

## **Act XXXVI of 2012 on the National Assembly**

Based upon the provision of the Fundamental Law of Hungary stating that Hungary's supreme organ of popular representation is the National Assembly;

having regard to the centuries-old traditions of parliamentarism in Hungary;

conscious that since the second day of May 1990, the date of the formation of the first freely elected organ of popular representation, the National Assembly has been the most important constitutional institution of our modern age democracy and the trustee of the people's sovereignty;

confirming that an effective and transparent exercise by the National Assembly of its legislative duties and its monitoring functions over the executive power is an indispensable condition for the democratic operation of the State;

recognising that the national minorities living in Hungary as constituent parts of the State have the right to be represented in the National Assembly in the interest of preserving their identity, fostering their language and culture, and being granted a possibility of participating in our common affairs;

emphasising the common responsibility of all Members of the National Assembly for serving Hungary, the Hungarian nation and the common good;

guaranteeing the inviolability of the proper exercising of the rights of the Members of the National Assembly and the operation of the National Assembly consonant with the dignity of its public law status;

promoting cooperation between the National Assembly and the Government in European Union affairs, in line with the efforts of the European Union to provide for an emphasised role of national parliaments;

the National Assembly, for the purpose of implementing the Fundamental Law and establishing certain provisions of the Rules of Procedure in an Act, on the basis of Article 2 (2), Article 4 (2) and (5), Article 5 (4), (7) to (9), Article 7 (3) and Article 19 of the Fundamental Law, adopts the following Act:

### **PART ONE ORGANISATION OF THE NATIONAL ASSEMBLY**

#### **CHAPTER I OFFICERS OF THE NATIONAL ASSEMBLY**

**Section 1** The officers of the National Assembly shall be the following:

- a) Speaker of the National Assembly (hereinafter "Speaker"),
- b) Deputy Speaker of the National Assembly (hereinafter "Deputy Speaker"),
- c) Principal of the National Assembly (hereinafter "Principal of the House"), and
- d) parliamentary notary.

#### **1. The Speaker of the National Assembly**

**Section 2** (1) The Speaker shall ensure the exercise of the rights of the National Assembly, and provide for safeguarding the reputation of the National Assembly, maintaining the order and security of the National Assembly, and organising the work of the National Assembly.

(2) The Speaker

*a)* shall represent the National Assembly in relations with other organs of the State, non-governmental and other organisations,

*b)* shall represent the National Assembly in international relations, directly supervise the international activities of the National Assembly and lay down the rules for such activities,

*c)* shall, on the basis of his or her public law duties, represent Hungary in negotiations with foreign partners,

*d)* shall, prior to the meetings of the European Council and before events of strategic importance, convene the Consultative Body on European Union Affairs for parliamentary consultation of the European Union policy; shall invite the Prime Minister to inform the Consultative Body on European Union Affairs of Hungary's position, may propose to the standing committee dealing with European Union affairs or to another standing committee to discuss any European Union matter of strategic importance,

*e)* shall convene the sessions of the National Assembly and the individual sittings within a session; shall open, conduct impartially and close the sittings; give the floor to speakers, oversee compliance with the Rules of Procedure Instruments, announce the result of votes, and watch over the order of the sittings,

*f)* shall, after the formation of the National Assembly, considering the relevant motions of the leaders of the parliamentary groups, decide how seats on the floor of the House are to be allocated to the Members,

*g)* shall chair the sittings of the House Committee,

*h)* shall coordinate the operation of parliamentary committees, make proposals, as provided for in this Act, for the number, name, functions, and the number of members, of parliamentary committees, as well as for the election of the chairs, deputy chairs and members, and any change in the person of any of them,

*i)* shall assign the motions and submissions received by the National Assembly to the parliamentary committee vested with the relevant functions for preparing or taking measures,

*j)* shall make a proposal to the National Assembly for the election and dismissal of the Principal of the House,

*k)* shall appoint and dismiss the director-general and the heads of the organisational sections specified in the Organisational and Operational Regulations of the Office of the National Assembly, and shall exercise the employer's rights in accordance with the provisions of the Organisational and Operational Regulations of the Office of the National Assembly,

*l)* shall establish the Organisational and Operational Regulations of the Office of the National Assembly in a Speaker's direction, and may issue Speaker's directions in exercising his or her functions and powers,

*m)* shall approve the draft budget of the Office of the National Assembly and of the Parliamentary Guard, and supervise the implementation of the adopted budget,

*n)* shall take or initiate the necessary measures for granting the security of the National Assembly,

*o)* shall exercise the rights related to confidentiality of the chair of a parliamentary committee terminated without succession,

*p)* shall exercise his or her policing and disciplinary powers in the cases specified in this Act,

*q)* shall, in connection with directing the Parliamentary Guard, issue the Organisational and Operational Regulations of the Parliamentary Guard,

*r)* may direct the persons in management position of the Office of the National Assembly and of the Parliamentary Guard to carry out a task or to make up for an omission, may order the Office of the National Assembly or the Parliamentary Guard to submit a report or give an account, and may reserve the right to approve the decisions of those organs in advance or subsequently,

*s)* shall perform all the duties specified for the Speaker in the Fundamental Law, the Rules of Procedure Instruments, or in another Act or parliamentary resolution.

(3) The Speaker

*a)* may, in order to maintain the order of deliberation, speak at any time at the sittings; however, if he or she wishes to speak on the substance of a matter, he or she shall hand over the Speaker's duties,

*b)* may attend, in a consultative capacity, the sitting of any parliamentary committee.

## **2. The Deputy Speakers of the National Assembly**

**Section 3** (1) The Speaker shall be replaced by Deputy Speakers in the order determined by the Speaker.

(2) If the term of office of the Speaker terminates or, with the exception of the case specified in Article 14 (3) of the Fundamental Law, the Speaker is permanently prevented from acting, the functions and powers of the Speaker shall be performed by the Deputy Speakers in the order determined by the Speaker until a new Speaker is elected or until the Speaker is no longer prevented from acting, respectively.

(3) In the case referred to in Article 14 (3) of the Fundamental Law, the National Assembly shall, on a proposal from the Speaker, decide on the designation of a Deputy Speaker to perform the duties of the Speaker substituting for the President of the Republic.

(4) The Deputy Speaker replacing the Speaker shall have the same rights and same obligations as the Speaker; however, he or she shall not be entitled to exercise the functions and powers specified in section 2 (2) *j)* to *l)* and *q)*.

(5) The National Assembly shall also elect a Deputy Speaker responsible for legislation.

## **3. The Principal of the National Assembly**

**Section 4** (1) With the exception of the functions and powers specified in section 2 (2) *d)* to *h)*, *j)* to *m)* and *o)* to *q)*, the Principal of the House shall exercise the functions and powers delegated to him or her by the Speaker in the Organisational and Operational Regulations of the Office of the National Assembly.

(2) The Principal of the House shall act under the direction of the Speaker.

(3) The Principal of the House shall be elected from among the Members of the National Assembly (hereinafter "Members"), or other persons who comply with the requirements applicable to the establishment of public service relationship.

(4) The Principal of the House shall enjoy immunity. The rules pertaining to the immunity of Members shall apply to the immunity of the Principal of the House.

(5) With the exception of a Member's mandate, the Principal of the House may not engage in any other gainful occupation, and may not receive remuneration for any other activity, except for scientific, lecturing, artistic, reviewer and editorial activities, intellectual activities falling under legal protection, and activities performed in foster parent occupational relationship.

(6) If the Principal of the House has a Member's mandate, his or her remuneration shall be equal to the remuneration of a Deputy Speaker.

(6a) If the Principal of the House does not have a Member's mandate, he or she shall be entitled to a remuneration equal to two times the amount specified in section 104(1), as well as to other benefits provided for Ministers by law. With the exceptions of the establishment and termination of the mandate, compliance with the obligation to make a declaration of assets as well as incompatibility and conflict of interests, the provisions of the Act on public service officials shall apply to the status of the Principal of the House without a Member's mandate.

(7) The Principal of the House shall make a declaration of assets, income and economic interests (hereinafter the "declaration of assets") within thirty days of the commencement of his or her term of office. The rules on the declaration of assets of Members shall apply accordingly to the declaration of assets of the Principal of the House.

#### **4. Parliamentary notaries**

**Section 5** (1) The parliamentary notaries

- a) shall contribute to conducting the sitting of the National Assembly,
- b) shall, if necessary, count the votes when voting is carried out by show of hands,
- c) shall act as a vote-counting panel when voting is carried out by secret ballot,
- d) shall read out parliamentary documents and, in the event of oath-taking, the Hungarian text of the oath,
- e) shall keep a list of the Members requesting the floor,
- f) shall indicate to the Speaker or Deputy Speaker chairing the sitting (hereinafter jointly: "chair of the sitting") the expiry of speaking time,
- g) shall certify the verbatim minutes of the National Assembly,
- h) shall assist the chair of the sitting in maintaining the order of discussion, and
- i) shall contribute to verifying the deeds of oath of the Members and the national minority advocates where a provision of the Rules of Procedure laid down in a parliamentary resolution (hereinafter the "Rules of Procedure Resolution") so requires.

(2) Two parliamentary notaries, preferably one who belongs to a ruling parliamentary group and another one from an opposition parliamentary group, shall serve simultaneously at a sitting of the National Assembly in the order determined by the Speaker.

(3) If there are no parliamentary notaries present in the adequate number at a sitting of the National Assembly, the chair of the sitting shall request another Member to perform the parliamentary notary's duties.

#### **5. Election of the officers of the National Assembly**

**Section 6** (1) Upon a motion by the leaders of the parliamentary groups of the political parties represented in the National Assembly (hereinafter "parliamentary group") and on a proposal from the most senior Member (hereinafter "chair of age"), the National Assembly shall, at its constitutive sitting, elect the Speaker by secret ballot, and the Deputy Speakers and parliamentary notaries by open ballot. By virtue, and at the time, of his or her election, the Deputy Speaker responsible for legislation shall become the candidate chair of the committee on legislation.

(2) If the parliamentary groups do not put forward a joint motion, or the necessary majority has not been reached in the vote held on the basis of a joint motion, the leader of the parliamentary group with the most members shall be entitled to propose a candidate for Speaker. In this case, after electing the Speaker, the National Assembly shall, upon a joint motion by the leaders of the parliamentary groups or, in the absence of such a motion, after considering the individual motions, on a proposal from the Speaker, elect the Deputy Speakers and the parliamentary notaries.

(3) If the leaders of the parliamentary groups fail to reach an agreement on the joint motion, and the parliamentary group with the most members cannot be identified due to the equal number of mandates in more than one parliamentary group, all the parliamentary groups having the highest number of mandates shall be entitled to propose a candidate for Speaker.

(4) No proposal for amendment shall be submitted for a proposal referred to in paragraphs (1) to (3). The National Assembly shall decide on the officers individually by each person, without debate.

(5) After the votes are cast, the eight most junior Members (hereinafter “parliamentary notaries of age”) shall, under the supervision of the chair of age, count the votes, and the chair of age shall announce the result.

(6) If for the election of the Speaker, Deputy Speaker or parliamentary notary the necessary majority has not been reached on the basis of paragraphs (2) to (3) either, a repeated vote shall be held at the constitutive sitting with regard to the office concerned. If there were more candidates for the office of the Speaker, in the repeated vote votes may be cast for the two candidates who have received the highest number of votes. With respect to the Deputy Speaker and the parliamentary notary, the number of candidates to vote for in the repeated vote shall be, from the candidates who have received the highest number of votes, the number of officers to be elected plus one candidate.

(7) If also the repeated vote is inconclusive, a new nomination and a new vote shall be held for the unfilled office. With respect to the Speaker, in the course of the new nomination, the parliamentary group with the second highest number of members, while in the event of a subsequent inconclusive vote, the parliamentary group with the next highest number of members shall be entitled to propose a candidate for Speaker.

**Section 7** At its constitutive sitting, the National Assembly shall, on a proposal from the Speaker, elect the Principal of the House by open ballot.

**Section 8** If an officer’s mandate terminates or in the event of a change concerning the person of an officer, the provisions of sections 6 to 7 shall apply to the election of a new officer, with the proviso that parliamentary notaries shall act instead of the parliamentary notaries of age, and the Speaker or, in the case of the election of the Speaker, a Deputy Speaker shall act instead of the chair of age.

**Section 9** The Speaker shall take an oath before the National Assembly on the day of his or her election.

## **6. Termination of the term of office of officers**

**Section 10** (1) The term of office of the Speaker, Deputy Speaker and parliamentary notary shall terminate

- a) upon termination of his or her Member’s mandate,
- b) upon his or her leaving, or exclusion from, the parliamentary group, or if he or she joins another parliamentary group as provided for in the Rules of Procedure Resolution,
- c) upon termination of the parliamentary group he or she is a member of,
- d) upon his or her dismissal,
- e) upon his or her resignation from office,
- f) upon his or her election as Prime Minister or appointment as Minister, the political director of the Prime Minister, or State Secretary, or
- g) upon the second time of applying against him or her the disciplinary measure of exclusion from the sitting day or the sitting, or upon the first time of applying against him or her the disciplinary measure of suspension, with final and binding effect within the given parliamentary term.

(1a) The term of office of the Deputy Speaker responsible for legislation shall also terminate if the National Assembly does not elect him or her as the chair of the committee on legislation, or when his or her term of office as chair of the committee on legislation terminates according to section 19 (1) *b), e)* or *h)*.

(2) The term of office of the Principal of the House shall terminate

- a)* upon the formation of the new National Assembly,
- b)* upon his or her death,
- c)* upon his or her dismissal,
- d)* upon his or her resignation from office,
- e)* upon the declaration of his or her incompatibility and conflict of interests,
- f)* upon his or her election as Prime Minister or appointment as Minister, the political director of the Prime Minister, or State Secretary, or
- g)* upon the second time of applying against him or her the disciplinary measure of exclusion from the sitting day or the sitting, or upon the first time of applying against him or her the disciplinary measure of suspension, with final and binding effect within the given parliamentary term.

(3) The National Assembly shall decide without debate on the dismissal of a Deputy Speaker or parliamentary notary on a proposal from the House Committee, and on the dismissal of the Principal of the House on a proposal from the Speaker. The rules on electing the Deputy Speaker, parliamentary notary and Principal of the House shall apply to their dismissal in any other matters.

(3a) The rules on electing the Speaker shall apply to his or her dismissal. On the day of the dismissal of the Speaker, the National Assembly shall elect a new Speaker.

(4) The officers of the National Assembly may resign from office by tendering their resignation in writing to the National Assembly. The resignation shall not require reasoning, acceptance of the resignation shall not be required to make it effective, and the officer's term of office shall terminate on the day of the submission of the resignation.

(5) The provisions on establishing the incompatibility and conflict of interests of Members shall apply to establishing the incompatibility and conflict of interests of the Principal of the House.

## CHAPTER II

### HOUSE COMMITTEE

**Section 11** (1) In accordance with the Rules of Procedure Instruments, the House Committee

- a)* shall take a position on the National Assembly's working order by sessions and within the sessions,
- b)* shall draw up a proposal on the agenda and the duration of the sittings, and identify the agenda items affecting the interests or rights of national minorities and the ones related to European Union issues,
- c)* shall discuss the substantive motions affecting the operation of the National Assembly, and take a position on them,
- d)* shall consult on the debated issues related to the operation of the National Assembly,
- e)* may make proposals in matters concerning the organisation of international relations, and shall prepare ceremonial events,
- f)* shall take a position on questions related to the press publicity of the National Assembly's work,

g) shall hear the persons that the Speaker intends to appoint and the person nominated for the office of the Principal of the House provided that that person does not have a Member's mandate,

h) shall determine the cases where the written form requirement laid down in the Rules of Procedure Instruments must or may be complied with by way of submission by electronic means, and shall specify the conditions for electronic submission,

i) shall discuss, upon an invitation by the Speaker, the significant submissions, petitions, calls, open letters received by the National Assembly or its officers, and shall deliver an opinion on the possible measures to be taken,

j)

k) shall take a position on the order of the committee hearings before the appointment of persons proposed for the office of Minister,

l) shall make a recommendation on the establishment of the invalidity of a recommendation on nominating the President of the Republic,

m) shall propose the dismissal of a Deputy Speaker or parliamentary notary,

n) shall, in the proposal on the agenda of the National Assembly's sitting, propose the time for interpellations and questions,

o) shall decide on authorising ceremonial speeches to be delivered outside of the agenda and the contributions of the leaders of the parliamentary groups regarding the speech of the President of the Republic to be delivered outside of the agenda,

p) shall provide seats for the audience in the gallery, depending on the space available,

q) shall discuss other issues put forward by the members of the House Committee, and

r) shall perform further tasks conferred upon it by an Act or the Rules of Procedure Resolution.

(2)

(3)

**Section 12** (1) The House Committee shall be a preparatory body of the National Assembly. The chair of the House Committee shall be the Speaker, and its members shall be the Deputy Speakers, the leaders of the parliamentary groups and the Principal of the House.

(2) The House Committee shall be formed with the announcement of the names of the leaders of the parliamentary groups and the election of the Speaker and the Deputy Speakers.

**Section 13** (1) Only the leaders of the parliamentary groups or, if a leader is prevented from attending, his or her proxy shall have the right to vote in the House Committee.

(2) In addition to the members of the House Committee, only persons invited by the Speaker shall be entitled to attend the sitting of the House Committee, with the exceptions specified in paragraphs (2a) and (3).

(2a) The chair of the committee representing the national minorities or, if he or she is prevented from attending, a deputy chair of that committee delegated by the chair, may attend the sitting of the House Committee.

(3) A representative of the Government and the director-general may attend, in a consultative capacity, the sitting of the House Committee as permanent invitees.

(4) The sittings of the House Committee shall be convened and conducted by the Speaker. When the National Assembly is sitting, the chair of the sitting may convene a sitting of the House Committee.

(5) The House Committee shall be convened if the leader of any parliamentary group so requests. If convening the House Committee is requested when the National Assembly is sitting, the sitting of the House Committee shall be convened for the end of the National Assembly's sitting during which convening has been initiated at the latest.

(5a) The chair of the committee representing the national minorities may request the Speaker to convene the House Committee in order for the House Committee to determine an agenda item as an item affecting the interests or rights of national minorities. The Speaker shall decide on convening the House Committee.

(6) The House Committee shall make its decisions with the unanimous votes of all of its members having the right to vote; failing that, the issues under section 11 (1) *a*) shall be decided by the National Assembly without debate, while other questions shall be decided by the Speaker.

(7)

(8) The House Committee shall establish its own order of operation, in accordance with the Rules of Procedure Instruments.

**Section 13/A** Section 27(5) to (6) of Act CXII of 2011 on the right to informational self-determination and on the freedom of information shall apply to the minutes taken at the sittings of the House Committee.

### CHAPTER III

#### PARLIAMENTARY COMMITTEES

**Section 14** (1) The National Assembly

*a*) shall establish standing committees, the committee on legislation and the committee representing the national minorities,

*b*) may establish an *ad hoc* committee and a committee of inquiry,  
as parliamentary committees.

(2) A parliamentary resolution establishing a committee shall determine the date of beginning of the mandate of the committee.

#### 7. Standing committees

**Section 15** (1) A standing committee shall be an organ of the National Assembly in charge of putting forward initiatives, making proposals, delivering opinions, making, in the cases specified in an Act and in the Rules of Procedure Resolution, decisions, and contributing to monitoring the work of the Government, which exercises the powers specified in the Fundamental Law, an Act, the Rules of Procedure Resolution, and other resolutions of the National Assembly.

(2) The National Assembly may invite standing committees to prepare a proposal for the adoption or the amendment of the Fundamental Law, legislative proposals, proposals for resolution, proposals for political declaration or reports.

(3)

(4) A standing committee may, upon being so called upon by the National Assembly or on its own initiative, discuss any question concerning its functions, and may take a position on it. The standing committee may make its standpoint, together with sending it to the Speaker, public in a committee information note.

**Section 16** (1) After its formation the National Assembly shall set up its standing committees. The functions of standing committees shall be aligned with the governmental functions.

(2) It shall be mandatory to establish a Committee on Immunity, Incompatibility, Discipline and Mandate Control (hereinafter the “Committee on Immunity”) and standing committees dealing with constitutional affairs, the budget, foreign affairs, European Union affairs, national defence, national security and Hungarian communities abroad.



(3) The National Assembly may set up, change or terminate another standing committee at any time.

**Section 17** (1) The number of Members from each parliamentary group participating as members in the work of a standing committee shall preferably be proportional to the number of members of the relevant parliamentary group.

(2) With the exception of the members of the Government, the political director of the Prime Minister, and State Secretaries, every Member shall be offered the possibility to participate in the work of at least one of the committees referred to in section 14 (1) a).

(3)

(4) The National Assembly may also decide that ruling parliamentary groups and opposition parliamentary groups nominate the same number of Members to a certain standing committee (hereinafter “parity committee”). The Committee on Immunity shall be a parity committee.

**Section 18** (1) In accordance with the agreement of the leaders of the parliamentary groups, which also considers the opinion of independent Members, or, in the absence of such an agreement, taking into account the motions of the leaders of the parliamentary groups, the Speaker shall make a proposal to the National Assembly concerning the number, name and functions of the standing committees, as well as the number of their members belonging to a parliamentary group and those not belonging to a parliamentary group (hereinafter “independent Member”).

(2) Taking into account the motions by the leaders of the parliamentary groups, which also considers the opinion of the independent Members concerned, the Speaker shall make a proposal to the National Assembly concerning the election of the chairs, deputy chairs and members of standing committees, regarding any change in their person, and filling the positions that become vacant.

(3) Independent Members shall, preferably jointly, submit their opinion referred to in paragraphs (1) and (2) to the Speaker.

(4) The National Assembly shall decide without debate on proposals concerning standing committees and persons. Only a leader of a parliamentary group may make a proposal for amendment of a proposal on standing committees. The National Assembly shall decide without debate on such a proposal for amendment. No proposal for amendment shall be submitted for a proposal concerning persons. On a proposal made in accordance with paragraphs (1) to (2), the National Assembly may also decide to elect more than one deputy chair to a standing committee.

(5) The leader of a parliamentary group may nominate to a committee position or membership a Member belonging to the parliamentary group lead by him or her or an independent Member. The leader of a parliamentary group may nominate an independent Member only with prior consent of the Member concerned. An independent Member may be nominated to the account of the committee positions or membership posts that the parliamentary group is entitled to.

(6) In other respects, the rules on electing the committee chair, deputy chair and committee members shall apply to their dismissal.

**Section 19** (1) The mandate of the chair, deputy chair or member of a standing committee shall terminate

- a) upon his or her resignation from that post,
- b) upon termination of the committee’s mandate,
- c) upon termination of his or her Member’s mandate,
- d) upon his or her leaving, or exclusion from, the parliamentary group, or if he or she joins another parliamentary group as provided for in the Rules of Procedure Resolution,
- e) upon his or her being recalled by the parliamentary group,

- f) upon termination of the parliamentary group he or she is a member of,
- g) upon his or her dismissal,
- h) upon his or her being recalled by the House Committee provided that he or she is an independent Member, or
- i) upon his or her election as Prime Minister or appointment as Minister, the political director of the Prime Minister, or State Secretary.

(2) The chair, deputy chair or member of a standing committee may resign from this post by tendering his or her resignation in writing to the Speaker. The resignation shall not require reasoning, acceptance of the resignation shall not be required to make it effective, and his or her term of office shall terminate on the day of the submission of the resignation.

**Section 20** (1) Committee members shall attend the sittings of the committee in person or through proxy holders.

(2) A committee member may give a proxy only to a member of the same parliamentary committee to substitute for him or her when he or she is absent. The proxy shall only be valid for a single sitting of the committee.

(3) A proxy holder shall have the same rights and the same obligations as a committee member. Substitution shall not include the exercise of the rights of the committee chair or deputy chair.

(4) A proxy holder shall be allowed to act on behalf of not more than one committee member at a given committee sitting.

**Section 21** (1) A standing committee may set up from its members subcommittees for implementing certain functions of the standing committee. The subcommittee shall establish its own order of operation in accordance with the provisions of the Rules of Procedure Instruments relating to the operation of standing committees.

(2) Each standing committee shall set up a subcommittee for monitoring the implementation and the social and economic impacts of the Acts falling within the committee's functions, and for monitoring deregulation processes.

(3) The committee chair shall inform without delay the National Assembly of the establishment of a subcommittee.

#### **7/A. Committee on legislation**

**Section 21/A** (1) The committee on legislation shall act in the context of the National Assembly's legislative activity as its committee in charge of making proposals, delivering opinions, and making, in the cases specified in an Act and in the Rules of Procedure Resolution, decisions, which exercises the powers specified in the Fundamental Law, an Act, the Rules of Procedure Resolution, and other resolutions of the National Assembly.

(2) Following its formation the National Assembly shall establish the committee on legislation. When establishing the standing committees, the National Assembly shall decide on the deputy chair and the members of the committee on legislation. The National Assembly shall make a separate decision on the chair of the committee on legislation.

(3) The provisions of section 15 (4), section 17 (1) to (2), sections 18 to 20 and section 21 (1) and (3) shall apply to the committee on legislation, with the proviso that the term of office of the chair of the committee on legislation shall terminate also if his or her term of office as Deputy Speaker responsible for legislation terminates on the basis of section 10 (1) d).

## 8. Committee representing the national minorities

**Section 22** (1) The committee representing the national minorities shall be an organ of the National Assembly acting in the field of the interests and rights of national minorities, in charge of putting forward initiatives, making proposals, delivering opinions, and contributing to monitoring the work of the Government, which exercises the powers specified in the Fundamental Law, an Act, the Rules of Procedure Resolution, and other resolutions of the National Assembly.

(2) The committee representing the national minorities shall take a position on the account prepared by the Government on the state of the national minorities, and on the annual account by the Commissioner for Fundamental Rights.

(3) Members of the committee representing the national minorities shall be the Members obtaining mandate from a national minority list (hereinafter the “national minority Member”), and the national minority advocates.

(4) After considering the motions put forward by the national minority Members and national minority advocates, the Speaker shall make a proposal to the National Assembly concerning the name, the extension of the functions, the chair and the deputy chairs of the committee representing the national minorities.

(4a) The costs incurred in relation to the use of mother tongues by the Members belonging to a national minority, national minority Members and national minority advocates shall be charged against the relevant allocation of the committee representing the national minorities available for this purpose.

(5) Section 15 (2) and (4), section 19 (1) *a*), *c*) and, with regard to the chair and deputy chair of the committee representing the national minorities, *h*), section 19 (2), section 20 and section 21 shall apply to the committee representing the national minorities.

## 9. *Ad hoc* committee

**Section 23** (1) The National Assembly may establish an *ad hoc* committee for the purpose of managing the affairs indicated in the resolution establishing the *ad hoc* committee, for the term specified in the resolution.

(2) When establishing an *ad hoc* committee, the National Assembly shall determine its function, name, the number of its members and the extent of its mandate.

(3) Not more than half of the members of the *ad hoc* committee may be persons other than Members. Only a Member may be the chair and deputy chair of the *ad hoc* committee; the members of the *ad hoc* committee who are not Members shall have no right to vote. With regard to establishing the quorum for decision making of the *ad hoc* committee, only the members of the committee who are Members shall be taken into account.

(3a) A member of the *ad hoc* committee who is a Member may give a proxy only to a member of the *ad hoc* committee who is a Member.

(4) The provisions of section 15 (2) and (4), section 17 (1) and (4), section 18 (2), (3), (5) and (6), the provisions relating to proposals concerning persons of section 18 (4), the provisions of sections 19 to 20 and section 21 (1) and (3) shall apply to *ad hoc* committees.

(5)

## 10. Committee of inquiry

**Section 24** (1) The National Assembly may, in accordance with Article C)(1) of the Fundamental Law, depute a committee of inquiry to investigate any matter of public interest arising within the National Assembly's monitoring functions that cannot be clarified through an interpellation or question (prompt question). No committee of inquiry shall be set up for the establishment of specific legal liability or for the examination of any case falling within the powers of the Constitutional Court, the State Audit Office or local governments. The inquiry shall not extend to cases that are in the preparatory phase of a decision. Moreover, the inquiry shall not extend to cases that are the subject of a pending criminal, infraction, civil or administrative authority proceeding.

(2) One fifth of the Members may initiate the setting-up of a committee of inquiry.

(3) No proposal for amendment concerning the name of the committee of inquiry or the subject of the inquiry shall be submitted for a proposal for a resolution setting up a committee of inquiry.

(4) Only Members shall be members of a committee of inquiry.

(5) A committee of inquiry shall be a parity committee. The chair of a committee of inquiry investigating the activities of the Government or a central state administration organ under the direction of the Government or a member of the Government shall be a Member belonging to the opposition of the Government in question. If the inquiry affects more than one Government and the oppositions of the Governments in question have not been the same, the committee shall be co-chaired by one Member from each of the oppositions of the Governments in question. The co-chairs shall jointly prepare the sittings of the committee of inquiry, and they shall conduct the sittings in alternating turns. For the purpose of performing their further chairing responsibilities, they shall have the same power, and shall act in cooperation with each other, taking into account the activity of the co-chair.

**Section 25** (1) A committee of inquiry may require a person, organ or organisation holding a document, data or other information related to the committee's investigating activity to cooperate in the inquiry (hereinafter "party obliged to cooperate").

(2) The party obliged to cooperate shall be subject to the following:

- a) information provision obligation,
- b) attendance obligation, and
- c) obligation to make a statement.

(3) Should a party obliged to cooperate fail to comply with an obligation referred to in paragraph (2), the chair of the sitting shall, on the basis of the information received from the chair of the committee of inquiry, inform the public of such non-compliance by announcing it at the next sitting of the National Assembly.

**Section 26** (1) A committee of inquiry shall draw up a report on its activity.

(2) The report shall contain the following:

- a) the task of the committee of inquiry,
- b) the procedural order and methods of inquiry applied by the committee of inquiry,
- c) the facts and evidence revealed in the course of the inquiry,
- d) the remarks made at the sitting of the committee of inquiry by parties obliged to cooperate regarding the methods and findings of the inquiry,
- e) the remarks made at the sitting of the committee of inquiry by members of the committee of inquiry regarding the methods and findings of the inquiry,
- f) the findings related to the matter investigated by the committee of inquiry, and the recommendations on the measures to be taken.

(3) The report shall be prepared by the chair of the committee of inquiry. The committee of inquiry shall make a decision on submitting the report to the National Assembly. The National Assembly shall discuss the report, and shall adopt a resolution on its acceptance or rejection.

(4) The report and its findings may not be challenged before a court or another authority. The written remarks that a person affected by the report or by the parliamentary resolution adopted on the basis of the report makes on the findings related to him or her shall be published on the website of the National Assembly.

**Section 27** The provisions of section 15 (2), section 18 (2) to (5), sections 19 to 20, section 21 (1) and (3), and section 23 (2) shall apply to committees of inquiry.

#### **10/A. The investigating activity of the committees**

**Section 27/A** (1) A parliamentary committee other than a committee of inquiry may decide on its own initiative to conduct an investigation in a matter related to its functions, for the investigation of which the National Assembly could depute a committee of inquiry on the basis of section 24 (1).

(2) Unless otherwise provided in an Act, the provisions of sections 25 and 26 shall apply to the investigating activity of standing committees.

(3) In the course of its investigation, a parliamentary committee other than a standing committee may call upon a person, organ or organisation possessing a document, data or other information related to the committee's investigating activity to cooperate in the inquiry. The provisions under Subtitle 10 shall not apply to the investigating activity of parliamentary committees other than standing committees.

#### **10/B. Committee discussion of accounts and reports**

**Section 27/B** If the Fundamental Law, an Act or a parliamentary resolution provides for an obligation to give an account or submit a report to the National Assembly, the National Assembly may, on a proposal from the House Committee, invite its standing committee to make a decision on the account or report, with the exception of an account by the Commissioner for Fundamental Rights, the Prosecutor General, the President of the State Audit Office, and the Governor of the Hungarian National Bank, an account prepared by the Government on the state of national minorities or in the case specified in Article 47 (4) of the Fundamental Law, and a report by a parliamentary committee.

#### **10/C. Quorum for decision making and for deliberation**

**Section 27/C** (1) A parliamentary committee shall have a quorum for decision making if more than half of the committee members are present. With regard to the establishment of quorum for decision making, a committee member who has given a proxy shall be considered as being present.

(2) Unless otherwise provided in the Rules of Procedure Instruments, a parliamentary committee shall make its decisions with the votes of more than half of the committee members present.

(3) After adopting its agenda, a parliamentary committee shall have a quorum for deliberation if more than one third of the committee members are present. The quorum for deliberation of a parliamentary committee needs to be established only when a committee member so requests. With regard to the establishment of quorum for deliberation, a committee member who has given a proxy shall be considered as being present.

## CHAPTER III/A

### USING THE NAME AND EMBLEM OF THE NATIONAL ASSEMBLY

#### 10/D. Concept of the emblem; general rules relating to the use of the emblem

**Section 27/D** (1) The following may be used in accordance with the rules of free use as laid down in this Chapter or after obtaining the prior consent of the Prominent National Heritage Sites Committee or, on the basis of its authorisation, the Office of the National Assembly as trustee of the prominent national heritage site concerned (hereinafter “consent”):

*a)* name of the National Assembly (“Országgyűlés”), the House of Parliament (“Országház”) and the Parliament („Parlament”),

*b)* picture of the House of Parliament, the stylised picture or silhouette of the House of Parliament

(points *a)* and *b)* hereinafter jointly “emblem”).

(2) For the purposes of this Chapter, the proceeding of the Prominent National Heritage Sites Committee shall be construed to also mean the proceeding of the Office of the National Assembly as trustee of the prominent national heritage site concerned, on the basis of an authorisation given by the Prominent National Heritage Sites Committee.

(3) Using the emblem

*a)* shall not violate the dignity of the National Assembly, and

*b)* shall not suggest that the user of the emblem or the activity of the user is connected to the House of Parliament or the National Assembly or their activity, unless this follows from the consent obtained with regard to the use.

(4) Using the emblem shall be a matter of public interest.

(5) The free use of the emblem according to section 27/E and the consent given when use is subject to consent according to section 27/F shall not qualify as consent to granting trade mark protection in trade mark registration or renewal procedures in the application of Act XI of 1997 on the protection of trade marks and geographical indications (hereinafter the “Vt.”).

(6) Using the emblem as a sign, or as a part of it, to be granted trade mark protection in trade mark registration or renewal procedures according to the Vt. shall be subject to the consent of the Prominent National Heritage Sites Committee. If, on the basis of consent according to this paragraph, trade mark protection has been granted to a sign containing the emblem, this consent shall also qualify as a consent according to section 27/F for the duration of the trade mark protection.

#### 10/E. Free use of emblem

**Section 27/E** The picture of the House of Parliament and the stylised image or silhouette of the House of Parliament may be used without consent

*a)* for the purpose of providing information about the House of Parliament as a prominent tourism attraction, presenting an image of the townscape, and presenting it on gifts and souvenirs,

*b)* for the purpose of illustrating political news broadcasting, *c)* in textbooks,

*d)* in cinematographic creations, and

*e)* in tourism and art publications.

### **10/F. Using the emblem subject to consent**

**Section 27/F (1)** Using the emblem for a purpose other than the ones specified in section 27/E shall require a consent. The Prominent National Heritage Sites Committee shall decide on the consent in accordance with the procedure laid down in this Chapter, in a one-instance proceeding. This proceeding shall not constitute an administrative procedure.

(2) Requests for a consent referred to in paragraph (1) shall be addressed to the president of the Prominent National Heritage Sites Committee and submitted to the Office of the National Assembly.

(3) The request for consent shall contain the following:

- a) name and address or seat of the applicant,
- b) aim of using the emblem,
- c) a detailed description of the activity aimed at using the emblem,
- d) the place where the activity aimed at using the emblem is carried out,
- e) expected placement of the emblem (if the aim of using the emblem is placing it on a building or a construction), and
- f) the date of commencing the activity aimed at using the emblem and the expected period of using it.

(4) In deciding on giving consent, the Prominent National Heritage Sites Committee shall examine in particular whether or not the activity affected by using the emblem

- a) violates the dignity of the National Assembly, and
- b) can be considered misleading, taking into account section 27/D (3) b).

The decision shall not require reasoning.

(5) The Prominent National Heritage Sites Committee shall decide on the request within ninety days of the date of receipt.

(6) Subject to an obligation to provide reasoning, the Prominent National Heritage Sites Committee may withdraw the consent to using an emblem.

(7) The user of the emblem shall keep the document containing the consent at the site of carrying out the activity aimed at using the emblem during the full period of such activity.

### **10/G. Unauthorised use of the emblem**

**Section 27/G (1)** Anyone who

- a) has not been granted consent to using the emblem,
- b) does not use the emblem in accordance with section 27/D (3), or in the manner and for the purpose specified in section 27/E, or
- c) uses the emblem in a manner other than as described in the request on the basis of which the consent has been granted,

shall qualify as an unauthorised user of the emblem (hereinafter “unauthorised use of the emblem”).

(2) A person authorised by the Office of the National Assembly may monitor whether or not the use of the emblem qualifies as unauthorised on the basis of paragraph (1).

**Section 27/H (1)** If

- a) the applicant has not been granted consent to using the emblem,
- b) the Prominent National Heritage Sites Committee failed to issue the consent document, or
- c) the consent granted to using the emblem has been withdrawn according to section 27/F (6),

the applicant or the party from whom consent has been withdrawn may bring an action against the Office of the National Assembly within thirty days of the communication of the

rejection, expiry of the time limit specified in section 27/F (5), or from serving the withdrawal document. Such actions shall fall within the exclusive jurisdiction of the Budapest-Capital Regional Court; the court shall proceed in accordance with the rules governing civil court procedure, applying the Act on the Code of Civil Procedure.

(2) The court may order to

- a) repeat the decision making if the procedural rules applicable to issuing the consent document have been violated,
- b) issue a consent document that has not been issued due to failure, or
- c) set aside the withdrawal document if consent has been withdrawn.

**Section 27/I** (1) Within sixty days of becoming aware of unauthorised use of the emblem, the Office of the National Assembly shall call upon the unauthorised user of the emblem, setting a time limit of at least thirty days, to stop using the emblem or, in the case referred to in section 27/G (1) c), to use it in accordance with the request on the basis of which consent has been granted.

(2) If the time limit for complying with the call referred to in paragraph (1) expires without result, the Office of the National Assembly may, within thirty days, with the application as appropriate of the Civil Code's provisions on the violation of personality rights against the unauthorised user of the emblem, claim

- a) the establishment of the violation by the court,
- b) that the violation be ceased and the unauthorised user of the emblem be forbidden from continuing the violation,
- c) the ending of the injurious situation, the restoration to the situation existing prior to the violation, and the destruction of things produced through the violation or the depriving such things of their unlawful character,
- d) that the unauthorised user of the emblem or his or her legal successor relinquish the material gain obtained by the violation to it according to the rules on unjustified enrichment,
- e) grievance award be paid for the non-material harm arisen in connection with the violation.

(3) Actions brought by the Office of the National Assembly for the unauthorised use of emblem shall fall within the exclusive jurisdiction of the Budapest-Capital Regional Court; the court shall proceed in accordance with the rules governing civil court procedure, applying the Act on the Code of Civil Procedure.

## PART TWO

### THE OPERATION AND THE SITTING OF THE NATIONAL ASSEMBLY

#### **11. Rights and obligations connected to the operation of the National Assembly**

**Section 28** (1) Members shall have the right and obligation to participate in a proactive manner in the work of the National Assembly, and to facilitate its successful operation. Members shall be obliged to attend the sittings of the National Assembly and of parliamentary committees they are members of.

(2) Members shall be obliged to be present at the votes in the National Assembly. A Member shall be considered to be present at the vote in the National Assembly if he or she takes part in the vote in accordance with the Rules of Procedure Instruments.

(2a) Members shall indicate their absence from the sittings of the National Assembly and of parliamentary committees in advance.

(3) Unless an exception is provided for in this Act, any Member may be elected to the offices of the National Assembly or into the parliamentary committees.



(3a) In performing their duties, and in the framework of their general responsibility resulting from their office, the Deputy Speakers, the Principal of the House and the parliamentary notaries shall safeguard respect for the reputation of the National Assembly and the Rules of Procedure Instruments.

(4) The President of the Republic, the Government, any parliamentary committee and any Member may submit a proposal for resolution. A legislative proposal promulgating an international treaty may be submitted by the Government. Legislative proposals and proposals for resolution shall be supplemented with a statement of reasons.

(5) Unless an exception is provided for in an Act or the Rules of Procedure Resolution, Members shall exercise their Member's rights in person.

(6) Until taking the oath according to the Act on the oath and affirmation of certain public law officers, and signing the deed of oath (hereinafter jointly "oath-taking"), with the exception of performing the duties that are necessary for the holding of the constitutive sitting, a Member may not participate in, act in a consultative capacity, exercise his or her right to vote or his or her right under section 98 (1) and (2), or submit a motion at, the sittings of the National Assembly and the parliamentary committee, may not be elected to an office of the National Assembly or into a parliamentary committee, and may not participate in forming a parliamentary group.

(7) Should any doubt arise as to the validity of the deed of oath, the Member may not exercise his or her rights under paragraph (6) until the validity of the deed of oath is established in accordance with the Rules of Procedure Resolution.

## **12. National minority advocates**

**Section 29** (1) National minority advocates shall have equal rights and obligations, they shall perform their activities in the interest of the public and the national minority concerned, and shall not be given instructions in that respect.

(2) National minority advocates may speak at the sittings of the National Assembly if the House Committee considers that the agenda item affects the interests or rights of national minorities. In an extraordinary matter, following the discussion of the agenda items, national minority advocates may speak in the manner determined in the Rules of Procedure Resolution. National minority advocates shall have no right to vote at the sittings of the National Assembly.

(3) National minority advocates shall participate with a right to vote in the work of the committee representing the national minorities, and they may attend the sittings of a standing committee or the committee on legislation in a consultative capacity if the chair of the standing committee or committee on legislation, respectively, so decides or if the House Committee in its decision under paragraph (2) so provides.

(4) National minority advocates may address questions to the Government, any member of the Government, the Commissioner for Fundamental Rights, the President of the State Audit Office, and the Prosecutor General about matters within their functions that affect the interests or rights of national minorities.

**Section 29/A** (1) National minority advocates shall enjoy immunity. The rules pertaining to the immunity of Members shall apply to the immunity of national minority advocates.

(2) The term of office of a national minority advocate shall terminate

- a) upon termination of the mandate of the National Assembly,
- b) upon his or her death,
- e) upon declaration of his or her incompatibility and conflict of interests,
- d) upon his or her resignation,

*e)* if he or she is no longer eligible to be voted for at the election of the Members of the National Assembly, or

*f)* if he or she is no longer recorded in the central electoral register as a national minority voter.

(3) Should the mandate of a national minority advocate terminate for the cause specified in paragraph (2) *b)*, this fact shall be announced by the chair of the sitting to the National Assembly.

(4) The decision to declare that a national minority advocate is no longer eligible to be voted for at the election of the Members of the National Assembly or is no longer recorded in the central electoral register as a national minority voter, or to declare incompatibility and conflict of interests shall be made by the National Assembly.

(5) National minority advocates shall not be the president or member of a self-government of a national minority.

(6) The provisions applicable to Members laid down in section 5 (1) *e)*, section 28 (1) and (5) to (7), section 30, section 38/C, section 40 (3), section 42 (8), Subtitles 18 and 18/A, section 53 (2) to (5), section 57 (2), section 58 (3), section 59 (7), Chapter VIII, section 96, section 97, section 98, section 100, section 101 (2), section 103, and Subtitles 36, 37 and 39, the provisions applicable to independent Members laid down in Subtitle 38, furthermore, section 124/U, and, in cases affecting the interests or rights of national minorities, section 28 (4) shall also apply to national minority advocates.

### **13. Formation of the National Assembly**

**Section 30** (1) The Members elected in the general election of the Members of the National Assembly shall present their credentials to the President of the Republic before the constitutive sitting of the National Assembly.

(2) The Members elected in a by-election, and the Members appointed from the list due to vacancy shall present their credentials to the Speaker.

**Section 31** (1) The constitutive sitting of the National Assembly shall be opened by the President of the Republic who shall then provide information on receiving the credentials.

(2) After the chair of age and the parliamentary notaries of age taking office, the president of the National Election Commission and the president of the National Election Office shall give an account to the National Assembly of the general election of the Members of the National Assembly, in accordance with the provisions of the Act on election procedure.

(3) The detailed rules for the constitutive sitting shall be laid down in the Rules of Procedure Resolution.

### **14. The sitting of the National Assembly**

**Section 32** The National Assembly shall hold two ordinary sessions a year: from the first day of February to the fifteenth day of June, and from the first day of September to the fifteenth day of December.

**Section 33** Sessions shall consist of sittings, and sittings shall consist of sitting days. The expected number of sitting days shall be indicated at the time of convening a sitting.

**Section 34** (1) The sessions and sittings of the National Assembly shall be convened by the Speaker. When convening the sittings, the Speaker shall, subject to section 11 (1) *a)*, ensure that the sittings follow each other in a reasonable period in the course of the National Assembly's sessions in order to guarantee the complete performance of the duties of the National Assembly specified in the Fundamental Law.

(2) The proposal for the agenda of the National Assembly's sitting shall be published not later than 72 hours before the sitting, or, if it is necessary to convene more than one sitting within a calendar week, not later than 48 hours before the sitting.

**Section 35** (1) At the written request of the President of the Republic, the Government, or one fifth of the Members, the National Assembly shall be convened to an extraordinary session or an extraordinary sitting. The request shall specify the cause of convening as well as the proposed date and agenda. The Speaker shall convene the National Assembly preferably for the proposed date, but not later than eight days after the proposed date.

(2) The Speaker shall convene an extraordinary session or extraordinary sitting in the cases specified in this Act or the Rules of Procedure Resolution.

**Section 35/A** (1) The National Assembly may, on a proposal from the House Committee, hold a ceremonial or memorial sitting (hereinafter "ceremonial sitting") to commemorate the anniversary of an event of paramount importance in the history of Hungary or to celebrate a national holiday.

(2) The National Assembly shall determine the programme of the ceremonial sitting by adopting the agenda.

**Section 36** (1) The President of the Republic may adjourn the sitting of the National Assembly for not more than thirty days once during a session. The adjournment shall be notified in writing to the Speaker.

(2) During the period of adjournment, at the written request of one fifth of the Members, the Speaker shall convene the sitting of the National Assembly for a date not later than eight days from receiving the request.

**Section 37** Unless it decides otherwise, the National Assembly shall hold its sittings in the building of Parliament. During the period of special legal order, the Speaker may convene the sitting of the National Assembly in a different location as well.

**Section 38** After its formation the Government shall inform the National Assembly of its legislative programme for the session in progress, and at the end of each session of its legislative programme for the next session.

#### **14/A. Illustrating with articles, images or sound recordings**

**Section 38/A** (1) Illustrating with articles, images or sound recordings (hereinafter "illustration") shall not be permitted at the sittings of the National Assembly and of committees, with the exceptions specified in paragraphs (2) to (3).

(2) Illustration at a sitting of the National Assembly shall require permission by the House Committee. A request for permitting illustration shall be submitted not later than one hour before the commencement of the House Committee's sitting.

(3) Illustration at a sitting of a parliamentary committee shall require permission by the committee concerned. A request for permitting illustration shall be submitted not later than one hour before the commencement of the committee's sitting.

(4) The illustration permitted according to paragraph (2) or (3) shall be limited to the extent necessary for explaining the speaker's point of view.

#### **14/B. Language of deliberation, the use of mother tongue and sign language**

**Section 38/B** (1) The language of deliberation at the sittings of the National Assembly and parliamentary committees shall be Hungarian.

(2) Members belonging to a national minority, national minority Members and national minority advocates may speak in their mother tongue and may submit parliamentary papers in their mother tongue.

(3) The intention to speak in accordance with paragraph (2) shall be indicated not later than 12 o'clock on the working day before the sitting day or the committee's sitting where the speech is to be delivered; if the agenda is adopted in an amended form compared to the draft preliminary agenda, such indication shall be made without delay after the amended agenda is established.

(4) The certified Hungarian translation of a parliamentary paper referred to in paragraph (2) shall be submitted along with the parliamentary paper concerned. Both the mother tongue parliamentary paper and its Hungarian translation shall be required to comply with the form-related and substantial requirements for the submission of parliamentary papers. The National Assembly shall proceed on the basis of the parliamentary paper submitted in Hungarian.

(5) Interpretation into Hungarian language of a speech referred to in paragraph (2), delivered at a sitting of the National Assembly or a parliamentary committee shall be provided by the Office of the National Assembly if the intention to speak has been indicated within the time limit set in paragraph (3).

**Section 38/C** (1) A Member may use the Hungarian sign language in the speech delivered by him or her.

(2) Interpretation into the Hungarian sign language shall be provided by the Office of the National Assembly at the sittings of the National Assembly and, at the request of a Member, at the sitting of a parliamentary committee.

**Section 38/D** The provisions of sections 38/B and 38/C shall also apply to the sittings of the National Assembly's bodies referred to in this Act or the Rules of Procedure Resolution.

## **15. Other persons attending the sittings of the National Assembly and the parliamentary committees**

**Section 39** (1) The President of the Republic, any member of the Government, the President of the Constitutional Court, the President of the Curia, the Prosecutor General, the Commissioner for Fundamental Rights, the President of the State Audit Office, in the debate on the legislative proposal on the central budget and the legislative proposal on the amendment of the central budget the President of the Fiscal Council, in the parliamentary debate on the account submitted by him or her the person obliged to give an account to the National Assembly, and in the parliamentary debate on the agenda related to European Union issues the Members of the European Parliament from Hungary (hereinafter jointly "persons with consultative voice") may attend, and may, in accordance with the provisions of the Rules of Procedure Instruments relating to the proceeding of the sitting, speak at any time at, the sittings of the National Assembly.

(2) With the exception set out in paragraph (2a), if the proposer of a substantive motion on the agenda or the person entitled to substitute for him or her is absent, the National Assembly shall not discuss the substantive motion.

(2a) If the President of the Republic makes a written statement to that effect in advance, the substantive motion submitted by the President of the Republic may be discussed even if he or she is absent. This provision shall not prejudice the performance of the proposer's obligations under the Rules of Procedure Resolution.

(3) The member of the Government or the person entitled to substitute for him or her shall attend the sitting of the National Assembly if the legislative proposal, proposal for resolution or report on the agenda affects his or her functions.

(4) With the exception of the President of the Republic, the President of the Constitutional Court, the President of the Curia and the Members of the European Parliament from Hungary, the National Assembly may oblige any person with consultative voice to attend the sitting of the National Assembly.

**Section 40** (1) At the time of convening the sitting of the committee referred to in section 14 (1) *a*), the proposer, the President of the Republic, the Speaker, the Commissioner for Fundamental Rights, the President of the State Audit Office, for the discussion of the legislative proposal on the central budget and the legislative proposal on the amendment of the central budget the President of the Fiscal Council, for the discussion of motions identified as agenda items related to European Union issues the Members of the European Parliament from Hungary, the leaders of parliamentary groups that have no membership in the parliamentary committee concerned, persons who, on the basis of a separate Act, are entitled to it, and, if the discussed agenda item affects his or her functions, the member of the Government shall be invited to the sitting. The Members of the European Parliament from Hungary shall be invited to every sitting of the standing committee dealing with European Union affairs.

(2) The persons invited on the basis of paragraph (1) shall attend the sitting or the discussion of the agenda item in a consultative capacity. The invited person may be represented at the sitting by a person entitled to substitute for him or her. The leader of a parliamentary group not having membership in the parliamentary committee may also be represented at the sitting by a member of the parliamentary group who was given a proxy for a single occasion or valid until withdrawal. The Government's representative attending the sitting of a parliamentary committee shall be a person empowered to make decision.

(3) The proposer and the Member submitting a proposal for amendment for the discussed agenda item may attend the sitting of the parliamentary committee in a consultative capacity. The parliamentary committee may grant the right to speak to other Members.

(3a) National minority Members may attend in a consultative capacity the sittings of a standing committee or the committee on legislation subject to a decision by the chair of the standing committee or committee on legislation, respectively; where the discussed agenda item affects the interests or rights of national minorities, no specific decision shall be required for such attendance.

(4) The chair of a parliamentary committee may invite to the sitting of the parliamentary committee an expert. Either with or without specifying the person of the expert, the members of the parliamentary committee may also propose that an expert be invited; the proposal shall be decided upon by the parliamentary committee.

(5) One expert by each parliamentary group may attend the sitting of the parliamentary committee during the discussion of the relevant agenda item.

**Section 41** Ministers shall be heard in each year by the committee competent with regard to the functions of the Minister concerned.

**Section 41/A** (1) If the political director of the Prime Minister has a Member's mandate,

*a*) he or she may attend, and speak at, the sittings of the National Assembly as a person with consultative voice under section 39 (1), and

*b*) he or she may attend, in a consultative capacity, the sittings of the committees referred to in section 14 (1) *a*) as an invitee, provided that the discussed agenda item affects the functions of the Government or a member of the Government.

(2) The political director of the Prime Minister may not be obliged to attend a sitting of the National Assembly in accordance with section 39 (4).

(3) In the cases referred to in paragraph (1), for the purposes of the provisions of the Rules of Procedure Instruments relating to the proceeding of the sitting, the political director of the Prime Minister shall be considered to be a representative of the Government.

## 16. Interpellation and question

**Section 42** (1) A timeframe not less than the one determined in the Rules of Procedure Resolution shall be granted for interpellations and questions, or for interpellations or questions, at the time indicated on the agenda of the National Assembly's sitting each week when the National Assembly is sitting. It shall be guaranteed for every parliamentary group that at least one interpellation and question, or interpellation or question, submitted by the parliamentary group be discussed at the sitting, at the time indicated on the agenda of the sitting each week when the National Assembly is sitting. The House Committee shall grant the possibility of putting forward interpellations and questions by independent Members, taking into account their number. In addition to the opportunity provided by the House Committee for independent Members, a national minority Member may also put forward, in each ordinary session, an interpellation affecting the interests or rights of national minorities, which can be discussed at a sitting where no interpellation is presented by any independent Member.

(2) A person to whom, according to the Fundamental Law, an interpellation or question may be addressed shall deliver an answer to the interpellation or question in person or, exceptionally, through his or her alternate.

(3) If an interpellation or question affects the operation of the Government as a whole, the answer shall be delivered by the Prime Minister personally or, in the case specified in paragraph (3a), through the political director of the Prime Minister. If an interpellation or question affects more than one Minister or it is questionable which Minister is affected, the Prime Minister shall designate a Minister or, in the case specified in paragraph (3a), the political director of the Prime Minister to deliver the answer.

(3a) For an interpellation or question that affects the operation of the Government as a whole or that affects more than one Minister or regarding which it is questionable which Minister is affected, the Prime Minister may also designate the political director of the Prime Minister to deliver the answer if the political director of the Prime Minister has a Member's mandate.

(4) All interpellations shall be answered at the sittings of the National Assembly. At a reasoned request of the person addressed by an interpellation, the National Assembly may, voting without a debate, approve to deliver a written answer within thirty days.

(5) The written answer shall be sent to the Member who presented the interpellation and to the Speaker. The interpellation shall be discussed at the sitting following the submission of the answer.

(6) After the answer or written answer is delivered, the Member who presented the interpellation shall have the right to reply to the answer, with the proviso that such a reply shall not extend beyond the evaluation of the answer given to the interpellation and the reasoning of this evaluation. If the Member does not accept the answer, the National Assembly shall decide whether to accept the answer.

(7) If the National Assembly rejected an answer given to an interpellation, the answer shall be forwarded to the standing committee vested with the relevant functions. The person addressed by the interpellation shall submit a written supplement to the oral answer delivered by him or her to the interpellation, and the standing committee vested with the relevant functions shall take a position on it in its report. Upon receipt of the committee's report, the National Assembly shall place the discussion of the answer delivered to the interpellation on the agenda of the next sitting.

(7a) On the basis of the proposal of the parliamentary committee referred to in paragraph (7), the National Assembly

- a) shall subsequently consider the answer delivered to the interpellation satisfactory,
- b) shall accept the answer in the form supplemented at the sitting of the parliamentary committee by the person addressed by the interpellation, or
- c) shall confirm its earlier decision rejecting the answer, and call upon the parliamentary committee to prepare a proposal on the measures to be taken.

(8) In the case of a question, the questioner shall specify whether he or she is expecting an oral answer to be delivered at the sitting of the National Assembly or an out-of-sitting answer to be delivered in writing. In the case of a question, the questioning Member shall have no right to reply to the answer, and the National Assembly shall not decide whether to accept the answer.

(9) Questions requiring a written answer shall be answered by the addressee within eleven working days. The time limit shall commence on the day following the day of submission to the Speaker. The day of delivering the answer shall be the day of posting it or the day of receipt by the Speaker.

**Section 43** (1) Every week when the National Assembly is sitting, a timeframe determined in the Rules of Procedure Resolution shall be granted at a sitting of the National Assembly for directly putting and answering questions (hereinafter “Prompt Question Hour”) at the time indicated on the agenda. It shall be ensured for every parliamentary group that at least one member of the parliamentary group can put a question.

(2) In the Prompt Question Hour, persons obliged by the Fundamental Law to answer shall be present on the floor. Unless otherwise provided in the Rules of Procedure Resolution, if a person obliged to answer is absent, he or she shall notify the Speaker in advance of the person entitled to answer. The Prime Minister may also designate the political director of the Prime Minister to deliver the answer to a question put to the Prime Minister in his or her absence if the political director of the Prime Minister has a Member’s mandate.

(3) If a person obliged to answer does not deliver an answer in person, the Member may request an answer to be delivered in person. In this case the addressee shall personally answer the question not later than in the third subsequent Prompt Question Hour following the Member’s request for a personal answer. If, within this time limit, the leader of the parliamentary group does not rank the question, or, despite the question being ranked within the time limit, the Member designated by the leader of the parliamentary group does not put the question at the sitting, not including the cases where the reason for the question not being put is the Member’s request for a personal answer, the obligation to deliver an answer in person shall cease and the prompt question shall be considered withdrawn.

## **17. The National Assembly’s resolutions connected to public law officers**

**Section 44** (1) Unless otherwise provided in the Fundamental Law or an Act, at the election of a public law officer to be elected by the National Assembly, the Speaker shall submit a proposal concerning the person of the public law officer. The National Assembly shall decide on the proposal by open ballot, with the exceptions specified in paragraph (1a) and section 6(1).

(1a) The National Assembly shall elect the President of the Republic, the President and members of the Constitutional Court, the President of the Curia, the President of the National Office for the Judiciary, the Prosecutor General, the Commissioner for Fundamental Rights and his or her deputies, and the President of the State Audit Office by secret ballot.

(2) If an Act requires the hearing of a candidate before a parliamentary committee prior to the election of a public law officer to be elected by the National Assembly or the appointment of a person to another position or office, the parliamentary committee vested with the relevant functions shall hear the candidate and deliver an opinion on the proposal concerning the person. The parliamentary committee shall vote by open ballot on whether or not to support the appointment of a person proposed for the office of Minister.

(3) The parliamentary committee shall submit to the National Assembly its opinion formed on the basis of the hearing of a person nominated for the position of a public law officer to be elected by the National Assembly. For other candidates, it shall send its opinion to the Speaker who shall forward it to the officeholder exercising the right of recommendation or appointment.

(4) If an Act requires that a public law officer to be elected by the National Assembly be nominated by a standing committee, each parliamentary group may propose a candidate. A parliamentary group shall have the right to propose a candidate even if it has no membership in the committee.

(5) In the course of the nomination procedure, the standing committee shall hear the persons proposed as candidates. Paragraphs (2) and (3) shall not apply to the nomination procedure conducted by the standing committee and the hearing of the persons proposed as candidates.

(6) In a case referred to in paragraph (4), the leader of a parliamentary group that has no membership in the parliamentary committee concerned or a member designated by the leader of that parliamentary group may attend in a consultative capacity the discussion of the agenda item related to the proposing of candidates and nomination even if the discussion is held *in camera*.

**Section 44/A** (1) The Speaker shall issue to

1. the President of the Republic,
2. the Prime Minister,
3. the President and members of the Constitutional Court,
4. the President of the Curia,
5. the Prosecutor General,
6. the President of the National Office for the Judiciary,
7. the Commissioner for Fundamental Rights and his or her deputies,
8. the President of the State Audit Office,
9. the president and members of the National Election Commission,
10. the president and members of the Committee of National Remembrance,
11. the chair and members of the Media Council,
12. the president and vice-president of the Hungarian Atomic Energy Authority,
13. the chair and members of the Board of Trustees of the Public Service Public Foundation,
14. the president, vice-president and members of the Public Procurement Authority,
15. the president and vice-president of the Hungarian Competition Authority,
16. the president and vice-president of the Supervisory Authority of Regulatory Affairs,
17. the president and vice-president of the Hungarian National Authority for Data Protection and Freedom of Information,
18. the Governor and Deputy Governor of the Hungarian National Bank,
19. the president of the National Media and Infocommunications Authority,
20. the president and vice-president of the Hungarian Energy and Public Utility Regulatory Authority,
21. the president and vice-president of the National Election Office,
22. the president and vice-president of the Integrity Authority



a verification card certifying that the person concerned holds an office governed by public law (hereinafter “public law officer card”).

(2) The chair of the Committee on Immunity shall issue a public law officer card to the Speaker.

(3) The Speaker shall issue a Member card to the Members certifying that the person concerned holds the office of a Member of the National Assembly.

## **18. Maintaining the order of discussion and the disciplinary power at the sittings of the National Assembly**

**Section 45** (1) At the sittings of the National Assembly, the chair of the sitting shall be in charge of ensuring the undisturbed proceeding of the sitting and safeguarding the reputation of the National Assembly; in performing this duty, the chair of the sitting shall be assisted by the parliamentary notary contributing to conducting the sitting, and by any parliamentary notary, Deputy Speaker or the Principal of the House present on the floor requested by the chair of the sitting to maintain the order of discussion.

(2) The chair of the sitting may request the parliamentary notary contributing to conducting the sitting, or any parliamentary notary, Deputy Speaker or the Principal of the House present on the floor to assist in stopping an unlawful conduct specified in sections 46/C to 46/G. The legal consequences attached to the conducts specified in sections 46/E to 46/F shall not be applicable against the parliamentary notary, Deputy Speaker and Principal of the House so requested because of their acts carried out for the purpose of restoring the order of discussion. If the parliamentary notary, Deputy Speaker or Principal of the House so requested does not comply with the request by the chair of the sitting, the provisions of section 10 (3) may be applied with respect to him or her.

(3) With the exception specified in paragraph (4), the provisions of sections 46 to 46/G shall apply to anyone attending a sitting of the National Assembly as a person with consultative voice, or as a person entitled to substitute for such a person, subject to the derogation that only reprimand or warning by the chair of the sitting may be imposed on him or her.

(4) With the exception of section 47 (1), section 49 (2) and section 50, the provisions laid down in this Subtitle shall apply also to the Members of the European Parliament from Hungary.

(5) The periods between the ordinary sessions shall not be taken into account for the calculation of the procedural time limits referred to in this Subtitle.

(6) For the purposes of section 46 (2), section 46/A, section 46/B (2) and section 46/C (2), all parts of the agenda not constituting an independent item shall qualify as the one and same agenda item.

**Section 46** (1) The chair of the sitting may reprimand or warn a Member who

a) departs, during his or her speech, from the subject matter in a clearly unreasonable manner, or needlessly repeats in the same debate his or her own or other person's speech,

b) ostentatiously disturbs a speech or the conduct of the sitting with his or her interjection.

(2) Should the measure referred to in paragraph (1) be without result, the chair of the sitting may deny the right to speak to the Member, and the Member shall not be given the floor on the same sitting day in the discussion of the same agenda item.

**Section 46/A** The chair of the sitting may without reprimanding and warning deny the right to speak to any Member who objects to any decision by the chair of the sitting or to his or her conducting of the sitting. The Member who has been denied the right to speak shall not be given the floor on the same sitting day in the discussion of the same agenda item; however, he or she may ask the committee responsible for the interpretation of the Rules of Procedure Instruments to take an *ad hoc* standpoint.

**Section 46/B** (1) The chair of the sitting may reprimand or warn any Member who uses a term that harms the reputation of the National Assembly, the dignity of the sitting, or any person or group, in particular a national, ethnic, racial or religious community, or is otherwise indecent, or who commits another act of such nature.

(2) Should the measure referred to in paragraph (1) be without result, the chair of the sitting may deny the right to speak to the Member, and the Member shall not be given the floor on the same sitting day in the discussion of the same agenda item.

**Section 46/C** (1) The chair of the sitting may reprimand or warn any Member who violates the provisions of the Rules of Procedure Instruments pertaining to illustration.

(2) Should the measure referred to in paragraph (1) be without result, the chair of the sitting may deny the right to speak to the Member, and the Member shall not be given the floor on the same sitting day in the discussion of the same agenda item.

**Section 46/D** The chair of the sitting may exclude from the relevant sitting day or sitting any Member, or order his or her suspension with immediate effect, if the Member uses a term that ostentatiously harms the reputation of the National Assembly or the dignity of the sitting, or ostentatiously harms or intimidates any person or group, in particular a national, ethnic, racial or religious community, or commits another act of such nature.

**Section 46/E** The chair of the sitting may exclude from the relevant sitting day or sitting any Member, or order his or her suspension with immediate effect, if the Member disturbs the proceeding of the sitting, the debate or the voting, or disturbs a participant of the sitting of the National Assembly in exercising his or her rights or performing his or her obligations on the floor.

**Section 46/F** The chair of the sitting may order the suspension of a Member with immediate effect if the Member hinders the proceeding of the sitting, the debate or the voting, or hinders a participant of the sitting of the National Assembly in exercising his or her rights or performing his or her obligations on the floor.

**Section 46/G** The chair of the sitting may order that a Member be suspended with immediate effect if, at the sitting of the National Assembly, the Member directly threatens to exert physical violence, calls for physical violence, hinders the taking out of another person, or exerts physical violence.

**Section 46/H** (1) If a Member does not cease engaging in a conduct specified in sections 46 to 46/G despite being reprimanded or warned multiple times by the chair of the sitting, the Member shall be obliged to leave the floor immediately, and, with the exception of voting periods, he or she shall not be present on the floor in the remainder of the sitting day.

(2) If a legal consequence referred to in paragraph (1) is applied, the chair of the sitting shall announce it at the sitting of the National Assembly. Within three working days, the chair of the sitting shall communicate his or her announcement in writing to the Member, indicating the cause of the announcement and the legal basis for the legal consequence.

(3) The provisions of section 51 and section 51/A, in accordance with the rules applicable to excluded Members, and the provisions of section 52 shall apply accordingly to Members engaging in a conduct referred to in paragraph (1).

**Section 47** (1) The Speaker may reduce the honorarium of a Member as follows:

a) in the case specified in section 46 (2), if the Member engages in a conduct referred to in section 46 (1) b), by at least half the amount of the monthly honorarium, but not more than the amount of one month's honorarium of the Member,

b) in the cases specified in section 46/B (2) and section 46/C (2), by at least the amount of the monthly honorarium, but not more than the amount of two months' honorarium of the Member,

c) in the cases specified in section 46/D and section 46/E, by at least the amount of two months' honorarium, but not more than the amount of four months' honorarium of the Member,

d) in the cases specified in section 46/F and section 46/G, by at least the amount of four months' honorarium, but not more than the amount of six months' honorarium of the Member.

(2) At the written initiative of the chair of the sitting or the leader of any parliamentary group, or *ex officio*, the Speaker may order the suspension of a Member as follows:

a) in the cases specified in section 46/B (2) and section 46/C (2), for not more than three sitting days or for not more than eight calendar days,

b) in the cases specified in section 46/D and section 46/E, for not more than six sitting days or for not more than fifteen calendar days,

c) in the case specified in section 46/F, for not more than twelve sitting days or for not more than thirty calendar days,

d) in the case specified in section 46/G, for not more than twenty-four sitting days or for not more than sixty calendar days.

(3) The Speaker shall make his or her decision according to paragraphs (1) and (2) within fifteen days from the conduct, regardless of whether a measure has been taken by the chair of the sitting or a legal consequence under section 46/H (1) has been imposed. The Speaker shall communicate his or her decision in writing to the Member, also stating the reasons.

**Section 48** (1) Members excluded from a sitting day or a sitting of the National Assembly shall leave the floor immediately and, with the exception of voting periods, shall not be present on the floor in the remainder of the sitting day or sitting.

(2) If an excluded Member does not comply with the call made by the chair of the sitting to leave the floor, the chair of the sitting may order the suspension of the Member with immediate effect.

(3) Within three working days of exclusion, the chair of the sitting shall communicate his or her decision ordering exclusion in writing to the Member, indicating the cause of, and the legal basis for, the measure.

**Section 49** (1) Suspended Members shall leave the premises of the House of Parliament and the buildings accommodating the Office of the National Assembly, and, with the exceptions referred to in section 49/A (7) and section 51 (4), shall not stay in, or enter, these premises during the period of suspension.

(2) If a Member suspended with immediate effect by the chair of the sitting does not comply with the call made by the chair of the sitting to leave the floor, the upper limit of the amount of the reduction of the honorarium applicable against him or her shall be set to double.

(3) Within three working days of suspension with immediate effect, the chair of the sitting shall communicate his or her decision ordering suspension with immediate effect in writing to the Member, indicating the cause of, and the legal basis for, the measure.

(4) The period of suspension ordered with immediate effect by the chair of the sitting shall be fifteen calendar days. The period of suspension ordered by the Speaker may extend to the limit specified in section 47 (2), with the proviso that the first day of suspension shall be the first sitting day or first calendar day after the decision of the Speaker becomes final and binding.

(5) The period between ordinary sessions shall also be taken into account in the calculation of the period of suspension. A suspension ordered with regard to sitting days shall also apply to the calendar days between the sitting days affected by the suspension.

**Section 49/A** (1) At the sittings of the National Assembly, a suspended Member shall be allowed to exercise his or her right to vote by proxy, provided that voting takes place by open ballot.

(2) For the full period of his or her suspension, a suspended Member who belongs to a parliamentary group may give a proxy to the leader of the parliamentary group for the purpose of exercising his or her right to vote according to paragraph (1). The leader of the parliamentary group shall not refuse the proxy. If the leader of the parliamentary group is prevented from acting, the deputy leader of the parliamentary group designated by the leader of the parliamentary group shall exercise the proxy.

(3) A suspended leader of a parliamentary group may give a proxy to the deputy leader for the purpose of exercising his or her right to vote according to paragraph (1).

(4) For the full period of his or her suspension, a suspended independent Member may give a proxy to any Member for the purpose of exercising his or her right to vote according to paragraph (1).

(5) A Member acting as proxy shall exercise the right to vote in the name of, and according to the instructions given by, the suspended Member. The suspended Member and the Member acting as proxy may draw up a prior written agreement recording the voting intention of the suspended Member. The Member acting as proxy shall not be entitled to other rights and shall not be bound by other obligations of the suspended Member.

(6) If after the electronic voting a suspended Member holds that the result found in the electronic register differs from his or her intentions, he or she may report it within one day to the parliamentary notaries. This shall not modify the announced voting results.

(7) If voting takes place by secret ballot, a suspended Member shall be allowed to exercise his or her right to vote during the voting period in a room designated by the Speaker.

**Section 50** The full amount of the honorarium, without deductions, payable to the Member in the month of the conduct serving as grounds for ordering the measure shall be taken into account for determining the amount of the reduction of the honorarium.

**Section 51** (1) A Member excluded or suspended with immediate effect by the chair of the sitting may, in a request submitted to the chair of the Committee on Immunity within eight days of the written communication of the decision, ask the committee to establish that there were no grounds for ordering the measure; in the case of section 48 (2), exclusion may be challenged only in a request submitted against the suspension with immediate effect, but not in a separate request.

(2) A Member affected by a decision of the Speaker according to section 47 may, in a request submitted to the chair of the Committee on Immunity within eight days of the written communication of the decision, ask the committee to set aside the decision.

(3) The Committee on Immunity shall adjudicate all requests submitted according to paragraphs (1) and (2) against measures ordered with respect to the same conduct of the Member jointly, in a single proceeding, within twenty days of receiving the last request. The time limit for adjudicating a request referred to in paragraph (1) shall commence upon the expiry without result of the time limit for taking a measure under section 47 or for submitting a request under paragraph (2).

(4) If in his or her request the Member proposes to be heard, the Committee on Immunity shall hear the Member in the legal remedy proceeding. For the purpose of appearing at, and for the period of, the hearing, the Member shall be allowed to attend the sitting of the committee, irrespective of potentially being suspended.

(5) The chair of the Committee on Immunity shall inform the Member and the Speaker without delay of the decision made by the committee regarding the Member's request according to paragraph (1) or paragraph (2), or of the expiry without result of the time limit for making the decision.

(6) If the Committee on Immunity grants the Member's request according to paragraph (1) or paragraph (2), the measure ordered against the Member shall not be enforced and the disciplinary proceeding shall be terminated. This decision of the committee shall be presented at the next sitting of the National Assembly.

(7) If the Committee on Immunity does not grant the Member's request according to paragraph (1) or paragraph (2), or does not decide on it within the time limit set for adjudication, then, with respect to the request concerned, the Member may, in a request submitted to the Speaker within eight days of the written communication of the decision of the Committee on Immunity or of the information referred to in paragraph (5), ask the National Assembly

*a)* to establish in the case under paragraph (1) that there were no grounds for ordering the measure,

*b)* to set aside the decision in the case under paragraph (2).

(8) The National Assembly shall decide without debate on the request referred to in paragraph (7) at its sitting following the submission of the request, provided that the request has been received not later than on the last working day of the week preceding the sitting. If this is not the case, the National Assembly shall decide on the request at its second sitting following the submission of the request.

(9) In the case of a request

*a)* under paragraph (1), the National Assembly may maintain the measure taken by the chair of the sitting, or, granting the request, it may establish that there were no grounds for ordering the measure,

*b)* under paragraph (2), the National Assembly may maintain the effect of the decision made by the Speaker, or, granting the request, it may set aside the decision of the Speaker.

(10) If the National Assembly grants the Member's request, the measure ordered against the Member shall not be enforced and the disciplinary proceeding shall be terminated.

**Section 51/A** (1) Exceptionally, *ex officio*, and assessing specific circumstances, the Speaker may terminate the effect of exclusion, or suspension with immediate effect, ordered by the chair of the sitting within five days after it is ordered. The Speaker shall inform without delay the Member, the chair of the sitting and the chair of the Committee on Immunity of this decision.

(2) By virtue of the decision of the Speaker referred to in paragraph (1), the measure ordered, including the further measures ordered on the basis of section 48 (2), shall cease to have effect, and the provisions of section 49 (2) shall not apply to the conduct concerned.

(3) The measure referred to in paragraph (1) shall not exclude the conduct of the procedure under section 51.

**Section 51/B** (1) In case of disorder arising at the sitting of the National Assembly that makes the commencement or the continuation of the deliberation impossible, the chair of the sitting may suspend the sitting for a definite period or may close it. If the sitting has been closed, the Speaker shall convene a new sitting. If the chair of the sitting is unable to announce his or her decision, he or she shall leave the floor; this shall have the effect of interrupting the sitting. If the sitting has been interrupted, the sitting may continue only if the Speaker convenes it again.

(2) If the sitting has been closed, the Speaker may convene the new sitting without taking into account the time limits specified in section 34 (2). The agenda of the sitting convened this way may contain only those items that were put on the agenda of the closed sitting and the discussion or decision-making phase of which has not been completed.

**Section 52** (1) A written decision made according to this Subtitle that contains a provision regarding a Member shall be communicated to the Member concerned or the person authorised by him or her through the internal delivery system of the Office of the National Assembly. The day of communication of the decision shall be the day on which the Member or the person authorised by him or her receives it.

(2) Should the delivery referred to in paragraph (1) fail, the decision shall be communicated in electronic way, not later than on the day following the failed delivery, by sending it to the electronic mailing address provided to the Member by the Office of the National Assembly. In this case, the day of communication of the decision shall be the day on which it has been delivered according to the confirmation provided by the electronic mailing system.

#### **18/A. Maintaining the order of discussion and the disciplinary power at the sittings of parliamentary committees**

**Section 52/A** (1) For the undisturbed proceeding of a committee sitting, the chair of the parliamentary committee and the parliamentary committee may apply the provisions of sections 46 to 46/G with respect to any Member present at the sitting of the parliamentary committee subject to the derogations laid down in this Subtitle.

(2) With the exception of section 52/D (3) and section 52/E (1), the provisions laid down in this Subtitle shall apply also to the Members of the European Parliament from Hungary.

(3) To a person not falling within the scope of paragraphs (1) and (2) who attends a committee sitting as a person with consultative voice or as a person entitled to substitute for such a person, or who speaks at a committee sitting, the provisions laid down in this Subtitle shall apply subject to the derogation that only reprimand or warning by the chair of the committee may be imposed on such a person.

(4) With regard to the proposer of an agenda item, only the measures referred to in paragraph (3) may be applied. If the proposer of an agenda item is a Member, the reduction of the honorarium according to the provisions of section 52/E (1) may also be initiated against him or her.

**Section 52/B** (1) The chair of the parliamentary committee may reprimand or warn any Member who engages in a conduct referred to in section 46 (1), section 46/B (1) or section 46/C (1).

(2) Should the measure referred to in paragraph (1) be without result, the chair of the parliamentary committee may deny the right to speak to the Member.

(3) The chair of the parliamentary committee may without reprimanding and warning deny the right to speak to a Member who engages in a conduct referred to in section 46/A. In this case, the Member may ask the committee responsible for the interpretation of the Rules of Procedure Instruments to take an *ad hoc* standpoint.

(4) When a measure referred to in paragraph (2) or (3) is applied, the Member shall not be given the floor in the discussion of the same agenda item.

**Section 52/C** Upon a motion from any of its members, the parliamentary committee may decide without debate to deny, for the remainder of the committee sitting, the right to speak to a Member who engages in a conduct referred to in section 46/B (2), section 46/C (2), section 46/D or section 46/E.

**Section 52/D** (1) Upon a motion from any of its members, the parliamentary committee may decide without debate to order that a Member who engages in a conduct referred to in section 46/F or section 46/G be suspended from the committee sitting with immediate effect. The chair of the parliamentary committee shall communicate the decision ordering suspension to the Member in accordance with the provisions of section 49 (3) and section 52.

(2) The Member suspended on the basis of paragraph (1) shall leave the floor of the committee sitting, and shall not return there during the period of the committee sitting.

(3) If the suspended Member does not leave the floor of the committee sitting, the upper limit of the reduction of the honorarium applicable against him or her on the basis of section 52/E (1) shall be set to the double.

**Section 52/E** (1) Upon a motion from any of its members, the parliamentary committee may decide without debate to initiate that the Speaker order the reduction of the honorarium according to section 47 (1) of a Member who engages in a conduct referred to in section 46/B (2) or in sections 46/C to 46/G, taking into account the provisions of section 50.

(2) Upon a motion from any of its members, the parliamentary committee may decide without debate to initiate that the Speaker order the suspension according to section 47 (2) of a Member who engages in a conduct referred to in section 46/B (2), section 46/C (2) or in sections 46/D to 46/G.

(3) The chair of the committee shall send the initiative referred to in paragraph (1) and (2), together with a statement of reasons and the certified minutes, to the Speaker within eight days from the conduct. The time limits for the Speaker's decision and the communication of the decision shall be set in accordance with the provisions of section 47 (3).

(4) The measures referred to in paragraphs (1) and (2) may be applied jointly and also in addition to other measures that the parliamentary committee or its chair may, on the basis of this Subtitle, order for the underlying conduct.

**Section 52/F** The Member suspended with immediate effect by the parliamentary committee on the basis of section 52/D and the Member affected by a decision according to section 47 (1) or (2) made by the Speaker on the basis of an initiative referred to in section 52/E may submit his or her request for a legal remedy procedure in accordance with section 51 (1) and (2). The provisions referred to in section 51 (3) to (10) shall apply to the legal remedy procedure, with the proviso that

*a)* the chair of the Committee on Immunity shall inform also the chair of the parliamentary committee concerned of the decision made according to section 51 (5) or the expiry without results of the time limit open for making a decision,

*b)* the decision of the Committee on Immunity according to section 51 (6) shall be presented at the next sitting of the parliamentary committee concerned.

**Section 52/G** The provisions laid down in this Subtitle shall apply also to subcommittees, with the proviso that in the cases referred to in section 52/E (1) and (2) the subcommittee may propose to the parliamentary committee that established the subcommittee to initiate a measure by the Speaker. If the parliamentary committee that established the subcommittee decides to initiate a measure by the Speaker, it shall send the initiative to the Speaker in accordance with section 52/E (3), within eight days from the conduct.

**Section 52/H** The periods between the ordinary sessions shall not be taken into account for the calculation of the procedural time limits referred to in this Subtitle.

## 19. The policing powers of the Speaker

**Section 53** (1) The Speaker shall exercise his or her policing powers in accordance with the provisions of this Act and the Fundamental Law. To maintain the order of discussion and the order of the voting, the Deputy Speaker chairing the sitting shall also exercise policing powers in accordance with the provisions of this Act and the Fundamental Law.

(2) The chair of the sitting may order the Parliamentary Guard to remove from the floor a Member suspended on the basis of section 46/G if he or she does not leave the floor despite being called upon to do so by the chair of the sitting.

(3) The Parliamentary Guard shall ensure that suspended Members do not enter the House of Parliament and the premises of the buildings accommodating the Office of the National Assembly during the period of suspension, except in the cases referred to in section 49/A (7) and section 51 (4).

(4) A Member against whom a policing measure has been applied by the chair of the sitting may submit an objection to the Committee on Immunity that shall, applying section 51 (4), examine the objection within eight days, and shall report to the National Assembly on the results of the examination.

(5) The National Assembly shall place the committee's report on the agenda on the next sitting following the submission of the report, and on the basis of the committee's report

- a) it shall affirm the policing measure taken by the chair of the sitting, or
- b) if it finds the policing measure taken by the chair of the sitting to be unfounded, it shall order the recording of this fact in the minutes.

**Section 54** (1) The Speaker shall be in charge of authorising access to the premises of the House of Parliament and the buildings accommodating the Office of the National Assembly and the Parliamentary Guard. The Speaker may delegate this power.

(2) The Speaker shall determine and publish on the website of the National Assembly the rules governing access to, and stay in, the premises of the buildings specified in paragraph (1), the detailed rules relating to the activities of the Parliamentary Guard and the Office of the National Assembly connected to this function of the Speaker, and the rules on delegation of the power to authorise access. The Speaker may not lay down any provision that would rule out the publicity of the sittings of the National Assembly or the requirements for free dissemination of information necessary for the formation of democratic public opinion.

(3) Persons entering, and staying in, the premises of the buildings specified in paragraph (1) shall, upon entering those premises, acknowledge the Speaker's directions specified in paragraph (2), and shall abide by these directions.

(4)

(5)

(6) If a person who entered the premises of the buildings specified in paragraph (1) breaches his or her obligation under paragraph (3), the Parliamentary Guard may remove that person from the premises, at the same time informing the Speaker or the Principal of the House of it. On the basis of the Speaker's decision, access to the premises of the buildings specified in paragraph (1) may be denied for a period not exceeding six months or until the end of the relevant session to any person who has seriously breached his or her obligation specified in paragraph (3), or of whom the Parliamentary Guard has a reason to believe that he or she would engage in an activity in the buildings specified in paragraph (1) disturbing the operation of the National Assembly, or seriously harming the reputation or seriously violating the order of the National Assembly, or would threaten, by his or her conduct, the safety of persons within those buildings.



(7) The Speaker may terminate delegation under paragraph (1) if the officeholder exercising the delegated power has allowed access for a person who does not comply with the obligation under paragraph (3).

(8) In the interest of performing his or her duties specified in section 2(2)a) to d), or on a proposal from the Parliamentary Guard, for reasons of national security, the Speaker may, by means of an *ad hoc* decision, depart from his or her direction laid down under paragraph (2) concerning the rules governing access.

## CHAPTER IV

### PUBLICITY OF THE OPERATION OF THE NATIONAL ASSEMBLY

#### 20. Public sittings

**Section 55** (1) Public sittings may be attended by an audience in accordance with the provisions of this Act.

(2) At public sittings, the audience, including the representatives of media content providers, shall be allowed to sit only in the place designated by the Speaker, and shall be obliged to abstain from any form of expressing opinion.

(3) In case of disorder arising at the sitting, the chair of the sitting may expel the audience or a part of the audience from the sitting.

**Section 56** (1) The authentic minutes of the National Assembly's public sittings shall be publicly accessible at the Office of the National Assembly, while the archived annexes of those minutes and the electronic voting list shall be publicly accessible through the Office of the National Assembly.

(2) The minutes of the National Assembly's public sittings and the parliamentary papers discussed at the public sittings as well as the connected voting lists shall be published on the National Assembly's website.

#### 21. In-camera sittings

**Section 57** (1) On a proposal from any person entitled, on the basis of the Fundamental Law, to request a sitting to be held *in camera*, a part of a public sitting may also be declared an *in-camera* sitting for the purpose of discussing one or more agenda items or speeches to be delivered outside of the agenda. The National Assembly shall decide on the proposal in accordance with the rules relating to procedural motions.

(2) In addition to Members, only persons with consultative voice, the Principal of the House and persons designated by the director-general who have a contractual relationship with the Office of the National Assembly may attend *in-camera* sittings.

(3) *In-camera* sittings may not be attended by an audience, including the representatives of media content providers.

#### 22. Publicity of the sittings of parliamentary committees

**Section 58** (1) The sittings of parliamentary committees shall be public. At public sittings, the audience shall be allowed to sit only in the place designated, and in the number determined, by the chair of the parliamentary committee, and shall be obliged to abstain from any form of expressing opinion. In case of disorder arising at the sitting, the chair of the parliamentary committee may expel the audience or a part of the audience from the sitting. Should the increased interest concerning the activity of a parliamentary committee necessitate it, publicity may also be ensured in accordance with the provisions of section 59. A parliamentary committee shall hold its sitting *in camera* if this is necessary for the protection of classified data, personal data, trade secret or another data protected by an Act.

(2) The proposer or any committee member may request a sitting to be held *in camera*; the request shall be decided upon by the parliamentary committee. A part of a public sitting may also be declared an *in-camera* sitting for the purpose of discussing one or more agenda items. A sitting of a parliamentary committee shall not be ordered to be held *in camera* if the proposer does not specify the scope of data referred to in paragraph (1) the protection of which would necessitate the ordering of the *in-camera* sitting.

(3) The President of the Republic, the Speaker, the Principal of the House, the members of the parliamentary committee, in a case referred to in section 44 (6), the leader of a parliamentary group or a member designated by the leader of that parliamentary group, furthermore, persons invited by the chair of the parliamentary committee for the agenda item concerned, and, if having consultative voice under section 29 (3), national minority advocates may attend *in-camera* sittings. The parliamentary committee may allow also Members other than the members of the parliamentary committee to attend an *in-camera* sitting, and may give them the right to speak. Unless otherwise decided by the parliamentary committee, the assigned staff members of the Office of the National Assembly and the keepers of the minutes may attend an *in-camera* sitting.

(4)

(5) The minutes of the public sittings of parliamentary committees shall be published on the website of the National Assembly.

### 23. Broadcasting of the sittings

**Section 59** (1) The Office of the National Assembly shall broadcast the sittings of the National Assembly, the sittings of the committee on legislation and the committee sittings specified in accordance with paragraph (1a) via its own closed-circuit audio-visual system.

(1a) At the initiative of the chair of the relevant committee, the Speaker shall decide on broadcasting, via the closed-circuit audio-visual system, a public committee hearing in connection with an appointment or nomination, or another public committee sitting.

(2) The output signal of the closed-circuit audio-visual system shall be made available for all media service providers. The costs of connecting to the system shall be borne by the media service provider. For the sittings of the National Assembly and the sittings of the committee on legislation, the output signal of the closed-circuit audio-visual system shall be transformed into a publicly accessible real-time signal flow suitable for broadcasting on the internet, and shall be made accessible on the website of the National Assembly. The closed-circuit broadcast of committee sittings can be viewed and may be recorded in a room designated by the director-general.

(3) The provisions of paragraphs (1) and (2) shall be without prejudice to the right of any media service provider to broadcast or record a programme from a place designated by the Speaker in the House of Parliament. The Speaker may designate a place for the purpose of broadcasting or recording a programme only if it does not restrict the conditions for free dissemination of information necessary for the formation of democratic public opinion.

(4) A public sitting of a parliamentary committee not broadcasted via the closed-circuit audio-visual system may be broadcasted or recorded by a media service provider. The technical preparations for the broadcasting and its proceeding may not disturb the sitting of the committee.

(5) The aim of video broadcasting the sittings of the National Assembly and of the parliamentary committees shall be to provide impartial, balanced, accurate and factual information to the viewers about the activity of the National Assembly. The television broadcasting shall be in line with the activity of the National Assembly, focusing on the actual events and the work of the National Assembly, in particular the chair of the sitting, the actual speakers, the presentation of the results of the vote, the floor as a whole, and other events that take place on the floor. Video editing shall be objective and factual, in line with the proceeding of the sitting.

(6) A recorded copy of the output signal of the closed-circuit audio-visual system shall be deposited at the Office of the National Assembly, the National Széchényi Library and the archives of the Media Service Support and Asset Management Fund, and shall be accessible for anyone. The Office of the National Assembly shall provide access to the recording and shall prepare, at a charge, a copy of it for free use by anyone.

(7) In the House of Parliament and in the buildings accommodating the Office of the National Assembly, a parliamentary group, a group other than a parliamentary group, and a Member may provide information to media service providers only in connection with the activities of the National Assembly.

## 24. Publicity of legislation

**Section 60** (1) Upon their submission, the following shall be published without delay on the website of the National Assembly:

- a) legislative proposals,
- b) proposals for amendment,
- c) committee reports prepared for legislative proposals,
- d) the unified proposal, and
- e) other documents and data recorded in the register of parliamentary papers of the National Assembly in accordance with the Rules of Procedure Instruments.

(2) The documents published according to paragraph (1), section 56(2) and section 58(5) shall not be removed from the website of the National Assembly.

## CHAPTER V

### INTERPRETATION OF THE RULES OF PROCEDURE INSTRUMENTS

**Section 61** (1) If, in individual cases, doubts arise during a sitting of the National Assembly as to the interpretation of the Rules of Procedure Instruments, the chair of the sitting shall, if necessary, after consulting the House Committee, decide on the question, or shall refer it to the committee responsible for the interpretation of the Rules of Procedure Instruments.

(2) If doubts arise during a sitting of a parliamentary committee as to the interpretation of the Rules of Procedure Instruments, the chair of the parliamentary committee shall decide on the question, or shall refer it to the committee responsible for the interpretation of the Rules of Procedure Instruments.

(3) The committee responsible for the interpretation of the Rules of Procedure Instruments shall take a position in the cases under paragraphs (1) and (2) or at the request of an officer of the National Assembly, any parliamentary group, parliamentary committee or at least five independent Members.

(4) The committee responsible for the interpretation of the Rules of Procedure Instruments shall, at its discretion, take a standpoint of general applicability or an *ad hoc* standpoint. Standpoints of general applicability shall be presented by the chair of the sitting, while *ad hoc* standpoints shall be published in writing by the committee responsible for the interpretation of the Rules of Procedure Instruments.

(5) Within fifteen days of the presentation of a standpoint of general applicability or the sending of an *ad hoc* standpoint, any parliamentary group or, if supported by at least five Members, any independent Member may request the National Assembly to make a decision. The request may be aimed at rejecting or maintaining the standpoint. The National Assembly shall decide on the request within thirty days of its receipt. The period between the ordinary sessions shall not be taken into account for the calculation of the time limit referred to in this paragraph.

(6) The standpoint taken by the committee responsible for the interpretation of the Rules of Procedure Instruments shall apply until the National Assembly decides to the contrary.

(7) Upon the establishment of the committee responsible for the interpretation of the Rules of Procedure Instruments in the newly elected National Assembly, the standpoints of general applicability shall cease to have effect. The committee responsible for the interpretation of the Rules of Procedure Instruments may adopt, with unchanged content, any standpoint of general applicability that has ceased to have effect this way. As regards the rejection or maintaining of a standpoint adopted with unchanged content, a decision by the National Assembly may not be requested.

(8) A provision of the Rules of Procedure Instruments may lay down different rules for the interpretation of the Rules of Procedure Instruments.

## CHAPTER V/A

### THRESHOLDS FOR CERTAIN DECISIONS

**Section 61/A** (1) The votes of two thirds of the Members shall be required for

*a)* the election of the President of the National Office for the Judiciary in the case specified in section 66 of Act CLXI of 2011 on the organisation and administration of courts,

*b)* declaring the termination of the term of office of the President of the National Office for the Judiciary under section 70 (1) *d)* to *f)* of Act CLXI of 2011 on the organisation and administration of the courts in the case referred to in section 70 (2) of Act CLXI of 2011 on the organisation and administration of the courts,

*c)* declaring the termination of the term of office of the President of the Curia under section 115 (1) *d)* to *f)* of Act CLXI of 2011 on the organisation and administration of the courts in accordance with the provisions of section 115 (2) of Act CLXI of 2011 on the organisation and administration of the courts,

*d)* lifting the immunity of the President of the State Audit Office in accordance with the provisions of section 10 (2) of Act LXVI of 2011 on the State Audit Office,

*e)* declaring incompatibility and conflict of interests of the President of the State Audit Office in accordance with the provisions of section 11 (3) of Act LXVI of 2011 on the State Audit Office,

*f)* the dismissal of the President of the State Audit Office in accordance with the provisions of section 11 (4) of Act LXVI of 2011 on the State Audit Office,

*g)* the exclusion of the President of the State Audit Office in accordance with the provisions of section 11 (5) of Act LXVI of 2011 on the State Audit Office,

*h)* holding the National Assembly's sitting at a place other than the building of Parliament on the basis of section 37,

*i)* declaring the termination of the term of office of the Prosecutor General under section 22 (1) *b)* of Act CLXIV of 2011 on the legal status of the Prosecutor General, prosecutors and other prosecution service employees and the prosecutor career in the case referred to in section 23 (2) of Act CLXIV of 2011 on the legal status of the Prosecutor General, prosecutors and other prosecution service employees and the prosecutor career, and for declaring the termination of the term of office of the Prosecutor General under section 22 (1) *g)* of Act CLXIV of 2011 on the legal status of the Prosecutor General, prosecutors and other prosecution service employees and the prosecutor career in the case referred to in section 23 (7) of Act CLXIV of 2011 on the legal status of the Prosecutor General, prosecutors and other prosecution service employees and the prosecutor career,

*j)* declaring the termination of the term of office of the Commissioner for Fundamental Rights under section 16 (1) *d)* to *g)* of Act CXI of 2011 on the Commissioner for Fundamental Rights in the case referred to in section 16 (2) of Act CXI of 2011 on the Commissioner for Fundamental Rights,

*k)* declaring the termination of the term of office of the Deputy Commissioner for Fundamental Rights under section 17 (1) *d)* to *g)* of Act CXI of 2011 on the Commissioner for Fundamental Rights in the case referred to in section 17 (2) of Act CXI of 2011 on the Commissioner for Fundamental Rights.

(2) The votes of two thirds of the Members present shall be required for

*a)* lifting the immunity of a Member of the National Assembly under section 77 (3),

*b)* establishing, under section 29/A (4), that a national minority advocate is no longer eligible to be voted for at the election of the Members of the National Assembly, is no longer recorded in the central electoral register as a national minority voter, as well as for declaring incompatibility and conflict of interests of the national minority advocate,

*c)* changing the county which a specific settlement belongs to, in the case referred to in section 125 (4) of Act CLXXXIX of 2011 on the local governments of Hungary,

*d)* lifting the immunity of the President of the Curia and the President of the National Office for the Judiciary in accordance with the provisions of section 2 (2) of Act CLXII of 2011 on the legal status and remuneration of judges,

*e)* lifting the immunity of the Prosecutor General in accordance with the provisions of section 3 (6) of Act CLXIII of 2011 on prosecution service,

*f)* the adoption and the amendment of the deed of foundation of the Public Service Public Foundation in accordance with the provisions of section 84 (3) of Act CLXXXV of 2010 on media services and mass communication,

*g)* the election of six members of the Board of Trustees of the Public Service Public Foundation in accordance with the provisions of section 86 (1) of Act CLXXXV of 2010 on media services and mass media,

*h)* the election of a new member of the Board of Trustees of the Public Service Public Foundation in accordance with the provisions of section 87 (5) of Act CLXXXV of 2010 on media services and mass media,

*i)* the decision on incompatibility and conflict of interests, dismissal, or exclusion of the chair or a member of the Board of Trustees of the Public Service Public Foundation in accordance with the provisions of section 89 (2) of Act CLXXXV of 2010 on media services and mass media,

*j)* the election of the chair and four members of the Media Council in accordance with the provisions of section 124 (1) of Act CLXXXV of 2010 on media services and mass media,

*k)* the election of the chair of the Media Council in the case specified in section 125 (3) of Act CLXXXV of 2010 on media services and mass media,

l) the decision on incompatibility and conflict of interests, dismissal, or exclusion of the chair or the member of the Media Council in the case specified in section 129 (7) of Act CLXXXV of 2010 on media services and mass media,

m)

n)

o)

p) establishing a foundation in the case referred to in section 8 (1) of Act XXXIII of 1989 on the operation and financial management of political parties,

q) the election of the president and two members of the Committee of National Remembrance in accordance with the provisions of section 7 (1) of Act CCXLI of 2013 on the Committee of National Remembrance,

r) establishing the termination of the term of office of a member of the Committee of National Remembrance under section 16 (1) e) to g) of Act CCXLI of 2013 on the Committee of National Remembrance in accordance with the provisions of section 16 (4) of Act CCXLI of 2013 on the Committee of National Remembrance.

## CHAPTER VI

### *COOPERATION BETWEEN THE NATIONAL ASSEMBLY AND THE GOVERNMENT IN EUROPEAN UNION AFFAIRS*

#### **25. Exercising the powers of the National Assembly**

**Section 62** (1) The National Assembly may exercise its monitoring rights over the Government's activity in European Union institutions working on an intergovernmental basis specified in this Chapter also by way of a parliamentary committee.

(2) Unless otherwise provided in this Chapter or the Rules of Procedure Instruments, the National Assembly's standing committee dealing with European Union affairs shall have decision-making power in the procedures specified in this Chapter.

#### **26. Scrutiny procedure between the National Assembly and the Government**

**Section 63** (1) The Government shall, by transmission or in any other way, provide access for the National Assembly to all draft legal acts, proposals and documents of the European Union that are on the agenda in the decision-making procedures of European Union institutions working on an intergovernmental basis (hereinafter "EU drafts").

(2) At the request of the National Assembly, the Government shall send all other properly specified documents to the National Assembly.

(3) The Government shall, taking into account the decision-making agenda of the European Union, identify the EU drafts the subject matter of which it considers to fall within the functions and powers of the National Assembly, in particular the following:

a) EU drafts with a subject matter to be regulated by a cardinal or other Act according to the Fundamental Law, or

b) EU drafts that contain a provision conflicting with any Act in force.

(4) At the beginning of every half year of Council Presidency, the Government shall, taking into account the decision-making agenda of the European Union, identify the EU drafts that it considers to be of outstanding importance for Hungary and should therefore be discussed by the National Assembly.

(5) The Government shall state the reasons why the identified documents fall within the legislative competence and why they are of outstanding importance.

**Section 64** (1) The National Assembly may request information about the position the Government intends to represent regarding any EU draft (hereinafter "proposal for position").

(2) The Government may send to the National Assembly its proposal for position and may initiate its scrutiny regarding any EU draft.

(3) The Government's proposal for position shall contain the following:

- a) summary of the content of the EU draft,
- b) reference to the European Union's decision-making procedure to be applied for making the decision,
- c) expected schedule at the European Union for adopting the EU draft, and preferably the starting date for the negotiations in the Council,
- d) position of the Government on the EU draft, the objectives to be achieved in the European Union's decision-making process, as well as the underlying reasons, and
- e) presentation of the possible legislative tasks that result from the EU draft.

(4) The National Assembly may request the Government to present an extended proposal for position that contains, in addition to the elements specified in paragraph (3), the following:

- a) list of the Hungarian laws and European Union legal acts in force pertaining to the subject matter of the EU draft,
- b) short presentation of the expected economic, budgetary and social effects in Hungary of the EU draft,
- c) the opinions of the European Union institutions and the Member States on the EU draft as known by the Government at the time of drawing up the proposal for position.

(5) The Government shall send its proposal for position to the National Assembly in due time to allow a scrutiny of the merits, taking into account the European Union's decision-making agenda.

(6) The National Assembly may initiate scrutiny in the knowledge of the proposal for position or with regard to the EU draft.

**Section 65 (1)** In the scrutiny process and, taking into account the decision-making agenda of the European Union, within a reasonable time, the National Assembly may adopt a standpoint on the EU draft.

(2) The National Assembly shall specify in its standpoint the aspects it holds necessary to be enforced in the European Union's decision-making process.

(3) Prior to the meeting of the Council deciding upon the adoption of the EU draft, the Minister or State Secretary vested with functions relating to the subject matter of the EU draft shall, upon being so called upon by the National Assembly, appear before the National Assembly, and present the Government's position to be represented at the meeting of the Council.

(4) If the National Assembly acts through parliamentary committees in the course of elaborating the standpoint, the parliamentary committee shall elaborate its standpoint at an *in-camera* sitting.

(5) The Government shall elaborate its position to be represented in the course of the European Union's decision-making process on the basis of the standpoint of the National Assembly.

(6) If the EU draft is related to a subject matter that requires, according to the Fundamental Law, a qualified majority decision in the National Assembly, the Government may depart from the standpoint only in a justified case.

(7) If the National Assembly does not adopt, before the expiry of the time limit required by the European Union's decision-making agenda, a standpoint regarding the Government's proposal for position, the Government shall decide in the absence of such standpoint on the position to be represented in the course of the European Union's decision-making process.

**Section 66** The Government may amend its proposal for position in the light of the European Union's decision-making process. The Government shall inform the National Assembly on a continuous basis of substantial changes in the content of the EU drafts and the proposals for position. Considering this, the National Assembly may also amend its earlier standpoint.

**Section 67** (1) After it is adopted, the Government shall inform the National Assembly in writing of any decision by the European Union institution working on an intergovernmental basis

- a) in connection with which the National Assembly had adopted a standpoint, or
- b) which the National Assembly had indicated properly.

(2) After a decision is adopted by the European Union institution working on an intergovernmental basis, the Government shall give, in addition to the information referred to in paragraph (1), an oral reasoning to the National Assembly if the position represented by the Government was different from the standpoint of the National Assembly. If the difference is related to a subject matter that requires, according to the Fundamental Law, a qualified majority decision in the National Assembly, the National Assembly shall decide on accepting the reasoning.

**Section 68** The scrutiny procedure regarding the EU draft shall be closed

- a) upon publication in the Official Journal of the European Union of the legal act of the Union subject to the scrutiny procedure,
- b) upon termination of the mandate of the National Assembly, or
- c) upon the decision of the National Assembly to this effect.

## **27. Other obligations of the Government to provide information**

**Section 69** (1) The Government shall regularly inform the standing committee dealing with European Union affairs about the meetings of the European Council and the events of strategic importance of the European Union.

(2) At the initiative of the Speaker, the Prime Minister shall inform the Consultative Body on European Union Affairs of the National Assembly prior to the meetings of the European Council and the events of strategic importance of the European Union.

(3) The Speaker, the leaders of the parliamentary groups, the chair and the deputy chair of the standing committee dealing with European Union affairs, the chair of the standing committee dealing with constitutional affairs, the chair of the standing committee dealing with foreign affairs, and other persons invited by the Speaker may attend the sitting of the Consultative Body on European Union Affairs.

(4) A person designated by the President of the Republic may attend the sitting of the Consultative Body on European Union Affairs.

(5) The Government shall annually inform the National Assembly of the questions related to Hungary's membership in the European Union and the state of the European integration.

**Section 70** The Government shall propose candidates for the Hungarian members of the European Commission, the Court of Justice, the General Court, the Court of Auditors and the Board of Directors of the European Investment Bank to the European Union institution entitled to decide on the appointment of members. Prior to proposing a candidate, the Government shall inform the National Assembly of the person to be proposed. Before such a proposal is made, the National Assembly may hear the person to be proposed by the Government.



## **28. Examination of subsidiarity**

**Section 71** (1) Concerning EU drafts the National Assembly may take a position on whether the principles of subsidiarity and proportionality are complied with.

(2) The National Assembly shall inform the Government of its reasoned opinion sent to the institutions of the European Union according to Protocol No 2 annexed to the Treaty on European Union (hereinafter the “TEU”), to the Treaty on the Functioning of the European Union (hereinafter the “TFEU”) and to the Treaty establishing the European Atomic Energy Community.

(3) The National Assembly may initiate, within one month of the publication of the legislative act of the European Union in the Official Journal of the European Union, that the Government bring, in accordance with Article 263 TFEU, an action before the Court of Justice of the European Union on grounds of infringement of the principle of subsidiarity by the legislative act of the European Union. In its initiative, the National Assembly shall specify the arguments supporting the National Assembly’s opinion about the legislative act infringing the principle of subsidiarity. At the initiative of the National Assembly, the Government shall, within the time limit set in Article 263 TFEU, bring an action before the Court of Justice of the European Union, or shall reject the initiative, giving a detailed reasoning of the rejection. Before bringing an action or rejecting it, the Government may request a consultation on the initiative of the National Assembly.

(4) Should the Government bring an action before the Court of Justice of the European Union on the basis of an initiative of the National Assembly in accordance with paragraph (3), it shall inform the National Assembly of the action and of any other document of the procedure without delay upon filing or receiving such documents.

## **29. Opposition by the National Assembly**

**Section 72** The National Assembly shall inform the Government of making known its opposition according to Article 48 (7) TEU and Article 81 (3) TFEU.

### **CHAPTER VI/A**

#### ***CALCULATION OF TIME LIMITS***

**Section 72/A** (1) Unless otherwise provided in the Fundamental Law, an Act or the Rules of Procedure Resolution, the provisions under paragraphs (2) to (6) shall apply to the calculation of time limits for the purposes of the Rules of Procedure Instruments.

(2) Time limits shall be counted in hours or days, except where the Rules of Procedure Instruments mention a sitting or sitting day. A sitting day shall last until the items on the adopted agenda are discussed.

(3) The starting day shall not be counted in the period of the time limit. The starting day shall be the day on which the action or circumstance serving as grounds for the commencement of the time limit takes place or occurs.

(4) Should the last day of the time limit fall on a day other than a working day according to the general working order under the Act on public service officials, the time limit shall expire on the next working day.

(5) The time limit shall expire on the last day at the end of the working hours according to the general working order under the Act on public service officials, or, if the National Assembly is sitting, at the end of the sitting day.

(6) Paragraphs (4) to (5) shall not apply if the time limit is expressed in hours.

## PART THREE

### THE STATUS OF THE MEMBERS OF THE NATIONAL ASSEMBLY

#### CHAPTER VII

##### IMMUNITY

**Section 73** (1) From the day of his or her election, during and after his or her mandate, a Member shall not be held liable before courts or other authorities for the vote cast or the fact or opinion communicated by him or her in the course of exercising, and in connection with, his or her Member's mandate.

(2) The immunity specified in paragraph (1) shall not apply to the liability of a Member under civil law and to the following criminal offences:

*a)* agitation against a community, defamation of national symbols, public denial of the crimes of national socialist and communist regimes, misuse of data classified as top secret or secret, misuse of data classified as confidential, misuse of data classified as restricted, as laid down in Act IV of 1978 on the Criminal Code in force until 30 June 2013,

*b)* incitement against a community, defamation of national symbols, public denial of the crimes of national socialist or communist regimes, misuse of classified data, as laid down in Act C of 2012 on the Criminal Code.

**Section 74** (1) Criminal proceeding or, in the absence of voluntarily waiving immunity in the case concerned, infraction proceeding may be instituted or conducted, and a coercive measure under criminal procedure may be applied against a Member only with the prior consent of the National Assembly.

(2) A Member

*a)* may be detained or another coercive measure under criminal procedural law may be applied against him or her only if he or she is caught in the act of committing a criminal offence,

*b)* may be detained or another coercive measure under infraction proceedings may be applied against him or her only if he or she is caught in the act of committing an infraction, provided that the conditions required by an Act for imposing infraction detention are met.

(3) Before indictment, a motion for lifting immunity shall be submitted to the Speaker by the Prosecutor General, while after indictment or in private prosecution or substitute private prosecution cases, it shall be submitted by the court. If the Member is caught in the act, the motion shall be submitted without delay.

(4) In an infraction case, the infraction authority shall inform the Member directly of the possibility of voluntarily waiving his or her immunity. In the case of the Member voluntarily waiving immunity within eight days, the infraction authority shall, at the time of conclusion of the proceeding with final and binding effect, notify, by way of the Prosecutor General, the Speaker of the waiver of immunity and the result of the proceeding. The Speaker shall send the notification to the Committee on Immunity. The chair of the Committee on Immunity shall present the notification at the subsequent sitting of the committee. If in an infraction proceeding the Member does not waive immunity within eight days of the receipt of the request, the Prosecutor General shall, on the basis of the request made by the infraction authority, submit a motion for lifting immunity to the Speaker. In the course of the proceeding, but not later than the adoption of the parliamentary resolution, the Member may at any time waive immunity before the proceeding authority.

**Section 75** The immunity of a Member shall not apply to administrative authority procedures.

**Section 76** Members shall be obliged to notify the Speaker of any violation of their immunity without delay. A Member shall be obliged to inform the court or authority acting in a procedure against him or her of his or her Member's mandate without delay.

**Section 77** (1) The Speaker shall, without delay, transfer any motion for lifting immunity and any notification of a violation of immunity to the Committee on Immunity for examination, and shall announce it at the subsequent sitting day of the National Assembly and inform the affected Member of the transfer.

(2) Members and all state authorities shall be obliged to provide the Committee on Immunity with all data in connection with the lifting of immunity or the violation of immunity that the Committee on Immunity requests in the course of an examination concerning the lifting of immunity or the violation of immunity. The data received or provided in the course of an examination concerning the lifting of immunity or the violation of immunity shall be deleted on the thirtieth day following completion of the procedure for lifting immunity or the investigation into the violation of immunity.

(3) A decision on lifting immunity shall be made by the National Assembly.

(4) A decision on lifting immunity shall apply only to the case in relation to which motion has been submitted.

(5) In a case started on the basis of violation of immunity, the Committee on Immunity shall submit, not later than thirty days after the date specified in paragraph (1), a proposal to the Speaker who shall take the necessary measures and inform the National Assembly thereof.

**Section 78** A Member may not waive immunity, save in infraction proceedings. This right of Members shall be respected by everyone.

**Section 79** (1) Members shall enjoy immunity from the day of their election.

(2) With the exception specified in paragraph (3), a person registered with final and binding effect as candidate at the election of the Members shall enjoy the same immunity as Members until the result of the election becomes final and binding, except that any decision on lifting his or her immunity shall be made by the National Election Commission, and any motion for lifting his or her immunity shall be submitted to the president of the National Election Commission.

(3) If a person registered with final and binding effect as candidate at the election of the Members is subject to a coercive measure affecting personal freedom subject to permission by a judge that was ordered before his or her being registered with final and binding effect, or has been indicted before his or her being registered with final and binding effect, he or she shall not be entitled to the right referred to in section 74 (1) regarding this criminal procedure.

## CHAPTER VIII

### *INCOMPATIBILITY AND CONFLICT OF INTERESTS; OBLIGATION TO MAKE A DECLARATION OF ASSETS*

#### **30. Incompatibility**

**Section 80** (1) With the exceptions specified in paragraphs (2), (2a) and (2b), a Member's mandate shall be incompatible with any other state, local government and economic office or position. With the exception of scientific, university and college lecturing, artistic, reviewer and editorial activities, and intellectual activities falling under legal protection, Members may not engage in any other gainful occupation, and may not receive remuneration for any other activity, except for scientific, lecturing, artistic, reviewer and editorial activities, intellectual activities falling under legal protection, and activities performed in foster parent occupational relationship. The activity as a licensed traditional agricultural producer of a Member shall not qualify as a gainful occupation or another activity performed for remuneration.

(2) Members may hold the office of the Prime Minister, Minister, the political director of the Prime Minister, State Secretary, Government Commissioner, Prime Ministerial Commissioner, Prime Ministerial Delegate or Ministerial Commissioner, and may serve as an officer of the National Assembly.

(2a) Members may be a member in the board of trustees and the supervisory board of a public interest asset management foundation performing public duty, and may hold the position of asset auditor of a public interest asset management foundation performing public duty, with the proviso that the Member may not take part in decision making and perform activities prohibited by Act IX of 2021 on public interest asset management foundations performing public duty.

(2b) Members may be a member and may hold an office in a professional body of the Government in charge of delivering opinions and making proposals that also has decision-making power.

(3) A Member holding the office of the Prime Minister, Minister, the political director of the Prime Minister or State Secretary shall not serve as an officer of the National Assembly or be a member of a parliamentary committee.

(4)

### **Sections 81 to 83**

## **31. Conflict of interests**

**Section 84** Members shall not be the following:

a) to g)

h) exclusive or majority owner, executive officer or senior employee of a financial entity operating in the financial sector according to the Act on the capital market,

i) shareholding member or shareholder in a business organisation not classified as a transparent organisation according to the Act on national assets,

j) head or member of, or a person contributing to the preparation or adoption of the decisions of an organ established for the purpose of awarding, on the basis of individual decisions, grants to natural persons, legal persons and, with the exception of condominiums, other organisations without legal personality outside general government from the subsectors of the general government, from European Union funds or from programmes financed on the basis of international agreements.

**Section 85** From the day of his or her election and until two years after the termination of his or her mandate, a Member shall not conclude a purchase agreement on acquiring shares in a business organisation over which the Hungarian State or a foreign state, a local government, association of local governments, foreign municipality, political party, or a domestic or foreign religious community has direct or indirect exclusive or majority control.

## **32. Other rules on incompatibility and conflict of interests**

**Section 86 (1)**

(2) Members shall not invoke their status as Member in professional or business affairs.

(3) Members shall not acquire or use confidential information unlawfully by using their Member's mandate.

**Section 87 (1)** Members shall refrain from accepting, in connection with their mandate, any gifts or similar benefits, other than those with an approximate value of less than 5% of the Member's honorarium according to section 104 (1) given in accordance with courtesy usage or those given to them when they are representing the National Assembly in an official capacity.

(2) A Member shall be considered to represent the National Assembly in an official capacity when

*a)* he or she represents the National Assembly on behalf of the Speaker in international relations or on ceremonial occasions, or

*b)* he or she represents a committee or an interparliamentary delegation on an official mission permitted by the Speaker.

(3) Any gifts presented to Members when they are representing the National Assembly in an official capacity shall be handed over to the Speaker; the Speaker may decide that a Member may keep the gift.

(4) The restriction under paragraph (1) shall not apply to benefits and assets received for free use that the National Assembly, the Member's political party or parliamentary group, or a foundation performing, for supporting the work of political parties, scientific, awareness-raising, research or educational activities provides to a Member as necessary for, or closely related to, the performance of the Member's work. Upon termination of the mandate, the assets received for free use shall not pass free of charge into the ownership or further use of the Member or a close relative as defined in the Civil Code (hereinafter "close relative").

**Section 88** A Member shall be declared disqualified for incompatibility from serving as a Member if

*a)* during his or her mandate he or she has been convicted of felony with final and binding effect, except if he or she has been excluded from participating in public affairs,

*b)* after the available legal remedies have been exhausted, he or she has a public due payable to the State, and does not settle the debt within sixty days of the receipt of the relevant notification or, in the case of having payment in instalments or days of grace granted, in accordance with the provisions of the granting decision.

### **33. Activities not giving rise to incompatibility and conflict of interests**

**Section 89** A Member shall indicate in his or her declaration of assets any of the following that do not give rise to incompatibility and conflict of interests as provided for in Annex 1:

*a)* independent undertaking, shareholding (membership) in a company or cooperative, executive position or membership in the supervisory board of such an organisation,

*b)* status as settlor, trustee or beneficiary in a fiduciary asset management relationship,

*c)* founding and joining status at a foundation, including a public interest asset management foundation performing public duty, membership in a non-governmental organisation, and position in the supreme, administrative or representative body, as specified by law or the deed of foundation, of such an organisation,

*d)* membership in a statutory professional body, and position in the supreme, administrative or representative body, as specified by law or the deed of foundation, of a statutory professional body.

**Section 89/A**

### **34. Obligation to make a declaration of assets**

**Section 90** (1) A Member shall make a declaration of assets covering the information and in the form set out in Annex 1 within thirty days of his or her oath-taking and by 31 January in each subsequent year reflecting the situation on 31 December of the preceding year, and within thirty days of the termination of his or her mandate.

(2) A Member shall attach to his or her declaration of assets the declarations of assets of the spouse or cohabitant and the children living in the same household as the Member (hereinafter jointly "family members") covering the same information as the declaration of assets of the Member.

(3) Should a Member fail to make the declaration of assets, he or she shall not be allowed to exercise his or her Member's rights and shall not receive honorarium, until he or she submits the declaration of assets. The fact of failing to make the declaration of assets shall be established by the National Assembly.

### **35. Procedural rules**

**Section 91** (1) Members shall be obliged to eliminate the cause of incompatibility and conflict of interests within thirty days of oath-taking, the occurrence of incompatibility and conflict of interests, or of becoming aware of it, and shall inform the Speaker of it without delay; the Speaker and the Deputy Speaker shall be obliged to eliminate the cause of incompatibility and conflict of interests within thirty days of his or her election in office, and shall inform the Speaker of it without delay. As long as the incompatibility and conflict of interests exists, a Member may not act in a consultative capacity, exercise his or her right to vote or his or her right under section 98 (1) and (2), or submit a motion at the sittings of the National Assembly and the parliamentary committees, and shall not receive remuneration.

(1a) By way of derogation from paragraph (1), if taking the measure resulting in eliminating the cause of incompatibility and conflict of interests of a Member falls within the powers of another organ or organisation, the Member shall be obliged to initiate, within the time limit referred to in paragraph (1), the elimination of the cause of incompatibility and conflict of interests in accordance with the applicable rules, and shall notify the Speaker without delay and in a credible way of initiating elimination. From the day of such notification, as long as incompatibility and conflict of interests exists, the Member may exercise his or her rights other than the right to vote. As soon as he or she learns of the measure resulting in eliminating the cause of incompatibility and conflict of interests, the Member shall inform the Speaker of the elimination of the cause without delay.

(1b) If a cause of incompatibility and conflict of interests occurs with respect to a Member, he or she shall inform the Speaker of it without delay after it occurs or he or she learns of it.

(2) If the time limit referred to in paragraph (1) or (1a) is not complied with, the National Assembly shall, upon a motion from any Member and after seeking the opinion of the Committee on Immunity, decide within fifteen days on declaring incompatibility and conflict of interests.

(3) If a court passes a final and binding judgment or an authority adopts a decision with administrative finality that has relevance with respect to disqualification for incompatibility under section 88, that court or authority shall notify the Speaker thereof without delay. Upon a motion from any Member and after seeking the opinion of the Committee on Immunity, the National Assembly shall decide within fifteen days on declaring disqualification for incompatibility.

(4) Incompatibility and conflict of interests of a Member may be reported in writing to the Speaker by anyone. The report shall specify in details the name of the Member concerned and the cause of incompatibility and conflict of interests; the supporting evidence shall be attached to the report. The report shall contain the identification data and the signature of the reporting person. If a report is incomplete, the chair of the Committee on Immunity shall not institute the necessary procedure; however, he or she shall inform the Committee on Immunity of the report.

(5) Section 86 (2) and (3) as well as section 87 (1) shall not constitute a cause for the declaration of incompatibility and conflict of interests.

**Section 92** (1) If a procedure for incompatibility and conflict of interests is initiated, the Committee on Immunity shall investigate the matter within 30 days. To investigate the case, the committee shall set up an investigative panel consisting of three members of the committee designated by way of drawing. The chair of the Committee on Immunity shall not be a member of the investigative panel. The chair of the investigative panel shall be the deputy chair of the Committee on Immunity.

(2) Members and all state authorities shall be obliged to provide the Committee on Immunity and the investigative panel without delay with all data in connection with the incompatibility and conflict of interests case that the Committee on Immunity and the investigative panel request. The data received or provided in connection with the incompatibility and conflict of interests case shall be deleted on the thirtieth day following completion of the procedure concerning the incompatibility and conflict of interests case.

(3) All records related to incompatibility and conflict of interests shall be kept by the Committee on Immunity.

**Section 93** (1) If the National Assembly did not declare incompatibility and conflict of interests, no other procedure for incompatibility and conflict of interests shall be initiated against the Member on the basis of the same facts.

(2) At the same time as establishing incompatibility and conflict of interests, the National Assembly shall call upon the Member to eliminate, or to initiate the elimination of, incompatibility and conflict of interests within five days, and to notify the Speaker of this fact. The National Assembly shall also state that should the Member fail to eliminate, or to initiate the elimination of, incompatibility and conflict of interests, or should he or she fail to notify the Speaker of this fact, his or her mandate will terminate by virtue of this resolution upon expiry of five days from the establishment of incompatibility and conflict of interests. Upon expiry of the period of five days from the establishment of incompatibility and conflict of interests, the chair of the Committee on Immunity shall announce that incompatibility and conflict of interests is eliminated or its elimination has been initiated, or that neither of the foregoing applies, resulting in the termination of the mandate of the Member upon expiry of a period of five days from the establishment of incompatibility and conflict of interests.

(3) Should the mandate of a Member terminate on the basis of a resolution of the National Assembly, the Member shall be obliged to pay back to the National Assembly the remuneration he or she had received from the date of emergence of incompatibility and conflict of interests until the termination of his or her mandate.

**Section 94** (1) The records related to the declarations of assets shall be kept by the Committee on Immunity.

(2) With the exception of the declarations of assets of family members, declarations of assets shall be publicly available; the Committee on Immunity shall, without delay, publish their page-for-page copies, except for the personal data of family members, on the website of the National Assembly. A declaration of assets may be removed from the website not earlier than one year after the termination of the mandate of the Member concerned. The declarations of assets of family members shall be retained by the Committee on Immunity.

(3) A declaration of assets of a family member shall be accessible only to members of the Committee on Immunity in a procedure related to a Member's declaration of assets.

(4) Anyone may initiate that the chair of the Committee on Immunity open a procedure related to a Member's declaration of assets by making a statement of facts relating to the specific content of the declaration of assets that specifies the contested part and content thereof. Should the initiative fail to meet the requirements specified in this paragraph, be clearly unfounded, or should the repeatedly submitted initiative contain no new statement of facts or data, the chair of the Committee on Immunity shall reject the initiative without

conducting the procedure. The Committee on Immunity shall check the veracity of the content of the declaration of assets.

(5) Upon a call by the Committee on Immunity in the procedure related to the declaration of assets, the Member shall, in writing and without delay, supply the data supporting the circumstances as regards assets, income and economic interests indicated in his or her declaration of assets or the declaration of assets of his or her family member. Access to the data shall be restricted to the members of the Committee on Immunity. The chair of the Committee on Immunity shall inform the Speaker of the outcome of the proceedings related to the declaration of assets, and the Speaker shall at the subsequent sitting inform the National Assembly of the facts established by the Committee on Immunity.

(6) If, in the course of the procedure related to the declaration of assets, the Committee on Immunity establish that the Member intentionally failed to meet his or her obligation to make a declaration of assets, or intentionally provided false data or facts of significant nature, then the chair of the Committee on Immunity shall initiate the declaration of the Member's incompatibility and conflict of interests.

(7) The supporting data provided by the Member shall be deleted on the thirtieth day following the conclusion of the procedure related to the declaration of assets.

(8) The Committee on Immunity shall retain the declarations of assets of the family members of former Members for one year after the termination of the mandate of the Member concerned.

## *CHAPTER IX*

### *LABOUR LAW AND SOCIAL SECURITY STATUS OF MEMBERS AND CANDIDATE MEMBERS OF THE NATIONAL ASSEMBLY*

**Section 95** (1) At the candidate's request, the employer shall grant unpaid leave to a candidate Member from his or her being registered as a candidate until the day of election or, should the candidate be elected, until the day preceding the day of his or her oath-taking.

(2) The period of unpaid leave shall qualify as pensionable service time.

(3) During the period specified in paragraph (1), the employer shall not terminate the employment relationship of the candidate Member.

#### **Section 96** (1)

(2) The employer shall grant unpaid leave to a Member from the day of his or her oath-taking for the duration of his or her mandate or for a part of it, in accordance with the employee's request.

(3) If the Member served on the day of his or her election as a prosecutor, or in government service, public service, public employment relationship, in tax and customs authority service, law enforcement administration service or national defence employment relationship, as an employee of an administrative organ, or in a relationship under the Act on the legal status of soldiers or the Act on the service relationship of the professional personnel of organs performing law enforcement duties, he or she shall be placed, at his or her written request filed within thirty days of the termination of his or her Member's mandate, in a position befitting his or her qualification and educational attainment.

**Section 97** (1) From the day of the oath-taking until the day of the termination of the mandate, with the exception of the period of incompatibility and conflict of interests, or, in the case of section 91 (1a), of the period of incompatibility and conflict of interests until the day of notification, the period of the Member's activity, including the period of allowances provided after the termination of the mandate, shall with regard to eligibility for social security benefits qualify as time spent in employment of 40 hours per week and as pensionable service time. The period of employment shall qualify as service time with regard



to the calculation of the time spent in government service, public service, public employment, tax and customs authority service, law enforcement administration service, national defence employment, court and prosecution service relationship. The period of employment shall qualify as service time with regard to the calculation of the time spent in service relationship under the Act on the legal status of soldiers and the Act on the service relationship of the professional personnel of organs performing law enforcement duties.

(2) From the day of the oath-taking until the day of the termination of the mandate, with the exception of the period of incompatibility and conflict of interests, or, in the case of section 91(1a), of the period of incompatibility and conflict of interests until the day of notification, the period of the activity of a Member and the Principal of the House shall qualify as time spent in management position. In calculating the time spent in management position, the period of holding the mentioned positions shall be taken into account.

(3) If the Member holds the office of the Speaker, Prime Minister, Minister, the political director of the Prime Minister, State Secretary, Government Commissioner, Prime Ministerial Commissioner, Prime Ministerial Delegate or Ministerial Commissioner, this office shall be taken into account with regard to his or her eligibility for social security benefits.

(4) The Office of the National Assembly shall provide certain outpatient healthcare services to Members through a healthcare provider which is a budgetary organ (hereinafter the “healthcare provider”).

(5) The Office of the National Assembly shall determine the scope of healthcare services that eligible persons can receive under paragraph (4) in a healthcare contract entered into with the healthcare provider.

(6) Budget funds for the healthcare services under paragraph (4) shall be allocated in the budget heading of the National Assembly.

## *CHAPTER X*

### *SUPPORTING THE SERVICE OF THE MEMBERS OF THE NATIONAL ASSEMBLY*

**Section 98** (1) State organs shall assist Members in the fulfilment of their mandate, and provide Members with the information necessary for their work. A Member may request information from the head of any administrative organ, public institute or public institution in a manner agreed in advance. Exercise of this right shall be subject to the regulations relating to the operation of the organ concerned, and without disproportionate prejudice to its regular operation.

(2) By way of derogation from the provisions of the Act on the protection of classified data, a Member may use the classified data necessary for performing his or her duties without personal security clearance, on the basis of an authorisation for use, after completing a confidentiality statement, and shall be obliged to comply with the requirements related to the protection of classified data.

(3) By way of derogation from paragraph (2),

*a)* the member of the standing committee dealing with national defence issues shall be entitled, on the basis of a decision of the committee, to use the classified data indispensably necessary for the performance of the tasks of the committee specified in the Fundamental Law, the Act on national defence and the Act on national security services,

*b)* the member of the standing committee dealing with national security shall be entitled, on the basis of a decision of the committee, to use the classified data indispensably necessary for the performance of his or her tasks specified in the Act on national security services,

*c)* the member of the standing committee dealing with foreign affairs shall be entitled, on the basis of a decision of the committee, to use the classified data indispensably necessary for the performance of the tasks of the committee,

d) if a parliamentary resolution setting up a committee of inquiry granted authorisation to access classified data, the member of the committee of inquiry shall be entitled, on the basis of a decision of the committee of inquiry, to use the classified data indispensably necessary for performing the tasks of the committee of inquiry

without authorisation for use and confidentiality statement, observing the requirements for the protection of classified data.

## *CHAPTER XI*

### *TERMINATION OF THE TERM OF OFFICE OF THE MEMBERS OF THE NATIONAL ASSEMBLY*

**Section 99** Should the mandate of a Member terminate for a cause specified in Article 4 (3) *b*) of the Fundamental Law, this fact shall be announced by the chair of the sitting to the National Assembly.

**Section 100** (1) A Member may resign by tendering his or her resignation in writing to the Speaker.

(2) The Member's mandate shall terminate upon submission of the resignation. Acceptance of the resignation shall not be required to make resignation effective.

(3) The chair of the sitting shall announce the fact of the Member's resignation without delay to the National Assembly.

**Section 101** (1) On the basis of Article 4 (3) *e*) of the Fundamental Law, the mandate of a Member shall terminate if the Member

- a) is not a Hungarian citizen any more,
- b) serves his or her imprisonment on the basis of a final and binding judgment,
- c) is in an institution under compulsory psychiatric treatment ordered in a final and binding judgment passed in a criminal proceeding,
- d) has been deprived by the court of his or her suffrage due to the diminution or lack of his or her sound mind necessary for exercising the right to vote,
- e) has been excluded from participating in public affairs.

(2) The establishment of the absence of the conditions required for the election of a Member shall require a resolution adopted by the National Assembly upon a written motion from any Member and after seeking the opinion of the Committee on Immunity, within thirty days of the receipt of the motion.

**Section 102** (1) The mandate of a Member shall terminate in accordance with Article 4 (3) *f*) of the Fundamental Law if the Member has participated in none of the votes in the National Assembly for one year.

(2) Upon a written motion from any Member and after seeking the opinion of the Committee on Immunity, the National Assembly shall decide on the matter referred to in paragraph (1) within thirty days of the receipt of the motion.

**Section 103** (1) A Member in a volunteer reserve service relationship may be called up to volunteer reserve training or active service only at a date agreed with the Member. During the period of special legal order, a Member may be called up to training or active service only at the Member's request. Within 5 days of receiving the call-up, the Member shall notify the Speaker of the commencement date of the volunteer reserve training or active service.

(2) During the period of volunteer reserve training or active service, the Member shall not be entitled to receive the remuneration specified in Subtitles 36 to 37.

## PART FOUR

### REMUNERATION OF THE MEMBERS OF THE NATIONAL ASSEMBLY

#### 36. Honorarium of the Members

**Section 104** (1) Members shall be entitled to receive monthly honorarium. The monthly honorarium of Members determined for the period from 1 March of the year in question to the end of February of the next year shall be equal to three times the average monthly gross earnings in the national economy relating to the year preceding the year in question, officially published by the Hungarian Central Statistical Office.

(2) By way of derogation from paragraph (1), if the Member

*a)* is a member of a standing committee or the committee representing the national minorities, his or her honorarium shall be equal to 1.2 times the amount specified in paragraph (1),

*b)* is a member of the committee on legislation or a member of at least two committees referred to in section 14 (1) *a)*, his or her honorarium shall be equal to 1.4 times the amount specified in paragraph (1).

(3)

(4) A Member shall be entitled to the honorarium referred to in paragraph (1) from taking the oath until the termination of his or her mandate, and to the honorarium referred to in paragraph (2) for his or her term of office as a member of a parliamentary committee or of a further parliamentary committee.

(4a)

(5) For his or her term of office as leader of a parliamentary group, the leader of the parliamentary group shall be entitled to an honorarium equal to two times the amount of the honorarium specified in paragraph (1).

(6) For his or her term of office as deputy leader, the deputy leader of a parliamentary group shall be entitled to an honorarium equal to 1.7 times the amount of the honorarium specified in paragraph (1). In each parliamentary group, the number of deputy leaders entitled to receive the honorarium specified in this paragraph shall be one deputy leader for each twenty-five members of the group plus one deputy leader for the remaining number of members, if any.

(7) In addition to a honorarium specified in paragraph (1) or (2), a deputy leader of a parliamentary group who does not receive a honorarium under paragraph (6) may be granted additional benefit that the parliamentary group provides against the amount allocated under section 115 (4). In such a case, the total amount of the Member's honorarium payable to the deputy leader of the parliamentary group under paragraph (1) or (2) and of the additional benefit shall not exceed the amount specified in paragraph (6). The number of the deputy leaders of the parliamentary group receiving the benefit under this paragraph shall not be more than the number specified in paragraph (6).

(8) Other deputy leaders of a parliamentary group who are not covered by paragraphs (6) and (7) shall not receive additional benefit, and their number shall not exceed 20% of the number of members of the parliamentary group.

(9) The leader and deputy leaders of a parliamentary group shall be entitled to receive an honorarium specified in paragraphs (5) to (7) from announcing the new position until announcing that the position ended.

**Section 105** (1) The honorarium of a Deputy Speaker shall be equal to two times the amount specified in section 104 (1).

(2) The honorarium of the chair of a committee referred to in section 14 (1) *a*), the president of the Hungarian National Group of the Inter-Parliamentary Union, and a parliamentary notary shall be equal to 1.7 times the amount specified in section 104 (1).

(3) The honorarium of the deputy chair of a committee referred to in section 14 (1) *a*) shall be equal to 1.5 times the amount specified in section 104 (1).

(4) The vice-president of the Hungarian National Group of the Inter-parliamentary Union may be granted an honorarium if the Hungarian National Group of the Inter-parliamentary Union so decides. The honorarium of the vice-president shall be equal to 1.4 times the amount specified in section 104 (1).

(5) The Deputy Speaker, the Principal of the House with a Member's mandate, the chair and deputy chair of a committee referred to in section 14 (1) *a*), the president of the Hungarian National Group of the Inter-parliamentary Union, and parliamentary notaries shall be entitled to receive a honorarium specified in paragraphs (1) to (3) for their term of office in that position. The vice-president of the Hungarian National Group of the Inter-parliamentary Union shall be entitled to receive an honorarium specified in paragraph (4) from the date of the decision under paragraph (4) for the period of his or her term of office as vice-president.

(6) If a Member holds, at the same time, more than one of the positions referred to in section 4 (6), section 104, in this section or section 120, he or she shall be entitled to receive the honorarium with the higher amount.

**Section 106** (1) With the exceptions specified in this Act, Members shall not receive remuneration under another title from any state organ.

(2) A Member holding the office of the Prime Minister, Minister, the political director of the Prime Minister, State Secretary, Government Commissioner, Prime Ministerial Commissioner, Prime Ministerial Delegate or Ministerial Commissioner shall be entitled to receive also an honorarium specified in section 104 (1) or (2).

**Section 107** (1) If the National Assembly has no quorum for decision making at the time, indicated on the proposed agenda, of a voting specified in the proposed agenda, and the chair of the sitting does not succeed in restoring the quorum, then the House Committee may reduce in the month in question the full honorarium, without deductions, of Members who were absent without prior notification. The rate of the reduction of the honorarium shall not exceed one third of the honorarium under section 104 (1).

(2) If a Member is unexcusedly absent from more than one quarter of the votes, using electronic vote counting, that were indicated on the proposed agenda of the sitting or, if appropriate, the sittings of the National Assembly held in the month in question, the amount of his or her full honorarium, without deductions, in the month in question determined according to section 104 (1) shall be reduced at a rate equal to the rate of unexcused absence.

(3) If a sitting of a parliamentary committee convened at least 24 hours in advance has no quorum for decision making at the time of opening the sitting, and the chair of the sitting does not succeed in securing the quorum, then the House Committee may reduce in the month in question the full honorarium, without deductions, of Members who were absent without prior notification. The rate of the reduction of the honorarium shall not exceed 20% or, for a member of the committee on legislation, 40% of the honorarium determined according to section 104 (1).

(4) If a Member holding an office or membership in a parliamentary committee is unexcusedly absent from more than half of the sittings, but from at least three sittings, of the parliamentary committee held during an ordinary session that were convened at least 24 hours in advance and had quorum for decision making, his or her honorarium determined according to paragraph (6) shall be reduced by 20%, for a member of the committee on legislation by 40%, of the amount determined according to section 104 (1). For the purpose of this provision, a Member who has given an *ad hoc* proxy for the whole duration of the sitting shall also be considered as being absent.

(5) A reduction of the honorarium according to paragraphs (2) and (4) shall be ordered by the Speaker.

(6) The reduction of the honorarium according to paragraph (4) shall be determined on the basis of the full amount, without deductions, of the honorarium payable to the Member in the last month of the ordinary session in which the Member was unexcusedly absent.

(7) Having regard to the performance of the duties related to chairing sittings, the provisions of paragraph (2) shall not apply to the Speaker and Deputy Speakers of the National Assembly, and parliamentary notaries.

(8) If a Member holds membership in more than one committee, the provisions of paragraph (4) shall be applied by each committee, taking into account no more than two committee memberships and 40% of the amount determined according to section 104 (1).

(9) In the application of the provisions of paragraphs (3) and (4), the sittings of *ad hoc* committees and committees of inquiry need not be taken into account.

(10) The detailed rules relating to the prior notification of a Member's absence from a sitting of the National Assembly or a parliamentary committee, absence excuse, and the reduction of honorarium due to absence from a sitting of the National Assembly or a parliamentary committee shall be laid down in the Rules of Procedure Resolution.

(11) The personal data that a Member provides, in accordance with a procedure regulated in the Rules of Procedure Resolution, when giving notice of his or her absence, or for excusing absence, shall be processed by the leader of the parliamentary group, the Speaker and the director-general with a view to making a decision regarding the Member's absence excuse, learning the underlying causes and accepting them as excuse. Personal data processed in an absence excuse procedure shall be deleted upon the expiry of five years from the end of the mandate of the National Assembly during the mandate of which the procedure started. The fact of absence of a Member and a nationality minority advocate shall be data accessible on public interest grounds.

(12) The provisions of this section shall not apply to suspended Members during the period of suspension.

**Section 107/A** (1) A Member whose honorarium has been reduced by the House Committee according to section 107 (1) or (3) may, in a request submitted to the chair of the Committee on Immunity within eight days of receiving the decision, ask the committee to set aside the decision.

(2) The Committee on Immunity shall decide on the request submitted by the Member within twenty days; the first day of this time limit shall be the day following the day of receiving the request. If in his or her request the Member proposes to be heard, the committee shall hear the Member in the legal remedy proceeding; to this end, and for the period of his or her hearing, the Member shall be allowed to attend the sitting of the committee, irrespective of potentially being suspended.

(3) The chair of the Committee on Immunity shall inform the Member and the Speaker without delay of the decision made by the committee regarding the Member's request, or of the expiry without result of the time limit for making the decision.

(4) If the Committee on Immunity grants the Member's request, the reduction of the honorarium shall not be enforced and the proceeding shall be terminated.

(5) If the Committee on Immunity does not grant the Member's request, or does not decide on it within the time limit referred to in paragraph (2), the Member may, in a request submitted to the Speaker within eight days of receiving the decision of the committee or the information referred to in paragraph (3), ask the National Assembly to set aside the decision.

(6) The National Assembly shall decide without debate on the request referred to in paragraph (5) at its sitting following the submission of the request. The National Assembly may maintain the effect of the decision made by the House Committee, or, granting the request, it may set aside the decision of the House Committee. If the National Assembly grants the Member's request, the reduction of honorarium shall not be enforced and the proceeding shall be terminated.

**Section 107/B** (1) The amount of the reduction of honorarium ordered on the basis of the provisions of this Act shall be deducted from the honorarium of the Member disbursed following the ordering of the reduction of honorarium becomes final and binding.

(2) In implementing the reduction of honorarium, the amount of the honorarium disbursed to the Member, taking into account all reductions of the Member's honorarium according to this Act, may not be less in any month than the amount of the mandatory minimum wage established for an employee employed full time (minimum wage), as applicable in the month in question.

(3) If, taking into account the provisions of paragraph (2), implementing the ordered honorarium reduction or reductions cannot be covered by the monthly honorarium of the Member, the remaining part shall be deducted from the honorarium of the Member disbursed in the subsequent months.

(4) If the amount of the ordered honorarium reduction or reductions cannot be deducted due to the termination of the mandate of the Member, the amount not deducted shall qualify as public dues collectible as taxes to be collected, in the absence of voluntary performance, by the state tax and customs authority according to the procedure specified in Act CLIII of 2017 on enforcement procedures applied by the tax authority.

(5) If the mandate of the Member terminates upon termination of the mandate of the National Assembly, the amount of honorarium reduction not yet deducted shall be deducted from the allowance referred to in section 119 (1), before the application of the provisions of paragraph (4).

**Section 108** The honorarium of Members shall qualify as income forming contribution basis from non-independent activity.

### **37. Benefits of Members and allowances connected to their activities**

**Section 109** (1) A Member shall be entitled to use a non-transferable fuel card, not convertible to cash, to be used at filling stations (hereinafter "fuel card"), provided by the Office of the National Assembly to the registration number of a passenger car specified by the Member on the basis of a public deed or a private deed of full probative value certifying the right of the Member or his or her relative to use the car. A Member who uses a passenger car under this Act or another law shall not be entitled to a fuel card provided by the Office of the National Assembly.

(2) The fuel card shall be charged monthly, taking into account the fuel prices published by the state tax authority applicable in connection with the accounting of fuel costs. In calculating the amount to be charged to the fuel card, the fuel consumption standard applicable to passenger cars having a cylinder capacity of not more than 2000 cm<sup>3</sup>, as specified in the law on the fuel and lubricant consumption of road vehicles accountable without verification, shall be taken into account. For passenger cars running purely on natural gas, cars of double fuel source and cars of hybrid drive, the amount calculated on the basis of the fuel consumption standard applicable to petrol engine cars shall be taken into account.

(3) The monthly amount referred to in paragraph (2) shall be the value of fuel needed to cover a distance determined on the basis of the distance between the Member's domicile under the Act on the registration of the personal data and the address of citizens and Budapest as follows:

- a) 2500 km if domicile is in Budapest,
- b) 4000 km if domicile is at a distance of 1–100 km from Budapest,
- c) 5000 km if domicile is at a distance of 101–200 km from Budapest,
- d) 6000 km if domicile is at a distance of 201–300 km from Budapest,
- e) 6500 km if domicile is at a distance of more than 300 km from Budapest.

(4) For a Member elected in an individual constituency, the amount specified under paragraph (3) shall be increased on the basis of the area of the Member's individual constituency as follows:

- a) by 10% if the area is smaller than 850 km<sup>2</sup>,
- b) by 20% if the area is between 850 and 1150 km<sup>2</sup>,
- c) by 30% if the area is between 1151 and 1400 km<sup>2</sup>,
- d) by 40% if the area is between 1401 and 1650 km<sup>2</sup>,
- e) by 50% if the area is between 1651 and 1900 km<sup>2</sup>,
- f) by 60% if the area is larger than 1901 km<sup>2</sup>.

(5) For the categories under paragraph (3), the shortest road distance including highways, motorways or, in the absence of the former, main roads between Budapest and the relevant settlement shall be taken into account.

(6) A fuel card may be used also for the purpose of paying the usage fee, road toll for the use of public roads, and the services ensuring maintenance of the car at filling stations.

(7) A Member shall be entitled, up to the amount available on the fuel card, also to reimbursement of the costs of charging a full electric vehicle, and of local and long-distance passes, and long-distance tickets, for domestic public transport vehicles, evidenced by an invoice. Should a Member waive his or her entitlement to a fuel card, the amount of the reimbursement under this paragraph shall not exceed the amount calculated under paragraphs (1) to (5) on the basis of the fuel consumption standard applicable to passenger cars with petrol engine having a cylinder capacity of 2000 cm<sup>3</sup>.

(8) The Deputy Speaker and, against the amount allocated under section 113(1), the leader of a parliamentary group shall be entitled to use a passenger car for personal and official purposes. For the Deputy Speaker, the Office of the National Assembly shall provide the passenger car and cover the costs of using it.

(9) During his or her temporary mission abroad, a Member shall be entitled to the per diem and reimbursement applicable to public officials.

**Section 110** (1) At his or her request, a Member shall be entitled to use a house or flat in Budapest provided by the Office of the National Assembly, unless he or she, or his or her close relative living in the same household with him or her, owns in Budapest a real estate registered as house or flat in the real estate register. The Member shall also be entitled to use a house or flat if he or she, or his or her close relative living in the same household with him or her, only owns in Budapest a house or flat acquired by way of inheritance or as a gift which is burdened with another person's right of usufruct.

(1a) If the Member is also a public law officer and, in this capacity, he or she is entitled to use a flat or to receive an allowance or another benefit with regard to his or her housing in Budapest, he or she may request to use a house or flat in Budapest provided by the Office of the National Assembly in accordance with paragraph (1), provided that he or she waives his or her housing entitlements arising from his or her capacity as public law officer.

(2) If the Office of the National Assembly fulfils the requirements laid down in paragraphs (1) and (1a) by means other than making a house or flat managed by the Office of the National Assembly available to a Member for use, the monthly amount granted for making a proper house or flat available to the Member for use shall not be more than 35% of the honorarium specified in section 104(1), and shall cover also the reimbursement of the costs of natural gas, electricity, drinking water, distant heating, sewage and waste management services. Other costs incurring during the designated use of the house or flat shall be borne by the Member. The Member shall be liable for any damage resulting from a use other than designated use.

(2a) For complying with the provisions of paragraph (2), using a real estate owned by a Member, a Member's close relative, or by a person referred to in section 111 (3) or a close relative of such a person, or using

- a) a real estate owned by a public company limited by shares owned to at least 5%,
  - b) a real estate owned by a company (other than a public company limited by shares) owned to any extent,
    - c) a real estate owned
      - ca) by a public company limited by shares owned to at least 5% by a company under point b) owned,
      - cb) by a company (other than a public company limited by shares) owned to any extent by a company under point b) owned
- by any of those persons shall not be allowed.

(2b) In addition to the provisions of paragraph (2a), for complying with the provisions of paragraph (2), using a real estate owned by a company in which a close relative of a Member, or a person referred to in section 111 (3) or a close relative of such a person is an executive officer, general manager, managing director, or member of the supervisory board.

(3) If a Member does not take advantage of the provisions of paragraphs (1) and (1a), he or she shall be entitled to use, upon his or her request, appropriate hotel accommodation provided in Budapest by the Office of the National Assembly, for the period of stay in Budapest necessary for performing his or her Member's activities, in each month up to the value of 35% of the honorarium specified in section 104 (1). For the purpose of providing accommodation for the period of stay in Budapest necessary for performing Member's activities, an amount higher than the amount specified in this paragraph may be used subject to the approval of a person authorised by the leader of the parliamentary group and against the amount allocated to the parliamentary group under section 113(1).



(4) At his or her request, the Deputy Speaker and the leader of a parliamentary group shall be entitled to use an official accommodation in Budapest provided by the Office of the National Assembly if he or she and his or her close relative living in the same household with him or her do not own in Budapest or its direct commuting area a real estate registered as house or flat in the real estate register.

(5) The Deputy Speaker and the leader of a parliamentary group shall also be entitled to use an official accommodation in Budapest if he or she, or his or her close relative living in the same household with him or her only owns a flat in Budapest or its direct commuting area acquired by way of inheritance or as a gift which is burdened with another person's right of usufruct.

**Section 111** (1) At the seat of his or her constituency or in a settlement chosen by him or her within the constituency, or, if he or she was elected in an individual constituency of the capital, at a place chosen by him or her within the constituency, or, if he or she was elected on the national list, in a settlement chosen by him or her, the Member shall be entitled to office accommodation in one or more real estate properties suitable for performing the Member's activities, provided by the Office of the National Assembly; for each Member, office accommodation shall include furniture and equipment of appropriate standard for one office, as well as covering the costs related to running the office or offices, in particular of natural gas, electricity, drinking water, distant heating, sewage and waste management services, and the telephone, internet, broadcasting and telefax services (hereinafter jointly "electronic telecommunication services") to be used by the Member for his or her activities as Member of the National Assembly.

(1a) Using, for complying with the provisions of paragraph (1), a real estate owned by a Member, a Member's close relative, or a person referred to in paragraph (3) or a close relative of such a person, or

- a) a real estate owned by a public company limited by shares owned to at least 5%,
  - b) a real estate owned by a company (other than a public company limited by shares) owned to any extent,
  - c) a real estate owned
    - ca) by a public company limited by shares owned to at least 5% by a company under point b) owned,
    - cb) by a company (other than a public company limited by shares) owned to any extent by a company under point b) owned
- by any of these persons shall not be allowed.

(1b) In addition to the provisions of paragraph (1a), using, for complying with the provisions of paragraph (1), a real estate owned by a company in which the close relative or cohabitant of any Member, or a person referred to in paragraph (3) or the close relative or cohabitant of such a person is an executive officer, general manager, managing director, or member of the supervisory board shall not be allowed.

(2) No permit by the building control authority shall be required for a use of the real estate under paragraph (1) other than the use under the occupancy permit or the retroactive building permit, or in the absence of such a permit, under the original intended purpose, if this use serves the purpose of complying with the provisions of paragraph (1).

(3) The activities of the Members shall be assisted by persons financed by the Office of the National Assembly.

(4) Members shall be entitled to use, through the Office of the National Assembly, free of charge postal and electronic telecommunications services necessary for performing the Member's activities. Members shall be entitled to use, through the Office of the National Assembly, mobile telephone services up to 5% of amount of the honorarium specified in section 104 (1); the appropriate mobile telephone device shall be provided by the Office of the National Assembly. The Office of the National Assembly shall not provide financial cover for the use of parking services for waiting according to the Act on road transport with the help of the device, through mobile payment. The Office of the National Assembly shall provide the possibility and the conditions for Members to use electronic signature.

(5) Members shall be entitled to use free of charge the analytical, information and documentation services operated by the Office of the National Assembly.

(6) Members shall be entitled to use free of charge the publications and official documents of the National Assembly.

**Section 112** (1) The Office of the National Assembly shall provide a Member with the financial conditions, the benefits and the allowances connected to the Member's activities, specified in sections 109 to 111, and perform the administrative tasks necessary for these benefits and allowances, from the oath-taking until the termination of the mandate of the Member.

(2) The Office of the National Assembly shall be allowed to use a monthly amount of not more than 70% of the honorarium specified in section 104(1) for the purpose of providing the entitlements of a Member according to section 111(1).

(3) To cover the benefits of a Member under section 111(3), the Office of the National Assembly shall monthly allocate to the Member an amount equal to the double of the honorarium specified in section 104(1); this amount shall not cover public dues to be charged to the paying agent.

(4) The staff members assisting the activity of a Member shall be employed under a contract concluded for a definite period, during the mandate of the Member in an employment relationship or civil law relationship. Employer's rights shall be exercised by the Member subject to countersignature by the Office of the National Assembly. The right to dispose of the whole or a certain part of the amount allocated under paragraph (3) and the exercise of the employer's rights may be delegated to the leader of the parliamentary group.

(4a) For the purpose of certifying the eligibility for social security pension and the relationship, the Office of the National Assembly shall process

- a) name
- b) name at birth,
- c) place and date of birth,
- d) sex,
- e) mother's family and given name at birth,
- f) citizenship,
- g) social security identifier,
- h) tax identifier,
- i) the data of the document certifying the highest educational attainment,
- j) the data concerning the benefits, and
- k) the data related to the duration of the relationship

of staff members assisting the activity of a Member referred to in paragraph (4) for five years from the date of the termination of the relationship.

(4b) Upon the expiry of ten years from the date of the termination of the relationship, a staff member assisting the activity of a Member may request in writing that his or her data processed for the purpose of certifying the eligibility for social security pension and the legal relationship be deleted.

(4c) In addition to paragraph (4a), the Office of the National Assembly shall process, for the purpose of keeping contacts,

- a) the payment account number,
- b) address,
- c) contact address and
- d) phone number

of staff members assisting the activity of a Member referred to in paragraph (4) for one year from the date of the termination of the relationship.

(4d) Section 192 (2) of Act I of 2012 on the Labour Code (hereinafter the “Mt.”) shall not apply to the employment relationship for a definite term of staff members assisting the activity of Members.

(5) A close relative of a Member shall not be employed as a staff member assisting the activity of the Member under section 111 (3).

(6) A Member may, wholly or partially, surrender the exercise of the right specified in section 111 (1) to his or her parliamentary group in a written statement, in which he or she delegates the right to dispose of the whole or a certain part of the amount allocated under paragraph (2) to the leader of the parliamentary group. If a Member delegated the right to dispose of the whole or a certain part of the amount allocated under paragraph (2) to the leader of the parliamentary group, the whole or certain part of the amount referred to in paragraph (2) shall be reallocated to the amount allocated to the parliamentary group under section 113 (1).

(7) The leader of the parliamentary group shall exercise the right of disposal referred to in paragraph (6) in person or by way of empowering a deputy leader of the parliamentary group.

(8) During his or her mandate, a Member shall be entitled, with the exception laid down in paragraph (9), to use the monthly residual amount of the benefits and allowances provided under this Subtitle also after the month of entitlement, in excess of the monthly usable amount.

(9) The residual amount of the benefit under section 109 (1) and section 111 (1) and (4) on 31 December of the year in question or at the date of termination of the Member’s mandate that has not been used by the Member shall be reallocated to the amount of the Member’s parliamentary group under section 113 (1) on 1 January of the year following the year in question or upon termination of the Member’s mandate, respectively. The provisions of this paragraph shall apply accordingly to independent Members.

(10) If, with regard to the amount allocated for covering the benefits and allowances provided under this Subtitle, an overrun occurs, the wrongly used amount and the fee for parking services referred to in section 111 (4) shall be deducted from the Member’s honorarium or repaid by the Member to the Office of the National Assembly following the monthly accounting.

### **38. Securing the conditions for the operation of parliamentary groups**

**Section 113** (1) To cover the expenses related to its operation, a parliamentary group shall be entitled every month, on the account of the budget of the Office of the National Assembly, to an amount equal to ten times the honorarium specified in section 104 (1), and, in the case of governing parties, to an amount equal to 30%, and in the case of opposition parties, to 40% of the honorarium specified in section 104 (1) per Member of the parliamentary group.

(1a)

(2) Independent Members shall be entitled to an amount equal to the honorarium specified in section 104(1) for the purpose of covering the costs related to the Member's activities.

(3) For the purposes of managing the amount specified in paragraph (1), the Treasury shall maintain a payment account or a subsidiary account related to that account for the parliamentary group.

**Section 114** (1) For the purpose of securing its operation and the activities of its Members, a parliamentary group shall be entitled to

*a)* have offices free of charge in the House of Parliament or in the buildings accommodating the Office of the National Assembly,

*b)* office furniture and equipment necessary for the operation of the parliamentary group and the activities of its Members,

*c)* have the costs of operating the offices under point *a)* covered.

(2) Independent Members shall be entitled to have the conditions referred to in paragraph (1) secured to them.

(3) To cover the expenses referred to in paragraph (1) *b)* and *c)*, parliamentary groups and independent Members shall be entitled to use an expenditure per Member equal to 50% of the honorarium specified in section 104 (1), on the account of the budget of the Office of the National Assembly.

**Section 115** (1) The operation of a parliamentary group may be assisted by staff members employed at the Office of the National Assembly, working in the office of the parliamentary group specified in section 114 (1).

(2) The operation of a parliamentary group may be assisted by

*a)* five staff members if the number of the parliamentary group's members is not more than ten,

*b)* seven staff members if the number of the parliamentary group's members is between eleven and twenty,

*c)* ten staff members if the number of the parliamentary group's members is between twenty-one and thirty-four,

*d)* twelve staff members if the number of the parliamentary group's members is between thirty-five and fifty,

*e)* fifteen staff members if the number of the parliamentary group's members is over fifty, and, in addition, it may be assisted by persons with higher or secondary education attainment, employed at the Office of the National Assembly, in a number equal to the number of the members of the parliamentary group.

(3) The parliamentary group shall be entitled to employ the persons referred to in paragraph (2) up to the amount allocated for wage payment under paragraph (4) or, in the case of a reallocation under section 118 (1), up to the amount allocated for wage payment under paragraph (4) increased by the reallocation. A civil law relationship may also be established on the account of the amount allocated for wage payment.

(4) From 1 March of the year in question to the end of February of the next year, a parliamentary group shall be entitled monthly to an amount allocated for wage payment equal to the number determined in accordance with paragraph (2) multiplied by 2.5 times the average monthly gross earnings in the national economy relating to the year preceding the year in question, officially published by the Hungarian Central Statistical Office.

(5) Unless otherwise provided in this Act or in other provisions referred to in this Act, the rules pertaining to public officials and, for employees, the rules pertaining to employees employed at organs of the public administration shall apply to the persons assisting the operation of parliamentary groups, employed at the Office of the National Assembly, with the proviso that the employer's rights shall be exercised in agreement with the leader of the parliamentary group.

(6) The Office of the National Assembly shall separately provide the amount specified in the Act on the central budget for the purpose of covering cafeteria benefits. To cover other benefits and bonuses falling within the decision-making power of the officeholder exercising the employer's rights, a parliamentary group shall be entitled to an amount equal to 10% of the amount allocated for wage payment under paragraph (4), on the account of which no person referred to in paragraph (2) shall be employed.

**Section 116** The assets purchased by parliamentary groups or independent Members on the account of the amount allocated under section 113 and section 114 (3) shall be the property of the Office of the National Assembly. The parliamentary groups during the period of their operation, and the independent Members during their mandate may hold such assets in their possession.

**Section 117** The supports specified in sections 113 to 115 to meet the operational conditions for the parliamentary groups shall be provided by the Office of the National Assembly.

**Section 118** (1) During the year, the leader of a parliamentary group may reallocate funds between the amount delegated to him or her under section 112 (4) and the amounts specified in section 113 (1), section 114 (3) and section 115 (4) and (6).

(2) In the case of a reallocation to the amount delegated to the leader of a parliamentary group under section 112 (4) or to the amount allocated under section 115 (4) and (6), the director-general of the Office of the National Assembly may, up to the reallocated amount, reallocate funds between the budget appropriations of material expenditures and of personal benefits of the Office of the National Assembly, and in this context, he or she may increase the budget appropriation of personal allowances by an amount not exceeding the reallocated amount.

(3)

(4) In performing reallocations under paragraph (1), the amount of the contributions payable by the employer shall also be taken into account.

(5) The parliamentary groups shall notify the reallocations under paragraph (1) for the month in question to the Office of the National Assembly monthly, by the 20<sup>th</sup> day of the month preceding the month in question.

(5a) From its establishment until its termination, a parliamentary group shall be entitled to use the monthly residual amount of the supports specified in sections 113 to 115 to meet the operational conditions for the parliamentary group also after the month of entitlement. If a parliamentary group terminates upon termination of the mandate of the National Assembly, the parliamentary group established, independently or jointly with another political party, by the same political party represented also in the next National Assembly shall be entitled to use the residual amount existing at the time of termination, also with respect to the amount referred to in section 112 (3).

(6) The provisions of paragraphs (1) to (5a) shall apply accordingly to independent Members.

**Section 118/A** (1) If a political party of a parliamentary group obtained mandates from the national list, the parliamentary group may grant support to that party on the account of the residual amount under section 118 (5a).

(2) The support may be granted on the basis of an individual decision, through a grant document; an application for support shall not be required. The decision concerning the support shall be made by the leader of the parliamentary group. The support shall be released from the appropriation use framework account of the parliamentary group following the necessary reallocations. The support shall be provided by means of a transfer to a payment account maintained by the beneficiary with a credit institution.

### **39. Benefits of former Members of the National Assembly**

**Section 119** (1) Should the mandate of a Member terminate upon termination of the National Assembly's mandate, the former Member shall be entitled to receive for three months an allowance equal to the average of his or her honorarium in the last three months prior to the termination of his or her mandate.

(2) At the request of the former Member, allowance shall be payable in a single sum.

(3) The former Member shall not be entitled to receive allowance under paragraph (1)

a) if he or she has obtained a mandate at the general parliamentary election directly preceding the termination of his or her mandate; or

b) as long as he or she does not fulfil the obligation to make a declaration of assets in accordance with the provisions of the law after the termination of his or her mandate.

(4) In terms of eligibility for social security benefits, during the term specified in paragraph (1), the former Member shall qualify as an insured person employed in a public service relationship, and his or her honorarium under paragraph (1) shall qualify as income forming contribution basis from non-independent activity.

### **40. Remuneration of the Speaker and former Speakers**

**Section 120** The honorarium of the Speaker shall be equal to 2.7 times the amount specified in section 104(1). The provisions on the benefits of the Prime Minister shall apply to the other benefits of the Speaker subject to the derogations specified in section 122.

**Section 121** (1) After the termination of the Speaker's mandate, he or she shall be entitled to use a title referring to this mandate.

(2) The rules pertaining to the benefits of a former Prime Minister shall apply to the benefits of former Speakers subject to the derogations specified in section 122.

**Section 122** (1) Unless otherwise provided in an Act, the budget heading of the National Assembly in the Act on the central budget shall provide cover for the costs related to providing the benefits for the Speaker and former Speakers.

(2) The agreements necessary for providing the benefits shall be concluded by the Office of the National Assembly.

(3) The Office of the National Assembly shall provide the benefits and services connected to missions and travels of the Speaker abroad.

(4) The Parliamentary Guard shall provide a car driver for the Speaker and former Speakers.

(5) The rules relating to public purpose offerings and donations made by the Prime Minister shall apply to the public purpose offerings and donations by the Speaker, with the proviso that the budget heading of the National Assembly in the Act on the central budget shall contain the appropriation for this purpose, the appropriation shall be used on the basis of a written undertaking by the Speaker, and the name of the beneficiary and the aim and amount of the public purpose offering or donation shall be published on the website of the National Assembly.

(6) The provisions of section 13 (3a) of Act XLIII of 2010 on central organs of state administration and the legal status of members of the Government and State Secretaries shall not apply to the benefits of the Speaker and former Speakers.

## PART FIVE

### OFFICE ORGANISATION OF THE NATIONAL ASSEMBLY; THE PARLIAMENTARY GUARD

#### CHAPTER XII

##### THE OFFICE OF THE NATIONAL ASSEMBLY

**Section 123** (1) The Office of the National Assembly shall be a central budgetary organ in charge of performing organisational, operational, administrative and preparatory functions for the National Assembly; it shall form a separate title within the budget heading of the National Assembly.

(2) The Office of the National Assembly shall be managed by a director-general.

(3) The director-general shall be appointed and dismissed by the Speaker. The director-general shall perform his or her work under the direction of the Speaker.

(4) The director-general shall, in accordance with the provisions of this Act and the Rules of Procedure Resolution, contribute to preparing the decisions of the National Assembly, and shall, with the exceptions specified in this Act, exercise the powers of the organ in charge of managing the budget heading with respect to appropriations managed under the National Assembly's budgetary heading and to budgetary organs the head of which is not empowered to act as an organ in charge of managing the budgetary heading.

(4a) A person having a contractual relationship with the Office of the National Assembly, designated, in agreement with the Speaker, by the director-general may attend the sitting of the National Assembly, but shall have no right to speak.

(5) The monthly basic remuneration of the director-general determined for the period from 1 March of the year in question to the end of February of the next year shall be equal to 6.2 times the remuneration basis under section 124/G (1); in other respects, he or she shall be entitled to the benefits of Ministers, and the provisions of the Act on public service officials shall apply to his or her legal status.

**Section 124** (1) The proposal on the budget of the Office of the National Assembly shall be prepared by the director-general under the direction of the Speaker. The Speaker, in agreement with the House Committee, after obtaining the opinion of the Budget Committee, shall send the proposal on the budget of the Office of the National Assembly to the Government, and the latter shall submit it in an unchanged form, as a part of the legislative proposal on the central budget, to the National Assembly.

(2) With regard to the public officials employed at the Office of the National Assembly, the officeholder exercising the employer's rights may require, in addition to the provisions of the Act on public service officials, a certain educational attainment, qualification or amount of experience as a condition of establishing public service relationship.

(3)

**Section 124/A** (1) The Office of the National Assembly shall maintain a library and a museum institution, and shall also perform community culture tasks.

(2) The organisational division of the Office of the National Assembly performing library tasks shall act as a non-lending, scientific, public, special library and information centre of national scope for law and political sciences, political theory, modern age Hungarian and universal history and the documents of the Hungarian Parliament. Key function of this national scientific special library shall be to collect and process the full scale of domestic professional publications and a selection of foreign publications in this professional realm, and to collect and process the publications of the United Nations and its specialised

organisations, and the publications of the European Union's organisations. The library shall be entitled to have a copy of nationally provided legal deposits in its scope of collection.

(3) The organisational division of the Office of the National Assembly operating as museum institution shall be a special national museum in charge of collecting, safeguarding, processing and presenting the cultural objects connected to the history of the National Assembly, to Kossuth Lajos Square and the industrial arts and handicraft as well as the construction history of the House of Parliament. In performing its functions, the National Assembly's museum shall comply with the laws on special national museums.

(4) The

a) Minister responsible for culture shall be entitled, on the basis of the Speaker's initiative, to monitor and evaluate the professional work of the organisational divisions of the Office of the National Assembly performing library tasks and operating as museum institution,

b) Speaker may assign a key task to the organisational divisions of the Office of the National Assembly performing library tasks and operating as museum institution.

## *CHAPTER XII/A*

### *PROVISIONS APPLICABLE TO PARLIAMENTARY PUBLIC OFFICIALS*

**Section 124/B** (1) The scope of this Chapter shall cover the public service relationship of the director-general of the Office of the National Assembly and the public officials of the Office of the National Assembly (hereinafter jointly for the purposes of this Act "parliamentary public official"), and, if this Chapter expressly so provides, the employees employed at the Office of the National Assembly.

(2) The provisions of the Mt. shall apply to the relationship of the employees employed at the Office of the National Assembly subject to the derogations provided for in this section and in section 258 of Act CXCIX of 2011 on public service officials (hereinafter the "Kttv."), having regard to the provisions laid down in section 124/N.

(2a) Section 192 (2) of the Mt. shall not apply to the employment relationship for a definite term of employees employed at the Office of the National Assembly, who are in charge of assisting the activity of the officers of the National Assembly referred to in section 1 a) to c).

(3) The amount of the average monthly wage calculated on the basis of the wages of all the employees, not including the employees under section 115 (1), employed at the Office of the National Assembly full time in positions requiring

a) higher education degree with respect to the relevant month shall not be less than the amount of the basic remuneration of a parliamentary public official classified in the step senior parliamentary counsellor in grade I,

b) elementary and secondary educational attainment with respect to the relevant month shall not be less than the amount of the basic remuneration of a parliamentary public official classified in the step senior parliamentary assistant in grade II,  
calculated according to Annex 3.

(4) The provisions of the Kttv. and of the law issued for the implementation of the Kttv. shall apply to the public service relationship under paragraph (1) subject the derogations laid down in this Act.

(4a) In addition to the provisions of section 38 (2) of the Kttv., public service relationship for a definite term may be established in the Office of the National Assembly for the assistance of an officer of the National Assembly referred to in section 1 a) to c) and the chair of the standing committee dealing with national security, having regard to the term of office of the officer and the committee chair, also in the framework of repeated appointment for a definite term.



(5) The Speaker shall exercise the employer's rights according to section 2 (2) *k*) over the director-general and the heads of the organisational sections specified in the Organisational and Operational Regulations of the Office of the National Assembly (hereinafter "organisational section"), the director-general shall exercise the employer's rights over other public officials and employees of the Office of the National Assembly according to the provisions laid down in the Organisational and Operational Regulations.

(6) With regard to the selection procedure preceding the establishment of a public service relationship at the Office of the National Assembly, the officeholder exercising the employer's rights may in the relevant regulations lay down rules differing from those in the Kttv.

(7) Unless otherwise provided in an Act, any reference in the Kttv. and in the law issued for the implementation of the Kttv. or in a law also applicable to the parliamentary public officials covered by this Act

*a*) to a public official shall be construed as reference to a parliamentary public official,

*b*) to pay step shall be construed as reference to step

for the purposes of this Chapter.

(8) Section 8 (1) to (4), section 101, sections 116 to 117, section 118 (1) to (3), (5), (7) and (11), sections 120 to 122, sections 125 to 128, section 129 (7) and (8), section 131 (1) to (3) and (6) to (7), sections 132 to 143, section 150, section 155 (2) *c*), section 233 and Chapter IX of, and Annex 1 to, the Kttv. shall not apply to persons in public service relationship covered by this Chapter.

(9) For the purposes of this Chapter, the period according to section 8 (5) to (7) of the Kttv. shall qualify as a time spent in public service relationship.

#### **40/A. Provisions relating to the classification, advancement and remuneration of parliamentary public officials**

**Section 124/C** (1) A parliamentary public official shall be classified in the appropriate step of the grade specified in Annex 3 on the basis of his or her educational attainment required for fulfilling his or her position and the time spent in public service relationship.

(2) A parliamentary public official having higher education degree shall be classified in grade I, provided that the higher education degree is required for the fulfilled position; a parliamentary public official with a secondary school leaving examination or, if the higher education degree is not required for the fulfilled position, a parliamentary public official having higher education degree shall be classified in grade II (hereinafter grades I and II jointly "grade"). Each grade shall consist of steps.

(3) An early career parliamentary public official having higher education degree shall be classified in the step parliamentary junior counsellor in grade I, provided that the higher education degree is required for the fulfilled position; an early career parliamentary public official with a secondary school leaving examination or, if the higher education degree is not required for the fulfilled position, an early career parliamentary public official having higher education degree shall be classified in the step parliamentary trainee in grade II.

(4) At the time of appointment and transfer, a parliamentary public official other than an early career parliamentary public official shall be classified in accordance with the provisions of paragraphs (1) and (2), and paragraphs (5) to (7).

(5) A parliamentary public official classified, under the provisions of paragraphs (2) and (3), in grade I shall be classified in the step

*a*) parliamentary counsellor after three years spent in public service relationship,

*b*) lead parliamentary counsellor after eight years spent in public service relationship,

*c*) senior parliamentary counsellor after sixteen years spent in public service relationship,

d) senior lead parliamentary counsellor after twenty-five years spent in public service relationship,

e) special senior lead parliamentary counsellor after thirty-six years spent in public service relationship.

(6) A parliamentary public official classified, under the provisions of paragraphs (2) and (3), in grade II shall be classified in the step

a) parliamentary assistant after three years spent in public service relationship,

b) senior parliamentary assistant after eight years spent in public service relationship,

c) senior parliamentary administrative officer after sixteen years spent in public service relationship,

d) senior lead parliamentary administrative officer after twenty-five years spent in public service relationship,

e) special senior lead parliamentary administrative officer after thirty-six years spent in public service relationship.

(7) Upon achieving the time spent in public service relationship as specified in paragraphs (5) and (6), the parliamentary public official shall be classified in a higher step, provided that

a) in the performance evaluation he or she receives at least “satisfactory” rating for the performance of his or her tasks and

b) he or she has met the conditions

ba) laid down in the law and

bb) determined in writing by the officeholder exercising the employer’s rights for the next step.

(7a) The consent of the parliamentary public official shall not be required for determining his or her advancement to a higher step or his or her remuneration according to this Chapter.

(8) The conditions referred to in section (7) b) bb) shall be aimed at acquiring, in the form of trainings, advanced trainings and retrainings, the skills indispensable for performing the tasks of parliamentary public officials.

(9) The time spent in public service relationship according to paragraphs (5) and (6) shall be calculated without taking into account any uninterrupted period of time exceeding six months without an obligation to perform work, with the exception of time spent in enlisted or reserve military or civil service, and the full period of unpaid leave taken for caring for or nursing a child under the age of fourteen, or taken by the spouse of an employee on permanent foreign service.

(10) Parliamentary public officials classified in the step parliamentary junior counsellor shall be required to take the basic examination in public administration within one year of appointment, while parliamentary public officials classified in the step parliamentary trainee shall be required to take it within two years of appointment. If the law so requires, a person not employed in a public service relationship may also take the basic examination in public administration. For the purposes of this Act, any reference to the basic examination in public administration shall also be construed as reference to professional qualification in public administration studies and professional qualification in governance studies. The provisions of section 118 (4) of the Kttv. shall apply to the calculation of time limit.

(11) If a parliamentary public official classified in the step parliamentary junior counsellor or a parliamentary public official classified in the step parliamentary trainee fails to take the basic examination in public administration within six months after the time limit specified in paragraph (10), his or her public service relationship shall terminate.

(12) A parliamentary public official other than an early career parliamentary public official shall take the basic examination in public administration within the time limit specified in paragraph (10); if he or she fails to meet this obligation, his or her public service relationship shall terminate.

**Section 124/D** (1) If a parliamentary public official receives a rating below “satisfactory”, his or her waiting period required for advancement to the next step may be extended with a maximum of one year.

(2) If a parliamentary public official fails to comply with the conditions specified in section 124/C (7) b) within the time limit required, the period of time passed between expiry of the time limit required and the date of compliance with the condition shall not be taken into account for the purpose of his or her classification in a higher step.

**Section 124/E** (1) If a parliamentary public official having higher education degree, who is not an early career parliamentary public official, has not yet passed the professional examination in public administration at his or her appointment, transfer or reclassification, he or she shall be required to take the professional examination in public administration within three years from the date of appointment, transfer or reclassification. The provisions of section 118 (4) of the Kttv. shall apply to the calculation of time limit.

(2) If the time limit referred to in paragraph (1) expires without result, the parliamentary public official shall not be classified in a higher step until passing the professional examination in public administration. After he or she passes the professional examination in public administration, the parliamentary public official shall be classified and his or her basic remuneration shall be determined in accordance with the provisions of section 124/C.

(3) If a parliamentary public official other than an early career parliamentary public official has complied with his or her obligation to take the basic or professional examination in public administration, furthermore, in the case specified in section 119 of the Kttv. with the exception of the case under section 124/D (1), he or she shall be entitled to advancement on the basis of the time spent in public service relationship.

(4) If a parliamentary public official appointed or transferred according to section 124/C (3) is classified in the step parliamentary junior counsellor, and he or she has not yet passed the professional examination in public administration at his or her appointment or transfer, then he or she shall be required to take the professional examination in public administration according to paragraph (1), and paragraphs (2) and (3) shall apply to his or her advancement.

(5) An early career parliamentary public official having higher education degree shall be required to take the professional examination in public administration for becoming eligible to be classified in the step parliamentary counsellor. A parliamentary public official who has not yet passed the professional examination in public administration shall not be classified in the step parliamentary counsellor.

(6) If the duration of a public service relationship established for a definite term on the basis of section 38 (2) of the Kttv. is more than one year, the provisions of this Act shall apply to the advancement of the parliamentary public official concerned. If a parliamentary public official repeatedly establishes a public service relationship for a definite term, the time limit of one year shall be calculated by adding together the durations of the relationships for a definite term. In any other respects, by way of derogation from section 38 (5) of the Kttv., if a public service relationship is established for a definite term, the provisions of this Act shall apply to classification and the determination of remuneration.

**Section 124/F** (1) On the basis of their relationship, parliamentary public officials shall be entitled to remuneration in each month. The remuneration shall be determined by rounding the amount to hundred forints. Such rounding shall not qualify as a determination of remuneration on the basis of an employer’s measure in derogation from the general rules.

(2) Remuneration shall comprise basic remuneration calculated according to Annex 3 and, if the conditions laid down in this Act are fulfilled, a language supplement.

(3) By way of derogation from paragraph (2), a parliamentary public official serving in a position of head of unit, deputy head of department or head of department shall be entitled to basic remuneration calculated according to Annex 3, a managerial supplement, and, if the conditions laid down in this Act are fulfilled, a language supplement.

(4) By way of derogation from paragraph (2), a senior parliamentary expert advisor and a parliamentary expert advisor shall be entitled to basic remuneration calculated according to Annex 3, a title supplement equal to 10% of the basic remuneration, and, if the conditions laid down in this Act are fulfilled, a language supplement.

(5) When a parliamentary public official is appointed or transferred, the officeholder exercising the employer's rights may set his or her basic remuneration also at a level that is not more than 20% lower than the basic remuneration according to the parliamentary public official's classification under section 124/C. The basic remuneration set this way may be modified subject to the results of the first performance evaluation.

(6) The amount of the basic remuneration shall not be less than the amount of the guaranteed minimum wage set by the Government in a decree.

**Section 124/G** (1) The amount of the remuneration basis determined for the period from 1 March of the year in question to the end of February of the next year shall be equal to the amount of the average monthly gross earnings in the national economy relating to the year preceding the year in question, officially published by the Hungarian Central Statistical Office (hereinafter for the purposes of this Chapter "remuneration basis").

(2) The remuneration basis determined for the year in question according to the provisions of paragraph (1) shall not be less than the amount of the remuneration basis established for the year preceding the year in question.

**Section 124/H** (1) Increasing multipliers shall be assigned to the steps of each grade. The basic remuneration assigned to the step shall be set as the product of the multiplication of the multiplier assigned to the step and the remuneration basis.

(2) The grades and the steps shall be listed in Annex 3.

(3) Within the available personal benefits appropriation, on the basis of the performance evaluation carried out in the year preceding the year in question, except where the parliamentary public official is permanently transferred, the officeholder exercising the employer's rights may, for the period from 1 March of the year in question to the end of February of the next year, increase by not more than 50% or reduce by not more than 20% the parliamentary public official's basic remuneration assigned to the step he or she is classified in. Such adjustments shall be decided, on the basis of a proposal from the head of the organisational section, by the officeholder exercising the employer's rights by 28 February each year. In addition to the provisions under paragraph (4), the rate of adjustment determined this way may be modified in the year in question on the basis of a subsequent performance evaluation to be carried out every six months after the performance evaluation, with the proviso that the basic remuneration to which the parliamentary public official is entitled under his or her classification shall not be reduced by more than 20%.

(4) The basic remuneration adjustment determined according to paragraph (3) may be modified in the year in question if, in the year in question, the parliamentary public official is appointed to, or removed from, a management position, or a title is awarded to, or withdrawn from, him or her, or he or she is reclassified within the meaning of section 119 of the Kttv. The basic remuneration resulting from the modification shall not be less than the amount determined on the basis of this Act without adjustment.

(5) If the parliamentary public official is permanently transferred during the year, he or she shall be classified in the appropriate step of the grade specified in Annex 3 in accordance with section 124/C, having regard to the provisions of section 124/F (5).

(6) If the components of the remuneration change, in particular when the remuneration basis is increased, or the grade or step is changed, the remuneration of the parliamentary public official shall be redetermined.

**Section 124/I** (1) If a parliamentary public official other than the director-general, and a head and deputy head of an organisational section serves in a position where the use of a foreign language is necessary, he or she shall be entitled to language supplement.

(2) The foreign language skill shall be verified with a certificate on the result of a language examination acknowledged by the State or with an equivalent document.

(3) A higher education degree and a professional qualification in public administration, or the qualification acquired in its supplementary specialised advanced training or management training, obtained abroad by the parliamentary public official shall be equivalent to a complex advanced (C1) language examination in the language of the training, irrespective of the absence of a language examination acknowledged by the State, provided that the duration of the training was equal to or more than one year.

(4) The officeholder exercising the employer's rights shall specify the languages and positions eligible for language supplement.

(5) The rate of the language supplement by each language examination shall be

- a) 7.5% of the remuneration basis for an advanced C-type language examination,
- b) 3.75% of the remuneration basis for an advanced A or B-type language examination,
- c) 4.5% of the remuneration basis for an intermediate C-type language examination,
- d) 2.25% of the remuneration basis for an intermediate A or B-type language examination.

(6) By way of derogation from paragraph (5), for the English, French and German languages, the rate of the supplement by each language examination shall be

- a) 15% of the remuneration basis for an advanced C-type language examination,
- b) 7.5% of the remuneration basis for an advanced A or B-type language examination,
- c) 9% of the remuneration basis for an intermediate C-type language examination,
- d) 4.5% of the remuneration basis for an intermediate A or B-type language examination.

(7) By way of derogation from paragraph (1), a parliamentary public official not occupying a management position, who serves in a position where the use of a foreign language is not necessary, shall be entitled to a supplement in the rate according to the grade of the certified language examination with respect to one of the languages listed in paragraph (6).

(8) If a parliamentary public official has passed language examinations of the same type, but of different grade in the same language, he or she shall be entitled to the supplement of the higher level.

(9) If the Office of the National Assembly provides, on the basis of a study agreement, financial assistance to passing the language examination, with the exception of an advanced professional language examination, the parliamentary public official shall not be entitled to the language supplement specified in paragraphs (5) and (6) as long as the accumulated amount of the supplements payable monthly reaches the level of the financial assistance paid on the basis of the study agreement.

#### **40/B. Special rules applicable to officeholders in management position**

**Section 124/J** (1) The rate of the managerial supplement shall be 20% of the basic remuneration

- a) for the director-general, and the heads and deputy heads of organisational sections, and
- b) for heads of department, deputy heads of department and heads of unit.

(2) If, due to a modification of appointment, an officeholder in management position referred to in paragraph (1) *b*) serves

*a*) in a lower-level management position, his or her basic remuneration shall be determined according to his or her new management position,

*b*) in a non-management position, his or her basic remuneration shall be determined by appropriately applying section 124/C (1) to (5), and on the basis of his or her classification according to his or her educational attainment required for his or her position and the time he or she has spent in public service relationship as established under section 8 (5) to (7) of the Kttv.

(3) With the exception of the provisions on the basic and professional examination in public administration, the provisions of sections 124/C to 124/E shall not apply to the officeholders in management position referred to in paragraph (1).

#### **40/C. Other benefits**

**Section 124/K** (1) The remuneration payable to a parliamentary public official on the basis of this Act shall be paid by way of transfer to a payment account chosen by the parliamentary public official.

(2) In connection with the payment account, bank account contribution to the extent specified in the Act on the central budget may be provided to the parliamentary public official, at the most on monthly basis.

(3) The cost of transferring the remuneration to the payment account shall be borne by the employer.

**Section 124/L** (1) On the basis of the time spent in public service relationship, parliamentary public officials shall be entitled to acknowledgement in the form of jubilee bonus, the amount of which shall be equal

*a*) to that of two months' remuneration after twenty years spent in public service relationship,

*b*) to that of three months' remuneration after twenty-five years spent in public service relationship,

*c*) to that of five months' remuneration after thirty years spent in public service relationship,

*d*) to that of seven months' remuneration after thirty-five years and subsequently after each five years spent in public service relationship.

(2) As an acknowledgement of the time spent in public service relationship, the amount specified in paragraph (1) shall be due on the day of reaching the relevant time spent in public service relationship.

(3) In establishing the time serving as basis for jubilee bonus entitlement, the following shall be taken into account:

*a*) the time spent in employment relationship and public service relationship at the Office of the National Assembly,

*b*) the time spent in employment relationship, public service relationship, government official's relationship, government service relationship, state service relationship and tax and customs authority service relationship with an employer falling within the scope of the Kttv., Act XXIII of 1992 on the legal status of public officials (hereinafter the "Ktv."), Act LVIII of 2010 on the legal status of government officials (hereinafter the "Ktjv."), Act LII of 2016 on state officials (hereinafter the "Áttv.") and Act CXXV of 2018 on government administration (hereinafter the "Kit."),

*c*) the time spent in employment relationship and public employment relationship at an organ falling within the scope of Act XXXIII of 1992 on the legal status of public employees (hereinafter the "Kjt."),

- d) the time spent in professional service relationship and in officers' and non-commissioned officers' military service relationship,
- e) the time spent in service relationship and employment relationship at a court and a prosecution office,
- f) the time spent in professional foster parent relationship and in foster parent occupational relationship,
- g) the time spent in occupational relationship with scholarship at an organ falling within the scope of the Kttv., Ktv., Ktjv., Áttv., Kit., and Kjt.,
- h) the time spent in state executive service relationship,
- i) the time spent in law enforcement administration service relationship, national defence employment relationship,
- j) the time spent in political service relationship, and
- k) in the case of the establishment of relationship according to section 62/A of the Kttv., the period between the two relationships.

(4) A parliamentary public official shall not be entitled to jubilee bonus, if he or she has already received it in another occupational relationship, and he or she shall not be entitled to the acknowledgement according to paragraph (1) a), if he or she has already received a jubilee bonus of higher grade in another occupational relationship or in his or her public service relationship at the Office of the National Assembly.

**Section 124/M** The amount of the bonus, with the exception of the jubilee bonus, that the officeholder exercising the employer's rights may award in the relevant budgetary year on the account of the available amount allocated within the personal benefits appropriation shall be determined by the head of the organ managing the heading in regulations.

**Section 124/N** The benefit referred to in section 124/K (2) and (3) may be granted to the employees employed at the Office of the National Assembly.

**Section 124/O** The Organisational and Operational Regulations of the Office of the National Assembly may lay down rules other than the ones specified in section 80 (1) to (2) and section 130 of the Kttv. with regard to the training and advanced training of parliamentary public officials, and the performance evaluation of parliamentary public officials.

**Section 124/P** (1) In the Office of the National Assembly, the time-off for overtime work shall be allocated within one hundred and eighty days, or, if this is not possible, the time-off shall be financially compensated.

(2) The parliamentary public officials and the employees employed at the Office of the National Assembly shall be entitled to receive certain outpatient healthcare services under section 97 (4).

#### **40/D. Basic annual leave and additional annual leave**

**Section 124/Q** (1) Parliamentary public officials shall be entitled to twenty-five working days basic annual leave in every year.

(2) In addition to the basic annual leave, parliamentary public officials shall be entitled to additional annual leave according to their classification.

(3) For a parliamentary public official having higher education degree, the amount of the additional annual leave shall be

- a) three working days if he or she is classified as parliamentary junior counsellor,
- b) five working days if he or she is classified as parliamentary counsellor,
- c) seven working days if he or she is classified as lead parliamentary counsellor,
- d) nine working days if he or she is classified as senior parliamentary counsellor,
- e) eleven working days if he or she is classified as senior lead parliamentary counsellor,

f) thirteen working days if he or she is classified as special senior lead parliamentary counsellor.

(4) For a parliamentary public official with a secondary school leaving examination, the amount of the additional annual leave shall be

- a) three working days if he or she is classified as parliamentary trainee,
- b) five working days if he or she is classified as parliamentary assistant,
- c) eight working days if he or she is classified as senior parliamentary assistant,
- d) ten working days if he or she is classified as senior parliamentary administrative officer,
- e) eleven working days if he or she is classified as senior lead parliamentary administrative officer,

f) thirteen working days if he or she is classified as special senior lead parliamentary administrative officer.

(5) Instead of the additional annual leave referred to in paragraph (3), a parliamentary public official occupying a management position under section 124/F (3) shall be entitled to a managerial additional annual leave, the amount of which shall be

- a) eleven working days for a head of unit,
- b) twelve working days for a deputy head of department,
- c) thirteen working days for a head of department.

(6) The director-general of the Office of the National Assembly, and the heads and deputy heads of the organisational sections shall be entitled to forty working days basic annual leave in every year.

#### 40/E. Titles

**Section 124/R** (1) The officeholder exercising the employer's rights may award a parliamentary public official fulfilling the conditions laid down in paragraph (2) the title of parliamentary expert advisor or senior parliamentary expert advisor. The total number of the titles of parliamentary expert advisor and senior parliamentary expert advisor shall not exceed 20% of the staff number of parliamentary public officials of the Office of the National Assembly.

(2) The title of parliamentary expert advisor may be awarded to a parliamentary public official classified in grade I and having a rating of the highest grade, who has at least two years of professional experience, and has passed the professional examination in public administration or in law or has a scientific degree fully qualified to be of public administration nature; the title of senior parliamentary expert advisor may be awarded to a parliamentary public official classified in grade I and having a rating of the highest grade, who has at least five years of professional experience, and has passed the professional examination in public administration or in law or has a scientific degree fully qualified to be of public administration nature.

(3) A parliamentary public official occupying a management position who has the title of parliamentary expert advisor or senior parliamentary expert advisor shall be entitled to managerial remuneration, provided that it is of higher amount than the remuneration calculated on the basis of his or her title.

(4) The title of parliamentary expert advisor or senior parliamentary expert advisor shall be withdrawn if a rating is of the lowest grade.

(5) The officeholder exercising the employer's rights may withdraw the title of parliamentary expert advisor or senior parliamentary expert advisor if in the subsequent performance evaluation, the performance level achieved by the parliamentary public official is lower than the previous one.



(6) In the cases under paragraphs (4) to (5), the parliamentary public official shall be entitled to the remuneration according to his or her classification.

**Section 124/S** (1) The officeholder exercising the employer's rights may award the title of titular lead parliamentary counsellor, titular senior parliamentary counsellor, titular senior lead parliamentary counsellor, titular special senior lead parliamentary counsellor to a parliamentary public official having higher education degree who has performed permanently excellent work in the Office of the National Assembly and has passed the professional examination in public administration or in law, and he or she may award the title of titular senior parliamentary administrative officer, titular senior lead parliamentary administrative officer, titular special senior lead parliamentary administrative officer to a parliamentary public official having secondary school leaving examination (hereinafter jointly for the purpose of this section "titular parliamentary public official").

(2) The title of titular lead parliamentary counsellor may be awarded to a parliamentary public official who has spent at least five years, the title of titular senior parliamentary counsellor may be awarded to a parliamentary public official who has spent at least twelve years, the title of titular senior lead parliamentary counsellor may be awarded to a parliamentary public official who has spent at least twenty years, the title of titular special senior lead parliamentary counsellor may be awarded to a parliamentary public official who has spent at least thirty years, the title of titular senior parliamentary administrative officer may be awarded to a parliamentary public official who has spent at least twelve years, the title of titular senior lead parliamentary administrative officer may be awarded to a parliamentary public official who has spent at least twenty years, the title of titular special senior lead parliamentary administrative officer may be awarded to a parliamentary public official who has spent at least thirty years in public service relationship.

(3) Titular parliamentary public officials shall be entitled to the remuneration applicable to the step of the awarded titular title.

(4) If a titular parliamentary public official reaches, on the basis of his or her time spent in public service relationship, the step linked to the title, then the titular title shall lapse and the general rules shall apply to the further advancement of the parliamentary public official.

(5) If the public service relationship of a titular parliamentary public official terminates due to his or her retirement, he or she shall be entitled to use, also as a retired person, the designation referring to his or her classification and the title.

(6) The title awarded according to paragraph (1) shall be withdrawn if the person concerned receives a rating of the lowest grade.

(7) The officeholder exercising the employer's rights may withdraw the title awarded according to paragraph (1) if the performance level achieved by the titular parliamentary public official in the subsequent performance evaluation is lower than the previous one.

(8) In the cases under paragraphs (6) to (7), the parliamentary public official shall be entitled to the remuneration according to his or her classification.

#### **40/F. Remuneration of the heads and deputy heads of organisational sections, and other benefits of the director-general and the heads and deputy heads of organisational sections**

**Section 124/T** (1) The monthly basic remuneration of the heads of organisational sections determined for the period from 1 March of the year in question to the end of February of the next year shall be equal to 5.3 times the remuneration basis. In other respects, the heads of organisational sections shall be entitled to the benefits of permanent state secretaries.

(2) The monthly basic remuneration of the deputy heads of organisational sections determined for the period from 1 March of the year in question to the end of February of the next year shall be equal to 4.3 times the remuneration basis. In other respects, the deputy heads of organisational sections shall be entitled to the benefits of the deputy state secretaries.

(3) The remuneration may be increased by not more than 50% or reduced by not more than 20% by the Speaker for the director-general and the heads of organisational sections, and by the director-general for the deputy heads of organisational sections.


(4) In other respects, the provisions of the Kttv. on public service relationship shall apply to the legal status of the officials serving in a management position according to this section.

## CHAPTER XII/B

### PROVISIONS APPLICABLE TO DATA PROCESSING

#### 40/G. Data processing activity of the Office of the National Assembly

**Section 124/U** (1) For the purposes specified in paragraph (2), the Office of the National Assembly shall, from the start of the Member's mandate, process the following data of the Members of the National Assembly and of the persons who formerly held a mandate as Member:

- 
- a) family and given name,
  - c) family and given name at birth,
  - c) date and place of birth,
  - d) mother's family and given name at birth,
  - e) address,
  - f) contact address,
  - g) phone number,
  - h) payment account number,
  - i) social security identifier,
  - j) tax identifier,
  - k) data concerning the honorarium and other benefits, and
  - l) data concerning the duration of his or her legal relationship as a Member of the National Assembly.

(2) From among the personal data specified in paragraph (1), the Office of the National Assembly shall, from the start of the Member's mandate, in the interest of carrying out the organisational, operational, preparatory and administrative duties of the National Assembly set out in section 123 (1), process

a) the personal data referred to in paragraph (1) a) to g) for the purpose of keeping contact with the Office of the National Assembly and the Speaker as well as keeping contacts in the context of the activity of the Member of the National Assembly, providing the information necessary for performing the activity of the Member, in particular the information specified in section 111 (4) to (6), providing the remuneration payable to the Member of the National Assembly and performing his or her administrative duties specified in section 112 (1), and, with regard to the personal data referred to in paragraph (1) a) to c), identifying the person of the Member of the National Assembly, if more than one Member bears the same name,

b) the personal data referred to in paragraph (1) h) to k) for the purpose of providing the remuneration payable to the Member of the National Assembly and performing his or her administrative duties specified in section 112 (1),

*c)* the personal data referred to in paragraph (1) *a)* to *d)* and *i)* to *l)* for the purpose of verifying eligibility for social security pension benefit, in addition to the purposes of data processing specified in point *a)* with respect to paragraph (1) *a)* to *d)*, and in point *b)* with respect to paragraph (1) *i)* to *k)*,

*d)* the personal data referred to in paragraph (1) *a)* to *f)* and *l)* for the purpose of keeping contacts with the persons who formerly held a mandate as Member.

(2a) For the purpose of commemorating the public activity of the Members and the persons who formerly held a mandate as Member, the Office of the National Assembly shall process the data relating to the date of death of the Members of the National Assembly and of the persons who formerly held a mandate as Member.

(3) The Office of the National Assembly shall delete the personal data referred to in paragraph (1) *g)* and *h)* upon the expiry of one year after the termination of the mandate of the National Assembly in which the person concerned held a mandate as a Member.

(4) For the purpose specified in paragraph (2) *c)*, the Office of the National Assembly shall process the personal data referred to in paragraph (1) *a)* to *d)* and *i)* to *l)* for fifty years from the termination of the mandate of a Member of the National Assembly. If a Member of the National Assembly obtains a mandate again, the term of data processing specified in this paragraph shall commence upon termination of the last mandate.

(5) For the purpose specified in paragraph (2) *d)* and paragraph (2a), the Office of the National Assembly shall process the personal data referred to in paragraph (1) *a)* to *f)* and *l)* and paragraph (2a) for one year following commemorating the public activity of a Member or a person who formerly held a mandate as Member.

#### **40/H. Electronic system recording access to the House of Parliament and the premises of the buildings accommodating the Office of the National Assembly and the Parliamentary Guard as well as access to the underground garage at Kossuth Square**

**Section 124/V** (1) For the purpose of carrying out the tasks specified in section 54 (1) and (2), the Office of the National Assembly shall register in an electronic system recording entry (hereinafter the “access control system”) the following data of persons with a permanent access pass to the House of Parliament and the premises of the buildings accommodating the Office of the National Assembly and the Parliamentary Guard:

- a)* family and given name,
- b)* place and date of birth,
- c)* mother’s family and given name at birth,
- d)* facial image,
- e)* type and document identifier of the official verification card suitable for verifying identity, or, if the person concerned is not a Hungarian citizen or the document suitable for verifying identity was not issued by a Hungarian authority, then also the name of the issuing country and the citizenship of the person concerned,
- f)* number of the verification card authorising access,
- g)* data recording the place and date of entry and exit, and
- h)* non-decryptable alphanumeric data set generated from facial image (hereinafter “biometric template”).

(1a) For the purpose of verifying access authorisation, upon the entry of a person with a permanent access pass under paragraph (1), the automated facial analysis system operating as part of the access control system shall generate a biometric template and compare it to the biometric template of the person intending to enter recorded in the access control system. If the biometric templates do not correspond to each other, and the person intending to enter cannot certify his or her eligibility for access by any other means, entry shall not be permitted.

(1b) The Office of the National Assembly shall process the data under paragraph (1) g) of persons having a public service relationship or employment relationship at the Office of the National Assembly also for the purpose of promoting working time registration referred to in section 115 of the Kttv. and section 134 of the Mt.

(2) For the purpose of carrying out the tasks specified in section 54 (1) and (2), the Office of the National Assembly shall register in the access control system the data under paragraph (1) a) to c), e) and g) of persons with long-term access pass to the buildings referred to in paragraph (1) and the name of the persons initiating entry.

(3) Upon expiry of five years after

a) the termination of authorisation, the personal data referred to in paragraph (1) a) to f) and h) of a person with permanent access pass referred to in paragraph (1) and the personal data referred to in paragraph (1) a) to c) and e) of a person with long-term access pass referred to in paragraph (2),

b) they are generated for a person with permanent or long-term access pass referred to in paragraphs (1) and (2), the data recording in the access control system the place and date of entry and exit as well as the name of the person initiating entry (hereinafter “data documenting access”)

shall be deleted.

(4) For the purpose of carrying out the tasks specified in section 54 (1) and (2), the Office of the National Assembly shall register in the access control system the data under paragraph (1) a), b), e) and g) of persons with one-time access pass to the buildings referred to in paragraph (1) and the name of the persons initiating entry.

(5) All personal data of, and the data documenting access relating to, a person with a one-time access pass referred to in paragraph (4) shall be deleted upon expiry of five years after the day of access.

(6) For the period specified in the decision denying access, but for not more than five years from the date of adoption of the decision, the Office of the National Assembly shall register in the access control system the following data of the person specified in section 54 (6):

a) family and given name,

b) date of birth, and

c) type and document identifier of the official verification card suitable for verifying identity.

(7) For the purpose of carrying out the tasks specified in section 54 (1) and (2), the Office of the National Assembly shall register the following data of persons with a vehicle access pass to the underground garage at Kossuth Square:

a) family and given name,

b) type, colour and registration number of the vehicle

c) data recording the place and date of entry and exit with vehicle, and

d) the name of the persons initiating entry with vehicle.

(8) For a person with permanent vehicle access pass,

a) the personal data referred to in paragraph (7) a) and b) shall be deleted from the register referred to in paragraph (7) upon expiry of five years after the termination of authorisation,

b) the data referred to in paragraph (7) c) and d) shall be deleted from the register referred to in paragraph (7) upon expiry of five years after they are generated.

(9) All data of a person with one-time vehicle access pass shall be deleted from the register referred to in paragraph (7) upon expiry of five years after the day of entry with vehicle.

(10) At the moment of the entry and exit of a person or a vehicle, for the purpose of verifying access authorisation, establishing the identity of the person or vehicle entering and exiting, and preventing and eliminating any related misuse, the access control system and the registration system recording access to the underground garage at Kossuth Square shall take a snapshot of the person entering and exiting or the vehicle entering and exiting. The snapshot shall be deleted upon expiry of the time limit specified in section (3) *b*) and in section (8) *b*).

(11) Data from the data referred to in paragraphs (1), (2), (4), (7) and (10) may be requested for a purpose related to infractions, law enforcement, justice and national security, as provided for by the law, by the investigating authority, the counter-terrorism organ or the organ in charge of internal crime prevention and crime detection specified in the Act on the Police, the infraction authority, the organ conducting a search, the prosecution service, the court, the national security services, a foreign authority within the framework of international legal assistance, a person concerned with a view to exercising his or her rights, and a third person with a view to exercising his or her rights to initiate a procedure on the basis of the law.

(12) For the purpose of identifying persons intending to enter a building specified in paragraph (1) and carrying out access control, the Office of the National Assembly shall grant in the access control system direct access to the Parliamentary Guard to the name and date of birth of the persons entering on the given calendar day, to the document identifier of the official verification cards suitable for verifying identity and the number of the verification cards authorising access, as well as to the facial image of persons for whom such an image is processed in the access control system.

(13) For the purpose of carrying out the tasks specified in section 54 (6), the Office of the National Assembly shall grant in the access control system direct access to the Parliamentary Guard to the name, date of birth, and the document identifier of the official verification card suitable for verifying identity, of persons referred to in paragraph (6) not entitled to access.

(14) For the purpose of verifying vehicle access authorisation, the Office of the National Assembly shall grant to the Parliamentary Guard direct access to the registration system referred to in paragraph (7).

### CHAPTER XIII

#### THE PARLIAMENTARY GUARD

#### 41. Duties of the Parliamentary Guard

**Section 125** (1) The Parliamentary Guard shall be in charge of protecting the National Assembly, safeguarding the National Assembly's independence and its operation free from external influences, performing the personal protection and facility security duties connected to maintaining the order of discussion as laid down in this Act, and performing ceremonial protocol duties as well as primary fire extinguishing and fire safety duties.

(1a) The Parliamentary Guard shall contribute to preserving the dignity of prominent national heritage sites and maintaining the order of public space forming part of a prominent national heritage site.

(2) The Parliamentary Guard

*a*) shall provide personal protection for the Speaker,

*b*) shall perform facility security duties with regard to the House of Parliament, the buildings accommodating the Office of the National Assembly and the Parliamentary Guard, and the safety of persons within these buildings,

c) shall, in cooperation with the Office of the National Assembly, enforce the rules governing access to, and stay in, the premises of the House of Parliament and the buildings accommodating the Office of the National Assembly and the Parliamentary Guard,

d) shall, in the House of Parliament and in the buildings accommodating the Office of the National Assembly and the Parliamentary Guard, provide for compliance with the fire safety requirements specified by law, and the conditions for preventing and eliminating risk situations connected to their activities,

e) shall perform the duties specified in this Act in the field of maintaining the order of discussion,

f) shall perform patrol and guarding duties in order to preserve the dignity of prominent national heritage sites and maintain the order of public space forming part of a prominent national heritage site,

g) shall perform ceremonial protocol duties, and

h) shall perform other functions as specified in an Act, a binding legal act of the European Union or an international treaty.

(3) The Parliamentary Guard shall have exclusive material competence and national territorial competence to perform the duties specified in paragraph (2) a) and b); however, it may involve, on the basis of a cooperation agreement or request, other authorities in the performance of the duties.

(4) The Parliamentary Guard shall carry out its duties specified in paragraph (2) f) assisting the activity of the organs having the functions and powers to maintain the order of public space.

**Section 126** In performing its duties, the Parliamentary Guard shall cooperate with the police, the national security services, the professional disaster management organs, the Hungarian Defence Forces, the central defence and security administration organ and local governments.

## 42. Organisation and direction of the Parliamentary Guard

**Section 127** (1) The Parliamentary Guard shall be an armed body operating as a central budgetary organ; it shall form a separate title within the budget heading of the National Assembly. The functions connected to the financial management of the Parliamentary Guard shall be performed by the Office of the National Assembly.

(2) The proposal on the budget of the Parliamentary Guard shall be prepared by the director-general under the direction of the Speaker. The Speaker, after obtaining the opinion of the standing committee dealing with the budget, shall send the proposal on the budget of the Parliamentary Guard to the Government, and the Government shall submit it in unchanged form, as a part of the legislative proposal on the central budget, to the National Assembly.

**Section 128** (1) The personnel of the Parliamentary Guard shall consist of professional members within the meaning of the Act on the service relationship of the professional personnel of organs performing law enforcement duties (hereinafter “parliamentary guard”), public officials, and employees to whom the rules relating to employees employed at administrative organs apply.

(2) The appointed parliamentary guard shall take an oath, the text of which is laid down in Annex 2.

(3) Proposals concerning a measure or decision related to the personnel of the Parliamentary Guard falling within the powers conferred upon the President of the Republic shall be submitted to the President of the Republic by the Prime Minister, on the basis of the Speaker’s initiative.

(4) Measures and decisions of the President of the Republic under paragraph (3) shall be countersigned by the Prime Minister.

**Section 129 (1) The Speaker**

*a)* shall appoint the commander of the Parliamentary Guard,  
*b)* unless otherwise provided in an Act, shall exercise the functions and powers specified for the Minister directing the organ performing law enforcement duties in the Act on the service relationship of the professional personnel of organs performing law enforcement duties.

(2) The director-general may, within his or her powers delegated to him or her by means of a Speaker's direction, in accordance with the rules laid down therein, exercise certain rights connected to the direction of the Parliamentary Guard.

**Section 130 (1)** After seeking the opinion of the Speaker, the Minister responsible for law enforcement shall lay down in a decree

*a)* the service regulations of the Parliamentary Guard,  
*b)* the qualification requirements for parliamentary guards,  
*c)* the uniform regulations of the Parliamentary Guard, and  
*d)* the rules applicable to the Parliamentary Guard in accordance with the Act on the service relationship of the professional personnel of organs performing law enforcement duties,  
*e)* the professional requirements and procedural rules related to the employment of coercive means used by the Parliamentary Guard, and the types and sorts of coercive means that can be employed.

(2) Should the Minister responsible for law enforcement disagree with the opinion of the Speaker, he or she shall initiate consultation on the debated issues.

**Section 131** The Speaker and the Minister responsible for law enforcement shall conclude an agreement providing the clothing and other material and technical conditions necessary for performing the functions of the Parliamentary Guard. The organs subordinated to the Minister responsible for law enforcement may also contribute to implementing the agreement.

**Section 132 (1)** The Parliamentary Guard shall be led by a commander. The commander

*a)* shall lay down internal regulations on the detailed order of the activity of the Parliamentary Guard, and may give direct instructions to the personnel,  
*b)* shall, in agreement with the director-general, make a proposal on the Organisational and Operational Regulations of the Parliamentary Guard,  
*c)* shall exercise the personnel management and employer's rights over persons belonging to the personnel of the Parliamentary Guard, falling within the powers conferred upon the commander by this Act, the Act on the service relationship of the professional personnel of organs performing law enforcement duties, or by the law,  
*d)* shall direct the activity of those in management position directly subordinated to the commander,  
*e)* shall give an account annually to the National Assembly's standing committee dealing with national defence of the activities of the Parliamentary Guard, and  
*f)* shall represent the Parliamentary Guard.

(2) With regard to parliamentary guards, the employer's rights specified for the national commander in the Act on the service relationship of the professional personnel of organs performing law enforcement duties or in another law shall be exercised by the commander of the Parliamentary Guard.

(3) The organ of internal crime prevention and criminal investigation specified in the Act on the Police shall be in charge of performing, according to the provisions of that Act, the internal crime prevention and criminal investigation functions with regard to the commander and the personnel of the Parliamentary Guard.

### 43. Operation of the Parliamentary Guard

**Section 133** (1) Subject to the derogations specified in this Act, the Parliamentary Guard shall apply the provisions of the Act on the Police to the performance of its duties, the obligation to follow instructions, the obligation to take measures, the requirement of proportionality, the requirement of applying coercive means, the common principles and rules of applying measures and coercive means, the obligation of confidentiality, the right to carry arms, the obligation to provide help, the use of assistance and the use of help and tools.

(2) In addition to the measures regulated in this Act, parliamentary guards may, in accordance with the provisions of the Act on the Police, carry out enhanced checks, search clothing, package and vehicle, ask for information, enforce a security measure, take a measure in a private home or at a place not qualifying as public space, provide for the security of a location, and apply a measure for personal protection or facility security.

(2a)

(2b)

(3) The parliamentary guards may apply coercive means such as physical force, handcuffs, chemical agent, electric shocking device, truncheon, road block, forced stopping and firearms, as provided for in the Act on the Police.

(4) When performing duties with regard to maintaining the order of discussion, the parliamentary guards may only apply physical force as a coercive means.

**Section 134** (1) The Parliamentary Guard may not exercise the powers of an investigating authority. If, during its activities, the Parliamentary Guard suspects a criminal offence, it shall report it without delay to the investigating authority or the prosecution service. If, during his or her activities, a parliamentary guard suspects an infraction, he or she may report it to the competent infraction authority, handing over at the same time the available means of evidence.

(2) The Speaker may, through the commander of the Parliamentary Guard, give specific instruction to the Parliamentary Guard to carry out a task or perform an omitted act.

(3) If a delay jeopardises the safety of another person or other persons, public safety or the success of the measure, the Speaker or, for maintaining the order of the sitting, the chair of the sitting may give specific instruction to the head of the organisational division of the Parliamentary Guard implementing the measures specified in this Act.

**Section 135** (1) Parliamentary guards shall be obliged to perform their duty position responsibilities in accordance with the provisions of the law, to obey the instructions of the Speaker, the chair of the sitting and their superior, taking into account the provisions of this Act, and to perform their duties specified in this Act even by putting their life at peril when necessary. A parliamentary guard shall refuse to follow an instruction if in performing it, he or she would commit a criminal offence.

(2) The parliamentary guards shall report any instruction received directly from the Speaker or the chair of the sitting to the commander of the Parliamentary Guard without delay, observing the chain of command. Such reporting shall have no suspensory effect on performing the instruction.

(3) With the exception specified in paragraph (1), a parliamentary guard shall not refuse to follow an instruction by the Speaker, the chair of the sitting or a superior that is in conflict with the law; however, if he or she can recognise that the instruction is in conflict with the law, he or she shall be obliged to call without delay the attention of the person giving the instruction to this fact. Should the person giving the instruction maintain it, he or she shall be obliged to issue the instruction in writing if so requested by the person to whom the instruction is given.



(4) Should the person giving the instruction refuse or fail to issue the instruction in writing, the parliamentary guard shall report this to the Speaker, observing the chain of command.

(5) If a superior of a parliamentary guard violates the law, the parliamentary guard may report this directly to the superior of that superior or, if the violation has been committed by the commander of the Parliamentary Guard, to the Speaker. The person receiving the report shall have the violation of law investigated, and shall inform the reporting person of the outcome of the investigation and the measures taken within eight days of the receipt of the report.

(6) The reporting person shall not be placed at any disadvantage for reporting the violation of law; if reporting was unfounded, proceedings for determining liability may be initiated.

**Section 136** (1) The internal organisation of the Parliamentary Guard and the detailed rules for its operation as well as the rules on giving instructions shall be designed in a way that the personal responsibility of those giving, and those carrying out, instructions can be established at any time.

(2) The form and outlook of the uniform and service identity card of the Parliamentary Guard shall be different from the uniform and service identity card of other organs performing law enforcement duties and the Hungarian Defence Forces.

#### **43/A. Data processing activity of the Parliamentary Guard**

**Section 137** (1) In performing its duties specified in section 125 (1) to (2), the Parliamentary Guard shall process the following data of persons affected by a measure: family and given name, place and date of birth, mother's family and given name at birth, for a person other than a Hungarian citizen also citizenship, furthermore, the document identifier of the official verification card suitable for verifying identity, address, contact address and the data related to the measure.

(2) In addition to processing the personal data referred to in paragraph (1), the Parliamentary Guard shall, in performing its duties specified in section 125 (2) *a)*, *b)*, *c)*, *e)* and *f)*, take an image recording, sound recording, or audio-visual recording (hereinafter jointly "recording") of persons affected by a measure, their environment, and of any circumstance and object bearing importance with respect to the measure.

(3) In performing its duty specified in section 125 (2) *a)*, the Parliamentary Guard shall use an image recording device and take image recording for the surveillance of the external environment of the vehicle used for the transportation of the Speaker.

(4) By way of operating an electronic surveillance system, the Parliamentary Guard shall take and process image recordings for the purpose of supporting the performance of its duties specified in section 125 (2) *a)*, *b)*, *c)*, *e)* and *f)*, securing the House of Parliament and the buildings accommodating the Office of the National Assembly and the Parliamentary Guard, as well as the place where the Speaker stays, the security of persons within these buildings, monitoring the conditions of the security of guarding, preventing extraordinary events, eliminating their consequences and facilitating their investigation, detecting and preventing violations of law, and catching perpetrators in the act.

(5) When setting up the electronic surveillance system referred to in paragraph (4), a camera may not be placed at a position where surveillance and the recording of data

*a)* can violate human dignity, or

*b)* endanger the public interest in the undisturbed operation of the National Assembly free from undue influence.

(6) The Parliamentary Guard shall record the calls received by the on-duty service for the purpose of securing the carrying out of primary measures.

(7) The Parliamentary Guard may use the recordings taken on the basis of paragraphs (2) to (4) and the personal data contained therein for the purpose of

*a)* initiating a criminal proceeding, infraction proceeding or administrative authority proceeding, or

*b)* examining in an administrative authority proceeding the legality of any measure taken by a parliamentary guard.

(8) Sound recordings taken on the basis of paragraph (6) and the personal data contained therein may be used for initiating a criminal proceeding or infraction proceeding for a criminal offence or infraction arising from, or mentioned during, the call, or for the purpose of initiating an administrative authority proceeding examining the legality of any measure taken after the call.

(9) Recordings taken on the basis of paragraph (2) to (4), or the personal data contained therein may be transferred, upon a request for administrative assistance or data provision, to the competent investigating authority, infraction authority, prosecution office, court, or another competent organ carrying out an administrative authority procedure, the national security services, the counter-terrorism organ, and to a person concerned

*a)* in the course of a criminal proceeding, infraction proceeding, or other administrative authority proceeding, instituted for a criminal offence, infraction or the violation of the rules of traffic,

*b)* in the framework of secret information gathering,

*c)* for the purpose of identifying a person or object that is subject of a wanted notice, or

*d)* for the person concerned to exercise his or her rights.

(10) For the purpose of supporting the tasks related to securing events, the Parliamentary Guard shall provide the organ established to carry out general policing tasks that performs event security tasks and the counter-terrorism organ with direct access to the image recordings recorded in a public space by the electronic surveillance system operated on the basis of paragraph (4).

(11) Sound recordings taken on the basis of paragraph (6) and the personal data contained therein may be transferred, upon a request for administrative assistance or data provision, to the competent investigating authority, infraction authority, prosecution office, court, or another competent organ carrying out an administrative authority procedure, the national security services, the counter-terrorism organ, and to a person concerned in the course of a criminal proceeding or infraction proceeding instituted for a criminal offence or infraction arising from, or mentioned during, the call, or for examining the legality of any measure taken after the call in an administrative procedure, and for the person concerned to exercise his or her rights.

(12) Recordings recorded on the basis of paragraphs (2) to (4) and (6) shall be deleted upon the expiry of thirty days following recording, unless the recording is necessary for conducting the proceeding referred to in paragraphs (7) to (11) or for any other purpose specified therein.

(13) For conducting the proceeding referred to in paragraphs (7) to (11) or for any other purpose specified therein, anyone whose right or lawful interest is affected by the recording may request within thirty days following recording, substantiating the right or the lawful interest, the controller not to delete the data upon expiry of the time limit specified in paragraph (12). A recording shall be transferred without delay upon the request for administrative assistance made by the court or another authority. If no request for administrative assistance is made within thirty days of receiving the request, the recording shall be deleted.

(14) If data processing by way of an electronic surveillance system affects also public space, the Parliamentary Guard shall, facilitating the information of persons entering and within the affected area,

*a)* place a warning sign indicating that an electronic surveillance system is in operation in the area concerned, and

*b)* disclose on the website of the Parliamentary Guard an information note on the use of an electronic surveillance system, the area under surveillance, the controller and the data protection officer, the legal basis, purpose and duration of data processing, the persons entitled to have access to the data, and the manner of enforcing data subject rights, and shall initiate the disclosure of the information note on the website of the Office of the National Assembly.

(15) As regards surveillance by using a camera installed in the vehicle used for the transportation of the Speaker, the information note referred to in paragraph (14) shall be disclosed on the website of the Parliamentary Guard. Furthermore, the vehicles shall bear a sign referring to data processing.

#### **44. Verification of personal identity**

**Section 138** (1) In performing his or her duties, a parliamentary guard

*a)* shall, in the premises of the House of Parliament and the buildings accommodating the Office of the National Assembly and the Parliamentary Guard, accept, for the purpose of verifying a person's identity, the official verification card suitable for verifying identity specified in the Act on the registration of personal data and address of citizens or, if the person concerned is other than a Hungarian citizen or the document suitable for verifying identity was issued by a non-Hungarian authority, than the document suitable for verifying identity, and the document authorising access to the House of Parliament and the buildings that accommodate the Office of the National Assembly and the Parliamentary Guard,

*b)* may verify the identity of a person if this is necessary for the personal protection of the Speaker, to prove eligibility for access, preserve public safety and the dignity of a prominent national heritage site, maintain the order of public space forming part of a prominent national heritage site, or protect persons within the House of Parliament and the buildings accommodating the Office of the National Assembly and the Parliamentary Guard.

(2) Where paragraph (1) *b)* applies, the parliamentary guard shall accept any official verification card that contains the data necessary for identifying a person. The person whose identity is to be verified shall be obliged to show one of the documents suitable for verifying identity. The parliamentary guard may accept as verification a statement from any other person present on site whose identity is known.

(3) If a person refuses to prove his or her identity or, in the case specified in paragraph (1) *b)*, identity cannot be verified on site, the parliamentary guard shall notify the police without delay. The parliamentary guard shall be entitled to retain, for the purpose of verifying identity, a person whose identity is to be verified until the police arrive.

(4) In the case specified in paragraph (3), the parliamentary guard may search the clothing, package or the vehicle of the person whose identity is to be verified.

#### **45. Apprehension**

**Section 139** (1) A parliamentary guard shall apprehend the person caught in the act of committing an intentional criminal offence and the person who fails to stop committing an infraction despite being called upon to do so.

(2) The parliamentary guard shall inform the police of the apprehension without delay, and may retain the apprehended person until the police arrive. The apprehended person shall be handed over to the police to be subjected to compulsory attendance. In such cases, the period of compulsory attendance shall be calculated from the commencement of the measure by the Parliamentary Guard.

(3) The Parliamentary Guard shall be responsible for the lawfulness of apprehension, while the police shall be responsible for the lawfulness of compulsory attendance. The police shall not examine the lawfulness of the cause of apprehension; if the police establish a violation of law, they shall inform the commander of the Parliamentary Guard thereof or, in the case of a criminal offence, report it to the prosecution service.

#### **46. Traffic policing measures**

**Section 140** With a view to performing his or her duties of personal protection, facility security, patrol and guarding services, a parliamentary guard

- a)* may direct, restrict or suspend road traffic, and
- b)* may halt a vehicle for the purpose of checking the personal data of the registered keeper or the user of the vehicle, and may verify the identity of the persons found in the vehicle.

#### **47. Taking measures on the floor of the House of Parliament**

**Section 141** (1) Parliamentary guards shall not enter the floor, the box and the gallery connected to the floor and the corridor around the floor and shall not take measures there during a sitting

- a)* held in the House of Parliament, unless the chair of the sitting
- b)* of a parliamentary committee held in the House of Parliament, unless the committee chair or, if he or she is prevented, the deputy chair chairing the committee's sitting consents thereto.

(2) If there is danger in delay and the person entitled to give consent is prevented, parliamentary guards may take measure also without obtaining the consent referred to in paragraph (1)

- a)* in the case of an emergency call or to prevent a suicide,
- b)* to prevent or stop the commission of a criminal offence, or to apprehend the perpetrator or suspect of a criminal offence,
- c)* to eliminate public danger or a direct danger to life or physical integrity, or to save persons from such danger,
- d)* concerning unusual death or death of unknown cause,
- e)* to apprehend a person who continues committing an infraction despite being called upon not to do so,
- f)* if apprehension is necessary for another reason specified in an Act.

(3) An instruction given under section 135 (2) or (3) shall be considered a consent referred to in paragraph (1).

#### **47/A. Protection against illegal information acquisition**

**Section 141/A** Parliamentary guards may perform technical search with a view to preventing illegal acquisition of data and information concerning the operation of the National Assembly and the activities of the Speaker.

## **48. Legal remedies**

**Section 142** (1) Anyone whose fundamental right has been violated by the Parliamentary Guard taking or failing to take a measure, or applying a coercive means (hereinafter for the purpose of this section “measure”), may file a complaint to the commander of the Parliamentary Guard.

(2) A complaint under paragraph (1) may be filed within thirty days of the violation of a right or, in the case of a failure to take a measure, of becoming aware of it.

(3) In the cases referred to in paragraph (1), a statutory representative shall act on behalf of a person having no capacity to act, while a statutory representative or an agent may act on behalf of a person having limited capacity to act. A complaint may also be filed by way of an agent or a legal representative. A non-governmental organisation or foundation dealing with legal protection, a national minority self-government or a university lecturer with a doctorate in law and political sciences at a university teaching legal studies may also act as legal representative.

(4) The commander of the Parliamentary Guard shall adjudicate the complaint in accordance with an administrative authority procedure.

## **PART SIX**

### **FINAL PROVISIONS**

## **49. Authorising provisions**

### **Section 143** (1)

(2)

(3)

(4)

(5) Authorisation shall be given to the Minister responsible for law enforcement to determine in a decree, after seeking the opinion of the Speaker,

*a)* the service regulations of the Parliamentary Guard, including the detailed rules for applying measures and coercive means, the duties of personal protection and facility security, the primary fire extinguishing and fire safety duties, the duties of patrol and guarding services, the forms of service, the relation of superiority and hierarchy, the rules of conduct, the option to pursue another gainful occupation and the order of reclassifying service positions,

*b)* the qualification requirements for parliamentary guards,

*c)* the uniform regulations of the Parliamentary Guard,

*d)* the professional requirements and procedural rules related to the employment of coercive means used by the Parliamentary Guard, and the types and sorts of coercive means that can be employed.

## **50. Provisions on entry into force**

**Section 144** (1) With the exceptions specified in paragraphs (2) to (4), this Act shall enter into force on the day following its promulgation.

(2) Section 149 (1) shall enter into force on 1 September 2012.

(3) Section 1 *c)*, section 2 (2) *q)*, the heading of Subtitle 3, section 4 (1) to (5) and (7), section 10 (2) and (5), section 53 (2) and (3), section 54 (3) to (5), section 123 (2) to (5), Chapter XIII, section 143 (5), section 145 (4) to (6), section 148, section 151 (1) to (5), (7) and (8), and section 160 (2) *c)* shall enter into force on 1 January 2013.

(4) Section 4 (6), Subtitles 8 and 12, Part Four, section 147, section 153, section 158, section 160 (1) *b*) and *h*) and section 160 (3) shall enter into force on the day of the constitutive sitting of the National Assembly to be formed after the next general election of the Members of the National Assembly.

## **51. Transitional provisions**

**Section 145** (1) The provisions of this Act shall be without prejudice to the mandate of the officers of the National Assembly in office at the time of this Act entering into force, of the officers of the committees, of elected and appointed persons and of Members, and to the existence of the established committees and operating parliamentary groups of the National Assembly; however, the provisions of this Act shall also apply to the National Assembly in office.

(2) The Principal of the House shall be elected for the first time by the National Assembly by 31 December 2012. The director-general shall be appointed for the first time by the Speaker by 31 December 2012.

(2a)

(3) After the entry into force of this Act, the users who have been using the name or emblems of the National Assembly, the House of Parliament and Parliament since a date prior to the date of this Act entering into force may, by 31 December 2012, request the Speaker to authorise the use of the name or emblem.

(4) The Parliamentary Guard shall be in charge of exercising the functions and powers specified in a law promulgated before 1 January 2013 for the police and the professional disaster management organ with regard to protecting the National Assembly, safeguarding the National Assembly's independence and its operation free from external influences, and to police measures in the House of Parliament and the buildings accommodating the Office of the National Assembly and the Parliamentary Guard, and to compliance with the requirements of fire safety.

(5) With regard to the functions specified for the Parliamentary Guard in paragraph (4), any reference in laws to the police or the professional disaster management organ shall be construed as reference to the Parliamentary Guard.

(6) For the professional personnel of the police or the professional disaster management organ that participate in performing the functions specified for the Parliamentary Guard in paragraph (4), the service relationship shall be transformed into the service relationship of parliamentary guards under the conditions specified by the Speaker, the Minister responsible for law enforcement and the Minister responsible for disaster management, in accordance with the rules on transfer to another armed forces laid down in the Act on the service relationship of the professional personnel of the armed forces.

(7) The Speaker shall by 1 January 2013 lay down and publish on the website of the National Assembly the detailed rules on the activities of the Parliamentary Guard related to the rules governing access to, and stay in, the premises of the buildings accommodating the Office of the National Assembly.

(8) Section 9 and section 10/H of Act LVI of 1990 on the remuneration of the Members of the National Assembly shall apply to Members whose mandate terminates upon termination of the mandate of the National Assembly in office at the date of entry into force of this Act.

(8a) The provisions of Subtitle 40 shall also apply to a Speaker who had been in office prior to the date of entry into force of Subtitle 40, with the proviso that any entitlement to benefit under section 10/I (2) of Act LVI of 1990 on the remuneration of the Members of the National Assembly shall lapse upon the entry into force of Subtitle 40.

(8b) A Speaker who had been in office prior to the date of entry into force of Subtitle 40 shall be entitled to a benefit under section 24(1) and section 22(1) of Act XXXIX of 2000 on the honorarium and the benefits of the President of the Republic, the Prime Minister, the Speaker of the National Assembly, the President of the Constitutional Court and the President of the Supreme Court if by the entry into force of Act CCI of 2011 amending certain Acts related to the Fundamental Law he or she had fulfilled the old age pension age limit, and had requested the benefit.

(9) Until 31 December 2012, the functions under section 124(1) and section 127(2) shall be performed by the financial director-general of the Office of the National Assembly.

(10) From the day of the constitutive sitting of the National Assembly formed after the entry into force of Act XIV of 2014 amending Act XXXVI of 2012 on the National Assembly and other related Acts (hereinafter “Amending Act”), no public officials’ relationship shall be established for the function specified in section 115(1).

(11) A user of the emblem of the National Assembly who had used the emblem before sections 27/D and 27/E as introduced by the Amending Act entered into force, and who, on the basis of the provisions mentioned, qualifies as an unauthorised user of the emblem shall be obliged to cease using the emblem by 31 December 2014.

(12) Section 13/A as introduced by the Amending Act shall also apply to procedures connected to requests of data of public interest pending at the time of entry into force of the Amending Act.

(13) Section 112(6) as introduced by Act CXXV of 2015 amending Act XXXVI of 2012 on the National Assembly (hereinafter “Amending Act 2”) shall also apply to the reallocation of the amount for which the right of disposal was transferred by the Member to his or her parliamentary group prior to the entry into force of the Amending Act 2.

(14) Section 112(8) and (9) as introduced by the Amending Act 2 shall also apply to the residual amounts that incurred between the day of the constitutive sitting of the National Assembly formed after the 2014 general election of the Members of the National Assembly and the day of entry into force of the Amending Act 2.

(15) Section 118 (5a) and (6) as introduced by the Amending Act 2 shall also apply to the residual amounts that incurred between the day of the constitutive sitting of the National Assembly formed after the 2014 general election of the Members of the National Assembly and the day of entry into force of the Amending Act 2.

(16) With the exception of the provisions of section 10 (1) g) and (2) g), section 28 (2a), sections 45 to 52/H, section 53 (2) and (3), sections 107 to 107/B and section 142 (2), the provisions of this Act as introduced by Act CVIII of 2019 amending certain Acts related to the operation of the National Assembly and the Members of the National Assembly (hereinafter “Amending Act 5”) shall also apply to proceedings pending at their entry into force.

(17) By way of derogation from paragraph (16), the provisions of Chapter III/A as introduced by the Amending Act 5 shall apply to anyone who at the time of entry into force of the Amending Act 5 uses an emblem, with the proviso that using the emblem shall qualify as unauthorised if the user fails to terminate such use by 31 August 2020, except cases where

a) the emblem is freely usable according to section 27/E as introduced by the Amending Act 5,

b) at the time of entry into force of the Amending Act 5 the user was authorised to use the emblem, or

c) by 31 May 2020 the user of the emblem requests, in accordance with the provisions of section 27/F (2) and (3) as introduced by the Amending Act 5, the president of the Prominent National Heritage Sites Committee to consent to the use of the emblem, and obtains consent.

**145/A. § (1)** On the basis of the provisions introduced by Act CLXXXVII of 2017 amending Act CXCIX of 2011 on public service officials and Act XXXVI of 2012 on the National Assembly (hereinafter “Amending Act 3”), public officials whose public service relationship with the Office of the National Assembly has been established prior to the entry into force of the Amending Act 3 shall be classified, and their remuneration shall be determined, in accordance with the provisions of this Act, subject to the provisions of paragraphs (2) to (5), within thirty days of the entry into force of the Amending Act 3, with the proviso that the amount of the remuneration of a parliamentary public official to be determined this way shall not be less than the amount of his or her remuneration on the day before the entry into force of the Amending Act 3, as determined according to the Kttv., calculated without language supplement.

(2) A parliamentary public official who, on the day of entry into force of the Amending Act 3, has the title of expert advisor or senior expert advisor, or a title under section 128 of the Kttv., shall be entitled to a title and remuneration corresponding to his or her former title, as determined in the Amending Act 3.

(3) The positions of senior advisor and advisor established under section 233 of the Kttv. at the Office of the National Assembly prior to the entry into force of the Amending Act 3 shall terminate on the day of entry into force of the Amending Act 3, and the parliamentary public officials shall be classified, and their remuneration shall be determined, in accordance with the provisions of this Act.

(4) The advancement of a public official advanced under section 120 of the Kttv. prior to the entry into force of the Amending Act 3 shall terminate on the day of entry into force of the Amending Act 3. The parliamentary public official shall be classified, and his or her remuneration shall be determined, in accordance with the provisions of this Act.

(5) The relationship of public service case assistants under sections 240 to 245 of the Kttv. employed at the Office of the National Assembly shall be transformed on the day of entry into force of the Amending Act 3 into an employment relationship for the same period and with the same content in accordance with section 72 (10) of the Kttv. The employer shall draw up the employment contracts under the Mt. within thirty days of transformation of the relationships.

**Section 145/B** (1) The provisions introduced by Act XL of 2018 laying down the foundation for the 2019 central budget of Hungary (hereinafter “Amending Act 4”) shall apply for the first time to remunerations, honorariums, other benefits and allowances payable for August 2018.

(2) The benefits according to section 109 as introduced by the Amending Act 4 shall be provided by 15 August 2018 for the first time.

(3) The contracts that the Office of the National Assembly entered into, on the basis of section 111 (1) and section 110 (2) as introduced by the Amending Act 4, prior to the entry into force of the Amending Act 4 shall be modified, where necessary, by 30 September 2018 at the latest.

**Section 145/C** (1) The Members and the national minority advocates shall make a declaration of assets covering the information and in the form set out in Annex 1 of this Act as introduced by Act XVIII of 2022 amending Act XXXVI of 2012 on the National Assembly and certain related Acts, reflecting the situation on the day on which the declaration is made, by 5 August 2022.

(2) The Committee on Immunity shall retain the declarations of assets of the spouses, cohabitants and children of the Members and national minority advocates living in the same household with the Member and the national minority advocate, respectively, that are kept by the Committee on Immunity on the day of entry into force of Act XVIII of 2022 amending Act XXXVI of 2012 on the National Assembly and certain related Acts until 1 August 2023.



(3) To proceedings related to a declaration of assets pending on the day of entry into force of Act XVIII of 2022 amending Act XXXVI of 2012 on the National Assembly and certain related Acts, the rules in force on the day of commencement of the proceeding shall apply.

**Section 145/D** (1) The Members and the national minority advocates shall for the first time make a declaration of assets covering the information and in the form set out in Annex 1 of this Act as introduced by Act XXXI of 2022 amending certain Acts on declaration of assets relating to the control of the use of European Union budget funds, reflecting the situation on 31 December 2022, by 31 January 2023, attaching also the declarations of assets of family members.

(2) Until 31 December 2022, the Members and national minority advocates shall fulfil their obligation to make a declaration of assets in accordance with the provisions of this Act as in force on 31 October 2022.

(3) To proceedings relating to a declaration of assets pending on the day of entry into force of Act XXXI of 2022 amending certain Acts on declaration of assets relating to the control of the use of European Union budget funds, the rules in force on the day of commencement of the proceeding shall apply.

## 52. Cardinality clause

**Section 146** (1) Subtitle 12 and section 157 qualify as cardinal on the basis of Article 2 (2) of the Fundamental Law.

(2) Section 4 (6), Subtitle 18 with the exception of section 51/B, Subtitle 18/A, Part Three, Subtitles 36 and 37, section 120, section 145 (8), (13), (14) and (16), section 145/B, section 145/C, section 145/D, section 149 (1), section 160 (1) *a)* to *e)* and *g)* to *h)*, section 160 (3) and Annex 1 qualify as cardinal on the basis of Article 4 (2) and (5) of the Fundamental Law.

(3) Subtitle 14 qualifies as cardinal on the basis of Article 5 (8) of the Fundamental Law.

(4) Subtitles 10 and 10/A, and section 147 (1) qualify as cardinal on the basis of Article 7 (3) of the Fundamental Law.

(5) Chapters I to III, Subtitle 11, Subtitle 13, Subtitles 14/A to 16, section 44, Subtitles 18 to 19, Chapters IV to V/A, Chapter VI/A, Subtitle 41, Subtitle 42, Subtitle 50, section 145 (1) to (3), (7), (9), (11), (12) and (16), and Annex 2 qualify, on the basis of Article 5 (4) and (7) of the Fundamental Law, as provisions of the Rules of Procedure Instruments to be adopted with the votes of two thirds of the Members of the National Assembly present.

(6) Provisions of this Act qualify as cardinal as follows:

- a)* section 158 (6) on the basis of Article 46 (6) of the Fundamental Law,
- b)* section 158 (26) on the basis of Article IX (3) and Article 23 of the Fundamental Law,
- c)* section 158 (29) on the basis of Article VI (3) of the Fundamental Law,
- d)* section 158 (30) on the basis of Article XXXI (5) of the Fundamental Law,
- e)* section 158 (31) on the basis of Article 25 (7) of the Fundamental Law,
- f)* section 158 (32) *b)* to *d)* on the basis of Article 25 (7) and Article 26 (1) to (2) of the Fundamental Law,
- g)* section 158 (33) on the basis of Article 29 (7) of the Fundamental Law,
- h)* section 158 (36) and section 159 (4) on the basis of Article I) (4) of the Fundamental Law,
- i)* section 158 (37) on the basis of Article 41 (1), (4) and (5) of the Fundamental Law.

(7) Section 160 (2) *a)* qualifies as cardinal on the basis of Article IX (3) of the Fundamental Law.

(8) Section 149 (2), section 154 and section 160 (4) qualify as cardinal on the basis of Article 31 (3) of the Fundamental Law.

(9) Subtitle 50 qualifies as cardinal on the basis of the provisions of the Fundamental Law referred to in paragraphs (1) to (4), (6) and (7).

(10) Section 80 (1) and (2a) and section 89 c) qualify as cardinal on the basis of Article 38 (6) of the Fundamental Law.

### **53. Amending provisions**

**Section 147** (1)

(2) to (3)

**Section 148** (1)

(2) to (4)

**Section 149** (1)

(2)

**Section 150**

**Section 151** (1) to (5)

(6)

(7) to (8)

**Section 152**

**Section 153**

**Sections 154 to 157**

**Section 158** (1)

(2)

(3) to (37)

**Section 159**

### **54. Repealing provisions**

**Section 160** (1)

(2) to (3)

(4)

*Annex I to Act XXXVI of 2012*

### **Declaration of assets, income and economic interests for the Member of the National Assembly, and his or her spouse or cohabitant and child(ren) living in the same household with the Member**

The declarant

1. The declarant is<sup>1</sup>:

a) Member of the National Assembly

b) spouse or cohabitant of the Member living in the same household with the Member (hereinafter “spouse/cohabitant”)

c) child of the Member living in the same household with the Member (hereinafter “child”)

2. Name of the declarant:

---

<sup>1</sup> Fill in only data relating to your person.

Part A)

DECLARATION OF ASSETS

I. Real estate (not including real estate reserved for exclusive use by the declarant and his or her spouse or cohabitant and child(ren) living in the same household)<sup>2</sup>

1. Agricultural real estate<sup>3</sup>

Name of the district where the agricultural real estate is located	Surface area of the agricultural real estate	Cultivation line for the agricultural real estate	Title of the declarant (if ownership, with share of ownership)

2. Real estate not covered by point 1

- a) Name of the settlement where the real estate is located (for Budapest, also the district):
- b) Surface area of the real estate:
- c) Cultivation line (or designation of the area removed from cultivation):
- d) Character of the building according to its main purpose (residential house, holiday home, farm building etc.), surface area of the building:
- e) Legal nature of the real estate (detached house, condominium, cooperative house, heritage building, workshop, shop, atelier, consulting room, garage, mine site etc.):
- f) Title of the declarant (owner, permanent or long time user, usufructuary, tenant etc.):
- g) Share of ownership in the case of joint ownership:
- h) Title and date of acquisition (start of the legal relationship):

3. Real estate not covered by point 1

- a) Name of the settlement where the real estate is located (for Budapest, also the district):
- b) Surface area of the real estate:
- c) Cultivation line (or designation of the area removed from cultivation):

<sup>2</sup> To be filled in according to the data of the real estate register. Real estate used by the declarant or his or her family member for habitual or long-term dwelling purposes need not be indicated.

<sup>3</sup> If the same district, cultivation line or declarant's title applies to more than one real estate, they must be indicated aggregated in the same line of the table. Agricultural real estate includes the following: arable land, forest, and the premises and constructions established for agricultural purposes, to serve the foregoing.

d) Character of the building according to its main purpose (residential house, holiday home, farm building etc.), surface area of the building:

e) Legal nature of the real estate (detached house, condominium, cooperative house, heritage building, workshop, shop, atelier, consulting room, garage, mine site etc.):

f) Title of the declarant (owner, permanent or long time user, usufructuary, tenant etc.):

g) Share of ownership in the case of joint ownership:

h) Title and date of acquisition (start of the legal relationship):

#### 4. Real estate not covered by point 1

a) Name of the settlement where the real estate is located (for Budapest, also the district):

b) Surface area of the real estate:

c) Cultivation line (or designation of the area removed from cultivation):

d) Character of the building according to its main purpose (residential house, holiday home, farm building etc.), surface area of the building:

e) Legal nature of the real estate (detached house, condominium, cooperative house, heritage building, workshop, shop, atelier, consulting room, garage, mine site etc.):

f) Title of the declarant (owner, permanent or long time user, usufructuary, tenant etc.):

g) Share of ownership in the case of joint ownership:

h) Title and date of acquisition (start of the legal relationship):

#### 5. Real estate not covered by point 1

a) Name of the settlement where the real estate is located (for Budapest, also the district):

b) Surface area of the real estate:

c) Cultivation line (or designation of the area removed from cultivation):

d) Character of the building according to its main purpose (residential house, holiday home, farm building etc.), surface area of the building:

e) Legal nature of the real estate (detached house, condominium, cooperative house, heritage building, workshop, shop, atelier, consulting room, garage, mine site etc.):

f) Title of the declarant (owner, permanent or long time user, usufructuary, tenant etc.):

g) Share of ownership in the case of joint ownership:

h) Title and date of acquisition (start of the legal relationship):

## II. Movable assets of significant value<sup>4</sup>

### 1. Motor vehicles:

a) passenger car: ..... type

date and title of acquisition: ..... type

date and title of acquisition: ..... type

date and title of acquisition: .....

b) truck, bus: .....type

date and title of acquisition: ..... type

date and title of acquisition: ..... type

date and title of acquisition: .....

c) motorcycle: .....type

date and title of acquisition: ..... type

date and title of acquisition: ..... type

date and title of acquisition: .....

### 2. Watercraft or aircraft:

#### a) character:

type:

date and title of acquisition:

#### b) character:

type:

date and title of acquisition:

### 3. Protected piece of art, protected collection:

#### a) individual creations:

designation: ..... pieces

date and title of acquisition:

designation: ..... pieces

date and title of acquisition:

designation: ..... pieces

date and title of acquisition:

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<sup>4</sup> Movable assets with a value of HUF 5 million or more are considered to be of significant value.

b) collection:

designation: ..... pieces

date and title of acquisition:

designation: ..... pieces

date and title of acquisition:

designation: ..... pieces

date and title of acquisition:

4. Other movable assets:

a) designation:

date and title of acquisition:

b) designation:

date and title of acquisition:

c) designation:

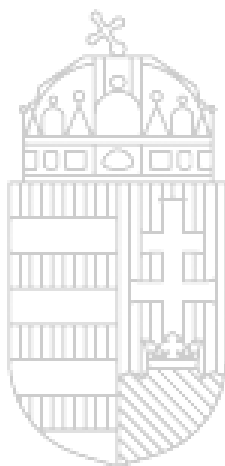
date and title of acquisition:

d) designation:

date and title of acquisition:

e) designation:

date and title of acquisition:



5. Savings in securities or other investments (shares, bonds, cooperative share, treasury bill, property bill, share in private equity fund, insurance etc.):

a) designation:

nominal value, insurance amount:

b) designation:

nominal value, insurance amount:

c) designation:

nominal value, insurance amount:

d) designation:

nominal value, insurance amount:

e) designation:

nominal value, insurance amount:

6. Savings in savings deposit<sup>5</sup>: ..... HUF

Exchange rate: .....

7. Cash<sup>6</sup>: ..... HUF

Exchange rate: .....

8. Credit institution account claim or other contractual pecuniary claim:

a) credit institution account claim:

in HUF:

in foreign currency (HUF value):

exchange rate<sup>7</sup>:

b) amount of other contractual pecuniary claim<sup>8</sup>: ..... HUF

exchange rate:

9. Other assets:

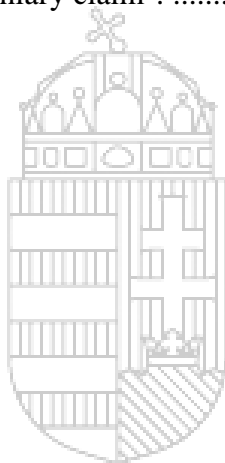
a) designation:

b) designation:

c) designation:

d) designation:

e) designation:



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<sup>5</sup> For savings in foreign currency, the amount of the savings is to be indicated in HUF value converted on the basis of the official foreign exchange rate of the Hungarian National Bank prevailing on the day when this declaration of assets is made, also specifying the exchange rate.

<sup>6</sup> For cash in foreign currency, the amount of cash is to be indicated in HUF value converted on the basis of the official foreign exchange rate of the Hungarian National Bank prevailing on the day when this declaration of assets is made, also specifying the exchange rate.

<sup>7</sup> Use the official foreign exchange rate of the Hungarian National Bank prevailing on the day when this declaration of assets is made, and specify the exchange rate.

<sup>8</sup> For pecuniary claims in foreign currency, the amount of the pecuniary claims is to be indicated in HUF value converted on the basis of the official foreign exchange rate of the Hungarian National Bank prevailing on the day when this declaration of assets is made, also specifying the exchange rate.

### III. Liabilities<sup>9</sup>

Please indicate in this section the liabilities under the title of public dues or debt against credit institutions or private individuals

1. Public dues (tax, customs, charges, social security contribution etc.):  
..... HUF

Exchange rate: .....

2. Debt against credit institutions (credit, loan etc.): .....  
HUF

Exchange rate: .....

3. Debt against private individuals: ..... HUF

Exchange rate: .....

### IV. Other information

.....

.....

.....

.....

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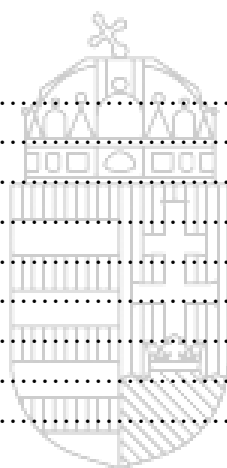
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<sup>9</sup> For liabilities in foreign currency, the amount of the liabilities is to be indicated in HUF value converted on the basis of the official foreign exchange rate of the Hungarian National Bank prevailing on the day when this declaration of assets is made, also specifying the exchange rate.



Part B)<sup>10</sup>

INCOME DECLARATION

(taxable income other than the Member's remuneration)

I. The declarant's occupation(s) as well as state, local government and economic office(s) or position(s), and his or her membership(s) of any economic operator<sup>11</sup> or other legal person or organisation without legal personality during the three-year period before the beginning of the mandate as regards of which he or she is required to make this declaration

Occupation, office, position or membership <sup>12</sup>	Unremunerated	Categories of income <sup>13</sup>				
		1	2	3	4	5
1.						
2.						
3.						
4.						

II. The declarant's occupation(s) and regular activities for which he or she receives taxable income at the time this declaration is made

Occupation, activity <sup>14</sup>	Categories of income				
	1	2	3	4	5
1.					
2.					
3.					
4.					

<sup>10</sup> To be filled in only by the Member of the National Assembly.

<sup>11</sup> Economic operator means an entity within the meaning of section 7 (1) 6 of Act CXXX of 2016 on the Code of Civil Procedure, including a public interest asset management foundation performing public duty.

<sup>12</sup> Only occupations, offices and positions performed or memberships held during the three years prior to the beginning of the current mandate, including previous Membership of the National Assembly, are to be declared.

<sup>13</sup> For any item to be declared, the declarant shall, where appropriate, indicate whether it is remunerated or not; if remunerated, in Part B) I, II and III, and Part C) I and II, the declarant shall also indicate one of the following income categories: 1. HUF 1 to HUF 200 000 gross a month; 2. HUF 200 001 to HUF 500 000 gross a month; 3. HUF 500 001 to HUF 1 000 000 gross a month; 4. HUF 1 000 001 to HUF 5 000 000 gross a month; 5. above HUF 5 000 000 a month, with an indication of the nearest HUF 1 000 000 amount. Any income that the declarant receives in respect of each item declared, but not on a regular basis, shall be calculated on an annual basis, divided by twelve and placed in one of the above categories.

<sup>14</sup> The following need to be indicated: a) Specification of the activity; b) The paying agent (except for activities which are subject to confidentiality under the law).

III. The declarant's occasional remunerated activities at the time this declaration is made, if the total remuneration of all occasional activities exceeds HUF 2 000 000 in a calendar year

Occasional activities if the total remuneration exceeds HUF 2 000 000 in a calendar year <sup>15</sup>	Categories of income				
	1	2	3	4	5
1.					
2.					
3.					
4.					

Part C)

DECLARATION OF ECONOMIC INTERESTS

I. The declarant's membership(s) and office(s) undertaken in any economic operator<sup>16</sup> or bodies established in law as well as his or her status as settlor, trustee or beneficiary under fiduciary asset management relationship, at the time the declaration is made

Membership, office, activity or trustee status <sup>17</sup>	Unremunerated	Categories of income				
		1	2	3	4	5
1.						
2.						
3.						
4.						

<sup>15</sup> The following need to be indicated: a) Specification of the activity; b) The paying agent (except for activities which are subject to confidentiality under the law).

<sup>16</sup> An economic operator is an organisation within the meaning of section 7 (1) 6 of Act CXXX of 2016 on the Code of Civil Procedure, including also a public interest asset management foundation performing public duty.

<sup>17</sup> The following need to be indicated: a) Name of the economic operator or body, or specification of the asset management relationship; b) Specification of membership (member, owner, shareholder, general partner or limited partner for limited partnership etc.), office or activity.

II. The declarant's holding(s), at the time the declaration is made, in any company where there are potential public policy implications or where that holding(s) give(s) him or her dominant influence over the affairs of the company

Holding or company with potential public policy implications <sup>18</sup>	Holding which gives dominant influence	Unremunerated	Categories of income				
			1	2	3	4	5
1.							
2.							
3.							
4.							

\* \* \*

Done at ....., on .... (day) ..... (month) ..... (year)

I have attached to this declaration the declaration / declarations of my spouse/cohabitant living in the same household with me, and of my child(ren) living in the same household with me.<sup>19</sup>

I make this declaration as spouse/cohabitant/child living in the same household with the Member of the National Assembly.<sup>20</sup>

#### Annex 2 to Act XXXVI of 2012

#### **Oath of the parliamentary guard members of the Parliamentary Guard**

Text of the oath:

"I, ....., member of the Parliamentary Guard swear to be faithful to Hungary and to obey the provisions of the Fundamental Law and of the laws in all circumstances.

I will safeguard the security of the operation and the order of the National Assembly without predilection, in accordance with the requirement of lawfulness.

I will perform my service in the protection of the House of Parliament according to my best knowledge, by the most suitable lawful ways, following the orders of my superiors, always being physically and mentally prepared, taking responsibility for my acts, against any threat, temptation or peril.

I will live and serve for the benefit of Hungary as a worthy member of the community of camaraderie fulfilling the mission of the Parliamentary Guard.

(According to the conviction of the person taking the oath:)

So help me God!"

<sup>18</sup> The following need to be indicated: a) Company name; b) Form of holding (member, owner, shareholder, general partner or limited partner for limited partnership etc.).

<sup>19</sup> To be filled in only by the Member of the National Assembly.

<sup>20</sup> To be filled in only by the spouse or cohabitant or child(ren) living in the same household with the Member of the National Assembly.

Annex 3 to Act XXXVI of 2012

**REMUNERATION SYSTEM FOR PARLIAMENTARY PUBLIC OFFICIALS**

Public officials in management position		
Designation of the management level		multiplier
head of department		3.7
deputy head of department		3.3
head of unit		3.0
Public officials with the title of senior parliamentary expert advisor or expert advisor		
Designation of the title		multiplier
senior parliamentary expert advisor		3.0
parliamentary expert advisor		2.7
Grade I (higher education degree)		
Step	time in public service relationship (years)	multiplier
parliamentary junior counsellor	0–3	1.5
parliamentary counsellor	3–8	1.8
lead parliamentary counsellor	8–16	2.0
senior parliamentary counsellor	16–25	2.2
lead parliamentary counsellor	25–36	2.4
special senior lead parliamentary counsellor	36–	2.6
Grade II (secondary school leaving examination)		
Step	time in public service relationship (years)	multiplier
parliamentary trainee	0–3	0.9
parliamentary assistant	3–8	1.0
senior parliamentary assistant	8–16	1.2
senior parliamentary administrative officer	16–25	1.4
senior lead parliamentary administrative officer	25–36	1.6
special senior lead parliamentary administrative officer	36–	1.7