

ACC 134/PWU

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(VOL. I)

MEMORANDUM
MAR. - AUG.

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MEMORANDA, LEGAL
MAR. - AUG. 1944

AC/134/P. 1/1

Memoranda

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HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

23 August 1944

ACC/1/4/1/Int

SUBJECT: Dissolution of the Government of Rome

TO : Legal Sub-Commission
Finance Sub-Commission
Public Works Sub-Commission

We would appreciate your comments on the attached. Please advise whether you have any objections. We are still waiting conference with EC, Region IV.

R. R. Temple
Capt.

for
R. G. B. SPIGGS
Colonel
Director
Interior Sub-Commission

Encls: as above

RGE/jgt

Dr. H. Rhodes
Please review and
discuss with me
29/8

6109

HEADQUARTERS
ALLIED CONTROL COMMISSION
INTERIOR SUB COMMISSION
APO 394

21 August 1944

SUBJECT: Reorganization of Rome Commune

TO : Colonel R. G. B. Spicer, Director

FROM : Captain R. R. Temple, Executive Officer

1. On 22 July, I conferred with Captain Neufeld, RA to Col Poletti with regard to the reorganization of Rome City. He stated that he believed that Interior Sub-Commission should confer with the Italian Government to ascertain what their intention were regarding Rome City immediately and furthermore that Col Poletti did not intend to do anything about the matter.

2. A letter authorizing the Interior Sub-Commission to proceed with negotiations directly with the Italian Government accordingly was sent to us several days later giving us permission to negotiate directly with the Italian Government on the matter of reorganization of Rome.

3. Accordingly I had a number of conferences with His Excellency Berruti at which were present various Italian specialists.

4. At the first conference, a general outline of the initial proposals by the Minister of Interior was presented, followed by a first draft of the text of a decree.

5. There was a divergence of opinion as to some of the fundamental principles by the members of the Rome Giunta Comunale and the Italian Government. Further conversation between the Government and the Comunale officials including the Sindaco took place. As a result of which a unanimous agreement was had on the draft of a legislative decree for the administration of Rome Comune.

6. The proposed decree makes several alterations in the pattern of local government set out in R.D.L. no. 111 because of the importance of the City of Rome as the seat of the Government, as a City of ancient tradition, and as a centre of Christianity.

7. However, like R.D. no. 111 it is a transitory law to be effective until the time arises to restore election system. The chief points in the proposed draft are as follows:

1. Part 8 of the Testo Unico of 3 March 1934 no. 385 establishing the Governatorate of Rome is abrogated (Art. 1). Except for certain items the

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provisions of the Unice Testo of 1915 no. 143 with subsequent amendments, is to be applied to the Comune of Rome (Art. 1).

2. Since the normal revenues of the Comune of Rome are insufficient for the requirements of public services, the allocation of subsidies of the state to the comune are left unaltered.

3. The control of the Provincial Board, namely the Giunta Provinciale Amministrativa over the budget, loans and expenditures of a comune which normally exists in most provinces, is not to be in effect insofar as the City of Rome is concerned. This is chiefly due to the fact that the money is forthcoming from the central Government and the city's activities are in more or less autonomous sphere with little connection with the province. Accordingly, the approval of the budget (Art. 6) and loans (Art. 7) together with a limited number of acts directly connected with the budget or expenditures (Art. 3) are subject to the approval of the Minister of Interior in agreement with the Minister of the Treasury. (The Minister of Interior only in connection with items in Art. 3, however. These items are normally approved by the G.P.A. first before approval of the Minister of Interior, in ordinary provinces and comunes.)

8. Because of the particular architectural requirements of Rome, plans for the execution of public works are subject to the approval of the Higher Council of Public Works, a state body, where they involve expenditures of more than 5 million lire.

9. The Prefect has authority to review acts of the Comunal Council on questions of legality only. A great degree of independence is thereby given the Comunal Council, especially since provision is made for the effective execution of acts of the Giunta Comunale 10 days after a copy of the deliberations is sent to the Prefect's office (Art. 2) and no intervention has been had within this time.

10. Contracts of the comune must be preceded by public auctions, the usual procedure established for state contracts. Private contracts and negotiations are permitted provided they do not involve great sums of money (Art. 5).

11. Adequate procedures are established for publication and public perusal and objection to the budget (Arts. 6, 8, 11, 12.)

12. Pending the restoration of elections, the Mayor and a Giunta Municipale consisting of 12 regular members and 4 substitutes are to be appointed by the Minister of Interior. The decision to have 12 members takes into consideration the 6 political parties and also that the administration of the Comune of Rome is divided into 12 sections. Presumably each member of the Giunta will have a definite sphere of interest and supervisions.

13. Finally the Mayor is authorized to act in emergencies of his own accord subject to the submission for ratification by the Municipal Giunta at its next meeting.

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14. In summary, it is my opinion that the proposed decree establishes an adequate degree of independence for the City of Rome subject to the necessary controls by higher authority. It does not establish a permanent type of government but does provide, pending the restoration of elections, a very good degree of democratic rule.

15. Upon your direction, I have arranged to confer with Col Peletti or his designated officer, submitting to him copy of this Memorandum and copy of the proposed decree with the indication that Interior Sub-Commission has no objection to its enactment.

Respectfully submitted,

/s/ R. R. Temple
/t/ R. R. TEMPLE
Captain,
Executive Officer
Interior Sub-Commission

RRT/jgt

6105

TRANSLATION No. 147 - Pte. Bonami

DRAFT OF LEGISLATIVE DECREE OF THE
KING'S LIEUTENANT

Dissolution of the Government of Rome and new juridical order of the communal
administration of the Capital.

URGENT OF SAVOY PRINCE OF PIEMONTE
LIEUTENANT GENERAL OF THE KING

By virtue of the authority delegated to us:

whereas art. 4 of the King's Decree law of 25th. June 1944, No. 151
concerning the Assembly for the new constitution of the State, the oath of the
Members of the Government and the Government's power to issue juridical regulations;
and

whereas Royal Decree Law of 20th. October 1943, No. 2/E, on the abolition
of the regulations relative to the issuing, promulgation, registration and publica-
tions of Royal decrees and other provisions; and

whereas the Royal Decree Law of 4th. April 1944, No. 111, which gives prov-
isional regulations for the administration of the communes and the provinces; and

whereas the Consolidated Text of the communal and provincial laws, approved
with Royal Decree of 4th. February 1915, No. 148; and

whereas the resolution of the Council of Ministers;

upon a proposal submitted by the Minister of the Interior in agreement with
the Minister of the Treasury and the Minister of Public Works;

Do
WE HAVE SANCTIONED AND HEREBY PROMULGATE
AS FOLLOWS:

Article 1.

Part VIII of the Consolidated Text of the communal and provincial
laws, relative to the Government of Rome and approved with Royal Decree of

2nd. March 1934, No. 395, is abrogated.

Except for what is contemplated in the following articles, the prov-
isions of the Consolidated Text of the communal and provincial law, approved with
R.D. of 4 February 1915, No. 148, and subsequent amendments and additions shall be
applied to the commune of Rome.

Article 2.

Private contracts

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Artículo 15

The mayor shall be appointed by the Minister of the Interior until the administrative elections will take place. A provisional municipal Board exercising all the functions of the municipal Council shall be likewise appointed by the Minister of the Interior. The provisional municipal Board shall be composed of twelve regular members and four substitutes.

Artículo 16

The present decrees shall become effective on the day of its publication in the "Gaceta Oficial del Estado".

We order all those concerned to observe this decrees and to have others observe it as law of the State.

6107

sub 166

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Works and Utilities Sub-Commission
APO 394

AEP/tr

ACC/134/PWU

28 Aug. 44

SUBJECT : Gazzetta Ufficiale No. 48 of 24 Aug. 44.

TO : Economic Section .

1. Reference ACC/4010/L dated 26 Aug 44 from
Legal Sub-Commission.

2. " NIL" return.

G. E. RHODES ,
Lieut-Colonel, R.E. 6100
Deputy Director .

Tel. 489881

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Works and Utilities Sub-Commission
APO 394

file 165
CCB/mc

ACC/134/PWU

2 Sept. 1944

Subject: Gazzetta Ufficiale No 500/30 Aug. 44

To : Economic Section.

1. Ref. ACC/4010/L dated 31 Aug. 44 from Legal
Sub-Commission.

2. NIL return.

L.A. JENNY,
Lt-Colonel, C.E.,
Director.

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Agriculture and the Ministry of the Treasury.

(11) The Direzione Generale dell'Alimentazione has now been reconstituted within the Ministry of Agriculture and a new Director appointed. The Direzione Generale dell'Alimentazione could be expanded and assume all the functions referred to above as being those of a Ministry of Food and, it is suggested, the Director might be raised to the rank of Under-Secretary, thereby relieving the present Under-Secretary of all responsibilities other than those directly pertaining to agriculture.

(b) The creation of the Ministry of Foreign Trade would provide an agency for planning the whole foreign trade policy of the country, according priorities for imports, procuring commodities for export and maintaining in its budget (i) the foreign currency costs of such imports, the subsidies involved and the lire proceeds of sale within the country, and (ii) the lire cost of commodities purchased for export and the foreign currency proceeds of such exports.

the Political Committee AFHQ, referred to in paragraph 1.

1. Planning the general import and export policy of the country in the light of the foreign currency position, available commodities for export, requirements of essential industries, etc.
2. Receiving requisitions for permits to import from other Ministries; screening same and deciding on the priorities to be accorded. It is suggested that each Ministry should be responsible for requisition for such industries or commercial undertaking as come under its jurisdiction and should be responsible through such agencies as it may appoint for the distribution and handling of all such imports.
3. Negotiating imports and exports with the civilian agencies or Ministries of other countries.
4. Organizing either through some national agency or through local agencies the warehousing and handling of exports.
5. Acting as principal vis-a-vis other countries in all import and export transactions; maintaining records of the foreign currency value of all imports debited and all exports credited to the Italian Government by other countries; maintaining records of the lire proceeds of sales of imported commodities within the country; maintaining accounts of all subsidies falling on the Italian Government in respect of imports.
6. Obtaining information as to available commodities for export, arranging the handling and shipping of such exports and the payment to the exporter of the lire value of the exports. It is suggested that the Istituto Commerciale Estero be included in the Ministry of Foreign Trade and used as agent for all export transactions.
7. Controlling general retail prices throughout the country.

The order in which the Ministry of Foreign Trade would gradually assume all these functions would depend on circumstances but it is suggested that the immediate functions to be assumed should be those dealing with finance and accounting. It must be remembered that this is not merely a question of accounting convenience but is fundamental to the whole problem in that until such functions are assumed by the Ministry it will be impossible to sell imports on a national level and ACC will have to continue to set in the role of wholesaler.

/s/ A. P. Grafton Smith
Joint Director,
Finance Sub-Commission.

Tel: 489081

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Works and Utilities Sub-Commission
APO 394

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ACC/134/PWU

17 Aug, 44

SUBJECT : Gazzetta Ufficiale No. 45 of 12 Aug, 44.

TO : Economic Section.

1. Reference ACC/4010/L dated 15 Aug. 44 from Legal Sub-Commission.

2. "NIL" return.

G. E. RHODES,
Lieut-Colonel, R.E.,
Deputy Director.

Tel:489081

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Works and Utilities Sub-Commission
APO 394

ASP/tr

ACC/ 134 / PWU

7 Aug, 44

SUBJECT : Italian Government Decrees.

TO : V.P. Economic Section .

1. Ref. your letter ES/TB dated 4 Aug . 44 .
2. The Decree No 95 , Electricity Rationing, was issued by the Italian Government on 5 Apr. 44 .
3. They are at present framing a Decree allowing adjustments to be made in Utility Rates, Electric, Gas and Water .
4. A copy of the Decree No 95 in English is attached as requested.

L.A. JENNY :
Lt-Colonel C.E. 6095
Director

TEL : 489081

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Works and Utilities Sub-Commission
APO 394.

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ACC/134/PWU

5 Aug. 1944.

Subject : Gazette Official No. 42 of 1 Aug 44.
To : Economic Section.

1. Reference ACC/4010/L dated 3 Aug. 44. from Legal Sub-Commission.
2. MIL return.

L.A. JENNY,
Lt-Col., C.E.,
Director.

6093

701:489081

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Works and Utilities Sub-Commission
APO 394

ASP/tr

ACC/134/PWU

1 Aug, 44

SUBJECT : Gazzetta Ufficiale N° 40 of 27 July 1944.

TO : Economic Section .

1. Ref. ACC/4010/L Dated 30 Jul. from Legal Sub-Com.
2. "Nil" return.

W.M. LAPPER,
Lieut-Colonel,
Chief, Util. & Adm. Div.

6092

Tel. 478200

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Works and Utilities Sub-Commission
APO 394

AEP/ow

ACC/134/PWU

24 Jul. 44.

Subject: Gazzetta Ufficiale No 39 of 8 July 44.

To : Economic Section.

1. Ref. ACC/4010/L dated 17 Jul. from Legal Sub-Com.
2. "Nil" return.

W.M. LAPPER
Lieut-Colonel
Chief, Util. & Adm. Div.

Tel. 478200

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Works and Utilities Sub-Commission
APO: 394

AEP/ow 143

ACC/134/PWU

22 Jul. 44

Subject: Gazzetta Ufficiale No 38 of 5 Jul. 44.

To : Economic Section.

1. Ref. ACC/4010/L dated 7 July 44. from Legal Sub-Com.
2. "Nil" return.

W.M. LAPPER.
Lieut-Colonel
Chief, Util. & Adm. Div.
6093

HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Works and Utilities Sub-Commission
APO 394.

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ACC/134/PWU

3 July 1944.

Subject : Gazzetta Ufficiale No. 36 of 24 June 44.

To : Economic Section

1. Reference ACC/4010/L dated 30 June from Legal Sub-Commission.

2. NIL return.

G.E. RHODES. 6088
Lieut-Colonel, R.E.
Deputy Director.

