel that such discretion is being used more than sparingly.

(h) The proper trial of cases before Italian Courts is facilitated by having proper medical particulars before it and attention is drawn to the directive issued by Hq AAI attached as «Annex IV».

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12. *Cases not affecting Allied Interests.*

While cases affecting Allied interests must receive priority, legal officer should not neglect ordinary cases pending before the Courts and at any rate in places where there are no arrears of cases affecting such interests should satisfy themselves by periodic conversations with Italian officials, inspections of prisons, prison records, etc. that arrears of judicial business are not accumulating. Legal officers may properly request Italian courts to give a major portion of their time to criminal rather than civil cases. They must be active in seeing that arrangements are made for the holding of Assize Courts. While shortage of personnel is to be expected, RLOs will report to the CLO if such shortage is seriously *hampering* justice.

13. *Prisons.*

The responsibility of prisons is that of Public Safety and NOT Legal, but in view of the overcrowding of prisons in some areas, RLOs may have to give some time in an endeavor to assist in solving this problem.

14. *V. D. Cases.*

The strongest representations have been made to see that no provisional liberty is granted, save in exceptional cases, to accused pending trial or pending appeal, and every effort should be made to see such liberty is given only in the rarest cases. A synopsis of the provisions of the law in relation to prostitution together with copies of a number of directives and memoranda published by the Minister of Justice are attached as Annex V. A copy of Directive on this subject issued by the Minister of Justice on 29 April 1944 is also attached (Annex VI).

15. *Judges and Officials of Courts.*

a. It has been agreed with the Minister of Justice that the names of the following officials shall be submitted to Hq ACC by the Minister before the appointment is made:

(1) First President of Court of Appeal.

(2) Counsellor of Cassation and of Appeal.

(3) Procuratore Generale.

(4) Sostituto di Procuratore Generale.

(5) Presidente di Tribunale.

(6) Procuratore del Re.

(7) Primo Pretore in towns of at least 50,000.

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All appointments, promotions and dismissals of officials within the above classes will be arranged *direct* between Hq ACC and the Minister of Justice and RLOs will be informed of all such arrangements. If any arrangements, particularly dismissals, other than those notified to RLOs are made, the CLO must be informed as soon as possible.

b. If any judge or official appointed by AMG is proposed to be removed without the sanction of Hq ACC, RLOs will advise the First President against taking any action without the consent of Hq ACC.

c. It will not be the duty of RLOs to take any steps to fill any vacancies in Italian legal offices. Committees appointed under the auspices of AMG to consider the appointment of judges and officials will be abolished unless the First President desires their continuance.

16. The immediate reports and returns required under this directive are accordingly the following:

a. General report up to date of restoration (para 1 (e)).

b. Recommendations regarding severe sentences when original military considerations no longer apply (para 2 (c) (i)).

c. Report regarding unpaid fines (para 2 (c) (ii)).

d. Returns for Italian authorities (para 2 (c) (iv)).

e. Report concerning detainees (para 6).

f. Names of legal officers attached to First Presidents (para 7).

g. Report regarding unopened Italian Courts (para 9 (b)).

17. This directive supercedes Executive Memo No. 73 Executive Commissioners' Directive 283/42 CA of 5/3/44 and 283/4 CA of 23/5/443 and the CLOs directives 4135 L of 1/5/44 and 4129/7/L of 19/6/44. It should however be read in conjunction with the «Consolidated Instructions for Allied Military Courts».

Ref/383/35/CA

M. S. LUSH,
Brigadier
Executive Commissioner.

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ANNEX I
Salerno, May 1944.

EXTRACT FROM AGREEMENT CONCERNING DESERTERS FROM ITALIAN ARMY, dated 9ht May 1944.

It has been agreed as follows:

1. « The position of all members of the Italian Armed Forces who have been or will be accused of having deserted such forces within the period July 10th - September 8th 43 inclusive, will be settled by the Italian authorities by the choice in each case of one of the following ways so that no punishment which is consequential to such desertion be undergone by the said members of the Italian Forces:

(a) « Archivazione degli atti » (nolle prosequi) according to Art. 74. para 3, Italian Code of Penal Procedure;

(b) « Revoca dell'azione penale » (revocation of criminal action) according to Art. 245, para. 4, Italian Military Penal Code of War;

(c) Acquittal at any stage;

(d) Conviction followed by « grazia » (pardon) or « condono » (general pardon).

2. « In the case of members of the Italian Armed Forces who have deserted within the period July 10th - September 8th, 1943, inclusive, and who have not answered subsequent requests to return to the Italian Armed Forces, included in ordinances or proclamations issued by Italian Military authorities after September 8th 1943 and duly published, the desertion perpetrated between July 10th and September 8th 1943, inclusive, shall not be punished as such and by itself but it shall be taken into account, if and whenever necessary, so as to punish as crime of desertion the failure to answer the requests to return to the Italian Armed Forces included in ordinances or proclamations subsequent to September 8th 1943.

3. « The above will not apply to those who deserted to the Germans or to other armies or military formations hostile to the Allied Forces.

« No publicity shall be given to the present agreement ».

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ANNEX II

Salerno, 8 March 1944

TRANSLATION

MINISTRY OF JUSTICE

Central Office for Criminal Affairs

SUBJECT: Directive in regard to proceedings for offences of any description committed against the Allied Governments, Allied Forces and property.

To all Procuratori Generali
Procuratori del Re.

Attention has been drawn on previous occasions by circular directive from this Ministry to the Procuratori Generali to the fact that offences of theft especially to the detriment of Allied Forces were on the increase and it was recommended not only that police be given strict instructions in relation to the necessity of preventing such thefts by exercising the greatest watch-fullness, but also that pre-trial investigations be carried out with care and solicitude, always bearing in mind the gravity of the offence when having to take a decision with regard to the personal freedom of the accused.

It was also requested at the time that this Ministry be kept informed, as soon as the charges were known, of any theft of correspondence and other serious crimes affecting the Allied Forces, and also of the result of the inquiries and proceedings

Now, at the request of the Allied authorities, the general instructions hereunder, (in addition to and in partial modification of previous directives) shall be followed for any offence committed against the Allied Governments, their Forces and property.

In this respect, it must be remembered, that the Allied Military Police will inform at the same time the Allied Control Commission, the Royal Carabinieri (to whom prisoners shall be handed and the Procuratore del Re of the names of the accused and of their offence.

As soon as such information is received, Procuratori del Re shall decide whether the offence commited falls within the jurisdiction of the Italian Military Courts or the ordinary Civil Courts, bearing in mind the provisions of Article 15 of the Italian Military Code of War, which this Ministry consider applicable in this connection.

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As soon as the competence of the Civil Courts has been established the Procuratori del Re shall initiate penal proceedings forthwith and if necessary shall request from the Carabinieri a copy of the charge sheet (denuncia). The provisions of Article 31 of the Penal Code of Procedure shall be applied whenever the gravity of the offence renders it undesirable that such case be tried before a Pretorian Court and when possible the re-trial proceedings shall be cut down to the minimum, the Procuratore availing himself of the short procedure (giudizio direttissimo).

Furthermore, the Procuratore shall make certain that these proceedings be given *absolute priority* during pre-trial investigations (istruttoria) and also in the lists, and that the findings be accurate and comprehensive, always remembering the gravity of such crimes which by interfering with the smooth running of the Allied services delays the achievement of the principal aim of the Italian State to drive the Germans out of Italy.

All decisions taken by the Procuratori as to proper jurisdiction, the results of pre-trial investigations and of the Court proceedings shall be communicated forthwith to the local Allied Legal Officer, to whom the Procuratori del Re may refer whenever they deem it useful during the investigations and trial, especially in regard to the actions of the police and the examination of their evidence.

Furthermore the Allied Control Commission have expressed the wish that provisional liberty (except under special circumstances) should not be granted for the offences in question or, that proper security be obtained in order to ensure that defendants shall not escape the law.

This request is perfectly legitimate because not only is the Commission personally interested in the punishment of such offenders but also it corresponds with the views of this Ministry in regard to the gravity of these crimes. Procuratori del Re are therefore urged, in cases when the granting of provisional liberty is optional, to make full use of their discretionary powers in this connection.

Finally in modification of previous instructions Procuratori Generali are requested to forward to this Ministry at the end of every month, a list of such cases, which have been tried in their district indicating the result of each proceeding and also a nominal roll of matters pending, either before the examining judge or the Court, giving the reasons why specific cases have not reached finality within the maximum time limit of two months after the notification from the Allied police has been received.

The Minister,
E. CASATI.

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ANNEX III

ALLIED CONTROL COMMISSION
COMMISSIONE ALLEATA DI CONTROLLO

FORM TO BE COMPLETED ON ARREST OF A PRISONER WHO IS TO BE BROUGHT BEFORE A COURT FOR TRIAL.

MODULO CHE DEVE ESSERE RIEMPITO ALL'ATTO DELL'ARRESTO DI UN PRIGIONIERO CHE DEVE ESSERE TRADOTTO DINANZI AD UN

IF, ON ARREST, the prisoner is taken before a military, naval or air force officer or N. C. O., this form must be completed by the person making the arrest and countersigned by the officer or N. C. O. On completion it will be handed over together with the prisoner to the Carabinieri or other person detaining the prisoner until he is brought to trial.

IF, ON ARREST, the prisoner is taken direct to the Carabinieri barracks this for must be completed at the Carabinieri barracks by the person making the arrest and left with the Carabinieri.

SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto dinanzi ad un Ufficiale o N. C. O. dell'Esercito, della Marina, o dell'Aviazione, il presente modulo deve essere riempito dalla persona che opera l'arresto e controfirmato dall'Ufficiale o dal N. C. O. Quando è stato completato dovrà essere consegnato insieme al detenuto ai Carabinieri o ad altra persona che abbia custodia del detenuto finchè egli non venga tradotto in giudizio.

SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto direttamente alla Caserma dei Carabinieri, questo modulo deve essere riempito nella Caserma stessa dalla persona che ha operato l'arresto, e lasciato ai Carabinieri.

NAME OF PERSON ARRESTED:
Nome della persona arrestata: .....

ADDRESS OF PERSON ARRESTED:
Indirizzo della persona arrestata: .....

NAME, RANK, NUMBER AND UNIT or ORGANIZATION of PERSON MAKING ARREST:

.....

Nome, grado, numero e unità o organizzazione della persona che opera l'arresto:

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CHARGE:

(Such as (a) interfering with communications by cutting wire, (b) being in unlawful possession of firearms, (c) acquiring by gift or purchase any military equipment or war material belonging to the Allied Forces).

ACCUSA:

(Come per esempio (a) interrompeva le comunicazioni tagliando un filo, (b) era in illecito possesso di armi da fuoco, (c) otteneva in dono o per acquisto un capo di vestiario militare o un oggetto di materiale bellico appartenente alle Forze Alleate).

SKETCH: (if necessary for clearer understanding of case)

DISEGNO: (quando sarà necessario per la migliore esposizione del caso).

NAMES OF WITNESSES, GIVING RANK AND NUMBER IF SERVICE PERSONNEL AND ADDRESS OF CIVILIANS:

NOMI DEI TESTIMONI, INDICANDO IL GRADO E IL NUMERO SE MILITARI, L'INDIRIZZO SE CIVILI:

1. Signature of person making arrest:
1. Firma della persona che opera l'arresto: .....

2. Countersignature of Officer or N. C. O. (if any):
2. Controfirma dell'Ufficiale o N. C. O. (se occorre): .....

3. Signature of Carabinieri Officer if accused is handed over direct to Carabinieri:
3. Firma dell'Ufficiale dei Carabinieri se l'accusato è consegnato direttamente ad essi: .....

.....

UNIT (UNITA')
Station (Stazione)

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STATEMENT OF FACTS:

Describe simply in the first person, that is, using the form of words « I saw, ... I heard .... I said .... » or ». We saw ... We heard ... We said » the facts caused you to make the arrest. Example: At 14.00 hours on 21st May 1943 I was on patrol duty at X when I saw the accused crouching behind a hedge cutting a piece of wire. As soon as he saw me he ran away. I chased and captured him then took him back to the spot where I had seen him crouching. There I found that a length of wire, about 30 feet, had been cut and was lying on the ground. The wire was British wire »).

DESCRIZIONE DEL FATTO:

(Si esponga brevemente in prima persona, usando le parole « Io ho visto ... ho udito ... ho detto ... « oppure » Noi abbiamo visto ... Noi abbiamo udito ... Abbiamo detto ..., quale è il motivo che ha spinto ad operare l'arresto. Esempio: « Alle ore 14 del 21 maggio 1943 mentre ero di servizio io vidi l'accusato accovacciato dietro una siepe e intento a tagliare un tratto di filo. Appena egli mi vide si diede alla fuga. Io lo inseguii, lo catturai e lo ricondussi sul luogo dove lo avevo visto accovacciato. Colà trovai un tratto di filo della lunghezza di circa 30 piedi era stato tagliato e giaceva in terra. Il filo era di fattura Inglese »).

At ..... hours on ..... (day) ..... (month) .....
Alle ore del giorno del mese

(year) .....
dell'anno

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FORM OF HEARING FOR ARREST RECORD REGISTER

No.	Name of accused	Date of Offence	Date of Arrest	short particulars	Ref. No. date of Allied Police Report and Unit making report.	Ref. No. date of Italian Police Report and Unit making report.	Section under which charged.

Interlocutory Proceedings	Sentence asked for by P. N.	Short particulars of Appeal	Comments

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ANNEX IV

SUBJECT: Allied Mil Personnel suffering from wounds
caused by Italian Civilians or Military

HQ ALLIED ARMIES IN
ITALY.

AAI/5081/A(PS)
13 May 44.

'A' HQ 1 District

'A' HQ 2 District

'A' HQ 3 District

1. In unoccupied territory (i. e. below the Northern bdys of the Provinces of SALERNO, POTENZA and BARI) ITALIAN civilians and soldiers committing offences are normally tried by the ITALIAN Courts.

2. In the event of members of the Allied Forces being admitted to Hospitals, CCS or the like, suffering from wounds not received in combat, but which are suspected to have been inflicted by Italians or soldiers, the following procedure will be adopted to assist the Italian Judicial officials in their task of trying and sentencing offenders:

(a) The Senior Med Offr of the Hospital concerned will render a report (in duplicate) as quickly as possible to the nearest Provincial Commissioner ACC, containing:

(i) Full name, no., rank and regt/corps of the wounded soldier,

(ii) Description of wound (stating depth and probable cause),

(iii) Date of wound and number of days necessary for its cure specifying whether less than 10 days or more than 10 days, and less than 40 days or more than 40 days

(iv) Whether the accused has been or is in danger of his life an a result of the wound,

(v) If it can be said that the wound will cause any permanent disability to, or loss of, any limb, sense or organ.

(b) In the event of a report having been submitted stating that a wound in curable within 40 days and either the cure is not completed within this period, or other complications set in, a further report should be submitted to the Provincial Commissioner.

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(c) If death results from such wounds and the autopsy is performed by Allied Mil Authority, copies of the autopsy report and hospital case record (giving details of the progress of the wounded man, treatment etc.) will be sent to the Provincial Commissioner.

3. The reports, statements, case records, etc. referred to in para. 2 above, will be forwarded direct to the Regional Commissioner concerned.

4. It is emphasized that the above instructions do NOT apply in occupied territory where such offenders are tried before AMG Courts.

5. Sufficient copies are enclosed for distribution down to all Med units affected.

/s/
Major General
Chief Administrative Office

ANNEX V.

2 March 1944

SUBJECT: Veneral Disease, Brothels, Pimps, etc.

TO: : Deputy Provost Marshall, HQ 3 District.

Ref your PRO/3D/439 dated 26 Febr, 44.

1. Licensed prostitution is not allowed in England, but there is no federal law in the U. S. - in this respect each State issuing its own legislation on the matter.

2. In Italy licensed prostitution is regulated by the provisions of the law of Public Safety of 18 June 1931 No. 773, Chapter VII, Articles 190 to 208.

3. As far as the law is concerned the above referred to articles provide.

Art. 190: At the request of the keeper or at their discretion, Public Safety Authorities may declare premises where prostitution is exercised to be licensed premises.

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Art. 191: No premises of this type can be opened without the License referred to in the preceding article; this provisions is also applicable to premises where one person only exercises this practice. Penalty up to one year and 1,000 lire fine.

Art. 192. Public Safety authorities can close any such premises in the interest of morality, decency and public order.

Art. 193: Whoever desires to open a house of prostitution must fill in a special form provided by Public Safety authorities in which are determined the conditions under which he may exercise his profession.

Art. 194: No premises used for prostitution can be modified without the authorization of the P. S. authority. List of person who exercise prostitution in licensed premises must be supplied to the P. S. authority. If through negligence sanitary measures are not taken and an infected person is admitted, even for a short time, in the licensed premises, penalties up to one year and 5,000 lire can be upheld.

Art. 195: Hours of opening are determined by the P. S. authorities.

Art. 196: The following are forbidden in premises where prostitution is exercised: —

(a) Gambling, dancing and any type of celebration.

(b) The ready sale of food and drink.

(c) Access to minors under 18.

(d) Entering the premises carrying arms.

Penalties up to 6 months and 3,000 lire.

Art. 197: Full rights of perquisition at any time by P. S. authorities and also of evacuation of all inmates.

Art. 198: The keeper cannot receive gifts of money or other articles from the inmates. Penalty - up to 3 months and 5,000 lire.

Art. 199: The keeper cannot retain an inmate wishing to leave the premises. Penalty up to 3 months and 5,000 lire.

Art. 200: Prostitution premises shall be closed when: —

1. Venereal diseases are prevalent.
2. Minors are found among the inmates.
3. Sanitary visits are not properly carried out.

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4. The keeper tries to prevent such visits.
5. The keeper becomes an habitual offender under Art. 195 & 196.
6. The lease if any ends.

Art. 201: All such premises can also be closed for general hygeine motives or other reasons left at the discretion of P. S. authorities.

Art. 202: The keeper who maintains the premises open after the date of closing is liable to one year's imprisonment and 5000 lire fine.

Art. 203: Whoever contravenes the above provisions cannot receive a license for a period of five years.

Art. 204: One year is the minimum limit of time before any closed premises can be opened.

Art. 205: P. S. authorities can at any time order sanitary visits of the inmates or send them to special cure places.

Art. 206: Licenses are withdrawn if the keeper requests it when the premises are not used anymore for the exercise of prostitution.

Art. 207: All appeals against P. S. authority action can be made to a Commission convened by the Prefect, etc.

Art. 208: Incitement to debauchery is also forbidden, even by indirect means, in any public places.

It is also formally forbidden:

(a) to solicit by deeds or words in the streets.
(b) to stand in public places in an indecent attitude.
(c) to expose one's person at the windows or on the threshold of licensed premises.
(d) to give the address or indicate in any way the location of licensed premises or to offer means of procuring.

Penalty up to six months.

4. It is hoped that this short synopsis of Italian legislation on the subject will answer most of the legal questions you are interested in. As prostitution control is entirely a police responsibility your letter has been passed to the Public Safety Subcommission together with a copy of our reply for their comments thereon and their observations on the question of fact.

G. G. HANNAFORD, Major
Officer i/c Italian Section, Legal Sub-Com.

Copy to: P.S. Subcommission.

ACC/4005/L

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MINISTRY OF THE INTERIOR

To all Prefetti.

The Allied authorities have informed the Italian government that private doctors who treat military personnel for venereal diseases do not report the cases to proper quarters, as they are required to do by law. Thus the adoption of disciplinary and sanitary measures by the military authorities is made impossible. In order to obviate these difficulties, will you please inform the medical associations to the effect that soldiers are considered as « living in the community » and therefore in pursuance of the provisions of the Ministerial Decree of 23 April 1940, it is compulsory for the doctors to report all cases of syphilis, gonnorhea and venereal ulcers affecting military personnel which they may obtain knowledge of in the course of their professional activities.

All defoulters shall be punishable under the terms of Art. 254 of the consolitaded text of existing sanitary legislation. Please acknowledge.

The Minister.

Instructions to the following effect have been issued to all Procuratori Generali — Avvocati Generali — Procuratori del Re — Salerno.

Instructions for the cooperation with the Allied Authorities in order to eliminate the spreading of V. D. among troops.

A. C. C. have requested the effective cooperation of the judicial authorities in order to prevent the spreading of V. D. among troops.

It has been agreed with the Ministry of the Interior that, where necessary, mixed squads of Allied and Italian police shall be organized to patrol the streets and prevent prostitutes from circulating with impunity and thus gaining easy contact with Allied soldiers. New observation centers have also been created in town to increase the possibilities of curing venereal disease and of detecting symptoms of a suspicious character (Diseased persona may be kept at these centres until cured).

It has been reported that the sojourn in gaol of contaminated prostitutes, who have been either apprehended (fermati) or arrested (arrestati), and who have not been segregated from healthy ones tends to increase the spread of the disease, especially where there are large numbers of these women.

The attention of all Procuratori del Re and Pretori is therefore directed to the gravity of these facts which have a direct effect on Allied military activity and they are hereby instructed to lend every assistance in their power in this connection to the Allied authorities. More especially, the judicial police will be instructed to take all necessary steps to prevent prostitutes exercising their shameful trade away from the special authorized houses.

Furthermore, in cases of prostitutes either apprehended for reasons of public safety or arrested the following rules shall apply:

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(1) Prostitutes apprehended for reasons of public safety in pursuance of Article 15 of Legge di Publica Sicurezza shall be sent to the observation and treatment centres. They will not be returned to the prisons unless the doctors at the centres have declared them to be free from disease or even from suspected disease.

(2) Prostitutes apprehended pursuant to Art. 238 of the Code of Penal Procedure, or prostitutes arrested (arrestate) shall be carefully examined by the doctors at the prisons. All those found to be infected or suspected of being infected shall be segregated from the healthy ones and given adequate treatment at the prisons. If any «Mandamentati» prison (i. e. a prison where persons are detained temporarily as distinct from one in which longterm prisoners serve sentences) is not equipped for such treatment, the prostitutes shall be transferred to a judicial prison.

(3) The names of all prostitutes released from gaol, for any reason whatsoever, shall be communicated by the Director concerned to the Italian Public Safety authorities who shall observe the relevant regulations of public safety in their cases.

(4) Care shall be taken to supervise both prerial investigations and all proceedings connected with prostitution and other offences included in that general category in order to ensure that the various cases are adequately and properly dealt with.

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ANNEX VI

TRANSLATION

MINISTER OF GRACE AND JUSTICE

No. 27032

29 April 1944
rlp

SUBJECT: Instructions for cooperation to prevent the spreading of venereal disease among Allied Troops.

TO : All Procuratori and Avvocati Generali.

y

With reference to Circular No. 25046 of the 28th of this month on delete the above subject, the Allied Control Commission has brought to our notice the necessity that arrested prostitutes should not be given provisional liberty unless in the most exceptional circumstances, with the principal aim of preventing these women from circulating in the towns and closing off another source of infection from the Allied troops.

In fact, together with the procedure of the circular above referred to, every way must be eliminated whereby prostitutes, infected and for any reason whatever set free from prison, may be able to carry on their shameful trade, so the prison authority, before letting them out of prison, must communicate their names to the Public Security Authority, who, in turn, must accompany these prostitutes to the centers for examination and medical care, where they must remain until they have no longer any sign of suspicion of venereal disease.

In any case, in view of the legitimate desire of the Allied Commission, justified by the necessity of combatting in every way the spread of venereal disease which is adversely affecting the duties of many Allied soldiers, it is considered proper that this shall be brought to the attention of the judicial authorities so that they may bear it in mind when in those cases where the concession of provisional liberty is optional, they make use of their discretionary powers in that respect as granted by the law.

Please acknowledge receipt of this letter after bringing it to the attention of all your subordinate judicial officers.

The Minister.

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MINISTRY OF GRACE AND JUSTICE

No. 27031

Salerno, 29 April 1944

SUBJECT: Venereal disease and Prostitution.

With reference to the letter on the above subject this Ministry has communicated to the judicial authorities the request put forward by the Commission with regard to arrested prostitutes, in order that this request may be borne in mind when they make use of the discretionary powers, granted to the judge by law, to deny or grant provisional liberty.

It would appear however, that even if the judicial authorities deny prostitutes the benefit of provisional liberty in every case, the result that is intended in the letter referred to, will not always be obtained, namely that prostitutes shall be kept in prison until they are tried thus avoiding the possibility of their continuing to circulate in the town and affect healthy men. And the reason lies in the fact that in the course of the proceeding there goes together with the practice of provisional liberty that of releasing from jail which is not dependant on any discretionary power of the judge in cases falling within Arts. 246 (Provisions for the Procurator del Re and the Praeter regarding the provisional liberty of an arrested person - 247 cases in which house arrest may be ordered) - 269 (Release ordered by the examining judge or the Praetor as 270 (Release ordered by the Public Ministero) of the Code of Criminal Procedure.

The Minister, being well aware of the danger that lies in infected prostitutes being free to circulate in the town, thinks that he has anticipated, in a better way, the will of Your Commission, having laid down, in the last three lines of Circular No. 25046 of 28th of this month, that the names of all prostitutes released from jail for any reason whatsoever, shall be sent by the competent prison authority to the Public Security authority. And the desired result in the letter referred to will be obtained without anything else, if the Public Security authority complying with the appropriate provisions for confinement for reasons of Public Security, make provision for the recovery these prostitutes in the centers for inspection and medical care until they are declared free from any form whatsoever of venereal disease even suspected, and moreover, after this shall make provision, if such be the case, that they be sent back to their respective communes in accordance with Art. 157 of the Public Security Law No. 773 of 18 June 1931.

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5 July 1944

EXECUTIVE MEMORANDUM NUMBER 71

PAST DUE BILLS

Part I

DEBTS CONTRACTED BY THE FASCIST ITALIAN GOVERNMENT

1. The following procedure will be adopted by Finance Officers in AMG territory in relation to the payment of debts contracted by the Fascist Italian Government.

2. No payment shall be made on any obligation incurred by government agencies while under the jurisdiction of the Fascist Italian Government except:

(a) Where it can be clearly demonstrated that the non-payment of any such bills would be inimical to Allied interests because the production of goods necessary to the war effort might thereby be reduced; or might hamper or restrict any essential industry or undertaking at present in operation; or so affect any undertaking or service as to have an adverse effect of the rehabilitation of liberated Italy; or

(b) Where it can be proved that the non-payment of any such bills would result in the claimant becoming a vagrant and a charge on the State.

No payment shall be made under the principles (a) and (b) above until claims have been presented and examined, admitted, and payment approved by the Prefect and Intendente di Finanza, and subsequently by the proper AMG Finance Officer, and that the expeditures to which the accounts relate are not specifically prohibited by any law at present in force. Such payments shall be separately accounted for in order thatat any time it may be possible to know amount and purpose of such payments. The payment of war damage claims is specifically excluded from the provisions of this order.

3. No payments shall be made under principles (a) and (b) in paragraph 2 in excess of the amount required to meet these conditions.

4. In AMG territory no cognizance should be taken of any debts of the Fascist Italian Government (including the debts of auxiliary enti of the State) unless claims are made that the non-payment of such debts would results as expressed in paragraph 2 (a) and (b) above. Claims will be dealt with as described in Part IV.

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Part II

DEBTS CONTRACTED BY THE ITALIAN LIBERATED STATE

1. Immediate payment shall be made of all outstanding bills relating to expeditures contracted and incurred by the Italian liberated State, or by auxiliary enti of the State, as from the date of the liberation of the particular area concerned; provided that such expenditures have been approved by the body charged with that duty under Italian law, and also that such expenditures are not contrary to any law, decree, order or regulation in force at the time of payment.

Part III

ARREARS OF SALARIES AND WAGES

1. Claims for the payment of arrears of salaries or wages will not be admitted except under the following conditions:

a. The claimant must establish by documentary evidence that he is, or was, an employee of the State, province, commune or other State agency, and that his salary has not been paid for the period claimed.

b. That no payments may be made to former employees of the Fascist Party or its dependent organizations, or to former members of the Fascist Party with the qualification of Marcia su Roma, Squadrista or Scarpia Littoria;

c. That the claimant was not paid through causes beyond his control;

d. That, if the claim to the payment of arrears of salary or wages relates to a period when the claimant was under detention or restraint on a major charge (delitto) he has been found to be blameless, and if he had been suspended or discharged from service in consequence of such charge, he has been reinstated in his former position or office;

e. That all sums received by him or his dependents, covering the period in question, from his employing agency, or as relief or other assistance, shall be deducted from any amounts due as arrears.

Part IV

TREATMENT OF CLAIMS

Past due bills under Part I, and Arrears of Salaries or wages under Part III.

1. Claims should be made in writing by the agency or individual to the Prefect of the proper province, and he, with the Intendente di Finanza, will make appropriate recommendations to the Provincial Finance Officer as to whether the circumstances are bona fide.

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2. The Prefect and the Intendente di Finanza should reject summarily any claims to arrears of salaries or wages that do not comply with the conditions stated in part III. The Prefect must keep a record of all claims made and of their disposal.

3. If the arrears of salaries or wages that would be payable under this order amount to more than two months salary and allowances, the initial payment of such arrears shall not be more than the equivalent of two months salary and allowances. The balance of any arrears due will be paid in bi-monthly instalments, the amount of each instalment being not greater that the initial payment.

4. Any payments made under the authority of this instruction will be by the grant of a credit opened with the Provincial State Treasury, and will be charged to the proper capitolo of the appropriate budget, and cleared through the office of the Intendente di Finanza as a special account.

The Italian Government has made similar provisions regarding past due bills for that part of Italy under its jurisdiction.

Ref/253/20/CA

M. S. LUSH,
Brigadier,
Executive Commissioner.

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EXECUTIVE MEMORANDUM NUMBER 74

14 August 1944

RELEASE OF ASSETS IN THE UNITED KINKDOM TO BRITISH SUBJECTS IN LIBERATED ITALY

1. Reference is made to Executive Memorandum No. 58, Emergency Financial Assistance to United States or British Nationals.

2. There are at present a number of British subjects in receipt of relief payments, some of whom were previously in receipt of payments made by the Protecting Power prior to the liberation of Italy and others have come to need advances since the liberation. Many of these British subjects possess money and/or assets in the United Kingdom, which so far have been held under the Custodian of Enemy Property and accordingly have not been available for the support of their owners in Italy.

3. Release of such assets in the United Kingdom belonging to British subjects in Liberated Italy will be granted to each subject, who makes the appropriate application and who is found, on enquiry, not to be under suspicion of association during the war with activities disloyal to the British cause. When the application is approved, the money will be returned to the Bank in the United Kingdom, which originally acted for the British subject. The Bank concerned will be the agent for exercising Exchange Control and for seeing that remittances within the prescribed limits are made to the said subject.

4. Every British subject at present in receipt of any form of relief payment or advance will be asked whether he or she does possess money or other assets in the United Kingdom. If so, he or she will be requested to complete a form of application, specimen of which is attached.

5. The applicant will be informed of the maximum for monthly remittances, the signature will be witnessed and the form of application will be forwarded through the normal channels to the Finance Sub-Commission at the Headquarters of the Commission for onward transmission to the War Office.

6. The form will be accompanied by a short note stating that the interviewing officer is reasonably satified:

i. as to the person's identity.

ii. that he/she is a British subject.

iii. that he/she is not suspected of having been associated during the war with activities disloyal to the British cause.

7. A supply of application forms is attached and should be used without alteration.

M. S. LUSH,
Brigadier,
Executive Commissioner.

Ref/252/20/CA.

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APPLICATION BY BRITISH SUBJECT IN LIBERATED BELLIGERENT TERRITORY (ITALY) REQUIRING REMITTANCES FROM HIS OWN MONIES IN THE STERLING AREA

TO: The Under-Secretary of State, Foreign Office, LONDON, S.W.1.

1. I, ...
(Full Name)

.....
(Present Address)

a British subject resident in Italy, request the Board of Trade to direct the Custodian of Enemy Property to pay to:

....
(Name of Bank) (Address of Bank)

for my account all monies received by such Custodian on my behalf.

2. I attach a list showing the sources from which the Custodian should have received money on my behalf.

NOTE 1: Applicant should indicate such source by naming each Bank at which he has an account; each of his dividend paying investments the name address of any Trustees or Solicitors who may have received money for his account; his his Inspector of Taxes if a claim for repayment of tax has been lodged, etc.

NOTE 2: If any source is in Scotland or Northern Ireland the fact should be indicated.

3. I desire that my property other than money be freed from the operation of the Trading with the Enemy Act 1939 and Orders made thereunder.

4. I attach a request to the Bank mentioned in Paragraph 1 to arrange monthly remittances to me at the above address of L. or such less amount as may be permitted and to report to me the balance at credit of my account.

(ACC/AMG Officer in Italy to advise applicant of normal limit).

Witness to the signature of the above named. Dated .....

Signed .....

NOTE: Wherever possible the witness should be an appropriate local officer of Allied Military Government who should affix his official stamps as well as his signature.

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(Detachable)

TO: Bank

(Address)

1. Please reconstitute my account with you.

2. Please arrange to pay out of my account to the Foreign Office any indebtedness I may have incurred in respect of advances made to me by the Protecting Power or by Allied Military Government.

3. Please arrange to remit to me:

(Name) ..... (Address) .....

until further notice the sum of L. ..... monthly at my risk through the channel available for private remittances or such lesser sum as may be permitted. Please also report the balance at credit of my account.

Dated ..... Signed .....

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21 August 1944

EXECUTIVE MEMORANDUM NUMBER 75

FORMATION OF SOUTHERN REGION — ALLIED CONTROL COMMISSION.

1. In pursuance of the policy of this Commission to hand over more responsibility to the Italian Government, both centrally and locally, it has been decided to amalgamate Regions II, III and VII and the Provinces of FOGGIA and CAMPOBASSO into one Region, to be known as Southern Region.

2. This Region will have HQ at NAPLES and will have Local Headquarters at NAPLES, SALERNO. CATANZARO, TARANTO, BARI and FOGGIA for control of Provinces as directed by the Regional Commissioner.

3. The amalgamation of these Regions is taking place over a period of 15 days and will be completed by the 31st of August. Regions II, III and VII will close at 0001 hours 28th August and Southern Region will open at NAPLES at the same hour.

4. Col. C. E. TEMPERLY, D.S.O., will be Regional Commissioner for Southern Region. Special Orders dealing with all personnel are being issued separately. Transport and equipment, both W.D. and requisitioned, will be turned over by Regions II, III, VII, FOGGIA and CAMPOBASSO Provinces to Southern Region.

Ref/147/34/CA.

M. S. LUSH,
Brigadier,
Executive Commissioner.

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2 September 1944

EXECUTIVE MEMORANDUM NUMBER 76

REORGANISATION AND GOVERNANCE OF ITALIAN UNIVERSITIES AND ACADEMIES

The following instructions have been agreed with the Minister for Public Instruction and will apply with regard to the re-organisation and governance of Italian Universities and Academies.

1. Subject to the undermentioned provisions, Universities and Academies will continue to be governed by the existing Italian laws and will follow their present normal usages and customs.

2. Upon first re-occupation of territory University courses and Academy functions will be suspended. The Rector of a University or Head of an Academy will be suspended from office.

3. *Procedures for all Universities*:

(a) The SCAO Fifth and Eighth Army will appoint a Pro Rector who will exercise the powers, duties and other functions of the Rector until such time as a new Rector is elected as hereinafter provided. Whenever there is sufficint time to do so, the SCAO should inform the Education Sub-Commission of the nomination of the Pro Rector.

(b) The Pro Rector will distribute to the members of the University staff a Scheda Personale which he will require each member to complete and return to him within 10 days of his receiving the blank form. He will lay the completed forms before the Committee referred to in sub-paragraph (d).

(c) The Pro Rector will in as reasonably short time as possible submit to the SCAO through the Army EO the names of at least five persons free from Fascist sympathies whom he shall select impartially, without favour to any political views, as persons suitable to advise on the purging of the University Staff.

(d) The SCAO will appoint from this list a Committee to consider the political record of both the teaching and administrative members of the University Staff and recommend to the SCAO which members of the Staff should be suspended from their appointments.

(e) The names of persons suspended by order of the SCAO and the evidence placed before the Committee shall without delay be forwarded to the Education Sub-Commission who will forward them to the Ministerial Commission

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of University Epuration with a request that they confirm the suspension and bring the cases to hearing as soon as possible.

(f) On the completion of this initial epuration:

(i) The titular professors who have not been suspended will elect a Rector.

(ii) The epurated faculties will by election fill the office of Dean.

(iii) Any other appointments (except titular appointments which will be filled only by the national concorsi) which it may be necessary to fill, will be filled on a temporary basis (incaricati).

(iv) Courses will resume.

(g) Within a reasonably short time after taking office the Pro Rector will supply the Army EO:

(i) With a statement showing the financial position of the University.

(ii) A list of the University buildings showing their condition.

(iii) A summary by faculties of the University staff, students, classes and calendar including examinations.

(h) He will also therefore supply monthly to the Army EO and the Intendenti di Finanza a budget in accordance with the forms rules and times previously observed or followed.

4. *Procedures for all Academies:*

The SCAO may select an Acting Head and epuration may proceed on the advice of a Committee. This Committee will be appointed and will take action as far as it may be possible in the manner prescribed above for the University Committee. All other provisions prescribed for Universities shall likewise be applied and followed for Academies whanever such provisions may be applied appropriatelv. If, however, there is no urgent need for an Academy to resume operations, the Army may appoint a Special Commissioner to take custody of the property of the Academy and to order such other, acting as may be necessary or desirable.

5. In the case of a University or Academy in a Region which has not been dealt with as above the above provisions will apply as if RS and RFO were substituted for SCAO, and Army EO respectively, wherever these expressions occur.

Ref/271/124/CA.

M. S. LUSH,
Brigadier,
Executive Commissioner.

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31 August 1944

EXECUTIVE MEMORADUM NUMBER 77

CONTROL OF CIVILIAN MOVEMENT

1. This directive revises and consolidates the following memoranda, which should be cancelled:

316/76/CA « Control of Civilian Movement »
dated 26th April 1944.

316/74/CA « Standard form of civilian pass »
dated 26th April 1944.

316/77/CA « Conrrol of Civilian Movement »
dated 26th April 1944.

316/84/CA « Control of Movement »
dated 4th May 1944.

316/ /CA « Control of Movement »
dated 17th July 1944.

316/192/CA « Passes for Italian Government Officials »
dated 21st July 1944.

2. *Introduction.*

In the interests of security it is imperative that a wide and effective system of control of civilian movement be maintained.

Allied Control Commission Officers will make themselves familiar with the following instructions, and will take all necessary measures to ensure that the instructions are scrupulously observed by all concerned. They will accord the military security services all possible assistance at all times.

3. *Definitions.*

(a) *Army Zone* means the territory which lies south of the fighting line and north of the Rear Army Control Line.

This territory approximately covers the Army and Corps areas.

(b) *Rear Army Control Line* means the line dividing the Army Zone from the restricted Zone.

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AAI has published posters which will be exhibited on all roads which cross this line. A 24 hour system of control will be arranged by the Military Security authorities.

(c) *Restricted Zone* means the territory which lies south of the Rear Army Control Line and north of the Restricted Line.

(d) *Restricted Line* means the line dividing the Restricted Zone from the Free Zone.

(e) *Free Zone* means the territory which lies south of the Restricted Line.

N.B. The terms *Rear Army Boundary* referred to in General Order No. 24 and *Rear Army Control Line* referred to in this instruction will be regarded as synonymous until further notice.

Note: Circulation is free on the islands of Elba, Sicily and Sardinia, but movement between the islands and the mainland is restricted. See para. 6 (c).

4. Details concerning the Rear Army Control Line and the Restricted Line are given in Appendix «A» to this memorandum. Details of these lines must be publicised locally from time to time. This will be an AMG/ACC responsibility.

5. *Enforcement Orders.*

(a) *Army Zone* - Proclamation No. 1.

(b) *Restricted Zone: AMG territory*
(General Order No. 24 (Revised).

(c) *Italian Government Territory* (part of the Restricted Zone and restriction of movement between Sicily, Sardinia and Mainland). Orders issued by the Prefetti who act under instructions issued by the Minister of the Interior.

(d) *Elba* - Orders issued by the Prefetto.

6. *Restrictions and Issuing Authority for Passes.*

(a) *Army Zone and Rear Army Control Line:*

(i) Civilians are forbidden to travel more than 10 kms, or enter or leave the zone, unless in possession of a pass issued by the SCAO Fifth or Eighth Army. When, however, a province within the Army Zone has been handed over to Regional Control, the competent authority to issue a pass is the Provincial Commissioner of the Province concerned, and not SCAO Fifth or Eighth Army.

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(ii) Civilians resident outside the zone who wish to cross the control line into the Army Zone will make application for passes to the Questura or AMG/Acc office at the point of departure. Regional Commissioners will refer all such applications direct to the SCAO or Provincial Commissioner concerned *within the zone* (see preceding sub-paragraph) for his approval.

(iii) Directors of Sub-Commissions and Branches, HQ. ACC, may make application for passes for civilians to enter the Army Zone direct to SCAO Fifth or Eighth Army, or the Provincial Commissioner, concerned.

(iv) Officers dealing with such applications should complete standard passes (provided they are satisfied with the sufficiency of the reasons for such travel, see sub-paragraph (v) below), and forward them together with the applications to the SCAO/PC of the destination for approval, signature and return.

(v) The issue of passes will be strictly limited to those cases where the journey will directly benefit the Allied cause, and applications must not be forwarded to SCAO's Armies or Provincial Commissioners except in such cases.

(vi) Where, in cases of extreme urgency, the procedure outlined in sub-paragraph (a) (ii) would be impracticable owing to the time factor, the passes may be issued at the point of departure providing prior approval is obtained from the SCAO or P.C. concerned by signal or telephone. In all such cases details of the issue of such passes will be forwarded immediately to the SCAO (or Provincial Commissioner) of the area of destination. The back of every such pass issued will bear the following endorsement:
«I hereby certify that prior approval for the issue of this pass was obtained from on and that a copy of the pass has been forwarded to in accordance with Executive Memorandum No. 77.

Name .....

Rank .....

(vii) When the SCAO Fifth or Eighth Army request the presence of a civilian in the Army and Corps areas, Sub-Commissions dealingwith this matter will apply to the Adjutant for travel orders for the person concerned.

(vii) Attention is drawn to ACC letter 309/102/CA of 29 July 1944 as to ACC Officers visiting Army and Corps Areas.

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(b) *Restricted Zone and Restricted Line:*

(i) No civilian may travel from one province to another or cross the restricted line unless in possession of a pass.

(ii) The issue of passes will be limited to person who show good and sufficient reason why they wish to travel, whether on official matters, business or family grounds.

(ii) In Italian Government territory passes to places South of the Rear Army Control Line will be issued by the Questure at the point of departure. Regional Commissioners will supply Questori with the necessary « Movement of Civilian » passes for this purpose. Regional Public Safety Officers will ensure that Questori are familiar with these instructions, and that passes are issued only in accordance with them.

(iv) In AMG Territory in the Restricted Zone, Provincial Commissioners may authorise specified approved officers of the Questura and CC.RR to issue passes for travel south of the Rear Army Control Line.

(v) It is emphasized that civilians wishing to cross the Rear Army Control Line must be in possession of passes issued by SCAO/ Provincial Commissioner within Army Zone.

(c) *Restriction of travel between Sicily, Sardinia and the Mainland.*

Passes may be issued as under sub-paragraph (b).

(d) *Commune of Naples.*

Freedom of Movement exists between the Commune of Naples and the surrounding Italian Government territory subject of course to the general instructions contained in this memorandum.

7. *Passes.*

(a) *Form of Pass.*

The standard form of civilian pass (yellow with blue duplicate) will be used. No other form will be recognised, with the exception of the authorization mentioned in para. 8 below.

(b) *Completion of Pass.*
It is necessary that uniformity shall be observed in the wording of facilities granted and therefor the Following instructions will be strictly observed:

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(i) Passes will be completed in ink or typewritten - *pencil will not be used.*

(ii) The identity card number of the bearer will be endorsed on every pass at the time of issue.

(iii) All amounts, weights, sizes, involving the use of figures will be written in words as well as figures.

(iv) The precise nature of the journey must be clearly defined, and the nature and quantity of goods to be carried must be stated.

(v) No pass shall be issued in one province to enable persons to purchase « amassed » foods in another province without the prior approval of the Provincial Authorities concerned.

(vi) Particulars of motor vehicles will *not* be recorded on the passes unless a motorvehicle circulating permit covering the use of the vehicle has already been issued for the journey in question.

(vii) Permission to travel during hours of curfew will be granted only in exceptional circumstances.

(viii) The limit of availability of the pass shall not exceed the minimum of time necessary to complete the proposed journey and to transact the applicant's business. If unforeseen circumstances render an extension necessary the officer amending the pass will advise the original office of issue of his action. All amendments to or endorsements upon, passes (e.g. with regard to extension, validity or duration) will be made on the back of the pass, and worded simply and clearly so that no question of ambiguity arises. In the case of the Army areas, however, passes will not be made out for indefinite periods nor for more than one specific journey.

8. *Emergency Passes issued by Military.*

It has been agreed with AAI that if a responsible Allied Military authority has occasion to employ a civilian on a particular operational or intelligence task requiring the issue of a pass and if it is impracticable, owing to the time factor or other circumstances for the appropriate ACC/AMG pass to be obtained, the military authority concerned may make out a temporary pass for the purpose. There will rarely be occasion for this type of authorization.

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9. *Issue of Travel Tickets.*

Allied Control Commission officers will ensure that transport tickets are not issued by the railway authorities or other travel agencies to places within restricted areas unless the persons applying for tickets are in possession of a proper pass to their intended destination.

10. *Italian Government Officials.*

(a) *Government Officials of the Central Italian Government.*

The method of issuing passes to Government officials of the Central Italian Government will be as follws: the official will apply to the corresponding ACC Section, Sub-Commission or Branch for a pass. If approved, Sub-Commissions or Branches of the Administrative, Economic and R.C. & M.G. Sections, will forward the passes in duplicate *through their Sections*, to the Secretary-General for signature. In the case of the Political Section, Independent Sub-Commissions and Public Relations Branch, passes approved by them will be forwarded direct to the Secretary-General for signature. All passes will be made out in duplicate on the standard yellow and blue forms, and the duplicate will bear the following endorsement, before they reach the Secretary-General:

« The facts set forth in the application for this pass have been verified and the provisions of Executive Memorandum No. 77 have been fully complied with ».

Name .....

Rank .....

Date .....

(b) *Special passes for Ministers of the Central Italian Government.*

Passes for Ministers of the Central Italian Government will be prepared by appropriate Sub-Commissions and Branches (in duplicate) and forwarded through their Section to the Secretary-General for signature. Standard ACC yellow and blue passes only will be used, and they will cover movement anywhere south of the Rear Army Control Line. They will be valid for a period of three months, expiring 31 March, 30 June, 30 September and 31 December, and will bear the following endorsements:

« S . . . . . (designation of office) is hereby authorised to proceed to any part of Italy south of the Army Control Line. He should be given every facility and courtesy ».

After signature by the Secretary-General the passes will be forwarded by him to HQ. AAI, GSI(b) for counter-signature.

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11. *Italian Military Personnel.*

The movement of members of the Italian Armed Forces is unrestricted provided they are on duty, in possession of proper credentials, and subject to certain regulations which have been laid down by the Allied Military authorities (with which the Italian Military authorities are conversant). The Italian Armed Forces when not on duty, e. g. when on leave, are subject to the same restrictions as civilians.

In the case of Italian Armed Forces moving north of the Rear Army Control Line, the credentials will be countersigned by MMIA, ACC, or MMIA Liaison Officers General Staff (Br), or G-2 or G-3 Sections (US). The countersignature will be accompanied by the office stamp of the officer countersigning.

Demobilisation papers will be regarded as proper credentials for movement south of the Rear Army Control Line for the original journey home on discharge.

The Italian Supreme Command has instructed Italian Service Commanders that, in the case of Italian Military personnel:

(a) military leave passes to places requiring movement passes will be issued only after the civilian movement pass hass been obtained and the two passes can be issued togethere.

(b) leave will not be granted to places in the Army Zone,

(c) movement passes will be obtained from the Allied Control Commission or the Questure by the Commanders concerned under arrangements made with local ACC officers.

12. (a) *Vatican Officials and the Diplomatic Corps.*

Applications for passes from Vatican Officials and Diplomatic Corps will be dealt by the Liaison Officer, HQ. ACC and Political Section, respectively, in the manner outlined in paragraph 10 (a).

(b) *Journalists.*

Bona fide Italian journalists are issued by the Public Relations Officer, HQ. ACC. with a green card «TESSERA DI RICONOSCIMENTO». This card bears an endorsement on the back to the effect that «the bearer is permitted to travel in liberated Italy to circulate after curfew and to enter official premises occupied by Allied Control Commission in Liberated Italy. This pass does not apply to Army areas». This tessera and endorsement will be considered to be the equivalent of the standard pass in the Restricted and Free Zones, but a standard pass will be required in addition to the tessera to enter the Army Zone.

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13. *Semi-permanent Passes.*

In the case of persons living near a Provincial boundary and whose place of employment is in, or partly in, an adjoining Province or Provinces a semi-permanent pass may be issued and such passes shall expire on 31 March, 30 June, 30 September and 31 December annually, and then become renewable upon further application. Such passes may also be issued to all persons who have sufficient reason for frequent travel between Provinces. This provision will not apply to Army Areas.

14. *Military Travel Authorizations (to travel outside Italy)*

Applications will be dealt with in accordance with Executive Memorandum No. 61 dated 25 May 1944.

15. *Refugees.*

Passes must not be issued to refugees except when coordinated with Regions concerned, or in accordance with policy laid down by Refugee Branch, HQ. ACC.

16. *Check Posts.*

(a) *In Allied Military Government Territory.*

In the Army Zone and in territory administered by Allied Military Government every effort will be made to enforce the above restrictions by means of a widespread system of «snap» check posts which will be established for a few hours daily at irregular times and at varying points. The responsibility of arranging such checks will rest with the Military Security Authorities.

The object of these check posts will be:

(i) to turn back those seeking to move outside the prescribed limits without a pass,

(ii) to take action against those who have committed serious and fragrant breaches of the regulations,

(iii) to question or detain for investigation persons whose conduct or «story» is suspicious.

(b) *Italian Government Territory*

In territory administered by the Italian Government a similar system of «snap» check posts will be established. In this instance, however, the objects will be limited to:

(i) briefly questioning those passing the point with a view to discovering suspicious individuals who should be subject to further interrogation and investigation, and

(ii) instilling a sense of insecurity in the minds of agents or other undesirable individuals so that they may hesitate to move about or even abandon their mission.

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(c) *Organisation and Composition.*

This system of check posts will be organised by Army, Corps, District and Base Section Headquarters and not by AMG/ACC, both in Military Government and Italian Government territories.

These check posts will normally be manned by appropriate combinations, according to circumstances of FSP/CIC, SIM (CS), CC.RR. and Guardia di Finanza.

Every effort will be made by Allied Control Commission Officers to ensure the fullest co-operation of the Italian Police in connection with these duties.

17. Any future alterations to these regulations, which are now to be considered as standard, will be issued in the form of amendments to this memorandum.
Ref/316/290/cA

M. S. LUSH,
Brigadier,
Executive Commissioner.

APPENDIX « A »

Executive Memorandum No. 77.

(a) *Rear Army Control Line* (12A).
PORTO CIVITANOVA S 7813 - TOLENTINO S 4203 - VISSO B 2582 - SPOLETO A 9759 - TODI A 6866 - ORVIETO A 4659 - S. LORENZO A 2855 - thence route 74 to sea.

(b) *Security Line*
Line running along the southern portions of the boundaries of the Provinces of FOGGIA, CAMPOBASSO, FROSINONE and LITTORIA.

11 Sept. 1944

EVECUTIVE MEMORANDUM NUMBER 78

ISLAND OF ELBA

Effective 0001 hours 20 September 1944 the island of ELBA ceases to be administered by HQ ACC and becomes a part of LIVORNO Province, Region VIII.

Ref/57/CA

M. S. LUSH,
Brigadier,
Executive Commissioner.

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12 Sept. 1944.

EXECUTIVE MEMORANDUM)
:
NUMBER 79)

TO: SCAO AMG Fifth Army.
» » Eighth Army.

LOCAL GOVERNMENT.

I. — *Appointments to the Office of Prefect in Military Government Territory.*

1. When the Senior Civil Affairs Officer proposes to appoint a local man to be a Prefect, Executive Memorandum No. 70 states that he will first inform Interior Sub-Commission at this HQ, by telegram if necessary, so that the Sub-Commission can advise as to the proper title to be used.

2. It has been represented that this requirement may cause an undesirable delay in making the appointment.

3. Where for urgent administrative reasons it is desired to make an immediate appointment, Senior Civil Affairs Officers need no longer inform the Interior Sub-Commission before appointing a local man to be Prefect.

4. In such cases they will however:

(a) invariably give their nominee the title of « Prefetto Reggente »;

(b) notify Interior Sub-Commission of the appointment as soon as possible *after* it has been made.

5. The above only applies in Army areas. In Provinces under Regional control the Regional Commissioner will continue to follow the procedure laid down in Executive Memorandum No. 70.

II. — *Sindaci and Commissari Prefettizi.*

6. A Commune in liberated Italy today is governed by a Sindaco (or Mayor) and a Giunta Comunale (or Municipal Executive Committee). There cannot be a Sindaco without a Giunta or a Giunta without a Sindaco.

7. Wherever possible, it is hoped that both the Sindaco and the Giunta Comunale will be appointed at an early stage. In such case the proper title for the head of the Commune is « Sindaco ».

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8. Where circumstances do not permit the immediate appointment of a Giunta Comunale it may nevertheless be necessary to appoint at once a new head of the Commune. In such case the head of the Commune may exercise all the municipal powers without the help of a Giunta. The proper title in such case is « Commissario Prefettizio ».

9. When at a later stage a Giunta is formed, the title of « Commissario Prefettizio » should be changed to « Sindaco ».

10. The title « Commissario Straordinario » will not be used.

11. There is no need to use any such title as Acting Sindaco. Even when the newly appointed head of the Commune is intended to hold office only for the shortest temporary period he should be called either « Commissario Prefettizio » (if there is no Giunta) or « Sindaco » (if a Giunta is appointed).

12. Once appointed or confirmed in his Office, should the Sindaco be absent or become ill, the Vice-Sindaco acts in his place. This is automatic and requires no appointment or other authorization. If there is no Vice-Sindaco, one should be appointed.

M. S. LUSH,
Brigadier,
Executive Commissioner.

Ref/350/53/CA

EXECUTIVE MEMORANDUM NUMBER 80 — 18 September 1944

AMALGAMATION OF INTERNEES & DISPLACED PERSONS SUB COMMISSION & ITALIAN REFUGEE BRANCH

CANCELLED — This amalgamation has been promulgated by General Order No. 46 dated 21 Sep. 44.

Ref/350/53/CA

M. S. LUSH,
Brigadier,
Executive Commissioner.

Declassified E.O. 12356 Section 3.3/NND No. 785021

19 September 1944

EXECUTIVE MEMORANDUM NUMBER 81

HONORS, AWARDS AND DECORATIONS

1. Because of the peculiar relationship which exists between the Allied Control Commission and the Italian Government, it is the policy of the Commission that honors, noncombat decorations, orders, medals and emblems which may from time to time be offered by that Government to personnel of the Commission be not accepted until such time as the individual concerned shall have terminated his services with the Commission.

2. Similarly, Municipal and Academic honors shall not be accepted until the individual to whom they are offered has relinquished his post in the Municipality or Province, or is no longer in a position in the Commission where he exercises direct influence upon the municipality or institution concerned.

Ref/176/CA

NORMAN E. FISKE,
Colonel,
Deputy Executive Commissioner

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ALLIED MILITARY GOVERNMENT
OF OCCUPIED TERRITORY

PROCLAMATION No. 1

To the people of ITALY

Whereas in prosecuting their war against the Axis powers, it has become necessary for the Allied Forces under command of the Commander in Chief Allied Armies in Italy to occupy certain parts of Italy, and

Whereas in pursuance of the Armistice granted to the Italian Government by the United Nations, in order to preserve law and order and to provide for the safety and welfare both of such troops and of yourselves, it is necessary to establish Military Government in the occupied territory, to declare certain offences and to establish courts for the trial of persons committing any of such offences.

Now, Therefore, I, NOEL MASON MACFARLANE, K.C.B., D.S.O., M.C., Lieutenant General, Chief Commissioner Allied Control Commission, by virtue of the authority vested in me by Harold R. L. G. Alexander, G. C. B., C. S. I., D. S. O., M. C., General, Commander in Chief Allied Armies in Italy and Military Governor of occupied territory, hereby proclaim as follows: —

Part I: - Establishment of military government

Article 1 — All powers of government and jurisdiction in the occupied territory and over its inhabitants and final administrative responsibility are vested in the said Commander in Chief Allied Armies in Italy and Military Governor and the Allied Military Government of occupied territory is established to exercise these powers under his direction.

All administrative and judicial officials and all other government and municipal functionaries and employees and all officers

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and employees of State, municipal or other public services, except such officials and political leaders as are removed by him, are required to continue in the performance of their duties, subject to his direction or the direction of such of his officers of the Allied Forces as may be deputed for that purpose.

Article II — All persons in the occupied territory will obey promptly all orders given by him or under his authority and must refrain from all acts hostile to the troops under his command or helpful to our enemies, from all acts of violence, and from any act calculated to disturb public order in any way. So long as you remain peaceable and comply with his orders, you will be subjected to no greater interference than may be inevitable in view of military exigencies and may go about your normal vocations without fear.

Article III — Your existing personal and property rights will be fully respected and your existing laws will remain in force and effect except in so far as it may be necessary for him in the discharge of his duties as Commander in Chief Allied Armies in Italy and as Military Governor, to change or supercede them by proclamation or order by him or under his direction.

Part II: Offences

Article IV — Offences against the Allied Forces which may be punished by death

Any person who:

1) Serves the enemy as a spy or harbours or aids an enemy spy;

2) Communicates with the enemy or with any person within territory under their control in any manner or on any subject whatever or enters any territory under enemy control;

3) Sends to any person anywhere any communication giving any information whatever concerning the Allied Forces; or receives any such communication and fails promptly to report the same to the Allied Military Government;

4) Bears arms against the Allied Forces;

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5) Has in his possession any fire arms, ammunition, explosives, or similar war supplies except in accordance with a permit of the Allied Military Government;

6) Has in his possesion any wireless or other apparatus for transmitting signals or other messages;

7) Misleads any member of the Allied Forces in the performance of his dutics;

8) Assists a prisoner of war to escape or assists or conceals any prisoner of war after escape;

9) Assists any of the enemy armed forces to evade capture;

10) Enters or is found within any area designated as a forbidden area either by the posting of a sign, or by the presence of sentries, without a pass specifically authorising him to be there;

11) Destroys, damages, endangers, interferes with, steals or wrongfully either receives or has in his possession any property of the Allied Forces or of any member thereof to the aggregate value of more than 10,000 lire;

12) Interferes with communication by mail, courier, telegraph, telephone, cable, radio, or otherwise, or removes or damages any telegraph, telephone or electric power wire;

13) Interferes with transportation by land, water or air;

14) Interferes with the operation of any public service or utility, including water supply, electric light and power, gas and sanitation or similar services;

15) Kills any member of the Allied Forces;

16) Assaults any member of the Allied Forces with intent to kill or inflict serious bodily harm;

17) Commits any act of looting;

18) Robs the dead or wounded;

19) Rapes any nurse or other woman serving with the Allied Forces or assaults any such nurse or other woman;

20) Forges or alters any permit, pass, identity card or other similar document or issues or has in his possession any such document, the same having been forged or altered;

21) Incites any inhabitants of the occupied territory to insurrection against military authority, or organizes or leads any public demonstration or assembly for such purpose;

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22) Counterfeits any coin or note made legal tender by the Allied Military Government, or has in his possessions any such coin or note knowing the same to be false; or

23) Otherwise violates any of the laws of war, or does any act in aid of the enemy or hostile to or endangering the safety or security of the Allied Forces;

shall upon conviction by an Allied Military Court, be liable to punishment by death, or by imprisonment or fine or both, as the court may determine.

Article V — Offences against the Allied Forces punishable by fine or imprisonment

Any person who:

24) Is out of doors without a permit after curfew;

25) Leaves the shore in any vessel or in any other manner except as authorised;

26) Gives false evidence before a Military Tribunal;

27) Destroys, damages, endangers, interferes with, steals or wrongfully either receives or has in his possession any property of the Allied Forces or of any member thereof to an aggregate value of not more than 10,000 lire;

28) Fails to declare within one month of the date of the posting of this proclamation the possession of any stores, equipment or military property abandoned by the enemy or of enemy origin;

29) Submits a false, fraudulent or exaggerated claim against the Allied Forces or any member thereof;

30) Publishes or has in his possession any printed or written matter detrimental or disrespectful to the Allied Forces or any member thereof, to the Government of any of the United Nations or to the Allied Military Government;

31) Utters any speech or words hostile or disrespectful to the Allied Forces or any member thereof, to the Government of any of the United Nations or to the Allied Military Government;

32) Assaults any member of the Allied Forces;

33) Takes part in any public demonstration or assembly not authorised by the Allied Military Government;

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34) Falsely pretends to be acting under the authority of the Allied Forces or the Allied Military Government;

35) Offers or accepts a bribe in connection with any official matter.

36) Obstructs any member of the Allied Forces in the performance of his duty;

37) Acquires by gift or purchase any military equipment or war material belonging to the Allied Forces;

38) Disseminates any rumour calculated to excite or alarm the people;

39) Makes any false statement in connection with any official matter;

40) Removes or damages any notice, proclamation, or order posted under the authority of the Allied Military Government;

41) Fails to have in his possession at all times a proper means of identification as required by existing law;

42) Disobeys any order given under the authority of the Allied Forces or the Allied Military Government where no specific punishment is prescribed;

43) Promotes or attends any meeting of the fascist party; uses or permits premises to be used for any such meeting; prints or publishes or has in his possession any printed or written matter issued by or on behalf of the fascist party; teaches or advocates any doctrine of fascism; wears or has in his possession any badge, insignia or attire of the fascist party; makes or receives any subscription to the funds of the fascist party; takes or receives any oath or undertaking to the fascist party or does any act intended or likely to promote or sustain the fascist party, the term fascist party including any organisation designed to replace it;

44) Infringes any proclamation or order or any Italian law regulating or controlling the sale, purchase, distribution, allotment, rationing or transporting of any commodity or article;

45) Does any act to the prejudice of good order of the occupied territory or of the safety or security of the Allied Forces or any member thereof;

46) Until further order of the Allied Military Government

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travels more than 10 Km. beyond his own home without a permit;

shall, upon conviction by an Allied Military Court, be liable to punishment by such fine or imprisonment, or both, as the court shall direct.

Article VI — Other offences

Section I: Conspiracy, advising or assisting violation. — Any person who conspires to do any act constituting an offence, or who advises, assists in, or procures the commission of any such act shall be punishable as a principal.

Section II: Attempts. — An attempt to do any act which constitutes an offence shall likewise constitute an offence which shall be punishable to the same extent as though the act had been committed.

Article VII — Violation of Italian law

Any person who violates or has violated any provision of Italian law may be brought to trial before an Allied Military Court and, on conviction, may be punished as provided by such law.

Article VIII — Arrest and detention

Section I: Arrest and Search. — Any authorized member of the Allied Forces may;

a) Arrest or search any persons suspected of having committed or being about to commit offences;

b) Enter and search any place and seize and take away any property for the purpose of investigating or preventing any offence or arresting a suspected offender.

Section II: Detention. — Any person suspected of committing or intending to commit any act hostile to the Allied Forces or the Allied Military Government or engaging in any political or other activity in the interest of the enemy or its Armed Forces or hostile to the Allied Forces or the Allied Military Government, may be detained pending further investigation

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for a period not exceeding three months unless the Regional Commissioner or Senior Civil Affairs Officer orders that the detention may continue for a longer period.

Part III: Courts

Article IX — Creation of Allied Military Courts

Allied Military Courts are hereby established. Such courts shall consist of:

1) General Military Courts having power to impose any lawful punishment including death;

2) Superior Military Courts having power to impose any lawful punishment other than death or imprisonment for more than 10 years;

3) Summary Military Courts having power to impose any lawful punishment other than death or imprisonment for more than one year or a fine of more than 50,000 lire or both such imprisonment and fine.

Where a Superior or Summary Military Court imposes a term of imprisonment and a fine with a further term of imprisonment in the event of default, the aggregate of such terms shall not exceed 10 years and 1 year respectively;

Article X — Jurisdiction

The jurisdiction of the Allied Military Courts extends over;

1) All persons except:

a) members of the Allied Forces and

b) prisoners of war or persons treated as such;

2) All offences:

a) against the laws and usages of war,

b) under any proclamation, order or regulation issued under the authority of the Allied Military Government,

c) against Italian law.

Article XI — General powers of courts.

1) An Allied Military Court may make such orders and do all such acts and things as may be requisite for the due administration of justice.

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2) An Allied Military Court, in lieu of or in addition to any other punishment, may

a) Where any person is convicted of the wrongful use, sale, purchase or possession of any property (including money), order restitution or compensation to the owner or confiscation or forfeiture of such property to the Allied Military Government;

b) Where any person is convicted of an offence involving the improper use of any place of residence or business, order that such place be vacated or closed for a period of time to be fixed by the court;

c) Order that a convicted person shall reside in or be excluded from a particular area.

Article XII — Review and confirmation of death sentences.

Section I: Right of Petition. — Any person convicted by an Allied Military Court may, within thirty days after the imposition of sentence, present to the trial court or the Provincial Legal Officer a petition, submitting reasons why the conviction should be set aside or the sentence should be modified.

Section II: Sentence of Death. — No sentence of death shall be executed unless and until confirmed in writing by me, or by a specified officer not below the rank of Brigadier General or Brigadier to whom I may have delegated such power in writing.

Article XIII — Effective Date.

This proclamation will become operative in each province or part thereof within the occupied territory on the date of its first publication therein.

Dated: 25 April 1944.

For the Commander in chief Allied Armies in Italy and Military Governor

NOEL MASON MACFARLANE

LIEUTENANT GENERAL

Chief Commissioner, Allied Control Commission

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ALLIED MILITARY GOVERNMENT
OF OCCUPIED TERRITORY

PROCLAMATION No. 2

PROPERTY CONTROL
CURRENCY AND EXCHANGE
RATIONING - PRICE FIXING - WAGES AND AGRICULTURE

I, NOEL MASON MACFARLANE, K.C.B., D.S.O., M.C., Lieut. General, Chief Commissioner, Allied Control Commission, by virtue of the authority vested in me by HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of the Occupied Territory, hereby proclaim as follows:

ARTICLE I.

Appointment of Director of Property Control

by the Chief Commissioner to carry out the powers and duties

The Director of Property Control is the officer appointed hereunder or hereafter conferred upon him.

He shall have the power to take into his control any and all property of all forms and of every kind and description as directed by the Chief Commissioner.

ARTICLE II.

Allied Property

SECTION 1. — Cancellation of Italian Measures affecting Allied Property. All laws, decrees, orders or other measures taken by the Italian Government to sequestrate, block, confiscate or otherwise discriminate against property situated in the Occupied Territory, including obligations of debtors within the Occupied Territory, owned by any Government of the Allied

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or United Nations, or the French Government or by the nationals of such states or Governments or in which any such Government or state or nationals have any interest are hereby abrogated.

SECTION 2. — Declaration of Property. All public officials of the Italian Government and all other persons in the Occupied Territory who have under their control or administration or in their possession or custody any property of the nature referred to in Section 1 shall:

a) Forthwith declare such property by delivering to the Director of Property Control a schedule or list describing the same;

b) Upon demand of the Director of Property Control turn over such property or the control, possession, or custody thereof to the Director or such person as may be designated by him;

c) Upon demand of the Director of Property Control turn over all books, accounts and records of the administration of such property during the period of Italian sequestration or other control to the Director or to such person as may be designated by him.

SECTION 3. — Maintenance and Care of Property pending Restitution. Until such a time as they are ordered to turn over any property which is the subject of this Proclamation, all persons who are charged with the administration, custody or control thereof shall be fully responsible for the maintenance thereof and for taking all necessary measures for safeguarding and preserving the same. All such persons shall, as demanded by the Director of Property Control, render regular reports as to the operations, custody and administration of the properties.

SECTION 4. — Consent as to Certain Action. No persons so charged with the administration, custody or control of such property shall take or suffer to be taken any action which shall materially affect the value or the income therefrom without the consent of the Director of Property Control.

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ARTICLE III.

Protection of Allied Military Government

The Allied Military Government and its officers shall be under no responsibility to the owner of any property taken into control under this Proclamation, or to any person interested therein, to make good any loss of or damage to such property, however caused, or to compensate any such owner or other person for any loss suffered directly or indirectly by reason of the taking of control of such property.

ARTICLE IV.

Penalties

No one shall knowingly and without authority:

a) Interfere with or obstruct the Director of Property Control or any of his Assistants in the exercise of any of their functions hereunder;

b) Interfere with, remove, damage, conceal or make away with any property which the Director of Property Control has taken or is authorized to take into his control;

c) Interfere with, remove, damage, conceal or make away with any property with intent to defeat, evade or avoid any responsibility, fine or punishment;

d) Withold any information or any document which the Director of Property Control is entitled to receive, or make any false statement, or use or refer to any false document in order to mislead the Director of Property Control as to any of the matters which he requires to know for the purposes of this Proclamation.

ARTICLE V.

Power to Void Transactions

The Chief Commissioner or any officer empowered by him may by order direct that any transastion made at any time with regard to any property, movable or immovable, shall be set aside

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and held null and void if, in the opinion of the Chief Commissioner or such officer empowered by him, the transaction was made to defeat, evade or avoid any provision of this Proclamation or any responsibility, fine or punishment imposed or to be imposed on any person or enemy government.

ARTICLE VI.

Currency

SECTION 1. — United States Coin and Currency and British Coin andMilitary Authority Notes. All United States coin and all United States currency bearing a yellow seal on the right side of the face of the bill and known as United States Yellow Seal Currency, and all notes bearing the inscription « British Military Authority » issued by the British Government, as well as all coins of Great Britain, are hereby made legal tender in the occupied territory and no person shall refuse to accept such legal tender for the payment of any amount.

SECTION 2. — Allied Military Lira Notes. Lira currency in the forms of Allied Military notes of the denominations: one, two, five, ten, fifty, one hundred, five hundred, and one thousand lire is hereby constituted and made legal tender for the payment of any amount in the occupied territory and no person shall refuse to accept such legal tender for the payment of any amount.

ARTICLE VII.

Regulations, Exchange and Foreign Trade

SECTION 1. — Rates of Exchange. The rates of exchange between the currency and coin mentioned in Section 1 of Article VI hereof and any form or denomination of Lira shall be as follows:

THE SCHEDULE RATES OF EXCHANGE:

1 Dollar in United States Coin or in United States Yellow Seal currency equals 100 Lire (all forms or denominations).

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1 Pound Sterling or 20 shillings in coin of Great Britain or in British Military Authority Notes equals 4 dollars in United States coin or in United States Yellow Seal currency.

SECTION 2. — Exchange Obligatory. Within the occupied territory every person in the business of banking or the exchange of money, on demand of any holder of currency or coins described in Section 1 and Section 2 of Article VI hereof, shall exchange such currency or coins for lire in his possession at the rates specified in the Schedule without charging any commission or fee for making such exchange. No person shall refuse to accept at its face value any form or denomination of lira currency.

SECTION 3. — Prohibition of Other Rates. No transaction of any nature in which currency or coins described in Section 1 and 2, Article VI hereof are employed shall be entered into on the basis of rates of Exchange other than outlined by or under this Proclamation.

SECTION 4. — Transactions Prohibited. From the effective date of this Proclamation, except as authorised by the Allied Military Government from time to time:

a) All transactions in foreign exchange, and the import and export of any coins, currency, securities, and gold and silver bullion are prohibited.

b) All financial, commercial or other transactions involving trade or communication of any kind with any person outside the occupied territory are prohibited, save only that the same may be conducted with persons in those portions of unoccupied Italy which are freed from German control and domination, provided always that such dealings are in accordance with Italian law, and provided that they do not conflict with the specific orders or regulations issued by the Allied Military Government.

SECTION 5. — Exports, Imports and Possession of Foreign Exchange Prohibited. No currency and no coin of any country may be exported from or imported into the occupied territory except as authorised by the Allied Military Government.

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Currency and coin of any country, other than the currency and coins described in Section 1 of Article VI hereof, may not be held, possessed, traded, exchanged, bargained or sold, but any such currency or coin must be delivered, against receipt, to the nearest Finance Officer for transfer to the Allied Finance Agency.

ARTICLE VIII.

Rationing

The present system of rationing will remain in force until further order of the Allied Military Government.

ARTICLE IX.

Limitations on Wages and Maximum Prices

All rates of wages for labour prevailing and all maximum prices for foodstuffs and goods officially in force in any locality on the day of the first publication of this Proclamation therein shall remain unaltered until further order of the Allied Military Government, and no person shall demand, receive or pay any sum for labour or purchases in excess of such rates or maximum prices.

ARTICLE X.

Marking of Prices

All persons engaged in the business of selling foodstuffs by retail to the public shall plainly mark the same with the price thereof.

ARTICLE XI.

Agriculture Regulations

All existing Laws, Decrees and Regulations relating to Agriculture will be strictly enforced and observed.

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ARTICLE XII.

Penalties

Any person violating any provision of this Proclamation shall, upon conviction by an Allied Military Court, be liable to punishment by imprisonment or fine, or both, as the Court may determine.

ARTICLE XIII.

Effective Date

This Proclamation will become operative in each province or part thereof within the Occupied Territory on the date of its first publication therein.

Dated, 25 April, 1944.

For the Commander in Chief Allied Armies in Italy and Military Governor

NOEL MASON MACFARLANE

LIEUTENANT GENERAL

Chief Commissioner, Allied Control Commission

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ALLIED MILITARY GOVERNMENT
OF OCCUPIED TERRITORY

PROCLAMATION No. 3

GENERAL POLICE AND SECURITY REGULATIONS

I, NOEL MASON MACFARLANE, K.C.B., D.S.O., M.C., Lieut. General, Chief Commissioner, Allied Control Commission, by virtue of the authority vested in me by HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of the Occupied Territory, hereby proclaim as follows:

ARTICLE I.

Regulation of Private Means of Communication

SECTION 1. — Declaration of Radio Receiving Sets. Every person having in his possession any radio or wireless receiving set or equipment, or any parts, accessories, or material used in connection with wireless reception, or any private telephone wire or telegraph wire or any carrier pigeons will declare the same within the time and at the place specified by official notice in each locality.

SECTION 2. — Possession Unlawful. From and after the date fixed by such notice it shall be unlawful for any person in that locality to have in his possession or custody any of the articles above-mentioned which have not been declared as required by Section 1 hereof.

ARTICLE II.

Prohibition of Photography and Declaration of Photographic Equipment

SECTION 1. — Photographing, Printing and Developing Forbidden. From the effective date of this order all persons in

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the occupied territory are forbidden, except with a written permit of the Allied Military Government;

a) To take photographs of any sort, whether indoors or out-of-doors, and whether by still or cine or other type of camera;

b) To develop or print any photographic film or plate of any nature, whether received from members of the Allied Forces or from any other person.

SECTION 2. — Declaration of Cameras, Photographic Supplies, Telescopes and Binoculars. Every person owning or having in his possession or custody any camera or any photographic supplies, or any telescope or binoculars will declare the same within the time and at the place specified by official notice published in each locality. For the purpose of such declaration photographic supplies shall include;

Cameras - cine or still
Projecting apparatus
Developing and dark room equipment
Unexposed or exposed film, cine or still
Photographic paper and chemicals.

ARTICLE III.

Regulation of Newspapers and Printed Matter

SECTION 1. — Publication of Newspapers and Printed Matter Prohibited Without a Permit. No newspaper, magazine, book, pamphlet or circular may be published or printed without a written permit issued under the authority of the Allied Military Government. Such permits will be either specific or continuing and will be issued under the authority of the Allied Military Government upon such terms and conditions as may be prescribed.

SECTION 2. — Importation and Exportation of Printed Matter. Importation into and exportation out of the Occupied Territory of newspapers, magazines, books of other printed matter is prohibited except under permit issued under the authority of the Allied Military Government.

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ARTICLE IV.

Meetings and Assemblies

SECTION 1. — Meetings and Assemblies prohibited except as hereinafter provided. No person shall promote or attend any public meeting, theatrical, moving picture or other representation or performance, any public assembly or other public gathering, whether indoors or out-of-doors, or any parade or demonstration for which a written permit has not been granted. Such permits will be either specific or continuing and will be issued by or on the authority of the Allied Military Government upon such terms and conditions as may be prescribed. The foregoing prohibition shall not apply to the following:

Meetings for religious purposes, including baptisms, weddings and funerals; the operation of courts of law, universities, schools and educational establishments; and the ordinary and usual functions of government.

SECTION 2. — Power of Civil Affairs Officer or other Officer to Disperse Assemblies. Notwithstanding the issuance of any permit, any Civil Affairs Officer, if he has any reason to believe that public disorder will ensue or that the safety of the Allied Forces is threatened, may order any meeting, performance, assembly, or parade to be suspended or terminated and require all persons present to disperse. Any such order will be complied with immediately by all persons present.

ARTICLE V.

Flags and National Anthems

Display of Flags and Singing of National Anthems. The public display of any flag or colours of any nation which is at present actively prosecuting war against any of the Allied or United Nations and the public singing and playing of the national anthem and any other patriotic or political song or music of any such country are prohibited.

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ARTICLE VI.

Black-out Regulations

All existing laws and regulations relating to «black-out» will be strictly enforced.

ARTICLE VII.

Penalties

Any person violating any provision of this Proclamation shall, upon conviction by an Allied Military Court, be liable to punishment by imprisonment or fine, or both, as the Court may determine.

ARTICLE VIII.

Effective Date

This Proclamation will become operative in each province or part thereof within the occupied territory on the date of its first publication therein.

Date, 25 April, 1944.

For the Commander in Chief Allied Armies in Italy and Military Governor

NOEL MASON MACFARLANE
LIEUTENANT GENERAL
Chief Commissioner, Allied Control Commission

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ALLIED MILITARY GOVERNMENT
OF OCCUPIED TERRITORY

PROCLAMATION No. 4

CLOSING OF FINANCIAL INSTITUTIONS AND ESTABLISHMENT OF MORATORIUM

I, NOEL MASON MACFARLANE, K.C.B., D.S.O., M.C., Lieut. General, Chief Commissioner, Allied Control Commission, by virtue of the authority vested in me by HAROLD R.L.G. ALEXANDER, G.C.B., C.S.I., D.S.O., M.C., General, Commander in Chief Allied Armies in Italy and Military Governor of the Occupied Territory, hereby proclaim as follows:

ARTICLE I.

Closing of Financial Institutions

SECTION 1. — Closing of Institutions. Except as provided in Section 2 and 3 hereof, every company, institution, corporation, body or person within the occupied territory engaged in the business of receiving and paying out deposits, making loans, selling or purchasing securities, exchanging money, dealing in foreign exchange, maintaining safe deposit facilities or transacting any other form of financial business shall forthwith suspend any and all such business and the premises shall be closed. The re-opening of all such business shall be upon such terms and conditions and the transacting of further financial business shall be subject to such restrictions as the Chief Commissioner or any officer empowered by him may from time to time prescribe by order. Such orders may be of general or specific application and may be notified by public announcement or by written

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communication addressed to any company, institution, corporation, body or person concerned.

SECTION 2. — Banking Institutions. Banking Institutions are authorised to engage in the following transactions:

a) Accept payments of amounts due to such banking institutions;

b) Permit withdrawals in cash for payment of impost, taxes and social insurance contributions;

c) Permit withdrawals in cash, when authorised by local representatives of the Allied Military Government, from the accounts of the following:

(i) Official governmental accounts of the State, Provinces and Communes;

(ii) Social Insurance and social Welfare Institutions;

(iii) Consorzii;

d) Receive accounts and otherwise conduct new business with respect to persons and Institutions described in subsection (c) hereof.

SECTION 3. — Social Insurance and Welfare Institutions. Every company, institution, corporation, body and person engaged in the administration of any Social Insurance or Social Welfare Scheme shall continue to receive and collect all contributions payable under any such Scheme, and to make all benefit, indemnity and other payments due or payable under any such Scheme except payments of family allowances to dependants of:

(a) Persons engaged in military service;

(b) Unparoled prisoners of war; and

(c) Italian workers in Germany or other enemy or enemy occupied territory.

ARTICLE II.

Moratorium

SECTION 1. — Obligations Affected. A moratorium is hereby proclaimed in respect of all debts, claims, deposits and

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all other obligations for the payment of money. The Chief Commissioner or any officer empowered by him may by general or specific order suspend or terminate the above moratorium in respect of any obligation or class of obligations or in any part of the territory.

SECTION 2. — Obligations Not Affected. The moratorium herein imposed shall not apply to:

a) Any obligation affected by the said moratorium when the total amount due and to become due under such obligation does not exceed 5,000 lire, excepting obligations of financial businesses as defined in Articie I of this Proclamation;

b) Any sums for wages or salaries payable monthly, or at less intervals;

c) Any payments required or permitted to be made by Section 2 or Section 3 of Article I of this Proclamation.

SECTION 3. — Effect of Moratorium. During the period of the moratorium, obligations affected by this proclamation are suspended and extended for the said period. No rights or powers shall be exercised at any time with respect to such obligations solely by reasons of their non-performance as a result of this Proclamation. Subject to the extension hereby granted, all such obligations shall be of full force and effect upon the termination of such moratorium. The moratorium shall not apply to obligations entered into in any place within the occupied territory after the date on which this Proclamation shall come into force in such place.

ARTICLE III.

Penalties

Any person violating the provisions of the Proclamation shall on conviction by an Allied Military Court be liable to imprisonment or fine, or both, as the Court may determine.

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ARTICLE IV.

Effective Date

This Proclamation will become operative in each province or part thereof within the occupied territory on the date of its first publication therein.

Dated, 25 April, 1944.

For the Commander in Chief Allied Armies in Italy and Military Governor

NOEL MASON MACFARLANE

LIEUTENANT GENERAL

Chief Commissioner, Allied Control Commission

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