

COUNTRY - INDEX

Name of the Country/State :

HUNGARY

- Institutional context.

1. In which context do you exercise your functions:

- Unitary State? YES
- Federal State?
- State with regional autonomies?

2. Territorial organization of the country:

- List the different administrative levels, from the biggest (region?) to the smallest (municipality?);

- The level of 7 statistical and planning regions is not an official administrative level, are not creating local governmental level, but these are territorial development units having statistical planning and development tasks and goals. The central government also operates regional offices and territorial organs at the regional level. So the NUTS 2 level region also can be prescribed as the territorial scope of the competences of state administration

Administrative levels as they exist in the Constitution:

- 19 counties (corresponds the NUTS 3 level)
- the 1 capital city (+ 23 districts of the capital city),
- towns, + by the self-governmental status there are towns with county rank which fulfil the task and responsibilities of a town and some of the county too.
- villages (villages and major villages).

- Give the population, at each level.

- Budapest Capital: 1 695 023

- Towns: 3 259 873
- Towns with county rank: 2 030 965
- Major villages: 473 535 + villages: 2 705 969
- number of settlements: 3 152
- population: 10 165 833 inhabitants
- average population per settlement: 3 226 inhabitants

Some interesting data on settlements:

- Village with the lowest population: Iborfia (Zala) - 10 inhabitants
- Village with the highest population: Diósd (Pest) - 8 260 inhabitants
- Town with the lowest population: Pálháza - 1 143 inhabitants
- Town with the highest population: Ózd - 38 698 inhabitants
- Town of county rank with the lowest population: Szekszárd - 34 818 inhabitants
- Town of county rank with the highest population: Debrecen - 206 099 inhabitants
- Capital district with the lowest population: Budapest's XXIII - 21 987 inhabitants
- Capital district with the highest population: Budapest's XI - 131 599 inhabitants

3. Does the STR represent :

- The central State (unitarian or federal)? YES
- The federal state?
- The regional government?

4. Are there on the territory other State representatives, or territorial administrations (subordinate to the central State, to the Federal State or to the regional government), who are not connected with the STR? YES

5. What is the STR's administrative territory called?

- Yet: region;
- From 1 September 2010: county

6. Does this territory correspond to that of elected representatives?

-Yet: NO;

- From 1 September 2010: YES, the county is also a level of elected local self governments

7. What is the STR called ?

-YET: Regional State Administration Offices

- From 1 September 2010: Public Administration Office of the County/Capital

8. How many STRs are there in office?

-YET: 7

- from 1 September 2010: 20

If necessary, specify by territorial level - - - -

- Status of the STR.

9. Is the STR's status:

- uniform across the country? YES

- different (according to Regions or Federal States)?

• Appointment

10. Where do the STRs in office usually come from:

politics?

public service? YES

from elsewhere? if so, where from?

11. Does the STR usually change in case of governmental alternation?

It is imaginable.

12. By whom is he/she appointed:

Council(s) of Ministers?

Head of the Government? YES

Minister (which one)?

Other (who)?

... or elected?

13. Office period:

irremovable/permanent?

exact period? what length? Assignment of heads of central public administrative organs, their territorial and local organs, and department of a ministry is possible for a definite, 6 years period as a general rule according to the Act XXIII of 1992 on the legal status of public servants.

revocable at any time? According to the new law about the legal status of government officials, it contains stricter rules, for example revocability at any time, from June 2010.

• **Status.**

14. Has the STR the status of civil servant?

-Yet: YES

- from June 2010: special status -within the civil servants- for the governmental organ's public officials, but rules for civil servants also applicable for them as a complementary act.

15. Can he enter the profession by competition? YES

Can he make a career as STR? NO

16. Are there various ranks? Which ones? NO

- Powers of the STR.

("average" answer if it differs according to the country's STRs)

Note: a STR at the moment comprises units (departments) directly managed by the head of the STR; specialised sectoral administrative units (these are the part of the office as regards the organizational, budgetary, etc. aspects, but under the professional direction of a given sectoral ministry) [these are the followings: the Social and Childcare Office, the Office for Construction Supervision and the Bureau of Chief Architect]; plus branch offices in given towns (with a scope of territorial competence covering a county) also under the hierarchical authority of the STR (but managed directly by a deputy-STR).

Except: there is no separate branch office in the Central Hungarian Regional State Administrative office, the administration regarding Budapest capital and the surrounding Pest County is under a single office framework.

/from 1 September 2010: the Public Administration Office of the County/Capital will comprise units (departments) directly managed by the head of the STR; specialised sectoral administrative units./

17. How many direct colleagues (taking all ranks into account) does the STR manage in his own department:

less than 10 ?

10 to 50 ?

50 to 200 ? Average 146/STR. The total headcount of the STRs - without the colleagues of the specialised sectoral administrative units - are 1022 persons. (Sectoral specialised administrative units: +330 persons)*

**Note: 2009 data available*

more than 200 ?

18. How many colleagues are placed under the hierarchical authority of the STR (including in different services but dependent on him):

less than 50 ?

50 to 100 ?

100-200 : average 200/STR de iure, and 195/STR de facto

(The total headcount of the STRs - including the colleagues of the specialised sectoral administrative units - were planned and authorized as 1403 (1356 planned + 47 for the staff increase of the Offices for Construction Supervision) persons, but due to the budgetary restrictions related to the financial crisis management the number was cut back to 1321 + 47 = 1368 persons de facto (35 status of the payroll is sequestered).*

**Note: 2010 data available.*

200 to 1000 ?

more than 1000 ?

19. Are other STRs hierarchically related with him/her? **NO**

20. Has he/she an assistant (likely to deputize for him/her)? **YES**

21. If you have an organization chart of the services of a RTE, thanks for attaching it. **SEE ATTACHED**

- Field of expertise.

Summarize briefly, for every section, 3 (or 4) main competences, without trying to be exhaustive.

22. Enumerate the STR's appropriate competences.

- **Control of legality** of local governmental decisions in the past / at the moment: professional help for local governments by their request to avoid infringement of laws / from 1 September 2010: control of legality again
- Some **first instance competences** in given administrative processes delegated into their powers by law or by the Government. E.g.: registry issues, expropriation, control of construction supervision, permission of major construction investments exaggerated with emphasized national economic importance;
- **second instance competences** in several state authority issues and public administrative processes The STR is the general second instance authority, only if a sectoral or special law rules otherwise, the first instance decisions made by the town clerks can be appealed at the state administration offices.
- **Supervision of the legality of the decisions of the institutions of the territorial development**, such as the micro-regional developments councils, county territorial development councils, regional development councils.
- **coordination competences**: territorial coordination of the implementation of multisectoral government decisions (by other deconcentrated territorial sectoral state organs); the establishment of the regional state administration colleges ((the college is an opinion-formulating and coordination-facilitating body of the state administration office, consist of the heads of other territorial sectoral state organs); territorial coordination of tasks pertaining to the modernization of public administration;

- **Supervision of certain decisions** of other state territorial organs. E.g. labour decisions – control of the proper implementation of the law on public servants; control of the proper implementation of the law on public administration processes; control of rules of the filing and docketing and data protection, etc.
- methodological and **educational centers at territorial level** (training, further education, tuition of public servants). E.g. organizing and managing public administrative basic and specialized exams, exam of registry activity, exam for constitutional basic knowledge (for acquiring Hungarian nationality); trainings and courses financed by the EU, etc.
- **IT functions** - e.g. during elections, running the population registry, operating the IT systems of offices of public identity and registry documents, personal data and address register, etc.
- **specialised sectoral administrative units:**
 - *the Social and Childcare Office (first and second instance public administrative decisions regarding social issues; guardianship and childcare issues – permission and control of institutions, first and second instance individual cases)
 - *the Office for Construction Supervision (controlling architectonics, effectuation of technical and legal rules and requirements)
 - *and the Bureau of Chief Architect (permissions of territorial planning issues, such as permission for environment usage, constructions on energetic field; control of territorial planning documents of the counties, etc.)

23. Enumerate the competences shared with other State services. ---

24. Enumerate the competences shared with services placed under the authority of elected representatives. -----

25. Please communicate your assessment of the balance of the various responsibilities of the STR, by indicating the functions which seem to you the most central to the role.

The legality control over local governments (now: professional aid until 1 September 2010) is one of the most central one within the competences of an STR.

The first and second instance competences in several state authority issues and public administrative processes are also a main functional package, with emphasized priority. This means approximately 80000 cases per year.

The coordination of the territorial state administration is essential; the new government plans stronger competences and stronger offices regarding this field. It is prospective that much stronger STRs will be established may involving more sectoral territorial organs than now.

- Powers of the STR.

26. Has the STR authority on:

- all the services of the State ?
- most services of the State ?
- only part of them ? **YES**

27. Is the STR responsible for the law and order? **NO**

Otherwise, has he/she certain prerogatives concerning the law and order? **NO**

28. Is the STR responsible for Emergency services? **NO**

If not, does he have certain prerogatives concerning Emergency services? **NO**

29. Is he/she responsible for the control of the legality of the acts of the decentralized communities?

- Control of legality of local governmental decisions in the past / now: professional help for local governments by their request to avoid infringement of laws. / From 1 September 2010: control of legality of local governmental decisions again.
- Supervision of the legality of the decisions of the institutions of the territorial development.
- Supervision of certain decisions of state territorial organs.

If yes, can he/she only transfer the acts to the judge **YES**

or can he by his self

- invalidate **NO**
- suspend **NO**
- reform **NO**

the texts which he considers illegal ?

30. Does he/she dispose of:

- a power of preliminary approval for certain actions ? **NO**
- a power of replacement for certain actions or in certain circumstances ? **NO**

31. Does he/she control the use of public funds (including the credits resulting

from European funds) in his/her district? NO

32. Is the STR in charge of the allocation of national public funds?

- decision-making power ? NO
- power shared with another authority ? NO
- if so, which one ?
- proposition power ? NO
- consultative notice ? NO
- no intervention of the STR ? YES

33. If the STR has decision-making power for the allocation of national public credits? -----

funds, (NO) which is the volume of the corresponding

- less than 10 million euro ?
- 10 to 100 million euro ?
- 100 to 500 million euro ?
- more than 500 million euro ?

34. Is he/she in charge of the allocation (attribution) of the European funds : NO

- decision-making power ? NO
- power shared with another authority – which ? NO
- proposition power ? NO
- consultative notice ? NO
- no intervention ? YES

35. Fields of responsibilities and role of the STR.

(For every field of expertise, thank you for marking the corresponding box)

Role of the STR	Occasionnal	Permanent but limited	Permanent and important
Economy	X permission of major		

	construction investments exaggerated with emphasized national economic importance; expropriation		
Employment		X control of the proper implementation of the law on public servants	
Social action			X n.b. the activity of the Social and Childcare Office
Housing	X		
Town planning			X n.b. the activity of Office for Construction Supervision and the Bureau of Chief Architect
Environment	X		
Town and country planning			X n.b. the activity of Office for Construction Supervision and the Bureau of Chief Architect
Civil security	X		
Law and order	-	-	-
Health	X		
Education		X	
Culture	X	-	-
Registry office– Naturalizations		X	

Immigration	X		
Jurisdiction	-	-	-
Penal	-	-	-

- Current events.

37. Is the STR affected by a reform of the territorial organization:

- **current** ? By 1 January 2007 a regional transformation of the offices has taken place. The previous county or capital public administration office operating in the designated (county seat) town has been transformed into a regional public administration office, while the organisational and legal independence of non-seat county offices has ceased and continued to operate as branch offices of regional public administration offices, except the Central Hungarian Region, where the regional office was set up through the integration of the metropolitan and the Pest county public administration offices, thus, no branch office operates in the Central Hungarian Region.

- **planned or proposed** ? The above mentioned regionalization has triggered hard political debates. It has some professional and budgetary benefits, but the main counter-arguments cleaving to traditional county level linked with the elected territorial self-governmental level (which is also the county level). A fresh new Act on the legal status of central state organs and state secretaries re-established the county/capital public administration offices and the legal control over self-governments from 1 September 2010.

Please attach a detailed document if you have one

38. Is the STR affected by a reform of financial or budgetary nature?

Not in general. But budgetary restrictions related to the financial crisis management have resulted a cut back in the headcount.

If so, is public spending the main motive the reduction?

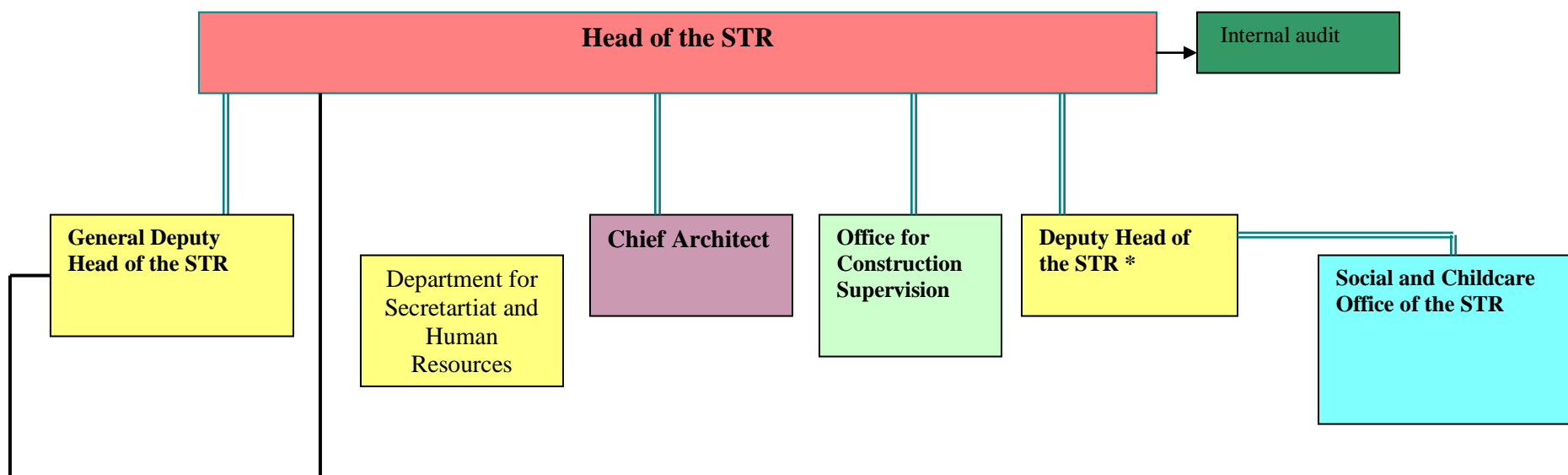
39. Have the STR's functions or status:

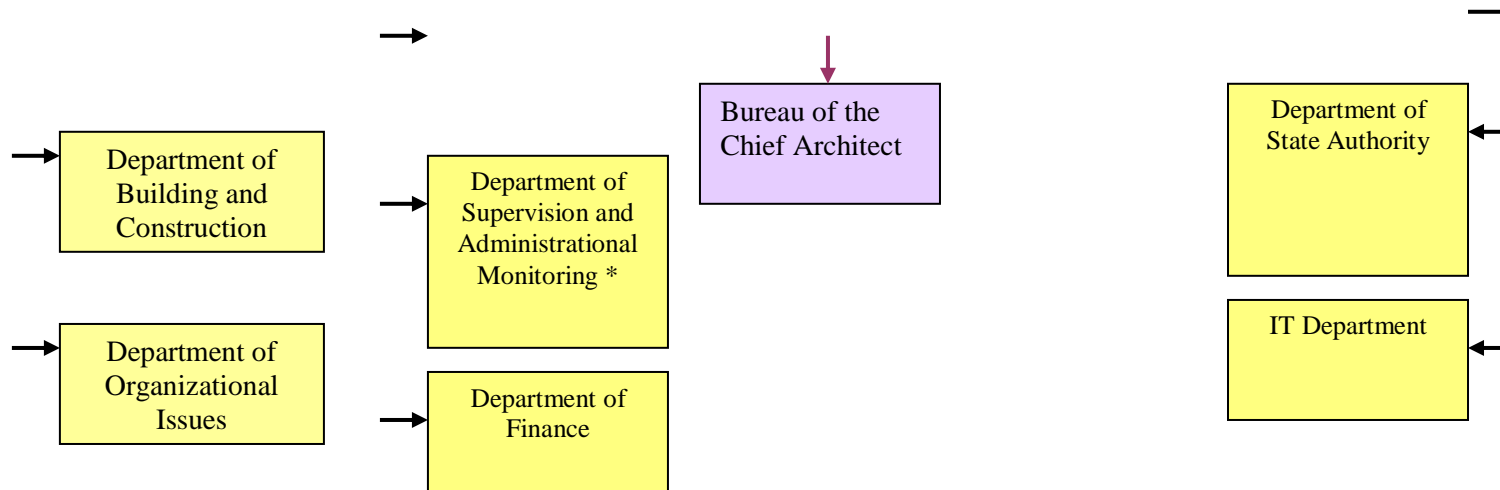
- **changed recently** ? By 1 January not just the territorial scope of the competences changed considerably with the regional transformation, but the scopes of tasks and responsibilities of the offices have also been reshaped, enhanced with a view to

strengthening their roles in territorial coordination and control. Regional public administration offices have been awarded such new scopes of responsibilities and authorities which facilitate the control and coordination of the work of territorial organs more effectively, and endowed them with stronger powers as general territorial governmental offices. This tendency has turned back, the positions of the offices started to weaken during 2008. This was caused by a decision of the Constitutional Court which has annulled a sentence in the Act of Local Governments, that one which stipulated the main legal base and status of the public administration offices. The legality control over the decisions and regulations of local governments has ceased to exist by the lack of the organ that may carry it out. Parallel with it, other competences also have weakened by new laws. The government has established the regional state administration offices for the further provision of other tasks and competences of the terminated offices, but the legality control over local authorities has suspended. The task of the offices became the professional aid for local authorities by their request to avoid the infringement of laws.

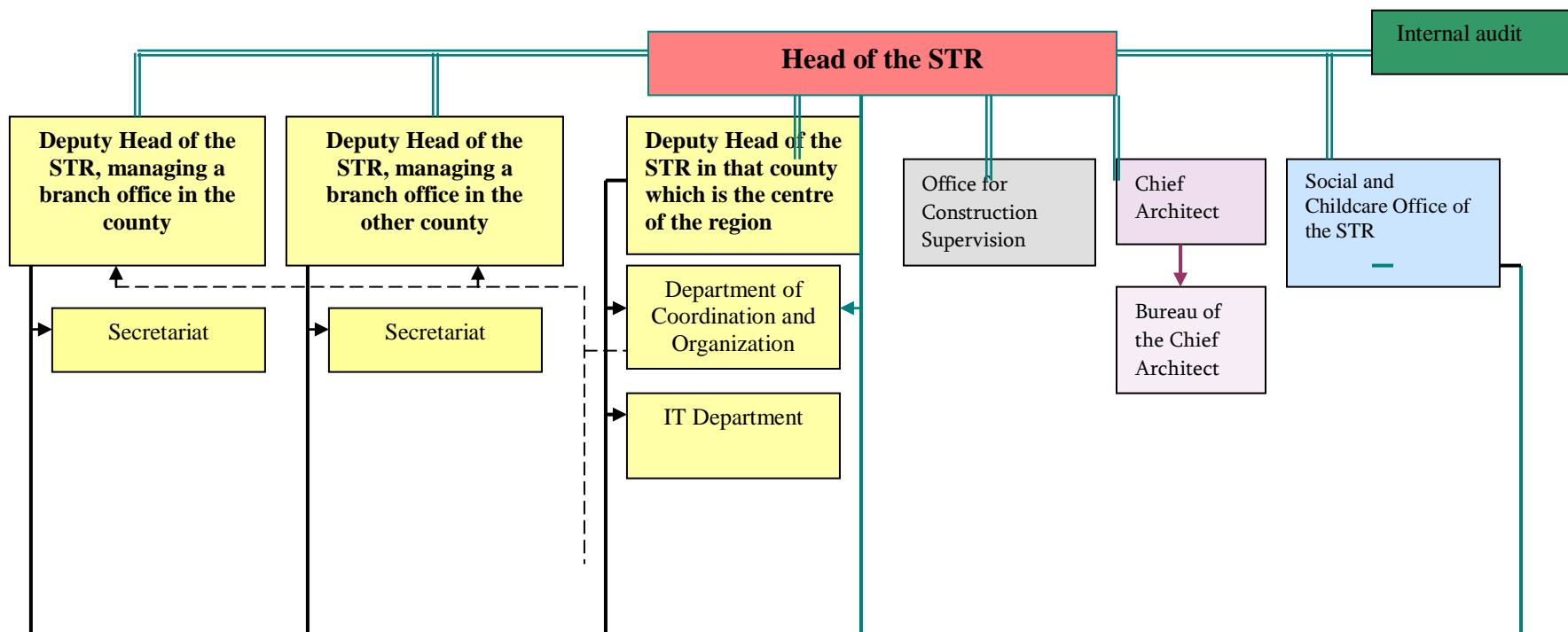
- **are soon going to change?** A fresh new Act on the legal status of central state organs and state secretaries re-established the county/capital public administration offices and with it, the legal control over self-governments also will reborn from 1 September 2010. The new government plans to enhance the competences of the offices regarding the territorial state administration. It is prospective that much stronger STRs will be established may involving more than now.

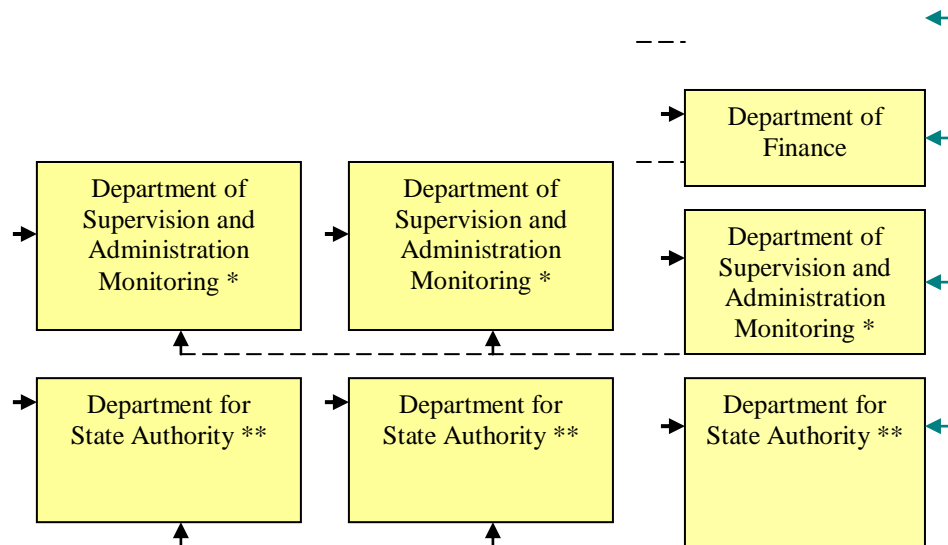
Organizational chart of the Central Hungarian Regional State Administrative Office





Organizational chart – sample





Branch office of the
Social and Childcare
Office in the county

Branch office of
the Social and
Childcare Office in
the other county

- **control of legality of local governmental decisions in the past / now: professional help for avoiding infringement of laws / planned in the future: control of legality again*
- *** state administrative decisions on the first instance in given administrative processes determined by law; and second instance in case of the most of the public administrative processes (the general second instance authority), supervision over lower authorities*

organisational links: —————→
professional coordination. - - - - -→