



Rules governing access to and conduct in Bundestag properties

of 2 January 2002, as amended by the Council of Elders on 27 April 2017 (excerpt)

I. Legal basis/Scope

In the plenary area of the Reichstag Building and in the other Bundestag properties, the President of the Bundestag exercises proprietary and police powers under Article 40(2) of the Basic Law. On the basis of that provision, taken in conjunction with Rule 7(2) of the Rules of Procedure of the German Bundestag, he has issued internal regulations in agreement with the Committee for the Scrutiny of Elections, Immunity and the Rules of Procedure (Internal Regulations of the German Bundestag of 11 July 1975, as amended on 31 May 2017). Those regulations essentially regulate rights of access to the buildings and the plenary chamber as well as conduct within the buildings. Under Rule 10(2) of the Internal Regulations, the President of the Bundestag may enact additional rules in the exercise of his proprietary powers.

The rules governing access and conduct, as amended on 18 February 2016, are amended by the present version of the Internal Regulations, adopted on 31 May 2017.

II. Security rules

1. Screening area and X-ray scanners

The Bundestag buildings have numerous entrances, some of which are equipped with screening areas for identity, body and baggage checks. Visitors and guests as well as holders of internal passes in the categories GREEN (representatives of interest groups and associations, for example), RED (media representatives) and ORANGE (service providers and tradesmen, for instance) are required, in principle, to use the entrances that are equipped with screening areas and X-ray scanners and to undergo security checks, which involve walking through a metal detector and passing personal belongings through an X-ray scanner. Exemptions from this requirement must be cleared with the Police and Security Division (ZR 3) in good time prior to entry.

2. Background checks

For the procedure for background checks under Rule 2(6a) and (6c) of the Internal Regulations, see the Data-protection Declaration.

3. Visibility of passes

All Bundestag passes and electronic staff passes issued by the Bundestag Administration are to be worn openly and visibly.

III. Access authorisations and rules

(...)

3. Media representatives: access and reporting

Access by representatives of the media is permissible only with a valid Bundestag identity pass in the form of the Bundestag press pass, which provides accreditation for a fixed period or for a year.¹

Bundestag press passes are issued by Division PuK 1 (Press, Radio, Television) upon request.

The plenary area, roof terrace and dome of the Reichstag Building as well as the other Bundestag properties are available, in principle, only for reporting on matters with a political and parliamentary connection. Any kind of staged event or demonstration is prohibited. Photography or filming in connection with reporting requires the appropriate authorisation. Such authorisations are issued by Division PuK 1 (Press, Radio, Television). A photography or filming authorisation is not necessary if the images are connected with the work of a Member of Parliament and if they are to be captured in his or her presence. Filming and photographing of material security installations require the express prior authorisation of Division ZR 3 (Police, Security).

As a matter of principle, authorisations to photograph or film the catering facilities are not issued. Photography or filming of receptions are permissible only with the consent of the organiser.

3.1. The following rules apply to the plenary area of the Reichstag Building:

(a) Plenary chamber

Access to the plenary chamber is prohibited, even for persons accompanied by a Member of Parliament. The same applies at times when there are no plenary sittings.

For media reporting of plenary sittings there are designated press galleries, which are accessible only from the west side via the mezzanine floor/visitors' level.

Filming and photography are only permitted from the press galleries. Unauthorised photographing of documents in such a way as to render them recognisable or readable is prohibited. Interventions by presenters from the press galleries are also prohibited.

(b) West lobby

Unrestricted access to the west lobby – the lobby to the west of the plenary chamber – is, in principle, permitted.

The area in the west lobby in front of the division doors from the plenary chamber as far as the doors to the west foyer is to be kept clear; no filming or photography is permitted within that area.

(c) East lobby

The area of the east lobby, from the foot of the access stairway on the ground floor, is reserved for the persons referred to in part II(1) and for official guests.

(d) Roof terrace and dome

Photography and filming on the roof terrace and in the dome are possible only for political and parliamentary reporting in which at least one Member of Parliament is the focal

¹ Until the end of the 18th electoral term, the accreditations issued by the Federal Press Office to members of the Federal Press Association for the duration of the electoral term will still be accepted.

point of the report. In principle, no photography or filming authorisations are issued for commercial purposes or for reports devoted to other subjects such as tourism and architecture.

(e) Other meeting rooms in the Reichstag Building

Access for media reporters is regulated on a case-by-case basis. In the case of committee meetings, the committees themselves decide whether to authorising filming and photography in connection with media reporting.

(f) Presidential level

Access to the presidential level is permitted for the purpose of keeping an appointment that has been made with the President or Secretary-General of the Bundestag or attending events on that level which are explicitly open to the press.

(g) Parliamentary group level/press lobby

Journalists have free access to the press lobby. Access to the areas in front of the group meeting rooms is possible only by agreement with the respective parliamentary groups.

(h) Press working area

During sitting weeks and at special events, media representatives may use the designated press working area on the mezzanine floor for their parliamentary reporting.

(i) Other areas

The technical, service and cellar areas are not accessible to media representatives without prior authorisation from Division PuK 1 (Press, Radio, Television).

3.2. The following rules apply to the Paul Löbe Building, the Jakob Kaiser Building and the Marie-Elisabeth Lüders Building:

It is up to the committees whether to permit access to committee meeting rooms and to authorise filming or photography inside those rooms in the context of reports on committee meetings.

Filming and photography in any other areas – working and reading rooms, corridors, the underground links with the plenary area of the Reichstag Building, office areas and external balconies – are subject to authorisation by Division PuK 1 (Press, Radio, Television).

3.3. Other properties

Access to other Bundestag properties is permitted if meetings of parliamentary bodies are taking place there, if arrangements have been made with Members of Parliament, if public events are being held there or if permission has been obtained from Division PuK 1 (Press, Radio, Television). In these cases, use of the underground passageways is also permitted. An authorisation from the Press, Radio and Television Division (PuK 1) is required for photography and filming in those properties.

(...)



Entrances to Bundestag properties with X-ray scanners

Plenary area of the Reichstag Building:

Central visitors' entrance (west container building)

Northern entrance to the plenary area

Southern entrance to the plenary area (only temporarily manned for special events)

Paul Löbe Building:

Southern entrance

Western entrance A

Western entrance B

Marie-Elisabeth Lüders Building:

Entrance on Adele-Schreiber-Kriegerstrasse

Jakob Kaiser Building:

Entrance at 100 Dorotheenstrasse

Entrance at 101 Dorotheenstrasse

Entrance at 68 Wilhelmstrasse 68

50 Unter den Linden:

Entrance at 50 Unter den Linden

71 Unter den Linden:

Entrance at 71 Unter den Linden

93 Dorotheenstrasse 93:

Entrance at 93 Dorotheenstrasse

65 Wilhelmstrasse:

Entrance at 65 Wilhelmstrasse

When completed: 64 Wilhelmstrasse:

Entrance at 64 Wilhelmstrasse



Declaration on data protection made when applying for entry to the Bundestag

I. Data-protection declaration

I understand that, in connection with my application to be issued with a Bundestag pass or be added to the access list, or in connection with my registration as a visitor, a general background check may be carried out by the Bundestag Police under Article 40 (2) of the Basic Law. The sole purpose of this background check is to allow a decision to be taken on whether and to what extent I should be granted access to the buildings of the German Bundestag.

The decision is based on the catalogue of criteria set out under point II below.

To allow this background check to be carried out, my personal details will be recorded and stored by the Bundestag Police. **I hereby agree, expressly and unconditionally**, that the Bundestag Police may use these details to search for information about me in police databases and federal compilations of data.

My agreement applies to the following databases and compilations of data

- the case-management system used by the Bundestag Police (Artus)
- the Police Information System (Informationssystem Polizei – INPOL)
- the Federal Central Criminal Register (Bundeszentralregister – BZR)

In addition, it may be necessary in individual, duly substantiated cases to examine references to available information in order to determine whether there is any reason not to grant access. Should this be the case, the Bundestag Police will contact me, explain the reasons to me, and request my express consent to the procedure set out below. If I do not give my consent, this more detailed background check will not be carried out, in which case I shall not be granted access to the Bundestag buildings.

As part of a more detailed background check, a request for information containing my personal details may be sent to the Chief of Police for Berlin at *Land* Criminal Police Office 554. The Chief of Police for Berlin may, through *Land* Criminal Police Office 554, search the following police databases and compilations of data of *Land* Berlin and the Federal Republic of Germany:

- the data system of *Land* Berlin (Landesdatensystem – POLIKS)
- the Police Information System (Informationssystem Polizei – INPOL)

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- Internal Security (INPOL new – a nationwide database on state security)
 - files held by the State Security Division of the Berlin Police

This includes inspection of related investigation and criminal files held by the police, the Office of the Public Prosecutor and the courts.

If police information concerning me is held by the Chief of Police in Berlin, this information, or otherwise a notification that no such information exists, will be transmitted by the Chief of Police for Berlin at *Land* Criminal Police Office 554, to the Bundestag Police and recorded there. If information is available which suggests that I should not be granted access, the Bundestag Police will inform me of the fact that access cannot be granted. This notification will not contain any substantive details about the information underlying the decision. I shall then be free to submit a request for information about the data held on me to the Chief of Police for Berlin at *Land* Criminal Police Office 5542, Eiswaldtstrasse 18, 12249 Berlin.

II. Catalogue of criteria

1. General

My personal data will be compared with various police databases maintained by police authorities for the purposes of averting danger and criminal prosecution. Some of these databases are maintained by the federal and *Land* police forces for their sole use, while others are used jointly (network databases).

In particular, these are databases relating to criminals and crimes in which criminal convictions, but also pending and abandoned investigations, are recorded and state security databases containing data pertaining to politically motivated crimes or membership of organisations or associations banned in Germany, such as the Kurdistan Workers' Party (PKK) or the Nationalist Front (NF).

The duration of storage in these databases is determined by federal and *Länder* police legislation. It depends on the individual case, taking into account the gravity of the alleged crime and any court ruling, as well as whether the party in question was a minor (under 18) or of legal age (over 18) at the time of the crime. Generally speaking, the storage period for crimes and certain serious misdemeanours as well as other criminal offences of supraregional importance committed by adults is ten years, while records of criminal offences of medium gravity committed by adults and minors are stored for five years. In cases of minor significance, these review periods are reduced to three years. If a new relevant criminal offence is recorded for an individual before the end of the storage period, the duration of storage can increase, in which case the information recorded up to that point is also retained.

Information in the police databases may be more extensive than that in the Federal Central Criminal Register, as proceedings that have been stayed by the courts or dropped by the Offices of the Public Prosecutors or terminated without a conviction may also, in principle, be recorded in police databases.

2. Criteria

(a) Final convictions

Crimes (offences punishable by at least one year in prison),

or

misdemeanours (offences for which the minimum sentence is less than one year in prison or a fine) which, in view of their individual gravity, are capable of seriously breaching the peace, in so far as they are carried out against the

- life or
- health or
- freedom

of one or more persons or against

- significant material assets or property of others

and involve

- arms trafficking or
- narcotics trafficking or
- counterfeiting of money or official stamps

or are committed commercially, habitually, serially or in a gang or any other organised manner

or

crimes against state security

or

multiple final convictions for crimes of considerable significance other than those listed above, where such recording seems appropriate after careful examination of all circumstances.

(b) Additional information (e.g. pending or abandoned investigations)

- pending investigations or
 - abandoned investigations
- or information regarding

- state security or
- narcotics or
- organised crime

from which the commission of future criminal offences may be deduced.

III. Declaration of consent

I understand that I can refuse to consent to a background check in the form described above and that I can withdraw my consent at any time after giving it. Should I do so, however, I can no longer, for security reasons, be granted access to the German Bundestag. Any documents granting access and Bundestag passes which have been issued will immediately cease to be valid and must be returned to the Central Passes Office without delay.

Supplementary information for applicants for a Bundestag pass

1. The applicant may only enter the Bundestag buildings with a valid Bundestag pass (see Rule 2(2) to (6) of the Internal Regulations of the German Bundestag). A Bundestag pass may only be issued upon production of a valid identity card or passport bearing the number specified on the application form; the applicant must confirm receipt of the Bundestag pass by signing the application form. The foregoing is without prejudice to the procedure for the issuing of day passes in the case of persons requiring occasional access (see the second sentence of Rule 2(4) as well as Rule 2(5) of the Internal Regulations of the German Bundestag).
2. A Bundestag pass featuring the holder's photograph is personal and non-transferable. In principle, it must be worn openly and visibly in the Bundestag buildings (see Rule 2(8) of the Internal Regulations of the German Bundestag). When requested by security personnel, all holders of a Bundestag pass who are present in the buildings of the German Bundestag must prove that they are entitled to be there and, if they have been admitted under Rule 2(1)(2), taken in conjunction with Rule 2(3) to (7) of the Internal Regulations, must state the purpose of their presence (see Rule 2(9) of the Internal Regulations of the German Bundestag).
3. The German Bundestag reserves the right to withdraw unilaterally any authorisation to enter its buildings and to revoke any Bundestag pass. The withdrawal of authorisation and revocation of a pass may occur in particular if the holder of a Bundestag pass has made changes to the pass which were not authorised by the Bundestag Police or if the holder of a pass infringes any of the provisions referred to above. The Bundestag pass becomes invalid upon withdrawal of authorisation to enter Bundestag buildings and must be returned to the Bundestag Police (Central Passes Office) without delay.
4. The Bundestag pass is the property of the German Bundestag. In the event of an infringement of any of the provisions referred to above, the Bundestag Police may require the holder to return the Bundestag pass without delay. It is to be returned to the Central Passes Office without delay when it expires or when the reason for which it was requested ceases to apply.
5. In the event of the loss or theft of a Bundestag pass, the Bundestag Police shall decide whether to issue a new Bundestag pass. The person in whose name the pass was issued must proceed as follows:
The loss or theft must be reported without delay, in principle in writing, to the Bundestag Police. The Bundestag Police shall decide in each case how to proceed, and in particular whether to order a search for the pass.