

# INTRODUCTION

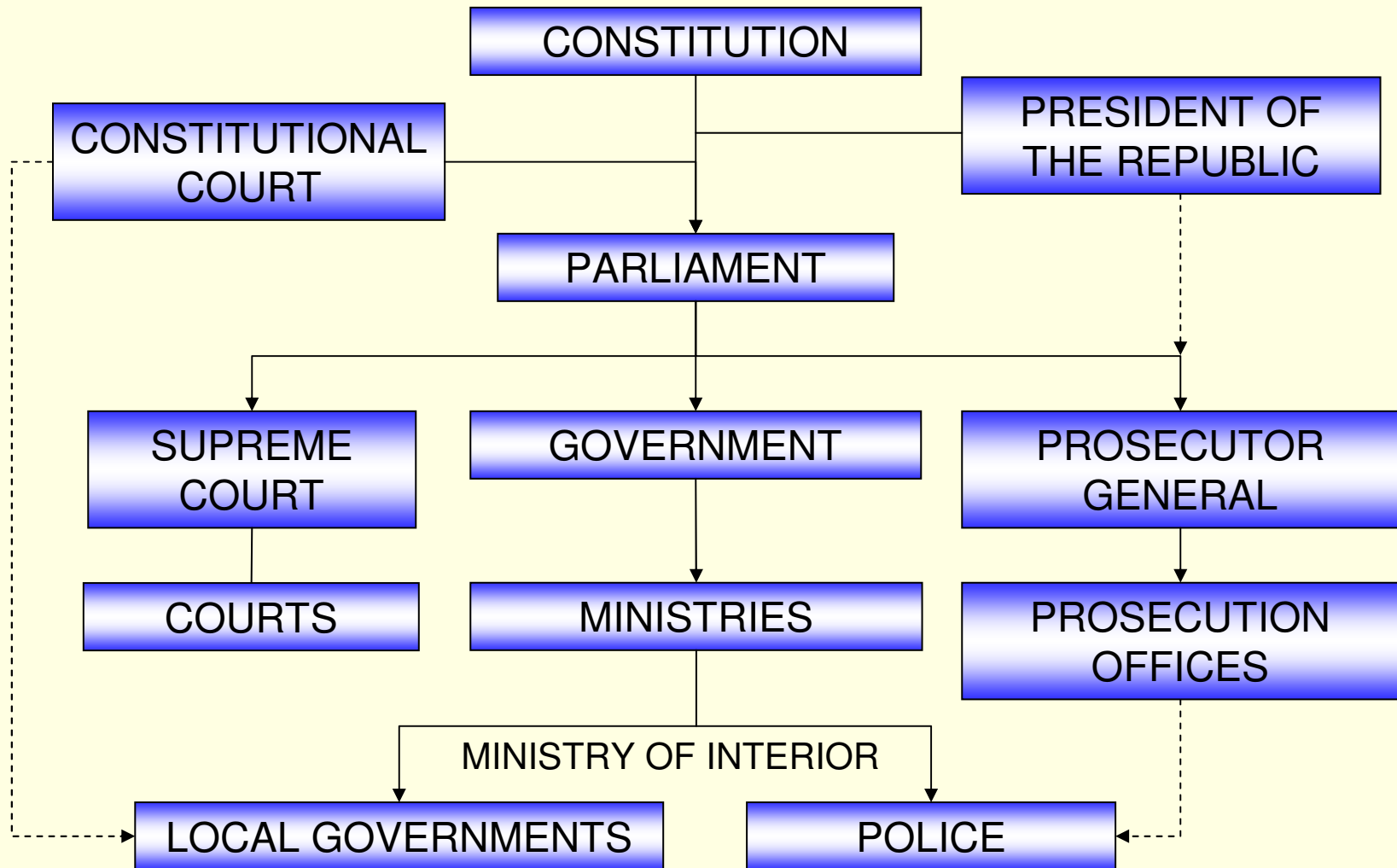
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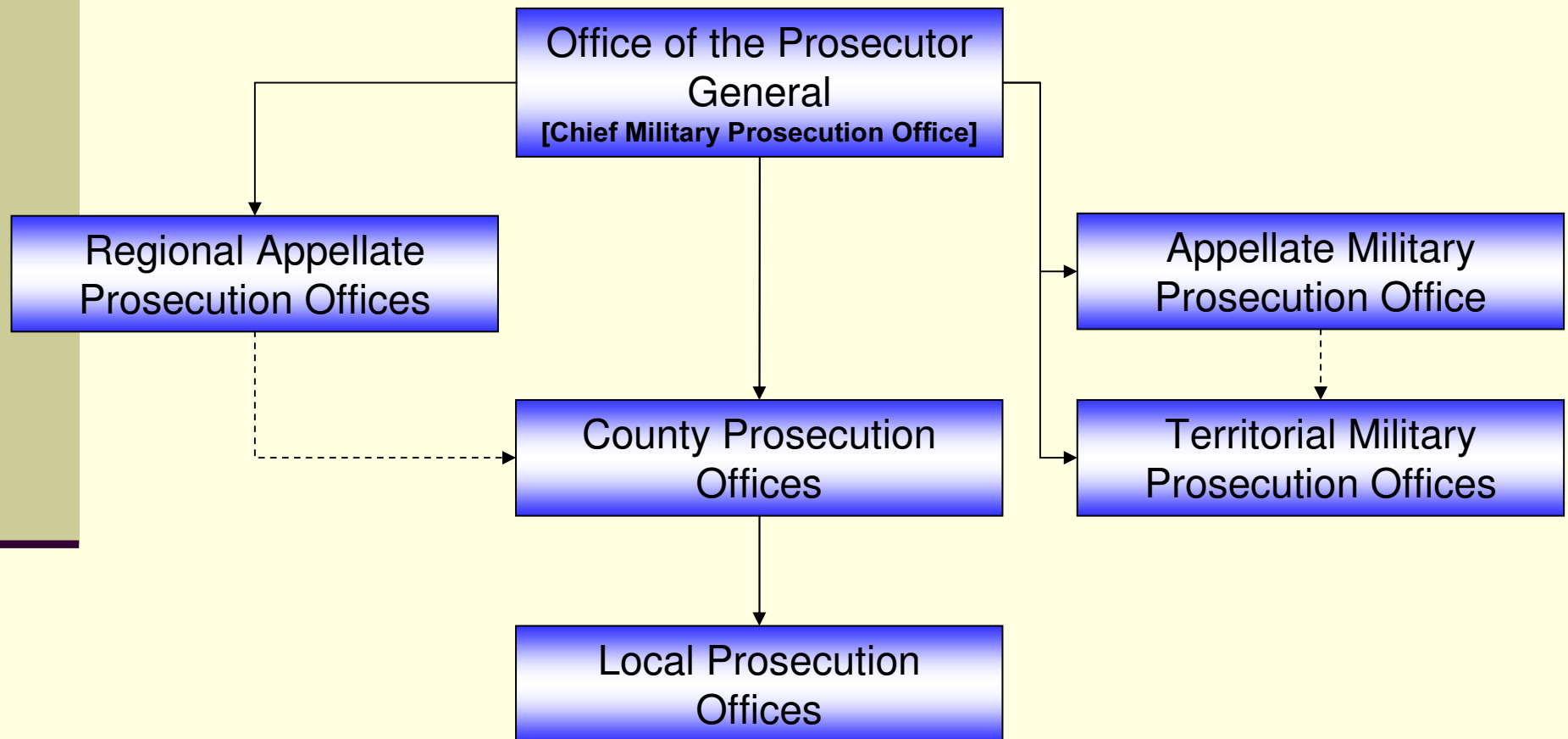
**Public Prosecution**  
of the Republic of Hungary

**2004**

# Constitutional structure of the Republic of Hungary

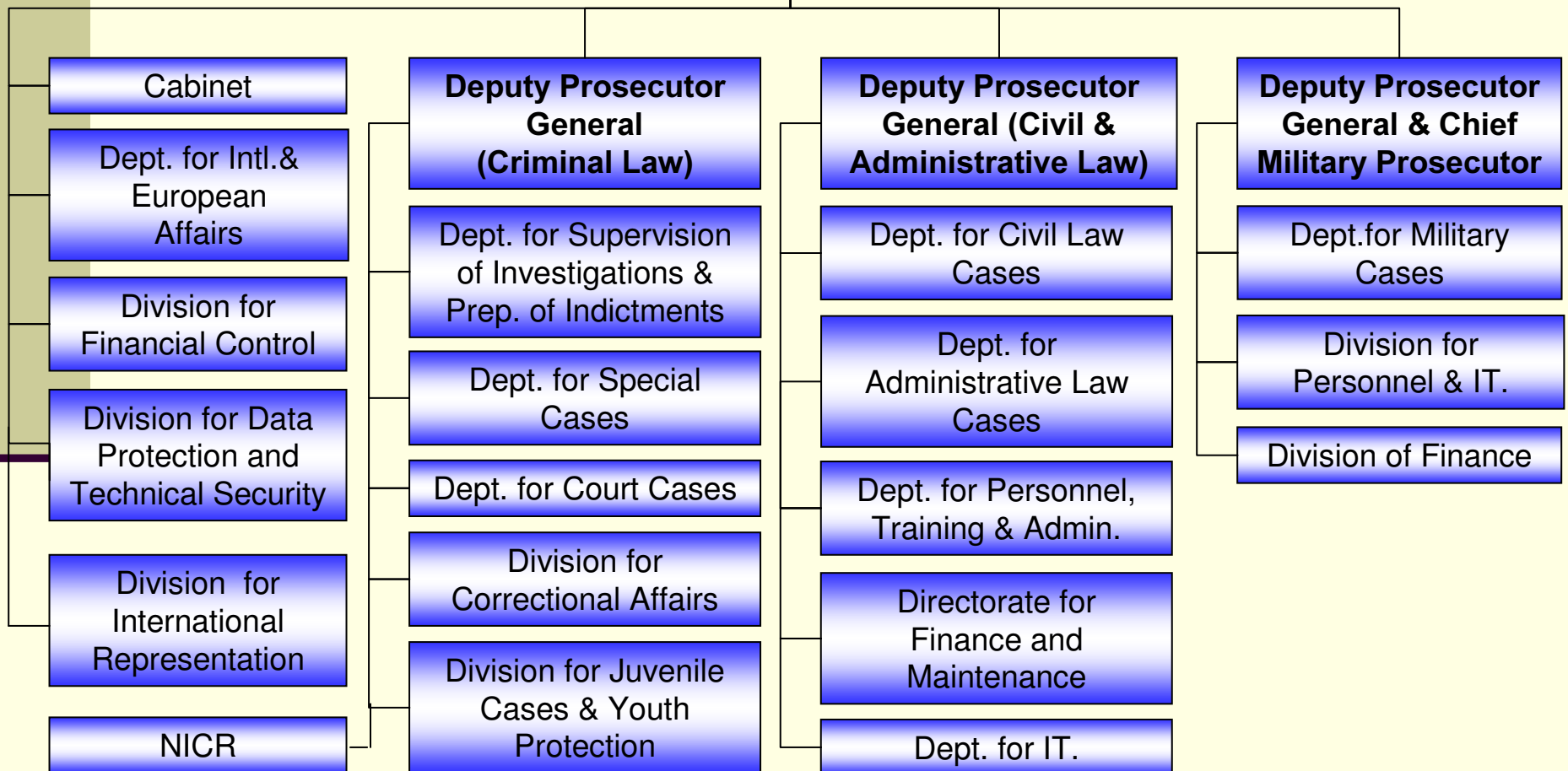


# Organization of the Public Prosecution

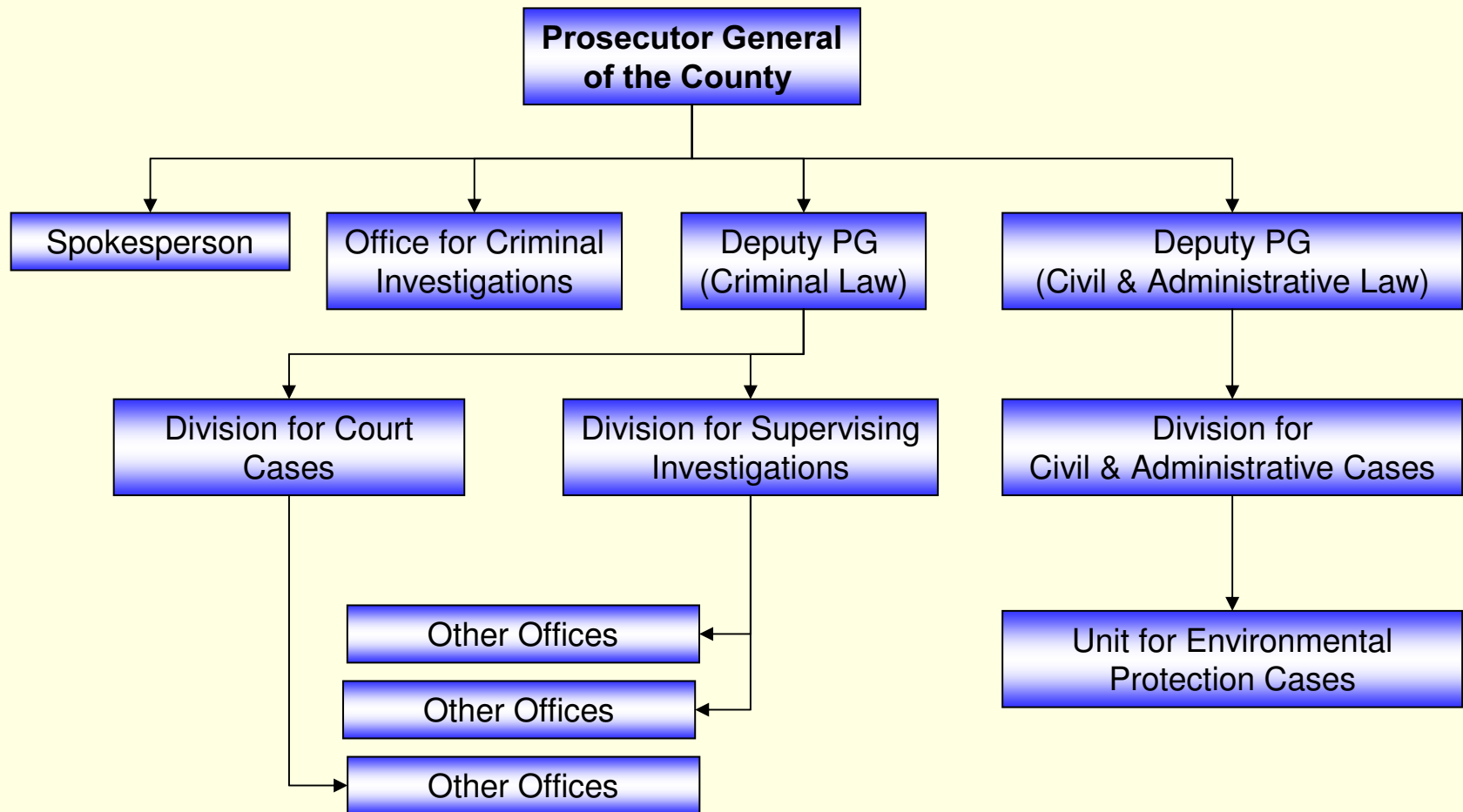


# Organization of the Office of the Prosecutor General of the Republic of Hungary

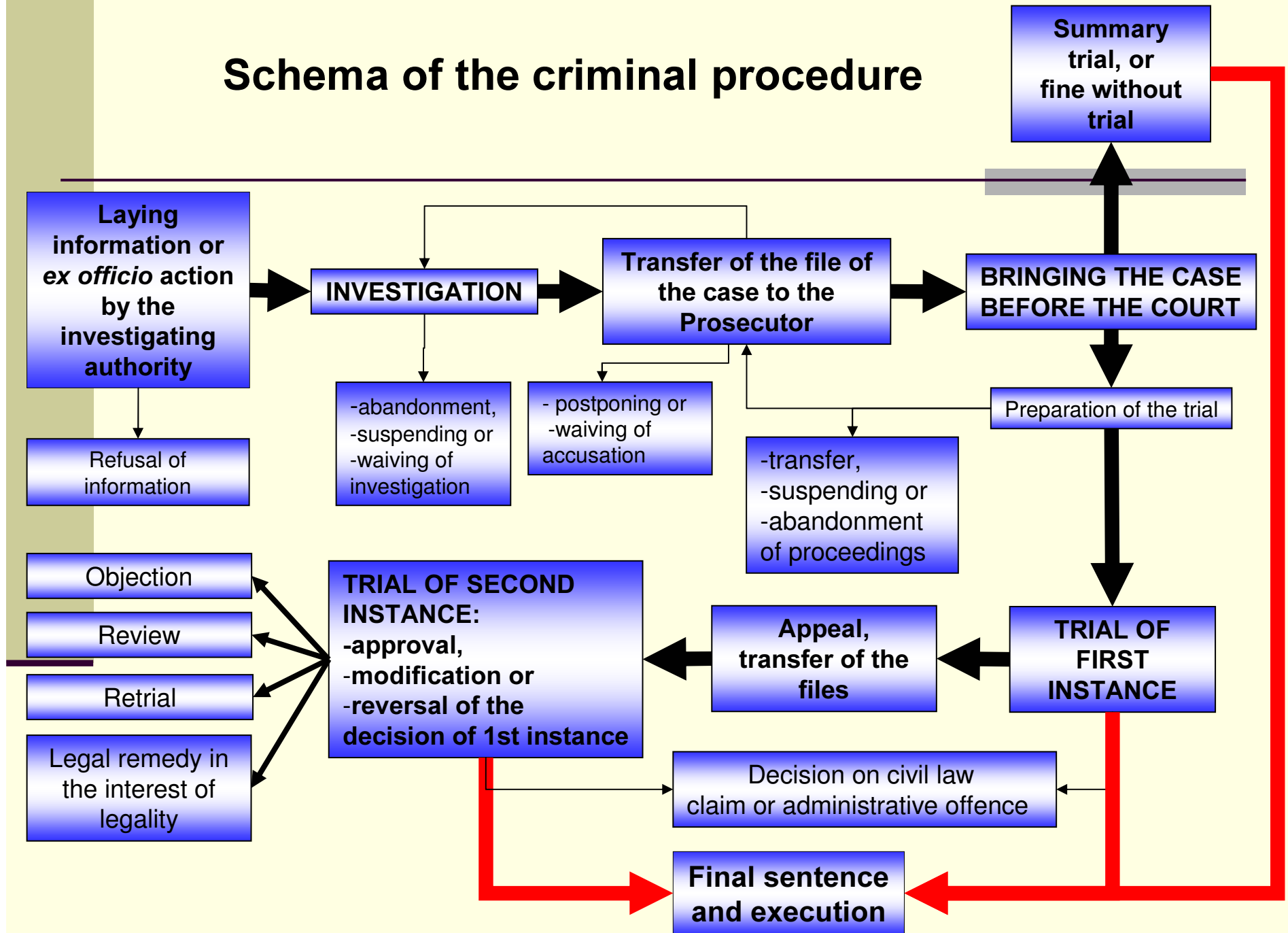
## Prosecutor General



# Structure of the County Prosecution Offices



# Schema of the criminal procedure



# The Prosecutor's functions in the criminal procedure

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## INVESTIGATION

- investigation
- legality supervision
- extension of deadlines
- decisions on complaints
- coercive measures

## BRINGING THE CASE BEFORE THE COURT

## EXECUTION OF PUNISHMENT

- legality supervision
- decisions on complaints

## COURT PROCEEDINGS

- acting before the court
- proposal for coercive measures
- appeal
- extraordinary remedies

# Activities of the Prosecution Service in the private and administrative law field

## Constitution Article 51(3)

„The Prosecution Service shall help to ensure that everybody comply with the law. When the law is violated, the Prosecution Service shall act to uphold the law in the cases and manner specified by law.”

**Activities of the  
Prosecution Service in the  
private law field**

**Activities of the Prosecution  
Service in the administrative law  
field**



# Activities of the Prosecution Service in the private law field

In cases stipulated by law the Prosecution Service may contribute to the correct application of the law in court procedures

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## Contentious court procedures

*( The prosecutor has competencies in certain civil law, labour law, economic law and administrative law cases)*

- The status of the prosecutor in the case: plaintiff, coplaintiff or defendant
- The prosecutor may bring an action exclusively or in addition to others entitled by law
- The prosecutor may bring an action e.g. in the following fields of law: consumer protection, environment protection, nature protection, investor protection, family law, unlawful activities of civil organisations
- The prosecutor may bring an action for ceasing the injury incurred in the public interest by void contacts

## Registry court and other non-contentious procedures

- The prosecutor may initiate non-contentious court procedures in cases stipulated by law (e.g. when a company fails to operate in compliance with legal regulations or with the provisions of its instrument of constitution)
- The prosecutor has the right to appeal against court decisions in registry cases of foundations and civil organisations

# Activities of the Prosecution Service in the administrative law field

(supervision of legality)

## Competences

The Prosecution Service exercises legality supervision over the

- laws,
- general instructions,
- decisions in individual cases issued by administrative organs inferior to the government

## Means

The Prosecution Service has the following means for supervising the lawful operation of the public administration:

- giving opinion about certain draft legislation,
- regular monitoring of the legality of the legislation in force issued by the supervised organs,
- requesting data and information from the leaders of the supervised organs,
- holding or initiating inquiries,
- examining petitions and complaints received by the Prosecution Service

## Possible steps

When it is necessary in the interest of legality, the Prosecution Service may take the following steps:

- issuing protest, objection or warning (special legal instruments of the Act on the Prosecution Service ),
- initiating criminal, disciplinary or contravention procedure, or action for damages,
- initiating the issuance, amendment or abrogation of legislation,
- issuing signals,
- others stipulated by law



Thank You for Your  
Attention.