

# Act on the German Red Cross and other voluntary aid societies as defined in the Geneva Conventions

GRC-Act dated December 5, 2008 (Federal Law Gazette [*Bundesgesetzblatt*] I p. 2346), last amended by Article 11a of the Act dated November 15, 2019 (Federal Law Gazette I p. 1604)

## Chapter 1 German Red Cross

- **Section 1 Legal Status**

The "Deutsches Rotes Kreuz e.V." (German Red Cross e.V.) is the National Red Cross Society on the territory of the Federal Republic of Germany and Voluntary Aid Society, auxiliary to the German authorities in the humanitarian field. It adheres to the principles of the International Red Cross and Red Crescent Movement.

- **Section 2 Tasks**

(1) As a voluntary aid society, the "Deutsches Rotes Kreuz e.V." assumes the tasks that arise from the Geneva Conventions of 1949 and their Additional Protocols, in particular

1. rendering assistance to the regular medical service of the German armed forces as defined in Article 26 of the First Geneva Convention including the utilization of hospital ships pursuant to Article 24 of the Second Geneva Convention;
2. the dissemination of knowledge of International Humanitarian Law as well as the principles and ideals of the International Red Cross and Red Crescent Movement and the assistance to the German Federal Government in this field;
3. the assumption of the tasks of an official Information Bureau pursuant to Article 122 of the Third Geneva Convention and pursuant to Article 136 of the Fourth Geneva Convention;
4. the conveyance of correspondence under the preconditions stipulated by Article 25 paragraph 2 of the Fourth Geneva Convention and the provision of tracing services according to Article 26 of the Fourth Geneva Convention and Article 33 paragraph 3 as well as Article 74 of the First Additional Protocol.

(2) For the tasks pursuant to paragraph 1 no. 3, the "Deutsches Rotes Kreuz e.V." receives grants within the framework of the budgetary funds available in the Federal Budget, pursuant to Section 44 of the Federal Budget Code and the respective administrative regulations and consequential provisions.

(3) The "Deutsches Rotes Kreuz e.V." further fulfils the tasks being allocated to it by federal or state law.

(4) The Temporary Employment Act (Arbeitnehmerüberlassungsgesetz) applies to the temporary employment of members of a German Red Cross Nursing Association with the proviso that Article 1 paragraph 1 sentence 4 and paragraph 1b of the Temporary Employment Act are not applicable.

(5) Section 8 paragraph 2 of the Care Professions Act (Pflegerberufegesetz) applies with the proviso that, in addition to institutions pursuant to Section 7 paragraph 1 of the Care Professions Act, nursing associations of the "Deutsches Rotes Kreuz e.V." may also run practical training.

In this case, the trainee's mandatory assignments to the entity being ultimately responsible for the practical training shall be carried out at the institution according to Section 7 paragraph 1 of the Care Professions Act at which the prevailing part of the trainee's practical training takes place (i.e. implementing institution of the practical training).

In deviation from Section 8 paragraph 5 of the Care Professions Act, trainees of the nursing associations of the "Deutsches Rotes Kreuz e.V." are presumed employees, within the meaning of Section 5 of the Works Constitution Act (Betriebsverfassungsgesetz) or of Section 4 of the Federal Staff Representation Act (Bundespersönalvertretungsgesetz), of the institution carrying out the practical formation for the entire duration of the vocational training.

These trainees shall be granted at least those conditions of vocational training which apply to comparable trainees at the respective institution carrying out the practical training.

The collective labour agreement applicable to trainees of the nursing associations of the "Deutsches Rotes Kreuz e.V." shall apply to the trainee only provided that no collective labour agreement of the institution carrying out the practical formation applies.

In deviation from Section 16 paragraph 2 no. 11 of the Care Professions Act, trainees are to be provided with guidance to the applicable shop and establishment agreements by the respective institution conducting the practical training; apart from that, Section 16 paragraph 2 no. 11 of the Care Professions Act applies accordingly.

- **Section 3 Protection of the Emblem and the Names**

The entitlement to use the emblem "red cross on white ground" and the names "Rotes Kreuz" ("Red Cross") and "Genfer Kreuz" ("Geneva Cross") is assigned to the "Deutsches Rote Kreuz e.V.". This does not confer an entitlement to prohibit a descriptive use of the emblem and the names by any third party when this use is not liable to cast doubt on the attribution according to sentence 1. The rights of other organisations of the International Red Cross and Red Crescent Movement remain unaffected.

## Chapter 2

### Other Voluntary Aid Societies

- **Section 4 Legal Position**

The "Johanniter" ("Johanniter-Unfall-Hilfe e.V.") and the "Malteser" ("Malteser Hilfsdienst e.V.") are voluntary aid societies as defined in Article 26 of the First Geneva Convention.

- **Section 5 Tasks**

The "Johanniter-Unfall-Hilfe e.V." and the "Malteser Hilfsdienst e.V." are authorised to render assistance to the regular medical service of the German armed forces. The "Johanniter-Unfall-Hilfe e.V." and the "Malteser Hilfsdienst e.V." also perform the tasks being assigned to them by federal or state law.