



## Collection Agencies A and B - negative files trade and commerce

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### Title of the holdings

#### **Austrian State Archives/Archives of the Republic**

Record group: **Entschädigungs- und Restitutionsangelegenheiten** ("Compensation and restitution matters"), 1938–1945

Holdings: **Hilfsfonds** ("Assistance Fund"), 1955–1982

File series: **Sammelstellen A und B** ("Collection Agencies A and B") 1957–1972, **Negativ-Akten Handel und Gewerbe** ("negative files, trade and commerce")

Abbreviation for this type of file: SSt-Neg. HG

### Origins of the holdings

The establishment of Collection Agencies A and B was an indirect result of Article 26 Sec. 2 of the Austrian State Treaty of 15 May 1955 "concerning the re-establishment of an independent and democratic Austria" (Federal Law Gazette 152/1955). In this Treaty, the Republic of Austria undertook to transfer to so called receiving organizations heirless assets or unclaimed assets, rights and interests which were liable for restitution. Collection Agencies A and B, located in Vienna, were established as a direct result of the *Auffangorganisationengesetz* ("Receiving Organizations Act").

Collection Agency A was responsible for the assets, rights and interests of those persons who had been members of the Jewish Community on 31 December 1937; Collection Agency B was responsible for the assets, rights and interests of all other persons who had suffered seizures of assets under the National Socialist regime.

If the investigations of the Collection Agencies A and B suggested that they were dealing with an asset which had not been claimed by the aggrieved owner or the heirs, the investigation department drafted a notice on the basis of which a so called claims file was opened. If subsequent research revealed that the Collection Agencies were not in a position to file a claim due to a legal and binding settlement (or legal and binding ruling) pursuant to the *Drittes Rückstellungsgesetz* ("Third Restitution Act" – Federal Law of 6 February 1947 on the Annulment of Property Seizures, Federal Law Gazette 54/1947), or due to an out-of-court-settlement between those entitled to restitution and the former owners, the documents were filed in a special holding as so called negative files.

### Contents of the files

The type of material or non-material object (legal title) for which a restitution application was considered is inferred from the contents of the files. The information gathered from the investigation was recorded in both a standardized questionnaire as well as in a description of the facts of the case and documentation of the research steps taken. The questionnaires contain references to the file material which was consulted (e.g. aryanization files).

The most important pieces of information in these files include documents on an in rem restitution which had occurred, or on a settlement (or ruling) pursuant to the Third Restitution Act (Federal Law of 6 February 1947 on the Annulment of Property Seizures, Federal Law Gazette 54/1947), on an out-of-court settlement or waiver of the restitution by an aggrieved person. The reason for the termination of investigations and the withdrawal of the restitution claims by Collection Agencies A and B is to be inferred from the negative files. This material is also supplemented by the written correspondence and the other documents acquired.

### Informational content

The range of basic information spans files from the time during which the property was seized to the restitution-related investigations of the Collection Agencies. The former predominantly contain excerpts from aryanization files which had been discovered (for the most part from the Property Transaction Office in Vienna). The possible object of restitution, the aggrieved person, the type of company, the location, the buyer, the circumstances of the expropriation and the purchase price and for what it was used can be gathered from these files. Enterprises, individual company assets and warehouse stock as well as rights, such as patents, concessions, licenses or trademarks, tenancy rights and leaseholds could be relevant for a restitution.

The investigations of the Collection Agencies concentrated on locating the object of restitution and substantiating the claim to restitution. In this regard, the following are documented in the file:

- location and evidence gathered
- interviews with the former owners
- correspondence with lawyer's chambers and authorities
- inquiries with information bureaus
- other written contact with the aggrieved persons

The out-of-court settlements which have survived or waivers, documentation of which is often not available due to their private legal nature, are of particular importance. Occasionally, excerpts from restitution files pursuant to the Third Restitution Act (Federal Law of 6 February 1947 on the Annulment of Property Seizures, Federal Law Gazette 54/1947), the comprehensive file holdings of which at the Provincial Court for Civil Matters in Vienna were inexplicably almost entirely destroyed in the 1980s. Details and documents on people and probate proceedings can also be contained in the file.

#### Alternative sources of information

The files or file holdings which were used by the Collection Agencies for their investigations are the only ones to come into consideration as alternative sources of information.

The main files to be mentioned are the aryanization files in the archives of the former Property Transaction Office (Austrian State Archives). In a few cases, files of the Chief Finance President, which were assumed by the re-established Financial Directorates after the war, can include individual pieces of information and documents. Restitution files, the trade register and files relating to the *Vermögensentziehungs-Anmeldungsverordnung* ("Ordinance on the Notification of Seized Property" – Ordinance of the Federal Ministry for Property Control and Economic Planning of 15 September 1946, implementing the Law on the Registration of Aryanized Assets and other Property Seized in Connection with the National Socialist Assumption of Power of 10 May 1945, State Law Gazette 10/1945, Federal Law Gazette 166/1946) can also be consulted.

It can be difficult to reconstruct the contents of the file if supporting documents came from private sources or files did not survive.

#### Explanations and comments

In individual cases, insights can be gained into persecution, emigration or deportation, into life in exile or in post-war Austria. As personal testimonies, they supplement the acts of persecution and seizure which are documented in the surviving National Socialist documents. On the other hand, the self-justifications of those who profited from the National Socialist rule until the late 1950s can also be found.

Data Processing Procedures: Collection Agencies A and B - negative files trade and commerce