

Company law

The primary act of law in Hungarian company law is Act 4 of 2006 on Business Associations (Companies Act). The main types of business associations under the Companies Act are identical to those regulated in EU countries. The procedures on founding, implementing changes in data and winding up of Hungarian associations are primarily governed by Act V of 2006 on Public Company Information, Company Registration and Winding-up Proceedings (Company Procedures Act).

Under the Companies Act, business associations may be founded by non-resident and resident natural persons, legal persons and business associations without legal personality. Hungarian laws do not provide an exhaustive list of legal persons but, on the basis of the Civil Code, state, municipal, business, social and other organisations may have legal personalities. International treaties may contain regulations in derogation from these provisions in respect of the participation of non-residents in Hungarian business associations.

The law may require a special permit from the authority for the foundation of a business association (foundation permit), such as, for instance, companies with an interest in financing, insurance or capital market activities, which may only be founded with approval from the Hungarian Financial Supervisory Authority (PSZÁF). Where authorisation by the authority is prescribed as mandatory by law to engage in a certain economic activity, the business association can be founded and registered but it may only begin and pursue the activity in question when in possession of such authorisation. Activities subject to qualification may only be pursued by business associations if there is at least one person among its participating members, employees, or persons working for the benefit of the company under a permanent civil law contract concluded with the business association who satisfies the qualification requirements set out in the legal regulations.

FOUNDING OF BUSINESS ASSOCIATIONS

General partnerships, limited partnerships, limited liability companies, single member companies or private limited companies may be founded in a simplified procedure by enclosing with the application for the registration of the company the deed of foundation drawn up on the basis of a template in the annex of the Company Procedures Act.

For a detailed description of the procedure, please refer to the [“Starting up in Hungary”](#) section of this portal.

TERMINATION AND TRANSFORMATION OF BUSINESS ASSOCIATIONS

Business associations may be terminated with or without a legal successor. Cases of termination without a legal successor:

- the period of time specified in the articles of association expires or any other condition of termination is realised;
- the company's supreme body has adopted a decision for the company's termination without succession (voluntary winding-up or liquidation);
- the number of members of the business association decreases to one, except for limited liability companies and companies limited by shares;
- it is terminated by the court of registration for reasons provided for in the Companies Act;
- it is required to do so by law.

If the business association is terminated by liquidation, the provisions of Act XLIX of 1991 on Bankruptcy and Liquidation Proceedings shall apply.

A business association is terminated with succession in the case of conversion, merger and demerger. 'Merger' means the operation whereby two or more business associations are wound up without going into liquidation and the companies combine as one legal entity. 'Demerger' of a business association is when the business association is split into two or more business associations.

The rules for transformation are contained in the Companies Act and the Accounting Act.

BRANCH OFFICES AND COMMERCIAL REPRESENTATIVE OFFICES

Foreign entrepreneurs may conduct their business in Hungary by opening a branch office in the country. Such a branch office is a separate organisation unit of the foreign business association without legal personality registered by the Hungarian court of registration. Through their branch offices, foreign business associations are entitled to carry out business activities in Hungary and are represented towards the authorities and third parties by their branch offices. The branch office has full legal capacity, it acquires rights to the benefit of and assumes liabilities for the foreign enterprise under its own company name.

Each branch office shall be registered to the company registry. Branch offices may be represented by natural persons employed at or assigned to the branch office or with a permanent contract of employment and a domestic place of residence. Representatives of branch offices and their close relatives may only conclude transactions within the activities of the branch office if the deed of foundation of the branch office or the foreign business association approves it.

The laws applicable to companies with domestic registered offices apply to the business activities and the domestic business behaviour of branch offices, and its books shall be kept in accordance with the Hungarian laws on accounting. Special rules apply to the branch offices of foreign businesses conducting financial activities. The employees of the branch office are in employment relationship with the foreign business association and employer rights are exercised by the foreign business association through its branch office.

A commercial representative office is an organisational unit of a foreign company without a legal personality, which can operate from the time it is registered in the company register. The scope of activities of commercial representation offices are limited to mediating and preparing contracts and carrying out information, advertising and propaganda activities on behalf of the foreign company.

In their own names, commercial representative offices may not conduct business activities that yield profits or other proceeds; however, they can conclude contracts related to their operation in the name and for the benefit of the foreign company. The same employment rules apply to commercial representative offices as to branch offices.

Investment incentives

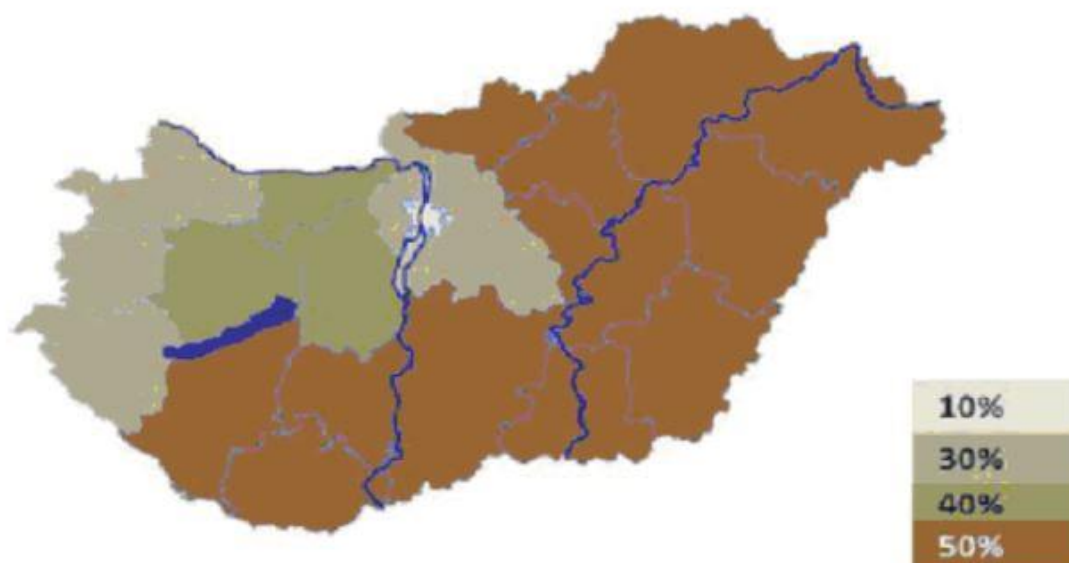
Both refundable and non-refundable incentives are available to investors coming to or expanding in Hungary. The main types of incentives related to investments are cash subsidies (either from the Hungarian Government or from EU Funds), tax incentives, low-interest loans, or land available for free or at reduced prices. The regulations on incentive opportunities are in accordance with EU rules.

REGIONAL AID INTENSITY MAP (2007-2013)

The maximum available amounts of regional incentives are based on a regional aid map. All seven regions of Hungary are qualified for incentives, and aid intensity varies between 10% and 50% for large corporations, while small- and medium-sized companies are able to increase the intensity of the received subsidies by 10 or 20 percentage points. The maximum aid intensity for the capital city, Budapest, is 10% for large corporations. The maximum available aid intensity decreases if the investment is a large investment (exceeding EUR 50 million): 50% of the maximum aid intensity determined in the regional aid map is available for that part of the investment between EUR 50 and 100 million, while 34% of the maximum aid intensity for that part of the investment beyond EUR 100 million. When calculating the maximum available amount of regional incentives, all regional incentives – including cash subsidies, development tax incentive, etc. – need to be taken into account.

Grant decisions must be made by December 31, 2013 in order to receive subsidies based on the current regional aid intensity map.

Maximum regional intensity



CASH SUBSIDIES

The main types of cash incentives related to investments are focused on implementing the investment (e.g. purchasing assets, construction work, etc.), creating new jobs and training employees.

"VIP" INVESTMENT SUBSIDY

The Hungarian Government provides a negotiation-based "VIP" subsidy opportunity for investments greater than EUR 10 million with a certain number of newly created jobs, depending on the purpose and location of the investment. If the investment is between EUR 10 and 25 million, the Hungarian authorities will investigate the possibility of subsidizing the project from available EU Funds.

The main areas that attract support are investments in manufacturing (greenfield, brownfield or capacity extension), shared service centres, research and development, and tourism projects. In order to be eligible for the subsidy, 50-100 new jobs have to be created by the investor in the case of manufacturing investments, depending on the region where the investment takes place. In the case of large investments of more than EUR 50 million, 100-200 new jobs have to be created, depending on the place of the investment.

In the case of establishing or expanding SSCs, at least 100 new jobs have to be created in general, and at least 200 new jobs in central Hungary.

In the case of R&D related investments at least 10 new jobs have to be created in connection with the R&D activity. Subsidy applications can be submitted to HIPA in either Hungarian or English. The terms and conditions of the VIP subsidy are determined in the negotiation procedure between the investor and the Hungarian authorities.

In order to obtain a subsidy as defined by the current regulation, grant decisions must be made by December 31, 2013, which is based on the negotiated subsidy agreement.

"VIP" TRAINING SUBSIDY

The Hungarian Government also offers what is known as the VIP subsidy opportunity for training employees for new positions. The subsidy is available to investors creating at least 50 new jobs. The maximum amount of the training subsidy for creating 50 to 500 new jobs is EUR 1 and 2 million for creating more than 500 new jobs. It is provided for both general and special training. The maximum aid intensity is 60% in the case of general training and 25% for targeted training. The aid intensity can be increased further in the case of small- and medium-sized enterprises and for training of disabled or disadvantaged workers. The training subsidy is not a regional incentive, thus it can be granted on top of the maximum regional aid intensity.

“VIP” JOB CREATION SUBSIDY

The Hungarian Government provides a job creation subsidy for those investments entitled to VIP investment subsidies and that create at least 250 new jobs in disadvantaged or least-developed micro-regions. The maximum available subsidy is EUR 3 million, depending on the location and the number of new employees.

VOCATIONAL TRAINING FACILITY SUBSIDY GRANTED BY INDIVIDUAL DECISION

A subsidy opportunity is available for establishing vocational training facilities and the development of the equipment for practical training. In order to be eligible for the subsidy, the number of vocational school students with training agreements has to be increased by at least 50 compared to the average number of trainees in the two school years prior to the submission of the subsidy request.

The maximum subsidy amount is EUR 8,000 per student, and the total subsidy received cannot exceed EUR 2 million per beneficiary.

CASH SUBSIDIES FROM THE RESEARCH AND TECHNOLOGY INNOVATION FUND

Subsidy opportunities are available from the Hungarian national budget, primarily aimed at R&D activities involving a broad cooperation of companies, universities and research institutions. The subsidies are available through a tendering process.

NON-REFUNDABLE CASH SUBSIDIES FROM EU FUNDS

A wide range of tender opportunities are available from EU Funds, for which investments of less than EUR 10 million can also qualify. The conditions for the EU tender application, the timing, and the total amount of the subsidy available vary from tender to tender. The tenders reflect the importance given to supporting R&D activities, the creation of new workplaces, environmental investments, and technological investments (with preference given to small and medium sized enterprises).

Cash subsidies from EU Funds for 2011-2013 are available through the New Széchenyi Plan (Új Széchenyi Terv in Hungarian, also known by its initials ÚSZT), which was announced in January 2011. The plan focuses on the following areas:

- Health industry
- Green economy
- Enterprise development
- Science – innovation
- Employment
- Transportation

For a more detailed overview of the available cash subsidies in Hungary please visit the web site of [Hungarian Investment Promotion Agency \(HIPA\)](#)

TAX INCENTIVES

Tax incentives are available for companies' future transactions. Applications have to be submitted to the competent authority in Hungary or to the competent EU institution before projects start.

DEVELOPMENT TAX INCENTIVE

Each development tax incentive may be claimed for a 10-year period (beginning after completion of the development) in Corporate Income Tax ("CIT") returns within a maximum period of 14 years from the original application for the incentive.

In any given tax year, the tax incentive is available for up to 80% of the tax payable, but in total up to the state aid intensity ceiling. Applications for tax incentives have to be submitted to the Ministry for National Economy, and the Hungarian Government has the right to grant permission if the aggregate eligible costs of the investment exceed EUR 100 million. If the investment is below this threshold, taxpayers only need to notify the Ministry for National Economy before starting the investment.

OTHER TAX INCENTIVES

Various Corporate Income Tax and Local Business Tax bases incentives and allowances apply to special business areas and activities such as R&D performed by the taxpayer themselves, job creation by shared service centres (SCCs), or companies supporting film production, performing arts and spectator sports.

For a more detailed overview of the available tax incentives in Hungary please visit the web site of [Hungarian Investment Promotion Agency](#).

Labour law

The rules of labour law are regulated in Act I of 2012 (Labour Code). The regulation is very similar to the labour laws of other European countries in that it has only minimum requirements as to the content of employment contracts. Employment contracts, modification and termination of employment must be incorporated in writing. Employment contracts are usually concluded for an indefinite period of time.

At the beginning of the employment relationship, the parties may specify a probationary period for a maximum of three months, or in case of a collective bargaining agreement for a maximum of six months. Employment contracts may also be signed for definite terms but the extension thereof requires the existence of the legitimate economic interest of the employer, and the period thereof may not exceed 5 years together with the extension of the contract.

Termination of employment is usually based on mutual agreement of the parties or a unilateral notice given by one of the parties. Note that the employer is required to provide a reason for its termination of the employee's contract and that the reason must be realistic and rational. Employees may terminate their employment by notice without the obligation to provide a reason. In case of termination with immediate effect, both the employer and the employee are required to provide a substantial and verified reason. Employees have a 30-day forfeit period for legal remedies if the reason provided for the termination with notice or with immediate effect is contrary to the law.

Even though the law has provisions for part-time employment and distance working ("home office"), these methods are not yet widely used. Regular working hours are 40 hours per week, Monday to Friday. Working time conditions (e.g. the ceiling) and extra payment for overtime are strictly regulated by the law.

The annual paid holiday is 20 workdays, which increases with the age of the employee in categories with the maximum being 30 days. Pregnant women are entitled to 24 weeks of maternity leave. By the main rule (i.e. in the case of one healthy child), childcare benefit is available until the child reaches the age of 3. The labour law protects women on maternity leave and those receiving childcare benefit against regular termination of their employment. The age limit for the full old-age pension varies between 62 and 65 years depending on the date of birth.

Citizens of EU member states and their family members may be employed in Hungary without a work permit since 1 January 2009. For statistical purposes the employer is required to report the employment data of EU citizens to the employment centre.

No residence permit is necessary for EU citizens who plan to spend more than 3 months in the country for employment purposes. Nevertheless, they are required to report the details of their extended stay to the Office of Immigration and Nationality and to apply for a residence card.

With a few exceptions, non-EU citizens need work permits to work in Hungary. Individual work permits are usually valid for a maximum of 2 years with the option of extension for another 2 years. Officially, the employee applies for the work permit, but first the employer must document that they had already tried to fill the position with a Hungarian citizen with the help of the employment centre. Non-EU citizens may only begin their employment in Hungary after they have obtained all permits and documents necessary for their employment.

To get more information about how these and other incentives make Hungary a prime investment location, please read the [Hungarian Investment Promotion Agency's](#) Invest in Hungary publication.

REVIEW OF THE HUNGARIAN TAX SYSTEM

Income taxes:

- Personal income tax
- Corporate income tax

Social security contributions

Taxes on turnover:

- Value added tax

Local taxes

Duties

Other tax types:

- Accident tax
- Bank tax
- Insurance tax
- Company car tax
- Simplified entrepreneurial tax (EVA)
- Energy tax
- Energy providers' tax
- Medicine tax
- Innovation contribution
- Gaming tax
- Fixed-Rate Tax of Low Tax-Bracket Enterprises (KATA)
- Tax on small enterprises (KIVA)
- Environmental pollution fee
- Environmental product fee
- Tax of public utility lines
- Public health product fee (NETA)
- Financial transaction duty
- Advertisement Tax

Avoidance of Double Taxation

PERSONAL INCOME TAX

1. TAXPAYERS

In Hungary, the income of private individuals resident in Hungary is comprehensively taxable, they pay taxes on the basis of their domestic and foreign income. The tax liability of private individuals having tax residence abroad only encompasses income generated from Hungary or income taxable in Hungary based on international agreements or reciprocity.

2. TAXABLE INCOME

Any type of income of private individuals is taxable in respect of personal income tax except for those which are exempted from tax by law. Act CXVII of 1995 on Personal Income Tax (henceforward: PIT tax) identifies the following income categories for private individuals:

- Incomes from activities other than self-employment, self-employment activities and other consolidated incomes belong to the category of incomes to be consolidated.
- Separately taxed incomes are capital gains, incomes from private entrepreneurship, and incomes generated from the sale of real estate or movable property.

As of 2016 the rate of personal income tax is 15%.

2.1. TAX EXEMPT INCOME

Tax exempt incomes are mostly discussed by Section 7 and Schedule 1 of the PIT Act. The following types of incomes belong to this category:

- certain forms of state allowances paid for raising children;
- scholarships paid by non-resident entities to students studying abroad or researchers working abroad;
- certain services provided by insurers;
- pensions including state pension benefits and pensions paid by private pension funds, and incomes defined as pension on the basis of the provisions of agreements for the avoidance of double taxation.

2.2. INCOME FROM ACTIVITIES OTHER THAN SELF-EMPLOYMENT

The PIT Act identifies incomes from activities other than self-employment which comprise, among others, activities pursued in an employment relationship, the activities of executive officers of business associations, and the personal participation of private individual members of a business partnership.

Income from activities other than self-employment comprises wages paid to a private individual in compensation of their activities, bonuses, and income paid on the basis of personal participation, as well as managerial and elected officer activities. Generally costs may not be subtracted from the income.

2.3. INCOME FROM SELF-EMPLOYMENT ACTIVITIES

All activities, as a result of which a private individual receives income and which are not included in the sphere of activities other than self-employment are considered self-employment activities. This includes, in particular, the activities of small-scale agricultural producers, private entrepreneurs, lessors, appointed auditors, and people pursuing activities in employment under commission agency.

As a general rule the income generated from self-employment activities – apart from those pursued in private entrepreneurship – is regarded as the amount of all income with all expenses subtracted. The taxpayer may choose from two methods of expense accounting:

- itemized expense accounting (on the basis of certified actually arising expenses) or
- 10 per cent of the revenues can be accounted without certification.

Only one method of expense accounting may be applied throughout one tax year.

Income generated from royalties at the original beneficiary is taxed in accordance with the rules pertaining to income from self-employment activities.

Special rules are applicable for private entrepreneurs.

Instead of the itemized expense accounting or the 10 percent expense ratio, small-scale agricultural producers may elect flat rate taxation.

2.4. BENEFITS WHICH CAN BE GRANTED UNDER THE TAXES PAYABLE BY PAYERS

These include benefits and services provided under the title of entertainment and promotional gifts, products and services provided to each employee (or a certain group of employees according to the internal regulations of the employer) either free of charge or at a discount price, eating and other services arising in respect of business trips. The base of tax is the value of the benefits multiplied by 1.19. The rate of tax is 15 percent. Besides the personal income tax, the payer, employer also has to pay the 27 percent healthcare contribution.

2.4.1. *Non-wage benefits*

Such benefits are, for instance – up to various threshold values separately defined for particular benefits – are the following items provided free of charge or at a discount price:

- travel passes for local public transportation;
- board services
- Erzsébet Voucher for the purchase of meals ready for consumption or hot meals in restaurants
- holiday services provided in resort facilities owned by the provider
- benefits transferred by the employee to a private individual's account in voluntary pension funds, aid and healthcare funds.

The base of tax is the value of the benefits multiplied by 1.19, and the tax is payable by the payer or the employee. The rate of tax is 15 percent. Besides the personal income tax, the payer, employer also has to pay the 14 percent healthcare contribution in accordance with the rules in effect on 2016.

2.4.2. *Low interest loans*

In case of no interest or low interest loans, the payer, employer pays the tax on the amount of income arising from the unpaid interest. The tax base is the interest discount multiplied by 1.18 and the rate of tax is 15 percent and the 27 percent of healthcare contribution also has to be paid. When the income arising from the no interest or low interest loan is established the base rate of the Prime Bank of Hungary shall be taken into account with an additional 5 percentage points also added – and that is compared to the actually charged interest.

In cases defined in law, the income generated from discount interests is free of taxes.

2.4.3. *Shares and option*

If a corporation provides share to its employees in the framework of a share distribution system for employees, no taxable income is derived when shares are distributed if the aggregate amount of the regular market price of the thus acquired securities does not exceed 1 million HUF.

3. PRIVATE ENTREPRENEURIAL REVENUES

Private entrepreneurs under the effect of the PIT Act are obliged to pay private entrepreneurial tax and dividend tax. If the conditions defined in law are met, the private entrepreneur may opt for flat rate taxation or may register under the Simplified Entrepreneurial Tax (EVA) and Fixed-Rate Tax of Low Bracket Enterprises (KATA).

The entrepreneurial withdrawal (the actual wage of a private entrepreneur) generated from economic activities and also accounted for as an expense shall be indicated among the incomes to be consolidated.

The tax base of the entrepreneurial income is taxed as the difference between the total aggregate income and expense. There is a minimum personal income tax and contributions base for private entrepreneurs for which public dues are to be paid.

The system of writing off depreciation allowances is similar to the system applied with employees of companies.

The private entrepreneur has the option to account for their losses that were deferred in due observation of the principle of proper execution of the law within its meaning and intent against their revenues derived from the private entrepreneurship in the ensuing five tax years (but in the year of cancelling of their business activities at the latest) in accordance with rules defined in the PIT Act at the latest.

The rate of tax imposed on entrepreneurs is 10 percent until a tax base of 5000 million HUF and 19 percent above that.

Entrepreneurs opting for flat rate taxation pay tax on the basis of their total revenues with a fixed amount of expense ratio subtracted, the expense ratio varies between 40 percent and 93 percent according to the sphere of activity. The income defined as a flat rate amount is a part of the consolidated tax base.

4. INCOME FROM CAPITAL INVESTMENTS

The payer automatically subtracts tax from the dividend income. The agreement on the avoidance of double taxation regulates tax liabilities regarding the dividend income of the private individuals of foreign tax residence, and if no such agreement exists, the rate of tax is 15 percent.

In the case of foreign dividend income of private individuals of Hungarian tax residence, the amount of dividend tax certifiably paid abroad can be subtracted from the 15 percent of taxes. If Hungary has no agreement on the avoidance of double taxation with the particular country, then the tax rate in Hungary is 5 percent at least.

A 15 percent rate of personal income tax is also imposed on the income generated from interests. Among others, the interest paid on deposits made on savings accounts, the interest and other income derived from publicly offered and traded securities and investment certificates qualify as interest.

A personal income tax of 15 percent is payable on the income realized upon the sale of securities (capital gains). The tax base is the selling price with the documented expenses, such as the entry price and the transactional costs subtracted.

A 15 percent tax is imposed on the income withdrawn from business accounts.

Dividends, interests or capital gains paid by legal persons or other organizations seated in offshore countries qualify as taxable income to be consolidated.

It is worthwhile to take care of the fact that – on the basis of Act LXXX of 1997 on the Eligibility for Social Security Benefits and Private Pensions and the Funding for These Services (henceforward: Tbj) – a 14 percent healthcare contribution is also payable on the income generated from dividends, capital gains and incomes withdrawn from business accounts with the 15 percent tax rate.

With the exceptions determined in law a 6 percent healthcare contribution is imposed on the income generated from interests. A foreign private individual – defined as such by the Tbj – has the option to reclaim the 6 percent healthcare contribution subtracted by the payer.

5. THE AVOIDANCE OF DOUBLE TAXATION

The avoidance of double taxation is performed on the basis of the provisions of agreements on the avoidance of double taxation, and on the basis of Hungarian legal regulations if no such agreement exists.

In case an agreement on the avoidance of double taxation exists, its relevant provisions are to be applied in respect of foreign income.

The income of a private individual of foreign tax residence – taxable in Hungary on the basis of an agreement on the avoidance of double taxation – is taxed in accordance with the rules pertaining to individuals with a Hungarian tax residence. The income of a Hungarian private individual which is taxable abroad on the basis of the agreement is exempted from taxation by Hungary (with dividends being typical exceptions).

If nothing else follows from international contracts or the principle of reciprocity, the calculated tax is reduced by 90 percent of the tax paid abroad, but – at most – by the tax established with the tax rate applicable to the tax base of that income.

6. ADMINISTRATION (TAX RETURNS, TAX PAYMENT)

The declaration of personal income tax takes place on the basis of self-assessment. Non-entrepreneurial private individuals may request the assistance of the tax authority for preparing their tax returns. Employers and payers are obliged to subtract taxes and advance tax payments from the wages and other payments they pay. The private individuals themselves are obliged to pay the taxes or advance tax payments on the income they earned if the income has not been paid by a payer or employer.

The annual tax returns of private individuals are to be filed until 20th May of the year following the tax year, and until 25 February for private individuals obliged to pay VAT and private entrepreneurs. This is the deadline of paying taxes potentially still outstanding with the subtracted or paid tax advance payments taken into consideration.

Tax return obligations are to be complied with on forms distributed by the tax authority.

CORPORATE INCOME TAX

Subject of corporate income taxes:

- domestically resident economic companies and other organizations defined in the Act on Corporate Income Tax,
- enterprises resident in foreign countries.

Taxable persons resident in Hungary are obliged to pay taxes on their "revenues from the world" (that is, both their revenues from Hungary and abroad). Those foreign enterprises that pursue entrepreneurial operations in a domestic permanent establishment (are known in Hungary as "foreign enterprises") pay taxes in Hungary on their income earned from their entrepreneurial operations performed at their domestic permanent establishment.

For the definition of permanent establishment, the terms of the relevant agreement on the avoidance of double taxation (and in the lack of such an agreement, the provisions of the Act on Corporate Income Tax) are to be taken into account.

If a foreign entrepreneur decides to place the premises of their management in Hungary, they become a domestically resident taxpayer on the basis of their Hungarian premises of management. The transfer of business management must be reported to the tax authority by using the form no. 'T201 (can be downloaded from here: http://nav.gov.hu/nav/letoltesek/nyomtatvanykitolto_programok/nyomtatvan...).

The base of tax is the result before taxation modified by the correctional items defined in the corporate tax act. The following are the most important out of those:

- deferred losses
- correctional items related to depreciation
- correctional items related to received royalty
- received dividends
- profits made by an off-shore company
- reliefs awarded for research and technology
- costs arising for purposes other than the company
- investment tax base reliefs
- transfer pricing rules.

The rate of corporate tax is 10 percent up to the amount not exceeding 500 million HUF of the positive tax base and 19 percent on the part that does exceed 500 million HUF.

TAX RELIEFS

Up to a determined percentage of the calculated corporation tax certain tax reliefs are available out of which the following are the most important:

- investment tax relief of small and medium enterprises
- development tax relief
- tax relief for the support of spectacular team sports.

The company income tax is assessed and declared through self-assessment. The tax year is generally the calendar year, but there is an option to choose a business year different from the calendar year (for instance due to the nature of the business and the information needs of the parent company).

Tax returns are to be submitted by May 31st of the year following the tax year for taxpayers operating in accordance with the calendar year and by the last day of the fifth month following the tax year for those taxpayers who use a business year different from the calendar year.

The tax return can be downloaded from the website of the National Tax and Customs Administration.

RULES REGARDING COMPANIES HAVING REAL ESTATE

Those foreign persons who had acquired income as a result of selling or withdrawing their share in a company having real estate (referred to in Hungary as “members of companies having real estate”) are obliged to pay a tax to the Hungarian tax authority with the rate of the company income tax. The base of tax is the positive amount of price at the time of selling the share or at the time of the reduction of the registered capital of the company with the price of the acquisition and the certified expenses related to the acquisition or holding of the share subtracted.

The **Hungarian transfer price regulations** have been prepared in harmony with OECD regulations.

Related parties are required to set prices in their contracts that are used in contracts signed with independent parties under the same conditions. If the related parties in their contracts or agreements signed with one another apply a higher or lower counter value than the one that would be used in contracts signed with independent parties under the same condition, the tax base must or may be modified with the difference between the customary market price and the applied counter value. The taxpayer must increase the pre-tax earnings with the difference if due to the difference it has achieved lower pre-tax earnings than what it would have achieved with the application of the customary market price.

The taxpayer is generally obliged to prepare a transfer pricing documentation on the basis of its contracts and agreements in force with related parties if performance took place under these contracts and agreements in the tax year. No transfer pricing documentation is required from taxpayers who qualify as micro and small businesses.

More detailed information can be found of the rules of the company income tax here: http://en.nav.gov.hu/taxation/taxinfo/summary_companies.html.

SOCIAL SECURITY CONTRIBUTIONS

1. PAYMENT OF CONTRIBUTIONS

The ensured persons (employees) have an obligation to pay contributions to cover social security services and labour market objectives.

Among others ensured are:

- those in an employment relationship,
- the private entrepreneurs and members of business partnerships if not retired,
- persons in a special legal relationship of working personally in exchange for compensation (for instance on the basis of a commission contract) if their compensation reaches a certain amount of money.

The ensured

- pays an 8.5 percent healthcare and labour market contribution and
- a 10 percent pension contribution.

The base of the contributions is – among others – the income taken into account when the tax advance payment is calculated from the income derived from self-employment and non-self-employment consolidated in accordance with the PIT Act, and in the lack of that, the base salary fixed in the working contract.

Administration: Contributions are established, subtracted by the employer and declared by them to the National Tax and Customs Administration (NTCA) until the 12th day of the month following the month in question that also serves as the payment deadline.

Contributions paid by private entrepreneurs

The ensured private entrepreneur pays a 10 percent pension contribution and 8.5 percent labour market contribution. In case of tax payment according to the entrepreneurial revenues, the tax base is the entrepreneurial withdrawal, in case of flat rate taxation, the base of contribution is the income established in the lump sum with the condition that the base of the pension contribution is at least the monthly minimum wage (111,000 HUF in 2016), and the base of the health insurance and labour market contribution is at least the amount one and a half times that of the minimum wage.

The rules of the contribution payment obligations of the private entrepreneur are different from the above if they are full-time students in a secondary school or higher education establishment, or they are in an employment relationship besides their entrepreneurial activities or if they are retired etc.

Administration: The ensured private entrepreneur is obliged to declare and pay their contributions until the 12th day of the month following the month in question.

Contributions paid by members of business partnerships

Contribution payments of members of business partnerships depend on the type of legal relationship (employment relationship, commission relationship in accordance with the Civil Code or as a member) in the framework of which they work in a business partnership. Whether or not the member is also the manager of the business partnership is also an important factor.

Useful additional information

Detailed information regarding the contribution payment of business partners can be found on the English language website of the NTCA in the 12th information booklet uploaded under the Tax/ Booklets menu items.
http://en.nav.gov.hu/taxation/inromation_leaflets/Booklets_with_actual_20160503.html

Legal background:

- Act LXXX of 1997 on the Eligibility for Social Security Benefits and Private Pensions and the Funding for These Services (Tbj.)
- Government Regulation no. 195/1997 (XI. 5.) on the implementation of the Act LXXX of 1997 on the Eligibility for Social Security Benefits and Private Pensions and the Funding for These Services

2. SOCIAL CONTRIBUTION TAX

The social contribution tax is imposed, among others, on the payer (e.g. the employer), the private entrepreneur and business partner. Its rate is 27 percent. The payable tax can be reduced by reliefs defined in law.

THE BASE OF TAX

The base of social contribution tax is – among others – the income taken into account when the tax advance payment is calculated from the income taxable in accordance with the PIT Act, derived from self-employment and non-self-employment and paid by the payer to a natural person that is in a legal relationship with them resulting in tax payment obligations. In the lack of an income defined above, the base salary fixed in the working contract or the salary defined in the commission contract is the tax base.

Administration: The payer establishes the payable social contribution tax monthly. The deadline of declaration and payment is the 12th day of the month following the month in question.

Legal background:

- Chapter IX of Act CLVI of 2011 on the amendment of certain tax laws and acts related to them (Szocho Act)

3. HEALTHCARE CONTRIBUTION

Healthcare contribution is payable for certain defined incomes in order to supplement resources to fund healthcare services. Such obligation however does not arise in respect of foreign persons with the exception of performing artists.

In accordance with the PIT Act a performer with a foreign residence can decide to comply with their tax payment obligations arising on the basis of their domestically taxable income paid by a person not qualifying as a payer to compensate for their activities done in Hungary as a performer in accordance with special rules.

In this case the performer with a foreign residence is obliged to pay a 14 percent healthcare contribution for their income that consists the base of personal income tax the upper limit of which is 450,000 HUF in the tax year.

Administration: A natural person establishes, declares and pays their healthcare contributions described above simultaneously with the personal income tax.

Useful additional information

Detailed information regarding healthcare contribution payment can be found on the English language website of the NTCA in the 11th information booklet uploaded under the Tax/ Booklets menu items.
http://en.nav.gov.hu/taxation/inromation_leaflets/Booklets_with_actual_20160503.html

Legal background:

- Act LXVI of 1998 on healthcare contributions (Eho Act)

4. VOCATIONAL CONTRIBUTION

Economic companies and private entrepreneurs pay a vocational contribution of 1.5 percent. As a main rule, the base of the contribution is identical of the tax base of the social contribution tax. In certain cases the base of vocational contribution can be reduced by the gross amount of wage of the person employed, but by 100,000 HUF per month at most (e.g. if the employee is a career starter).

Legal background:

- Act CLV of 2011 on Vocational Contribution and the support of training

VALUE ADDED TAX

Act CXXVII of 2007 on value added tax (VAT Act) is in line with the VAT directive of the EU. Taxpayers with no residence in Hungary but liable to pay taxes in Hungary have to register under the VAT taxation scheme.

The scope of the VAT Act covers the following: the supply of goods, the intra-Community acquisition of goods, the supply of services and the importation of goods.

- The place of the supply of goods and the supply of services determines whether or not the Hungarian VAT Act applies to the transaction: according to general rules, if the goods are not dispatched as a consignment or not transported, the place of supply of the goods is the place where the goods are actually located at the time when the supply takes place; when the goods are transported, the place of supply where the goods are located at the time when the dispatch or transport of the consignment is started. According to general rules, the place of supply of services performed for a taxable person shall be the place where the customer has established his business or, in the absence of such a place of business, the place where he has his permanent address or usually resides.
- The place of supply of services performed for a non-taxable person is the place where the supplier has established his business, or, in the absence of such a place of business, the place where he has his permanent address or usually resides.

Currently in Hungary there are three tax rates in force: the standard rate of 27 percent, reduced rates of taxation of 18 percent or 5 percent. Beyond these, the Hungarian VAT system also contains tax exempted areas.

The vast majority of products sales in markets, fairs and/or exhibition events are categorized within the tax rate of 27 percent. Within the reduced rate of taxation of 18 percent certain milk and bakery products are classified, as well as commercial accommodation services, under the 5 percent rate certain medicine, healthcare equipment, books, e-books, periodicals and district heating are classified.

As a general rule, taxpayers are required to file a tax return in every year quarter.

The frequency of submitting value added tax returns may be monthly, year quarterly or annual depending on the tax output – or in certain cases, the income. Certain taxpayers – such as tax subjects starting their taxable activities in Hungary in the year of their registration and in the following year – are obliged to file monthly tax returns.

Regarding the provisions of the Act on VAT, the rule in effect as of 1 January 2016 must be highlighted which renders new apartments constructed or to be constructed in multi-apartment complexes and not exceeding 150 square meters in area, as well as new real estate properties with single apartments not exceeding 300 square meters in area under the 5% tax rate.

For further information visit the English website of the National Tax and Customs

Administration: <http://en.nav.gov.hu/>

http://en.nav.gov.hu/taxation/tasks_of_the_kaif

LOCAL TAXES

Under the empowerment of the Act Nr. 100 of 1990 on Local Taxes and according to its provisions the representative body of the local government may introduce local and community taxes with its decrees.

COMMUNITY TAXES

The act on local taxes only curbs the circle of possible tax subjects but besides it does not constitute frames – possible tax objects, bearings of the tax case, the burdens of determining tax relating local taxes –, within which the local government is allowed to introduce community tax.

Administration: depending on the local decree either the local government imposes the tax based on the tax declaration of the taxpayer or the taxpayer sets the tax himself.

BUILDING TAX

Building tax liability is linked to buildings and building sections either used for housing purposes or not (hereinafter referred to as “buildings”). The tax base of building tax may be the net floor space expressed in square meters, or the adjusted market value of the building as the local government may decide.

Subject to the tax are private individuals, legal persons and other organizations who is the owner of the building (or holder of a right regarding to the building) as of the first day of the calendar year.

The act on local taxes implies several exemptions (eg. temporary housing units) but the local government has the empowerment to extend the exemption rules.

The maximum rate of building tax per annum is 1100 HUF/sqm for tax based on net floor space or 3,6% of the adjusted market value.

Administration: the local government imposes the tax based on the tax declaration of the taxpayer or the taxpayer sets the tax himself.

PROPERTY TAX

Property tax liability covers properties lying in the area of jurisdiction of the municipal government. The tax base is – depending on the decision of the municipal government – the actual area of the land parcel expressed in square meters, or the adjusted market value of the parcel.

Subject to the tax are private individuals, legal persons and other organizations who are the owner of the building (or holder of a right regarding to the building) as of the first day of the calendar year.

The act on local taxes implies several exemptions (eg. parcel under building prohibition) but the local government has the empowerment to extend the exemption rules.

The maximum rate of building tax per annum is 200 HUF/sqm for tax based on the area of the parcel or 3% of the adjusted market value.

Administration: the local government imposes the tax based on the tax declaration of the taxpayer or the taxpayer sets it himself.

PERSONAL COMMUNITY TAX

Personal community tax is actually a simplified form of building and property taxes, it is a so called flat tax and its subject may only be private individuals. The tax object may be the building or property in the ownership of the taxpayer or under some right of the taxpayer or the right to lease of a building in the ownership of a non-individual. For the starting of tax liability for properties in the ownership or under the right of private individuals the rules for building and property tax apply. In case of lease right of a dwelling place the tax liability shall commence on the first day of the year following the conclusion of the lease contract.

The maximum rate of personal community tax per annum is 17 000 HUF per tax object.

Administration: the local government imposes the tax based on the tax declaration of the taxpayer.

TOURISM TAX

Private individuals are to pay tourism tax who are not permanent residents in the area of jurisdiction of the local government, spending at least one guest-night there.

Depending on the decision of the local government the tax base may be either the number of guest-nights spent or the price of the accommodation.

The tax measure is adjusted to the tax base. The maximum tax rate is 300 HUF/person/night, or 4% of the price or offset of accommodation.

Administration: the person required to collect the tax shall set, declare and pay the tax to the local tax administration.

LOCAL BUSINESS TAX

All business activities pursued (for income or profit) permanently or temporarily in the area of jurisdiction of a local government (hereinafter referred to as 'commercial activity') shall be subject to taxation.

The taxable person shall be the entrepreneur according to the act on local taxes, furthermore, the assets managed in a trust fund under a fiduciary asset management contract as provided for in the Civil Code shall be subject to taxation.

The character of the activity may be permanent or temporary.

An entrepreneur whose commercial domicile or place of business is located in the area of jurisdiction of a local government shall be regarded as conducting permanent commercial activities, regardless of whether any or all of his operations are conducted outside his commercial domicile (place of business).

Commercial activities shall be regarded temporary if, in the area of jurisdiction of a municipal government, an entrepreneur without a commercial domicile or place of business registered in such area is engaged in: construction, or any activity, that directly results in income, provided that the entrepreneur does not have a commercial domicile or place of business registered in the area of jurisdiction in Hungary.

The tax base of local business tax – similarly to the tax liability – depends on whether the activity is permanent or temporary. Moreover in case of permanent activity of some certain taxpayers the act on local taxes provides a simplified setting of the tax base.

For permanent business activity the tax base of local business tax is the net sales revenue according to the local business act curtailed by the sum total of the original costs of goods sold and the value of mediated services, sums paid to subcontractors, material costs, and the direct costs of basic research, applied research and experimental development claimed for the tax year.

For any entrepreneur who is engaged in the pursuit of commercial activities on a permanent basis in the areas of jurisdiction of more than one municipal governments or abroad, the tax base shall be divided, with regard to the most characteristic nature of the activities performed, by the entrepreneur as prescribed in Schedule No. 3 of the act on local taxes.

For permanent commercial activities the maximum rate of tax per annum is 2% of the tax base.

For temporary commercial activities the tax rate shall be maximum 5,000 forints per calendar day.

The amount of the tax to be paid to the local government according to the domicile or place of business may be lessened with the items described in the act on local taxes (up to that amount).

The local government is permitted to set tax exemption or tax reduction – beyond the exemptions in the act on local taxes according to the conditions defined there.

Administration: the taxpayer sets, declares and pays the tax to the local tax authority.

References: Act Nr. 100 of 1990 on local taxes

Central announcement and declaration forms: annexes to the Decree of the Ministry of Finance Nr. 35/2008 (XII.31.).

Tax measures, tax exemptions and attainabilities of local governments (for each local government): <https://hakka.allamkincstar.gov.hu>

DUTIES

The duty on quid pro quo transfer of property is due when capital contribution in a company with holdings in real estate or domestic real estate properties is acquired.

The general rate of the duty on quid pro quo transfer of property is 4 percent of the market value of each real property acquired up to 1 billion forints, without any deduction of encumbrances, plus 2 per cent of the portion of the market value above 1 billion forints, with the condition that 200 million forints per property is not exceeded.

In respect of the acquisition of title to a motor vehicle, the rate of duty on the quid pro quo transfer of property is determined on the basis of the age and the capacity of the motor vehicle's engine. In respect of the acquisition of title to a trailer the rate of duty is aligned to the permissible maximum gross weight of the trailer.

When a real estate property or immovable property is inherited or transferred as a gift the general rate of duty is 18% of the net worth of the acquired item of property. In case an apartment is inherited or transferred as a gift, the rate of duty is 9%.

If a motor vehicle or trailer is inherited or transferred as a gift, the double of the duty on quid pro quo transfer of property becomes payable.

The inheritance and transfer of property as a gift between lineal relatives and spouses is free of the duty on quid pro quo transfer of property.

As a main rule a procedural fee or an administrative service or court fee is payable for administrative and court proceedings. The duty is paid either through the electronic payment and settlement system or by fee stamp, by postal money order, by way of bank transfer or by bank card.

The most important rules about the duty on the acquisition of real estate property can be found here: http://en.nav.gov.hu/taxation/taxinfo/duty_payment_purchase_real_estates.html

The information booklet on the rules about the duty on quid pro quo transfer of property can be downloaded here: http://en.nav.gov.hu/data/cms404496/19___DUTY_ON_QUID_PRO_QUO_TRANSFER_OF_PROPERTY_2016.pdf

Major rates of duties can be found on the following page: http://en.nav.gov.hu/taxation/taxinfo/Fees_charges_duties.html

MOTOR VEHICLE TAX

Motor vehicle tax shall be paid after vehicles with inland number plate and being officially in public traffic. It is a yearly tax so as the subject to the tax and the person liable to pay the tax is the one having the vehicle in exploitation or in absence of that the owner of the vehicle on the first day of the tax year – according to the vehicle registry. The tax liability begins generally on the first day of the month following the involving of the vehicle in public traffic.

The tax on passenger vehicles (passenger car and motorcycle) is based on the capacity – expressed in kilowatt – and age (year of production) according to the vehicle registry. The tax on vehicles with temporary number plate is set in a general rate (for passenger vehicles with sign “E” the measure of the tax is 10 000 HUF, for trucks 46 000 HUF, for vehicles with sign “P” the tax is 23 000 HUF).

For buses, caravans and mobile homes the tax is based on the net weight according to the vehicle registry. For trucks the tax amount is based on the net weight plus the 50% of its carrying capacity. For semi-trailers the tax

base is the double of its net weight plus the positive difference of its highest permitted all-weight and the net weight of the semi-trailer.

The tax on vehicles with sign "E" the measure of the tax is 10 000 HUF, for trucks 46 000 HUF, for vehicles with sign "P" the tax is 23 000 HUF.

The act on motor vehicle tax implies several exemption and reduction rules based on the subject and object of the tax, eg.:

- budget organs enjoy total exemption
- associations, foundations (in case they have no other tax liability),
- churches
- environment-saving vehicles
- certain handicapped persons for low capacity vehicles may deduct a certain amount.

The tax exemptions laid down in the act on motor vehicle tax are in conformity with environment-saving efforts, since tax allowance is 20-30% for vehicles with a device for lowering pollution, in connection with proven combined freight-traffic it is 10%.

Reference: Act Nr. 82 of 1991 on Motor Vehicle Tax

Administration: the local government imposes the motor vehicle tax based on the country registry from which the KEKKH derives a yearly and a monthly information including data on the engrossed E and P number plates.

OTHER TAX TYPES

ACCIDENT TAX

Operators of motor vehicles with Hungarian permanent establishments are obliged to conclude insurance contracts with an insurer to cover for the damages caused in the course of operating their vehicles – with the exception of certain exempted and state motor vehicles. The subject of the accident tax is the operator, and as a main rule, the base of tax in the case of an insurance contract with an indefinite term is the annual automobile liability insurance premium; and in case of insurance contracts with a definite term, the one fold insurance premium paid for the definite term. The rate of tax is the 30 percent of the tax base. but at most 83 HUF/day per motor vehicle for each calendar day insured by the insurer. As a main rule the tax is assessed, declared and paid by the insurer having the obligation to collect.

BANK TAX

Bank tax is an umbrella term of taxes imposed on various financial institutions as well as financial and investment enterprises.

INSURANCE TAX

A special tax imposed on the insurance sector encompasses the provision of casco insurance and the property and accident insurances if the place where the risk arises is Hungary. The website of the National Tax and Customs Administration offers more information on the rules of the insurance tax (http://en.nav.gov.hu/taxation/taxinfo/rules_of_insurance_tax_2013.html).

COMPANY CAR TAX

Company car tax is payable for those passenger cars registered in domestic authority registries which are not owned by a private individual. The tax payment obligation also exists for those cars which are – although owned by a private individual – but expenses and depreciation allowances have been written off in respect of them with the method of itemized expense accounting in accordance with the PIT Act.

The taxable person is the owner registered in the registry of vehicles or the financial lessee.

The rate of tax is established on the basis of the capacity of the passenger car and its environmental classification, the tax amount is between the range of 7,700 HUF and 44,000 HUF per month.

As a main rule, the company car tax is established year quarterly by self-assessment for each month of the calendar year in which the tax obligation existed. The tax return is to be filed until the 20th day of the month following the year quarter to the state tax authority and that is also the deadline of tax payment.

Useful additional information

Detailed information concerning the company car tax can be found on the English website of the National Tax and Customs Administration in the menu item "Tax" and sub menu item "Booklets" where the information booklet no. 31 can be found.

(http://en.nav.gov.hu/taxation/inromation_leaflets/Booklets_with_actual_20160503.html)

Relevant law:

- Chapter IV of Act LXXXII of 1991 on motor vehicle tax
- Act CXVII of 1995 on Personal Income Tax (PIT Act)

SIMPLIFIED ENTREPRENEURIAL TAX (EVA)

Private entrepreneurs, sole proprietorships, limited liability companies, limited partnerships and general (unlimited) partnerships are entities eligible to choose Simplified Entrepreneurial Tax (EVA).

Conditions of opting for EVA:

- the total annual revenue in the previous tax year and the tax year immediately preceding the previous year did not exceed 30 million HUF,
- The reasonably expected gross revenues of the entity in the tax year does not exceed 30 million HUF,
- all members of the economic company or sole proprietorship are private individuals who hold no shares in another legal person,
- the taxable person accounted for income/receipts in the two years preceding the time when EVA is selected.

The base of EVA is the total income gained in the tax year which needs to be modified with the correction factors defined in law. The rate of tax is 37 percent of the positive tax base.

EVA substitutes for the following tax types: entrepreneurial personal income tax, the tax on the entrepreneurial dividend base, (corporate income tax in case of companies), and the value added tax, as well as the tax on dividends provided to a member and the personal income tax on income withdrawn from an enterprise.

Relevant law:

- Act XLIII of 2002 on Simplified Entrepreneurial Tax (EVA)

ENERGY TAX

With consideration to the objectives of energy management and environmental protection and for the purpose of integration external environmental damage into energy prices, promoting energy saving and creating the conditions supporting these criteria in the taxation of electric power, natural gas and coal, this energy tax is payable on certain energy trade services.

- HUF 310,5/MWh electric power
- HUF 93,5/Gigajoule natural gas
- HUF 2516/1,000 kg coal

ENERGY PROVIDERS' TAX

The tax subject is the energy service provider (except for newly established taxpayers in their first business year). The petroleum product manufacturer and the petroleum product wholesaler with an excise license qualify as energy service provider. The income tax obligation is assessed solely on the basis of the business activities pursued through domestic permanent establishments for foreign enterprises. The base of tax is the profit before tax with certain corrections, the rate of tax is the 31 percent of the positive tax base.

MEDICINE TAX

Medicine tax is an umbrella term for several payment obligations which are imposed upon the license holder of medicine distribution, in certain cases the distributor of medicine, or agents performing activities related to medicine promotion.

INNOVATION CONTRIBUTION

Innovation contribution is a tax imposed on medium and large enterprises with Hungarian seats, the base of which is identical to the local business tax and its rate is 0.3 percent.

GAMING TAX

Gaming tax is the collective name of special taxes imposed on organizers of gambling games which cover many types of payment obligations (the gaming tax of lotteries, betting, distant gambling, gaming tax of slot machines, gaming tax of card room establishments, gaming tax of casinos and online casinos).

FIXED-RATE TAX OF LOW TAX-BRACKET ENTERPRISES (KATA)

Private entrepreneurs, sole proprietorships, as well as limited partnerships and general partnerships where all members are natural persons may be eligible for the fixed-rate tax of low tax bracket enterprises, except for such an enterprise which has received income from activities classified as leasing (letting) real estate in their ownership or rented by them in the year of opting for this tax subject status.

The low tax-bracket enterprise must pay a monthly itemized tax of 50 thousand HUF for each of their members registered as full-time small taxpayers, and a monthly itemized tax of 25 thousand HUF for each non-fulltime small taxpayer members if the annual income does not exceed 6 million HUF. If the income of the enterprise exceeds 6 million HUF in the tax year, a 40 percent tax is to be paid for the part of income that exceeds 6 million HUF. If the small taxpayer enterprise is not obliged to pay itemized taxes for each month of the calendar year, the 40 percent tax is to be paid on the part of its income which exceeds the product of multiplication of the number of months where tax payment obligation exists and the 500 thousand HUF per month.

KATA substitutes for the following tax types: entrepreneurial personal income tax, the tax on the entrepreneurial dividend base, corporate income tax, social contribution tax, health insurance and labour market contributions, pension contributions, health care contributions and vocational contribution.

The small taxpayer enterprise pays the itemized tax until the 12th day of the month following the subject month, the 40 percent rate tax until the 25th day of February of the year following the tax year.

Relevant law:

- Act CXLVII of 2012 on the Fixed-Rate Tax of Low Tax-Bracket Enterprises and on Small Business Tax (KATA)

TAX ON SMALL ENTERPRISES (KIVA)

Tax on small enterprises is a simplified tax type which substitutes for the following three tax types paid by enterprises:

- the social contribution tax,

- the vocational contribution and
- the company income tax.

The rate of tax is 16 percent of the tax base. The base of tax before 1 January 2017 is the sum of personnel expenses and the turnover result, which is grounded on the changes taking place in the funds of enterprises, and the funds withdrawn from and added to the enterprise (dividend, capital operations and other flows of money). The tax base will change significantly in the future, the turnover result will be substituted by the balance of the dividends withdrawn from the company and the capital transactions and a few tax base modifying factors.

ENVIRONMENTAL POLLUTION FEE

The agent emitting environmentally polluting material into the air, surface waters, intermittent streams or into the soil must pay an environmental pollution fee for each unit of pre-defined environmentally polluting material.

ENVIRONMENTAL PRODUCT FEE

Environmental product fee is due on the domestic release of batteries (accumulators), packaging material, other products made of petroleum, electric and electronic appliances, tyres, papers used as a medium of advertisement, other plastic products, other products of the chemical industry and office papers either produced in Hungary or imported from the Community or a third country. Domestic release means the release into domestic free circulation, the use for the purposes of one's own and the purchase for a stock.

The base of the payable environmental product fee is the weight of the taxable product, the unit fees for which are listed below:

- Battery (accumulator) 57 HUF/kg
- Packaging material 19 – 1900 HUF/kg
- Other products made of petroleum 114 HUF/kg
- Other plastic products 1900 HUF/kg
- Other products of the chemical industry 11 HUF/kg or 57 HUF/kg
- Electric, electronic appliances 57-304 HUF/kg
- Tyres 57 HUF/kg
- office paper 19 HUF/kg
- paper used for advertising 85 HUF/kg

TAX OF PUBLIC UTILITY LINES

A payment obligation is imposed upon the owner of public utility lines (e.g. communication cables, sewage pipes, district heating lines), the amount of tax is 125 HUF for each started meter of the track of the public utility line.

PUBLIC HEALTH PRODUCT FEE (NETA)

Persons or organizations who/that sell any of the following products in Hungary for the first time or acquire any of the following products and use them as raw materials or components for the manufacturing of self-produced goods sold in Hungary must pay public health product fee: soft drinks, energy drinks, prepacked sugared products, salted snacks, food flavouring, flavoured beer, alcoholic refreshments, jam, alcoholic beverages.

The tax rate is:

Product	Tax rate
Syrup	200 HUF/litres
Other soft drinks	7 HUF/litres
Energy drink	250 or 40 HUF/litres

Product	Tax rate
Sugared cocoa-powder	70 HUF/kilogram
Other prepacked sugared products	130 HUF/kilogram
Salty snacks	250 HUF/kilogram
Food flavouring	250 HUF/kilogram
Flavoured beer, alcoholic refreshments	20 HUF/litres
Jam	500 HUF/kilogram
Alcoholic beverages	20-900 HUF/litres (depending on volume percent)

FINANCIAL TRANSACTION DUTY

Payment service providers seated or having permanent establishments in Hungary, credit institutions licensed to perform currency exchange operations and key mediators authorized to mediate currency exchange are obliged to pay financial transaction duty on certain operations performed in the framework of the provision of payment services (for example transfer, collection).

ADVERTISEMENT TAX

The publication of advertisements in pre-defined channels or surfaces (e.g. outdoor advertising media, vehicle, published material, on a real estate property, in the internet, predominantly in Hungarian language and on Hungarian internet websites) is subject to the advertisement tax and with certain exceptions the order for such advertisement is also subject to tax.

AVOIDANCE OF DOUBLE TAXATION

Hungary has signed treaties with a number of countries on the avoidance of double taxation. The list of those countries with which Hungary has effective and applicable tax treaties can be found here: http://en.nav.gov.hu/taxation/double_taxation_treaties

Accounting and auditing

Accounting and bookkeeping in Hungary are regulated by the Accounting Act and the statutes issued by the Ministry for National Economy. In addition to the Accounting Act, some special rules apply to financial institutions, insurance companies, state budget organisation and municipalities. Hungarian accounting regulations are harmonised with Directives 4 and 7 of the European Union and other international accounting principles.

The Act applies to all business associations, but does not apply to individual entrepreneurs, companies without a legal personality, building communities or Hungarian commercial representations of businesses registered abroad.

Accounting records and the financial report have to be prepared in Hungarian and in accordance with accounting principles.

Business associations are required to prepare a business report on each business year, the form of which depends on the net turnover, the balance sheet total, the number of employees and the limits thereof.

Businesses have to support their reports with double-entry bookkeeping.

Required structure of the chart of accounts:

- Account classes 1–4 contain balance sheet accounts, and within this, classes 1–3 for assets accounts and class 4 for liability accounts. These classes of account ensure that the data to prepare the balance sheet are available.
- Account classes 5 and 8–9 contain the data for profit and loss statement and retained earnings for the year. Account classes 5–8 contain costs and expenses; class 9 is where sales and other revenues, proceeds from financial transactions and extraordinary revenues are reported.

The accounting policy has to be incorporated in writing within 90 days of the establishment of the business association.

REQUIREMENTS FOR REPORTS

Business associations are required to prepare a report on every business year in Hungarian. The annual report must give a true and fair view of the holdings of the economic entity and its contents (assets and liabilities), its financial standing and profit or loss.

The form of the report depends on the net turnover, the balance sheet total, the number of employees and the limits thereof.

A company using double-entry bookkeeping may prepare a simplified annual report if any two values of the following three limits are not exceeded in two consecutive years on the balance sheet date:

- a) balance sheet total: HUF 500 million;
- b) annual net revenue: HUF 1,000 million;
- c) average number of employees during the business year: 50.

A consolidated annual report and a consolidated business report are required by any business that qualifies as a parent company in its association with one or more businesses, except if any two values of the following three limits are not exceeded in two consecutive years on the balance sheet date prior to the business year:

- a) balance sheet total: HUF 2,700 million;
- b) annual net revenue: HUF 4,000 million;
- c) average number of employees during the business year: 250.

The consolidated report has more detailed data on the balance sheet and profit and loss statement than the annual report. The consolidated annual reports consist of the consolidated balance sheet, the consolidated profit and loss statement and the consolidated annexes. The consolidated annual report has to represent the assets, financial and income situation of the businesses involved in the consolidation as if they operated as a single company.

PUBLICATION OF THE REPORT

Businesses obligated to publish their report can fulfil their obligation by sending:

- the annual report, the simplified annual report or the special simplified annual report together with
- the decision on the utilisation of the profit/loss after taxation,
- the receipt issued by the Hungarian State Treasury confirming payment of the HUF 3,000 publication charges, and
- the independent auditor's report by businesses obligated to perform auditing
- attached to the completed electronic form downloaded from the website of the Service of Company Information and Electronic Company Registration (Company Information Service).

to the Company Information Service by the last day of the fifth month following the balance sheet date.

AUDITING OBLIGATION

Business associations operating on the basis of double-entry bookkeeping are required to appoint an auditor. In accordance with the Accounting Act, the appointment of an auditor is not mandatory if both of the following conditions are met:

- the annual net sales (calculated for the period of one year) did not exceed HUF 200 million on the average of the two financial years preceding the financial year under review (the limit is expected to increase to HUF 300 million from HUF 200 million in case of financial years starting from 2014)
- the average number of people employed by the undertaking did not exceed 50 people on the average of the two financial years preceding the financial year under review.

The auditor shall be selected by the supreme body of the company. The first auditor must be included in the Memorandum of Association.

The auditing activity has to be carried out in line with Hungarian legal regulations and in accordance with the Hungarian National Auditing Standards effective since 1 January 2011, approved and issued by the Hungarian Chamber of Auditors in harmony with International Standards on Auditing (ISA).

Audits may only be conducted in Hungary by individuals who are current members of the Chamber of Auditors. Audits may also be conducted by audit companies and persons having audit license, but even if an audit company is selected the responsible auditor must also be selected and appointed.

To get more information about how these and other incentives make Hungary a prime investment location, please read the [Hungarian Investment Promotion Agency's](#) Invest in Hungary publication.

Cross-border Provision of Services in Hungary

Under Hungarian laws, cross-border provision of a service means a service activity in the territory of Hungary without establishing premises, on a temporary or occasional basis, thus the service provider does not establish a permanent economic presence.

Whether an activity is pursued by a given service provider by establishing premises or as a cross-border provision of service shall always be determined for each single case, first of all by taking into consideration the duration, frequency, regularity and continuity of the given service activity.

Legislation often uses the term 'service provider entitled to freedom in service provision' as synonym for the term 'service provider entitled to cross-border service provision'.

The principal rule is the freedom to provide cross-border services, which means that a service provider having premises in another Member State of the European Economic Area and legally pursuing the service activity there, does not need to obtain a licence, to register the commencement of the service activity or to have any certificate, official certificate or card to provide cross-border services in Hungary.

A service provider who is entitled to the freedom of service provision may not be limited in cross-border provision of services in the territory of Hungary as a principal rule, and the obligatory requirements relating to the commencement and pursuance of service activities set out in the relevant laws shall not apply to these service providers.

However, there are some rules which shall apply to the service provider in case of cross-border provision of services in the territory of Hungary. These rules are the following:

1. requirements for the protection of public order and public safety, and requirements in the interest of national security and national defence, and further requirements for public health or environmental reasons set out in special laws or government decrees,
2. requirements set out in the provisions of Act on the Recognition of Foreign Certificates and Degrees in respect of the freedom to provide cross-border services, and other requirements of laws, according to which a given activity may only be pursued by persons qualified to pursue certain regulated professional activities,
3. the statutory provisions on the protection of personal data and the disclosure of data of public interest,
4. in civil, family and labour legal relationships the provisions relating to the conclusion, validity and legal force of contracts, and provisions relating to responsibilities for contract and tort damages, and further provisions relating to jurisdiction and the applicable law,
5. provisions of law relating to the parties' entitlement to legal counsel, and relating to compulsory legal counsel in proceedings at court or compulsory appointment of a notary public,
6. establishment, existence or enforcement of intellectual property rights,
7. requirements relating to the entrance of foreign citizens and to their staying in Hungary
8. requirements set out in EU legislation on the coordination and implementation of social security systems
9. the relevant rules applicable pursuant to the Act of the Labour Code, if an employee is employed by a foreign employer on the territory of Hungary on the basis of delegation, assignment or labour force exchange, and
10. statutory provisions in connection with inland public road traffic of vehicles owned by foreign citizens.

In laws or government decrees the legislature may, in respect to specific service activities, prescribe an obligation for registration and an obligation of preliminary supervision (authorisation) as an exception from the principal rule that is the freedom to provide cross-border services. The sectoral rules of the given service activity define which service activities are subject to registration and preliminary authorisation.

The obligation for registration does not represent any restriction in respect to the commencement of service provision, as the service provider is entitled to commence the service provision, however, it must be announced to the competent authority (the competent authorities are determined in each case by the sectoral rules). Registration for an activity as cross-border provision of services shall be valid for five calendar years from the date of registration, unless the service provider has indicated a shorter period in the application. After expiry the registration must be renewed. This does not involve any changes concerning the type of the activity.

During the validity of the registration, the service provider may perform the given service activity on an occasional basis. The purpose of this provision is that the service provider shall not need to register in each case, if they want to provide cross-border services on an occasional basis only. On the basis of the registration, the authorities can supervise that the activity is actually performed as a cross-border activity and can determine whether the other requirements are properly observed.

In certain cases the legislature prescribes an obligation for authorisation in respect to the cross-border service provision. In this case the activity may only be commenced after obtaining the authorisation. An authorisation procedure is prescribed as a prerequisite in cases where it is justified by the protection of public order and public safety, as well as public health or environmental requirements.

Cross-border provision of services is regulated by other regulations in cases where the activity is qualified as a regulated profession. (A regulated profession is an activity which is subject to prescribed qualifications.) In the case of regulated professions, these professions are subject to preliminary registration and preliminary authorization. The list of such professions, are listed in the Annex to Government Decree 33/2008 (21 February) on Designating the Authorities Acting in Matters Falling Under Act C of 2001 on the Recognition of Foreign Certificates and Degrees, and on the Classification of Services Subject to a Declaration Obligation.

Relevant pieces of legislation

1. [Act LXXVI of 2009 on the General Rules of the Commencement and Performance of Service Activities](#)
2. [Chapter X of Act C of 2001 on the Recognition of Foreign Certificates and Degrees](#)
3. [Government Decree 33/2008 \(21 February\) on Designating the Authorities Acting in Matters Falling Under the Act on the Recognition of Foreign Certificates and Degrees, and on the Classification of Services Subject to a Declaration Obligation](#)

4. sector specific rules of the given service acti

Starting Up in Hungary

A sole trader may set up a **sole trader business**, which is a taxpayer without legal personality and which is created upon registration in the companies register in accordance with the company registration rules. Sole trader companies have legal capacity, and may acquire rights and undertake obligations, and may in particular acquire property, conclude agreements, instigate court proceedings and be sued. A sole trader company may only have one member, and a natural person may only be a member of one sole trader company

The primary act of law in Hungarian company law is Act 4 of 2006 on Business Associations (Companies Act). The main types of business associations under the Companies Act are identical to those regulated in EU countries. The procedures on founding, implementing changes in data and winding up of Hungarian associations are primarily governed by Act V of 2006 on Public Company Information, Company Registration and Winding-up Proceedings (Company Procedures Act).

Under the Companies Act, business associations may be founded by non-resident and resident natural persons, legal persons and business associations without legal personality. Hungarian laws do not provide an exhaustive list of legal persons but, on the basis of the Civil Code, state, municipal, business, social and other organisations may have legal personalities. International treaties may contain regulations in derogation from these provisions in respect of the participation of non-residents in Hungarian business associations.

The law may require a special permit from the authority for the foundation of a business association (foundation permit), such as, for instance, companies with an interest in financing, insurance or capital market activities, which may only be founded with approval from the Hungarian Financial Supervisory Authority (PSZÁF). Where authorisation by the authority is prescribed as mandatory by law to engage in a certain economic activity, the business association can be founded and registered but it may only begin and pursue the activity in question when in possession of such authorisation. Activities subject to qualification may only be pursued by business associations if there is at least one person among its participating members, employees, or persons working for the benefit of the company under a permanent civil law contract concluded with the business association who satisfies the qualification requirements set out in the legal regulations.

General partnerships, limited partnerships, limited liability companies, single member companies or private limited companies may be founded in a simplified procedure by enclosing with the application for the registration of the company the deed of foundation drawn up on the basis of a template in the annex of the Company Procedures Act.

STEP 1

Preparation of corporate documents by a Hungarian attorney-at-law.

Founders of the company must sign the company's constitutive document, which, together with some other documents must be countersigned by a Hungarian attorney).

Time to complete: minimum one day.

Costs: Attorney fees range widely.

STEP 2

Opening of a bank account

Time to complete: one day.

Costs: depending on the bank.

STEP 3

Registering the company at the Hungarian Court of Registry and obtaining a tax identification number.

The company is established by the act of the **court of registration**. All companies and sole trader businesses must register at the competent court of registration for the company's registered office. Applications for registering or amending details must be submitted **electronically** via a legal representative. The court of registration electronically records documents relating to the company and provides an electronic certificate of registration as well as confirmation of any changes made.

The "one-stop shop" during company registration means that the Court of Registration obtains the company's tax number and statistical code using the electronic system created for this purpose. The "one-stop shop" in the process of registering sole trader activities means that the competent authority obtains the tax number and statistical code directly, instead of the applicant, so the applicant does not need to deal in person with the competent State tax authority or the Central Statistical Office before registration (for post-hoc registration see the section entitled "Tax registration" below).

Time to complete: in the case of companies established using template constituting documents – one working hour from the issue of the company's tax identification number (NB: this simplified registration procedure is not available for public companies limited by shares), otherwise the registration procedure takes 15 working days. It should be noted that the process could be more time-consuming if the procedure is suspended because the tax authority needs more than one day to provide the court with the tax identification number.

Costs, registration fees:

- for limited partnerships: HUF 50,000 (cca: EUR 172);
- for limited liability companies and for private companies limited by shares: HUF 100,000 (cca. EUR 335)
- for public companies limited by shares: HUF 600,000 (cca: EUR 2,069)

Simplified registration procedure:

- for limited liability companies and for private companies limited by shares HUF 50,000 (cca. EUR 172);
- for limited partnerships: HUF 25,000 (cca. EUR 86) Publication fees: uniformly HUF 5,000 (cca. EUR 17). In the case of the simplified registration procedure, publication is free of charge.

In the procedure of company registration legal representation is obligatory.

Required documents:

- Instrument of constitution on a standard form
- Declaration to the Tax Authority to get the company a tax number
- Authorizations of the legal representative (the counsel), or the certification of the right for representation
- Certificate of payment of administration fees and fee of disclosure
- List of members
- Declaration of the CEO not to be subject to forbidding according to Gt. 23.§ Certificate of the payment service provider for depositing the contribution in cash, as indicated in the instrument of constitution or the official declaration of the CEO for giving free run of the pledged contribution in cash
- Declaration of the CEO for giving free run of contribution in-kind as well as the assessment declaration of the members concerning the contribution in-kind.

Applications used in company registration shall be submitted by the legal representative via the Governmental Portal (magyarorszag.hu), using a general form fill-out framework program ([ÁNYK](#)) which handles the different forms for the process. In the electronic procedure of company registration it is necessary for the counsel to use electronic signature and time stamp.

Registration (and any other process which requires authorization) by electric means also requires Client Gateway ([Ügyfélkapu](#)) registration by the legal representative. The Client Gateway is the electronic identification and customer entry system of Hungarian governance. After single-sign-on and authentication of identity, the Client Gate allows users to connect with public bodies, which provide e-government services and administration. The legal representatives (counsel) have to convert all records not prepared by themselves (such as copy of property deed, authorisation, certification by payment service institutions of deposit, etc.) into electronic record. Those electronic documents assigned with qualified electronic signatures (QES) can be attached to the application directly.

STEP 4

Registration with the Hungarian tax authority, municipality, chamber of commerce, the Central Administration of National Pension Insurance

A representative of the company or an authorized tax expert can perform the administration required for the registration.

Time to complete: one day.

Costs: free of charge.

Taxpayers who are required to register their company are also required at the same time to report to the state tax authority within 15 days of the submission of the company registration application with regard to information that does not appear in the application for company registration. Similarly, all taxpayers have an obligation to report to the local tax authorities, within 15 days of the commencement of activities there by the taxpayer (e.g. with regard to local business taxes).

Pursuant to the Decree Implementing the Act on Social Security Pension Provision, the obligation to provide information relating to the NYENYI (Individual Pension Insurance Record) form may also be fulfilled through electronic administration. The obligation to provide information relating to the Individual Pension Insurance Record Form may be fulfilled using the e-NYENYI service of the Central Administration of National Pension Insurance.

STEP 5

Data provision on employees to the tax authority

Once they have registered at the Client Gateway, employers are obliged to submit electronically **on the Government Portal** the data stipulated by law relating to their employees, on the form drawn up for this purpose, for the competent State tax authority of first instance, **by no later than the first day of the legal insurance relationship prior to commencement of employment.**

Important note:

The fact that a company is registered in the companies register, or that an entrepreneur completes the registration required, or receives its operating licence, does not necessarily mean that it may pursue unrestricted business activities. It is a basic condition for legal operation that a company obtain the different licences necessary for its activities.

Many manufacturing and service activities may be pursued on the basis of a simple report, while numerous activities require a premises licence. Some commercial activities may be pursued on the basis of an operating licence. A number of activities require an activity licence prescribed by [sector specific legislation](#).

Links/forms

(Please note that the forms are currently available in Hungarian only)

- [Reporting the commencement of activities as a sole trader](#)

- [Electronic company registration](#)
- [Information on electronic company procedures](#)
- [Ministry of Public Administration and Justice, and the Company information and Electronic Company Registration Service](#)
- [Online company information service](#)
- [Advising of new and terminated employment relationships](#)
- [Provision of information relating to the individual pension insurance record form](#)
- [Premises licence](#)

Practicing as a private veterinarian

APPLICATION FOR CERTIFICATE OF GOOD CONDUCT

The certificate of good conduct can be applied before creation and maintenance of a legal relationship (e.g. employment relationship) or in order to verify that the applicant complies with requirements defined by an act.

Please ask your employer whether you need a certificate of good conduct or not, and in case the answer is yes, what kind of certificate do they need.

The certificate of good conduct can verify that the individual

- has not got any record in the register of convicted persons, and/or
- is not under the effect of deprivation of civil rights, and/or
- is not prohibited to exercise a profession or an activity, or
- complies with requirements defined by a Hungarian act.

The application can be submitted

- by mail on an official application form,
- by phone via Government Customer Line 1818,
- electronically using the Client Gate at the Hungarian eGovernment portal, where Client Gate identification is required,
- personally at the Customer Service of the Criminal Records Authority in Budapest, in case of priority service,
- personally at Hungarian Embassies or Consulates abroad.

The certificate of good conduct is free of charge 4 times a year, but there is a consular fee, if the application is submitted at a Hungarian Embassy or Consulate abroad.

The certificate of good conduct is delivered

- by mail as recorded delivery (in case the application was submitted by mail, by phone or via Client Gate)
- personally at the Personal Customer Service Centre in case of priority service,
- at the diplomatic or consular representation of Hungary.

Length of the process: 8 days (5 days in case of applying in person)

RECOGNITION PROCEDURE

In the process of applying for the authorisation, the recognition of the applicant's degree in Hungary taken at a foreign university must be proved .

Forms and supporting documentation

1. Application for recognition of document for certifying foreign qualification, which falling within the European community law
2. Copy of notarial document certifying citizenship
3. Certified translation of document verifying qualification
4. Certified copy of document verifying the duration of studies and requirements of the university (for example: registration book)
5. Certified translation of document verifying the duration of studies and requirements of the university (for example: registration book)
6. Curriculum vitae
7. Certificate for payment of procedural duty

The procedure just in part can be made electronically. Although, electronic forms already exist, submitting authentic documents electronically is not possible.

The duty fee is 73 500 HUF

Length of process: 90 days

[More information](#) and [contact](#)

Such an activity may be pursued by a private individual or by a commercial undertaking, but a company form may only be applied if the company has got a partner or an employee who satisfies the qualification requirements defined by the law. Basic legal provisions concerning licensing and registration procedures equally apply to both private individuals and business companies.

Private veterinarian activities shall mean the examination and treatment of animals when requested by the animal holder or any other person; taking measures in order to prevent and treat animal diseases; providing professional advice related to the keeping of animals, their treatment or any other veterinary activities; administering vaccines and other injections to animals; taking samples from blood, milk or other tissues of the animal concerned; post mortem examination of animals; prescribing veterinary medicinal products for the treatment of animals; examination of animals for slaughter and their meat where animals are killed outside a slaughterhouse and are not destined for public consumption, and in connection with this the issuance of the veterinarian's professional opinion.

A veterinary surgery is a location held by a veterinarian or a company with or without legal personality employing a veterinarian, or another organisation, designed for the examination and treatment of animals.

Any service provider coming from another EEA country may be established in Hungary and start to pursue service provision activities under the same conditions and subject to the same requirements as service providers domiciled in Hungary.

1. In Hungary, private veterinarian activities may only be pursued by a veterinarian who
2. is a member of the professional Chamber,

3. has got Hungarian language skills sufficient to practice as a veterinarian,
4. has got the necessary equipment for the registered professional activity required by the Chamber, as well as a suitable location satisfying the conditions stipulated by separate provisions of law,
5. has got a private veterinarian liability insurance and
6. a registered office listed in the register.

If the conditions are met, the [Hungarian Veterinary Chamber](#) shall issue an operation licence. Private veterinarian activities may be pursued by a veterinarian who is a member of the Hungarian Veterinary Chamber.

Any person may become a member of the Chamber who

1. resides in Hungary,
2. has graduated as a veterinarian from a Hungarian university, or whose veterinary diploma obtained from a foreign university has been naturalised and whose professional qualifications have been recognised,
3. has engaged or intends to engage in activities tied to holding a veterinary diploma in the territory of Hungary,
4. undertakes the obligation to pay a membership fee to the Chamber as stipulated in its by-laws, furthermore
5. pledges to observe the provisions set forth in the by-laws.

Manner of administration: In person or by proxy. Acting by proxy requires authorisation. Such authorisation may take the form of proxy made before a lawyer or a notary public, but it is also deemed sufficient to conclude an agreement before two witnesses. The proxy shall contain the personal data of both the grantor and the proxy (name, mother's maiden name, place of residence, personal ID number) and own handwritten signature, the purpose of authorisation, the signature of two witnesses, their place of residence and the date of conclusion.

Administration deadline: 1 to 2 weeks

Administration costs: registration fee: HUF 15,000, a basic entry level membership fee; in case of admission: HUF 1,500/month; as a supplementary membership fee: HUF 3,500/month/veterinary district

The admission [form](#) can be downloaded from [the website](#).

1. Documentation required for administration:
2. copy of a personal ID document
3. copy of a document certifying residence in Hungary (conditions for admission to the Chamber include residence in Hungary)
4. certificate of good conduct
5. copy of diploma
6. copy of a language exam certificate (where applicable)
7. a recent ID-size photograph
8. copy of a valid veterinarian liability insurance policy

Authorisation of the establishment of a veterinary surgery

The building, extension or reconstruction of a facility containing a veterinary surgery is subject to authorisation by the construction authority. The professional authorities proceeding in first and second instance construction authority procedures are the district animal health and food control office of the county government office, and the food chain safety and animal health directorates of the county government office, respectively. On the application of the client submitted before starting the procedure a preliminary professional authority position is issued by the authority appointed as professional authority.

Manner of administration: May be in person, in writing or electronically, if the proceeding authority provides the conditions for it.

Administration deadline: 15 days

Administration costs: in a construction (further construction) procedure, the basic duty is HUF 5,000, in addition to which HUF 10,000 is payable for the reconstruction, renovation, rehabilitation or modernisation of an existing building facility per every 100 m² started, or HUF 10,000 per every 200 m² started of the land surface involved.

Documentation required for administration:

1. certification of the right for construction,
2. construction engineering documentation,
3. construction designer's statement,
4. statement of the competent engineering manager,
5. statement of the construction engineering supervisor, construction engineering expert's statement and opinion,
6. construction administration expert's statement,
7. planning board professional opinion,
8. certificate of payment of the process fee or administration service fee.

The construction and civil engineering design documentation of the planned construction activity shall be compiled in accordance with the location, environment and purpose of the planned facility and suited to the character of the planned construction activity, the type of design and the nature of the construction authority procedure - as set forth in Annex 5 of Decree 37/2007 (13 December) ÖTM of the Minister of Local Governments and Territorial Development, consisting of documents with the specified content and level of detail done in the Hungarian language.

APPLICATION FOR OPERATION LICENCE

Based on a certificate issued by the regional organisation of the Hungarian Veterinary Chamber on the existence of basic equipment, the establishment of a veterinary surgery is authorised by the food chain safety and animal health directorate of the regionally competent county government office. The basic equipment and personal conditions required for the (authorised scope of activities) of veterinary practice are controlled by the regionally competent organisation of the Hungarian Veterinary Chamber, while epidemiological control and the supervision of the storage and use of veterinary medicinal products, furthermore, the temporary storage and disposal of medical equipment and accessories unfit for further use, and of animal waste generated in the surgery is exercised by the regionally competent unit.

Proceeding body: the food chain safety and animal health directorates of the county government office.

Manner of administration: An application should be submitted, attaching a certificate of the Hungarian Veterinary Chamber on the availability of the necessary equipment. An application may also be submitted without such a certificate, whereupon the food chain safety and animal health directorate of the county government office shall address the Hungarian Veterinary Chamber.

Administration deadline: 1 to 2 weeks

Administration costs: The procedural fee of an operation license is HUF 10,000.

The contents of the application to be submitted: There is no particular form for the application, it should practically contain the name of the veterinarian, and where and what type of activity is intended to be pursued.

Documentation required for administration:

- A certificate of the Hungarian Veterinary Chamber on the availability of the necessary equipment.

Notifying the police on the use of substances containing ketamine

If in a veterinary surgery a private veterinary practitioner also intends to operate on animals, then activities involving the use of substances containing ketamine required for anaesthetic purposes shall be notified to the police. Animal medicinal institutions, retailers selling animal medicinal products and private veterinarians shall notify the police at least 30 days prior to engaging in activities involving narcotic drugs or psychotropic substances. Upon complete data supply, the police shall register the submitted data and issue an official certificate of registration within 15 days, valid until withdrawal. The holder of an official certificate shall submit an annual summary report on narcotic drugs and psychotropic substances used to the food chain safety and animal health directorate of the county government office and to the police, each year until 31st January.

Further information concerning administration can be obtained through the [following](#) link.

Proceeding body: [National Police Headquarters](#) or the regional police headquarters

Manner of administration: The activity shall be reported to the mailing address of the National Police Headquarters, Directorate General for Policing, Public Administration Police Department, Police Division: "Országos Rendőr-főkapitányság Rendészeti Főigazgatóság Igazgatásrendészeti Főosztály Rendészeti Osztály, H-1903 Budapest, Pf.: 314/15."

Administration deadline: 10 working days

Administration costs: HUF 2,200 in the form of stamp duty

For notification use the [form](#)

CROSS-BORDER SERVICE PROVISION

(If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.)

Private veterinarian practice in the territory of Hungary as a cross-border service provider practice is deemed an activity subject to notification to the authority stipulated in the decree, i.e. to the Hungarian Veterinary Chamber. Notification of service provider is for a one-year period.

The proceeding authority is the competent body of the [Hungarian Veterinary Chamber](#).

Manner of administration: In person, by post, or electronically, using an electronic signature. Acting by proxy requires authorisation. Such authorisation may take the form of proxy made before a lawyer or a notary public, but it is also deemed sufficient to conclude an agreement before two witnesses. The proxy shall contain the personal data of both the grantor and the proxy (name, mother's maiden name, place of residence, personal ID number) and own handwritten signature, the purpose of authorisation, the signature of two witnesses, their place of residence and the date of conclusion. The contents of the application to be submitted:

1. the name of the service provider,
2. the address of the service provider, or registered office in the case of a company,
3. designation of the service provision activity intended to be pursued,
4. a statement by the service provider whether an adequate professional guarantee is possessed, including the name of the organisation providing the professional guarantee and data required for identification of the contract establishing the professional guarantee, risks covered by the professional guarantee, the territorial scope of the professional guarantee, its amount and the upper limit guaranteed by it,
5. the planned duration of service provision within the calendar year concerned,
6. the professional address intended to be used for service provision in Hungary,
7. the nationality of the service provider, or in case of a legal person or entity without legal personality registered in another EEA country, the name of the register of their EEA state of establishment and the registration number of the service provider,
8. designation of the EEA country of establishment of the service provider, a statement by the service provider that the activity is intended to be pursued as a cross-border service provision, and
9. designation of the authorising or registering authority and the licence number or registration number of the service provider if the activity of the service provider is subject to authorisation or registration in their EEA state of establishment.

Documentation required for administration:

1. copy of the public document certifying national identity
2. copy and translation of an authentic document certifying that the service provider is authorised to practice the profession concerned in one of the member states as an established entity

3. authenticated copy and official translation of the document certifying the successful completion of education of the service provider qualifying for the provision of the service in a member state
4. in case it is a profession in the member state of establishment, then an authenticated copy and official translation of the document certifying that the service provider has practised the profession concerned in the member state of establishment for at least two years within the last ten years prior to the submission of the registration notification

Legal background:

1. [Act LXXVI of 2009 on the general rules of starting and pursuing service provision activities](#)
2. [Act C of 2001 on the recognition of foreign certificates and diplomas](#)
3. [Act XCIV of 1995 on the Hungarian Veterinary Chamber and on practising as a private veterinarian](#)
4. [Government decree 33/2008 \(21 February\) on the designation of authorities proceeding in cases falling within the scope of Act C of 2001 on the recognition of foreign certificates and diplomas, and on listing services subject to submitting a statement](#)
5. [Government decree 142/2004 \(29 April\) on activities that may be pursued using narcotic drugs and psychotropic substances](#)
6. [Act LXXVIII of 1997 on the shaping and protection of the built environment](#)
7. [Act XCIII of 1990 on duties](#)
8. [Government decree 193/2009 \(15 September\) on construction authority procedures and construction authority control](#)
9. [Decree 37/2007 \(XII. 13 December\) ÖTM of the Minister of Local Governments and Territorial Development on construction authority procedures and on the content of land parcelling, construction and civil engineering documentation](#)
10. [Decree 41/1997 \(28 May\) of the Minister of Agriculture on the issuing the Animal Health Rules](#)

Construction

PERFORMANCE OF REAL ESTATE BROKERAGE, REAL ESTATE ASSET APPRAISAL AND INTERMEDIARY ACTIVITIES

Performance of real estate brokerage, real estate asset appraisal and intermediary activities are partly licensed activities and partly subject to notification in Hungary. It may be performed both by private individuals and economic associations, however, economic associations are allowed to perform this activity only if the given association employs a person who meets the qualification requirements prescribed by law.

COMMERCIAL FACILITY MANAGEMENT ACTIVITY

Facility management is an independent economic activity performed for commercial purposes - in order to produce a profit, regularly, involving economic risk-taking-, as defined in the law on the general rules of the commencing and performing of service activities, during which the facility manager prepares a proposed plan on the maintenance of the property, on the basis of the characteristic features of the property and an economic analysis, pursuant to the contract concluded with the customer, it performs the tasks of operation and maintenance, directs and supervises the planned renovation

COMMERCIAL CONDOMINIUM MANAGEMENT

Condominium management is an independent economic activity performed for commercial purposes - in order to produce a profit, regularly, involving economic risk-taking-, as defined in the law on the general rules of the commencing and performing of service activities, during which the condominium manager prepares a proposed plan on the maintenance of the condominium building, on the basis of the characteristic features of the condominium building and an economic analysis,; pursuant to the contract of engagement concluded with the co-owners, he/she organizes the tasks related to operation and

GAS FITTING, REPAIR OF GAS APPLIANCES

A gas fitter or gas appliance repair person (hereinafter jointly: gas fitter) is the person who is engaged in the installation of connection lines and consumer appliances and the installation inspection and periodical testing with respect to safety requirements according to the law on natural gas provision. The service activities include the following sub-activities: installation, placing into service and maintenance as well as troubleshooting and elimination of problems for connection lines and consumer appliances,

PROPERTY MANAGEMENT LAND SURVEYOR ACTIVITY

Property management land surveyor activity is a service which includes the making of state land surveying basic maps, the managing of the works needed for entering changes in such maps, and the signing, examination, and quality certification of such work items. The property management land surveyor activity is classified in the Standard Classification of Economic Activities (TEAOR'08 = NACE Rev.

STATEMENT OF ELIGIBILITY TO PRACTICE AS ARCHITECTURAL DESIGN ENGINEER

The architectural design engineering activity qualifies for the preparation of the architectural design documentation that is necessary for the construction, extension, renovation, conversion, reconstruction, modernization, demolition or transportation of a physical structure, a component of a physical structure, or the combination of physical structures, or for the modification of their function.

STATEMENT OF ELIGIBILITY TO PRACTICE AS CONSTRUCTION ENGINEERING INSPECTOR

The building owner/building contractor may delegate an appropriate construction engineering inspector, depending on the nature of the building industrial implementation activity, to represent the contractor on-site. The law may require the employment of a construction engineering inspector. During the entire process of the building industrial implementation activity, the construction engineering inspector facilitates and oversees the observation of the laws, government regulations, standards, contracts and the implementation documents.

Professional services

ACCOUNTING SERVICES

Accounting services may only be performed by those holding a qualified auditor's certificate or a chartered accountant's certificate, or have qualifications equal to the qualifications of chartered accountants.

FUNERAL SERVICES

In the **Standard Classification of Economic Activities** (TEAOR'08) system, funeral services **belong to sector 96: Other service activities**, to sub-sector 96.0: Other service activities and sub-category **96.03: Funeral and related activities**.

Funeral services can be provided by a person who

OFFICIAL PUBLIC PROCUREMENT CONSULTATION ACTIVITIES

In the course of public procurement procedures the contracting entity is entitled to involve an official public procurement consultant for the purpose of ensuring proficiency in the procedures. Accordingly, an official public procurement consultant shall ensure public procurement proficiency in the course of preparing and conducting public procurement procedures.

ORGANISATION OF MUSIC AND DANCE EVENTS

Music and dance events are public, not private events that are organised either regularly, or for a particular occasion or at a point of time, with a selected album launch presentation or live show as a main activity; there is no numbered seating and no entry tickets are necessary.

PRIVATE EMPLOYMENT PLACEMENT ACTIVITIES

As defined in the Act on the general rules for the commencement and pursuit of service activities, private employment placement activities constitute the totality of activities aimed at promoting the meeting of job seekers and employers for the purpose of establishing legal relationship aimed at employment, also including the mediation of Hungarian nationals outside Hungary, and of foreign nationals to Hungary.

THE ATTESTATION ACTIVITY OF THE CONTRIBUTING ENTITY INVOLVED IN THE PRELIMINARY VEHICLE IDENTITY CHECK

The preliminary vehicle identity check is an official procedure designed to establish the authenticity of the vehicle's identification data and documents. The authority performs the vehicle identity check through inspection stations as contributing entities, and issues an official certificate about the results of the identity check. The attestation activity of the contributing entity involved in the preliminary vehicle identity check (hereinafter: "contributing entity") is a service activity which is pursued by the inspection station during the identity check.

Real estate

PERFORMANCE OF REAL ESTATE BROKERAGE, REAL ESTATE ASSET APPRAISAL AND INTERMEDIARY ACTIVITIES

Performance of real estate brokerage, real estate asset appraisal and intermediary activities are partly licensed activities and partly subject to notification in Hungary. It may be performed both by private individuals and economic associations, however, economic associations are allowed to perform this activity only if the given association employs a person who meets the qualification requirements prescribed by law.

COMMERCIAL FACILITY MANAGEMENT ACTIVITY

Facility management is an independent economic activity performed for commercial purposes - in order to produce a profit, regularly, involving economic risk-taking-, as defined in the law on the general rules of the commencing and performing of service activities, during which the facility manager prepares a proposed plan on the maintenance of the property, on the basis of the characteristic features of the property and an economic analysis, pursuant to the contract concluded with the customer, it performs the tasks of operation and maintenance, directs and supervises the planned renovation

COMMERCIAL CONDOMINIUM MANAGEMENT

Condominium management is an independent economic activity performed for commercial purposes - in order to produce a profit, regularly, involving economic risk-taking-, as defined in the law on the general rules of the

commencing and performing of service activities, during which the condominium manager prepares a proposed plan on the maintenance of the condominium building, on the basis of the characteristic features of the condominium building and an economic analysis,; pursuant to the contract of engagement concluded with the co-owners, he/she organizes the tasks related to operation and

GAS FITTING, REPAIR OF GAS APPLIANCES

A gas fitter or gas appliance repair person (hereinafter jointly: gas fitter) is the person who is engaged in the installation of connection lines and consumer appliances and the installation inspection and periodical testing with respect to safety requirements according to the law on natural gas provision. The service activities include the following sub-activities: installation, placing into service and maintenance as well as troubleshooting and elimination of problems for connection lines and consumer appliances,

PROPERTY MANAGEMENT LAND SURVEYOR ACTIVITY

Property management land surveyor activity is a service which includes the making of state land surveying basic maps, the managing of the works needed for entering changes in such maps, and the signing, examination, and quality certification of such work items. The property management land surveyor activity is classified in the Standard Classification of Economic Activities (TEÁOR'08 = NACE Rev.

STATEMENT OF ELIGIBILITY TO PRACTICE AS ARCHITECTURAL DESIGN ENGINEER

The architectural design engineering activity qualifies for the preparation of the architectural design documentation that is necessary for the construction, extension, renovation, conversion, reconstruction, modernization, demolition or transportation of a physical structure, a component of a physical structure, or the combination of physical structures, or for the modification of their function.

STATEMENT OF ELIGIBILITY TO PRACTICE AS CONSTRUCTION ENGINEERING INSPECTOR

The building owner/building contractor may delegate an appropriate construction engineering inspector, depending on the nature of the building industrial implementation activity, to represent the contractor on-site. The law may require the employment of a construction engineering inspector. During the entire process of the building industrial implementation activity, the construction engineering inspector facilitates and oversees the observation of the laws, government regulations, standards, contracts and the implementation documents.

Retail

OPERATION OF FAIRS AND MARKETS

A fair shall mean a building, a building complex or a territory, where, in general, several persons carry out seasonal retail activity or occasional retail activities in connection with specific events or calendar days. A market, on the other hand, is a building, a building complex or a territory, where several persons carry out retail activities daily or occasionally on a weekly basis. It is essential to make a difference between the facility manager and operator of a fair or a market:

DISTRIBUTION OF REFILLABLE LPG GAS CYLINDERS

The distribution of liquefied propane and butane gases and their compounds (hereinafter: LPG gas) in tank or cylinder (hereinafter: distribution of refillable LPG gas cylinders) includes the domestic commercial distribution of LPG gas in tanks or cylinders, its sale to resellers or consumers, transfer on commission to gas retailer in tank or cylinder - for the purposes of sale -, its procurement, storage and filling for the purposes above.

OPERATION OF SHOPPING CENTRES

The operation of shopping centres is a service activity for trade purposes. Shopping centres are complex buildings for miscellaneous purposes, where several traders carry out different kinds of permanent trading activities mainly in shops, and spare time-related service activities are also typical of such shopping centres. The operator is the facility manager, or a person appointed by the facility manager, who is responsible for the management and operation duties related to the shopping centre, and entitled to act on behalf of the facility manager.

THE REGISTRATION OF ECONOMIC ORGANIZATIONS AND THEIR SHOPS ENGAGED IN THE TRADE OF PRECIOUS METAL JEWELLERY, ARTICLES AND ORNAMENTS

In Hungary, commercial activities involving the sale of jewellery, ornaments, and other articles made from precious metals are subject to an authorisation. The authorisation is issued by the Assay Authority of the [Hungarian Trade Licensing Office](#).

TRADING IN PET ANIMALS

Trading in pet animals is a service provision activity carried out in pet shops. **In the Standard Classification of Economic Activities (TEÁOR'08)** it falls under sector **47, the Retail sector**, including sub-sector **47.7, Other retail trading of goods not classified elsewhere**, and sub-categories **47.76, Ornamental plants, seeds, fertilisers, pet food retail trading**, and **47.78, Other retail of new goods not classified elsewhere**.

Tourism

TOUR OPERATOR AND TRAVEL AGENCY SERVICES

The services of a tour operator are aimed at the compilation and provision of travel service packages with the combination of minimum two of the following: passenger transportation, accommodation and other tourism services (in particular, meals, guided tours, entertainment and cultural programmes), within the framework of a gainful business activity. The services of a travel agency are aimed at the provision of travel services within the framework of a gainful business activity based on the engagement of a tour operator and the conclusion of contracts on its behalf.

HOME DELIVERY OF CATERING PRODUCTS

These services include the sale of catering products, including foodstuffs, confectionary and cold snacks, within the framework of parcel delivery services, where the catering products are delivered to the final consumer's home.

LONG-TERM HOLIDAY ACCOMMODATION SERVICES

Long-term holiday accommodation services qualify as tourist services of a commercial nature which include the right to use accommodation on a regular basis, at recurring intervals, for fixed, non-extended periods for the purpose of night-time stay and relaxation provided within the framework of business activities pursued on a gainful basis, or as better-known to the wider public, timeshare.

OPERATION OF CAMP SITES

Services aimed at the operation of camp sites fall within the range of accommodation services. **In the Standard Classification of Economic Activities (TEÁOR'08)**, accommodation services aimed at the operation of camp sites fall within **Accommodation Services Sector 55**; more specifically, into sub-category **55.3 (55.30) Camping services**.

OPERATION OF COMMUNAL ACCOMMODATION

Services aimed at the operation of communal accommodation facilities fall within the range of accommodation services. **In the Standard Classification of Economic Activities (TEÁOR'08)**, accommodation services aimed at the operation of communal accommodation facilities fall within **Accommodation Services Sector 55**; more specifically, into sub-category **55.2 (55.20) Holiday and other temporary accommodation services**.

OPERATION OF GUEST HOUSES

The operation of guest houses is a service activity which falls within the scope of accommodation services. The operation of guest houses is a service activity listed under Sector No. 55 **“Accommodation” in the Standard Sectoral Classification of Economic Activities (TEÁOR'08)**, more specifically **under Sector No. 55.1 (55.10) “Hotels and similar accommodation”**. Only one type of accommodation provider licence may be given for the same accommodation.

OPERATION OF HOLIDAY HOMES

Services aimed at the operation of holiday homes fall within the range of accommodation services. **In the Standard Classification of Economic Activities (TEÁOR'08)**, accommodation services aimed at the operation of holiday homes fall into **Accommodation Services Sector 55**; more specifically, into sub-category **55.2 (55.20) Holiday and other temporary accommodation services**.

OPERATION OF HOTELS

Services rendered for the operation of hotels form part of the range of accommodation services. **In the Standard Classification of Economic Activities (TEÁOR'08)**, accommodation services aimed at the operation of hotels fall into Accommodation Services Sector 55; more specifically, **into sub-category 55.1 (55.10) Hotel services**.

OPERATION OF OTHER ACCOMMODATION FACILITIES

Services aimed at the operation of other accommodation facilities fall within the range of accommodation services. An accommodation facility may be a hotel, a guesthouse, a camp site, a holiday home, communal accommodation, village hotel or other accommodation. The various accommodation categories are governed by different requirements under substantive and procedural law.

OPERATION OF VILLAGE ACCOMMODATION

Services aimed at the operation of village accommodation fall within the range of accommodation services. **In the Standard Classification of Economic Activities (TEÁOR'08)**, accommodation services aimed at the operation of village accommodation fall into Accommodation Services Sector 55; more specifically, **into sub-category 55.2 (55.20) Holiday and other temporary accommodation services**.

SERVICES AIMED AT THE OPERATION OF NATURAL BATHING RESORTS

Services aimed at the operation of natural bathing resorts are services tied to a licence provided in respect of natural waters authorised for bathing purposes and the attached shore line areas, as part of which the service provider offers bathing services in the designated area operated by the service provider as a bathing resort. **In the Standard Classification of Economic Activities (TEÁOR'08)**, services aimed at the operation of natural bathing resorts fall into Sports, Entertainment and Leisure-Time Activities Sector **93**; **more specifically**, into sub-sector

TOUR GUIDE SERVICES

Tour guide services engaged in as part of a gainful business activity cover the detailed on-site presentation and introduction of attractions significant from a tourism point of view and other sites to visitors as well as the provision of related information and, as the case may be, assistance for visitors in the interest of their guidance and orientation in a place which they are not familiar with.

Training and instruction

ACTIVITY FOCUSING ON THE TRAINING OF ROAD TRANSPORTATION PROFESSIONALS

The service activity focusing on the training of road transportation professionals covers the organised training and further training of road transportation professionals, as well as the provision of training courses for school managers, specialised instructors and examination supervisors in compliance with the legally prescribed institutional, material and personal requirements.

ACTIVITY DIRECTED AT THE ORGANISATION OF VOCATIONAL EXAMINATIONS

The activity directed at the organisation of complex vocational examinations is a service activity subject to a licence. The activity directed at the organisation of complex vocational examinations is listed under Sector No. 85 "Education" in the Standard Sectoral Classification of Economic Activities (TEÁOR'08).

ACTIVITY FOCUSING ON THE TRAINING OF MOTOR VEHICLE DRIVERS

The service activity focusing on the training of motor vehicle drivers covers the organised training of motor vehicle drivers, as well as the provision of knowledge and skills required for driving, in compliance with the legally prescribed institutional, material and personal requirements. The service activity focusing on the training of motor vehicle drivers is listed in the **Standard Classification of Economic Activities** (TEÁOR'08) under section.

Accounting services

RECOGNITION PROCEDURE

In the process of applying for the authorisation, the recognition of the applicant's degree in Hungary taken at a foreign university must be proved .

Forms and supporting documentation

1. Application for recognition of document for certifying foreign qualification, which falling within the European community law
2. Copy of notarial document certifying citizenship
3. Certified translation of document verifying qualification
4. Certified copy of document verifying the duration of studies and requirements of the university (for example: registration book)
5. Certified translation of document verifying the duration of studies and requirements of the university (for example: registration book)
6. Curriculum vitae
7. Certificate for payment of procedural duty

The procedure just in part can be made electronically. Although, electronic forms already exist, submitting authentic documents electronically is not possible.

The duty fee is 73 500 HUF

Length of process: 90 days

[More information](#) and [contact](#)

Accounting services may only be performed by those holding a qualified auditor's certificate or a chartered accountant's certificate, or have qualifications equal to the qualifications of chartered accountants. On the basis of a separate application and individual judgement, accounting services may also be performed by those whose diploma awarded by a specialized higher educational institution outside Hungary has been recognized by the presiding authority after 01 May 1995, and who possess the knowledge and command of the language required

for practising these activities in Hungary, and furthermore, by those who have three-years of experience acquired in Hungary in the field of accounting, finance and auditing.

In the case of persons entitled to move and reside freely, professional experience must also be considered valid, if gained by the applicant in any member state of the European Union, in any other state who is a contracting party to the agreement on the European Economic Area or in a state whose nationals enjoy identical legal status as nationals of the European Community and its member states, as well as the nationals of a state who is a contracting party to an agreement on the European Economic Area in respect to the right of free movement and residence on the basis of an international agreement concluded with a state who is not a contracting party to the agreement on the European Economic Area.

Accounting service providers are registered in four special fields:

1. in the field of enterprises,
2. in the field of the state budget,
3. in the field of finances, and
4. in other organizational (non-profit) fields.

The specialised field shall be determined on the basis of the certification of qualifications or education, or in the absence of this, in accordance with the professional experience. In case the applicant failed to acquire three years of experience in a certain specialised field, but the entire amount of experience acquired in other fields is more than three years, the applicant will be registered in the specialised field where s/he gained the most experience.

In case a certified accountant has acquired a second or further professional qualifications after his/her first registered specialised field, s/he may apply for admission to the register of the specialised field corresponding to this new qualification.

THE REGISTER

The register of accounting service providers shall contain the following details of authorized service providers admitted to the register

1. registration number,
2. identification data on the natural person, home address and mailing address, ID card number and date of issue of the card,
3. qualifications (including the specialised field in the case of certified accountant qualifications), as well as the professional university or college qualifications recognized as certified accountant qualifications in respect to authorization,
4. number of the diploma or certificate certifying the qualifications referred to in the above paragraph, name of the issuing institution and the date of issue,
5. place of acquisition of the accounting, financial or auditing experience prescribed for the authorization, the amount of this experience, as well as a description of the position or activity in which the professional experience had been for the most part acquired,
6. specialised field of registration, and
7. fulfilment of the obligation for continuing education in the profession.

The register of accounting service providers can contain the following details of those admitted to the register based on the voluntary provision of data by the accounting service providers

1. phone number,
2. electronic contact information,
3. other qualifications that can be utilized in the course of providing accounting services, the number of the diploma or certificate certifying these qualifications, as well as the name of the issuer and the date of issue, and
4. the type and degree of the successful language examination(s) certifying the command of foreign languages recognized by the state.

APPLICATION FOR REGISTRATION

The application for registration must be submitted using the [data sheet](#) included in Annex 1 to Government Decree No. 93/2002. (05 May) to the regional offices of the Hungarian State Treasury or to the customer service of the Ministry for National Economy. The following must be attached to the application:

1. a copy of the diploma or certificate certifying qualifications,
2. one passport size photo,
3. a document certifying the payment of the administrative service fee.

Accounting service providers must pay an administrative service fee of HUF 9,000 to account number 10032000-01460658-00000000, designated as the Hungarian State Treasury, Budapest. for their admission onto the register. The fee for data modification for the issuance of a new card is HUF 2,000. In case data modification does not involve the issuance of a new card, the fee for modifying the data in the register and deleting any data is HUF 1,000.

The data of the applicant for admission onto the register of accounting service providers (hereinafter: the applicant) shall be entered into the register by the Minister of Finance simultaneously with the granting of the authorization and the relevant card shall be issued accordingly, provided that the applicant meets the requirements set forth in the Accounting Act and Government Decree No. 93/2002. (05 May) and if all data are supported by the necessary documents.

The time limit for the administration of the procedure related to authorization shall be two months.

In case the data on the application are incomplete or not certified, as appropriate, the applicant must be called to submit the missing documents within thirty days of the date of submission of the application, fixing a time limit of 30 days for the submission of the missing documents.

The following natural persons must be deleted from the register

1. anyone who fails to attend further professional training, whose attendance is not verified by the body organizing the training or who fails to provide a proper excuse for not participating in the training,
2. anyone who has incurred a criminal record,
3. anyone whose authorization to practice his profession has been suspended by a court order related to accounting services,
4. anyone who provided any information that is false or misleading before or after registration or failed to report within thirty days any circumstances serving as grounds for removal from the register when it is established subsequently that false information has been provided or notification has not been made,
5. anyone who requests this,
6. anyone who is placed under guardianship or conservatorship by a legally binding court ruling, or
7. anyone who has died.

The obligation for attending training courses pursuant to Section 152 (1) of the Accounting Act shall be fulfilled by persons authorized to provide accounting services as of the training year following his/her admission to the Register. The training year shall last from 01 January to 31 December.

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Activity directed at the organisation of vocational examinations

APPLICATION FOR JOINT TAX CERTIFICATE

For the notification of activity, business entities are obliged to attach a certificate of public dues justifying that they have no dues, in case they previously did not register into the database of taxpayers who fulfill all obligations concerning the payment of public dues. The negative joint tax certificate (11UK12 used in the [General Framework Program](#)) concompans that the company has neither tax nor customs dues in the registration of NAV on the date of issue of the certificate or on the day asked by the taxpayer in his/her application.

Forms and supporting documentation

1. Application for joint tax certificate
2. Certificate for payment of procedure fees

Application for joint tax certificate can be submitted in electronic way. [More information](#)

In case of electronic submission, the application can be attached with no more than 5-5 scanned document of tif and/or pdf format. Fees of procedure can also be paid in electronic way.

Client gate identification is a required.

RECOGNITION PROCEDURE

In the process of applying for the authorisation, the recognition of the applicant's degree in Hungary taken at a foreign university must be proved.

Forms and supporting documentation

1. Application for recognition of document for certifying foreign qualification, which falling within the European community law
2. Copy of notarial document certifying citizenship
3. Certified translation of document verifying qualification
4. Certified copy of document verifying the duration of studies and requirements of the university (for example: registration book)
5. Certified translation of document verifying the duration of studies and requirements of the university (for example: registration book)
6. Curriculum vitae
7. Certificate for payment of procedural duty

The procedure just in part can be made electronically. Although, electronic forms already exist, submitting authentic documents electronically is not possible.

The duty fee is 73 500 HUF

Lenght of process: 90 days

[More information](#) and [contact](#)

The activity directed at the organisation of complex vocational examinations is a service activity subject to a licence. The activity directed at the organisation of complex vocational examinations is listed under Sector No. 85 "Education" in the Standard Sectoral Classification of Economic Activities (TEÁOR'08).

Entities organising examinations under an adult training contract are exempted from obtaining a licence for the service activity because such entities have training and educational activity as their core activities and they already pursue these activities according to entitlement obtaining procedures which are legally identical with the licensing procedure required for the activities directed at the organisation of vocational examinations, in compliance with the relevant sectoral educational rules and in the framework of the special licensing system of the sector.

The office responsible for the licensing of the organisation of complex vocational examinations shall give a licence to an institution for pursuing the activity directed at the organisation of vocational examinations, which qualifies as an accredited institution under Act CI of 2001 on Adult Training; possesses and can continuously guarantee the general personal and material conditions required by law for the organisation of vocational examinations. Further, the institution must possess the code of procedural rules and secrecy including the manner of fulfilling the examination organisation duties specified in Decree 20/2007 (21 May) of the Minister of Social Affairs and Employment on the General and Procedural Rules of Vocational Examinations as well as the manner of secure treatment of public documents relating to vocational examinations and of centrally provided written or interactive examination exercises, and which

- as regards the vocational qualification, partial vocational qualification, vocational qualification divergence and vocational qualification add-on (hereinafter jointly: vocational qualification) listed in the National Qualification Register specified in the application, possesses and can continuously guarantee the personal and material conditions required for the vocational examination activity concerning at least one examination venue per vocational qualification;
- possesses the special vocational, material and personal conditions determined in the decree issued by the minister responsible for vocational qualifications;
- is not prohibited from the examination organisation activity, and
- is listed in the register of taxpayers exempt from public debts or certifies that it is exempt from public debts within the meaning of the Act on the Rules of Taxation, and is not subject to bankruptcy, liquidation or voluntary dissolution procedure.

Further obligations:

- obligation to supply statistical data;
- documentation of the complex vocational examination;
- keeping and forwarding registration sheets;
- repayment of examination fee in the case of unlawful organisation of examination

PROCEDURES CONNECTED WITH STARTING AND PURSUING THE SERVICE ACTIVITY

Activities directed at the organisation of complex vocational examinations require the licence issued by the office responsible for the licensing of the organisation of complex vocational examinations. As regards the activity directed at the organisation of vocational examinations, the metropolitan and country government offices shall act as the office responsible for the licensing of the organisation of complex vocational examinations. In connection with the supervision duties of offices responsible for the licensing of the organisation of complex vocational examinations and ministers responsible for vocational qualifications, the [National Labour Office](#) also fulfils information and contribution services.

Applications for pursuing an activity directed at the organisation of complex vocational examinations may be submitted in writing to the office responsible for the licensing of the organisation of complex vocational examinations. In addition to all licensing information, the website of the [Educational Authority](#) also includes the form required for the submission of the application. Currently, procedures cannot be started electronically due to technical reasons.

The application shall be submitted together with the following:

1. description of the organisational unit responsible for the organisation of the vocational examination, including
 - the examination organiser's position in the organisation, and its supervision;
 - the number, educational and vocational qualification, vocational experience and position of the persons directly responsible for the organisation of vocational examinations;
 - the description of existing material conditions required for pursuing the examination organisation activity;
2. code of procedural rules and secrecy concerning the organisation of examinations;
3. process description of the examination organisation and implementation activity of the applicant institution, together with the presentation of the examination order and examination programme of examinations relating to a requested vocational qualification, in respect of 20 examinees;
4. description of instruments used to record and document the examination process;
5. detailed description of compliance with the personal and material requirements of implementing the vocational examination;
6. in the case of material instruments not being owned by the applicant, the document certifying that such instruments are constantly available for the organisation and implementation of the vocational examination;
7. the applicant institution's legal statement on the planning statistical regions in which it wishes to organise vocational examinations, broken down to the trade groups specified in the National Qualification Register;
8. if the applicant institution is not listed in the register of taxpayers exempt from public debts, the public document not older than 30 days certifying that the institution has no public debt.

Institutions already registered and licensed for organising vocational examinations in respect of the given vocational qualification shall observe the same requirements in their application for the right of organising vocational examinations for any further vocational qualification.

The application shall be considered by the office responsible for the licensing of the organisation of complex vocational examinations within the general 30-day deadline which may be extended by the town clerk for another 30 days only once.

The office responsible for the licensing of the organisation of vocational examinations shall, if the application meets all statutory requirements, give a licence to the applicant to pursue the activity. The licence entitles the applicant to organise complex vocational examinations (in respect of the state-recognised vocational qualifications specified therein) until such licence is revoked.

The licensing procedure, the extension of the licence to further vocational qualifications, the reduction of the number of vocational qualifications listed in the licence and the deregistration of the examination organiser institution possessing the licence are subject to administrative service fees. The administrative service fee of the licensing procedure is HUF 130,000. The administrative service fee of the extension of the licence to further vocational qualifications is HUF 30,000. The administrative service fee of the reduction of the number of vocational qualifications listed in the licence (irrespective of the number of vocational qualifications) and administrative service fee of the deregistration of the examination organiser institution is HUF 8,000.

Administrative service fees shall be paid via bank transfer, postal cheque or cash payment to the budget appropriation utilisation account No. 10032000-00282637-00000000 kept by the Hungarian State Treasury.

The office responsible for the licensing of the organisation of complex vocational examinations shall keep record of institutions licensed to organise vocational examinations. Registered institutions shall report any change in their registered data to the office responsible for the licensing of the organisation of complex vocational examinations, within 90 days of the occurrence of such change. Such obligation to report data change is not subject to any fee or duty. The office responsible for the licensing of the organisation of complex vocational examinations shall, if so requested, deregister the vocational qualification in respect of which the registered institution no longer intends to pursue examination organisation activity.

PURSuing THE ACTIVITY IN THE FRAMEWORK OF CROSS-BORDER SERVICES

There is no sectoral rule concerning the activity directed at the organisation of complex vocational examinations under which any person who lawfully pursues this activity in its country of residence (within the EU or EEA) should obtain a separate licence or make a separate legal statement in the case of cross-border activity involving Hungary (i.e. an activity not requiring the settlement of the person or pursued occasionally or in a temporary manner).

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Rules of law governing the service activity and procedures

1. [Act CLXXXVII of 2011 on Vocational Training](#),
2. [Government Decree 111/2010 \(9 April\) on the Detailed Rules of Issuing the Licence for the Organisation of Vocational Examinations and of Inspecting the Examination Organising Activity](#),
3. [Government Decree 307/2006 \(23 December\) on the Educational Authority](#),
4. [Decree 12/2010 \(20 April\) of the Minister for Social Affairs and Employment on the Rules of Administrative Service Fee for the Licensing Procedure Directed at the Obtainment of Licence for the Organisation of Vocational Examination and on the Payment of such Fee](#),
5. [Act CXL of 2004 on the General Rules of Administrative Proceedings and Services](#),

[Act LXXVI of 2009 on the General Rules on Taking up and Pursuit of Service Activities](#).

Activity focusing on the training of motor vehicle drivers

The service activity focusing on the training of motor vehicle drivers covers the organised training of motor vehicle drivers, as well as the provision of knowledge and skills required for driving, in compliance with the legally prescribed institutional, material and personal requirements. The service activity focusing on the training of motor vehicle drivers is listed in the **Standard Classification of Economic Activities** (TEÁOR'08) under section. **85 "Education"**, under sub-section **85.5 "Other education"**, more specifically sub-category **85.53 "Driving school activities"**.

The service activity focusing on the training of motor vehicle drivers may be pursued by any training entity which complies with the following substantive law requirements. The training entity may be a business company, a sole-trader, or a single-member company.

The person responsible for the training is the school manager of the training entity which has the training licence and has a contractual relationship with the trainees. The training entity may only pursue the service activity focusing on the training of motor vehicle drivers under the professional control of the school manager and by using specialised instructors.

The school manager is the person responsible for the professional control of the training entity, who is either a member or the employee of the training entity and who is listed in the register of school managers. The specialised instructor is a person who participates in the motor vehicle driver training as an instructor licensed for such activity.

The training entity shall have a customer service room which is used exclusively for the purposes of the training entity and which is sufficiently equipped to provide for the conditions of appropriate reception and service of customers. The training entity's training licence, Business Policy and written information shall be placed on the wall in the customer service room, and the company sign shall display the opening hours, as well.

THE TRAINING ENTITY SHALL HAVE

1. in the case of classroom training: a classroom, wall tableaux, multimedia technology for teaching or video player and television set or computer and projector;
2. in the case of e-learning: the e-learning system suitable for the licensed training.

Classroom trainings for categories "A", "A restricted", "A2" and "B", as well as subcategory "A1" shall take place in a classroom that is suitable for demonstrating lighting and signalling equipment through a functioning model.

In the case of trainings for categories "C", "D", "T", "Trolley bus", subcategories "C1" and "D1", and combined categories "B+E", "C+E", "C1+E", "D+E" and "D1+E", the training entity shall have a training room which is furnished with at least one functioning vehicle or training frame whose type corresponds to the category (subcategory, combined category) of the training, and with the tools and instruments prescribed for the training by the transportation authority.

The vehicle or training frame shall be placed in the room in a way that the curriculum-specific number of trainees can observe and practise the presented tasks.

The room shall also comply with health and safety as well as fire safety regulations. Gases emitted by the operation of the engine shall be properly channelled out of the room during the training course.

Furthermore, the room shall be furnished with fire extinguishers in the number and filled with the agent specified by the fire safety regulations, as well as with the necessary number of desks and seats (but not less than one of each).

The room shall be properly heated (min. 18 °C), lit and ventilated.

Toilets and places for hand washing shall be available for all participants of the training and examinations.

In the case of trainings for categories “A”, “A2”, “A restricted”, “B”, “C”, “D”, “M”, “AM”, “T” and “Trolley bus”, subcategories “A1”, “C1” and “D1”, and combined categories “B+E”, “C+E”, “C1+E”, “D+E” and “D1+E”, the practice area with the size and specifications specified in detail in the curriculum shall comply with the following requirements:

1. away from traffic;
2. solid surface;
3. suitable for the safe performance of the prescribed tasks (taking into account the number of participants practising simultaneously);
4. appropriate toilet and place for hand washing;
5. the vehicles and equipment necessary for the driving practice, corresponding to the category indicated in the training licence and complying with the relevant statutory requirements.

Except for the training of two-wheeled vehicles, the surface of the practice area for the training of vehicle control and routine driving skills is accepted as solid (only for training and practise purposes) if it is suitable for practicing the exercises without deformation under any weather condition. The practice area for the training of two-wheeled vehicles need to be covered with asphalt or concrete.

The size of the practice area shall be suitable for practising the training and examination exercises prescribed for the given vehicle category. If the practice area is used for training purposes only, it is not a requirement to ensure that all exercises can be practised simultaneously. The practice area may be rearranged during the training course.

As another requirement, a licensed and qualified instruction vehicle, which corresponds to the training category, subcategory or combined category, shall be provided for practice courses.

Training entities providing only theoretical courses shall provide trainees with the opportunity to take part in practice courses, as well through a contract concluded with a training entity licensed to provide practice courses.

Training entities providing only practice courses shall provide training participants with the opportunity to take part in theoretical courses, as well through a contract concluded with a training entity licensed to provide theoretical courses.

PROCEDURES CONNECTED WITH STARTING AND PURSUING THE SERVICE ACTIVITY

In respect of the service activity focusing on the training of motor vehicle drivers, the [Motor Vehicle Transportation Office](#) shall act as transportation authority. The service activity focusing on the training of motor vehicle drivers may only be pursued in possession of a licence issued by the Motor Vehicle Transportation Office.

Application for a licence for pursuing the service activity focusing on the training of motor vehicle drivers shall be submitted to the Motor Vehicle Transportation Office in writing or orally in person. Currently, procedures cannot be started electronically due to technical reasons. Application shall be submitted together with the following:

1. documents certifying that the applicant meets the personal and material requirements prescribed for the training course to be organised by the training entity, specified above;
2. certificate of payment of the administrative service fee for the procedure;
3. the written description of the training, see:
4. the Business Policy of the training entity.

The application shall be considered by the Motor Vehicle Transportation Office within the general 30-day administrative deadline which may be extended once by the Head of the Office with another 30 days.

The Motor Vehicle Transportation Office grants training licence to the training entity which meets all conditions. The training licence entitles the holder to provide trainings in the entire territory of Hungary. The [Transportation Authority](#) issues the training licence for a specific category, subcategory or combined category.

The licensing procedure is subject to an administrative service fee. The amount of the fee is HUF 67,500 for three categories in the case of the first licence, and HUF 22,500 for each category or qualification type in the case of additional licences.

The fee shall be paid together with the submission of the application by bank transfer or in cash at the cash desks of the National Transport Authority to the appropriation account No. 10032000-00289926-00000000 of the National Transport Authority kept with the Hungarian State Treasury.

Training entities licensed to train motor vehicle drivers are registered by the Motor Vehicle Transportation Office. The register is available at the website of the National Transport Authority: [register of names of motor vehicle driver trainers](#).

The training entity is required to report any change in its registered data, in writing to the Motor Vehicle Transportation Office within 15 days of the occurrence of such change. Such changes may be reported to the Motor Vehicle Transportation Office in writing or orally in person. Currently, data changes cannot be reported electronically due to technical reasons. Such obligation to report data change is not subject to any fee or duty.

The training entity shall indicate all data changes made due to any legislative change in the Business Policy and on the written description of the training (unless otherwise provided by law) within 30 days from the coming into force of the legislative change. In order to promote compliance with this obligation, the Motor Vehicle Transportation Office of the National Transport Authority provides information on such legislative changes.

PURSuing THE ACTIVITY IN THE FRAMEWORK OF CROSS-BORDER SERVICES

The service activity focusing on the training of motor vehicle drivers may not be pursued in the framework of cross-border services. Therefore, any person who lawfully pursues this activity in its country of residence (within the EU or EEA) must obtain the licence specified above in the case of a cross-border activity which involves Hungary (i.e. an activity not requiring the settlement of the person or pursued occasionally or in a temporary manner).

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legal regulations governing the service activity and procedures

Sector-specific legal regulations which primarily govern the service activity focusing on the training of motor vehicle drivers and the relevant procedures:

1. [Act I of 1988 on the Road Transportation](#),
2. [Government Decree 179/2011 \(2 September\) on the General Rules of Training and Examination of Motor Vehicle Drivers and Road Transportation Professionals](#),
3. [Decree 24/2005 \(21 April\) of the Minister of Economy and Transport on the Detailed Rules of Training and Examination of Motor Vehicle Drivers and Road Transportation Professionals](#),

4. [Decree 84/2009 \(30 December\) of the Minister of Transport, Telecommunication and Energy on Fees relating to the Training, Further Training, Remedial Training and Examination of Motor Vehicle Drivers and Road Transportation Professionals.](#)

Activity focusing on the training of road transportation professionals

The service activity focusing on the training of road transportation professionals covers the organised training and further training of road transportation professionals, as well as the provision of training courses for school managers, specialised instructors and examination supervisors in compliance with the legally prescribed institutional, material and personal requirements. The service activity focusing on the training of road transportation professionals is listed in **the Standard Classification of Economic Activities** (TEÁOR'08) under section **85 "Education"**, under sub-section **85.5 "Other education"**, more specifically sub-category **85.53 "Other education n.e.c."**.

The training of school managers takes place in specialised technical higher education institutions under licence. With the exception of school managers, the training and further training of road transportation professionals takes place in specialised technical higher education institutions in the framework of a specialised course. Specialised technical higher education institutions are higher education institutions which offer BSc courses in Transport Engineering or Vehicle Engineering, accredited by the Hungarian Accreditation Committee, in compliance with the course-starting licence, and which also provides teacher training.

Specialised courses may be offered by any training entity which complies with the legal requirements of good reputation and meets the conditions of professional competence.

The training entity is non-compliant with the requirements of good reputation if its school manager responsible for the specialised training course repeatedly violated the rules prescribed for the specialised training course in a two-year period and was reprimanded with the final decision of the transportation authority; if it lost its licence to provide specialised courses within two years due to the repeated breach of rules under the activity of the school manager.

The training entity is compliant with the requirements of professional competence if it justifiably has the personal and material requirements for the specialised training course. The personal and material requirements for the specialised training course and further training as well as all other issues concerning the organisation of trainings shall be determined by the [National Transport Authority](#) based on the statutory requirements. The relevant requirements are available at the website of the National Transport Authority. See: [training of transportation professionals](#).

The training entity shall continuously secure that the conditions of the full training service prevail; including the theory and practice prescribed by the relevant Decree, in respect of all categories, subcategories and combined categories indicated in the licence. The training entity continuously provide for the conditions of the (theoretical or practical) training indicated in the training licence.

PROCEDURES CONNECTED WITH STARTING AND PURSUING THE SERVICE ACTIVITY

In respect of the service activity focusing on the training of road transportation professionals, the [Motor Vehicle Transportation Office](#) shall act as transportation authority. The service activity focusing on the training of road transportation professionals may only be pursued in possession of a licence issued by the Motor Vehicle Transportation Office.

Application for a licence for pursuing the service activity focusing on the training of road transportation professionals shall be submitted to the Motor Vehicle Transportation Office in writing or orally in person. Currently, procedures cannot be started electronically due to technical reasons. Applications shall be submitted together with the following:

1. documents certifying that the applicant meets the personal and material requirements, specified above, prescribed for the training course to be organised by the training entity;
2. certificate of payment of the administrative service fee for the procedure;
3. the written description of the training, see:
4. the Business Policy of the training entity.

The application shall be considered by the Motor Vehicle Transportation Office within the general 30-day administrative deadline which may be extended once by the Head of the Office with another 30 days.

The Motor Vehicle Transportation Office grants training licence to the training entity which fulfils the requirements. The Transport Authority may issue the training licence for a specific category, subcategory or combined category. Training licence may also be granted for the teaching of the training course's theory or practice subjects only. If a licence is given for only theoretical training, it shall specify whether it covers classroom training, closed-system electronic distance education, or both.

The licensing procedure is subject to an administrative service fee. The amount of the fee is HUF 67,500 for three categories or road transportation professional qualification types in the case of the first licence, and HUF 22,500 for each category or qualification type in the case of additional licences.

The fee shall be paid together with the submission of the application by bank transfer or in cash at the cash desks of the National Transport Authority to the appropriation account No. 10032000-00289926-00000000 of the National Transport Authority kept with the Hungarian State Treasury.

OTraining entities licensed to train road transportation professionals are registered by the Motor Vehicle Transportation Office. The register is available at the website of the National Transport Authority: [register of names of motor vehicle driver trainers](#).

The training entity is required to report any change in its registered data, in writing, to the Motor Vehicle Transportation Office within 15 days of the occurrence of such change. Such changes may be reported to the Motor Vehicle Transportation Office in writing or orally in person. Currently, data changes cannot be reported electronically due to technical reasons. Such obligation to report data change is not subject to any fee or duty.

The training entity shall indicate all data changes made due to any legislative change in the business requirements and on the written description of the training (unless otherwise provided by law) within 30 days from the coming into force of the legislative change. In order to promote compliance with this obligation, the Motor Vehicle Transportation Office of the National Transport Authority provides information on such legislative changes.

PURSUING THE ACTIVITY IN THE FRAMEWORK OF CROSS-BORDER SERVICES

The service activity focusing on the training of motor vehicle drivers may not be pursued in the framework of cross-border services. Therefore, any person who lawfully pursues this activity in its country of residence (within the EU or EEA) must obtain the licence specified above in the case of a cross-border activity which involves Hungary (i.e. an activity not requiring the settlement of the person or pursued occasionally or in a temporary manner).

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legal regulations governing the service activity and procedures

Sector-specific legal regulations which primarily govern the service activity focusing on the training of road transportation professionals and the relevant procedures:

1. Act I of 1988 on the Road Transportation,
2. Government Decree 179/2011 (2 September) on the General Rules of Training and Examination of Motor Vehicle Drivers and Road Transportation Professionals,
3. Decree 24/2005 (21 April) of the Minister of Economy and Transport on the Detailed Rules of Training and Examination of Motor Vehicle Drivers and Road Transportation Professionals,
4. Decree 84/2009 (30 December) of the Minister of Transport, Telecommunication and Energy on Fees relating to the Training, Further Training, Follow-up Training and Examination of Motor Vehicle Drivers and Road Transportation Professionals,
5. Decree 42/2011 (11 August) of the Minister of National Development on the Administrative Duties relating to Fines imposed for the Violation of Certain Traffic Rules, on the Detailed Rules of Imposing Fines, and on the Order of Using Revenue from Fines,
6. Government Decree 263/2006 (20 December) on the National Transport Authority,
7. Act CXL of 2004 on the General Rules of Administrative Proceedings and Services,
8. Act LXXVI of 2009 on the General Rules on Taking up and Pursuit of Service Activities.

Commercial condominium management

APPLICATION FOR CERTIFICATE OF GOOD CONDUCT

The certificate of good conduct can be applied before creation and maintenance of a legal relationship (e.g. employment relationship) or in order to verify that the applicant complies with requirements defined by an act.

Please ask your employer whether you need a certificate of good conduct or not, and in case the answer is yes, what kind of certificate do they need.

The certificate of good conduct can verify that the individual

- has not got any record in the register of convicted persons, and/or
- is not under the effect of deprivation of civil rights, and/or
- is not prohibited to exercise a profession or an activity, or
- complies with requirements defined by a Hungarian act.

The application can be submitted

- by mail on an official application form,
- by phone via Government Customer Line 1818,
- electronically using the Client Gate at the Hungarian eGovernment portal, where Client Gate identification is required,
- personally at the Customer Service of the Criminal Records Authority in Budapest, in case of priority service,
- personally at Hungarian Embassies or Consulates abroad.

The certificate of good conduct is free of charge 4 times a year, but there is a consular fee, if the application is submitted at a Hungarian Embassy or Consulate abroad.

The certificate of good conduct is delivered

- by mail as recorded delivery (in case the application was submitted by mail, by phone or via Client Gate)
- personally at the Personal Customer Service Centre in case of priority service,
- at the diplomatic or consular representation of Hungary.

Length of the process: 8 days (5 days in case of applying in person)

APPLICATION FOR JOINT TAX CERTIFICATE

For the notification of activity, business entities are obliged to attach a certificate of public dues justifying that they have no dues, in case they previously did not register into the database of taxpayers who fulfill all obligations concerning the payment of public dues. The negative joint tax certificate (11UK12 used in the [General Framework Program](#)) conveys that the company has neither tax nor customs dues in the registration of NAV on the date of issue of the certificate or on the day asked by the taxpayer in his/her application.

Forms and supporting documentation

1. Application for joint tax certificate
2. Certificate for payment of procedure fees

Application for joint tax certificate can be submitted in electronic way. [More information](#)

In case of electronic submission, the application can be attached with no more than 5-5 scanned document of tif and/or pdf format. Fees of procedure can also be paid in electronic way.

Client gate identification is a required.

RECOGNITION PROCEDURE

In the process of applying for the authorisation, the recognition of the applicant's degree in Hungary taken at a foreign university must be proved.

Forms and supporting documentation

1. Application for recognition of document for certifying foreign qualification, which falling within the European community law
2. Copy of notarial document certifying citizenship
3. Certified translation of document verifying qualification
4. Certified copy of document verifying the duration of studies and requirements of the university (for example: registration book)
5. Certified translation of document verifying the duration of studies and requirements of the university (for example: registration book)
6. Curriculum vitae
7. Certificate for payment of procedural duty

The procedure just in part can be made electronically. Although, electronic forms already exist, submitting authentic documents electronically is not possible.

The duty fee is 73 500 HUF

Length of process: 90 days

[More information](#) and [contact](#)

Condominium management is an independent economic activity performed for commercial purposes - in order to produce a profit, regularly, involving economic risk-taking-, as defined in the law on the general rules of the commencing and performing of service activities, during which the condominium manager prepares a proposed plan on the maintenance of the condominium building, on the basis of the characteristic features of the condominium building and an economic analysis,; pursuant to the contract of engagement concluded with the co-owners, he/she organizes the tasks related to operation and maintenance, directs and supervises the planned renovations, develops proposals under the contract of engagement concerning matters of management of the condominium building, and the utilization of the commonly owned building parts. In the Standard Classification of Economic Activities (TEÁOR'08) condominium management is within sector 68 Real estate matters, and within the sub-sector 68.3 Real estate agent, management service, it belongs to the specific sub-category of **68.32**

Facility management.

The commencement and continued performance of commercial condominium management service is subject to the following conditions in the case of **natural persons**: the service provider must have a professional qualification in condominium management, built on condominium manager's qualification; he or she must have a clean criminal record and must not be banned from providing such service, in a manner that precludes the performance of the activity; he or she must be a taxpayer with no outstanding public debt.

Such **economic associations** with no outstanding public debts may perform commercial condominium management activity that have at least one personally involved member or employee - in the case of sole traders, if the sole trader does not perform the activity himself/herself, at least one employee - who complies with the conditions listed.

PROCEDURES RELATED TO THE COMMENCING AND PERFORMING OF THE SERVICE ACTIVITY

The authority tasks applying to commercial condominium management are performed, as the authority in charge of the supervision of real estate enterprises, by the clerk of the locality functioning as the centre of the district (or a district in Budapest) (hereinafter: clerk), through the documentary office operated as part of the mayor's office. That documentary office is the competent authority in the procedure, in the territory of which the place of residence, for lack of a place of residence the temporary place of residence, in the case of economic associations, the registered office or branch office of the enterprise is located.

Parties who intend to perform condominium management activity are required to notify the authority in charge of real estate enterprise supervision on their relevant intention.

The notification on the commencement and performance of commercial condominium management activity may be submitted in writing or personally, verbally, to the clerk (the documentary office). For technical reasons, cases cannot be initiated electronically at this moment.

The service provider must certify that he/she meets the conditions included in the notification by the following documents:

1. an authentic copy of the certificate proving special qualification,
2. a public instrument issued not earlier than thirty days, which proves that the service provider is a taxpayer with no outstanding public debt, unless the service provider is contained in the database of taxpayers with no outstanding public debt;
3. evidence of payment of the procedural duty
4. in the case of a sole trader employer - if he or she is licensed to provide service through a personally involved member or employee -, an authentic copy of the record in the official registry of sole traders.
5. if the employer is a different economic association - if it is licensed to provide service through a personally involved member or employee - a certificate of incorporation not older than three months.

The economic association must certify meeting the conditions included in the notification by the following documents:

1. a public instrument issued not earlier than thirty days, which proves that the notifier is a taxpayer with no outstanding public debt, unless the notifier is contained in the database of taxpayers with no outstanding public debt,
2. in the case of economic associations, the certificate of incorporation issued not earlier than three months, in the case of sole traders an authentic copy of the certificate of registration in the official database of sole traders,
3. evidence of payment of the procedural duty.

The notification remains valid for an indefinite term, about which the clerk will advise the notifying person in a certificate issued on the day of notification.

After the receipt of the notification the clerk immediately verifies whether the notification complies with the requirements and will send a certificate within eight days starting from the day of the receipt of the notification, at the latest.

The notifying person must pay a general item procedural duty for the procedure, in the amount of HUF 3,000. The duty must be paid upon the submission of the notification, by affixing duty stamps on the document containing the notification.

In the procedure related to the notification, the clerk in charge of supervision of the service will register the condominium manager ex officio, within fifteen days starting on the day following the day of receipt of the notification. The clerk will publish the public contents of the registry maintained by him/her on the Internet.

The service provider engaged in commercial condominium management activity is required to notify the clerk immediately about any changes made to the data contained in the notification after the date of submission. If the obligation of notification concerning any changes in the data of the registry maintained by the clerk is fulfilled, no stamp duty or fee has to be paid.

The service provider engaged in commercial condominium management is required to notify the clerk on the termination of service provision within eight days following the termination of the service. After the receipt of this notification the clerk will immediately delete the service provider from the registry.

IN THE CASE OF CROSS-BORDER SERVICE PROVISION

The professional qualification necessary for the commencement and performance of **commercial condominium management** activity is classified as a regulated trade, accordingly, in the case of **cross-border service provision** the qualification necessary for the performance of the activity and obtained abroad, related to the authorization for service provision, can be acknowledged according to the rules applying to the recognition of professional qualifications. In this regard, it must be highlighted that condominium management activity is one of those trades that are subject to the **so-called preliminary notification obligation**. The service provider also has to submit the preliminary notification to the clerk.

In the territory of Hungary, in the case of an activity intended to be performed in the form of **cross-border service**, the **preliminary notification related to the performance of the regulated trade must include the following**:

1. name of the service provider,
2. the home address of the service provider, or the registered office in the case of an organization,
3. description of the service to be performed,
4. the citizenship of the service provider, in the case of a legal entity or association lacking the legal status of a legal person domiciled in another EEA country and registered in that country, identification of the registry of the EEA member state where it is domiciled and the registration number of the service provider,
5. name of the EEA member state of establishment of the service provider,
6. the statement the service provider to the effect that he or she intends to perform the activity as a cross-border service,
7. name of the authority in charge of licensing or the maintenance of records and the license number or registration number of the service provider, if the service activity of the service provider requires a license or registration in the EEA member state having jurisdiction for the domicile of the service provider.
8. the term of service provision planned for the given calendar year,
9. the professional address intended to be used when providing service in Hungary.

Please [click here](#) to read the general conditions of cross-border service provision in Hungary.

An attachments, the following must be enclosed with the preliminary notification of the service provider

1. a copy of the public instrument verifying citizenship,
2. an authentic copy and translation of a document that proves that the service provider is authorized to practice the given trade, as an authorized party domiciled in a member state,
3. authentic copies and authentic translated copies of the deeds certifying the successful completion of the training of the service provider in the member state where the training was provided,

4. in the event the in the state where the service provider is domiciled the given trade is not a regulated trade, the authentic copy and authentic translation of the deed certifying that the service provider had practised the given profession in the state where it is domiciled for at least two years during a period of ten years prior to the submission of the notification.

The proceeding authority will publish on its web site the list of the languages for which not authentic translations are also accepted concerning the above-mentioned documents. Please, look them up on the web site of the relevant local government!

If, as part of cross-border service provision the service provider does not perform the given activity himself/herself in practice, then the professional title intended to be used when providing service in Hungary, furthermore, the data specified in the documents to be enclosed as attachments with the **preliminary notification**, must be notified concerning the person actually providing the service.

The preliminary notification of the service provider is valid for one year. If, after the expiration of the notification made for the first time, the service provider once again intends to provide cross-border service in Hungary and no material change has been made to the circumstances evidenced by the deeds enclosed with the former notification, then the notification of the service provider only has to include the following details:

1. name of the service provider,
2. the home address of the service provider, the registered office in the case of an organization,
3. description of the activity intended to be performed,
4. the citizenship of the service provider, in the case of a legal entity or association lacking the legal status of a legal person domiciled in another EEA country and registered in that country, identification of the registry of the EEA member state where it is domiciled and the registration number of the service provider,
5. name of the EEA member state of establishment of the service provider,
6. the statement the service provider to the effect that he or she intends to perform the activity as a cross-border service,
7. name of the authority in charge of licensing or the maintenance of records and the license number or registration number of the service provider, if the service activity of the service provider requires a license or registration in the EEA member state having jurisdiction for the domicile of the service provider.

LEGAL REGULATIONS RELEVANT TO THE SERVICE ACTIVITY AND PROCEDURES

Legal regulations of the sector, primarily relevant to condominium manager activity and procedures:

1. Act CXXXIII of 2003 on condominium buildings,
2. ÖM Decree 31/2009. (XI. 18.) on the conditions of the performance of commercial condominium management and commercial facility management activity and the detailed rules of the procedure,
3. Government Decree 217/2009. (X. 2.) on the designation of authorities in charge of supervision of real estate enterprises,
4. ÖTM Decree 25/2008. (IV. 29.) on the issue of the professional and examination requirements of the special qualifications subject to the powers of the Ministry of Local Government and Rural Development,
5. Act CXL of 2004 on the general rules of the procedures and services of administrative authorities,
6. Act LXXVI of 2009 on the general rules of commencing and performing of service activities,
7. Act C of 2001 on the Recognition of foreign certificates and degrees,
8. Government Decree no. 33/2008 (II.21.) on the designation of the authorities acting in matters under Act C of 2001 on the Recognition of Foreign Certificates and Degrees and the listing of services requiring declarations.

Commercial facility management activity

APPLICATION FOR CERTIFICATE OF GOOD CONDUCT

The certificate of good conduct can be applied before creation and maintenance of a legal relationship (e.g. employment relationship) or in order to verify that the applicant complies with requirements defined by an act.

Please ask your employer whether you need a certificate of good conduct or not, and in case the answer is yes, what kind of certificate do they need.

The certificate of good conduct can verify that the individual

- has not got any record in the register of convicted persons, and/or
- is not under the effect of deprivation of civil rights, and/or
- is not prohibited to exercise a profession or an activity, or
- complies with requirements defined by a Hungarian act.

The application can be submitted

- by mail on an official application form,
- by phone via Government Customer Line 1818,
- electronically using the Client Gate at the Hungarian eGovernment portal, where Client Gate identification is required,
- personally at the Customer Service of the Criminal Records Authority in Budapest, in case of priority service,
- personally at Hungarian Embassies or Consulates abroad.

The certificate of good conduct is free of charge 4 times a year, but there is a consular fee, if the application is submitted at a Hungarian Embassy or Consulate abroad.

The certificate of good conduct is delivered

- by mail as recorded delivery (in case the application was submitted by mail, by phone or via Client Gate)
- personally at the Personal Customer Service Centre in case of priority service,
- at the diplomatic or consular representation of Hungary.

Length of the process: 8 days (5 days in case of applying in person)

APPLICATION FOR JOINT TAX CERTIFICATE

For the notification of activity, business entities are obliged to attach a certificate of public dues justifying that they have no dues, in case they previously did not register into the database of taxpayers who fulfill all obligations concerning the payment of public dues. The negative joint tax certificate ([11UK12](#) used in the [General Framework Program](#)) conveys that the company has neither tax nor customs dues in the registration of NAV on the date of issue of the certificate or on the day asked by the taxpayer in his/her application.

Forms and supporting documentation

1. Application for joint tax certificate
2. Certificate for payment of procedure fees

Application for joint tax certificate can be submitted in electronic way. [More information](#)

In case of electronic submission, the application can be attached with no more than 5-5 scanned document of tif and/or pdf format. Fees of procedure can also be paid in electronic way.

Client gate identification is a required.

RECOGNITION PROCEDURE

In the process of applying for the authorisation, the recognition of the applicant's degree in Hungary taken at a foreign university must be proved.

Forms and supporting documentation

1. Application for recognition of document for certifying foreign qualification, which falling within the European community law
2. Copy of notarial document certifying citizenship
3. Certified translation of document verifying qualification
4. Certified copy of document verifying the duration of studies and requirements of the university (for example: registration book)
5. Certified translation of document verifying the duration of studies and requirements of the university (for example: registration book)
6. Curriculum vitae
7. Certificate for payment of procedural duty

The procedure just in part can be made electronically. Although, electronic forms already exist, submitting authentic documents electronically is not possible.

The duty fee is 73 500 HUF

Length of process: 90 days

[More information](#) and [contact](#)

Facility management is an independent economic activity performed for commercial purposes - in order to produce a profit, regularly, involving economic risk-taking-, as defined in the law on the general rules of the commencing and performing of service activities, during which the facility manager prepares a proposed plan on the maintenance of the property, on the basis of the characteristic features of the property and an economic analysis, pursuant to the contract concluded with the customer, it performs the tasks of operation and maintenance, directs and supervises the planned renovations, develops proposals under the contract of engagement concerning matters of management of the property, property utilization and investment.

In the Standard Classification of Economic Activities (TEÁOR'08) facility management is within sector 68 Real estate matters, and within the sub-sector 68.3 Real estate agent, management service, it belongs to the specific sub-category of **68.32 Facility management**.

Those parties may perform commercial facility management activities that comply with the following conditions of substantive law, presented below in detail.

The commencement and continued performance of commercial facility management service is subject to the following conditions in the case of **natural persons**: the service provider must have a professional qualification in facility management, built on condominium manager's qualification; he or she must have a clean criminal record and must not be banned, from providing such service in a manner that precludes the performance of the activity; he or she must be a taxpayer with no outstanding public debt.

Such **economic associations** with no outstanding public debts may perform commercial facility management activity that have at least one personally involved member or employee - in the case of sole traders, if the sole trader does not perform the activity himself/herself, at least one employee - who complies with the conditions listed for natural persons.

PROCEDURES RELATED TO THE COMMENCING AND PERFORMING OF THE SERVICE ACTIVITY

The authority tasks applying to commercial facility management activity are performed, as the authority in charge of the supervision of real estate enterprises, by the clerk of the locality functioning as the centre of the district (or a district in Budapest) (hereinafter: clerk), through the documentary office operated as part of the mayor's office. In a real estate enterprise supervisory authority procedure that documentary office is the competent authority, in the territory of which the place of residence, for lack of a place of residence the temporary place of residence, in the case of economic associations, the registered office or branch office of the enterprise is located.

Parties who intend to perform condominium management activity are required to notify the authority in charge of real estate enterprise supervision on their relevant intention.

The notification on the commencement and performance of commercial facility management activity may be submitted in writing or personally, verbally, to the clerk (the documentary office). For technical reasons, cases cannot be initiated electronically at this moment. The service provider must **certify that he/she meets the conditions included in the notification by the following documents**:

1. an authentic copy of the certificate proving special qualification,
2. a public instrument issued not earlier than thirty days, which proves that the service provider is a taxpayer with no outstanding public debt, unless the service provider is contained in the database of taxpayers with no outstanding public debt;
3. evidence of payment of the procedural duty
4. in the case of a sole trader employer - if he or she is licensed to provide service through a personally involved member or employee -, an authentic copy of the record in the official registry of sole traders.
5. if the employer is a different economic association - if it is licensed to provide service through a personally involved member or employee - a certificate of incorporation not older than three months.

The economic association must certify meeting the conditions included in the notification by the following documents:

1. a public instrument issued not earlier than thirty days, which proves that the notifier is a taxpayer with no outstanding public debt, unless the notifier is contained in the database of taxpayers with no outstanding public debt;
2. in the case of economic associations, the certificate of incorporation issued not earlier than three months, in the case of sole traders an authentic copy of the certificate of registration in the official database of sole traders,
3. evidence of payment of the procedural duty.

The service provider must enclose with its notification - affixed to the document containing the notification - the stamp duty proving payment of the duty payable for the procedure, as proof that the procedural duty has been paid.

The notification remains valid for an indefinite term, about which the clerk will advise the notifying person in a certificate issued on the day of notification.

In the case of compliance with the requirements, the clerk will send a certificate within eight days starting from the day of the receipt of the notification, at the latest.

The notifying person must pay a general item procedural duty for the procedure, in the amount of HUF 3,000. The duty must be paid upon the submission of the notification, by affixing duty stamps on the document containing the notification.

In the procedure related to the notification, the clerk in charge of supervision of the service will register the facility manager ex officio, within fifteen days starting on the day following the day of receipt of the notification.

The service provider engaged in commercial facility management activity is required to notify the clerk immediately about any changes made to the data contained in the notification after the date of submission. The clerk will record the change in data in the registry based on the notification. If the obligation of notification concerning any changes in the data of the registry maintained by the clerk is fulfilled, no stamp duty or fee has to be paid.

The service provider engaged in commercial facility management is required to notify the clerk on the termination of service provision within eight days following the termination of the service. After the receipt of this notification the clerk will immediately delete the service provider from the registry.

SERVICE PROVISION ACTIVITIES IN THE FRAMEWORK OF CROSS BORDER SERVICE PROVISION

The professional qualification necessary for the commencement and performance of commercial facility management activity is classified as a regulated trade, accordingly, in the case of cross-border service provision the qualification necessary for the performance of the activity and obtained abroad, related to the authorization for service provision, can be acknowledged according to the rules applying to the recognition of professional qualifications, see: In this regard, it must be highlighted that facility management activity is one of those trades that are subject to the so-called preliminary notification obligation. The service provider also has to submit the preliminary notification to the clerk.

In the territory of Hungary, in the case of an activity intended to be performed in the form of **cross-border service, the preliminary notification related to the performance of the regulated trade must include the following:**

1. name of the service provider,
2. the home address of the service provider, the registered office in the case of an organization,
3. description of the service to be performed,
4. the citizenship of the service provider, in the case of a legal entity or association lacking the legal status of a legal person domiciled in another EEA country and registered in that country, identification of the registry of the EEA state where it is domiciled and the registration number of the service provider,
5. name of the EEA member state of establishment of the service provider,
6. the statement the service provider to the effect that he or she intends to perform the activity as a cross-border service,
7. name of the authority in charge of licensing or the maintenance of records and the license number or registration number of the service provider, if the service activity of the service provider requires a license or registration in the EEA member state having jurisdiction for the domicile of the service provider.
8. the term of service provision planned for the given calendar year,
9. the professional address intended to be used when providing service in Hungary.

As attachments, the following must be enclosed with the preliminary notification of the service provider

1. a copy of the public instrument verifying citizenship,
2. an authentic copy and translation of a document that proves that the service provider is authorized to practice the given trade, as an authorized party domiciled in a member state,
3. authentic copies and authentic translated copies of the deeds certifying the successful completion of the training of the service provider in the member state where the training was provided,
4. in the event the in the state where the service provider is domiciled the given trade is not a regulated trade, the authentic copy and authentic translation of the deed certifying that the service provider had practised the given profession in the state where it is domiciled for at least two years during a period of ten years prior to the submission of the notification.

If, as part of cross-border service provision the service provider does not perform the given activity himself/herself in practice, then the professional title intended to be used when providing service in Hungary, furthermore, the data specified in the documents to be enclosed as attachments with the preliminary notification, must be notified concerning the person actually providing the service.

The preliminary notification of the service provider is valid for one year. If, after the expiration of the notification made for the first time, the service provider once again intends to provide cross-border service in Hungary and no material change has been made to the circumstances evidenced by the deeds enclosed with the former notification, then the notification of the service provider only has to include the following details:

1. name of the service provider,
 2. the home address of the service provider, the registered office in the case of an organization,
 3. description of the activity intended to be performed,
 4. the citizenship of the service provider, in the case of a legal entity or association lacking the legal status of a legal person domiciled in another EEA country and registered in that country, identification of the registry of the EEA member state where it is domiciled and the registration number of the service provider,
 5. name of the EEA member state of establishment of the service provider,
 6. the statement the service provider to the effect that he or she intends to perform the activity as a cross-border service,
 7. name of the authority in charge of licensing or the maintenance of records and the license number or registration number of the service provider, if the service activity of the service provider requires a license or registration in the EEA member state having jurisdiction for the domicile of the service provider.
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CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legal regulations relevant to the service activity and procedures

Legal regulations of the sector, primarily relevant to facility management activity and procedures:

1. [Act CXXXIII of 2003 on condominium buildings](#),
2. [ÖM Decree 30/2009. \(XI. 3.\) on the conditions of the performance of commercial condominium management and commercial facility management activity and the detailed rules of the procedure](#),
3. [Government Decree 217/2009. \(X. 2.\) on the designation of authorities in charge of supervision of real estate enterprises](#),
4. [ÖTM Decree 25/2008. \(IV. 29.\) on the issue of the professional and examination requirements of the special qualifications subject to the powers of the Ministry of Local Government and Rural Development](#),
5. [Act CXL. of 2004 on the general rules of the procedures and services of administrative authorities](#),
6. [Act LXXVI of 2009 on the general rules of commencing and performing of service activities](#),
7. [Act C of 2001 on the Recognition of foreign certificates and degrees](#),
8. [Government Decree no. 33/2008 \(II.21.\) on the designation of the authorities acting in matters under Act C of 2001 on the Recognition of Foreign Certificates and Degrees and the listing of services requiring declarations](#).

Distribution of refillable LPG gas cylinders

RECOGNITION PROCEDURE

In the process of applying for the authorisation, the recognition of the applicant's degree in Hungary taken at a foreign university must be proved .

Forms and supporting documentation

1. Application for recognition of document for certifying foreign qualification, which falling within the European community law
2. Copy of notarial document certifying citizenship
3. Certified translation of document verifying qualification
4. Certified copy of document verifying the duration of studies and requirements of the university (for example: registration book)
5. Certified translation of document verifying the duration of studies and requirements of the university (for example: registration book)
6. Curriculum vitae
7. Certificate for payment of procedural duty

The procedure just in part can be made electronically. Although, electronic forms already exist, submitting authentic documents electronically is not possible.

The duty fee is 73 500 HUF

Length of process: 90 days

[More information](#) and [contact](#)

The distribution of liquefied propane and butane gases and their compounds (hereinafter: LPG gas) in tank or cylinder (hereinafter: distribution of refillable LPG gas cylinders) includes the domestic commercial distribution of LPG gas in tanks or cylinders, its sale to resellers or consumers, transfer on commission to gas retailer in tank or cylinder - for the purposes of sale -, its procurement, storage and filling for the purposes above.

Specific regulations are applied by the Hungarian law for the service of refilling of LPG gas into bottles for tourists. Gas bottles for tourists are the bottles filled with LPG with a charge mass of max. 5 kg, intended for the fuel supply of gas operated appliances used for the purposes of tourism (cooking, heating and lighting).

The distribution of the refillable gas cylinders in the Standard Classification of Economic Activities (TEÁOR'08) belongs

- as retail activity, to the sector 47 Retail trade (with the exception of: motor vehicles, motorcycles), within that to the sub-sector 47.7 Retail trade of goods not classified elsewhere and sub-category 47.78 Retail trade of other new goods not classified elsewhere,
- as wholesale activity, to the sector 46 Wholesale trade (with the exception of: motor vehicles, motorcycles), within that to the sub-sector 46.7 Other specialised wholesale trade and sub-category 46.71 Wholesale trade of fuels.

Business companies are authorized to distribute LPG gas, which satisfy the conditions as follows:

1. its LPG gas distribution activity was entered in the company register,
2. its member, employee or subcontractor has the professional qualification or staff competence certification engaged in LPG gas distribution,
3. it has a gas procurement source necessary for the projected LPG gas distribution and a storage capacity of minimum 3000 cu.m at each cylinder filling depot or access to the use of such a storage facility in the country, under a rental contract effective for a definite period of time,
4. it has such business regulations for the sale of LPG gas, which take into account the interests of the consumers, ensure the safety of life and property in the course of using the gas, moreover, determines the rights, obligations and responsibility of the gas distributor, the retailer and the consumer,
5. it also has a third-party liability insurance for damage and loss in property, the environment, and third persons and the amount of the insurance coverage is min. 300 million HUF,
6. it performs its LPG gas distribution activities in a system of quality assurance, certified by an accredited quality assurance agency within a year from the date of starting the operations,
7. it has the depot necessary for performing the activity or a rental contract effective for a definite period of time to ensure the use of such a depot, the personnel and equipment to control an eventual case of emergency which might arise in the course of using the bulk gas or a contract to provide such a service.

In case of distribution of gas in cylinders, in addition to the requirements specified in section (1), the gas distributor shall have the following:

1. an LPG gas filling depot set up in the country and having a license issued by the mining authority, or a contract with a definite term for filling LPG gas either in Hungary or abroad,
2. a facility in the country for the periodical safety inspection of the cylinders, to an amount exceeding 6% of the number of cylinders distributed annually or a contract effective for a definite period of time concluded with a facility in the country or for using such facilities and performing such activities of comparable volume,
3. an inventory of wholly owned cylinders amounting to min. 5% of its annual LPG gas distribution turnover.

In case of the distribution of LPG gas in bulk tanks, in addition to meeting the general requirements, the gas distributor shall have two tanker trucks of min. 5 tons of payload capacity each, suitable for the transport of LPG gas or a contract valid for a definite period of time to secure an equivalent transport capacity.

The transfer of LPG gas into bottles to be used by tourists can be carried out by such gas retailers, who

1. with respect to himself or an employee actually performing the activity
 - is of 18 years of age or more,
 - has a license for the operation of a propane-butane cylinder exchange depot, a license for the operation of propane-butane gas racking and filling equipment, a special license for fire safety and
 - is aware of the provisions included in the technological instructions for the use of the refilling equipment,
2. has

- at least a year-long contract with a gas distributor having a license for the distribution of LPG gas in compliance with the provisions of the relevant decree to serve the exchange depot necessary of the sale of LPG gas by it,
- a calibrated balance for inspection purposes,
- a wholly owned refilling equipment suitable for filling LPG gas into the bottles to be used by tourists or rented under a rental contract valid for a minimum period of one year,
- a sufficiently detailed technological instruction drawn up for the use of the refilling equipment,
- a risk assessment specific to the workplace, made by a labour safety expert for the review of the equipment and the technology.

The responsibility for the compliance of the LPG sold in retail in cylinder or tank and of the tank and cylinder containing the gas at the time of filling, shall be incurred by the gas distributor which fills the gas into the containers. The periodical inspection of the tanks and cylinders shall be ensured by the gas distributor filling gas into them - as the owner's lawful representative -, and by the owner of the bottle, in case of tourist gas bottles.

In case of a foreign trade contract for filling, pressure testing or cylinder repair to be carried out abroad, the gas distributor shall stipulate in the contract, for the safety of consumers, that an end product is released also in compliance with the national safety engineering conditions, subject to an inspection by the mining authority to be carried out either independently or with the mediation of a foreign authority - under an international contract. With respect to these cylinders, the lawful representative of the cylinder owner shall be the gas distributor which had entered into a contract with the foreign partner. LPG gas filled into cylinders abroad can be distributed in Hungary only and exclusively by such gas distributors fully meeting all the relevant conditions of the legally effective regulations of this country, in gas cylinders in compliance with the Hungarian legal regulations.

The contracts shall be concluded for a year at least, in order to ensure the continuous availability of the facilities, assets, machinery and equipment and to meet the other conditions. The gas distributor shall continuously secure the specified conditions by entering into new contracts for min. one year before the termination of the previous contract.

In accordance with their activities, the gas distributors and gas retailers shall make arrangements so that the consumers receive the appropriate information related to the procurement and use of the LPG gas.

It is important to highlight that the LPG gas exchange depot belongs to the fire hazard category of "Enhanced risk of fire and explosion", regarding which the fire safety regulations specify particular requirements.

Procedures related to the start and continuation of the service activities

With respect to refilling LPG into bottles for tourists the acting authority with jurisdiction for the entire country shall be the Technical Supervisory Authority of the [Hungarian Trade Licensing Office](#).

With respect to the distribution of other refillable gas cylinders the acting authority keeping the register of licensed and registered service providers shall be the [Hungarian Office of Mining and Geology](#), as well as the regional mining authority.

The distribution of liquefied propane and butane gases and compounds thereof is an activity subject to licensing by the technical safety authority.

The gas distributor shall apply for a license at the mining authority with jurisdiction regarding his seat, for starting his gas distribution activity at least 90 days before the intended start of the activities. The application can be made verbally in person, or in writing, or by mail. At this point - for technical reasons - it is impossible to file an application by electronic means.

The application shall be judged by the mining authority within the general deadline of administration of 30 days. This deadline can be extended by the leader of the mining authority on one occasion, by 30 days.

If both the application and the applicant meet the legal requirements, the licence shall be issued by the mining authority.

A general procedure fee of 3 000 HUF shall be paid for the procedure. The fee shall be paid by means of stamp duty put on the application form when submitting the application.

The mining authority submits its resolution for licensing the gas distribution activity, for registering its becoming legally binding, to the Hungarian Office of Mining and Geology (hereinafter: Office). The Office enters the applicant in the register and publishes the name, registered seat and the licensed starting date of activities of the gas distribution company as a notice in the Official Gazette published as an annex to the Magyar Közlöny.

The Office grants free and unrestricted access for any person to the register data on its website.

For the register click here: [licensed gas distributors](#)

For the register of cross-border service providers, please, click here: [cross-border gas distribution service providers](#)

In any other case the gas distributor shall notify the mining authority and the professional interest body 30 days before he intends to discontinue his LPG gas distribution activity. The Office shall remove from the register the service provider that announced the discontinuation of his activities. No levy or fee shall be payable for announcing the discontinuation of the gas distribution activity.

LICENSING THE REFILLING OF LPG GAS ONTO BOTTLES USED BY TOURISTS

The gas retailer shall apply for a license for starting his gas distribution activity at the Technical Supervisory Authority of the Hungarian Trade Licensing Office, before the intended start of his activities. The application can be made verbally in person, or in writing, or by mail. At this point - for technical reasons - it is impossible to file an application by electronic means.

The following documents shall be attached to the application

1. documents in original or copy of the certificate of examination of the operator of an LPG gas exchange depot, the examination of the operator of propane-butane gas extraction and refilling equipment and special examination of fire safety,
2. copy of contract concluded with a gas distributor having a license for LPG gas distribution for sale through LPG gas retailers,
3. documents in original or copy of the certificate of technical-safety inspection of equipment for refilling LPG gas into bottles for tourists.

The application shall be judged by the Technical Supervisory Authority of the Hungarian Trade Licensing Office within the general deadline of administration of 30 days. This deadline can be extended by 30 days on one occasion by the head of the authority.

If both the application and the applicant meet the legal requirements, the licence shall be issued by the Technical Supervisory Authority of the Hungarian Trade Licensing Office.

A general procedure fee of 3 000 HUF shall be paid for the procedure. The fee shall be paid by means of stamp duty put on the application form when submitting the application.

Announcing the distribution of refillable gas cylinders in the frame of cross-border service provision

The service provider having free right to provide services under the act on the general rules of starting and continuing service activities shall announce his intention to distribute liquefied propane and butane gases and their compounds in tanks and cylinders and refilling LPG gas into bottles for use by tourists, in the framework of cross-border service provision, to the technical safety authority, i.e.

1. in case of refilling LPG gas into bottles for use by tourists to the Technical Supervisory Authority of the Hungarian Trade Licensing Office,
2. in case of other gas distribution activities to the mining authority with regional jurisdiction.

The announcement shall be valid for five years in case of cross-border service providers.

The start of refillable gas cylinder distribution activities in the framework of providing cross-border services can be reported, verbally in person, in writing or by mail, to the technical safety authority, i.e.:

1. the Technical Supervisory Authority of the Hungarian Trade Licensing Office, in case of refilling LPG gas into bottles to be used by tourists,
2. the mining authority with regional jurisdiction in case of other gas distribution activities.

The announcement for starting the distribution of refillable gas cylinders shall include the data as follows

1. name and registered seat of the service provider engaged in the activities of the distribution of refillable gas cylinders,
2. the designation of the type of service activities intended to be pursued by the service provider,
3. citizenship of the service provider, in case of a legal entity registered in another EEA State, or an organisation having no legal personality, the denomination of register of the EEA State according to the registration, and the registration number of the service provider,
4. designation of the EEA State in accordance with place of settlement of the service provider
5. the statement of the service provider that he intends to carry on the distribution of refillable gas cylinders in the framework of cross-border services, and
6. denomination of the authority issuing the licence or maintaining the register and the number or registration number of the service provider's licence, if the service activities of the service provider is subject to a licence or registration in the EEA State in accordance with the place of settlement of the service provider.

For the announcement of the distribution of refillable gas cylinders, the stamp duty certifying the payment of levy payable for the procedure shall be attached.

The technical safety authority shall immediately after the receipt of the announcement check whether the announcement meets the material legal requirements, and if the announcement meets the requirements and the fee for the procedure was paid, then in eight days from the receipt of the announcement at the latest, shall inform the person making the announcement about his circumstance by sending a certificate.

The operator shall pay the general procedure fee of 3 000 HUF for the procedure. The fee shall be paid by means of a duty stamp affixed on the document of the announcement.

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legal regulations applicable to the services activity and the procedures

1. [Act XL of 2008 on natural gas supply](#),
2. [Decree No. 94/2003. \(XII. 18.\) GKM on the rules and authority supervision of distribution of liquefied propane-butane gases and their compounds in tanks or cylinders](#),
3. [Decree No. 28/2011. \(IX. 6.\) BM on the National Fire Safety Code](#),

4. Govt. Decree No. 267/2006. (XII. 20.) on the Hungarian Office for Mining and Geology,
5. Government Decree No. 320/2010. (XII. 27.) on the Hungarian Trade Licensing Office and the regional metrology and technical supervisory authorities,
6. Act LXXVI of 2009 on the general rules of starting and continuing the service activity,
7. Act CXL of 2004 on the general rules of public administration authority procedure and services,
8. Act No. XCIII of 1990 on the levies and duties,
9. Decree No. 21/2010. (V. 14.) NFGM on qualifications required for pursuing certain specific activities of industry and trade.

uneral services

APPLICATION FOR CERTIFICATE OF GOOD CONDUCT

The certificate of good conduct can be applied before creation and maintenance of a legal relationship (e.g. employment relationship) or in order to verify that the applicant complies with requirements defined by an act.

Please ask your employer whether you need a certificate of good conduct or not, and in case the answer is yes, what kind of certificate do they need.

The certificate of good conduct can verify that the individual

- has not got any record in the register of convicted persons, and/or
- is not under the effect of deprivation of civil rights, and/or
- is not prohibited to exercise a profession or an activity, or
- complies with requirements defined by a Hungarian act.

The application can be submitted

- by mail on an official application form,
- by phone via Government Customer Line 1818,
- electronically using the Client Gate at the Hungarian eGovernment portal, where Client Gate identification is required,
- personally at the Customer Service of the Criminal Records Authority in Budapest, in case of priority service,
- personally at Hungarian Embassies or Consulates abroad.

The certificate of good conduct is free of charge 4 times a year, but there is a consular fee, if the application is submitted at a Hungarian Embassy or Consulate abroad.

The certificate of good conduct is delivered

- by mail as recorded delivery (in case the application was submitted by mail, by phone or via Client Gate)
- personally at the Personal Customer Service Centre in case of priority service,
- at the diplomatic or consular representation of Hungary.

Length of the process: 8 days (5 days in case of applying in person)

NOTIFICATION OF CONVERSION OF PREMISES

The place of service provision can be established in a house that was previously used for residential purposes. The conversion of premises must be notified together with the start-up of the activity.

Forms and supporting documentation

1. Application form

2.

- 2.1.) Document certifying the entitlement of the applicant to the conversion of premises (title deed of the property, lease contract)
- 2.2.) Certificate for payment of duty (duty stamp)

In building notification procedures competent authorities are notaries undertaking building authority proceedings in district and local governments. On the PSC contacts of building authorities can be found through the function of office-search. Detailed information on the procedure (steps to be taken to submit the application, forms, deadlines, fees and contacts) is available on the website of the competent authorities as well as the application form (its content is regulated by law). Forms are generally can be filled online and it can be printed. Regarding the format it is in pdf, xls or doc.

The possibility to electronic administration is excluded by law. Furthermore, competent authorities require duty stamp, which can not be bought online. Supporting documents and declarations must be submitted in original.

RECOGNITION PROCEDURE

In the process of applying for the authorisation, the recognition of the applicant's degree in Hungary taken at a foreign university must be proved .

Forms and supporting documentation

1. Application for recognition of document for certifying foreign qualification, which falling within the European community law
2. Copy of notarial document certifying citizenship
3. Certified translation of document verifying qualification
4. Certified copy of document verifying the duration of studies and requirements of the university (for example: registration book)
5. Certified translation of document verifying the duration of studies and requirements of the university (for example: registration book)
6. Curriculum vitae
7. Certificate for payment of procedural duty

The procedure just in part can be made electronically. Although, electronic forms already exist, submitting authentic documents electronically is not possible.

The duty fee is 73 500 HUF

Length of process: 90 days

[More information](#) and [contact](#)

In the **Standard Classification of Economic Activities** (TEÁOR'08) system, funeral services **belong to sector 96: Other service activities**, to sub-sector 96.0: Other service activities and sub-category **96.03: Funeral and related activities**.

Funeral services can be provided by a person who

1. has no criminal record and is not subject to a prohibition from pursuing funeral service activities based on his or her profession,
2. is professionally capable,
3. has sufficient financial capacity,
4. has a site that meets basic funerary requirements and the provisions concerning performing this work in a manner that does not harm the dignity of the activity and does not endanger the health of people living in the vicinity of the site or the environment,
5. has no conflicts of interest and
6. in the case of an economic operator, has at least one active partner or employee, or in the case of an independent entrepreneur - if he/she does not personally perform the activity - has at least one employee who has the necessary qualifications.

In case of an independent enterprise these conditions must be met by the independent entrepreneur, the manager of the company or the partner of the independent company.

Financial capability is sufficient, if

1. it is certified that all tax, customs and contribution obligations are fulfilled (that is there is no debt owed to the state),
2. has a permanent financial guarantee - cash deposit, bank guarantee or liability insurance deposited and managed separately at a financial institution - which can only be used for direct compensation of indemnity claims caused by funeral service activities.

The amount of the **financial guarantee** is HUF 200,000 when commencing the funeral service activity. Two years after commencing the activity, or when a contract is extended, the amount of the financial guarantee will be calculated based on the net revenue according to the Act on accounting

- HUF 200,000 below a net revenue of HUF 1,000,000;
- HUF 400,000 in case of net revenue between HUF one million and five million;
- HUF 600,000 in case of net revenue between HUF five million and ten million;
- HUF 1,000,000 above a net revenue of HUF ten million.

A funeral service provider who intends to continue its activity must pay the additional financial guarantee immediately, or within 30 days at the latest. The financial guarantee can only be discontinued after the performance of all of the obligations and three months after terminating the activity.

A separate room must be ensured **on the site for** the reception of clients,

- If burial also takes place on the site (funeral office), and
- If the activity of the funeral office includes a demonstration of accessories (demonstration room).

A funeral office can only be operated at a site with an office room not used for housing purposes that is appropriate to ensure the dignity of the deceased. However, a service provider with several sites (in a settlement with less than 1,000 inhabitants) may operate a funeral office within a private home but in a separate room appropriate to ensuring the dignity of the deceased.

The deceased can only be kept on the site if the funeral service permit includes this activity. The refrigeration of the body must be ensured on site. However, the refrigeration or the preparation of the deceased cannot be performed on a site where within 200 metres of the premises there is any entrance to an inpatient health care institution, sanatorium, social care institution, residential or accommodation building, resort accommodations, educational, instruction or cultural institution or catering business or venue. The vehicle for transporting corpses can only be disinfected on site if the funeral service permit includes this activity.

Due to a conflict of interests, funeral service activities cannot be performed by

1. within a health care institution: doctors, employees with managerial positions performing health care tasks, or employees carrying out health care tasks (cannot be an independent entrepreneur or partner, manager or employee of an independent enterprise or company providing funeral services),
2. a close relative of the people described above (spouse, registered partner, direct relative, adoptive, step or foster child, adoptive, step or foster parent or sibling) in the same county.

Funeral service provision qualifications are required for this activity.

For professional and examination requirements, see:

Furthermore, the activity of transporting corpses requires an appropriate purpose-built vehicle that fulfils public health and epidemiology regulations and basic funerary conditions, as well as a coffin with a lid (transportation coffin). The deceased can only be transported in this vehicle and transportation coffin.

For cremation services it is an obligation that the service provider have a cremation facility established in line with the settlement's spatial plans and based on a construction permit. Traditional graves and crypts cannot be established in an estate used for cremation purposes, unless the facility is located in a cemetery. A body that according to the autopsy report, is ready to be cremated can be delivered to any crematorium in Hungary; however, the cremation of a body of unknown origin is not permitted.

The transportation of the body must be performed by at least two people, the laying out and relocating the body to the grave by at least four persons. The display and relocation of the urn can be performed by one person.

The funeral service provider is obliged to provide the permitted funeral services, being continuously available, and observing the funerary rights. Those involved in funeral services must behave in a dignified manner, and carry out their work in clothes appropriate to the needs of the funeral services.

Procedures in connection with commencing and providing the service

In connection with funeral services, the competent authority is (based on the appointment of the government) the clerk of the settlement where the funeral service provider is headquartered, or in the case of Budapest, the central district clerk (hereafter: central district clerk).

Funeral services can only be provided with a permit issued by the central district clerk; the funeral service provider can only perform the following activities on permitted sites outside the cemetery, crematory and the funeral memorial areas:

1. funeral office activities, the preparation of the deceased and providing accessories for the burial, and furthermore
2. the refrigeration of the deceased and the storage of the transportation vehicle.

The application for a permit for funeral service provision can be submitted either in person (in writing or verbally) or by post to the central district clerk (at the mayor's office, or the office of government issued documents) of the settlement where the headquarters of the service provider is located. Due to technical reasons, electronic administration is not possible at the present time.

The following data must be attached to the funeral service permit application:

1. a land registry sheet, no older than three months, proving the ownership of the site(s) where the service is provided
2. in the event that the real estate is owned by someone else, documents proving the entitlement for utilisation, and furthermore, the statement concerning the owner's consent to the provision of the service on the site,
3. documents proving the availability of a financial guarantee,
4. the certification of the qualifications of the people named in the application,
5. a statement of the applicant concerning the non-existence of conflict of interest,
6. the applicant's lack of a criminal record, and an official certification that the applicant is not subject to a prohibition against provide funeral services, or the request that the relevant data be forwarded to the central district clerk by the authority maintaining criminal records,
7. a copy of the transfer slip or the cash order proving the payment of the procedural service fee.

The central district clerk must assess the application within 30 days. This deadline may be extended by the central district clerk once, for an additional 30 days. If the application, and the applicant or employee with the appropriate qualifications, as well as the site indicated by the applicant meet the legal requirements, the clerk may issue the funeral service permit.

An administrative procedural service fee of HUF 15,000 must be paid to the central district clerk.

The administrative procedural service fee must be paid via bank transfer or by cash payment at a post office to the budget settlement account of the local municipality. For the account numbers see:

The authority issuing the funeral service provision permit keeps a record of licensed funeral service providers.

Service provision activities in the framework of cross border service provision

In connection with the funeral service provision activities there is no sectoral regulation based on which those who provide services legally in an EU or EEA member state would be obliged to initiate a separate notification or

permit procedure concerning cross-border service provision performed in Hungary without being established in Hungary, either on an occasional or temporary basis. This does not exempt the person providing cross border funeral services from the substantive law requirements of funeral service provision.

Cross-border service provision

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Regulations on the service activity and the procedures

1. [Act XLIII of 1999 on Cemeteries and burial services](#),
2. [Gov. decree 145/1999. \(X. 1.\) on the implementation of Act XLIII /1999 on Cemeteries and burial services](#),
3. [ÖM decree 28/2009. \(X. 29.\) on the administrative fee for issuing funeral service provision permits](#),
4. [Act LXXVI of 2009 on general rules on the commencement and pursuit of service activities](#),
5. [Act CXL of 2004 on the general rules of official administrative proceedings and services](#),
6. [ÖM decree 25/2008. \(IV. 29.\) on the content and requirement of exams providing professional qualifications in the competence of the minister for local municipalities and urban development](#).

Please find a non-exhaustive list of legal acts recommended for study prior to the activity or to initiating the relevant permitting procedure:

1. [Act CLIV of 1997 on health care](#),
2. [Act LIII of 1995 on the general rules of environmental protection](#).

Gas fitting, repair of gas appliances

RECOGNITION PROCEDURE

In the process of applying for the authorisation, the recognition of the applicant's degree in Hungary taken at a foreign university must be proved .

Forms and supporting documentation

1. Application for recognition of document for certifying foreign qualification, which falling within the European community law
2. Copy of notarial document certifying citizenship
3. Certified translation of document verifying qualification
4. Certified copy of document verifying the duration of studies and requirements of the university (for example: registration book)
5. Certified translation of document verifying the duration of studies and requirements of the university (for example: registration book)
6. Curriculum vitae
7. Certificate for payment of procedural duty

The procedure just in part can be made electronically. Although, electronic forms already exist, submitting authentic documents electronically is not possible.

The duty fee is 73 500 HUF

Length of process: 90 days

[More information](#) and [contact](#)

A gas fitter or gas appliance repair person (hereinafter jointly: gas fitter) is the person who is engaged in the installation of connection lines and consumer appliances and the installation inspection and periodical testing with respect to safety requirements according to the law on natural gas provision. The service activities include the following sub-activities: installation, placing into service and maintenance as well as troubleshooting and elimination of problems for connection lines and consumer appliances,

1. installation, placing into service and maintenance as well as troubleshooting and elimination of problems for consumer appliances,
2. technical safety inspection of connection lines and consumer appliances.

Each of the three different sub-activity groups above requires compliance with different material law requirements and consequently licences with different content.

Gas fitting belongs to the sector of special vocational qualifications 43 in the Standard Classification of Economic Activities (TEÁOR'08), within which it belongs to sub-sector 43.2. Building equipment installation and sub-category 43.22 Water, gas, heating and air conditioning installation.

The manufacturer or the gas fitter authorised by the manufacturer who has the qualifications and certifications designated below is entitled to place gas consumer appliances into service.

The gas fitter who has the qualifications and certification designated below and meets the requirements specified for the technology used shall be entitled to install the connection and consumer lines.

These activities can also be performed by those with the certification of an engineer (university degree) or an engineer (college degree) with this specialisation obtained under the Act on Higher Education. See Government Decree No. 289/2005. (XII. 22.) Korm. on bachelor's and master's degree training courses in higher education and the system of procedures for commencing specialisation courses for the designation of university and college faculties.

Qualifications and certifications required for commencing the sub-activity of installation, placing into service and maintenance as well as troubleshooting and elimination of problems for connection lines and consumer appliances

1. master's examination for gas line and appliance fitters, even without practical experience,
2. building equipment engineer, gas industry engineer, mechanical engineer for the chemical industry, special engineer for the gas industry, building equipment process engineer or gas supply specialist process engineer and specialisation in the installation of gas consumer appliances and pipe networks, and a minimum 3 years of practical experience, or
3. building equipment technician or gas industry technician and specialisation in the installation of gas consumer appliances and pipe networks, and a minimum 3 years of practical experience.

Qualifications and certifications required for commencing the sub-activity of installation, placing into service and maintenance as well as troubleshooting and elimination of problems for consumer appliances

1. master's examination for a gas and oil combustion equipment fitter or master's examination for gas pipeline and appliance fitter, even without practical experience,
2. building equipment engineer, gas industry engineer, mechanical engineer for the chemical industry, special engineer for the gas industry, building equipment process engineer or gas supply specialist process engineer, and specialisation as a gas and combustion technology mechanic, and a minimum 3 years of practical experience,
3. building equipment engineer, gas industry engineer, mechanical engineer for the chemical industry, special engineer for the gas industry, building equipment process engineer or gas supply specialist process engineer, and specialisation in the installation of gas consumer appliances and pipeline fitting, and a minimum 3 years of practical experience,
4. building equipment technician or gas industry technician, and specialisation as a gas and combustion technology mechanic, and a minimum 3 years of practical experience, or
5. building equipment technician or gas industry technician, and specialisation as a gas consumer appliance and pipeline fitter, and a minimum 3 years of practical experience.

Qualifications and certifications required for commencing the sub-activity of technical safety inspection of connection lines and consumer appliances

1. master's examination as a gas line and appliance fitter, and specialised qualification for technical safety inspection in the gas industry, even without practical experience,
2. master's examination for fitting and placing gas and oil combustion equipment into service, and specialised qualification for technical safety inspection in the gas industry, and a minimum 3 years of practical experience,
3. building equipment engineer, gas industry engineer, mechanical engineer for the chemical industry, special engineer for the gas industry, building engineering process engineer or specialised gas industry process engineer, and specialised qualification for technical safety inspection in the gas industry, and a minimum 3 years of practical experience, or
4. building equipment technician or gas industry technician, and specialised qualification for technical safety inspection in the gas industry, and a minimum 3 years of practical experience,
5. a professional having qualifications as a design and consulting expert included in the official public register of the Hungarian Chamber of Engineers (starting with the letters G or GO), even without practical experience.

If the applicant intends to commence the activities later than 5 years from the date of obtaining the qualifications above, he/she shall also attend a continuing training programme – of a minimum of 20 hours – before doing so. The compulsory modules of the continuing education:

1. changes in the legal regulations applicable to gas connections and consumer appliances,
2. modern skills of operation, maintenance and technical safety inspection.

The list of institutions engaged in adult education and offering continuing training courses in gas fitting is published for information on the website of the Ministry by the [Minister of National Development](#).

PROCEDURES CONNECTED TO THE COMMENCEMENT AND CONTINUATION OF THE SERVICE ACTIVITIES

With respect to gas fitting activities, the authority with jurisdiction shall be the metrological and technical safety authority of the metropolitan and the county government office.

For pursuing the activities of installation of connection lines and consumer appliances and the installation and periodical inspection activities concerning the safety specifications (gas fitting, repair of gas appliances) the licence issued by the metrological and technical safety authority of the metropolitan and county government offices.

The application for a gas fitter's licence shall be submitted in writing using the form issued by the metrological and technical safety authority of the metropolitan and county government offices. At this time, it is not possible to initiate the process electronically. Click [here](#) for the form. The following documents shall be attached to the application:

1. vocational qualification certification or an authentic copy of it,
2. documents certifying professional experience in the trade,
3. if the application is for extending the licence or the application is submitted later than 5 years after the date of obtaining the vocational qualification, the document certifying participation in the continuing training of gas fitters, and
4. three ID photographs.

The application shall be judged by the metrological and technical safety authority of the metropolitan and county government offices within the general administration deadline of 30 days. This deadline can be extended by the head of the authority by 30 days on one occasion.

If both the application and the gas fitter meet the legal conditions, the authority will issue the licence for the gas fitter. Simultaneously with the issuance of the licence, the authority issues ex officio a certificate.

An administrative service fee of HUF 7,500 shall be paid for the licensing procedure – also including the procedure for amending or extending the licence – to the metrological and technical safety authority of the metropolitan and county government offices. The obligation for the payment of the fee can be fulfilled in the following manner:

1. cash payment to the payment account (cash transfer order), or
2. transfer order between payment accounts (transfer order)

to the payment account No. 10032000-00282448-00000000 held by the Hungarian State Treasury.

Cash transfer by means of a domestic postal money order, without a payment invoice, shall not be accepted.

The licensed gas fitters shall be entered into the register of the genuine public authority by the metrological and technical safety authority of the metropolitan and county government office when the licence is issued.

Any change in the data included in the register of gas fitters shall be reported and verified by the gas fitter within 15 days to the metrological and technical safety authority of the metropolitan and county government office. The changes in the data shall be entered by the authority onto the register based upon the report. An administrative service fee of HUF 7,500 shall be paid for the procedure of entering the changes. The procedure already described shall apply to the payment of the fee.

If the gas fitter intends to discontinue his trade activities, he/she shall report this to the metrological and technical safety authority of the metropolitan and county government office within 15 days – in conjunction with handing in the certificate.

PURSuing THE GAS FITTING ACTIVITIES IN THE FRAMEWORK OF A CROSS-BORDER SERVICE

A person settled in another Member State (EU, EEA) lawfully engaged in a service activity practicing a profession defined therein (hereinafter: the gas fitter with free right to provide services) shall announce to the Hungarian Trade Licensing Office before starting his/her activities for the first time his/her intention to conduct gas fitting activities in the framework cross-border services.

If the gas fitting activity is not a regulated profession in the Member State of settlement, the gas fitter with the free right of providing services can only conduct the cross-border activity if he/she was lawfully engaged in gas fitting activities for a minimum 2 years during the ten years preceding the provision of service, except if in the Member State of settlement the training performed by the gas fitter for exercising the trade is regarded as training according to regulations.

The gas fitter with the free right of providing services shall use his/her professional title assigned to the specific trade in the Member State in accordance with settlement, in the official language of the Member State of settlement. If no professional title is assigned to the gas fitting trade in the Member State in accordance with the settlement of the service provider, the service provider can pursue the activities by using the title in the foreign language certified by the document certifying the successful completion of the training.

If the gas fitting service is provided by means of using the professional title of the Member State in accordance with settlement, or is verified by a document certifying the successful completion of training, the service provider shall also inform the user of the service about the data as follows:

1. if the service provider is included in a corporate register or a comparable public register, the name of the register in which he is entered, with the number of entry or the ID included in the applicable register,
2. if the activity of the service provider is subject to a licence in the Member State of settlement, the name and address of the supervisory authority with jurisdiction,
3. denomination of the trade association or an equivalent body, which registered the service provider,
4. the professional title of the service provider or, if no such title exists in the Member State of settlement, then the title of the service provider verified by the document certifying the successful completion of training and the name of the Member State in which this qualification was obtained,

5. if the service provider conducts an activity subject to value-added tax, the value-added tax ID number defined in (22) (1) of the Directive of the European Council on the harmonisation of legislation of the Member States concerning sales taxes and data of the service provider related to his/her insurance policy for professional liability, and any other individual or collective protection.

ANNOUNCEMENT AND PRELIMINARY SUPERVISION OF CROSS-BORDER SERVICES

The service provider can start the gas fitting service activities only after obtaining a licence from the authority in charge of preliminary supervision, following the checking of the professional qualifications of the service provider based on the report.

The report can be made by the gas fitter in writing or in person, orally. For technical reasons, electronic reporting is not possible ([Form](#)). The report of the gas fitter shall include the following data:

1. name of gas fitter,
2. address of gas fitter, its headquarters in case of an organisation,
3. designation of the service activity to be pursued (gas fitting),
4. citizenship of the service provider, in case of a legal entity registered in another EEA State, or an organisation having no legal personality, the designation of the register of the EEA State according to the registration, and the registration number of the service provider,
5. designation of the EEA State in accordance with the place of settlement of the service provider,
6. the statement of the service provider that he/she intends to carry on the activity in the framework of cross-border services, and
7. the designation of the authority issuing the licence or maintaining the register and the number or registration number of the service provider's licence, if the service activities of the service provider are subject to a licence or registration in the EEA State in accordance with the place of settlement of the service provider,
8. the statement of the service provider about the availability of an adequate professional security, the name of organisation providing the professional security and the data necessary for the identification of the contract stipulating the professional security, the risks covered by the professional security, the territorial scope of the security and the amount of the professional security or the upper limit of the guarantee included therein,
9. the duration of providing services planned for the subject calendar year,
10. the professional title intended for use in Hungary while providing the service,
11. information about the duration and content of training under which the certificate verifying the successful completion of training was issued,
12. if professional experience has been obtained, information about the professional experience, and
13. if professional continuing training has been completed after obtaining the document certifying the successful completion of training, then information about the professional continuing training.

The following documents shall be attached to the report by the gas fitter:

1. copy of the public document confirming citizenship,
2. copy and authentic translation of the document, which certifies that he/she is entitled to practice the specific profession as a settler in a Member State,
3. Authentic copies and authentic translations of documents of the service provider certifying the successful completion of his/her training, which prepared him/her for providing services in his/her Member State,
4. if the gas fitting profession is not a regulated trade in the Member State of settlement of the gas service provider, the authentic copy and authentic translation of the document that certifies that the service provider has practiced the specific profession for at least 2 years in the course of the ten years preceding the submission of the report in the Member State of settlement.

If the gas fitting activity is not actually conducted by the service provider himself, then the data shall be reported with respect to the person actually engaged in the service activities and the preliminary supervision shall also be conducted with respect to the professional qualification of that person.

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legal regulations applicable to the service activities and the procedures

1. Act XL of 2008 on natural gas provision,
2. Decree No. 30/2009. (XI. 26.) NFGM on licensing and registering gas fitters,
3. Government Decree No. 320/2010. (XII. 27.) on the Hungarian Trade Licensing Office and the regional metrological and technical supervisory authorities,
4. Decree No. 20/2010. (XII. 31.) NGM on the administrative service fees to be paid for the technical safety procedures of the Hungarian Trade Licensing Office and of the building authority procedures assigned to its jurisdiction,
5. Act LXXVI of 2009 on the general rules for commencing and continuing service activities,
6. Act C of 2001 on recognising foreign certificates and diplomas,
7. Act CXL of 2004 on the general rules of official public administrative procedures and services,
8. Government Decree No. 289/2005. (XII. 22.) on the bachelor's and master's degree training in higher education and the procedural order of starting specialised courses.

Home delivery of catering products

These services include the sale of catering products, including foodstuffs, confectionary and cold snacks, within the framework of parcel delivery services, where the catering products are delivered to the final consumer's home. In the **Standard Classification of Economic Activities** (TEÁOR'08), the home delivery of catering products falls into **sector 53** Postal and Courier Services; more specifically, into sub-category **53.2 Other postal and courier service activities** and sub-category **53.20 Other postal and courier service activities**.

While the legislation in force does not stipulate specific requirements for the commencement of these service activities, the requirements relating to engagement in these service activities are regulated in detail.

Foodstuffs, including catering products, may only be placed on the market if the labelling contains the information on the given foodstuffs in Hungarian, in an easy-to-understand, clear and well-visible manner, in accordance with the rules relating to the labelling of foodstuffs (see: [here](#)).

1. The manufacturer of the foodstuff,
2. while in the case of foodstuffs made outside Hungary, the first distributor in Hungary

is responsible for the safety and quality of foodstuffs until the sell-by or best-before date, unless the inadequacy of the foodstuff was caused through the non-observance of the recommended storage and warehousing conditions. The first distributor in Hungary is also responsible for any defect if it was not caused by the distributor, provided that the defect that excludes placement on the market in Hungary emerged prior to the first placement of the product on the market in Hungary. At the same time, in the case of the absence of documents verifying compliance with the food safety, food quality, animal feed safety and animal feed quality regulations, it is to be presumed that the distributor should or may have recognised the defect that excludes placement on the market.

Foodstuffs may not be distributed beyond the sell-by or best-before date.

OBLIGATIONS OF FOOD BUSINESSES

In the course of the operation of a food business engaged in home delivery services,

1. the exterior and interior environment, the location, the layout, the dimensions, the equipment, the fittings, the technologies, the production and storage capacity, the safety and quality of the foodstuffs and food ingredients used, the adequacy and safe use of the packaging materials and

- disinfectants used and the general health, qualifications and expertise of the staff employed must be suitable for guaranteeing compliance with the food safety and food quality regulations on an ongoing basis;
2. it is compulsory to operate self-inspection, quality assurance, follow-up and product recall systems or the elements of such systems which guarantee the safety, adequate quality, due identification and trackability of foodstuffs;

a food business engaged in home delivery services must have in its employ a responsible officer authorised to take immediate action who has adequate expertise in food safety throughout the entire term of its operation.

A food business must forthwith notify the food chain supervisory authority if it comes to its attention that the product distributed by it has caused illness or the suspicion thereof emerges, and is required to preserve the foodstuffs, animal feed or other substances necessary for the inspections of the authorities until the date of such inspections and to cooperate with the food chain supervisory authority in the investigation.

The Hungarian Foodstuff Code is a collection of the mandatory regulations and guidelines that govern the methods applicable in the course of the food quality, food labelling and food safety (food hygiene) inspection of certain foodstuffs and certain groups of foodstuffs and food ingredients and the general inspection of foodstuffs.

See [mandatory regulations](#) of Hungarian Foodstuff Code

See [guidelines](#) of Hungarian Foodstuff Code

The placement on the market of foodstuffs, including catering products, and consequently, home delivery services involving such products, are governed by Regulation No. 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (hereinafter referred to as the „Regulation”). The Regulation lays down that unsafe food cannot be placed on the market.

PROCEDURES RELATED TO THE COMMENCEMENT OF AND ENGAGEMENT IN SERVICE ACTIVITIES

Based on the Government's appointment, the food chain safety and veterinary hygiene directorate of the metropolitan or county government office with competence in the locality of the head office of the food business or the district veterinary hygiene office (hereinafter referred to as the „food inspection authority”) proceeds as the authority overseeing the home delivery of catering products.

For the purposes of the home delivery of catering products engaged in within the framework of cross-border services, based on the Government's appointment, the food chain safety and veterinary hygiene directorate of the metropolitan or county government office with competence in the locality of the head office of the food business (hereinafter referred to as the „food chain safety authority”) proceeds as the authority

1. taking delivery of the report filed,
2. keeping records of the registered food businesses,
3. monitoring the home delivery of catering products, and
4. supervising the activities related to the home delivery of catering products.

Not including beverages, the placement on the market of catering products, including home delivery, is subject to the licence of the food inspection authority.

The request for a licence may be submitted in person, verbally or in writing, or by mail in writing to the food inspection authority with competence in the locality of the head office of the food business. Electronic administration is at present not possible for technical reasons.

Mandatory content items of request for the licensing of home delivery services:

1. express request for the licensing of the services intended to be provided (home delivery of catering products),
2. name, address or head office of trader (food business),

3. – if request is submitted by way of a representative – name and head office of representative,
4. trader's company register number, registration number of individual entrepreneur,
5. trader's statistical identification number,
6. area of operation, list of localities covered or, if the services extend to one or several whole counties or the entire country, stating the counties or the nation-wide nature of the operation of the food business,
7. form of commercial activities intended to be pursued (parcel service) in a breakdown by locations of commercial activities;
8. description and serial numbers of products intended to be distributed in a breakdown by locations of individual commercial activities; see:
9. nature of commercial activities intended to be pursued (retail).

A copy of the document verifying payment of the administrative service fee (certificate of bank transfer or payment order) must be enclosed with the request.

The food inspection authority must assess the request within the (general) processing time limit of 30 days. The food inspection authority may extend this time limit on a single occasion by 30 days.

The food inspection authority conducts an on-site inspection on the basis of the request for a licence. As part of the on-site inspection, the proceeding official of the district office lays down the relevant findings in minutes. If it is possible to determine on the basis of the on-site inspection that the retail placement of foodstuffs on the market does not conform to the relevant regulations, the food business has the opportunity to remedy any deficiencies within the time limit it undertakes to observe.

If the request, the applicant and the services intended to be provided satisfy the statutory conditions, the food inspection authority grants a licence. The licence is valid for an indefinite term, that is, until its revocation. The licence must contain minimum the following data:

1. name and address of licensing authority,
2. number of licence,
3. name of food business,
4. address (head office) of food business,
5. address of premises used for retail of foodstuffs,
6. description of foodstuffs intended to be retailed.

While an administrative service fee is payable to the food inspection authority for the procedure, the regulation in force as of 1 January 2013 does not determine its specific rate. (According to the regulation previously in force, it was HUF 15,000)

As part of its food safety duties, the food inspection authority registers food businesses which hold a licence.

REPORTING OF HOME DELIVERY OF CATERING PRODUCTS ENGAGED IN WITHIN THE FRAMEWORK OF CROSS-BORDER SERVICES

A food business service provider with the freedom to provide services must report the intended placement on the market of catering products within the framework of cross-border home delivery services to the food chain safety directorate with competence in the locality of its head office. The report filed is valid for five years in the case of cross-border service providers.

SUBMISSION OF REPORT, MANDATORY CONTENT ITEMS, ENCLOSURES TO BE SUBMITTED

A food business may report its intended engagement in the home delivery of catering products within the framework of cross-border services to the food chain safety directorate with competence in the locality of the head office of the food business in person, verbally or in writing, or by mail in writing.

The report filed must contain the following:

1. name and head office of service provider home delivery of catering products services,
2. the service activities which the service provider intends to engage in,

3. in the case of a natural person food entrepreneur, identification details,
4. service provider's nationality; in the case of a legal entity or unincorporated organisation residing and registered in another EEA State, title of register of EEA State in which it resides and service provider's registration number,
5. name of EEA State in which service provider is settled,
6. service provider's declaration to the effect that it wishes to provide the home delivery of catering products services, as cross-border services,
7. name of licensing or registering authority and number of service provider's licence or service provider's registration number if the service provider's services are tied to a licence or registration in the EEA State in which the service provider is settled.

The duty stamps verifying payment of the procedural duty payable for the procedure must be adhered to the report.

The food chain safety directorate verifies forthwith upon the receipt of the report whether the report filed conforms to the requirements under substantive law and, within eight days of the receipt of the report, at the latest,

1. if the report conforms to the requirements and the procedural duty has been paid, notifies the filer of the report thereof by sending a certificate;
2. if the report does not conform to the requirements or the procedural duty has not been paid, states the deficiencies identified in the report and warns the service provider of the legal consequences of engagement in such activities without reporting.

If the report filed conforms to the requirements and the procedural duty has been paid, the food chain safety directorate sends a certificate which contains the following:

1. name of proceeding authority, filing number of report and name of case officer,
2. name and address of service provider, or head office in the case of an organisation,
3. description of reported services,
4. date of filing of report and the fact that reporting is valid for five calendar years.

Food businesses are required to pay the general procedural duty, that is, HUF 3,000, for the procedure. The duty must be paid upon the filing of the report, in the form of duty stamps adhered to the document containing the report.

If, in addition to the home delivery of catering products, the client also wishes to engage in other commercial activities tied to a licence or reporting, it may submit all reports and licence requests to the trade authority (clerk) at the same time. In this case, the trade authority proceeds in the procedure as a participating authority and contacts the authorities with competence and jurisdiction itself. Simultaneously with the submission of the request for a licence, the client may also report any other commercial activities and may pay the relevant duties to the food inspection authority. The food inspection authority forwards such reports to the trade authority forthwith. In the above cases, the client need not contact the other authorities with competence and jurisdiction for the purpose of the institution of the relevant proceedings.

A food business with a licence must forthwith report any change

1. in the name of the food business,
2. in the address (head office) of the food business,
3. in the place of the food retail activities, and
4. in the foodstuffs intended to be retailed

to the food inspection authority.

In the case of a change in the place of the food retail activities and the foodstuffs intended to be retailed, a new licensing procedure must be conducted which is governed by the rules relating to the licensing procedure. In other instances, the food inspection authority issues a new licence and enters the relevant changes in its records.

A food business providing its services as cross-border services must forthwith report any change in the data reported after the initial reporting to the food chain safety directorate.

The food chain safety directorate enters the changes in the data as reported in its records. The service provider may report changes to the authority in person, verbally or in writing, or by mail in writing. If no new licence is required, no duty or fee is payable for the reporting of changes.

Food businesses are required to pay a supervisory fee annually to the food chain supervisory authority in the interest of covering the costs of the fulfilment of its tasks related to its supervisory activities in the capacity of food chain authority. Unless the food business is obliged to pay a supervisory fee at a fixed rate, food businesses with the obligation to submit returns are required to keep records which clearly permit the calculation of the base and rate of the supervisory fee payable to the authority.

As a rule of thumb, the rate of the supervisory fee is

1. 0.1% of the net sales revenue in the previous year, or
2. 0.1% of the income in the previous year in the case of a natural person obliged to submit a personal income tax return,

derived by the food business obliged to pay a supervisory fee from the distribution of foodstuffs, not including any excise duty and public hygiene product duty.

In the case of food businesses required to pay a supervisory fee which only sell foodstuffs to final consumers, the rate of the supervisory fee is

1. twenty thousand Hungarian forints annually in the case of micro-businesses and small producers;
2. seven hundred thousand Hungarian forints annually in the case of small businesses.

At the same time, small food businesses may, at their discretion, also declare and pay the supervisory fee in accordance with the general rules.

Agricultural small producers are exempt from the obligation to submit returns and to pay the supervisory fee in respect of their activities as primary producers.

Food businesses obliged to pay the supervisory fee must, once annually, declare their net sales revenues or incomes as the basis for the payment of the fee. This obligation must be met by 31 May. Payment of the fee does not substitute for the obligation of declaring the relevant sales revenue or income. The supervisory fee need not be paid if its rate does not reach one thousand Hungarian forints.

Food businesses obliged to pay the supervisory fee are required to pay the annual supervisory fee in two equal instalments, by 31 July and 31 January. A default penalty must be paid on any supervisory fee not paid by the deadline; the default penalty is governed by the provisions of Act XCII of 2003 on Taxation (hereinafter referred to as the „Taxation Act”). Any unpaid supervisory fee and default penalty qualify as public debts to be collected as taxes.

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legislation relating to service activities and relevant procedures

1. Regulation No. 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety,
2. Act XLVI of 2008 on the Food Chain and its Supervision,
3. Decree No. 57/2010. (V. 7.) on the licensing and reporting of the placement on the market and manufacture of foodstuffs,
4. Joint Decree No. 19/2004. (II. 26.) on the labelling of foodstuffs,
5. Decree No. 152/2009. (XI. 12.) on the mandatory regulations of the Hungarian Foodstuff Code,
6. Government Decree No. 328/2010. (XII. 27.) on the appointment of the agricultural administrative agencies of the metropolitan and county government offices,
7. Act CLXIV of 2005 on Trade,
8. Government Decree No. 210/2009. (IX. 29.) on the conditions of engagement in trading activities,
9. Act LXXVI of 2009 on the General Rules of the Commencement of and Engagement in Service Activities,
10. Act CXL of 2004 on the General Rules of Public Administration Proceedings and Services,
11. Decree No. 63/2012. (VII. 2.) on the rates of the administrative service fees payable in proceedings instituted before the National Food Chain Safety Office and the agricultural administrative agencies of the county government offices and the rules regarding the payment of the administrative service fee.

Long-term holiday accommodation services

APPLICATION FOR CERTIFICATE OF GOOD CONDUCT

The certificate of good conduct can be applied before creation and maintenance of a legal relationship (e.g. employment relationship) or in order to verify that the applicant complies with requirements defined by an act.

Please ask your employer whether you need a certificate of good conduct or not, and in case the answer is yes, what kind of certificate do they need.

The certificate of good conduct can verify that the individual

- has not got any record in the register of convicted persons, and/or
- is not under the effect of deprivation of civil rights, and/or
- is not prohibited to exercise a profession or an activity, or
- complies with requirements defined by a Hungarian act.

The application can be submitted

- by mail on an official application form,
- by phone via Government Customer Line 1818,
- electronically using the Client Gate at the Hungarian eGovernment portal, where Client Gate identification is required,
- personally at the Customer Service of the Criminal Records Authority in Budapest, in case of priority service,
- personally at Hungarian Embassies or Consulates abroad.

The certificate of good conduct is free of charge 4 times a year, but there is a consular fee, if the application is submitted at a Hungarian Embassy or Consulate abroad.

The certificate of good conduct is delivered

- by mail as recorded delivery (in case the application was submitted by mail, by phone or via Client Gate)
- personally at the Personal Customer Service Centre in case of priority service,
- at the diplomatic or consular representation of Hungary.

Length of the process: 8 days (5 days in case of applying in person)

Long-term holiday accommodation services qualify as tourist services of a commercial nature which include the right to use accommodation on a regular basis, at recurring intervals, for fixed, non-extended periods for the purpose of night-time stay and relaxation provided within the framework of business activities pursued on a gainful basis, or as better-known to the wider public, timeshare. **In the Standard Classification of Economic Activities (TEÁOR'08)**, long-term holiday accommodation services fall into sector **68.2 Letting and operation of owned and rented properties**; more specifically, into sub-category **68.20 Letting and operation of owned and rented properties**

Long-term holiday accommodation services may only be provided if

1. the senior officer, senior employee of the business or, in the case of an individual business, the individual entrepreneur has a clean criminal record and is not under the effect of prohibition from engagement in long-term holiday accommodation services, and
2. the senior officer, senior employee of the business or, in the case of an individual business, the individual entrepreneur was not the owner, member, senior officer or senior employee of a business which was prohibited in a final and absolute official decision from engagement in long-term holiday accommodation services at any time during a period of five years before the commencement of the services due to the violation of the statutory rules relating to long-term holiday accommodation services or due to the provision of such services without a licence.

Any advertising relating to such services must state that the consumer is entitled to information before the conclusion of a contract and where this information may be obtained. If the service provider wishes to make the consumer an offer for the conclusion of a contract at an event organised for the sale of the services, the invitation to the event must state that this is the purpose and nature of the event. Throughout the duration of the event, the pre-contractual information must be made available to the consumer.

The service provider is required to provide detailed information for the consumer in a timely manner before the issuance of the consumer's contractual declaration, in writing, free of charge. The written information forms part of the concluded contract. The information must be provided in the form designated for each contract type:

1. for contracts relating to long-term holiday timeshare accommodation for multiple periods,
2. for contracts relating to long-term holiday products,
3. for resale contracts,
4. for exchange contracts.

If the consumer is a national of an EEA State or resides in an EEA State, the written information must be placed at his/her disposal, according to his/her choice, in the official language of the State of his/her citizenship or residence if the given language is also an official language of the European Union. If there are multiple official languages in the above-mentioned States, the consumer likewise has a choice of language.

Any departure in the contract from the written information is only permitted, with express reference to the fact of such departure and the content of the modification, if

- the parties expressly agreed thereon, or
- the modification is warranted by an external circumstance falling beyond the business's control which the business was not required to reckon with at the time of the disclosure of the written information to the consumer and where the business was not reasonably expected to avoid or to eliminate the consequences thereof.

If any of the stipulations of the contract departs from the content of the written information, the business is required to specifically inform the consumer thereof in writing, prior to the conclusion of the contract, by stating what such departure lies in. Prior to the conclusion of the contract, the business is required to specifically draw the consumer's attention to the following:

1. the consumer's right of withdrawal and the period available for the exercise thereof, and
2. the fact that the business cannot demand or accept any partial payment from the consumer during the period available for the exercise of the right of withdrawal.

CONCLUSION OF CONTRACT, RIGHT OF WITHDRAWAL

The contract contains

1. the pre-contractual information,
2. name and address of consumer,
3. name and head office of business as recorded in the company register or the register of individual entrepreneurs,
4. the form relating to the exercise of the right of withdrawal, complete with the name and head office of business and date of conclusion of contract,
5. place and date of conclusion of contract, and
6. in addition to the signatures of the parties, the consumer's separate signature in respect of the right of withdrawal and the contractual terms stating the prohibition of a request for and acceptance of any partial payment.

The provisions regarding the use of languages also apply to the contract. If the contract is aimed at the acquisition of the right to use a specific property on a timeshare basis for multiple fixed periods, at the consumer's request, a certified translation of the contract into the official language of the EEA State in which the property is located must be placed at the consumer's disposal if that language is also an official language of the European Union.

The consumer may withdraw from the contract within 14 days of the conclusion thereof without stating his/her reasons. If the service provider did not place the relevant form at the consumer's disposal or otherwise violated its obligation to provide information, the period available for withdrawal is extended.

During the period available for withdrawal, the business may not request or demand any payment (advance, instalment) from the consumer in any form; any payment so made must be repaid forthwith.

PROCEDURES RELATED TO COMMENCEMENT OF AND ENGAGEMENT IN SERVICE ACTIVITIES

Based on the Government's appointment, the trade and market monitoring authority of the [Hungarian Trade Licensing Office](#) proceeds as the authority overseeing long-term holiday accommodation services with nation-wide competence.

The service provider is required to report the commencement of its activities to the trade and market monitoring authority of the Hungarian Trade Licensing Office, whether it wishes to engage in long-term holiday accommodation services within the framework of residential or cross-border services.

The report so filed is valid for an indefinite term in the case of residential (settled) service providers and for five years in the case of service providers offering cross-border services.

The service provider may report its long-term holiday accommodation services to the trade and market monitoring authority of the Hungarian Trade Licensing Office in person, verbally or in writing, by mail in writing, or by completing the relevant electronic form.

The form that may be used for reporting the commencement of long-term holiday accommodation services may be downloaded [here](#).

The information necessary for the electronic submission of the form is accessible [here](#).

A form filed with respect to the long-term holiday accommodation activities of service providers with the freedom to provide services intended to be pursued in the territory of Hungary as cross-border services must contain additional supplementary data:

1. service provider's nationality, in case of legal entity or unincorporated organisation residing and registered in another EEA State, title of register of EEA State in which service provider resides, and service provider's registration number,
2. name of EEA State in which service provider is settled,

3. service provider's declaration that it wishes to engage in long-term holiday accommodation activities within the framework of cross-border services, and
4. name of licensing or registering authority and number of service provider's licence or registration number if the service provider's service activities are tied to a licence or registration in the EEA State in which the service provider is settled.

Except where the report is filed electronically, the document verifying the payment of the administrative service fee payable for the procedure (bank certificate of transfer, payment order slip or a copy thereof) must be enclosed with the form used for reporting the commencement of long-term holiday accommodation services.

If the report conforms to the requirements and the procedural duty or administrative service fee has been paid, the trade and market monitoring authority of the Hungarian Trade Licensing Office sends a certificate of the details of the report.

Service providers engaged in long-term holiday accommodation services are required to pay an administrative service fee of HUF 20,000 in connection with the filing of the above report. The fee may be paid by cash payment order or by transfer to the account of the Hungarian Trade Licensing Office No. 10032000-00282448, by entering Treasury Transaction Code 310. More information on reports filed [electronically](#).

As part of the procedure related to the report filed, the trade and market monitoring authority of the Hungarian Trade Licensing Office, as the authority overseeing these services, registers the service provider ex officio within fifteen days of the receipt of the report and posts the data of its records on the [Internet](#).

Service providers engaged in long-term holiday accommodation services must report any subsequent change in the data stated in the report to the trade and market monitoring authority of the Hungarian Trade Licensing Office forthwith. The service provider may report any change concerning its long-term holiday accommodation services to the trade and market monitoring authority of the Hungarian Trade Licensing Office in person, verbally or in writing, by mail in writing or by completing the electronic form. Long-term holiday accommodation service providers are required to pay an administrative service fee of HUF 20,000 per change report filed. This fee may be paid as described above.

The service provider must report the termination of its long-term holiday accommodation services to the trade and market monitoring authority of the Hungarian Trade Licensing Office within eight days of the termination of such services. The trade and market monitoring authority of the Hungarian Trade Licensing Office deletes the service provider from its records forthwith after notification. Simultaneously with reporting the termination of the long-term holiday accommodation services, the service provider is required to pay an administrative service fee of HUF 20,000. The service provider may report the termination of the long-term holiday accommodation services to the trade and market monitoring authority of the Hungarian Trade Licensing Office in person, verbally or in writing, by mail in writing or by completing the electronic form.

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legislation relating to services and procedures

1. [Act CLXIV of 2005 on Trade](#),
2. [Government Decree No. 141/2011. \(VII. 21.\) on the right to use accommodation on a timeshare basis, contracts relating to long-term holiday products and long-term holiday accommodation services](#),

3. Act LXXVI of 2009 on the General Rules of the Commencement of and Engagement in Service Activities,
4. Act CXL of 2004 on the General Rules of Public Administration Proceedings and Services,
5. Government Decree No. 320/2010. (XII. 27.) on the Hungarian Trade Licensing Office and the territorial measurement and technical safety authorities,
6. Decree No. 101/2005. (XI. 24.) on the administrative service fees of certain procedures conducted by the Hungarian Trade Licensing Office,
7. Government Decree No. 186/2009. (IX. 10.) on the fines payable in the event of non-reporting in the case of services subject to reporting and the general appointment of the authorities overseeing services

Official public procurement consultation activities

APPLICATION FOR CERTIFICATE OF GOOD CONDUCT

The certificate of good conduct can be applied before creation and maintenance of a legal relationship (e.g. employment relationship) or in order to verify that the applicant complies with requirements defined by an act.

Please ask your employer whether you need a certificate of good conduct or not, and in case the answer is yes, what kind of certificate do they need.

The certificate of good conduct can verify that the individual

- has not got any record in the register of convicted persons, and/or
- is not under the effect of deprivation of civil rights, and/or
- is not prohibited to exercise a profession or an activity, or
- complies with requirements defined by a Hungarian act.

The application can be submitted

- by mail on an official application form,
- by phone via Government Customer Line 1818,
- electronically using the Client Gate at the Hungarian eGovernment portal, where Client Gate identification is required,
- personally at the Customer Service of the Criminal Records Authority in Budapest, in case of priority service,
- personally at Hungarian Embassies or Consulates abroad.

The certificate of good conduct is free of charge 4 times a year, but there is a consular fee, if the application is submitted at a Hungarian Embassy or Consulate abroad.

The certificate of good conduct is delivered

- by mail as recorded delivery (in case the application was submitted by mail, by phone or via Client Gate)
- personally at the Personal Customer Service Centre in case of priority service,
- at the diplomatic or consular representation of Hungary.

Length of the process: 8 days (5 days in case of applying in person)

RECOGNITION PROCEDURE

In the process of applying for the authorisation, the recognition of the applicant's degree in Hungary taken at a foreign university must be proved .

Forms and supporting documentation

1. Application for recognition of document for certifying foreign qualification, which falling within the European community law
2. Copy of notarial document certifying citizenship
3. Certified translation of document verifying qualification
4. Certified copy of document verifying the duration of studies and requirements of the university (for example: registration book)
5. Certified translation of document verifying the duration of studies and requirements of the university (for example: registration book)
6. Curriculum vitae
7. Certificate for payment of procedural duty

The procedure just in part can be made electronically. Although, electronic forms already exist, submitting authentic documents electronically is not possible.

The duty fee is 73 500 HUF

Length of process: 90 days

[More information](#) and [contact](#)

In the course of public procurement procedures the contracting entity is entitled to involve an official public procurement consultant for the purpose of ensuring proficiency in the procedures. Accordingly, an official public procurement consultant shall ensure public procurement proficiency in the course of preparing and conducting public procurement procedures.

The official public procurement consultation activity is included in sector 74 Other professional, scientific and technical activities, and within that in **74.90 Other professional, scientific and technical activities not elsewhere classified in the Standard Classification of Economic Activities** (TEÁOR'08).

Official public procurement consultation activities may be pursued by those who meet the legal conditions of the material set forth in detail below:

Official public procurement consultation activities may be pursued by **natural persons**, if they have higher educational qualifications and professional experience of at least three years, furthermore, public procurement experience of at least three years as detailed below, or public procurement specialized qualifications recognized by the State and certified public procurement experience of at least two years, as detailed below, or **in the case of an organization**, one that has a member or employee participating in this activity, or any natural person carrying out activities on behalf of the organization on the basis of a civil law legal relationship that is included in the register.

It is a further condition of practising this activity that the natural person or organization has liability insurance of the amount detailed below.

All activities carried out either on the contracting entity's or the bidder's side in connection with the preparation of the public procurement procedure falling under the effect of Act CXXIX of 2003 on public procurement, or Act CVIII of 2011 on public procurement [that is, preparation and completion of the call or notice launching (announcing) the public procurement procedure, or of the documentation] and the conducting of the public procurement procedure shall **qualify as public procurement experience** constituting a condition of the official public procurement consultation activities.

Experience in public procurement has been gained if the applicant natural person certifies that

- s/he carried out activities qualifying as public procurement experience as described above on at least 20 occasions in total in connection with public procurement procedures falling under the effect of Act CXXIX of 2003 on public procurement, or Act CVIII of 2011 on public procurement during the period of not more than five years prior to the submission of the application, in the course of the term of any 36 months in total, and on at least 10 occasions of the above s/he independently prepared the call launching or announcing the procedure or the documentation

with the proviso that at least five procedures of the certified procedures must be procedures reaching the European Union value limit; or

- during the period of not more than five years prior to the submission of the application, in the course of the term of any 36 months in total, and on at least 10 occasions s/he independently prepared the call launching or announcing the procedure or the documentation in connection with public procurement procedures falling under the effect of Act CXXIX of 2003 on public procurement, or Act CVIII of 2011 on public procurement, and during the same period of time s/he also proceeded as a representative in at least five legal remedy procedures related to public procurement procedures falling under the effect of Act CXXIX of 2003 on public procurement, or Act CVIII of 2011 on public procurement with the proviso that at least three procedures of the certified procedures must be procedures reaching the European Union value limit.

Various activities carried out in connection with the preparation and conducting of a given public procurement procedure may only be taken into account on one occasion from the respect of the fulfilment of the requirements performed towards public procurement experience. Representation activities related to a legal remedy procedure of a public procurement procedure can be taken into account in a breakdown by legal remedy sections, with the proviso that legal remedy activities related to the same public procurement procedure may only be taken into account on one occasion from the respect of the same applicant.

Certification of the representation activity carried out in a legal remedy procedure related to a public procurement procedure falling under the effect of Act CXXIX of 2003 on public procurement, or Act CVIII of 2011 on public procurement may be accepted if the legal remedy procedure has been closed at least before the Public Procurement Arbitration Board on the date of submission of the application and either the order terminating the procedure, or the decision on the merits of the case has been published, and if the applicant was the personal representative of either party to the procedure, and the proceeding court or authority has not established his liability in connection with his activities carried out in the public procurement procedure, and his principal has not instituted any claim against him in connection with his activities during the legal remedy or court proceedings.

In case the applicant has specialized qualification in public procurement recognized by the State, the public procurement experience required for his admission to the register is completed if the applicant certifies that

- during the period of not more than five years prior to the submission of the application, in the course of the term of any 24 months in total, and on at least 14 occasions in total s/he independently carried out activities qualifying as public procurement experience as described above, in connection with public procurement procedures falling under the effect of Act CXXIX of 2003 on public procurement, or Act CVIII of 2011 on public procurement, and of these in connection with at least seven public procurement procedures s/he independently prepared the call launching or announcing the procedure or the documentation with the proviso that at least three procedures must be procedures reaching the European Union value limit; or
- during the period of not more than five years prior to the submission of the application, in the course of the term of any 24 months in total, and on at least 7 occasions in total s/he independently prepared the calls launching or announcing the procedure or the documentation in connection with public procurement procedures falling under the effect of Act CXXIX of 2003 on public procurement, or Act CVIII of 2011 on public procurement, and during the same period of time s/he also proceeded as a representative in at least three legal remedy procedures related to public procurement procedures falling under the effect of Act CXXIX of 2003 on public procurement, or Act CVIII of 2011 on public procurement with the proviso that at least three procedures of the certified procedures must be procedures reaching the European Union value limit.

The following shall also qualify as public procurement experience during the period of not more than five years prior to the submission of the application, in the course of a period of any 36 months in total

- work performed at the Public Procurement Council or at the Secretariat of the Public Procurement Authority or any ministry head by the minister responsible for the preparation of legal regulations related to public procurement or at the National Development Agency and expressly aimed at fulfilling public procurement professional duties or controlling public procurements;
- performing activities as a public procurement commissioner.

In the case of an applicant with specialized qualification in public procurement recognized by the State, the public procurement experience meeting the above conditions is completed if the applicant carried out any of the

activities indicated above during the period of at least five years, in the course of the period of any 24 months in total.

Finally scientific degrees in public procurement (PhD, doctor of the Hungarian Academy of Sciences) shall also qualify as public procurement experience, irrespective of the date the degree was awarded.

Any activities carried out in connection with public procurement procedures in respect to which legal remedy procedures have been initiated and the breach of legal regulations has been established on a final and operative basis may not be taken into account as public procurement experience, provided that the applicant is unable to certify that it was not his activity that led to the breach of legal regulations.

The liability insurance contract constituting a condition of official public procurement consultation activities shall cover any damage caused in this capacity in the course of official public procurement consultation activities for which the insured performing official public procurement consultation activities shall be liable. The effect of the liability insurance contract shall also cover the damage caused by the employee or agent of the insured performing official public procurement consultation activities, provided that it was caused as a result of the official public procurement consultation activities, and the insured is liable for the agent pursuant to legal regulations. The liability insurance contract must cover the damage caused on a continuous basis during the force of the contract up to the limit of at least 10 million Hungarian forints or up to the limit of 5 million Hungarian forints per instance of damage. Should the liability insurance contract terminate for any reason, the insured performing official public procurement consultation activities must report this to the Public Procurement Authority within five days and shall simultaneously present the new liability insurance contract provided that s/he intends to continue his/her activities as an official public procurement consultant.

PROCEDURES RELATED TO THE COMMENCEMENT AND PURSUIT OF THE SERVICE ACTIVITIES

The [Public Procurement Authority](#) shall act as the authority in respect to official public procurement consultants.

The authorization of the Public Procurement Authority, and as part of this admission to the register kept by it is required for performing official public procurement consultation activities.

The application for performing official public procurement consultation activities can be submitted in writing to the Public Procurement Authority.

In addition to the information related to authorization, the [forms](#) necessary for submitting the application can be found on the website of the Public Procurement Authority. Electronic administration is currently not possible for technical reasons.

The documents or certified copies of the documents on the basis of which the following can be established must be attached to the application

1. the applicant meets the requirements relating to the qualifications and the professional experience and also has liability insurance, and
2. no grounds for disqualification exist against the applicant, and
3. the applicant has paid the administrative service fee for performing the procedure (certificate of fee payment).

In addition to detailed information, the samples and forms to help customers with the submission of certifications in accordance with legal regulations are available and can be downloaded from the website of the Public Procurement Authority ([information](#)).

The Public Procurement Authority must judge the application within the 30-day general time limit for administration, the head of the authority may extend this time limit for 30 days on one occasion.

In case the application meets the statutory requirements in every respect, the Public Procurement Authority shall authorize the practising of the activity through admission to the register kept by it. Official public procurement consultants become entitled to carry out activities as official public procurement consultants as of the date of their admission to the register. Admission to the register shall be effective for three years and can be renewed.

An administrative service fee must be paid for the authorization procedure (admission to the register). The fee is 90 000 HUF. No exemption can be granted from the payment of the fee.

The Public Procurement Authority shall keep an up-to-date register of persons entitled to perform official public procurement consultation activities, which is to be published on its website. The register kept by the Public Procurement Authority is a register of public validity, and the truth of the data therein must be presumed until the contrary is proved. The Authority shall publish an announcement of any changes in the register in the Public Procurement Gazette.

Official public procurement consultants may request their deletion from the register if they do not participate in pending public procurement procedures and official public procurement consultants must make a declaration on this in a private document of full probative force.

Official public procurement consultants shall be entitled to certify the activities they have performed since the last announcement, identical with the experience necessary for admission to the register, on one occasion annually to the Public Procurement Authority, which shall supplement the register with this data. An administrative service fee must be paid for this announcement. The fee is forty thousand Hungarian forints. No exemption may be granted from the payment of the fee.

Official public procurement consultants must announce to the Public Procurement Authority if any changes have occurred in their data or circumstances relating to the activity immediately, or no later than within five days of the change. Official public procurement consultants must also announce within five days if changes have occurred in their consultant's status (independent official public procurement consultant or official public procurement consultant acting exclusively for contracting entities).

The changes in the data can be submitted in writing or in person, orally, to the Public Procurement Authority. The reporting of changes electronically is currently not possible for technical reasons despite the statutory obligation. No duty or fee must be paid for the fulfilment of the reporting obligations relating to the changes in the data.

Owing to the fact that the effect of admission to the register of official public procurement consultants, that is, the authorization of the activity, is restricted, the applicant must submit an application for the renewal of the entry in the register to the authority prior to the expiry of his/her right, provided that s/he intends to continue the activity. Official public procurement consultants may submit the application for renewal within ninety days prior to the expiry of the effect of the entry in the register at the earliest.

PURSUIT OF THE ACTIVITY AS PART OF CROSS-BORDER SERVICE

No sectoral rule is in force in connection with official public procurement consultation activities on the basis of which those who lawfully pursue such activities in the member state of their residence (EU, EEA), should be obliged to have a separate licence or make a report in the case of rendering cross-border services directed toward Hungary of occasional or temporary nature without residence.

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legal regulations applicable to service activities and procedures

Sectoral legal rules primarily applicable to official public procurement consultation activities and procedures:

1. Act CVIII of 2011 on public procurement,
2. Decree No. 93/2011 (30 December) of the Minister of National Development on official public procurement consultation activities,
3. Act CXL of 2004 on the general rules of public administrative official procedures and services,
4. Act LXXVI of 2009 on the general rules on commencement and pursuit of service activities.

Operation of camp sites

Services aimed at the operation of camp sites fall within the range of accommodation services. **In the Standard Classification of Economic Activities (TEÁOR'08)**, accommodation services aimed at the operation of camp sites fall within **Accommodation Services Sector 55**; more specifically, into sub-category **55.3 (55.30) Camping services**.

Accommodation services must, on an ongoing basis, satisfy the licensing and operating requirements discussed herein below; it is not sufficient to verify the fulfilment of these requirements solely during the course of the licensing procedure and the relevant authority may at any time investigate the ongoing fulfilment of these requirements.

A camp site is a type of accommodation facility solely created on the given premises for the purposes of accommodation services where separate plots (plot units) and/or bungalows are provided for guests and their vehicles for accommodation purposes (hereinafter collectively referred to as „accommodation unit”) as well as other service facilities are made available (for instance, bathroom units for the purposes of cleaning, laundry, cooking and general hygiene, reception service, etc.). A camp site must have minimum nine accommodation units.

Camping services may be provided in an area which is fenced off and is dust-free, where there is precipitation drainage, there are interior paths suitable for the purposes of vehicular traffic and there is public lighting on the entire premises.

A telephone for minimum emergency calls must be available for guests at camp sites.

The average size of one plot unit must reach 40 square metres.

At a camp site, there must be

1. separate showers and wash basins with hot and cold water (with shelf, mirror and plug point per wash basin),
2. separate flush toilets (with toilet brush and brush holder, toilet paper and toilet paper holder and hand-wash basin)

for each sex.

Cooking, laundry and washing-up blocks must be created for guests on the premises of camp sites.

Waste collection points must be available on the premises of camp sites which must be regularly emptied and looked after.

A separate bathroom unit for cleaning, laundry, cooking and general hygiene purposes must be provided for every 250 persons, in such a way that on average 2.5 persons should fall on each unit of area. If, however, accommodation services are also provided in bungalows on the premises of the camp site, the number of guests that may be put up in bungalows must be disregarded upon the calculation of compliance with the following criteria in respect of items which are available in such bungalows. In the case of operation throughout the year, these services must be provided on heated premises during the heating season. According to the calculation above, the following must be available in each bathroom unit:

1. 4 wash basins, with minimum 2 with hot water,

2. 4 shower cabins, with minimum 2 with hot water,
3. 7 toilets,
4. 1 urinal,
5. 1 sink for washing up with hot water,
6. 1 laundry sink with hot water,
7. 1 cooking point,
8. 1 chemical toilet sink.

A round-the-clock reception or entry service must be available at camp sites. The premises in common use and the public premises of the camp site must be cleaned with daily regularity.

PROCEDURES RELATED TO COMMENCEMENT OF AND ENGAGEMENT IN SERVICE ACTIVITIES

The clerk of the local government with jurisdiction based on the location of the accommodation facility, while in Budapest, the clerk of the district local government proceeds as the authority overseeing accommodation services based on the appointment of the Government.

Accommodation services may only be provided in an accommodation facility with an accommodation licence issued by the clerk of the local government in the locality of the facility.

A request for an accommodation licence may be submitted in person verbally or in writing or in writing by mail to the clerk with jurisdiction based on the location of the facility (mayor's office). Requests at present cannot be submitted electronically for technical reasons.

The following must be stated in the accommodation licence request:

- name, address or head office of accommodation provider,
- tax identification number and statistical number of accommodation provider,
- address, topographical lot number and block plan of accommodation facility,
- capacity of accommodation facility: number of guest rooms and, in the case of camp sites, number of units, and number of beds,
- grounds for use of accommodation facility,
- name of accommodation facility,
- the accommodation type for which accommodation provider requests operating licence,
- whether the accommodation provider wishes to produce, use or sell foodstuffs and food ingredients on the premises of the accommodation facility,
- whether the accommodation provider requests an on-site inspection.

The following must be enclosed with the accommodation licence request:

1. in the case of an accommodation facility which is not the applicant's property, deed verifying the grounds for the use of the accommodation facility or a copy thereof, not including the title sheet,
2. in the case of an accommodation facility encumbered with usufruct, if the accommodation provider is not the owner or usufructuary beneficiary, deed verifying usufructuary beneficiary's consent,
3. in the case of an accommodation facility in joint ownership, if not all co-owners proceed as accommodation providers, deed verifying co-owners' consent, and duties payable for the procedure paid in the form of duty stamps.

A variety of technical authorities participate in the procedure instituted for the issuance of an accommodation licence. The service provider intending to operate the accommodation facility need not contact these authorities; the authority conducting the licensing procedure contacts them. However, in combination with the duty payable for the licensing procedure, the client must also pay the duties for the proceedings of these authorities, and payment of these duties must be verified in the course of the submission of the request. There is no scope for requesting the preliminary position of the technical authorities in the proceedings; at the same time, the processing time limit available to such technical authorities is included in the general processing time limit.

If requested by the accommodation provider in its request, the clerk provides for the organisation of an on-site inspection with the attendance of the proceeding authorities. The purpose of this inspection is to accelerate the

procedure as far as possible. In the course of the procedure, the clerk obtains the details of the owners and beneficiaries of the accommodation property and the title sheet for the verification of title to the property ex officio, either by contacting the real estate authority or by accessing the computerised real estate records, which must be enclosed with the request.

The clerk is required to assess the request within the general processing time limit of 30 days; the clerk may extend this time limit on a single occasion by 30 days. The authorities have 15 days to issue their respective positions; this time limit is, however, included in the above processing time limit.

If the request and also the accommodation facility meet the statutory requirements, the clerk issues a licence for the operation of the accommodation facility. Simultaneously with granting the licence, the clerk issues a separate certificate in verification thereof for the service provider.

A general procedural duty, that is, HUF 3,000 must be paid for the clerk's procedure. A general procedural duty of the amount of HUF 3,000 must also be paid to each of the participating authorities. The duties must be paid at the time of the submission of the request in the form of duty stamps adhered to the request.

In the course of the licensing procedure or, in the case of „silence is consent”, upon the expiry of the processing time limit, the clerk registers the accommodation facility and the service provider ex officio. The clerk posts all data featured in the records he/she keeps on the Internet.

After the issuance of the accommodation licence, the accommodation provider must forthwith report to the clerk any change in the data stated in the licence request in writing. No duty or fee is payable in conjunction with the fulfilment of this reporting obligation.

The accommodation provider must report the closure of the accommodation facility to the clerk within eight days of closure, subject to the simultaneous submission of the relevant certificate.

If the accommodation provider wishes to engage in other commercial activities tied to a licence on the premises of the same accommodation facility, simultaneously with the submission of the request for a licence for the accommodation facility, the requests with respect to any such further licences may also be submitted to the clerk. In this case, the clerk proceeds in the proceedings instituted for the issuance of such further licences for other commercial activities tied to a licence as a participating authority. The data, requests and enclosures necessary for such separate licences must also be submitted with the request and the relevant duties and administrative fees must be paid as well. However, if all the documents are fully submitted and the conditions prescribed for such separate licences are satisfied, the client need not contact other authorities.

SERVICE PROVISION ACTIVITIES IN THE FRAMEWORK OF CROSS BORDER SERVICE PROVISION

With regard to the fact that the provision of accommodation services is based on the presumed existence of an accommodation facility, the cross-border provision of services is effectively out of the question in the case of these services. Accordingly, if a person residing or registered in Hungary, in another State of the European Economic Area or in a third country wishes to provide accommodation services in Hungary, he/she may do so under the same conditions, based on a licence issued by the clerk.

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legislation relating to accommodation services and the relevant procedures

1. [Act CLXIV of 2005 on Trade,](#)
2. [Government Decree No. 239/2009. \(X. 20.\) on the detailed conditions of engagement in accommodation service activities and the procedure for the issuance of accommodation licences,](#)
3. [Act LXXVI of 2009 on the General Rules of the Commencement of and Engagement in Service Activities,](#)

[Act CXL of 2004 on the General Rules of Public Administration Proceedings and Services.](#)

Operation of communal accommodation

Services aimed at the operation of communal accommodation facilities fall within the range of accommodation services. **In the Standard Classification of Economic Activities (TEÁOR'08), accommodation services aimed at the operation of communal accommodation facilities fall within **Accommodation Services Sector 55**; more specifically, into sub-category **55.2 (55.20) Holiday and other temporary accommodation services**.**

Accommodation services must, on an ongoing basis, satisfy the licensing and operating requirements discussed herein below; it is not sufficient to verify the fulfilment of these requirements solely during the course of the licensing procedure and the relevant authority may at any time investigate the ongoing fulfilment of these requirements.

A communal accommodation facility is a type of accommodation facility created solely for accommodation purposes in which the beds placed in a single room are available for use separately and where the minimum number of rooms used for such purposes is six and the minimum number of beds is eleven.

Separate dormitories must be created for each sex, with separate entrances.

Ground space of a minimum area of four square metres per bed or a minimum number of five cubic metres of air space per person must be provided. Minimum size of beds: 80×190 centimetres; there must be a minimum space of 75 centimetres between beds. The use of bunk beds is permitted. There must be a mattress on each bed; however, the availability of bedclothes is not compulsory.

Luggage storage facilities must be provided in the rooms.

There must be a separate bathing or shower facility for each sex with hot water and there must also be minimum one toilet for every 10 persons and for each sex. Soap and a hand-dryer must be available in the common bathroom areas.

Additionally, a communal accommodation facility must also feature

1. a telephone for use by guests,
2. an indoor common area and/or an outdoor common area, and
3. a kitchen and dining facility with a hob, sink, table and chairs.

A reception or duty service must be available at communal accommodation facilities during the opening hours. Outside the opening hours, however, guests must be enabled to enter the premises.

The dormitories and common areas must be cleaned at least every two days and there must also be a left luggage service.

PROCEDURES RELATED TO COMMENCEMENT OF AND ENGAGEMENT IN SERVICE ACTIVITIES

The clerk of the local government with jurisdiction based on the location of the accommodation facility, while in Budapest, the clerk of the district local government proceeds as the authority overseeing accommodation

services. Accommodation services may only be provided in an accommodation facility with an accommodation licence issued by the clerk of the local government in the locality of the facility.

A request for an accommodation licence may be submitted in person verbally or in writing or in writing by mail to the clerk with jurisdiction based on the location of the facility (mayor's office). Requests at present cannot be submitted electronically for technical reasons.

The following must be stated in the accommodation licence request:

- name, address or head office of accommodation provider,
- tax identification number and statistical number of accommodation provider,
- address, topographical lot number and block plan of accommodation facility,
- capacity of accommodation facility: number of guest rooms and, in the case of camp sites, number of units, and number of beds,
- grounds for use of accommodation facility,
- name of accommodation facility,
- the accommodation type for which accommodation provider requests operating licence,
- whether the accommodation provider wishes to produce, use or sell foodstuffs and food ingredients on the premises of the accommodation facility,
- whether the accommodation provider requests an on-site inspection.

The following must be enclosed with the accommodation licence request:

1. in the case of an accommodation facility which is not the applicant's property, deed verifying the grounds for the use of the accommodation facility or a copy thereof, not including the title sheet,
2. in the case of an accommodation facility encumbered with usufruct, if the accommodation provider is not the owner or usufructuary beneficiary, deed verifying usufructuary beneficiary's consent,
3. in the case of an accommodation facility in joint ownership, if not all co-owners proceed as accommodation providers, deed verifying co-owners' consent,
4. duties payable for the procedure paid in the form of duty stamps.

A variety of technical authorities participate in the procedure instituted for the issuance of an accommodation licence. The service provider intending to operate the accommodation facility need not contact these authorities; the authority conducting the licensing procedure contacts them. However, in combination with the duty payable for the licensing procedure, the client must also pay the duties for the proceedings of these authorities, and payment of these duties must be verified in the course of the submission of the request.

If requested by the accommodation provider in its request, the clerk provides for the organisation of an on-site inspection with the attendance of the proceeding authorities. The purpose of this inspection is to accelerate the procedure as far as possible. In the course of the procedure, the clerk obtains the details of the owners and beneficiaries of the accommodation property and the title sheet for the verification of title to the property *ex officio*, either by contacting the real estate authority or by accessing the computerised real estate records, which need not be enclosed with the request.

The clerk is required to assess the request within the general processing time limit of 30 days; the clerk may extend this time limit on a single occasion by 30 days. The authorities have 15 days to issue their respective positions; this time limit is, however, included in the above processing time limit.

If the request and also the accommodation facility meet the statutory requirements, the clerk issues a licence for the operation of the accommodation facility. Simultaneously with granting the licence, the clerk issues a separate certificate in verification thereof for the service provider.

A general procedural duty, that is, HUF 3,000 must be paid for the clerk's procedure. A general procedural duty of the amount of HUF 3,000 must also be paid to each of the participating authorities. The duties must be paid at the time of the submission of the request in the form of duty stamps adhered to the request.

In the course of the licensing procedure, the clerk registers the accommodation facility and the service provider ex officio. The clerk posts all data featured in the records he/she keeps on the Internet.

After the issuance of the accommodation licence, the accommodation provider must forthwith report to the clerk any change in the data stated in the licence request in writing. No duty or fee is payable in conjunction with the fulfilment of this reporting obligation.

The accommodation provider must report the closure of the accommodation facility to the clerk within eight days of closure, subject to the simultaneous submission of the relevant certificate. The clerk withdraws the licence forthwith after notification and deletes the accommodation facility from the records.

If the accommodation provider wishes to engage in other commercial activities tied to a licence on the premises of the same accommodation facility, simultaneously with the submission of the request for a licence for the accommodation facility, the requests with respect to any such further licences may also be submitted to the clerk. In this case, the clerk proceeds in the proceedings instituted for the issuance of such further licences for other commercial activities tied to a licence as a participating authority.

The data, requests and enclosures necessary for such separate licences must also be submitted with the request and the relevant duties and administrative fees must be paid as well. However, if all the documents are fully submitted and the conditions prescribed for such separate licences are satisfied, the client need not contact other authorities. The clerk provides for forwarding the report to the authorities with competence and jurisdiction.

SERVICE PROVISION ACTIVITIES IN THE FRAMEWORK OF CROSS BORDER SERVICE PROVISION

With regard to the fact that the provision of accommodation services is based on the presumed existence of an accommodation facility, the cross-border provision of services is effectively out of the question in the case of these services. Accordingly, if a person residing or registered in Hungary, in another State of the European Economic Area or in a third country wishes to provide accommodation services in Hungary, he/she may do so under the same conditions, based on a licence issued by the clerk.

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legislation relating to accommodation services and the relevant procedures

1. [Act CLXIV of 2005 on Trade](#),
2. [Government Decree No. 239/2009. \(X. 20.\) on the detailed conditions of engagement in accommodation service activities and the procedure for the issuance of accommodation licences](#),
3. [Act LXXVI of 2009 on the General Rules of the Commencement of and Engagement in Service Activities](#),
4. [Act CXL of 2004 on the General Rules of Public Administration Proceedings and Services](#).

Operation of Fairs and Markets

A fair shall mean a building, a building complex or a territory, where, in general, several persons carry out seasonal retail activity or occasional retail activities in connection with specific events or calendar days. A market, on the other hand, is a building, a building complex or a territory, where several persons carry out retail activities daily or occasionally on a weekly basis. It is essential to make a difference between the facility manager and operator of a fair or a market:

The facility manager is the owner, tenant or any other user of a territory or real estate used as a fair or a market, who provides the market area for those carrying out commercial activities at the fair or market; furthermore, the facility manager is responsible for the commercial service activities provided for those carrying out commercial activities at the fair or market. The operator, on the other hand, is the facility manager, or a person appointed by the facility manager, to manage or operate the fair or market, or to perform other duties related to operation. The operator is entitled to act on behalf of the facility manager.

The operation of fairs and markets is classified in the **Standard Classification of Economic Activities** (TEÁOR'08) as sector **68.02 Renting and operating of own or leased real estate**, sub-category **68.20 Renting and operating of own or leased real estate**.

Fairs and markets may be organized and held on territories which are appropriate for organizing fairs and markets according to the general zoning plans, or on territories for which a land use licence has been issued for the organization of fairs.

Depending on the type of the fair or market, the products sold and the activities pursued there, the territory must comply with the requirements set out in the relevant laws and must be provided with waste containers suitable for the separated collection of waste accumulating in the course of the activities performed there.

During the opening hours of the fair or market, the operator must always keep at hand on the premises of the fair or market the papers or documents, or copies of such papers and documents, for the verification of his or her entitlement to operation.

The operator determines the procedures for the operation of the fair or market and informs the sellers and customers on such procedures in a notice displayed in a well-visible place. Furthermore, the operator's name, address, seat and e-mail address (if any) shall also be indicated in the notice. In case of fairs and markets, the notice shall also contain the order of reservations and booths, in accordance with the professional standards.

The operator determines the opening hours of the fair or market between 05:00 a.m. and 08:00 p.m. Opening hours after 08:00 p.m. may be licensed by the clerk of the local municipality upon consultation with the competent police station. The operator is obliged to inform the customers on the opening hours of the fair or market.

In case of fairs and markets, the operator must provide the shops, booths and other establishments developed for purposes other than selling with serial numbers in a well-visible way for the customers. In case of a permanent fair or market, at the entrance of the fair or market, the operator shall install a board containing a site map or layout of the fair or market, indicating the current arrangement of the commercial units and booths with the relevant serial numbers.

The operator must keep an up-to-date register of the persons engaged in selling at the fair or market in compliance with the Act on the protection of personal data and the disclosure of data of public interest, and shall be obliged to present it or make it available to the authority upon request of the authority exercising supervision over the territory of the market.

The operator is obliged to stay on the territory of the fair or market during the opening hours of the fair or market and to keep the fair or market under control, or to take the necessary measures for the appropriate operation as set out in the decisions made by the authorities. Furthermore, the operator is obliged to proceed as prescribed by the authorities and to co-operate during authority inspections.

The operator is obliged to investigate any written complaints filed in respect of his activity and inform the customer on his measures and the justification for his measures by regular mail or e-mail within thirty days after receipt of the complaint. In the reply, the customer must be informed on his or her right to apply to the clerk of the municipality if he or she does not approve the reply.

Fairs and markets may only be established and operated in consideration of the general zoning plan of a settlement, on sites where no harmful environmental pollution endangers the individuals, foods or food raw materials. The fair and market sites must be established at dust- and mud-free places that can be cleaned easily. The territories of daily food markets and large food markets must be paved with an easily cleanable cover. The floor of market halls must be provided with a firm, anti-slip cover without gaps, which can be properly cleaned and disinfected, and a drainage system satisfying the standard construction requirements must also be installed for draining the wastewater generated by the cleaning process. The territory of markets must be fenced.

The supply of fairs and markets with a sufficient volume of water with drinking water quality must be ensured. Water take-off points must be created in an appropriate arrangement in order that even the most distant parts of the fair or market can be reached for cleaning. The water take-off points developed for cleaning must be provided with connectors with an air inlet valve and a hose end. Water take-off points must also be created for animal watering.

It is required to build an appropriate number of flush toilets and urinals with the proper design, separated by genders, on the territory of the fair or market if there are no public toilets in the required numbers within 50 metres. Unpacked foods of animal origin may only be sold at places equipped with separated toilets for the sellers.

The territories of fairs, markets and market halls must be kept clean continuously during the opening hours, and after the closure a general cleaning must be carried out. In case of a territory with public utilities, the emerging wastewater must be drained through the public drainage system. If there is no public drainage system, the generated wastewater must be collected in a closed sewage water container.

At fairs, markets and in market halls, waste and refuse collecting containers which can be easily washed and disinfected, provided a with tight-fitting cover, must be set up for the collection of waste and refuse in appropriate numbers, in compliance with the rules of public health, animal hygiene and waste management. A cleaning and disinfection area with water supply and a drainage system must be designated for the cleaning and disinfection of waste containers on the spot. The drainage system must contain a sand trap.

The facility manager or operator shall regularly protect the establishment from rodents and insect pests representing sanitary risks. Preventive destruction by a specialist twice a year shall be compulsory even if no rodents or insect pests have been observed.

The car park for the sellers' vehicles must be developed outside the fair or market.

Should selling from a vehicle or a mobile shop be permitted on the fair or market, a separated territory shall be designated for this purpose. In this case, drinking water, drainage and proper waste collection must be ensured for occasional mobile shops and vendors at the fair or market.

PROCEDURES RELATED TO THE COMMENCEMENT AND PURSUIT OF SERVICE ACTIVITIES

The clerk competent at the seat of the micro-region, in Budapest the clerk of the district in which the fair or market operates, shall act as the responsible authority with regard to the operation of fairs and markets. Fairs and markets may only be operated, by way of permanent local presence, subject to a license for fair or market operation issued by the clerk.

An application for a fair or market operation licence can be submitted verbally or in writing in person, or in writing by regular mail to the clerk (mayor's office) of the micro-region or district of Budapest in which the fair or market operates. At this point, for technical reasons, it is impossible to file an application electronically.

The following information and documents must be attached to the application for a fair or market operation license:

1. the territory designated for the fair or market, its floor area and scaled layout drawing with the shops, booths and other establishments, the parts of the area developed for non-selling functions, indicating their purpose and number, and, furthermore, the routes for customer movement, goods transport and loading;

2. a document certifying the title of territory usage (own or leased property) except for the title deed, furthermore, the document of approval issued by the beneficiary in case of usufruct, or by the co-owner in case of co-ownership;
3. the operating procedures of the fair or market;
4. in case of the use or distribution of foodstuffs, sale of agricultural produce, fodder, livestock, veterinary product and pesticides, a declaration by the applicant that the Food Chain Security and Animal Health Directorate or the Administration for Plant and Soil Protection of the County (Metropolitan) Government Office has issued a license to him or her for the permanent free use of the premises;
5. a water and energy supply plan for the fair or market, with details of the water take-off and electric connection points, as well as the declarations of the public utility companies (water, electricity, gas and district heating service providers);
6. plans for draining points in respect of sewage and rain water accumulating on the territory of the fair or market, or if there is no public drainage system, a plan for the installation of equipment replacing public utilities, with the declaration of the competent public utility companies and authorities;
7. description of the method of territory development for ensuring that the area is free from dust and mud;
8. rules and regulations prescribed by the organizer or facility manager of the fair or market for the collection and placement of accumulated waste and refuse, handling, placement, method and frequency of removal of confiscated foodstuffs, and the cleaning and disinfection of the fair or market area.

To verify entitlement to the use of the territory, the clerk shall obtain ex officio a title deed from the competent land registry office or from the computer-based real estate registration system.

Specialized authorities shall also act in procedures for fair or market operational licences. The service provider who wants to operate the fair or market does not need to apply to such authorities, because it is the authority proceeding in the licensing procedure that is responsible for this. However, the client shall pay the duties payable for the specialized authority's procedure, together with the duties payable for the licensing procedure, that before filing the application, and certify payment of such duties when the application is filed.

The clerk shall evaluate the application within 15 days from receipt. The clerk may extend this deadline once by 30 days. The specialized authorities have 15 days to express their opinion; this period is not included in the above time limit.

If the application and the fair or market comply with the provisions of law, the clerk shall issue the license.

A general procedural duty of 2,200 HUF shall be paid to the clerk for the procedure. The general procedural duty of 2,200 HUF shall also be paid to each specialized authority for the specialized authority procedures. The duty shall be paid by means of a revenue stamp attached to the application form when submitting the application.

In the course of the licensing procedure, or upon expiry of the administration deadline in case of consent by silence, the clerk shall register the fair or market and its operator and facility manager in the register ex officio.

The clerk shall make available the data of the register kept by him or her on the Internet.

The facility manager of the fair or market, shall be obliged to notify the clerk in writing without delay of any change in his or her data indicated in the application form submitted for license and registered, if after the receipt of the license any changes occur in those data, obviously with the exception of measures by the supervisory authorities or cancellation from the register. The clerk shall register the change in the data as per the notification. No duties or fees are payable for the fulfilment of this obligation.

SERVICE ACTIVITIES CARRIED OUT WITHIN THE FRAMEWORK OF CROSS-BORDER SERVICE PROVISION

As the operation of a market necessitates a regular, actual, permanent and long-lasting business activity, which is carried out through an establishment, premises, office, shop or other place, or fixed equipment or devices, operation of a market may only be carried out by way of permanent local presence, and this activity, by definition, cannot be carried out as a cross-border service activity.

Fairs, however, may be organized as cross-border service activities without permanent local presence, in a temporary or occasional manner. In this case, as no other regulations apply either at the level of statutory provisions or government decrees, cross-border fairs can be operated by any service provider settled in another EEA Member State and legally carrying out service activities there, furthermore no license, notification on the commencement of the service activity, certificate, authority certificate or card is required for the operation.

This means that if a service provider is entitled to hold a fair, or to provide any other similar service in any EEA Member State, this service provider may theoretically hold an occasional or single fair in Hungary without any licence. Note, however, that the absence of the licensing obligation does not exempt the operator of the occasional or single fair from complying with the provisions of the Hungarian substantive law. Accordingly, infringement of the Hungarian substantive law shall involve measures of the Hungarian authorities, who will proceed against this service provider in the same way as against operators licensed in Hungary. Nevertheless, the clerk in charge of the supervision of such service has no right to proceed against such service provider alone with reference to the absence of licence.

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legal regulations applicable to the service activities and the procedures

1. [Act CLXIV of 2005 on trade](#)
2. [Government Decree 55/2009 \(III. 13.\) on fairs, markets and shopping centres](#)
3. [Decree 59/1999 \(XI. 26.\) EüM on public health regulations for selling at fairs and markets and in market halls](#)
4. [Act LXXVI of 2009 on the general rules for public administration authority procedures and service](#)
5. [Act CXL of 2004 on the General Rules of Administrative Proceedings and Services](#)

Operation of guest houses

The operation of guest houses is a service activity which falls within the scope of accommodation services. The operation of guest houses is a service activity listed under Sector No. 55 “**Accommodation**” in the **Standard Sectoral Classification of Economic Activities** (TEÁOR'08), more specifically under **Sector No. 55.1 (55.10) “Hotels and similar accommodation”**. Only one type of accommodation provider licence may be given for the same accommodation.

The accommodation shall be in continuous compliance with the licensing and operational requirements. It is, therefore, not enough to prove compliance for obtaining the licence only, as the authority may check it at any time.

REQUIREMENTS

The guest house is a type of accommodation which is established exclusively for the purpose of providing accommodation and which comprises at least six but not more than ten rooms and at least eleven but not more than twenty beds used for such purpose. Accommodations intended to be operated as guest houses shall in every case have common premises and a public telephone or a telephone available for the guests, in each of the buildings. Single bedrooms in guest houses shall have a floor area of at least 8 square metres and shall be furnished with a shower. Rooms with two or three beds shall have a floor area of at least 12 square metres (with an additional 4 square metres for each bed above 3) and shall be furnished with a shower. Room requirements:

- minimum bed size is 80x190 cm;
- required equipment in the shower: mirror, beauty shelf, towel holder, power socket, bin, hand towel or towel holder, toilet;
- rooms without a bathroom shall have a washbasin with hot and cold water, and hand towel.

Guest houses shall provide 24-hour assistance and luggage storage services. Beds shall be made every day in all rooms. Rooms and washrooms shall be cleaned on a daily basis as well. Towels shall be changed at least every 3 days. Packed soap bars or liquid soap shall also be provided. Food and drinks: at least breakfast shall be provided on the spot or in the immediate vicinity of the guest house.

PROCEDURES CONNECTED WITH STARTING AND PURSUING THE SERVICE ACTIVITY

Accommodation provider licences may be applied for orally or in writing in person, as well as in writing via mail, from the town clerk competent over the area of location of the accommodation (mayor's office). Currently, procedures cannot be started electronically due to technical reasons. The following shall be specified in the application for an accommodation provider licence:

- name and address/registered seat of the accommodation provider;
- tax identification number, statistical number of the accommodation provider;
- address, title number, plot plan of the accommodation;
- capacity of the accommodation: according to the number of rooms or (in the case of campsites) of area units, and to the number of beds;
- legal title of using the place of accommodation;
- name of the accommodation;
- the type of accommodation the accommodation provider requests the operating licence for;
- whether the accommodation provider intends to produce, use or sell food products or unprocessed food;
- whether the accommodation provider requests for an on-site inspection.

The following shall be submitted together with the application for accommodation provider licence:

- in the case of the accommodation not being owned by the applicant, the document or a copy thereof certifying the legal title of utilisation of the accommodation, except for the title deed;
- in case the accommodation is charged with usufruct (and if the accommodation provider is not the owner or the beneficiary), the document certifying the consent of the beneficiary;
- in the case of the accommodation being a joint property (and if the accommodation provider does not include all co-owners), the document certifying the consent of the co-owners;
- duties payable for the application procedure and the procedures of competent authorities, discharged in duty stamp.

The licensing procedure involves other competent authorities as well. Contacting such authorities, however, shall not be the task of the applicant, but shall be taken care of by the authority carrying out the licensing procedure. At the same time, the applicant shall have to pay the duty for the procedure of competent authorities together with the duty for the licensing procedure, and shall be requested to prove payment of such duties when submitting the application.

The authority shall notify the applicant about the start of the licensing procedure. If the accommodation provider so requests in the application, the town clerk together with the competent authorities shall provide for a joint on-site inspection. Such an inspection aims to make the procedure faster, to the extent possible. In the course of the procedure, the town clerk shall ex officio obtain the data of persons having any right over the accommodation property and the title deed required for the certification of ownership of the accommodation, either by contacting the authority keeping the land register or by using the electronic land register system, so it is not necessary to submit it together with the application.

The application shall be considered by the town clerk within the general 30-day deadline which may be extended by the town clerk for another 30 days only once. The competent authorities shall have 15 days to give their official position concerning the application, which shall take place within the above deadline.

If the application fails to comply with the statutory requirements and its deficiencies cannot be remedied, the town clerk shall reject the application. If the application and/or the accommodation complies with the statutory requirements only with certain conditions (required even by the competent authorities), the town clerk shall call the applicant to remedy the deficiencies or shall issue a conditional licence. If both the application and the accommodation comply with the statutory requirements, the town clerk shall issue the accommodation provider licence. The town clerk shall, together with the issuance of the licence, issue a separate certificate about the successful licensing to the service provider.

The general procedural duty of HUF 3,000 shall be paid to the town clerk for the procedure. It is also the general procedural duty of HUF 3,000 which shall be paid for each procedure of competent authorities. The duty shall be paid in duty stamp upon submission of the application.

During the licensing procedure, the town clerk shall ex officio register the accommodation and the service provider. The town clerk shall make all data kept in this register public via internet.

After obtaining the accommodation provider licence, the accommodation provider shall immediately report to the town clerk in writing any changes in the data provided on the application form. Such obligation to report is not subject to any fee or duty.

The accommodation provider shall report the termination of the accommodation to the town clerk within 8 days of the termination, and shall return the certificate. The town clerk shall revoke the licence immediately after the report and shall deregister the accommodation.

If the accommodation provider intends to pursue any other licence-bound commercial activity at the place of the accommodation, he or she may submit to the town clerk an application for a separate licence together with the application for the accommodation provider licence. In such a case, the town clerk shall act as a cooperating authority in the procedure for the issuance of a separate licence necessary for pursuing the commercial activity subject to a separate licence. The application shall be submitted together with the data necessary for the separate licence, as well as the application and its annexes, and the duty and administrative service fee shall also be paid. If the above documents are submitted without deficiencies and all the requirements prescribed for the separate licence are met, the applicant is not required to contact any other authority.

CROSS BORDER SERVICE PROVISION

Guest houses may only pursue accommodation providing activity in possession of an accommodation provider licence issued by the town clerk competent over the area of location of the accommodation. As the existence of the place of accommodation is a prerequisite for the accommodation providing activity, it is practically impossible to pursue this activity as a cross-border service. Consequently, any person living or registered in Hungary or another state of the European Economic Area or a third country may engage in the accommodation providing activity under the same conditions, with the authorisation of the town clerk.

Please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Rules of law governing the service activity and procedures

1. [Act CLXIV of 2005 on Trade,](#)
2. [Government Decree 239/2009 \(20 October\) on the Detailed Conditions for Pursuing Accommodation Service Activities, and on the System for Issuing Accommodation Provider Licences,](#)
3. [Act LXXVI of 2009 on the General Rules on Taking up and Pursuit of Service Activities,](#)
4. [Act CXL of 2004 on the General Rules of Administrative Proceedings and Services.](#)

Performance of real estate brokerage, real estate asset appraisal and intermediary activities

APPLICATION FOR CERTIFICATE OF GOOD CONDUCT

The certificate of good conduct can be applied before creation and maintenance of a legal relationship (e.g. employment relationship) or in order to verify that the applicant complies with requirements defined by an act.

Please ask your employer whether you need a certificate of good conduct or not, and in case the answer is yes, what kind of certificate do they need.

The certificate of good conduct can verify that the individual

- has not got any record in the register of convicted persons, and/or
- is not under the effect of deprivation of civil rights, and/or
- is not prohibited to exercise a profession or an activity, or
- complies with requirements defined by a Hungarian act.

The application can be submitted

- by mail on an official application form,
- by phone via Government Customer Line 1818,
- electronically using the Client Gate at the Hungarian eGovernment portal, where Client Gate identification is required,
- personally at the Customer Service of the Criminal Records Authority in Budapest, in case of priority service,
- personally at Hungarian Embassies or Consulates abroad.

The certificate of good conduct is free of charge 4 times a year, but there is a consular fee, if the application is submitted at a Hungarian Embassy or Consulate abroad.

The certificate of good conduct is delivered

- by mail as recorded delivery (in case the application was submitted by mail, by phone or via Client Gate)
- personally at the Personal Customer Service Centre in case of priority service,
- at the diplomatic or consular representation of Hungary.

Length of the process: 8 days (5 days in case of applying in person)

APPLICATION FOR JOINT TAX CERTIFICATE

For the notification of activity, business entities are obliged to attach a certificate of public dues justifying that they have no dues, in case they previously did not register into the database of taxpayers who fulfill all obligations concerning the payment of public dues. The negative joint tax certificate ([11UK12](#) used in the [General Framework Program](#)) conveys that the company has neither tax nor customs dues in the registration of NAV on the date of issue of the certificate or on the day asked by the taxpayer in his/her application.

Forms and supporting documentation

1. Application for joint tax certificate
2. Certificate for payment of procedure fees

Application for joint tax certificate can be submitted in electronic way. [More information](#)

In case of electronic submission, the application can be attached with no more than 5-5 scanned document of tif and/or pdf format. Fees of procedure can also be paid in electronic way.

Client gate identification is a required.

NOTIFICATION OF CONVERSION OF PREMISES

The place of service provision can be established in a house that was previously used for residential purposes. The conversion of premises must be notified together with the start-up of the activity.

Forms and supporting documentation

1. Application form
- 2.

- 2.1.) Document certifying the entitlement of the applicant to the conversion of premises (title deed of the property, lease contract)
- 2.2.) Certificate for payment of duty (duty stamp)

In building notification procedures competent authorities are notaries undertaking building authority proceedings in district and local governments. On the PSC contacts of building authorities can be found through the function of office-search. Detailed information on the procedure (steps to be taken to submit the application, forms, deadlines, fees and contacts) is available on the website of the competent authorities as well as the application form (its content is regulated by law). Forms are generally can be filled online and it can be printed. Regarding the format it is in pdf, xls or doc.

The possibility to electronic administration is excluded by law. Furthermore, competent authorities require duty stamp, which can not be bought online. Supporting documents and declarations must be submitted in original.

RECOGNITION PROCEDURE

In the process of applying for the authorisation, the recognition of the applicant's degree in Hungary taken at a foreign university must be proved .

Forms and supporting documentation

1. Application for recognition of document for certifying foreign qualification, which falling within the European community law
2. Copy of notarial document certifying citizenship
3. Certified translation of document verifying qualification
4. Certified copy of document verifying the duration of studies and requirements of the university (for example: registration book)
5. Certified translation of document verifying the duration of studies and requirements of the university (for example: registration book)
6. Curriculum vitae
7. Certificate for payment of procedural duty

The procedure just in part can be made electronically. Although, electronic forms already exist, submitting authentic documents electronically is not possible.

The duty fee is 73 500 HUF

Length of process: 90 days

[More information](#) and [contact](#)

Performance of real estate brokerage, real estate asset appraisal and intermediary activities are partly licensed activities and partly subject to notification in Hungary. It may be performed both by private individuals and economic associations, however, economic associations are allowed to perform this activity only if the given association employs a person who meets the qualification requirements prescribed by law. If a service provider domiciled in another EEA member state decides to establish him/herself in Hungary, he/she may start and continue providing service subject to the same conditions as service providers domiciled in Hungary, and the requirements applying to service providers domiciled in Hungary must be applied to them.

As a commercial activity, real estate brokerage, real estate asset appraisal and intermediary activities may be performed both by economic associations and private individuals in Hungary.

Those **persons** may perform commercial real estate brokerage or commercial real estate asset appraisal and intermediary activities who: possess real estate broker or real estate asset appraiser and intermediary special qualification, and are taxpayers with no outstanding debts to public authorities.

An **economic association** may perform commercial real estate brokerage or commercial real estate asset appraisal and intermediary activity in case it has at least one personally involved member or employee - in the case of self employed individuals, this business may be carried out if the sole trader does not perform the activity himself/herself, but has at least one employee - who holds the required license, furthermore, has paid all public debts determined in a legally binding manner that had been incurred in respect of such activity.

The following persons shall not receive a licence for real estate brokerage or real estate asset appraisal and intermediary activity:

1. those with a criminal record,
2. those who have been banned from the performance of such activity by a legally binding court ruling,
3. those who may not be officers or directors pursuant to the law on economic associations.

The supervisory authority of the real estate enterprise decides on the authorization of the commercial real estate brokerage or real estate asset appraisal and intermediary activity, which is the clerk of the city having jurisdiction according to the county seat of the residence or registered office of the service provider, in Pest county the clerk of the county local government and in Budapest the chief clerk of the Municipality of Budapest ([Office Search](#)).

It may be done personally, in writing, and if the real estate supervisory authority provides the required facilities, electronically.

The competent authority will decide on issuing the licence **within 30 days**.

The general duty of public administration authority procedure: HUF 3,000, which must be paid in duty stamp.

Documents necessary for processing (for private individuals):

1. a copy of the certificate proving the specific qualification
2. certificate of good conduct
3. evidence of payment of the procedural duty

Documents necessary for processing (for enterprises):

1. A public instrument issued not earlier than 30 days, which proves that the notifier is a taxpayer with no outstanding public debt, unless the notifier is contained in the database of taxpayers with no outstanding public debt;
2. in the case of economic associations, the certificate of incorporation issued not earlier than 3 months, in the case of sole traders a copy of the certificate of registration in the official database of sole traders;
3. evidence of payment of the procedural duty

NOTIFICATION OF THE INTENTION TO PERFORM COMMERCIAL REAL ESTATE BROKERAGE OR REAL ESTATE ASSET APPRAISAL AND INTERMEDIARY ACTIVITY IN THE FRAMEWORK OF CROSS-BORDER SERVICE

If, as part of cross-border service provision subject to the obligation of notification, the service provider does not perform the activity himself/herself in practice, then the professional title intended to be used when providing service in Hungary must be notified to the authorities concerning the person actually providing the service.

Furthermore, the documents to be enclosed with the notification must also be submitted in respect of the person actually performing the service activity. The notification of the service provider is valid for one year.

The intention of performance of commercial real estate brokerage or real estate asset appraisal and intermediary activity must be notified to the supervisory authority of the real estate enterprise, which is the clerk of the city having jurisdiction according to the county seat of the residence or registered office of the service provider, in Pest county the clerk of the county local government and in Budapest the chief clerk of the Municipality of Budapest ([Office Search](#)).

It may be done personally, in writing, and if the real estate supervisory authority provides the required facilities, electronically.

The general duty of public administration authority procedure: HUF 2,200, which must be paid in duty stamp.

There is no standard form assigned to the matter. The following documents are necessary for processing:

1. a copy of the public instrument verifying citizenship
2. an authentic copy and translation of a document that proves that the service provider is authorized to practice the given profession, as an authorized party domiciled in a member state
3. authentic copies and authentic translated copies of the deeds certifying the successful completion of the training of the service provider in the member state where the training was provided
4. in the event the service provider practised the given profession in the state where the service provider is domiciled, the authentic copy and authentic translation of the deed certifying that the service provider had practised the given profession in the state where it is domiciled for at least two years during a period of ten years prior to the submission of the notification
5. evidence of payment of the procedural duty

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legislative background:

1. [Act CXL of 2004 on the general rules of the procedures and services of administrative authorities](#)
2. [Act LXXVIII of 1993 on the specific rules of the lease of apartments and rooms and the disposal thereof](#)
3. [Act XCIII of 1990 on duties](#)
4. [ÖM Decree 31/2009. \(XI. 18.\) on the conditions of the performance of commercial real estate brokerage and commercial real estate asset appraisal and intermediary activity, the detailed rules of the procedure](#)
5. [Government Decree 217/2009. \(X. 2.\) on the designation of supervisory authorities of real estate enterprises](#)

Property management land surveyor activity

APPLICATION FOR CERTIFICATE OF GOOD CONDUCT

The certificate of good conduct can be applied before creation and maintenance of a legal relationship (e.g. employment relationship) or in order to verify that the applicant complies with requirements defined by an act.

Please ask your employer whether you need a certificate of good conduct or not, and in case the answer is yes, what kind of certificate do they need.

The certificate of good conduct can verify that the individual

- has not got any record in the register of convicted persons, and/or
- is not under the effect of deprivation of civil rights, and/or
- is not prohibited to exercise a profession or an activity, or
- complies with requirements defined by a Hungarian act.

The application can be submitted

- by mail on an official application form,
- by phone via Government Customer Line 1818,
- electronically using the Client Gate at the Hungarian eGovernment portal, where Client Gate identification is required,
- personally at the Customer Service of the Criminal Records Authority in Budapest, in case of priority service,
- personally at Hungarian Embassies or Consulates abroad.

The certificate of good conduct is free of charge 4 times a year, but there is a consular fee, if the application is submitted at a Hungarian Embassy or Consulate abroad.

The certificate of good conduct is delivered

- by mail as recorded delivery (in case the application was submitted by mail, by phone or via Client Gate)
- personally at the Personal Customer Service Centre in case of priority service,
- at the diplomatic or consular representation of Hungary.

Length of the process: 8 days (5 days in case of applying in person)

RECOGNITION PROCEDURE

In the process of applying for the authorisation, the recognition of the applicant's degree in Hungary taken at a foreign university must be proved .

Forms and supporting documentation

1. Application for recognition of document for certifying foreign qualification, which falling within the European community law
2. Copy of notarial document certifying citizenship
3. Certified translation of document verifying qualification
4. Certified copy of document verifying the duration of studies and requirements of the university (for example: registration book)
5. Certified translation of document verifying the duration of studies and requirements of the university (for example: registration book)
6. Curriculum vitae
7. Certificate for payment of procedural duty

The procedure just in part can be made electronically. Although, electronic forms already exist, submitting authentic documents electronically is not possible.

The duty fee is 73 500 HUF
Length of process: 90 days
[More information and contact](#)

Property management land surveyor activity is a service which includes the making of state land surveying basic maps, the managing of the works needed for entering changes in such maps, and the signing, examination, and quality certification of such work items. The property management land surveyor activity is classified in the Standard Classification of Economic Activities (TEÁOR'08 = NACE Rev. 2) as follows: Within Division 71 Architectural engineering activities; technical testing and analysis, and Group 71.1 Architectural engineering activities; technical testing and analysis, in the following classes

- 71.11 Architectural engineering; technical testing and analysis
- 71.12 Engineering activity, technical consultancy.

Property management land surveyor activity may be performed by a person who has no criminal record, is not banned from working as land surveyor or cartographer, is not involved in any pending penal proceeding, has the special qualification required for the activity, and at least five years of experience, and has reference works.

The special land surveyor and cartographer qualifications required for performing property management land surveyor activity are the following:

1. land surveying engineer degree, degree in construction engineering specialised in land surveying, or a degree in land surveying engineering and geographical IT sciences (GIS);
2. land surveyor, land management operating engineer, as well as land surveyor, land management engineer qualification;
3. univ. degree in construction engineering, univ. degree of forest engineering, univ. degree of mining engineering or univ. degree of cartography, or a plant engineer or engineer qualification acquired in the field of construction engineering;
4. certificate as land surveyor technician, cartographer technician, land surveyor and cartographer technician, special land surveyor technician, or special cadastral technician certificate;
5. any other special technician certificate, technician certificate or certificate from a technical secondary school not included above, where land surveying or cartography is included in the qualification (maturity examination) subjects;
6. certificate from the land surveying course earlier organised by National Agency of Land Registration and Cartography, or National Agency of Land Survey and Cartography.

A land surveyor's track record may include the following:

1. the time spent in a land surveyor position as confirmed by the employer;
2. the time of activity in the capacity of specific professional instructor at a secondary or tertiary level training institute which provides a qualification accepted as specific qualification required for the teaching of property management land surveyor activity;
3. the time of land surveying activity performed as an individual or as a member of an economic association, after obtaining the specific qualification required for land surveying activity.

Land surveying reference work

1. land surveyor activity performed for the land registry office,
2. at least 30 items of land surveying work, with the indication of the name of the land registry office accepting the work, which were performed in order to establish land parcel boundaries, or which resulted in a change in the contents of a property registry map, or
3. preparation of a state land surveying basic map of at least 100 hectares of incorporated area or at least 1000 hectares of unincorporated area, with the indication of the name of the land registry office accepting the work.

PROCEDURES RELATED TO THE COMMENCING AND PERFORMING OF THE SERVICE ACTIVITY

For the purposes of property management land surveyor activity, Institute of Geodesy, Cartography and Remote Sensing (hereinafter: **FÖMI**) shall be the competent administrative body of land surveying and geodesic information science. In addition to the supervisory powers of FÖMI, the county land registry offices working as property administration agencies of Budapest Government Office and the county government offices also have

the responsibility to perform administrative control in connection with the property management land surveying activity and the observance of the competence requirements relevant to the performance of this activity.

Performance of the activity of property management land surveying [requires](#) a land surveyor qualification according to the license from FÖMI. Applications for the performance of property management land surveyor activity may be submitted in writing or personally at FÖMI ([data form](#)). required for the submission of a petition. For technical reasons, cases cannot be initiated electronically at the moment. The following items must be attached to the application:

1. a certificate from the authorities (good conduct certificate), which proves the lack of a cause for exclusion of the petitioner due to his/her criminal record, ban from a profession, or being subject to the effect of a penal proceeding; or a petition requesting the agency maintaining the criminal records to forward the data relevant to the existence of such facts to FÖMI based on a request from FÖMI for such data,
2. a [data form](#) available at the website of FÖMI,
3. a copy of the certification which proves the special qualification,
4. professional CV,
5. the documents supporting the term of experience,
6. a list of reference works,
7. a photocopy of the cash transfer order which proves the payment of the fee for the administrative service.

In justified cases, the Qualification Board of Property Management Land Surveyors may request additions to the data listed above or the submission of additional documents.

FÖMI shall assess the application within the general administrative deadline of 30 days, which deadline may be extended by 30 days on one occasion by the head of the authority.

If the application fully meets the requirements of the legal requirements, FÖMI will permit the performing of property management land surveying activity and, based on that, issue a certificate as proof of qualification of property management land surveyor. Related to the license, FÖMI issues a land surveyor certificate for the licensee, which proves the relevant rights.

An administrative service fee of HUF 5000 must be paid for the issuance of the property management land surveyor qualification.

The fee of issuing a copy of a lost, damaged or destroyed certificate is HUF 1500.

The fee of issuing, modifying or replacing a land surveyor certificate is HUF 4000.

The above fees must be paid by bank transfer or money order to the following bank account number of FÖMI: 10032000-01474527-00000000.

FÖMI maintains a registry of persons licensed to perform property management land surveying activity.

Performing the activity in the framework of a cross-border service

In connection with the property management land surveying activity there is no regulation within the sector that would require that a person who lawfully performs this activity in her/his member country (EU, EEA) of residence should be subject to specific licensing or notification requirements in the case of rendering cross-border services in Hungary i.e. on an occasional or temporary basis without settling down in Hungary.

CROSS-BORDER SERVICE PROVISION

If you wish to launch this service in the form of cross-border service provision, please [click here](#) to read the general conditions of cross-border service provision in Hungary.

Legal regulations relevant to the service activity and procedures

Legal regulations of the sector, primarily relevant to the property management land surveying activity and procedures:

1. [Act LXXVI. of 1996 on land surveying and cartographic activities](#),
2. [Joint Decree 21/1997 \(III. 12.\) of FM-HM on the implementation of certain provisions of Act LXXVI. of 1996 on land surveying and cartographic activities](#),
3. [Decree 16/1997 \(III. 5.\) of FM on the implementation of Act LXXVI. of 1996 on land surveying and cartographic activities](#),
4. [Joint Decree 63/1999. \(VII. 21.\) of FVM-HM-PM on the management and service of land surveying and cartographic state basic data, and certain administrative service fees](#),
5. [Government Decree 338/2006 \(XII. 23.\) on land registry offices, Institute of Geodesy, Cartography and Remote Sensing, Board on Geographic Names, and the detailed rules of procedure of land registry procedure](#),
6. [Act CXL. of 2004 on the general rules of the procedures and services of administrative authorities](#),
7. [Act LXXVI. of 2009 on the general rules of commencing and performing of service activities](#).