Legal Duty to Provide First Aid

If you want to help in a disaster situation but have questions about the legal situation, here is information on liability and insurance when providing assistance.

If someone is in danger or in an emergency situation, the situation is generally as follows in Germany:

Everyone has the duty to help the person as quickly as possible. Failure to provide assistance may result in a prison sentence of up to one year or a fine.

Exceptions include: You would be in significant danger yourself while providing assistance. Or you would violate other important duties in doing so. For example, if you had to leave your children alone to provide assistance, you would violate your parental duty of care.

Accident Insurance

Are you assisting in an accident or emergency situation? Or are you rescuing someone from a significant immediate danger to their health? Then you are protected by statutory accident insurance (PDF from the Federal Ministry of Labor and Social Affairs, 57 pages, 0.5 MB). This applies especially to first aid responders.

If you assist later – for example, weeks or months after the end of the immediate danger situation – you are generally not covered by accident insurance.

An exception is: If you are on duty for a relief organization or the fire department. In that case, you may be protected by accident insurance.

Health Insurance

If you injure yourself while helping or become ill, your health insurance will cover your medical care and medications.

Liability

If you accidentally damage something while helping, you are not liable for it. Exception: You act with gross negligence or intent.

It is also important: Register with local authorities, such as the municipal administration or local command center, before your deployment. Keep a record of your assistance after each mission, including where and when you helped and what tasks you performed. In case of accidents, be as detailed as possible and include the names of any witnesses.

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Videos on the topic as well as this information in English and Turkish

Entwicklungsagentur
Rheinland-Pfalz e.V.

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