

**On 22 July 1941 the Vichy government enacts the law on the Aryanization  
of Jewish property in the occupied and unoccupied zones of France<sup>1</sup>**

*Law of 22 July 1941 on the Businesses, Property, and Assets of Jews*

We, Marshal of France, Head of the French State,  
in consultation with the Council of Ministers, decree the following:

Article 1 – *To eliminate all Jewish influence on the national economy, the Commissioner General for Jewish Affairs may appoint temporary administrators for:*

1. *All industrial, commercial, real estate or trade or craft businesses;*
2. *All properties, rights to property, or any right to take out a lease;*
3. *All personal property, securities or rights to personal property, in cases where all or some of those to whom it belongs, or who manage it, are Jews, or where it has been sold or relinquished by Jews since 23 May 1940 under conditions that do not guarantee the elimination of all Jewish influence, though in this latter case the appointment of the temporary administrator must be made within one year of the date of publication of the present law.*

*However, these provisions do not apply to securities issued by the French state or to bonds issued by French public bodies or corporations, or to public bodies or corporations in protectorate or mandated territories.*

*And, apart from legitimate exceptions, these provisions apply neither to buildings nor to premises used as living quarters by the persons concerned, their parents or grandparents, nor to any of the furniture in these buildings or premises.*

*Part I: Role and powers of the temporary administrators*

*Section 1: General provisions*

Article 2: An inventory detailing and evaluating the assets will precede the takeover by the temporary administrator.

The inventory will be drawn up in triplicate, one copy of which is to be retained by the temporary administrator, while the other two will be submitted to the Commissioner General for Jewish Affairs and the individual subject to the administration procedure, respectively.

Article 3: The appointment of the temporary administrator will bring about the divestiture of the property of the people to whom it belongs, or those who manage it.

From the time of his appointment, the temporary administrator will be fully entitled to exercise extensive powers of administration and disposition. He will exercise these powers in place of the rights-holders and shareholders, or in place of their representatives and, in the case of companies, in place of the company representatives or partners, with or without their approval.

His powers will extend to the entirety or to just one part of the business.

Article 4: Any administrative transactions or dispositions regarding assets and businesses under administration that are carried out without the agreement of

<sup>1</sup> *Journal officiel*, 26 August 1941, p. 3594. This document has been translated from French.

the temporary administrator after his appointment has been published in the *Journal officiel* shall be automatically null and void by law.

Administrative transactions or dispositions prior to this publication can be rendered null and void if they do not guarantee the transfer of property with a view to the elimination of all Jewish influence.

Voidance shall be initiated upon a request made by the temporary administrator in court to the relevant judicial authorities. A transaction will lapse within six months of the date on which the temporary administrator was made aware of it, and in any case within two years after the transaction has been drawn up and signed.

Article 5: From the date when the temporary administrator's appointment is published in the *Journal officiel*, all action to initiate or revoke measures concerning the assets liable to administration solely by the temporary administrator, or against him.

Article 6: Mention shall be made in the commercial register of all appointments of temporary administrators of businesses that are required to be listed in such a register.

Article 7: The temporary administrator shall exercise his duties wisely. He shall be responsible before the judicial courts as a salaried representative in accordance with the provisions of civil and criminal law.

Article 8: The temporary administrator who exercises his powers selfishly and maliciously in contravention of the interests or obligations deriving from his duties shall be punished in accordance with Article 405 of the Criminal Code.<sup>2</sup>

Article 9: Any civil or commercial action taken against the temporary administrator with regard to the accomplishment of his tasks shall lapse ten years after the Commissioner General for Jewish Affairs and the individual subject to the administration procedure have been notified of the repeal of the temporary administration or the liquidation of the business.

Article 10: *The temporary administrators shall exercise their powers under the supervision of the Commissioner General for Jewish Affairs, who shall in particular specify the conditions for their recruitment, their appointment, and the preparation of inventories of items to be placed under administration as well as the management and liquidation accounts.*

An order countersigned by the vice president of the Council of Ministers, the Minister of Justice, and the Minister for the Economy and Finance shall determine the remuneration terms for the temporary administrators.

Section 2: *Special rules for the administration of estates*

Article 11: The [state] estate management agency will automatically act as temporary administrator with regard to those stocks and shares which the Commissioner General for Jewish Affairs decides to place under temporary administration.

For this purpose, this administration shall be carried out by the director of the estate management of the *département* in which the owner is domiciled,

<sup>2</sup> The prison term and fines were stipulated in Article 405 of the Criminal Code.

or, if there is no specified abode, by the director of the Seine département. If a temporary administrator has been assigned to the company issuing the stocks and shares, he shall act as the temporary administrator of the stocks and shares belonging to Jews provided that the Commissioner General for Jewish Affairs has not taken a specific decision concerning these stocks and shares in accordance with sub-paragraph 1 above.

Article 12: As temporary administrator, the estate management department shall be granted wide-ranging powers to administer and sell those securities which it is in charge of administering under Article 11 according to the terms established under Section II, with or without the agreement of the party concerned.

Article 13: From the day of publication in the *Journal officiel* of the decision taken by the Commissioner General for Jewish Affairs, as determined in Article 11, and up to the date of payment by the estate management department into the Caisse des dépôts et consignations<sup>3</sup> of the revenue from the sale of securities, all claims or other transactions on the part of the creditors, and, in general, by all interested parties as regards the securities administered by the estate management department, shall be considered as legitimately made known to this estate management.

However, any of these transactions or claims which concern unsecured creditors shall be considered solely as grounds for the suspension of the limitation period, and under no circumstances shall they hinder the sale of those securities which the estate management department may undertake without any ruling having been made regarding those transactions or claims.

In the case of the sale of these securities, the rights of the unsecured creditors as well as the rights of all other interested parties shall be transferred to the proceeds of such a sale.

As of the date of payment to the Caisse des dépôts et consignations, all payments to creditors or any other compensation – whether made out of court or as a result of legal proceedings – shall be carried out in accordance with due legal procedures or with the assistance of a judicial representative appointed by a decree issued by the presiding judge of the civil tribunal at the request of the instigating creditor.

Any proceedings initiated by the creditors or any other interested party shall be pursued solely against said judicial representative.

## *Part II: Rules applicable to the transfer of assets placed under administration*

### *Section I: Sales*

Article 14: Any sale of a business, real estate, or any property whatsoever, placed under temporary administration, with the exception of securities sold on the stock exchange, shall be valid only upon approval by the Commissioner General for Jewish Affairs. He shall check in particular whether the elimination of Jewish influence is effective and whether the sale price is usual.

<sup>3</sup> The CDC, a state financial institution founded in 1816, was responsible for the centralized administration of funds paid into blocked accounts. It managed Jews' assets which had been placed under administration or were already Aryanized.

*To this end, the Commissioner General for Jewish Affairs shall have the authority to seek a judicial or extrajudicial expert opinion, as well as to carry out all necessary investigations, and to obtain all the useful information and documents from the financial authorities.*

Article 15: An advisory board, the composition of which is to be determined by decree, shall be assigned to the office of the Commissioner General for Jewish Affairs. The latter may take the board's advice on all questions raised by the application of the present law.

Article 16: If the administered property belongs to legally incompetent persons, the sale of the property may take place without the assistance of a judicial representative, but it must be initiated as prescribed by the laws in force. However, the temporary administrator is exempted from seeking the authorization of the family council as well as the assistance or consent of the husband.

Article 17: In all cases foreseen in Articles 14 and 16, with respect to property or businesses, the deed of sale or the articles and conditions of sale shall include a clause placing the purchaser or adjudicator under the obligation not to dispose of the property or the business sold or assigned to him before a period of three years has elapsed.

*Moreover, the sale must, as far as possible, take place in cash. The estate management department shall be responsible for collecting on behalf of the individuals subject to the administration procedure the outstanding balance of the price owed to the latter, which will not be paid in cash.*

#### *Section II: Judicial and extrajudicial liquidation*

Article 18: A liquidator shall be appointed by decree upon request from the presiding judge of the commercial court as soon as the temporary administrator finds himself unable to sell the administered company assets in their totality by agreement.

Article 19: If a receiver or liquidator has been or is to be appointed for the administered property, during proceedings the temporary administrator shall continue to act as the representative of the person affected by the liquidation with regard to all action concerning this person.

Article 20: If the property is part of the joint estate or under the joint ownership of Jews and non-Jews, the non-Jews will be able to request the dissolution of this joint estate or joint ownership and the liquidation of their rights, notwithstanding any agreement to the contrary. This applies whether or not the Jews' share has been placed under temporary administration. The request must be made within four months from the publication of the present law.

An administrator may be appointed temporarily by the president of the civil tribunal to manage the joint or jointly owned assets, as long as the apportioning of said assets has not been carried out.

In the case of joint estate, the liquidation will be initiated at the request of the non-Jewish spouse, following the procedures provided for by Article 1443 and following of the Civil Code for the legal separation of assets.<sup>4</sup>

<sup>4</sup> Articles 1443 to 1455 of the Civil Code regulate the division of joint estate in the case of divorce.

The wife, whether Jewish or not, may retain or dissolve the joint estate in accordance with the same aforementioned articles.

At the same time as the separation of assets is stipulated, a notary shall be appointed to carry out the liquidation of the estate and the separation of the jointly owned assets, in accordance with the rules of civil and criminal law.

### *Section III: Proceeds from sales*

Article 21: The total amount of the purchase price obtained from the sale or the transfer of the securities by the estate management department shall be paid by the estate management department into the deposit account of the person affected by the liquidation at the Caisse des dépôts et consignations, minus the administration fees to be paid to the Treasury at the rate fixed by, and in accordance with, the conditions to be established by decree and in compliance with the creditors' rights.<sup>5</sup>

The following sums will also be paid into the account of the person subject to the administration procedure at the Caisse des dépôts et consignations upon the instruction of the Commissioner General for Jewish Affairs:

1. All proceeds obtained from sales carried out by the temporary administrator appointed pursuant to Article 1;
2. Balances from deposit accounts and all sums owned by Jews.

Article 22: An advance of 10 per cent, after the deduction of any liabilities, of the sums paid into the Caisse des dépôts et consignations, as stipulated in the previous article, shall be deducted by the Commissioner General for Jewish Affairs and paid into a deposit account to be opened at the Caisse des dépôts et consignations.

Half of this deduction from the gross amount shall be collected provisionally, pending further regulation, upon payment of the sums into the Caisse des dépôts et consignations.

The Commissioner General for Jewish Affairs shall thus withdraw the necessary sums from the opened account to pay the expenses related to the temporary administration and the monitoring of those companies which are either running at a loss or do not have sufficient funds to pay this charge. The surplus shall be used as a solidarity fund intended to help impoverished Jews.

Article 23: Upon authorization by the Commissioner General for Jewish Affairs, advance payments can be made by the temporary administrators to the individuals subject to the administration procedure or to the beneficiaries, either from the proceeds of the administration or by the Caisse des dépôts et consignations from the funds paid into it.

### *Section IV: Miscellaneous provisions*

Article 24: The provisions of this law shall be fully applicable by law to the temporary administrators already appointed or to be appointed subsequently pursuant

<sup>5</sup> In a decree dated 10 Jan. 1942, administration fees were set at 2 per cent of the gross proceeds: *Journal officiel*, 10 Feb. 1942, p. 594.

to the law of 10 September 1940, as amended by the law of 14 August 1941, which provides for the appointment of temporary administrators for companies that have lost their managers in cases where the owners or the managers of the companies are Jews.<sup>6</sup>

Article 25: Further regulations shall determine the rules applicable to the property of Jews in Algeria, to the territories under the jurisdiction of the Minister for the Colonies, to the French protectorates, to Syria, and to Lebanon.

Article 26: The present law will be published in the *Journal officiel* and applied as state law.

Adopted at Vichy, 22 July 1941

*Ph. Pétain*

Marshal of France, Head of the French State

Admiral of the Fleet, Vice President of the Council of Ministers

*Admiral Darlan*

Minister of Justice

*Joseph Barthélemy*

Minister for the Economy and Finance

*Yves Bouthillier*

Minister for Industrial Production

*François Lehideux*<sup>7</sup>

Minister for the Colonies

*Admiral Platon*<sup>8</sup>

Minister of the Interior

*Pierre Pucheu*<sup>9</sup>

6 The law of 10 Sept. 1940 authorized the Ministry of Economics to appoint temporary administrators for companies whose owners or directors had fled the country because of the war. In practice the law applied primarily to Jews: *Journal officiel*, 26 Oct. 1940, p. 5430. The appointment of the temporary administrators for Jewish businesses was regulated in detail in the law of 14 August 1941: *Journal officiel*, 17 August 1941, p. 3462.

7 François Lehideux (1904–1998), political scientist; member of the administrative council, 1934–1940; subsequently managing director of Renault; delegate general for the Ten-Year Plan, 1940–1941; minister for industrial production, 18 July 1941–18 April 1942; member of the administrative council, 1949–1953; thereafter managing director of Ford in France.

8 Charles Platon (1886–1944), military officer; organized the naval blockade during the Spanish Civil War, 1936–1939; minister for the colonies, 6 Sept. 1940–18 April 1942; minister in the office of the head of government, 18 April 1942–25 March 1943; executed as a collaborator by French resistance fighters on 18 Aug. 1944.

9 Pierre Pucheu (1899–1944), entrepreneur; active in the French steel industry; member of the right-wing extremist Croix de Feu from 1934; member of the Parti Populaire Français (PPF), 1936–1937; minister for industrial production from 23 Feb. 1941 to 18 July 1941; subsequently minister of the interior until 18 April 1942; arrested in May 1943 in Casablanca by the Free French forces and executed on 20 March 1944 in Algiers.