

35/2024. (II. 29.) Govt. decree

XC of 2023 on the general rules for the entry and residence of third-country nationals . on the implementation of the law

Valid: 01/09/2024 - 31/12/2024

The Government

XC of 2023 on the general rules for the entry and residence of third-country nationals . Act § 283, subsection (1) 1–20. on the basis of the authorization received in paragraphs (2)–(4) , paragraph (5) a) , paragraph (6) , and paragraph (8).

LXVI of 1992 on the registration of personal data and residential addresses of citizens with regard to subsection 116 . on the basis of the authorization received in point a) of § 47, paragraph (1) of the Act ,

XL of 1994 on the Hungarian Academy of Sciences with regard to subsection 117 . on the basis of the authorization received in Section 24 (2) of the Act ,

with respect to subsection 118, CXIII of 1996 on housing savings funds . on the basis of the authorization received in point a) of § 26 of the Act ,

XXXI of 1997 on the protection of children and guardianship administration with regard to subsection 119 . on the basis of the authorization received in point d) of § 162, subsection (1) of the Act ,

XXXI of 1997 on the protection of children and guardianship administration with regard to subsection 120 . on the basis of the authorization received in point g) of § 162, paragraph (1) of the Act ,

with regard to subsection 121, the XII of 1998 on traveling abroad on the basis of the authorization received in points a) and c) of § 41, paragraph (1) of the Act ,

LXXXIII of 1997 on compulsory health insurance benefits with regard to subsection 122 . on the basis of the authorization received in point a) of § 83, paragraph (2) of the Act ,

with respect to subsection 123, Act XXVI of 1998 on the rights of disabled persons and ensuring their equal opportunities . on the basis of the authorization received in point b) of § 30, paragraph (1) of the Act ,

with regard to sub-title 124, in the original legislative powers defined in Article 15 (3) of the Basic Law ,

with respect to subsection 125, Act LIII of 1994 on judicial enforcement . on the basis of the authorization received in point b) of § 307, subsection (1) of the Act ,

CXC of 2011 on national public education with regard to subsection 126 . on the basis of the authorization received in Section 94, Paragraph (4a) of the Act ,

with regard to subsection 127, Act III of 1993 on social administration and social benefits . on the basis of the authorization received in point d) of § 132, subsection (1) of the Act ,

LXXVIII of 1997 on the shaping and protection of the built environment with regard to subsection 128 . on the basis of the authorization received in point 12 of section 62 (1) of the Act ,

XLI of 2012 on passenger transport services with regard to subsection 129 . on the basis of the authorization received in point a) of § 49, paragraph (1) of the Act ,

with regard to subsection 130 , on the basis of the authorization received in Section 86 (1) of Act I of 2007 on the entry and residence of persons with the right to free movement and residence ,

LXXX of 2007 on the right to asylum with regard to subsection 132 . on the basis of the authorization received in Section 93, Paragraph (1) of the Act ,

with regard to subsection 133 , on the basis of the authorization received in Section 67 (1) point c) of Act C of 2001 on the recognition of foreign certificates and diplomas ,

134-136 . Subheading , Subheading 138 , Subheading 142 , Subheading 146-148 with respect to subsection 152 , subsection 153 , subsection 161 and subsection 162, in the original legislative powers defined in Article 15 (3) of the Basic Law ,

with respect to subsection 137 , on the basis of the authorization received in subsection 30 of section 48 (3) point a) of Act I of 1988 on road traffic ,

with regard to subsection 139, CXC of 2011 on national public education . on the basis of the authorization received in point d) of § 94, subsection (4) of the Act ,

with regard to subsection 140, CCIV of 2011 on national higher education . on the basis of the authorization received in point 27 of § 110, subsection (1) of the Act ,

with regard to subsection 141, Act IV of 1991 on the promotion of employment and benefits for the unemployed . of the Act § 7 (4) point b) point bb) and XC of 2023 on the general rules for the entry and residence of third-country nationals. on the basis of the authorization received in point a) of § 283, paragraph (11) of the Act ,

CXLIII of 2015 on public procurement with regard to subsection 143 . on the basis of the authorization received in points 1 and 2 of Section 198 (1) of the Act ,

LXVI of 1992 on the registration of personal data and residential addresses of citizens with regard to subsection 144 . on the basis of the authorization received in points a) , e) and g) of Article 47, paragraph (1) of the Act ,

with respect to subsection 145, CXXIV of 2015 on national accreditation . on the basis of the authorization received in point a) of § 14, subsections (1) and (2) of the Act ,

with regard to subsection 149, [LXXX of 2003](#) on legal assistance . on the basis of the authorization received in [point b\) of § 74 of the Act](#) ,
[LXIV of 2001](#) on the protection of cultural heritage with regard to subsection 150 . on the basis of the authorization received in [Section 93, Paragraph \(1\) Point 1 of the Act](#) ,
[XC of 2017](#) on criminal proceedings with regard to subsection 151 . on the basis of the authorization received in [point b\) of § 866, subsection \(1\) of the Act](#) ,
[LXXX of 2019](#) on vocational training with regard to subsection 154 . [Act § 123, subsection \(1\)](#) and [subsection \(2\) 1–4.](#) , pp. [6–23.](#) , pp. [25–29.](#) and [31–48.](#) based on the authorization received in [point](#)
with regard to subsection 156 , on the basis of the authorization received in [point a\) of § 17, paragraph \(1\) of Act C of 2020](#) on the health care service relationship ,
[CXXXV of 2020](#) on employment promotion services and subsidies, as well as employment supervision, with regard to subsection 157 . on the basis of the authorization received in [point d\) of § 12 of the Act](#) ,
[CXCIV of 2011](#) on public finances with regard to subsection 158 . on the basis of the authorization received in [Section 109, Paragraph \(1\) Point 32 of the Act](#) ,
in terms of § 338 and § 339, [CXXV of 1995](#) on national security services . on the basis of the authorization received in [point e\) of § 77 of the Act](#) ,
with regard to subsection 160, [CXXV of 2018](#) on government administration . on the basis of the authorization received in [points 1 and 2 of § 281, subsection \(2\) of the Act](#) ,
[Acting within the scope of duties defined in Article 15 \(1\) of the Basic Law](#), orders the following:

FIRST PART

BASIC PROVISIONS

§ 1 (1) [XC of 2023](#) on the general rules for the entry and residence of third-country nationals [during administrative official procedures \(hereinafter: alien police procedures\) regulated by law \(hereinafter: Tv.\)](#), Hungarian citizenship can be verified with a valid Hungarian identity card, a valid Hungarian passport or a citizenship certificate issued no more than one year ago.

(2) The immigration enforcement authority must check the existence of Hungarian citizenship during the immigration enforcement procedure on the basis of the personal data and address register.

(3) In case of doubt, based on the request of the immigration enforcement authority, the body dealing with citizenship matters shall establish the existence of Hungarian citizenship.

PART TWO

SHORT-TERM RESIDENCE IN HUNGARY OF THIRD-COUNTRY CITIZEN

1. Pre-admission inspection

§ 2 (1) The body established to carry out general police tasks (hereinafter: Police) checks the entry of third-country nationals into the territory of Hungary in accordance with Regulation (EU) 2016/399 of the European Parliament and of the Council (hereinafter: Schengen Border Control Code) the existence of stipulated conditions.

(2) If the entry and stay of a third-country national for the purpose of a planned stay that does not exceed ninety days within one hundred and eighty days (hereinafter: short-term), Regulation 810/2009/EC of the European Parliament and of the Council (hereinafter: Visa Code) is not required permit specified in point 2 of Article 2 (visa for a planned stay not exceeding ninety days within one hundred and eighty days), the Schengen border control you can travel with a travel document according to Article 6, paragraph (1) point a) of the Code.

(3) The Police may waive the condition contained in paragraph (2) in accordance with Article 6, paragraph 5, point c) of the Schengen Border Control Code.

§ 3 Subject to the European Parliament and Council Regulation (EU) 2018/1806, the person is entitled to visa-free entry and short-term stay for the purpose of a short-term, planned stay

a) the third-country national recognized as a refugee or stateless person, who is in accordance with Article II of Regulation (EU) 2018/1806 of the European Parliament and of the Council. has a travel document issued by the state listed in its annex,

b) a third-country national serving as a member of the crew of an emergency or rescue aircraft during a disaster or accident, and also contributing to assistance,

c) a third-country national with a travel document issued by the United Nations, the Council of Europe or the International Criminal Court,

d) a member of the civil aircraft flight crew and the flight attendant,

e) you are a member of the maritime crew

f) a member of the crew of a swimming facility operating on international inland waterways.

2. Small border traffic permit

§ 4 (1) The application for a small border traffic permit (hereinafter referred to as: small border traffic permit) defined in Regulation 1931/2006/EC of the European Parliament and of the Council, according to an international agreement, must be submitted on the form specified in the law.

(2) When submitting an application for a small border traffic permit, the applicant must present a valid travel document. The validity period of the travel document cannot be shorter than one year from the thirtieth day after the submission of the application.

(3) The application for a small border traffic permit must be accompanied by:

a) a piece of ID photo;

b) a document for proof of permanent residence in the border area specified in the international agreement.

§ 5 The small border traffic permit must be issued in accordance with point 2 of Annex 1 .

PART THREE

PERMANENT RESIDENCE OF THIRD-COUNTRY CITIZEN IN HUNGARY

Chapter I

VISAS ENSURING THE RECEIPT OF A RESIDENCE DOCUMENT

3. Visa entitling to receive the residence permit

§ 6. A third-country national may request the issuance of a visa entitling him to receive a residence permit entitling him to a planned stay in Hungary exceeding ninety days within one hundred and eighty days (hereinafter: permanent) in his application for the issuance of a residence permit prior to entry - without submitting a separate application for this purpose.

4. The guest investor visa

§ 7 (1) When submitting an application for a guest investor visa, the applicant must present a valid travel document.

(2) The application for a guest investor visa must be accompanied by:

a) a photo ID, as well as

b) the documents specified in paragraphs (3) and (5) .

(3) In order to prove the purpose of entry and stay, the third-country national must attach to the guest investor visa application:

a) the certificate of the real estate fund manager registered by the Hungarian National Bank or of the unit distributor of the purchase of the unit of at least EUR 250,000 issued in the name of the third-country national,

b) alienation deed specified in [point b\) of § 16, paragraph \(3\) of the Act](#) , countersigned by a lawyer, according to [point a\) of § 22, paragraph \(11\) of the Act](#) , corresponding to the provisions of paragraph (4) and a sales contract containing a request for the entry of a debit ban in the real estate register, so that the immigration enforcement authority can check the initiation of the real estate registration procedure - by querying the title deed from the real estate register,

c) confirmation from the higher education institution maintained by the public interest trust foundation that the third-country national has received a grant of at least 1,000,000 euros from the third country citizen for the purpose of supporting educational, scientific research and artistic creative activities, or

d) a statement on which of the investments listed in § 16, paragraph (3) of the [Act](#) , you plan to implement within three months of entry, and a certificate issued by a foreign or Hungarian credit institution to prove the financial coverage available for that purpose, according to the [Act](#) .² is available permanently.

(4) The Hungarian State is entitled to the prohibition of alienation and encumbrance according to § 22, paragraph (11) point a) of the [Law](#) .

(5) In addition to proving the provisions of point d) of paragraph (3), the legal origin of the available amount of money must be proven in a creditable manner, so in particular

a) with a public document certifying the origin of the property, a right of property value, or a private document with full probative value; or

b) with proof of regular taxable income from employment or business activity.

(6) In the visa procedure, the third-country national must attach a document certifying the address of his real accommodation in Hungary.

(7) To prove the conditions set out in points d) and g) of subsection (1) of § 17 [of](#) the Act, the certificates attached in subsection (5) are acceptable, or they can be submitted to the Central Regional Directorate of the National Directorate General of Immigration (hereinafter: Directorate General) (the hereinafter: Central Regional Directorate) can request.

(8) In order to issue an application for a guest investor visa, the Central Regional Directorate requests the opinion of the Police in order to protect public safety, the Office of Constitutional Protection and the Anti-Terrorism Center in order to protect national security.

(9) The Office for the Protection of the Constitution, the Anti-Terrorism Center and the Police are obliged to comply with the request within fifteen days. In the event of an opinion stating that the interest defined in paragraph (8) is at risk, the Central Regional Directorate shall make a decision rejecting the application.

(10) If the requested authority does not comply with the request within the period specified in paragraph (9) , the opinion shall be considered as given.

(11) With regard to paragraph (3), in the case of an investment not made in euros, the value calculated by applying the exchange rates published by the Hungarian National Bank on the day of the investment shall be taken into account when determining the value of the investment in euros.

II. Chapter

GENERAL RULES

5. Application for a residence permit and its attachments

§ 8 (1) When submitting an application for a residence permit, the applicant must present a valid travel document.

(2) The following must be attached to the application for a residence permit – unless this regulation provides otherwise:

a) an ID photo,

b) documents certifying the existence of the conditions set out in points c)–g) of § 17, [paragraph \(1\) of the Act](#), in the case of an EU Blue Card application, in points a) and d) of § 17, paragraph (1) of [the Act](#),

c) the declaration of the third-country national as to whether, in the event of rejection of the application, he undertakes voluntary departure from the territory of the member states of the European Union and other Schengen states, as defined in subsection (3) of § 111 [of the Act](#) , and

d) when submitting an application for a residence permit for the purpose of seasonal employment, a residence permit for the purpose of employment issued for the purpose of implementing the investment, a residence permit for the purpose of employment, a guest worker residence permit or the National Card, the declaration of the third-country national that if his employment is issued a residence permit expires within the validity period, in case of invalidity of the residence permit within 8 days after the date of invalidation, the member states of the European Union and leaves the territory of other Schengen states voluntarily, indicating the destination country of departure.

(3) If necessary in order to clarify the circumstances of the stay, the directorate of the General Directorate (hereinafter: regional directorate) may ask the applicant to attach additional documents, in addition to those contained in paragraph (2) .

(4) If the conditions on which the previous residence permit was issued did not change when the application for the extension of the residence permit was submitted, the applicant does not have to repeatedly attach the documents relating to the unchanged conditions. If doubts arise regarding the fulfillment of the unchanged conditions during the evaluation of the request for an extension, the regional directorate invites the applicant to attach a new document.

6. General conditions for permanent residence in Hungary

§ 9 (1) The onward or return journey of a third-country national can be considered assured if, even at the expiration of the visa or residence permit entitling him to stay for more than ninety days, he has the necessary permits and a valid ticket to enter the country designated by him or to return to the country of origin, or with the financial means necessary for its purchase or with a means of transport legally in use.

(2) The purpose of the entry and stay can be considered verified if the applicant has the [Tv. III–VIII](#) He wishes to stay in Hungary for a long-term period for a specific purpose specified in this chapter , and he also supports the reasons for his stay with a document.

(3) The residence condition is met by a third-country national who

a) who is the owner of real estate registered in the real estate register under the name of residential house or apartment or other real estate suitable for living, or who is entitled to the use of such real estate under any legal title, and

b) in whose case, based on the number of people staying in the property, the living room area per person is at least 6 square meters.

(4) The regional directorate may accept the residence of a third-country national as insured even in the absence of the conditions contained in point b) of paragraph (3) out of exceptional fairness.

(5) In the procedure for issuing a visa and residence permit for a stay of more than ninety days, the residence must be verified in a credible manner, so in particular

a) with a copy of the title deed not older than thirty days, certifying the ownership of the applicant's apartment in Hungary;

b) with an apartment rental contract certifying an apartment rental relationship;

c) with a document certifying the existence of booked and paid accommodation; or

d) a Hungarian citizen or a residence card in accordance with Act I of 2007 on the entry and residence of persons with a residence visa or residence permit, long-term residence status, the right of free movement and residence in Hungary ([hereinafter: Act](#)) , permanent residence card , with a declaration of a family member with a long-term residence card or recognized as a refugee undertaking to provide housing for the applicant, contained in a notary document.

(6) A third-country national has the financial support necessary for a stay of more than ninety days if he or a family member can cover the costs of living, housing, travel, and, if necessary, medical care from the legally acquired income and assets available to him.

(7) In the procedure for issuing a visa and residence permit entitling a person to stay for more than ninety days, the livelihood must be proven in a credible manner, so in particular

- a) Hungarian currency or foreign currency that can be exchanged at a Hungarian credit institution;
- b) with a document entitling the third-country national to withdraw cash from a Hungarian payment service provider and a certificate from a credit institution regarding the available cash collateral;
- c) with a cash-substitute means of payment accepted in commercial circulation in Hungary and a certificate from a credit institution regarding the available cash collateral;
- d) with a document certifying the existence of booked and paid accommodation and services;
- e) property in Hungary that ensures a living, a right with property value, a public document certifying the existence of property value or a private document with full evidentiary value;
- f) with proof of income from legal employment or business activities that the applicant intends to pursue or has pursued in the territory of Hungary;
- g) with a certificate of regular income paid from abroad; or
- h) the Hungarian citizen or with a residence visa or residence permit in the territory of Hungary, long-term residence status, [Szmtv.](#) with a residence card, a permanent residence card, a long-term residence card, or a family member who is recognized as a refugee, who undertakes to ensure the maintenance and care of the applicant, contained in a notarial document, as well as a document certifying the ability of the person undertaking the maintenance.

(8) A third-country national who meets one of the following conditions for the entire duration of his stay in the territory of Hungary meets the condition specified in point g) of § 17, paragraph (1) of the [Act](#) :

- a) on the basis of the Act on those entitled to social security benefits and the coverage of these benefits
 - aa) is considered insured,
 - ab) entitlement to Hungarian health insurance services obtained by a separate agreement, or the financing of the services provided to him under the same conditions as Hungarian insured persons is arranged on the basis of an international contract or agreement, or
 - ac) entitled to healthcare services;
- b) is entitled to the use of health care services in the same way as persons covered by the Act on Compulsory Health Insurance Benefits on the basis of business accident or health insurance that is not covered by social insurance;
- c) based on an international contract or agreement, he is entitled to services provided under the same conditions as Hungarian insured persons;
- d) he is able to cover the costs of his health care based on documents proving his livelihood.

(9) The condition set out in subsection (4) of § 17 of the [Act](#) is met by a minor third-country national who verifies the parental consent with a declaration included in a private or public document with full probative value, translated into Hungarian or English.

(10) The declaration according to paragraph (9) must contain

- a) the natural personal identification data of the minor, the person or persons with the right of custody, or any accompanying person as determined by point c) of § 250 of the [Civil Code](#),
- b) the number of the minor's travel document,
- c) the purpose, location, duration of the trip, the expected time of departure and return,
- d) the statement of the will of the person or persons with the right of custody to the effect that they expressly consent to the stay of the minor third-country national in Hungary.

§ 10. (1) Before the third-country national is allowed to enter the territory of Hungary, the Police shall check the [Tv. the existence of the conditions contained in § 17](#) .

(2) If the third-country national does not meet [Tv. 17](#) , it must be considered that he wishes to enter the territory of Hungary for a short-term, planned stay, and it must be checked whether he meets the entry and stay conditions for short-term, planned stay prescribed in the Visa Code.

7. Certificate of temporary residence

§ 11. (1) Issuance of the certificate entitling to temporary residence

- a) the [Tv.](#) In the cases specified in points a), b), h) and i) of Section 20, paragraph (1), the regional directorate acting in immigration law matters,
- b) the [Tv.](#) In the case specified in § 20, subsection (1), point c), the third-country national's place of residence in Hungary, or, failing that, the competent regional directorate according to his place of residence,
- c) the [Tv.](#) In the case specified in § 20 paragraph (1) point d), the competent regional directorate according to the parent's place of accommodation or residence in Hungary,
- d) the [Tv.](#) In the case specified in § 20 paragraph (1) point e), the regional directorate responsible for the place of residence of the third-country national who has become a victim of human trafficking,
- e) the [Tv.](#) In the case specified in point f) of section 20, paragraph (1), the Police,
- f) the [Tv.](#) In the case specified in point g) of section 20, paragraph (1), the regional directorate that withholds or revokes the travel document,
- g) the [Tv.](#) In the case specified in point j) of Section 20, paragraph (1), the competent regional directorate according to the designated place of residence or the Police,

h) the [Tv](#). In the case specified in point k) of § 20, paragraph (1), the regional directorate responsible for the accommodation falls under its jurisdiction.

(2) The temporary residence certificate becomes invalid if the third-country national receives a residence permit, temporary residence card or national residence card as a result of the procedure based on the issuance of the temporary residence certificate.

III. Chapter

THE THIRD COUNTRY CITIZEN ENTREPRENEUR

8. The self-employed guest

§ 12. (1) In the case of a stay for the purpose of guest self-employment, the purpose of the long-term stay can be proved by the following:

- a) with an individual entrepreneur registration number;
- b) with a primary agricultural producer certificate;
- c) with a detailed statement on economic activity;
- d) with an assignment, business or use contract concluded as a private individual; or
- e) in another creditable manner.

(2) If the third-country national carries out his activities as a senior official of a business company, cooperative or other legal entity created for the purpose of earning income (hereinafter collectively: business company), the purpose of stay for guest self-employment can be considered justified if

- a) the business company has been legally employing at least five Hungarian citizens or persons with the right of free movement and residence on a full-time basis for at least six months continuously, without interruption, or
- b) the residence of the applicant's third-country national in Hungary is essential for the operation of the business company, and based on the detailed declaration of economic activity attached to the application, it is likely that the business company will achieve income that will ensure the applicant's livelihood.

(3) The details contained in the detailed statement of economic activity must be verified in a credible manner, in particular by attaching a business contract, commission contract, agreement, sales and procurement contract.

(4) In addition to what is included in paragraph (1), the purpose of long-term residence for guest self-employment can be proven with the following credible document, on the basis of which:

- a) in the case of an individual entrepreneur registered in accordance with the legal requirements, the annual income from the individual business exceeds twenty-four times the current minimum wage and there are no tax and contribution debts, and
- b) the business company he manages has no tax and contribution debts, is not affected by enforcement-liquidation proceedings, and the business company has fulfilled its obligation to report to the immigration enforcement authority and to pay taxes and contributions in respect of all employees.

(5) The applicant verifies the conditions specified in paragraph (4) with a certificate from the tax authority or a certificate issued for the payment of contributions according to the government decree on the detailed rules of the tax administration procedure, and the immigration enforcement authority checks them in the records available to it.

(6) A third-country national with a residence permit for the purpose of guest-self-employment fulfills the regular registration obligation determined by the immigration police authority by filling out and sending the formalized declaration for this purpose via the immigration police application interface. If this possibility is provided by the immigration enforcement authority, the application obligation can also be fulfilled by logging in using the application provided for this purpose.

(7) Completion of the notification pursuant to paragraph (6) and its contents shall be checked by the immigration enforcement authority.

(8) If the third-country national discloses an untrue fact or circumstance during the fulfillment of the reporting obligation in accordance with paragraph (6), the acting immigration enforcement authority shall proceed with the procedure for revoking the residence permit in accordance with [§ 226](#), paragraph (1) of the Act, or the residence permit evaluated during the assessment of the request for extension.

9. The guest investor

Section 13 (1) During the certification provided for in Section 22, Subsection (7) of the [Act](#), the following must be attached:

a) certificates from the real estate fund manager registered by the Hungarian National Bank on the purchase of the investment certificate in the amount of EUR 250,000 issued in the name of the third-country national,

b) dispositions of residential property specified in [point b\) of § 16, paragraph \(3\) of the Act](#), countersigned by a lawyer, according to [point a\) of § 22, paragraph \(1\) of the Act](#), in accordance with the provisions of paragraph (2) and a sales contract containing a request for the entry of a prohibition against encumbrance in the real estate register, so that the immigration enforcement authority can check the initiation of the real estate registration procedure - by querying the title deed from the real estate register - or

c) the confirmation of the higher education institution maintained by the public interest trust foundation performing a public task that the third-country national has received a grant of at least 1,000,000 euros for the purpose of supporting educational, scientific

research⁵, and artistic creative activities at the higher education institution.

(1a) The certificate according to point a) of paragraph (1) contains the investment certificate - the ISIN identifier No. [20/2014. \(VI. 3.\)](#). According to the MNB decree - the data of the ISIN code generated by the central securities depository and the quantity and nominal value of the investment units registered in the name of the guest investor by the real estate fund manager or distributor. If the real estate fund manager uses a distributor, the distributor is obliged to provide the above data to the real estate fund manager immediately at the request of the real estate fund manager.

(2) The Hungarian State is entitled to the prohibition of alienation and encumbrance pursuant to § 22, paragraph (11) point a) of the [Act](#).

(3) If the purpose of the long-term stay is to obtain a guest investor residence permit, the Central Regional Directorate shall check

a) the documents attached to support the national economic interest in the guest investor visa procedure,

b) the documents submitted by the third-country national via the electronic interface of the aliens police procedure, attached in accordance with the notification obligation pursuant to Article 22, paragraph (7) of the Act.

(4) The Central Regional Directorate may request the verification of the condition contained in § 22, paragraph (9) of the [Act](#)

a) information from the Hungarian National Bank on the basis of the data collected in the framework of the supervisory data provision, as to how the net asset value of the investments of the relevant real estate funds is distributed in percentage terms between the investments in real estate with a housing function in the ratio of Hungarian and foreign investments in each investment fund,

b) confirmation from the real estate fund manager that he is on the list of qualified market participants according to the law on procurement for defense and security purposes.

(4a) In the procedure for the issuance of a guest investor residence permit, the third-country national presents to the immigration authority the document issued by the securities account manager, which certifies that

a) based on the order of the guest investor, he placed the investment units in accordance with [Section 22, Paragraph \(9\) e](#) of the Act in a securities sub-account locked for at least 5 years,

b) exempted the securities account manager from the obligation of securities confidentiality with regard to the procedure related to the purpose of the freezing.

(5) The Central Regional Administration checks the fulfillment of the conditions contained in § 22, paragraph (11) of the [Act](#) in the real estate register annually.

(6) The [Ty](#). In order to fulfill the notification obligation according to § 22, paragraph (12), the third-country national must attach

a) a certificate of a change in the investment certificate issued by the real estate fund defined by law,

b) a document countersigned by a lawyer certifying changes affecting the encumbrances or ownership rights of the property owned.

(7) In the procedure for the issuance of a guest investor residence permit, if the purpose of the investment was to acquire ownership rights in a residential property free of lawsuits, encumbrances and claims, which is located in the geographic territory of Hungary and is registered according to the geographic number in the real estate register, with a value of at least EUR 500,000, the Central Regional Administration appoints a judicial real estate expert to determine the professional issue of whether the real estate is actually is there a striking disparity in value between its market value and the purchase price according to the request.

(8) With regard to paragraph (1), in the case of an investment not made in euros, the value calculated by applying the exchange rates published by the Hungarian National Bank on the day of the investment shall be taken into account when determining the value of the investment in euros.

ARC. Chapter

THE GUEST WORKER

10. The seasonal guest worker

§ 14 (1) If the purpose of entry and stay is seasonal employment, the existence of the purpose of long-term stay can be proven by a preliminary agreement to establish an employment relationship or a document certifying the employment relationship.

(2) If the purpose of the entry and stay is seasonal employment, the document listed in Section 9, Paragraph (5) must be included to prove the properly secured accommodation in Hungary

a) the number of persons accommodated at the accommodation when the third-country national's application was submitted,

b) the number of additional persons accommodated or who may be accommodated at the accommodation during the period of accommodation of the third-country national,

c) the accommodation provider's declaration - taking into account the provisions of § 9, paragraph (3) - that the accommodation is suitable for third-country nationals to live in.

(3) If the accommodation of the seasonal guest worker is provided by the employer, the accommodation in Hungary can only be considered certified if

a) the rental contract or an equivalent document clearly indicates the rental conditions of the accommodation,

b) the rent is not disproportionately high compared to the wage of the seasonal guest worker and the quality of the accommodation, and

c) the accommodation complies with general health and safety standards.

(4) The employer may only provide accommodation for the seasonal guest worker if, within 6 months prior to the submission of the application, the absence of the conditions set forth in points a) , b) or c) of paragraph (3) has not been established against him .

(5) The provisions contained in paragraphs (3) and (4) are also applicable in the case of a short-term stay of the seasonal guest worker.

11. Employment of guest workers in order to implement an investment

§ 15 (1) In the case of a residence permit for the purpose of employment issued for the purpose of implementing the investment, the purpose of the permanent residence can be proved by a prior agreement to establish an employment relationship or by a document certifying the employment relationship.

(2) Employment, in accordance with the relevant legislation, is an activity carried out for the benefit of or under the control of an employer based on a legal relationship aimed at employment, including any form of work or employment.

(3) An application for a residence permit for the purpose of employment issued for the purpose of implementing the investment must be accompanied by:

a) a preliminary group employment approval issued to the employer - for whose benefit or under whose direction the employment takes place (hereinafter: employer), and

b) a certificate issued by the minister responsible for foreign economic affairs on the agreement concluded in order to implement the investment or the acceptance of the support offer.

(3a) The agreement according to paragraph (3) point b) does not need to be attached to the application for a residence permit for the purpose of employment issued for the purpose of implementing the investment, if the employer of the third-country national

a) [VII of 2015](#) on the investment related to the maintenance of the capacity of the Paks Nuclear Power Plant and the amendment of certain related laws . main contractor defined [in the Act \(hereinafter: Act VII of 2015\)](#) , or its [Act VII of 2015 its subcontractor according to the law](#) (including the subcontractor according to [§ 2 point a\) of Act VII of 2015](#)), or

b) [XXIX of 2020](#) on the development, implementation and financing of the Hungarian section of the reconstruction investment of the Budapest-Belgrade railway line . [Act \(hereinafter: Act XXIX of 2020\)](#) or Act XXIV of 2016 on the promulgation of the Agreement between the Government of Hungary and the Government of the People's Republic of China in connection with the development, implementation and financing of the Hungarian section of the reconstruction investment of the Budapest-Belgrade railway line . [its legal](#) subcontractor.

(4) When applying for a residence permit for the purpose of employment issued for the purpose of implementing the investment, the employer must attach the following to prove that the accommodation in Hungary complies with the provisions of § 26 of the [Act](#)

a) the official license for the establishment of the accommodation, and

b) proof of how many people the property can accommodate.

(5) The authenticity of the certificates included in paragraph (4) can be verified by the regional directorate within the framework of an on-site inspection.

12. The residence permit for employment purposes

§ 16 (1) The purpose of permanent residence for the purpose of employment can be proved by a prior agreement to establish an employment relationship or by a document certifying the employment relationship.

(2) If the residence permit for the purpose of employment is issued on the basis of § 28, subsection (2) e of the [Act](#) , then, in addition to the provisions of subsection (1), the application for the issuance or extension of the residence permit must be accompanied by the Hungarian employer and the third an agreement between an employer established in the country, which is aimed at the employment of a third-country national employee in Hungary.

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§ 17. A third country according to [subsection \(3\) of § 28 of the Act may be a country that](#)

a) with which the European Union or Hungary has concluded a readmission agreement, unless the third country concluding the agreement does not actually apply it,

b) which declares its intention to conclude a readmission agreement with Hungary within the deadline according to this decree, or

c) with which the European Union or Hungary has not concluded a readmission agreement, but even in the absence of such, it acts during the immigration police procedure as it would be expected if a readmission agreement was concluded.

13. The guest worker residence permit

§ 18 (1) In the procedure for the issuance or extension of a guest worker residence permit, the purpose of permanent residence can be proved by a preliminary agreement to establish an employment relationship or by a document certifying the employment relationship.

(2) The [Ty](#). Data recording according to § 31, paragraph (10) is carried out by the competent regional directorate according to the place of residence of the third-country national.

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- 11
19. § (1) Tv. [A third country according to § 30, paragraph \(1\) point c](#)) can be a country that
- a) with which the European Union or Hungary has concluded a readmission agreement, unless the third country concluding the agreement does not actually apply it,
 - b) which declares its intention to conclude a readmission agreement with Hungary within the deadline according to this decree, or
 - c) with which the European Union or Hungary has not concluded a readmission agreement, but even in the absence of such, it acts during the immigration police procedure as it would be expected if a readmission agreement was concluded.

14. The registration and employment fee

§ 20 (1) The Government Office of the Capital City of Budapest (hereinafter: BFKH) keeps a register of the preferential employer obliged to pay the registration fee, as well as of the qualified lender.

(2) Registration is requested by the preferential employer and qualified lender before the third-country national's application for a guest worker residence permit is submitted.

(3) The application for registration must be submitted to the BFKH, the application contains

- a) the employer's name, organizational form, headquarters, tax number, company registration number,
- b) the name and contact details of the person entitled to representation and
- c) the employer's statement that [Tv. 226/2022](#) on the registration and activities of a preferential employer or qualified lender according to the provisions of § 30, paragraph (2) [\(VI. 28.\) Govt.](#) qualified lender according to [regulation](#).

(4) The amount of the registration fee is HUF five million, which must be paid to the National Employment Fund.

(5) The BFKH will call the employer to pay the registration fee within eight days from the submission of the application - setting a deadline of fifteen days. If the registration fee is not paid, the BFKH will reject the application for registration.

(6) The registration fee must be paid again if the employer is again classified as a preferential employer or qualified lender and is therefore re-registered by the BFKH.

§ 21 (1) The register maintained by the BFKH contains the following data:

- a) number and date of the decision on registration,
- b) the name, organizational form, headquarters, and tax number of the preferential employer and qualified lender.

(2) The preferential employer and the qualified lender inform the BFKH of the change in the registered data within 8 days from the occurrence of the change.

(3) The minister responsible for the employment of third-country nationals in Hungary maintains a publicly accessible register of registered preferential employers and qualified lenders (hereinafter: national register) with the data content specified in paragraph (1). The BFKH shall immediately ensure that the data of registered preferential employers and qualified lenders are recorded in the national register and the General Directorate is notified.

§ 22 (1) Starting from the calendar year following the year of registration specified in this decree, the employer is obliged to pay the employment fee determined by the BFKH in an amount per year.

(2) The imposition of the employment fee is based on the data provided by the General Directorate to BFKH.

(3) The BFKH shall make inquiries to the General Directorate by January 20 of the current year in order to find out how many guest worker residence permits were issued or extended in the calendar year preceding the current year in relation to registered employers. The General Directorate will send the data to the BFKH by March 31 at the latest.

(4) The amount of the employment fee - with respect to the given employer - is the number of guest worker residence permits issued or extended in the calendar year preceding the current year multiplied by HUF sixty thousand.

(5) Two-thirds of the employment fee belongs to the National Employment Fund and one-third to the BFKH.

(6) Employers included in the register are obliged to pay the employment fee within fifteen days of the BFKH's invitation - in accordance with the provisions of the invitation.

(7) If the employer paid a fee higher than the amount determined by the BFKH, he can request a refund of the paid fee or the excess fee in the current year with the payment receipt or a copy thereof. BFKH checks the refund request and refunds the excess fee or decides to refuse the refund.

(8) If the employer does not pay the employment fee within the deadline specified in paragraph (6), the BFKH will delete the employer from the register and ensure the recovery of the unpaid fee.

(9) The BFKH shall delete the employer from the register within 30 days if

- a) terminated without legal successor,
- b) the employer requests

c) the employer does not comply with [Tv.](#) as contained in § 30, paragraph (2).

(10) Deleting the employer from the register does not exempt him from paying the imposed fee.

V. Chapter

RESIDENCE OF A HIGHLY QUALIFIED THIRD-COUNTRY CITIZEN

15. Residence of a highly qualified employee - the Hungarian Card

§ 23 (1) In the procedure for the issuance or extension of the Hungarian Card, the purpose of long-term residence can be verified by a prior agreement or a valid employment contract concluded between the employer and the third-country national employee for the purpose of employment requiring higher professional qualifications.

(2) The advanced professional qualification required for filling the position included in the preliminary agreement or employment contract attached to the application for the Hungarian Card can be verified with the document certifying the advanced education or professional qualification.

(3) If, for the application for the Hungarian card, [Tv.](#) It takes place for a third-country national listed in points b)-d) of paragraph (5) of § 36, the purpose of entry and stay can be proved by a prior agreement to establish an employment relationship or by a document certifying the employment relationship.

(4) The [Tv.](#) In the case specified in § 36, paragraph (3), point b), in addition to the document contained in paragraph (1), the regional directorate is led by the senior official, the [Tv.](#) In order to support the operation of a business company according to § 36, paragraph (3), point b), an additional document may be requested in accordance with the provisions of § 12, paragraphs (1)–(4) .

(5) If the Hungarian Card is issued by [Tv.](#) § 36, paragraph (4) e, then, in addition to the document included in paragraph (1), the application for the issuance or extension of the Hungarian Card must be accompanied by an agreement between the employer in Hungary and the employer established in the third country, which is the employee who is a citizen of a third country is aimed at working in Hungary.

16. Residence of a highly qualified worker based on European Union rules - the EU Blue Card

§ 24. (1) In the procedure for the issuance or extension of the EU Blue Card, the existence of the purpose of long-term residence is the employment that requires a high level of education established between the employer and the third-country national employee (the employment of such a person is at least the level of the minimum remuneration payable to the third-country national in exchange for a consideration determined in the law on the method of calculation, who has the higher professional qualification required for the job or a relevant high-level professional qualification for a specified period according to the law) for the purpose of - to establish a legal relationship for a fixed-term employment of at least six months - can be confirmed by a prior agreement or a valid employment contract.

(2) During the procedure for applying for the EU Blue Card, the acting authority considers as high-level professional qualifications the knowledge, skills and competences that are proven by professional experience comparable to a higher education and professional qualification, which is a profession defined in the employment contract or the binding job offer or relevant in the field of industry, and which was acquired during a period defined by law.

(3) The third-country national proves the contents of paragraph (2) with a creditable document.

(4) The advanced professional qualification required for filling the position included in the preliminary agreement or employment contract attached to the application for the EU Blue Card can be verified with the document certifying the advanced education or professional qualification.

(5) In the case of the occupations specified in Annex I of Directive (EU) 2021/1883 of the European Parliament and of the Council, the relevant professional experience for the period specified therein shall be considered a high-level professional qualification from the point of view of applying for the EU Blue Card.

(6) The professional experience according to paragraph (5) can be verified with a document supporting the actual and legal practice of the relevant occupation, and proving its duration.

(7) In the procedure for the issuance and extension of the EU Blue Card, subsistence must be considered certified if the third-country national's salary reaches or exceeds the monthly gross salary specified in the announcement of the minister responsible for employment policy.

(8) In the procedure for the issuance and extension of the EU Blue Card, subsistence cannot be considered assured if the third-country national does not have sufficient financial resources for himself and his family members so that their stay does not represent an unreasonable burden on Hungary's social welfare system.

(9) The person who does not have sufficient financial resources, according to [Act III of 1993 on social administration and social benefits. Act \(hereinafter: Law\)](#)

a) [32/B. on the basis of § \(1\)](#) in the pension for the elderly,

b) in the care of people of active age based on [§ 33](#) , or

c) [43/B.](#) in care fees based on [§](#)

benefits for more than three months.

(10) Subsection (9) cannot be applied to [Tv.](#) In the case of fulfillment of the conditions according to points e) and f) of § 230, paragraph (2).

(11) The [Tv.](#) The condition defined in point f) of § 37, paragraph (2) is met by a third-country national who has the conditions defined in § 9, paragraph (8) .

§ 25 The [Tv. In the case according to](#) § 38, in relation to the immigration police procedure regarding the EU Blue Card application, the competent authorities of the concerned member states of the European Union are informed and the cooperation in such matters is carried out by the Directorate General as the national contact person.

§ 26 (1) A third-country national with a residence permit issued by a member state of the European Union for the purpose of employment requiring a high level of education may submit the application for the EU Blue Card at the same time as attaching the documents confirming the conditions specified therein, no later than thirty days from the date of entry.

(2) The immigration enforcement authority shall notify the designated authority of the Member State of the European Union that issued the residence permit issued for the purpose of employment requiring a high level of qualifications, of the substantive decision taken in the proceedings initiated in the subject of the application pursuant to paragraph (1).

17. Transfer within the company

§ 27 (1) In the procedure for issuing a residence permit for intra-company relocation, [Tv](#). The existence of the condition set out in point d) of § 17, paragraph (1) can be verified by an existing employment contract or letter of assignment between the third-country national and the company established in the third country, which states that the date of the transfer within the company was immediately preceded by three months of continuous employment at the same company or within a business group.

(2) In addition to the provisions of § 8, paragraphs (1) and (2) , the following must be attached to the application for the issuance of a residence permit for the purpose of intra-company transfer :

a) a document certifying that the host organization in Hungary and the enterprise established in the third country belong to the same enterprise or group of enterprises,

b) in the case of a senior employee or expert, a certificate of higher education or professional qualification, in the case of a trainee employee, a certificate of higher education,

c) a statement issued by the host organization in Hungary, according to which the employee or expert in a senior position has the necessary experience for the transfer within the company, and

d) a statement issued by the company established in the third country regarding the time spent in the member states of the European Union during the intra-company transfer, to verify the condition that Hungary has the longest intra-company transfer period in terms of residence in the territory of the member states of the European Union.

(3) In the procedure for the issuance of a residence permit for the purpose of intra-company relocation, subsistence cannot be considered assured if the third-country national does not have sufficient financial resources for himself and his family members so that their stay does not constitute an unreasonable burden on the social care system of Hungary.

(4) The person who, according to [Sec.](#)

a) 32/B. § (1) in the pension for the elderly,

b) Pursuant to § 33, you are in the care of persons of active age

c) 43/B. in care fees based on §

benefits for more than three months.

(5) The [Tv](#). The condition defined in § 41, paragraph (2), point g) is met by a third-country national who meets the conditions defined in § 9, paragraph (8) .

(6) During the procedure for issuing a residence permit for the purpose of intra-company transfer, until the issuance of the combined permit (a residence permit that entitles the third-country national to establish an employment relationship with a specified employer in the territory of Hungary) and to reside there, the third-country national shall immediately notify the competent regional directorate of about changes in the content of the documents attached to the application.

§ 28 (1) For the purpose of intra-company transfer, the application for a long-term mobility permit - which entitles the person transferred within the company to stay and work in the territory of the second member state according to the conditions defined by law - must be submitted at the same time as the documents certifying the conditions specified therein are attached at the latest

a) or 20 days before the start of long-term mobility

b) the [Tv](#). 20 days before the end of the stay according to § 12, subsection (2).
must be submitted.

(2) The immigration enforcement authority shall notify the designated authority of the member state of the European Union that issued the residence permit issued for the purpose of intra-company transfer of the substantive decision taken in the procedure initiated in the subject of the application pursuant to paragraph (1).

§ 29 The [Tv. In the case provided for in](#) paragraph (2) of § 12, the receiving organization shall be notified of the [Tv. The reporting obligation specified in](#) Section 145 (11) is fulfilled by the third-country national at the regional directorate responsible for the place of residence, which body immediately after the notification, by providing the following data, notifies the district (capital district) office of the capital and county government office competent for the place of work (hereinafter: district office):

a) the third-country national's age, education, citizenship, FEOR number of their position, form of employment relationship;

b) the planned duration of the transfer within the company to be completed in Hungary;

c) the name, headquarters, location, tax number, and statistical identification number of the host organization.

18. The stay of the researcher

§ 30. If the purpose of entry and stay is research, the third-country national can prove the existence of the purpose of long-term stay by means of a reception agreement concluded with a legally accredited research organization.

§ 31 (1) When submitting a short-term researcher mobility notice, the third-country national must present his or her valid travel document and a valid residence permit for research purposes issued by the first member state.

(2) The regional directorate shall issue a researcher short-term mobility certificate according to Annex 4 upon acceptance of the researcher's short-term mobility notification.

§ 32 When submitting the application for a long-term researcher mobility residence permit, the applicant must present a valid travel document and a valid research residence permit issued by the first member state.

§ 33 (1) The family member of a third-country national who submits a short-term researcher mobility notification with a valid residence permit issued by the researcher's first member state with regard to his or her family status must present the valid residence permit issued by the first member state when submitting the researcher's short-term mobility notification.

(2) Upon acceptance of the short-term mobility notification of the third-country national who submitted the researcher's short-term mobility notification, the regional directorate shall issue a researcher's short-term mobility certificate according to Annex 4 to the family member with a valid residence permit issued by the researcher's first member state with regard to his/her legal status as a family member .

§ 34 The family member of a third-country national submitting an application for a researcher's long-term mobility residence permit with a valid residence permit issued by the researcher's first member state in view of his/her family status must present a valid residence permit issued by the first member state when submitting the application for a researcher's long-term mobility residence permit .

§ 35 (1) In relation to the immigration police procedures for the authorization and verification of the mobility of researchers and their family members within the European Union, the Directorate General, as the national contact person, provides information to the competent authorities of the relevant Member States and cooperates in such matters.

(2) The regional directorate informs the national contact point according to paragraph (1) in writing about the objection raised by it in relation to the short-term mobility notification submitted by the researcher or the researcher's family member at the same time as informing the third-country national who submitted the notification .

(3) The national contact point shall immediately notify the national contact point of the Member State issuing the residence permit in writing, electronically, of the objection raised against mobility notifications in accordance with paragraph (1) , and shall forward the relevant notification received from the national contact point of the Member State raising such an objection. to the regional directorate that issued the residence permit.

§ 36 (1) When submitting an application for a residence permit for the purpose of finding a job or starting a business, the third-country national researcher must attach:

- a) an ID photo,
- b) documents certifying the existence of the conditions contained in points a) and f)-i) of Section 17 (1) of the [Act](#),
- c) creditable proof that you are looking for a job or starting a business in Hungary, as well as
- d) his declaration that, in the event of rejection of the application, he undertakes voluntary departure from the territory of the member states of the European Union and other Schengen states, as defined in § 111, subsection (3) of the [Act](#) .

(2) The following shall be deemed to be the certificate referred to in point c) of paragraph (1) :

- a) a certificate of registration as a service requester with the competent state employment agency,
- b) a duly signed certificate from a business company registered in Hungary, according to which the third-country national will start actual employment within three months of submitting the application.

(3) If the certificate issued by the research organization on the completion of the research activity is not available to the third-country national when the application is submitted, the immigration enforcement authority will call the third-country national to replace this document, setting a deadline of at least twenty days.

(4) The immigration enforcement authority requires data regarding the purpose of residence for starting a business [in Tv](#). According to § 276, paragraph (1), point e) and checks that the third-country national has been indicated or is being registered in the company as an executive or as a member entitled to represent the company.

19. The National Card

§ 37 In the procedure for the issuance or extension of the National Card, the purpose of permanent residence can be proved by a preliminary agreement to establish an employment relationship or by a document certifying the employment relationship.

VI. Chapter

OTHER RIGHTS OF OWNERSHIP

20. Student's stay for the purpose of continuing studies

§ 38. (1) If the purpose of entry and stay is to continue studies, the third-country national must demonstrate the existence of the purpose of permanent residence

- a) with the admission certificate of the educational institution providing the training,
- b) you have a student or student legal document
- c) in another creditable way

can prove it.

(2) In case of participation in preparatory training, the residence permit issued for the purpose of continuing studies can only be extended for the purpose of continuing studies if the third-country national has been admitted to a state-recognized higher

education institution in Hungary or a foreign higher education institution operating with a license in Hungary after the preparatory training.

(3) The third-country national has the necessary language skills to continue his studies

- a) with an official language test certificate proving language skills,
- b) you have an official certificate certifying your studies in a foreign language
- c) in another creditable way

can prove it.

(4) The fulfillment of the obligation to pay the fee imposed by the public education or higher education institution can be verified by the third-country national with a certificate issued by the host institution.

(5) The regional directorate issues the residence permit issued for the purpose of continuing studies in the form and data content according to point 2 of Annex 1 .

(6) If a residence permit for the purpose of continuing studies is issued to a third-country national who is continuing his studies in Hungary within the framework of a Hungarian state scholarship or regular study support provided by the minister responsible for higher education, the regional directorate shall enter the comments section on the back of the residence permit issued for the purpose of continuing studies Annex 1, point 6, 6.2. subsection 6.2.14. fills in according to point

§ 39 (1) The third-country national must attach a certificate of academic progress issued by the educational institution to his application for the extension of a residence permit for the purpose of continuing his studies.

(2) The certificate according to paragraph (1) must include how many semesters the given higher education program has – based on the legislation and the training and exit requirements – how many active semesters the foreigner has in the given program, and which semesters these are.

(3) In order to verify that the third-country national can obtain the diploma in one and a half times the study time according to the training and output requirements, the immigration enforcement authority may contact the body responsible for the operation of the higher education information system. The contacted body provides information on the progress of the third-country national's studies.

§ 40 (1) When submitting the student mobility notice, the third-country national must present his valid travel document and a valid residence permit for study purposes issued by the first member state.

(2) The regional directorate shall refer to the acceptance of the student mobility notice in Annex 4, Sections 7-9. issues a short-term mobility certificate in accordance with point

§ 41 When submitting the application for a student mobility residence permit, the applicant must present a valid travel document and a valid residence permit for study purposes issued by the first member state.

§ 42. (1) In relation to the immigration police procedures for authorizing and certifying the mobility of students within the European Union, the Directorate General is responsible for informing the competent authorities of the relevant Member States and cooperating in such matters as the national contact person.

(2) The regional directorate informs the national contact point in accordance with paragraph (1) in writing about the objection it has raised in relation to the short-term mobility notification submitted by the student, at the same time as informing the third-country national who submitted the notification .

(3) The national contact point shall immediately notify the national contact point of the Member State issuing the residence permit in writing, electronically, of the objection raised against mobility notifications in accordance with paragraph (1) , and shall forward the relevant notification received from the national contact point of the Member State raising such an objection. to the regional directorate that issued the residence permit.

§ 43 (1) When submitting an application for a residence permit for the purpose of finding a job or starting a business, the student who is a citizen of a third country must attach

- a) an ID photo,
- b) documents certifying the existence of the conditions contained in points a) and f)-i) of Section 17 (1) of the [Act](#),
- c) creditable proof that you are looking for a job or starting a business in Hungary, as well as
- d) the declaration of the third-country national to the effect that, in the event of rejection of the application, he undertakes voluntary departure from the territory of the member states of the European Union and other Schengen states, as defined in § 111, paragraph (3) of [the Act](#) .

(2) In particular, the following shall be deemed to be the certificate referred to in point c) of paragraph (1) :

- a) a certificate of registration as a service requester with the competent state employment agency,
- b) a duly signed certificate from a company registered in Hungary, according to which the third-country national will start actual employment within three months after the submission of the application,
- c) the application for the registration of the company submitted by the company court, in which the third-country national is listed as the managing director or as a member entitled to represent the company.

(3) If, at the time of submitting the application, the diploma, certificate or other certificate certifying the attainment of the qualification is not available to the third-country national student, the immigration enforcement authority will call the third-country national to replace this document, setting a deadline of at least twenty days.

§ 44. (1) In the case of residence for the purpose of training, the third-country national must demonstrate the existence of the purpose of permanent residence

- a) with the enrollment certificate of the training institution,
- b) with a document certifying participation in the training
- c) in another creditable way

can prove it.

(2) In order to support the purpose of long-term residence, the third-country national must, in addition to what is included in paragraph (1), attach a creditable certificate of receiving a scholarship provided by the Government or a ministry.

(3) The third-country national must have adequate language skills to participate in the training

- a) with an official language test certificate proving language skills,
- b) you have an official certificate certifying your studies in a foreign language
- c) in another creditable way

can prove it.

(4) The regional directorate issues the residence permit issued for the purpose of training in the form and data content according to point 2 of Annex 1 .

§ 45. A document certifying the successful completion of the training must be attached to the application for the extension of the residence permit for the purpose of continuing studies.

21. Stay of the intern

§ 46. (1) The existence of the purpose of permanent residence for the purpose of continuing an internship can be proved by the third-country national with the following:

- a) the [Tv](#) with an internship contract concluded with the host organization in accordance with § 146, paragraph (5),
- b) with a certificate of higher education or a certificate of active student status issued by a higher education institution, and
- c) with a language test certificate certifying language skills or with a certificate, diploma or other credible means certifying studies completed in a foreign language.

(2) The internship contract concluded with the host organization approved by law must include

- a) the description of the training program, including the educational objective or training elements,
- b) the duration of the practical program,
- c) the conditions for placement of the intern and supervision of the professional practice,
- d) the number of practical hours,
- e) the legal relationship between the intern and the host organization, and
- f) that the host organization assumes responsibility for the third-country national for the entire duration of the third-country national's stay in the territory of Hungary, especially with regard to subsistence and accommodation costs.

(3) The regional directorate issues the residence permit issued for the purpose of internship in the form and data content according to point 2 of Annex 1 .

22. Stay for official purposes

§ 47. In the case of permanent residence for official purposes, the third-country national can prove the existence of the purpose of residence with the following:

- a) with a document certifying diplomatic or other privileges and immunities based on international law, as well as a family relationship with a person holding them,
- b) with a certificate or statement issued by a foreign state or state body, international organization, or a scientific, academic, educational, or cultural institution operating in Hungary,
- c) in another creditable way.

23. Temporary residence permit issued on the basis of the International Convention on the Employment of Tourists Undertaking Temporary Work (WHS)

Section 48 (1) A third-country national may receive a temporary residence permit if he fulfills the conditions set out in the international agreement and supports the fulfillment of the conditions with documents, as well as complies with [Tv](#), the conditions contained in points h) and i) of paragraph (1) of § 17.

(2) If an international treaty stipulates the fulfillment of the condition of insurance covering housing, livelihood or health benefits, the provisions of § 9, subsections (5)–(8) shall be applied accordingly.

(3) When submitting an application for a temporary residence permit, the validity period of the applicant's travel document may not be less than one year from the thirtieth day following the submission of the application.

§ 49. The regional directorate issues the temporary residence permit in the form and data content according to point 2 of Annex 1 .

§ 50 The issuance of a temporary residence permit must be refused, or the issued temporary residence permit must be revoked, if the third-country national

- a) does not or no longer fulfills the conditions contained in the international agreement,
- b) does not comply with Tv. of a condition contained in point h) or i) of paragraph (1) of § 17, or
- c) the Tv. It implements the provisions of § 226, paragraph (1) b) or c).

Section 51 Sections 48–50 in addition to those specified in § , § 8 , § 187 , § 193 , § 216 , § 224 and § 225 , as well as the Sections 232 and 233 must be applied accordingly.

24. The stay of the digital nomad - the White Card

§ 52 (1) In the procedure for issuing or extending the White Card, the existence of the purpose of long-term residence can be proven

a) In the case of an employment relationship existing in a country other than Hungary, with an authentic certificate from the employer about the employment relationship, which includes

- aa) the scope of the employer's activities,
 - ab) the provision on remote, electronic work and its authorized duration and
 - ac) the duties and position of the third-country national in the employment relationship,
- b) in the case of a business with a certified profit, with a document that contains
- ba) data authentically supporting the real and actual operation of the enterprise,
 - bb) the job title and position held by the third-country national in the company,
 - bc) the company's scope of activity and
 - bd) his ownership share in the enterprise.

(2) The real and actual operation of the enterprise can be verified

- a) with a document confirming the registration of the enterprise by the competent body,
- b) with a public document or a certificate from the tax authority certifying regular income or profit from the business's income-generating activities, or
- c) in other creditable ways.

(3) In the case of an employment relationship verified in a country other than Hungary, the third-country national must certify the real and actual operation of the employer.

(4) In the procedure for issuing and extending the White Card, subsistence in Hungary can be considered verified if the legal income of the third-country national reaches or exceeds the net monthly amount of EUR 3,000 in at least 6 months prior to entry, which amount of income he/she must have throughout the duration of the stay in Hungary must

25. Mission

§ 53 (1) In the procedure for the issuance or extension of a residence permit for the purpose of assignment, the purpose of permanent residence is considered justified if the third-country national

- a) presents his residence permit issued by a member state of the European Union, entitling him to work,
- b) proves the employment relationship with the posting company, and
- c) attach the certificate issued by the posting company about the posting and its duration.

(2) In addition to the provisions of paragraph (1), to the third-country national

- a) you must attach to your application the contract concluded between the sending employer and the Hungarian employer listed as the recipient of the service,
- b) must prove the ownership of the posting company or group of companies with regard to the place of work or business in Hungary, or
- c) must prove that the sending labor hire company or labor supply company sends it to the company established or operating in Hungary.

26. Stay for medical treatment

§ 54 In the case of long-term residence for the purpose of medical treatment, the third-country national supports the existence of the purpose of residence with a certificate from the institution providing the medical treatment.

27. Stay for the purpose of volunteering

§ 55 (1) The existence of the purpose of a permanent residence aimed at the pursuit of voluntary activities can be verified by a voluntary contract concluded with the organization hosting the third-country national.

(2) The entry and permanent stay of a voluntary third-country citizen in the territory of Hungary may be permitted for the purpose of participating in a voluntary service system.

28. Residence permit issued in the national interest

§ 56 (1) During the procedure for the issuance or extension of a residence permit issued in the national interest, the third-country national must attach a statement to prove the purpose of his permanent residence, in which he substantiates the existence of Hungary's economic, national political, scientific, cultural or sports interests.

(2) If the third-country national can support his statement in paragraph (1) with a document, he must attach the document.

(3) The document specified in paragraph (2) is, in particular, the recommendation of the minister responsible for enforcing the interests specified in paragraph (1) .

§ 57. If in his application for the issuance or extension of a residence permit applied for with reference to the national interest, the third-country national in [Tv](#), Section 67 (2) refers, the purpose of long-term residence, in addition to the provisions of Section 56, can be proved by a preliminary agreement to establish an employment relationship or by a document certifying the employment relationship.

§ 58. (1) If the third-country national bases his application on the existence of the national political interest of Hungary, the Government shall issue the third-country national [Tv](#). In the procedure for granting a residence permit issued in the national interest pursuant to § 67, paragraph (1), the minister responsible for national policy is designated as the competent authority in the matter of determining whether the national political interest exists in relation to the residence of the third-country national.

(2) The minister responsible for immigration and asylum affairs, if the conditions for the cooperation of specialized authorities according to paragraph (1) are met, will forward the data of the third-country national who submitted an application for a residence permit with reference to the national interest, managed in the central immigration police register, to the minister responsible for national policy. The minister responsible for immigration and asylum provides access to the documents attached to the application and makes copies of them for the minister responsible for national policy.

(3) The minister responsible for national policy shall provide the competent authority's position to the minister responsible for immigration and asylum within ten days from the date of transmission of the data specified in paragraph (2) .

§ 59 (1) In order to consider the economic, scientific, cultural and sporting interests of Hungary, the minister responsible for immigration and asylum shall forward the data of the third-country national who submitted an application for a residence permit based on the national interest, as well as the third-country national's declaration, held in the central immigration register. for the board designated by the Government's decision (hereinafter: Board).

(2) The Board shall provide its opinion on the existence of the national interest to the minister responsible for immigration and asylum within ten days from the date of transmission of the data specified in paragraph (1) .

(3) The minister responsible for immigration and asylum may also request the Board's opinion in general with regard to a group of third-country nationals, indicating the interest referred to in paragraph (1) . The Board's opinion also applies to third-country nationals who refer to the same facts and circumstances in their application.

(4) The Board shall give its opinion on the request according to paragraph (3) within fifteen days from the receipt of the request .

§ 60. (1) With regard to the permanent residence of a third-country national, in whose case the existence of the national interest of Hungary can be established due to the fact that his or his relative's safety in his country of origin has been endangered due to his cooperation with Hungarian organizations, the rules regarding residence are set out in (2)–(6) shall be applied with the deviations included in paragraphs.

(2) The third-country national referred to in paragraph (1) is entitled to accommodation and care in a reception institution maintained by the immigration enforcement authority (hereinafter: reception institution) for three months.

(3) The care provided in the receiving institution according to paragraph (2) includes

- a) the accommodation,
- b) three meals a day, five meals a day for minors, pregnant women or nursing mothers or an equivalent meal allowance,
- c) dining and toilet facilities for personal use or hygienic contribution and clothing of equivalent value insurance.

(4) The Hungarian state shall bear the costs of the care in accordance with paragraph (3) .

(5) On the basis of paragraph (1) , a third-country national residing in a receiving institution is obliged

- a) to observe the rules of the receiving institution, to fulfill the relevant regulations,
- b) keep your environment clean,
- c) submit to the necessary medical examination and medical treatment, epidemiological measures, including vaccinations,
- d) to protect the receiving institution's furnishings and equipment, to refrain from damaging them, and to compensate for intentionally caused damage.

(6) The third-country national referred to in paragraph (1) who is not in a social security relationship shall receive health care for 18 months after entry in accordance with [Act LXXX of 2007 on the right to asylum. 301/2007](#) on the implementation of the law [\(XI. 9.\) Government Decree 26–28 is entitled according to the provisions of §](#) , with the fact that the costs are reimbursed by the immigration enforcement authority.

29. Entry and residence of members of the civilian staff and their relatives covered by the Agreement between the member states of the North Atlantic Treaty on the legal status of their armed forces dated June 19, 1951 in London

§ 61. CXVII of 1999. civil as defined in point b) of Article I of the NATO SOFA Agreement, under the scope of the Agreement between the member states of the North Atlantic Treaty on the legal status of their armed forces, dated in London on June 19, 1951

(hereinafter: NATO SOFA Agreement) staff members, as well as relatives defined in point c) of Article I of the NATO SOFA Agreement, must attach the following documents to their application for a visa entitling them to receive a residence permit, or for a residence permit - contrary to the provisions of § 8, paragraph (2) :

- a) an ID photo,
- b) documents proving the necessary permit for return or onward travel, as well as the purpose of permanent residence, and
- c) Act XXXIV of 2011 on the registration of foreign armed forces staying on the territory of the Republic of Hungary for service purposes, as well as international military commands and their personnel established on the territory of the Republic of Hungary, as well as certain provisions related to their legal status [. extract according to Section 5 \(6\) of the Act](#) .

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30.

Section 62

31. Residence permit for humanitarian purposes

Section 63 (1) Residence permit for humanitarian purposes

a) in the case provided for in point a) of § 70, paragraph (1) [of the Act](#) , the regional directorate that has the authority to grant recognition as a stateless person,

b) in the cases included in points b) and c) of § 70, paragraph (1) of the [Act](#) , the asylum authority,

c) in the case provided for in point d) of § 70, subsection (1) [of the Act](#) - at the initiative of the district (capital district) office (hereinafter: guardian office) acting in the scope of child protection and guardianship of the capital and county government office - competent according to the accommodation of the unaccompanied minor regional directorate,

d) in the case provided for in point e) of § 70, subsection (1) [of the Act](#) , the competent regional directorate according to the place of accommodation of the third-country national,

e) in the case provided for in point f) of § 70, subsection (1) of the [Act](#) - at the initiative of the court - the regional directorate responsible for the residence of the third-country national issued or extended ex officio.

(2) A residence permit must be issued to a third-country national requesting recognition as a refugee, as well as temporary or additional protection from the asylum authority, within three days of submitting the application.

(3) The [Tv](#). In order to issue or extend a residence permit, a third-country national falling within the scope of § 70 paragraph (1) points a)–f) must fill out the data form specified in a separate law, and must also attach a photo ID to the data form.

Section 64 (1) The residence permit for humanitarian purposes must be issued to third-country nationals - with the exception of paragraph (2) and section 235 - in the form and data content specified in point 2 of Annex 1 .

(2) The [Tv](#). A residence permit for humanitarian purposes must be issued to a third-country national who falls within the scope of Section 70 (1) point c) in the form and data content specified in Annex 3 .

VII. Chapter

ENSURING FAMILY REUNIFICATION

§ 65 (1) The existence of a permanent residence purpose aimed at ensuring family coexistence is a third-country national's requirement

- a) with a birth certificate,
- b) with a marriage certificate,
- c) you have a certificate of adoption
- d) in another creditable way

can prove it.

(2) Where this regulation mentions a birth certificate, it must also mean an equivalent document issued by a foreign authority. A marriage certificate submitted by a family member of a Hungarian citizen from a third country can be accepted after the domestic registry.

§ 66 (1) The asylum authority must be notified of the request for a visa or residence permit of a family member of a person recognized as a refugee or a protected person.

(2) During family reunification with a person recognized as a refugee or a protected person, the existence of the family relationship can be verified in any reliable way, especially with a DNA test.

(3) The sampling required for DNA testing takes place in the presence of the representative of the regional directorate or the consular officer.

(4) If the existence of a family relationship is verified by a third-country national based on a DNA test carried out abroad, the regional directorate will contact the National Expert and Research Center, which will provide an expert opinion, in order to accept the proof.

(5) All costs incurred in connection with the DNA test shall be borne by the applicant.

(6) The family member of a third-country national recognized as a refugee must prove the existence of the conditions set out in Section 17, paragraph (1) points e)-g) of the [Act](#) , if a period of more than three months has passed between the recognition as a refugee and the application for family reunification.

(7) The benefits included in paragraph (6) cannot be applied in the case of an application for a residence permit submitted by a family member of a third-country national recognized as a protected person.

§ 67. A third-country national who received his residence visa or residence permit for the purpose of ensuring family coexistence must file for divorce or the death of his spouse within thirty days of receiving the final divorce judgment or the issuance of the death certificate to the competent authority of the place of residence to be announced at the regional directorate by attaching the documents at the same time.

PART FOUR

LONG-TERM RESIDENCE OF THE THIRD-COUNTRY CITIZEN IN HUNGARY

VIII. Chapter

GENERAL PROVISIONS

32. General conditions for obtaining a long-term residence permit, as well as the documents to be attached to the application

§ 68 (1) When submitting an application for a temporary residence card, national residence card and EU residence card, the applicant must present his or her valid travel document and must attach to the application:

a) in the case of the applicant who was born and is married, the marriage certificate, in the case of termination of the marriage, the final official decision establishing it, as well as an authentic document according to the personal law of the minor applicant stating that there is no legal obstacle to the minor's long-term stay in a third-country national;

b) the document certifying residence and livelihood in Hungary;

c) the document certifying the health insurance relationship.

(2) When submitting an application for a national residence card, the applicant must attach a document not older than six months, issued by the authority of the country of permanent or habitual residence prior to entering Hungary, certifying a criminal record. A minor applicant who has not reached the age of fourteen is exempted from the obligation to submit a document certifying a criminal record.

¹³
(3)

§ 69 (1) Living in Hungary can be proven in particular with the following documents:

a) with a certificate from a credit institution certifying cash savings at a Hungarian credit institution;

b) property in Hungary that ensures livelihood, a right with property value, a public document certifying the existence of property value or a private document with full evidentiary force;

c) with proof of taxable income from a regular, employment-oriented legal relationship under the scope of Hungarian law;

d) taxable income from other regular, income-generating activities in Hungary, certified by a public document or in another way;

e) with a Hungarian credit institution certificate of regular income paid from abroad;

f) with the statement of the family member living in Hungary who undertakes to ensure the maintenance and care of the applicant, contained in a notary document, and with a document certifying the ability of the person undertaking the maintenance.

(2) When evaluating the means of living in Hungary, the following aspects must be taken into account in particular:

a) the number of people with income or assets in one household;

b) the number of dependents in one household;

c) whether the applicant is the owner of the real estate for his and his family members' residence.

(3) It cannot be considered as property defined in point b) of paragraph (1) in particular

a) the usual necessities of life and furnishings;

b) the third-country national's real estate, which is used for his own residence and that of his dependents;

c) the motor vehicle of the disabled person and

d) the assets that are necessary for the third-country national's income.

(4) When calculating the monthly income

a) in case of regular income

aa) if the duration of the legal stay exceeds one year, the taxable income earned in the year before the application was submitted, as well as the income earned in the three months before the application,

ab) in other cases, income earned in the three months prior to the application;

b) in the case of non-regular income, the amount received during the twelve months preceding the submission of the application a monthly average must be taken into account.

(5) Housing in Hungary can be proven in particular by the following:

a) with a copy of the title deed not older than three months, certifying the ownership of the applicant's apartment in Hungary;

- b) with an apartment rental contract certifying an apartment rental relationship; respectively
- c) with the statement of the family member living in Hungary undertaking to provide housing for the applicant, contained in a notary document.

(6) It is not necessary to attach a document certifying the housing conditions, if the applicant has already attached it in the procedure for issuing or extending the residence permit, and the third-country national's registered accommodation has not changed.

Section 70 (1) An exemption from the attachment of the following documents may be granted if the acquisition of the document is impossible or involves disproportionate difficulty due to reasons other than the third country citizen's own fault:

- a) the birth certificate,
- b) in the case of a married applicant, the marriage certificate,
- c) in case of dissolution of the marriage, the official decision establishing it has become final,
- d) an authentic document according to the minor applicant's personal law stating that there are no legal obstacles to the minor's long-term stay in a third country,
- e) at the time of submitting the application for the national residence card, a document not older than six months confirming a criminal record issued by the authority of the country of permanent or habitual residence of the applicant who has reached the age of fourteen before entering Hungary.

(2) In the case according to subsection (1), the document is replaced by the applicant's statement.

33. The professional procedure of the Office for the Protection of the Constitution and the Counter-Terrorism Center

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§ 71. (1) In the procedure for issuing or revoking the third-country national's temporary residence card, national residence card, national residence card issued in the national interest, and EU residence card, as well as his settlement permit, immigration permit, and temporary in the procedure for revoking his residence permit, national residence permit, EC residence permit - in the matter of determining whether the long-term stay of a third-country national endangers Hungary's national security - in the first instance, the Office for the Protection of the Constitution and the Anti-Terrorism Center, and in the second instance, the minister responsible for the management of civilian national security services as a specialist authority designates.

(2) The regional directorate forwards the data processed in the central immigration police register to the Office for the Protection of the Constitution and the Counter-Terrorism Center of the third-country national applying for the first-time issuance of the temporary residence card, the national residence card or the EU residence card. At the request of the Office for the Protection of the Constitution and the Anti-Terrorism Center, the regional directorate provides access to the documents attached to the application and makes copies of them.

(3) The Minister responsible for Immigration and Asylum Affairs forwards the data of the third-country national who submits an application for a national residence card issued in the national interest, managed in the central immigration police register, to the Office for the Protection of the Constitution and the Anti-Terrorism Center. At the request of the Office for the Protection of the Constitution and the Anti-Terrorism Center, the minister responsible for immigration police and asylum affairs provides access to the documents attached to the application and makes copies of them.

(4) If, after the competent authority's decision has been sent, information concerning the third-country national arises in the area of interest of the competent authority, which justifies the withdrawal of the previous competent authority's consent, the competent authority's new competent authority's opinion

- a) in the case according to paragraph (2), to the regional directorate,
 - b) in the case according to paragraph (3), to the minister responsible for immigration police and asylum affairs
- will send it immediately.

34. Professional procedure of the Police

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§ 72. (1) In the procedure for issuing or revoking the third-country national's temporary residence card, national residence card, national residence card issued in the national interest, and EU residence card, as well as his settlement permit, immigration permit, and temporary in the procedure for revoking his residence permit, national residence permit, EC residence permit - in the matter of establishing that the whether the long-term stay of a third-country national endangers the public safety of Hungary - designates the county (capital) police headquarters in the first instance, and the National Police Headquarters in the second instance as specialist authorities.

(2) The regional directorate forwards the data processed in the central immigration police register of the third-country national applying for the first-time issuance of the temporary residence card, the national residence card or the EU residence card to the county (capital) police headquarters responsible for the future place of residence. At the request of the competent county (capital) police headquarters, the regional directorate provides access to the documents attached to the application and makes copies of them.

(3) The Minister responsible for Immigration and Asylum Affairs forwards the data of the third-country national who submits an application for a national residence card issued in the national interest, managed in the central immigration police register, to the county (capital) police headquarters competent according to the place of future residence. At the request of the competent county (capital) police headquarters, the minister responsible for immigration police and asylum affairs provides access to the documents attached to the application and makes copies of them.

(4) If, after the competent authority's decision has been sent, information concerning the third-country national arises in the area of interest of the competent authority, which justifies the withdrawal of the previous competent authority's consent, the competent authority's new competent authority's opinion

- a) in the case according to paragraph (2), to the regional directorate,
 - b) in the case according to paragraph (3), to the minister responsible for immigration police and asylum affairs
- will send it immediately.

35. Residence of a child born in Hungary of a person with a long-term right of residence

§ 73. The regional directorate issues a temporary residence card or a national residence card out of line, but within five days at the latest, for the child born in Hungary of a third-country citizen with a long-term residence permit - on the basis of the legally defined birth notification form.

IX. Chapter

THE TEMPORARY RESIDENCE CARD

36. Issuance of the temporary residence card

§ 74 (1) A third-country national may submit his application for a temporary residence card no later than on the last day of his planned short-term legal stay, or thirty days before the expiration of his permit for a stay of more than ninety days.

(2) When submitting an application for a temporary residence card, the applicant must present the EC residence permit issued on the basis of Directive 2003/109/EC certifying long-term residence status.

(3) The [Tv. The following documents must be submitted with the application for a temporary residence card to prove the purpose of residence included in § 78, subsection \(1\) :](#)

- a) in case of stay for the purpose of business activity or work
 - aa) a document on the individual entrepreneur registration number,
 - ab) primary agricultural producer certificate,
 - ac) a detailed statement regarding the business activity,
 - ad) an assignment, business or use contract concluded as a private individual,
 - ae) a preliminary agreement to establish an employment relationship, or a document certifying an employment relationship, or
 - af) another creditable document certifying business activity;
- b) in the case of staying for the purpose of continuing studies or vocational training
 - ba) admission certificate of the educational institution providing the training,
 - bb) a student or student legal document
 - bc) another creditable document;
- c) in the case of a stay for other purposes, a document certifying the purpose of the stay;
- d) in case of application as a family member
 - da) the document certifying the family relationship, which verifies that the family relationship with the third-country national holding a temporary settlement permit or temporary residence card or applying for a temporary residence card already existed in the Member State of the European Union that issued an EC residence permit certifying long-term residence status, or
 - db) another creditable document.

(4) In case of extension of the temporary residence card, the applicant - if according to his declaration, his living and housing conditions have not changed compared to the previous application - he only has to submit the document specified in paragraph (3)

§ 75 (1) The validity period of the temporary residence card must be established taking into account the expected duration of the stay - according to the applicant's statement - and the documents certifying the purpose of the stay.

(2) In the case of issuing a temporary residence card, the regional directorate shall issue a residence document in the form and with the data content specified in point 2 of Annex 1 .

(3) If a third-country national with an EC residence permit certifying long-term residence status has been recognized as a refugee by a member state of the European Union or has been granted additional protection, the immigration enforcement authority shall indicate the name of the country providing international protection and the international protection in the "Remarks" column of the temporary residence card document. date of creation.

37. Invalidation of the temporary residence card

§ 76 The temporary settlement permit or temporary residence card document is invalid if

- a) the authorized period of stay has expired,
- b) the temporary settlement permit or temporary residence card was revoked by a final and enforceable decision,
- c) instead of the document, the third-country national received a new document - in the procedure for exchanging or replacing the document or due to the extension of the temporary settlement permit or temporary residence card,

- d) became incapable of verifying the data contained therein,
- e) contains false data or has been falsified,
- f) its holder has acquired residence rights or Hungarian citizenship under another legal title, or
- g) the beneficiary has died.

38. Information flow between the member states of the European Union

§ 77 (1) Notification addressed to the designated authority of the Member State issuing the EC residence permit certifying long-term residence status for a third-country national of the European Union regarding the issuance of a temporary residence card or the revocation of a temporary residence permit or temporary residence card - after the revocation has become final the regional directorate acting in the first instance forwards it via the General Directorate.

(2) The regional directorate acting in the first instance forwards to the designated authority of the concerned member state via the Directorate General:

a) the request addressed to the Member State of the European Union, before the issuance of the temporary residence card, which has recognized the third-country national with an EC residence permit certifying long-term residence status as a refugee or granted him additional protection, in order to verify that the recognition as a refugee or additional protection continues does it also exist

b) if, prior to the issuance of the temporary settlement permit, the third-country national with an EC residence permit certifying long-term residence status is recognized as a refugee by the Hungarian asylum authority or a court, or granted additional protection, a request addressed to the Member State of the European Union that is the Member State certifying the long-term residence status issued an EC residence permit, so that the "Remarks" section of the EC residence permit document modify it.

Chapter X

THE NATIONAL MEMBERSHIP CARD

39. Eligibility for a national residence card

§ 78. (1) Family cohabitation with a Hungarian citizen or a third-country national recognized as a refugee, as an ancestor who has existed for at least one year immediately prior to the submission of the application, is realized if the applicant is a Hungarian citizen or has a long-term residence right, or lives in a shared household with a third-country national recognized as a refugee.

(2) In the application of point a) of § 83, subsection (2) of the [Act](#), the existence of Hungary's economic, scientific, cultural and sports interests, as well as the large-scale social integration of third-country nationals, are considered to be in Hungary's interest.

(3) In order to determine whether the long-term stay of the third-country national in accordance with paragraph (2) is in Hungary's interest, the regional directorate may make a request to the ministry or other central state administration body that has the data or documents necessary to assess the case. The contacted body will respond to the inquiry within 15 days.

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Section 79

Section 80

Section 81

41. Calculation of stay in Hungary

§ 82. (1) In the application of § 83. of the [Act](#), it is considered a legal stay

- a) with a visa entitling a stay exceeding ninety days,
 - b) with the residence permit,
 - c) with the temporary settlement permit or temporary residence card,
 - d) with a temporary residence certificate issued on the basis of Section 20 (1) point a) of the [Act](#),
 - e) the [Szmtyv.](#) with a residence card according to
 - f) the [Szmtyv.](#) in case of issuance of a document certifying the right of residence of a family member with the citizenship of a third country, with a certificate certifying the right of residence for the duration of the procedure
- Stay in the territory of Hungary.

(2) In case of interruption of the legal stay, the calculation of the time of stay starts again.

(3) The applicant for a national residence card must prove the interruption of the legal stay for a valid reason with a document, in particular:

- a) with a certificate of medical treatment in a foreign institution;
- b) with a certificate of holding a position involving frequent foreign postings, and with a list of postings - certified by the exercise of the employer's authority.

Section 83 (1) In the case of issuing a national residence card, the regional directorates shall issue a residence document in the form and with the data content specified in point 2 of Annex 1 .

(2) The period of validity of the document specified in subsection (1) is ten years, which - with the exception contained in § 176 subsection (1) - the regional directorate competent according to the place of residence of the third-country national may extend it for an additional ten years upon the application of the third-country national on the form specified by law extended by a year.

(3) If the period of validity of the immigration permit or settlement permit or residence card document has expired or the document must be replaced or replaced, or if the immigrant has received a new travel document, - with the exception provided in § 176, paragraph (1) - the The regional directorate competent according to the place of residence of a third-country national, on the application of the third-country national on the form specified in the law, as defined in paragraph (1) issue a document with the validity specified in paragraph (2) .

42. Revocation of the national residence card

§ 84 The Tv. In the application of § 86, subsection (1), point a), the conditions underlying the authorization of long-term residence have changed significantly, in particular, if the third-country national with the right to long-term residence

- a) he is unable to provide for himself or his dependents entitled to maintenance or housing;
- b) despite his ability to work, he is in need of regular social care and support through no fault of his own;
- c) his family member who undertakes maintenance or housing does not fulfill this obligation.

§ 85 The immigration permit, the settlement permit, the national settlement permit, and the national residence card document are invalid if

- a) its validity period has expired;
- b) the immigration permit, settlement permit, national settlement permit or national residence card was revoked by a final and enforceable decision;
- c) instead of the document, the third-country national received a new document - in the procedure for the exchange or replacement of the document or due to the extension of the validity period of the document;
- d) has become incapable of verifying the data contained therein;
- e) contains false data or has been falsified;
- f) its holder has obtained a right of residence or Hungarian citizenship under another legal title;
- g) the beneficiary has died.

43. The national residence card issued in the national interest

§ 86. (1) The Government shall provide the third-country national with Tv. In the procedure for granting a national residence card according to § 85, paragraph (1) - if the existence of the national political interest of Hungary can be taken into account as a national interest - in the question of determining whether the national political interest exists in relation to the long-term residence of a third-country citizen, the minister responsible for national policy is designated as the competent authority Who.

(2) In the case specified in paragraph (1), the minister responsible for immigration police and asylum affairs shall forward the data of the third-country national applying for a national residence card, managed in the central immigration police register, to the minister responsible for national policy. The minister responsible for immigration and asylum provides access to the documents attached to the application and makes copies of them for the minister responsible for national policy.

(3) The minister responsible for national policy shall provide the competent authority's position to the minister responsible for immigration police and asylum within five days from the date of transmission of the data specified in paragraph (2) .

(4) In order to assess the economic, scientific, cultural and sporting interests of Hungary, the Minister responsible for immigration and asylum shall forward the data of the third-country national who submitted an application for a residence permit based on the national interest, as well as the third-country national's statement in the Government's decision, managed in the central immigration register for an appointed board (hereinafter: Board).

(5) The Board shall give its opinion on the existence of the national interest referred to in paragraph (4) to the minister responsible for immigration and asylum within ten days from the date of transmission of the data specified in paragraph (4) .

(6) The minister responsible for immigration and asylum may also request the Board's opinion in general with regard to a group of third-country nationals, indicating the interest referred to in paragraph (4) . The Board's opinion also applies to third-country nationals who refer to the same facts and circumstances in their application.

(7) The Board shall give its opinion on the request according to paragraph (6) within fifteen days from the receipt of the request .

(8) During the procedure for the issuance of a national residence card issued in the national interest, the third-country national must attach a statement to prove the purpose of his long-term residence, in which he substantiates the existence of Hungary's economic, national political, scientific, cultural or sports interests.

XI. Chapter

THE EU RESIDENCY CARD

44. Calculation of stay in Hungary

§ 87. (1) In case of interruption of the legal stay, the calculation of the time of stay starts again.

(2) In the application of Sections 87 and 88 of the [Act](#), it is considered a lawful stay

- a) with a visa entitling a stay exceeding ninety days,
 - b) with the residence permit,
 - c) with the temporary settlement permit or temporary residence card,
 - d) with the immigration permit, settlement permit, national settlement permit or national residence card,
 - e) with a temporary residence certificate issued on the basis of Section 20 (1) point a) of the [Act](#),
 - f) the [Szmtyv.](#) with a residence card, permanent residence card or long-term residence card,
 - g) with a document certifying the existence of refugee status or supplementary protection,
 - h) with a document issued for the time of the assessment of the asylum application before the recognition as a refugee or the granting of supplementary protection,
 - i) the [Szmtyv.](#) in case of issuance of a document certifying the right of residence of a family member with the citizenship of a third country, with a certificate certifying the right of residence for the duration of the procedure,
- Stay in the territory of Hungary.

45. The EU residence card is a document

§ 88 (1) In the case of issuing an EU residence card, the regional directorates shall issue a residence document in the form and with the data content specified in point 2 of Annex 1 . If the third-country national has been recognized as a refugee by a member state of the European Union or has been granted additional protection, the immigration enforcement authority shall indicate the name of the country providing international protection and the date of origination of international protection in the "Comment" column of the EU residence card document.

(2) The period of validity of the document specified in paragraph (1) is ten years, which can be extended for another ten years by the regional directorate competent according to the place of residence of the third-country national - upon the request of the third-country national submitted on the form specified by law.

46. Information flow between the member states of the European Union

Section 89 (1) In the case of a request pursuant to Section 87, paragraph (1) point b) [of](#) the, the Directorate General, as the national contact person, shall inform the competent authorities of the relevant member states of the European Union and cooperate in such matters.

(2) The immigration enforcement authority will contact the relevant Member State in order to check the contents of the application in relation to the provisions of subsection (1) b) point bb) of § 87 of the [Act](#).

(3) If the designated authority of a member state of the European Union sends a notification that it has issued an EC residence permit certifying a long-term residence status based on Directive 2003/109/EC to a third-country national with an EC residence permit or an EU residence card in Hungary, the competent regional directorate after the decision revoking the third-country national's EC residence permit or EU residence card has become final, the relevant person is notified of the fact of the revocation designated authority of a Member State.

47. Invalidation of the EU residence card

§ 90 The EC settlement permit or EU residence card document is invalid if

- a) its validity period has expired,
- b) the EC residence permit or EU residence card was revoked by a final and enforceable decision,
- c) instead of the document, the third-country national received a new document - in the procedure for the exchange or replacement of the document or due to the extension of the validity period of the document,
- d) became incapable of verifying the data contained therein,
- e) contains false data or has been falsified,
- f) its holder has acquired residence rights or Hungarian citizenship under another legal title, or
- g) the beneficiary has died.

48. Notification in case of revocation of long-term residence permit

Section 91 (1) The regional directorate shall make a copy of the final and enforceable decision on the revocation of the immigration permit, settlement permit, temporary settlement permit, national settlement permit, EC settlement permit, as well as the temporary residence card, national residence card, EU residence card by sending a copy, notify the Budapest Capital Government Office (hereinafter: designated government office) within eight days, and also lose the third-country national's personal identification identity card, as well as an official identity card confirming personal identification and residential address.

(2) The identity card taken in accordance with paragraph (1) must be sent to the district office responsible for the place of residence, and the official ID card confirming the identity and address must be sent to the designated government office.

POLICE RULES

49. Immigration control

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§ 92. (1) The Tv. When applying § 93, subsection (4), the police officer shall

a) who proved himself during the inspection with an expired or invalid residence permit or who was unable to prove the legality of his stay in Hungary during the inspection,

aa) if Tv. On the basis of point a) of section 98, paragraph (1), the Police may order an alien police expulsion to the local body of the Police competent according to the place of inspection,

ab) in other cases, to the regional directorate responsible for the location of the inspection,

b) who could not prove their identity, to the local body of the Police competent according to the place of inspection - if there is no place to conduct criminal proceedings against the third-country national - he produces. The acting immigration enforcement authority can order detention measures against the produced third-country national, which is carried out by the Police.

(2) For the duration and extension of the production, Act XXXIV of 1994 on the Police, § 33, subsections (3) and (4) of the Act shall be applied.

XII. Chapter

ENTRY AND RETURN

50. Refusal of entry and redirection

§ 93. (1) The Tv. The deadlines set out in Section 96, Paragraph (1) shall be calculated from the date of refusal of entry.

(2) If the Police considers the third-country national in Tv. On the basis of § 96, paragraph (1) point b), he is required to stay in a specific part of the border area or the airport, and he is obliged to provide him with the services according to § 119 in the airport transit area or in a room designed for this purpose in the border area.

(3) The Tv. In the case specified in Section 96 (2), the Police will enter the third-country national concerned on the basis of point c) of Article 6 (5) of the Schengen Border Control Code, and then bring them to the regional directorate responsible for the place of border crossing, which conducts the alien police procedure to investigate the existence of deportation conditions out of sequence.

XIII. Chapter

CASES, OBSTACLES AND ORDER OF EXPORTATION

51. Ordering expulsion from the immigration police

§ 94. (1) To order expulsion from the immigration police and Tv. The regional directorate is entitled to implement Section 97, Paragraph (2) in accordance with this - with the exception specified in Paragraph (2).

(2) The Tv. On the basis of § 98, paragraph (1), point a), the Police is entitled to order an alien police expulsion, provided that it has detected an illegal crossing of Hungary's state border or an attempt to do so in connection with the border control activities defined in Article 2, point 10 of the Schengen Border Control Code, in the border area, and the expulsion of the third-country national may be carried out on the basis of a readmission agreement.

(3) Pursuant to point b) of § 98, paragraph (1) of the Act, the accommodation of the third-country national, or, in the absence thereof, the competent regional directorate according to the place of residence abroad, as well as LXXX of 2007 on the right of asylum, in cases defined by law, the asylum authority is entitled to order expulsion.

(4) Based on point c) of § 98, paragraph (1) of the Act, the regional directorate competent for the place of the violation is entitled to order expulsion.

(5) Immigration deportation can be ordered on the basis of § 98, paragraph (1) point d) of the Law on the proposal of the law enforcement agency acting as an investigative authority, the Office for the Protection of the Constitution, the Counter-Terrorism Center or by the regional directorate under its own authority.

(6) Deportation by the immigration police can be ordered based on point e) of § 98, subsection (1) of the Act only on the recommendation of the state health administration body.

(7) In the case according to subsection (4) of § 98 of the Act, the competent regional directorate according to the third-country national's last known place of residence, residence or accommodation in Hungary is entitled to order expulsion.

§ 95. Within thirty days of the decision becoming final, the regional directorate that orders immigration deportation or executes court-ordered deportation sends the identity card of the third-country national with long-term residence rights to the district office competent for the place of residence, the official identity card confirming the identity and residential address to the designated government office.

Section 96 (1) The request according to Section 116 (1) of the Act is forwarded by the regional directorate acting in the first instance through the Directorate General to the designated authority of the concerned member state.

- (2) In order to establish the obstacle to expulsion specified in subsection (2) of § 108 of the [Act](#)
- a) the immigration enforcement authority or the asylum authority immediately contacts the guardianship office in order to make sure that family reunification or state or other institutional care is properly ensured in the state of citizenship of the unaccompanied minor or in another receiving state, and
 - b) obtains country information regarding institutional care for minors in the country of the minor's nationality or in another receiving state.
- (3) In the event of an obstacle to deportation as specified in § 108, subsection (2) of the [Act](#) , the immigration enforcement authority will immediately contact the guardianship office in order to accommodate the unaccompanied minor.

Section 97 (1) The state to which the deportation is carried out must be determined taking into account the following order:

- a) a Schengen state, if the third-country national has a valid residence permit issued by this state,
- b) a member state of the European Union, if the third-country national has a residence permit or other valid residence permit issued by this member state based on Directive 2003/109/EC, certifying long-term residence status,
- c) the state which is obliged to readmit the third-country national,
- d) the state where the third-country national has his habitual residence,
- e) the state of citizenship of the third-country national,
- f) any other state to which the third-country national wishes to return voluntarily and to which he may enter.

(2) With the exception of points a) and b) of paragraph (1), deportation may not be carried out in the territory of a member state of the European Union.

(3) Deportation to the destination state according to point f) of paragraph (1) may also take place before the destination state established on the basis of the order according to points a)-e) of paragraph (1) if the third-country national expressly requests it or consents to it .

§ 98. On the deportation of a third-country national expelled by the asylum or immigration authority, as well as by a final and enforceable decision ordered by another member state, and subject to expulsion ordered by a court, the Police - [§ 254](#). (1) subsection a) natural personal identification data according to point 1, as well as the date and place of departure - immediately notify the immigration authority that ordered the deportation or that carried out the court-ordered deportation.

52. Execution of expulsion ordered by the court and proceedings against clients released from the penitentiary

Section 99 (1) Expulsion ordered by the final decision of the court shall be carried out by the competent regional directorate according to the seat of the first-instance court in the criminal case.

(2) In order to ensure the necessary conditions for the execution of the court-ordered deportation of a third-country national serving a prison sentence, the penitentiary shall notify the competent regional directorate of the seat of the first-instance court that made the final decision six months before the expected release.

(3) In addition to what is specified in paragraph (2) , the penitentiary shall notify the immigration law enforcement authority competent according to the headquarters of the penitentiary about the release of the third-country national detained under other legal title.

(4) The court, or – in the case of a third-country citizen released from serving a prison sentence – the penitentiary institution, according to [Tv. The notification pursuant to § 100](#), subsection (1) is forwarded out of sequence to the regional directorate executing the expulsion ordered by the court on the basis of subsection (1) .

(5) If the execution of the expulsion ordered by the court is ordered against a third-country national residing in an unknown place who has not been released from a prison sentence, the order of the regional directorate shall include [Tv. Section 101](#), paragraph (1), points b)-c) . In this case, the duration of the entry and residence ban is recorded in the register in accordance with the date of entry into force of the court judgment.

(6) In cases other than those contained in paragraph (5), the order of the regional board [of TV](#). It contains the contents of points b)-f) of paragraph (1) of § 101.

(7) The regional directorate takes action

- a) registration of the entry and residence ban,
- b) revoking the residence permit of the third-country national towards.

XIV. Chapter

OBSTACLES TO EXPORT AND RETURN

53. Examination of the ban on the ordering and execution of redirection and expulsion

§ 100. (1) In the course of re-direction or in the procedure for ordering deportation from the immigration police, in addition to these measures, as well as [Tv. During the implementation of measures pursuant to § 97](#), paragraph (2), the immigration enforcement authority is obliged to obtain a reasoned opinion from the asylum authority in order to carry out an individualized investigation of the prohibition of return, unless

a) in his statement, the customer undertakes to return to the destination country of expulsion or redirection, and with regard to this country, [Tv](#). He did not report the circumstance according to Section 102, Paragraph (1) , or

b) expulsion or redirection is carried out to the destination country named in the government decree on the definition of countries of origin and safe third countries declared safe at the national level.

(2) The asylum authority fulfills the request according to paragraph (1) out of sequence. The acting immigration enforcement authority cannot deviate from the opinions of the asylum authority.

(3) In the cases referred to in points a) and b) of paragraph (1) , the immigration enforcement authority performs the examination of the prohibition of return by including the relevant justification in the deportation decision.

(4) During the asylum procedure, the asylum authority examines repatriability before ordering expulsion.

(5) If the circumstances according to point a) or b) of paragraph (1) do not exist , and the third-country national has applied directly to the sentencing judge with the request according to § 103, paragraph (3) e of the [Criminal Code](#) , the court , and the prosecutor contacts the asylum authority, which expresses an opinion out of turn regarding the existence of the non-refoulement requirement.

XV. Chapter

COMPLIANCE WITH REMOVAL

54. Voluntary departure from the territory of the member states of the European Union

§ 101. (1) The third-country national has the obligation to leave voluntarily until the expiration of the deadline for leaving

a) with the decision ordering expulsion,

b) by an order issued to enforce judicial expulsion or

c) by an order on the extension of the performance deadline

proves it.

(2) When determining the deadline for voluntary departure, the immigration enforcement authority or the asylum authority is obliged to examine whether the rules applicable to persons requiring special treatment should be applied.

(3) In case of doubt, the immigration authority or the asylum authority may use the assistance of a medical or psychological expert in order to determine whether the deportee requires special treatment. An expert examination can only be carried out with the consent of the person concerned.

(4) The immigration enforcement authority or the asylum authority is obliged to inform the deportee - in his native language or another language he understands - about the examination to be carried out by the expert, about the significance of the result of the expert examination, as well as the refusal to consent to the examination - the (5) defined in paragraph - about its consequences.

(5) If the deportee does not agree to the investigation, the provisions relating to a person requiring special treatment cannot be applied to him.

55. Deportation

§ 102. (1) The [Tv](#). Under the cooperation provided for in paragraph (7) of § 113, to a third-country national expelled by a state obliged to apply the provisions of Council Directive 2003/110/EC (hereinafter referred to as the applicant state), or to the escort - including official escorts, as well as any person, who is responsible for accompanying the third-country national, e.g. the person responsible for medical care and the interpreter - in the territory of Hungary by air authorization of its passage for the purpose of carrying out deportation and assistance in this shall be understood.

(2) Upon receipt of the request of the requesting state on the legally defined form, the Directorate-General shall inform the designated authority of the requesting state of its consent immediately, but no later than within two days. In justified cases, this deadline can be extended by a maximum of 48 hours, with the simultaneous notification of the designated authority of the requesting state.

(3) The Directorate-General shall immediately notify the Police of the granting of consent for air transportation, attaching the application submitted on the form specified in the law.

(4) The immigration enforcement authority shall apply the provisions of § 101, subsections (2)–(5) during the execution of the expulsion .

(5) In the case of a person requiring special treatment, during the execution of the deportation, an escort appropriate to the individual circumstances must be provided.

(6) The General Directorate shall refuse or withdraw consent to the planned air transportation in the territory of Hungary, if, in relation to the third-country national concerned, [Tv](#). Section 102, subsection (1) prohibits returns.

(7) The Directorate-General may refuse or withdraw consent to air transportation within the territory of Hungary if

a) the third-country national is accused of committing a crime under Hungarian legislation, or his extradition is requested for the purpose of execution of a sentence;

b) transit through other states or acceptance by the destination country is not guaranteed;

c) air transfer would require land transfer between several airports;

d) the personal or material conditions for assistance defined in separate legislation are not available at the requested time, or air transportation is not possible for other practical reasons;

e) the transfer of the third-country national endangers Hungary's national security or public safety, public health interests or international relations.

(8) The designated authority of the requesting state must be informed immediately of the revocation of the consent given for air transit - specifying the reason for the revocation - or of other reasons that make transit impossible.

(9) In the case of consent to air transportation, the Police shall provide the assistance specified in the legislation on the announcement of readmission agreements for air transportation.

§ 103. (1) Deportation

a) in case of redirection, the Police,

b) in the case of execution of the expulsion in accordance with Section 113 (1) point a) of [the Act, the immigration enforcement authority ordering the deportation or the regional directorate executing the expulsion ordered by the court](#),

c) in the case of execution of the expulsion in accordance with point b) of § 113, subsection (1) [of the Act, the regional directorate at the place of residence of the third-country national](#)

orders.

(2) In the case of deportation ordered by a member state of the European Union or another Schengen state or deportation ordered by the asylum authority, deportation is ordered by the competent regional directorate according to the place of residence of the third-country national.

(3) The decision or order ordering deportation must include the reason for ordering deportation, the method of execution, and the state to which the deportation takes place.

(4) The Police shall take measures to create the conditions for deportation - with the exception contained in paragraph (5) .

(5) If the deportation takes place by air in order to carry out the deportation, the Directorate General shall take measures to create the conditions for the deportation.

(6) Deportation is carried out by the Police.

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§ 104. (1) Deportation to the state border of Hungary, if the unaccompanied travel of a third-country national would pose a threat to the safety of the flight, or if it is required by an international treaty (readmission agreement), must be carried out to the country of origin of the third-country national or to another state obliged to readmit to order.

(2) The person concerned must be informed about the method and circumstances of the deportation (hereinafter: adoption), as well as the possibility of filing a complaint against the adoption in his native language or another language he understands. The information must cover

a) for the date of conception, which must be communicated no later than when the conception begins in the case of deportation by air,

b) to indicate the destination country,

c) on the type of vehicle and whether it is escorted.

(3) In cases specified in the legislation, the cooperation of a psychologist or a specialist doctor must be used if the burden associated with deportation cannot be tolerated temporarily due to the mental or health condition of the person concerned or only under special conditions.

(4) Deportation can only be started in possession of the ordering decision or order, in accordance with its provisions. At the start and end of the adoption, it must be established whether the third-country national has visible signs of external injury that are not included in the visual inspection, in which case an inspection must be taken.

(5) The person concerned may file a complaint against the execution within eight days after the conclusion of the execution, which must be submitted in writing by post. During the investigation of the complaint, the Act on the Police must be applied appropriately.

§ 105. (1) The entry of a third-country national into the destination country shall be deemed to have failed, and the execution of the deportation shall be interrupted if

a) the commander of the aircraft refuses to take the third-country national onto the aircraft, or boarding the aircraft was unsuccessful for other reasons;

b) the third-country national was refused entry to the transit country or the destination country;

c) the third-country national has undocumented traces of external abuse, or shows a degree of resistance that cannot be prevented by legal means without harming or endangering his life, physical integrity, or health.

(2) Due to the condition of the third-country national requiring urgent medical intervention, the execution of the deportation must be interrupted if, during the execution, there is a change in the health or psychological state of the third-country national, due to which the deportation is only necessary for the life and physical integrity of the third-country national could be carried out at the risk of

(3) Deportation that has been interrupted must be continued if [Tv](#). The reasons specified in § 113, paragraph (8) have been removed.

(4) The manner and circumstances of deportation shall be established by law.

§ 106 (1) During the execution of the expulsion, efforts must be made to ensure that it causes the least possible costs to the expelled person.

(2) The compensation obligation specified in § 117, subsection (4) , § 128, subsection (7) , and § 135, subsection (5) e) of the [Act](#) shall be ordered by the authority executing the expulsion. The obligation must be fulfilled within three months of the order. In the event that the completion deadline has passed without result, the enforcement rules [of the Act](#) shall apply to the persons and organizations listed in points b)-d) of § 117, paragraph (4) of the [Act](#).

XVII. Chapter

RULES OF PROCEDURE UNDER THE DUBLIN REGULATIONS

§ 107. (1) The procedure according to subsection (1) of § 118 [of the Law](#) (hereinafter: Dublin procedure) includes contacting the authority of another state (hereinafter: member state) applying the Dublin regulations, consultation with the authority of the other member state, the conduct of the return-takeback procedure, as well as the return of the applicant (hereinafter together: return).

(2) The starting day of the Dublin procedure is the day when the asylum authority contacts the authority of the other Member State. The end date of the Dublin procedure is the day when the applicant is readmitted by the authority of another Member State, the readmission is refused, or it becomes clear that the return cannot be carried out.

(3) If the responsibility of the requested Member State is based on Regulation 604/2013/EU of the European Parliament and of the Council (hereinafter: Dublin III Regulation), the asylum authority shall issue an order on the transfer or return of the applicant (hereinafter: order on the transfer of the applicant order) from the date of liability or Dublin III. within eight days after the expiration of the deadlines set out in Article 22 (1) and (6), Article 25 (1) , and Article 28 (3) of the Decree.

(4) The order ordering the transfer of the applicant is Dublin III. contains the provisions of Article 26 (1) and (2) , Article 27 (1) and (2) , and Article 29 (1) and (2) .

Section 108 (1) The return of the applicant in accordance with Section 119 of [the Act](#) must be carried out by means of a supervised or escorted transfer, with the appropriate application of the rules of deportation, if

a) the asylum authority does not provide the possibility of voluntary departure, or

b) did not leave the territory of Hungary within the time limit specified in the order on return according to paragraph (3) .

(2) When examining the possibility of voluntary departure, the asylum authority considers all the circumstances of the case, in particular the applicant's behavior, willingness to leave and the ability to create the conditions for departure, as well as the applicant's threat to public order, public safety, and national security.

(3) The asylum authority shall determine the deadline for voluntary departure so that it falls on the seventh day from the date on which the order pursuant to § 119, paragraph (1) of the [Act](#) becomes unappealable with further legal remedies, if, based on the consideration pursuant to paragraph (2) orders the return according to § 118 of the [Act](#) to be carried out without official escort. The applicant can complete the voluntary departure before the deadline set for him.

(4) The asylum authority shall arrange for the delivery of the travel document provided by the applicant or any other document containing information on his/her identity and citizenship to the requested Member State at the same time as the applicant's supervised or escorted handover or voluntary departure.

§ 109. Pursuant to paragraph (2) of § 117 of the [Act](#), [the freezing of the amount of money required for the purchase of the ticket](#) and travel document must be terminated before the applicant returns it in accordance with § 119 of the Act, and the amount of money shall be returned to the applicant must be returned immediately.

XVIII Chapter

THE ENTRY AND RESIDENCE BAN

56. Ordering the entry and stay ban

§ 110. (1) Ordering an independent entry and residence ban

a) based on points a) and b) of § 122. (1) of the [Act](#), [the General Directorate](#),

b) on the basis of points c) and d) of § 122. (1) of the [Act](#) - [with the exception contained in](#) point c) - the regional directorate,

c) on the basis of point d) of § 122, paragraph (1) of the [Act](#) , if the third-country national has not reimbursed the costs of the deportation ordered by the Police or the return according to § 109, paragraph (4) of the Act, the Police ,

d) on the basis of points e) and f) of § 122. (1) of the [Act](#) , the South Transdanubia Regional Directorate with national competence is eligible.

(2) Independent entry and residence ban

a) on the basis of point c) of § 122, paragraph (1) of the [Act](#) - if the regional directorate does not decide on the order under its own authority - the law enforcement body acting as an investigative authority, the Office for the Protection of the Constitution, the Police, and the Counter-Terrorism Center,

b) on the basis of Section 122, Paragraph (1) point e) [of](#) the Act, only the infringement authority, the court or the authority authorized to impose fines on the spot,

c) based on point f) of § 122, subsection (1) of the [Tax Code](#) , the authority that is only authorized to impose customs fines can be ordered at your suggestion.

(3) The minister responsible for foreign policy shall notify the Directorate General of the existence of the reason for ordering an independent entry and residence ban pursuant to points a) and b) of § 122. paragraph (1) [of the Act](#).

(4) With the exception of Article 111, Subsection (8) , the issuing immigration enforcement authority is entitled to cancel the independent entry and residence ban .

(5) If, on the basis of the visa procedure, the minister responsible for foreign policy finds that the visa applicant is likely to be subject to the provisions of § 122, subsection (1) c) of [the Act](#) , he shall immediately notify the law enforcement agency responsible for the protection of the endangered interest.

Section 111 (1) From the decision of the [infringement authority, the body authorized to impose on-the-spot fines or the body authorized to impose a customs administrative fine imposing a fine for the reason specified in points e\) and f\) of Section 122](#) of the Act, as well as the court from the forty-sixth day after the decision of the finer becomes final, or from the imposition of the on-the-spot fine, he can make a proposal to the South Transdanubia Regional Directorate to order an independent entry and residence ban.

(2) The infringement authority, the court, the body authorized to impose on-the-spot fines, and the body authorized to impose customs administrative fines shall, in their request according to paragraph (1), inform the South Transdanubia Regional Directorate of the natural identification data of the third-country national who has not paid the fine, your nationality, non-Hungarian place of residence, the name of the infringement authority, the court, the body that imposed the on-the-spot fine or the customs administrative fine, the number of the infringement decision and the date it entered into force or became final, the case number of the on-the-spot fine, the number of the decision imposing the customs administrative fine and final the date of your divorce, the account number, the amount of the imposed fine, the on-the-spot fine, or the customs fine.

(3) The South Transdanubia Regional Directorate checks the data of the third-country national in the register based on the request. If, during the inspection, it is determined that the foreigner has the right to stay abroad and a place of residence in Hungary, the body defined in paragraph (1) shall be notified of this .

(4) The [Tv](#). Individual entry and residence bans ordered on the basis of points e) and f) of § 122 paragraph (1) must be canceled immediately if the third-country national has paid the imposed fine, on-the-spot fine or customs administration fine.

(5) If the third-country national pays the fine, on-the-spot fine or customs administration fine afterwards, the infringement authority, the court, the body imposing the on-the-spot fine or the customs administration fine after the arrival of the fine on his account - the independent entry and in order to cancel the residence ban - immediately notify the South Transdanubian Regional Directorate.

(6) If the third-country national certifies in the procedure for issuing the visa that he has paid the fine, the on-the-spot fine, or the customs administrative fine afterwards, the consular officer - in order to cancel the independent entry and residence ban - about the fact of the payment, the payer's natural your personal identification data, nationality, travel document number, case number of the decision or on-the-spot fine, the amount of the fine paid and the action taken in the case by communicating the name of the authority or body, it immediately informs the regional directorate that ordered the entry and stay ban.

(7) If, during the person control at the border crossing point, the Police establishes that an independent investigation has been ordered against the third-country national solely due to non-payment of costs, fines, on-the-spot fines, and customs administration fines advanced by the Hungarian State in the alien police procedure entry and residence ban, must inform the third-country national that the debt will be paid later, also in cash you can pay.

(8) If the third-country national subsequently fulfills his payment obligation or has a receipt confirming the payment, the Police cancels the independent entry and residence ban and then arranges for exit or permits entry. The Police shall immediately notify the issuing immigration enforcement authority of the cancellation.

§ 112. The duration of the entry and residence ban must be determined in years.

§ 113. If, points a)-c) of § 122, paragraph (1) of the Act, and § 98, paragraph (1) of the [Act](#), the immigration enforcement authority is a third-country national with a residence permit issued by the state that applies the SIS alert orders deportation against a citizen and, on the basis of paragraph (1) or (2) of [§ 123 of the Law on entry and residence](#), an independent entry and residence ban, and also places an SIS alert, the ordering immigration enforcement authority initiates consultation through the SIRENE Bureau with the Member State issuing the permit.

§ 114. (1) In the event of circumstances deserving of special consideration for a third-country national who is subject to an entry and residence ban, the authority ordering immigration expulsion or an entry and residence ban may - while maintaining the ban - allow a one-time entry into the territory of Hungary and the a planned stay of a duration corresponding to the purpose of entry, not exceeding ninety days within one hundred and eighty days.

(2) The application for an entry permit must be submitted in writing to a consular official operating in the country of the third-country national's permanent or habitual residence or nationality.

(3) On the basis of the entry permit, the third-country national may enter the territory of Hungary in accordance with the rules for a planned stay not exceeding ninety days within one hundred and eighty days.

(4) If a visa is required for the entry of a third-country national, the consular officer shall also indicate the number of the special permit in the visa issued to the third-country national in the event that the entry is authorized in accordance with paragraph (1) .

(5) If the third-country national is entitled to visa-free entry for a planned stay of no more than ninety days within one hundred and eighty days, the Police may only allow entry upon presentation of a decision approving the entry request.

57. Revocation and reduction of the duration of expulsion and the ban on entry and residence

§ 115. (1) In the procedure initiated for the request to revoke or reduce the duration of the entry and residence ban pursuant to Section 126 (1) e of the [Law](#), the issuing regional directorate and the Police consider the nature and gravity of the third-country national's violation of the law, as well as the the possible danger of his repeated entry and stay in Hungary.

(2) In the case of a third-country national with a known place of residence in Hungary, the regional directorate that orders immigration expulsion or entry and residence ban based on point a) of § 126. Paragraph (2) of the [Act](#) within 21 days after the expiration of twenty-four months after the deportation became enforceable in the immigration police procedure.

(3) In the application of point a) of § 126, paragraph (2) of the [Act](#), the failure of the execution of the expulsion beyond twenty-four months cannot be blamed on the third-country national, in particular, if

a) cooperated with the authority in order to carry out the expulsion - in an unquestionable manner with regard to his intention to return to the destination state of the expulsion, and

b) complied with the rules of conduct prescribed for him and fulfilled his obligation to appear regularly.

(4) In addition to what is specified in paragraph (3), the regional directorate considers the nature and seriousness of the third-country national's violation of the law, the potential danger of his continued stay in Hungary, and § 126 of the [Act](#) (In the case of point b) of paragraph 2, there is a significant change in the medical condition of the person concerned that affects the enforceability of the expulsion.

(5) If the regional directorate or the Police cancels the immigration expulsion or the entry and stay ban, the immigration expulsion and the entry and stay ban shall be canceled immediately.

XIX Chapter

RESTRICTION ON TRAVEL ABROAD, STAYING IN THE DESIGNATED PLACE

58. Restriction on travel abroad

§ 116. The notification and travel document specified in subsections (1) and (4) of § 127 of the [Act](#) must be sent to the competent regional directorate according to the place where a criminal penalty or measure, coercive measure or other restriction was ordered against a third-country national, which takes action

a) entry or cancellation of travel restrictions abroad in the register,

b) withholding or returning the travel document, as well as

c) revocation of the travel document in the case specified in § 158 of the [Act](#)

in order to

59. Ordering to stay in a designated place

§ 117. (1) The immigration enforcement authority is a mandatory place of residence for the third-country national – with the exception specified in paragraphs (4)–(6)

a) the registered residence of the third-country national,

b) accommodation, place of residence, place of residence of the dependent of the third-country national,

c) accommodation provided by charitable organizations,

d) for the duration of the prevention of acute health damage - after obtaining the opinion of the state health administrative body - a medical institution providing inpatient care for the purpose of performing justified medical treatment or

e) a social institution providing personal care in the case of a third-country national who meets the other legal conditions for use can designate.

(2) In the absence of the options included in paragraph (1), the third-country national may be accommodated in community accommodation or a reception station.

(3) Only minor third-country nationals and their guardians can be accommodated at a reception station.

(4) As a mandatory place of residence for unaccompanied minors, a reception center for the separate placement of unaccompanied minors, or, failing that, a child protection institution, other accommodation maintained under a contract or private accommodation may be designated. An unaccompanied minor can be placed in private accommodation with a relative who is not a member of the immediate family, if the relative undertakes to accommodate, provide for and care for the minor in writing, and if it is clear that based on the personal relationship between the minor and the relative, the placement serves the interests of the minor.

(5) If a third-country national is a victim of human trafficking, he or she may be assigned a reception center for the accommodation of victims of human trafficking or other accommodation reserved under a contract.

(6) In the absence of the options specified in paragraphs (1) and (2), the immigration enforcement authority may designate the administrative area of the county or the area of the reception station or community accommodation as the mandatory place of residence for the third-country national.

(7) In the accommodation according to paragraph (6), the third-country national is only entitled to accommodation, he is not entitled to any other benefits.

(8) In the accommodation according to paragraph (6), [Tv. According to](#) § 128, paragraph (2), point b), the immigration authority determines the conditions under which the third-country national may leave the accommodation.

(9) A third-country national staying in accommodation according to subsection (6) is obliged to

- a) to keep the order of the accommodation, to fulfill the relevant regulations,
- b) keep your environment clean,
- c) submit to the necessary medical examination and epidemiological measures, including vaccinations,
- d) to protect the furnishings and equipment of the accommodation, to refrain from damage, and to compensate for intentionally caused damage.

(10) In the case of the application of Section 128, Paragraph (6) of the [Act](#) , the Police shall prevent the unauthorized leaving of the transit zone designated as a mandatory place of residence.

60. Community accommodation

Section 118 (1) Community accommodation is intended for the accommodation of foreigners subject to immigration enforcement procedures, persons with a humanitarian residence permit pursuant to Section 70 (1) points a)-c) of [the Act](#) , or third-country nationals who have become victims of human trafficking , accommodation maintained by the Directorate General.

(2) Community accommodation can be established in a building where

- a) at least 15 m³ of air space and 5 m² of movement space per person,
- b) in addition to the living quarters, a community room for meals, spending free time and receiving visitors,
- c) for the purpose of basic and emergency care, a doctor's office that meets the minimum conditions of a general practitioner,
- d) room for medical examination and medical isolation room, and
- e) for hygienic purposes - a number of washrooms and showers with hot and cold running water, as well as toilet rooms, separated by gender, designed taking into account the number of authorized seats

is available and natural ventilation and natural light can be provided for all rooms intended for the purpose of stay by third-country nationals.

§ 119. The body responsible for maintaining community accommodation is obliged to provide it to third-country nationals

- a) the placement,
- b) three meals a day and
- c) personal equipment.

§ 120. (1) Men must be separated from women during accommodation in communal accommodation. Family members must be housed together, unless this is against the interests of the third-country national.

(2) Only the number of persons corresponding to its capacity may be accommodated in the community accommodation. If it is not possible to ensure the provisions of paragraph (1) , the third-country national must be transported to another community accommodation.

§ 121. (1) Meals must be provided to third-country nationals accommodated in community accommodation, taking into account their religious requirements.

(2) Upon admission to the communal accommodation, the third-country national must be provided with tableware, toiletries and bed linen as personal equipment. The manager of the community accommodation ensures that the bed linen and towels issued as personal equipment are changed every two weeks.

§ 122 (1) The rules for staying in communal accommodation are established by the house rules according to Annex 5 .

(2) The agenda is determined by the operator of the community accommodation, deviations from it can only be made with his permission. In the agenda, the procedure for exercising the rights and fulfilling the obligations of the assigned person must be determined, so in particular

- a) the duration of the rest period,
- b) the time of the meals, as well as
- c) the doctor's appointment time.

(3) A third-country national staying in community accommodation is obliged to

- a) to keep the order of the accommodation, to fulfill the relevant regulations;
- b) keep your environment clean;
- c) submit to the necessary medical examination and medical treatment, epidemiological measures (including vaccinations);
- d) to protect the furnishings and equipment of the accommodation, to refrain from damaging them, to compensate for intentionally caused damage;
- e) to report your temporary absence of more than 24 hours, up to 120 hours, in advance - specifying the place and duration of the departure - to the regional directorate responsible for the accommodation.

§ 123 (1) The cost of the services provided at the community accommodation - with the exception of third-country nationals with a humanitarian residence permit or granted international or supplementary protection by the asylum authority or court - shall be determined by the accommodation operator in a cost list when leaving the accommodation. The method of calculating the amount is determined by law.

(2) The third-country national is obliged to reimburse the amount of costs advanced by the operator of the community accommodation after leaving the accommodation or leaving the country - in the manner specified by law.

§ 124. (1) The ordering authority informs the body providing consular or diplomatic representation of the third-country national about the obligation to stay in the designated place - with the exception of third-country nationals with a residence permit for humanitarian purposes. If there is no such consular or diplomatic representation on the territory of Hungary, the information must be provided through the minister responsible for foreign policy.

(2) In the case of a third-country national with a residence permit for humanitarian purposes, the information according to paragraph (1) shall be provided by the regional directorate immediately at the request of the person concerned.

61. Health care of third-country nationals detained in community accommodation or transit zones

Section 125 (1) The health care of a detained third-country national must be continuously provided in the guarded accommodation.

(2) If the third-country national who has been detained and placed in a community accommodation or transit zone is not in a social insurance relationship, he is entitled free of charge to [CLIV of 1997 on health, for benefits defined in § 142, subsection \(2\) and subsection \(3\), points e\) and i\)](#) of the Act .

(3) The placed third-country national is entitled to the mandatory vaccinations specified in the law.

§ 126. (1) Family medical care of a third-country national takes place in the guarded accommodation, community accommodation or transit zone (hereinafter referred to as immigration police accommodation).

(2) Specialist health care can be obtained from a health care provider operating with a regional care obligation.

(3) The authority maintaining immigration accommodation will reimburse the full price of medical aids and medicines issued on the basis of a prescription issued by a doctor with a stamp authorizing the prescription of medicines specified in the legislation.

§ 127. (1) The authority maintaining the accommodation for immigration enforcement shall reimburse the health care provider providing the care for the fee for health insurance services not covered by § 125 , if Hungary has not undertaken to pay it in an international agreement.

(2) In the case of a third-country national who has become a victim of human trafficking, health insurance services are provided with a humanitarian residence permit issued on the basis of Section 70 (1) point e) of the [Act](#) , or on the basis of Section 20 (1) point e) of the [Act](#) they can be used with an issued temporary residence permit.

(3) The health care provider reports the service performed to the National Health Insurance Fund Manager (hereinafter: NEAK) on the form required for the reporting and accounting of the given care by the legislation on the detailed rules for the financing of health services from the Health Insurance Fund. NEAK sends the settlement based on the reports - in detail according to the health services - to the authority maintaining the immigration police accommodation every month.

(4) The health care provider can claim back the cost of the service performed - in the case of prescription drugs - by presenting the prescription indicating the number of the third-country national's residence permit, as well as the aggregated invoice issued to the buyer by the authority maintaining the immigration accommodation, containing the name, price and quantity of the pharmaceutical product. . The healthcare provider forwards the prescription and the invoice to NEAK.

XX. Chapter

THE GUARD

62. Custody

Section 128 (1) Immigration detention can be ordered by the regional directorate that orders deportation or the deportation ordered by the asylum authority, or by the Police.

(2) Detention preparatory to deportation

a) if the third-country national's identity is unclear, or if the third-country national's return is in progress on the basis of a bilateral readmission agreement concluded with another member state of the European Union before January 13, 2009, pursuant to Section 109 (4) of the [Act](#) , the Police,

b) if the legality of the third-country national's stay is unclear, the regional directorate you can order.

(3) The duration of custody shall be calculated in hours, with the exception of paragraph (4) .

(4) If the district court extends the custody, it must be counted in days. Every day that has started is included in the duration of detention.

(5) The authority ordering the detention must strive to keep the detention as short as possible. In order to create the conditions for the execution of the expulsion, as well as to establish the identity of the third-country national or the legality of his stay, in the case of ordering detention preparatory to the expulsion, measures must be taken out of sequence.

(6) In the application of Section 132, Subsection (1) b) of the [Act](#) , the risk of the third-country national escaping exists if the third-country national does not cooperate with the authorities during the immigration enforcement procedure, so in particular if

a) refuses to make a statement,

b) provides untrue information regarding his personal data, or

c) his departure to an unknown location is probable based on his statements,

and, therefore, there is good reason to believe that he will thwart the execution of the expulsion.

(7) Section 132, paragraph (6) point b) of the [Act](#) is applicable if it is probable that the deportation could not be carried out even after twelve months from the order of detention, or thirty days in the case of a family with minor children, so in particular , if he is in custody

- a) the conditions for his departure cannot be ensured, or
- b) requires prolonged hospitalization due to his health condition.

(8) In case of application of point b) of § 132, paragraph (6) of the [Act](#) , the third-country national must be provided with a certificate entitling him to temporary residence according to point h) of § 20, paragraph (1) of the [Act](#) .

§ 129. The objection submitted orally or in writing by the third-country national shall be immediately forwarded to the district court by the authority ordering the detention or the detention.

§ 130 (1) The authority ordering the detention must attach to its motion to extend the detention information regarding the measures taken to establish the identity and legality of the third-country national's stay, and to deport him during the first six months of immigration detention, which the third-country national's legal representative or it must also be sent to the appointed guardian.

(2) The authority ordering the detention must attach to its motion to extend the detention for a period of more than six months the third-country national's lack of cooperation or the delay in the procedure of the authorities of the country of origin of the third-country national, the state which is obliged to readmit or receive the third-country national, in relation to the acquisition of the necessary documents for deportation. information on supporting facts, which must also be sent to the third-country national's legal representative or appointed guardian.

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§ 131. (1) If, after the announcement of the decision ordering the detention, the third-country national declares that he is younger than the age determined during the detention, the immigration enforcement authority ordering the detention will contact the competent health care provider according to his place of residence in order to establish the age. If it can be established that the detainee is a citizen of a third country

- a) unaccompanied minor under the age of 16, or
- b) is an unaccompanied minor who has reached the age of 16, and the conditions for ordering custody written in [§ 131. \(4\) of the Act](#) do not apply,

the detention must be terminated immediately.

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(2) If it can be established that the detained unaccompanied minor third-country national was ordered to be deported as an adult, the deportation on which the detention is based shall be issued by the immigration enforcement authority - the [Tv. taking into account § 108, paragraph \(2\)](#) - reviews ex officio.

63. Requirements for the detention facility

§ 132. (1) Guarded accommodation can be established in a building or part of a building where

a) at least 15 m³ of air space and 5 m² of movement space per person in the rooms for the accommodation of third-country nationals in custody , separate for spouses and families with minor children, as well as for unaccompanied minors who have reached the age of 16 - taking into account the number of family members - living space including at least 8 m² of movement space,

b) a community room suitable for meals, leisure time - including play and recreational activities appropriate to the age of the minor in custody - and for receiving visitors,

c) a number of washrooms and showers with hot and cold running water, as well as toilet rooms, separated by gender, corresponding to the number of authorized places,

d) a doctor's office meeting the minimum requirements of a general practitioner,

e) room for medical examination and medical isolation room,

f) an area suitable for being in the open air,

g) lighting in accordance with national town planning and construction requirements and official regulations,

h) uninterrupted power supply of the institution,

i) a separate room for receiving visitors,

j) the possibility to use the telephone,

k) windows and natural ventilation in rooms for the accommodation of detained third-country nationals and staff, in the medical room, in rooms for receiving visitors, in rooms providing food, and in rooms for communal purposes can be insured.

(2) If the duration of the detention justifies it, the underage detainee must be provided with education appropriate to his age and level of development in the detention facility or other appropriate institution.

(3) Guarded accommodation cannot be established on the territory of a police detention center or penitentiary.

(4) The provisions of paragraph (3) may be deviated from [in Tv. in the case specified in § 136, subsection \(1\)](#) , if accommodation cannot be arranged in guarded accommodation.

(5) The person in custody

- a) men and women,
- b) spouses,
- c) families with minor children,

- d) unaccompanied minors who have reached the age of 16, as well as
 - e) persons subject to immigration detention and arrest
- it must be located in a separate building or part of a building.

(6) The Directorate-General and the Police shall make an out-of-order submission to the minister responsible for immigration police and asylum affairs on the occurrence of the emergency situation defined in subsection (1) of § 136 of the [Act](#) , the measures applied, and the termination of the emergency situation in order to notify the European Commission.

64. Immigration bail

Section 133 (1) The amount of the immigration bail (hereinafter: bail) is established by the immigration authority with regard to the personal and financial circumstances of the third-country national. The amount of the bail cannot be less than EUR 1,000 and cannot exceed EUR 5,000.

(2) The bail

- a) - if the conditions are met - at the location suitable for this, completed for this purpose on an electronic device regulated by the immigration enforcement authority, using a cash-saving payment method, or
- b) by bank transfer

it must be submitted within 72 hours of the announcement of the decision to order bail.

(3) The bail can be deposited in euros or – at the value converted at the official exchange rate published by the Hungarian National Bank on the day the bail is deposited – in Hungarian forints or US dollars. The deposited bail is managed in a separate deposit account by the custodian appointed by the head of the immigration enforcement authority. After the posted bail, the immigration enforcement authority does not pay interest or charge handling costs.

(4) The expelled third-country national affected by deportation shall inform the immigration enforcement authority about the deposit of the bail amount in accordance with paragraph (2) point b) .

(5) The date of payment of the bail is the second working day after the payment of the bail according to paragraph (2) .

(6) The immigration enforcement authority shall pay the bail (hereinafter: returnable bail) reduced by the cost advanced by the reimbursement obligation within 10 working days after the deportation of the expelled third-country national affected by deportation by bank transfer.

(7) In the absence of a different provision, the immigration enforcement authority shall pay the returnable bail to the expelled third-country national affected by deportation in accordance [with Tv](#). It is transferred on the basis of the data provided in subparagraph ke) of paragraph (1) point k) of § 262. If the expelled third-country national affected by deportation requests the transfer of the bail to another person in his statement contained in a private document with full evidentiary force, the returnable bail must be transferred to the person indicated in the statement, provided that the expelled third-country national affected by deportation is the [Tv](#). He sent his statement containing the data according to Article 262 (1) point k) subpoint ke) to the immigration authority until the transfer.

XXI. Chapter

RECORDING OF FACE IMAGE AND FINGERPRINTS, ORDERING PERSONAL CIRCULATION

65. Recording of facial image and fingerprint

§ 134 The [Tv](#). [On the basis of](#) Article 141, paragraph (1), facial image and fingerprint data are recorded by the regional directorate or the Police. If the third-country national voluntarily refuses to comply with his obligation to tolerate the recording of his facial image and fingerprints, it can be enforced.

66. Order of search warrant

§ 135 The [Tv](#). to order a search warrant based on § 142

- a) the [Tv](#). Pursuant to § 142, subsection (1), point a), the person conducting immigration enforcement proceedings,
 - b) the [Tv](#). Pursuant to § 142, paragraph (1) point b), the person who executes the detention or orders the stay in the designated place,
 - c) the [Tv](#). Pursuant to § 142, paragraph (1) point c), the person who orders the expulsion from the immigration police or the person who executes the expulsion ordered by the court
- immigration enforcement authority is authorized.

PART SIX

LIABILITY RULES

67. Liability of the carrier

§ 136. (1) The [Tv. When applying the provisions of §§_143 and 144](#) , the police determines and orders the public order fine imposed on the carrier, as well as the fulfillment of the obligation to return and bear the costs.

(2) If the carrier is the [Tv](#). If you do not comply with your return obligation within the time limit specified in Section 96, Paragraph (1) , the Police will advance the costs, and another carrier will take care of the return.

(3) If the carrier does not fulfill its obligation to bear the costs in advance, the Police may demand reimbursement of the costs in accordance with the rules of civil law.

(4) The obligation to return cannot be imposed if the transported third-country national requests recognition as a refugee or requests temporary or supplementary protection.

§ 137. (1) The [Tv. A carrier that does not fulfill its inspection obligation according to](#) Section 143, Paragraph (2) shall be fined a minimum of 3,000 and a maximum of 5,000 euros per person, determined in HUF.

(2)

(3) The fine is established by the competent body of the Police based on the place of attempted entry into the territory of Hungary.

§ 138. (1) The [Tv. The amount of the public order fine according to](#) § 144 is at least 3,000 euros and at most 5,000 euros, which must be determined in forints, for all trips in connection with which passenger data was not or was incorrectly provided.

(2) The fine against an air carrier that violates its obligation to provide data shall be determined by the competent body of the Police according to the place of entry into the territory of Hungary.

(3) The [Tv. The amount of the public order fine specified in §§_143 and 144](#) must be determined taking into account all the circumstances of the case, especially the repeated nature of the violation and the number of violations.

(4) The [Tv. An appeal against a decision to impose a public order fine according to §§_143 and 144](#) is judged by the National Police Headquarters.

68. Responsibility of the employer and the host organization

§ 139. The [Tv. According to the provisions](#) of Section 27(2) , Section 29(2) and Section 32(2), the employer meets the requirements of the generally expected behavior in the given situation, if the obligation to report to the immigration authorities is fully fulfilled satisfies, and can also prove that

a) provided the guest worker with information in a language he understands about the legal consequences of the termination of the employment relationship regarding immigration law, as well as the obligation to leave the country and the related sanctions,

b) the employer had a plane ticket in the name of the guest worker to the country of origin or to the country indicated in the declaration as the destination country of departure, or the guest worker presented such a plane ticket to him, and can prove this with documentation, and

c) for the departure of the guest worker

ca) it did not take place because the guest worker left his declared accommodation for an unknown place before the day of departure and was unable to establish contact with him, or

cb) on the basis of paragraph (11) of § 28 of the [Act or paragraph \(8\) of § 31 of the Act](#) , the guest worker has not been deported, he has ascertained the fact of the change of employer and can prove it with a document.

§ 140. The regional directorate does not have the option to impose a public order fine for more than one year from the date of becoming aware of the failure specified in paragraphs (1)-(5) and (11) of § 145 [of the Act](#) .

Section 141 (1) The regional directorate shall fine an employer or host organization that fails to fulfill its obligations as defined in Sections (1)-(5) and (11) of Section 145 [of the Act](#) , for each employee affected by the failure - proportional to the number of employees and the extent of the violations - one million is subject to a public order fine of up to HUF.

(2) The amount of the public order fine specified in § 145 of the [Act](#) must be determined with regard to all the circumstances of the case, especially the repeated nature of the violation and the number of violations.

§ 142. The appeal against the decision imposing a public order fine according to § 145. of the [Act is judged by the Directorate General](#).

69. Notification of the internship program and host organization

§ 143 (1) The organization receiving the intern fulfills its reporting obligation defined in § 146 of the [Act](#) through the electronic interface for the immigration police.

(2) The General Directorate is responsible for keeping records of host organizations.

(3) The procedure related to the host organization's notification specified in § 146 [of the Act](#) , as well as the notification of data changes, is carried out by the competent regional directorate according to the location of the internship program.

PART SEVEN

NOTIFICATION OBLIGATIONS AND PROVIDING THIRD COUNTRY CITIZENS WITH TRAVEL DOCUMENTS

70. Obligation to report accommodation of third-country nationals

§ 144. (1) During the notification pursuant to § 147. subsection (4) of the [Act](#), the third-country national must attach

- a) a copy of the title deed not older than thirty days, proving the ownership of the applicant's apartment in Hungary,
- b) the apartment rental contract certifying the apartment rental relationship,
- c) document certifying the existence of the reserved and paid accommodation,
- d) in Hungary with a residence visa or residence permit, long-term residence permit, [Szmtv.](#) a notarized statement of a family member with a residence card, a permanent residence card or a long-term residence card, or recognized as a refugee, undertaking to provide housing for the applicant, or
- e) another creditable document.

(2) During the notification pursuant to § 147, paragraph (4) of the [Act](#) , the third-country national is not obliged to attach the documents listed in paragraph (1) if the permanent stay in Hungary

- a) with an EU Blue Card,
- b) with a researcher's short-term mobility certificate,
- c) researchers with a long-term mobility residence permit,
- d) with a student mobility residence permit,
- e) with a student mobility certificate,
- f) with a residence permit for intra-company transfer,
- g) with a residence permit for study purposes,
- h) with a residence permit for the purpose of research,
- i) with a residence permit for the purpose of carrying out voluntary activities,
- j) you have a residence permit for the purpose of pursuing an internship
- k) with a residence permit for the purpose of finding a job or starting a business

is realized.

(3) The Directorate General receives the data specified in subsection (2) of § 147 [of](#) the Act on a daily basis from the storage service provider appointed by the Government.

(4) If the purpose of the stay is to engage in seasonal work, the third-country national must, in addition to what is included in paragraph (1), attach the declaration according to § 14, paragraph (2) , with the application meaning the notification when applying this paragraph.

§ 145. (1) A third-country national staying in an accommodation that is not classified as a non-business community leisure accommodation under the scope of the Trade Act is obliged to report his accommodation if his stay in Hungary exceeds thirty days from the date of entry.

(2) With the exception of the provisions of paragraph (3) , the reporting obligation must be completed within three days of entry on the form established for this purpose via the electronic interface of immigration enforcement, addressed to the regional directorate responsible for the accommodation.

(3) A third-country national applying for the issuance of a residence permit shall fulfill the reporting obligation in the procedure initiated for the application for the residence permit. The provisions of § 146 govern the notification of changed accommodation after the application has been approved .

(4) The documents pursuant to Section 9, Paragraphs (3) and (5) e, as well as a copy of the third-country national's valid travel document must be attached to the notification pursuant to Paragraph (2) .

(5) The regional directorate may check the authenticity of the address of the notified accommodation in the address register of the personal data and residential address register.

(6) The third-country national verifies the fact of registering the accommodation with a certificate issued by the regional directorate (hereinafter: accommodation certificate) and with the document specified in § 144, subsection (1) .

(7) Certificate of accommodation is included

- a) the third country citizen
 - aa) your family name and surname(s),
 - ab) place and time of birth,
 - ac) gender,
 - ad) his mother's birth surname and first name(s),
 - ae) your citizenship(s) or stateless status,
 - af) the address of your accommodation,
- b) the electronic signature based on at least a qualified certificate and the electronic stamp of an authority based on at least a qualified certificate, as well as a qualified time stamp,
- c) a data storage code that can be read optically by the IT device.

(8) The code according to point c) of paragraph (7) is a method for storing and displaying data in a visual, machine-readable format, which includes the data according to point a) of paragraph (7) .

(9) The regional directorate will transmit the accommodation certificate electronically to the third-country national.

(10) The paper-based accommodation certificate is authentic even in the absence of the signature of the person authorized to issue it and the stamp of the regional directorate, if reading the data storage code with an IT device confirms the data contained

therein.

(11) If, during the procedure for the issuance or extension of the residence permit, the third-country national designates an accommodation that falls within the scope of the Act on Trade and is classified as non-commercial community leisure accommodation, the third-country national's obligation to report is in accordance with (2)–(fulfills the provisions of paragraph 6) .

§ 146. (1) The third-country national must report the change of accommodation to the regional directorate responsible for the new accommodation via the electronic interface for immigration enforcement within three days from the occurrence of this fact.

(2) The notification obligation regarding a change of accommodation does not extend to the notification of the accommodation from which the third-country national with a visa or residence permit returns to the notified accommodation after a temporary absence of up to thirty days. If the place of temporary absence is a community, leisure accommodation that falls under the scope of the Trade Act and is not for business purposes, in this case it must be recorded in the guest book, and the registered accommodation of the third-country national must also be indicated in it.

71. Notification of the place of residence of a long-term third-country national

§ 147 (1) A third-country national submitting an application for a temporary residence card, national residence card or EU residence card must establish his first place of residence in Hungary - with the exception of the provisions of paragraph (2) , or if he does not yet have a place of residence in Hungary - by submitting the application announces at the same time.

(2) Act II of 2007 on the entry and residence of third-country nationals . Act (hereinafter: [Harmtv.](#)), a third-country citizen who submits an application for a national residence card in the interest of the national economy may, after obtaining the national residence card, report the establishment of his first place of residence in Hungary at any district office based on the Act on the Registration of Citizens' Personal Data and Addresses.

(3) In order to declare his first place of residence, the third-country national must prove his right to dispose of or use the apartment. The section of the application for reporting the place of residence must be signed by the applicant, as well as the owner of the apartment or the person entitled to use the apartment by other legal title, such as the host.

(4) The regional directorate rejects the application for the declaration of the first place of residence in its decision rejecting the application for the temporary residence card, national residence card or EU residence card.

(5) A third-country national with a long-term residence permit must notify any district office of the change in residence declared in the authorization procedure for the temporary residence card, national residence card, and EU residence card based on the Act on the Registration of Citizens' Personal Data and Addresses.

(6) The [Harmtv.](#) a third-country national with a long-term right of residence in the interest of the national economy, authorized under the Act on the Registration of Personal Data and Addresses of Citizens, must notify any district office of a change of residence in Hungary.

(7) A change of residence does not entail the exchange of the residence document. The notification of the change of residence in the procedure according to paragraph (5) is confirmed by the official ID card issued by the district office, on the personal identification number and residential address, therefore this official ID card must be kept together with the residence document and must be handed over to the authorized authority for inspection.

72. Notification obligation of third-country nationals holding an EU Blue Card

§ 148. A third-country national with an EU Blue Card fulfills his reporting obligation specified in § 148 of the [Act](#) at the competent regional directorate according to where he is staying. The regional directorate notifies the government office of the notification.

73. Notification of birth

§ 149. (1) The birth of a third-country national's child must be announced at the regional directorate responsible for the parent's place of residence or place of residence by presenting the child's birth certificate on the form specified in the law, within three months of the child's birth.

(2) If one of the parents residing in Hungary and exercising joint parental supervision has a long-term residence permit, this must be taken into account when determining the child's residence permit.

74. Notification obligations and official measures related to the personal documents of third-country nationals

Section 150 (1) A third-country national may report the loss or misappropriation of his travel document or residence permit to the regional directorate, the police or the consular officer. A certificate of the fact of the notification must be issued to the reporting third-country national - in the case of probable citizenship.

(2) If the document believed to be lost or destroyed is found by its holder and a new travel document or residence permit has not yet been issued, the temporary residence certificate must be submitted to the issuing authority.

(3) If a document thought to be lost or destroyed is found by its holder, but a new document has been issued to him in the meantime, the found document must be handed over to the issuing authority.

(4) The authority that has found a travel document and received a residence permit must send it to the Directorate General.

(5) The Directorate General must ensure that the found travel documents are delivered to the accredited foreign representation of the state having jurisdiction in Hungary according to the place of issue.

(6) The immigration enforcement authority will return the travel document that was sealed during the immigration enforcement procedure or taken away for the purpose of restricting travel abroad, as well as the document issued by the foreign authority at the disposal of the immigration enforcement authority, to the issuing authority, if the document is for use in the official procedure - especially at the national border to cross it - it is not suitable, and there is no way to issue it to a foreigner.

(7) The Directorate-General keeps a separate register of the incomplete travel documents and residence permits specified in paragraph (1), which can also be issued during immigration enforcement procedures. The register contains the type, identification data, number, serial number and validity period of the travel document and residence permit.

(8) If the circulation of a document issued during the procedures specified in the [Act](#) is justified by the Directorate General, the regional directorate that issued the document shall ensure its registration in the register.

(9) If the circulation of a visa document revoked or destroyed by a final decision by the Directorate General is justified, and the consular officer, the minister responsible for foreign policy or the Police decided to revoke or destroy it, the third-country national shall be notified of its registration in the register based on the notification of the decision-making authority by the regional directorate responsible for the accommodation indicated in the visa application.

(10) If the notification referred to in paragraph (1) is made to the consular officer, the third-country national may also submit the application for replacement of the residence permit to the consular officer. The consular officer will immediately submit the request to the regional directorate that issued the document.

(11) If the regional directorate approves the request for the replacement of the residence permit document, it simultaneously authorizes the issuance of a residence permit visa and notifies the consular officer accordingly. The visa entitling to receive the residence permit is issued by the consular officer - based on the decision of the regional directorate.

§ 151. (1) A third-country national who received his or her settlement permit, national settlement permit or national residence card due to a family relationship must file for divorce or the death of his or her spouse upon receipt of the final divorce judgment or the issuance of the death certificate. within sixty days from the date of birth, to notify the competent regional directorate according to his place of residence by attaching the documents at the same time.

(2) A third-country national with a long-term right of residence must notify the competent regional directorate according to his place of residence or place of residence, if he leaves the territory of Hungary with the intention of settling abroad.

(3) A third-country national with an immigration permit, settlement permit, national settlement permit, or national residence card may notify the regional directorate responsible for his place of residence in writing of his intention to leave the territory of Hungary for more than six months, indicating the reasons and the expected duration of his stay abroad. If the third-country national leaves the territory of Hungary for a period not exceeding two years and not with the intention of permanently settling abroad, the regional directorate will issue an immigration permit, settlement permit, national settlement permit or national residence permit may not revoke a card because the third-country national has left the territory of Hungary for more than six months, provided that the third-country national has stayed in Hungary for at least one hundred and eighty days within the one-year period preceding the notification.

XXII. Chapter

PROVIDING A THIRD-COUNTRY CITIZEN WITH A TRAVEL DOCUMENT, AS WELL AS SUPPLYING AND SUPPORTING A THIRD-COUNTRY CITIZEN WHO HAS BEEN A VICTIM OF HUMAN TRAFFICKING

75. Providing third-country nationals with a travel document

Section 152. (1) Sections 154–157 of the [Law The application for a travel document specified in](#) § must be submitted in person on the form required by law, with the exception of paragraph (2)

a) in the case of an application for a travel document specified in § 154 of the [Act](#), at the consular officer,

b) Tv [.155–157](#) in the case of an application for a travel document specified in §, at the competent regional directorate according to the applicant's place of residence, place of residence or accommodation.

(2) The application of a minor or a person under guardianship may be submitted by the parent or legal representative.

(3) The application can also be submitted by proxy, if the applicant's state of health - according to the certificate issued by the attending physician - does not allow for personal appearance.

(4) The previous travel document in the possession of the applicant must be attached to the application for the travel document, if the applicant has one, and also two ID photos suitable for identifying the applicant.

(5) The application of a third-country national who is a minor or under guardianship must be accompanied by a legally binding declaration by the parents (legal representatives) before the notary, the guardianship office or the regional directorate, consenting to the issuance of the travel document or the termination or suspension of parental supervision a copy of the decision.

76. Issuance and replacement of the travel document

§ 153 (1) The title "long-term resident" must be indicated in the travel document issued to a third-country national with a long-term residence permit.

(2) The replacement of the travel document must be requested if

- a) the data of the third-country national in the travel document have changed,
 - b) the travel document is full, or
 - c) it has been damaged or has become unsuitable for personal identification due to other reasons.
- (3) The request for the replacement of the travel document must be accompanied by two ID photos that can identify the applicant.

77. Special provisions regarding the travel document for the stateless person

§ 154. (1) A Hungarian-English travel document entitled "Travel document for Stateless Person" must be issued to a stateless person staying in Hungary, pursuant to Art. II of 2002. promulgated by law, established in New York on September 28, 1954 within the framework of the United Nations, provided with the entry in Article 1, Paragraph 1 of the Appendix to the Convention on the Status of Stateless Persons. The validity period of the stateless travel document can be extended once, by six months.

(2) The regional directorate collects the previous travel document issued to the stateless person by the competent authority of another state and sends it to the issuing authority - via the diplomatic or consular representation of the state concerned.

(3) If the stateless person has acquired citizenship, the travel document must be submitted within fifteen days to the competent regional directorate according to his place of residence, place of residence or accommodation.

78. Care and support of a third country citizen who has become a victim of human trafficking

§ 155. The Directorate-General contributes with benefits and support to the creation of the basic living conditions of a third-country national with a residence permit who has become a victim of human trafficking (hereinafter: a third-country national who has become a victim of human trafficking).

§ 156. (1) A third-country national who has become a victim of human trafficking is entitled to financial support and benefits in the scope of personal care.

(2) Benefits falling within the scope of personal care:

- a) providing accommodation and care in communal or similar accommodation, as well as
- b) health care.

(3) After moving out of a community accommodation or a reception center, a third-country national who has become a victim of human trafficking may, in case of need, receive a monthly subsidy for twelve months after the first issuance of the residence permit, the amount of which is the amount of the employment replacement subsidy.

§ 157. (1) The provision and payment of benefits and subsidies contained in § 156 is a condition that a third-country national who has become a victim of human trafficking or his spouse, partner, sibling and direct relative living in the same household as a third-country citizen do not have the means of subsistence available in Hungary with insurance assets, as well as taking into account the total income of his own and his spouse and direct relatives living in the same household monthly income per capita should not exceed the amount of the social security fund.

(2) For the purposes of this regulation, income and assets are considered to be income or property according to the [1993 Act III on social administration and social benefits](#), income and assets defined in [points a\) and b\) of § 4, paragraph \(1\) of the Act](#).

Section 158 (1) When applying for the support specified in Section 156, a third-country national who has become a victim of human trafficking must declare his property and income situation by filling out the declaration according to Annex 6 , at the same time as submitting his written request .

(2) The request for support of a third-country national who has become a victim of human trafficking is judged by the competent regional directorate according to where he is staying.

(3) The General Directorate disburses the support monthly by mail with a transfer to accommodation.

(4) If the victim of human trafficking is a citizen of a third country

- a) has assets that ensure his livelihood,
- b) his income has reached the amount specified in § 157 , or
- c) his place of residence has changed during the payment of the support provided for in § 156, paragraph (3) ,

is obliged to report this to the competent regional directorate according to his accommodation within fifteen days from the occurrence of the change in assets or income, or the change of address at the latest.

(5) The regional directorate may ex officio examine the eligibility for support of a third-country national who has become a victim of human trafficking. In the course of providing and disbursing the services and support specified in this chapter, the regional directorate may oblige a third-country national who has become a victim of human trafficking to make a declaration according to paragraph (1) and to verify his assets and income, which the obligee must comply with within fifteen days.

(6) If a third-country national who has become a victim of human trafficking does not comply with the obligations set out in paragraphs (4) and (5) and is unable to save himself, the regional directorate will suspend the payment of the support established for him until the obligation is fulfilled. If the duration of the suspension exceeds thirty days, the subsidy for the duration of the suspension cannot be paid, and the payment of the subsidy must be terminated.

(7) A third-country national receiving support who has become a victim of human trafficking is obliged to notify the competent regional directorate of his place of residence of his stay abroad for more than thirty days or any other obstacle to receiving the support - before leaving abroad or immediately after the obstacle arises. Based on the notification, the payment of the subsidy is

suspended - during the period of absence or until the obstacle is removed. If a third-country national who has become a victim of human trafficking does not comply with his reporting obligation and does not receive the support by the date of the next due payment, the regional directorate will terminate the payment of the support.

(8) If it is determined that the foreigner is no longer entitled to the subsidy due to the fact that his or her need has ceased in accordance with Section 157, Paragraph (1), the payment of the subsidy must be terminated immediately.

§ 159 (1) A third-country national who has become a victim of human trafficking may be accommodated in a reception station for the separate accommodation of third-country nationals who have become a victim of human trafficking or in other accommodation maintained on the basis of a contract (hereafter together: community accommodation).

(2) A third-country national who has become a victim of human trafficking does not have to pay a compensation fee if he is placed in community accommodation, if his income does not exceed the amount specified in § 157, subsection (1).

(3) For third-country nationals who have become victims of human trafficking during their stay in community accommodation, Articles 117-120 The provisions contained in § shall be applied.

(4) If the income of a third-country national who has become a victim of human trafficking exceeds the amount specified in § 157, paragraph (1), he is obliged to reimburse the out-of-pocket costs of the services used by him afterwards, by the 5th day of each month. The amount of compensation is determined by the manager of the community accommodation.

Section 160 (1) If a third-country national who has become a victim of human trafficking is not in a social insurance relationship, in case of illness, he is entitled to use the health services specified in Section 125 free of charge.

(2) A third-country national who is a victim of human trafficking staying in a community accommodation is provided with general medical care at the community accommodation.

(3) A third-country national who has become a victim of human trafficking and lives outside community accommodation is entitled to care at the general practitioner in the place of accommodation, who provides health care services with a territorial obligation to provide care.

(4) Specialist health care can be obtained from a health care provider operating with a regional care obligation.

PART EIGHT

THE FOREIGN SYSTEM PROCEDURE

XXIII Chapter

GENERAL RULES OF THE VISITOR PROCEDURE

79. Jurisdiction rules

§ 161 The following immigration enforcement authorities act during immigration enforcement procedures:

- a) the minister responsible for immigration and asylum affairs;
- b) the minister responsible for foreign policy;
- c) the General Directorate;
- d) the regional directorate;
- e) the consular officer;
- f) the Police;
- g) with regard to the application of PART FIVE, the asylum authority in connection with expulsion, voluntary departure, deportation, as well as entry and residence bans ordered by it.

§ 162 Procedure for issuing a short-term, planned stay visa according to the Visa Code

- a) the minister responsible for foreign policy,
 - b) the consular officer,
 - c) the Directorate General,
 - d) the Western Transdanubian Regional Directorate with national competence,
 - e) the regional directorate
- (hereinafter together: visa issuing authority) falls under its competence.

§ 163. The minister responsible for foreign policy shall decide, in accordance with the law, the persons enjoying other privileges and immunities based on diplomatic or international law and their family members, those entering for the purpose of visiting Hungarian diplomatic or consular missions or members of international organizations, as well as those persons entitled to a short-term, planned stay on visa applications, whose entry is of foreign policy interest.

§ 164 The immigration police procedure for the issuance of a small border traffic permit falls within the competence of the consular officer of the consular service defined in the international treaty.

§ 165. Aliens police procedure for issuing a visa entitling a stay of more than ninety days

- a) the consular officer,

b) the Directorate General,
c) the regional directorate
falls under its jurisdiction.

§ 166. The regional directorate decides on the application for a visa entitling a stay of more than ninety days.

§ 167 Aliens police procedure for issuing and extending the residence permit
a) the minister responsible for foreign policy,
b) the regional directorate
falls under its jurisdiction.

§ 168 The regional directorate decides on the third-country national's application for the issuance or extension of a residence permit (hereafter together: application for the issuance of a residence permit) -with the exception of § 169 .

§ 169. The minister responsible for foreign policy, as defined in the legislation, decides on the applications for residence permits of persons enjoying other privileges and immunities based on diplomatic or international law and their family members, those entering for the purpose of visiting members of Hungarian diplomatic or consular missions or international organizations, and persons whose there is a foreign policy interest attached to his entry.

80. Jurisdiction rules

§ 170. The consular officer shall immediately submit the application for the issuance of a guest investor visa to the Central Regional Directorate with national competence for evaluation.

§ 171 The request for the issuance and extension of the guest investor residence permit is judged by the Central Regional Directorate with national competence.

Section 172 (1) Based on Section 168, Paragraphs (7), (9) and (10) of the [Act, during the evaluation of applications submitted on the electronic interface of immigration enforcement, as well as](#) Section 216, Paragraph (4) and Section 223 During the evaluation of the requests specified in paragraphs (2) and, the regional directorate acts with national competence.

(2) The General Directorate distributes the requests according to paragraph (1) proportionally among the regional directorates.

§ 173. If several regional directorates are competent to assess the application, the General Directorate distributes the applications proportionally among the regional directorates with competence.

§ 174. The consular officer shall immediately send the application for the issuance of a national residence card received on the basis of § 223, subsections (2)-(4) to the regional directorate responsible for the place of residence immediately after submitting the application.

Section 175 (1) The third-country national's immigration permit, settlement permit, temporary settlement permit, national settlement permit, EC settlement permit, as well as the temporary residence card, national residence card, EU residence card are issued by the competent regional directorate according to the third-country national's place of residence you can withdraw it.

(2) The third-country national has the [Harmtv.](#) based on national economic interests, the regional directorate competent for the third-country national's place of residence may revoke his or her national settlement permit or national residence card.

§ 176. (1) If [Harmtv.](#) based on the national establishment permit issued in the interest of the national economy, the Budapest and Pest County Regional Administration, which has national jurisdiction, acts during the procedure contained in § 83, paragraphs (2) and (3) .

(2) The notification pursuant to Section 151, Paragraph (1) [of Harmtv.](#) a third-country national who has obtained a national settlement permit or a national residence card based on national economic interests must complete the process at the Budapest and Pest County Regional Administration, which has national jurisdiction.

§ 177. (1) The [Tv.](#) According to § 162, paragraph (1), the competent regional directorate according to the seat of the employer of the legal entity acts in the event that

a) the authorized place of work of the third-country national affected by the imposition of the public order fine is national or changing,

b) the employee does not start the authorized work,

c) the employer is a labor hire company or qualified lender.

(2) The regional directorate responsible for the actual place of work shall act if the employed third-country national affected by the imposition of a public order fine does not work for the employer or host organization for which he is entitled.

(3) The regional directorate responsible for the client's place of residence acts against the employer of a natural person based on paragraph (1) of § 162 of the [Act](#) .

81. General rules of contact

Section 178 (1) Applications can only be submitted using the electronic form established for this purpose by the Directorate General through the electronic interface for the initiation of immigration proceedings defined in subsection (6) of Section 166 of the [Act](#).

(2) The electronic form is available free of charge.

(3) The immigration authority sends the information specified in subsection (15) of § 168 of the [Act through the immigration enforcement electronic interface](#).

(4) The application submitted on the electronic interface of immigration enforcement must contain the legally defined documents and other accessories to be attached to the given application.

(5) The electronic interface for the initiation of alien police cases defined in subsection (6) of § 166 of the [Act](#) can be used in the procedures conducted by the regional directorate and the General Directorate.

XXIV. Chapter

GENERAL RULES FOR VISITATION SYSTEM PROCEDURES INITIATED ON APPLICATION

82. Payment of the application fee and document replacement

§ 179. The application fee - unless otherwise provided by law -

a) by means of an electronic payment instrument

b) by bank payment

must be paid.

§ 180 (1) The applicant or his representative may attach the documents attached to his application by mail or electronically after the submission of the application.

(2) In cases where the applicant deserves exceptional consideration, the attached documents may also be submitted personally to the acting immigration enforcement authority.

83. The administrative deadline and the calculation of the deadline

Section 181 (1) It must be judged out of turn, but within eight days at the latest

a) the application for a residence permit of the minor applicant and the legal representative traveling with the minor applicant, if the proven purpose of the trip is medical treatment of the minor,

b) the application for a residence permit of the person responsible for the supervision of the minor entering the country for the purpose of accompanying the unaccompanied minor home.

(2) The third-country national's application for a residence permit must be assessed within fifteen days if the purpose of his stay

a) continuation of studies,

b) research,

c) seasonal employment, if the third-country national stayed in Hungary for seasonal employment at least once during the five years preceding the submission of the application, and fully complied with the provisions of immigration law and labor legislation, or

d) looking for a job or starting a business.

§ 182. It must be judged within fifteen days

a) the third-country national's application for a student mobility residence permit,

b) the third-country national's application for a researcher's long-term mobility residence permit,

c) the application for a long-term mobility residence permit for researchers of family members of third-country nationals.

§ 183 (1) The acting authority shall make the substantive decision within thirty days of the submission of the application

a) in the case of a third-country national with a residence permit issued by a member state of the European Union for the purpose of employment requiring a high level of education, regarding the application for the issuance of an EU Blue Card,

b) in the subject of the application for a residence permit of a family member with a valid residence permit issued by another member state of the European Union who joins a third-country national holding an EU Blue Card in Hungary after the issuance of the EU Blue Card, and whose family relationship with the EU Blue Card holder is already existed in the first Member State, as well as

c) in the subject of the application for the issuance of the White Card.

(2) In exceptional and sufficiently justified circumstances related to the complexity of the application, the immigration authority may extend the deadline specified in paragraph (1) once, by 30 days. The immigration enforcement authority will immediately inform the applicant of the extension of the deadline.

§ 184. The acting immigration enforcement authority makes the substantive decision within sixty days from the submission of the application

a) to issue and extend the application for a residence permit for research purposes,

b) for the issuance of a researcher's long-term mobility residence permit,

- c) for the issuance of a residence permit for the purpose of continuing the traineeship,
 - d) to issue and extend the application for a residence permit for study purposes,
 - e) to issue a residence permit for the purpose of finding a job or starting a business,
 - f) to issue and extend a residence permit for the purpose of volunteering
- in the subject of the request.

Section 185 (1) If the residence permit is issued and extended within the framework of a combined application procedure, the acting authority shall make the substantive decision -with the exception of Section (2) and Section 183 Section (1) points a) and b) - within seventy days from the submission of the application.

(2) In the case of a guest worker residence permit, the authority acting in the combined application procedure shall make the substantive decision within sixty days from the date of submission of the application.

§ 186. The application for a residence permit to ensure family coexistence submitted together with the application for the EU Blue Card must be evaluated simultaneously.

84. Obtaining the opinions of the Office for the Protection of the Constitution, the Anti-Terrorism Center and the Police

§ 187. (1) The regional directorate requests the opinion of the Office of Constitutional Protection, the Anti-Terrorism Center and the Police on the application for a residence permit, the minister responsible for immigration and asylum, on the application for a residence permit issued in the national interest in order to protect public safety and national security .

- (2) The Office for the Protection of the Constitution, the Anti-Terrorism Center and the Police are obliged to make inquiries
- a) in the case provided for in § 181, subsection (1), five,
 - b) in the case provided for in § 181, subsection (2), eight,
 - c) in other cases, fifteen
- to comply within days.

(3) If the requested authority does not comply with the request within the period specified in paragraph (2) , the opinion shall be deemed to have been given.

85. The subpoena

§ 188. (1) When summoning a minor, information on the content of the summons must be provided in a way that is understandable to the minor, taking into account the age and maturity of the minor.

(2) When subpoenaing a person who is incapacitated or with limited capacity to act, as well as when subpoenaing a person who, due to his mental or other condition, has a limited ability to judge the significance of giving testimony, information about the content of the subpoena must be given in a way that he can understand, taking into account his age, maturity, mental and other state .

86. Procedure related to minors

Section 189 (1) In immigration proceedings, the immigration authority is obliged to investigate whether the rules on unaccompanied minors specified in the [Law](#) and this Decree should be applied to the minor third-country national. In this context, it must be established in particular that

- a) whether the third-country national is a minor,
 - b) is there a person who, based on legislation or custom, is obliged to supervise the minor third-country national.
- (2) If it can be concluded from the available data at the time of the initiation of the procedure that the client is an unaccompanied minor, in order to protect the interests of the unaccompanied minor, the immigration enforcement authority shall immediately contact the guardianship authority at the initiation of the procedure for the purpose of assigning a case guardian. Until the temporary guardian is appointed, the unaccompanied minor may be invited to a medical examination in order to clarify his age and health condition in the evidentiary procedure necessary to clarify the facts, and to make a statement to the extent appropriate to his mental state and maturity, his name, place and time of birth, his mother's name, place of residence, the above regarding the natural ID data and contact information of the person exercising parental supervision.

(3) The hearing of an unaccompanied minor as a client must take place in an atmosphere appropriate to his situation and in a manner understandable to the minor. In the absence of the occasional guardian, the hearing may be aimed at clarifying the name, place and time of birth of the unaccompanied minor, the name and place of residence of the mother, the natural identification data and contact information of the person exercising parental supervision over him. If the unaccompanied minor's best interests require it, the immigration enforcement authority may arrange for temporary placement even in the absence of a case guardian, provided that the immigration enforcement authority notifies the guardianship authority of the fact of the temporary placement.

(4) The Police shall ensure the transportation of an unaccompanied minor temporarily placed by the immigration enforcement authority to a place of care.

(5) In order to accommodate the unaccompanied minor, the immigration enforcement authority will contact the guardianship office and the consular representation of the state of the minor's nationality operating in Hungary.

(6) The hearing of the minor must take place in a suitable atmosphere and in a manner understandable to the minor. At the beginning of the hearing, the minor must be asked – considering his age and maturity – his name, place and time of birth, his

mother's name, place of residence, and then he must be informed that truthful statements must be made during the hearing, and that making statements, and you can refuse to answer individual questions. If the guardianship authority has appointed a case guardian or case guardian for the minor, it shall inform the minor about the role, rights and obligations of the case guardian or case guardian in the procedure. The information and warnings must be communicated in a way that the minor can understand, taking into account the age and maturity of the minor.

87. Hearing the witness

Section 190 (1) During the hearing of the witness, he is obliged to answer questions regarding his identity, his relationship with the client, and his bias, even if the witness can refuse to testify.

(2) The witness is obliged to cooperate with the regional directorate during the alien police procedure, and he must be warned orally or in writing to this effect, simultaneously recording the acknowledgment of the warning.

(3) During the witness hearing, the witness, the interpreter, the legal representative and the authorized representative may not use mobile phones, tablets, or other devices capable of recording images and audio or transmitting data.

(4) The hearing report and all its pages must be signed by the witness, interpreter, legal representative or authorized representative, by all those present at the procedural act.

(5) If the client or other participant in the procedure refuses to sign the hearing protocol, this fact must be recorded on all pages of the hearing protocol with the signature of two witnesses.

88. Rules of delivery

§ 191 (1) The immigration enforcement authority shall deliver the residence permit document issued to the applicant by post to the address indicated on the form specified in the law, unless the law provides otherwise.

(2) The document according to subsection (1) is issued by the immigration enforcement authority

a) in the case of the procedure of the employer who submits the application for a residence permit pursuant to § 168, subsection (4) [of the Act](#), to the official contact address provided by the employer, or, failing that, to the registered office,

b) in the case of a residence permit for training or study purposes, to the address of the educational institution delivers.

(3) The applicant may receive the residence permit document in person at the acting immigration enforcement authority if he proves that he is not in a position to receive the residence permit document at the address indicated for delivery.

XXV. Chapter

ACCEPTANCE OF THE LOCK

§ 192. (1) In order to access the data stored in the locked object and to save the data on a data carrier, the immigration enforcement authority - if the acquisition of the data necessary to conduct the procedure cannot be solved within its own organization - seeks expert support from the National Security Service in order to

(2) The National Security Service shall hand over the extracted data to the immigration enforcement authority in electronic form. The immigration enforcement authority handles the data on a data carrier, in an identifiable manner, in a closed manner.

(3) The immigration enforcement authority shall terminate the detention immediately after the return of the thing under detention, but within three working days at the latest.

(4) The immigration enforcement authority shall immediately destroy the data carrier containing the data after establishing the identity of the third-country national.

XXVI. Chapter

RULES OF APPEAL

Section 193 (1) An appeal against the decision on the application for a residence permit and the revocation of the residence permit may be submitted within eight days.

(2) In the case of applications for the issuance of a residence permit and the revocation of a residence permit that occurred before the first entry of a third-country national, the third-country national may also submit his appeal to the consular officer. The consular officer shall immediately forward the appeal to the relevant regional directorate.

(3) The appeal is judged by the Directorate General within twenty-one days.

XXVII. Chapter

SPECIAL RULES OF PROCEDURE RELATING TO CERTAIN OWNERSHIP TITLES

89. Special procedural rules related to short-term, planned stay visas

§ 194. (1) VI of the Visa Code. An application for a short-term, planned stay visa regulated in Chapter 1 may be submitted to the Police at Hungary's road, air and water border crossing points (hereinafter: border crossing point).

(2) The Police must submit the application for a short-term, planned stay visa presented at the border crossing point to the Western Transdanubia Regional Directorate for a decision without delay - electronically.

(3) The Western Transdanubia Regional Directorate decides on the application immediately after receiving it, but within three hours at the latest, and communicates its decision to the applicant via the Police.

(4) In the case of a decision approving the application, the Police will issue the short-term, planned stay visa to the applicant.

(5) An appeal against a decision regarding the rejection of an application for a short-term, planned stay visa presented at the border crossing point may be submitted within three days after the notification of the decision at the border crossing point, at the West Transdanubia Regional Directorate, or at the General Directorate.

(6) The Police shall immediately send the appeal presented at the border crossing to the Western Transdanubia Regional Directorate. The Western Transdanubia Regional Directorate submits the appeal to the General Directorate out of turn.

(7) The General Directorate makes its decision within five days.

§ 195. It must be judged out of turn, but within ten days at the latest

a) the visa application of the minor applicant and the legal representative traveling with the minor applicant, if the certified purpose of the trip is medical treatment of the minor,

b) the visa application of the person responsible for the supervision of the minor entering the country for the purpose of escorting the unaccompanied minor home, and

c) an application for a short-term, planned stay visa, if Hungary has a significant economic, cultural, scientific or sports interest in the applicant's entry and stay.

§ 196 (1) The minister responsible for foreign policy and the consular officer may request the opinion of the Office of Constitutional Protection and the Anti-Terrorism Center on the application for a short-term, planned stay visa within their jurisdiction.

(2) The Office for the Protection of the Constitution and the Anti-Terrorism Center are obliged to request

a) in the case provided for in § 195 , eight,

b) in other cases, ten

to comply within days.

(3) If the requested authority does not comply with the request within the period specified in paragraph (2) , the opinion shall be deemed to have been given.

§ 197 (1) An appeal against a decision rejecting an application for a short-term, planned stay visa can be submitted in writing to the competent consular official within eight days. The appeal of an illiterate applicant who appears in person before the consular officer is recorded in the minutes by the consular officer, and the applicant signs all of its pages.

(2) The minister responsible for foreign policy will judge the appeal within fifteen days.

(3) If the visa was rejected on the basis of § 223, paragraph (1) e of the [Act](#) , in the second instance procedure, the minister responsible for foreign policy will contact the Directorate-General for consent according to § 223, paragraph (1) of the [Act](#) . The Directorate General shall notify the Minister responsible for foreign policy of the granting or refusal of consent within seven days of the receipt of the request. If the Directorate-General does not give consent in the second instance procedure, the issuance of a short-term planned stay visa cannot be authorized.

§ 198 (1) The consular officer who issued the visa decides on the cancellation or revocation of the short-term, planned stay visa before entering the territory of Hungary.

(2) Based on the provisions of Annex V, Part A of the Schengen Border Control Code, the Police decides on the cancellation or revocation of a short-term, planned stay visa.

(3) The regional directorate responsible for the third-country national's place of residence decides on the cancellation or revocation of the visa of a third-country national staying in Hungary for a short period of time.

Section 199 (1) If the consular official has decided to cancel or revoke the short-term, planned stay visa, an appeal against the decision may be submitted to the competent consular official within three days.

(2) The minister responsible for foreign policy will judge the appeal within eight days.

(3) If the minister responsible for foreign policy approves the appeal against the decision regarding the cancellation or revocation of the visa, the consular officer issues a new visa to the third-country national.

Section 200 (1) An appeal against a decision regarding the annulment or withdrawal of a short-term planned residence visa in accordance with Section 198, Paragraph (2) may be submitted to the Police after the notification of the decision, but within three days at the latest.

(2) The appeal will be judged by the second instance body of the Police within eight days.

(3) If the appeal against the decision regarding the annulment or revocation of the visa pursuant to § 198, subsection (2) is upheld by the second instance body of the Police, the Police shall issue a new visa to the third-country national.

§ 201. (1) If the regional directorate has decided to cancel or revoke the short-term, planned stay visa, an appeal against the decision can be submitted to the regional directorate within three days. The regional directorate will immediately submit the appeal

to the General Directorate.

(2) The appeal will be judged by the General Directorate within eight days.

(3) If the appeal against the decision regarding the annulment or revocation of the visa is upheld by the General Directorate, the regional directorate issues a new visa for the third-country national.

§ 202. (1) The central visa authority is required by Regulation 767/2008/EC of the European Parliament and Council (hereinafter: VIS Regulation), the Visa Code, and [Tv.](#) the tasks defined in the General Directorate are performed.

(2) If – the [Tv. Pursuant to](#) Article 223, paragraph (1) e, the consent of the central visa authority is required for the issuance of a short-term, planned stay visa, the consular officer is obliged to submit the visa application to the central visa authority immediately after submission. Without the consent of the central visa authority, the visa cannot be issued.

(3) If the central visa authority has consented to the issuance of the visa, however, before the visa is issued, data, information or documents come to the attention of the consular officer that do not allow the issuance of the visa, the consular officer shall reject the visa application in accordance with the provisions of the Visa Code, and the notifies the central visa authority of the decision.

(4) The central visa authority on the consent or refusal to consent to the issuance of a short-term planned stay visa

a) if [the Tv. Consultation pursuant to](#) § 223, paragraph (2) is not required, or the central visa authority waives it, or according to the representation agreement pursuant to Article 8 of the Visa Code, the consultation is carried out by the representing member state, within seven days from the submission of the visa application,

b) the [Tv. In the event of consultation pursuant to](#) Section 223, Paragraph (2), immediately after the receipt of all responses or the expiration of the deadline for receipt of responses inform the consular officer.

§ 203. (1) If the central visa authority determines, after submitting the visa application, that the application for a short-term, planned stay visa must be rejected, then [Tv. You can waive the consultation according to](#) § 223, subsection (2) .

(2) If the central visa authority deems that there are no grounds for rejecting an application for a short-term, planned stay visa, after the visa application has been submitted, it will contact the central authorities of the Schengen states requesting consultation to state whether the short-term whether they agree to the issuance of a visa entitling them to a planned stay.

§ 204. (1) The central visa authority in [Tv.](#) Granting the consent specified in § 223, subsection (1) , as well as [Tv.](#) Before responding during the consultation pursuant to § 223, paragraph (2) , he is obliged to request the opinion of the Office for the Protection of the Constitution and the Anti-Terrorism Center on the visa application.

(2) The Office for the Protection of the Constitution and the Anti-Terrorism Center are obliged to comply with the request of the central visa authority within six days.

(3) If the requested authority does not comply with the request within the period specified in paragraph (2) , the opinion shall be deemed to have been given.

§ 205. (1) The extension of a short-term, planned stay visa falls within the competence of the competent regional directorate according to the place of residence of the third-country national.

(2) The regional directorate shall immediately decide on the application for the extension of a short-term, planned stay visa.

Section 206 (1) If the request for the extension of a short-term, planned stay visa is rejected by the regional directorate, an appeal against the decision can be submitted to the regional directorate within three days. The regional directorate will immediately submit the appeal to the General Directorate.

(2) The appeal is judged by the Directorate General within three days.

90. Special procedural rules related to small border traffic permits

§ 207. (1) The issuance of a small border traffic permit must be refused, or the issued small border traffic permit must be revoked, if the applicant or the holder of the issued small border traffic permit

a) does not fulfill the conditions for issuing the small border traffic permit,

b) communicated false information or untrue facts to the acting authority in order to obtain a small border traffic permit, or

c) attempted to mislead the acting authority regarding the purpose of entry and stay.

(2) The small border traffic permit may be revoked if the third-country national leaves the border area specified in a separate international agreement without a permit.

(3) Regarding the revocation of the small border traffic permit prior to entry into the territory of Hungary, the authority issuing the small border traffic permit, the Police during entry into or exiting the territory of Hungary, and in the case of a third-country national residing in the territory of Hungary, the competent regional the board decides.

§ 208. The small border traffic permit is invalid if

a) the small border traffic permit was revoked by a final decision,

b) has become incapable of verifying the data contained therein,

c) contains false data or has been falsified,

d) the beneficiary has died,

e) its holder has acquired Hungarian citizenship, or

f) the holder has obtained a right of residence under another legal title.

§ 209 (1) An appeal against the issuing of the small border traffic permit and the decision made by the issuing consular official to revoke the small border traffic permit can be submitted to the competent consular official.

(2) The consular officer shall immediately submit the appeal to the minister responsible for foreign policy.

(3) The appeal is judged by the minister responsible for foreign policy.

(4) If the Police has decided to revoke the small border traffic permit, an appeal against the decision can be submitted to the Police.

(5) The appeal will be judged by the second instance body of the Police.

(6) If the regional directorate decided to revoke the small border traffic permit, an appeal against the decision can be submitted to the competent regional directorate. The regional directorate will immediately submit the appeal to the General Directorate.

(7) The appeal is judged by the Directorate General.

91. Special procedural rules related to visas entitling to receive a residence document

§ 210. (1) The regional directorate that evaluates the application for the issuance of a residence permit decides on the application for a visa entitling to receive a residence permit.

(2) If the regional directorate approves the application for the issuance of a residence permit, it shall simultaneously authorize the issuance of a visa entitling to receive the residence permit and shall notify the consular officer thereof.

(3) The visa entitling to receive the residence permit is issued by the consular officer based on the decision of the regional directorate.

(4) If a third-country national not residing in Hungary submits his application for the issuance of a residence permit through the employer defined in § 168, subsection (4) of the [Act](#), the regional directorate will notify the consular officer of the authorization of the application. The visa entitling to receive the residence permit is issued by the consular officer after recording the personal identification and the data according to Section 141 (2) e of the [Act](#) and the signature of the third-country national - based on the decision of the regional directorate.

§ 211 When submitting an application for a visa entitling a stay of more than ninety days, the visa-issuing authority - with the exception of applicants with passports issued for diplomatic, service or other official purposes - shall enter in the passport the fact, place and time of the visa application, the code of the requested visa, and the the name of the authority receiving the visa application.

§ 212. A visa entitling a person to stay for more than ninety days must be issued in the form and data content according to point 1 of Annex 1 .

§ 213. The regional directorate responsible for the residence of the third-country national decides on the revocation of the visa entitling him to stay for more than ninety days.

§ 214. The visa document entitling a stay exceeding ninety days is invalid if

a) the visa cannot be used for entry to Hungary or for stay in Hungary, given its validity period, the number of permitted days of stay and entry,

b) the visa authorizing a stay exceeding ninety days was revoked by a final decision,

c) instead, the third-country national received a new visa document - in the procedure for exchanging or replacing the visa document,

d) became incapable of verifying the data contained therein,

e) contains false data or has been falsified,

f) its holder has obtained a right of residence under another legal title,

g) the beneficiary has died, or

h) the holder has acquired Hungarian citizenship.

92. General rules for submitting an application for a guest investor visa

§ 215. (1) Issuing guest investor visas falls within the (1) competence of the Central Regional Directorate with national competence.

(2) With the exception of paragraph (3) , the application for the issuance of a guest investor visa must be submitted to the consular officer operating in the country of the applicant's permanent or habitual residence or citizenship.

(3) An application for the issuance of a guest investor visa may also be submitted to a consular official operating in a country other than the one specified in paragraph (2) , in which the applicant is legally residing, if

a) there is no consular officer in the country specified in paragraph (2) , and

b) certify with a document the reasons for applying in a third country other than his permanent or usual place of residence.

93. General rules for submitting an application for a residence permit

Section 216 (1) The application for the issuance of a residence permit - with the exception of paragraph (2) - must be submitted to the consular officer or other place authorized to receive applications for a residence permit, which is the applicant's permanent or usual place of residence or citizenship operates in the country.

(2) An application for the issuance of a residence permit can also be submitted to a consular officer operating in a country other than the one specified in paragraph (1) or to another place authorized to receive applications for a residence permit, in which the applicant is legally residing, if

a) there is no consular officer or other place authorized to receive applications for a residence permit in the country specified in paragraph (1),

b) proves with a document the reasons for applying in a third country other than his permanent or usual place of residence, or

c) Hungary has significant economic, cultural, scientific or sporting interests attached to its entry and stay.

(3) Other places authorized to receive the application for the issuance of a residence permit shall be understood as the honorary consul, the trade representation or the external service provider authorized to receive the application.

(4) The consular officer shall immediately submit the application for the issuance of the residence permit, as well as the application and notification regarding mobility, to the regional directorate competent for the third-country national's future accommodation in Hungary after the submission of the application or notification.

(5) The resident of Hungary, the [Tv. A third-country national who fulfills the conditions according to § 225](#) may submit his application for the issuance of a residence permit to the regional directorate responsible for his place of residence.

(6) The third-country national may submit his application for the extension of the residence permit - with the exception of § 163 - to the competent regional directorate according to where he is staying.

(7) The application for the extension of the residence permit must be submitted no later than thirty days before the expiration of the validity period of the residence permit.

94. Special rules for submitting an application for a residence permit

§ 217. A third-country national may submit his application for a residence permit for the purpose of job hunting or starting a business to the regional directorate responsible for his place of residence on the form established for this purpose by law, fifteen days before the expiration of the validity period of his residence permit for research or study purposes.

§ 218. The third-country national may submit the student mobility notification to the regional directorate responsible for his future place of residence or to the consular officer operating in the country of his permanent or habitual residence or citizenship using the form regulated for this purpose by the law for the purpose of study issued by the first member state during the validity period of your residence permit.

§ 219. A third-country national may submit his application for a student mobility residence permit to the regional directorate responsible for his future accommodation or to a consular official operating in the country of his permanent or usual residence or citizenship, using the form established by law for this purpose and issued by the first member state during the validity period of your residence permit for study purposes.

§ 220. The third-country national may submit the short-term researcher mobility notification to the regional directorate responsible for his future accommodation or to the consular officer operating in the country of his permanent or habitual residence or citizenship using the form established by law for this purpose and issued by the first member state during the validity period of your residence permit for research purposes.

§ 221. A family member of a third-country national submitting a researcher short-term mobility notification with a valid residence permit issued by the researcher's first member state with regard to his or her family status must submit the researcher's short-term mobility notification at the regional directorate competent for his/her future accommodation or his/her permanent or usual place of residence, or his/her nationality can submit it to a consular officer operating in the country of residence on the form regulated by law for this purpose during the validity period of the residence permit issued by the first member state in view of his/her family status.

§ 222. (1) The third-country national submits his application for a researcher's long-term mobility residence permit to the regional directorate responsible for his future accommodation or to a consular officer authorized to issue visas operating in the country of his permanent or usual residence or citizenship. on the form regularized for this purpose during the period of validity of the residence permit for research purposes issued by the first Member State.

(2) A family member of a third-country national who submits an application for a researcher's long-term mobility residence permit with a valid residence permit issued by the researcher's first member state in view of his/her family status shall submit the application for a researcher's long-term mobility residence permit at the competent regional directorate according to his/her future accommodation or at the permanent or usual you can submit the first during the validity period of his residence permit issued by a Member State with regard to his legal status as a family member.

95. Rules for submitting an application for a long-term residence permit

§ 223 (1) The application for the temporary residence card, the national residence card and the EU residence card must be submitted on the form specified in the law - and if the law does not provide otherwise - at the competent regional directorate according to the future place of residence of the applicant third-country national.

(2) In order to assess the application for a national residence card based on national interest - if the existence of Hungary's national political interest can be taken into account as a national interest - it can also be submitted to the consular officer who is the

applicant's permanent resident on the form specified in the law, indicating the reason for the national interest, or operates in the country of his habitual residence or nationality.

(3) An application for the issuance of a national residence card can also be submitted to a consular officer operating in a country other than the one specified in paragraph (2), in which the applicant is legally residing, provided that there is no consular officer operating in the country specified in paragraph (2), and Hungary has a national political interest in his entry and stay.

(4) A third-country national who submits an application for a national residence card in the national economic interest on the basis of Section 176, paragraph (1) may also submit the application for a national residence card on the form specified in the law to the consular officer of the applicant's permanent or usual place of residence, or operates in the country of his/her citizenship.

96. Conditions for issuing and extending a residence permit, as well as revocation of a residence permit

§ 224. (1) In his application for a residence permit, a third-country national must state whether, to his knowledge, he is suffering from a disease specified in the decree of the Minister responsible for health, whether he is in a contagious or pathogen-carrying state, or a disease that threatens public health, is contagious or pathogenic if you have a carrier condition, do you receive mandatory and regular care.

(2) If, according to the third-country national's declaration, the health condition according to paragraph (1) exists, the regional directorate shall notify the competent health administrative body according to the third-country national's place of residence in Hungary.

(3) The state health administrative body defined in paragraph (2) may oblige the third-country national to perform the necessary medical examinations or to present an official medical certificate issued by the authority of his country of origin, with the content specified in a separate law.

(4) If the state health administration body defined in paragraph (2) determines that the third-country national suffers from a disease that endangers public health and violates the rules of conduct, official regulations or legislation governing his admission to care or medical treatment, it shall immediately notify the regional directorate.

(5) If the regional directorate issues or extends the residence permit despite the notification contained in paragraph (4), it shall notify the health administrative body specified in paragraph (2) in order to implement the necessary epidemiological measures.

§ 225. (1) For a third-country national subject to an SIS warning ordering expulsion or an entry and stay ban, [Tv. For the reasons set out in § 226, paragraph \(2\)](#), the regional directorate may issue a visa or residence permit entitling to a stay of more than ninety days, or extend the residence permit of a third-country national if, prior to the decision, the designated authority of the Schengen state that issued the alert - through the SIRENE Bureau - negotiates.

(2) If a Schengen state issues an SIS alert ordering expulsion or an entry and stay ban for a third-country national with a residence permit, the regional directorate is obliged to coordinate with the designated authority of the Schengen state that issued the alert, via the SIRENE Bureau.

(3) On the basis of the consultation defined in paragraphs (1) and (2), the regional directorate considers that - in particular, the circumstances that led to the issuance of the SIS alert ordering the entry and stay ban, the public order and public safety of the issuing Schengen state by the third-country national taking into account the danger reported, as well as the duration of the warning signal - is the [Tv. to make a decision in accordance with § 226, paragraph \(2\)](#).

(4) The regional directorate notifies the designated authority of the relevant Schengen state via the SIRENE Bureau about its decision.

(5) In case of issuance of a visa entitling a person to stay for more than ninety days, as well as a residence permit, the cancellation of the SIS warning signal must be initiated.

§ 226. (1) If the EU Blue Card is revoked or refused to be extended, [Tv.](#) If it takes place on the basis of subparagraphs ha) or hb) of paragraph (2) of § 230, the immigration enforcement authority is obliged to notify the holder of the EU Blue Card, and a reasonable deadline must be provided for the concerned third-country national to look for a new job.

(2) If employment with an EU Blue Card does not exceed two years, the deadline according to paragraph (1) is at least three months, and in the case of employment beyond two years, at least six months.

§ 227. (1) The immigration enforcement authority shall notify the Member State of the European Union through which the third-country national receives international protection of the decision to issue, revoke or refuse to extend the EU Blue Card, and at the same time request information on the existence of the protection.

(2) The asylum authority shall respond to a request for information addressed to Hungary from a member state of the European Union in accordance with paragraph (1) within one month of receiving the request for information.

§ 228 (1) The immigration enforcement authority shall notify the applicant of the decision made on the application for the EU Blue Card of a third-country national with a residence permit issued by a member state of the European Union for the purpose of employment requiring a high level of education within thirty days from the date of submission of the complete application and - the [Tv.](#) Section 17, paragraph (1), point h) or [Tv.](#) In the case of rejection based on § 230, subsection (2), point d) with the indication of the reason for the decision - the first member state.

(2) In exceptional and sufficiently justified circumstances related to the complexity of the application, the immigration authority may extend the deadline specified in paragraph (1) by 30 days once. The immigration enforcement authority will immediately inform the applicant of the extension of the deadline.

Section 229 (1) The immigration enforcement authority - with the exception contained in paragraph (2) - before the decision to withdraw the EU Blue Card - if the third-country national has announced his move to a second member state - requests a notification from the second member state regarding the application for the EU Blue Card decision. There is no place to revoke the EU Blue Card before the decision of the second member state.

(2) The immigration enforcement authority does not request notification from the second member state about the decision taken on the application for the EU Blue Card, and is not obliged to wait until the third country citizen

a) in order to obtain the right of residence, he communicated false information or an untrue fact to the acting authority, or he deceived the acting authority regarding the purpose of his stay, or the purpose of his stay differs from the authorized one, or

b) his stay threatens the public order, public security, national security or public health interests of Hungary.

97. Validity of the residence permit

§ 230. (1) The regional directorate determines the validity period of the residence permit - within the framework of the [Act](#) - on the basis of the content of the documents attached to the application, the purpose and planned duration of the stay, and all other data available regarding the circumstances of the stay, the it is determined taking into account the applicant's unique circumstances.

(2) The duration of the authorized stay - with the exception of paragraphs (3) and (4) - must be established in such a way that the travel document of the third-country national remains valid for at least three months at the end of the authorized stay.

(3) If the purpose of the third-country national's stay is to continue studies, research, ensure family coexistence, or the validity period of the EU Blue Card or travel document - taking into account the validity period of the residence permit specified in the [Act](#) - must cover at most the duration of the authorized stay .

(4) The regional directorate may waive the condition for the validity period of the travel document contained in paragraph (2) - exceptionally - for the purpose of fulfilling an international obligation, for urgent humanitarian reasons or in the national interest, provided that the validity period of the travel document exceeds the duration of the authorized stay .

(5) In the case of a residence permit application submitted in view of a change in the purpose of residence during the validity period of the residence permit - if this is permitted by the [TV](#) - the regional directorate may determine the validity of the residence permit for a shorter period of time than the validity period of the previous residence permit. The validity of the residence permit in relation to the changed purpose of residence may not exceed the period established in the [Act](#) . The previously issued residence permit is invalidated by the regional directorate.

§ 231. In the case of a decision approving the application for a residence permit, the residence permit must be issued to the third-country national in the form and with the data content according to point 2 of Annex 1 .

§ 232. The residence permit document is invalid if

- a) the authorized period of stay has expired,
- b) the residence permit was revoked by a final decision,
- c) instead, the third-country national received a new residence permit document - in the procedure for exchanging or replacing the residence permit document or due to the extension of the residence permit,
- d) became incapable of verifying the data contained therein,
- e) contains false data or has been falsified,
- f) its holder has obtained a right of residence under another legal title,
- g) the beneficiary has died,
- h) its holder has acquired Hungarian citizenship, or
- i) one of the cases specified [in Act 24](#) ^{exists} .

§ 233. The third-country national must submit the document of the invalid residence permit to the authority issuing the document within 8 days of the occurrence of the circumstance causing the invalidity.

98. Rules for the combined application procedure

§ 234. (1) In the consolidated application procedure (a procedure which, based on the application submitted by the third-country national, is aimed at authorizing the residence of the third-country national in the territory of Hungary for more than ninety days within one hundred and eighty days and the establishment of an employment relationship with a specified employer), the submission and evaluation of the application § , § 8 , 31–36. § , 40–43. § , 165–169. § , § 187 , § 193 , 210–214. § , 216–222. § , §§ 224 and 225 , as well as §§ 230–233 The provisions contained in § shall be applied.

(2) The [Tv](#). Contrary to the provisions of § 242, paragraph (6), if

a) due to the nature of the work, the work may cover the territory of several counties, the government office where the work begins,

b) the employer wishes to employ the third-country national at several sites in different counties, the government office of the employer's registered office acts.

(3) If the employment of a third-country national in the framework of a legal relationship aimed at employment in Hungary is exempt from the obligation to obtain a permit, or if his employment is not subject to an examination of the labor market situation, and in the case of seasonal employment in accordance with § 181, subsection (2), point c), the government office - with the exception specified in paragraph (4) - the professional authority's position is given to the regional directorate within ten days.

(4) The government office shall provide the regional directorate with its professional opinion within eight days,

a) if the employment of the third-country national in the territory of Hungary with a guest worker residence permit is provided for in [Tv](#), is carried out at a preferential employer or at a qualified lender,

b) in the case of the application for the issuance of an EU Blue Card by a third-country national with a residence permit issued by a member state of the European Union for employment requiring a high level of education, and

c) in the case of the application for a residence permit of a family member who has a valid residence permit issued by another member state of the European Union and whose family relationship with the holder of the EU Blue Card has already been existed in the first Member State.

(5) If the government office does not act as a cooperating authority regarding the employment of the third-country national in Hungary, the regional directorate shall notify the government office competent for the place of work of the issuance of the consolidated permit by providing the following data:

a) the employer's name, tax number, statistical identification number, TEÁOR number of its main activity,

b) the nationality, gender, age and education of the third-country national,

c) place of work,

d) FEOR number of the position,

e) the period of validity of the residence permit,

f) the reason establishing the exemption specified in subsection (7) of § 242 of the [Act](#) .

(6) Section 178, paragraph (5) of the [Law](#) shall not apply to the professional authority procedure of the government office participating as a specialist authority in the combined application procedure, as well as the minister responsible for the employment of third-country nationals in Hungary .

(7) If, after sending the professional authority's opinion, during the procedure, information concerning the employment of the third-country national comes to the attention of the professional authority, which justifies the withdrawal of the previous professional authority's consent, the professional authority will immediately send the new professional authority's opinion to the regional directorate.

(8) If the third-country national holds the permit specified in subsection (3) of § 242 of the [Act](#) and wishes to establish an employment relationship with a specified employer, the notification obligation specified in subsection (1) of § 150 of [the Act](#) shall be fulfilled by the competent regional authority according to the place of residence is obliged to perform on the board of directors.

(9) If the third-country national has a residence permit issued in the framework of a consolidated application procedure, and is employed by a different employer or under different conditions, the extension of the residence permit is required at the same time as the notification obligation contained in § 150, subsection (1) [of the Act](#) is fulfilled also submit an application to the regional directorate responsible for your accommodation in order to issue a combined permit.

(10) If the third-country national has a humanitarian residence permit specified in points a) , e) and f) of [§ 70, paragraph \(1\) of the Act, after fulfilling the reporting obligation set out in](#) § 150, paragraph (1) of the [Act](#) , the the competent regional directorate according to accommodation starts a procedure ex officio in order to issue a consolidated permit. In order to issue a humanitarian residence permit as a combined permit as specified in Section 70 (1) points a) , e) and f) [of the Act](#), the third-country national must fill out the data form specified in a separate law, and must also attach a photo ID to the data form.

(11) During the procedure included in paragraphs (8)–(10) , the third-country national must attach a preliminary agreement to establish an employment relationship or a document certifying the employment relationship. During the procedure defined in paragraph (9) , if the conditions on which the valid residence permit is based, set out in points a)-c) and e)-g) of Section 17 , [paragraph \(1\) of the Act](#) , have not changed, the third-country national a citizen does not have to repeatedly attach documents relating to unchanged conditions.

(12) In the event that the conditions set out in clauses 1, 3, 11, 13 and 14 of § 242, paragraph (7) [of the Act](#) are met, with regard to the purpose of long-term residence in Hungary, the preliminary agreement to establish the employment relationship or the document certifying the employment relationship in addition to a document, the third-country national must provide credible proof of the qualifications and education necessary to perform the job specified in the preliminary agreement.

§ 235 (1) The regional directorate issues the residence permit issued in the combined application procedure in the form and data content according to point 2 of Annex 1 .

(2) On its website, the Directorate-General ensures the electronic control of the following data, which is the basis for the issuance of the combined permit and is managed on the basis of subsection (2) of § 256 [of the Act](#) , without prejudice to personal data:

a) data of the employer (name, address, registered office, place of business, form of management, tax number, KSH number),

b) place of work,

c) the position (FEOR number), as well as

d) the duration of the employment relationship.

99. Initiation of the procedure for establishing statelessness

§ 236. (1) The application for establishing statelessness can be submitted to the regional directorate competent for the applicant's place of residence, place of residence or accommodation. The procedure for establishing statelessness is free of material costs.

(2) The written application must be signed by the applicant. The applicant's inability to write must be recorded when submitting the oral application.

(3) If the application is submitted orally and the applicant does not speak Hungarian, the regional directorate will provide him with an interpreter who speaks his native language or another language he understands. The assignment of an interpreter can be dispensed with if the acting administrator speaks the applicant's native language or another language he understands, and the applicant consents in writing to the omission of an interpreter.

100. Rights and obligations of the applicant

§ 237. (1) If Tv. in connection with procedures falling within the scope of the third-country national's statelessness, the immigration enforcement authority must inform the person concerned about the possibility of applying for stateless status, the procedure, and the rights and obligations associated with stateless status. Information about this and its acknowledgment must be included in the minutes.

(2) The applicant is obliged to cooperate with the regional directorate during the procedure. The applicant must be warned of this in writing, at the same time recording the acknowledgment of the warning.

(3) The applicant's foreign identity documents and travel documents must be attached to the application for the determination of statelessness, as well as all other documents that can be used to support the applicant's submissions.

(4) The attached documents must be returned to the applicant when the decision made on the merits of the case becomes final.

101. Preliminary hearing

§ 238. (1) After the submission of the application, and after recording the oral application in the minutes, the regional directorate holds a preliminary hearing.

(2) During the preliminary hearing, the regional directorate records it in the minutes

a) the fact and acknowledgment of the information given to the applicant about his procedural rights and obligations, the legal consequences of breaching the obligation and the designated accommodation, when the application was submitted,

b) – if the application does not include –

ba) the applicant's personal identification data (surname and surname, previous or birth surname and surname, previous citizenship, gender, place and time of birth, mother's maiden name),

bb) the data of the personal identification and travel documents at your disposal (identity mark and number of the document, validity period, place and time of issue, name of the issuing authority),

c) marital status, place of marriage,

d) occupation, education,

e) his residence in the country of his habitual residence, as well as

f) your place of residence, residence or accommodation in Hungary.

(3) The protocol must be signed by the applicant, in the case of an interpreter, the interpreter, and in the case of an unaccompanied minor, by the appointed case guardian.

102. Hearing

§ 239. (1) The regional directorate holds a detailed hearing after the preliminary hearing following the submission of the application.

(2) At the hearing, the applicant must state the reasons for submitting the application and must hand over the evidence at his disposal that supports the application and that has not yet been submitted. The applicant must be warned of this obligation at the start of the hearing.

(3) If the temporary guardian appointed to represent the interests of the unaccompanied minor does not appear at the hearing despite prior notification, a new date must be set for the hearing, and the guardianship office that appointed the temporary guardian must be notified at the same time.

103. Representation of the applicant in the procedure

§ 240. (1) In addition to the applicant, his legal representative and authorized representative may also act in the procedure, who is required to prove his right of representation and to attach his written power of attorney. The unaccompanied minor is replaced by the case guardian appointed in the procedure.

(2) In the procedure, the person with limited legal capacity is also entitled to procedural capacity.

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(3) The authorized person or – with the consent of the applicant – a representative of the Central European Representation of the United Nations High Commissioner for Refugees in Budapest (hereinafter: Representation) may be present at the hearing of the applicant. The regional board notifies the representative and the Representation at least five days before the date of the hearing.

104. The proof

§ 241. (1) The regional directorate establishes, in particular, taking into account the information on the citizenship laws and records of the following states, in particular the opinion of the United Nations High Commissioner for Refugees and the information received from the Hungarian foreign missions and provided by the foreign authorities, as well as the evidence submitted by the applicant and that no state recognizes the applicant as a citizen based on its own law:

- a) the applicant's place of birth,
- b) the applicant's previous place of residence or residence, and
- c) the nationality of the applicant's family members and parents

state of origin.

(2) In the procedure for establishing statelessness, the regional directorate may accept a document issued abroad submitted by the applicant as a document of evidentiary value, even in the absence of diplomatic authentication and an authentic Hungarian translation.

(3) Upon request, within the framework of administrative assistance, the regional directorate will contact the Hungarian embassies in order to obtain documents supporting the request.

(4) The Representation with the consent of the applicant

- a) can provide administrative assistance,
- b) can inspect the documents created in the procedure for determining statelessness, or make copies of them.

105. Professional authority procedure

§ 242. (1) The Government designates the Office for the Protection of the Constitution and the Counter-Terrorism Center as specialized authorities in the procedure for establishing statelessness.

(2) The Office for the Protection of the Constitution and the Anti-Terrorism Center may hear the applicant.

106. The decision

§ 243. (1) The decision to establish stateless status must also be recorded in the case file.

(2) The decision must be communicated to the Representation and the Office for the Protection of the Constitution and the Counter-Terrorism Center.

(3) In the event that an unaccompanied minor is found to be stateless, the relevant decision must also be sent to the guardian office competent for the minor's place of residence, place of stay or accommodation in order to protect the rights of the stateless minor, take care of him and monitor him.

PART NINE

RULES FOR HANDLING THE DATA OF THIRD COUNTRY CITIZENS

107. General rules

§ 244. The data management body of the central immigration police register is the Directorate General (hereinafter: central data management body).

108. Detailed rules for immigration police sub-registries

§ 245. The visa-issuing authority and the consular officer issuing the small-border traffic permit are subject to [Tv](#). In paragraph (1) of § 254, the Police in [Tv](#), § 254, subsection (1), point h), the regional directorate of [Tv](#). It transmits the data specified in point i) of paragraph (1) of § 254 to the central data management body.

§ 246. (1) The minister responsible for foreign policy and the regional directorate of [Tv](#). [In accordance with](#) § 256, subsection (1), the Police in [Tv](#), § 256, paragraph (1), point m), the consular officer in [Tv](#). transmits the data defined in § 257 to the central data management body.

(2) The [Tv](#), § 256, subsection (1), point n), as well as [Tv](#). [With regard to facial image and fingerprint data recorded pursuant to](#) § 257, the data processor is the central data management body.

§ 247. The regional directorate and the Police [shall forward the data specified in subsection \(1\) of § 258 of the Act](#) to the central data management body.

Section 248 (1) The regional directorate forwards the data specified in Section 259, subsection (1) of the [Act](#) to the central data management body.

(2) The minister responsible for foreign policy forwards the data specified in subsection (1) of § 259 [of the Act](#) to the central data management body.

(3) With regard to facial image and fingerprint data recorded on the basis of § 259, paragraph (1) point i) [of](#) the Act, the data processor is the central data management body.

(4) In the procedures of the regional directorate and § 154 of the [Act](#), the consular officer forwards the data specified in subsection (1) of § 260 of the [Act](#) to the central data management body.

§ 249. The regional directorate forwards the data specified in subsection (1) of § 261 [of the Act](#) to the central data management body.

§ 250. (1) The notification of the data specified in § 147, paragraph (1) of the [Act](#) is received by the regional directorate and forwarded to the central data management body.

(2) The data recorded in accordance with § 147, paragraph (2) of the [Act](#) shall be managed by the central data management body in accordance with § 147, paragraph (3) [of the Act](#).

§ 251. The regional directorate and the Police [shall forward the data specified in § 262, paragraph \(1\) of the Act](#), and the General Directorate [in § 262, paragraph \(2\) of the Act](#), to the central data management body.

§ 252. The regional directorate [forwards the data specified in subsection \(1\) of § 263 of the Act](#) to the central data management body.

§ 253. The regional directorate

a) on the basis of the information provided by the investigating authority or judicial body in points a) and b) of § 267, subsection (1) of the [Act](#),

b) based on the information provided by the Police in points a)-c) of § 267, subsection (1) of the [Act](#) forwards specified data to the central data management body.

§ 254. The regional directorate forwards the data defined in § 268 [of the Act](#) to the central data management body, which takes measures to forward it to the central unit of Eurodac.

109. Immigration authorities with access to the Visa Information System

§ 255 (1) The Government appoints the Directorate General as the head of the register according to Article 34 of the VIS Regulation, as the national authority providing access according to Article 28 (4) point c) and as the data controller according to Article 41 (4).

(2) In terms of access to data stored in the visa information system established by Council Decision 2004/512/EC based on the VIS Regulation

a) the visa authority according to Article 15 of the VIS Regulation is the authority defined in § 163, and in the procedure according to § 195 (4) and § 199 (2) e, the Police;

b) the central visa authority according to Article 16 of the VIS Regulation is the Directorate General;

c) the visa authority according to Article 17 of the VIS Regulation is the authority defined in § 163;

d) the control authority according to Articles 19 and 20 of the VIS Regulation is the Police, the General Directorate and the regional directorate.

110. Rules of biometric data management

Section 256 (1) When submitting an application for the issuance of a small border traffic permit, the biometric identifiers defined in Section 257 of the [Act](#) are recorded by the consular officer.

(2) When submitting an application for a residence permit, the biometric identifiers specified in Section 256, paragraph (1) point n) of the [Act](#) are recorded by the consular officer in the case of an application at a foreign mission, and by the regional directorate in the case of an application in Hungary.

(3) The Government in connection with the exchange or replacement of the small border traffic permit, the residence permit, the temporary residence card, the national residence card, the EU residence card and the document certifying the long-term residence status

a) the Directorate General for the performance of the tasks of the national document-signing authority (DS), the national control-authentication authority (CVCA) and the national document control-authentication authority (DV),

b) the minister responsible for IT to perform the duties of the national signing certification authority (CSCA) designates.

(4) When submitting an application for a temporary residence card, a national residence card, or an EU residence card, or when receiving an application for the exchange or replacement of a document certifying the right to long-term residence, in Section 259(1)(i) of the [Act](#) specific biometric identifiers are recorded by the regional directorate.

(5) In the case according to § 223, subsections (2) and (3), the biometric identifiers specified in § 259, subsection (1) point i) of the Act shall be recorded by the consular officer.

(6) In connection with the exchange or replacement of the small border traffic permit, the residence permit, the temporary residence card, the national residence card, the EU residence card and the document certifying the right of long-term residence, the personalization of the document and the storage element containing the biometric identifier (hereinafter: storage element) with data.

(7) The Directorate General as the national document signing authority

a) creates and issues the document signing certificate and places it in the storage element,

b) creates and manages - for the purpose of checking the small border traffic permit, residence permit, temporary residence card, national residence card, EU residence card with a storage element - the certificates of the national document signing authorities of all member countries of the International Civil Aviation Organization (hereinafter: ICAO) and certificate and revocation list library containing revocation lists.

(8) The Minister responsible for IT as the national signing and certifying authority

a) issues the national signature authentication certificate,

b) deliver the certificates issued by it and the revocation lists related to them in the form of electronic documents to the national signing certification authorities of the other ICAO member countries via the minister responsible for foreign policy.

(9) The Directorate General as a national inspection and certification authority

a) issues a certificate for the national document verification and authentication authority,

b) issues a certificate for foreign document verification and authentication authorities issuing certificates for the control devices of foreign authorities authorized to read data protected by extended access control.

(10) The Directorate-General, as the national document control and authentication authority, ensures the small border traffic permit, residence permit, temporary settlement permit, national settlement permit, and EC settlement permit, temporary residence card, national residence card, EU residence card, and the issuance of the certificates necessary for access to the control tools of the Hungarian authorities authorized to read data stored electronically in the immigration or settlement permit document and protected by extended access control.

(11) A third-country national with a small border traffic permit, residence permit, temporary settlement permit, national settlement permit, or EC settlement permit, temporary residence card, national residence card, EU residence card, or immigration or settlement permit document you can request verification of the data of the storage element containing biometric data at the regional directorate at any time during the validity period of the document.

(12) ²⁸ With the exception of what is contained in paragraph (9) , the minister responsible for IT shall issue a document verification and authentication certificate (DV certificate) in relation to Hungarian residence permits to foreign authorities authorized to read data protected by extended access control, and in relation to foreign residence permits it provides the control system certificate (IS certificate) required for reading data for the control systems of the domestic authority authorized to read data protected by extended access control, and it also performs the Single Point of Contact (SPOC) tasks related to the exchange of certificates and certificate super-authentication in the case of residence permits.

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111.

Section 257

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112.

Section 258

PART TEN

FINAL PROVISIONS

113. Implementing provisions

Section 259 (1) This decree - with the exception of paragraphs (2) - (4) - enters into force on March 1, 2024.

(2) Section 68 , subsection (3) e, subsection 40 and annex 2 shall enter into force on January 1, 2025.

(3) Section 137, paragraph (2) e , subsection 112 and subsection 159 on the establishment of the European Passenger Information and Authorization System (ETIAS), as well as Regulation 1077/2011/EU, Regulation 515/2014/EU, Article 88 of Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 amending Regulation (EU) 2016/399, Regulation (EU) 2016/1624 and Regulation (EU) 2017/2226 (1) shall enter into force on the date specified in the committee decision pursuant to this paragraph.

(4) Subtitle 111 and Subtitle 155 on the creation of a border registration system (EES) for recording data on the entry and exit of third-country nationals crossing the external borders of the Member States, as well as on the refusal of entry, and on the determination of the conditions for access to the EES for law enforcement purposes, and Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 amending Regulation (EC) 767/2008 and Regulation (EU)

1077/2011 on the Convention on the Implementation of the Schengen Agreement Article 66 (1) paragraph e enters into force on the date specified in the committee decision.

(5) The calendar day of the entry into force of the provisions according to paragraph (3) shall be determined by the minister responsible for the management of civilian national security services by means of an individual decision published immediately in the Hungarian Gazette after it becomes known.

(6) The calendar day of the entry into force of the provisions according to paragraph (4) shall be established by the minister responsible for the border police with a separate decision published in the Hungarian Gazette immediately after it becomes known.

114. Transitional provisions

§ 260 (1) The accommodation registration form issued before January 1, 2023 and endorsed by the authority is valid until the expiration of the residence permit issued to the third-country national.

(2) The provisions of this regulation - with the exception of paragraphs (3) - (6) - shall apply from March 1, 2024.

(3) Proceedings under Subtitles 28 and 43 that were initiated on or after January 1, 2024 until February 29, 2024 and are ongoing at the entry into force of this Regulation

- a) II . Chapter ,
- b) subsection 28 ,
- c) VIII . Chapter ,
- d) subsection 43 ,
- e) subsections 70 and 71 ,
- f) XXIII . Chapter ,
- g) XXIV . Chapter ,
- h) subsection 91 ,
- i) paragraphs 93–98. subtitle , as well as
- j) PART NINE

provisions shall apply.

(4) In proceedings initiated until February 29, 2024 - with the exception of those contained in paragraph (3) - Act II of 2007 on the entry and residence of third-country nationals [. 114/2007](#) on the implementation [of the law \(V. 24.\) Government decree \(hereinafter: Harmvhr.\) Chapter I](#) song, [II. Chapter](#) song, [V. Chapter](#) song, [VI. Chapter](#) song, [VII. Chapter](#) song, [VIII. Chapter](#) song, [VIII/A. Chapter](#) song and [IX. The text of Chapter 2](#) in force on December 31, 2023 shall be applied.

(5) In the procedures according to paragraph (3), [Harmvhr. 72/H. \(2\), \(3a\), \(10\) and \(11\)](#) of § § 31 effective on December 31, 2023 shall be applied.

- (6) This regulation
- a) subsection 4 ,
 - b) subsection 9 ,
 - c) §§ 170 and 171 ,
 - d) subheading 92

It shall apply from July 1, 2024.

(7) Until the residence permit and settlement permit applications submitted by December 31, 2023, the immigration enforcement authority provides the third-country national with a certificate entitling him to temporary residence if he does not have a valid permit or visa entitling him to legal residence, provided that he is not against valid expulsion ordered before the submission of the application, which he did not comply with.

(8) A third-country national whose departure is prevented by a humanitarian, personal or unavoidable reason arising from reasons beyond his control must be provided with a certificate according to paragraph (7) by March 1, 2024 at the latest .

(9) The application for a residence permit expiring between March 1, 2024 and April 1, 2024, pursuant to § 287 of the [Act](#) , must be submitted no later than the last day of the residence permit's validity period.

(10) The intention to conclude a readmission agreement according to § 17 (1) point b) and § 19 (1) point b) must be declared by December 31, 2024.

115. Compliance with European Union law

§ 261. (1) This regulation serves to comply with the following Community legal acts:

1. Council Directive 2001/40/EC (May 28, 2001) on the mutual recognition of decisions on the deportation of third-country nationals;
2. Council Directive 2001/51/EC (June 28, 2001) supplementing the provisions of Article 26 of the Convention on the Implementation of the Schengen Agreement of June 14, 1985;
3. Council Directive 2003/86/EC (September 22, 2003) on the right to family reunification;
4. Council Directive 2003/109/EC (November 25, 2003) on the legal status of third-country nationals with a long-term residence permit;
5. Council Directive 2003/110/EC (November 25, 2003) on assistance provided in cases of transit for deportation by air;

6. Council Directive 2004/81/EC (April 29, 2004) on residence permits issued to third-country nationals who have been victims of human trafficking or have been involved in acts aimed at facilitating illegal immigration and who cooperate with competent authorities;

7. Council Directive 2004/82/EC (April 29, 2004) on the obligation of carriers to communicate passenger data;

8. the decision of the Council of November 30, 1994 on the joint measure adopted by the Council on the basis of Article K. 3. (2) of the Convention on the European Union on the possibility of travel for third-country school students residing in a member state;

9. Directive (EU) 2021/1883 of the European Parliament and of the Council of October 20, 2021 on the conditions of entry and residence of third-country nationals for the purpose of employment requiring a high level of qualification and repealing Council Directive 2009/50/EC;

10. § 63 , § 64 and § 140-142. § European Parliament and Council Directive 2009/52/EC of June 18, 2009 on minimum rules for sanctions and measures against employers employing illegally staying third-country nationals;

11. Section 75 (3) e , Section 77 , Section 88 (2) e, Section 96 regarding the extension of the scope of Council Directive 2003/109/EC to persons enjoying international protection European Parliament and Council Directive 2011/51/EU of 11 May 2011 amending the Directive;

12. Article 25 of the Convention on the Implementation of the Schengen Agreement of June 14, 1985 between the governments of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of controls at their common borders (Schengen Implementation Convention);

13. 2011/98/EU of the European Parliament of December 13, 2011 on the consolidated application procedure for the consolidated permit for the residence and employment of third-country nationals in the territory of a member state, and on the common rights of workers from third countries legally residing in the territory of a member state and Council Directive;

14. Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and residence of third-country nationals for the purpose of employment as seasonal workers;

15. Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions for the entry and residence of third-country nationals in the context of intra-corporate transfer;

16. Directive 2016/801/EU of the European Parliament and of the Council of 11 May 2016 on the conditions for the entry and residence of third-country nationals for the purposes of research, studies, internships, voluntary service, student exchange programs or educational projects, and au pair activities.

(2) This regulation

1. Council Regulation 1683/95/EC of 29 May 1995 on defining the uniform format of visas and amending Council Regulation 1683/95/EC on the definition of the uniform format of visas of 4 July 2017 (EU) 2017 /1370 European Parliament and Council Regulation,

2. Regulation (EU) 2018/1806 of the European Parliament and of the Council of November 14, 2018 on the list of countries of third-country nationals who are subject to a visa requirement when crossing external borders, and who are exempt from this requirement,

3. Council Regulation 333/2002/EC of 18 February 2002 on the uniform format of forms for inserting visas issued by the Member States for holders of travel documents not recognized by the Member State concerned,

4. Council Regulation 1030/2002/EC of 13 June 2002 on the establishment of a uniform format for the residence permit of citizens of third countries,

5. Council Regulation 380/2008/EC of April 18, 2008 amending Regulation 1030/2002 establishing the uniform format of residence permits for citizens of third countries,

6. Regulation (EU) 2017/1954 of the European Parliament and of the Council of October 25, 2017 amending Council Regulation 1030/2002/EC on establishing a uniform format for residence permits for citizens of third countries,

7. European Parliament and Council Regulation 2016/399/EU of March 9, 2016 on the EU code of rules governing the border crossing of persons (Schengen border control code),

8. Regulation 1931/2006/EC of the European Parliament and of the Council of December 20, 2006 on defining the rules for small border traffic at the external land borders of the member states and amending the provisions of the Schengen Convention,

9. European Parliament and Council Regulation 767/2008/EC of 9 July 2008 on the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation),

10. Regulation 810/2009/EC of the European Parliament and of the Council of 13 July 2009 on the establishment of the Community Visa Code (visa code) and Regulation 810/2009/EC on the amendment of 20 June 2019 on the establishment of the Community Visa Code (visa code) (EU) 2019/1155 of the European Parliament and of the Council,

11. Regulation (EU) 2018/1860 of the European Parliament and of the Council of 28 November 2018 on the use of the Schengen Information System for the purpose of returning illegally staying third-country nationals and on the establishment, operation and use of the Schengen Information System in the field of border traffic control , amending the Convention on the Implementation of the Schengen Agreement, and Regulation (EC) 1987/2006 Regulation (EU) 2018/1861 of the European Parliament and of the Council of 28 November 2018 on its amendment and repeal,

12. Regulation 562/2006/EC of the European Parliament and of the Council on the establishment of the Community Code of Rules governing the crossing of borders by persons (Schengen Border Control Code), the Convention on the Implementation of the Schengen Agreement, Regulation 810/2009/EC of the European Parliament and of the Council, the 1683 /95/EC Council Regulation, 539/2001/EC Council Regulation, and the Regulation 610/2013/EU of the European Parliament and Council of 26 June 2013 amending Regulation 767/2008/EC of the European Parliament and of the Council,

13. European Parliament and Council Regulation 604/2013/EU of 26 June 2013 establishing the conditions and procedural rules for determining the Member State responsible for examining an application for international protection submitted by a third-country national or a stateless person in one of the Member States,

14. January 2014 amending Regulation 1560/2003/EC establishing the detailed rules of application of Council Regulation 343/2003/EC establishing criteria and procedural rules for determining the criteria and procedural rules for determining the Member State responsible for examining an asylum application submitted by a third-country national in one of the Member States Commission Implementing Regulation 118/2014/EU of 30

15. the convention on the establishment of a border registration system (EES) for recording data on the entry and exit of third-country nationals crossing the external borders of the member states, as well as on the refusal of their entry, and on the definition of the conditions for access to the EES for law enforcement purposes, and on the implementation of the Schengen Agreement, the 767 /EC Regulation 2008 and amending Regulation 1077/2011/EU, Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017, and

16. on the establishment of the European Passenger Information and Authorization System (ETIAS), as well as Regulation 1077/2011/EU, Regulation 515/2014/EU, Regulation (EU) 2016/399, Regulation (EU) 2016/1624 and (EU) of 12 September 2018 on the amendment of Regulation 2017/2226 Regulation (EU) 2018/1240 of the European Parliament and of the Council establishes provisions necessary for its implementation.

(3) This regulation of 10 April 2019 on the amendment of Regulation (EU) 2018/1806 on the list of countries of third-country nationals subject to a visa requirement when crossing external borders and exempt from this requirement in relation to the withdrawal of the United Kingdom from the Union Establishes provisions necessary for the implementation of Regulation (EU) 2019/592 of the European Parliament and of the Council.

(4) § 9 and § 87 of this decree on strengthening the security of identity cards of EU citizens and residence documents issued to EU citizens with the right of free movement and their family members, dated June 20, 2019 (EU) 2019 /1157 lays down provisions necessary for the implementation of the European Parliament and Council Regulation.

XXIX. Chapter

PROVISIONS AMENDING CERTAIN LAWS

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§ 334.¹⁰³

157. 115/2021 on the activities of the employment supervisory authority .(III. 10.) Govt. amendment of the decree

§ 335.¹⁰⁴

§ 336.¹⁰⁵

158. 444/2021 on the tax refund support related to the purchase of apartments in residential real estate established in the rust zone action area .(VII. 23.) Govt. amendment of the decree

§ 337.¹⁰⁶

159.¹⁰⁷

Section 338

Section 339

Section 340

160. 568/2022 on capital and county government offices, as well as district (capital district) offices .(XII. 23.) Govt. amendment of the decree

§ 341. ¹⁰⁰

161. 302/2023 on home building subsidies in small settlements [.\(VII. 11.\) Govt. amendment of the decree](#)

§ 342. ¹⁰⁹

§ 343. ¹¹⁰

§ 344. ¹¹¹

162. No. 518/2023 on the discounted CSOK Plusz loan program that supports the creation of homes for families [.\(XI. 30.\) Govt. amendment of the decree](#)

§ 345. ¹¹²

§ 346. ¹¹³

§ 347. ¹¹⁴

Annex I to 35/2024. (II. 29.) Govt. to decree

Form and content requirements for individual documents

1. *Visa document*: in Council Regulation 1683/95/EC of 29 May 1995 on the definition of the uniform format of visas, 334/2002 of 18 February 2002 on the amendment of Council Regulation 1683/95/EC on the definition of the uniform format of visas /EC in Council Regulation and on defining the uniform format of visas Document with the form and data content specified in Regulation (EU) 2017/1370 of the European Parliament and of the Council of July 4, 2017 amending Council Regulation 1683/95/EC.

2. Council Regulation 1030/2002/EC of 13 June 2002 on establishing the uniform format of residence permits for citizens of third countries, amending Regulation 1030/2002/EC of 18 April 2008 on establishing the uniform format of residence permits for citizens of third countries of Council Regulation 380/2008/EC, and the residence permit of citizens of third countries is uniform pursuant to Regulation (EU) 2017/1954 of the European Parliament and of the Council of 25 October 2017 amending Council Regulation (EC) No. 1030/2002 establishing the format of the third country types of residence permit issued to its citizens after the entry into force of this Regulation:

2.1. the small border traffic permit,

2.2. the residence permit.

3. It is issued as a document with the format and data content specified in Regulation (EU) 2017/1954 of the European Parliament and of the Council:

3.1. the small border traffic permit,

3.2. the residence permit:

3.2.1. the residence permit,

3.2.2. the humanitarian residence permit,

3.2.3. the temporary residence card,

3.2.4. the national residence card,

3.2.5. the EU residence card,

3.2.6. the immigration permit,

3.2.7. the establishment permit.

4. The format of the documents according to point 3 : ID-1 Card, which contains a storage element.

5. Notes on the front page of the documents according to point 3 :

5.1. in the case of the small border traffic permit: "Passport number: 00000000"

5.2. in the case of a residence permit:

5.2.1. "Guest self-employed"

- 5.2.2. "Guest Investor"
- 5.2.3. "Seasonal employment"
- 5.2.4. "Employment (for the purpose of investment)"
- 5.2.5. "Employment"
- 5.2.6. "Guest worker"
- 5.2.7. "Hungarian Card"
- 5.2.8. "EU Blue Card"
- 5.2.9. "Person transferred within the company / ICT"
- 5.2.10. "Long-term mobility permit / mobile ICT"
- 5.2.11. "Research"
- 5.2.12. "Researcher's long-term mobility residence permit"
- 5.2.13. "Research mobility residence permit of a family member"
- 5.2.14. "Company Card"
- 5.2.15. "National Card"
- 5.2.16. "Academic"
- 5.2.17. "Student mobility residence permit"
- 5.2.18. "Finding a job or starting a business"
- 5.2.19. "Training"
- 5.2.20. "Intern"
- 5.2.21. "Official"
- 5.2.22. "Temporary residence permit"
- 5.2.23. "White Card"
- 5.2.24. "Mission"
- 5.2.25. "Medical treatment"
- 5.2.26. "Voluntary activity"
- 5.2.27. "National Interest"
- 5.2.28. "Family Coexistence"
- 5.3. in the case of a humanitarian residence permit:
 - 5.3.1. "Stateless"
 - 5.3.2. "Unsupervised minor"
 - 5.3.3. "Admitted"
 - 5.3.4. "Other"
- 5.4. in the case of the EU residence card: "Holder of a long-term residence permit - EC"
- 5.5. the [Szmtv.](#) In the case of a national residence card issued on the basis of paragraphs (4), (7), (9) and (11) of Section 95: "Based on paragraph (1) of Article 18 of the Withdrawal Agreement"
- 5.6. the [Szmtv.](#) In the case of a residence permit issued pursuant to Section 95 (16): "Employment" or "Hungarian Card"
- 5.7. the [Szmtv.](#) In the case of a residence permit issued on the basis of § 95, paragraph (17): "Guest self-employed"
- 6. Notes on the back of the documents according to point 3 :
 - 6.1. in the case of the small border traffic permit: "2007 year CLIII. abuse is punishable by law"

6.2. in the case of a residence permit:

6.2.1. in the case of a residence permit for seasonal employment: "Entitled to work at ..."

6.2.2. in the case of a residence permit for the purpose of employment issued for the purpose of implementing an investment: "Entitled to work at ..."

6.2.3. in the case of a residence permit for the purpose of employment: "Entitled to work at ..."

6.2.4. in the case of a guest worker residence permit: "Entitled to work at ..."

6.2.5. In the case of a Hungarian Card: "Entitled to work at ..."

6.2.6. In the case of an EU Blue Card: "Entitled to work at ...", and if the holder of the document receives international protection from a member state of the European Union: "In [name of member state], on [date] received international protection"

6.2.7. in the case of a residence permit for intra-company transfer: "Entitled to work at ..."

6.2.8. in the case of a long-term mobility permit: "Entitled to work at ..."

6.2.9. in the case of a residence permit for the purpose of research: "Research at ..."

6.2.10. in the case of a researcher's long-term mobility residence permit: "Research at ..."

6.2.11. in the case of a family member's researcher mobility residence permit: "Researcher's family member's name: ..."

6.2.12. In the case of issuance pursuant to Section 48, Paragraph (2) b)-c) of the Corporate Card [Act](#): "Entitled to work at ..."

6.2.13. In the case of a National Card: "Entitled to work at ..."

6.2.14. in the case of a residence permit for study purposes: "Studies at ..." or "Under a scholarship at ..."

6.2.15. in the case of a student mobility residence permit: "Studies at ..."

6.2.16. in the case of a residence permit for the purpose of training: "Participating in training at ... within the framework of a scholarship"

6.2.17. in the case of a residence permit for the purpose of an internship: "Intern at ..."

6.2.18. in the case of a temporary residence permit: "Issued in accordance with the international agreement on the program for tourists taking up temporary work"

6.2.19. in the case of a residence permit for the purpose of assignment "On assignment at ..."

6.2.20. in the case of a residence permit issued in the national interest pursuant to § 67, subsection (2) [of the Act](#): "Entitled to work at ..."

6.2.21. In case of issuance of a residence permit for the purpose of family cohabitation in accordance with paragraphs (2) and (3) of § 242 of [the Act](#): "Entitled to work at ..."

6.3. for the EU residence card:

6.3.1. "Previously EU Blue Card holder" (if the EU residence card was obtained as an EU Blue Card holder)

6.3.2. "Country providing international protection: ..."

Date of creation of international protection: ..." (if the permit holder was previously recognized as a refugee by the asylum authority or court or by a member state of the European Union or granted supplementary protection, and this legal status existed when the EU residence card was issued)

6.4. for the temporary residence card:

"Country providing international protection: ..."

Date of creation of international protection: ..." (if the permit holder was previously recognized as a refugee by the asylum authority or court or by a member state of the European Union or granted supplementary protection, and this legal status existed when the EU residence card was issued)

6.5. point 5.5.5 . in the case of a national residence card issued pursuant to subsection: "National residence card"

7. The regional directorate is the [Szmtv](#). In the case of a national residence card issued on the basis of § 95, paragraphs (4), (7), (9) and (11), the text "Article 50 EUSZ" appears in the type of permit column.

8. The regional directorate is the Szmtv. In the case of a residence permit issued on the basis of § 95, paragraphs (16) and (17), the text "Article 50 of the EUSZ - Cross-border commuting worker" is indicated in the type column of the permit.

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Annex 2 to 35/2024. (II. 29.) to Government Decree

Annex 3 to 35/2024. (II. 29.) to Government Decree

Humanitarian residence permit document for the asylum seeker

1. Name of the document: humanitarian residence permit for the asylum seeker
2. Document format: ID-2 card
3. The data content of the document is as follows:
 - 3.1. document identifier
 - 3.2. name – family and first name(s) –
 - 3.3. citizenship (statelessness)
 - 3.4. not
 - 3.5. facial image
 - 3.6. place and date of issuance of the permit
 - 3.7. validity period
 - 3.8. the purpose of the stay
 - 3.9. place of birth, time
 - 3.10. accommodation
 - 3.11. handwritten signature
 - 3.12. other comments

Annex 4 to 35/2024. (II. 29.) to Government Decree

Short term mobility certificate / short term mobility certificate

1. The short-term researcher mobility certificate that can be issued to the researcher is issued with the following data content:
 - 1.1. the document identification (name, number) / document identification;
 - 1.2. name – surname and first name (names) – / name;
 - 1.3. place of birth (city, country) / place of birth;
 - 1.4. date of birth;
 - 1.5. gender/sex;
 - 1.6. his/her nationality;
 - 1.7. photo/photo;
 - 1.8. address in Hungary;
 - 1.9. validity period / validity;
 - 1.10. the stamp and signature of the issuing authority / issuing authority;
 - 1.11. place and time of the exhibition / issued at;
 - 1.12. additional information on the back:
 - 1.12.1. Remarks: short term researcher mobility certificate
 - 1.12.2. Entitled to research: (at/at)

2. Name of the document according to point 1 : mobility certificate
3. Format of the document according to point 1 : ID-2 card
4. The researcher's short-term mobility certificate that can be issued to the researcher's family member is issued with the following data content:
 - 4.1. the document identification (name, number) / document identification;
 - 4.2. name – surname and first name (names) – / name;
 - 4.3. place of birth (city, country) / place of birth;
 - 4.4. date of birth;
 - 4.5. gender/sex;
 - 4.6. his/her nationality;
 - 4.7. photo/photo;
 - 4.8. address in Hungary;
 - 4.9. the researcher
 - 4.9.1. name
 - 4.9.2. date of birth,
 - 4.9.3. gender/sex,
 - 4.9.4. his/her nationality;
 - 4.10. validity period / validity;
 - 4.11. the stamp and signature of the issuing authority / issuing authority;
 - 4.12. place and time of the exhibition / issued at;
 - 4.13. additional information on the back:
 - 4.13.1. Remarks: family member of researcher
5. Name of the document according to point 4 : mobility certificate
6. Format of the document according to point 4 : ID-2 card
7. The mobility certificate that can be issued to the student is issued with the following information:
 - 7.1. the document identification (name, number) / document identification;
 - 7.2. name – surname and first name (names) – / name;
 - 7.3. place of birth (city, country) / place of birth;
 - 7.4. date of birth;
 - 7.5. gender/sex;
 - 7.6. his/her nationality;
 - 7.7. photo/photo;
 - 7.8. address in Hungary;
 - 7.9. validity period / validity;
 - 7.10. the stamp and signature of the issuing authority / issuing authority;
 - 7.11. place and time of the exhibition / issued at;
 - 7.12. additional information on the back:
 - 7.12.1. Remarks: student mobility certificate
 - 7.12.2. He is studying / entitled to study: (at/at)

8. Name of the document according to point 7 : mobility certificate

9. Format of the document according to point 7 : ID-2 card

Annex 5 to 35/2024. (II. 29.) Govt. to decree

Community accommodation policy

1. At the time of placement (arrival at the accommodation), the person who will be placed in the accommodation must present the document authorizing the stay, as well as the decision designating the mandatory place of stay.
2. After placement, the third-country national must submit to a health, clothing and luggage check.
3. A third-country national accommodated in communal accommodation (hereinafter: accommodated) may place his money and valuables in a safe deposit box or keep them with him at the time of accommodation, but in this case he must take care of their safekeeping himself.
4. The inmate may not carry items that could endanger his or her life or the physical integrity of others (weapons, clubs, cutting, stabbing tools, gas spray, drugs, alcohol, etc.).
5. The resident must account for the inventory items handed over to him/her when leaving the community accommodation.
6. The resident may use the premises, furnishings and equipment of the community accommodation only as intended. He is obliged to take care of the cleanliness of the premises, keep his surroundings clean, and protect the integrity of the furnishings.
7. The inmate may address his health complaint to the doctor on duty. Appointments for medical appointments are included in the agenda.
8. The inmate may receive visitors in the room designated for this purpose, at the times according to the agenda, and may carry out teleconferences and correspondence at his own expense.
9. The resident may freely practice his religion individually or in groups. The practice of religion may not violate the operating order of the accommodation.
10. The resident can move freely in the designated rooms of the accommodation, and can freely use the tools and equipment available for education and sports.
11. The person placed in the accommodation is obliged to behave in such a way that he does not violate the rights of other persons placed in the accommodation, and does not disturb their peace of mind.
12. In the event that the resident leaves the accommodation for no more than 24 hours, he is obliged to observe the agenda in order to maintain the order of the accommodation and to ensure the peace of others.

Annex 6 to 35/2024. (II. 29.) Govt. to decree

Declaration of assets and income of a third-country national who has become a victim of human trafficking

STATEMENT

about the assets and income of the third-country victim of human trafficking and the changes in them

A) Personal data

The announcer

name:

place of birth:

address of your accommodation (place of stay):

residence permit number:

B) Property data

At the time of submission of the declaration, I have - I do not have - the following assets available in Hungary:

Property 1:

I don't have - I have

turnover value: HUF

(a property in which you do not live as a lifestyle)

2nd vehicle:

I don't have - I have

turnover value: HUF

3. machine-driven production and work equipment:

I don't have - I have

turnover value: HUF

4. cash:

I don't have - I have

amount: HUF

5. savings deposit:

I don't have - I have

amount: HUF

6. securities:

I don't have - I have

value: HUF

7. right of property value (permanent land use, land use, usufruct, use, right of foreigners to use real estate, etc.):

I don't have - I have

value: HUF

8. all my assets (1-7)

amount: HUF

C) Income data

At the time of submitting the declaration, I have the following income available to me in Hungary - I do not have it:

1. monthly income from employment:

I don't have - I have

amount: HUF

2. monthly income from other legal relationships for employment:

I don't have - I have

amount: HUF

3. income from the sale of assets:

I don't have - I have

amount: HUF

4. other income:

I don't have - I have

amount: HUF

5. my total income (1-4)

amount: HUF

At the time of submitting the declaration, the amount of monthly income per person calculated according to the total income of the people living in the same household as me (spouse, partner, sibling, direct relatives): HUF.

D) Notice of change

The applicant is obliged to notify the National Directorate General of Immigration without delay, but within 15 days at the latest, if

the separately calculated turnover value (amount) of your assets reached HUF, the total turnover value (amount) was HUF,

his monthly income exceeded the amount of the social screening fund [in 20..... HUF].

Declaration

I declare that the data contained in this declaration correspond to reality. I understand that

- a) I have to pay compensation for personal care if the HUF value (amount) of my assets or the monthly amount of my income exceeds the value (amount) specified in point D) of this declaration;
- b) the National Directorate General of Aliens, if I receive free care or support, may oblige me to submit another declaration of assets and income, which I must comply with within 15 days;
- c) the National Directorate General of Immigration can check the veracity of the data in the declaration;
- d) in case of failure to report a change in my financial and income situation according to point D) of this declaration, the National Directorate General of Immigration can suspend the payment of benefits and financial support until the obligation is met;
- e) in the case of providing untrue data in the declaration about my property and income situation, as well as the changes that have occurred, the National Directorate General of Immigration can withdraw benefits and support.

Date:, ... year month day

.....

the signature of the declarant (legal representative).

I received the statement:

Date:, ... year month day

.....
the signature of a representative of the National Directorate General of Immigration

Each applicant and recipient (i.e. the spouse arriving together, the legal guardian instead of a minor) fills out a separate declaration.

The declaration must be completed in block letters!

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Annex 7 to 35/2024. (II. 29.) Govt. to Decree

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Annex 8 to 35/2024. (II. 29.) Govt. to Decree

1 Section 7, subsection (3), point b) of Regulation [166/2024. \(VI. 28.\) Govt. text established by § 14 of the decree](#) .

2 Paragraph (4) of § 7. [166/2024. \(VI. 28.\) Govt. text amended according to § 26 point a\) of the decree](#) .

3 Section 13, paragraph (1), point a) of [Regulation 166/2024. \(VI. 28.\) Govt. text amended according to § 26 point b\) of the decree](#) .

4 Section 13, subsection (1), point b) of Regulation [166/2024. \(VI. 28.\) Govt. text established by § 15, subsection \(1\) of the Decree](#) .

5 Paragraph (1a) of Section 13 was amended by Law [No. 166/2024. \(VI. 28.\) Govt.](#) was incorporated by [§ 15 \(2\) of the Decree](#) .

6 Paragraph (2) of § 13. [166/2024. \(VI. 28.\) Govt. text amended according to § 26 point c\) of the decree](#) .

7 Section 13, paragraph (4), point b) of Regulation [166/2024. \(VI. 28.\) Govt. text established by § 15, paragraph \(3\) of the Decree](#) .

8 Paragraph (4a) of Section 13 was amended by Law [No. 166/2024. \(VI. 28.\) Govt. § 15, paragraph \(4\) of the Decree](#) was incorporated.

9 Paragraph (3a) of § 15 was amended by Law [No. 166/2024. \(VI. 28.\) Govt.](#) was incorporated by [§ 16 of the decree](#) .

10 § 17 of the [166/2024. \(VI. 28.\) Govt. text established by § 17 of the decree](#) .

11 § 19 of the [166/2024. \(VI. 28.\) Govt. text established by § 18 of the decree](#) .

12 Subtitle 30 (Section 62) was amended by [166/2024. \(VI. 28.\) Govt.](#) repealed [§ 26 d\) point j\) of the decree](#).

13 Paragraph (3) of Section 68 shall enter into force on January 1, 2025, based on Paragraph (2) of Section 259.

14 Paragraph (1) of § 71. [166/2024. \(VI. 28.\) Govt. text amended according to § 23 point a\) of the decree](#) .

15 Paragraph (1) of Section 72 of Regulation No. [166/2024. \(VI. 28.\) Govt.](#) text amended according to [§ 23 point b\) of the decree](#) .

16 Subtitle 40 enters into force on January 1, 2025 based on § 259, paragraph (2).

17 The final part of § 92, paragraph (1) is the [166/2024. \(VI. 28.\) Govt. text amended according to § 23 point c\) of the decree](#) .

18 Paragraph (1) of Section 104 of Regulation No. [166/2024. \(VI. 28.\) Govt. text amended according to § 23 point d\) of the decree](#) .

19 Paragraph (1) of Section 131 of Regulation No. [166/2024. \(VI. 28.\) Govt. text established by § 22 of the decree](#) .

20 Paragraph (2) of Section 131 of Regulation No. [166/2024. \(VI. 28.\) Govt. text established by § 22 of the decree](#) .

21 A 137. § (2) bekezdése a 259. § (3) bekezdése alapján az Európai Utasinformációs és Engedélyezési Rendszer (ETIAS) létrehozásáról, valamint az 1077/2011/EU rendelet, az 515/2014/EU rendelet, az (EU) 2016/399 rendelet, az (EU) 2016/1624 rendelet és az (EU) 2017/2226 rendelet módosításáról szóló, 2018. szeptember 12-i (EU) 2018/1240 európai parlamenti és tanácsi rendelet 88. cikk (1) bekezdése szerinti bizottsági határozatban meghatározott napon lép hatályba.

22 A 145. § (3) bekezdése a [166/2024. \(VI. 28.\) Korm. rendelet 23. § e\) pontja](#) szerint módosított szöveg.

23 A 230. § (3) bekezdése a [166/2024. \(VI. 28.\) Korm. rendelet 23. § f\) pontja](#) szerint módosított szöveg.

24 A 232. § i) pontja a [166/2024. \(VI. 28.\) Korm. rendelet 23. § g\) pontja](#) szerint módosított szöveg.

25 A 240. § (3) bekezdése a [166/2024. \(VI. 28.\) Korm. rendelet 23. § h\) pontja](#) szerint módosított szöveg.

26 A 256. § (3) bekezdés b) pontja a [217/2024. \(VII. 31.\) Korm. rendelet 27. § a\) pontja](#) szerint módosított szöveg.

27 A 256. § (8) bekezdés nyitó szövegrésze a [217/2024. \(VII. 31.\) Korm. rendelet 27. § b\) pontja](#) szerint módosított szöveg.

28 A 256. § (12) bekezdése a [217/2024. \(VII. 31.\) Korm. rendelet 27. § c\) pontja](#) szerint módosított szöveg.

29 A 111. alcím (257. §) a 259. § (4) bekezdése alapján a tagállamok külső határait átlépő harmadik országbeli állampolgárok belépésére és kilépésére, valamint beléptetésének megtagadására vonatkozó adatok rögzítésére szolgáló határregisztrációs rendszer (EES) létrehozásáról és az EES-hez való bűnüldözési célú hozzáférés feltételeinek meghatározásáról, valamint a Schengeni Megállapodás végrehajtásáról szóló egyezmény, a 767/2008/EK rendelet és az 1077/2011/EU rendelet módosításáról szóló, 2017. november 30-i (EU) 2017/2226 európai parlamenti és tanácsi rendelet 66. cikk (1) bekezdése szerinti bizottsági határozatban meghatározott napon lép hatályba.

30 A 112. alcím (258. §) a 259. § (3) bekezdése alapján az Európai Utasinformációs és Engedélyezési Rendszer (ETIAS) létrehozásáról, valamint az 1077/2011/EU rendelet, az 515/2014/EU rendelet, az (EU) 2016/399 rendelet, az (EU) 2016/1624 rendelet és az (EU) 2017/2226 rendelet módosításáról szóló, 2018. szeptember 12-i (EU) 2018/1240 európai parlamenti és tanácsi rendelet 88. cikk (1) bekezdése szerinti bizottsági határozatban meghatározott napon lép hatályba.

31 A 262. § a [2010. évi CXXX. törvény 12. § \(2\) bekezdése](#) alapján hatályát veszítette.

32 A 263. § a [2010. évi CXXX. törvény 12. § \(2\) bekezdése](#) alapján hatályát veszítette.

33 A 264. § a [2010. évi CXXX. törvény 12. § \(2\) bekezdése](#) alapján hatályát veszítette.

34 A 265. § a [2010. évi CXXX. törvény 12. § \(2\) bekezdése](#) alapján hatályát veszítette.

35 A 266. § a [2010. évi CXXX. törvény 12. § \(2\) bekezdése](#) alapján hatályát veszítette.

36 A 267. § a [2010. évi CXXX. törvény 12. § \(2\) bekezdése](#) alapján hatályát veszítette.

37 A 268. § a [2010. évi CXXX. törvény 12. § \(2\) bekezdése](#) alapján hatályát veszítette.

767/2008/EK rendelet és az 1077/2011/EU rendelet módosításáról szóló, 2017. november 30-i (EU) 2017/2226 európai parlamenti és tanácsi rendelet 66. cikk (1) bekezdése szerinti bizottsági határozatban meghatározott napon lép hatályba.

¹⁰³A 334. § a [2010. évi CXXX. törvény 12. § \(2\) bekezdése](#) alapján hatályát veszítette.

¹⁰⁴A 335. § a [2010. évi CXXX. törvény 12. § \(2\) bekezdése](#) alapján hatályát veszítette.

¹⁰⁵Section 336 [of CXXX of 2010. has lost its effect on the basis of Article 12, Paragraph \(2\) of the Act](#) .

¹⁰⁶Section 337 [of CXXX of 2010. has lost its effect on the basis of Article 12, Paragraph \(2\) of the Act](#) .

¹⁰⁷Subtitle 159 (Sections 338-340) on the establishment of the European Passenger Information and Authorization System (ETIAS) based on Section 259(3), and Regulation/EU 1077/2011, Regulation/EU 515/2014, the (Article 88 (1) of Regulation (EU) 2016/399 of the European Parliament and of the Council of 12 September 2018 amending Regulation (EU) 2016/1624 and Regulation (EU) 2017/2226 shall enter into force on the date specified in the committee decision pursuant to paragraph

¹⁰⁸Section 341 [of CXXX of 2010. has lost its effect on the basis of Article 12, Paragraph \(2\) of the Act](#) .

¹⁰⁹Section 342 [of CXXX of 2010. has lost its effect on the basis of Article 12, Paragraph \(2\) of the Act](#) .

¹¹⁰Section 343 [of CXXX of 2010. has lost its effect on the basis of Article 12, Paragraph \(2\) of the Act](#) .

¹¹¹Section 344 [of CXXX of 2010. has lost its effect on the basis of Article 12, Paragraph \(2\) of the Act](#) .

¹¹²Section 345 [of CXXX of 2010. has lost its effect on the basis of Article 12, Paragraph \(2\) of the Act](#) .

¹¹³Section 346 [of CXXX of 2010. has lost its effect on the basis of Article 12, Paragraph \(2\) of the Act](#) .

¹¹⁴Section 347 [of CXXX of 2010. has lost its effect on the basis of Article 12, Paragraph \(2\) of the Act](#) .

¹¹⁵Annex 2 enters into force on January 1, 2025 based on § 259, paragraph (2).

¹¹⁶Annex 7 is [CXXX of 2010. has lost its effect on the basis of Article 12, Paragraph \(2\) of the Act](#) .

¹¹⁷Annex 8 is [CXXX of 2010. has lost its effect on the basis of Article 12, Paragraph \(2\) of the Act](#) .