

RESTRICTED

HANDBOOK
FOR
KREIS RESIDENT OFFICERS

PART II
(Technical)

PAMPHLET No. 1

**The Kreis Resident Officer and his Relations
with the German Administrations**

SECTION I

THE KREIS RESIDENT OFFICER

INTRODUCTORY – MAIN CATEGORIES OF WORK

1. Position of KRO.

The KRO is the direct representative of the Control Commission in his Kreis. He is concerned with the local aspect of every matter with which the Control Commission is concerned. That embraces every aspect of life in Germany, but categories can be distinguished as shown below.

2. Categories of work.

- (a) *Reserved Subjects*, over which legislative powers have for the present been withheld from the Länder. Divisible into :—
- (i) Subjects—such as Currency, Post and Telecommunications, Transportation, Foreign and inter-Land Trade, Criminal and Civil Law and Procedure, Direction of Basic Industries and similar matters—which must be centralised to be efficient and for which Military Government must, therefore, hold the responsibility pending the setting up of a centralised Government.
- (ii) Subjects which, for security or other good reasons, have to be under the close control of the Occupying Power as such.
- (b) *Transferred Subject* over which legislative powers have been conferred on the Länder. (The Regional Commissioner's assent is, however, necessary, before any law becomes effective.)

3. Ordinance No. 57

The instrument on which the above division has been based is Ordinance No. 57, which should be studied. In pursuance of the Ordinance, a Regulation (Regulation No. 1) has been issued, which restricts the executive authority of the Länder in the administration of the majority of the subjects concerning which legislative powers have been reserved by the Ordinance. The intention of the Regulation is not to effect the total exclusion of the appropriate Land offices from all the relevant administrative functions, but to ensure that in these matters the Land machinery shall be directly subject to, and exclusively the agent of, Military Government (acting in most

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matters as the "trustee" of any future centralised Government) or to supra-Land authorities set up by Military Government.

Note. The reserved subjects are listed in the Schedules to Ordinance No. 57, which have been amended by a later Ordinance (No. 81) effective from 1 March, 1947. Consequential amendments are to be made to Regulation No. 1 to bring it into line with the Ordinance.

4. Supra-Land authorities

When the economic fusion of the American and British Zones was effected, arrangements were made whereby a number of reserved subjects were administered by *Bizonal* (German) Executive Committees, controlled, through *Bipartite* (American/British) Control Groups, by Bipartite Panels, who in turn were responsible to the Bipartite Board consisting of the DMGs of the two Zones. The Bizonal Committees are:—

- (a) Executive Committee for Economics, MINDEN.
- (b) Executive Committee for Food and Agriculture, STUTTGART.
- (c) Joint Committee for Finance, FRANKFURT.
- (d) Executive Committee for Transport, BIELEFELD.
- (e) Executive Committee for Communications, FRANKFURT.
- (f) Joint Committee for Civil Service, FRANKFURT.

On 29th May, 1947, the British and United States Military Government announced the establishment of an Economic Council, to consist of about fifty-two representatives elected by the Land Parliaments in the two Zones. The Council is a political body with legislative power and freedom of discussion within the field previously covered by the Bi-zonal Agencies.

Under the Council is an Executive Committee, composed of eight members (one for each Land,) which is responsible for the day to day co-ordination and supervision of the Bi-zonal Agencies. The Bi-zonal Agencies (as in (a) to (f) above) are headed by Directors appointed by the Council. They issue instructions, in accordance with the policies of the Council, to the Land governments, or to their own subordinate German authorities in the Zones.

The Economic Council and all its subsidiary offices will be concentrated at Frankfurt. (For a fuller description of the Economic structure of the two Zones, see Pamphlet No. 11).

Notes.

(1) The Committee for Civil Service is not, of course, itself functional in the same way that the others are. Its object is to produce and apply a common set of rules and regulations for a supra-Land Public Service (i.e. a Civil Service as distinct from the Public Services at Land level and below) to staff the governmental agencies above Land level.

(2) In addition to the Bi-zonal Committees certain other supra-Land Authorities exist *within* the Zone, e.g. the central Legal Office.

RELATIONS WITH THE GERMAN AUTHORITIES

5. Reserved Subjects—para. 2(a) (i) above

As stated above (para. 4), the Bizonal (German) Agencies issue instructions in accordance with the policies of the Economic Council direct to the subordinate German authorities, and it will be very rarely, if ever, that the KRO should give any direct orders. He should usually content himself with watching and giving a word of advice in season. His best resource, if he considers that mis-management is occurring and his advice is being ignored, is to report through the Kreis Group Commander for the information of higher authority, by whom the necessary direction will be given.

6. Reserved Subjects—para. 2(a) (ii) above.

The KRO has the right, as the direct representative of CCG on the spot, to require the German authorities to render all reasonable assistance for the execution of any lawful order. While, however, there should be no hesitation in giving a direct order when it is required, it will usually be found that the German authorities will be most ready to co-operate if, the basic order having been made clear, the details are worked out by means of consultation and mutual advice.

7. Transferred Subjects

- (a) The KRO will find himself at first in a very difficult position. The change which we have introduced by making the Councils responsible to the electors and masters of their own executive has loosened the ties between them and the Public Service; and it will not

be possible to perform adequately the essential tasks of local government, unless there is a clear conception, on all sides, of the part to be played by the several elements that go to make up the local governmental structure under the new system (see Section II). Here, there are numerous questions which the Germans themselves still have to work out, such as, among many others, the relationship with government departments concerning shared services, the division of duties between the Political Head of the Council and the Chief Executive Official, the powers of the Supervisory Authorities, the terms of appointment of municipal officials. Some general principles affecting these questions are given in Section II, paras. 8, 9(a) and (b) and 10(a) below. Until they are settled, the smooth running of the administration is bound to suffer. In the meantime, it is necessary to ensure that it suffers as little as possible.

- (b) The time for direct control has gone. But to watch these things and help as far as he can must be a most important duty of the KRO. It is, in many ways, a new problem for the Germans and they are in need of advice. Under their own system, the executives of local Councils formed part of the Civil Service and the question of dual control did not arise, or arose only in a much milder form.
- (c) If the KRO inspects too much or offers too much advice, he may defeat his own end. It is his duty to carry out so much inspection as may be necessary to satisfy him that our basic principles are being observed. If he has reasons to suspect that they are not being observed or that the administration is not being honestly conducted, he should make a report through Kreis Group in the same way as for a reserved subject (see para. 5 above).
- (d) Although the KRO should carry out that amount of inspection, his best work is likely to be done by offering unobtrusive advice when it is sought. The growth of confidence may be slow, but it is the surest way. The present directive does not seek to lay down hard and fast instructions. Each KRO will act in the light of his own experience, judging his own best form. Be careful not to interfere too much through over-keenness and, before long, there should be no lack of callers seeking advice.

8. Social relations.

It cannot be too strongly emphasised that a KRO will get the best results if he knows the Germans personally. It is not in his office nor even necessarily in "office hours" that he will learn the most. Close social relations, within the framework of policy laid down from time to time, are to be cultivated.

RELATIONS WITH CCG FUNCTIONAL OFFICERS.

9. Duty of co-operation.

- (a) The KRO is concerned with all subjects. In all matters for the execution of which CCG is responsible he has a direct charge. If it is a functional matter, and there is a functional officer to carry it out, the KRO must not regard himself as unconcerned. He must give the functional officer every possible help and guidance about local conditions. The KRO will, of course, not interfere in the purely technical work of functional officers, but he will keep them in touch with public opinion and with what other departments may be doing on parallel lines. It is certain that, if anything untoward should occur, the KRO, as the direct representative of Military Government on the spot, will be the one considered by the public to be responsible; the cause may indeed have been his failure to supply the functional officer with local information or, on the other hand, the functional officer may have been at fault; but, in either case, if the KRO wants loyal support, he must be prepared to take at least his full share of responsibility.
- (b) Functional officers may sometimes be slow at first to recognise the necessity for co-operation and consider that they need only deal with their functional superior. The KRO can do much to correct this view by sympathetic handling. But the duty of co-operation is mutual. It is as essential for functional officers to realise this as for the KRO. In particular it is of the utmost importance that functional officers visiting a Kreis from outside should make contact with the KRO.

10. Co-ordination of departments.

Where more than one department is concerned with a problem and their work tends to overlap, the KRO can often be most useful in helping to smooth the matter out. The

administration essentially is not a department; it is the coordinating element between departments. The KRO, even if he may be a specialist in some respects, must not allow himself to become so identified with the activities of any department that he cannot hold the balance true between them all.

11. KRO's responsibility in absence of functional officers.

When there is work to be done for the execution of which CCG is responsible and there is no functional officer to do it, the KRO, as jack of all trades, has to do his best, using his influence with the German authorities. If he is in need of advice or help he consults the Kreis Group Commander.

RELATIONS WITH OUTSIDE ORGANISATIONS.

12. Besides keeping close contact with CCG departments, the KRO will have to maintain liaison with all the outside organisations at work in his Kreis-Red Cross, Voluntary Welfare Societies, etc. He must keep close touch with DPs, PWs and every sort of friend and ally.

RELATIONS WITH THE SERVICES.

13. If there is a military or air force unit stationed in his area, it is essential that the KRO should maintain close liaison with the Commander. There are many day to day matters in which he can help. He should be familiar with the instructions of the R.B and Kreis Group Commander for his action in the event of an emergency.

RELATIONS WITH THE KREIS GROUP.

14. The Kreis Group system.

Kreis Groups (usually of about five Kreise each) were formed during 1946. The Group has no counterpart in the German organisation. Provided it is not allowed to become top-heavy, it has certain advantages:

- (a) It provides a centre, which should not be more than about twenty miles from each Kreis, at which frequent consultation can take place between KROs and the Kreis Group Commander, leading to agreement upon a common line to follow, or, where a matter requires reference to higher authority, it can be agreed that the Group Commander or one of the KROs should write a short memorandum on

behalf of all, which not only saves time for the rest but gives the point of view presented rather more weight.

- (b) There is generally a nucleus of departmental officers available at Group HQ who can be consulted on any technical aspect.
- (c) A distinct saving of office work in the Kreise and a saving of stationery results if the Group Commander places a common-room at his HQ at the disposal of visiting KROs, where they may read and initial any directives received from higher authority which are not so urgent as to have required immediate circulation.
- (d) The Group provides an opportunity of social intercourse among its members, which is always useful in sweeping away the misunderstandings which arise in correspondence.

15. Accommodation of KROs.

There are a few cases in which KROs, instead of living in their Kreis and visiting Group Headquarters, have been established in a mess at Group Headquarters, from which they visit their Kreis daily. This results in a loss of contact with the Kreis and is not to be recommended if it is possible for the KRO to live in his Kreis with a military or Control Commission Unit.

16. Issue of orders by Kreis Group Commander.

The Kreis Group Commander is the executive and administrative superior of his KROs, but he should leave to each KRO the issuing of orders to German authorities in his Kreis, so as not to derogate from his authority. In practice, with the delegation of authority to Länder and the confirmation of the independence of local authorities under Land supervision there will be fewer occasions on which it will be necessary for KROs to give Mil Gov orders at their level.

RELATIONS WITH THE GERMAN PUBLIC.

17. Visits, interviews, etc.

- (a) The KRO must be continually on the move round his Kreis, meeting every senior official in the administration and other leading personalities, whether officials or not. Nevertheless, he cannot always be out and he must be available to the public for inter-

views. He must also have a certain amount of time for reading what is written to him by Germans. Again, if his travels around his Kreis are to be of any real use, they must result in giving him ideas, some of which will have to be reported to higher authority.

- (b) It will seldom be wise to refuse interviews although it will be found that most of the German callers at his office have come about some matter which they very well know has already been handed over to German administration. The KRO can only listen with what patience he may and direct them to the right channels. Every little while such patience will be rewarded with some piece of really useful information.

Note. Regarding social relations, see para. 8 above.

18. The KRO as the link with the people.

The organisation has not necessarily yet reached its final shape, but one thing at least is becoming constantly more obvious, and that is the importance of the KRO as the direct link of our administration with the people. Now that he has become an adviser rather than a direct transmitter of orders, it is scarcely too much to say that the whole success or failure of CCG rests upon his quality and he must be given every reasonable facility for doing his work.

SECTION II

THE KRO AND THE ADMINISTRATION

INTRODUCTORY.

1. Our object in the sphere of local government.

We have entered on a new phase in the administration of Germany. Our object remains what it has always been: that is (so far as local government is concerned) to build up local self-government on democratic principles. But the means are now radically different.

2. Development since the beginning of the Occupation.

In the early days, Military Government made the laws and carried out far-reaching changes. We consulted the Germans, but we did not seek their approval. That phase is now past history. We have turned over the machinery of

government to the Germans, and what they want will prevail in the end. We retain, of course, the ultimate power, and we can always step in to prohibit abuses, but in the long run we now stand or fall by our ability to make the Germans believe that our ideas are best. Our object to-day may therefore be expressed in a sentence: to persuade the Germans to think and act as democrats.

3. The KRO and the democratic idea.

The KRO is therefore a missionary of the democratic idea, who will convert the Germans to his way of thinking to the degree that he succeeds in winning their respect and confidence. It is of great importance that he should learn German, for only so will he get inside the German mind and his words carry full weight. But if he is unable to become a fluent German speaker, honesty of purpose, coupled with a real desire to understand the German's viewpoint, will carry him a long way.

4. The German background.

The essential difference between the German's viewpoint and ours is largely rooted in the difference between their history and ours. Our unity in Britain is ancient and deep, our democracy the growth of centuries—and we can take them for granted. It is not so with the Germans. After centuries of division they achieved political unity less than eighty years ago; they have never been sure how deep it goes in spirit, and they dread any suggestion of a return to the fragmentation under which they suffered so long and so grievously. They tend, therefore, to rate order, authority, uniformity above personal freedom.

SPECIFIC INTENTIONS.

5. The fulfilment of our object (para 1 above) involves:

- (a) The decentralisation of functions to the lowest possible level, so that each lower level—Gemeinde, Amt and Kreis—may have the fullest powers which it is capable of exercising and the financial means of exercising them;
- (b) The maintenance of democratic control;
- (c) The breakdown of the old centralised Civil Service and the creation of new Public Services, solely responsible to the authorities which employ them and free from political bias or victimisation;

- (d) In general, the inspiration of German public life with the spirit of tolerance and fair dealing towards opponents which is the essence of the democratic method.

IMPLEMENTATION.

6. Legislation.

- (a) Legislation in the sphere of Local Government falls under two main heads (both Transferred Subjects—see Section I, paras 2(b) and 7):
- (i) Local Government Acts.
 - (ii) Codes for the Public Services at Land level and below.
- (b) *Local Government Acts.* The law governing local authorities was codified in 1935 by the Deutsche Gemeindeordnung (DGO), based largely on the Führerprinzip. It was replaced in the British Zone by a new DGO of a provisional nature prepared by Military Government and issued under the authority of an Ordinance (No. 21). It will now be for the newly elected Landtage to enact their own Local Government Acts. The influence of HQs, Military Government in the Länder will be directed to securing the fulfilment of our intentions (para 5(a) and (b) above).
- (c) *Codes for the Public Services.* Here again it will be for the Landtage to prepare codes to replace the old Deutsche Beamtengesetz and its ancillary legislation, and here too the influence of HQs, Military Government in the Länder will be directed to securing the fulfilment of our intentions (para 5(c) above). The Länder may delegate the preparation of codes to their local authorities where appropriate; but at present it seems probable that they will aim at common provisions not only within each Land but also as between all Länder of the British Zone.

7. Influence of the KRO.

It has been shown that the KRO's duties now consist mainly of inspection, advice and reporting. The following paragraphs give some points to watch and some general principles in amplification of para 5 above.

8. Decentralisation of functions to lower level (para 5(a)).

This principle is relevant to the consideration of the question of the relationship with government departments

concerning shared services (Section I, para 7(a)). The KRO is not expected to be an expert in financial, economic, legal, medical, educational or other technical matters, but he should be prepared to give advice on practical points. It is not yet certain how far the Germans at all levels will support the policy of decentralisation, but it should not present a specially controversial problem in the Kreis; for, notwithstanding the Germans' leanings towards centralisation, the Gemeinden and Kreise have a vigorous pre-Nazi tradition of self-government with quite extensive financial powers, and the policy is in accordance with the Germans' own "Universality Principle" that each unit of local government should be competent to act in all matters for the good of the community, so far as is practicable, and so far as competence is not expressly reserved to higher authority.

9. Maintenance of democratic control (para 5(b)).

(a) The "split administration".

- (i) Except in the smaller Gemeinden, we have cut across German tradition by dividing the powers and duties of the civic chief between the Political Head (Oberbürgermeister, Landrat, etc.) and the Chief Executive Official (Oberstadtdirektor, Oberkreisdirektor, etc.). This step provoked strong opposition, which the KRO may find still exists in his Kreis. A great deal of it may be due to the personal resentment of the official shorn of some of his prestige, but the imposition of an alien idea has also been a sore point. It is true that multiple authority is not of itself inconsistent with a democratic tradition — compare the Prefect of a French Department — but in Germany we consider that it was authoritarian in spirit and quite incompatible with any real democratic development. Against the time when the Landtage will have enacted their own legislation, the KRO should spare no pains to ensure the smooth working of the new system in his Kreis. Already there are signs that a considerable body of German opinion is beginning to appreciate its merits. If it proves efficient it may secure the support of Germans who would be impervious to any other argument.

- (ii) For division of duties between the Political Head and the Chief Executive Official, see Appendix "A".
- (b) *Supervisory Authorities*. Here there are three main principles.
- (i) The "Universality Principle" of decentralisation (of para 8 above): each unit of local government should enjoy the maximum of independence;
 - (ii) The appropriate chain of supervision, i.e. Stadtkreise, Landkreise and sometimes the larger Stadtgemeinden should be supervised directly by the appropriate Land Minister on behalf of the Landtag; Landgemeinden and the remaining Stadtgemeinden should be supervised intermediately by the Kreistag.
 - (iii) The non-individual nature of the supervision, i.e. at Kreis level it is the Kreistag which supervises the administration; or, put another way, the Landrat in *Council*, not the Landrat personally and *a fortiori* not the Oberkreisdirektor.

10. The breakdown of the centralised Civil Service (para 5(c)) — the spirit of tolerance (para 5(d)).

- (a) In addition to the points mentioned in para 5(c) above (responsibility solely to employing authority and freedom from political bias or victimisation), our principles include the following:
- (i) The Service should be a permanent and pensionable career open to all who may qualify without discrimination on account of creed, social antecedents, race, sex or politics.
 - (ii) Merit and loyalty to be the governing criteria of advancement.
 - (iii) Terms of entry to be public.
 - (iv) Rights of appeal against disciplinary awards.
- (b) Stubborn hostility has been encountered from German political leaders towards the principle of a non-political Service. Again, this viewpoint arises from history. British politics are dominated by the assumption of fair play and it is taken for granted that our Civil and other Public Servants will not

favour either side. Their neutrality, with its loyalty to the administration regardless of the latter's political colour, is a natural conception to the English mind. In Germany, politics have been the instrument of either repression or revolution, with the Civil Service playing an active part on the side of repression. Senior posts at every level were filled by virulently Right-Wing nominees. So the German politician regards the Public Servant as either a friend or foe in the political battle: he finds the idea of neutrality difficult to grasp. Nevertheless, if we are to create a democratic Germany we must bring the Germans to a different frame of mind. At Kreis level the way out should not be too difficult. In the present state of crisis in Germany, Parties on local councils have every reason to pull together; often enough the leaders recognise this and will admit that the political complexion of an official matters less than his administrative ability. Where dissension exists, officials and Party leaders should be reminded of their common duty to their country in its present emergency. The KRO can help to prevent the Germans from swinging back to a political Public Service by keeping local government away from political theories and down to the practical issues on which all good citizens should be agreed.

- (c) The last point matters for another reason. A working democracy demands public bodies that know their job, that attend to the business in hand and do not regard the Council chamber as a political forum nor yet allow the intrusion of the Führerprinzip, whether by the Chairman, experts, or officials. The KRO should keep a watchful eye on his Kreis Council, and so far as he can on the Councils below, while he should be equally conversant with the state of affairs inside the Council Office. Without intervening obtrusively he should use his influence to see that local government is free from back-biting, bossing or political interference, including political victimisation of officials.

POLITICAL PARTIES.

11. Political Parties are dealt with in another Pamphlet. The power to authorise Parties and political meetings is being transferred with the general scheme of devolution, but is being

retained for the present in the hands of Military Government. This retention is aimed at preventing the proliferation of splinter Parties, and has the support of the established Parties. At Kreis level and below, as has been said, Party politics should be subordinated to a common civic sense, and the KRO should use his influence in that direction.

CONCLUSION.

12. In short, the KRO's duties in furthering the aims of the Control Commission are : first, to be on good terms with the leading officials, political leaders and citizens, so that they respect him and seek his advice ; secondly, to see that local government is efficient and clean, and carried on in a spirit of fairness ; and thirdly, through his understanding of the German view on controversial subjects, to present the British view in such a way as to convince the Germans of the integrity and good sense of our democratic purpose.

SECTION III

FINANCES OF LOCAL AUTHORITIES

1. The financial powers and responsibilities of local authorities (Kreise and Gemeinden) are at present defined in Part VI of the new DGO (See Section II, para 6(b)). The Länder may, however, in drawing up their new Local Government Acts, take that opportunity to introduce certain changes. The following paragraphs give a brief account of municipal finance, the immediate effects of the devolution of powers to Länder and the function of the ALG Finance Officers.

2. The financial administration of Kreise and Gemeinden and its link with higher governmental authority follows a pattern that is fundamentally very similar to the English. The method or form varies mostly in the system used for raising revenue, the more stringent control and supervision from above and the extensive participation in municipally or privately operated undertakings.

3. Revenue is derived mainly from local taxes, the most important of which are on land, buildings and entertainments. Other revenue comes by way of grant from the Land, from administrative receipts, and from profits, royalties or concessional fees in respect of municipally or privately operated undertakings.

4. Control and supervision are exercised by the Supervisory Authorities and the Land itself. Until 1 January 47 the powers of the Supervisory Authorities were, in effect, exercised by Military Government in that local authority budgets, budget bye-laws, applications to use financial reserves, etc. required the approval of the ALG Finance Officer at Regional/ RB Headquarters or the I.A. and C Division Finance Section at CCG Headquarters. This Military Government control was withdrawn as part of the devolution of powers to Land Governments, and the Länder are now responsible for :—

- (a) The examination and approval of budgets, budget bye-laws and supplementary estimates.
- (b) The form and basis of grants from the Land to the local authority.
- (c) The legal basis of municipal taxes and the respective competencies of the local authorities.
- (d) The use of financial reserves.
- (e) The organisation of the audit of local government finances.
- (f) Communal debts. (Here the Länder themselves must obtain Military Government approval before loans can be raised or guarantees given).

5. The Länder may, in turn, delegate powers to the local authorities. Such delegation is to be encouraged wherever it is appropriate and practicable. For obvious reasons control cannot be relaxed altogether : there must be a check against extravagance, and a supervisory audit. The aim is to restore financial stability to municipal finance and to provide an incentive to each authority to meet all normal expenditure from local revenue. Grant aid is necessary for particular purpose, such as public assistance for refugees, and it is for the Länder to decide the form those grants shall take. The method used during the transitional period of Military Government control was the overall grant-in-aid from central funds : the other method, which is nearer the German heart and was, in fact, their former system, is the key grant for a particular service or work based on population or some other standard.

6. Reference has already been made to municipal undertakings. Local authorities may, and, as stated, very often do, conduct economic activities and public utility services, e.g. gas, water, electricity, trams, buses and public works. The general rule is that the authority may only engage in such activities if the public interest justifies the enterprise and could not be fulfilled in a better or more economical manner by private or other enterprise. Where private enterprise

operates, the local authority, if not already a profit earning shareholder, will usually receive royalties or concessional fees.

7. Local authorities are not empowered to establish banking institutions, but may and commonly do, operate their own town savings offices.

8. The hand-over of powers from Military Government to the Lander has naturally resulted in the duties of the ALG Finance Officers being contracted to advice and inspection. Control and direction has ceased but each officer remains available to advise local finance officials and committees. Inspection will be carried out throughout the Zone by the ALG Finance Officers working individually from their base at Regional Headquarters or, occasionally, at RB Headquarters. Finance Officers are encouraged to work in co-operation with the KROs: conversely the KROs should keep them informed of local progress, or lack of it, and bear in mind that they can always call for the assistance of the ALG specialist officer. The joint aim is to encourage and help each commune to build up a healthy financial structure - and then to preserve it.

SECTION IV - ADMINISTRATIVE ARRANGEMENTS FOR THE KRO

While the actual details of the KRO's personal administration will be the responsibility of the Region concerned, the following notes may be taken as a general guide.

1. Normal unit administration such as leave and documentation will be carried out by the Kreis Group HQ.
2. Rations, NAAFI supplies and personal mail should normally be handled by Kreis Group HQ unless the KRO is attached to a local unit, in which case the unit will be responsible. (In practice, however, the KRO will generally have to undertake some administrative duties - e.g. for visiting officers).
3. The Kreis Group HQ will provide the KRO with a vehicle and lay down regulations regarding its repair and maintenance. The driver of the vehicle will hand in his work ticket to Kreis Group HQ for renewal weekly and will obtain petrol, oil and lubricants (POL) from the nearest Petrol Station.
4. Telephone communication both military and civilian should be available at the KRO's residence to enable him to keep in touch with Kreis Group HQ and with local German Officials.

Appendix "A"

Division of Duties - Political Head and Chief Executive Official.

1. Political Head.

- (a) Is Chairman of the Council.
- (b) As Chairman, he should be completely impartial as between political Parties and between Councillors; he should not normally intervene in debate; he should take no action and offer no observation of a dictatorial character, either at Meetings or outside, but should avoid imposing his views on the Council. In short, he must constantly bear in mind that he is a member of the Council like his colleagues, and that he has been honoured by them in being appointed to preside over their deliberations.
- (c) During his term of office, he should not attend meetings of the political Party colleagues on the Council, but should keep himself apart from political operations.
- (d) He should not be appointed Chairman of any Standing Committee of the Council.
- (e) He should make himself available, at all times, for consultation with the Chief Executive Official. If he is likely to be away from the town for a number of days, he should keep the Chief Executive Official informed of his movements.
- (f) He has no responsibility for, nor control over, the Council's administrative staff.
- (g) In matters of urgency on which he is consulted by the Chief Executive Official and on which it is necessary to give important instructions, he should, where practicable, ensure that the concurrence of other members of the Council is sought.

2. Chief Executive Official.

- (a) Is the legal adviser to the Council, and is also wholly responsible for its administration and for the control of all members of the staff. He has, however, no power either to appoint or dismiss an official: this power is vested in the Council.

- (b) He should personally attend all Meetings of the Council, and also such Meetings of Councillors as he may deem necessary or Meetings where his presence is requested by the Chairman of the Committee. He should arrange to be represented at all Committee Meetings which he does not personally attend.
- (c) His presence at all Meetings must be in the capacity of adviser only. He should not take part in debates unless his views are expressly invited on points of law or of organisation. His observations should be limited to statements of facts and not extend to dictation of policy. The sole occasion on which he can properly intervene on his own initiative is when the Council or Committee appears to him to be about to pass a resolution which is *ultra vires* or otherwise irregular.
- (d) He is not responsible for the policy of the Council, but only for its implementation after the Council has made its decision. He must not take orders from any individual member or group of members.
- (e) He must act on the principle of equal loyalty to all members of the Council, without discrimination, either at Meetings or outside. He must take extreme care to ensure that his own political views do not influence his conception of his official duties.

Appendix "B"

Inspection List for Kreis Resident Officers.

1. Council.

- (a) How many Councillors are there and what are the party strengths ?
- (b) How many women Councillors are there ?
- (c) How often does the Council meet ?
- (d) Are attendances by the Councillors and the public satisfactory ?
- (e) Do all Councillors take a live interest and vote ?
- (f) Is the voting undertaken on Party lines ?
- (g) Do Party Leaders meet to attempt to "fix" the business before meeting ?
- (h) Are the minutes and reports of Council meetings given Press publicity ?
- (i) Has the Council yet framed Standing Orders ?

2. Committees.

- (a) What Committees has the Council appointed ?
- (b) How often do they meet ?
- (c) Do they properly fulfil their functional responsibilities ?
- (d) Are attendances satisfactory ?

3. Officials.

- (a) Do the officials work well with the Council and Committees and with due consideration that they are their servants ?
- (b) Do they understand that they are the servants of the People and must accord equal consideration to each representative of the People on the Council ?
- (c) What is the general standard of experience and ability ?
- (d) Is the staff under strength ? If so, what steps have been taken to fill vacancies ?
- (e) Are officials receiving any special training or schooling ?
- (f) Have Councils drawn up or re-introduced local terms and conditions of service ?
- (g) Are there any women officials ? What appointments are they holding ?
- (h) Are there any signs of political favouritism or victimisation ?

4. Offices.

Is the accommodation and office equipment position satisfactory ?

5. Municipal Undertakings (Public Utility Services, etc.)

- (a) What municipal undertakings are operated by the Council ?
- (b) Is there, in each case, a satisfactory balance of receipts over expenditure ? If not, what is being done about it ?
- (c) Are sufficient royalties being received ?

6. Finance.

- (a) Are you satisfied that the Council is fully alive to its financial responsibilities under the Deutsche Gemeindeordnung ? Does it realise that it must at all costs economise ?
- (b) Has the Council yet examined the Budget Estimates for the current financial years ? If not, why ?
- (c) Does the Council consider that it can balance the Budget this year ? If not, what is the estimated total deficit as compared with total expenditure ?
- (d) What was the yield from Entertainment Tax last quarter ? How does this compare with the previous quarter ?
- (e) Has a local audit office (Rechnungsprüfungsamt) been established ?
- (f) What suggestions have you for increasing local tax revenue ?
- (g) Is income from charges and fees for Administrative Services satisfactory ? Can you suggest methods for increasing income from these sources ?
- (h) Are your Savings Banks (Sparkassen) operating efficiently ? Do deposits exceed withdrawals ? If not, what is the reason ?
- (i) What is the present position in regard to financial reserves ?

7. Register of electors.

Are the Election Officers keeping the current Register up-to-date from information notified by the Officer in Charge of the Personen-Register ?

8. Women's organisations.

Have Women's Institutes or similar organisations been established ?