

# Data transfers to public bodies pursuant to §§ 34 ff. Federal Registration Act (BMG)

As a public body, do you need reporting data? You can retrieve this information nationwide from the central office of your federal state.

## **Competent Department**

<u>Der Senator für Inneres und Sport</u>
<u>Referat 21 - Staatsangehörigkeit und Ordnungsrecht</u>

### **Basic information**

The new provisions of Section 34 of the German Federal Data Protection Act (BMG) from 01.05.2022 stipulate that data transmission to other public bodies must always be carried out by the registration authority holding the data ready for subsequent automated retrieval. Data may only be transmitted in written form in exceptional cases.

For public agencies in the state and city of Bremen, the Bremen information portal ("Landesmelderegister" - OLMERA) https://www.landesmelderegister.bremen.de is intended for nationwide automated retrieval (see "Online Service" on the right).

Registration for the Bremen State Register of Residents must be applied for at the Senator for the Interior, Department 21 ("Citizenship and Regulatory Law").

Public offices in other federal states must contact the respective central office responsible for their federal state. An overview of the central offices of the federal states can be downloaded on the right under "Where can I find out more?

According to Section 34 (2) Sentence 5 BMG, written data transmissions are only to be issued if data transmission by means of automated retrieval is not available (e.g., due to a technical malfunction at the State Register of Residents), is not permissible (e.g., due to an information block (ASP)), or is not possible (e.g., due to a technical malfunction at the State Register of Residents). (e.g., due to an information block (ASP) pursuant to Section 51 BMG or a blocking notice (SPV) pursuant to Section 52 BMG) or would be available and permissible, but the receiving agency asserts special circumstances to deviate from data transmission by means of automated retrieval.

# **Procedure**

- For public agencies of the state and city of Bremen, the Bremen information portal ("Landesmelderegister" OLMERA) https://www.landesmelderegister.bremen.de is provided for nationwide automated retrieval. After registration, the State Register of Residents can be used to retrieve the data.
- Bremen agencies wishing to register should contact the Senator for the Interior, Department 21, Citizenship and Regulatory Affairs.
- A decision on the application is made there. If necessary, the Senator for the Interior issues a written order (e-mail) to the Fachliches Verfahrensmanagement (FVM) for OLMERA at Dataport. The FVM carries out the registration.
- Public bodies in other federal states must contact the respective central office responsible for their federal state.

## **Legal bases**

• §§ 34 ff. Bundesmeldegesetz (BMG) Datenübermittlungen an andere öffentliche Stellen

#### More information

In the case of automated retrieval, the following data may be transmitted to you, insofar as this is necessary for the fulfillment of a public task that lies within your competence:

- 1. family name,
- 2. former names,
- 3. first names with marking of the common first name,
- 4. doctor's degree,
- 5. order name, artist name
- 6. date and place of birth and, in case of birth abroad, also the state,
- 7. sex.
- 8. current nationalities including the data stored in accordance with § 3 paragraph 2 number 5,
- 9. current and previous addresses, identified by main and secondary residence. If moving in from abroad, the state; if moving out to a foreign country, the move-in address abroad and the state.
- 10. date of moving in, date of moving out, date of the last departure from a dwelling in the country and date of the last move from abroad,

- 11. for the legal representative:
- a) surname,
- b) first names,
- c) degree of doctor,
- d) address,
- e) date of birth,
- f) sex,
- g) date of death as well as
- h) information blocking pursuant to § 51 and conditional blocking pursuant to § 52,
- 12. marital status, in the case of married persons or civil partners additionally date, place and state of the marriage or the establishment of the civil partnership abroad also the state,
- 13. to the spouse or life partner
- a) surname
- b) first names,
- c) birth name,
- d) doctor's degree,
- e) date of birth,
- f) sex,
- g) present addresses and removal address,
- h) date of death as well as
- i) information blocks according to § 52 and conditional blocking notes according to §52,
- 14. on minor children
- a) surname,
- b) first names,
- c) date of birth,
- d) sex,
- e) domestic address,
- f) date of death as well as
- g) information blocking pursuant to § 51 and conditional blocking notes pursuant to § 52,
- 15. information blocks according to § 51 and conditional blocking notes according to § 52 as well as
- 16. date and place of death and, in the case of death abroad, also the country.

# How long does it take to process

The automated retrieval is available to you at any time after registration. Your request will be answered synchronously, which means that the requested data - if available in the population register and if transmission is legally permissible - will be transmitted to you immediately. In the case of written requests for information, a processing time of several weeks must be expected.

#### What are the costs?

Data transmissions to other public bodies in Germany concerning the holding of data by the registration authority for subsequent automated retrieval are free of charge.

However, in the case of the written provision of information due to the fact that automated retrieval is not available, this only applies if the registration authority is responsible for the reasons for the lack of use of automated retrieval. A corresponding legal basis for charging fees for such written data transmissions is therefore currently being prepared.