

***USAREUR Regulation 215-145
USAFE Instruction 34-104**

Morale, Welfare, and Recreation

Application for German Hunting License

18 April 2001

***This regulation supersedes USAREUR Regulation 215-145, 18 January 2001.**

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Summary. This regulation--

- Requires USAREUR and USAFE personnel who want a German foreigners hunting license to submit an application according to this regulation.
- Requires a signed certificate of reliability for each individual in USAREUR or USAFE who applies for a German foreigners hunting license. The appropriate approval authority commander (para 4a) will sign the certificate.
- Complies with German Federal hunting law.

Summary of Changes. This revision--

- Adds requirements of USAFE and of the German State of Rheinland-Pfalz to the application procedures for obtaining a German foreigners hunting license.
- Explains application procedures, documents, and required items.

Applicability. This regulation applies to--

- Commanders who are authorized to approve applications (para 4a) for German foreigners hunting licenses and to certify U.S. Forces personnel applying for a German foreigners hunting license.
- USAREUR and USAFE personnel applying for a German foreigners hunting license.

Supplementation. Commanders will not supplement this regulation without CG, USAREUR/7A (AEAGA-GR), approval.

Forms. This regulation prescribes AE Form 215-145A (*Antrag auf Erteilung/Verlängerung eines Ausländerjagdscheins für in Deutschland stationierte Mitglieder der US-Streitkräfte*/Application for Issuance/Renewal of a German Foreigners Hunting License for U.S. Members of the Forces Stationed in Germany). AE Form 215-145A went into effect on 1 January 2001 in Baden-Württemberg, Bayern, and Hessen, and on 1 April 2001 in Rheinland-Pfalz. Previous versions of applications will no longer be accepted in those States. USAREUR and higher-level forms (printed and electronic) are available through the USAREUR Publications Systems (UPUBS).

Suggested Improvements. The proponent of this regulation is the Office of the Deputy Chief of Staff, Personnel and Installation Management, HQ USAREUR/7A (AEAGA-GR, 370-7378). Users may suggest improvements to this regulation by sending a DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the Commander, USAREUR/7A, ATTN: AEAGA-GR, Unit 29351, APO AE 09014.

Distribution. B (UPUBS). This regulation is available only in electronic format.

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1. PURPOSE

This regulation prescribes policy and procedures for commanders in paragraph 4 to issue “reliability certification” (para 3b) for individuals applying for German foreigners hunting licenses.

NOTE: For USAFE, this publication implements AFPD34-1, Air Force Services Combat Support Programs.

2. REFERENCE

German Federal Hunting Law, section 17, paragraphs 3 and 4 (app A).

3. EXPLANATION OF ABBREVIATIONS AND TERM

a. Abbreviations.

AE	Army in Europe
ASG	area support group
BSB	base support battalion
CG, USAREUR/7A	Commanding General, United States Army, Europe, and Seventh Army
HQ USAREUR/7A	Headquarters, United States Army, Europe, and Seventh Army
U.S.	United States
USAFE	United States Air Forces in Europe
USAREUR	United States Army, Europe

b. Term.

reliability certification (*Unbedenklichkeitsbescheinigung*)

Signed certification of the applicant’s reliability and competence to handle, carry, and use weapons and ammunition safely.

4. RESPONSIBILITIES

a. Approval authorities for AE Form 215-145A (*Antrag auf Erteilung/Verlängerung eines Ausländerjagdscheins für in Deutschland stationierte Mitglieder der US-Streitkräfte*/Application for Issuance/Renewal of a German Foreigners Hunting License for U.S. Members of the Forces Stationed in Germany) are--

(1) In USAREUR, commanders of area support groups (ASGs), base support battalions (BSBs), other battalion-level commanders, or the first lieutenant colonel in the applicant's chain of command.

(2) In USAFE, commanders of squadrons or the first lieutenant colonel in the applicant's chain of command.

b. The approval authority (a above) will not be delegated. Applicants may not approve their own applications. Officers in positions of supervision over the commanders in a above may, however, approve applications for senior commanders.

c. Commanders with approval authority (a above) must familiarize themselves with the German Federal Hunting Law, section 17, paragraphs 3 and 4 (app A), before approving AE Form 215-145A.

d. Commanders with approval authority (a above) will review and certify applications (AE Form 215-145A) for a German foreigners hunting license only when, in the judgment of the commander, the applicant meets all requirements in (1) through (11) below. In validating the applicant's ability to meet these requirements, commanders may rely on endorsements from trusted officials, ask the applicant to demonstrate required abilities to a representative of the commander, or rely on their own judgment of the applicant's ability. When reviewing applications, commanders must verify that the applicant--

(1) Is at least 18 years old. This age limit is based on formal requirements of established on 27 November 1997 by German State Ministry officials of Baden-Württemberg, Bayern, and Hessen; and requirements established on 26 March 2001 by German State Ministry officials of Rheinland-Pfalz.

(2) Has successfully completed a U.S. Forces hunting course and possesses at least one of the following:

(a) A valid German foreigners hunting license.

(b) An expired German foreigners hunting license.

(c) A valid examination certificate (*Prüfungszeugnis*) from a U.S. Forces hunting course.

(3) Is reliable and physically fit (para 6).

(4) Has not had a previously issued hunting license withdrawn.

(5) Has sufficient hunting-liability insurance.

(6) Uses weapons and ammunition carefully and properly.

(7) Handles and stores weapons and ammunition carefully.

(8) Prohibits others who do not have the legal authority to use weapons and ammunition from using the applicant's weapons and ammunition.

(9) Has no record of--

(a) Convictions of the offenses listed in appendix A.

(b) Criminal offenses under the influence of alcohol.

(c) Serious or frequent law violations.

(d) Criminal offenses against hunting laws, nature-protection laws, laws on arms, the Federal Arms Act, the Arms Control Act, or the Explosives Act.

(10) Is of sound mental health and has no record of being declared by a court of competent jurisdiction to lack legal capacity.

(11) Is not addicted to alcohol or drugs.

NOTE: If the applicant has been convicted under conditions described in appendix A, or if the applicant has ever been convicted of an offense and sentenced to confinement by a court of competent jurisdiction, commanders will not approve the person's application until 5 years after completion of confinement.

5. BASIS FOR CERTIFICATION

The German Hunting Law, section 17, paragraphs 3 and 4, requires delegated authorities to certify the reliability of the applicant for a German foreigners hunting license. In USAREUR, these authorities are ASG, BSB, other battalion-level commanders, or the first lieutenant colonel in an applicant's chain of command. In USAFE, these authorities are squadron commanders or the first lieutenant colonel in an applicant's chain of command. AE Form 215-145A, paragraph 2.3, requires these commanders to confirm the assignment location and the dependability of the applicant.

6. MEDICAL CERTIFICATION

If a commander has reason to doubt an applicant's reliability or physical fitness before issuing the reliability certification, the commander should ask the applicant to present a medical-fitness certificate. This medical certificate must be prepared by a medical examiner or medical specialist and must state the applicant's mental or physical fitness or both, as applicable.

7. DENIAL OR WITHDRAWAL OF A HUNTING LICENSE

When German authorities discover facts that justify denial of a hunting license after they have validated it, the German authorities must void and withdraw the hunting license. When a licensed hunter is later found to have abused alcohol or committed any violation of the law (app A), the investigation of the offense will also include a review of the approving commander's investigation into the facts certified on the AE Form 215-145A (para 4). Because of the need for thorough preapproval checks and the long-term consequences of approving an application, only commanders with the appropriate authority and understanding of the seriousness of granting approval are given this responsibility.

8. LICENSE-ISSUING PROCEDURES

German State Governments require that USAREUR and USAFE review new and renewal applications. Only applications that have been validated by USAREUR or USAFE will be processed for a German foreigners hunting license.

a. After the commander signs the reliability certification (AE Form 215-145A, para 2.3), applicants must send or take the application and the items listed in (1) and (2) below to the appropriate office (b below) for review, validation, and filing. When preparing their application package--

(1) First-time applicants must include their valid examination certificate (*Prüfungszeugnis*), two passport-size photos, proof of liability insurance (a minimum of DM 100,000 for property damage and DM 1,000,000 for personal liability), and their application with original signatures.

(2) Renewal-applicants must include their expiring German foreigners hunting license, proof of liability insurance ((1) above), and their application with original signatures.

b. Applicants who live in the German State of--

(1) Baden-Württemberg, Bavaria, or Hessen will send their application package to the Commander, USAREUR/7A, ATTN: AEAGA-GR (Hunting and Fishing Office), Unit 29351, APO AE 09014, for validating and filing. (Application packages may be delivered to the USAREUR Hunting and Fishing Office. Applicants should call that office (370-6215) before delivering the package.)

(2) Rheinland-Pfalz will send their application package to HQ USAFE/SVPCO (Hunting and Fishing Office), Unit 3050, Box 160, APO AE 09136-0160, for validating and filing. (Application packages may be delivered to the USAFE Hunting and Fishing Office. Applicants should call that office (496-7931) before delivering the package.)

c. After reviewing and validating the application, USAREUR and USAFE Hunting and Fishing Offices (b(1) and (2) above) will make a copy of the application and all attached items and then do one of the following:

(1) Return all original documents to the applicant.

(2) Send the original documents to the German lower hunting-authority office that serves the BSB, ASG, or USAFE installation where the applicant is stationed. The lower hunting-authority office will contact the applicant when the new or renewed license is approved.

d. If the applicant receives the approved original documents from a USAREUR or USAFE Hunting and Fishing Office (c(1) above), the applicant will then take the original documents to the German lower hunting-authority office that serves the BSB, ASG, or USAFE installation where the applicant is stationed. The lower hunting-authority office will contact the applicant when the new or renewed license is approved.

APPENDIX A
EXTRACT FROM THE GERMAN FEDERAL HUNTING LAW (ENGLISH TRANSLATION)

Section 17
Denial of Hunting Licenses

(1) Hunting licenses must be denied to persons--

1. Who have not turned 16.
2. With whom facts justify the assumption that they do not have the necessary dependability or physical fitness.
3. Whose hunting licenses have been withdrawn. During withdrawal or ban periods, hunting licenses will be denied (sections 18, 41, paragraph 2).
4. Who cannot prove that they have obtained sufficient hunting liability insurance coverage (DM 1,000,000 for personal damages and DM 100,000 for damage to property). Insurance can be obtained only from insurance companies that are authorized to provide hunting liability insurance in the area of application of the Act on Supervision of Private Insurance Companies, as announced on 6 June 1931 (Reichs Law Gazette I, page 315 and 750), as amended by Article 1 of the First Implementing Act/ECC to the Insurance Control Act, dated 18 December 1975 (Federal Law Gazette I, page 3139). Federal States may allow that group insurance without compulsory participation be obtained.

(2) Hunting licenses may be denied to persons who--

1. Have not turned 18.
2. Are not German within the meaning of section 116 of the German Constitution.
3. Did not have their permanent or habitual residences in the area of application of the Federal Forest Act for at least 3 consecutive years.
4. Have committed serious or frequent violations against principles of section 1, paragraph (3).

(3) Persons will not have the necessary dependability if facts justify the assumption that they--

1. Will use weapons or ammunition carelessly or improperly.
2. Will not handle weapons or ammunition carefully and properly, and will not store weapons and ammunition carefully.
3. Will allow people who are not entitled to the actual power over weapons and ammunition to use weapons and ammunition.

(4) The following persons usually do not have the necessary dependability:

Persons who have been finally convicted of--

1. a.) *Friedensverrat*¹, high treason, endangering the democratic state based on the rule of law, treason against external security, or endangering external security.
b.) Intentional assassination or attempt to ruin someone's health, rape, pandering, offenses against the laws relating to civil order and rioting, unlawfully entering another person's house, opposing public authority, offenses dangerous to the public, poaching, or criminal offenses against personal belongings or property.
c.) At least two criminal offenses committed under the influence of alcohol.
d.) Criminal offenses committed by negligence when handling weapons, ammunition, or explosives.
e.) Criminal offenses against provisions of hunting laws, nature-protection laws, laws on arms, the Federal Arms Act, the *Reichs* Arms Act, the Arms Control Act, or the Explosives Act.
These people usually will not have the necessary dependability if, since their last conviction became final, 5 years have not passed. The time offenders were in custody on official order will not be included in this period.

Persons who--

2. Have committed serious or frequent violations against provisions mentioned in number 1, letter e, above.
 3. Have no or only limited legal capacity.
 4. Are addicted to alcohol or drugs or are mentally ill or deficient.
- (5) If proceedings according to paragraph (4), sentence 1 above, are not terminated, the responsible authority can suspend the decision on the application for hunting licenses until proceedings are terminated.

- (6) If facts are known that justify doubts about the applicant's dependability according to paragraph (4), number 4, or the applicant's physical fitness according to paragraph (1), number 2, the responsible authority can request that the applicant present a certificate prepared by an official medical examiner or medical specialist on the applicant's mental and physical fitness.

¹Translator's note: Believed to be actions endangering peace.