

Übersetzung durch den Sprachendienst des Bundesministeriums des Innern
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Act of 23 October 2024 (Federal Law Gazette 2024 I No. 323)

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Federal Act on Registration (Bundesmeldegesetz – BMG)

Federal Act on Registration of 3 May 2013 (Federal Law Gazette I p. 1084), as last amended
by Article 6 of the Act of 23 October 2024 (Federal Law Gazette 2024 I No. 323)

The Act was adopted by the Bundestag with the approval of the Bundesrat as Article
1 of the Act of 3 May 2013 (Federal Law Gazette I, p 1084). In accordance with
Article 4 sentence 1, as amended by Article 1 no. 3 of the Act of 20 November 2014
(Federal Law Gazette I, p. 1738), it enters into force on 1 November 2015; in
derogation therefrom, in accordance with Article 4 sentence 2, as amended by
Article 1 no. 3 of the Act of 20 November 2014 (Federal Law Gazette I, p. 1738),
sections 55 to 57 of the Act enter into force on 26 November 2024.

Division 1 General provisions

Section 1 Registration authorities

Registration authorities are the authorities so designated by *Land* (federal state) law.

Section 2 Tasks and powers of the registration authorities

- (1) The registration authorities are required to register those persons residing in their
area of jurisdiction (residents) in order to be able to identify them and their places of
residence and verify this information.
- (2) The registration authorities keep population registers in order to carry out their
tasks. These contain data which are collected from the data subject, transferred by
public bodies or otherwise officially known.
- (3) The registration authorities provide information from the population registers,
cooperate in accordance with the provisions of this Act or other legislation in the
carrying out of the tasks of other public bodies and transfer data.
- (4) The registration authorities may process personal data stored in the population
register only in accordance with the provisions of this Act or other legislation. Data of
persons not required to register may be processed only if the data subject has
consented to the data processing.

Section 3 **Data storage**

(1) To carry out their tasks under the terms of section 2 (1) and (3), the registration authorities store the following data and remarks necessary to verify their accuracy in the population register:

1. family name,
2. previous names,
3. given names, indicating name usually used,
4. doctoral degree,
5. religious name, stage or pen name,
6. date and place of birth, including country for persons not born in Germany,
7. gender,
8. the identification number as referred to in section 139b of the Fiscal Code of Germany (*Abgabenordnung*),
9. regarding legal representative
 - a) family name,
 - b) given names,
 - c) doctoral degree,
 - d) address,
 - e) date of birth
 - f) gender,
 - g) date of death and
 - h) blocks on releasing information within the meaning of section 51 and conditional blocks on releasing information within the meaning of section 52,
10. current nationalities,
11. legal membership of a religious community under public law,
12. current addresses, previous addresses in the registration authority's area of jurisdiction and address of the last sole or principal residence and last secondary residences outside the registration authority's area of jurisdiction, indicating principal and secondary residence, including country for persons moving to Germany from abroad and last address in Germany, for persons moving abroad also the address abroad, including the country,
13. date moved in, date moved out, date last moved out of a residence in Germany and date last moved to Germany from abroad,
14. marital status, including, in the case of spouses or life partners, the date and place of marriage or registration of life partnership and, in the case of marriage or registration of life partnership abroad, the country,
15. regarding spouse or life partner
 - a) family name,

- b) given names,
- c) name at birth,
- d) doctoral degree,
- e) date of birth,
- f) gender,
- g) current addresses in the registration authority's area of jurisdiction and address of the last sole or principle residence outside the registration authority's area of jurisdiction,
- h) date of death and
- i) blocks on releasing information within the meaning of section 51 and conditional blocks on releasing information within the meaning of section 52,

16. regarding minor children

- a) family name,
- b) given names,
- c) date of birth,
- d) gender,
- e) address in Germany,
- f) date of death,
- g) blocks on releasing information within the meaning of section 51 and conditional blocks on releasing information within the meaning of section 52,

17. issuing authority, date of issue, date of expiry and serial number of the national identity card, temporary national identity card or substitute national identity card, of the recognised passport or passport substitute, issuing authority, date of expiry and serial number of the eID card, as well as the blocking code and blocking sum of the national identity card and of the eID card,

17a. AZR number in the cases referred to in and in accordance with the provisions of section 10 (4) sentence 1 and sentence 2 no. 4 of the AZR Act (*AZR-Gesetz*),

18. blocks on releasing and transferring information,

19. date and place of death, including country for persons who died abroad.

(2) In addition to the data referred to in subsection (1), the registration authorities store the following data and remarks necessary to verify their accuracy in the population register:

- 1. for the purposes of preparing and conducting elections and voting at national and local level, the fact that the data subject
 - a) is not eligible to vote or be elected,
 - b) has, as a Union citizen (section 6 (3) sentence 1 of the European Elections Act (*Europawahlgesetz*)), been entered in an electoral register in Germany for European parliamentary elections ex officio; the territorial community or constituency in the country of origin where the person was last listed in an electoral register is also to be stored,

- c) (repealed)
- 2. for the process of creating and applying electronic criteria for the deduction of wages tax pursuant to section 39e (2) sentences 2 and 3 of the Income Tax Act (*Einkommensteuergesetz*),
 - a) membership of a religious community which collects taxes and the date of officially joining and leaving,
 - b) marital status,
 - c) date of marriage or registration of life partnership or dissolution of marriage or life partnership and
 - d) the identification numbers or temporary identifiers
 - aa) of a spouse or life partner,
 - bb) of minor children whose sole or principal residence is in the same registration authority's area of jurisdiction,
- 3. for the purposes of issuing the identification number as referred to in section 139b of the Fiscal Code of Germany until it is stored in the population register, the temporary identifier as referred to in section 139b (6) sentence 2 of the Fiscal Code of Germany,
- 4. for the purposes of issuing passports and identity documents, the fact that there are reasons to refuse to issue a passport, that a passport has been denied or revoked or an order pursuant to section 6 (7), section 6a (1) or section 6a (2) of the Act on Identity Cards (*Personalausweisgesetz*) has been issued,
- 5. (repealed)
- 6. (repealed)
- 7. for purposes related to weapons law, the fact that a weapons permit or a ban on possessing a weapon has been issued, and the respective authority which provided this information, including the date on which the weapons permit was first issued or the ban on possessing a weapon was issued,
- 8. for purposes related to explosives law, the fact that an explosives permit or qualification certificate pursuant to section 20 of the Explosives Act (*Sprengstoffgesetz*) has been issued and the authority which provided this information, including the date on which the permit or certificate was first issued,
- 9. for the purposes of answering questions from other authorities or public bodies concerning residence if the resident has moved out of the residence and the registration authority is not aware of a new residence, the request for data transfer with the date of the request and the name of the requesting body for a period of up to two years,
- 10. for the purposes of checking whether the information provided by the person required to register is correct and to safeguard the rights to information in section 19 (1) sentence 3 and section 50 (4), the name and address of the owner of the residence and, if this is not the supplier of the residence, the name of the owner of the residence and the name and address of the supplier of the residence,
- 11. in a state of tension or defence for the purposes of registering military or alternative service, the fact that a resident has already been registered before others in his or her birth cohort.

Section 4 **Sorting criteria**

(1) The registration authorities may use sorting criteria in the keeping of their registers. The sorting criteria may be based on the data referred to in section 3 (1) nos. 6 and 7. Appropriate technical measures as referred to in Articles 24, 25 and 32 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1; L 314, 22.11.2016, p. 72; L 127, 23.5.2018, p. 2), as amended, are to be implemented to prevent the sorting criteria being mixed up.

(2) If the registration authorities already process sorting criteria containing data other than those referred to in section 3 (1) nos. 6 and 7, they may continue to process them for a transitional period of six years following the entry into force of this Act.

(3) Sorting criteria may be transferred to public bodies and religious communities under public law when data are transferred. The recipient of the data may process the sorting criteria only in communicating with the relevant registration authority, and onward transfer is not permissible. If sorting criteria contain personal data, they may be transferred only if the personal data contained in the sorting criteria may also be transferred to the recipient.

(4) Subsection (3) sentences 2 and 3 applies accordingly to the onward transfer of sorting criteria within the administrative unit to which the registration authority belongs.

Section 5 **Purpose limitation**

(1) The registration authority may use those data which have been stored in accordance with section 3 (1) no. 17a only in communicating with the authority holding the Central Register of Foreigners as soon as it was informed by the foreigners authority as required by section 90a (1) sentence 3 of the Residence Act (*Aufenthaltsgesetz*).

(2) The registration authorities may process the data designated in section 3 (2) only for the purposes given therein. They are required to implement technical and organisational measures as referred to in Articles 24, 25 and 32 of Regulation (EU) 2016/679 to ensure that these data are processed only in accordance with sentence 1.

(3) The data designated in section 3 (2) may be processed together with the data designated in section 3 (1) only as far as this is necessary to carry out the relevant task. Section 34 (3) and (4) remains unaffected, provided that

1. the data referred to in section 3 (2) no. 1 may be transferred only to the bodies responsible for preparing and conducting the elections and voting referred to therein and
2. the data referred to in section 3 (2) nos. 2 and 3 may be transferred only to the Federal Central Tax Office. The date of the dissolution of a marriage or life partnership referred to in section 3 (2) no. 2 (c) may also be transferred to official statistics.

The data referred to in sentence 2 nos. 1 and 2 may also be transferred to the registration authorities as set out in section 33.

Section 6

Accuracy and completeness of the population register

- (1) If the population register is inaccurate or incomplete, the registration authority is required to rectify or complete (update) it as required by Article 5 (1) (d) of Regulation (EU) 2016/679. Those public bodies to which the inaccurate or incomplete data have been transferred in the context of regularly occurring data transfers are to be informed without delay of such rectifications and updates.
- (2) If the public bodies referred to in subsection (1) sentence 2 do not carry out tasks of official statistics or are not religious communities under public law, they are to inform the registration authorities without delay if they have specific reasons to believe that the transferred data are inaccurate or incomplete. Public bodies to which registration data have been transferred at their request are to inform the registration authorities if they have such specific reasons. Legal obligations of secrecy, especially tax secrecy pursuant to section 30 of the Fiscal Code of Germany, as well as professional or special official secrecy do not prevent them from doing so as long as the information provided is limited to the fact that there are specific reasons to believe that the transferred data are inaccurate or incomplete.
- (3) If the registration authority has specific reasons to believe that the population register contains inaccurate or incomplete information, it is to investigate the matter ex officio.
- (4) When forwarding data and remarks in accordance with section 37, subsection (1) sentence 2 and subsection (2) apply accordingly.

Section 7

Confidentiality of registration data

- (1) Persons employed by registration authorities or other bodies acting on their behalf are prohibited from processing personal data without authorisation.
- (2) When taking up their duties, the persons referred to in subsection (1) are to be informed by their employer of their obligations under subsection (1) and are to agree in writing to maintain the confidentiality of registration data. Their obligations continue after their employment ends.

Division 2

Rights of protection

Section 8

Data subject's legitimate interests

The legitimate interests of the data subject may not be harmed through the processing of personal data. Legitimate interests are, in particular, harmed if the processing constitutes a burden for the data subject which is disproportionate to the data's suitability and necessity for the intended purpose. No examination is conducted as to whether the legitimate interests of the data subject will be harmed if the processing is required by law.

Section 9 (repealed)

Section 10

Data subject's right of access

- (1) Before providing information to the data subject in accordance with Article 15 of Regulation (EU) 2016/679, the registration authority is required to verify the data subject's identity.

(2) Where information is provided electronically, it is to be ensured that measures as referred to in Articles 24, 25 and 32 of Regulation (EU) 2016/679 are also implemented with respect to encryption and authentication to ensure data protection and data security, in particular with regard to the confidentiality and integrity of the data which are stored in the population register and sent to the data subject.

(3) The level of assurance required in the case of an electronic application to provide proof of the applicant's identity is determined by statutory instrument in accordance with section 56 (1) no. 6.

Section 11

Restrictions on the right of access

(1) The data subject's right of access to information concerning the categories of data transferred and concerning the recipients of the data under Article 15 (1) (b) and (c) of Regulation (EU) 2016/679 does not exist where

1. information has been provided from the population register by non-automated means in accordance with section 46 and section 50 (1) to (3),
2. there has been a non-automated data transfer in accordance with section 34 or non-automated disclosure of data in accordance with section 37 (1) or
3. the requesting body is one of the authorities referred to in section 34 (4) sentence 1.

Information concerning the automated provision of information from the population register and concerning data transfers using an automated retrieval procedure is provided by public bodies only during the period when logging data are retained in accordance with section 40 (5).

(2) The data subject's right of access under Article 15 of Regulation (EU) 2016/679 does not exist

1. if the data subject is not permitted inspection of a civil status register under section 63 (1) and (3) of the Civil Status Act (*Personenstandsgesetz*),
2. in the cases referred to in section 1758 of the Civil Code (*Bürgerliches Gesetzbuch*),
3. if the data relate to a legal representative, spouse, life partner or minor children and a block on releasing information within the meaning of section 51 or a conditional block on releasing information within the meaning of section 52 has been entered for this group of persons or
4. if the data subject's interest in receiving the information does not prevail because
 - a) providing the information would jeopardise the proper carrying out of tasks within the meaning of Article 23 (1) (e) of Regulation (EU) 2016/679 for which the registration authority is responsible,
 - b) providing the information would jeopardise public safety or order or would otherwise be detrimental to the welfare of the Federation or a *Land*,
 - c) providing the information would jeopardise criminal investigations or
 - d) the data or the fact of their storage, in particular owing to the overriding legitimate interests of a third party, must be kept secret by law or owing to the nature of the data.

(3) The provision of information about the source of data is permissible only with the consent of the body transferring the data if the data were transferred to the registration authority by

1. the police authorities of the Federation and the *Länder*,
2. public prosecution offices,
3. public prosecutors at local courts,
4. the domestic intelligence agencies of the Federation and the *Länder*,
5. the Federal Intelligence Service,
6. the Military Counterintelligence Service,
7. the Customs Investigations Service,
8. the main customs offices or
9. the tax authorities if they carry out law enforcement tasks.

The same applies to the provision of information about the recipient of the data where they are transferred to the authorities referred to in sentence 1. Consent may be refused only under the conditions described in subsections (1) and (2).

(4) No reason for refusing to provide information need be given where providing a reason in fact and in law on which the decision is based would undermine the intended purpose of refusing to provide the information. In such cases, the data subject is to be referred to the body responsible for overseeing compliance with data protection law at the registration authority. The notification from this body to the data subject may not permit any conclusions to be drawn concerning the information held by the controller, unless the latter agrees to the provision of more extensive information.

(5) If no information is provided to the data subject, then at his or her request the information is to be provided to the body referred to in subsection (4) sentence 2. If the responsible supreme *Land* authority determines in the individual case that this would threaten the security of the Federation or of a *Land*, the *Land* data protection commissioner is personally informed.

Section 12

Right to rectification

Where the registration authority has, at the data subject's request, rectified or completed the data in accordance with Article 16 of Regulation (EU) 2016/679, section 6 (1) sentence 2 applies accordingly. Whilst the accuracy of the data is being verified, data processing is not restricted in accordance with section 18 (1) (a) of Regulation (EU) 2016/679.

Section 13

Data retention

(1) After a resident has moved away or died, the registration authority is to continue to store the data referred to in section 3 (1) nos. 1 to 10, 12 to 16, 17a, 18 and 19 to carry out its tasks. In such cases, it may also store the data in accordance with section 3 (2) nos. 1 and 2 in the population register. If a resident moves away, the registration authority also stores the data referred to in section 3 (1) no. 17 and the determination of the facts under section 3 (2) nos. 4, 7 and 8.

(2) After the expiry of five years following the end of the calendar year in which the resident moved away or died, the data referred to in subsection (1) are to be retained for 50 years and secured using technical and organisational measures as referred to in Articles 24, 25 and 32 of Regulation (EU) 2016/679, unless section 14

provides for earlier deletion. During this time, the data may no longer be processed. This does not apply to the family name, given names, previous names, date of birth and place of birth, including country for persons not born in Germany, the identification number as referred to in section 139b of the Fiscal Code of Germany, current and previous addresses, date moved out, blocks on releasing information within the meaning of section 51 (1), date of death and place of death, including country for persons who died abroad. Sentence 2 does not apply if

1. the data subject has consented to the data processing data,
2. it is essential to process the data
 - a) for scientific purposes,
 - b) to remedy a lack of evidence,
 - c) to carry out the tasks of the authorities referred to in section 34 (4) sentence 1,
 - d) for voting purposes under section 3 (2) no. 1,
 - e) to carry out the procedure under nationality law pursuant to section 30 of the Nationality Act (*Staatsangehörigkeitsgesetz*) or
3. the data referred to in subsection (1), with the exception of the data referred to in section 3 (1) no. 18, are processed as selection data in accordance with the provisions of section 38 (1) to (3).

Section 14

Deletion of data

- (1) The registration authority is to delete data if they are no longer needed to carry out its tasks. The same applies if the data were already stored unlawfully.
- (2) Data referred to in section 3 (1) no. 11 and subsection (2) no. 2 are to be deleted at the end of the calendar year following the year in which the resident moved away or died. The data referred to in section 3 (1) no. 17 are to be deleted five years after the end of the expiry of the identity document to which they refer. Other data of residents who have moved away or died which are not retained in accordance with section 13 (1) are to be deleted 30 days after the resident has moved away and the acknowledgement has been assessed, or after the resident's death.
- (3) If deletion in the case of non-automated data processing is not possible on account of the specific nature of the data storage, or only with a disproportionately high amount of effort, and the data subject's interest in the deletion is to be regarded as negligible, then, in addition to the exceptions under Article 17 (3) of Regulation (EU) 2016/679, the data subject has no right to deletion of personal data and the registration authority is not obligated to delete personal data in accordance with Article 17 (1) of Regulation (EU) 2016/679. In such cases, the restriction of processing under Article 18 of Regulation (EU) 2016/679 takes the place of deletion.

Section 15

Retention and deletion of remarks

Sections 13 and 14 apply accordingly to remarks stored to establish the accuracy of the relevant data.

Section 16

Offering data to archives

(1) After expiry of the retention period under section 13 (2) sentence 1, then before deleting them the registration authority is to offer the data and remarks stored to verify their accuracy to the archives designated by *Land* law under the relevant provisions of archival law.

(2) Within the retention period under section 13 (2) sentence 1, the registration authority may offer the data and remarks to the archives designated by *Land* law, as far as the carrying out of the registration authority's tasks under section 13 (2) sentences 2 and 3 continues to be ensured. Until this period has expired, the archive may process the data and remarks received only in accordance with the provisions of section 13 (2) sentences 2 to 4.

Division 3

General registration requirements

Section 17

Registration, deregistration

(1) Anyone who moves into a residence is required to register with the registration authority within two weeks of moving in.

(2) Anyone who moves out of a residence and does not move into another residence in Germany is required to deregister with the registration authority within two weeks of moving out. Deregistration is not possible until one week before moving out at the earliest; the population register is updated as of the date moved out.

(3) Registration or deregistration in respect of persons under 16 years of age is the obligation of the persons into or out of whose residence the persons under 16 years of age move. Newborns born in Germany are only to be registered if they live in a residence other than that of their parents or mother. If a caregiver or guardian has been appointed for an adult, registration or deregistration is the obligation of this caregiver or guardian.

(4) The registry offices inform the registration authorities without delay of children for whom they have issued birth certificates and of every change in a person's civil status.

Section 18

Registration certificate

(1) The registration authority provides the data subject with a written or electronic registration certificate at his or her request. The registration certificate contains the following data:

1. family name,
2. given names, indicating name usually used,
3. doctoral degree,
4. date of birth,
5. current addresses, indicating principal and secondary residence.

The person required to register is required to transfer his or her family name, given names, date of birth and address of the current principal or sole residence to that end.

(2) At the data subject's request, the registration certificate may, in addition to the data referred to in subsection (1) sentence 2, also contain data as referred to in

section 3 (1) nos. 2, 5 to 16 and 17, with the exception of the blocking code and blocking sum of the national identity card and eID card, as well as the fact that no date of death has been stored.

(3) The electronic registration certificate is issued free of charge.

(4) In all other cases, section 10 (2) and (3) and section 11 (2) nos. 1 to 3 apply accordingly.

Section 18a

Retrieval of registration records

(1) The registration authority provides, by way of automated retrieval, the data subject, at his or her request, with the registration data as referred to in section 18 (1) and (2) for the purpose of forwarding as part of an electronic administrative service under the Online Access Act (*Onlinezugangsgesetz*). The person required to register is required to transfer the data referred to in section 18 (1) sentence 3 to that end. The registration data are made available in the form of an unalterable, machine-readable record (registration record). The date and time of the retrieval must be evident from the registration record.

(2) The registration record is made available for retrieval free of charge.

(3) In all other cases, section 10 (2) and (3) and section 11 (2) nos. 1 to 3 apply accordingly.

Section 19

Cooperation by the supplier of the residence

(1) The supplier of the residence is obligated to cooperate when it comes to the registration. To that end, the supplier of the residence or someone commissioned by him or her is required, within the period stated in section 17 (1), to send confirmation of a person having moved in either in writing to the person required to register or also electronically to the registration authority in accordance with subsection (4). He or she may contact the registration authority to find out whether the person required to register has registered. The person required to register is to provide the supplier of the residence with the information necessary to confirm that the former has moved in. The confirmation referred to in sentence 2 may only be issued by the supplier of the residence or someone commissioned by him or her.

(2) If the supplier of the residence or the person commissioned by him or her refuses to provide confirmation, or if the person required to register does not receive confirmation in a timely manner for other reasons, the person required to register is to inform the registration authorities thereof without delay.

(3) The confirmation provided by the supplier of the residence contains the following data:

1. the name and address of the supplier of the residence and, if that person is not the owner, also the name of the owner,
2. the date moved in,
3. the address of the residence and
4. the names of the persons required to register in accordance with section 17 (1).

(4) If the confirmation is provided electronically to the registration authority, the supplier of the residence receives a reference number, which he or she is to notify to the person required to register to use when registering. Section 10 (2) and (3) applies accordingly. If the registration authority makes available other means of

authentication as regards the supplier of the residence, it is to be ensured that measures as referred to in Articles 24, 25 and 32 of Regulation (EU) 2016/679 are implemented.

(5) The registration authority may require the owner of the residence and, if the owner is not the supplier of the residence, also the supplier of the residence to provide information concerning persons currently living at his or her residence or who lived there in the past.

(6) It is prohibited to offer or make available to a third party the address of a residence for the purpose of registration in accordance with section 17 (1) if the third party neither moves into the residence nor intends to do so.

Section 20

Definition of 'residence'

A 'residence' within the meaning of this Act is any enclosed space used for living or sleeping. Accommodation on board a navy ship is also considered a residence. Caravans and barracks ships are regarded as residences only if they are not or only occasionally moved.

Section 21

Multiple residences

(1) If a resident has multiple residences in Germany, one of these residences is his or her principal residence.

(2) The principal residence is the residence used most by the resident.

(3) The secondary residence is any other residence of the resident.

(4) Whenever registering or deregistering, the person required to register is to inform the registration authority of which other additional residences he or she has in Germany and which one is his or her principal residence. He or she is required to inform the registration authority responsible for the new principal residence within two weeks of each change of principal address. If the person required to register moves out of one of his or her secondary residences in Germany and does not move into another residence, he or she is required to inform the registration authority which is responsible for the secondary residence or the registration authority which is responsible for the sole or principal residence thereof.

Section 22

Determining the principal residence

(1) The principal residence of a resident who is married or in a life partnership and does not permanently live separately from his or her family or life partner is the residence used most by the family or life partner.

(2) The principal residence of a minor resident is the residence used most by the persons having the duty of care and custody of the minor; if they live separately, the principal residence is the residence of the person having the duty of care and custody which is used most by the minor resident.

(3) In cases of doubt, the residence used most is the one where the resident's personal relationships are focused.

(4) If the residence status of a resident who is married or in a life partnership cannot be established without doubt as per subsections (1) and (3), the principal residence is the residence as defined in section 21 (2).

(5) At the request of a resident living in an institution serving persons with disabilities, the residence as defined in subsection (2) remains his or her principal residence until he or she has reached the age of 25.

Section 23

Fulfilling the general registration requirement

- (1) Unless otherwise stipulated below, the person required to register is required to fill out and sign a registration form and present it to the registration authority together with his or her national identity card, temporary national identity card, substitute national identity card, recognised and valid passport or passport substitute and the confirmation from the supplier of the residence or the reference number as referred to in section 19 (4) sentence 1. If the population register is automated, no registration form is needed if the person required to register appears in person at the registration authority and confirms, by signing a printout, the accuracy and completeness of the data collected by the registration authority.
- (2) The registration authority responsible for the new place of residence is obligated to present to the person required to register the data provided by the registration authority responsible for the previous place of residence as required by section 3 (1) nos. 1 to 18 and (2) no. 4 (pre-filled registration form). Data concerning a legal representative, spouse, life partner or minor children relating to whom a block on releasing information within the meaning of section 51 or a conditional block on releasing information within the meaning of section 52 has been entered may not be included in the pre-filled registration form. The person required to register is required to review the transferred information for accuracy, to rectify any inaccurate information and to add any missing information. He or she is required to sign the updated, pre-filled registration form and return it to the registration authority responsible for the new place of residence. In the event that it is not possible to generate a pre-filled registration form, the person required to register is to fill out and sign a registration form.
- (3) The person required to register supplies his or her family name, given names, date of birth and previous address for the pre-filled registration form. The registration authority responsible for the new place of residence transfers these data to the registration authority responsible for the previous place of residence in order to request the data as required by section 3 (1) nos. 1 to 18 and (2) no. 4. The registration authority responsible for the previous place of residence transfers the requested data to the registration authority responsible for the new place of residence without delay.
- (4) Spouses, life partners and family members having the same moving dates and previous and current addresses are, as a rule, to use the same registration form. Registration by one of the persons required to register suffices. Subsections (2) and (3) apply accordingly if the person required to register provides an assurance that he or she is authorised to receive the data of the other persons required to register. He or she is to be advised that obtaining such data without authorisation is a criminal offence under section 202a of the Criminal Code (*Strafgesetzbuch*).
- (5) In derogation from subsection (1), the registration of persons who have moved into a reception centre may be done using an automated procedure by copying the data from the Central Register of Foreigners in accordance with section 18e of the AZR Act.
- (6) Deregistration on moving abroad may be done in writing or, applying section 10 (2) and (3) accordingly, electronically. In the case of electronic deregistration, the person required to deregister may confirm his or her identity by providing his or her family name, given name, date of birth and serial number of the national identity

card or passport last stored in the population register in accordance with section 3 (1) no. 17.

Section 23a **Electronic registration**

(1) The person required to register may electronically request the data stored as required by section 3 (1) nos. 1 to 18 and (2) no. 4 from the registration authority responsible for the previous place of residence. He or she is required to transfer the data referred to in section 18 (1) sentence 3 to that end. The registration authority responsible for the previous place of residence is obligated to transfer these data in electronic and unalterable form (pre-filled registration form). Data concerning a legal representative, spouse, life partner or minor children relating to whom a block on releasing information within the meaning of section 51 or a conditional block on releasing information within the meaning of section 52 has been entered may not be included in the pre-filled registration form.

(2) The person required to register is required to verify the accuracy of the information transferred, to add the information as referred to in section 19 (3) nos. 1 to 3, to confirm it electronically and transfer it to the registration authority responsible for the new place of residence.

(3) The submission of confirmation by the supplier of the residence or the corresponding reference number as referred to in section 19 (4) sentence 1 may, in the case of electronic registration, be substituted by a code which is sent by the registration authority responsible for the new place of residence to the new address of the person required to register and is confirmed by that person.

(4) Section 10 (2) and (3) applies accordingly.

Section 24 **Data collection, confirmation of registration**

(1) When registering, deregistering or changing principal residence, the data referred to in section 3 (1) nos. 1 to 18 and (2) no. 2 (a) to (c) and no. 10 may be collected from the person required to register. The same applies to the remarks necessary to verify the accuracy of these data.

(2) The person required to register receives, free of charge, written confirmation or, if registration or deregistration is done electronically, electronic confirmation of registration or deregistration (official confirmation of registration). It may only contain the following data:

1. family name,
2. given names, indicating name usually used,
3. doctoral degree,
4. date of birth,
5. date moved in or date moved out,
6. date of registration or deregistration,
7. address and
8. sole residence, principal or secondary residence.

Section 25 **Cooperation by persons required to register**

At the request of the registration authority, the person required to register is to

1. provide the information necessary to keep the population register in good order,
2. present the necessary documents to verify the information and
3. appear in person at the registration authority.

Section 26

Exemption from the registration requirement

The registration requirement under section 17 (1) and (2) does not apply to

1. members of a foreign diplomatic mission or foreign consular representation and family members living with them in the same household if the persons referred to do not have German nationality, are not permanently resident in Germany and are not in gainful employment,
2. persons for whom this exemption has been stipulated in international treaties.

Exemption from the registration requirement under sentence 1 no. 1 applies only on the basis of reciprocity.

Section 27

Exceptions to the registration requirement

(1) There are no grounds for a registration requirement under section 17 (1) and (2) if a person who is registered at a residence in Germany moves into collective accommodation or other officially provided housing in order to

1. perform compulsory military service pursuant to the Compulsory Military Service Act (*Wehrpflichtgesetz*) or voluntary military service pursuant to the Act on the Legal Status of Military Personnel (*Soldatengesetz*),
2. perform federal volunteer service pursuant to the Federal Volunteer Service Act (*Bundesfreiwilligendienstgesetz*),
3. perform civilian alternative service pursuant to the Act on Civilian Alternative Service (*Zivildienstgesetz*),
4. perform a service as referred to in Division 4 of the Act on the Legal Status of Military Personnel,
5. serve in the Bundeswehr as a career service member or temporary career volunteer or as a police officer in the Federal or *Land* police, unless residing at the accommodation for more than 12 months,
6. take part as a public service employee in courses or specialised studies for basic or advanced training.

(2) Anyone who is registered in Germany in accordance with section 17 or section 28 and moves into a residence for a stay of no more than six months is not required to register or deregister at this residence. Anyone who has not moved out of this residence after six months have elapsed is required to register with the registration authority within two weeks. As regards persons who otherwise live abroad and are not registered in Germany in accordance with section 17 (1), this requirement applies after three months have elapsed.

(3) The exception to the registration requirement under subsection (2) does not apply to

1. ethnic German resettlers and their family members if they are assigned a place of residence pursuant to section 8 of the Federal Expellees Act (*Bundesvertriebenengesetz*) and
2. asylum applicants or other foreigners who temporarily move into a reception centre or other assigned housing.

To meet the registration requirement under subsection (2) in conjunction with sentence 1 no. 2, the body responsible for keeping the records of persons in reception centres may submit the data required for registration to the registration authority in the form of a list. A copy of the record kept pursuant to foreigners law may be submitted instead of a list. In both cases, submission in electronic form is permissible.

(4) As regards a person who has been deprived of his or her liberty by judicial decision, section 17 (1) does not establish a registration requirement as long as

1. the period of enforcement of the deprivation of liberty does not exceed three months or
2. the data subject is registered in Germany in accordance with section 17 or section 28 and the period of enforcement of the deprivation of liberty does not exceed 12 months.

Otherwise, the management of the detention facility is required to notify the registration authority responsible for the site of the detention facility within the two weeks following the person's admittance and release; the data subject is to be informed. The notification contains the data to be included in the registration form. The notification takes the place of registration as required by section 23 (1).

Division 4

Special registration requirements

Section 28

Special registration requirements for sailors on inland waterways and the high seas

(1) Anyone who moves onto an inland vessel which is entered in a register of ships in Germany is required to register with the registration authority of the place where the vessel's home port is located. The provisions on the general registration requirement apply accordingly. Registration and deregistration may also be done at a different registration authority or with the water police, which forward the data to the responsible registration authority.

(2) The owner of a seagoing vessel authorised to fly the federal flag is required to register the captain and the crew members of the vessel at the start of the employment or training. The owner is to deregister these persons when the employment or training ends. Section 24 (1) applies accordingly. Responsibility lies with the registration authority at the owner's headquarters. The persons to be registered are to provide the owner with the necessary information.

(3) The registration requirement under subsections (1) and (2) does not apply to persons who are registered at a residence in Germany in accordance with section 17 (1).

(4) The registration authority may ask vessel owners for information about persons currently or previously residing on their vessels.

Section 29

Special registration requirement for commercial accommodation

(1) Anyone staying in facilities for the purpose of the commercial reception of persons (commercial accommodation) for longer than six months is subject to the registration requirement under section 17 or section 28. Anyone who is not registered at a residence in Germany is required to register with the registration authority within two weeks as soon as his or her stay exceeds three months.

(2) Foreign nationals staying in commercial accommodation are required to sign a special registration form on the day of arrival which contains the data referred to in section 30 (2). Only the number of accompanying foreign spouses, life partners and minor children is to be stated on the registration form. In the case of groups of more than 10 persons travelling together, the requirement under sentence 1 applies only to the group leader; he or she is required to state the number of foreign nationals in the group and their nationality.

(3) Foreign nationals staying in commercial accommodation who are to be named on the registration form as required by subsection (2) are to verify their identity by presenting a valid identity document (recognised and valid passport or passport substitute) to the managers of the commercial accommodation when checking in.

(4) Persons spending the night in tents, caravans, motor caravans or water vessels at commercially operated sites are not subject to the registration requirement under section 17 (1) and (2) as long as they are registered in Germany in accordance with section 17 or section 28. Anyone who is not registered in accordance with section 17 or section 28 is required to register with the registration authority within two weeks as soon as his or her stay exceeds three months. Subsections (2) and (3) apply accordingly to foreign nationals.

(5) In derogation from subsection (2) sentence 1, the registration requirement may also, with the consent of the person staying in commercial accommodation, be met in such a manner that the data referred to in section 30 (2) are collected electronically and the person staying in the commercial accommodation confirms their accuracy and completeness on the day of arrival by

1. using a card-bound payment method with Strong Customer Authentication (SCA) within the meaning of section 1 (24) of the Payment Services Supervision Act (*Zahlungsdiensteaufsichtsgesetz*) in the course of which the payment method's specific allocation number is captured,
2. providing electronic proof of identity pursuant to section 12 of the eID Card Act (*eID-Karte-Gesetz*) or section 78 (5) of the Residence Act or
3. using his or her eID card in accordance with section 13 of the eID Card Act or his or her residence title in accordance with section 78 (5) of the Residence Act for the purposes of on-site reading.

Anyone operating commercial accommodation may, in relation to his or her own commercial accommodation and other commercial accommodation which is contractually associated with his or her commercial accommodation for the purpose of providing commercial accommodation services, submit to the Federal Office for Information Security an application for the approval, for a period of no more than five years, of a procedure other than that referred to in sentence 1 in order to test other electronic procedures for fulfilling the registration requirement if

1. the data referred to in section 30 (2) are collected electronically with the consent of the data subject,

2. the person staying in commercial accommodation confirms, in a suitable manner, the accuracy and completeness of the data referred to in no. 1 on the day of arrival and
3. a level of security comparable to the procedures referred to in sentence 1 nos. 1 to 3 exists.

Anyone who offers electronic procedures to fulfil the registration requirement is entitled to submit an application as referred to in sentence 2.

(6) Subsections (2) and (3) do not apply to

1. residential institutions providing youth or adult education, basic or advanced training if persons are accommodated for those purposes,
2. company or club accommodation if only company employees or club members and their family members are staying there,
3. youth hostels and mountain huts, institutions of public or publicly recognised youth work providers in temporary use or
4. institutions of religious communities under public law.

Section 30

Special registration forms for commercial accommodation

(1) The managers of commercial accommodation or institutions as referred to in section 29 (4) are required to have on hand a supply of special registration forms. They may provide additional technical devices to fulfil the registration requirement under section 29 (5) electronically. They are to see to it that data subjects

1. meet the obligations under section 29 (2) or the stipulations relating to the chosen electronic procedure under subsection (5) and
2. meet the obligations under section 29 (3) and (4) sentence 3.

(2) Subject to subsection (3), the registration forms contain only the following data:

1. date of arrival and planned departure,
2. family name,
3. given names,
4. date of birth,
5. nationalities,
6. address,
7. number of foreign nationals travelling together and their nationality and
8. serial number of the recognised and valid passport or passport substitute.

The managers of commercial accommodation or institutions as referred to in section 29 (4) are required to check the information on the registration form against the information in the identity document. Any discrepancies are to be noted on the registration form. If persons staying in commercial accommodation do not present an identity document or a valid identity document, this is to be noted on the registration form. In the case referred to in section 29 (5) no. 1, the payment method's specific allocation number is to be stored together with the data referred to in sentence 1.

(3) *Land* law may stipulate that additional data may be collected using the registration form to collect tourist and resort taxes.

(4) The persons obligated under subsection (1) are required to retain the filled-out registration forms for one year starting from the day of departure of the person staying in commercial accommodation and to destroy them no later than three months after the retention period has ended. Where the registration requirement is met electronically, the retention periods referred to in sentence 1 apply to the storage and deletion of data collected as required by section 29 (5). To carry out their tasks, the authorities determined by *Land* law and the authorities referred to in section 34 (4) sentence 1 nos. 1 to 5 and 9 to 11 are, on request,

1. to be presented with the registration forms signed by hand in accordance with section 29 (2) sentence 1, for inspection, and
2. to have the machine-readable data collected electronically in accordance with section 29 (5) made available to them.

(5) If the registration procedure is conducted electronically, the persons obligated under subsection (1) are required to implement appropriate technical and organisational measures as referred to in Articles 24, 25 and 32 of Regulation (EU) 2016/679 to ensure that the data designated in subsection (2) are only processed in accordance with the provisions of subsection (4) and section 29 (5).

Section 31 **Processing restrictions**

The data collected as required by section 30 (2) may be processed by the authorities determined by *Land* law and the authorities referred to in section 34 (4) sentence 1 nos. 1 to 5 and 9 to 11 if this is necessary to carry out their tasks. They may also process the data to investigate the fate of missing persons and accident victims, to collect tourist and resort taxes, to issue local guest passes and to compile accommodation and tourism statistics.

Section 32 **Special registration requirement for hospitals, care homes and similar institutions**

(1) Anyone admitted to or moving to a hospital, care home or other institution serving persons with disabilities or in need of care or for the purpose of residential education is not required to register as long as he or she is registered at a residence in Germany. Anyone who is not registered at a residence in Germany is required to register within two weeks as soon as his or stay exceeds three months. As regards persons who are unable to fulfil the registration requirement, the managers of the institution are required to inform the registration authority responsible for the site of the institution within two weeks of their admittance; the data subjects are to be informed. Section 17 (3) sentence 3 remains unaffected.

(2) The responsible authority is to be provided with information from the files of the institutions referred to if the authority has determined that this information is necessary to prevent a significant and imminent threat, to prosecute criminal offences or to investigate the fate of missing persons and accident victims in the individual case. This information includes the following data:

1. family name,
2. given names,
3. date and place of birth, including country for persons not born in Germany,

4. nationalities,
5. addresses,
6. date of admittance and date of release.

Division 5
Data transfers

Subdivision 1
Data transfers between public bodies

Section 33
Data transfers between registration authorities

- (1) Where a person has registered with a registration authority, this authority is to inform the registration authority responsible for the previous place of residence and the registration authorities responsible for the person's other residences thereof by transferring to them the data referred to in section 3 (1) nos. 1 to 18 of the person in question (acknowledgement). As regards persons moving to Germany from abroad, the registration authority responsible for the last residence in Germany is to be informed as the registration authority responsible for the previous place of residence. The data are to be transferred without delay and no more than three working days after registration; section 10 (2) applies accordingly.
- (2) The data transferred are to be processed by the registration authority responsible for the previous place of residence without delay. The registration authority responsible for the previous place of residence is to inform the registration authority responsible for the new place of residence without delay, and no more than three working days after receiving the acknowledgement, about the facts referred to in section 3 (2) no. 1, no. 2 (d), nos. 3, 4, 7, 8 and 11 and whether the data referred to in sentence 1 differ from the previous data (assessment of the acknowledgement). If registration authorities in the same *Land* are involved, *Land* law may provide for more detailed regulations on the data transfer.
- (3) If the data referred to in section 3 (1) and (2) nos. 4, 7 and 8 are updated, the registration authorities responsible for any other residences of the data subject are to be informed without delay if the data are necessary for them to carry out their tasks. If a person required to register on whom data of the persons referred to in section 3 (1) nos. 9, 15 and 16 are stored outside the area of responsibility of the registration authority dies or moves away, the registration authority responsible for these persons is to be informed of the update without delay.
- (4) If the registration authority enters a block on releasing information within the meaning of section 51 in the population register, or if it lifts such a block, it is required to inform the registration authority responsible for the last previous residence or the new residence and the registration authorities responsible for any other residences thereof without delay. These registration authorities are to enter the block on releasing information within the meaning of section 51 in the population register without delay and are to delete it when it has been lifted. Sentences 1 and 2 apply accordingly to conditional blocks on releasing information within the meaning of section 52, with the proviso that such blocks are not lifted.
- (5) If any international treaties provide for a procedure for sharing such information with bodies abroad, the agreements in these treaties take precedence over the provisions of subsections (1) to (3).

(6) Data transfers and the sharing of information between registration authorities are free of charge.

Section 34

Data transfers to other public bodies

(1) The registration authority may transfer, within Germany, to another public body within the meaning of section 2 (1) to (3) and (4) sentence 2 of the Federal Data Protection Act (*Bundesdatenschutzgesetz*) the following data from the population register if this is necessary to carry out a public task for which the registration authority or the recipient is responsible:

1. family name,
2. previous names,
3. given names, indicating name usually used,
4. doctoral degree,
5. religious name, stage or pen name,
6. date and place of birth, including country for persons not born in Germany,
7. gender,
8. current nationalities,
9. current and previous addresses, indicating principal and secondary residence; for persons moving to Germany from abroad, the country, and for persons moving abroad, the address abroad, including country,
10. date moved in, date moved out, date last moved out of a residence in Germany and date last moved to Germany from abroad,
11. regarding legal representative
 - a) family name,
 - b) given names,
 - c) doctoral degree,
 - d) address,
 - e) date of birth,
 - f) gender,
 - g) date of death and
 - h) blocks on releasing information within the meaning of section 51 and conditional blocks on releasing information within the meaning of section 52,
12. marital status; in the case of married persons or life partners, also the date, place and country of marriage or registration of the life partnership and, in the case of marriage or registration of a life partnership abroad, also the country,
13. regarding spouse or life partner
 - a) family name,
 - b) given names,

- c) name at birth,
 - d) doctoral degree,
 - e) date of birth,
 - f) gender,
 - g) current addresses and address moved to,
 - h) date of death and
 - i) blocks on releasing information within the meaning of section 51 and conditional blocks on releasing information within the meaning of section 52,
14. regarding minor children
- a) family name,
 - b) given names,
 - c) date of birth,
 - d) gender,
 - e) address in Germany,
 - f) date of death and
 - g) blocks on releasing information within the meaning of section 51 and conditional blocks on releasing information within the meaning of section 52,
15. blocks on releasing information within the meaning of section 51 and conditional blocks on releasing information within the meaning of section 52,
16. date and place of death, including country for persons who died abroad.

The registration authority may, further, transfer the following data to the authorities referred to in subsection (4) sentence 1 where this is necessary to carry out the tasks of those authorities:

- 1. issuing authority, date of issue, length of validity, serial number of the national identity card, temporary national identity card or substitute identity card, of the recognised passport or passport substitute and
- 2. facts as referred to in section 3 (2) no. 4 regarding passport and identity card data,
- 3. data relating to procedures under weapons and explosives law as referred to in section 3 (2) nos. 7 and 8 and
- 4. data relating to the supplier of the residence as referred to in section 3 (2) no. 10.

(2) The data transfer is effected by means of

- 1. the registration authority having the data on hand for subsequent automated retrieval directly by the other public body if this is permissible under section 34a or
- 2. electronic data transfer.

Section 10 (2) applies accordingly to the cases referred to in sentence 1. In addition, there must be no doubt as to the identity of the body to which the data are transferred. Section 3 of the Act on Connecting the IT Networks of the Federation and the *Länder* – Act implementing Article 91c (4) of the Basic Law (*Gesetz über die Verbindung der informationstechnischen Netze des Bundes und der Länder* –

Gesetz zur Ausführung von Artikel 91c (4) des Grundgesetzes) of 10 August 2009 (Federal Law Gazette I, p. 2702, p. 2706), as amended, remains unaffected. In derogation from sentence 1, the data transfer is effected in writing or by securely forwarding data storage media where data transfer in accordance with sentence 1

1. is not available,
2. is not permissible or
3. would be available and permissible but the receiving body cites specific grounds for not transferring the data in accordance with sentence 1.

(3) The transfer of data other than those referred to in subsection (1) sentence 1 or the transfer of remarks in the population register referred to in section 3 (1) or (2) to other public bodies is permissible if the recipient

1. would not be able to carry out its legally assigned task without the data and
2. the data could not be obtained from the data subject without unreasonable effort, or the nature of the task for which the data are required means that the data collection is not effected.

(4) If the following authorities request data and remarks as required by subsection (3), the registration authority is not required to examine whether the conditions of subsection (3) and section 8 are met:

1. police authorities,
2. public prosecution offices,
3. public prosecutors at local courts,
4. courts, as far as they carry out tasks of criminal prosecution or enforcement of sentences or custodial sentences,
5. prison authorities,
6. domestic intelligence agencies,
7. the Federal Intelligence Service,
8. the Military Counterintelligence Service,
9. the Customs Investigation Service,
10. main customs offices,
11. the tax authorities where they carry out law enforcement tasks,
12. the Central Office for Sanctions Enforcement or
13. the Federal Office of Justice, where it carries out tasks of enforcement assistance under Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties (OJ L 76, 22.3.2005, p. 16), amended by Council Framework Decision 2009/299/JHA (OJ L 81, 27.3.2009, p. 24), as well as tasks of sharing information from judicial records pursuant to Council Framework Decision 2009/315/JHA of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States (OJ L 93, 7.4.2009, p. 23).

The requesting authority is required to record the name and address of the data subject with a note indicating the reason for the transfer. These records are to be

retained, secured using technical and organisational measures as referred to in Articles 24, 25 and 32 of Regulation (EU) 2016/679 and are to be destroyed at the end of the calendar year following the year in which the record was made. Sentence 3 does not apply if the data referred to in sentence 2 have become part of files or data systems.

(5) If a block on releasing information within the meaning of section 51 (1) has been entered ex officio at the instance of one of the authorities referred to in subsection (4) sentence 1 nos. 1 to 4, 6 to 9 and 11, the data subject and the body which occasioned the block are to be informed without delay of any request for the transfer of data concerning the data subject. If, after hearing the data subject or, if this person is not available, after hearing the body which occasioned the block, a threat as referred to in section 51 (1) cannot be ruled out, a transfer in such cases is not permissible; the requesting body receives notification which may not permit any conclusions to be drawn as to whether no information on the data subject is available or whether a block on releasing information has been entered. In derogation from sentences 1 and 2, only the body which occasioned the block is to be informed of and heard regarding requests for transfer made by a body referred to in subsection (4) sentence 1.

(6) Data transfers from registration authorities as referred to in subsection (2) to other public bodies in Germany are free of charge. In the case referred to in subsection (2) sentence 5 no. 1, however, this only applies if the registration authority has to account for the reasons not to use automated retrieval or electronic data transfer. *Land* law on fees for data transfers from central collections of registration data or web portals at *Land* level remain unaffected.

Section 34a

Search for persons and free search by automated retrieval

(1) Retrieval is permissible only where the retrieving body must be aware of these data to carry out its tasks.

(2) In the case of a named individual (search for persons), retrieval of any of the data referred to in section 34 (1) sentence 1 is permissible. The authorities referred to in section 34 (4) sentence 1 may also retrieve the data referred to in section 34 (1) sentence 2.

(3) In the case of a number of individuals who are not named (free search), only retrieval of the data referred to in section 34 (1) sentence 1 nos. 1 to 8 and 16 as well as the address of the current principal or sole residence is permissible. The authorities referred to in section 34 (4) sentence 1 may also retrieve the data moved in as required by section 34 (1) sentence 1 no. 10 and the data referred to in section 34 (1) sentence 2 nos. 1, 3 and 4.

(4) The transfer of additional data and remarks in accordance with subsection (2) is permissible if this is determined by federal or *Land* law in which the reason for and purpose of the transfer, recipient and data to be transferred are specified.

(5) If a block on releasing information within the meaning of section 51 has been entered in the population register, the retrieving body receives notification which may not permit any conclusions to be drawn as to whether no information on the data subject is available or whether a block on releasing information has been entered (neutral response). In such cases, the registration authority is to treat the retrieval as a request for manual data transfer. The data referred to in section 34 (1) sentence 1 nos. 11, 13 and 14 are not transferred if a block on releasing information within the meaning of section 51 has been entered for this group of persons.

(6) Where the retrieving body is one of the authorities referred to in section 34 (4) sentence 1 nos. 1 and 6 to 9 and a block on releasing information has been entered in the population register which was not entered ex officio at the instance of one of the authorities referred to in section 34 (5) sentence 1, then, in derogation from subsection (5), information is provided to the retrieving body if it has been ensured that the data are received by the management of the retrieving body or by employees specifically authorised by it to do so.

Section 35

Data transfers to agencies abroad

In the context of activities which fully or partly fall within the scope of European Union law, section 34 (1) sentence 1 applies in accordance with the applicable laws and agreements when data are transferred to

1. public bodies in other Member States of the European Union,
2. public bodies in other States party to the Agreement on the European Economic Area,
3. bodies and institutions of the European Union or
4. bodies and institutions of the European Atomic Energy Community.

Section 36

Regularly occurring data transfers

(1) Data transfers to other public bodies which are carried out in generally determined cases at regular intervals independently of requests (regularly occurring data transfers) are permissible if this has been determined by federal or *Land* law in which the reason for and purpose of the transfers, recipients and data to be transferred are specified.

(2) A data transfer in accordance with section 58c (1) sentence 1 of the Act on the Legal Status of Military Personnel is permissible only if the data subject has not objected thereto. Where an objection is raised, the data subject has the right to require the registration authority to enter a block on the transfer of information free of charge. The data subject is to be informed, by public notice and by October of each year at the latest, of his or her right to object in the course of registration.

Section 37

Disclosure of data

(1) Under the conditions of section 34 (1), all of the data and remarks referred to in section 3 (1) may be disclosed within the administrative unit to which the registration authority belongs. Section 34 (3) applies accordingly to the inspection and disclosure of data and remarks referred to in section 3 (2).

(2) Setting up automated procedures for the transfer of data to other bodies within the administrative unit to which the registration authority belongs requires the approval of the head of the administrative unit; he or she is to stipulate in writing which bodies are authorised to retrieve data and the necessary technical and organisational measures as referred to in Articles 24, 25 and 32 of Regulation (EU) 2016/679. The body authorised to retrieve data may utilise the possibility of retrieving data only if this is necessary in the individual case to carry out its tasks. Section 34a (5) applies accordingly.

Section 38

Selection data for automated retrievals and data transfers relating to groups of persons

(1) The following selection data taken from the list of data set out in section 34 (1) sentence 1 are to be used for automated retrievals of data by means of a search for persons:

1. as regards a person's name
 - a) the family name and at least one given name,
 - b) a previous name and at least one given name,
 - c) a religious name or
 - d) a stage or pen name and
2. in addition to the information as required by no. 1
 - a) an address or
 - b) a place of residence and at least one of the following data:
 - aa) street,
 - bb) date of birth,
 - cc) place of birth, including country for persons not born in Germany,
 - dd) gender,
 - ee) date of death,
 - ff) place of death, including country for persons who died abroad.

In the cases referred to in and in accordance with the provisions of section 10 (4) sentence 1 and sentence 2 no. 4 of the AZR Act, the AZR number may only be used as an additional selection data point for the purpose of unambiguous allocation. A phonetic search is permissible in relation to family names, previous names and given names, as well as religious, stage and pen names.

(2) In the case of automated retrievals and requests for the transfer of data by means of a free search, then, subject to sentence 2, the following are, as a rule, to be used:

1. all the data referred to in section 34 (1) sentence 1 and the data referred to in section 34 (1) sentence 2 no. 3 which are available, by the authorities referred to in section 34 (4) sentence 1,
2. only the data referred to in section 34 (1) sentence 1, by all other public bodies.

Data on recorded persons referred to in section 34 (1) sentence 1 nos. 11, 13 and 14, the date last moved out of a residence in Germany and the date last moved to Germany from abroad in accordance with section 34 (1) sentence 1 no. 10 and blocks on releasing information within the meaning of section 51 and conditional blocks on releasing information within the meaning of section 52 are not permissible as selection data. A phonetic search is permissible in relation to family names, previous names and given names, as well as religious, stage and pen names.

(3) The use of additional selection data pursuant to subsections (1) and (2) is permissible if this is stipulated by federal or *Land* law in which the reason for and purpose of the retrieval are also specified.

(4) Where an automated retrieval displays the records of multiple persons, the body authorised to retrieve data may use these data only to the extent necessary to carry out its legally assigned tasks. Data which are not needed are to be deleted without delay.

(5) The retrieving body may, in the event that it receives a neutral response, forego further processing of the request by the registration authority. The obligation to notify the body requesting the block without delay under section 34 (5) sentences 1 and 3 remains unaffected.

Section 39 **Automated retrieval procedure**

(1) When setting up a procedure for automated retrieval, the body authorised to retrieve data is required to implement appropriate technical and organisational measures as referred to in Articles 24, 25 and 32 of Regulation (EU) 2016/679 to ensure that data can be retrieved only by persons authorised to do so and that only those data are retrieved which are necessary to carry out its tasks.

(2) Where an automated retrieval as per section 34a finds the records of different persons, identifying features are created and transferred for that purpose. The data referred to in section 3 may not be processed to create such identifying features. The recipient of the data may transfer the identifying feature only to the registration authority.

(3) As regards the public bodies referred to in section 34 (4) sentence 1 and other public bodies determined by federal or *Land* law, it is to be ensured at all times, in the case of central *Länder* collections of registration data or, if such do not exist, in the case of other bodies determined by *Land* law, or in the case of the registration authorities, that data can be retrieved via the Internet or the network linking the Federation and the *Länder*. Subsection (1) sentences 2 to 4 applies accordingly.

(4) The retrieving body is responsible for the permissibility of each individual automated retrieval. The registration authority checks the permissibility of the retrieval only if there is reason to do so.

Section 39a **Data validation for public bodies**

(1) The registration authority may use an automated procedure to verify whether data relating to a named individual which it receives from another public body by way of an automated request match the data stored in the population register if a data transfer would be permissible under section 34. Section 38 (1) applies accordingly to the selection data on which the request for data validation is based.

(2) Where a person is unambiguously identified using the selection data in the population register and the data match the data stored in the population register, the registration authority sends the requesting body confirmation thereof. Where the data provided lead to several matching data records being found, the registration authority gives notification of this fact. If the population register contains a block on releasing information within the meaning of section 51 or if no matching record is available on the data subject, the requesting body receives notification which may not permit any conclusions to be drawn as to which of these two cases applies.

(3) Section 34 (5) and (6) and section 39 (1), (3) and (4) apply accordingly.

Section 40

Logging requirement for automated retrieval and data validation

(1) When using automated retrieval in the case of a search for persons and data validation, the registration authority is to log the following:

1. the body authorised to retrieve the data,
2. the data retrieved,
3. the time of retrieval,
4. the file reference of the retrieving authority,
5. the reason for the retrieval,
6. the retrieving person's identification code or, in the case of automated retrieval, the designation of the procedure and
7. the records labelled as 'retrievable' based on the selection data relating to the persons found (hits).

(2) In the case of a free search by automated retrieval,

1. in addition to subsection (1) nos. 1 to 6, the selection data used are to be logged and
2. instead of the hits referred to in subsection (1) no. 7, the records labelled as 'retrievable' relating to the unnamed individuals found (results) are to be logged.

(3) If the retrieving body, or the body making an automated request, is one of the authorities referred to in section 34 (4) sentence 1, then it is required to log this information.

(4) The registration authority is required to log the following data in the case of automated data retrieval by the data subject via an administrative portal (section 2 (2) of the Online Access Act):

1. the data subject's family name, given names, date of birth and address of the current principal or sole residence,
2. the type of service,
3. the data retrieved,
4. the time of retrieval.

(5) The logging data are to be retained and secured for at least 12 months. They are to be deleted no later than the end of the calendar year following the year in which they were recorded. The logging data may be processed only for the purposes of data protection monitoring, any resulting criminal proceedings and for the purposes of safeguarding the operation of the register and providing information to the data subject.

Section 41

Purpose limitation on transferred data and remarks

Unless otherwise specified by law, recipients may process the data and remarks solely for the purposes for which the data were transferred or forwarded to them. In the cases referred to in sections 51 and 52, processing the transferred or forwarded data and remarks is permissible only if the possibility of harming any legitimate interests of the data subject can be ruled out.

Section 42

Data transfers to religious communities under public law

(1) Under the conditions of section 34 (1) sentence 1, the registration authority may also at regular intervals transfer to a religious community under public law the following data on its members in order to carry out its tasks but not for purposes related to labour law:

1. family name,
2. previous names,
3. given names, indicating name usually used,
4. doctoral degree,
5. religious name, stage or pen name,
6. date and place of birth, including country for persons not born in Germany,
7. regarding legal representative
 - a) family name,
 - b) given names,
 - c) doctoral degree,
 - d) address,
 - e) date of birth,
 - f) gender,
 - g) date of death and
 - h) blocks on releasing information within the meaning of section 51 and conditional blocks on releasing information within the meaning of section 52,
8. gender,
9. current nationalities,
10. legal membership of a religious community under public law,
11. current addresses, indicating principal and secondary residence, the last previous address, for persons moving to Germany from abroad, the last address in Germany and for persons moving abroad, also the address abroad, including country,
12. date moved in and date moved out,
13. marital status, limited to information as to whether the data subject is married or in a life partnership or not, including, in the case of persons who are married or in a life partnership, the date, place and country of marriage or registration of the life partnership,
14. number of minor children,
15. blocks on releasing information within the meaning of section 51 and conditional blocks on releasing information within the meaning of section 52,
16. date and place of death, including country for persons who died abroad.

(2) If members of a religious community under public law have family members, the registration authority may transfer the following data of these family members:

1. family name,
2. previous names,
3. given names,
4. date of birth and place of birth,
5. gender,
6. membership of a religious community under public law,
7. current addresses, indicating principal and secondary residence, and last previous address,
8. blocks on releasing information within the meaning of section 51 and conditional blocks on releasing information within the meaning of section 52,
9. date of death.

(3) 'Family members' within the meaning of subsection (2) are a person's spouse or life partner, minor children and the parents of minor children. Family members who do not belong to the same or any religious community under public law have the right to object to the transfer of their data; they are to be informed of this right when registering as required by section 17 (1) and annually by public notice. Section 36 (2) sentence 2 applies accordingly. Sentence 2 does not apply if data are transferred for purposes under tax collection law to the religious community under public law.

(4) Section 34 (5) applies accordingly to transfers in accordance with subsections (1) and (2).

(4a) The registration authorities may transfer to the religious communities under public law at the start of each standardised data transfer on a nationally determined cut-off date the data referred to in subsections (1) and (2) and the data specified by *Land* law pursuant to section 55 (2) using an automated procedure for no more than 12 months in order to enable a one-time data match for the purpose of inventory recording, initial recording and subsequent data transfers based on this. Objections raised as permitted by section 42 (3) sentence 2 are also to be transferred. The Federal Ministry of the Interior, Building and Community publicises the cut-off date in the Federal Gazette.

(5) A data transfer in accordance with subsections (1) and (2) is permissible only if it is ensured that the recipient has taken sufficient data protection measures. An authority to be designated by *Land* law determines whether this is the case.

Section 43 (repealed)

Subdivision 2 Information from the population register

Section 44 Basic information from the population register

(1) If a person requests information on another person or if a body other than one of those designated in section 34 (1) sentence 1 or section 35 requests information,

the registration authority may provide only the following data on specific individuals (basic information from the population register):

1. family name,
2. given names, indicating name usually used,
3. doctoral degree,
4. current addresses and
5. if the person is deceased, this fact.

If the data are used for commercial purposes, these are to be stated.

(2) Subsection (1) also applies when information on a large number of persons are requested.

(3) The provision of basic information from the population register is permissible only if

1. the identity of the person on whom information is requested can be unambiguously established on the basis of the information provided in the request on
 - a) family name,
 - b) previous names,
 - c) given names,
 - d) date of birth,
 - e) gender or
 - f) address and
2. the data are not used for advertising purposes or address trading and the person or body requesting the information gives a statement to that effect.

(4) Using data from a population register commercially is prohibited unless a purpose as referred to in subsection (1) sentence 2 was indicated when making the request.

(5) Section 45 (2) applies accordingly.

Section 45

Additional information from the population register

(1) If credible evidence of a legitimate interest is provided, then in addition to the data referred to in section 44 (1) relating to specific individuals, information from the population register may be provided on

1. previous names,
2. date and place of birth, including country for persons not born in Germany,
3. marital status, limited to information as to whether the data subject is married or in a life partnership or not,
4. current nationalities,
5. previous addresses,
6. date moved in and date moved out,
7. family name, given names and address of legal representative,

8. family name, given names and address of spouse or life partner and

9. date and place of death, including country for persons who died abroad.

(2) In addition to the exceptions under Article 14 (5) of Regulation (EU) 2016/679, the obligation to provide the data subject with information pursuant to Article 14 (1), (2) and (4) of Regulation (EU) 2016/679 which the recipient of the additional information from the population register is under does not apply if fulfilling it would harm a legal interest, in particular asserting legal claims, unless the data subject's legitimate interest in fulfilment of the obligation to provide information prevails.

Section 46

Group information

(1) Information may be provided from the population register on a large number of persons not referred to by name (group information) only if doing so is in the public interest. The following data may be used to constitute the group of persons:

1. date of birth,
2. gender,
3. current nationality,
4. current addresses,
5. date moved in and date moved out,
6. marital status, including information as to whether the person is single, married, divorced, widowed, in a life partnership, whether a life partnership has been terminated or the life partner is deceased.

(2) Apart from the fact of membership of the group, the following data may be provided:

1. family name,
2. given names,
3. doctoral degree,
4. age,
5. gender,
6. nationalities,
7. current addresses and
8. legal representative, including family name, given names and address.

Section 47

Purpose limitation on information from the population register

(1) In the case of information being provided from the population register under section 44 for commercial purposes and information being provided from the population register under sections 45 and 46, and where a block on releasing information within the meaning of section 51 (1) has been entered, the recipient may use the data only for the purposes for which they were transferred. The data are subsequently to be deleted.

(2) If data were collected for the purpose of commercially identifying addresses for third parties, these data may not be reused.

Section 48

Information from the population register for public service broadcasters

Where public service broadcasters are involved in journalistic activities, they are not regarded as public bodies within the meaning of this Act.

Section 49

Automated information from the population register

(1) Basic information may also be provided from the population register on data storage media which can be processed using automated means. The data storage media provided to the registration authority or the data transferred to the registration authority are to be returned, deleted or destroyed without delay after the request has been processed.

(2) Basic information may also be provided from the population register via the Internet using automated retrieval. The response to the person or body requesting information is to be sent in encrypted form.

(3) Basic information provided from the population register via the Internet may also be provided via one or more Internet portals. If a portal is not operated under public law, it requires approval by the responsible *Land* authority. In particular, portals have the task of

1. registering those requesting information,
2. receiving requests for information and forwarding them to the registration authority or other portals,
3. receiving responses and forwarding them to registration authorities or other portals,
4. ensuring that fees and expenses are paid to the registration authorities and
5. safeguarding data security.

Subsection (1) sentence 2 applies accordingly.

(4) Information may be provided only if

1. the person or body requesting information identifies the data subject by family name or a previous family name and at least one given name associated with it, although phonetic searches are permissible in relation to family names and given names, as well as either an address or two other items of data, although the data referred to in subsection (5) nos. 5 and 9 may not be used in tandem and
2. the identity of the data subject has been unambiguously established using an automated match of the data provided in the request with the data stored in the population register.

(5) The following data may also be used to further describe the data subject under subsection (4) no. 1:

1. religious name,
2. stage or pen name,
3. date of birth,
4. place of birth, including country for persons not born in Germany,
5. gender,
6. family name and given name of legal representative,

7. date moved to an address,
 8. date moved away from an address,
 9. marital status,
 10. date and place of marriage or registration of life partnership, including, in the case of marriage or registration of a life partnership abroad, the country,
 11. family name and given name of spouse or life partner,
 12. date of death,
 13. place of death, including country for persons who died abroad.
- (6) Section 10 (2) and section 40 apply accordingly.
- (7) The requesting person or body as referred to in section 44 (1) sentence 1 may, in the event of receiving a neutral response, waive the right to further processing of the request by the registration authority. The obligation to notify the data subject and the body making the request without delay under section 51 (3) remains unaffected.

Section 49a **Data validation**

- (1) The registration authority may verify, by automated means, whether the data on a named individual which it receives by way of an automated request match the data stored in the population register if it would be permissible to provide basic information from the population register.
- (2) Where a person is unambiguously identified on the basis of the selection data in the population register and the data match the data stored in the population register, the registration authority sends confirmation thereof to the requesting person or body. Where this is not the case or a block on releasing information within the meaning of section 51 or a conditional block on releasing information within the meaning of section 52 has been entered in the population register, the requesting person or body receives notification which may not permit any conclusions to be drawn as to whether no matching data on the data subject are available or whether a block or a conditional block on releasing information has been entered.
- (3) Persons relating to whom a block on releasing information has been entered are to be informed without delay of any requests made relating to them. Section 51 (3) and (5) applies accordingly.
- (4) Section 10 (2) and section 40 (1), (3) and (4) apply accordingly.

Section 50 **Information from the population register in special cases**

- (1) In connection with elections and voting at national and local level, in the six months preceding the election or vote, the registration authority is permitted to provide political parties, associations of voters and other nominated candidates with information from the population register concerning data referred to in section 44 (1) sentence 1 in relation to groups of eligible voters if these groups are constituted on the basis of their members' age. The dates of birth of the eligible voters may not be communicated. The person or body to whom the data are provided is permitted to use these data only for advertising for an election or vote and is required to delete or destroy them no later than one month after the election or vote.

(2) Where elected officials, news media representatives or broadcasters request information from the population register concerning the birthdays or wedding anniversaries of residents, the registration authority may provide information on

1. family name,
2. given names,
3. doctoral degree,
4. address and
5. date and number of the birthday or wedding anniversary.

Birthdays within the meaning of sentence 1 are 70th birthdays and every fifth birthday until a person's 100th birthday, then every birthday thereafter; wedding anniversaries are 50th anniversaries and every anniversary thereafter.

(3) The publishers of address directories may receive information on all residents aged 18 and over on

1. family name,
2. given names,
3. doctoral degree,
4. current addresses.

The data provided may be used only for the purpose of publishing address directories in book form.

(4) If credible evidence of a legal interest is provided, the registration authority is to provide the owner of a residence and, if he or she is not the supplier of the residence, also the supplier of the residence with information, free of charge, on the family name, given names and doctoral degree of the residents registered at his or her residence. At the request of the person authorised to receive the information, the information may be provided using an electronic procedure; section 10 (2) and (3) applies accordingly.

(5) The data subject has the right to object to the transfer of his or her data under subsections (1) to (3); he or she is to be informed of this right when registering as required by section 17 (1) and annually by public notice. Section 36 (2) sentence 2 applies accordingly.

(6) No information is provided as required by subsections (1) to (3) if a block on releasing information within the meaning of section 51 exists. Nor may information be provided as required by subsection (3) if a conditional block on releasing information within the meaning of section 52 has been entered.

Section 51

Blocks on releasing information

(1) Where there are facts which justify the assumption that providing information from the population register may result in a threat to the life, health, personal freedom or similar legitimate interests of the data subject or another person, then the registration authority is, on request or ex officio, to enter in the population register, free of charge, a block on releasing information. A similar legitimate interest is, in particular, the protection of the data subject or another person against threats, insults and stalking. When establishing whether facts within the meaning of sentence 1 exist, account is also to be taken of whether the data subject or another

person belongs to a group of persons who are generally exposed to an increased level of hostility or other forms of aggression on account of their professional or voluntary activities.

(2) If, after hearing the data subject, a threat as referred to in subsection (1) cannot be ruled out, it is not permissible to provide information from the population register. If the data subject cannot be reached, then in the cases in which a block on releasing information was entered at the instance of one of the authorities referred to in section 34 (4) sentence 1 nos. 1 to 4, 6 to 9 and 11, the body at whose instance the block on releasing information was entered is to be heard. If no information is provided, the person or body requesting information receives notification which may not permit any conclusions to be drawn as to whether no information on the data subject is available or whether a block on releasing information exists.

(3) If a block on releasing information has been entered, the data subject and, if the entry was made ex officio at the instance of an authority referred to in section 34 (4) sentence 1 nos. 1 to 4, 6 to 9 and 11, the body at whose instance the block was entered is also to be informed without delay of any request for information from the population register.

(4) The block on releasing information is limited to two years. It may be extended on request or ex officio. The data subject is to be notified before the block is lifted if he or she can be reached. If the block was entered at the instance of one of the authorities referred to in section 34 (4) sentence 1 nos. 1 to 4, 6 to 9 and 11, then this authority is to be notified if the data subject cannot be reached.

(5) The provision of information from the population register is also not permissible

1. if inspection of a civil status register in accordance with section 63 (1) of the Civil Status Act may not be permitted and
2. in the cases referred to in section 1758 of the Civil Code.

Section 52

Conditional block on releasing information

(1) The registration authority enters a conditional block on releasing information free of charge for the current addresses of persons who are, to the registration authority's knowledge, registered as residents of

1. care homes or other institutions serving persons with disabilities or in need of care or for the purpose of residential education,
2. shelters providing protection against domestic violence or
3. institutions for the treatment of addiction.

(2) In such cases, unless the conditions of section 51 (1) to (3) are met, information from the population register may be provided only if harm to legitimate interests can be ruled out. The data subject is to be heard before information is provided from the population register. If the registration authority is aware of a current address which is not blocked, it may inform others of this current address.

Subdivision 3

Witness protection

Section 53

Witness protection

The provisions of the Witness Protection Harmonisation Act (*Zeugenschutz-Harmonisierungsgesetz*) of 11 December 2001 (Federal Law Gazette I, p. 3510), as amended by Article 2 (12) of the Act of 19 February 2007 (Federal Law Gazette I, p. 122), as amended, remain unaffected by the provisions on data transfers and the disclosure of data under sections 34, 34a, 36, 37 and 49.

Division 6
Administrative offences

Section 54
Fines

(1) Anyone who offers a residential address or makes one available contrary to section 19 (6), is deemed to have committed an administrative offence.

(2) Anyone who,

1. contrary to section 17 (1), also in conjunction with section 27 (2) sentence 2 or section 28 (1) sentence 1 or sentence 2, contrary to section 29 (1) sentence 2 or (4) sentence 2 or section 32 (1) sentence 2, does not register themselves, does not do so correctly or in good time,
2. contrary to section 17 (2) sentence 1, does not deregister themselves or does not do so in good time,
3. contrary to section 19 (1) sentence 2, does not confirm that a person has moved in, does not do so correctly or in good time,
4. issues confirmation contrary to section 19 (1) sentence 5,
5. contravenes an enforceable order as referred to in section 19 (5) or section 25 or section 28 (4),
6. contrary to section 21 (4) sentence 2 does not provide information, does not do so correctly, in full or in good time,
7. contrary to section 28 (2) sentence 1 or sentence 2, does not register the captain or a crew member or does not do so in good time, or does not deregister them or does not do so in good time,
8. contrary to section 29 (2) sentence 1, does not sign a special registration form or does not do so in good time,
9. contrary to section 30 (1) sentence 1, does not have on hand a special registration form,
10. contrary to section 30 (4) sentence 1, also in conjunction with sentence 2, does not retain a filled-out registration form or does not do so for at least one year or does not store data or does not do so for at least one year,
11. contrary to section 30 (4) sentence 3, does not present a registration form or does not do so in good time or does not make available data or does not do so in good time,

is deemed to have committed an administrative offence.

(3) The administrative offence may be punishable in the cases referred to in subsection (1) with a fine of up to 50,000 euros and in the other cases with a fine of up to 1,000 euros.

Division 7
Other provisions, final provisions

Section 55

Regulatory powers of the *Länder*

- (1) *Land* law may stipulate that data and remarks other than those referred to in section 3 are processed to carry out tasks of the *Länder*.
- (2) *Land* law may stipulate that further data in addition to those referred to in section 42 may be transferred to religious communities under public law to carry out their tasks.
- (3) *Land* law may govern the establishment, operation and tasks of central collections of registration data. In this case, sections 4, 5, 6 (2) sentences 1 and 2 and sections 7, 8, 10, 11 and 40 apply accordingly.
- (4) *Land* law may specify the template for registration forms when registering as required by section 17 (1) and (2) sentence 1, for the registration certificate referred to in section 18 (1), for the confirmation of registration referred to in section 24 (2) and for the special registration form referred to in section 30 (1).
- (5) *Land* law may govern regularly occurring data transfers in accordance with section 36 (1) in the context of carrying out tasks of the *Länder*, as long as the reason for and purpose of the transfer are determined and the recipient and the data to be transferred are specified therein.
- (6) *Land* law may govern the transfer of additional data and remarks pursuant to section 34a (4) in the context of carrying out tasks of the *Länder*, as long as the reason for and purpose of the transfer are determined and the recipient and the data to be transferred are specified therein.
- (7) *Land* law may determine which additional data as required by section 38 (3) may be used as selection data for retrieval in the context of carrying out tasks of the *Länder*, as long as the reason for and purpose of the transfer are specified therein.
- (8) *Land* law may determine which other bodies as referred to in section 39 (3) offer data for retrieval. Where it has been stipulated that data retrieval within a *Land* may, in derogation from section 39 (3), be effected via networks within the *Land*, it is to be ensured that measures as referred to in Articles 24, 25 and 32 of Regulation (EU) 2016/679 are implemented.
- (9) *Land* law may not derogate from the provisions of section 33 (1) to (3) and (6), section 34 (6) and section 39 (3), nor from the provisions of administrative procedure based on section 56 (1).

Section 56

Authorisation to issue statutory instruments

- (1) The Federal Ministry of the Interior, Building and Community is authorised, by statutory instrument requiring the approval of the Bundesrat,
 1. to stipulate the data to be transferred, their form and details concerning the transfer procedure in order to conduct data transfers under section 23 (2) and (3) and section 33 (1) to (3) which are necessary to update the population registers,
 2. to stipulate the data to be transferred, their form and details concerning the transfer procedure in order to conduct regularly occurring data transfers under section 36 (1) which are necessary for the public body receiving the data to carry out its tasks,
 3. to stipulate the conditions under which data may be retrieved in order to conduct automated retrieval in accordance with sections 34a, 38 and 39, as well as the form and content of the data,
 4. to stipulate the data to be transferred, their form and details concerning the transfer procedure in order to conduct data transfers between registration authorities and an

administrative portal in accordance with section 2 (2) of the Online Access Act of 14 August 2017 (Federal Law Gazette I, p. 3122, p. 3138) which are necessary in the provision of electronic administrative services under this Act,

5. to stipulate the conditions of and the procedure for approving portals in order to provide information from the population register via portals referred to in to section 49 (3) and
6. to stipulate the level of assurance within the meaning of Article 8 of Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73; L 23, 29.1.2015, p. 19; L 155, 14.6.2016, p. 44) which is necessary in the case of an electronic application for administrative services under this Act.

(2) The Federal Ministry of the Interior, Building and Community is authorised, by statutory instrument not requiring the approval of the Bundesrat, to regulate details of electronic storage in accordance with section 29 (5) and section 30 (4), in particular the data formats to be used when storing data. It is to take account of the technical and economic concerns of the commercial accommodation and institutions obligated under section 30 (1) sentence 1.

(3) If the form of and procedures for data transfers are to be determined in statutory instruments based on this Act, it is possible to refer to publicly accessible announcements by expert bodies. The date of the announcement, the publication reference and the source of the announcement are to be stated in the statutory instrument. The announcement is to be filed in the Federal Archives; the statutory instrument is to include a reference to this fact.

Section 57

Administrative provisions

The Federal Government may, with the approval of the Bundesrat, issue general administrative provisions to execute this Act and the statutory instruments issued on the basis of this Act.

Section 58

(repealed)