

TEMPLATE POLICY PAGE

Category:	Vehicle Crime
Country:	Germany
Year:	2016

Main policy page:	/
Relevant legislation:	<p style="text-align: center;">Excerpts from the GERMAN CRIMINAL CODE – provisions potentially applicable to cases of vehicle crime – Unofficial translation</p> <p>CHAPTER NINETEEN THEFT AND UNLAWFUL APPROPRIATION</p> <p>Section 242 Theft</p> <p>(1) Whosoever takes chattels belonging to another away from another with the intention of unlawfully appropriating them for himself or a third person shall be liable to imprisonment not exceeding five years or a fine.</p> <p>(2) The attempt shall be punishable.</p> <p>Section 243 Aggravated theft</p> <p>(1) In especially serious cases of theft the penalty shall be imprisonment from three months to ten years. An especially serious case typically occurs if the offender</p> <ol style="list-style-type: none">1. for the purpose of the commission of the offence breaks into or enters a building, official or business premises or another enclosed space or intrudes by using a false key or other tool not typically used for gaining access or hides in the room;2. steals property which is especially protected by a sealed container or other protective equipment;3. steals on a commercial basis;4. steals property which is dedicated to religious worship or used for religious veneration from a church or other building or space used for the practice of religion;

	<p>5. steals property of significance for science, art or history or for technical development which is located in a generally accessible collection or is publicly exhibited;</p> <p>6. steals by exploiting the helplessness of another person, an accident or a common danger; or</p> <p>7. steals a firearm for the acquisition of which a licence is required under the Weapons Act, a machine gun, a submachine gun, a fully or semi-automatic rifle or a military weapon containing an explosive within the meaning of the Weapons of War (Control) Act or an explosive.</p> <p>Section 248b Unlawful taking of a motor-vehicle or bicycle</p> <p>(1) Whosoever uses a motor-vehicle or a bicycle against the will of the person authorised to use it shall be liable to imprisonment not exceeding three years or a fine unless the act is subject to a more severe penalty under other provisions.</p> <p>(2) The attempt shall be punishable.</p> <p>(3) The offence may only be prosecuted upon request.</p> <p>(4) Motor-vehicles within the meaning of this provision are vehicles which are driven by machine power; this applies to terrestrial motor-vehicles only to the extent that they are not rail-bound vehicles.</p>
<p>Trends:</p>	<p>Since it became mandatory in 1995 for all new cars to be fitted with an electronic immobilizer, the number of stolen cars in Germany has dropped from around 130.000 (about 46.000 never discovered) in 1995 to around 35000 (about 19.000 never discovered) in 2014. Total losses in monetary terms have not fallen by the same proportion, however, because car thieves have increasingly concentrated on the most expensive classes of cars.</p> <p>Theft from cars mainly involves valuables, mobile telephones and laptop computers left in the car as well as built-in and portable navigational devices.</p> <p>A trend analysis shows that the type and method of such theft is changing: Today the number of stolen cars, which have been totally dismantled after theft and the car parts sold at internet auctions, is rising. Car thieves today are increasingly professional and highly specialized, and use the latest computer technology.</p>
<p>Contacts:</p>	<p>/</p>

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