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**MILITARY GOVERNMENT GAZETTE
GERMANY
UNITED STATES ZONE**

Published by
OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)

**AMTSBLATT DER MILITÄRREGIERUNG
DEUTSCHLAND
AMERIKANISCHE ZONE**

Herausgegeben von
OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)

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COMPILED BY
LEGAL DIVISION
OFFICE
OF MILITARY GOVERNMENT FOR GERMANY (U.S.)
APO 742

ZUSAMMENGESTELLT VON
LEGAL DIVISION
OFFICE
OF MILITARY GOVERNMENT FOR GERMANY (U.S.)
APO 742

PREFACE

The present issue, A, of the "Military Government Gazette, Germany" is intended to contain the Military Government legislation applicable in the United States Zone enacted by Supreme Headquarters, Allied Expeditionary Force, by Headquarters United States Forces, European Theater and by Office of Military Government for Germany (U. S.) through May 1946. In order to have all of the Zonal Military Government legislation through May 1946 combined in one issue of the Gazette, it has been necessary to republish those enactments which were previously published in No. 1, No. 2, and No. 3 of the "Military Government Gazette, Germany".

For purposes of this compilation, "United States Zone" means the territory comprising the three Lander of Greater Hesse, Wuerttemberg-Baden and Bavaria, but does not include the Bremen-Bremerhaven Enclave or the United States Sector of Berlin.¹⁾ Effort has been made to include all Military Government legislation which applies uniformly throughout the United States Zone, excluding enactments applicable only in a particular Land. Finally, it will be noted that "Military Government legislation", as used in compiling this issue of the Gazette, does not include enactments of the Allied Control Authority.

The effective date of all legislation published herein is the date stated in it as its effective date, or, if no such statement is contained therein, the date upon which it is deemed to have been promulgated, i. e. the date of approval by the issuing authority, or the date on which the area affected by it was first effectively occupied, whichever is later.²⁾

"In case of any discrepancy between the English text of a Military Government Gazette and the German translation thereof as published, the English text shall prevail". (Article II, 5 of Amendment to Law No. 4.)

VORWORT

Die vorliegende Ausgabe A des „Amtsblatt der Militärregierung, Deutschland“ soll die gesetzlichen Vorschriften der Militärregierung für die Amerikanische Zone enthalten, die bis Ende Mai 1946 von Supreme Headquarters, Allied Expeditionary Force,¹⁾ ferner von Headquarters United States Forces, European Theater und Office of Military Government for Germany (U. S.) erlassen worden sind. Um die gesamte Zonengesetzgebung bis Ende Mai 1946 in einer Ausgabe des Amtsblatts zu vereinigen, war es notwendig, diejenigen gesetzlichen Vorschriften nochmals zu veröffentlichen, die bereits in Nr. 1, Nr. 2 und Nr. 3 des „Amtsblatt der Militärregierung, Deutschland“ erschienen sind.

Für die Zwecke dieser Sammlung bedeutet der Begriff „Amerikanische Zone“ das Gebiet der drei Länder Groß-Hessen, Württemberg-Baden und Bayern, nicht aber die Enclave von Bremen-Bremerhaven oder den Amerikanischen Sektor von Berlin.²⁾ Soweit als möglich sind alle gesetzlichen Vorschriften der Militärregierung, welche einheitlich in der gesamten Amerikanischen Zone in Kraft sind, angeführt, ausgenommen solche, die nur für ein besonderes Land gelten. Ferner wird bemerkt, daß der Begriff „gesetzliche Vorschriften der Militärregierung“, wie er in dieser Ausgabe des Amtsblatts angewandt ist, nicht die gesetzlichen Vorschriften des Alliierten Kontrollrats einschließt.

Der Zeitpunkt des Inkrafttretens einer hier veröffentlichten gesetzlichen Vorschrift ist der in ihr angegebene. Ist eine solche Angabe nicht erfolgt, dann der Zeitpunkt, an welchem die Promulgation als erfolgt anzusehen ist, d. h. der Zeitpunkt der Bestätigung durch die gesetzgebende Behörde oder derjenige, an welchem das Gebiet, auf das sich die gesetzliche Vorschrift bezieht, tatsächlich besetzt wurde; entscheidend ist der jeweilige spätere Zeitpunkt.³⁾

„Im Falle einer Abweichung der im „Amtsblatt der Militärregierung, Deutschland“ veröffentlichten deutschen Übersetzung von dem gleichzeitig veröffentlichten englischen Wortlaut ist letzterer maßgebend.“ (Artikel II, 5 der Änderung des Gesetzes Nr. 4.)

Mil Gazette A

On the face of all notes are printed:

- (a) The amount in words — thus; Fünfzig Pfennig, Eine Mark, etc. Also the amount in figures — thus: $\frac{1}{2}$ (on the Pf. 50 note) 1 (on the M. 1 note), etc.;
- (b) The words "Allierte Militärbehörde" at the top of the note;
- (c) The words "In Umlauf gesetzt in Deutschland", "Serie 1944", and the serial number of the note. On the notes for M. 20, 50, 100 and 1,000 all of these appear twice.

The basic colour of the field on the face of all the notes is light blue; on the back it is reddish brown.

MILITARY GOVERNMENT — GERMANY UNITED STATES ZONE

LAW NO. 52

Amended

Blocking and Control of Property

ARTICLE I

Categories of Property

1. All property within the occupied territory owned or controlled, directly or indirectly, in whole or in part, by any of the following is hereby declared to be subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government:

- (a) The German Reich, or any of the Länder, Gaue, or Provinces, or other similar political subdivisions or any agency or instrumentality thereof, including all utilities, undertakings, public corporations or monopolies under the control of any of the above;
- (b) Governments, nationals or residents of nations, other than Germany which have been at war with any of the United Nations at any time since September 1, 1939, and governments, nationals or residents of territories which have been occupied since that date by such nations or by Germany;
- (c) The NSDAP, all offices, departments, agencies and organizations forming part of, attached to, or controlled by it; their officials and such of their leading members or supporters as may be specified by Military Government;
- (d) All persons while held under detention or any other type of custody by Military Government;
- (e) All organizations, clubs or other associations prohibited or dissolved by Military Government;
- (f*) Absentee owners of non-German Nationality, including United Nations and neutral governments, and Germans outside of Germany;
- (g) All other persons specified by Military Government by inclusion in lists or otherwise.

2.* Property which has been the subject of transfer under duress, wrongful acts of confiscation, dispossession or spoliation, whether pursuant to legislation or by procedures purporting to follow forms of law or otherwise, is hereby declared to be equally subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government.

* Par 1 (f) and Par. 2 became effective 14 July 1945 (see Par. 3 of Amendment to Law No. 52; page 27)

Law 52

Auf der Vorderseite aller Noten ist gedruckt:

- (a) Der Betrag in Worten, z. B.: Fünfzig Pfennig, Eine Mark, usw. ebenfalls der Betrag in Ziffern, z. B.: $\frac{1}{2}$ (auf der 50 Pf. Note), 1 (auf der 1 M. Note) usw.;
- (b) Die Worte "Allierte Militärbehörde" am Kopf der Note;
- (c) Die Worte "In Umlauf gesetzt in Deutschland," "Serie 1944", und die Seriennummer der Note. Auf den Noten im Nennwerte von M. 20, 50, 100 und 1.000 erscheinen diese Aufschriften zweimal.

Die Grundfarbe des Mittelfeldes der Vorderseite aller dieser Noten ist hellblau; die Grundfarbe der Rückseite ist rötlichbraun

MILITÄRREGIERUNG — DEUTSCHLAND AMERIKANISCHE ZONE

GESETZ NR. 52

Abgeändert

Sperre und Kontrolle von Vermögen

ARTIKEL I

Arten von Vermögen

1. Vermögen, innerhalb des besetzten Gebietes, das unmittelbar oder mittelbar, ganz oder teilweise im Eigentum oder unter der Kontrolle der folgenden Personen steht, wird hiermit hinsichtlich Besitz oder Eigentumsrecht der Beschlagnahme, Weisung, Verwaltung, Aufsicht oder sonstigen Kontrolle durch die Militärregierung unterworfen:

- (a) das Deutsche Reich oder eines seiner Länder, Gaue oder Provinzen oder eine gleichartige staatliche oder kommunale Verwaltung, deren Dienststellen und Organe, einschließlich aller gemeinwirtschaftlicher Nutzungsbetriebe, Unternehmen, öffentlicher Körperschaften und Monopolbetriebe, die durch irgendeine der vorgenannten Organisationen kontrolliert werden;
- (b) Regierungen, Staatsangehörige oder Einwohner von Staaten, mit Ausnahme des Deutschen Reiches, die sich mit einem Mitglied der Vereinigten Nationen zu irgendeinem Zeitpunkt seit dem 1. September 1939 im Kriegszustand befanden, und Regierungen, Staatsangehörige und Einwohner von Ländern, die seit diesem Tage von den vorgenannten Staaten oder von Deutschland besetzt waren;
- (c) die NSDAP, deren Ämter und Stellen; Formationen und Organisationen, die zur NSDAP gehören, der NSDAP angeschlossen sind oder von ihr betreut werden; deren Beamte und diejenigen ihrer leitenden Mitglieder oder Anhänger, die von der Militärregierung bezeichnet werden;
- (d) alle Personen so lange als sie von der Militärregierung in Haft oder sonstwie in Verwahrung gehalten werden;
- (e) alle Organisationen, Klubs oder andere Vereinigungen, die von der Militärregierung verboten oder aufgelöst werden;
- (f*) abwesende Eigentümer nichtdeutscher Staatsangehörigkeit, einschließlich Vereinigte Nationen und neutrale Regierungen, sowie Deutsche ausserhalb Deutschlands;
- (g) alle anderen Personen, die von der Militärregierung durch Veröffentlichung in Listen oder auf andere Weise bezeichnet werden.

2.* Der Beschlagnahme hinsichtlich des Besitz- oder Eigentumsrechtes, Weisung, Verwaltung, Aufsicht oder sonstigen Kontrolle ist auch Vermögen unterworfen, das unter Zwang oder Drohung übertragen oder rechtswidrig dem Eigentümer oder Besitzer entzogen oder erbeutet worden ist, ohne Rücksicht darauf, ob diese Handlungen in Anwendung von Rechtssätzen oder im Wege von Verfahren, die den Schein des Rechts zu wahren vorgaben oder in sonstiger Weise vorgenommen wurden."

* Par 1 (f) und Par. 2 traten am 14. July 1945 in Kraft (vgl. Par. 3 der Änderung des Gesetzes Nr. 52; Seite 27)

ARTICLE II

Prohibited Transactions

3. Except as hereinafter provided, or when licensed or otherwise authorized or directed by Military Government, no person shall import, acquire or receive, deal in, sell, lease, transfer, export, hypothecate or otherwise dispose of, destroy or surrender possession, custody or control of any property:—

- (a) Enumerated in Article I hereof;
- (b) Owned or controlled by any Kreis, municipality, or other similar political subdivision;
- (c) Owned or controlled by any institution dedicated to public worship, charity, education, the arts and sciences;
- (d) Which is a work of art or cultural material of value or importance, regardless of the ownership or control thereof.

ARTICLE III

Responsibilities for Property

4. All custodians, curators, officials, or other persons having possession, custody or control of property enumerated in Articles I or II hereof are required:—

- (a) (I) To hold the same, subject to the directions of the Military Government and, pending such direction, not to transfer, deliver or otherwise dispose of the same;
- (II) To preserve, maintain and safeguard, and not to cause or permit any action which will impair the value or utility of such property;
- (III) To maintain accurate records and accounts with respect thereto and the income thereof.
- (b) When and as directed by Military Government:
 - (I) To file reports furnishing such data as may be required with respect to such property and all receipts and expenditures received or made in connection therewith;
 - (II) To transfer and deliver custody, possession or control of such property and all books, records and accounts relating thereto; and
 - (III) To account for the property and all income and products thereof.

5. No person shall do, cause or permit to be done any act of commission or omission which results in damage to or concealment of any of the properties covered by this law.

ARTICLE IV

Operation of Business Enterprises and Government Property

6. Unless otherwise directed and subject to such further limitation as may be imposed by Military Government:—

- (a) Any business enterprise subject to control under this law may engage in all transactions ordinarily incidental to the normal conduct of its business activities within occupied Germany provided that such business enterprise shall not engage in any transaction which, directly or indirectly, substantially diminishes or imperils the assets of such enterprise or otherwise prejudicially affects its financial position and provided further that this does not authorize any transaction which is prohibited for any reason other than the issuance of this law;

ARTIKEL II

Verbotene Handlungen

3. Sofern nicht nachstehend etwas anderes bestimmt ist oder sofern nicht die Militärregierung ihre Ermächtigung oder Anweisung dazu erteilt hat, darf niemand Vermögen der nachbezeichneten Art einführen, erwerben, in Empfang nehmen, damit handeln, es verkaufen, vermieten, übertragen, ausführen, belasten, oder sonstwie darüber verfügen, es zerstören oder den Besitz, die Verwahrung oder die Kontrolle darüber aufgeben:

- (a) Vermögen, das in Artikel I aufgezählt ist;
- (b) Vermögen im Eigentum oder unter der Kontrolle eines Kreises, einer Gemeinde oder einer sonstigen staatlichen oder kommunalen Verwaltung;
- (c) Vermögen im Eigentum oder unter der Kontrolle einer Institution, die dem öffentlichen Gottesdienst, der Wohlfahrt, der Erziehung, der Kunst oder den Wissenschaften gewidmet ist;
- (d) Kunstbesitz und wertvolle oder bedeutende Kulturgegenstände ohne Rücksicht auf Eigentum oder Kontrolle.

ARTIKEL III

Verpflichtungen hinsichtlich der Verwaltung des Vermögens

4. Alle Verwahrer, Pfleger, Amtspersonen oder andere Personen, die Vermögen der in Artikel I oder II aufgezählten Art in Besitz, in Verwahrung oder unter Kontrolle haben, unterliegen den folgenden Verpflichtungen:

- (a) (I) Sie müssen das Vermögen nach den Weisungen der Militärregierung verwalten und dürfen zum Erlass dieser Weisung dieses Vermögen weiter übertragen noch aushändigen noch anderweitig darüber verfügen;
- (II) sie müssen das Vermögen pfleglich behande unversehrt erhalten und beschützen und dürfen nichts unternehmen, das den Wert oder Brauchbarkeit derartigen Vermögens beeinträchtigt, noch derartige Handlungen durch Dritte zu lassen;
- (III) sie müssen hinsichtlich des Vermögens und dessen Einnahmen genaue Aufzeichnungen führen und Abrechnungen aufstellen;
- (b) sie müssen nach Massgabe der Weisungen der Militärregierung:
 - (I) Berichte einreichen und darin die hinsichtlich dieses Vermögens verlangten Angaben machen sowie alle hinsichtlich des Vermögens empfundenen Einnahmen und gemachten Ausgaben aufzuführen;
 - (II) die Verwahrung, den Besitz oder die Kontrolle solchen Vermögens und alle darauf bezügliche Bücher, Aufzeichnungen und Abrechnungen übertragen und aushändigen; und
 - (III) über das Vermögen, alle Einnahmen und daraus erzielten Früchte Rechenschaft ablegen.

5. Niemand soll eine Handlung oder Unterlassung gehen, verursachen, noch durch Dritte zulassen, sofern hi durch Vermögen, das den Bestimmungen dieses Gesetzes unterliegt, beschädigt oder verheimlicht wird.

ARTIKEL IV

Betrieb geschäftlicher Unternehmen und Benutzung öffentlicher Vermögen

6. Vorbehaltlich anderweitiger Anordnungen und weiterer Beschränkungen, die von der Militärregierung erlassen werden können, wird folgendes bestimmt:

- (a) Jedes geschäftliche Unternehmen, das der Kontrolle auf Grund dieses Gesetzes unterliegt, kann alle Geschäfte eingehen, die normalerweise der ordentlichen Geschäftstätigkeit innerhalb des besetzten Gebietes Deutschlands entsprechen, vorausgesetzt, daß das Unternehmen nicht Geschäfte eingeht, die unmittelbar oder mittelbar die Werte des Unternehmens erhöhen oder vermindern oder gefährden oder sonst dessen finanzielle Lage nachteilig beeinflussen. Diese Bestimmung ermächtigt nicht zur Eingehung von Geschäften, aus anderen als auf diesem Gesetz beruhenden Gründen verboten sind.

(b) Property described in Article I, 1 (a) shall be used for its normal purposes except as otherwise prohibited by Military Government.

ARTICLE V

Void Transactions

7. Any prohibited transaction effected without a duly issued license or authorization from Military Government, and any transfer, contract or other arrangement made, whether before or after the effective date of this law, with the intent to defeat or evade this law or the powers or objects of Military Government, or the restitution of any property to its rightful owner, is null and void.

ARTICLE VI

Conflicting Laws

8. In case of any inconsistency between this law or any order made under it and any German law the former prevail. All German laws, decrees and regulations providing for the seizure, confiscation or forced purchase of property enumerated in Articles I or II hereof, are hereby suspended.

ARTICLE VII

Definitions

9. For the purpose of this law:

- (a) "Person" shall mean any natural person, collective person and any juristic person under public or private law, and any government including all political subdivisions, public corporations, agencies and instrumentalities thereof;
- (b) "Business Enterprise" shall mean any person as above defined engaged in commercial, business or public welfare activities.
- (c) "Property" shall mean all movable and immovable property and all rights and interests in or claims to such property whether present or future, and shall include, but shall not be limited to, land and buildings, money, stocks shares, patent rights or licenses thereunder, or other evidences of ownership, and bonds, bank balances, claims, obligations and other evidences of indebtedness, and works of art and other cultural materials;
- (d) A "National" of a state or government shall mean a subject, citizen or partnership and any corporation or other juristic person existing under the laws of, or having a principal office in the territory of, such state or government;
- (e) "GERMANY" shall mean the area constituting "Das Deutsche Reich" as it existed on 31 December 1937.

ARTICLE VIII

Penalties

10. Any person violating any of the provisions of this law shall, upon conviction by a Military Government Court, be liable to any lawful punishment, including death, the court may determine.

ARTICLE IX

Effective Date

11. This law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT

(b) Sofern nicht die Militärregierung ein Verbot erlässt, darf Vermögen der in Artikel I, 1, (a) beschriebenen Art entsprechend seinem normalen Gebrauchsweck benutzt werden.

ARTIKEL V

Nichtige Geschäfte

7. Nichtig und unwirksam ist jedes verbotene Geschäft, das ohne ordnungsgemäß erteilte Genehmigung oder Ermächtigung der Militärregierung abgeschlossen wird, sowie jede Übertragung, jeder Vertrag und jede Vereinbarung, gleichgültig ob diese Geschäfte vor oder nach dem Inkrafttreten dieses Gesetzes getätigt wurden, vorausgesetzt, dass die Absicht bestand, die Befugnisse oder Aufgaben der Militärregierung oder die Rückgabe von Vermögen an den berechtigten Eigentümer zu vereiteln oder zu umgehen.

ARTIKEL VI

Gesetzeswidersprüche

8. Im Falle eines Widerspruchs zwischen diesem Gesetz oder einer auf Grund desselben erlassenen Anordnung und den deutschen Gesetzen, geht das erstere vor. Alle deutschen Gesetze, Erlasses und Bestimmungen, die Beschlagnahme, Einziehung oder Zwangsverkauf von Vermögen der in Artikel I und II aufgezählten Art vorsehen, werden hiermit ausser Kraft gesetzt.

ARTIKEL VII

Begriffsbestimmungen

9. Für die Zwecke dieses Gesetzes gelten die folgenden Begriffsbestimmungen:

- (a) "Personen" bedeutet jede natürliche Person, Gesamthandsgemeinschaft und juristische Person des öffentlichen oder privaten Rechts, ferner eine Regierung einschliesslich staatlicher und kommunaler Verwaltungen, Körperschaften des öffentlichen Rechts, deren Dienststellen und Organe;
- (b) "Geschäftliches Unternehmen" bedeutet jede Person der unter (a) beschriebenen Art, die sich auf dem Gebiet des Handels und der Industrie oder der öffentlichen Wohlfahrt betätigt;
- (c) "Vermögen" bedeutet jedes bewegliche und unbewegliche Vermögen sowie alle Rechte und Interessen oder Ansprüche auf solches Vermögen, gleichgültig ob diese fällig sind oder nicht. Es schliesst ein, ist aber nicht beschränkt auf: Grundstücke und Gebäude, Geld, Beteiligungen, Aktien, Patente, Gebrauchsmuster oder Lizenzen für deren Ausübung und andere Urkunden zum Nachweis von Eigentum, Schuldverschreibungen, Bankguthaben, Ansprüche, Verbindlichkeiten, andere Urkunden zum Nachweis von Verbindlichkeiten, sowie Kunstbesitz und andere Kulturgegenstände;
- (d) ein "Staatsangehöriger" eines Staates oder einer Regierung bedeutet ein Untertan oder Staatsbürger oder eine Personenvereinigung, Körperschaft oder sonstige juristische Person, die auf Grund der Gesetze eines derartigen Staates oder dieser Regierung besteht oder in dem Gebiet eines derartigen Staates oder einer derartigen Regierung eine Niederlassung hat.
- (e) "Deutschland" bedeutet das Gebiet des Deutschen Reiches, wie es am 31. Dezember 1937 bestanden hat.

ARTIKEL VIII

Strafen

10. Jeder Verstoss gegen die Bestimmungen dieses Gesetzes wird nach Schuldigsprechung des Täters durch ein Gericht der Militärregierung nach dessen Ermessen mit jeder gesetzlich zulässigen Strafe, einschliesslich der Todesstrafe, bestraft.

ARTIKEL IX

Inkrafttreten

11. Dieses Gesetz tritt am Tage seiner ersten Verkündung in Kraft.

IM AUFTRAGE DER MILITÄRREGIERUNG.

AMENDMENT TO LAW NO. 52

Blocking and Control of Property

1. Par. 1 (f) of Military Government Law No. 52 entitled "Blocking and Control of Property, Amended (1)", is amended to read as follows:

"(f) Absentee owners of non-German nationality, including United Nations and neutral governments, and Germans outside of Germany."

2. Par. 2 of Military Government Law No. 52 entitled "Blocking and Control of Property, Amended (1)", is amended to read as follows:

"2. Property which has been the subject of transfer under duress, wrongful acts of confiscation, dispossession or spoliation, whether pursuant to legislation or by procedures purporting to follow forms of law or otherwise, is hereby declared to be equally subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government."

3. This Law becomes effective 14 July 1945.

BY ORDER OF MILITARY GOVERNMENT.

GENERAL ORDER NO. 1

(Pursuant to Military Government Law No. 52; Blocking and Control of Property)

I. It is hereby ordered that, commencing from the date of announcement of dissolution, abrogation or suspension of any organization or business enterprise by Military Government, the provisions of Article IV of Military Government Law No. 52 shall no longer apply to any such organization or business enterprise or its property.

II. All property of all persons described below is hereby specified by Military Government in accordance with Article I, paragraph 1, sub-paraphraphs (c) and (g) of Military Government Law No. 52, to be subject to all of the provisions of Military Government Law No. 52, and may not be dealt with except as licensed or otherwise authorized or directed by Military Government or Military Government Law No. 52:

1. All persons who have been members at any time of any of the General Staffs including those of the Oberkommando des Heeres, the Oberkommando der Kriegsmarine or the Oberkommando der Luftwaffe or the General Staff Corps.
2. Ministers, State Secretaries and Ministerial Directors in all Reich Ministries.
3. All officials at any time since 30th January, 1933; other than clerks, of the Reichskanzlei, Präsidialkanzlei or Pressechef der Reichsregierung.
4. Minister, Chief Adjutant, State Secretary, Ministerial Directors, heads and deputy heads of departments, sub-departments and agencies of the Ministry of Armament and War-Production, including the heads of all Hauptausschüsse and Ringe.
5. All Reich Commissioners, General Commissioners and Inspectors General.
6. Land Ministers, State Secretaries and Ministerial Directors at Land levels.
7. Provincial Presidents, Reich Governors and their department heads.
8. Regierungspräsidenten.
9. Landräte.
10. Oberbürgermeister.

ÄNDERUNG DES GESETZES

Nr. 52

Sperre und Beaufsichtigung von Vermögen

1. Paragraph 1 (f) des Gesetzes Nr. 52 der Militärregierung mit der Überschrift "Sperre und Beaufsichtigung von Vermögen, 1. Änderung", wird wie folgt geändert:

"(f) Abwesende Eigentümer nichtdeutscher Staatsangehörigkeit, einschließlich Vereinigte Nationen und neutrale Regierungen, sowie Deutsche außerhalb Deutschlands."

2. Paragraph 2 des Gesetzes Nr. 52 der Militärregierung mit der Überschrift "Sperre und Beaufsichtigung von Vermögen, 1. Änderung", wird wie folgt geändert:

"2. Der Beschlagnahme hinsichtlich des Besitz- oder Eigentumsrechtes, Weisung, Verwaltung, Aufsicht oder sonstigen Kontrolle ist auch Vermögen unterworfen, das unter Zwang oder Drohung übertragen oder rechtswidrig dem Eigentümer oder Besitzer entzogen oder erbeutet worden ist, ohne Rücksicht darauf, ob diese Handlungen in Anwendung von Rechtssätzen oder in Wege von Verfahren, die den Schein des Rechtes zu wahren vorgaben oder in sonstiger Weise vorgenommen wurden."

3. Dieses Gesetz tritt am 14. Juli 1945 in Kraft.

IM AUFTRAGE DER MILITÄRREGIERUNG

ALLGEMEINE ANORDNUNG Nr.

(Gemäss Gesetz Nr. 52 der Militärregierung; Sperre und Kontrolle von Vermögen)

I. Es wird hiermit verordnet, dass Artikel IV des Gesetzes Nr. 52 der Militärregierung im Falle von Organisationen, wirtschaftlichen Unternehmen, sowie deren Vermögen, von dem Tage ab nicht mehr anzuwenden ist, a dem ihre Auflösung, Abschaffung oder zeitweilige Aufhebung durch Anordnung der Militärregierung verkündigt worden ist.

II. Das gesamte Vermögen aller hiernach aufgeföhrte Personen wird hiermit von der Militärregierung gemäß Artikel I, § 1, Absatz (c) und (g) des Gesetzes Nr. 52 der Militärregierung allen Vorschriften des Gesetzes Nr. 52 der Militärregierung unterworfen; es darf darüber nicht verfügt werden, es sei denn, dass eine Erlaubnis, Genehmigung oder Anweisung der Militärregierung oder des Gesetzes Nr. 52 hierfür erteilt worden ist.

1. Alle Personen, die zu irgendeiner Zeit Mitglied irgendeiner der deutschen Generalstäbe einschließlich der Generalstäbe des Oberkommandos des Heeres, des Oberkommandos der Kriegsmarine oder des Oberkommandos der Luftwaffe oder des Generalstabskorps waren;
2. Minister, Staatssekretäre und Ministerialdirektoren allen Reichsministerien;
3. Alle Beamten, mit Ausnahme von Büroangestellten, irgend einer Zeit, seit dem 30. Januar 1933, der Reichskanzlei, der Präsidialkanzlei oder des Pressechefs der Reichsregierung;
4. Minister, Chefadjutant, Staatssekretär, Ministerialdirektoren, Leiter und stellvertretende Leiter der Zentralämter, Ämter und Amtsgruppen des Ministeriums für Rüstung und Kriegsproduktion, einschließlich der Leiter aller Hauptausschüsse und Ringe;
5. Alle Reichskommissare, Reichsbevollmächtigte, Generalbevollmächtigte und Generalinspektoren;
6. Landesminister, Staatssekretäre und Ministerialdirektoren der Landesregierungen;
7. Oberpräsidenten, Reichsstatthalter und deren Amtschefs;
8. Regierungspräsidenten;
9. Landräte;
10. Oberbürgermeister;

11. Reich Youth Leaders (Reichsjugendführer) at any time.
12. The President, members of the managing board (Reichsbankdirektorium), members of the Beirat, and all Reichsbankdirektoren of the head office (Berlin) of the Reichsbank (Deutsche Reichsbank); all members of the local advisory boards (Bezirksbeiräte) of the regional Reichsbank Branches (Hauptstellen, Stellen).
13. The boards of directors and Vorstände of the:
 - (a) Gold Discount Bank (Deutsche Golddiskontbank), Conversion Office for German Debts (Konversionskasse für Deutsche Auslandsschulden), Reichskreditkasse and German Clearing Office (Deutsche Verrechnungskasse).
 - (b) German Central Savings Bank (Deutsche Girozentrale — Deutsche Kommunalbank).
 - (c) Bank der Deutschen Luftfahrt, Heeres-Rüstungs A.G., Rüstungskontor G.m.b.H., Deutsche Bau- und Boden-Bank, Deutsche Industriebank, Deutsche Gesellschaft für öffentliche Arbeiten ("Oeffa"), Deutsche Siedlungsbank, Deutsche Verkehrs-Kredit-Bank.
 - (d) The following Berlin commercial banks: The "Big Six" — Deutsche Bank, Dresdner Bank, Commerzbank, Reichs-Kredit-Gesellschaft A.G., Berliner Handels-Gesellschaft, and Bank der Deutschen Arbeit A.G. Also all members of the local advisory boards of such banks.
 - (e) Preussische Staatsbank (Seehandlung), Berlin. Also the Chairman and Vice-Chairman of the board of directors and the entire Vorstand of all other State commercial banks.
14. Reich Commissioners, Vorstand, and the boards of directors of the:
 - (a) German Central Credit Co-operative Bank (Deutsche Zentralgenossenschaftskasse).
 - (b) Deutsche Rentenbank-Kreditanstalt and Deutsche Rentenbank.
15. All partners of the following private banks:

Merck, Finck und Co., Munich and Berlin.
Brinckmann, Wirtz und Co., Hamburg.
Pferdmenges und Co., Cologne.
J. H. Stein, Cologne.
Delbrück, von der Heydt und Co., Cologne.
Delbrück, Schickler und Co., Berlin.
Burkhardt und Co., Essen.
Eichborn und Co., Breslau and Berlin.
Münchmeyer und Co., Hamburg.
16. All Geschäftsführer of Hardy & Co., G.m.b.H., Berlin.
17. Chairmen and Vice-Chairmen of the Boards of Directors and all members of the Vorstände of all commercial banks not otherwise specified herein, having total assets in excess of RM. 50,000,000.
18. Heads of Reichsausschuss zum Schutze des Deutschen Blutes, Reichsstelle für Umsiedlung, Reichsversicherungsamt, Reichsarchiv.
19. All officials or officers of the following Reich agencies:
 - (a) Office of the Plenipotentiary for the Four-Year Plan (Beauftragter für den Vierjahresplan) and all subdivisions thereof.
 - (b) Supreme Command of the Armed Forces (Oberkommando der Wehrmacht, i. e., OKW).
 - (c) Reich Ministry for Public Enlightenment and Propaganda (Reichsministerium für Volksaufklärung und Propaganda) and national, regional and subsidiary offices.
 - (d) Reich Air Ministry (Reichsluftfahrtministerium).
 - (e) Reich Ministry for Occupied Eastern Territories (Reichsministerium für die besetzten Ostgebiete).
 - (f) Reich Ministry for Ecclesiastical Affairs (Reichsministerium für Kirchliche Angelegenheiten).
 - (g) European Office for Labor Supply.
 - (h) Reich Office for Spatial Planning (Reichsstelle für Raumordnung).
 - (i) Reich Office for Resettlement (Reichsstelle für Umsiedlung).
11. Reichsjugendführer zu irgend einer Zeit;
12. Der Präsident, Mitglieder des Reichsbankdirektoriums, Mitglieder des Beirats, und alle Reichsbankdirektoren beim Direktorium der Deutschen Reichsbank in Berlin; alle Mitglieder der Bezirksbeiräte der Hauptstellen und Stellen der Reichsbank;
13. Die Mitglieder des Aufsichtsrats und des Vorstandes:
 - (a) der Deutschen Golddiskontbank, der Konversionskasse für deutsche Auslandsschulden, der Reichskreditkasse und der Deutschen Verrechnungskasse;
 - (b) der Deutschen Girozentrale — Deutschen Kommunalbank;
 - (c) der Bank der Deutschen Luftfahrt, der Heeres-Rüstungs A.G., des Rüstungskontor G.m.b.H., der Deutschen Bau- und Boden-Bank, der Deutschen Industriebank, der Deutschen Gesellschaft für öffentliche Arbeiten ("Oeffa"), der Deutschen Siedlungsbank, der Deutschen Verkehrs-Kreditbank;
 - (d) der folgenden sechs Berliner Grossbanken: Deutsche Bank, Dresdner Bank, Commerzbank, Reichs-Kredit-Gesellschaft A.G., Berliner Handels-Gesellschaft, Bank der Deutschen Arbeit A.G. Außerdem alle Mitglieder der örtlichen Beiräte dieser Banken;
 - (e) der Preussischen Staatsbank (Seehandlung), Berlin. Auch der Vorsitzende und der stellvertretende Vorsitzende des Aufsichtsrats und der gesamte Vorstand aller anderen staatlichen Kreditbanken;
14. Reichskommissare, Vorstand und Aufsichtsrat:
 - (a) der Deutschen Zentralgenossenschaftskasse;
 - (b) der Deutschen Rentenbank-Kreditanstalt und der Deutschen Rentenbank;
15. Alle Teilhaber der folgenden Privatbanken:

Merck, Finck und Co., München und Berlin;
Brinckmann, Wirtz und Co., Hamburg;
Pferdmenges und Co., Köln;
J. H. Stein, Köln;
Delbrück, von der Heydt und Co., Köln;
Delbrück, Schickler und Co., Berlin;
Burkhardt und Co., Essen;
Eichborn und Co., Breslau und Berlin;
Münchmeyer und Co., Hamburg;
16. Alle Geschäftsführer von Hardy und Co., G. m. b. H., Berlin;
17. Vorsitzende und stellvertretende Vorsitzende des Aufsichtsrats und alle Mitglieder des Vorstands aller Kreditbanken, die nicht hierin erwähnt sind und deren Aktiva im Einzelfalle den Betrag von RM 50,000,000 überschreiten;
18. Leiter des Reichsausschusses zum Schutze des Deutschen Blutes, der Reichsstelle für Umsiedlung, des Reichsversicherungsamts, des Reichsarchivs;
19. Alle Beamten oder Offiziere der folgenden Reichsbehörden:
 - (a) Amt des Beauftragten für den Vierjahresplan und alle Unterabteilungen desselben;
 - (b) Oberkommando der Wehrmacht (OKW);
 - (c) Reichsministerium für Volksaufklärung und Propaganda und dessen Reichsämter, Zweigstellen und nachgeordneten Geschäftsstellen;
 - (d) Reichsluftfahrtministerium;
 - (e) Reichsministerium für die besetzten Ostgebiete;
 - (f) Reichsministerium für kirchliche Angelegenheiten;
 - (g) Europaamt für den Arbeitseinsatz;
 - (h) Reichsstelle für Raumordnung;
 - (i) Reichsstelle für Umsiedlung;
 - (j) Akademie für das deutsche Recht;
 - (k) Deutsche Akademie, München;
 - (l) Reichsärzte-, Tierärzte-, Zahnärzte- und Apotheker-kammern;
 - (m) Amt für Forstwirtschaft;
 - (n) Reichspatentamt;

- (j) Academy of German Law (Akademie für das deutsche Recht).
- (k) German Academy (Deutsche Akademie, Munich).
- (l) Reich Chambers for Doctors, Veterinaries, Dentists and Apothecaries (Reichsärzte-, Tierärzte-, Zahnärzte- und Apothekerkammern).
- (m) Office of Forestry (Amt für Forstwirtschaft).
- (n) Reich Patent Office (Reichspatentamt).
20. All members of every German Reichstag since 1st January 1934.
21. Reich Labor Trustees (Reichstreuänder der Arbeit).
22. The following officials of the Reich Food Estate: All Bauernführer — from and including the Kreis level up; Chairmen of the Central Market Associations (Hauptvereinigungen), Regional Market Associations (Wirtschaftsverbände) and County or local marketing associations (Unterverbände), Presidents of Regional Food Offices (Landesernährungsämter) and County Food Offices (Ernährungsämter); and their deputies.
23. All university rectors and curators appointed since 30th January, 1933, including heads of all institutions of university rank (Hochschulen).
24. Members of the Supreme Court (Reichsgericht); People's Court (Volksgericht); Reichsverwaltungsgericht; Reichskriegsgericht; Reichserbhofgericht; Reichsarbeitsgericht; Reichsrechtsgerichtshof; Oberstes Fideikommissgericht; Oberprisenhof.
25. Members of the Courts of Appeal (Oberlandesgerichte).
26. Chief Public Prosecutors (Oberreichsanwälte, Generalstaatsanwälte und Oberstaatsanwälte).
27. All members of the SS; all officers and noncommissioned officers of the Waffen SS and SA from Unterscharführer up.
28. Hitler Youth officials and officers (male and female) from Stammführer or Mädelringführerin up.
29. Officials and officers of the NSDAP, down to Ortsgruppenleiter; directors, officials and officers of any organization, institution, department, agency, office or other entity forming part of, attached to, affiliated with, or in any way controlled or supervised by any organisation listed in Military Government Law No. 5, and of any of the following NSDAP agencies:
- (a) Reich Committee for People's Health Service (Reichsausschuss für Volksgesundheitsdienst).
 - (b) Reich Sport Office (Reichssportamt).
 - (c) Reich Genealogical Office (Reichssippenamt).
 - (d) State Academy for Race and Health (Staatsakademie für Rassen und Gesundheitspflege, Dresden).
 - (e) All publishing houses and printing works owned or controlled by the NSDAP, such as Phoenix G.m.b.H., the Eher Verlag, and all enterprises owned or controlled by any of them.
 - (f) Association of German Organizations Abroad (Verband Deutscher Vereine im Ausland, i. e., VDVA).
 - (g) Fraternity U.S.A. (Kameradschaft U.S.A.).
 - (h) Ibero-American Institute (Ibero-Amerikanisches Institut).
 - (i) World Service (Weltdienst).
 - (j) Main Office for the Security of the Reich (Reichssicherheitshauptamt).
 - (k) Main Office for Budgets and Buildings (Hauptamt für Haushalt und Bauten).
 - (l) Main Office for Administration and Economy (Hauptamt für Verwaltung und Wirtschaft).
 - (m) The Hanns Kerrl Community Camp (Gemeinschaftslager Hanns Kerrl).
 - (n) German Fichte Association (Deutscher Fichte Bund).
 - (o) Sturmabteilungen (SA), and all formations, subdivisions and affiliated organizations thereof, including the SA-Wehrmannschaft or pre-military training centers.
 - (p) NS-Kraftfahrerkorps, i. e. NSKK, or Motor Corps.
 - (q) NS-Fliegerkorps, i. e. NSFK, or Flying Corps.
 - (r) Hitler Youth (Hitler Jugend, i. e., HJ) and subsidiary organizations.
 - (s) German Christian Movement (Deutsche Christen Bewegung).
 - (t) Neo-Pagan Movement (Deutsche Glaubensbewegung).
20. Alle Mitglieder jedes Deutschen Reichstags seit dem 1. Januar 1934;
21. Reichstreuänder der Arbeit;
22. Die folgenden Amtsträger des Reichsnährstandes: alle Kreisbauernführer und höhere Bauernführer; Vorsitzende der Hauptvereinigungen, Wirtschaftsverbände und Kreis- oder örtlichen Unterverbände, Präsidenten der Landesernährungsämter und Ernährungsämter, und ihre Stellvertreter;
23. Alle Universitätsrektoren und -kuratoren, die seit dem 30. Januar 1933 ernannt worden sind, einschließlich der Leiter aller Institutionen, die mit Universitäten auf gleicher Stufe stehen (Hochschulen);
24. Mitglieder des Reichsgerichts, Volksgerichts, Reichsverwaltungsgerichts, Reichskriegsgerichts, Reichserbhofgerichts, Reichsarbeitsgerichts, Reichsrechtsgerichtshofs, Obersten Fideikommissgerichts, Oberprisenhofs;
25. Mitglieder der Oberlandesgerichte;
26. Oberreichsanwälte, Generalstaatsanwälte und Oberstaatsanwälte;
27. Alle Mitglieder der SS; alle Offiziere und Unteroffiziere der Waffen-SS und SA vom Unterscharführer aufwärts;
28. Beamte und Führer(innen) der Hitler-Jugend von Stammführer oder Mädelringführerin aufwärts;
29. Beamte und Leiter der NSDAP, vom Ortsgruppenleiter aufwärts, Direktoren, Beamte und Leiter irgend einer Organisation, eines Unternehmens, einer Abteilung, Amtsstelle, Geschäftsstelle oder einer anderen Stelle, welche einen Teil einer Organisation bildet, die im Militärregierungs-Gesetz Nr. 5 erwähnt ist, dieser angegliedert oder angeschlossen ist oder in irgend einer Weise von einer solchen überwacht oder betreut wird, sowie der folgenden Stellen der NSDAP:
- (a) Reichsausschuss für Volksgesundheitsdienst;
 - (b) Reichssportamt;
 - (c) Reichssippenamt;
 - (d) Staatsakademie für Rassen- und Gesundheitspflege, Dresden;
 - (e) Alle Verlagshäuser und Druckereien, die der NSDAP gehören oder von ihr kontrolliert werden, wie z. B. die Phoenix G. m. b. H., der Eher-Verlag und alle Unternehmen, die ihnen gehören oder von ihnen kontrolliert werden;
 - (f) Verband Deutscher Vereine im Ausland, VDVA;
 - (g) Kameradschaft U. S. A.;
 - (h) Ibero-Amerikanisches Institut;
 - (i) Weltdienst;
 - (j) Reichssicherheitshauptamt;
 - (k) Hauptamt für Haushalt und Bauten;
 - (l) Hauptamt für Verwaltung und Wirtschaft;
 - (m) Gemeinschaftslager Hanns Kerrl;
 - (n) Deutscher Fichte Bund;
 - (o) SA (Sturmabteilungen), und alle deren Gliederungen, Unterabteilungen und angeschlossenen Organisationen, einschließlich der SA-Wehrmannschaft oder für den Wehrdienst vorbereitende Übungstruppen;
 - (p) NSKK (NS-Kraftfahrerkorps);
 - (q) NSFK (NS-Fliegerkorps);
 - (r) Hitler-Jugend (HJ) und untergeordnete Organisationen;
 - (s) Deutsche Christen-Bewegung;
 - (t) Deutsche Glaubensbewegung;
 - (u) Technische Nothilfe (TN);
 - (v) Volksdeutsche Bewegung.
30. Jede Person, welche ausserhalb Deutschlands zu irgendeiner Zeit seit dem 1. April 1933, im Dienste oder Auftrage der Deutschen Lufthansa A.G., tätig war; ur jeder Beamte oder Offizier, welcher innerhalb Deutschlands zu irgend einer Zeit seit dem 1. April 1933, derem Dienste oder Auftrage tätig war;
31. Polizeipräsidenten und Polizeidirektoren und alle Polizeioffiziere vom Oberstleutnant aufwärts;
32. Alle Mitglieder der Sipo (Sicherheitspolizei), der Geheimen Staatspolizei (Gestapo), des Sicherheitsdienst und der Grenzpolizei;
33. Beamten der Deutschen Arbeitsfront (einschließlich Kraft durch Freude) mit dem Range eines Arbeitnehmers oder höher, im Reich und allen Gauen;

- (u) Technische Nothilfe, i. e., TN.
(v) Volksdeutsche Bewegung.
30. Every person who, at any time since 1st April, 1933, has served the Deutsche Lufthansa, A.G., outside Germany and every official or officer who has served it within Germany at any time since 1st April, 1933.
31. Police Presidents and Directors and all Police officers above the rank of lieutenant colonel.
32. All members of Security Police (Sicherheitspolizei), of Secret Police (Gestapo), Security Service (Sicherheitsdienst), and Frontier Police (Grenzpolizei).
33. German Labor Front officials of the rank of Arbeitsführer and higher (including Kraft durch Freude) at Reich and Gau levels.
34. Civilian officials and military officials of the rank of captain or equivalent or above, in German administration of occupied countries, and all persons who have acted as representatives of the NSDAP in occupied countries not otherwise covered herein.
35. Leaders, Chairmen, Presidents and their Deputies of National Economic Chambers, Reichsgruppen, National Transportation Groups (Reichsverkehrsgruppen), Wirtschaftsgruppen, Gau Economic Chambers and affiliated Economic Chambers.
36. Responsible officers of the Organisation Todt.
37. All Wehrwirtschaftsführer.
38. President and all other officials of the Werberat der Deutschen Wirtschaft and its component organizations.
39. All directors and high officials of the Reichsrundfunk G.m.b.H. and the Deutsches Nachrichtenbüro.
40. All managers, directors and officials of the Deutsche Umsiedlungs Treuhand G.m.b.H.
41. Presidents, Vice-Presidents and Secretaries of the Reichskulturkammer, of each subordinate Kammer and heads of sections of each subordinate Kammer.
42. Editors, assistant editors, directors and all other executives of all newspapers, magazines and other news-disseminating agencies owned or controlled by the NSDAP or any organization, department, agency, institution, office or other entity forming part of, attached to, affiliated with, or controlled by the NSDAP.
43. All Amtsleiter and higher officials of the Reichspropagandaleitung.
44. Persons other than those listed above who have accepted the Nazi honors of Blutorden, Ehrensold, Ehrendolch.
45. All persons removed from office or position, public or private, or arrested and held by the Military Forces or Military Government and all persons suspended from office or position, public or private, by Military Government for the time such persons are suspended, regardless of whether or not they are listed above.

III. 1. The specification of the foregoing persons shall be deemed to include all persons who are now holding or who at any time since 31st December, 1937, have held such positions and the nominees of any of them.
2. The specification of the foregoing agencies, organizations and other entities shall be deemed to include their successors, substitutes or nominees.

IV. As used herein with respect to any stock company (Aktiengesellschaft, A.G.), any registered association (eingetragener Verein, e.V.), and any limited liability company (Gesellschaft mit beschränkter Haftung, G.m.b.H.), the term "official" shall mean any individual, whether an officer or not, who is empowered, either alone or with others, to bind or sign for or on behalf of any of the foregoing (e.g., Aufsichtsratsmitglieder, Geschäftsführer, Vorstandsmitglieder or Prokuristen); with respect to Government departments or agencies the term "officials" shall mean all heads of departments, subdepartments, sections or other similar organizational units.

V. All custodians, curators, officials or other persons having possession, custody or control of any of the property of the foregoing are required to comply with Military Government Law No. 52.

BY ORDER OF MILITARY GOVERNMENT.

34. Zivil- und Militärbeamte mit dem Range eines Hauptmanns oder einem anderen gleichstehenden oder höheren Range in der deutschen Verwaltung der besetzten Länder und alle Personen, die als Vertreter der NSDAP in besetzten Ländern aufgetreten sind, soweit dieselben in dieser Vorschrift anderweitig nicht erwähnt sind;
35. Die Leiter, Vorsitzende und Präsidenten der Reichswirtschaftskammer, der Reichsgruppen, der Reichsverkehrsgruppen, Wirtschaftsgruppen, Gauwirtschaftskammern und angeschlossenen Wirtschaftskammern sowie deren Stellvertreter;
36. Verantwortliche Offiziere der Organisation Todt;
37. Alle Wehrwirtschaftsführer;
38. Der Vorsitzende und alle anderen Mitglieder des Werberats der deutschen Wirtschaft und der ihm angehörigen Organisationen;
39. Alle Geschäftsführer und Mitglieder des Aufsichtsrats der Reichsrundfunk G.m.b.H. und des Deutschen Nachrichtenbüros;
40. Alle Leiter, Direktoren und Beamten der Deutschen Umsiedlungs Treuhand G.m.b.H.;
41. Präsidenten, Vizepräsidenten und Sekretäre der Reichskulturkammer, jeder untergeordneten Kammer und die Abteilungsleiter jeder untergeordneten Kammer;
42. Redakteure, Hilfsredakteure, Direktoren, Geschäftsführer und Mitglieder des Aufsichtsrats aller Zeitungen, Zeitschriften und sonstiger der Verbreitung von Nachrichten gewidmeten Unternehmen, die der NSDAP gehören oder von ihr kontrolliert werden, oder irgend einem Unternehmen einer Abteilung, Behörde, Amtsstelle, Geschäftsstelle oder sonstigen Organisation, welche der NSDAP angegliedert oder angeschlossen ist, oder von ihr überwacht oder betreut wird, gehören;
43. Alle Amtsleiter und höhere Beamten der Reichspropagandaleitung;
44. Personen, die nicht oben aufgeführt sind und nationalsozialistische Auszeichnungen wie den Blutorden, den Ehrensold oder den Ehrendolch angenommen haben;
45. Alle Personen, die aus ihrem Amt oder ihrer Stellung, gleichgültig ob diese öffentlich oder privat war, entlassen sind oder verhaftet und von den Streitkräften oder der Militärregierung suspendiert sind, für die Dauer ihrer Suspendierung, gleichgültig ob sie oben aufgezählt sind oder nicht.

III. 1. Die Aufstellung vorstehender Personen schliesst alle solche Personen ein, die Posten der im vorstehenden bezeichneten Art gegenwärtig innehaben, oder sie zu irgend einem Zeitpunkt seit dem 31. Dezember 1937 inne hatten, sowie alle solchen Personen, die von ihnen als Strohmänner ernannt wurden.

2. Die Aufstellung der im vorstehenden aufgeführten Amtsstellen, Organisationen und anderen Verbänden soll auch alle ihre Nachfolger-, Ersatz- oder Tochter-Stellen, -Organisationen und sonstige derartige Verbände einschliessen.

IV. Das Wort "Beamter", soweit es in dieser Vorschrift im Zusammenhang mit Aktiengesellschaften (A.G.), eingetragenen Vereinen (e.V.) und Gesellschaften mit beschränkter Haftung (G.m.b.H.) gebraucht wird, soll alle Personen einschliessen, die, ohne Rücksicht darauf, ob sie eine Amtsstellung innehaben oder nicht, entweder einzeln oder gemeinsam ermächtigt sind, Verbindlichkeiten zu Lasten des Vereins oder der Gesellschaft einzugehen oder in deren Namen oder Auftrag zu zeichnen (z. B. Aufsichtsratsmitglieder, Geschäftsführer, Vorstandsmitglieder oder Prokuristen); im Zusammenhang mit Regierungsabteilungen oder Amtsstellen soll das Wort "Beamter" alle Vorsteher von Abteilungen, Unterabteilungen, Amtsstellen oder anderen ähnlichen organisatorischen Einheiten einschliessen.

V. Alle Verwahrer, Pfleger, Beamten oder andere Personen, die irgendwelche vorerwähnten Vermögensteile im Besitz oder Verwahrung haben oder die Verfügung über dieselben ausüben, sind verpflichtet, den Vorschriften des Gesetzes Nr. 52 der Militärregierung Folge zu leisten.

IM AUFTRAGE DER MILITÄRREGIERUNG.

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MILITARY GOVERNMENT — GERMANY UNITED STATES ZONE

GENERAL ORDER NO. 2

(Pursuant to Military Government Law No. 52;
Blocking and Control of Property)

I. G. FARBENINDUSTRIE A. G.

Whereas, it is the main objective of the United Nations to prevent Germany from ever again disrupting the peace of the world;

Whereas, I. G. FARBENINDUSTRIE A. G. played a prominent part in building up and maintaining the German war machine;

Whereas, through its world-wide cartel system and practices, I. G. FARBENINDUSTRIE A. G., as a deliberate part of Germany's bid for world conquest, hampered the growth of industry, and commerce of other nations and weakened their power to defend themselves;

Whereas, the war-making power represented by the industries owned or controlled by I. G. FARBENINDUSTRIE A. G. constitutes a major threat to the peace and security of the post-war world so long as such industries remain within the control of Germany;

Whereas, it is essential to the objectives of the United Nations to take over the direction and control of I. G. FARBENINDUSTRIE A. G. and to seize possession of its property in order to bring about its destruction and the war-making potential which it represents; and

Whereas, it is intended that the property seized will be placed at the disposition of the Control Council (Germany), when such action is desired by the Control Council;

IT IS HEREBY ORDERED:

1. All the property within the United States Zone in Germany owned or controlled, directly or indirectly, by I. G. FARBENINDUSTRIE A. G., a corporation organized and existing under and by virtue of the laws of Germany with seat and head office at Frankfurt a/Main, is hereby specified under paragraph 1 (g) of Military Government Law No. 52 to be subject to seizure of possession, direction, and control by Military Government.

2. The direction and control of I. G. FARBENINDUSTRIE A. G. and the possession of all its property in the United States Zone are hereby seized by the Military Governor, United States Zone.

3. Pending the assumption of control of such property by the Control Council, or an agency thereof, all the powers of the Military Governor, United States Zone, with respect to the property seized pursuant hereto and with respect to the direction and control of the corporation are hereby delegated to the Deputy Military Governor, United States Zone. Re-delegation of any or all such powers is hereby authorized. In the exercise of such powers the Deputy Military Governor, United States Zone, or any person acting by or under his authority with respect to the property affected hereby shall not be subject to German law.

4. In the exercise of such powers the Deputy Military Governor, or any person acting by or under his authority with respect to such property, shall be guided by the general objectives stated in the preamble hereof and by the following specific objectives, and will take such measures as he deems appropriate to accomplish them:

a) The making available to devastated non-enemy countries of Europe and to the United Nations, in accordance with such programs of relief, restitution and reparations as may be decided upon, of any of the property seized under this order and, in particular, of laboratories, plants and equipment which produce chemicals, synthetic petroleum and rubber, magnesium and aluminum and other non-ferrous metals, iron and steel, machine tools, and heavy machinery;

MILITÄRREGIERUNG — DEUTSCHLAND AMERIKANISCHE ZONE

ALLGEMEINE ANORDNUNG NR. 2

(Gemäss Gesetz Nr. 52 der Militärregierung;
Sperre und Kontrolle von Vermögen)

I. G. Farbenindustrie A. G.

In Anbetracht der Tatsache, dass das Hauptziel der Vereinten Nationen darin besteht, eine nochmalige Störung des Weltfriedens durch Deutschland unmöglich zu machen;

dass die I. G. Farbenindustrie A. G. bei dem Aufbau und der Aufrechterhaltung des deutschen Kriegsapparates eine wichtige Rolle gespielt hat;

dass die I. G. Farbenindustrie A. G. durch ihr über die ganze Welt verbreitetes Kartellsystem und durch ihr Geschäftsgebaren sich an Deutschlands Streben nach Weltheroberung, durch Störung des Wachstums der Industrie und des Handels anderer Nationen und durch Schwächung ihrer Verteidigungskraft wissentlich beteiligt hat;

dass das Kriegspotential, das die im Besitz oder unter der Kontrolle der I. G. Farbenindustrie A. G. befindliche Industrie darstellt, eine erhebliche Bedrohung des Friedens und der Sicherheit der Nachkriegswelt bildet, solange sie sich unter deutscher Kontrolle befindet;

dass die Übernahme der Leitung und Kontrolle der I. G. Farbenindustrie A. G. und die Besitzergreifung ihres Vermögens zur Erreichung der Ziele der Vereinten Nationen unbedingt erforderlich ist, um diese Industrie und damit das Kriegspotential, das sie darstellt, zu beseitigen; und

dass die Absicht besteht, das beschlagnahmte Vermögen dem Kontrollrat (Deutschland) zur Verfügung zu stellen, falls dies von dem Kontrollrat verlangt wird;

wird hiermit folgendes angeordnet:

1. Das gesamte Vermögen innerhalb der Amerikanischen Zone in Deutschland, welches mittelbar oder unmittelbar in Eigentum oder unter der Kontrolle der I. G. Farbenindustrie A. G., einer nach deutschem Recht errichteten und bestehenden Körperschaft mit Sitz und Hauptniederlassung in Frankfurt a. M., steht, wird hiermit laut Paragraph 1 (g) des Gesetzes der Militärregierung Nr. 52 als der Besitzergreifung, Leitung und Kontrolle der Militärregierung unterliegend erklärt.

2. Die Leitung und Kontrolle der I. G. Farbenindustrie A. G. und der Besitz ihres gesamten Vermögens in der Amerikanischen Zone Deutschlands werden hiermit von der Militärgouverneur der Amerikanischen Zone übernommen.

3. Bis zur Übernahme der Kontrolle dieses Vermögens durch den Kontrollrat, oder eine seiner Behörden, werden sämtliche Befugnisse des Militärgouverneurs der Amerikanischen Zone hinsichtlich des auf Grund dieser Anordnung beschlagnahmten Vermögens sowie der Leitung und Kontrolle der Gesellschaft hiermit dem Stellvertreter des Militärgouverneurs der Amerikanischen Zone übertragen. Eine Ermächtigung zur weiteren Übertragung von einzelnen oder sämtlichen Befugnissen wird hiermit gegeben: Bei der Ausübung dieser Befugnisse sind der Stellvertreter des Militärgouverneurs der Amerikanischen Zone oder von ihm beauftragte oder ermächtigte Personen hinsichtlich des betroffenen Vermögens den deutschen Gesetzen nicht unterworfen.

4. Bei der Ausübung dieser Befugnisse dienen dem Stellvertreter des Militärgouverneurs oder den von ihm beauftragten oder ermächtigten Personen hinsichtlich dieses Vermögens die in der Präambel aufgeführten allgemeinen oder im folgenden aufgeführten besonderen Ziele als Richtlinie und diese können alle die Massnahmen treffen, die sie zur Erreichung dieser Ziele für geeignet erachten:

a) den verwüsteten nicht feindlichen europäischen Ländern und den Vereinten Nationen auf Grund eines Programms der Hilfe, Rückerstattung und Wiedergutmachung, das diesbezüglich aufgestellt werden kann, auf Grund dieser Anordnung beschlagnahmte Vermögenswerte zur Verfügung stellen, insbesondere Laboratorien, Fabriken und Ausrüstungen zur Erzeugung von Chemikalien, synthetischem Öl und Kautschuk, Magnesium, Aluminium und sonstigen Nicht-eisenmetallen, Eisen und Stahl, Werkzeugmaschinen und schweren Maschinen;

b) Destruction of all property seized under this order and not transferred under the provisions of paragraph a) above if adapted to the production of arms, ammunition, poison gas, explosives, and other implements of war, or any parts, components or ingredients designed for incorporation in the foregoing, and not of a type generally used in industries permitted to operate within Germany;

c) Dispersion of the ownership and control of such of the plans and equipment seized under this order as have not been transferred or destroyed pursuant to paragraphs a) and b) above.

5. a) The entire management of I. G. FARBENINDUSTRIE A. G., including but not limited to the supervising board (Aufsichtsrat), the board of directors (Vorstand), and directors (Direktorium) and all other persons, whether office-holders or not, who are empowered, either alone or with others, to bind or sign for or on behalf of I. G. FARBENINDUSTRIE A. G. are forthwith removed and discharged and deprived of all authority to act with respect to the corporation or its property.

b) The rights of shareholders in respect of selection of management or control of I. G. FARBENINDUSTRIE A. G. are suspended.

6. Article IV of Military Government Law No. 52 shall not be applicable to any property or enterprise affected by this General Order.

7. This General Order shall become effective on 5 July 1945.

BY ORDER OF MILITARY GOVERNMENT

MILITARY GOVERNMENT — GERMANY
UNITED STATES ZONE

GENERAL ORDER NO. 3

(Pursuant to Military Government Law No. 52;
Blocking and Control of Property.)

Bank der Deutschen Arbeit A. G.

Whereas, the Bank der Deutschen Arbeit A. G., a banking corporation organized and existing under and by virtue of the laws of Germany with its head office at Berlin, is completely owned by an official organization of the Nazi party, the Deutsche Arbeits-Front; which has been ordered dissolved;

Whereas, the Bank der Deutschen Arbeit A. G. has been used by the Nazi party to consummate a large majority of its more obnoxious financial transactions within Germany and in countries temporarily under German armed domination;

Whereas, the Bank der Deutschen Arbeit A. G. served as the reservoir to hold Nazi party members' fees and other semi-compulsory contributions and was used to finance the economic enterprises of the Deutsche Arbeits Front;

Whereas, the directors and management officials of the Bank der Deutschen Arbeit A. G. have been Nazi political favorites and Nazi party officials and persons who are now prohibited from engaging in the business of banking;

Whereas, it is one objective of the United Nations that Nazi party organizations of every description be eliminated;

It is hereby ordered:

1. Commencing from the effective date hereof the provisions of Article IV of Military Government Law No. 52 shall not apply to the Bank der Deutschen Arbeit A. G. (hereinafter called the Bank) nor to any of its property.

b) alle auf Grund dieser Anordnung beschlagnahmten und nicht gemäss den Bestimmungen des vorstehenden Absatzes a) übertragenen Vermögensteile vernichten, sofern sie zur Herstellung von Waffen, Munition, Giftgas, Sprengstoffen und sonstigem Kriegsgerät oder von Teilen, Zusammensetzungen oder Beimischungen für die genannten Gegenstände geeignet sind und nicht zu den Typen gehören, die in den in Deutschland zugelassenen Industriezweigen gewöhnlich gebraucht werden;

c) Eigentum sowie Fabriken und Ausrüstungen, die auf Grund dieser Anordnung beschlagnahmt und weder laut Absatz a) und b) übertragen, noch vernichtet worden sind, aufteilen bzw. beaufsichtigen.

5. a) Die gesamte Leitung der I. G. Farbenindustrie A. G., auch einschliesslich des Aufsichtsrats, Vorstands, des Direktoriums und sonstiger beamteter oder nichtbeamter Personen, die allein oder in Gemeinschaft mit anderen ermächtigt sind, für die I. G. Farbenindustrie A. G. Verbindlichkeiten einzugehen oder für sie oder in deren Namen zu zeichnen, wird hiermit abgesetzt, aus ihren Stellungen entlassen und ihrer sämtlichen Befugnisse hinsichtlich der Gesellschaft oder deren Vermögen enthoben.

b) Die Rechte der Aktionäre auf Wahl der Leitung und Aufsicht über die I. G. Farbenindustrie A. G. sind aufgehoben.

6. Artikel IV des Gesetzes Nr. 52 der Militärregierung ist auf Vermögen oder Unternehmen, die durch diese Allgemeine Anordnung erfasst werden, nicht anwendbar.

7. Diese Allgemeine Anordnung tritt am 5. Juli 1945 in Kraft.

IM AUFTRAGE DER MILITÄRREGIERUNG

MILITÄRREGIERUNG — DEUTSCHLAND
AMERIKANISCHE ZONE

ALLGEMEINE ANORDNUNG NR. 3

(Gemäss Gesetz Nr. 52 der Militärregierung;
Sperrung und Kontrolle von Vermögen.)

Bank der Deutschen Arbeit A. G.

In Anbetracht dessen,

dass die Bank der Deutschen Arbeit A. G. ein unter deutschen Gesetzen gegründetes und bestehendes Bankunternehmen mit Stammsitz in Berlin, in ihrer Gesamtheit Eigentum der Deutschen Arbeitsfront ist, deren Auflösung als amtliche Organisation der NSDAP angeordnet ist; und

dass die Bank der Deutschen Arbeit A. G. von der NSDAP dazu benutzt wurde, den grössten Teil ihrer weniger einwandfreien Finanzgeschäfte in Deutschland und in den zeitweise von der deutschen Wehrmacht besetzten Ländern durchzuführen; und

dass die Bank der Deutschen Arbeit A. G. zur Ansammlung der Mitgliederbeiträge der Partei und anderer halbfreiwiliger Zahlungsleistungen diente und zur Finanzierung der wirtschaftlichen Unternehmungen der Deutschen Arbeitsfront benutzt wurde; und

dass die Direktoren und leitenden Beamten der Bank der Deutschen Arbeit A. G. politische Günstlinge der Partei und Parteidienstleiter oder sonstige Personen waren, denen die Tätigkeit im Bankgeschäft verboten worden ist; und

dass die Ausschaltung sämtlicher Organisationen der NSDAP zu den Zielen der Vereinten Nationen gehört;

wird hiermit folgendes angeordnet:

1. Mit dem Inkrafttreten dieser Verordnung finden die Bestimmungen des Artikels IV des Gesetzes Nr. 52 der Militärregierung keine Anwendung mehr auf die Bank der Deutschen Arbeit A. G., (im folgenden kurz Bank genannt) sowie auf deren gesamtes Vermögen.

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2. All the property within the United States Zone in Germany owned or controlled, directly or indirectly, in whole or in part, by the Bank is hereby specified under Paragraph 1 (g) of Military Government Law No. 52 to be subject to seizure of possession, direction, and control by Military Government.

3. The direction and control of all branches, offices and agencies of the Bank and the possession of all its property and assets in the United States Zone are hereby seized by the Military Government.

4. These branches, offices and agencies will close for all purposes at 0001 hours, 1 September 1945.

5. All directors, management officials and all other persons, whether office holders or not, who are empowered, either alone or with others, to bind or sign for or on behalf of the Bank in the United States Zone are deprived of all authority to act with respect to the Bank or its property except as specifically authorized in Paragraph 6.

6. The branch and agency officials and employees of the Bank who may be selected by the Military Government authorities to remain temporarily in the employ of the Bank are charged with observance of all provisions of Military Government laws, especially Military Government Law No. 52 and General Order No. 1 issued thereunder, and in addition the following responsibilities and duties:

- a. They will transact no new business of any character on behalf of the bank.
- b. They will make no payments in liquidation of deposit or other liabilities of the bank.
- c. They will accept payments in liquidation of existing obligations from the debtors of the bank.
- d. They will take all prudent and necessary measures to safeguard existing assets and records.
- e. They will make no deliveries of securities or other assets held in safekeeping for the account of customers without first obtaining the authorization of the Military Government.
- f. They will permit no access to safe deposit boxes or articles left for safekeeping until further instructions are issued.

7. This General Order shall become effective at 0001 hours 1 September 1945.

BY ORDER OF MILITARY GOVERNMENT

MILITARY GOVERNMENT
FINANCE SECTION

1 August 1945

GENERAL LICENSE NO. 1

(Revised)

Issued Pursuant to Military Government Law No. 52

(Blocking and Control of Property)

1. A general license is hereby granted permitting any natural person within Germany whose property is blocked pursuant to Military Government Law No. 52 to make payment, transfer, or withdrawals or to order the payment, transfer or withdrawal, from all his accounts in financial institutions of such funds as may be necessary for the actual living expenses of such natural person and the members of his household, provided that:

- a. The total of all such payments, transfer, withdrawals or orders therefor, does not exceed RM 200 in any one calendar month, except that additional sums not ex-

2. Das gesamte der Bank gehörende oder von ihr unmittelbar oder mittelbar, ganz oder teilweise kontrollierte Vermögen in der Amerikanischen Zone Deutschlands wird hierdurch zur Beschlagnahme, Verwaltung und Kontrolle durch die Militärregierung nach Art. 1 (g) des Gesetzes Nr. 52 der Militärregierung bestimmt.

3. Die Übernahme der Verwaltung und Kontrolle aller Niederlassungen, Büros und Filialen der Bank sowie die Inbesitznahme ihres gesamten Vermögens und ihrer Guthaben in der Amerikanischen Zone durch die Militärregierung erfolgt hierdurch.

4. Die erwähnten Niederlassungen, Büros und Filialen sind am 1. September 1945 um 0 Uhr 01 für alle Zwecke zu schliessen.

5. Sämtlichen Direktoren, leitenden Beamten oder sonstigen Personen, gleichviel ob im Amt oder nicht, welche Vollmacht haben, entweder allein oder gemeinsam mit anderen innerhalb der Amerikanischen Zone namens der Bank zu zeichnen oder Verpflichtungen einzugehen, wird ihre Befreiung, Handlungen in bezug auf die Bank oder deren Vermögen vorzunehmen, entzogen, abgesehen von den in Art. 6 festgelegten Ausnahmen.

6. Diejenigen Beamten und Angestellten der Niederlassungen und Filialen der Bank, die von der Militärregierung dazu bestimmt werden, zeitweilig noch in ihren Stellungen bei der Bank zu verbleiben, haben alle Bestimmungen der Gesetze der Militärregierung zu befolgen, insbesondere das Gesetz Nr. 52 der Militärregierung und die Allgemeine Anordnung Nr. 1 zu diesem Gesetz. Darüber hinaus sind sie für die Erfüllung folgender Pflichten verantwortlich:

- a. Sie dürfen keinerlei Geschäfte irgendwelcher Art im Namen der Bank durchführen.
- b. Sie dürfen keine Auszahlungen zur Abwicklung der Einlagen bei der Bank oder anderer Verbindlichkeiten der Bank vornehmen.
- c. Sie dürfen Zahlungen zum Ausgleich von Forderungen der Bank von deren Schuldner entgegennehmen.
- d. Sie haben alle Vorkehrungen und erforderlichen Massnahmen zu treffen, um die vorhandenen Bestände und Unterlagen sicherzustellen.
- e. Sie dürfen Wertpapiere oder andere für Rechnung der Kundschaft aufbewahrte Werte nur mit vorheriger Genehmigung der Militärregierung herausgeben.
- f. Bis zum Ergehen weiterer Weisungen dürfen sie niemand den Zutritt zu den Schrankfächern oder dem Zugang zu Verwahrstücken gestatten.

7. Diese Allgemeine Anordnung tritt am 1. September 1945 um 0 Uhr 01 in Kraft.

IM AUFTRAGE DER MILITÄRREGIERUNG

MILITÄRREGIERUNG
FINANZ-ABTEILUNG

Datum, 1. August 1945

ALLGEMEINE GENEHMIGUNG Nr. 1

(Revidiert)

Erteilt auf Grund des Gesetzes Nr. 52 der Militärregierung

(Sperre und Kontrolle von Vermögen)

1. Jeder natürlichen Person in Deutschland, deren Vermögen auf Grund des Gesetzes Nr. 52 der Militärregierung gesperrt ist, wird hiermit eine allgemeine Genehmigung erteilt von allen ihren Konten bei finanziellen Unternehmen Geld beträge zu zahlen, zu überweisen oder abzuheben, einer Auftrag zur Zahlung, Überweisung oder Abhebung zu teilen, insoweit als dies für ihren tatsächlichen Lebensunterhalt und den Lebensunterhalt der Mitglieder ihres Haushalte notwendig ist; jedoch nur unter der Voraussetzung, dass:

- a. Der Gesamtbetrag aller solchen Zahlungen, Überweisungen, Abhebungen oder Aufträge hierzu den Betrag von RM 200,— im Kalendermonat nicht übersteigt, mit der Massgabe, dass zusätzliche Beträge von nicht mehr

ceeding RM 50 per person per calendar month may be withdrawn for each dependent member of such person's household, up to a total of RM 100 for all such dependents, making a maximum possible aggregate allowance of RM 300 per household per calendar month.

- b. Payments, transfers and withdrawals from an account in the name of a person who has been taken under detention or other form of custody by Military Government shall be made only to a member of such person's household and under no circumstances to such person.

2. ANY FINANCIAL INSTITUTION EFFECTING ANY PAYMENT, TRANSFER OR WITHDRAWAL PURSUANT TO THIS GENERAL LICENSE SHALL SATISFY ITSELF THAT SUCH PAYMENT, TRANSFER OR WITHDRAWAL IS BEING MADE IN COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS GENERAL LICENSE.

3. As used herein, the term "household" shall mean all dependent relations residing with and the natural person owning or controlling the blocked account.

BY ORDER OF MILITARY GOVERNMENT

MILITARY GOVERNMENT
FINANCE SECTION

1 August 1945

GENERAL LICENSE NO. 2

Issued Pursuant to Military Government Law No. 52
(Blocking and Control of Property)

1. A general license is hereby granted permitting payment or transfers into accounts in financial institutions blocked pursuant to Military Government Law No. 52, provided that:

- a. Such transactions are not prohibited by any law other than Military Government Law No. 52;
- b. Such payment or transfer shall not be made by or on behalf of or from the property of any person whose property is blocked, except that a person whose property is blocked may deposit in his account in a financial institution property held by him outside a financial institution;
- c. This license shall not be deemed to authorize any payment or transfer to any blocked account other than that of the person who is the ultimate beneficiary of such payment or transfer.

2. This license may not be employed to authorize or make any payment or transfer comprising part of a transaction which cannot be effected without the issuance of another license.

BY ORDER OF MILITARY GOVERNMENT

als RM 50,— pro Person und Kalendermonat für jedes weitere wirtschaftlich abhängige Mitglied des Haushaltes der betreffenden Person abgehoben werden dürfen, wobei der Gesamtbetrag für alle wirtschaftlich abhängigen Personen des Haushaltes aber RM 100,— nicht übersteigen darf, so dass sich gegebenenfalls ein Höchstbetrag von RM 300,— für jeden Haushalt und Kalendermonat ergeben kann;

- b. Zahlungen, Überweisungen und Abhebungen von einem Konto, das im Namen einer von der Militärregierung verhafteten oder sonstwie in Haft befindlichen Person geführt wird, nur an Mitglieder des Haushaltes dieser Person und keinesfalls an die Person selbst gemacht werden dürfen.

2. Jedes finanzielle Unternehmen, das irgendwelche Zahlung, Überweisung oder Abhebung auf Grund dieser allgemeinen Genehmigung durchführt, hat sich vorher zu vergewissern, dass eine derartige Zahlung, Überweisung oder Abhebung im Einklang mit den Vorschriften und Bedingungen dieser allgemeinen Genehmigung erfolgt.

3. Das Wort "Haushalt" bedeutet in diesem Zusammenhang die natürliche Person und alle wirtschaftlich abhängigen Verwandten, die bei der natürlichen Person wohnen, der das Eigentum an dem gesperrten Konto oder die Verfügungsgewalt über dasselbe zusteht.

IM AUFTRAGE DER MILITÄRREGIERUNG

MILITÄRREGIERUNG
FINANZ-ABTEILUNG

Datum, 1. August 1945

**ALLGEMEINE GENEHMIGUNG
NR. 2**

Erteilt auf Grund des Gesetzes Nr. 52 der Militärregierung

(Sperre und Kontrolle von Vermögen)

1. Eine allgemeine Genehmigung zur Vornahme von Zahlungen und Überweisungen auf Konten in deutschen finanziellen Unternehmen, die auf Grund des Gesetzes Nr. 52 der Militärregierung gesperrt sind, wird hiermit erteilt, und zwar unter der Voraussetzung, dass:

- a. Derartige Geschäfte lediglich durch das Gesetz Nr. 52 der Militärregierung für verboten erklärt sind;
- b. Eine solche Zahlung oder Überweisung nicht von oder für Rechnung von oder aus dem Vermögen einer Person gemacht wird, deren Vermögen gesperrt ist, es sei denn, dass eine Person, deren Vermögen gesperrt ist, ihr Vermögen, welches sich ausserhalb eines finanziellen Unternehmens befindet, auf ihrem Konto bei einem finanziellen Unternehmen hinterlegen darf;
- c. Diese Genehmigung nicht zur Vornahme von Zahlungen oder Überweisungen zugunsten eines gesperrten Kontos berechtigt, es sei denn, dass die Zahlung zugunsten des gesperrten Kontos des endgültig Berechtigten erfolgt.

2. Auf Grund dieser Genehmigung dürfen Zahlungen oder Überweisungen, die zu einem Geschäft gehören, für das eine weitere Genehmigung erforderlich ist, nicht ausgeführt werden.

IM AUFTRAGE DER MILITÄRREGIERUNG

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MILITARY GOVERNMENT
FINANCE SECTION

1 August 1945

GENERAL LICENSE
NO. 3

Issued Pursuant to Military Government Law No. 52
(Blocking and Control of Property)

A general license is hereby granted permitting any Kreis or Municipality to engage in all transactions within Germany ordinarily incidental to its normal operations, provided that such transactions are not prohibited by any law other than Military Government Law No. 52 and that such Kreis or Municipality shall not engage in any extraordinary transaction which, directly or indirectly, substantially diminishes or imperils the assets of such Kreis or Municipality or otherwise prejudicially affects its financial position.

BY ORDER OF MILITARY GOVERNMENT

MILITARY GOVERNMENT
FINANCE SECTION

1 August 1945

GENERAL LICENSE
NO. 4

Issued Pursuant to Military Government Law No. 52
(Blocking and Control of Property)

A general license is hereby granted permitting intra- and inter-bank transfers of credit from an account blocked pursuant to Military Government Law No. 52,

- a. to the account of the German Reich or any Länder, Provinzen, Stadtkreise, Gemeinden, Landkreise, or other governmental sub-division or agency in payment of matured taxes, duties, fees and similar items, or
- b. in payment of matured premiums for social insurance.

BY ORDER OF MILITARY GOVERNMENT

MILITARY GOVERNMENT
FINANCE SECTION

1 August 1945

GENERAL LICENSE
NO. 5

Issued Pursuant to Military Government Law No. 52
(Blocking and Control of Property)

A general license is hereby granted permitting any institution within Germany dedicated to public worship to engage in all transactions ordinarily incidental to its normal activities but otherwise prohibited by Military Government Law No. 52, provided that:

- a. Such transactions are not prohibited by any Law other than Military Government Law No. 52.
- b. This license shall not authorize any transaction by or on behalf of any agency, organization, person or other entity mentioned in General Order No. 1.

MILITÄRREGIERUNG
FINANZ-ABTEILUNG

Datum, 1. August 1945

ALLGEMEINE GENEHMIGUNG
NR. 3

Erteilt auf Grund des Gesetzes Nr. 52 der Militärregierung

(Sperre und Kontrolle von Vermögen)

Jedem Kreis oder jeder Gemeinde wird hiermit die Genehmigung erteilt, alle Rechtsgeschäfte innerhalb Deutschlands vorzunehmen, die für gewöhnlich zu ihrem normalen Aufgabenkreis gehören, vorausgesetzt, dass diese Geschäfte lediglich durch das Gesetz Nr. 52 der Militärregierung für verboten erklärt sind, und dass der betreffende Kreis oder die Gemeinde keine außerordentlichen Geschäfte vornimmt die direkt oder indirekt das Vermögen des betreffender Kreises oder der Gemeinde wesentlich verringern, gefährder oder in anderer Beziehung Nachteile für ihre finanzielle Lage zur Folge haben.

IM AUFTRAGE DER MILITÄRREGIERUNG

MILITÄRREGIERUNG
FINANZ-ABTEILUNG

Datum, 1. August 1945

ALLGEMEINE GENEHMIGUNG
NR. 4

Erteilt auf Grund des Gesetzes Nr. 52 der Militärregierung

(Sperre und Kontrolle von Vermögen)

Eine allgemeine Genehmigung wird hiermit erteilt für Überweisungen im Verkehr innerhalb oder zwischen Kreditinstituten von Konten, die auf Grund des Gesetzes Nr. 52 der Militärregierung gesperrt sind:

- a. auf Konten des Deutschen Reichs oder der Länder, Provinzen, Stadtkreise, Gemeinden, Landkreise oder anderer Regierungsunterabteilungen oder Amtsstelle zum Zwecke der Zahlung von fälligen Steuern, Zöllen, Gebühren und ähnlichen Posten, oder
- b. zum Zwecke der Zahlung von fälligen Sozialversicherungsprämien.

IM AUFTRAGE DER MILITÄRREGIERUNG

MILITÄRREGIERUNG
FINANZ-ABTEILUNG

Datum, 1. August 1945

ALLGEMEINE GENEHMIGUNG
NR. 5

Erteilt auf Grund des Gesetzes Nr. 52 der Militärregierung

(Sperre und Kontrolle von Vermögen)

Jeder Anstalt innerhalb Deutschlands, die dem öffentlichen Gottesdienst zu dienen bestimmt ist, wird hiermit eine allgemeine Genehmigung erteilt, alle Rechtsgeschäfte vorzunehmen, die zu ihrem normalen Aufgabenkreis gehören und durch Gesetz Nr. 52 der Militärregierung für verboten erklärt sind, mit der Massgabe, dass:

- a. Diese Geschäfte lediglich durch Gesetz Nr. 52 der Militärregierung für verboten erklärt sind;
- b. Diese Genehmigung keine Ermächtigung zur Ausübung von Rechtsgeschäften einer Amtsstelle, eines Unternehmens, einer Person oder einer anderen, in der Allgemeinen Vorschrift Nr. 1 erwähnten Organisation oder in deren Auftrag darstellt;

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2. Wherever reference is made in any of such Proclamations, Laws, Ordinances, Notices and Orders of the Military Government to governments or representatives of any of the United Nations, such references shall, in the absence of indication to the contrary, mean national or other authorities or representatives thereof dealt with as such by the Theater Commander or the government of the United States.

3. This amended Law shall be effective upon promulgation.

BY ORDER OF MILITARY GOVERNMENT.

Approved: 29 July 1946.

MILITARY GOVERNMENT — GERMANY
UNITED STATES ZONE

GENERAL ORDER NR. 1

Pursuant to Military Government Law No. 52;
Blocking and Control of Property

SUPPLEMENT No. 1

1. Pursuant to paragraph 1 (g) of Military Government Law No. 52, the Deutsche Kriegsversicherungsgemeinschaft is hereby specified as subject to the provisions of said law.

2. The operations of the Deutsche Kriegsversicherungsgemeinschaft are hereby declared suspended by Military Government and by virtue of Article I, General Order No. 1, the provisions of Article IV, paragraph 6, Military Government Law 52 are no longer applicable except as hereinafter provided.

3. The disposal of property or interests in property owned or controlled by the Deutsche Kriegsversicherungsgemeinschaft, whether to satisfy, in whole or in part, an informal claim, a judgment of a court of law, or otherwise, except for the purpose of defraying costs of administration to include damage and claim investigations and such other expenses as are necessary to maintain and complete accurate records of assets, liabilities, and other relative data, shall be deemed substantially to diminish or imperil the assets of said company within the meaning of paragraph 6 (a), of Military Government Law No. 52.

4. All suits against the Deutsche Kriegsversicherungsgemeinschaft in German courts based on insurance or reinsurance claims and brought for the purpose of securing or enforcing a judgment shall be abated.

BY ORDER OF MILITARY GOVERNMENT.

Approved: 22 June 1946.

MILITARY GOVERNMENT — GERMANY
UNITED STATES ZONE

GENERAL ORDER NO. 1

Pursuant to Military Government Law No. 52;
Blocking and Control of Property

SUPPLEMENT No. 2

1. Pursuant to Article I, paragraph 1 (g) of Military Government Law No. 52, the following persons are declared to constitute a category of "persons specified by Military Government by inclusion in lists or otherwise," and are therefore subject to the provisions of said law:

2. Die Bezugnahme in diesen Proklamationen, Gesetzen, Verordnungen, Bekanntmachungen und Verfügungen der Militärregierung auf Regierungen oder Vertreter einer der Vereinigten Nationen bedeutet, vorbehaltlich einer abweichenden Bestimmung, Staats- oder sonstige Behörden oder Vertreter dieser Nationen, vorausgesetzt; dass sie von dem Befehlshaber der amerikanischen Streitkräfte in Europa oder der Regierung der Vereinigten Staaten als solche anerkannt sind.

3. Dieses abgeänderte Gesetz tritt mit seiner Verkündung in Kraft.

IM AUFTRAGE DER MILITÄRREGIERUNG

Bestätigt: 29. Juli 1946.

MILITÄRREGIERUNG — DEUTSCHLAND
AMERIKANISCHE ZONE

ALLGEMEINE ANORDNUNG NR. 1

Gemäß Gesetz Nr. 52 der Militärregierung;
Sperre und Kontrolle von Vermögen

ERGÄNZUNG Nr. 1

1. In Ausführung des Gesetzes Nr. 52 Par. 1 (g) der Militärregierung wird hiermit die Deutsche Kriegsversicherungsgemeinschaft als den Bestimmungen dieses Gesetzes unterworfen bezeichnet.

2. Der Betrieb der Deutschen Kriegsversicherungsgemeinschaft wird hiermit von der Militärregierung für zeitweilig aufgehoben erklärt; auf Grund der allgemeinen Vorschrift Nr. I, Art. 1 sind somit die Bestimmungen des Artikels 4 Par. 6 des Gesetzes Nr. 52 der Militärregierung mit den nachfolgenden Ausnahmen nicht mehr anwendbar.

3. Die Verfügung über Vermögenswerte oder Vermögensinteressen im Eigentum oder unter Kontrolle der Deutschen Kriegsversicherungsgemeinschaft zur vollen oder teilweise Erfüllung eines gerichtlichen Urteils oder eines außervertraglichen oder anderweitigen Anspruchs gilt als erhebliche Minderung oder Gefährdung der Werte der besagten Gemeinschaft im Sinne des Par. 6 (a) des Gesetzes Nr. 52 der Militärregierung; ausgenommen sind Verfügungen zum Zwecke der Begleichung von Verwaltungskosten, einschließlich Kosten für Untersuchungen von Schäden und Ansprüchen und solcher Kosten, die zur Führung und Vervollständigung genauer Aufstellungen der Werte und Verpflichtungen oder anderer erheblicher Daten erforderlich sind.

4. Alle Klagen gegen die Deutsche Kriegsversicherungsgemeinschaft, die vor deutschen Gerichten auf Grund von Versicherungs- oder Rückversicherungsansprüchen zum Zwecke der Erlangung oder Vollstreckung von Urteilen schwelen, werden als erledigt erklärt.

IM AUFTRAGE DER MILITÄRREGIERUNG.

Bestätigt: 22. Juni 1946.

MILITÄRREGIERUNG — DEUTSCHLAND
AMERIKANISCHE ZONE

ALLGEMEINE ANORDNUNG NR. 1

Gemäß Gesetz Nr. 52 der Militärregierung;
Sperre und Kontrolle von Vermögen

ERGÄNZUNG Nr. 2

1. In Ausführung des Gesetzes Nr. 52 Artikel I Abs. 1 (g) der Militärregierung werden hiermit folgende Personen zu der Gruppe solcher Personen gehörig erklärt, „die von der Militärregierung durch Veröffentlichung in Listen oder auf andere Weise bezeichnet“ und damit den Bestimmungen des genannten Gesetzes unterworfen sind:

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- c. This license shall not authorize the purchase, sale or transfer of title of real property.
d. Such institution shall not engage in any transaction which directly or indirectly substantially diminishes or imperils the assets of such institution or otherwise prejudicially affects such assets.

BY ORDER OF MILITARY GOVERNMENT

MILITARY GOVERNMENT
FINANCE SECTION

25 April 1946

GENERAL LICENSE NO. 6

Issued Pursuant to Military Government Law No. 52
(Blocking and Control of Property)

1. A general license is hereby granted unblocking property in Germany which is owned wholly by United Nations nationals who are residing in Germany, provided that the property of such persons is blocked solely by reason of the operation of Article I, paragraph 1 (b) of Military Government Law No. 52.

2. This general license shall not be deemed to authorize any transaction prohibited by Military Government Law No. 53.

BY ORDER OF MILITARY GOVERNMENT

MILITARY GOVERNMENT — GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

LAW NO. 53

Foreign Exchange Control

ARTICLE I

Prohibited Transactions

1. Except as duly licensed by or on instructions of Military Government, any transaction involving or with respect to any of the following is prohibited:

- (a) Any foreign exchange assets owned or controlled directly or indirectly, in whole or in part, by any person in GERMANY;
(b) Any property located in GERMANY owned or controlled directly or indirectly, in whole or in part, by any person outside GERMANY.

2. Any transaction with respect to or involving any of the following is also prohibited, except as duly licensed by or on instructions of Military Government:

- (a) Property wherever situated if the transaction is between or involves any person in GERMANY and any person outside GERMANY;
(b) Any obligation of payment or performance, whether matured or not, due or owing to any person outside GERMANY by any person in GERMANY;
(c) The importing or otherwise bringing into GERMANY of any foreign exchange assets, German currency, or securities issued by persons in GERMANY and expressed or payable in German currency;
(d) The exporting, remitting, or other removal of any property from GERMANY.

Law 53

- c. Diese Genehmigung nicht zum Kauf, Verkauf oder sonstiger Verfügung über Grundbesitz ermächtigt;
d. Eine solche Anstalt keine Geschäfte betreiben darf, die direkt oder indirekt das Vermögen der betreffenden Anstalt wesentlich verringern, gefährden oder anderweitige Nachteile für ihr Vermögen zur Folge haben.

IM AUFTRAGE DER MILITÄRREGIERUNG

MILITÄRREGIERUNG
FINANZ-ABTEILUNG

Datum, 25. April 1946

ALLGEMEINE GENEHMIGUNG NR. 6

Erteilt auf Grund des Gesetzes Nr. 52 der Militärregierung

(Sperre und Kontrolle von Vermögen)

1. Hiermit wird eine allgemeine Genehmigung erteilt, Vermögen in Deutschland freizugeben, welches alleiniges Eigentum von Angehörigen der Vereinten Nationen mit Wohnsitz in Deutschland ist, vorausgesetzt, dass das Vermögen dieser Personen ausschliesslich auf Grund des Artikels I, Paragraph 1. (b) des Gesetzes Nr. 52 der Militärregierung gesperrt wurde.

2. Diese allgemeine Genehmigung ist nicht als Genehmigung für Geschäfte irgendwelcher Art, die auf Grund des Gesetzes Nr. 53 der Militärregierung verboten sind, anzusehen.

IM AUFTRAGE DER MILITÄRREGIERUNG

MILITÄRREGIERUNG — DEUTSCHLAND
KONTROLL-GEBIET DES OBERSTEN BEFEHLSHABERS

GESETZ NR. 53

Devisenbewirtschaftung

ARTIKEL I

Verbotene Geschäfte

1. Vorbehaltlich einer von der Militärregierung ordnungsmässig erteilten Genehmigung oder einer von dieser erlassenen Anweisung, sind alle Geschäfte verboten, welche zum Gegenstande haben oder sich beziehen auf:

- (a) Devisenwerte, die unmittelbar oder mittelbar, ganz oder teilweise im Eigentum oder unter der Kontrolle von Personen in Deutschland stehen;
(b) Vermögen, welches sich innerhalb Deutschlands befindet und unmittelbar oder mittelbar, ganz oder teilweise im Eigentum oder unter Kontrolle von Personen ausserhalb Deutschlands steht.

2. Vorbehaltlich einer von der Militärregierung ordnungsmässig erteilten Genehmigung oder einer von dieser erlassenen Anweisung, sind gleichfalls alle Geschäfte verboten, welche zum Gegenstande haben oder sich beziehen auf:

- (a) Vermögen, gleichgültig wo es sich befindet, vorausgesetzt, dass das Geschäft zwischen Personen innerhalb Deutschlands und Personen ausserhalb Deutschlands abgeschlossen ist, oder sich auf solche Personen bezieht;
(b) eine Verpflichtung zu einer Zahlung oder Leistung, die von einer Person in Deutschland einer Person ausserhalb Deutschlands geschuldet wird, gleichgültig ob die Verpflichtung fällig ist oder nicht;
(c) die Einfuhr oder anderweitige Einbringung nach Deutschland von Devisenwerten, deutschen Zahlungsmitteln oder von Wertpapieren, die von Personen innerhalb Deutschlands ausgegeben und in deutscher Währung ausgedrückt oder zahlbar sind;
(d) die Ausfuhr, Versendung oder anderweitige Verbringung von Vermögen aus Deutschland.

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3. All existing licenses and exemptions issued by any German Authority authorizing any of the aforesaid transactions are cancelled.

ARTICLE II

Declaration of Property and Obligations

4. (a) Within thirty (30) days of the effective date of this law, unless otherwise ordered, any person owning or controlling directly or indirectly, in whole or in part, any foreign exchange asset, or owing any obligation of payment or performance, whether matured or not, to a person outside GERMANY, shall file with the nearest branch of the Reichsbank, or other institution designated by Military Government, a written declaration of such asset or obligation in such form and manner as will be prescribed by Military Government.
- (b) When and as directed by Military Government, any person affected by this law shall file such other reports as may be required.

ARTICLE III

Delivery of Property

5. Within fifteen (15) days of the effective date of this law, all of the following classes of property shall be delivered, against receipt therefor, by the owner, holder or other person in possession, custody or control thereof, to the nearest branch of the Reichsbank, or as otherwise directed:

- (a) Currency other than German currency;
- (b) Checks, drafts, bills of exchange and other instruments of payment drawn on or issued by persons outside GERMANY;
- (c) Securities and other evidences of ownership or indebtedness issued by:
- (I) Persons outside GERMANY; or
- (II) Persons in GERMANY if expressed in a currency other than German currency;
- (d) Gold or silver coin; gold, silver or platinum bullion or alloys thereof in bullion form.

6. Any person owning or controlling directly or indirectly, in whole or in part, any other type of foreign exchange asset, shall, when ordered by Military Government, deliver, against receipt, the possession, custody or control of such asset to the nearest branch of the Reichsbank, or as otherwise directed.

7. Any property referred to in this Article which hereafter comes into the possession, ownership or control of any person subject to this law, shall, within 3 days thereof, be delivered by such person in the same manner as provided in this Article.

ARTICLE IV

Applications for Licenses

8. Applications for licenses to engage in transactions prohibited by this law, or any request in relation to the operation of this law, shall be submitted in accordance with such regulations as may be issued at a future date, by Military Government.

ARTICLE V

Void Transactions

9. Any transfer effected in violation of this law and any agreement or arrangement made, whether before or after the effective date of this law, with intent to defeat or evade this law or the objects of Military Government, is null and void.

3. Alle von deutschen Behörden erteilten Genehmigungen und Freistellungen, die eines der vorbezeichneten Geschäfte zulassen, sind hiermit aufgehoben.

Artikel II

Anmeldung von Vermögen und Verpflichtungen

4. (a) Wem unmittelbar oder mittelbar, ganz oder teilweise Eigentum oder Kontrolle von Devisenwerten zusteht, oder wer zur Zahlung oder Leistung an eine Person ausserhalb Deutschlands verpflichtet ist, gleichgültig ob die Verpflichtung fällig ist oder nicht, hat solchen Devisenwert oder solche Verpflichtung, soweit nichts abweichendes vorgeschrieben ist, innerhalb von dreissig (30) Tagen nach dem Inkrafttreten dieses Gesetzes bei der nächstgelegenen Reichsbankstelle oder bei der sonst von der Militärregierung bestimmten Stelle schriftlich in der vor der Militärregierung vorschreibenden Art und Weise anzumelden.
- (b) Jede Person, auf welche dieses Gesetz anwendbar ist, hat zusätzliche Meldungen, soweit solche verlangt werden, zu dem Zeitpunkt und in der Weise die die Militärregierung vorschreiben wird, einzureichen.

ARTIKEL III

Ablieferung von Vermögen

5. Wer die folgenden Arten von Vermögen als Eigentümer oder Inhaber hält oder sonst besitzt, verwaltet oder kontrolliert, hat diese innerhalb von fünfzehn (15) Tagen nach dem Inkrafttreten dieses Gesetzes gegen Empfangsbestätigung bei der nächsten Reichsbankstelle oder in anderer noch zu bestimmender Weise abzuliefern:

- (a) sämtliche Zahlungsmittel mit Ausnahme deutscher;
- (b) Schecks, Anweisungen, Wechsel und andere Zahlungen verbriefende Urkunden, welche auf Personen ausserhalb Deutschlands gezogen oder von solchen Personen ausgestellt sind;
- (c) Wertpapiere und andere dem Nachweis von Eigentum oder Verschuldung dienende Urkunden, welche ausgestellt sind von:
- (I) Personen ausserhalb Deutschlands oder
- (II) Personen innerhalb Deutschlands, falls die Urkunde in nichtdeutscher Währung ausgedrückt ist;
- (d) Gold- oder Silbermünzen, Gold-, Silber- oder Platinbarren oder Legierungen davon in Barrenform.

6. Wem unmittelbar oder mittelbar, ganz oder teilweise Eigentum oder Kontrolle von Devisenwerten anderer Art zusteht, hat auf Anweisung der Militärregierung den Besitz, die Verwahrung oder die Kontrolle dieser Werte gegen Empfangsbestätigung an die nächste Reichsbankstelle oder in anderer noch zu bestimmender Weise zu übertragen.

7. Vermögen der in diesem Artikel bezeichneten Art, welches nach dem Inkrafttreten dieses Gesetzes in den Besitz, das Eigentum oder unter die Kontrolle einer diesem Gesetz unterworfenen Person gelangt, ist innerhalb von drei Tagen nach Erwerb durch diese Person in der gleichen, in diesem Artikel vorgesehenen Weise abzuliefern.

ARTIKEL IV

Anträge auf Erteilung von Genehmigungen

8. Anträge auf Erteilung von Genehmigungen zur Vornahme von Geschäften, welche durch dieses Gesetz verboten sind, sowie Gesuche jeglicher Art, welche sich auf die Anwendung dieses Gesetzes beziehen, sind nach Massgabe der von der Militärregierung noch zu erlassenden Bestimmungen einzureichen.

ARTIKEL V

Nichtigkeit von Geschäften

9. Nichtig und unwirksam sind Geschäfte, die in Verletzung dieses Gesetzes vorgenommen werden, ferner Übertragen, Verträge oder Vereinbarungen, welche vor oder nach dem Inkrafttreten dieses Gesetzes in der Absicht abgeschlossen werden, dieses Gesetz oder Aufgaben der Militärregierung zu vereiteln oder zu umgehen.

ARTICLE VI

Conflicting Law

10. In case of any inconsistency between this law or any order made under it and any German law, the former prevails.

ARTICLE VII

Definitions

11. For the purposes of this law:

- (a) "Person" shall mean any natural person, collective persons and any juristic person under public or private law and any government including all political sub-divisions, public corporations, agencies and instrumentalities thereof;
- (b) "Transaction" shall mean acquiring, importing, borrowing or receiving with or without consideration; remitting, selling, leasing, transferring, removing, exporting, hypothecating, pledging or otherwise disposing of; paying, repaying, lending, guaranteeing or otherwise dealing in any property mentioned in this law;
- (c) "Property" shall mean all movable and immovable property and all rights and interests in or claims to such property whether present or future, and shall include, but shall not be limited to, land and buildings, money, stocks, shares, patent rights or licenses thereunder, or other evidences of ownership, and bonds, bank balances, claims, obligations and other evidences of indebtedness, and works of art and other cultural materials;
- (d) "Foreign Exchange Asset" shall be deemed to include:
 - (I) Any property located outside GERMANY.
 - (II) Currency other than German currency; bank balances outside GERMANY; and checks, drafts, bills of exchange and other instruments of payment drawn on or issued by persons outside GERMANY;
 - (III) Claims and any evidence thereof owned or held by:
 - a. Any person in GERMANY against a person outside GERMANY whether expressed in German or other currencies;
 - b. Any person in GERMANY against any other person in GERMANY if expressed in a currency other than German currency;
 - c. Any person outside GERMANY against another person outside GERMANY in which claim a person in GERMANY has any interest;
 - (IV) Any securities and other evidences of ownership or indebtedness issued by persons outside GERMANY, and securities issued by persons in GERMANY if expressed or payable in a currency other than German currency;
 - (V) Gold or silver coin, or gold, silver or platinum bullion or alloys thereof in bullion form, no matter where located;

ARTIKEL VI

Gesetzeswidersprüche

10. Im Falle eines Widerspruchs zwischen diesem Gesetz oder einer auf Grund desselben erlassenen Anordnung und deutschem Recht geht das erstere vor.

ARTIKEL VII

Begriffsbestimmungen

11. Für die Anwendung dieses Gesetzes gelten die folgenden Begriffsbestimmungen:

- (a) "Person" bedeutet jede natürliche Person, Gesamthandgemeinschaft und juristische Person des öffentlichen oder privaten Rechts; ferner eine Regierung einschließlich staatlicher oder kommunaler Verwaltungen, Körperschaften des öffentlichen Rechts, deren Dienststellen und Organe;
- (b) "Geschäft" bedeutet Erwerb, Einfuhr, Leihen und Empfangnahme von Leistungen, gegen oder ohne Entgelt, ferner Versendung, Verkauf, Vermietung, Verpachtung, Übertragung, Verbringung, Ausfuhr, Belastung, Verpfändung und jede anderweitige Verfügung; Zahlung, Rückzahlung, Verleihung, Übernahme von Garantien und jede andere Vornahme von Geschäften über Vermögen, das in diesem Gesetz erwähnt ist;
- (c) "Vermögen" bedeutet jedes bewegliche und unbewegliche Vermögen sowie alle Rechte und Interessen oder Ansprüche auf solches Vermögen, gleichgültig ob diese fällig sind oder nicht. Es schließt ein, ist aber nicht beschränkt auf: Grundstücke und Gebäude, Geld, Beteiligungen, Aktien, Patente, Gebrauchsmuster oder Lizenzen für deren Ausübung und andere Urkunden zum Nachweis von Eigentum; Schuldverschreibungen, Bankguthaben, Ansprüche, Verbindlichkeiten, andere Urkunden zum Nachweis von Verbindlichkeiten, sowie Kunstbesitz und andere Kulturgegenstände;
- (d) "Devisenwert" bedeutet:
 - (I) Außerhalb Deutschlands befindliches Vermögen;
 - (II) Zahlungsmittel, mit Ausnahme deutscher Zahlungsmittel; Bankguthaben außerhalb Deutschlands, und Schecks, Anweisungen, Wechsel und andere Zahlungen verbriefernde Urkunden, welche auf Personen außerhalb Deutschlands gezogen oder von solchen Personen ausgestellt sind;
 - (III) Ansprüche und Urkunden zum Nachweis derartiger Ansprüche, vorausgesetzt, daß:
 - a. der Inhaber oder sonstige Berechtigte eine Person innerhalb Deutschlands und der Anspruchsverpflichtete eine Person außerhalb Deutschlands ist, gleichgültig ob der Anspruch in deutscher oder in irgendeiner anderen Währung ausgedrückt ist;
 - b. der Inhaber oder sonstige Berechtigte und der Anspruchsverpflichtete Personen innerhalb Deutschlands sind und der Anspruch in nichtdeutscher Währung ausgedrückt ist;
 - c. der Inhaber oder sonstige Berechtigte und der Anspruchsverpflichtete Personen außerhalb Deutschlands sind und eine Person innerhalb Deutschlands an dem Anspruch in irgendeiner Weise beteiligt ist;
 - (IV) Wertpapier und andere Urkunden zum Beweis von Eigentum und Verpflichtungen, welche von Personen außerhalb Deutschlands ausgestellt sind, und Wertpapiere, welche von Personen innerhalb Deutschlands ausgestellt sind, vorausgesetzt, daß sie in nichtdeutscher Währung ausgedrückt oder zahlbar sind;
 - (V) Gold- oder Silbermünzen, Gold-, Silber- oder Platinbarren oder Legierungen in Barrenform, gleichgültig wo befindlich;

(VI) Such other property as is determined by Military Government to be a foreign exchange asset;

- (e) A juristic person may, for the purpose of the enforcement of the provisions of this law, be deemed to be in any one or more of the following countries:
- (a) that country by, or under whose laws it is created,
 - (b) that or those in which it has a principal place of business, or
 - (c) that or those in which it carries on business.
- (f) Property shall be deemed to be "owned" or "controlled" by any person if such property is held in his name or for his account or benefit, or owed to him or to his nominee or agent, or if such person has a right or obligation to purchase, receive or acquire such property;
- (g) The term "GERMANY" shall mean the area constituting "Das Deutsche Reich" as it existed on 31 December 1937.

ARTICLE VIII

Penalties

12. Any person violating the provisions of this law shall upon conviction by Military Government Court be liable to any lawful punishment other than death as the court may determine.

ARTICLE IX

Effective Date

13. This law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT — GERMANY UNITED STATES ZONE

LAW NO. 54

Use of Wehrmacht Property

To deprive the German Armed Forces of the use of military installations and training facilities within the United States Zone, including air fields, maneuver areas, camps, and ranges;

To increase agricultural production;

To facilitate the accommodation and settlement of Germans and others;

To decentralize the structure of the German economy;

it is hereby ordered as follows:

1. The right to possession and use of all property in the United States Zone (excluding the Bremen Sub-District), title to which is held by any of the following is hereby granted to the Land (State) in which such property is situated: ..

- (a) The Supreme Command of the German Armed Forces, the German Army, the German Navy, the German Air Forces, and any component thereof;
- (b) The SA (Sturmabteilungen), the NSKK (NS-Kraftfahkorps), the NSFK (NS-Fliegerkorps), the SS (Schutzstaffeln), including the SD (Sicherheitsdienst);
- (c) The German Reich, any of its departments or agencies, for or in the interest of any of the organizations listed under a and b;

(VI) solches andere Vermögen, das durch die Militärregierung zu einem Devisenwert erklärt wird.

- (e) Für die Zwecke der Anwendung dieses Gesetzes kann eine juristische Person in einem oder mehreren der folgenden Länder sein:
- (a) in dem Lande, durch deren Gesetze oder unter deren Herrschaft die juristische Person entstanden ist,
 - (b) in dem Lande oder in den Ländern, in welche oder in welchen die juristische Person ihre geschäftliche Niederlassung hat, oder
 - (c) in dem Lande oder in den Ländern, in welche oder in welchen die juristische Person geschäftlich tätig ist.
- (f) Vermögen gilt als "im Eigentum oder unter Kontrolle" einer Person, wenn es im Namen oder für Rechnung oder zugunsten dieser Person gehalten wird oder wenn es der Person oder deren Beauftragten oder Agenten geschuldet wird oder wer eine solche Person berechtigt oder verpflichtet ist solches Vermögen zu kaufen, zu empfangen oder zu erwerben.
- (g) "Deutschland" bedeutet das Gebiet des „Deutschen Reiches“, wie es am 31. Dezember 1937 bestanden hat.

ARTIKEL VIII

Strafen

12. Jeder Verstoß gegen die Bestimmungen dieses Gesetzes wird nach Schuldigsprechung des Täters durch ein Gericht der Militärregierung nach dessen Ermessen mit jeder gesetzlich zulässigen Strafe, jedoch nicht mit der Todesstrafe, bestraft.

ARTIKEL IX

Inkrafttreten

13. Dieses Gesetz tritt mit dem Tage seiner ersten Verkündung in Kraft.

IM AUFTRAGE DER MILITÄRREGIERUNG.

MILITÄRREGIERUNG — DEUTSCHLAND AMERIKANISCHE ZONE

GESETZ NR. 54

Nutzung von Vermögen der Wehrmacht

Die Zwecke dieses Gesetzes sind — den deutschen Streitkräften die Nutzung aller militärischen Anlagen und Ausbildungseinrichtungen, einschließlich von Flughäfen aller Art, Truppenübungsplätzen, Lagern und Schießplätzen, in der Amerikanischen Zone zu entziehen; die landwirtschaftliche Erzeugung zu erhöhen; die Niederlassung und Siedlung von Deutschen und anderen Personen zu ermöglichen; und, den Aufbau der deutschen Wirtschaft zu dezentralisieren.

Demgemäß wird hiermit folgendes bestimmt:

1. Das Besitz- und Nutzungsrecht jeglichen in der Amerikanischen Zone (ausschließlich des Bezirkes Bremen) befindlichen Vermögens der nachgenannten Personen und Organisationen wird hiermit auf das Land übertragen, in dem solches Vermögen belegen ist:
 - (a) das Oberkommando der Wehrmacht, des Heeres, der Kriegsmarine, der Luftwaffe, und die ihnen untergeordneten Verbände;
 - (b) die SA (Sturmabteilungen), das NSKK (NS-Kraftfahkorps), das NSFK (NS-Fliegerkorps) und die SS (Schutzstaffeln) einschließlich des SD (Sicherheitsdienst);
 - (c) das Deutsche Reich, seine Behörden und Dienststellen hinsichtlich des Vermögens, das sie zugunsten oder im Interesse einer der unter a oder b angeführten Organisationen besitzen;

MILITÄR GOVERNMENT — GERMANY
UNITED STATES ZONE

NOTICE**Foreign Exchange and External Assets**

The attention of all persons is drawn to Military Government Law No. 53 and to the absolute necessity of declaring and delivering forthwith all property referred to in Articles II and III respectively of that law.

Property must be declared even though it may have been legally vested in the German External Property Commission by virtue of Control Council Law No. 5.

Any person who fails after the expiry of thirty days from the date of this notice, to declare or deliver any property affected, upon conviction by a Military Government Court shall be liable to further severe penalties as the court determine in addition to any outstanding penalty under Law No. 53.

This notice becomes effective 10 February 1946.

BY ORDER OF MILITARY GOVERNMENT.

MILITÄRREGIERUNG — DEUTSCHLAND
AMERIKANISCHE ZONE

BEKANNTMACHUNG**Devisenwerte und Auslandsvermögen**

1. Alle Personen werden nochmals auf das Gesetz Nr. 53 der Militärregierung hingewiesen, nach welchem jedermann die unbedingte Pflicht zur sofortigen Anmeldung und Ablieferung aller Vermögenswerte obliegt, die in den Artikeln II und III des Gesetzes Nr. 53 aufgezählt sind.

2. Die Vermögenswerte müssen auch dann noch angemeldet werden, wenn sie kraft Gesetzes Nr. 5 des Kontrollrates bereits auf die Kommission für das deutsche Auslandsvermögen gesetzlich übertragen sind.

3. Wer es unterlässt, binnen 30 Tagen dieser Bekanntmachung ab, irgendwelche Vermögenswerte der in Rede stehenden Art anzumelden oder abzuliefern, wird, wenn ein Gericht der Militärregierung ihn für schuldig befindet, mit noch weiteren von diesem Gericht zu bestimmenden Strafen, zusätzlich der im Gesetz Nr. 53 aufgeführten Strafen, bestraft werden.

4. Diese Bekanntmachung tritt am 10. Februar 1946 in Kraft.

IM AUFTRAGE DER MÄRITÄRREGIERUNG.

Arzt Berndt A
 Seite 1, 9/16

Mil Gov Gazette 5

Aug. 1, 1948

MILITÄR GOVERNMENT — GERMANY
UNITED STATES AREA OF CONTROL

NOTICE NO. 2

under Military Government Law No. 53.

FOREIGN EXCHANGE ASSETS OF DISPLACED
PERSONS AND STATELESS PERSONS

1. All displaced persons and stateless persons are informed that they are subject to Military Government Law No. 53 "Foreign Exchange Control." Articles II and III of that law require the filing of declarations of certain types of property and the delivery of certain foreign exchange assets.

2. Within fifteen (15) days after the effective date of this Notice, all displaced persons who own or hold, or who are in possession, custody or control, of any of the foreign exchange assets listed in paragraph 7, below, shall file with the nearest branch of the appropriate Land Central Bank a written declaration of any of such assets which are located in the United States Area of Control in Germany, and shall deliver any such assets against receipt to that bank; provided, however, that any displaced persons who are registered members of and who are residing in United Nations displaced persons' assembly centers may comply with the requirements of this paragraph by declaring in writing and delivering against receipt such foreign exchange assets to the official within such centers designated by the authorities thereof to accept and deposit such assets in the nearest branch of the appropriate Land Central Bank in the name of the owner or holder. Compliance with the provisions of this paragraph by displaced persons will be deemed a full compliance with the provisions of Articles II and III of Military Government Law No. 53.

3. Any stateless person who is not included within the definition of the term "displaced persons" in paragraph 5, below, shall comply with the provisions of Articles II and III of Military Government Law No. 53 during the fifteen (15) day period after the effective date of this Notice.

4. During the fifteen (15) day period after the effective date, hereof, no prosecutions will be instituted against displaced persons or against stateless persons for violations of Articles II and III of Military Government Law No. 53 or for the violation of any other applicable legislation prohibiting the possession of foreign exchange assets. Thereafter, all displaced persons and stateless persons will be liable to prosecution for the violation of such provisions of law only if such violations occur after the end of such fifteen (15) day period.

5. The term "displaced persons," as used herein, means United Nations displaced persons and all other persons receiving displaced persons' care and assistance.

6. The term "United States Area of Control in Germany," as used herein, shall include the Laender of Bavaria, Bremen, Hesse, and Wuerttemberg-Baden and the United States Sector of Berlin.

7. The foreign exchange assets referred to in paragraph 2, above, shall include:

- a. Currency other than German currency;
- b. Checks, drafts, bills of exchange and other instruments of payment drawn on or issued by persons outside Germany;
- c. Securities and other evidences of ownership or indebtedness issued by:
 - (1) persons outside Germany; or
 - (2) persons in Germany if expressed in a currency other than German currency.
- d. Gold or silver coin; gold, silver or platinum bullion or alloys thereof in bullion form.

MILITÄRREGIERUNG — DEUTSCHLAND
AMERIKANISCHES KONTROLLEGBIET

BEKANNTMACHUNG NR. 2

auf Grund des Gesetzes Nr. 53 der Militärregierung
DEVISENWERTE VERSCHLEPPTER UND
STAATENLOSER PERSONEN

1. Alle verschleppten und staatenlosen Personen werden hiermit in Kenntnis gesetzt, daß sie dem Gesetz Nr. 53 der Militärregierung „Devisenbewirtschaftung“ unterliegen. Nach Artikel II und III dieses Gesetzes ist die schriftliche Anmeldung gewisser Devisenwerte vorgeschrieben.

2. Innerhalb von 15 Tagen nach Inkrafttreten dieser Bekanntmachung haben alle verschleppten Personen, die irgendwelche in Abs. 7 dieser Bekanntmachung aufgeführten Devisenwerte als Eigentümer oder Inhaber halten oder sonst besitzen, verwahren oder kontrollieren, der nächstgelegenen Zweigstelle der zuständigen Landeszentralbank die im Amerikanischen Kontrollgebiet Deutschlands befindlichen Werte dieser Art schriftlich anzumelden und gegen Empfangsberechtigung der genannten Bank abzuliefern. Jedoch können verschleppte Personen, die als solche in Sammellagern verschleppten Personen der Vereinten Nationen gemeldet sind und daselbst wohnen, den Erfordernissen dieses Absatzes in der Weise nachkommen, daß sie Devisenwerte dieser Art bei einem von den Lagerbehörden zur Empfangnahme bestimmten Beamten innerhalb eines Lagerschriftlich anmelden und gegen Empfangsberechtigung abliefern, der diese Werte sodann im Namen der Eigentümer oder Inhaber in der nächsten Zweigstelle der zuständigen Landeszentralbank zu hinterlegen hat. Eine verschleppte Person, die die Vorschriften dieses Absatzes befolgt, erfüllt damit die Bestimmungen der Artikel II und III des Gesetzes Nr. 53 der Militärregierung.

3. Alle staatenlosen Personen, die nicht unter die Begriffsbestimmung „Verschleppte Personen“ des Abs. 5 dieser Bekanntmachung fallen, haben die Vorschriften der Artikel II und III des Gesetzes Nr. 53 der Militärregierung innerhalb der 15tägigen Frist, die nach Inkrafttreten dieser Bekanntmachung zu laufen beginnt, zu befolgen.

4. Gegen verschleppte oder staatenlose Personen wird innerhalb der 15tägigen Frist, die nach Inkrafttreten dieser Bekanntmachung zu laufen beginnt, eine Strafverfolgung wegen Verletzung der Artikel II und III des Gesetzes Nr. 53 der Militärregierung oder wegen Verletzung anderer einschlägiger gesetzlicher Bestimmungen, die den Besitz von Devisenwerten verbieten, nicht eingeleitet.

5. Der Ausdruck „Verschleppte Personen“ im Sinne dieser Bekanntmachung bedeutet verschleppte Personen der Vereinten Nationen und alle anderen Personen, die gleich solchen verschleppten Personen Fürsorge und Unterstützung empfangen.

6. Der Ausdruck „das Amerikanische Kontrollgebiet Deutschlands“ im Sinne dieser Bekanntmachung umfaßt die Länder Bayern, Bremen, Hessen und Württemberg-Baden sowie den Amerikanischen Sektor von Berlin.

7. Die in Abs. 2 dieser Bekanntmachung genannten Devisenwerte umfassen:

- a. Zahlungsmittel, mit Ausnahme deutscher Zahlungsmittel;
- b. Schecks, Anweisungen, Wechsel und andere Zahlungen verbriefende Urkunden, welche auf Personen außerhalb Deutschlands bezogen oder von solchen Personen ausgestellt sind;
- c. Wertpapiere und andere dem Nachweis von Eigentum und Verschuldung dienende Urkunden, welche ausgestellt sind auf:
 - (1) Personen außerhalb Deutschlands; oder
 - (2) Personen innerhalb Deutschlands, falls die Urkunde in nicht-deutscher Währung ausgedrückt ist.
- d. Gold- oder Silbermünzen, Gold-, Silber- oder Platinbarren oder Legierungen davon in Barrenform.

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1. The Land Central Banks have been designated as the agents of Military Government for the purpose of accepting and safeguarding foreign exchange assets surrendered by displaced persons pursuant to paragraph 2 of this Notice. Foreign exchange assets thus surrendered will be returned to the owner or holder thereof upon presentation of the receipt, given in connection with such surrender, to the appropriate branch of the Land Central Bank accompanied by a statement from a duly authorized representative of the appropriate Land Office of Military Government that the owner or holder is leaving Germany for the purpose of taking a permanent change of residence.

2. This Notice is applicable and shall become effective within the Laender of Bavaria, Bremen, Hesse, and Württemberg-Baden on 1 April 1948.

BY ORDER OF MILITARY GOVERNMENT

NOTICE

of Extension of Time under Order No. 1 Issued Pursuant to Military Government Law No. 56*)

1. Under paragraph 4 of Order No. 1, United States Military Government Law No. 56 entitled "Prohibition of Monopolistic Conditions in the German Motion Picture Industry", the agency designated by Military Government to enforce the said law may, for good cause shown, extend the time limit within which compliance must be effected.

2. Under paragraph 4 of Order No. 1, British Military Government Ordinance No. 78, entitled "Prohibition of Monopolistic Conditions in the German Motion Picture Industry", the agency designated by Military Government to enforce the said Ordinance may, for good cause shown, extend the time limit within which compliance must be effected.

3. The Bipartite Decartelization Commission has been designated theretofore by both the United States and British Military Governments as the designated agency for enforcing the aforementioned Law No. 56 and Ordinance No. 78 respectively.

4. The recent currency reform in the combined economic area has necessarily required a temporary period of readjustment rendering the existing compliance dates alluded to in paragraph 1 and 2 above impracticable.

5. In consequence of the foregoing, the Bipartite Decartelization Commission hereby extends the compliance date set forth in paragraph 4 of Order No. 1 issued under Law No. 56 and paragraph 4 of Order No. 1 issued under Ordinance No. 78, from 4 months after 8 March 1948 to 8 months after 8 March 1948.

BIPARTITE DECARTELIZATION COMMISSION

*) Issue I, pages 16-17

APPENDIX

U.S. Military Government Legislation Concerning Currency Reform in U.S. Sector of Berlin

Order for Monetary Reform

Second Order for Monetary Reform

Ordinance for Monetary Reform (First Ordinance)

Second Ordinance for Monetary Reform
(Conversion Ordinance)

Order for the Stamping of Identity Cards

Ordinance for the Exchange of Currency by Displaced Persons

Regulations Nos. 1-8 to the First Ordinance for Currency Reform

Regulations Nos. 1-5 to the Second Ordinance for Monetary Reform

8. Als Beauftragte der Militärregierung zum Zwecke der Annahme und sicheren Verwahrung von Devisenwerten, die von verschleppten Personen auf Grund des Abs. 2 dieser Bekanntmachung abgeliefert werden, sind die Landeszentralbanken benannt worden. Die Rückgabe der auf diese Weise abgelieferten Devisenwerte an den Eigentümer oder früheren Inhaber erfolgt gegen Vorlage der bei der Ablieferung ausgestellten Empfangsbescheinigung bei der zuständigen Zweigstelle der Landeszentralbank, wenn gleichzeitig eine von einem bevollmächtigten Vertreter des zuständigen Amtes der Militärregierung ausgestellte Bescheinigung darüber beigebracht wird, daß der Eigentümer oder frühere Inhaber im Begriff ist, Deutschland zum Zwecke des endgültigen Wechsels seines Aufenthaltsortes zu verlassen.

9. Diese Bekanntmachung hat Gültigkeit innerhalb der Länder Bayern, Bremen, Hessen und Württemberg-Baden. Sie tritt am 1. April 1948 in Kraft.

IM AUFTRAGE DER MILITÄRREGIERUNG

BEKANNTMACHUNG

über die Verlängerung der Vollzugsfrist in Anordnung Nr. 1, erlassen auf Grund des Gesetzes Nr. 56*) der Militärregierung

1. Gemäß Ziff. 4 der Anordnung Nr. 1, erlassen auf Grund des Gesetzes Nr. 56 der Militärregierung, „Verbot monopolartiger Verhältnisse in der deutschen Filmindustrie“, kann die von der Militärregierung mit der Durchführung dieses Gesetzes betraute Stelle in gerechtfertigten Fällen die Vollzugsfrist verlängern.

2. Gemäß Ziff. 4 der Anordnung Nr. 1, erlassen auf Grund der Verordnung Nr. 78 der Britischen Militärregierung, „Verbot monopolartiger Verhältnisse in der deutschen Filmindustrie“, kann die von der Militärregierung mit der Durchführung dieser Verordnung betraute Stelle in gerechtfertigten Fällen die Vollzugsfrist verlängern.

3. Von der Amerikanischen und Britischen Militärregierung ist daraufhin die Zweizonen-Dekartellisierungskommission mit der Durchführung des obenerwähnten Gesetzes Nr. 56 und der obenerwähnten Verordnung Nr. 78 betraut worden.

4. Die unlängst in dem Vereinigten Wirtschaftsgebiet erfolgte Währungsreform erfordert notwendigerweise zur Umstellung eine gewisse Zeitspanne und macht daher die Beibehaltung der in Ziff. 1 und 2 erwähnten Vollzugsfristen unrentlich.

5. Aus diesem Grunde verlängert die Zweizonen-Dekartellisierungskommission die in Ziff. 4 der Anordnung Nr. 1, erlassen auf Grund des Gesetzes Nr. 56, und die in Ziff. 4 der Anordnung Nr. 1, erlassen auf Grund der Verordnung Nr. 78, vorgesehene Vollzugsfrist von vier Monaten, gerechnet vom 8. März 1948 an, auf acht Monate, gerechnet vom 8. März 1948 an.

DIE ZWEIZONEN-DEKARTELLISIERUNGSKOMMISSION

*) Ausgabe I, Seite 16-17

ANHANG

Gesetzliche Vorschriften der Amerikanischen Militärregierung über Neuordnung des Geldwesens im U.S. Sektor von Berlin

Befehl zur Geldreform

Zweiter Befehl zur Geldreform

Verordnung zur Neuordnung des Geldwesens
(Erste Verordnung)

Zweite Verordnung zur Neuordnung des Geldwesens
(Umstellungsverordnung)

Befehl über die Abstempelung von Personalausweisen

Verordnung zum Umtausch der Währung durch verschleppte Personen

Bestimmungen Nr. 1-8 zur Ersten Verordnung zur Neuordnung des Geldwesens

Bestimmungen Nr. 1-5 zur Zweiten Verordnung zur Neuordnung des Geldwesens

Mil Govt Gazette 2

Dec. 16, 1948

MILITARY GOVERNMENT — GERMANY
UNITED STATES AREA OF CONTROL

ORDINANCE NO. 34

Amendment No. 3

to Military Government Ordinance No. 6
"Military Government Court for Civil Actions" *)

ARTICLE I

1. Section 15 of Military Government Ordinance No. 6 is amended by deleting the words "six months" wherever they appear and inserting in place thereof the words "one year".

ARTICLE II

2. Section 3 of Part II of Military Government Ordinance No. 6, which was added by Section 18 of Military Government Ordinance No. 18 **), is amended by adding the following:

"Causes of action arising on or after 4 October 1948 and the trial thereof shall not be governed by the foregoing provisions of this section, but shall be governed by the applicable German law except as it may be otherwise modified by Military Government."

ARTICLE III

3. This Ordinance shall become effective within the Laender of Bavaria, Hesse, Wurttemberg-Baden, Bremen and the United States Sector of Berlin on 4 October 1948.

BY ORDER OF MILITARY GOVERNMENT

MILITARY GOVERNMENT — GERMANY
UNITED STATES AREA OF CONTROL

GENERAL LICENSE NO. 15

Issued Pursuant to Military Government Law No. 52†)
(Amended)

Blocking and Control of Property

Also known as

GENERAL LICENSE NO. 9

Issued Pursuant to Military Government Law No. 53††)

Foreign Exchange Control

1. A general license is hereby granted permitting transactions which result in credits to blocked accounts existing or to be established in the names of persons absent from Germany provided that:

a. Amounts so credited are payable in German currency and originate directly from:

- (1) authorized pensions and benefits under social and private insurance policies which do not exceed DM 3,000.— per annum in the case of

*) Issue A, pages 73—78

**) Issue F, page 10

†) Issue A, pages 24—26

††) Issue A, pages 36—39

MILITÄRREGIERUNG — DEUTSCHLAND
AMERIKANISCHES KONTROLLGEBIET

VERORDNUNG NR. 34

Dritte Änderung der Verordnung Nr. 6 der
Militärregierung *)

„Zivilgericht der Militärregierung“

ARTIKEL I

1. Paragraph 15 der Verordnung Nr. 6 der Militärregierung wird abgeändert durch Streichung der Worte „6 Monate“ wo immer diese vorkommen, und Einfügung der Worte „ein Jahr“ an ihrer Stelle.

ARTIKEL II

2. Paragraph 3 des Teiles II der Verordnung Nr. 6 der Militärregierung, welcher durch § 18 der Verordnung Nr. 18 **) der Militärregierung hinzugefügt worden war, wird abgeändert durch Hinzufügung folgenden Satzes:

„Klagegründe, welche am 4. Oktober 1948 oder später entstehen und das nachfolgende Verfahren richten sich nicht nach den vorstehenden Bestimmungen dieser Paragraphen, sondern nach den anwendbaren deutschen Gesetzen, vorbehaltlich deren Abänderung durch die Militärregierung.“

ARTIKEL III

3. Diese Verordnung tritt am 4. Oktober 1948 in den Ländern Bayern, Hessen, Würtemberg-Baden, Bremen und dem amerikanischen Sektor von Berlin in Kraft.

IM AUFTRAGE DER MILITÄRREGIERUNG

MILITÄRREGIERUNG — DEUTSCHLAND
AMERIKANISCHES KONTROLLGEBIET

ALLGEMEINE GENEHMIGUNG NR. 15

Erteilt auf Grund des Gesetzes Nr. 52 der
Militärregierung †)
(abgeänderte Fassung)

Sperre und Kontrolle von Vermögen

Auch bekannt als

ALLGEMEINE GENEHMIGUNG NR. 9

Erteilt auf Grund des Gesetzes Nr. 53 der
Militärregierung ††)
Devisenbewirtschaftung

1. Hiermit wird eine allgemeine Genehmigung erteilt für Geschäfte, welche zu Gutschriften auf bestehenden oder errichtenden Sperrkonten von Personen führen, die sich außerhalb Deutschlands befinden, mit der Maßgabe, daß

a. die gutgeschriebenen Beträge in deutscher Währung zahlbar sind und unmittelbar stammen aus:

- (1) erlaubten Pensionen und Zahlungen auf Grund von Sozial- oder privaten Versicherungen zum Höchstbetrag von jährlich DM 3,000.— wenn es sich um wiederkehrende Zahlungen

*) Ausgabe A, S. 73—78

**) Ausgabe F, S. 10

†) Ausgabe A, S. 24—26

††) Ausgabe A, S. 36—39

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regularly recurring payments or DM 20,000.— in
the case of non-recurring payments;

- (2) due interest payments or repayments of capital
with respect to debts expressed in German legal
tender currency owed by persons in Germany
to persons outside Germany;
- (3) rents, royalties, and other forms of income from
German assets;
- (4) legacies or inheritances, or distributive shares
therein.

b. A valid pre-capitulation contract exists under which
the liability to effect payment cannot be avoided and

c. Amounts resulting from such transactions are cre-
dited only to the account of the policy holder/beneficiary,
creditor, legatee/heir, or owner concerned.

2. This general license shall not be deemed to authorize
payment from any blocked account which is not otherwise
authorized by Military Government.

3. Financial institutions effecting credits to the accounts
of absentee owners shall satisfy themselves that the pro-
visions of this general license are met.

4. Amounts credited pursuant to this general license shall
not be applied to the reduction of any existing debit
balances of the account holders.

5. This general license is effective within the Laender
Bavaria, Bremen, Hesse and Wuerttemberg-Baden and, ex-
cept insofar as it has been issued pursuant to Military
Government Law No. 53, in the US Sector of the Greater
Berlin Area, from 1 July 1948.

BY ORDER OF MILITARY GOVERNMENT

MILITARY GOVERNMENT — GERMANY
UNITED STATES AREA OF CONTROL

NOTICE NO. 3

under Military Government Law No. 53.*)

Import and Export of German Currency

1. Notice is hereby given that US Military Government
Law No. 53 prohibits the import of money into Germany
and the export of money therefrom, except as licensed or
authorized on instructions of Military Government.

2. Authorization is given for the import and export of
German currency in an amount not exceeding 40 Deutsche
Marks; provided, however, that persons who proceed daily
across the International frontier from their place of resi-
dence to their place of business, employment or professional
practice are only authorized to import or export an amount
not exceeding 10 Deutsche Marks per day.

3. Any import or export of German currency in excess
of the amount so authorized will be prosecuted.

4. This Notice becomes effective in the United States
Zone on 12 November 1948.

BY ORDER OF MILITARY GOVERNMENT

* Issue A, pages 36-39.

handelt, und von DM 20 000,— wenn es si-
um eine einmalige Zahlung handelt;

- (2) Zahlungen fälliger Zinsen oder Rückzahlung
des Kapitals von Verbindlichkeiten, die in
deutsche gesetzliche Zahlungsmittel lauten u
von Personen in Deutschland solchen außerhalb
Deutschlands geschuldet werden;
- (3) Mietzinsen, Gewinnanteilen oder anderen Art
von deutschen Vermögenswerten;
- (4) Vermächtnissen oder Erbschaften oder Anteil
an solchen;

b. ein gültiger Vertrag aus der Zeit vor der Kapitula-
tion besteht, auf Grund dessen sich der Schuldner sein
Zahlungsverpflichtung nicht entziehen kann und

c. die Beträge aus diesen Geschäften ausschließlich
dem Konto des Versicherten oder Begünstigten, des Glä-
bigers, Vermächtnisnehmers oder Erben, oder des Eige-
nertums gutgeschrieben werden.

2. Diese allgemeine Genehmigung ist nicht als Ermächtigung
zu solchen Zahlungen von Sperrkonten anzusehen
für die keine sonstige Ermächtigung der Militärregierung
vorliegt.

3. Geldinstitute, die Gutschriften auf die Konten von
abwesenden Inhabern vornehmen, haben sich zu vergewi-
sern, daß die Vorschriften dieser allgemeinen Genehmigung
eingehalten werden.

4. Die gemäß dieser allgemeinen Genehmigung gu-
geschriebenen Beträge sollen nicht zur Abzahlung von
Sollsalden der Konteninhaber verwendet werden.

5. Diese allgemeine Genehmigung ist in den Länden
Bayern, Bremen, Hessen und Württemberg-Baden und, so-
weit sie nicht auf Grund des Gesetzes Nr. 53 der Militär-
regierung erteilt ist, im amerikanischen Sektor von Berlin
am 1. Juli 1948 in Kraft getreten.

IM AUFTRAGE DER MILITÄRREGIERUNG

MILITÄRREGIERUNG — DEUTSCHLAND
AMERIKANISCHES KONTROLLGEBIET

BEKANNTMACHUNG NR. 3

auf Grund des Gesetzes Nr. 53 der Militärregierung

Ein- und Ausfuhr deutscher Zahlungsmittel

1. Es wird hiermit bekannt gemacht, daß Gesetz Nr. 53
der Amerikanischen Militärregierung die Einfuhr von Ge-
nau nach Deutschland und die Ausfuhr von Geld aus Deutsch-
land verbietet, falls keine Genehmigung oder Ermächtigung
auf Grund einer Anweisung der Militärregierung ertei-
lungen ist.

2. Eine Ermächtigung zur Ein- und Ausfuhr von deut-
schen Zahlungsmitteln bis zu einem Höchstbetrag von 4
Deutschen Mark wird hiermit erteilt, jedoch dürfen Per-
sonen, die täglich die Internationale Grenze auf dem Weg
von ihrem Wohnsitz zu ihrem Arbeitsplatz oder zu den
Orten, wo sie ihr Geschäft betreiben oder ihren Beruf aus-
üben, überschreiten, einen Höchstbetrag von nur 10 Deut-
schen Mark täglich ein- und ausführen.

3. Die Ein- und Ausfuhr von deutschen Zahlungsmittel
in einem die Ermächtigung übersteigenden Betrage wird
strafgerichtlich verfolgt werden.

4. Diese Bekanntmachung tritt am 12. November 1948 in
der amerikanischen Zone in Kraft.

IM AUFTRAGE DER MILITÄRREGIERUNG

* Ausgabe A, S. 36-39

M105.17-P94²

TITLE 17

Civil Affairs Division, Army Dept

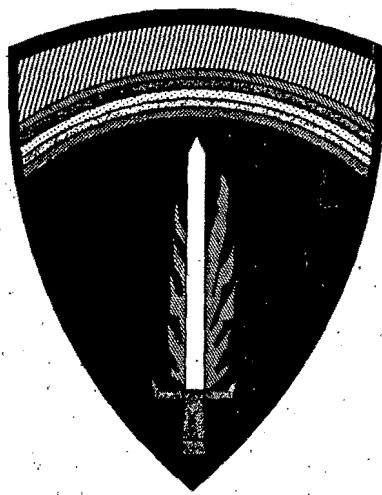
OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)

10/20/6821

PROPERTY CONTROL

IN THE U.S.-OCCUPIED AREA OF GERMANY

1945 - 1949



SPECIAL REPORT OF THE

MILITARY GOVERNOR

July 1949

PROPERTY CONTROL

ANNEX VI

TITLE 17

PROPERTY CONTROL

17-1

Scope of Property Control. — Property Control concerns the establishment of control over the properties of persons and organizations set forth in MG Law No. 52, as amended, and of organizations set in the Appendix to Control Council Law No. 2, and such properties as may from time to time be specified in directives. Property Control is considered an interim measure pending ultimate disposition.

(Nothing in this Title will be interpreted to abrogate directives of USFET/EUCOM, relative to the control of property of United Nations Displaced Persons and those assimilated to them in status (UNDP's) within the U.S. Zone of Occupation in Germany.)

PART 1 GENERAL

SECTION A

17-100

Objectives and General Policies of Property Control.

17-100.1

General. — The objective of Property Control is to ensure that, pending ultimate disposition of property taken into custody, such property will be safeguarded and maintained without substantial depreciation in value of assets.

17-100.2

Objectives of Property Control. — The control of property is a necessary step in accomplishing important ultimate objectives of the occupation, including denazification, demilitarization, concomitant deindustrialization, restitution, reparations, and relief. In carrying out denazification, demilitarization, and deindustrialization, control is taken to remove designated persons and organizations from positions of power and influence. In accomplishing restitution, reparations, and relief, control is taken to provide ultimate aid to Nations and individuals who were victims of Nazi oppression.

17-101

Purpose of Title. — This Title sets forth the objectives and policies and prescribes the rules and procedures which will be followed by MG officers in the U.S. Zone in the supervision of and the control of property. It will also govern the German authorities in regard to custody and operational management of properties for which they are to be made responsible.

17-102

Scope of Title.

a. Under directives of 17 May 1946, "Transfer of Property Control Responsibilities in Greater-Hesse and Württemberg-Baden to Land Minister Presidents", C/S, OMGUS, 7 June 1946, "Transfer of Property Control Responsibilities in Greater-Hesse to Land Minister President", C/S, OMGUS, 11 September 1946, "Transfer of Property Control Responsibilities in Bavaria to Land Minister Presidents," C/S, OMGUS, 11 September 1946, "Transfer of Property Control Responsibilities in Bremen to the Oberfinanzpräsident," C/S, OMGUS, responsibility for custody and administration of all property under MG control was transferred to the various Länder of the US Zone. This program of transfer of responsibility relates to custody and administration only; disposition of property being retained as an MG responsibility subject to the regulations set forth in this Title.

b. Insofar as custody and administration of property is concerned the regulations set forth in this Title shall apply only until such time as German authorities promulgate their own regulations for custody and administration of property and said regulations are approved by Military Government. At that time parts of this Title concerned with the above subject matter will be deleted from the Title.

SECTION B

DEFINITIONS AND ABBREVIATIONS

17-110

Chief, Property Control Branch. — The Chief, Property Control Branch (CPCB), is the senior Property Control Officer in the U.S. Zone.

17-111

Deputy Chief, Property Control Branch. — The Deputy Chief, Property Control Branch (DPCB), is the second senior Property Control Officer in the U.S. Zone.

17-112

Land Property Control Chief. — The Land Property Control Chief (LPPC) is the senior MG Property Control Officer at Land level.

17-113

Land Property Control Assistant Chief. — The Land Property Control Assistant Chief (LPPAC) is the second senior Property Control Officer at Land level.

17-114

Property Controller. — The Property Controller is the field representative of the LPPC.

17-115

German Property Control Agencies.

17-116.1

Land Civilian Agency Head. — Land Civilian Agency Head (LCAH) is the head of the German Property Control Office at Land level.

17-116.2

Regierungsbezirk Civilian Agency Head. — Regierungsbezirk Civilian Agency Head (RCAH), if established, is the head of the German Property Control Office at Regierungsbezirk level.

17-116.3

Civilian Agency Head. — Civilian Agency Head (CAH) is the head of the German Property Control Office at Kreis level.

17-117

Definitions under MG Law No. 52.

17-117.1

"Persons." shall mean any natural persons, collective persons, juristic persons under public or private law, and any government, including all political sub-divisions, public corporations, agencies, and instrumentalities thereof.

17-117.2

"Business enterprise" shall mean any person as above defined engaged in commercial, business, or public welfare activities.

17-117.3

A "national" of a state or government shall mean a subject, citizen, or partnership and any corporation or other juristic person existing under the laws of, or having a principal office in the territory of, such state or government.

17-117.4

"Germany" shall mean the area constituting "Das Deutsche Reich" as it existed on 31 December 1937.

17-118

Property Funds. — Property funds are funds received as a result of exercising Property Control functions. Property funds do not include bank or other accounts existing as separate entities (i.e., accounts wholly unrelated to properties under control) which are blocked or frozen by MG officers exercising financial functions. Only bank or other accounts belonging to a property or individuals whose property is taken into Property Control custody are considered as property funds.

17-119

Properties Defined.

a. An "operating property" is any manufacturing, sales or service enterprise under Property Control which utilizes raw materials, inventories, labor, and/or skilled or professional services in its normal business operations, and such activities constitute the source of the major portion of its gross income. The term "operating property" also includes any inactive business enterprises of the categories described in the preceding definition which are potentially operative. In the case of United Nations and Neutrals property, the property is to be operated only after proper clearance with the Director, Finance Division, through the CPCB, under the supervision of a duly appointed custodian.
Examples:
(1) Manufacturing: Steel mills, canning factories.
(2) Sales : Wholesalers, retailers.
(3) Service : Banks, insurance companies, public accounting firms, etc.

b. "Other income producing properties" will include rentable properties, securities, patents, trademarks and other aspects of a similar nature. All income producing properties other than those included under par. a above will be included in this category. A rentable property is one whose income is derived from leasing fixed assets. A property not presently income producing because of the necessity of reasonable repairs or because of the temporary lack of a suitable tenant, but which is potentially income producing under the preceding definition will also be classified as an "other income producing property".
c. A "non-income producing property" is any property under control which due to its nature or condition cannot be expected to be used in business or produce either rental income or other income of any description.
Examples:
(1) Business establishments, apartment houses, or dwelling houses which are damaged beyond recovery.
(2) All other property not classifiable as operating or other income producing.

SECTION C

MEANING OF "PROPERTY CONTROL"

17-120

Property Control. — The term "Property Control" denotes the establishment and maintenance of control in and over specified categories of property of persons and organizations described and defined in MG Law No. 52 (see MGR 23-332), the organizations set forth in the appendix to Control Council Law No. 2 (see MGR 23-1212), General Order No. 1 and supplements thereto issued pursuant to MG Law No. 52 (see MGR 23-332, through 23-332.1.2), and such other properties as may be made subject to control from time to time by competent authority.

17-121

What Property Control Includes. — Property Control may include use, possession, custody, occupancy, protection, title, maintenance, conservation, supervision and may be operated through custodians duly appointed by the LCAH in the case of German property and through custodians duly appointed by him and approved by the LPPC, as to property of United Nations and Neutrals.

17-122

Taking Title. — Property Control does not normally include taking title to property.

17-123

Type of Control. — As to United Nations and Neutrals properties, the type of control imposed at any time is a matter within the discretion of the LPPC unless otherwise specifically indicated by a higher authority.

As to German properties, the type of control imposed at any time is a matter within the discretion of the LCAH unless otherwise specifically indicated by Military Government.

In either case, local determination is desirable because the control to be exercised may vary according to the nature and circumstances of each case.

PROPERTY CONTROL

17-124

Primary Doctrine. — Property Control will not be exercised over properties not embraced in MGR 17-300 below unless specifically authorized by the CFCB or directed otherwise in the Regulations herein. Property control will not apply under any circumstances with respect to properties which are primarily of concern to the U.S. Army or Navy or branches of Military Government having sole jurisdiction over properties vested in said branches. Control will not be exercised over enemy war installations or material unless not wanted by authorized branches of the Army or Navy, nor over any properties desired for use or operation by other authorized branches and agencies of the U.S. occupational forces and Military Government, even though such properties would otherwise come within the scope of MGR 17-300.

However, formal control and custody may be taken when property is released by the Army, Navy or other branches of Military Government, it being understood that such property may be derequisitioned and returned to the German economy without placing such properties under Property Control.

17-125

Application of Doctrine to Certain Situations. — In the absence of instructions from the Director, Finance Division, the functions of Property Control do not apply to the following:

- a. Operation of railroads by Transportation Corps;
- b. Operation of PTT equipment by Signal Corps;
- c. Operation of docks by Navy;
- d. Use of buildings by U.S. agencies or personnel for offices and billets; and
- e. Control over foreign exchange transactions, the blocking of deposits in banks or other financial institutions, or the blocking of negotiable instruments such as securities, bonds, etc. which are not associated with real properties or other properties normally taken into Property Control custody and which are adequately safeguarded and no practical gain is achieved through taking them into control.

SECTION D

GENERAL PLAN OF ADMINISTRATION AND SUPERVISION PURSUANT TO TRANSFER TO GERMAN AUTHORITIES.

17-130

Transfer to German Administration: Authority and responsibility for administration of the Property Control program has been transferred to German authorities subject to observation and inspection by and reports to the Property Control Branch to assure proper attainment of MG objectives. Authority over substantive rules governing property control has not been transferred to the German authorities. The German government in each Land in the U.S. zone shall have the responsibility for administration subject to such substantive rules as are or may be established by Military Government and to compliance with Military Government in respect to inspection and reports.

As part of the transfer of administrative responsibility to the German governments, they are authorized to develop their own plans for administrative organization and operation to be submitted to the Property Control Branch for approval to determine its adequacy to accomplish MG objectives. Pending the submission of such plans, it is necessary to provide an administrative system, and those sections in this chapter which deal with administrative details of organization and operation are continued in effect pending acceptance of a modification thereto or a substitute plan originating with a Land government.

17-131

German Property Control Offices and Officials. — There is established in each Kreis a German Property Control Office under the direction of a CAH and in each Land a German Property Control Office under the direction of a LCAH. There is also authorized, when required, a German Property Control Office at Regierungsbezirk level under the direction of an RCAH.

17-131.1

Line of Responsibility of German Authorities. — The CAH is responsible to and receives orders from the LCAH. Such responsibility may run directly or through the offices of the RCAH, who transmits orders of the LCAH and exercises certain additional authority as delegated by the LCAH. The LCAH is responsible to the Ministerpräsident of each Land. No other German officials shall have authority in Property Control functions.

17-132

General Manner of Supervision of German Authorities. — All MG policies, directives, and instructions on Property Control subjects, which originate at OMGUS or Land level, will be transmitted through the Land Director of OMG to the Ministerpräsident, or by the LPCC to the LCAH, their respective duly authorized agents.

17-133

All Basic Existing Laws, Directives, and Policies Unchanged. — Transfer of the Property Control program was administrative not substantive in nature, effecting merely a change of persons and offices performing particular duties. All substantive rules governing Property Control remain unaffected.

17-134

Responsibilities of Ministerpräsident. — The LCAH under the Ministerpräsident of each Land shall be responsible for the safeguarding of property under control and for the general administration of the Property Control program. He will be subject to such supervision, restrictions, audits and submittal of reports as may be required by Military Government.

17-134.1

Duties of LCAH. — The duties of the LCAH and his office shall include the following:

- a. General Responsibility for Property Control Administration. The LCAH shall be primarily responsible for proper organization to ensure effective functioning of all offices and officials in the administration of the Property Control program.

b. Focal Point for Field Operations.

The LCAH will coordinate Property Control operations in the field. He will be responsible for primary instruction of personnel, with assistance of the MG field staff, and for disseminating to RCAH's and CAH's, regulations, orders, instructions and information generally, and implementing such advices as necessary. The LCAH will also approve custodian contracts, leases and releases of property, and sales of perishable property, within existing authority and subject to any general restrictions in these Regulations.

c. Filea.

The office of the LCAH will maintain files of prescribed MG/PC forms, custodian contracts, property ledgers, cash ledgers, audits, reports, correspondence, investigations, field liaison matters, and any other pertinent records or documents.

d. Accounting Section.

The office of the LCAH will include a section, and the facilities therefor, wherein necessary auditing and accounting work may be performed.

e. Special Provision for Protection of Property of Allied Nations and Neutrals.

The office of the LCAH shall also provide special facilities for necessary protection and control of property of Allied Nations and Neutrals and their nationals.

f. Liaison with LPCC.

The office of the LCAH will be considered the liaison office through which Military Government at Land level will exercise such supervision of Property Control administration as may be necessary.

17-134.2

Duties of RCAH. — In general, the RCAH, if created, shall supervise and coordinate operations of each Kreis agency and all CAH's in the Regierungsbezirk. He shall also have such additional authority, duties, and responsibilities as may, within the general limitations and requirements herein, be delegated to him by the LCAH.

17-134.3

Duties of the CAH. — The duties of the CAH and his office include the following:

- a. Deciding initially which properties are subject to control and whether they should be taken under control;
- b. Taking properties under control;
- c. Appointing and removing custodians;
- d. Preparing and executing custodian contracts and fixing fees and other terms thereof, all subject to approval by the LCAH;
- e. Deciding initially questions relating to custodians, business under control, and particular operations or transactions;
- f. Administering and supervising the office of the CAH and all its functions;
- g. Signing and forwarding all necessary reports;
- h. Recording appropriately all transactions, as required on MG/PC forms. Unreported transactions will be voidable at the discretion of the LPCC;
- i. Actively assisting and cooperating with Property Controllers or other representatives of the LPCC in any inspection or audit of his office or records or any investigation relating to Property Control in his Kreis;
- j. Cooperating with Kreis MG Security and Liaison Detachments and Occupational Security Units;
- k. Carrying out any special instructions or orders transmitted to him by or through the LCAH or RCAH.

17-135

Duties of the LPCC. — The LPCC has general supervisory authority over the Property Control program in the particular Land and is responsible for its proper administration by German officials. He will ensure that his field staff accomplishes its functions of inspection, investigation, and the giving of assistance to German authorities. He will assure that Property Controllers are properly reporting matters requiring corrective or remedial action in order that he may prescribe to German officials the action to be taken.

17-136

Duties of Property Controllers. — The Property Controller is not an intermediate officer but is a field representative of the LPCC. His duties include the following:

- a. Furnishing information in particular cases and explaining important provisions of laws, regulations, and established policy;
- b. Assuring that basic rules, limitations and policy are being correctly observed and that procedure is proper and uniform;
- c. Checking on general administrative adequacy, recording, accounting and auditing;
- d. Conducting inspections and investigations, either by order of the LPCC or on his own initiative, with or without notice to the offices, officials, other persons or businesses investigated;
- e. Guarding against any
 - (1) Improper, irregular, or fraudulent transactions such as unauthorized use or disposition of assets or
 - (2) Favoritism or discrimination contrary to MG objectives;
- f. The Property Controller will cooperate with and assist the CAH in the effective implementation of Property Control functions at the Kreis level. He will act as an inspector and advise the CAH of any irregularities or procedures that are not in accord with MG policies. He will inform the CAH of all deficiencies noted; those that are not corrected locally will be reported to the LPCC. In the latter case remedial action will be initiated at Land level and appropriate instructions issued by the LCAH through German channels. In urgent cases or emergencies (e.g. to safeguard assets) Property Controllers may act immediately as circumstances require, in the name of the LPCC, but will report the facts in writing to the LPCC within 48 hours.

PROPERTY CONTROL

17-187

Restrictions on and Reservations of Authority by Military Government. — Restrictions imposed on German officials and powers reserved to and retained by MG officials are as follows:

- a. Property used by U. S. occupational forces of Military Government. — German authorities shall have no jurisdiction over property now or hereafter occupied or used by U. S. occupational forces or Military Government during the period of such occupancy or use.
- b. Property of United Nations and Neutrals. — With respect to property of United Nations and of Neutrals and their nationals, custodians may not be appointed or removed, contracts of custodians may not be consummated or cancelled, and property may not be released from control, without prior approval of the LPCC. The CAH may suspend custodians of such properties pending final action by the LPCC, but any such suspension must be reported within two days to the Property Controller.
- c. Reservation of General Authority of Supervision. — German officials at Land and lower levels will be subject to general supervision by the LPCC.

PART 2 OPERATIONAL PLAN FOR PROPERTY CONTROL

SECTION A RELATION BETWEEN BLOCKING CONTROL AND PROPERTY CONTROL

17-210

Responsibility for Blocking Control. — Properties subject to MG Law No. 52 not actually taken under control will continue to be subject to Blocking Control under the provisions of Title 16, MGR. Such properties as are taken into custody by Property Control will no longer be subject to blocking control and will be administered entirely by Property Control. This includes blocked bank accounts which may belong to such property.

SECTION B PROPERTY CONTROL PROCEDURE

17-230

Procedure of Establishing Control. — Whenever it is necessary to establish control over a property the following two basic steps will be taken:

- a. Post or deliver Notice of Custody — Form MG/PC 1; and
- b. Enter property on Property Records — Form MG/PC 2, and dispose of the form as directed in OMCGUS, AG letter 010.6 (FD), 25 Feb 47, subject: Property Control Accounting and Auditing Procedure, and Legal Forms.

Posting the Notice of Custody does not in itself constitute taking control. Notices may be posted pending final determination as to advisability of taking control, and Notice may be removed within a reasonable period. Such preliminary postings may be resorted to in exceptional circumstances, e. g., giving temporary protection to property subject to the initial jurisdiction of other branches of Military Government. If temporary custody is to be taken, the word "temporary" will be inserted in the title of the Notice before "custody", and in the second line of the Notice "temporarily" will be inserted after "declared".

17-231

Procedure for Maintaining Control. —

17-231.1

Recording Matters Affecting Control. — When control has been established, recording of all pertinent matters affecting the exercise of control over such property will be made. This will be done by preparing the Report of Property Transactions (Form MG/PC 3). If the property is an operating property or other income producing property which is permitted to continue operating its business, the following will be done:

- a. Deliver Property Control Letter of Instructions No. 1 — Form MG/PCO/IBE/1; and
- b. Secure financial statement of recent date and periodical financial statements.

17-231.2

Operation of Business Enterprises. — Unless otherwise directed and subject to such further limitations as may be imposed by Military Government, any business enterprise under Property Control may engage in all transactions ordinarily incidental to the normal conduct of its business activities within occupied Germany provided that such business enterprise may not engage in any transaction which, directly or indirectly, substantially diminishes or imperils the assets of such enterprise or otherwise prejudicially affects its financial position.

17-231.3

Control Through Custodians. — Property Control will normally be exercised through custodians. Acceptable custodians, managers, and operating agents of controlled properties will be authorized to engage in necessary and desirable transactions with respect thereto subject to the following overall prohibitions which may be removed in particular cases by obtaining the approval of the CPCB in the case of United Nations and Neutrals properties and the LPCC in the case of other properties:

- a. That capital assets will not be encumbered, sold or otherwise disposed of; and
- b. That operating properties will not be altered in character, nor will obligations be incurred except as incidental to the ordinary course of business; and
- c. That maximum allowances for actual living expenses to owners and their families will not exceed amounts specified in General License No. 1 — (Form MGAF-L(1)).

SECTION C

COORDINATION OF PROPERTY CONTROL PROGRAM WITH LAW FOR LIBERATION FROM NATIONAL SOCIALISM AND MILITARISM (MGR 24-500)

17-235

General Property Control Policy Respecting the Law for Liberation. — To accomplish Property Control objectives, Property Control procedures must be closely coordinated with the program outlined under the Law for Liberation. This coordination will entail assumption of control of property as soon as grounds appear and the retention thereof until a final decision is rendered. When an individual's status is determined by final decision of a tribunal, such decision will be respected with relation to his or her property.

17-235.1

Definition of Final Decision. — Final decision means a decision from which no appeal can be taken and which determines the status of an individual and disposition of his or her property pursuant to the Law for Liberation (MGR 24-500).

17-235.2

Policy Prior to Final Decision. — Until final decisions under the Law for Liberation, German Property Control officials will take property under control as soon as any grounds appear therefor (see MG Law No. 52 and supplement thereto and the Law for Liberation from National Socialism and Militarism), and will release property only when clearly justified by corroborated facts. In accordance with this policy of conserving property, preliminary classification, whereby individuals are placed in Class 1 or 2 by public prosecutors, will be fully and promptly respected by taking all the individual's property under control pending final decision. This permits German officials to take control or to retain control already taken, notwithstanding a decision of a tribunal which has not yet become final and which does not order confiscation.

17-235.3

Policy after Final Decision. — Final decision of tribunals will be fully respected and followed. After any final decision which does not order property confiscation, any property of the individual already under control will be released unless grounds other than political or militaristic incrimination exist for retaining control (i. e., duress property owned by an individual exonerated under the Law for Liberation). Any property of the individual not already under control will not be taken into control on grounds of political or militaristic incrimination of said individual so long as said decision remains effective.

17-235.4

Effective Actions taken after Final Decision. — Where any case is re-opened for any reason whatsoever, the case will be considered as reverting to its status before final decision. When the Minister for Political Liberation pardons an individual or vacates or modifies a final decision without ordering final disposition of the individual property, the case will also be considered as reverting to its status before final decision until the LCAH has been instructed in writing by the Minister of Political Liberation, if release of the individual property is intended.

17-236

Procedure and Steps to be taken by German Officials to Effectuate Confiscation Orders.

17-236.1

Assignment of Personnel in Office of CAH to coordinate Operation with the Law for Liberation. — The LCAH will assign one or more individuals (depending on number of acting tribunals) in the office of the CAH to effect continuous liaison with public prosecutors. These individuals, to be called Liaison officers, will be available to testify, ask questions, and offer suggestions regarding property during the proceedings.

17-236.2

Procedure Prior to Adjudication. — The following steps will be taken by the CAH prior to adjudication:

- a. Liaison officers will be ordered to secure classification lists of Class 1 and 2 offenders and deliver them to the CAH who will take prompt action to place property under control;
- b. Liaison officers will be ordered to familiarize themselves generally with information available to the public prosecutor's office and to report such information to the CAH in order to facilitate action by the CAH at the proper time.

17-236.3

Procedure after Final Decision. — The following steps will be taken by the CAH after final decision:

- a. A written copy of the final decision will be filed in the office of the CAH;
- b. If confiscation is not ordered, and if no other grounds exist for retaining control, any property of said individual then under control shall be promptly released;
- c. If the decision orders confiscation, the CAH shall act promptly in accordance therewith.

SECTION D

RELEASING PROPERTY FROM CONTROL

17-240

Occasions for Release. — LCAH's will release property from custody under the following conditions:

- a. Whenever the CPCB directs the turning over of the property to a designated person;
- b. Whenever it is determined that the property was taken into custody in error;
- c. Upon the return of an absentee owner, where control of the property was taken under Section 1 (f) of Article I of MG Law No. 52, and upon submission of acceptable proof of ownership, of citizenship, and of political reliability;

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- d. Whenever the owner has been cleared, or has satisfied the sanctions, if any, imposed on him under the Law for Liberation from National Socialism and Militarism;
- e. Whenever the owner of the property, under Section 1 (d) of MG Law No. 52, has been released from detention or any other type of custody by Military Government, and the property is not otherwise within the scope of MGR 17-300 below;

- f. Whenever a turn-over award, order or instruction is received from Reparations Section or Restitution Control Branch of Military Government (approval must be obtained in advance from the Restitution Control Branch, OMGSUS (Rear), APO 757, Frankfurt-Hoechst, before Property Control officials may release any property that was removed from any one of the following occupied countries:

Albania,	Hungary
Austria	Italy
Belgium	Luxembourg
Bulgaria	Netherlands
Czechoslovakia	Norway
Denmark	Poland
Finland	Roumania
France	U.S.S.R.
Greece	Yugoslavia);

- g. Whenever the property is requisitioned for use, operation, or other purpose by the occupational forces or other branches of Military Government;
- b. Upon recommendation of the Ministerpräsident of the Land, or the appropriate civil authorities in the case of Berlin Sector, with the approval of the CPCB;
- i. Whenever directed by the LPCC to release to Länder governments upon appropriate receipt, under the provisions of MGR 17-313.1.

17-241

Releases of Property to U.S. Occupational Forces and other Branches. — Property actually taken under control may thereafter be requisitioned by or turned over to the occupational forces and other branches of Military Government. In this case the LCAH will, by order of the LPCC, release the property concerned from the Property Control books by entering proper notation on the Report of Property Transactions (Form MG/PC/3). Such notation will include designation of unit or branch, name of commanding officer, date of release, statement of condition at time of release, and any other relevant information. If the property in question belongs to a United Nations Government or National thereof, such fact will be called to the attention of the commanding officer of the unit or branch to which the property is released.

17-242

Property Subject to Instructions and Orders of LCAH. — The LCAH in all cases will take the following steps whenever it is necessary to release any property, including funds, from control

- a. In case of United Nations and Neutrals' properties written approval of LPCC will be obtained (see MGR 17-137 b);
- b. The proper notation will be entered on the Report of Property Transaction (MG/PC/3). Such notation will include —
 - (1) Name and address of releasee,
 - (2) Release date,
 - (3) Reason and/or authority for release,
 - (4) Any other information pertaining to release,
 - (5) Signature of LCAH;
- c. A written certificate will be secured in triplicate from the releasee in case of German etc. properties and from quadruplicate of United Nations and Neutrals properties containing —
 - (1) Property serial number, description and location of property, and
 - (2) Acknowledgement of receipt of property;
- d. In the case of properties of United Nations and Neutrals, the signed original will be attached to the MG/PC/3 reporting the release and forwarded to the CPCB. The duplicate, triplicate, and quadruplicate copies will be retained by the LPCC, the LCAH, and CAH, respectively. In all other cases the signed original will be attached to the MG/PC/3 reporting the release and forwarded to the LCAH. The duplicate and triplicate will be retained by the LPCC and CAH, respectively.

PART 3

PROPERTIES TO BE CONTROLLED

SECTION A
GENERAL

17-300

General Rule. — As soon as grounds therefor appear, LCAH's will establish and maintain Property Control over all properties as defined in MGR's 17-120 and 17-121, owned or controlled, directly or indirectly, in whole or in part, by the various categories of persons and organizations described in Article I of MG Law No. 52 except as superseded by MG Law No. 54 with respect to certain categories of property; the appendix to Control Council Law No. 2, General Order No. 1 and supplements thereto issued pursuant to Law No. 52; the organizations described by MG Law No. 5, MG Laws Nos. 77 and 191; Control Council Laws Nos. 9 and 10, subject to the limitations and exceptions stated in Title 17, MGR. Control of Property will also be assumed as provided in the Law for Liberation (MGR 24-500 and MGR 17-235) as soon as grounds appear, and such control will be retained until a final decision is rendered.

SECTION B

PROPERTIES OF THE GERMAN REICH, LÄNDER, PROVINCES,
AND POLITICAL SUBDIVISIONS, THEREOF — ARTICLE I
PAR. 1 (a) OF MG LAW NO. 52

17-310

Taking Control Dependent on Dissolution of Using Agency. — LCAH's will take control over properties in this class after the German governmental agency or instrumentality concerned is no longer in existence. LCAH's will not exercise control when the properties are used to house or to facilitate normal functions of government or public services permitted by Military Government, e. g., property occupied by ministries and other departments of government, and property used as fire stations, police stations, prisons, public schools, and hospitals.

17-311

Doctrine of Primary Concern Applicable. — Initially the properties described in Article I, par. 1a, of MG Law No. 52, are the primary concern of the U. S. Army, Navy, or other branches of Military Government. Hence, LCAH's will take no action with respect to such properties except with special authorization of the Ministerpräsident concerned. Unless specifically instructed herein relative to particular types of property, LCAH's will establish control in these cases only when:

- a. Directed by the Ministerpräsident concerned, or in the case of zonal agencies by the Länderrat or by Military Government;
- b. The agency having primary concern has completed its mission or task in connection therewith and has so indicated in writing to the LCAH;
- c. The agency having primary concern has indicated that its interest in the property has ceased; or
- d. The agency having primary concern has released the property, or has arranged for its transfer to Property Control.

17-312

Specified Property is to be Considered within this Class. — In addition to the specific classes of property described in Article I, par. 1a of MG Law No. 52, the following properties are to be considered within this class and taken into control only when the provisions of MGR 17-310 and MGR 17-311 are satisfied:

- a. The Reichsbahn and other transport facilities belonging to or controlled by the Reich or any of its political subdivisions or municipalities;
- b. The post, telegraph, and telephone properties of the Reich;
- c. Castles, museums, libraries and archives;
- d. Utilities, monopolies, public undertakings and public corporations; and
- e. Public forests.

17-313

JURISDICTION OF LÄNDER OVER WEHRMACHT PROPERTY. —

17-313.1

General. — MG Law No. 54 grants to the Land the right to possession and use of all property, both real and personal, suitable for agricultural purposes or required for accommodation or settlement of Germans and others, title to which was held by any of the following:

- a. The Supreme Command of the German Armed Forces, the German Army, Navy and Air Forces;
- b. The SA (Sturmabteilungen), NSKK (NS-Kraftfahrkorps), NSFK (NS-Fliegerkorps), SS (Schutzstaffeln) and SD (Sicherheitsdienst);
- c. The German Reich, its departments or agencies, for or in the interest of organizations listed in subpars. a. and b. above;
- d. Any officer of organizations listed under subpars. a. and b. above, in his official capacity; and
- e. Any other organization or person, for or in the interest of organizations or persons listed under subpars. a., b., and c. above.

17-313.2

Control Already Taken Over Wehrmacht Property to Continue. — MG Law No. 54 conveys to the Länder the possession and use of such property described in MGR 17-313.1 above "as is suitable for agricultural purposes or required for accommodation or settlement of Germans or others". The Law does not apply, however, to property of this nature which is now or hereafter used, occupied, or in the custody of the U. S. occupational forces or Military Government. LCAH's will continue control already taken over barracks, buildings, and other properties of the Wehrmacht.

17-313.3

Control of Additional Wehrmacht, Kriegsmarine, and Luftwaffe Properties. — All Wehrmacht, Kriegsmarine, and Luftwaffe properties, real or personal, not suitable for agricultural purposes or for accommodation or settlement under the provisions of MG Law No. 54, will be taken into custody by LCAH's subject to the following exceptions:

- a. Property held or being used by the U. S. occupational forces; and
- b. Property held or being used by other branches or divisions of Military Government.

17-313.4

Power to Regain Possession Reserved. — Military Government reserves the power to regain possession or otherwise assume control over any properties transferred to the Länder under the Law. LPCC's will not exercise this power without the specific authority of the CPCB.

17-313.5

Reports from Länder. — The Länder government will be required to furnish the reports on all properties subject to MG Law No. 54, whether or not suitable for agricultural purposes or required for accommodation or settlement of Germans. LCAH's will forward copy of such reports to: Office of Chief, Property Control Branch, Finance Division. The report will constitute the basis for directives from the CPCB authorizing LCAH's to establish control over military properties of the German Reich or the income derived from their use.

SECTION C

PROPERTIES OF ENEMY STATES OTHER THAN GERMANY
— ARTICLE I PAR. 1(b) OF MG LAW NO. 52

17-328

General Rule. — Until further promulgations are issued by Military Government, LCAH's will only establish and maintain control over such properties described in Article I, par 1(b), of MG Law No. 52 as are owned or controlled by the following nations or their nationals:

- a. Bulgaria,
- b. Hungary,
- c. Italy,
- d. Japan, and
- e. Rumania.

SECTION D

PROPERTIES OF NSDAP, NSDAP ORGANIZATIONS AND NSDAP OFFICIALS AND MEMBERS — ARTICLE I PAR. 1(c) OF MG LAW NO. 52 AND APPENDIX TO CONTROL COUNCIL LAW NO. 2

17-329

NSDAP Headquarters and Local Party Offices. — LCAH's will immediately establish and maintain control over NSDAP Headquarters and local Party offices, and properties of organizations and associations controlled by the NSDAP, as described in Article I, par 1(c), of MG Law No. 52 and the appendix to Control Council Law No. 2 to the extent not excluded by other paragraphs from the operation of LCAH's.

17-331

Property of NSDAP Officials and Members. — LCAH's will immediately establish and maintain control over property of NSDAP officials and members or supporters included in blacklists or in accordance with Law for Liberation from National Socialism and Militarism or otherwise specified by Military Government. LCAH's will not exercise control over their essential furniture, clothing, or other personal effects unless these have in fact been obtained through duress, looting, or confiscation.

17-332

Doctrine of Primary Concern Applicable to Industrial and Commercial Property of NSDAP. — The instructions stated in MGR 17-311 above will be applied in cases relating to industrial and commercial enterprises owned or controlled by the NSDAP and organizations and associations controlled by it.

17-333

DAF Property. — LCAH's will establish and maintain control over properties of the DAF (Deutsche Arbeitsfront). The DAF properties include banks, insurance companies, publishing houses, housing and building companies, theaters, shipbuilding companies, resorts, hotels, food producing and processing plants in retail outlets, and other properties. The DAF properties were operated by huge vertical corporations. Ownership was centralized and authority emanated from a single central source.

17-334

Liaison Activity in Operation of DAF Property. — LCAH's will take control over all DAF properties located in their respective areas. They will continue the operation of all operating properties of DAF and consult from time to time with the appropriate representatives of other branches of Military Government having an interest in these properties such as Manpower, Finance, Industry, Transportation, and Trade and Commerce. If certain properties are continued in operation it is the responsibility of the LCAH to denazify the personnel and sever all connection with the former DAF.

SECTION E

PROPERTIES OF DETAINED PERSONS — ARTICLE I PAR. 1(d) OF MG LAW NO. 52

17-340

Detained Persons. — LCAH's, with the approval of the LPCC's, are authorized to exercise control over all property except furniture, clothing, or other personal effects of persons detained or held in custody by Military Government.

17-341

Exercise of Control a Local Determination. — Whether Property Control will be exercised depends on the circumstances in each case, such as the political character of the person detained or held in custody, nature of the charge or accusation leading to the detention, nature of the property owned or controlled by him, period of detention, and other pertinent data. In each case this determination will be made through the LCAH by the LPCC after consultation with the MG Legal officer, local CIC Detachment, Public Safety officer, or other detaining agency which will be in possession of pertinent facts.

17-344

Furniture, Clothing, and Personal Effects Partially Exempted. — LCAH's will not exercise any control over the furniture, clothing, and other personal effects most necessary for daily use of the detained person unless these have in fact been obtained through duress, looting, or confiscation.

SECTION F

PROPERTIES OF DISSOLVED OR SUSPENDED ORGANIZATIONS — ARTICLE I PAR 1(e) OF MG LAW NO. 52

17-350

Doctrine of Primary Concern Applies. — The instruction stated in MGR 17-311 above will guide LCAH's with regard to the application of control over the funds, accounts, records and other property of any organizations or associations suspended or dissolved by Military Government.

17-351

Laws Suspending or Dissolving Various Organizations. — LCAH's will refer to General Order No. 1, MG Law No. 5, Control Council Law No. 2, and other MG laws for information concerning the organizations and associations suspended or dissolved by Military Government.

SECTION G

PROPERTIES OF ABSENTEE OWNERS — ARTICLE I PAR. 1(f)
OF MG LAW NO. 52

17-352

Abandoned Property of German Nationals. — LCAH's will establish control over abandoned property belonging to German nationals, whether such persons are inside or outside of Germany, or where such property would otherwise come within the scope of MGR 17-300 above.

17-361

Allied Property. — LCAH's will establish control over properties owned or controlled by all Allied governments or nationals thereof, whether found abandoned or in the possession of custodians. LCAH's will consult and follow instructions of LPCC's on all pertinent matters affecting the maintenance of control over industrial and commercial properties belonging to Allied governments or their nationals.

SECTION H

ADDITIONAL PROPERTIES — ARTICLE I PAR. 1(g) OF MG LAW NO. 52

17-370

General Policy. — LCAH's will establish and maintain control over all properties, as directed by the LPCC, to be taken into Property Control. LCAH's are encouraged to forward recommendations to the LPCC, specifying properties not presently covered in MGR 17-300 above which they believe should be taken under control (see General Order No. 1).

17-371

Established Policy on Administration of Property Utilized in Information Control. — Certain properties used for disseminating information (such as newspaper plants, publishing houses, radio stations, theaters) are subject to particular OMGUS orders. With respect to these properties, specific instructions as to taking property under control, and particular custodians to be appointed, will be furnished by the LPCC to the LCAH. Such properties will not be released to persons exonerated under the Law for Liberation without written approval of Information Control Division.

17-372

Property of Persons Removed Under MG Law No. 5. — Such property is subject to MG Law No. 52, Article II, par. 45 of General Order No. 1 (see Section 13) which provides that property of all persons removed from public or private office or position by Military Government shall be subject to MG Law No. 52. The decision as to whether this property shall be placed under control depends on the circumstances of each case. Where deemed appropriate, the LCAH will take such property under control.

SECTION I

LOOTED PROPERTY — ARTICLE I PAR. 2 OF MG LAW NO. 52

17-380

General Rule. — Except as otherwise provided in MGR 17-381 below, LCAH's will establish and maintain control over property obtained through duress, looting, or confiscation.

17-381

Works of Art. — LCAH's will exercise control over works of art when there is reason to believe that these represent a clear case of loot or confiscation, dispossession or spoliation and where custody and control is not exercised by Monuments, Fine Arts and Archives officers, as provided under Title 18, MGR.

17-382

Foreign Exchange Depository. — Property obtained through duress, looting or confiscation, which is now or hereafter placed in the custody of the Foreign Exchange Depository, will not be subject to the provisions of this Title.

PART 4

FINANCIAL ASSETS AND OTHER SPECIAL PROPERTIES

SECTION A

FINANCIAL ASSETS

17-400

Financial Assets Defined General. — The term "financial assets" includes both German and other currencies, stocks, bonds, and other securities, certificates of deposit or receipts therefor, checks, drafts, and bills of exchange, warehouse receipts, bills of lading bank books evidencing claims against banks, postal, giro or other money orders, letters of credit and other commercial paper, gold and silver coins, gold, silver, and platinum bullion or alloys in bullion form, and jewels.

17-401

Financial Assets in Germany Subject to MG Law No. 53 Defined (Foreign Exchange Assets). — Financial assets subject to MG Law No. 53 include the following:

- a. Currency other than German currency; bank balances outside Germany; and checks, drafts, bills of exchange or other instruments of payment drawn on or issued by persons outside Germany;
- b. Gold or silver coin, or gold, silver or platinum bullion or alloys thereof in bullion form;
- c. Any securities or other evidences of ownership or indebtedness issued by persons outside Germany, and securities or other evidence of ownership or indebtedness issued by persons in Germany if expressed or payable in currency other than German currency;
- d. Claims and any evidence thereof owned or held by —
 - (1) Any person in Germany against any persons outside Germany whether expressed in German or other currency;
 - (2) Any person in Germany against any other person in Germany if expressed in a currency other than German currency;
 - (3) Any person outside Germany against another person outside Germany in which claim a person in Germany has any interest;

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e. Such other property as may be determined by Military Government to be a foreign exchange asset.

17-401.1

Procedure. —

a. When the properties of any person subject to MG Law No. 52 are taken into custody, those assets which are foreign exchange assets, as defined in MGR 17-401, will not be taken into Property Control custody but will be forwarded by the CAH to the LPCC through normal channels in the case of United Nations or Neutrals properties and to the LCAH in the case of German properties. The LPCC or LCAH, upon receipt of foreign exchange assets, will deposit them in a safe deposit box of the nearest Land Central Bank for safekeeping. The Land Central Bank will prepare such forms as are necessary under MG Law No. 53 for this class of assets.

b. With respect to the remainder of the property taken into custody, belonging to the same individual, which is subject to MG Law No. 52 but not MG Law No. 53, the CAH will follow through with the usual procedure for taking property under control, as prescribed in pars. 20 through 22.3, OMGUS AG letter 010.8 (FD), 25 Feb 47, subject, Property Control Accounting and Auditing Procedures, and Legal Forms. For example, a CAH may take into custody a business which owns, among other assets, stocks of subsidiaries in countries other than Germany. The stocks of foreign subsidiaries in such case will be forwarded to the LPCC or LCAH for disposition prescribed by MG Law No. 53, and the remainder of the assets belonging to the business will be taken into property control custody in the usual manner.

17-402

Financial Assets not Subject to MG Law No. 53. — Financial assets not subject to MG Law No. 53, are those classes of assets specified in MGR 17-400, which do not represent foreign exchange assets as defined in MGR 17-401.1 but are subject to MG Law No. 52.

17-402.1

Procedure. —

a. CAH's will determine whether or not such financial assets are being used or are capable of being used in connection with a property taken into control which is classified as an operating property, as defined in MGR 17-119a. If the financial assets are being used or are capable of being used in connection with a trade or business, they may be held at any place of safekeeping utilized by the business for similar assets, such as a safe, vault, safe deposit box, etc., and will be subject to use by the custodian;

b. If the financial assets, other than cash, are seized in connection with a property taken into control which is classified as an other income producing or a non-income producing, as defined in MGR 17-119 b and c, respectively, and are not required to be used by the custodian in connection with the operation or upkeep of the remainder of the property, such assets will be deposited by the CAH in a safe deposit box of a bank and will be subject to withdrawal by the CAH only. The rental on the safe deposit box will be paid by the custodian if there are funds in connection with the property; otherwise, payment for rental will be effected as prescribed in MGR 17-521.3. If such assets are required by the custodian in the operation or upkeep of the property, they may be held at any place of safekeeping utilized by the custodian for this class of assets. Cash taken into control in connection with such property will be governed by the procedures prescribed in pars. 30 through 32, OMGUS AG letter 010.6 (FD), 25 Feb 47, subject, "Property Control Accounting and Auditing Procedures, and Legal Forms";

c. If property subject to MG Law 52 consists solely of financial assets, or cash and financial assets, such property will not be taken into Property Control but will be deposited in a blocked account in any banking institution. Such property will thereafter be subject to blocking control only. (See MGR 17-125(c))

17-403.

Currency Abandoned by or Captured from Enemy Forces. — Currency abandoned by or captured from enemy forces generally constitutes "booty" according to rules of land warfare. CAH's will not take such currency into Property Control, but will turn it over to a U. S. Army Disbursing officer for disposition. If not acceptable by a U. S. Army Disbursing officer such currency should be delivered to the Currency Section, Foreign Exchange Depository, OMGUS (Rear), APO 757, against receipt.

17-405

Valid Currency Abandoned by Municipalities. — LPCC's or LCAH's will deposit valid currency abandoned by municipality, or by any other governmental subdivision or body, which may come into their possession or the possession of Military Government, in the nearest branch of the Land Central Bank or approved alternate bank to the credit of the municipality.

SECTION B

DEPOSITS, SAVINGS ACCOUNTS, AND OTHER ACCOUNTS IN POST OFFICES, BANKS, AND OTHER FINANCIAL INSTITUTIONS, BEARING RELATION TO PROPERTY UNDER CONTROL.

17-410

Accounts Dependent on or Related to Property under Control. — When LCAH's establish control over property they will also establish control over any and all accounts maintained in connection with the property.

17-411

Charges against Control Accounts. — Charges against control accounts for allowable expenditure may be made subject to the restrictions of MGR 17-520 through MGR 17-524.

SECTION C

FORMER ECCLESIASTICAL PROPERTY

17-420

Claims for Restitution. — LCAH's are directed to consult in these cases with the LPCC's pending the issuance of instructions from OMGUS for handling claims for restitution.

17-421

Use by Former Owner. — LCAH's may permit the use of these properties by the original ecclesiastical owners pending their ultimate disposition. LCAH's will collect rental or other compensation for the use of such properties or may, at the recommendation of the Education and Religious Affairs officer, through the LPCC, defer (but not waive) payment of compensation until ultimate disposition is made.

SECTION D

PERISHABLE PROPERTY AND PROPERTY SUBJECT TO DETERIORATION

17-430

Sale Authorized. — The LCAH will authorize or direct the custodian, manager, or operating agent to provide the sale of property:

- Whenever perishable property has been taken under control;
- After concurrence from interested branches of Military Government, whenever property taken under control is subject to deterioration or substantial depreciation, or loss of value;
- Whenever the cost of the upkeep or maintenance of non-income producing property will in time amount to a sum equal to the value of the property;
- Upon recommendation of the Land Ministerpräsident, or the appropriate civil authorities in the case of Bremen, Wesermünde and Berlin Sector, and with the approval of CPCB.

17-431

Treatment of Proceeds from Sale. — Proceeds from sales authorized in MGR 17-430, above, will be treated in the following manner. Where the property is related to a business enterprise, the CAH will deposit the funds received in such accounts and depositories as are customarily maintained on behalf of the business. Where the property is related to or represents a property other than that of a business enterprise, he will deposit the funds in the Land Central Depository in the same manner as surplus funds, as prescribed in par. 32, OMGUS AG letter 010.8 (FD), 25 Feb 47, subject, Property Control Accounting and Auditing Procedures, and Legal Forms. In the latter case, he will also enter proper notation on the Record of Property Transactions (MG/PC 3), with the circumstances pertaining to the sale, and forward this form together with related correspondence to the LPCC in the case of United Nations and Neutrals properties, or to the LCAH in the case of German properties, who will prepare a Receipt Voucher (MG/PC 4) in the manner prescribed in par. 34, OMGUS AG letter 010.8 (FD), 25 Feb 47, subject, Property Control Accounting and Auditing Procedures, and Legal Forms.

PART 5

INSTRUCTIONS

SECTION A

GENERAL

17-500

Custodians. — The LCAH will not act as trustee or receiver, nor manage property except through a custodian, manager, or operating agent, without written authority from the LPCC. In general, custodians, managers, operating agents and other personnel will be retained subject to the provisions of denazification laws, regulations, and directives (see Title 24, MGR).

17-501

Application of Control Must be Reasonable. — LCAH's will do what is reasonable, depending on the circumstances of each case. They will not exercise control over properties not important or valuable enough to warrant control. The nature of the property, the necessity for control, and its condition, value, ownership, and income-producing capacity are factors to be considered in deciding whether the property is important or valuable enough to warrant control. This decision will be made by the LCAH. The LCAH will refer doubtful or border-line cases for determination by the LPCC.

17-502

Elementary Guide. — LCAH's will:

- Employ as many civilians as are deemed necessary to carry out Property Control function within strength authorized and fund allotments (in this regard care will be taken to comply with MG Law No. 8);
- Consult with functional officers and representatives of agencies interested in the operation of business enterprises taken under control;
- Continue existing accounting systems of operating properties if satisfactory (LCAH will change accounting system only upon written authority from the LPCC).

17-503

Coordination and Liaison with Other Agencies.

17-503.1

Necessity for Coordination. — It will be noted that a relationship exists between certain Property Control activity and the work of the U. S. occupational forces and other branches of Military Government. The exercise of control over certain properties may affect the operation of specialist officers and agencies in other fields, and to that extent have an interest in the manner in which Property Control deals with such properties. Many times the successful maintenance of control over property depends on the assistance of outside officers and agencies.

17-503.2

Relationships Concerned. — LPCC's will maintain necessary liaison and coordination with the following, and other officers and agencies concerned:

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- a. The Economic Division in regard to overall policies on industrial production, overall economic controls over prices, rationing and distribution of commodities and services, agriculture, forests and fisheries;
- b. Local CIC Detachments and Public Safety Special Branches in regard to denazification of personnel, securing property information, and appointing custodians;
- c. Provost Marshall as to protection of properties against trespass by troops;
- d. G-2 personnel as to white and black lists;
- e. Corps of Engineers and Town Majors as to requisitioning property for military use;
- f. Legal personnel in case of doubt as to authority in any specific case;
- g. Monuments, Fine Arts and Archives (MFA & A) personnel for information on art works and archives which may be taken under Property Control pursuant to MGR 17-380 (LPCC's are authorized to post Notices of Custody (Form MG/PCI) on repositories and storage places of art works and archives, when specifically requested by MFA & A officers). These Notices will be removed as soon as adequate protection and security have been established by the MFA & A personnel (see MGR 17-230);
- h. Finance personnel in regard to overall financial policies, the application of MG Law No. 53 and the application of blocking controls under MG Law No. 52; Foreign Exchange Depository;
- i. Manpower and Labor personnel in regard to the use and operation of DAF property;
- j. Education and Religious Affairs personnel in regard to the maintenance of control over former ecclesiastical and educational property, and liaison and coordination with Education and Religious Affairs personnel concerning school property and problems;
- k. Transportation personnel in regard to providing transport facilities for the operation and custody of property;
- l. Public Welfare personnel in regard to the use and operation of the property of the Nazi Party welfare organizations; and
- m. LCAH in regard to overall policies pertaining to Property Control functions of German civilian authorities.

17-503.4

MG Personnel in the Field. — Military Liaison Detachments will enter the Property Control function only in an emergency when their assistance is requested by the CAH or requested by the Land Property Control Office represented in the field.

17-504

Screening of Civilian Personnel Employed by LPCC's and LCAH's. — LPCC's and LCAH's will be held responsible for seeing that full investigation and screening is completed at the earliest possible moment to determine the efficiency and reliability of custodians, managers, operating agents, and other personnel employed in connection with the maintenance of control over property.

SECTION B FEES OF CUSTODIANS

17-510

Reasonable Fees. — Fees paid to custodians, managers, operating agents and other personnel employed by LCAH's will be reasonable and consistent with local compensation standards established for the area. When a trustee handles more than one property and his total compensation on a fee basis is exceptionally large, he should be placed on a reasonable salary.

17-511

Increasing Fees Prohibited. — When LCAH's retain existing custodians, managers, or operating agents of properties taken under control, they may authorize the payment of the existing scale of fees, if reasonable.

17-512

Fees Part of Operating Expenses. — Fees of custodians, managers, operating agents, auditors, and other personnel employed by LPCC's and LCAH's, excluding personnel who are direct employees in Property Control Offices, will be treated in the same manner as current operating expenses, and will be paid out of income derived from the operation or use of the property. Fees are to be charged against each individual property and not as a single charge against all properties under one custodian. Such fees will be shown as expenses on financial statements appropriate to the property involved.

SECTION C EXPENDITURES

17-520

Normal Expenditures Authorized. — LCAH's will authorize custodians, managers, and operating agents to make such normal expenditures as are reasonably necessary to preserve, protect, and operate the property under control.

17-521

Normal Expenditures Defined. — With respect to income producing properties, "normal expenditures" comprise all operating expenses incidental to a reasonable operation of the property.

17-521.1

Operating Properties. — The term "normal expenditures" with respect to operating properties, as defined in MGR 17-119a, includes all expenditures incidental to the normal operation of the property, including expenditures for raw materials, goods for resale, labor, taxes, fees of custodians, repairs, rent, office expenses, insurance premiums, etc. The expenditures of a business enterprise will in all cases conform to the limitations imposed by Article 4, MG Law No. 52. In the case of partnerships and single proprietorships, a reasonable amount payable to the owners of a property and their families, not to exceed the maximum allowed by General License No. 1, will also be considered a normal expenditure.

17-521.2

Other Income Producing Properties. — The term "normal expenditures" with respect to other income producing properties, as defined in MGR 17-119b, includes necessary expenditures incidental

to the maintenance and up-keep of the property, such as ordinary repairs, taxes, wages of caretakers, insurance premiums, fees of custodians, etc. The expenditures of any other income producing property will in all cases conform to the limitation imposed by Article 4, MG Law No. 52. A reasonable amount payable to the owners of a property and their family, not to exceed the maximum allowed by General License No. 1, will also be considered a normal expenditure.

Custodians, managers, and operating agents will not incur, in any month, expenditures which will exceed the income of the property for that month without a specific prior approval for such expenditures from the LPCC in the case of United Nations and Neutrals properties and from the LCAH in the case of German properties. Such approval will be obtained by the most expeditious means and need not be in writing. However, the LCAH will keep a record of such approval, with reasons therefor, and, in forwarding any custodian financial report (MG/PC/S/F) which shows an excess of expenditures in income, will note in the indorsement the cause of such excess and the reason for having given approval.

17-522

Non-Income Producing Properties. — The term normal expenditures with respect to non-income producing properties includes the classes of expenditures specified for other income producing properties in MGR 17-521.2, above, except that such expenditures will be limited to the amount of property funds taken into custody with the property. If there are no funds under control in connection with such property, or if such funds have been exhausted, CAH's will arrange with the local German government for the payment of those expenses necessary to prevent deterioration of the property. The local German government will keep a record of such expenditures paid on account of each non-income producing property. The accumulated expenditures constitute a lien against the property until such property is either returned to its rightful owner or otherwise disposed of, in which case the liability will be liquidated.

17-523

Extraordinary Expenditures Prohibited. — Under no circumstances will LCAH's permit custodians, managers, and operating agents to incur extraordinary or unusual expenditures such as capital improvements, purchase of assets such as land, buildings, equipment or machinery without specific approval of the LPCC in the case of United Nations and Neutrals properties and of the LCAH in the case of German properties.

17-524

Negotiations of Loans Permitted. — LCAH's may authorize custodians, managers, and operating agents to negotiate loans through the local financial institutions for the payment of authorized expenditures. These loans will be chargeable solely against the property or income thereof. CAH's include a statement of explanation and justification on the Report of Property Transactions (MG/PCI) whenever such loans are negotiated. Prior permission must be obtained in writing from the LPCC in case of United Nations and Neutrals property.

17-525

Unauthorized Use of Funds. — Custodians will not be permitted to expend the funds of one property on other properties, unless both properties in question are owned by the same person. The term "same person" in the sense of this provision means the same "natural" or "juridical person", such as an individual, corporate entity, etc., and does not authorize, for example, the expenditure of funds belonging to one subdivision or agency of the Reich on property belonging to an unrelated subdivision or agency of the Reich.

17-526

Loans to Individuals, Firms or Public Authorities. — Under no circumstances will property funds be used as a source for advancing loans to individuals, firms, or public authorities, unless the property is operating in the capacity of a financial institution.

PART 6 PROPERTY RECORDS, COURT AND LEGAL FORMS SECTION A GERMAN PROPERTY RECORDS

17-600

General. — LPCC's and LCAH's will familiarize themselves with the documents and records discussed below, as they furnish the primary source of information concerning property in Germany. A knowledge of where these documents may be and what they contain will facilitate the work of LPCC's and LCAH's and enable them to answer detailed inquiries on any property in their areas.

17-601

Grundbuch.

17-601.1

Contents and Location. — The Grundbuch (Land Register) will usually be found at the Amtsgericht or in the town hall or in custody of the Bezirksoffizier. This record is a register of title, and contains descriptions of all properties in the area, the various interests held therein, and other essential data, arranged according to location of property.

17-602

Grundakten. — Entries in the Grundbuch are made from papers called Grundakten which are prepared by the Amtsgericht or the Bezirksoffizier and filed with the Grundbuch. When these papers are prepared, the purchaser either retains a certified copy of the original deed or receives a certified abstract of the title or the right.

17-602

Personen-Register. — There is also a Personen-Register which is a cross index of the Grundbuch arranged according to the name of the owner. This record contains the owner's address, references to any mortgages against the property, rights of way and easements, and the page number of the Grundbuch entry. The Personen-Register will ordinarily be found at the Grundbuchamt in the Amtsgericht.

17-603

Notar. — In all cases where a Notar drafted a deed or any paper affecting title to real estate, he has retained a copy of the Grundakten. It will be possible to draw conclusions on title from the files of the local Notar in many cases where the Grundbuch and Grundakten are missing or have been destroyed. The Notar also drafted contracts and instruments conveying interests in personal and commercial property.

17-604

Handelsregister. — The Handelsregister (Trade Register) will usually be found at the Amtsgericht in an office separate from the Grundbuch. This record is an official register on commercial transactions, primarily containing articles of incorporation and formation data on partnerships, associations, and other combinations for trade and industry. It also contains references to the appointment of administrators for enemy-owned undertakings.

Handelskammer. — The Handelskammer (local chambers of industry and commerce) which enjoy an official status in Germany, often have information concerning documents affecting title to commercial and industrial properties.

17-605

Reichskommissar für die Behandlung feindlichen Vermögens. —

17-606.1

Administration of Certain Enemy Property. — Many properties belonging to Allied governments and nationals thereof were placed under the supervision of the Reichskommissar für die Behandlung feindlichen Vermögens (The Reichs Commissar for handling Enemy Property). The office of the Reichskommissar was concerned primarily with enemy realty, industrial enterprises, patents and copyrights, ships and shipping companies.

17-606.2

Recorded in Oberlandesgericht. — Such property was recorded in the Reichskommissar's office (located in the Reich Ministry of Justice in Berlin) and also in the files of the Oberlandesgericht having jurisdiction over the property.

17-606.3

Administrators. — Such property was administered by Verwalter (special administrators) whose duties included the preparation of inventories, investigation of bank accounts, and the maintenance of books. The Verwalter also submitted periodical reports, financial statements and Annual Final Reports to the Reichskommissar and the Oberlandesgericht.

17-606.4

Jurisdiction of Oberlandesgericht. — The Oberlandesgericht having jurisdiction over the property appointed the Verwalter, fixed their fees, defined their powers and dismissed them when so required. The Oberlandesgericht also rendered judgements in cases instituted for the confiscation of religious and charitable property.

17-606.5

Use of Prepared Lists. — Property Control Offices have received prepared lists of all property known to have been under the German Alien Property Custodian. It is assumed that these lists comprise the majority of property of this type. However, in case any additional property of this type is uncovered at lower levels, Property Control will immediately take the property into custody as authorized by MG Law No. 52.

17-607

Administration of Enemy Property by Abwesenheitspfleger. — Movables belonging to Allied governments and nationals thereof, and other Allied property not requiring constant direction and supervision, e. g., minority interests in business enterprises and realty of low value, were often placed under the administration of Abwesenheitspfleger appointed by the Abteilung für Vormundschaftsgericht. Such property was recorded in the files of the appropriate Amtsgericht. The Landgericht and Oberlandesgericht also have jurisdiction in guardianship matters.

SECTION B COURTS

17-612

Amtsgericht. — The Amtsgericht is the lowest court of record. The Abteilung für Vormundschaftssachen, a section of this court, has limited jurisdiction over the administration of movables and realty of low value belonging to absentee owners. The Amtsgericht is also the depository for the Grundbuch and the Handelsregister.

17-613

Landgericht. — The Landgericht is the intermediate court between the Amtsgericht and the Oberlandesgericht. It is a court of original jurisdiction and also a court of appeals for the Amtsgericht. It may exercise the functions of the Oberlandesgericht in those Regierungsbezirke where the latter court does not sit.

17-614

Oberlandesgericht. —
Jurisdiction of Enemy Property. — The Oberlandesgericht is the highest court of original jurisdiction in the Länder. The Abteilung für Vormundschaftsgericht, a section of this court, exercises extensive jurisdiction over the administration of property belonging to enemy countries and nationals thereof. It could appoint Verwalter and Treuhänder (Trustees), fix their salaries, revoke appointments, define the powers of administration and issue other pertinent orders. The Oberlandesgericht is the depository for records filed in connection with enemy properties placed under control of the Reichskommissar.

17-015

Authority to Use German Courts. — LPCC's will not submit themselves to the jurisdiction of the German courts in any capacity other than as witnesses except upon written approval of the CPCB.

17-616

Spruchkammer. — The law for Liberation from National Socialism and Militarism provides for the establishment of tribunals which shall decide the classification of the responsible persons and the sanctions to be imposed. Trial tribunals have been established in urban and rural districts.

17-616.1

Berufungskammer. — Berufungskammer (Appellate tribunals) exist for the review of decisions.

17-616.2

Ankläger. — An Ankläger (Public Prosecutor) is assigned to each of the tribunals.

SECTION C

SUGGESTED USE OF LEGAL FORMS

17-620

General. — The legal forms set forth in OMGUS AG letter 010.6 (FD), 25 Feb 47, subject, "Property Control Accounting and Auditing Procedures, and Legal Forms" are provided as guides for the preparation of agreements entered into by LPCC's and LCAH's, who will remember that these forms are illustrative only and that the legal personnel should be consulted in case of doubt as to the insertion of proper provisions.

17-621

Appointment of Enemy Property Custodian. — (MG/PC/L/1).

17-621.1

LCAH May Reserve Matters for his Decision. — The custodian should be given reasonably wide latitude in the performance of his duties. Yet LCAH's may deem it advisable to limit the exercise of certain powers incidental to the operation and custody of properties. In this case, LCAH's may insert provisions in the contract reserving the particular matters for his decision.

17-621.2

Contractual Powers Circumscribed by MG Regulations. — LCAH's will observe that they can not confer powers on the custodians by contract which have in fact been withheld from the LCAH's by these Regulations or by orders of the LPCC. For instance, MGR 17-520 through MGR 17-524 forbid extraordinary expenditures and authorize LCAH's to permit custodians to make normal expenditures. Consequently, paragraph C1 of the legal form will be inserted in every contract made with custodians.

17-621.3

Fees of Custodians. — LCAH's will determine compensation for services rendered by custodians in accordance with instructions set forth in MGR 17-510. In the contract, compensation may be expressed in terms of a lump sum payable monthly or in terms of a sum measured by a percentage of the monthly cash receipts, care being taken that each property is charged directly for its custodian's fees. LCAH's may find the first method of expressing compensation more suitable for contracts relating to custodians of business enterprise. Paragraph D of the legal forms incorporates both methods of stating compensation and LCAH's will disregard the inapplicable portion of the paragraph.

17-621.4

Disposition of Contract Copies. — Copies of the agreement with the custodian will be furnished to the LPCC, LCAH, CAH and the custodian. Custodians will be directed to file copies of said agreement with the Grundbuch, Handelsregister or other depositary specified by German law (see MGR 17-600 to MGR 17-607).

17-622

Lease of Realty. — (MG/PC/L/2).

17-622.1

Special Provisions Based on Custom May be Inserted. — It is contemplated that special provisions based on local customs will be required for leases of real property. These provisions may be inserted in contracts for the lease of realty by the LCAH.

17-622.2

Repairs by Lessee. — If extensive repairs are required, it will be necessary to provide some compensation for the lessee in case of termination of the lease prior to its expiration.

Generally, the allocation of the cost of repairs over the term of the lease will provide a fair measure of the damage suffered by the lessee in such an event (see pars. C 4 and D 1 of the legal form).

17-622.3

Taxes and Insurances. — LCAH's may omit or modify the tax and insurance provisions of paragraphs C 2 and C 3 of the legal form. However, LCAH's will observe that tax and insurance must be paid out of income from the property and that the rental price will consequently be higher in those cases where the cost of taxes and insurance is born by the lessor.

17-622.4

Disposition of Lease Copies. — Copies of the lease will be delivered to the LCAH, LPCC and CAH, and the parties to the lease. Copies thereof will be deposited for file in customary depositories specified by German law (see MGR 17-600 to MGR 17-607).

17-623

Hire of Goods. — The instructions set forth in MGR 17-622 through MGR 17-622.3 are pertinent to contracts for hire of personal property under control. Where the property would not be replaceable if damaged, it may be necessary to require a deposit by the lessee in order to guarantee the payment of damages to the lessor in case of accident or loss.

PROPERTY CONTROL

PART 7 PROPERTY CONTROL ACCOUNTING AND AUDITING PROCEDURES, AND LEGAL FORMS

17-700

Decentralization of Accounting Functions. — Property Control accounting functions are decentralized to, and are the responsibility of, the LCAH's of Bavaria, Bremen, Hesse, and Württemberg/Baden. These agencies will maintain complete accounting systems with full information on all properties under their control. Detailed instructions relating to the various accounting processes, including submission of reports, are set forth in letter, OMGUS AG 010.6 (FD), subject: "Property Control Accounting and Auditing

Procedures, and Legal Forms", dated 25 Feb. 1947. Property Control accounting for OMG-Berlin Sector, will remain the responsibility of the CPCB.

17-701

Decentralization of Auditing Functions. — The auditing function, both in relation to individual properties and to organizational procedures, is decentralized to, and is the responsibility of LPCC's and LCAH's of Bavaria, Bremen, Hesse, and Württemberg/Baden, and the Property Control Chief, OMG-Berlin Sector. The minimum general audit program is prescribed in letter, OMGUS AG 010.6 (FD), subject: "Property Control Accounting and Auditing Procedures, and Legal Forms", dated 25 Feb. 1947.

ANNEX VII

MILITARY GOVERNMENT LAW NO. 5

Dissolution of the Nazi Party

(Excerpt)

This Law dissolves the Nazi Party and provides as follows:

- *5. All funds, property, equipment, accounts, and records of any organization mentioned in this Law shall be preserved intact and shall be delivered or transferred as required by Military Government. Pending delivery or transfer, all property, accounts and records shall be subject to inspection. Officers and others in charge thereof and administrative officials will remain at their posts until otherwise directed, and will be responsible to the Military Government for taking all steps to preserve intact and undamaged all such funds, property, equipment, accounts, and records, and for complying with the orders of Military Government regarding blocking and control of property."

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**) Correction of Proclamation No. 2, Article I (see Issue C, page 14)

***) Revision of German translation (see Issue M, page 43)

†) Repealed by Article II of Amendment No. 2 to MG Law No. 2 (see Issue B, page 2)

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**) Changes in the German translation (see Issue L, page 32)

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