

Evaluation of the judicial systems 2024 (data 2022)



Hungary

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Reference data 2022 (01/01/2022 - 31/12/2022)

Start/end date of the data collection campaign : 15/03/2023 - 01/10/2023

Objective :

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

The present questionnaire was developed by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, in service of the European citizens.

For better understanding of the questions it is necessary to consult the Explanatory note that gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, You can download the Explanatory note as a whole document on the CEPEJ website. In addition to the Explanatory note, there is also the User manual that is a technical document to help you navigate through this application for data collection.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

Instruction :

Explanatory note: <https://rm.coe.int/explanatory-note-2024-cycle-cepej-2023-2-en/1680aae30a>

Word version of the questionnaire - <https://rm.coe.int/evaluation-scheme-2024-cycle-cepej-2022-9rev1-en-30-march-2023/1680aae309>

CEPEJ COLLECT - User manual – you can download under Documentation tab

1.General and financial information

1.1.Demographic and economic data

1.1.1Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[9 599 744]

Comments Comments Main indicators of population and vital events on the website of the Hungarian Central Statistical Office:
https://www.ksh.hu/stadat_files/nep/en/nep0001.html



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003. Per capita GDP (in €) in current prices for the reference year

[17 015]

Comments The Hungarian Central Statistical Office published the relevant official data after October 1, 2023:

https://www.ksh.hu/stadat_files/gdp/en/gdp0001.html

The general development of the Hungarian economy is the reason or the increase of GDP per capita in 2022.

004. Average gross annual salary (in €) for the reference year

[16 097]

[] NA

Comments In comparison to the previous year, the average gross annual salary increased due to the general development of Hungarian economy, to the increase in our GDP, as well as to the raising of the minimum wage.

See the most important annual data on the labour market on the website of the Hungarian Central Statistical Office:

https://www.ksh.hu/stadat_files/mun/en/mun0001.html

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year

+1:

[401]

Allow decimals : 5

[] NAP

Comments As 1 January 2023 was a Sunday, we used the middle exchange rate of the National Bank of Hungary on 2 January 2023:

1 EUR = 400,66 HUF

<https://www.mnb.hu/en/arfolyam->

[tablazat?deviza=rbCurrencySelect&devizaSelected=EUR&datefrom=01%2F01%2F2023&datetill=02%2F01%2F2023&order=1](https://www.mnb.hu/en/arfolyam-tablazat?deviza=rbCurrencySelect&devizaSelected=EUR&datefrom=01%2F01%2F2023&datetill=02%2F01%2F2023&order=1)

A1. Please indicate the sources for answering the questions in this part

Sources: https://www.ksh.hu/stadat_files/nep/en/nep0001.html ,
https://www.ksh.hu/stadat_files/gdp/en/gdp0001.html ,
https://www.ksh.hu/stadat_files/mun/en/mun0001.html , <https://www.mnb.hu/en/arfolyam->
[tablazat?deviza=rbCurrencySelect&devizaSelected=EUR&datefrom=01%2F01%2F2023&datetill=02%2F01%2F2023&order=1](https://www.mnb.hu/en/arfolyam-tablazat?deviza=rbCurrencySelect&devizaSelected=EUR&datefrom=01%2F01%2F2023&datetill=02%2F01%2F2023&order=1)

1.1.2 Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this question, please answer NA to question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	421 814 362 [] NA [] NAP	437 359 587 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	258 288 610 [] NA [] NAP	230 587 559 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	18 501 682 [] NA [] NAP	17 842 197 [] NA [] NAP
2.1 Investments in computerisation	8 430 741 [] NA [] NAP	3 309 094 [] NA [] NAP
2.2 Maintenance of the IT equipment of courts	10 070 941 [] NA [] NAP	14 533 103 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	22 390 487 [] NA [] NAP	30 987 780 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	30 325 555 [] NA [] NAP	24 197 499 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	3 188 836 [] NA [] NAP	3 136 469 [] NA [] NAP
6. Annual public budget allocated to training	13 938 [] NA [] NAP	130 023 [] NA [] NAP
7. Other (please specify)	89 105 254 [] NA [] NAP	130 478 060 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: About gross salaries it has to emphasized, that there was a three step salary increase between 2020 and 2022, that affected both judges and judicial employees. According to computerization the beginning of COVID pandemic (2020) resulted in the increasing investment in IT equipment, that decreased over the years. The increased amount of expenditure in maintenance is mainly the result of the increasing maintenance costs. Even after the end of the COVID pandemic online and hybrid trainings remained a part of the training system, and this resulted in the decrease of training costs. 7. Other: includes taxes, unpredicted personal (salary) expenditures, other maintenance costs.

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or the one allocated to legal aid, please fill in only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	[X] NA [] NAP	[X] NA [] NAP

Total annual public budget allocated to all courts and legal aid together	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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008. Are litigants in general required to pay a court fee to initiate a proceeding at a court of general jurisdiction:

	Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

Comments - If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions?

008-1. Please briefly present the methodology of calculation of these court fees:

-- The general amount of the court fee in a first instance civil case is 6% of the value of the case, but the minimum amount is approximately 41 Euro and maximum is approximately 4065 Euro. In some cases laws define different percentage or fix amount, e.g. the court fee of a litigious divorce case is a fix amount of approximately 81 Euro.

The general amount for a second instance case (paid by the appealing party) is 8% of the value of the case but the minimum amount is approximately 41 Euro and maximum is approximately 6775 Euro.

The general amount for a review of the case at the Supreme Court (Kúria) (paid by the party asking for the review of the case) is 10% of the value of the case but the minimum amount is approximately 135 Euro and maximum is approximately 9485 Euro.

008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:

[180]
 NA
 NAP

Comments

009. Annual income of court fees received by the State (in €):

[10 661 961]

NA

NAP

Comments There is no specific explanation for the increase in the income of court fees in 2022.

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12.1 for cases brought to court (court fees and/or legal representation)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The appropriation under the heading "Payment obligations under the legislation falling within the competence of the Minister of Justice" is open-ended and managed by the Ministry of Justice on the basis of the relevant legal authorisation [Annex 1 of the Decree No 10/2015 (29 May 2015) on the management and use of appropriations under the heading of the Ministry of Justice]. This means that there is no ceiling on payments, which are determined by the occurrence of needs.

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: There is no separate approved annual budget for legal aid. In Hungary within the budget of the Ministry of Justice there is an allocation (estimate) managed by the Legal Aid Service entitled 'Payment obligations under the legislation falling within the remit of the Minister for Justice' (hereinafter 'the allocation'). The allocation is open from above. The ministry paid 686 180 EUR in total for the ministry's legal aid and patronage lawyer bills in 2022. From this amount the ministry paid 381 842 EUR for litigation expenses and 304 338 for extrajudicial costs. The legal aid allocation doesn't include coverage of or exemption from court fees.

There was a change in legislation, the 32/2017. (XII. 27.) IM decree has changed in 2022. The legal aid provider's fee to be paid by the state on behalf of the party increased. In civil and administrative proceedings, as well as in other administrative court proceedings the legal aid provider's fee is an amount equal to ten times the assigned lawyer's hourly fee (earlier the amount was equal to six times the assigned lawyer's hourly fee).

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012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:

	Amount calculated/estimated included
Coverage of court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP (Legal aid does not include coverage of court fees)
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP (Legal aid does not include exemption from court fees)

Comments

013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	156 186 293 [] NA [] NAP	156 626 566 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	421 694 [] NA [] NAP	301 766 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: Act XC of 2021 on Hungary's central budget for 2022.

The draft act for implemented state budget of 2022 has not yet been adopted by the Parliament.

A2. Please indicate the sources for answering the questions in this part

Sources: Act XC of 2021 on Hungary's central budget for 2022.

The draft act for implemented state budget of 2022 has not yet been adopted by the Parliament.

1.1.3 Budgetary data concerning the whole justice system



015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	1 835 807 267 [] NA [] NAP	2 567 611 108 [] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the

whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: Act XC of 2021 on Hungary's central budget for 2022.

The draft act for implemented state budget of 2022 has not yet been adopted by the Parliament.

The reason for the increase in the budget compared to 2020 is the significant increase in energy prices and the extremely high inflation in Hungary.

015-2. Elements of the judicial system budget (Q6, Q7, Q12, Q13)

	Included
Courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Legal aid	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Public prosecution services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

015-3. Other budgetary elements

	Included
Prison system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Probation services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
High Prosecutorial Council	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Constitutional court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Judicial management body	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Service for legal representation of the State	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Enforcement services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Notariat	() Yes (X) No [] NAP
Forensic services	(X) Yes () No [] NAP
Judicial protection of juveniles	() Yes (X) No [] NAP
Functioning of the Ministry of Justice	(X) Yes () No [] NAP
Refugees and asylum seekers services	(X) Yes () No [] NAP
Immigration Service	() Yes (X) No [] NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	(X) Yes () No [] NAP
Other	() Yes () No [X] NAP

If "Other", please specify: There are no other elements.

A3. Please indicate the sources for answering the questions in this part

Sources: Act XC of 2021 on Hungary's central budget for 2022.

The draft act for implemented state budget of 2022 has not yet been adopted by the Parliament.

2. Access to justice and all courts

2.1. Legal Aid

2.1.1 Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

Legal advice, ADR and other legal services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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016-1. Please briefly describe the organisation of the legal aid system in your country.

- The Act LXXX of 2003 on Legal Aid aims to establish institutions for socially disadvantaged people in order to enhance their access to justice by providing professional legal advice and representation in courts in case of asserting rights and resolving legal disputes. According to the Act, the Legal Aid Service (the competent departments of the metropolitan and county government offices) may grant legal aid - in extrajudicial cases, furthermore in civil and criminal procedures - based on the completed application form. Clients can get immediate oral legal advice - during office hours and without the application form - from the clerks of the legal aid services for free in simple legal cases. Otherwise after the client received the licensing decision, they can benefit from legal aid in both extrajudicial and litigation cases.

Legal aid in litigation and extrajudicial cases provided for the applicants can be granted in two basic forms: as free assistance, or by advancing the fees of the assistance. The conditions for granting legal aid are mainly concerning the amount of income of the applicant as well as his/hers financial situation. Legal aid in criminal procedures is provided only by advancing the fees of the assistance.

Only persons requiring legal aid have the right to submit a request.

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

Yes

No

NAP

If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify: The state financed legal aid basically only covers the fee and a (from 2022 25%) flat-rate for the legal advisor/lawyer, but in his/hers request for fees they can ask for the reimbursement of a few other costs (for example: travel, parking costs and phone, postal expenses). In criminal cases the secondment of public defenders (and their fees) are the competence of the Bar Association, therefore we don't have data on that, but state legal aid (which is difficult to distinguish from the public defenders) belongs to the government offices.

2.1.2 Information on legal aid



020. Please indicate the number of cases for which legal aid has been granted:

	Total	Cases brought to court	Cases not brought to court
TOTAL	8 501 [] NA [] NAP	2 855 [] NA [] NAP	5 646 [] NA [] NAP
In criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In other than criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please specify when appropriate: This number is only for the people who got written legal aid as a decision.

In Hungary all state-provided legal aid decisions are written, so the numbers provided are including all the cases for which legal aid has been granted. The total number does include all cases in 2022.

020-0. Please indicate the number of recipients of legal aid:

	Total	Cases brought to court	Cases not brought to court
TOTAL	7 692 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In other than criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please specify when appropriate: This number is only for the people who got oral legal aid in person as client reception. The provided aggregated total number is based on data directly from the specialised filing system. The aggregated total data is only cumulated from the numbers of the 19 counties and the capital, and is not available as requested (Distinguished to “In criminal cases” and “In other than criminal cases”)

The number we provided is the total number of all recipients of legal aid in 2022.

020-0-1. Are there statistical data disaggregated by gender in respect of recipients of legal aid?

() Yes

(X) No

Comments

020-0-2. If yes, please provide details on distribution by gender of recipients of legal aid:

	Total	Males	Females
Number of recipients of legal aid	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments

020-0-3. Is it possible to divide the number of recipients of legal aid per different categories of

cases?

() Yes

(X) No

Comment: If yes, please specify for which categories of cases:

020-0-4. Are there situations where legal aid is automatically granted depending on categories of cases?

() Yes

(X) No

Comment: If yes, please specify:

020-0-5. How many of the recipients of legal aid are alleged victims of domestic violence?

	Total	Males	Females
Number of recipients of legal aid who are alleged victims of domestic violence	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final decision on the legal aid request:

	Time in days
Maximum duration prescribed in law/regulation	5 [] NA [] NAP
Actual average duration	[X] NA [] NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases, please provide more information: The maximum duration prescribed in law/regulation is 5 days if the application form was handed in person, and 15 days if the application form was not handed in person.

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021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify: Legal aid in criminal procedures is provided only by advancing the fees of the assistance. The criminal

court, the prosecutor's office, or the investigative authority declare in their decision who would be the cost bearer, which could be the accused person, the offended, or the cost could stay at the expense of the state as well. The eligibility of the support of legal aid depends on the financial status of the applicant. In criminal proceedings, the suspect or the accused may receive free legal representation if he/she is free of charges based on his or her personal conditions.

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments According to the Act LXXX of 2003 on Legal Aid the applicant - in possession of the authorization decision - can authorize a defense attorney from the list of legal assistants.

According to the Act XC of 2017 on the Code of Criminal Procedure Section 39 paragraph (1) d) the defendant shall be entitled to authorise a defence counsel for his defence, or move for the official appointment of a defence counsel. According to the Act XC of 2017 on the Code of Criminal Procedure Section Section 46 paragraph (1) The court, the prosecution service, or the investigating authority shall decide on officially appointing a defence counsel if the participation of a defence counsel in the criminal proceeding is mandatory and the defendant or the person reasonably suspected of having committed a criminal offence does not have an authorised defence counsel.

023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

- Yes
- No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: In Hungary the total amount of the fees of legal aid shall be covered, or shall be advanced by the state instead of the applicant, there is no partial legal aid. The criteria for granting legal aid is mainly concerning the amount of income of the applicant, as well as his or her financial situation. Legal aid in criminal procedures is provided only by advancing the fees of the legal assistance. Legal aid in extrajudicial cases – if a legal advice or drafting a document is needed in criminal cases – provided for the applicants can be granted in two basic forms: as free assistance, or by advancing the fees of the assistance. The criteria for granting legal aid is also mainly concerning the amount of income of the applicant as well as his or her financial situation.

The costs of legal aid are covered by the Hungarian State instead of the client, if his/hers net monthly income (per capita income in the household) does not exceed the current minimum amount of the social projection base determined on the basis of the duration of employment (77 EUR in 2022). The annual income value limit for one person was 927 EUR in 2022.

The fees for legal aid provided by registered legal aid providers are covered by the Hungarian State instead of the client, in case the net monthly income of the single client does not exceed 150% of the current minimum amount of the social projection base (116 EUR in 2022). The annual income value limit for one person was 1,039 EUR in 2022.

It is not possible to establish need if the client's available income does not exceed the need limit, but the client has assets that could be used (sale, encumbrance, etc.) to cover the costs of using legal services. In the application of this rule, property whose use is not proportionate to the benefits obtained from the use of the legal service cannot be taken into account. It cannot be considered as property in particular, the usual necessities of life and furnishings, the client's real estate, which is used for his or her own housing and that of his or her dependents, the vehicle of the disabled person and the vehicle without which the exercise of the client's occupation becomes impossible (e.g. for a taxi driver, the car), and the assets that are necessary to obtain an income corresponding to the poverty threshold. Legal aid in criminal procedures: Legal aid in criminal procedures provided only by advancing the fees of the assistance. The criminal court, the prosecutor's office, or the investigative authority declare in their decision who would be the cost bearer, who could be the

accused person, the offended, or the cost could stay at the expense of the state as well. The eligibility of the support of legal aid depends on the financial status of the applicant. Victims: The State advances the costs of legal aid to those who have become victims of crime. Victim status is declared by the Victim Support Service. Victims may be granted the above type of legal aid if their net monthly income does not exceed 86 % of the average gross monthly income of employees in the national economy in the second year before the current year (1,094 EUR in 2022). The annual income value limit for one person was 13,128 EUR in 2022.

Other individuals: (an aggrieved party, a party with a pecuniary interest, or an other interested party, a civil claim submitted by the aggrieved party, a private prosecuting party, a supplementary private prosecuting party) the State will advance the fee for legal services instead of the individual if the net monthly income available to the client does not exceed 43 % of the average monthly gross earnings of employees in the national economy in the second year before the current year (470 EUR in 2022). The annual income value limit for one person was 5,640 EUR in 2022.

Accused individuals: the State will advance the fee for legal services instead of the accused individuals if the net monthly income of the client (per capita income in the household) does not exceed the current minimum amount of the social projection base (77 EUR in 2022). The annual income value for one person was 927 EUR in 2022.

023. If yes, please specify in the table:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	927 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Full legal aid to the applicant for other than criminal cases	927 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

Comments - If yes, please specify the exact criteria for denying legal aid: It is possible to refuse legal aid for malicious action and for the presumptive lack of chance of success. According to the Act on Legal aid Section 10 (2): “Legal Aid may not be given if the client has already received the necessary aid in a particular case or if the state administrative agency proceeding in the party's case has helped the party prepare their submission.

Legal Aid may not be granted to a client:

- for a period of five years from the date of withdrawal if any previously granted aid had been withdrawn on account of the disclosure of false data;
- if, despite of being obliged to do so, the client failed to repay to the State the fee for legal services previously provided to him/her, or to another person; or
- if the client obstructs an investigation intended to verify the information provided in his application
- the client’s application is made maliciously, or the procedure - for which the aid is requested - appears to be initially completely ineffective.

025. Is the decision to grant or refuse legal aid taken by:

the judge(s) dealing with the main case

- () another judge or official
 (X) an authority external to the court
 () several authorities (court and external bodies)

Comments Legal Aid Services in the Government Offices

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	(X) Yes () No
in other than criminal cases	(X) Yes () No

Comments - If no, please specify how legal costs are distributed: In criminal proceedings: The criminal court, the prosecutor's office, or the investigative authority declare in their decision who would be the cost bearer, who could be the accused person, the offended, or the cost could stay at the expense of the state as well.

In civil proceedings: According to the Act CXXX of 2016 on the Code of Civil Procedure Section 101. paragraph (3) In the decision closing, or establishing the termination of, the proceedings, the court shall determine which party shall bear the fee for any patron lawyer, without determining the amount of the fee and by applying the rules pertaining to the payment of costs advanced by the State. The court of first instance shall notify the legal aid service about the final and binding decision and communicate the following data, determined for each procedural stage, within eight days:

- a) name of the parties,
- b) subject matter of the action,
- c) value of the subject matter of the action, if it can be determined,
- d) ratio of success of the parties, and
- e) name and identification data of the party obliged to pay the fee for the patron lawyer.

B1. Please indicate the sources for answering the questions in this part

Sources: Act LXXX of 2003 on Legal Aid. Act XC of 2017 on the Code of Criminal Procedure. Act CXXX of 2016 on the Code of Civil Procedure.

2.2. Court users and victims

2.2.1 Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, Judicial Council etc.) where general public may have free-of-charge access to the following:

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	(X) https://njt.hu/	()
Case-law of the higher court/s	(X) https://kuria-birosag.hu/hu/kuriai-dontesek	()

Information about the judicial system (organisation of courts, court proceedings, etc)	<input checked="" type="checkbox"/> https://birosag.hu/	<input type="checkbox"/>
Other documents (e.g. forms, downloadable forms, online registration forms)	<input checked="" type="checkbox"/> https://birosag.hu/ugyfeleknek/nyomtatvanyok/eljarasok-nyomtatvanyai	<input type="checkbox"/>

Comment - Please specify what documents and information are included in "Other documents"

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?

Yes, always

No

Yes, only in some specific situations

Comment - If "Yes, only in some specific situations", please specify: The summons must always state the expected duration of the procedural act.

030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:

	Information system
General for citizens	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for victims of offences	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for minors (child-friendly systems)	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No

Comments - Please provide more information on these systems and specify how this assistance is provided:

<https://igazsagugyiinformaciok.kormany.hu/aldozatsegito-szolgalat>

<https://birosag.hu/ugyfeleknek/tanugondozas-aldozatvedelem/altalanos-tajekoztato>

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of terrorism	(X) Yes () No	(X) Yes () No	(X) Yes () No
Minors (witnesses or victims)	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	(X) Yes () No
Ethnic minorities	(X) Yes () No	(X) Yes () No	(X) Yes () No
Persons with disabilities	(X) Yes () No	(X) Yes () No	(X) Yes () No
Juvenile offenders	(X) Yes () No	(X) Yes () No	(X) Yes () No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify: The criminal procedural code contains special regulations for criminal procedures against juvenile offenders (offenders between 14-18, or in special cases between 12-14 years of age). There are also specific regulations if the victim or witness is a minor (under the age of 18). For any vulnerable victim or witness it is available to: - ask for their name and personal data to be kept secretly from other stakeholders of the procedure - if it is needed the witness or victim can be placed under witness protection program, - the judge can order the accused person to leave the courtroom while the witness makes his/her testimony. The testimony later will be read to the accused person. For physically disabled persons (either accused person, victim, or witness) as specific arrangement the authorities may hear them at a specific place other than the office of the authority. A mentally disabled accused person always has a defense attorney to represent him. Ethnic minorities (either accused person, victim, or witness) may use the ethnic language during a criminal procedure free of charge (interpretation and translation shall be provided).

031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?

- Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)
- Special room in court designated for child-friendly hearings
- Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- Special ways to communicate and explain meaning of court decisions
- Interagency/multidisciplinary structure such as “Children's Houses”
- Other, please specify
- NAP

Comment

031-1. What are the main criteria for a person under 18 years of age to act in court proceedings or to be a witness?

Civil proceedings	Criminal proceedings
--------------------------	-----------------------------

Capacity to initiate a proceeding and take other procedural actions in his/her own name	<input checked="" type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP
To be a witness	<input type="checkbox"/> Age threshold [Comment] <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comments - Please specify if you selected "Other". A person has full legal capacity after the age of 18 has limited legal capacity over age 14. Minors between the age of 14 and 18 have limited legal capacity, but they can initiate some cases in their own name (e.g. private indictment in criminal cases or may conclude contracts that only offer advantages to him/her).

To be a witness in a criminal case there is no age limit but a minor under the age of 14 may only be questioned if the evidence anticipated from the testimony cannot be replaced by any other evidence. The accused person may not be present at the hearing.

To be a witness in a civil case there is also no age limit, but minors under the age of 14 may only be heard about facts and only if they have the mental capability to understand the relevance of these.

031-2. If a person under 18 years of age cannot act in court proceedings in his/her own name, who can represent him/her in judicial proceedings?

	Civil proceedings	Criminal proceedings
Parent/legal guardian	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No
Another representative (instead of parent/legal guardian)	<input checked="" type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other

Comment Unless otherwise provided for by law, the legal statements of a minor with limited capacity (between age 14-18) shall not be deemed valid without the consent of that minor's legal representative (e.g. parent or guardian).

Minors of limited capacity shall, without the involvement of their legal representatives, be entitled to conduct some proceedings in their own name e.g. as they are entitled to dispose of the earnings they acquire by employment and undertake commitments up to the extent of their earnings, so they may represent themselves in a procedure regarding this matter.

The declaration of the minor's legal representative is only valid with the approval of the guardianship authority

- the waiver of alimentation to which the minor is entitled;
- the declaration of a right or obligation to which the minor is entitled by inheritance,
- the acquisition, transfer or encumbrance of the ownership of real estate (if not free of charge);
- the disposition of property of the minor which has been transferred to the guardianship authority; or
- the disposition of property of a minor of a value exceeding a sum specified by law.

031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)

Age threshold(s)

Capacity for discernment

Other criteria

Comment

031-3-1. What is the age threshold for the criminal liability of minors?

Criminal liability resulting in sentence without privation of liberty (for example, educational measures)

12]

NA

NAP

Criminal liability resulting in sentence of privation of liberty

14]

NA

NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how?

-

032. Does your country allocate compensation for victims of offences?

Yes, but only if the offender is unknown

Yes, but only if compensation could not be obtained from the offender

Yes, in both situations

No

Comment

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

[] NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

034. Is there a regular monitoring (official studies, reports etc.) allowing the evaluation of the recovery rate of the damages awarded by courts to victims?

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body: Tünde A. BARABÁS: “Compensation of victims”, in Acta Humana, 1997/26; József VIGH: “Means of indemnification against

damages in the Hungarian criminal justice system”, in Jogelméleti szemle, 2003/2; Ilona GÖRGÉNYI: “Indemnification by the State, restitution by the offender and endeavours for restorative justice”, in A viktimológia alapkérdései, negyedik fejezet (The basic issues of victimology, Ch. IV), 2004, Erika RÓTH: “The position of the injured party in criminal proceedings”, in Áldozatsegítés Európában 2004 (Victim support in Europe 2004), the 2005 publication of the Ministry of Justice; Anna KISS: “The role of the adhesion procedure in criminal proceedings”, in: Kriminológiai Tanulmányok (Studies in Criminology) 2005/42. It must be noted that a comprehensive research on “The role of the injured party in criminal proceedings” is being carried out by the National Institute of Criminology (an institute of the Attorney General’s Office).

035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?

Yes

No

Comments - If yes, please specify: In accordance with Act CLXIII of 2011 on the Prosecution Service (hereinafter: Prosecution Service Act) prosecutors and other employees of the Prosecution Service shall observe the Fundamental Law and legal regulations in the course of their work. Prosecutors shall act in line with legal requirements, in a consistent and fair manner and shall perform their duties as prosecutors according to their best professional knowledge. In doing so, prosecutors shall cooperate with national and international courts, investigative authorities, bodies conducting preparatory proceedings, and other organs participating in the enforcement of criminal law, governmental, administrative and other organs involved in crime prevention, the representatives of science, defence counsels, bar associations and human rights organisations to promote fair and efficient law enforcement, prevent the contravention of law, ensure legality and protect human rights;

The Prosecution Service shall ensure that participants of the criminal proceedings, such as the victim, can exercise their rights including the following: submit evidence, file motions and observations, attend trials and other procedural acts specified by an Act, and ask questions as provided for in this Act, inspect case documents produced in relation to a criminal offence that affected them – with the

exceptions specified in Act XC of 2017 on the Criminal Procedure Code (hereinafter : CPC) – be informed about their rights and obligations in a criminal proceeding by the court, the prosecution service, or the investigating authority, seek legal remedy as provided for by CPC, make use of the assistance of an aide, enforce a civil claim in the court procedure as a civil party, and submit a notice of his intent to do so during the investigation, act as a private prosecuting party or a substitute private prosecuting party. The Prosecution Service also ensures that the victim shall be entitled to make a statement, at any time, regarding any physical or mental harm or pecuniary loss he suffered as a result of the criminal offence, and whether he wishes the defendant to be convicted and punished, and that he does not wish to exercise his rights as a victim in the given proceeding any longer.

035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?

Yes

No

Comment - If yes, please specify: In accordance with the Fundamental Law of Hungary and the Prosecution Service Act, the prosecution service, while contributing to the administration of justice, is a law-applying body which enforces the punitive authority of the State under the terms provided for in the CPC, and, inter alia, it shall control, supervise and conduct the process of investigation to prepare charges, represent public prosecution in court proceedings (Section 1 (1) of the Prosecution Service Act). In order to fulfil these tasks, the prosecution service supervises the lawfulness of the detection carried out by investigation authorities, controls the examination, in cases specified by the CPC it investigates (prosecutorial investigation), exercises other rights in connection with investigations as specified under law, gives special attention to the prosecution of crimes committed against minors [Section 2 (1) b), c), d), j) of Prosecution Service Act]. In criminal proceedings persons who have not attained the age of eighteen years and are witnesses shall qualify, by law, as persons requiring special treatment even without a specific decision [Section 82 a) of CPC]. As to the mandatory application of the special treatment for persons who have not attained the age of eighteen years, the age of the person concerned at the time when the criminal proceeding is initiated or when the procedural act is executed, is decisive. Provisions of the Criminal Procedure Code on special treatment take particular account of the priority protection of victims who have not attained the age of eighteen or fourteen years, and in this context, to victims of criminal offences against the freedom of sexual life and sexual morality, who are considered to be particularly vulnerable groups. This is also reflected by the fact that the law sets forth much stricter mandatory provisions for the procedural acts involving these vulnerable groups – which even exceed the level of careful treatment and protective measures of special treatment – to make them avoid direct contacts with the perpetrators and to prevent them from becoming secondary victims. In the specific criminal cases, knowing and applying the relevant provisions of substantive and procedural laws for victims below the age of eighteen and other minors is an integral part of prosecutors' work. As an authority in the administration of justice, the prosecution service is bound by law to ensure that the mandatory provisions, careful treatment and protective measures specified by Chapter XIV of the CPC are respected and used with regard to victims and witnesses below the age of eighteen participating in criminal proceedings. Tools to ensure this include exercising powers of the prosecution service in the course of the supervision and control of investigations as set forth in CPC (Section 26). In the detection stage, the primary task is to monitor the lawfulness of the proceedings of the investigating authorities, while within the scope of controlling the investigation the prosecution service may instruct the investigation authority to carry out the procedural acts planned for victims below the age of eighteen in compliance with rules of the special careful treatment and protective measures. Considering that the victim has a client's status in judiciary procedures, the prosecution service may facilitate with its prosecutorial motions and observations the undisturbed exercise of the rights and the enforcement of the claims of victims requiring special treatment.

-

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

Yes

No

[] NAP

Comment - If necessary, please specify: In accordance with relevant provisions of CPC, unless an exception is made by CPC, the victim may file a complaint against a decision communicated to him that was passed by a prosecution office or an investigating authority, with the prosecution office or investigating authority that passed the decision, within eight days of its communication.

037. Is there a system of compensation in the following circumstances:

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful arrest/detention	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g., the amount per day for unjustified detentions or convictions): As regards private law, we highlight the possibility to enforce claims based on Act XCIV of 2021 on the Enforcement of Property Compensation for Delay in Civil Proceedings.

The act defines the timeframe which may be regarded as reasonable and which is absolutely sufficient for the court to carry out the procedural steps necessary for a well-founded decision in the case.

As a general rule, the duration of court proceedings is considered reasonable if it does not exceed sixty months from the date of commencement of the proceedings at first instance to the date of notification of the final decision closing the proceedings. A claim may also be brought in the event of a delay in the procedure phase. The duration of the procedural phase is considered reasonable if, for example, the duration of procedural phase at first instance does not exceed thirty months, the duration of procedural phase at second instance does not exceed eighteen months, and the duration of the review proceedings does not exceed twelve months. A shorter objective timeframe is set for specific cases that need to be dealt with quickly such as cases related to personal status, child support and employment. However, depending on the circumstances of a given case, the court seised may, at its judicial discretion, set a shorter timeframe as reasonable. A claim for compensation may be brought in relation to both pending and concluded cases if either the duration of the entire proceedings or a procedural phase exceeds the reasonable timeframe defined by law.

If the duration of the court proceedings or procedural phase exceeds the timeframe considered reasonable, the party may claim monetary compensation from the court conducting the delayed proceedings at the rate set by government decree (HUF 400,- per day). The compensation awarded is in proportion to the duration of the court proceedings. [see also the Government Decree 372/2021 (VI. 30.) on the amount of property compensation for delay in civil proceedings and the rules for calculating the amount to be paid.]

Concerning criminal law, we would add that in case of an unlawful arrest, imprisonment, confinement, placement in a juvenile correctional institution or compulsory psychiatric treatment, a recompensation procedure as included in the Criminal Procedural Act, may be initiated. The person entitled to compensation may choose to enter into an agreement with the Ministry of Justice in a simplified procedure, in the framework of which a settlement is reached on the amount of the compensation, or to file a lawsuit and the court will decide on the amount of the compensation.

In case of an agreement in the simplified compensation procedure, the compensation is adjusted to the number of days of unlawful deprivation of liberty, the amount per day is seven thousand forints (in the case of criminal supervision, the amount per day of compensation is three thousand five hundred forints).

037-1. Please specify which authorities are responsible for dealing with the requests and whether a legal time limit exists to deal with these requests:

	Responsible authorities	Legal time limit
Court concerned	<input type="checkbox"/>	<input type="checkbox"/>
Other court	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ministry of Justice	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
High Judicial Council	<input type="checkbox"/>	<input type="checkbox"/>
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/>	<input type="checkbox"/>

Comments

037-2. Are there statistical data disaggregated by gender concerning the number of:

	Existence of statistical data disaggregated by gender
Persons who initiate a case in other than criminal matters	<input type="checkbox"/> Yes - If yes, please specify for which categories of cases: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Victims recognised as such by the court	<input type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Perpetrators of criminal offences	<input checked="" type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment]all types of crime <input type="checkbox"/> No <input type="checkbox"/> NA

Comments

037-3. Are there statistical data on the relation between the perpetrator of the criminal offence and the victim recognised by the court?

- Yes
 No

If yes, please specify:

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?

National level	Court level

Surveys for judges	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for public prosecutors	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for lawyers	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other professionals	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the parties	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for victims	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for minors	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

NA

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: As a regular national survey we have a permanent satisfaction questionnaire for court users online: <https://e-ugyintezes.birosag.hu/kerdoiv>. Parallely many courts have paper based surveys aimed at either the court staff or the court users.

3. Organisation of the court system

3.1. Courts

3.1.1 Number of courts

042. Number of courts - legal entities.

Number of courts

Total number of all courts - legal entities (1 + 2)	140 [] NA [] NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	140 [] NA [] NAP
1.1 First instance courts of general jurisdiction - legal entities	114 [] NA [] NAP
1.2 Second instance courts of general jurisdiction - legal entities	25 [] NA [] NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 [] NA [] NAP
2 Total number of specialised courts - legal entities	0 [] NA [] NAP

Comments

043. Number of specialised courts – legal entities.

	First instance	Higher instances
Total number of specialised courts - legal entities	[] NA [X] NAP	[] NA [X] NAP
Commercial courts (excluded insolvency courts)	[] NA [X] NAP	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP	[] NA [X] NAP
Labour courts	[] NA [X] NAP	[] NA [X] NAP
Family courts	[] NA [X] NAP	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP	[] NA [X] NAP
Administrative courts	[] NA [X] NAP	[] NA [X] NAP

Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Juvenile courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other specialised courts", please specify:

044. Number of courts - geographic locations.

	Number of courts (geographic locations)
First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)	114 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	140 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

C. Please indicate the sources for answering the questions in this part

Sources: National Office for the Judiciary

3.2. Court staff

3.2.1 Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	2 660 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	818 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 842 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Number of first instance professional judges	1 345 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	368 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	977 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

2. Number of second instance (court of appeal) professional judges	1 218 [] NA [] NAP	411 [] NA [] NAP	807 [] NA [] NAP
3. Number of Supreme Court professional judges	97 [] NA [] NAP	39 [] NA [] NAP	58 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above:

=

046-1-1. Does your system allow part-time work for professional judges with proportionally reduced remuneration?

Yes

No

Comments

046-1-2. If yes, please specify in which situation(s) part-time work can be granted (multiple replies possible).

Child-care

Elderly care or other dependant persons' care

Training

For the purposes of early retirement

No specific reason required

Other reason, please specify:

Comments

046-1-3. If yes, what is the number of professional judges working part-time with reduced remuneration?

	Total	Males	Females
Total (1 + 2 + 3)	16 [] NA [] NAP	0 [] NA [] NAP	16 [] NA [] NAP
1. At first instance level	15 [] NA [] NAP	0 [] NA [] NAP	15 [] NA [] NAP
2. At second instance (court of appeal) level	1 [] NA [] NAP	0 [] NA [] NAP	1 [] NA [] NAP
3. At Supreme Court level	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP

Comments

046-1-4. Are there other possibilities (apart from part-time) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	() Yes (X) No
Temporary reduction of the working time / special leave	() Yes (X) No
Other measures	() Yes (X) No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

046-1-5. If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new judges
- No specific reason required
- Other reason, please specify:
- NAP

Comments

=

046-2. Number of judges (FTE) by case type:

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	2 660 [] NA [] NAP	1 438 [] NA [] NAP	955 [] NA [] NAP	181 [] NA [] NAP	86 [] NA [] NAP
First instance	1 345 [] NA [] NAP	782 [] NA [] NAP	563 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
Second instance	1 218 [] NA [] NAP	620 [] NA [] NAP	375 [] NA [] NAP	144 [] NA [] NAP	79 [] NA [] NAP
Supreme Court	97 [] NA [] NAP	36 [] NA [] NAP	17 [] NA [] NAP	37 [] NA [] NAP	7 [] NA [] NAP

If "Other", please explain which types of cases:

=

047. Number of court presidents .

Total	Males	Females

Total number of court presidents (1 + 2 + 3)	138 [] NA [] NAP	67 [] NA [] NAP	71 [] NA [] NAP
1. Number of first instance court presidents	112 [] NA [] NAP	51 [] NA [] NAP	61 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	25 [] NA [] NAP	15 [] NA [] NAP	10 [] NA [] NAP
3. Number of Supreme Court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible, on 31 December of the reference year):

	Figure
Gross figure	[] NA [X] NAP
In full-time equivalent	[] NA [X] NAP

Comments - If necessary, please provide comments to explain the answer provided:

048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

- () Yes If yes, please give specifications on the types of cases and an estimate in percentage.
- () No
- [X] NAP

Comments

049. Number of non-professional judges who are not remunerated but who may receive a simple defrayal of costs (if possible, on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting on a jury):

	Figure
Gross figure	2 235 [] NA [] NAP
In full time equivalent	2 235 [] NA [] NAP

Comments

049-1. If such non-professional judges exist at first instance in your country, please specify for

which types of cases:

	Yes	No	Echevinage / mixed bench
Criminal cases (severe)	()	()	(X)
Criminal cases (misdemeanour and/or minor)	()	()	(X)
Family law cases	()	(X)	()
Labour law cases	()	()	(X)
Social law cases	()	(X)	()
Commercial law cases	()	(X)	()
Insolvency cases	()	(X)	()
Other civil cases	()	(X)	()

NAP

Comments - If "Other civil cases", please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

() Yes

(X) No

Comments

050-1. If yes, for which type(s) of case(s)?

Criminal cases

Other than criminal cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[]

NA

NAP

Comments

=

052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled)

Total	Males	Females

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	8 483 [] NA [] NAP	1 349 [] NA [] NAP	7 134 [] NA [] NAP
1. Rechtspfleger (or similar bodies) (see Explanatory Note)	988 [] NA [] NAP	202 [] NA [] NAP	786 [] NA [] NAP
2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)	921 [] NA [] NAP	102 [] NA [] NAP	819 [] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Technical staff	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Other non-judge staff	6 754 [] NA [] NAP	1 045 [] NA [] NAP	5 529 [] NA [] NAP

Comments - If "Other non-judge staff", please specify: Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled).

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	8 483 [] NA [] NAP	1 349 [] NA [] NAP	7 134 [] NA [] NAP
1. Total non-judge staff working in courts at first instance level	4 216 [] NA [] NAP	460 [] NA [] NAP	3 756 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	4 009 [] NA [] NAP	819 [] NA [] NAP	3 190 [] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	258 [] NA [] NAP	70 [] NA [] NAP	188 [] NA [] NAP

Comments

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053. If there are Rechtspfleger (or similar bodies), please specify in which fields they have a role:

[] Legal aid

- Family cases
- Payment orders
- Registry cases (land and/or business registry cases)
- Enforcement of civil cases
- Enforcement of criminal cases
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and exact duties:

054. Have the courts outsourced certain services under their responsibilities to external providers?

- Yes
- No

Comments

054-1. If yes, please specify which services have been outsourced:

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify):

Comments - If "Other types of services", please specify:

NA

C1. Please indicate the sources for answering the questions in this part

Sources: National Office for the Judiciary

3.3. Public prosecution

3.3.1 Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled.)

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	1 874	727	1 147
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP



1. Number of prosecutors at first instance level	1 737 [] NA [] NAP	657 [] NA [] NAP	1 080 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	28 [] NA [] NAP	15 [] NA [] NAP	13 [] NA [] NAP
3. Number of prosecutors at Supreme Court level	107 [] NA [] NAP	54 [] NA [] NAP	53 [] NA [] NAP

Comments - Please indicate any useful comment for interpreting the data above: On 31 December 2022 2 prosecutors were working temporarily in the Ministry of Justice. These two persons were also included in the total number of prosecutors, but they were not taken into consideration when looking at the number of prosecutors working at each/different level. One of the two public prosecutors assigned to the Ministry of Justice is male and the other one is female. All prosecutors are appointed to work full-time, but it may occur that a prosecutor temporarily works part-time, for child care reasons for example. As far as prosecutors at first instance level are concerned, the table contains the number of prosecutors working for district and district level prosecution offices together with the number of prosecutors working for chief prosecution offices. Out of this number, the number of prosecutors working at chief prosecution offices is 534 (236 men and 298 women), the number of prosecutors working for district (district level) prosecution offices is 1203 (421 men and 782 women). As to the number of prosecutors at second instance, the table includes the number of prosecutors working at the appellate chief prosecution offices. The reason for this is that no exact answer can be given to the question. In the Hungarian Prosecution Service, prosecutors working at district and district-level prosecution offices only proceed with first instance cases. Prosecutors of chief prosecution offices working at county (or county level) prosecution offices handle first instance cases which fall into the jurisdiction of regional/county courts, but part of the prosecutors of chief prosecution offices handle cases at second instance or at second instance as well in cases initiated at first instance by district or district prosecution offices. Our personnel database, however, does not contain information on the latter group of cases. Prosecutors of the appellate chief prosecution offices handle second instance cases or, in specific circumstances, they proceed at third instance. I wish to inform you that prior to 2022 we only indicated among the data the number of prosecutors of district prosecution offices at first instance and the number of prosecutors of chief prosecution offices and appellate chief prosecution offices at second instance. According to this method of calculation, the current data (for 31 December 2022) include the following:

Total number of prosecutors (1 + 2 + 3):

Total: 1874

Males: 727

Females: 1147

1. Number of prosecutors at first instance level:

Total: 1203

Males: 421

Females: 782

2. Number of prosecutors at second instance (court of appeal) level:

Total: 562

Males: 251

Females: 311

3. Number of prosecutors at Supreme Court level:

Total: 107

Males: 54

Females: 53

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055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?

Yes

No



055-1-2. If yes, please specify in which situation(s) part-time work can be granted? (multiple replies possible)

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- No specific reason required
- Other reason, please specify:

Comments In accordance with Act CLXIV of 2011 on the Status and Career Path of the Prosecutor General, Prosecutors and other Prosecution Employees (hereinafter: Prosecution Employment Status Act), at the written request of a full-time prosecutor, the employer shall stipulate a part-time schedule of twenty hours weekly in the appointment if, at the time of the submission of the application, the prosecutor takes unpaid leave for the home care of his/her child until his/her child completes the age of three years.

Pursuant to Section 92 (5) of Act I of 2012 on the Labour Code (hereinafter: Labour Code) – which is also applicable for prosecutors' employment relationship – the daily working time applicable for a specific full-time job may be reduced by agreement of the parties (part-time work). On this basis, in addition to the mandatory reason set forth by the Prosecution Employment Status Act (part-time schedule of twenty hours weekly for child care reasons), part-time employment may be allowed for other reasons, but in practice it takes place very rarely.

The 2020 response did not take this possibility into account.

055-1-3. If yes, what is the number of prosecutors working part-time with reduced remuneration?

	Total	Males	Females
Total (1 + 2 + 3)	35 [] NA [] NAP	0 [] NA [] NAP	35 [] NA [] NAP
1. At first instance level	35 [] NA [] NAP	0 [] NA [] NAP	35 [] NA [] NAP
2. At second instance (court of appeal) level	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
3. At Supreme Court level	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP

Comments When using the second method of calculation indicated with regard to Question 55, the data include the following:

Total (1 + 2 + 3):

Total: 35

Males: 0

Females: 32

1. At first instance level:

Total: 32

Males: 0

Females: 32

2. At second instance (court of appeal) level:

Total: 3

Males: 0

Females: 3

3. At Supreme Court level:

Total: 0

Males: 0

Females: 0

055-1-4. Are there other possibilities (apart of part-time work) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	(X) Yes () No
Temporary reduction of the working time / special leave	(X) Yes () No
Other measures	() Yes (X) No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

Temporary reduction in the workload is only possible by removal/reassignment of cases, which does not result in the reduction of remuneration.

According to the Labour Code, prosecutors as employees can only be employed for jobs which do not adversely affect their physical structure, development, or health condition. The employer has to modify the working conditions and working hours in accordance with changes in the employee's health condition. An employee shall be offered a job fitting for her state of health if considered unable to work in her original position according to a medical opinion from the time her pregnancy is diagnosed until her child reaches one year of age. The pregnant worker shall be discharged from work duty if no position appropriate for her medical condition is available. The employee shall be given the base salary normally paid for the job offered, which may not be less than her base salary fixed in the employment contract. The base salary shall be payable for the duration of discharge, except if the job offered is refused without good reason.

A prosecutor shall be given working-time reduction in cases specified by Section 55 (1) of the Labour Code:

- for the duration of his/her incapacity to work or for the duration of his/her incapacity to perform his/her duties due to health reasons,
- if receiving treatment in a healthcare institution related to a human reproduction procedure, as specified in the relevant legislation;
- for the duration of being engaged in fire fighting operations in a voluntary or industrial fire brigade,
- for the duration of the preparation for adoption as set forth by law – for the purpose of meeting the adoptable child in person – for a maximum of ten working days per a year,
- for any duration of absence due to personal or family reasons, or as justified by unavoidable external reasons;
- for a maximum of five working days per a year for the purpose of providing personal care to a relative in need of care due to serious health reasons or to a person living in the same household with the employee.

In addition to working-time reduction a prosecution employee is also entitled to remuneration for the duration of the following absences:

- for the duration of mandatory medical examination,
- for the length of time required for donating blood, for a period of at least four hours,
- if he/she is a nursing mother, for one hour twice daily, or two hours twice daily in the case of twins during the first six months of breastfeeding, and thereafter for one hour daily, or two hours daily in the case of twins until the end of the ninth month,
- for two working days upon the death of a relative,
- for the duration of classes in case the employee pursues elementary school studies, for the duration of training if he/she participates in initial and continuous training as agreed by the parties,
- when called upon by the court or an authority, or for the duration of participating in proceedings in person.

The Prosecutor General may authorise unpaid leave for the duration of the performance of work with an international organisation or the agencies of the European Union for the fulfilment of a job awarded via advertising that requires prosecution expertise and is compatible with the prosecutor's office as well as for the duration of filling the position of a lecturer, senior leader or leader in higher education.

In accordance with the Labour Code, mothers shall be entitled to twenty-four consecutive weeks of maternity leave with the specification

that they have to take off two-weeks out of these twenty-four weeks. Moreover, the employee shall be entitled to unpaid leave in accordance with the Labour Code

- for the purpose of taking care of his/her child, until the child reaches the age of three,
- for the purpose of taking care of his/her adopted child - for three years from the start of the child's placement in care, or in case of a child older than three years for six months,
- for the purpose of providing care in person to the child until the child reaches the age of ten for the duration of child care benefit,
- for the purpose of providing care for a relative in person for any extended period (foreseeably more than thirty days), for the duration of care, in any case for up to two years,
- for the duration of actual, voluntary reserve military service.

From 1 January 2023, employees shall be entitled to forty-four working days of parental leave until their child reaches the age of three, and during that period prosecutors are entitled to 10% of their salaries.

Upon the birth of his child, a father shall be entitled to ten working days of extra vacation time, until the end of the second month from the date of birth, or in case of a child's adoption until the end of the second month after the decision authorizing the adoption has become final. As of 1 January 2023, prosecution employees shall be entitled to their remunerations for a period of five working days when they are on paternity leave. From the sixth working day of the paternity leave they shall be entitled to forty percent of their remunerations.

In accordance with the Prosecution Employment Status Act, the person exercising the employer's rights may authorise a prosecutor to take unpaid leave even in instances when it is not prescribed on a mandatory basis in the Labour Code. A prosecution employee who raises his/her child below the age of ten alone, or if he/she raises at least two children below the age of ten shall be entitled to four hours of working-time reduction per a month. Working-time reduction may not be combined and its use cannot hinder prosecution employees in the fulfilment of their tasks. Prosecution employees shall be given remuneration for the duration of the working-time reduction.

Prosecution employees are employed in accordance with schedules of work. Work for prosecutors starts at 8:30 a.m. and ends at 3:30 p.m., but on Fridays it ends at 1:30. p.m (core working hours). The working hours exceeding the core hours are scheduled for working days by the prosecution employee himself/herself, in agreement with the employer, taking into account the tasks to be performed at the time given, adjusted to the opening hours of the building. The daily working hours for prosecution employees are eight and a half hours, while on Fridays it is six hours. The person exercising the employer's rights may determine different starting and ending time for the core working hours than the ones above in order to ensure the urgent fulfillment of the duties.

055-1-5 . If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new prosecutors
- No specific reason required
- Other reason, please specify:
- NAP

Comments Situations: child-care, elderly care or other dependant persons' care, training, other reasons.

Temporary reduction of the workload (removal/reassignment of cases from one prosecutor to another) is generally justified by reasons of work organization. The "other reasons" are detailed in the answer given to question 55-1-4.

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	151 <input type="checkbox"/> NA <input type="checkbox"/> NAP	91 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Number of heads of prosecution offices at first instance level	145 [] NA [] NAP	85 [] NA [] NAP	60 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	5 [] NA [] NAP	5 [] NA [] NAP	0 [] NA [] NAP
3. Number of heads of prosecution offices at Supreme Court level	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Please provide any useful comment for interpreting the data above: The table contains the following heads/senior leaders of prosecution offices:

the Prosecutor General; appellate chief prosecutors (if there is no appellate chief prosecutor appointed or assigned, then the head of division at the appellate chief prosecution office who leads the appellate chief prosecution office); chief prosecutors (if there is no chief prosecutor appointed or assigned, then the deputy chief prosecutor who leads the chief prosecution office); prosecutors who are heads of district prosecution offices (if there is no leading prosecutor appointed or assigned, then the deputy head of the district prosecution office who leads the organizational unit).

The heads of organizational units with operational responsibilities (such as Information Technology Department and Independent Administrative Unit) are also included in the data of the Office of the Prosecutor General.

As previously indicated, prior to 2022, only the number of public prosecutors at district prosecution offices who handle first-instance cases and the number of public prosecutors at chief prosecution offices and appellate chief prosecution offices who handle second-instance cases were included in the database. According to this calculation method, the data for prosecution leaders as of 31 December 2022 are as follows:

Total number of heads of prosecution offices (1 + 2 + 3 level of jurisdiction)

Total: 151

Males: 91

Females: 60

1. Number of heads of prosecution offices at first-instance level

Total: 124

Males: 70

Females: 54

2. Number of heads of prosecution offices at second-instance (courts of appeal) level

Total: 26

Males: 20

Females: 6

3. Number of heads of prosecution offices at Supreme Court level

Total: 1

Males: 1

Females: 0

057. In your judicial system, do other persons have similar duties to those of public prosecutors?

() Yes

(X) No

Comments - If yes, please specify their titles and functions: According to the Criminal Procedure Code a victim may act as a private prosecutor and a substitute private prosecutor in criminal proceedings, but private prosecutors and substitute private prosecutors are not part of the administration of justice.

057-1. If yes, please provide the number (in full-time equivalent):

[]
[] NA

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

Yes

No

NAP

Comments

059-1. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?

	-
Domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Sexual violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify No change occurred compared to our previous answer. We did not offer training sessions specifically in the area of domestic violence, sexual violence, or child victims.

It should be noted, however, that the public prosecution services participate in several training courses that are organized at an international level on a regular annual basis (e.g. EJTN, CEPOL, ILEA - Budapest), and also in domestic/international training courses that are organized on an ad hoc basis by external organizers. Public prosecutors also have the opportunity to attend postgraduate courses at a national/international level. Therefore, the training of our colleagues in an area concerned was not limited to internal training courses. Consequently, we maintain our response that we have public prosecutor colleagues who possess special expertise in the areas of domestic violence and sexual violence. This was not indicated in the 2020 response, because according to our interpretation, the question applied only to colleagues who obtained such qualifications during internal training courses, but such internal training courses were not held.

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060. Number of staff (non-public prosecutors) attached to the public prosecution services, if possible, on 31 December of the reference year and without the number of non-judge staff, see question 52 (in full-time equivalent and for posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	2 353 <input type="checkbox"/> NA	475 <input type="checkbox"/> NA	1 878 <input type="checkbox"/> NA

Comment – please describe which categories of staff you have included in your reply: The above data include junior prosecutors, trainee prosecutors, officers doing semi-prosecutorial tasks, officers, clerks and blue-collar employees.

C2. Please indicate the sources for answering the questions in this part

Sources: Personnel statistical data of the Prosecution Service of Hungary for 2022, data from the computerized database of the

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: In Hungary, gender equality is a constitutional principle that applies in all legal relations. In addition to the constitutional principle, the provisions on equal treatment have set out in a separate law. The Act CXXV of 2003 on Equal Treatment provides provisions for employment (based on employment contract, or a contract for work and services aiming at employment, etc.), which contains rules on, inter alia, the establishment and termination of employment, promotion and working conditions. In the event of a breach of the provisions of the Act on Equal Treatment, proceedings may be initiated before the Commissioner for Fundamental Rights. There are no specific provisions for facilitating gender equality in the Act on Legal Practice and in the internal rules of the Bar Association. On 31 December 2022, 61.2% of the prosecutors were women. 30% of the candidates applying for vacant positions for trainee prosecutors were men, whereas 70% of them were women, and this tendency remained unchanged for more than a decade. Therefore, in my opinion, there is no reason for adopting specific provisions to facilitate gender equality.

In the notarial profession there is no discrimination in procedures of recruiting regarding neither of the genders, therefore no special measures facilitating gender equality are necessary. According to the current statistical data 60% of the Hungarian notaries are ladies.

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)

non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

Comments - If the situation changed since the reference year or you have additional comments, please specify: On 31 December 2022, 47.2% of the senior prosecutors and 49.5% of the prosecutors working at the Office of the Prosecutor General (subordinate and head prosecutors) were women. For this reason, in my opinion, there is no reason for adopting specific provisions to facilitate gender equality. In the notarial profession there is no discrimination in procedures for promoting regarding neither of the genders, therefore no special measures facilitating gender equality are necessary. According to the current statistical data 60% of the Hungarian notaries are ladies.

061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:

	Yes / No
Court president	() Yes If “yes”, please specify:[Comment] (X) No
Head of prosecution services	() Yes If “yes”, please specify:[Comment] (X) No

Comments

3.4.2 At national level

061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?

() Yes

(X) No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us? No. Hungary does not have an overarching document (e.g., policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary. However, Hungarian laws on legal status and organization of courts, and civil material and procedural laws regulate without gender discrimination; we are not aware of any discrimination issue that would affect the judiciary.

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner) / institution dealing with gender issues in the justice system concerning:

	Yes, please specify	No
The recruitment of judges	()	(X)
The promotion of judges	()	(X)

The recruitment of prosecutors	()	(X)
The promotion of prosecutors	()	(X)
The recruitment of non-judge staff	()	(X)
The promotion of non-judge staff	()	(X)

Comments - Please specify the status of this person/institution and if it has a consultative function or if its opinions/decisions have legal consequences:

3.4.3 At court/public prosecution services level

061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work?

	Yes	No
in courts (judges)	(X)	()
in public prosecution services (prosecutors)	(X)	()
for courts' non-judge staff	(X)	()

Comments - Please specify the details of this person/institution, in particular its titles and function: In accordance with Instruction 27/2013. (XII. 21.) of the Prosecutor General on gender equality, if the principle of equal treatment is violated, the aggrieved prosecution employee may seek redress from an equal opportunity representative in the prosecution service by specifying his/her reasons, in addition to the otherwise available legal remedies and negotiation options. The equal opportunity representative provides his/her position concerning the violation/grievance within fifteen days to the aggrieved party and to the senior prosecutor who is authorized to terminate the unlawful situation that has arisen. The senior prosecutor decides in writing within fifteen days, and at the request of the prosecution employee he/she can defer application of his/her measures. The aggrieved party has to be notified of the decision in writing. If the violation/grievance proves to be real, a situation meeting the requirements of equal treatment has to be created. If the aggrieved prosecution employee still considers the situation to be detrimental for him/her, he/she may initiate legal disputes or other proceedings in accordance with Prosecution Employment Status Act or other laws.

In the National Office for the Judiciary an equal opportunities officer (esélyegyenlőségi referens) ensures that equal opportunities requirements are implemented in practice, including but not limited to the questions of gender equality.

In the light of the provisions of Article 63 (4) of Act CXXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities, the Prosecutor General issued Instruction No.27/2013 (XII. 21.) LÜ on Equal Opportunities, which, among other things, sets out the principles of equal treatment, non-discrimination and the promotion of equal opportunities. In accordance with the Instruction, if the principle of equal treatment is violated, the aggrieved prosecution employee may refer the matter to the Equal Opportunities Officer appointed by the Prosecutor General, stating the reasons for the violation. The equal opportunities officer is therefore not a new legal institution, it existed before. In the light of this, we are not aware of the reason for the discrepancy indicated by the CEPEJ.

061-9. In order to improve gender balance in access to different judicial professions and gender equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) :

are planned (please specify) :

Comments - If the situation changed since reference year, please specify in the comments.

NAP

061-10. Are there evaluation studies or official reports regarding the main causes of possible gender inequalities with regard to:

- Recruitment procedures, please specify:
- Appointment to the position of court president, please specify:
- Appointment to the position of head of prosecution services, please specify:
- Promotion procedures and access to the functions of responsibility, please specify:
- Other studies, please specify:

NAP

Comments - Please specify also the reference documents.

3.5. Use of information technologies in courts

3.5.1 Governance

ICT STRATEGY

062-01. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?

- Yes
- No

Comments The information technology strategy is part of the long-term institutional strategy of the President of the NOJ.

062-02. If there is an overall ICT strategy in the judicial system, who was involved in the process of its definition?

- Judges (Judicial council)
- Prosecutors (Prosecutorial or judicial council)
- Ministry of justice
- Lawyers (bar association)
- Notaries (association of notaries)
- Enforcement agents (association of enforcement agents)
- Other (please specify) National Office for the Judiciary

NA

[] NAP

Comments

LEGISLATION

062-03. Does a national legislation/regulation of ICT in the judicial system exist?

(X) Yes

() No

Comments

062-04. If yes, how is this legislation/regulation of ICT in the judicial system structured?

[] Relevant norms are included in the general e-government legislation/regulation

[] Relevant norms are included in specific legislation/regulation only for the judicial system

[] Relevant texts are included in dedicated technical documents/specifications

[X] Other, please specify internal regulations of the court system

[] NA

Comment - If more than one of the proposed models exist in your country, please select them all and explain the details The president of the NOJ regulates ICT policies on a national level. Various areas have been regulated by the bylaws of the President of the NOJ, e.g. data protection, digital signature, IT security, etc.

[] NA

IMPACT OF IMPLEMENTATION OF ICT SYSTEMS

062-05. Have you already organised audits/evaluations/assessments of the impact of the implementation of the ICT system?

() Yes

(X) No

Comments

062-06. If these audits/evaluations/assessments were already organised, please specify their modalities:

	Format	Last conducted audit
ICT Governance	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Security and risk management	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on efficiency and quality of the business processes and workflow	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on human resources (number, workload, wellbeing)	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Other, please specify in comments	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation.

062-07. If these audits/evaluations/assessments were organised in the last 5 years, how did you apply their recommendations/results?

- Update applications
- Define new ICT projects/modules
- Adjust legislation
- Adjust working processes
- Withdraw/stop use of a module/application
- Reporting purpose only
- Other, please specify

NA

NAP

Comments

3.5.2 Electronic case processing

ELECTRONIC SUBMISSION OF CASES

062-08. If it is possible to submit a case to a court electronically, what are the deployment and

usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input checked="" type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input checked="" type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input checked="" type="checkbox"/> NA

Comments

062-09. If it is possible to submit a case to a court electronically, please specify the modalities:

Electronic or paper	Possible to be submitted electronically by:	Data integration
---------------------	---	------------------

Civil	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Comments

SENDING ELECTRONIC DOCUMENTS TO COURT



062-10. If it is possible to send case-related documents to the courts electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA

Comments

062-11. If it is possible to send electronically case related documents to the courts, please specify the modalities:

Electronic or paper	Possible to be submitted electronically by:	Data integration
---------------------	---	------------------

Civil	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input checked="" type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input checked="" type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input checked="" type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details.

ELECTRONIC NOTIFICATIONS

062-12. If it is possible for courts to send electronic notifications, what are the deployment and usage rates?

Deployment rate	Usage rate
-----------------	------------

Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input checked="" type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input checked="" type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input checked="" type="checkbox"/> NA

Comments

062-13. If it is possible for courts to send electronic notifications, please specify the modalities:

	Electronic or paper	Type of notification	Data integration
Civil	<input checked="" type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts <input checked="" type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

<p>Administrative</p>	<p><input checked="" type="checkbox"/> Paper notification is still possible</p> <p><input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way)</p> <p><input type="checkbox"/> Double notification (paper notification must accompany the electronic one)</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Notifications sent by the court to the lawyer</p> <p><input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer</p> <p><input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts</p> <p><input checked="" type="checkbox"/> Notifications sent to other persons/institutions</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> The electronic notification is generated from the CMS</p> <p><input type="checkbox"/> The electronic notification is manually generated</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>
<p>Criminal</p>	<p><input checked="" type="checkbox"/> Paper notification is still possible</p> <p><input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way)</p> <p><input type="checkbox"/> Double notification (paper notification must accompany the electronic one)</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Notifications sent by the court to the lawyer</p> <p><input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer</p> <p><input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts</p> <p><input checked="" type="checkbox"/> Notifications sent to other persons/institutions</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> The electronic notification is generated from the CMS</p> <p><input type="checkbox"/> The electronic notification is manually generated</p> <p><input type="checkbox"/> NAP – electronic notifications are not possible</p> <p><input type="checkbox"/> NA</p>

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details.

CONSULTATION OF A CASE ONLINE

062-14. If it is possible for external users to consult a case online, what are the deployment and usage rates?

Deployment rate	Usage rate
-----------------	------------

Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA

Comments

062-15. If it is possible for external users to consult a case online, please specify the modalities:

	Content	Access	Consultation format
Civil	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Other”, please specify details. Other access: prosecutors
Other format: online

REMOTE HEARINGS

062-16. If it is possible to organise remote hearings what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
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Comments The deployment and usage of digital solutions for remote hearings has increased during the COVID epidemic. This was partly a consequence of the change in legislation, but also because of the increased volume of procurement of IT tools, so more of these tools were available at the courts than in the previous years. These changes also indicated the increased use of these methods on the court user side.

062-17. If it is possible to organise remote hearings, please specify the functionalities and modalities:

	Functionalities	Modalities
Civil	<input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts <input checked="" type="checkbox"/> Publicly available tools used by courts <input checked="" type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input checked="" type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Agreement of the parties is needed <input checked="" type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA

<p>Administrative</p>	<p><input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input checked="" type="checkbox"/> Publicly available tools used by courts</p> <p><input checked="" type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input checked="" type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Agreement of the parties is needed</p> <p><input checked="" type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>
<p>Criminal</p>	<p><input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input checked="" type="checkbox"/> Publicly available tools used by courts</p> <p><input checked="" type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input checked="" type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Agreement of the parties is needed</p> <p><input checked="" type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>

Comments

ELECTRONIC ARCHIVES



062-18. If electronic archives of cases exist, what are the deployment and usage rates?

<p>Deployment rate</p>	<p>Usage rate</p>
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Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA

Comments In general, it can be noted that legislative changes in recent years have made digital administration widely available. This means that the rules on the disposal of court documents also apply to digital documents. Since the files or certain parts the files in various court cases must be stored after the case has been closed, these rules also apply to digital documents.

062-19. If an electronic archive of cases exists, please specify the modalities:

	Electronic or paper
Civil	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA

Comments

3.5.3 Tools

CASE MANAGEMENT SYSTEMS (CMS)

062-20. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> 95-100 %	<input checked="" type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input type="checkbox"/> NAP - CMS does not exist	<input type="checkbox"/> NAP - CMS does not exist
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comments

062-21. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	Functionalities
Civil	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input checked="" type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input checked="" type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Protected log files <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Administrative

- Centralised and/or interoperable CMS databases
 - Active case management dashboard
 - Random allocation of cases
 - Case weighting
 - Identification of a case between instances (unique or linked id number)
 - Electronic transfer of a case to another instance/court
 - Anonymisation of decisions to be published
 - Interoperability with other systems (civil register, tax register, insolvency register)
 - Access to closed/resolved cases
 - Advanced search engine
 - Protected log files
 - Electronic signature
 - Other special functionality, please specify
 - NAP – CMS does not exist
- NA

Comment - If you have selected the option “Other special functionality”, because of its importance please specify details.

062-22. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

Functionalities

Criminal	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input checked="" type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input checked="" type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input checked="" type="checkbox"/> Interoperability with prosecution system <input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Protected log files <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA
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Comment - If you have selected the option “Other special functionality”, please specify the details.

WRITING ASSISTANCE TOOLS

062-23. If writing assistance tools exist in courts, what are their deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA
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Comments

062-24. If writing assistance tools exist in courts, please describe their functionalities:

	Functionalities
Civil	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input checked="" type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input checked="" type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input checked="" type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

RECORDING OF COURT HEARINGS

062-25. If a tool to record court hearings exists, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA

Comments

062-26. If a tool to record court hearings exist, please specify its functionalities:

	Functionalities
Civil	<input checked="" type="checkbox"/> Audio recording <input checked="" type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input checked="" type="checkbox"/> Automatic transcript from recording <input checked="" type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Audio recording <input checked="" type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input checked="" type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Audio recording <input checked="" type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input checked="" type="checkbox"/> Automatic transcript from recording <input checked="" type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

DATABASE OF COURT DECISIONS

062-27. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.

	Percentage of 1st instance decisions published	Percentage of 2nd instance decisions published	Percentage of Supreme court decisions published
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Comments

062-28. If there is a national database of court decisions, please specify the modalities in publishing these decisions:

	1st instance	2nd instance	Supreme court
Civil	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> Published online (public website)	<input checked="" type="checkbox"/> Published online (public website)	<input checked="" type="checkbox"/> Published online (public website)
	<input type="checkbox"/> Published in an internal database	<input type="checkbox"/> Published in an internal database	<input type="checkbox"/> Published in an internal database
	<input type="checkbox"/> Other, please specify	<input type="checkbox"/> Other, please specify	<input type="checkbox"/> Other, please specify
	<input type="checkbox"/> NAP– There is no database for these decisions	<input type="checkbox"/> NAP– There is no database for these decisions	<input type="checkbox"/> NAP– There is no database for these decisions
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA

- If you have selected the option “Other” because the court decisions are published online in some other way than the presented modalities, please describe.

062-29. If there is a database of court decisions at national level, what are the functionalities of this database?

	Functionalities
Civil	<input checked="" type="checkbox"/> Automatic anonymisation <input type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Automatic anonymisation <input type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Automatic anonymisation <input type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

STATISTICAL TOOLS

062-30. If there are statistical tools for analysing court case data, what is their deployment rate?

	Deployment rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

Comments

062-31. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:

	Functionalities	Data available for statistical analysis
Civil	<input checked="" type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input checked="" type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input checked="" type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

<p>Administrative</p>	<p><input checked="" type="checkbox"/> Integration/connection with the CMS</p> <p><input type="checkbox"/> Business intelligence software</p> <p><input checked="" type="checkbox"/> Generation of predefined statistical reports</p> <p><input checked="" type="checkbox"/> Generation of customised statistical reports</p> <p><input checked="" type="checkbox"/> Internal page and/or dashboard</p> <p><input checked="" type="checkbox"/> External page with statistics (public website)</p> <p><input type="checkbox"/> Real-time data availability</p> <p><input checked="" type="checkbox"/> Automatic consolidation of data at the national level</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – there are no statistical tools</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending)</p> <p><input checked="" type="checkbox"/> Age of a pending case</p> <p><input checked="" type="checkbox"/> Length of proceedings</p> <p><input checked="" type="checkbox"/> Number of hearings</p> <p><input checked="" type="checkbox"/> Cases per judge</p> <p><input checked="" type="checkbox"/> Case weights</p> <p><input checked="" type="checkbox"/> Number of parties in a case</p> <p><input checked="" type="checkbox"/> Indicator of appeal</p> <p><input checked="" type="checkbox"/> Result of the appeal</p> <p><input type="checkbox"/> NAP– there are no statistical tools</p> <p><input type="checkbox"/> NA</p>
<p>Criminal</p>	<p><input checked="" type="checkbox"/> Integration/connection with the CMS</p> <p><input type="checkbox"/> Business intelligence software</p> <p><input checked="" type="checkbox"/> Generation of predefined statistical reports</p> <p><input checked="" type="checkbox"/> Generation of customised statistical reports</p> <p><input checked="" type="checkbox"/> Internal page and/or dashboard</p> <p><input checked="" type="checkbox"/> External page with statistics (public website)</p> <p><input type="checkbox"/> Real-time data availability</p> <p><input checked="" type="checkbox"/> Automatic consolidation of data at the national level</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – there are no statistical tools</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending)</p> <p><input checked="" type="checkbox"/> Age of a pending case</p> <p><input checked="" type="checkbox"/> Length of proceedings</p> <p><input checked="" type="checkbox"/> Number of hearings</p> <p><input checked="" type="checkbox"/> Cases per judge</p> <p><input checked="" type="checkbox"/> Case weights</p> <p><input checked="" type="checkbox"/> Number of parties in a case</p> <p><input checked="" type="checkbox"/> Indicator of appeal</p> <p><input checked="" type="checkbox"/> Result of the appeal</p> <p><input type="checkbox"/> NAP– there are no statistical tools</p> <p><input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, please specify the details

OTHER TOOLS

062-32. Is there any application for online court-related dispute resolution?

Yes

No

Comments

062-33. If yes, is there a maximum value over which online court-related dispute resolution cannot be organised?

- Yes, please specify the maximum value
- No

Comments

062-34. If yes, can the online court-related dispute resolution be used in the following areas?

- Small claim litigation
- Undisputed claim
- Payment order
- Misdemeanour criminal cases
- Enforcement of civil cases
- Other, please specify

Comment: Please describe the existing online procedures:

062-35. Is there a computerised national record centralising all criminal convictions?

- Yes
- No

Comments

062-36. If yes, please specify the following information:

- The computerised record includes biometric data (ex. fingerprint data, picture)
- The computerised record is linked to other European records of the same nature (ex. ECRIS)
- The content is directly available through computerised means for judges and/or prosecutors (ex. interoperability with the CMS)
- The content is directly available for purposes other than criminal (ex. civil and administrative matters)
- The record contains conviction information on third-country nationals and stateless persons

Comments

062-37. Is there a Document Management System (DMS) in the registry of courts?

- Yes
- No

Comment: If yes, please provide details on the purposes and usage of this system. The system contains documents filed during court proceedings. These are not only accessible to court staff, but also to court users (after registration) within the scope of their rights.

062-38. In addition to the tools listed in the ICT section of this questionnaire does your judicial system use other innovative ICT tools?

- Yes
- No

Comment: If yes, please list and describe these ICT tools. NEXON HR - budgetary aspects of human resource management, KIRA - management of wages, ITR - editing and anonymisation of court decisions, electronic consultation of documents and launching of queries

3.6. Performance and evaluation

3.6.1 National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?

Yes

No

Comments - If yes, please specify:

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

	Yes / No
within the courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
within the public prosecution services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

3.6.2 Measuring court/public prosecution services

070. Do you regularly monitor court activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments - statistics on the reasons of the postpone of the trials,
 - number of trial days in cases, - number of tried cases per day,
 - the subject of incoming / finished / pending cases,

- the ratio of litigious and non-litigious cases,
- cases that are pending over 2 or 5 years have a separated statistical report every month
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments The public prosecution services are led in a hierarchical structure. Leaders perform their duties at a national and regional level, as well as at the level of each organizational unit. It is up to the decision of the leader who exercises the employer’s rights to determine how the activities (performance, quality) of the prosecution office should be evaluated and on the basis of what indicators in order to manage the organizational unit effectively. The set of indicators may vary from year to year, depending on the circumstances. Therefore, more than one answer could be given to the given question.

For example, the performance of individual prosecutors or officers may be assessed at the level of an organizational unit; a staff satisfaction survey may be conducted; or a target analysis based on client satisfaction may be carried out.

The clearance rate could also be considered as a reference point and is actually monitored by the public prosecution services. However, statistics are produced at the level of the prosecution services and at the regional level on a calendar year basis. Therefore, those decisions on the termination of prosecution proceedings which are made at the end of a year, but become final only in the following year, can only be taken into account in the next year. The number of indictments and the number of finally closed cases that are closed because of finally closed court cases in the years after the indictment may also differ from the number of indictments on an annual basis. Therefore, the “clearance rate” – as a reference point – is a difficult criterion to follow.

At the national level, the Prosecutor General is required to present a report to Parliament. This report does not focus on the performance of individual public prosecutors; instead, it assesses the performance of the public prosecution service as a whole and according to a breakdown of organizational units. In our 2023 response, we tried to take this into account and, in this respect, we have indicated that primarily the indicators indicated were taken into account. Compared to our previous response in 2020, there was no change in terms of the fact that the clearance rate had been taken into account, even if it was not the primary evaluation criterion.

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

- civil law cases
- criminal law cases
- administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

	Yes (If yes, please specify)	No
within the courts	(X)	()
within the public prosecution services	()	(X)

Comments It was not possible to give an unambiguous answer to this question because of the reasons given in point 70-1. There are several possible "waiting times" in court proceedings which can be monitored. The length of proceedings can be and is monitored by the public prosecution services at the organizational, regional and local levels to different extents. As there was no substantive change in this respect, our reply is modified as follows, in line with the previous answer.

If the question refers to the judicial recess, the answer is "yes"; it is monitored by those who exercise the employer's rights, mainly for the purpose of granting a leave of absence.

073. Do you have a system to evaluate regularly court performance based on the monitored indicators of question 70?

(X) Yes

() No

Comments

073-0. If yes, please specify the frequency:

() Annual

() Less frequent

(X) More frequent

Comments - If "Less frequent" or "More frequent", please specify: The statistics of the court system are composed in every quarter, half and whole year. It is published on the central internet website of the courts in every half year.

073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?

(X) Yes

() No

Comments

073-2. If yes, which courses of action are taken (multiple replies possible)?

[X] Identifying the causes of improved or deteriorated performance

[X] Reallocating resources (human/financial resources based on performance)

[X] Reengineering of internal procedures to increase efficiency

[] Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based on the monitored indicators of question 70-1?

(X) Yes

No

Comments

073-4. If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify:

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?

Yes

No

Comments New aspects were also taken into account in answering this question.

073-6. If yes, which courses of action are taken (multiple replies possible)?

Identifying the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other (please specify):

Comments Senior leaders take into account results of workload surveys when determining staffing needs.

=

079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?

High Judicial Council

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify): National Office for the Judiciary

Comments

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?

Public Prosecutorial Council

Ministry of Justice

Head of the organisational unit or hierarchically superior public prosecutor

Prosecutor General /State public prosecutor

External audit body

Other (please specify):

3.6.3 Information regarding courts /public prosecution services activity

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?

Yes (please indicate the name and the address of this institution): Országos Bírósági Hivatal (National Office for the Judiciary), H-1055, Hungary, Budapest, Szalay utca 16.

No

Comments

080-1. Are the statistics on the functioning of each court published?

Yes, on the internet (please provide the link) <https://birosag.hu/birosagokrol/statisztikai-adatok/obh-statisztikai-tevekenysege>

No, only internally (on an intranet website)

No

Comments

=

080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

Yes (please indicate the name and the address of this institution): Office of the Prosecutor General, Department of Information Technology

No

Comments

080-3. Are the statistics on the functioning of each public prosecution service published?

Yes, on the internet (please provide the link) <http://ugyeszseg.hu/kozerdeku-adatok/altalanos-kozzeteteli-lista-2/?subgroup=14>

No, only internally (on an intranet website)

No

Comments

=

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is primarily intended):

081-1. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-2. If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

=

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. for whom the report is primarily intended):

081-4. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments Chief prosecution offices submit annual reports to the Office of the Prosecutor General, and the Prosecutor General submits an annual report on his/her activities to the Parliament [Article 29 (5) of the Fundamental law of Hungary].

081-5. If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

3.6.4 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

Yes

No

Comments

083-1. Who is responsible for setting these targets for each judge?

Executive power (for example the Ministry of Justice)

- Legislative power
- Judicial power (for example the High Judicial Council, Supreme Court)
- President of the court
- Other (please specify):
- NAP

Comments

083-1-1. What are the consequences for a judge if these targets are not met?

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
With disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
-	<input type="checkbox"/> No consequences
-	<input type="checkbox"/> NAP (no targets defined)

Comments

114. Is there a system of individual evaluation of the judges' work?

	Existence of a system of individual evaluation of the judges' work
Quantitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Qualitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used: According to the relevant legislation the judicial activity of the judges shall be evaluated regularly.

The first appointment of a judge is for a definite period of three years. After this period the work of the judge is evaluated for the first time. The evaluation is carried out by the president of the court. In praxis a senior judge of the court (e.g. the head of the competent department of the regional court) carries out the evaluation process. According to the result of the evaluation the president of the court can evaluate the judge as:

- a) excellent, suitable for promotion,
- b) excellent and fully eligible,
- c) eligible,
- d) ineligible.

After the first definite period appointment, judges are appointed for an indefinite term. During

their career from this point, judges are evaluated

- next time in the third year,
- from this point in every eighth year.

A judge's judicial activity shall be evaluated on an extraordinary basis if

- a) suspicion emerges that the judge is unable to perform his/her judicial activities because of professional reasons,
- b) it is requested by the judge himself/herself,
- c) a case is not decided within two years and a review of the file establishes that the delay was caused by the misconduct of the judge

If the judge disputes the result of the evaluation he/she may submit an appeal to the Service Tribunal.

If a judge is evaluated as ineligible, the president of the court shall call upon the judge to resign from his/her office within 30 days.

114-1. Please specify the frequency of this evaluation:

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify:
- NAP

=

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

- Yes
- No

Comments Quantitative performance targets have not yet been set. The public prosecution services were in the process of installing a new specialized IT system (IIDR), which was originally planned to affect internal prosecution statistics too. However, it has not been introduced. The planned system is currently under revision, so it is not possible to provide information on how and when it will be introduced and whether quantitative performance targets will be set.

083-3. Who is responsible for setting these targets for each public prosecutor?

- Executive power (for example the Ministry of Justice)
- Prosecutor General /State public prosecutor
- Public Prosecutorial Council
- Head of the organisational unit or hierarchically superior public prosecutor
- Other (please specify):
- NAP

Comments

083-3-1. What are the consequences for a prosecutor if these targets are not met?

Consequences:

Without disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input checked="" type="checkbox"/> NAP
With disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input checked="" type="checkbox"/> NAP
No consequences	<input type="checkbox"/> No consequences <input checked="" type="checkbox"/> NAP

Comments

120. Is there a system of individual evaluation of the public prosecutors' work?

	Existence of a system of individual evaluation of the public prosecutors' work
Quantitative	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Qualitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used: The person exercising the employer's rights assesses a prosecutor's work every eight years. The purpose of assessment based on the examination of case files is to assess the quality of the prosecutor's professional activities, to evaluate his/her skills, abilities and character traits with an impact thereon and to facilitate professional development.

In accordance with Section 50 (1) of the Prosecution Employment Status Act, prosecutors, with the exception of the Prosecutor General and the Deputy Prosecutor General, shall be assessed before the expiry of the fixed term of the first prosecution appointment, while in the case of a first appointment for an indefinite term, before the expiry of a period of three years following the appointment, and thereafter every eight years, provided that they worked under the supervision of the assessor or his/her deputy for minimum one year during the assessment period. Prosecutors do not need to be assessed during the six years preceding the completion of the applicable old-age pension age. In addition to cases mentioned above, a prosecutor shall also be assessed if requested by the prosecutor, provided that two years have elapsed since the previous assessment, circumstances have emerged that indicate the prosecutor's professional ineligibility or the necessity to alter the evaluation of the previous assessment. The purpose of assessment is to assess the quality of the prosecutor's professional activities, to evaluate his/her skills, abilities and character traits with an impact thereon and to facilitate professional development. The assessment may only feature duly supported, factual findings.

In the event of an ineligible grade, upon the disclosure of the result of the assessment, the prosecutor shall be called upon to resign his/her office within thirty days. If despite the call the prosecutor does not resign his/her office, his/her prosecution service employment shall be terminated by exempting him/her from office. In accordance with Sections 13/A-13/F of Instruction 4/2012. (I. 6.) of the Prosecutor General on specific questions regarding the status of employees of the Prosecution Service, a case file examination shall be carried out as a basis for the assessment which is due to follow with regard to the prosecutor appointed to a prosecution office subordinated to the Office of the Prosecutor General prior to the time when the assessment is due. Such a case file examination shall not be carried out for senior head prosecutors. Case file examinations shall discover the examined prosecutor's practice regarding the application of substantive and procedural law during at least a one-year period prior to the case file examination, or since the prosecutor's latest assessment – or in absence of an assessment – since the time of his/her appointment at the most. The case file examination and its evaluation shall be done by a prosecutor (hereinafter: examiner prosecutor) who works at the prosecution office directly superior to the prosecution office where the examined prosecutor is appointed to and who works in the same field of prosecutorial activity or expertise as the examined prosecutor.

The examiner prosecutor shall be designated by the directly superior prosecution office or at the Office of the Prosecutor General by the head of the organizational unit in the prosecution service that is competent in view of the examined prosecutor's duties.

120-1. Please specify the frequency of this evaluation:

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify:
- NAP

Comments

C4. Please indicate the sources for answering the questions in this part

Sources: Act CLXIV of 2011 on the Status and Career Path of the Prosecutor General, Prosecutors and other Prosecution Employees
Article 29 of the Fundamental Law of Hungary Instruction 12/2012 (VI.8.) of the Prosecution General on the Organization and Operation of the Prosecution Service (SZMSZ)
Instruction 4/2012. (I. 6.) of the Prosecutor General on specific questions regarding the status of employees of the Prosecution Service

4.Fair trial

4.1.Principles

4.1.1Principles of fair trial



084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?

- []
- NA
- NAP

Comments - Please add methodology for calculation used.

085. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the judge is not impartial?

- Yes
- No

Comments - Please could you briefly specify:

085-1. If yes, what are:

-

The total number of the initiated procedures in the reference year	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
The total number of recusals pronounced in the reference year	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please, could you briefly specify:

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

- For civil procedures (non-enforcement)
- For civil procedures (timeframe)
- For criminal procedures (timeframe)
- NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations): The National Office for the Judiciary has a monitoring system for the violations related to Article 6 of the European Convention on Human Rights, especially for the length of proceeding cases.

Furthermore by Parliamentary Decision No. 23/2007. (III.20.), the Parliament of Hungary asked the Minister of Justice to inform the committee dealing with cases concerning the constitutionality and the committee dealing with human rights once a year about the implementation of the judgments of the European Court of Human Rights (hereinafter referred to as "the Court") by the national authorities and about the activities of the Agency of the Government before the Court. In accordance with the aforementioned decision, the Minister of Justice has submitted reports on all relevant aspects of the judgments of the Court, including statistics and case descriptions annually since 2007 which were adopted by the competent parliamentary committees after a session of debate at which the Members of Parliament could raise their questions.

086-1. Is there in your country a possibility to review/reopen a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?

- For civil cases
- For criminal cases
- For administrative cases
- NAP

Comments

D1. Please indicate the sources for answering the questions in this part

Sources: Art. 649 (4) (5) of the Act XC of 2017 on Criminal Procedure makes it possible to review a case after a decision on violation of human rights by the European Court of Human Rights in criminal cases.

Art. 393 (c) of Act CXXX of 2016 on Civil Procedure provides that a judgment of the European Court of Human Rights is a basis for reopening a case if the final judgment is based on the same violation and no just satisfaction was awarded or the injury cannot be remedied by compensation

4.2. Timeframe of proceedings

4.2.1 General information

087. Are there specific procedures for urgent matters regarding:

- civil cases
 criminal cases
 administrative cases
 There is no specific procedure for urgent matters

Comments - If yes, please specify:

088. Are there simplified procedures for:

- civil cases (small disputes)
 criminal cases (misdemeanour cases)
 administrative cases
 There is no simplified procedure

Comments - If yes, please specify:

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

- civil cases
 criminal cases
 administrative cases

Comments - If yes, please specify:

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions etc.)?

	Yes	No
Agreement on general arrangements	(X)	()
Agreement in specific cases	(X)	()

Comments

4.2.2 Case flow management – first instance

091. First instance courts: number of other than criminal law cases.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court

Total of other than criminal law cases (1+2+3+4)	114 582 [] NA [] NAP	654 184 [] NA [] NAP	655 585 [] NA [] NAP	113 181 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	51 003 [] NA [] NAP	119 747 [] NA [] NAP	124 822 [] NA [] NAP	45 928 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	44 926 [] NA [] NAP	493 653 [] NA [] NAP	496 189 [] NA [] NAP	42 390 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	14 222 [] NA [] NAP	170 652 [] NA [] NAP	171 326 [] NA [] NAP	13 548 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	30 429 [] NA [] NAP	321 171 [] NA [] NAP	323 007 [] NA [] NAP	28 593 [] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	28 566 [] NA [] NAP	315 705 [] NA [] NAP	317 637 [] NA [] NAP	26 634 [] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	1 863 [] NA [] NAP	5 466 [] NA [] NAP	5 370 [] NA [] NAP	1 959 [] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	275 [] NA [] NAP	1 830 [] NA [] NAP	1 856 [] NA [] NAP	249 [] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	6 277 [] NA [] NAP	19 551 [] NA [] NAP	19 226 [] NA [] NAP	6 602 [] NA [] NAP	[X] NA [] NAP
4. Other cases	12 376 [] NA [] NAP	21 233 [] NA [] NAP	15 348 [] NA [] NAP	18 261 [] NA [] NAP	[X] NA [] NAP

Comments

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

. “other non-litigious cases” include court mediation and non-litigious labour cases.

Civil and commercial non-litigious cases include all of those cases that are not concluded through the rules of the civil procedure, but through a more or less simplified procedure:

- exclusion of a judge,
- preliminary verification,
- issuance of a restraining order and review of that,
- declaring of presumed death,
- revision of the medical care of mentally disordered patients,
- deposit at the court
- hearing sy on the request of another court etc.

093. Please indicate the case categories included in the category "other cases":

. "other cases" include: insolvency cases, labour cases

094. First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	50 932 [] NA [] NAP	367 009 [] NA [] NAP	373 018 [] NA [] NAP	44 923 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	23 266 [] NA [] NAP	131 595 [] NA [] NAP	131 834 [] NA [] NAP	23 027 [] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	27 666 [] NA [] NAP	235 414 [] NA [] NAP	241 184 [] NA [] NAP	21 896 [] NA [] NAP	[X] NA [] NAP
3. Other criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If "Other criminal cases", please specify As misdemeanour cases have very strict deadlines, the number of resolved cases strongly correlates with the number of incoming cases. The decrease of incoming cases may be a result of the end of the pandemic as misdemeanours in connection with it "disappeared" as well.

4.2.3 Case flow management – second instance

097. Second instance courts (appeal): Number of "other than criminal law" cases.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court

Total of other than criminal law cases (1+2+3+4)	6 352 [] NA [] NAP	30 541 [] NA [] NAP	31 019 [] NA [] NAP	5 874 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	3 207 [] NA [] NAP	10 026 [] NA [] NAP	10 251 [] NA [] NAP	2 982 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	2 798 [] NA [] NAP	18 835 [] NA [] NAP	19 045 [] NA [] NAP	2 588 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	2 685 [] NA [] NAP	18 054 [] NA [] NAP	18 223 [] NA [] NAP	2 516 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	81 [] NA [] NAP	537 [] NA [] NAP	558 [] NA [] NAP	60 [] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	66 [] NA [] NAP	425 [] NA [] NAP	447 [] NA [] NAP	44 [] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	15 [] NA [] NAP	112 [] NA [] NAP	111 [] NA [] NAP	16 [] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	32 [] NA [] NAP	244 [] NA [] NAP	264 [] NA [] NAP	12 [] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	5 [] NA [] NAP	4 [] NA [] NAP	9 [] NA [] NAP	0 [] NA [] NAP	[X] NA [] NAP
4. Other cases	342 [] NA [] NAP	1 676 [] NA [] NAP	1 714 [] NA [] NAP	304 [] NA [] NAP	[X] NA [] NAP

Comments - If "Other cases" please specify

098. Second instance courts (appeal): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	4 553 [] NA [] NAP	37 288 [] NA [] NAP	36 917 [] NA [] NAP	4 924 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	4 532 [] NA [] NAP	36 459 [] NA [] NAP	36 096 [] NA [] NAP	4 895 [] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	21 [] NA [] NAP	829 [] NA [] NAP	821 [] NA [] NAP	29 [] NA [] NAP	[X] NA [] NAP
3. Other criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify:

4.2.4 Case flow management – Supreme Court



099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	1 703 [] NA [] NAP	4 881 [] NA [] NAP	5 483 [] NA [] NAP	1 101 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	877 [] NA [] NAP	1 846 [] NA [] NAP	2 070 [] NA [] NAP	653 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	96 [] NA [] NAP	491 [] NA [] NAP	538 [] NA [] NAP	49 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	87 [] NA [] NAP	452 [] NA [] NAP	504 [] NA [] NAP	35 [] NA [] NAP	[X] NA [] NAP

2.2. Registry cases (2.2.1+2.2.2+2.2.3)	9 [] NA [] NAP	26 [] NA [] NAP	22 [] NA [] NAP	13 [] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	6 [] NA [] NAP	20 [] NA [] NAP	18 [] NA [] NAP	8 [] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	3 [] NA [] NAP	6 [] NA [] NAP	4 [] NA [] NAP	5 [] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	0 [] NA [] NAP	13 [] NA [] NAP	12 [] NA [] NAP	1 [] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	654 [] NA [] NAP	2 280 [] NA [] NAP	2 624 [] NA [] NAP	310 [] NA [] NAP	[X] NA [] NAP
4. Other cases	76 [] NA [] NAP	264 [] NA [] NAP	251 [] NA [] NAP	89 [] NA [] NAP	[X] NA [] NAP

Comments - If “Other cases”, please specify The justification for the changes is related to the fact that in the year 2021, the Curia's remedial powers – due to a law amendment effective from April 1, 2020 – extended to the second instance adjudication of legal disputes in public administrative cases, thus the Curia became the general court of second instance with nationwide jurisdiction in administrative matters. In addition, the Curia continued to operate as a review court, if the conditions for review as specified in the Act on Administrative Procedures were fulfilled in the given case. By the autumn of 2021, the Curia faced the highest workload throughout the country.

To stop the above trend, which has become critical, the legislator adopted Act CXXXIV of 2021 in which the legislator provided for that the level of regional courts of appeal should be involved in the second instance adjudication of administrative case. As a result of the amendment, effective as of 1 March 2022, the levels of judicial forums hearing administrative cases have changed. High courts having an administrative chamber will be general courts of first instance in administrative matters. The Curia has original jurisdiction in exceptional cases set out by law. Regional courts of appeal having an administrative chamber will be general courts of second instance. Thus, the abovementioned Act has provided for that it falls within the responsibilities of regional courts of appeal to hear cases at the ordinary appeal stage, and it has also provided for exclusive geographical jurisdiction, which means that the Act has reinstated the second instance (appellate) jurisdiction of Budapest Capital Regional Court of Appeal in administrative matters.

The decrease in the number of the so-called general civil litigious and non-litigious cases can be traced back to several reasons. The most significant of these is that under the scope of the new Civil Procedure Code, which entered into force on January 1, 2018, the number of lawsuits is decreasing every year. Among other things, this is related to the fact that litigation diversion procedures, such as mediation, play a greater role than before in the settlement of private law disputes, and the value limit below which a property claim can be enforced with a payment order before a notary, i.e., in an out-of-court, non-litigation procedure, has tripled. As a result of all this, the timeliness indicators of the lower courts have improved continuously in recent years, which means that the number of protracted, more difficult decisions that can be challenged before the Curia as the highest court is decreasing.

The number of completions is basically determined by the volume of cases received, and although they show a decrease compared to the previous year, they significantly exceed the number of cases received, even though the number of judges handling such cases has decreased due to retirement.

We do not consider it justified to examine the reduction in the number of received and completed cases in so-called general civil (and commercial) non-litigious cases by itself. In relation to the case groups indicated for the so-called general civil (and commercial) non-litigious cases, the number of cases received and completed changes continuously every year, which make up a fraction of all cases received by the Curia. Comparing the 2022 data with the 2020 data, it can be seen that in the indicated case group, fewer such cases were received in 2020 than in the current year, so the number of civil non-litigious cases received in 2021 was different from the average.

Taking into account the general rules of statistics, the highlighting of some data may result in inadequate conclusions.

Our data collection methodology has not changed from the previous cycles. It is therefore recommended that we keep the data as it is, otherwise, the data provided will not be comparable with those of previous years.

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

(X) Yes, please indicate the number of cases closed by this procedure: 2299

() No

Comments In answering the question, we took as a basis the ex officio rejection of the review application, the rejection of the review application, the rejection of the request for permitting the review, and the orders declining the granting of the review application, given the specific legal remedy role of the Curia.

100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	414 [] NA [] NAP	1 549 [] NA [] NAP	1 521 [] NA [] NAP	442 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	414 [] NA [] NAP	1 549 [] NA [] NAP	1 521 [] NA [] NAP	442 [] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Other criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify

4.2.5 Case flow management and timeframes – specific cases



101. Number of specific litigious cases received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Litigious divorce cases	8 006 [] NA [] NAP	24 106 [] NA [] NAP	25 773 [] NA [] NAP	6 339 [] NA [] NAP	[X] NA [] NAP
Employment dismissal cases	797 [] NA [] NAP	1 170 [] NA [] NAP	1 424 [] NA [] NAP	543 [] NA [] NAP	[X] NA [] NAP
Insolvency	17 [] NA [] NAP	93 [] NA [] NAP	94 [] NA [] NAP	16 [] NA [] NAP	[X] NA [] NAP
Robbery case	393 [] NA [] NAP	488 [] NA [] NAP	526 [] NA [] NAP	355 [] NA [] NAP	[X] NA [] NAP

Intentional homicide	125 [] NA [] NAP	182 [] NA [] NAP	153 [] NA [] NAP	154 [] NA [] NAP	[X] NA [] NAP
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Comments



101-0. Number of cases relating to asylum seekers and to the right of entry and stay for aliens.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases for more than 2 years
Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	0 [] NA [] NAP	3 [] NA [] NAP	2 [] NA [] NAP	1 [] NA [] NAP	[X] NA [] NAP
Court cases relating to the right of entry and stay for aliens	10 [] NA [] NAP	19 [] NA [] NAP	20 [] NA [] NAP	9 [] NA [] NAP	[X] NA [] NAP

Comments Regarding the number asylum cases it has to be emphasized that the Act LVIII of 2020 (that came into force on the 18th of June 2020) narrowed the personal scope of the relevant Hungarian legislation. This resulted in the decreasing number of such cases.

101-1. Could you briefly describe the system in your country dealing with legal remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. Asylum seekers (refugee status under the 1951 Geneva Convention) – general judicial remedy against rejection resolution: the refugee authority (Bevándorlási és Menekültügyi Hivatal – BMH) shall grant refugee status to aliens to whom Article XIV (3) of the Fundamental Law applies. As EU member, Hungary shall grant subsidiary protection status to an alien who does not qualify as a refugee but in respect of whom substantial grounds exist for believing that the person concerned, if returning to his/her country of origin would face a real risk of suffering serious harm, and is unable, or, owing to such risk, unwilling to avail him/herself of the protection of that country.

The authority's rejection resolution can be appealed through legal remedy in form of judicial supervision (article XXVIII (7) of the Fundamental Law and Section 68 of Act LXXX of 2007 on Asylum (Met.)). The court shall provide a full and ex nunc examination of both the facts and the law and shall hear asylum seekers. The assessment of an application for recognition during the authority's examination shall be based on the individual position and personal circumstances of the applicant concerned. In court procedure the same requirement shall be secured. If the court finds any administrative decision unlawful, the latter shall be abolished - with the exception of any violation of a procedural rule that does not affect the merits of the case. If it is necessary, the court shall order the refugee authority to reopen the case. The petition for judicial review shall be decided by the court - within sixty days following receipt of the petition - in contentious proceedings. If the applicant is subjected to any restriction of personal liberty, the case is heard on a priority basis.

Asylum seekers – judicial remedies against other BMH decisions (not on the merits of the case): the preliminary examination procedure conducted by the BMH shall involve an inquiry on whether the conditions for the application of the Dublin Regulations are fulfilled, whether the application is inadmissible or whether the accelerated procedure should be used. The order on the transfer of an applicant may be subject to judicial review. Also, the decision on refusing the application on the grounds of inadmissibility may be subject to judicial review, if it was adopted in the accelerated procedure. The court may not overturn the decision of the refugee authority, but it may abolish any administrative decision it finds unlawful. In 2016 the Met. had special provisions for border procedures, airport procedures, for withdrawal of refugee status and subsidiary protection status, and for conditions for subsidiary protection and review of compliance with such conditions. Although the judicial remedies were the same as the above mentioned, the deadlines were shorter in some cases.

The right of entry and stay for aliens: the right of free movement and residence afforded in the Treaty establishing the European

Community, and to ascertain equal treatment for the family members of Hungarian citizens who do not have Hungarian citizenship, are regulated in Act I of 2007 on the Admission and Residence of Persons with the Right of Free Movement and Residence (Szmtv.). The right of entry and stay of third country nationals (from countries within and outside the borders of the European Union) is regulated in Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals. Both statute based on harmonized community law, relevant regulations are implied by these two acts and lower level legislation.

Nearly all types of authority decisions are reviewable by court: all resolutions, and most of the decisions. The main difference between judicial procedures against such resolutions and the asylum cases is that the court review shall not provide for a full and ex nunc examination of both facts and points of law. The court doesn't act ex officio (except for very limited cases, e.g. when the circumstances cause invalidity), just on motions and reviews the authority's resolution in the frame set up by the petition. It is general that the court may not overturn the decision of the authority, but only abolish unlawful administrative decisions (with the exception of any violation of a procedural rule that does not affect the merits of the case). If it is necessary, the court shall order the authority to reopen the case. Most of the decisions not on the merit of the case are also appealable (the deadlines are usually limited).

101-2. Number of cases relating to child sexual abuse and child pornography received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Child sexual abuse	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Child pornography	38 <input type="checkbox"/> NA <input type="checkbox"/> NAP	89 <input type="checkbox"/> NA <input type="checkbox"/> NAP	72 <input type="checkbox"/> NA <input type="checkbox"/> NAP	55 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system:

102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	_____ Allow decimals : 2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Litigious divorce cases	_____ Allow decimals : 2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal cases	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency cases	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery cases	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide cases	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.

. See general comments.

4.2.6 Case flow management – public prosecution

105. Role and powers of the public prosecutor in the criminal procedure (multiple replies possible):

- to conduct or supervise investigation
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- other significant powers (please specify):

Comments According to the Hungarian organisational arrangement, all prosecutors act on behalf of the Prosecution Service, while exercising prosecutorial powers. The Criminal Procedure Code (Be.) therefore uses the term "Prosecution Service" instead of "prosecutor", with the exception of rules, which apply only to the acting prosecutor or to the acting prosecutor as well, such as e. g. rules on disqualification. The Be. summarises the functions of the Prosecution Service in a similar way to the provisions applicable to the courts. The core function of the Prosecution Service is that it is the public accuser. According to Article 29 of the Fundamental Law, the Prosecutor General and the Prosecution Service are independent, and contribute to the administration of justice by exclusively enforcing the State's demand for punishment as public accuser. In addition to the function of the public accuser, the Be. also specifically mentions the additional tasks necessary for the proper exercise of the function of the public accuser and refers to the essential content of the tasks related to the preparatory procedure and the investigation. The Prosecution Service investigates, supervises the legality of the investigation and controls the investigation, and may submit motions and observations on all matters on which the court decides. Within the scope of its supervisory powers, the Prosecution Service may refer the investigation or the supplementation of the complaint to the independent procedure of the investigating authority, supervise the legality of the investigating authority's procedure, change or quash the investigating authority's decision that violates the law, establish that the investigating authority has carried out the procedural act in violation of the law or taken a measure that violates the law, call upon the investigating authority to remedy the established violation of the law, authorise the performance of a procedural act or the taking of a decision in cases specified in the Be., rule on a complaint against a decision of the investigating authority or a suspicion, rule on an objection against the investigating authority for delaying the proceedings, be present at procedural acts, request the production of the investigation file.

The Prosecution Service may, in its powers of control, take the measures specified above, order the investigating authority to carry out a procedural act, prohibit the carrying out of a procedural act, change or quash a decision of the investigating authority, order the investigating authority to take a decision, order the investigating authority to prepare decisions of the Prosecution Service, make the carrying out of a procedural act or the taking of a decision subject to prior approval, and require the investigating authority to report. During the investigation, certain procedural steps may be taken by the Prosecution Service itself. The Prosecution Service may take over the investigation of any cases.

Only the Prosecution Service has the right to investigate certain offences or offences committed by certain persons or to the detriment of certain persons defined by law. Examples of such offences include active and passive corruption of public officials and passive corruption in court and regulatory proceedings. The Prosecution Service is the sole investigating authority if the offence was committed by a judge, a prosecutor, a junior judge or prosecutor, a trainee judge or prosecutor, a court or prosecution administrator. The rules for the exclusive prosecutorial investigation are also laid down in the Criminal Procedure Code.

106. Does the public prosecutor also have a role in:

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify: Pursuant to Article 29 (1) of the Fundamental Law of Hungary, the Prosecutor General and the Prosecutor's Office are independent, and as public prosecutors, they are the exclusive enforcers of the criminal claims of the state. The Prosecutor's Office prosecutes criminal offences, takes action against other illegal acts and omissions, and promotes the prevention of illegal acts. Pursuant to paragraph 2(d), the Prosecutor General and the Public Prosecutor's Office, as protectors of the public interest, shall exercise additional functions and powers as provided by the Constitution or by law. Pursuant to Article 1(2) of Act CLXIII of 2011 on the Public Prosecutor's Office (hereinafter: the Public Prosecutor's Office Act), the Public Prosecutor's Office shall, in the interest of protecting the public interest, contribute to ensuring that everyone obeys the law. In the event of violations of the law, it acts to uphold the rule of law in cases and in other ways specified by law. In order to fulfil these tasks, it helps to ensure that the law is correctly applied in judicial proceedings (participation of the public prosecutor in civil, labour, administrative and economic litigation and non-litigation proceedings before the courts) and helps to ensure that the bodies exercising official authority and, with the exception of courts and arbitration tribunals, the bodies adjudicating on disputes comply with the provisions of the law [Section 2(1)(h) and (i) of the Public Prosecutor's Act]. Pursuant to Article 26(1) of the Public Prosecutor's Office Act, the public interest functions and powers of the Public Prosecutor's Office, other than those exercised as an intermediary in the administration of justice, which are not regulated in the Public Prosecutor's Office Act, are provided for in separate acts. The prosecutor exercises these powers primarily by initiating court and non-judicial proceedings (right of action), as well as by initiating official proceedings and submitting appeals in order to remedy violations of the law.

Prosecutors have no role in insolvency/bankruptcy cases, nor have they had a role in the past.



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107. Public prosecutors: Total number of 1st instance criminal cases.

	Number of cases
1.Pending cases on 1 Jan. ref. year	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.Incoming/received cases	79 346 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.Processed cases (3.1+3.2+3.3+3.4)	144 125 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	23 682 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.1 Discontinued by the public prosecutor because the offender could not be identified	80 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	9 144 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	12 332 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.4 Discontinued for other reasons	2 126 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	3 726 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.3.Cases brought to court	116 717 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4.Pending cases on 31 Dec. ref. year	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The data source - in accordance with the previous data provision - is The Statistical Subsystem of Completed Criminal Proceedings of the Unified Investigation Authority and Prosecution Service Criminal Statistics System (hereinafter ENyÜBS-BBS). In the ENyÜBS-BBS subsystem, the data is recorded when the investigating authorities or the Prosecution Service have made a procedural decision giving reasons for the provision of statistical data in connection with the crime (e.g.: dismissal of the criminal complaint, termination, suspension, accusation/indictment), relating to which statistical data was provided. Considering the time of data recording, the ENyÜBS-BBS subsystem is, therefore, of a so-called follow-up nature, so it does not show how many crimes occurred in the year under review, but it shows how many legal decisions were made in connection with such acts and in how many cases statistical data was provided in this context (in a registrative manner). As a result, the above also means that it may occur there is an ongoing criminal proceeding that is not included in the ENyÜBS database yet. For the questions "Pending cases on 1 Jan. ref. year" and "Pending cases on 31 December ref.year" in the table, please note that no data is collected on the number of pending cases – on a given day – into the records of the Prosecution Service. Set of data: ENyÜBS-BBS: number of criminal procedure decisions

Unit of recording: criminal procedure decision

Selection date: May 30, 2023.

107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?

	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
Total number of guilty plea procedures	11 825 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Before the main trial	10 761 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
During the main trial	1 064 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments The guilty plea procedure as such does not exist in the Hungarian legal system; however, the new Code of Criminal Proceedings has introduced the so-called plea agreement, which is, in essence, a similar instrument.

109. Do the figures provided in Q107 include traffic offence cases?

Yes

No

Comments

D2. Please indicate the sources for answering the questions in this part

Sources: The Statistical Subsystem of Completed Criminal Proceedings of the Unified Investigation Authority and Prosecution Service Criminal Statistics System (ENyÜBS_BBS)

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1 Recruitment and promotion of judges

110. How are judges recruited?

through a competitive exam (open competition)

through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

other (please specify): see general comment

Comments

110-1. Please briefly describe the recruitment procedure(s) for judges in your country:

- . To be appointed as a judge in Hungary an applicant has to:
- be Hungarian citizen,
- have a clean criminal record,
- have legal capacity,
- have a university degree in law,

- have passed the professional legal exam,
- give property declaration,
- have at least one year working experience in a position for which a professional legal exam is needed,
- pass a physical and psychical examination,
- be at least 30 years of age.

The appointment procedure of judges in Hungary is a complex process, in which different bodies have different roles and powers. The procedure consist of the following steps:

I. The President of the Court informs the President of the National Office for the Judiciary (NOJ) when a judge's position becomes vacant.

II. The President of the NOJ announces a public call for applications to the vacant position (published on the official website and in the official journal of the courts).

III. The Judicial Council of the court (a self-governing body consisting solely of judges elected by their peers at each Regional Court, Regional Court of Appeal and at the Kúria) forms an opinion about the applicants and ranks them by giving points to evaluate their skills and attributes.

IV. The President of the Court makes a suggestion to the President of the NOJ, who should be appointed as a judge at the court.

a. When the President of the Court makes a suggestion to the President of the NOJ he/she can only suggest the applicant who is the 1st, 2nd or the 3rd in the ranking of the Judicial Council. If he/she suggests the 2nd or the 3rd, he/she must provide a written explanation.

V. The President of the NOJ submits a proposal to the President of the Republic who should be appointed as a judge.

a. The President of the NOJ can only propose the applicant who is the 1st, 2nd or the 3rd in the ranking of the Judicial Council. If he/she suggests the 2nd or the 3rd, he/she must provide an explanation to the National Judicial Council (NJC) and ask for their consent. The 2nd or the 3rd in ranking can only be suggested to be appointed if the NJC gives its consent.

VI. The President of the Republic decides upon the appointment of a judge.

(Note: If the successful applicant is already a judge, than there is no need for a second appointment. In this case the applicant is "transferred" to the position he/she applied for. See below.)

110-2. What are the recruitment requirements for judges (multiple replies possible)?

Age

Nationality

Physical/Psychological capacity

General studies in law

Advanced studies in law (Master, PhD)

Number of years of relevant experience

- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for judges
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify: other: property declaration

110-3. In the frame of these recruitments, please indicate the number of applicants for the position of judge and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	1 221 <input type="checkbox"/> NA	439 <input type="checkbox"/> NA	782 <input type="checkbox"/> NA
Number of recruited persons	135 <input type="checkbox"/> NA	39 <input type="checkbox"/> NA	96 <input type="checkbox"/> NA

Comments

110-4. If the number of applicants decreased in the last years did you take any remedial measures?

- Yes
- No

Comments The number of applicants didn't decrease.

110-5. If yes, please specify what remedies you implemented:

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new judges
- Other

Comments: If "other", please, specify:

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111. Authority(ies) responsible for recruitment - are judges initially/at the beginning of their career recruited and nominated by:

- An authority made up of judges only
- An authority made up of non-judges only
- An authority/authorities made up of judges and non-judges

Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

111-1. How many members compose this authority?

	Total	Males	Females
Members	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members:

111-2. May non-selected candidates appeal against the decision on recruitment/appointment?

Yes

No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal:

112. Is the same authority (Q111) competent for the promotion of judges?

Yes

No

Comments - No, please specify which authority is competent for promoting judges

113. What is the procedure for the promotion of judges? (multiple replies possible)

Competitive test / Exam

Previous individual evaluations

Other procedure(s) (interview or other)

No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured:

113-0. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of promoted persons	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

113-1. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)

Years of experience

Professional skills (and/or qualitative performance)

- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):

5.1.2 Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- Has an independent status as a separate entity among state institutions
- Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the executive power (without functional independence)
- Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the judicial power (without functional independence)
- Is a mixed model (please explain)
- Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.). Furthermore, if “mixed model” or “other”, please specify. The Prosecutor General and the Prosecution Service are independent, and as a contributor to the administration of justice they have the exclusive competence to enforce the state's claim to punish crimes. The Prosecutor General leads and directs the organisation of the Prosecution Service. The Prosecutor General reports annually to Parliament. The Prosecutor General shall be elected from among the prosecutors for nine years by Parliament on a proposal of the President of the Republic. The election of the Prosecutor General shall require a two-thirds majority of the MPs. The detailed rules of the organisation and operation of the Prosecution Service, the legal status of the Prosecutor General and prosecutors, and their remuneration are laid down by a cardinal law (Article 29 of the Fundamental Law of Hungary). The Prosecution Service is an independent, autonomous constitutional organ subject only to the law. [Art 3 (1) of the Act CLXIII of 2011 on the Prosecution Service] The Prosecutor General and the Prosecution Service are not subordinate to Parliament. Thus, the Prosecutor General may not be instructed either directly or indirectly to take or to modify any individual decision with a specific content. [Paragraph 3 Decision No. 3/2004 (II.7) of the Constitutional Court].

The Prosecution Service forms a separate chapter of the budget in the Act on the Central Budget. The Prosecutor General prepares a proposal for, and a report on the implementation of the budget of the Prosecution Service, which the Government shall submit to Parliament without any changes as part of the proposed legislation on the central budget and its implementation. (Art. 6 of the Act CLXIII of 2011 on the Prosecution Service of Hungary (Prosecution Service Act))

115-1. Are specific instructions addressed to a public prosecutor to prosecute or not prohibited by law or other regulation?

- Yes
- No

Comments - If yes, please specify: The Fundamental Law Act CLXIII of 2011 on the Prosecution Service (Prosecution Service Act) and the Act CLXIV of 2011 on the Status of the Prosecutor General, Prosecutors and other Prosecution Employees and the Prosecution Career (Prosecution Employment Status Act) laid down the new rules regarding the organization and employment relations of the Prosecution Service. Pursuant to these Acts, the Prosecutor General and the Prosecution Service perform their duties and responsibilities in accordance with the Fundamental Law, relevant Acts and laws. Prosecutors shall accept instructions only from a superior prosecutor and the Prosecutor General.

115-2. If they are prohibited by law or other regulation, are there exceptions?

Yes

No

NAP

Comments - Please describe these exceptions: The Fundamental Law Act CLXIII of 2011 on the Prosecution Service (Prosecution Service Act) and the Act CLXIV of 2011 on the Status of the Prosecutor General, Prosecutors and other Prosecution Employees and the Prosecution Career (Prosecution Employment Status Act) laid down the new rules regarding the organization and employment relations of the Prosecution Service. Pursuant to these Acts, the Prosecutor General and the Prosecution Service perform their duties and responsibilities in accordance with the Fundamental Law, relevant Acts and laws. Prosecutors shall accept instructions only from a superior prosecutor and the Prosecutor General.

115-3. Which authority can issue such specific instructions?

General Prosecutor

Higher prosecutor/Head of prosecution office

Executive power

Other

NAP

Comments - If "Other", please specify:

115-4. What form these instructions may take?

Oral instruction

Oral instruction with written confirmation

Written instruction

Other

NAP

Comments - If "Other", please specify:

115-5. In that case, are the instructions:

Issued seeking prior advice from the competent public prosecutor

Mandatory

Reasoned

Recorded in the case file

Other

NAP

Comments - If "Other", please specify:

115-6. What is the frequency of this type of instructions:

Exceptional

Occasional

Frequent

Systematic

NAP

Comments

115-7. Can the public prosecutor oppose/report an instruction to an independent body?

Yes

No

NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions. Prosecutors are subordinated to the Prosecutor General and they may be given order exclusively by him/her and by the superior prosecutor.

=

116. How are public prosecutors recruited?

through a competitive exam (open competition)

through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

other (please specify):

Comments In accordance with Art 13(1) of the Act CLXIV of 2011 (on the Status and Career Path of the Prosecutor General, Prosecutors and other Prosecution Employees (hereinafter: Prosecution Employment Status Act) the Prosecutor General appoints for the first time prosecutors to prosecution offices via vacant position advertisements. According to Art 18(4) of the Prosecution Employment Status Act, the Prosecutor General fills the senior and managerial prosecution offices falling within his competence of appointment as well as the prosecutor positions at the Office of the Prosecutor General and the Appellate Chief Prosecution Office by way of advertising.

116-1. Please briefly describe the recruitment procedure(s) for prosecutors in your country:

. On the basis of the Prosecution Employment Status Act the application is announced by the Prosecutor General. The public call for application must contain all the conditions necessary for winning the application and the deadline for evaluating the application. A condition not stated in the law may be prescribed in the event of and in conjunction with special expertise required for the given position; applicants shall be specifically informed thereof in the call for application.

The call for applications, as well as the results of the successful applications will be published in the Prosecution Service Gazette and on the Prosecution Service's website. The time specified for the submission of the application cannot be shorter than ten days from the publication on the Internet. Applicants must be informed in writing of the outcome of the application no later than three months after the closing date of the applications. The prosecutors' council gives its opinion on the appointment (promotion) of the prosecutor. Before evaluating the application, the Prosecutor General must come to know the opinion of the prosecutors' council and the head of the organizational unit affected by the appointment of the applicant.

On the basis of the Prosecution Employment Status Act only candidates who have participated in the application and met the eligibility criteria can be appointed to the post advertised under the competition. If there are no suitable candidates, a new call for applications will be published. Prior to appointment to prosecution offices falling within the competence of the Prosecutor General, the candidate shall take part in a prosecution career eligibility screening test (health, physical and psychological examination), and he/she is also required to make a declaration of assets before appointment.

Prosecutors must take the oath within eight working days of their appointment.

116-2. What are the recruitment requirements for prosecutors (multiple replies possible)?

Age

Nationality

Physical/Psychological capacity

- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for prosecutors
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If “other”, please specify: Any Hungarian citizen who is not placed under guardianship limiting the ability to act or is not subject to advocated decision-making with prejudice to legal capacity (assisted decision making) according to the Civil Code, who holds a university degree in law and has passed the relevant legal examination, may be appointed as a prosecutor.

In addition to the conditions of eligibility of nomination, only that person may be appointed as a prosecutor who, actually worked as a junior prosecutor, a court secretary, a notary public, a defence attorney, a legal counsel, a researcher at the National Institute of Criminology (the research centre of the Prosecution Service) or an investigator at the investigating authority, furthermore at an international organ or one of the EU organs in a position which requires the passing of the bar exam or the special exam in public administration and is specified under the Prosecution Employment Status Act for a minimum period of one year. The following persons may not be appointed as prosecutors: persons with a criminal record, persons under the effect of prohibition from engagement in an occupation requiring a law degree, persons who do not have a criminal record but whose liability under criminal law due to the commission of a crime has been established by a court in a final and absolute judgment, until erased from the criminal records, up to a maximum of 12 years, but not less than 3 years, from the date of discharge, depending on the type and level of the penalty; who has been subjected to forced medical treatment by a court, for a period of three years from the date on which the order terminating the forced treatment became final; who has been subjected to probation by a court, for a period of three years from the expiry of the probation period or, if extended, from the date on which the extended probation period expires; who is subject to criminal proceedings; who, as a prosecutor, judge, lawyer, etc., or as an employee of another public organ, has been subject to the most severe disciplinary sanction and is subject to such sanction; and who has failed to make a declaration of assets.

Similarly a person who is in receipt of an old-age pension or other pre-retirement benefit which is to be paid as an old-age pension from the age of retirement or who has reached the general retirement age of 65 years under the Fundamental Law may not be appointed as a prosecutor.

An admission requirement is the submission of a declaration of assets, as well as a successful career aptitude test.

The prosecutor must eliminate the cause of conflict of interest of a political nature no later than upon the appointment, and the cause of conflict of interest of an economic nature (see answer to question 137) within fifteen days from the date of appointment. It is not possible to establish a public prosecutor's service relationship in which a relative of prosecutor's employee would be in a management (supervision), control or accounting relationship. This prohibition may be waived by the Prosecutor General in particularly justified cases. The interests of the prosecution service is a determining factor in the decision.

116-3. In the frame of these recruitments, please indicate the number of applicants for the position of prosecutor and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of recruited persons	53 <input type="checkbox"/> NA	13 <input type="checkbox"/> NA	40 <input type="checkbox"/> NA

Comments The above figures include prosecutor appointments for 2022. Applicants from outside of the Prosecution Service and deputy prosecutors have also been appointed on the basis of applications for prosecutor positions. The number of applicants is not recorded by the Prosecution Service.

116-4. If the number of applicants decreased in the last years did you take any remedial measures?

Yes

No

Comments In the absence of legal requirements we do not keep a record of the number of applicants for prosecutor positions, but we take all necessary measures to ensure the future generation of prosecutors.

116-5. If yes, please specify what remedies you implemented:

Increase of salary

Other financial incentives

Improving working conditions

Workload reduction at the beginning of career

Other adjustments in the frame of the induction of new prosecutors

Other

Comments: If “other”, please, specify:

117. Authority(ies) responsible for recruitment - Are public prosecutors initially/at the beginning of their career recruited by:

An authority composed of public prosecutors only

An authority composed of non-public prosecutors only

An authority composed of public prosecutors and non-public prosecutors

Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: Prosecutors are appointed by the Prosecutor General.

117-1. How many members compose this authority?

	Total	Male	Female
Members	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: In the light of the answer given to question 117, this question is not applicable.

117-2. May non-selected candidates appeal against the decision on recruitment/appointment?

Yes

No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal: According to the Prosecution Employment Status Act, no legal dispute may be initiated due to a decision falling within the discretion of the person exercising the employer’s rights or failure to adopt such a decision unless the person exercising the employer’s rights violated

the rules governing the adoption of his/her decisions. Labour disputes are governed by the Civil Procedure Code. The previous answer may be supplemented as follows: Act CLXIV of 2011 on the Status and Career Path of the Prosecutor General, Prosecutors and other Prosecution Employees (hereinafter: Prosecution Employment Status Act) does not provide for the possibility of an appeal or review in connection with the decision on the appointment of a prosecutor. According to the Prosecution Employment Status Act, no legal dispute can be initiated to challenge a decision falling within the discretion of the person exercising the employer's rights or failure to adopt such a decision unless the person exercising the employer's rights violated the rules governing the adoption of his/her decisions. Labour disputes are governed by the Civil Procedure Code.

118. Is the same authority (Q.117) competent for the promotion of public prosecutors?

- Yes
- No, please specify which authority is competent for promoting public prosecutors

Comments Yes, as indicated in the answer to question 117, the promotion of prosecutors is also decided by the Prosecutor General.

119. What is the procedure for the promotion of prosecutors? (multiple replies possible)

- Competitive test / exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured: According to Art. 18(4) of the Prosecution Employment Status Act the Prosecutor General shall fill the senior and managerial prosecution offices falling within his competence of appointment as well as the prosecutor positions at the Office of the Prosecutor General and the Appellate Chief Prosecution Office by way of application. As to the rules of the application, the answer given to question 116-1. serves as a guideline, so applications are open to the public, they are published in the Prosecution Service Gazette and on the website of the Prosecution Service, the Prosecutor General must obtain the opinion of the prosecutors' council and the head of the department concerned before the evaluation of the application, etc. The positions of prosecutors at the chief prosecution offices are not required to be filled via application, but the prosecutors' council also gives an opinion in this case on the appointment of a prosecutor to a higher position.

119-1. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of promoted persons	79 <input type="checkbox"/> NA	45 <input type="checkbox"/> NA	34 <input type="checkbox"/> NA

Comments Promotions include senior and higher prosecutor appointments, as well as promotions from lower-level subordinated prosecutors' positions to higher-level subordinated prosecutors' positions. No records are kept of the number of applicants.

119-2. Please indicate the criteria used for the promotion of a prosecutor:

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other

No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"): There are no statutory criteria for promotions. On the basis of the Prosecution Employment Status Act the public call for applications must contain all the conditions necessary to win the application. A condition not stated in the law may be prescribed in the event of and in conjunction with special expertise required for the given position; applicants shall be specifically informed thereof in the call for application.

Based on this authorization by the law, the practice of the Prosecution Service is that, in case of district prosecution or chief prosecution positions, when applying for positions of senior prosecutors, we usually indicate it as a condition/requirement to have a working experience of at least three years as a prosecutor or judge (experience in criminal or non-criminal field depending on the position), whereas for positions of higher senior prosecutors, or positions at appellate chief prosecution offices or at the Office of the Prosecutor General to have a professional experience of at least five years. In addition, special qualifications and professional experience (e.g. knowledge of a foreign language, experience in the field of investigation) arising in the given job are occasionally defined as an advantage.

5.1.3Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

121-1. Can a judge be transferred to another court without his/her consent:

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):see comment

No

Comments It is possible if the court where the judge has been appointed to is dismissed or the venue of the court is substantially reduced and it is not possible to employ the judge at that court anymore.

If a court is closed or the venue of the court is substantially reduced, the President of the NOJ transfers the judge to another court without an application process. First the President of the NOJ offers the judge the currently empty positions at another court of the same level (or maximum one level lower or one level higher) of which the application procedure has not been closed yet. The judge can choose from these empty positions. If there is no such position to be offered or the judge does not choose from them, the President of the NOJ transfers the judge to another court of the same level (or maximum one level lower) – with a special notice on the behalf of the judge. If the judge is transferred to a lower level court he/she gets the same salary as before and he/she is allowed to use his/her former title. Before the decision the opinion of the competent judicial council has to be heard. The judge can have judicial review of the decision at a the Labour Division of the competent Regional Court.

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):3

No

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: The Prosecutor General shall appoint prosecutors for three years for the first time (first prosecution appointment) and thereafter, except in certain cases, for an indefinite term. If the prosecutor requests his/her appointment for an indefinite term and the duration of his/her actual operation in the capacity of prosecutor exceeded 18 months by the date mentioned above, the person exercising the employer's rights shall evaluate the prosecutor. As part of this, the person exercising the employer's rights shall evaluate the prosecutor's work extending to the entire term of his/her operation as prosecutor, with special regard to the observance of the rules under substantive and procedural law and the relevant administrative rules.

Based on the result of the evaluation, the Prosecutor General shall appoint the prosecutor for an indefinite term effective as of the day following the expiry of the term of the first prosecution appointment, without a separate application, if he duly established the prosecutor's eligibility. If the evaluation cannot be prepared because the prosecutor's actual operation in the capacity of prosecutor did not reach 18 months or, based on the result of the evaluation, the Prosecutor General rendered the prosecutor's eligibility conditional upon a subsequent test, the appointment shall be valid for another three years.

A prosecutor's first appointment shall be for an indefinite term if a) he/she worked as a prosecutor or military prosecutor for minimum three years prior to his appointment, or b) worked as a constitutional judge, judge or military judge, passed judgments at an international organisation or at the Court of Justice of the European Union or worked as advocate general of the Court of Justice of the European Union directly before the appointment and has minimum three years' professional experience in total in the positions or in connection with the activities mentioned in the present Point and in Point a), c) has acquired outstanding theoretical legal expertise in the area of academic studies or education, or d) a former Member of Parliament declares upon the cessation of his mandate as Member of Parliament that he requests his repeated appointment as prosecutor and satisfies the conditions of appointment, or e) a former Member of the European Parliament declares upon the cessation of his mandate as Member of the European Parliament that he requests his repeated appointment as a prosecutor and satisfies the conditions of appointment. The upper age limit for practicing the profession of prosecutor is 65 years of age. The appointment of a prosecutor can be terminated even before reaching the upper age limit for a number of reasons, for example by being elected or appointed to a political office ((Member of Parliament, Member of the European Parliament, local government, etc.); establishing a conflict of interest; loss of office by a final disciplinary decision imposing a disciplinary penalty; by a final decision of the court imposing imprisonment, short-term imprisonment, community service work, and if forced medical treatment was ordered by a final decision during a criminal proceeding; if one of the specified appointment conditions no longer exists; by violating the obligation to take an oath or by failure to make a declaration of assets.

The appointment of the prosecutor is terminated by a mutual agreement of the parties; upon his/her exemption; upon his/her resignation; upon his/her extraordinary resignation.

The employment relationship of a prosecutor in the prosecution service may be terminated by the Prosecutor General by exemption if the activity of the prosecution service in which the prosecutor was employed has ceased, or the prosecutor's position has become redundant due to reorganisation or staff-reduction, or the prosecutor is permanently unfit to perform his/her duties, and in these three cases there is no other position available that matches his/her qualifications or competence, or he/she does not agree to be transferred to such a position. The employment relationship of a prosecutor may also be terminated by exemption if the former prosecutor does not accept the position offered to him or her when the senior appointment is revoked, or if a prosecutor who is entitled to a retirement pension requests his or her exemption.

If the Prosecutor General, considering the result of the evaluation of the prosecutor appointed for a fixed term of 3 years has found the prosecutor to be unfit or the prosecutor has not requested his/her appointment for an indefinite term, the prosecution employment relationship of the prosecutor terminates on the date of expiry of the fixed term.

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments Under the Prosecution Employment Status Act, probation periods may be imposed only on junior prosecutors, trainee prosecutors, officials, clerks and blue-collar staff of the Prosecution Service.

The Prosecutor General appoints prosecutors for an initial period of three years (first appointment as prosecutor) and thereafter, with certain exceptions, for an indefinite period. However, the first appointment as prosecutor for a fixed term is not the same as the probationary period provided for in Article 45 (5) of Act I of 2012 on the Labour Code or the probationary period for the above categories

of employees under the Prosecution Employment Status Act.

125. If the mandate of judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?

[]

[] NA

[X] NAP

Comments

125-1. Is it renewable?

() Yes

() No

[X] NAP

Comments

126. If the mandate of public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?

[3]

[] NA

[] NAP

Comments As stated in response to question 123, the Prosecutor General appoints the prosecutor for the first time for a term of three years as a general rule.

The Prosecutor General appoints prosecutors for three years for the first time (first prosecution appointment) and thereafter, with the exception of certain cases, for an indefinite term.

If the prosecutor appointed for a definite term requests his/her appointment for an indefinite term and the duration of his/her actual operation in the capacity of a prosecutor exceeded 18 months by the date mentioned above, the person exercising the employer's rights evaluates the prosecutor, with special regard to the observance of the rules under substantive and procedural law and the relevant administrative rules.

Based on the result of the evaluation, the Prosecutor General appoints the prosecutor for an indefinite term effective as of the day following the expiry of the term of the first prosecution appointment, without a separate application, if he duly established the prosecutor's eligibility.

If the evaluation cannot be prepared because the prosecutor's actual operation in the capacity of a prosecutor did not reach 18 months or, based on the result of the evaluation, the Prosecutor General rendered the prosecutor's eligibility subject to a follow-up examination; the appointment is valid for another three years. In other words, in these cases, the possibility of renewal of the fixed term does exist.

126-1. Is it renewable?

(X) Yes

() No

[] NAP

Comments Yes. See answer to question 123, the initial appointment of a prosecutor for a fixed term of three years may be extended for a further three years, on several occasions.

The Prosecutor General appoints prosecutors for three years for the first time (first prosecution appointment) and thereafter, with the exception of certain cases, for an indefinite term.

If the prosecutor appointed for a definite term requests his/her appointment for an indefinite term and the duration of his/her actual operation in the capacity of a prosecutor exceeded 18 months by the date mentioned above, the person exercising the employer's rights evaluates the prosecutor, with special regard to the observance of the rules under substantive and procedural law and the relevant

administrative rules.

Based on the result of the evaluation, the Prosecutor General appoints the prosecutor for an indefinite term effective as of the day following the expiry of the term of the first prosecution appointment, without a separate application, if he duly established the prosecutor's eligibility.

If the evaluation cannot be prepared because the prosecutor's actual operation in the capacity of a prosecutor did not reach 18 months or, based on the result of the evaluation, the Prosecutor General rendered the prosecutor's eligibility subject to a follow-up examination; the appointment is valid for another three years. In other words, in these cases, the possibility of renewal of the fixed term does exist.

E1. Please indicate the sources for answering the questions in this part

Sources: Art. 29 of the Fundamental Law of Hungary
 Act CLXIII of 2011 on the Prosecution Service (Prosecution Service Act),
 Decision No. 3/2004 (II. 7.) of the Constitutional Court Act CLXIV of 2011 on the Status and Career Path of the Prosecutor General,
 Prosecutors and other Prosecution Employees (Prosecution Employment Status Act)

5.2. Training

5.2.1 Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in a court)	(X) Yes () No	(X) Yes () No	() Yes (X) No
General in-service training	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in courts	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training on ethics	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training on child-friendly justice	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training on gender equality	(X) Yes () No	(X) Yes () No	() Yes (X) No
Other in- service training	(X) Yes () No	(X) Yes () No	() Yes (X) No

Comments

128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on gender equality	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
Other in- service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges:

128-1. Do you have a minimum number of compulsory trainings per judge:

	Per judge
Initial compulsory training – minimum number of trainings	<hr/> Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Initial compulsory training – minimum number of days	<hr/> Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	_____ Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Although the relevant legislation recognises compulsory trainings, it does not specify the exact extent of these.

5.2.2 Training of prosecutors

129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training for management functions (e.g. Head of prosecution office, manager)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for the use of computer facilities in office	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training on ethics	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training on child-friendly justice	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training on gender equality	(X) Yes () No	() Yes (X) No	() Yes (X) No
Other in- service training	(X) Yes () No	() Yes (X) No	() Yes (X) No

Comments We do not organise a separate course on ethics, but a lecture on ethics is part of the compulsory basic training for trainee prosecutors and junior prosecutors.

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on gender equality	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
Other in- service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: The training and further training programs of the Prosecution Service are implemented in accordance with the annual training and further training plan, which is adopted by the Prosecutor General at the National Leadership Meeting. The plan is prepared by the Department for Human Resources and Continuous Training on the basis of proposals from the heads of the professional departments and independent divisions of the Office of the Prosecutor General. The Hungarian Training Centre for Prosecutors (hereinafter MÜK) has been providing an institutional framework for the training of trainee prosecutors and junior prosecutors since 2006. The training system of MÜK is based on a centralised training course for trainee prosecutors based on lectures and professional consultations, which lasts for a total of 6 weeks. The theoretical preparation of trainee prosecutors for the bar examinations is based on a standardised syllabus and training programme, in accordance with the list of topics issued by the Minister of Justice. The lectures cover in detail those topics that concern the prosecutor's competence or, in our experience, cause problems or difficulties of interpretation in the bar examination. In the framework of the MÜK, until the end of their traineeship, the trainee prosecutors give account of their knowledge in the course of the examinations held at the chief prosecution offices where they are given grades, so no special trainings are necessary until the end of their bar examinations.

130-1. Do you have a minimum number of compulsory trainings per prosecutor:

	Per prosecutor
Initial compulsory training – minimum number of trainings	<hr/> Min numeric value allowed : 0 7 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 31 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	_____ Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The training of prosecutors is based on a credit system. The training of prosecutors is carried out in 5-year training periods, during which at least 50 credits must be earned, while junior prosecutors and prosecutors having passed their bar examination must prove that they have earned 10 credits of training per year. The obligation of further training may be fulfilled by internal (organised by the Department for Continuous Training of the Office of the Prosecutor General, the Hungarian Training Centre for Prosecutors or a chief prosecution office) or external training, or by other professional and scientific activities (e.g. by participating in the annual professional-scientific conference of the Prosecution Service or the Sándor Kozma scientific competition). Credits are assigned to each form of training in the relevant Prosecutor General's instructions.

Before their bar examinations, trainee prosecutors take part in a non-credit-based legal training course under the guidance of an instructor and attend a 6-week-long training course at the Hungarian Training Centre for Prosecutors.

Officers and clerks at the Prosecution Service must provide evidence of having attended at least 6 hours of external or internal training every 5 years, and senior officers at least 6 hours per year.

5.2.3 Training institutions

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
Institution(s) for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Institution(s) for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Institution(s) for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

131-0. If yes, what is the implemented budget of such institution(s)?

	Implemented budget of the institution for the reference year, in €
Institution(s) for judges	1 169 721 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Institution(s) for prosecutors	173 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Institution(s) for both judges and prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The explanation for the discrepancy is that for the 2021 questionnaire, the Prosecution Service calculated different items in the training budget, as it added the full-year material and personnel expenditure of the Balatonlelle Training Centre in addition to the 2020 training plan budget (HUF 52,369,304 EUR 145,108). The figure for 2020, comparable to the figures for other years is EUR 145,108. The difference is therefore not due to the 60% decrease in expenditure, but to the reporting based on a different methodology in 2021.

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how judges and/or prosecutors are trained?

. The Hungarian Training Centre for Prosecutors, as part of the Department for Human Resources and Continuous Training of the Office of the Prosecutor General, organises the mandatory basic trainings for trainee prosecutors and junior prosecutors, while the Division of Continuous Training organises the mandatory internal training and centrally organised further training for prosecutors and for the non-prosecutor staff of the Prosecution Service.

5.2.4 Number of trainings

131-2. Number of in-service trainings available and delivered (in days) by the public institution(s) responsible for training.

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
Total	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
For judges	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
For prosecutors	26 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	26 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	55 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	1 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP
For non-judge staff	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
For non-prosecutor staff	16 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	16 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	46 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	0 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP

Comments

131-3. Number of participants in the trainings during the reference year.

Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
---	---

Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Judges	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Prosecutors	2 438 <input type="checkbox"/> NA <input type="checkbox"/> NAP	54 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Non-judge staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-prosecutor staff	79 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

E2. Please indicate the sources for answering the questions in this part

Sources: Act CLXIV of 2011 on the Status and Career Path of the Prosecutor General, Prosecutors and other Prosecution Employees (Prosecution Employment Status Act)
Instruction 12/2012 (VI. 8.) of the Prosecutor General on the organisation and functioning of the Prosecution Service
Instruction 14/2005. (ÜK.9.) of the Prosecutor General on the Hungarian Training Centre for Prosecutors Instruction 25/2012. (XI. 16.) of the Prosecutor General on the further training of prosecutors
Instruction 13/2017 (VIII. 17.) of the Prosecutor General on the further training for junior prosecutors
Instruction 16/2014. (VIII. 29.) of the Prosecutor General on the further training and legal practice of the trainee prosecutors
Instruction 14/2017. (VIII. 17.) of the Prosecutor General on the further training of the officers and clerks Report TKO//1310-66/2022. on training and further training activities of 2022
Report TKO//1411-51/2021 on training and further training activities of 2021
TKO.1411/52/2022 Draft costs of the events included in the 2022 further training plan
TKO.1114/158/2021. Summary of the applications for trainee prosecutors in 2021

5.3.Practice of the profession

5.3.1Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	30 157 <input type="checkbox"/> NA <input type="checkbox"/> NAP	20 054 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 127 928 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 400 072 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)	69 818 [] NA [] NAP	46 429 [] NA [] NAP	25 762 801 [] NA [] NAP	17 132 262 [] NA [] NAP
Public prosecutor at the beginning of his/her career	24 609 [] NA [] NAP	16 365 [] NA [] NAP	9 859 884 [] NA [] NAP	6 556 823 [] NA [] NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).	52 213 [] NA [] NAP	34 722 [] NA [] NAP	20 919 799 [] NA [] NAP	13 911 666 [] NA [] NAP

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor: During the career/career progression of prosecutors, salaries are determined as follows.

The prosecutor's salary consists of a basic salary and the supplement determined in the Prosecution Employment Status Act Based on Article 66 (2) of Act XC of 2021 on the Central Budget of Hungary for 2022 and pursuant to Article 59 (3) of Act CLXIV of 2011 on the Status and Career Path of the Prosecutor General, Prosecutors and other Prosecution Employees, the basic salary of a prosecutor in 2022 was HUF 566660.

The basic salary of the prosecutor shall be determined on the basis of the length of service calculated in accordance with this Act, multiplied by the salary base and the multiplying factors specified in this Act for each grade.

Prosecutors who do not yet have any service time upon their appointment or whose accepted service time upon their appointment does not exceed three years shall be classified into pay grade 1. Prosecutors shall proceed one pay grade up on the scale upon the completion of every three years of service time. The length of service shall be calculated from the date of appointment of the prosecutor. However, time spent as a prosecutor before the appointment in the prosecution service and in the judiciary, as well as the time spent in other legal employment or activities requiring a completed bar exam or requiring a completed bar exam according to the rules applicable by the person exercising the employer's rights upon authorization by law shall be taken into account as time included in the length of service. According to the Prosecution Employment Status Act, the basic salary of a prosecutor is 1.25 times the salary base in grade 1 of the prosecutor's salary scale, and 2.10 times the salary base in grade 14, which is the highest grade.

Prosecutors shall be entitled to a position supplement monthly, the amount of which is

a) twenty per cent of the pay base in the case of prosecutors working in district prosecution offices (113332 HUF in 2022), b) forty per cent of the pay base in the case of prosecutors working in chief prosecution offices (226664 HUF), c) seventy per cent of the pay base in the case of prosecutors working in appellate chief prosecution offices (396662 HUF), d) hundred and twenty per cent of the pay base in the case of prosecutors working in the Office of the Prosecutor General (679992 HUF).

In general, judges' salaries increase automatically with length of service after every 3 years. In addition, they receive a surplus allowance at all levels of jurisdiction (higher bonus on higher levels), and court executives also receive a management bonus. In addition, there are various allowances which may be granted to eligible judges (e.g. language allowance). From 1 January 2020, judges' salaries increased by an average of 32 percent. In 2021 by another 12 percent of the salary base and by a further 13 percent in 2022.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	() Yes (X) No	() Yes (X) No
Special pension	() Yes (X) No	() Yes (X) No

Housing	() Yes (X) No	() Yes (X) No
Other financial benefit	(X) Yes () No	(X) Yes () No

Comments

134. If “other financial benefit”, please specify:

. In case the evaluation result is ‘excellent’, ‘suitable for promotion’ or ‘excellent and fully eligible’ and upon the completion of minimum six years as a prosecutor at the given level of prosecution, including any time completed as a prosecutor at a more senior level of prosecution, the following titles may be awarded: a) to prosecutors working in district prosecution offices: “Titular chief prosecutor”, b) to prosecutors working in chief prosecution offices: “Titular appellate chief prosecutor”, c) to prosecutors working in appellate chief prosecution offices: “Titular prosecutor of the Office of the Prosecutor General”, d) to prosecutors working in the Office of the Prosecutor General: “Counsellor of the Office of the Prosecutor General”.

After at least twenty years of actual practice as a prosecutor at a given level of prosecutor’s office, the aforementioned title is granted by law. The title is awarded with a monthly title salary supplement.

A prosecutor holding a managerial position defined in Prosecution Employment Status Act is entitled to a monthly managerial supplement.

The person exercising the employer’s rights may award an extra supplement to a prosecutor for a fixed term or for the duration of the fulfilment of a given assignment relating to prosecution if the prosecutor regularly fulfils spokesperson or instructor duties or other duties related to general operations in addition to his/her job responsibilities forming part of the basic activities of the prosecution office. The person exercising the employer’s rights may award a qualification supplement to a prosecutor relating to prosecution upon the acquisition of specialised qualifications in higher education system or in further training and the acquisition of doctoral (PhD) or higher academic degrees, if the skills and qualifications so acquired may be directly used for the fulfilment of his/her job responsibilities or in the course of the fulfilment of the duties of the prosecution office.

A prosecutor shall be entitled to a foreign language supplement if he/she uses the foreign language as part of his/her job responsibilities in accordance with the instructions of the person exercising the employer’s rights and holds a certificate verifying that he/she has passed a state language examination in the given language or an equivalent certificate. Prosecutors with a prosecution employment relationship of twenty-five, thirty, thirty-five and forty years shall be entitled to a jubilee bonus.

As a cafeteria allowance, according to the prosecutors choice they are entitled to receive benefits provided for in Article 71 (1) (a) to (f) and Article (3) of the Act CXVII of 1995 on Personal Income Tax, up to the extent of the allowance specified therein. The Prosecutor General may also specify additional optional allowances in an instruction, or set the optional level of each allowance at a higher level. The annual amount of the cafeteria allowance to which a prosecutor is entitled shall be determined by the Prosecutor General, but may not be less than fifty percent of the salary base or may not be more than three times the salary base.

Judges may have additional benefits such as meal contribution, on-duty bonus, housing allowances, social and schooling aid, aid for training etc.

[] NAP

=

135. Can judges combine their work with any of the following functions/activities?

With remuneration	Without remuneration
--------------------------	-----------------------------

Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	(X) Yes () No	(X) Yes () No
Other function	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify. Other: sport or artistic activities.

137. Can public prosecutors combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	() Yes (X) No	() Yes (X) No
Other function	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify: The rules on conflicts of interest are laid down in the Fundamental Law of Hungary and the Prosecution Employment Status Act. According to these, a prosecutor may not be a Member of Parliament, a Member of the European Parliament, a local municipality board representative, a mayor or a state leader.

Prosecutors may not engage in gainful activities beyond the fulfilment of their office, not including any academic and teaching work (as a coach, referee or umpire), artistic activities and activities under copyright protection, proof-reading and editorial work and creative technical work, employment as a foster parent provided that these do not jeopardise their independence and impartiality and do not hinder them in the fulfilment of their official obligations. Prosecutors may not be the senior officers or members obliged to participate in person

of business associations, cooperation companies and cooperatives, the members of the supervisory boards of business associations, cooperation companies and cooperatives, the members with unlimited liability of business associations and cooperation companies and the members of individual businesses. Prosecutors may only engage in any other work-related legal relationship affecting their working hours in their entirety or partly with the prior consent of the person exercising the employer's rights. No legal dispute may be initiated due to the refusal of such consent.

Prosecutors shall report the establishment of any other work-related legal relationship not affecting their working hours as part of their prosecution employment relationships to the person exercising the employer's rights on a preliminary basis. The person exercising the employer's rights shall prohibit the establishment of a legal relationship if it is incompatible with the position held by the prosecutor on the basis of his prosecution employment relationship under the provisions of the present Act (see: Prosecution Employment Status Act). Prosecution employees shall report without delay if any conflict of interests emerges in respect of their persons. Prosecutors shall terminate the conflicts of interests for political reason at the time of their appointment (election), at the latest, while the conflicts of interests with economic character, within fifteen days of their appointment (election). Prosecutors may not exercise their powers arising from their office until the termination of these conflicts of interests. If a prosecutor fails to meet the obligation by the prescribed deadline or a conflict of interests emerges in respect of his/her person in the course of the fulfilment of his/her office, the Prosecutor General, in prior consultation with the prosecutors' council, shall establish the existence of a conflict of interests. The prosecution employment relationship of the prosecutor shall cease as of the day of the establishment of the conflict of interests.

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?

Yes

No

Comments - If yes, please specify the conditions and if possible the amounts:

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)?

Yes

No

Comment - Please specify:

138-1. If yes, who are the members of this institution/body?

Only judges

Judges and other legal professionals

Other, please specify:

Comments The National Council of the Judiciary adopts the Code of Ethics for Judges and has issued ethical opinions on its interpretation in the past.

138-2. Are the guidelines and/or opinions of this institution / body publicly available?

Yes

No

Comments - Please describe the work of this institution / body, the frequency of the guidelines and/or opinions, etc.:

138-2-1. How many guidelines and/or opinions were given during the reference year?

[]

[X] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

138-3. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

() Yes

(X) No

Comment: Please specify The ethical conduct of prosecutors is regulated by the Fundamental Law, which stipulates that prosecutors may not be members of political parties or engage in political activities, by Article 7 of Act CLXIII of 2011 on the Prosecution Service, and by the Recommendation of the Prosecutor General on the Ethical Rules of the Prosecution Profession. The ethics recommendation is based on the Recommendation Rec (2000)19 of the Committee of Ministers of the Council of Europe on the role of public prosecution in the criminal justice system, the draft Opinion No 9 (2014) of the Consultative Council of European Prosecutors (CCPE-GT), which revises the Recommendation, and the European guidelines on ethics and conduct for prosecutors, the "Budapest Guidelines". The Ethics Recommendation is publicly available on the website of the Prosecution Service.

138-4. If yes, who are the members of this institution/body?

() Only prosecutors

() Prosecutors and other legal professionals

() Other, please specify:

Comments

138-5. Are the guidelines and/or opinions of this institution / body publicly available?

() Yes

() No

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

138-5-1. How many guidelines and/or opinions were given during the reference year?

[]

[] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

5.4. Disciplinary procedures

5.4.1 Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?

[] Court users

[X] Relevant Court or hierarchical superior

[] High Court / Supreme Court

- High Judicial Council
- Disciplinary court
- Disciplinary body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):see general comment
- This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple replies possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court
- Disciplinary body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments Disciplinary proceedings may be ordered only by the disciplinary authority, as defined in the Prosecution Employment Status Act. However, any person or organisation which has discovered a disciplinary offence shall have the right to initiate disciplinary proceedings.

142. Which authority has disciplinary power over judges (multiple replies possible)?

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors (multiple replies possible)?

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):

Comments

5.4.2 Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other”, please specify: A violation of professional ethics is defined in the Prosecution Employment Status Act as: the prosecutor's conduct or lifestyle violates or jeopardises the prestige of his/her profession. Professional incompetence is defined in the Act as: culpable violation of official obligations.

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 10)	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Reprimand	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Temporary reduction of salary	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Position downgrade	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Transfer to another geographical (court) location	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
8. Resignation	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
9. Other	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. The discrepancy between the number of disciplinary proceedings and the number of disciplinary sanctions is due to the fact that one disciplinary proceeding initiated in 2021 was closed in 2022 and three disciplinary proceedings initiated in 2022 were closed in 2023. In addition, the "other" sanctions include, the disciplinary sanction (1 case), which is less severe than a reprimand and which is mentioned as a reprimand in the Code, written warnings (10 cases) for minor disciplinary offences without disciplinary proceedings. Under the heading "exemption", the disciplinary penalty of loss of office was indicated (1 case).

Judges: Other category includes 3 cases in which the Service Tribunal finished the case without establishing any disciplinary liability of the judge.

In 2022, 10 disciplinary proceedings were opened against prosecutors. The number of disciplinary sanctions and measures imposed on prosecutors was 18.

The difference between the two figures is due to the fact that in 10 cases the least severe disciplinary measure was applied by the person exercising disciplinary powers without disciplinary proceedings. In addition, one disciplinary procedure initiated in 2021 was closed in 2022 and three disciplinary procedures initiated in 2022 were closed in 2023.

Disciplinary sanctions were imposed on prosecutors in 8 cases (1 forfeiture of office, 1 demotion by two pay grades, 3 demotions by one pay grade, 2 reprimands, 1 censure). In addition to disciplinary sanctions, the person exercising disciplinary powers issued written warnings for minor disciplinary offences without disciplinary proceedings in 10 cases.

E3. Please indicate the sources for answering the questions in this part

Sources: Act CLXIV of 2011 on the Status and Career Path of the Prosecutor General, Prosecutors and other Prosecution Employees (hereinafter: Prosecution Employment Status Act) and the summary information on the disciplinary situation of the Prosecution Service prepared annually pursuant to Article 12 (1) d) No (VI. 8.) of the Instruction of the PG on the Organisation and Functioning of the Prosecution Service.

6.Lawyers

6.1.Profession of lawyer

6.1.1Status of the profession of lawyers



146. Total number of lawyers practising in your country:

	Total	Males	Females
Number of lawyers	20 221 [] NA	9 658 [] NA	10 563 [] NA

Comments The number of lawyers in 2022 includes the number of legal advisors.

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes (X)

No ()

Comments Types of lawyers in Hungary

In Hungary "attorneys" are those legal professionals who hold a degree in law and have passed the BAR exam and registered by and members of the local bar association. There is no distinction between Hungarian attorneys, such as solicitors and barristers in the UK, any Hungarian attorney can represent a client before the court. An attorney, however, may practise either as an individual attorney, or as a member of a law firm. In other words, he/she can't be an employee. Please see below the number of attorneys practicing in Hungary (i.e., excluding legal advisors, junior lawyers, EU lawyers):

Number of attorneys (i.e., figures excluding legal advisors)

Total: 11,615

Males: 6,440

Females: 5,175

Those lawyers who work as employees of a company are called "legal advisors" (i.e. in-house counsels). They have the right to represent their employers in any proceedings, the limitation is that they can only act on behalf of their employers and can't have any other clients. There is a special category of legal advisors (in-house counsels) who are members of the local bar association as "registered legal advisors".

Moreover, there are "employed attorneys" (whose employer is limited to a lawyer or law firm), European legal counsels (under the EU Directives as implemented by Hungarian legislation), and employed European legal counsels.

All different categories described above are subordinated to the profession of a lawyer and legal advisor.

Monopoly

Lawyers (attorneys), and to a certain extent registered and non-registered legal advisors are the only professionals who are entitled to represent an individual and/or legal entity in legal matters. So, from this point of view there is a monopoly, since no one else is allowed to fulfil the role of legal representative as a professional, for consideration.

There is no general requirement to have legal representation in court or administrative cases, this is only mandatory in certain proceedings, so from this point of view there is no monopoly (please see the detailed list of the cases below, where legal representation is mandatory).

Attorneys have a monopoly of representation of defendants in criminal cases during the whole length of criminal proceedings.

Victims of criminal cases may also be represented by their family members.

In administrative proceedings, legal representation is not mandatory, and in general any person can represent a party who has the mandate to do so (but the limitation still applies that professionally only an attorney can represent parties in these proceedings too). Section 45 of the Code of Criminal Procedure (Act XC of 2017) prescribes the presence of a defence attorney in the following cases:

- a) a criminal offence for which the law prescribes five or more years of imprisonment,
- b) the accused is subject to a coercive measure affecting a person's personal freedom, or in another matter is subject to arrest, preliminary involuntary treatment in a mental institution, or is placed under imprisonment, custodial arrest or educational training;
- c) the accused is deaf, mute, blind or – regardless of his/her legal capacity – mentally incompetent,
- d) the accused does not know the Hungarian language or the language of the proceedings,
- e) the accused is not able to personally defend himself/herself for other reasons,
- f) the court, the public prosecutor's office or the investigating authority assigned a defence attorney upon the request of the defendant or due to considering it necessary for other reasons,
- g) it is especially prescribed by law (e.g. in case of an accused minor).

According to the Code of Civil Procedure (Act CXXX of 2016), in the case of civil cases, there is compulsory legal representation in all types of cases with the exception of lawsuits where the District Courts are competent including the appeals and extraordinary revisions in such cases.

148. Number of legal advisors who cannot represent their clients in court:

[]

NA

NAP

Comments

=

149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Dismissal cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Defendant	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Victim	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Administrative cases	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights:

149-0. If other than lawyers may represent a client in court, please specify who:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	(X) Yes () No	() Yes (X) No	() Yes (X) No
Family member	(X) Yes () No	() Yes (X) No	() Yes (X) No
Self-representation	(X) Yes () No	() Yes (X) No	() Yes (X) No
Trade union	(X) Yes () No	() Yes (X) No	() Yes (X) No
Other	(X) Yes () No	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s): The client may give authorization to the following persons other than lawyers and law firms to represent the client in cases where legal representation is not compulsory:

- registered legal counsels in cases defined by the Act on Legal Practice;
- the client's family member;
- the client's co-litigant, and the representative of the client's co-litigant;
- the employees of economic operators, and/or other entities related to the employer's activities;
- the employees of administrative bodies, and/or other budgetary organizations related to the activities of such administrative bodies, budgetary organizations;
- the employees of municipal government bodies in matters in which a municipal government or the powers and responsibilities of its bodies are involved; and
- any person authorized by law.

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- [] Notarial activity
- [X] Arbitration / mediation
- [X] Proxy / representation
- [X] Property manager
- [X] Real estate agent
- [X] Other (please specify):

Comments A lawyer can also exercise the following activities:

- patent attorney's activity,
- tax consultancy,
- social security consultancy,
- insurance consultancy,
- labour consultancy,
- financial and other business consultancy,
- responsible accredited public procurement consultant's activity,
- fiduciary asset management activity,
- real estate agency,

- condominium owners' representative's activity,
- converting paper format documents which were not made by a legal practitioner into electronic document format.

149-2. Professional lawyers may have the status of:

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

150. Is the lawyer profession organised through:

- a national bar association
- a regional bar association
- a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

- Yes
- No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general in-service professional training system for lawyers?

- Yes
- No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

- Yes
- No

Comments - If yes, please specify: Mediation activity is subject to training, qualification and registration.

F1. Please indicate the sources for answering the questions in this part

Sources: Sources:

Act LXXVIII of 2017 on Legal Practice Act CXXX of 2016 on the Code of Civil Procedure Act XC of 2017 on the Code of Criminal Procedure Comments:

Database of the Hungarian Bar Association (Magyar Ügyvédi Kamara). This figure excludes those who are currently suspending their attorney practice and the so-called trainee lawyers (a trainee lawyer in Hungary is a person who has graduated from law school, works for a law firm but has not passed the BAR exam yet). The answers to these questions also excludes the European community lawyers and the foreign legal advisors working in Hungary, however the number of such lawyers is insignificant.

Q147 and 148 Legal advisors (jogtanácsos): The fundamental task of legal advisors is to facilitate the operation of the organisation by which they are employed. Legal advisors conduct legal representation within the organisation employing them, provide legal advice and information; prepare applications, contracts and other documents; and participate in organising legal work. As a general rule, legal advisors – in contrast to attorneys – discharge their duties (which are not as extensive as those of attorneys) as employees. Legal

advisors compensation is based on the regulations concerning employment. Any person entered in the register maintained by the general court – in Budapest (that is, the Metropolitan Court of Budapest) (Fvárosi Törvénytörvény) – can become a legal advisor. Applicants must: - Hold citizenship in one of the member states participating in the Agreement on the European Economic Area (az Európai Gazdasági Térségről szóló megállapodás); - Have no criminal record; - Hold a university degree; - Have passed the Hungarian professional examination in law; and - Be entered in the register.

6.1.2 Practicing the profession of lawyer

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

156. Do laws or bar standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

6.1.3 Quality standards and disciplinary procedures for lawyers

157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used? Only general quality requirements are laid down in the Act on Legal Practice and the Ethical Code for Lawyers such as:

“Legal practitioners shall practice the legal profession conscientiously, to the best of their ability and in compliance with the law.”

“The declarations of an attorney made before an authority, the submissions of an attorney, the pleadings and arguing of an attorney should be demanding and legally justified. The attorney should take the utmost care, particularly, in respect of the quality of the request for review submitted with the Kúria (Supreme Court) and the submissions addressed to the Constitutional Court.”

158. If yes, who is responsible for formulating these quality standards:

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

a judge

Ministry of Justice

a professional authority

other (please specify):

Comments The first instance procedures are handled by the local bar associations, and the second instance procedures are handled by the national bar associations. The decision of the second instance (i.e. the Hungarian Bar Association) may be challenged before the court.

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	196 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	130 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	42 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2. Suspension	[X] NA [] NAP
3. Withdrawal from cases	7 [] NA [] NAP
4. Fine	81 [] NA [] NAP
5. Other	[X] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons.

7. Court related mediation and other alternative Dispute Resolution

7.1. Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned:

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP

Family cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Administrative cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Labour cases including employment dismissals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Consumer cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP

Comments

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

Yes

No

[] NAP

Comments - If yes, please specify:

=

166. Number of accredited or registered mediators for court-related mediation:

	Total	Males	Females
Number of mediators	136 [] NA [] NAP	12 [] NA [] NAP	124 [] NA [] NAP

Comments

166-1. Could you please describe what are the requirements and what is the procedure to become an accredited or registered mediator in your country (educational requirements, working experiences, accrediting procedure etc.)?

. Victim-offender mediation in criminal cases is provided by the Probation Service in Hungary. Specially trained probation officers act as mediators. Educational requirements are regulated by the Decree of Ministry of Justice No. 38/2015 (XII.21.) on the qualification requirements for probation officers who mediate in criminal cases.

The educational requirements are the following: the probation officer has to a) complete at least two 30-hour theoretical and practical mediation training courses of at least 30 hours each, on a consecutive subject, at the Legal Academy of Judicial Services of the Ministry of Justice or at an accredited further training or professional examination system or at an international mediation organisation, or to obtain a mediator qualification at a Hungarian or foreign university or college undergraduate, master or postgraduate level, and

(b) to meet the requirements of the mediation mentoring process provided by the capital and county government offices for the

purpose of acquiring mediation practice, with the content and evaluation criteria specified by the Ministry of Justice. According to Act LV of 2002 on Mediation the President of the National Office for the Judiciary shall lay down detailed rules on court mediation. The NOJ president may appoint judges or court secretaries (bíróági titkár) as court mediators, provided they have completed the relevant professional training. The appointment needs the consent of the judge or court secretary and it may be an appointment for definite or indefinite period. It has to be noted, that court mediators also act as "regular" judges or court secretaries, mediation is only part of their everyday duties.

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6 + 7)	878 [] NA [] NAP	892 [] NA [] NAP	237 [] NA [] NAP
1. Civil and commercial cases	92 [] NA [] NAP	108 [] NA [] NAP	18 [] NA [] NAP
2. Family cases	763 [] NA [] NAP	760 [] NA [] NAP	211 [] NA [] NAP
3. Administrative cases	3 [] NA [] NAP	2 [] NA [] NAP	0 [] NA [] NAP
4. Labour cases including employment dismissal cases	20 [] NA [] NAP	22 [] NA [] NAP	8 [] NA [] NAP
5. Criminal cases	3 966 [] NA [] NAP	4 022 [] NA [] NAP	3 386 [] NA [] NAP
6. Consumer cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
7. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please indicate the source: Victim-offender mediation in criminal cases is provided by the Probation Service in Hungary. Data on the number of victim-offender mediation cases provided by local probation services is collected and aggregated in the frame of the national statistics data collection programme. Data of 2022 is available on this website:

<https://igazsagugyistatiztika.kormany.hu/download/9/06/13000/2022%20%C3%A9vi%20PF.pdf>

For criminal cases mediation at the court is not possible, but it is possible at the probation office.

=

168. Do the following alternative dispute resolution (ADR) methods exist in your country?

Mediation other than court-related mediation

Arbitration

Conciliation (if different from mediation)

Other ADR (please specify):

Comments Before the indictment, it is possible to reach an agreement between the injured party and the defendant, this can be realized in the framework of a mediation procedure, which is ordered by the prosecutor and simultaneously, the criminal procedure is suspended. The other procedure, which is also based on the prosecutor's decision, is the conditional prosecutorial suspension. In the latter case, relying on a favourable change in the defendant's behaviour, special rules of behaviour are imposed on the defendant, which may include compensation to be paid to the victim.

G1. Please indicate the sources for answering the questions in this part

Source: The the source for answering question 168. is the Act XC of 2017 on Criminal Procedural Act.

<https://njt.hu/jogszabaly/en/2017-90-00-00>

Data on victim-offender mediation cases (National Statistics Data Collection Programme):

<https://igazsagugyistatisztika.kormany.hu/download/9/06/13000/2022%20%C3%A9vi%20PF.pdf>

Decree of Ministry of Justice No. 38/2015 (XII.21.) on the qualification requirements for probation officers who mediate in criminal cases

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1 Number of enforcement agents, status and mandate

169. Number and type of enforcement agents in your country.

	Total	Male	Female
Total (1+2+3+4)	218 <input type="checkbox"/> NA	141 <input type="checkbox"/> NA	77 <input type="checkbox"/> NA
1. Private professionals under the authority (control) of public authorities	218 <input type="checkbox"/> NA <input type="checkbox"/> NAP	141 <input type="checkbox"/> NA <input type="checkbox"/> NAP	77 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If other, please specify their status and competences:

170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

diploma

professional experience

specific exam

appointment procedure by the State

initial training

other

Comments - If "other", please specify:

171. Are enforcement agents appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the age of retirement:

No, please specify the duration of the appointment: 7 years

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: 7 years are already included in the law Article 232 (1) of Act LIII of 1994 on Judicial Enforcement.

8.1.2 Activities/scope of competence

171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

	Access to information	Direct electronic access to information
Address	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date of birth	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Civil status	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Cohabitant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Employer	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Motor vehicle	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Movable property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Immovable property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bank account	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other enforcement proceedings underway	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Preventive seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Preventive seizure of immovable properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Eviction measures	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizures of boats and ships	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of aircrafts	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of electronic assets (e.g cryptocurrency)	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Sale of shares	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

171-3. Apart from the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

Service of judicial and extrajudicial documents

Debt recovery

Voluntary or public auctions of moveable or immovable property

- Custody of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

8.1.3 Training and ICT

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- Yes
- No

Comments

172-2. Do you have an e-learning training system established for enforcement agents?

- Yes
- No

Comments - If yes, please specify:

172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?

- Yes
- No

Comments - If yes, please specify:

172-4. Have an electronic service of documents or electronic notifications been introduced in your country?

- Yes
- No

Comments

172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?

- Yes
- No

Comments - Please explain: The tracing of the debtor's assets takes less time, the procedures have become faster.

8.1.4 Fees

174. Are enforcement fees easily established and transparent for parties?

Yes

No

Comments

175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?

Yes

No

Comments

175-2. Who has to pay these fees if the enforcement proceedings are successful?

The debtor

The creditor

Other – please specify

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering the questions in this part

Source: Act LIII of 1994 on Judicial Enforcement

8.1.5 Organisation of profession and efficiency of enforcement services

177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

professional body

judge

Ministry of Justice

public prosecutor

other (please specify):

Comments Supervisory Authority of Controlled Activities

Supervisory Authority of Controlled Activities carries out its activities based on Article 1 (b) of the Act XXXII of 2021 on the Supervisory Authority of Controlled Activities

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

Yes

No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

Yes

No

Comments - If yes, please specify: Inspection activity carried out by the inspection office of the Hungarian Association of Judicial Officers

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

insufficient supervision

excessive cost

unethical behaviour of enforcement agent

other (please specify):

Comments

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
for administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):

() between 1 and 5 days

(X) between 6 and 10 days

() between 11 and 30 days

() more (please specify):

[] NA

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	[X] NA [] NAP
1. For breach of professional ethics	[X] NA [] NAP
2. For professional inadequacy	[X] NA [] NAP
3. For criminal offence	[X] NA [] NAP
4. Other	[X] NA [] NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	[X] NA [] NAP
1. Reprimand	[X] NA [] NAP
2. Suspension	[X] NA [] NAP
3. Withdrawal from cases	[X] NA [] NAP
4. Fine	[X] NA [] NAP

5. Other

NA

NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons:

H1. Please indicate the sources for answering the questions in this part

Source: The Hungarian Association of Judicial Officers

8.2.Execution of decisions in criminal matters

8.2.1 Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple replies possible)

Judge

Public prosecutor

Prison and Probation Services

Enforcement agent

Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

Yes

No

Comments

191. If yes, what is the recovery rate?

80-100%

50-79%

less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Males	Females
TOTAL (1+2+3+4)	313 [] NA [] NAP	121 [] NA [] NAP	183 [] NA [] NAP
1. Private professionals (without control from public authorities)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Holders of public offices appointed by the State	313 [] NA [] NAP	121 [] NA [] NAP	183 [] NA [] NAP
3. Civil servants (paid by the State)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure: In Hungary due to the official nature and constitutional status of a civil law notary in exercising public authority a notary may only assume office as a result of a successful application procedure and the appointment of the Minister of Justice. The appointment is the sole event when the notary is commissioned by the State to fulfil tasks forming part of the justice system upon the formal request of clients. The number of notaries and their tariffs is governed by a regulation of the Minister of Justice.

The total number of the Hungarian notarial seats is 313. This is a numerus clausus. In the near future, this number is expected to be reduced by 3. Concerning the difference between the total of the notarial seats (313) and the added number of the male and female notaries (304), the following has to be remarked. On the seats which are vacant (generally because on the given seat a notary retired and the selection procedure is still ongoing or the newly appointed notary has not taken up the activity yet), the notarial services are fulfilled by another notaries or deputy notaries who act as 'substitute notaries'. As this is a temporary status, their number based on genders isn't included in our calculations.

192-1. What are the access conditions to the profession of notary (multiple replies possible):

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify): See comments.

Comments Only Hungarian citizens, citizens of States of the European Economic Area and Switzerland are eligible to apply for a notarial seat (proficiency in Hungarian language is mandatory). In Hungary notaries must hold a law degree in order to qualify for a seat. Furthermore, they must obtain practice by working for a notary for an at least three-year-long period as a deputy notary, provided they have passed the bar examinations. Before applying for a vacant seat, it is mandatory to pass the computer-based notarial exam. Before the appointment the candidate must be found capable of filling the office of notary based on a professional fitness assessment test.

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- yes, please indicate the age of retirement: 65 years
- no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Yes, the notarial appointment can be withdrawn due to dismissal as a disciplinary sanction.

The initial mandatory retirement age for notaries was 70 years which was progressively lowered to 65 in the last couple of years. In 2020, it was 67,5 years, now it is 65 years.

9.1.2 Activities/scope of competences

194. What kind of activities do notaries perform (multiple options possible)?

	Please select one option
Authentication	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Certification of signatures	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Mediation	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Taking of oaths	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Act as civil servant (for example performing marriage, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Other judicial functions (for example, payment orders)	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Public auctions	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other (for example collect taxes, run registers etc.)	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If “other”, please specify. Please indicate any useful clarifications regarding the content of the notaries’ exclusive rights or, on the opposite, other bodies that also have competences for the listed activities. The main competences of the Hungarian notaries are as follows: drawing up notarial authentic acts (transactional acts and attestations); Certification of signatures, copies and translations; Conducting successions proceedings; Order for payment procedure; European order for payment procedure; Ordering enforcement upon notarial acts; Appointment of a forensic expert; Taking preliminary evidence; Depository procedures; Notarial agreement procedure. Not all the non-contentious procedures are conducted by notaries. For example, in successions proceedings Hungarian notaries have exclusive competence, and act not as court commissioners, but as first instance courts. Besides, Hungarian notaries conduct other non-contentious proceedings exclusively like the procedure of preliminary evidence procedure or the designation of forensic experts. Hungarian notaries don’t have competences in the field of divorce, but they have exclusive competence for the dissolution of registered partnerships by mutual consent, and the division of estate is not an exclusive competence of the notaries either. Issuing payment orders is an exclusive competence of the Hungarian notaries together with conducting the European payment order procedure.

194-2. In which areas of law do notaries perform their activities (multiple replies possible)?

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments No legislative changes have been made in the respect of the protection of vulnerable persons. The protection of vulnerable persons is in the DNA of the notarial profession not only in Hungary but in all the countries applying the Latin-type notarial system. In Hungary, there are provisions of law which make expressly reference to this, like people with reduced capacity to proceed can make a last will in notarial form.

9.1.3 ICT, organisation of the profession and training

194-3. Do notaries use specialised ICT systems in their activity?

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)

In their relations with their clients

In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments All the Hungarian notaries use the notarial administration system called „WebNotes” and the order for payment system.

194-4. Which computerised registries can notaries consult?

Land registry

Business registry

Civil status / Population registry

Succession / Family law registry

Any other registry (please specify)

None

Comments

194-5. Are there registries/ registry infrastructures run by the notaries?

Yes

No

Comments - If yes, please specify: The following electronic registers are operated by the Hungarian Chamber of Civil Law Notaries: Register of Declarations of Cohabitation, Register of Marriage and Partnership Contracts, Security Interest Register, Register of Wills, National Register of Pledges, Register of Pledges over Motor Vehicles.

194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Business registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Civil status/ Population registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Succession / Family law registry	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP
Any other registry (please specify)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
None	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP

Comments Land registry: Only paper-based requests are currently possible.

Any other registry: The registries operated by the Hungarian Chamber of Civil Law Notaries listed under the previous point (Register of Declarations of Cohabitation, Register of Marriage and Partnership Contracts, Security Interest Register, Register of Wills, National



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194-7. What ICT tools are used by notaries in their relations with clients?

- Videoconferencing (e.g. digital advice)
- Digital act
- Digital identification
- Digital archiving
- Other, please specify
- None

Comments

194-8. Who is responsible to run the digital archives?

- Notariat / Professional body
- Other public authority
- Another entity (please specify)

Comments Though the NOTARchiv Kft. which is the limited liability company of the Hungarian Chamber of civil Law Notaries and a qualified trust service provider for archiving.

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- Yes
- No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

- professional body
- court
- Ministry of Justice
- public prosecutor
- other (please specify):

Comments Civil law notaries are supervised by regional chambers. The Minister of Justice has legality supervisory competence over the Hungarian Chamber of Civil Law Notaries. The president of the competent Budapest or county court for the seat of the notary has legal supervision over the actions of the notary, as part of that, he/she may order that the activities of the notary shall be reviewed by the chamber and may also initiate disciplinary proceedings.

196-1. Is there a system of general continuous training for all notaries?

- Yes
- No

Comments In Hungary every notary, deputy notary and notary candidate is obliged to participate in a continuous professional training. The National Chamber fixes a yearly number of credit points which have to be collected by the three categories. A directive of the

Chamber orders credit points to each kind of training which is accepted.

They are free to choose, they can collect the necessary credit points among external trainings acknowledged by the Chamber and among in-house trainings organised by the Chamber.

Besides, the President of the National Chamber can order the mandatory participation in trainings for everybody in the case of the entry into force of a new/modification of act which is present in the daily work of the notaries. For example this was the case in 2013 when everybody had to be prepared to the entry into force of the new Hungarian Civil Code (15 March 2014).

196-2. Do notaries have training on:

	Yes	No
European law	(X)	()
Law of another Member State (cross-border training programmes)	(X)	()

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities: Training courses are organised by the Hungarian Chamber on a regular basis on European succession law, European order for payment, and the participation in external training courses (organised for example by the Council of the Notariats of the European Union) can be and are regularly recognised within the credit point system. The courses are traditional ones, e-learning courses, webinars, congresses, conferences, seminars, etc.

11. Please indicate the sources for answering the questions in this part

Sources: Act XLI of 1991 on Notaries Degree of the Minister of Justice 15/1991. (XI. 26.) on the number of notarial positions and the notarial seats
Act V of 2013 on the Civil Code
Act XLV of 2008 on the Notarial Non-contentious Procedures Act L of 2009 on the Order for Payment Procedure Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure

10. Judicial experts

10.1. Profession of judicial expert

10.1.1 Status of judicial experts

202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):

- Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court
- Experts appointed by the court or other authority independent of the parties
- Other system of judicial expertise, please specify

Comments - Please specify who is proposing and appointing experts in an individual case. The main legal reference is the Act XXIX of 2016 on the functioning of judicial experts. Besides, the Code of civil procedure provides for that if the Court does not possess that special knowledge, which is needed to judge a significant fact or other circumstances in a legal action it should invite a judicial expert. Other decrees contain rules related to the forensic operation, to the remuneration of forensic experts; to the forensic specialist areas, as well as to the related professional qualifications and other conditions, to legal education and examination rules necessary for the professional

activity of judicial expert, rules on training and examination of the basics of forensic etc. All these rules can be found on the website www.magyarorszag.hu.

According to the Hungarian regulations, in civil and administrative judicial procedures, (unless otherwise provided for by law) the party may propose the submission of the opinion of an expert the party has commissioned (so called "private expert's report"), which motion is granted (or not) by the court. Mostly in cases in which neither of the parties adducing evidence proposed to involve a private expert, or each private expert's report contains cause for concern, on proposal the court shall appoint an expert with regard to a specific issue. In criminal judicial procedures, if special expertise is required to establish or assess the fact to be proven, an expert must be used. In criminal proceedings, an expert or case expert can provide an expert's report as defined in the Law on Judicial Experts.

202-1. Are there lists or any other form of official registration for judicial experts?

Yes

No

Comments

202-1-1. If yes, at which level is the list established (multiple replies possible):

national

administrative district or federal entity

judicial district

other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?): The Ministry of Justice keeps the official Register

(<https://szakertok.im.gov.hu/szakertok>). Technical experts may be listed upon request, provided they meet all registration criteria.

Registration is valid for unlimited period of time and an expert may be stripped off from the list for causes specified by the Law on Technical Experts. Experts take oath in front of the representative of the Minister of Justice. Experts' skills are evaluated by the Chamber of Experts.

202-1-2. Are these lists publicly available?

Yes, available on the internet

Yes

No

Comments

202-2. Which authority is competent for the registration of judicial experts?

Ministry of justice

Courts

Administrative body

Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria: Criteria for the registration as a judicial expert:

- does not have a criminal record nor is subject to the scope of prohibition barring him from practising the judicial expert profession,
- has the qualification and at least five years professional experience in the field indicated in his application, unless otherwise provided by law, or has a specific or equivalent qualification to pursue the activity of a judicial expert
- has fulfilled the time (from 1 to 3 years) as an expert candidate,
- has participated in the training of legal knowledge and has successfully passed the legal examination, unless otherwise provided by law,

- e) a member of a professional chamber operating in his or her field, if the compulsory membership of a chamber is required by law,
- f) undertakes to comply with the secondment, except in cases provided for by law, and
- g) is not subject to legal guardianship, assisted decision-making or disqualification from public affairs.

202-3. Is the registration of judicial experts limited in time?

Yes, for how long

No

Comments

202-4. Can an expert who is not on the list or not registered be appointed in a case?

Yes

No

Comment - If yes, please specify in which cases:

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the judicial expert have an obligation of training?

	Obligation of training
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Continuous training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

203-2. If yes, does this training concern:

judicial proceedings

the profession of expert

other

Comments

=

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments

204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?

Yes

No

Comments - If yes, please specify: Exclusion of experts is judicial proceedings.

In civil and administrative judicial procedures, the following may not be engaged as expert: (a) any person who is subject to any of the grounds for exclusion applicable to judges; (b) who was involved in the proceedings as judge; (c) a person who is a member, employee of a business association or service provider, that was previously engaged in the case as expert.

Any business association or service provider, whose member or executive officer is subject to the grounds for exclusion applicable to judges, may not serve as an expert, nor any institution, institute, body, organ or organization of experts whose director, president is subject to the grounds for exclusion applicable to judges.

The court shall consider the grounds for exclusion of its own motion, and the existence of such shall be reported to the court without delay by the expert and the party as well.

The court shall adopt a decision concerning exclusion after having heard the parties. If an expert has been appointed in the action the court shall hear the expert before bringing a decision.

In criminal judicial procedures: A person shall not act as an expert if

a) he participates or participated in the case as a defendant, person reasonably suspected of having committed a criminal offence, defence counsel, aggrieved party, party with a pecuniary interest, party reporting a crime, an aide to any such person, or he is a relative of any such person,

b) he proceeds or proceeded in the case as a judge, a prosecutor, or a member of the personnel carrying out investigation tasks of an investigating authority, or he is a relative of such a person,

c) he participates or participated in the case as a witness or an aide to a witness,

d) in the context of exhumation or examination of the cause and circumstances of death, he is a doctor who treated the deceased person directly before his death or established his death,

e) he is an expert of an expert institution or organisation, or a member of an expert body, provided that the head of the expert institution, organisation, or body is affected by a ground for exclusion specified in point a),

f) he is a member of a company, provided that the head or executive officer of the company is affected by a ground for exclusion specified in point a), or if he is a member or employee of a company, a member or employee of which already acted in the given case,

g) he was used in the case as a consultant,

h) he is unlikely to provide an unbiased expert opinion for any other reason.

The expert shall submit a notice of a ground for exclusion against themselves to the entity that arranged for the appointment without delay. If an appointment is for a company or expert institution, organisation, or body, the notice shall be submitted through the head of the appointed company or organ.

The proceeding court, prosecution office, or investigating authority shall decide on the matter of exclusion an expert.

Provisions on impediments to testify as a witness shall also apply to experts accordingly.

205. Number of accredited or registered judicial experts:

	Total	Males	Females
Number of experts	2 650 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

206-1. Number of cases where an expert opinion was ordered by a judge or requested by the parties

	Number of cases
Total (1+2+3+4)	[X] NA [] NAP

1.Civil and commercial litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3.Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4.Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

205-1. Who defines the amount of the expert remuneration?

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Defined by the court/judge	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Defined by the Ministry of Justice or another ministry (setting a tariff for example)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Freely agreed between expert and the parties	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Quality of expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>

NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions: The time limit for providing the technical report falls within the core competence of the trial court and is not determined by the law.

In criminal procedures the expert opinion must be submitted within 60 days that can be extended by an additional 30 days upon expert's request under fair reasons.

If the expert misses the deadline by one year she or he shall be removed from the national register.

207-1. Does the judge or another body control the progress of the expertise?

Yes

No

If yes, please specify:

207-2. Are judicial experts' associations involved in:

Selection processes

Initial or continuous training

Disciplinary procedures

NAP

Comments

K1. Please indicate the sources for answering the questions in this part

Sources: Hungarian Chamber of Judicial Experts

11.Reforms in judiciary

11.1.Foreseen reforms

11.1.1Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:

208-1. (Comprehensive) reform plans

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The independence of the judiciary is a fundamental value both from the point of view of Hungary's constitutional order and the functioning of the democratic state of the rule of law created at the time of the regime change, as well as our country's obligations arising from its membership in the European Union and undertaken internationally. The effective implementation of this value requires both organizational and status safeguards.

When adopting the Fundamental Law of Hungary, creating and amending the cardinal laws on the organization and administration of courts, and on the legal status and remuneration of judges, the legislator tried to take into account Hungarian legal traditions, international

best practices and the experience gained from national institutional models. The latest legislative amendments contained in the Act on the Amendment of Certain Justice related Acts in connection with the Hungarian Recovery and Resilience Plan (hereinafter: Judicial Reform Act) can be grouped around four cornerstones. First, the amendments strengthen the role and powers of the National Judicial Council (hereinafter: NJC) in order to counterbalance the powers of the President of the National Office for the Judiciary (hereinafter: NOJ). When creating the current administrative model of the courts, the goal of the legislator was to establish an operative administrative leadership with the President of the NOJ and the NOJ under his/her direct control, able to immediately respond to problems. In the structure stipulated in the Fundamental Law of Hungary, an independent person elected by the Parliament is responsible for the administration of the courts, and in parallel, an independent body of judges exercises control functions. The Judicial Reform Act serves to further balance this system by giving the NJC legal personality, opening access to the Constitutional Court and the courts to defend its powers, and expanding its power of consent and its power to give binding opinions. The other main direction of the amendments concerns the functioning of the Curia as the supreme judicial forum, strengthening the role of judicial bodies – including the NJC – in the field of management decisions, increasing the transparency of the case distribution system and expanding the requirements for the President of the Curia and the safeguards surrounding his/her decisions. As a third element, the amendment removes from the legal system the possibility that bodies (authorities) exercising public power can lodge a constitutional complaint with the Constitutional Court. The fourth part of the amendments clarifies that the right of Hungarian judges to submit a reference for a preliminary ruling to the Court of Justice of the European Union, stemming from the basic EU treaties, cannot be limited by internal legal means.

The development of these amendments was supported by broad social consultation and domestic and international professional consultations, including cooperation with the European Commission confirming compliance with the milestones included in the Recovery and Resilience Plan. Through the Judicial Reform Act's adoption and implementation, safeguards guaranteeing the independence of the judiciary – in accordance with the achievements of our historical constitution, the democratic values under the rule of law and international standards – will be further strengthened.

208-2. Budget

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: Act no. LIII of 2023 on the Foundation of the Central Budget of Hungary for 2024 amended Act no. CXCV of 2011 on Public Finances (the Public Finances Act). The amendment states that, in order to ensure the independence of the budgetary management of the Curia and the NJC, the powers of the head of the body managing the relevant budgetary chapter are exercised by the President of the Curia and the NJC instead of the President of the NOJ.

As part of its judicial activity, the Curia ensures the uniformity of the application of the law by the courts, and thus has a key constitutional function. Furthermore, the NJC performs a special activity, separate from the courts' adjudication and independent of other bodies, both economically and operationally. However, the aforementioned bodies can meet these constitutional requirements only if they have autonomy in respect of their budget and management. Therefore, in order to ensure the independence of the budgetary management of the Curia and the NJC, and based on the results of the European Commission's report on the 2021 EU Scoreboard, the Public Finances Act states that the powers of the head of the body managing the relevant budgetary chapter are exercised by the President of the Curia and the NJC – in respect of the Curia and the NJC – instead of the President of the NOJ.

208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In 2022, several legislative changes affected the performance of the adjudicative and case law uniformity tasks of the Curia. In 2021, the Curia became a general court of second instance in administrative disputes with jurisdiction over the whole territory of Hungary, which, while continuing to function as a court of judicial review, made it the most burdened court in the country. This critical process was changed by Act no. CXXXIV of 2021, which introduced the level of the regional appellate court into the second instance of administrative adjudication – in a so-called ascending system –, thus gradually relieving the Curia's caseload. In administrative cases decided by the Regional Appellate Court of Budapest at second instance, the possibility of a judicial review by the Curia was ensured.

The Venice Commission's opinion no. CDL-AD(2021)036 on the uniformity complaint procedure stressed that the legal instrument of the uniformity complaint meets the requirements previously set out, but it nevertheless recommended the abolition of the traditional (theoretical) uniformity procedure, which had been part of the legal order since 1998, and that the uniformity complaint panel should take its decisions with the participation of more judges than at present. In this respect, the provisions of Act no. CXXXIV of 2021 have integrated the traditional uniformity procedure into the uniformity complaint procedure, modelled on the preliminary ruling procedure of the Court of Justice of the European Union.

208-4. Access to justice and legal aid

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-5. High Judicial Council (competent for judges and/or prosecutors)

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Under Act no. X of 2023, the NJC became a legal entity and its tasks were expanded. The NJC's responsibilities have been extended, among others, in the following fields: general central administration, budget, statistical data collection, case allocation, workload evaluation, staffing and training. The amendment also specifies the tasks which the President of the NOJ may exercise with the consent of the NJC or after obtaining the mandatory opinion of the NJC (for example, the right of consent in the case of the annulment of a call for applications procedure in respect of a judge's position or a court executive's position).

208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-7. Gender equality

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-9. Enforcement of court decisions and in particular regarding decisions against public authorities

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-10. Mediation and other Alternative Dispute Resolution

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-11. Fight against crime

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-12. Prison system

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

208-13. Child friendly justice

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

208-14. Domestic violence

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

208-15. New information and communication technologies

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

208-16. Other

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: