

Hungary – national procedures for transfer of sentenced persons
Updated 31/10/2014

The information contained in this table should be updated on a yearly basis.

The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for the transfer of sentenced persons:	Ministry of Justice, Department of International Criminal Law 1055 Budapest, Kossuth tér 4. Tel: +36 1 795 5839, Fax: +36 1 795 0552, 0554 E-mail: nemzb@im.gov.hu
If different from the Central Authority, the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available):	see above
If different from the Central Authority, the Authority/ies in charge of coordinating and/or implementing the physical transfer of the person concerned (name of the institutions, address, telephone, fax and e-mail where available):	Interpol Budapest Fax: + 36 1 443 5818 E-mail: intercom@nebek.police.hu
Channels of communication for the request for the transfer of sentenced persons (directly, through diplomatic channels or other):	post, fax, e-mail
Means of communication (e.g. by post, fax, e-mail ¹):	see above

¹ Please indicate if encryption or electronic signature is required.

Language requirements:	If the request for transfer and supporting documents are not drawn up either in Hungarian or in English or French, they shall be accompanied by a translation into one of these languages. In cases however where a State has made a declaration that it requires request for transfer and supporting documents to be accompanied by a translation into its own language or into a language other than English or French, Hungary will require on the basis of reciprocity, that requests for transfer and supporting documents from such States shall be drawn up in Hungarian or accompanied by a translation into Hungarian.
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Documentation required:	<ul style="list-style-type: none"> - declaration containing the opinion of the sentenced person as to his proposed transfer - copies of the judgement (s) (with their Hungarian/English/French translation) and - a certificate on the relevant section(s) of the Requesting States' Criminal Code with translation
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Continued enforcement or conversion of the sentence ² :	Conversion of the sentence
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General rules on early release:	<p>According to Section 38 of the Hungarian Criminal Code</p> <p>(2) If release on parole has not been excluded, the earliest date of eligibility shall:</p> <ul style="list-style-type: none"> a) fall on the next day when two-thirds of the sentence has been served; b) in the case of recidivist, fall on the next day when three-
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² In case the sentence is converted, please specify whether this is done before or after the transfer has taken place.

	<p>quarters of the sentence has been served; in either case, at least three months have to be served.</p> <p>(3) If the sentence imposed is for less than five years of imprisonment, in cases deserving special consideration, the court may include a clause of eligibility for parole after one half of the sentence has been served. This provision may not be applied for repeat offenders.</p>
Scope of application with regard to transfer of mentally disordered persons:	The Convention is applicable with regard to mentally disordered people.
Scope of application with regard to nationals and/or residents:	<ul style="list-style-type: none"> - Hungarian nationals or - non-Hungarian national immigrated to or settled in Hungary or - recognized as a refugee by Hungary
Other particularly relevant information (such as practice regarding time limits or revocation of consent):	The convicted person cannot revoke the consent in cases when Hungary is the Administering State.
Links to national legislation, national guides on procedure:	-
Link to information about the Convention (according to Article 4) in the official language(s) of the State Party (see also Rec. R (84) 11 of the Committee of Ministers	

concerning information about ETS°112 and PC-OC INF 12):	
For Parties to the Additional Protocol	
Information on the implementation of Article 2 (e.g. interpretation of “by fleeing to”):	The competent tribunal (Metropolitan Court of Justice) interprets the phrase by examining all the relevant circumstances of the case.
Information on the implementation of Article 3 (e.g. interpretation of the requirement of a consequential link between the decision on expulsion and the sentence):	The convicted person has to be sentenced in connection with the same crime for which the imprisonment was imposed on him/her.
Documentation required:	Same documentation is required as in the Convention
Other relevant information:	