

## LEGISLATION PORTAL

Decree-Law nº 8553 of 01/04/1946 / PE - Federal Executive Branch  
(DOU 01/15/1946)

Creates the War Reparations Commission and gives other measures

DECREE-LAW N. 8,553 - OF 4 JANUARY 1946

Creates the War Reparations Commission and takes other measures

The President of the Republic, using the powers conferred on him by Article 180 of the Constitution, and

Considering that the complete defeat of the enemy and the end of hostilities in the war in which Brazil was engaged alongside of the United Nations, determined the suspension of the State of War (Decree nº 19,955 of November 16, 1945);

Considering that the aforementioned Decree nº 19,955 kept the assets of the subjects of the countries with which Brazil was at war subject to the restrictions resulting from laws and decrees in force:

Considering that the tendency to normalize international relations and the return of the country to constitutional guarantees would justify in the opinion of many the revocation of some of the restrictions mentioned above;

Considering, however, that the main restrictions imposed on German, Japanese and Italian subjects were aimed at ensuring the payment of indemnities due to acts of aggression practiced by Germany, Japan and Italy (Decree-Law No. 4,166, of March 11, 1942 and subsequent legislation):

Considering that, in view of the peculiar situation of Italy, which from enemy power became co-belligerent and then the ally, restrictions imposed on the assets and rights of Italian individuals residing in the country have already been lifted, subject, however, to continuing, however in full force the provisions applicable to Italian individuals or legal entities, resident or domiciled abroad and even to Brazilian legal entities subordinate to foreigners or

dangerous to national security (Decree-Law No. 7.723, of July 10, 1945);

Whereas Germany and Japan, which have become jointly and severally liable with Italy for these acts of aggression, have so far not satisfied, nor are they in a position to fully satisfy the due indemnities;

Considering that, therefore, it is necessary to effect the repair of those injuries, under the terms of article 3 of Decree-Law No. 4,166, establishing the amount of damages caused and the form of payment of the corresponding indemnities;

Considering that for this it is necessary to finalize the liquidation of the measures applied to integrate the "Indemnification Fund", establishing general rules aimed at speeding up this liquidation;

Considering, on the other hand, that Brazil has assumed international commitments with the other American nations related to the imposition of the mentioned restrictions and to the moment and the form of their suspension;

Considering that it is essential that all activities aimed at achieving the objectives specified above are carried out by a single body, with precise attributions and sufficient powers to coordinate the different sectors of public administration;

Decree:

Art. 1 The War Reparations Commission (CRG) is constituted, constituted of 8 members, six representatives appointed by the following Ministries: Foreign Affairs, Finance, Justice, War, Navy and Air Force, one from Banco do Brasil and the other from Merchant Marine Commission.

§ 1 The Commission will be directly subordinate to the President of the Republic who will appoint all its members.

§ 2 The Commission will be chaired by the Minister of State for Foreign Affairs, who will be replaced in his absences and impediments, by the Secretary General or by the Head of the Political, Economic and Cultural Department of the same Ministry.

Art. 2 It is incumbent upon the War Reparations Commission:

- a) to guide the application of Decree-Law No. 4,166, of March 11, 1942, and subsequent legislation, maintained in force by art. 1 of Decree number 19.955, of November 16, 1945, aiming to conclude the execution of the restrictive measures and make the reparation of the damages caused effective;
- b) to establish for this purpose the general rules to be obeyed by Banco do Brasil S / A., as Special Agent for Economic Defense (AGEDE), in accordance with the provisions of art. 3rd.
- c) draw up, with the assistance of AGEDE, an inventory of people, goods and rights that were or continue to be subject to restrictive measures resulting from legislation enacted during the state of war;
- d) propose to the Government the exclusions, inclusions and reinclusions in the aforementioned restrictive measures.
- e) to propose to the Government any other measures necessary to achieve the objectives defined in letter a or related to its competence, organization and good functioning;
- f) review the acts by which assets and rights subject to the regime of Decree-Law number 4.166 and subsequent legislation were incorporated into National Heritage or expropriated and propose new incorporations and expropriations or the annulment of those that were made in disagreement with the interests of the country ;
- g) order the proceeding, through AGEDE, to evaluate the assets and rights incorporated into the National Patrimony, in accordance with the provisions of the previous letter, or any other assessment that may be necessary;
- h) approve the appraisal report that may be presented or, if not, order a new appraisal to proceed;
- i) to propose to the Government the necessary acts so that the assets of the German, Japanese, and Italian subjects are to be specified who must answer for the acts of aggression, in the terms of art. 1st of Decree-Law number 4,166;
- j) organize a list of these assets, with the respective values;
- k) to invite Brazilian individuals and legal entities, domiciled or resident in Brazil, to submit the claims to which they are entitled, publishing notices and issuing the necessary

instructions to qualify them as creditors of the Indemnity Fund;

l) resolve on the merits of the complaints presented and fix the amount of indemnity in each case;

m) to determine the losses caused to the Union, States, Municipalities and Parastatal Entities and to determine the amount of the respective indemnities;

n) submit to the Government the general account of war reparations;

o) to elaborate the indemnity payment plan referred to in art. 3rd sole paragraph of Decree-Law No. 4,166;

p) to propose to the Government the issuance of the acts necessary for the full execution of the measures to which Brazil is bound by the force of the international acts signed by it, approved and promulgated and related to its attributions;

q) opine on requests for declaratory or naturalization titles included in art. 4th;

r) serve as an advisory body to delegates and representatives of the country at international conferences on matters related to their duties;

s) to prepare and submit to the approval of the President of the Republic the internal regulations of CRG within fifteen days of its installation;

t) prepare your budget.

Art. 3 Banco do Brasil S / A will continue to exercise, through the Special Agency for Economic Defense, on behalf of the Federal Government, the duties conferred on it by Decree-Laws n. 4,807, of October 7, 1942, and 5,661, of July 12, 1943, and by Decree 13.101, of August 7, 1943, with the limitations established in this Decree-Law.

Art. 4 The granting of declaratory and naturalization title, made from March 11, 1942 or during the term of this Decree-Law, does not matter in exemption from the onus that weighed or weighed, under the force of Decree-Law nº 4.166 and subsequent legislation, on the heritage of former subjects of the countries with which Brazil was at war, if it is proved, in the judgment of CRG, that the beneficiaries of the concession should be included in art. 1 of Decree-Law no. 5,775, of August 26, 1943.

Art. 5 CRG members will receive a bonus of .. .. Cr \$ 200.00 (two hundred cruzeiros) per session, to which they appear and are assured if military or civil servants, the salaries and other advantages of their position, position or function.

Art. 6 In addition to CRG, there will be a Legal Consultancy that will issue an opinion on the processes sent to it for this purpose.

Single paragraph. The Legal Consultancy will be constituted by a Consultant and an Adjunct, bachelors in law of recognized capacity, required by the form of art. 7th or admitted under contract.

Art. 7º ACRG will have a secretariat formed by civil servants and autonomous entities, parastatal and similar, requested in the form of the legislation in force and, well, by supernumerary personnel admitted in the terms of the law.

§ 1 The work of the secretariat will be headed by a secretary appointed by the president of CRG from among the employees requested in the form of the above article.

§ 2º To the employees requested in the terms of this article will be granted the pro-labore bonus that is established by CRG

Art. 8º To proceed with the accounting work and the calculations foreseen in art. 2nd will be required, in the manner provided for in the previous article, an accountant and an actuary.

Art. 9º In the performance of its duties, CRG may enter into direct agreement with the federal, state, municipal, parastatal or equivalent authorities, requesting information or assistance that may become necessary for the perfect performance of its mission.

Art. 10. The special credit of .. Cr \$ 250,000.00 (two hundred and fifty thousand cruzeiros) is open to the Ministry of Finance, to meet the expenses (Services and Charges) with the installation and operation of the CRG

Paragraph. The credit dealt with by the Court of Auditors and will be distributed to the National Treasury at the disposal of the President of CRG, who will request the necessary payments or advances.

Art. 11. This Decree-Law will come into force on the date of its publication, the provisions to the contrary being revoked.

Rio de Janeiro January 4, 1946, 125th of Independence and 58th of the Republic.

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