

Fundamental Law of Hungary

‘O Lord, blessed be the Hungarian nation’¹

National Avowal of Faith

At the dawn of a new millennium, we MEMBERS OF THE HUNGARIAN NATION declare the following, with a bond of duty to all Hungarians:

We are proud that one thousand years ago our king, Saint Stephen, based the Hungarian State on solid foundations, and made our country a part of Christian Europe.

We are proud of our forebears, who fought for the survival, freedom and independence of our country.

We are proud of the outstanding intellectual achievements of the Hungarian people.

We are proud that this people fought in defence of Europe for many centuries and, through its talent and industry, has contributed to the enrichment of European heritage.

We acknowledge the role Christianity has played in preserving our nation. We respect all our country’s religious traditions.

We solemnly promise to preserve the intellectual and spiritual unity of our nation, torn apart by the storms of the past century. We consider the nationalities and ethnic groups living in Hungary to be constituent parts of the Hungarian nation.

We pledge to cherish and preserve our heritage: our Hungarian culture, our unique language, and the man-made and natural riches of the Carpathian Basin. We recognise a bond of duty towards our nation’s future generations; we shall therefore strive to preserve and enhance the circumstances of those who come after us by sound management of our material, intellectual and natural resources.

We believe that our national culture makes a rich contribution to the diversity of a unified Europe.

We respect the freedom and culture of other peoples, and shall endeavour to work together with all nations of the world.

We hold that the basis of human life is human dignity.

We hold that individual freedom can only flourish through cooperation with others.

We hold that the family and the nation provide the fundamental framework for community, in which the pre-eminent values are loyalty, faith and love.

We hold that the strength of a community and the self-esteem of every individual within it are based on work and the achievements of the human spirit and mind.

We hold that we are duty-bound to help the vulnerable and the poor.

We hold that it is the common goal of citizens and the State to achieve the highest possible measure of well-being, security, order, justice and liberty.

We hold that true democracy may only exist if the State serves its citizens and administers their affairs justly and without abuse or partiality.

¹ (This is the first line of the Hungarian national anthem – note of the translator)

We honour the achievements of our historical Constitution and we honour the Holy Crown, which embodies the constitutional continuity of the Hungarian State and the unity of the nation.

We do not recognise the suspension of our historical Constitution – a consequence of invasions of our country. We declare that no statutory limitation applies to the inhuman crimes committed against the Hungarian nation and its people under the national socialist and communist dictatorships.

We do not recognise the legal continuity of the 1949 Communist “Constitution”, which laid the foundations for tyranny, and hence we declare it to be invalid.

We agree with the members of the first freely-elected Parliament, whose first resolution declares that our freedom has its roots in the Revolution of 1956.

We hold that the self-determination of our State, lost on 19 March 1944, was restored on 2 May 1990, with the formation of our first freely-elected representative body. That is the day we consider to be the beginning of a new democracy and constitutional order for our country.

We hold that, after the moral defeats of the twentieth century, our need for spiritual and intellectual renewal is paramount.

We trust in a future we can build together, as well as in the commitment of our younger generations. We believe that through their talent, perseverance and moral strength our children and grandchildren will re-establish the recognition and reputation of Hungary.

This Fundamental Law shall be the basis of all our law. It shall serve as a covenant between Hungarians of the past, the present and the future; it is a living embodiment of the nation’s will, an expression of the ideals by which we collectively aspire to live.

We, the citizens of Hungary, are ready to found the order of our country upon the collective efforts of our nation.

Fundamentals

Article A

The name of OUR COUNTRY shall be Hungary.

Article B

- (1) Hungary shall be an independent and democratic State under the rule of law.
- (2) The form of government of Hungary shall be that of a republic.
- (3) Power shall be derived from the people.
- (4) The people shall exercise their power through their elected representatives, and also directly in exceptional cases.

Article C

- (1) The functioning of the Hungarian State shall be based on the principle of the separation of powers.
- (2) No one’s activities may be directed at the acquisition or exercise of power by violent means, or at its exclusive possession. It shall be the right and obligation of all to resist such activities by lawful means.
- (3) Only the organs of the State shall have the right to employ coercive force, in order to uphold the Fundamental Law and the rules of law.

Article D

Hungary, guided by the notion of a single Hungarian nation, shall bear responsibility for the fate of Hungarians living outside its borders, shall foster the survival and development of their communities, shall support their endeavours to preserve their Hungarian identity, and shall promote their cooperation with each other and with Hungary.

Article E

(1) Hungary shall contribute to the goal of European unity, in pursuit of the greatest freedom, well-being and security for the peoples of Europe.

(2) In its role as a Member State of the European Union, and on the basis of an international treaty, Hungary may – as far as its rights and its obligations set out in the founding Treaties allow and demand – exercise certain competences deriving from the Fundamental Law, together with the other Member States, through the institutions of the European Union.

(3) For the authorisation to recognise the binding force of an international treaty referred to in Paragraph (2), the votes of two-thirds of all Members of Parliament shall be required.

Article F

(1) The capital of Hungary shall be Budapest.

(2) The territory of Hungary shall be divided into counties, cities or towns, and villages or smaller communities. Districts may be formed in cities or towns.

Article G

(1) The child of a Hungarian citizen shall be a Hungarian citizen by birth. A cardinal Act may specify other grounds for the origin or acquisition of Hungarian citizenship.

(2) Hungary shall defend its citizens.

(3) No person may be deprived of his or her Hungarian citizenship, provided it was legitimately acquired at birth or in any other lawful manner.

(4) The detailed rules relating to citizenship shall be laid down in a cardinal Act.

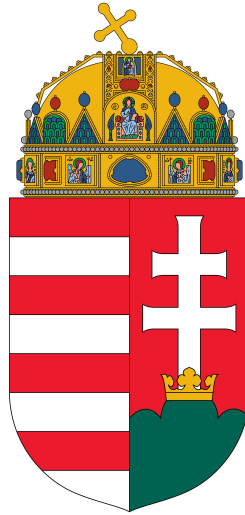
Article H

(1) The official language of Hungary shall be Hungarian.

(2) Hungary shall protect the Hungarian language, whilst respecting the languages of nationalities and ethnic groups within its borders, as well as the languages of other nations.

Article I

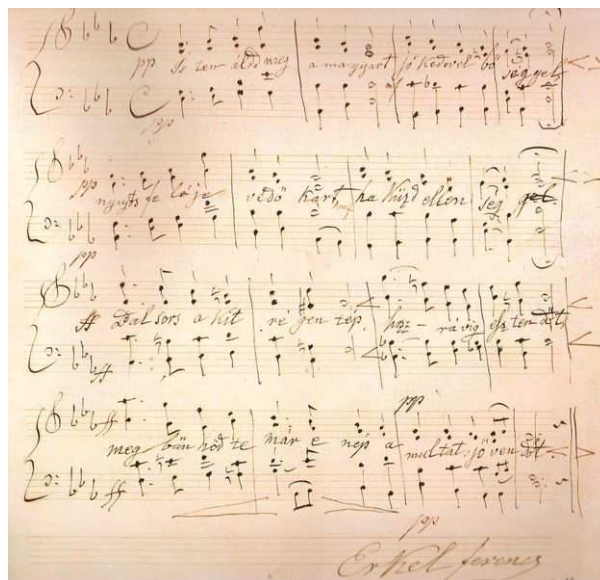
(1) The coat of arms of Hungary shall be a divided shield, its base described by two intersecting arcs meeting at a point. The *dexter* (the left half as viewed) shall contain eight alternating red and silver horizontal stripes. The *sinister* (the right half as viewed) shall have a field of red with a depiction of three green hills at its base, the central (higher) hill supporting a golden crown, through which rises a silver patriarchal cross. The top of the shield shall be horizontal, and shall support a depiction of the Holy Crown of Hungary.



(2) The flag of Hungary shall be a horizontal tricolour consisting of – from top to bottom – red, white and green stripes of equal width.



(3) The national anthem of Hungary shall be the poem *Himnusz* ('Hymn') by Ferenc Kölcsey, set to music by Ferenc Erkel.



(4) The coat of arms and the flag may also be used in other historically developed forms. The detailed rules for the use of the coat of arms and the flag shall be laid down in a cardinal Act, in addition to state honours and decorations.

Article J

- (1) The national holidays of Hungary shall be the following:
 - a)* the 15th day of March, commemorating the Revolution and War of Independence of 1848/49;
 - b)* the 20th day of August, commemorating the foundation of the State and its founder and first king, Saint Stephen;
 - c)* the 23rd day of October, commemorating the Revolution and War of Independence of 1956.
- (2) The official state holiday shall be the 20th day of August.

Article K

- (1) Hungary shall protect the institution of marriage, understood to be the conjugal union of a man and a woman based on their independent consent; Hungary shall also protect the institution of the family, which it recognises as the basis for survival of the nation.
- (2) Hungary shall promote the commitment to have and raise children.
- (3) The protection of families shall be regulated in a cardinal Act.

Article L

- (1) The economy of Hungary shall be based upon work which creates value, and upon freedom of enterprise.
- (2) Hungary shall ensure the conditions of fair economic competition, act against the abuse of a dominant economic position and protect the rights of consumers.

Article M

- (1) Hungary shall observe the principle of balanced, transparent and sustainable management of the budget.
- (2) Parliament and the Government shall have the primary responsibility for fulfilment of the principle pursuant to paragraph (1).
- (3) The Constitutional Court, the courts, local governments and other state organs shall respect the principle referred to in Paragraph (1) in the performance of their duties.

Article N

Everyone shall bear responsibility for his or her own self, and shall contribute to the performance of state and community tasks according to his or her abilities and possibilities.

Article O

- (1) Hungary shall protect and preserve the health of the natural environment.
- (4) Natural resources, especially arable land and the stock of drinking water, as well as biological diversity and cultural values shall be the nation's common heritage; the State and every individual shall be duty-bound to preserve them for future generations.

Article P

- (1) In order to establish and maintain peace and security, and to ensure the sustainable development of humanity, Hungary shall endeavour to cooperate with all the peoples and countries of the world.

(2) Hungary shall ensure that Hungarian law is in harmony with international law, in order to comply with its obligations under international law.

(3) Hungary shall accept the internationally recognised rules of international law. Other sources of international law shall be incorporated into Hungarian law upon their publication as a rule of law.

Article Q

(1) The Fundamental Law shall form the basis of Hungary's legal system.

(2) The Fundamental Law and the rules of law shall be binding on everyone.

(3) The provisions of the Fundamental Law shall be interpreted in accordance with their purpose, with the Fundamental Law's National Avowal of Faith, and with the achievements of our thousand-year-old Hungarian Historical Constitution.

Article R

(1) For the adoption of a new Fundamental Law or for the amendment of the Fundamental Law, the votes of two-thirds of all Members of Parliament shall be required.

(2) The Fundamental Law or an amendment thereof shall be signed and sent to the President of the Republic by the Speaker of Parliament. The President of the Republic shall sign the Fundamental Law or the amendment thereof within five days of receipt and shall order its publication in the Official Gazette.

Article S

(1) Generally binding rules of conduct shall be laid down in a rule of law which has been adopted by an organ specified in the Fundamental Law as being competent to make law, following its publication in the Official Gazette. A cardinal Act may determine different rules for the publication of local government decrees and for rules of law adopted under special legal order.

(2) A 'rule of law' shall mean an Act of Parliament (hereinafter referred to as an 'Act'), a government decree, a prime ministerial decree, a ministerial decree, a decree by the Governor of the National Bank of Hungary, a decree by an autonomous regulatory organ or a local government decree. Apart from these, decrees by the National Defence Council issued during a state of national crisis and decrees by the President of the Republic issued during a state of emergency shall also be rules of law.

(3) No rule of law may be contrary to the Fundamental Law.

(4) 'Cardinal Act' shall mean an Act for the adoption or amendment of which the votes of two-thirds of the Members of Parliament present shall be required.

Freedoms and Responsibilities

Article I

(1) The inviolable and inalienable rights of MAN shall be respected. It shall be the primary obligation of the State to respect and protect these rights.

(2) Hungary shall recognise the fundamental rights of Man – exercised either individually or collectively with other members of the community.

(3) The rules relating to fundamental rights and obligations shall be laid down in an Act. A fundamental right may only be restricted in order to enforce another fundamental right or to protect a constitutional value, to the extent that is absolutely necessary, and proportionate to the objective pursued and respecting the essential content of the relevant fundamental right.

(4) Legal entities established on the basis of an Act shall also have these fundamental rights, and they shall also be bound by those obligations which, by their nature, are applicable not only to Man.

(5) An Act may confer the right to exercise fundamental citizens' rights also on persons who are not Hungarian citizens.

Article II

Human dignity shall be inviolable. Everyone shall have the right to life and human dignity; the life of the foetus shall be protected from the moment of conception.

Article III

(1) Nobody may be subjected to torture, inhuman or degrading treatment or punishment, or be held in servitude. Trafficking in human beings shall be prohibited.

(2) It shall be prohibited to perform a medical or scientific experiment on human beings without their informed and voluntary consent.

(3) Practices aimed at eugenics, the use of the human body or its parts for financial gain, or human cloning shall be prohibited.

Article IV

(1) Everyone shall have the right to freedom and to the security of the person; no one shall be deprived of his or her freedom, except for reasons described in an Act and in accordance with the procedure stipulated in an Act. A person may be deprived of his or her freedom for life only for committing a criminal offence and only on the basis of a final judicial ruling.

(2) Any individual suspected of having committed a criminal offence and held in detention shall either be released or shall be brought before a court within the shortest possible period of time. The court shall be required to give the detained individual a hearing and shall immediately make a decision with a written justification to either release the individual or place him or her under arrest.

Article V

(1) Everyone shall have the right to have his or her privacy, family life, home, communications and good reputation respected.

(2) Everyone shall have the right to the protection of his or her personal data, as well as to have access to and disseminate information of public interest.

(3) An independent authority shall supervise the protection of personal data and the fulfilment of the right of access to data of public interest.

Article VI

(1)) Everyone shall have the right to freedom of thought, conscience and religion. This right shall enable anyone to freely choose or change his or her religion or other conviction, to manifest or abstain from manifesting such religion or other conviction, to practice or teach – either individually or together with others, in public or in private – one's religion or belief through religious acts or ceremonies, or in any other way.

(2) In Hungary the State and the churches shall be separated. Churches shall be independent. For the attainment of community goals, the State shall cooperate with the churches.

(3) The detailed rules relating to churches shall be laid down in a cardinal Act.

Article VII

(1) Everyone shall have the right to peaceful assembly.

(2) Everyone shall have the right to establish or join organisations.

(3) Political parties may be established and may operate freely on the basis of the right to assembly. Political parties shall participate in the formation and expression of the will of the people. Political parties may not exercise power in public affairs directly.

(4) The detailed rules for the operation and economic management of political parties shall be laid down in a cardinal Act.

(5) Trade unions and other interest groups may be established and may operate freely on the basis of the right to assembly.

Article VIII

(1) Everyone shall have the right to freely express his or her opinion.

(2) Hungary shall recognise and protect the freedom of the press.

(3) The detailed rules relating to the freedom of the press and to the supervision of the electronic mass media and communications market shall be laid down in a cardinal Act.

Article IX

(1) Hungary shall protect the freedom of scientific research and artistic expression, as well as the freedom of learning and teaching.

(2) Only scientists shall be entitled to determine the scientific value of research. The State shall not be entitled to decide on questions of scientific truth.

(3) Hungary shall protect the freedom of scientific research and artistic expression of the Hungarian Academy of Sciences, the Hungarian Academy of Arts and that of higher education institutions; in order to ensure sound management of the revenues and assets of public institutions and of subsidies provided from public funds, it shall ensure their organisational autonomy within the framework specified by an Act.

Article X

(1) Every Hungarian citizen shall have the right to education.

(2) Hungary shall ensure this right by extending public education and making it universal, by providing free and compulsory primary schooling, free and universally accessible secondary education, and free higher education that is accessible on the basis of ability, as well as by providing financial support as laid down in an Act to those receiving education.

Article XI

(1) Everyone shall have the right to freely choose his or her job or profession, or to engage in entrepreneurial activities. Everyone shall have a duty to contribute to the enrichment of the community through his or her work, performed according to his or her abilities and possibilities.

(2) Hungary shall strive to create conditions ensuring that everyone who is able and willing to work has the opportunity to do so.

Article XII

(1) Everyone shall have the right to own property and to leave property to their heirs, and to receive it as inheritance. The ownership of property shall entail social responsibility.

(2) Property may only be expropriated in exceptional cases, and in the public interest; such expropriation may only take place in such circumstances and in such a manner as stipulated by an Act; such expropriation must be accompanied by full, unconditional and immediate compensation.

Article XIII

(1) Hungarian citizens may not be expelled from the territory of Hungary and they may return at any time from abroad. Foreigners may only be expelled from the territory of Hungary on the basis of a lawful decision.

(2) No one may be expelled or extradited to a State where he or she would be in danger of being sentenced to death, being tortured, or being subjected to other inhuman treatment or punishment.

(3) Hungary shall provide asylum on request to those non-Hungarian citizens who are subject to persecution in their native country or in the country of their habitual residence, when such persecution occurs on the basis of their race, their belonging to a nationality or to a certain group within society, or their religious or political conviction, or to those who have a well-founded fear of persecution, provided that neither their country of origin nor another country provides them protection.

Article XIV

- (1) Everyone shall be equal before the law. Everyone shall have legal capacity.
 - (2) Hungary shall guarantee the fundamental rights to everyone without any discrimination as to race, colour, sex, disability, language, religion, political or other opinion, national or social origin, wealth, birth or on any other circumstance whatsoever.
 - (3) Women and men shall have equal rights.
 - (4) Hungary shall promote the realisation of equal rights, with measures aimed at eliminating inequalities of opportunity as well.

Article XV

- (1) Every child shall have the right to the protection and care necessary for his or her proper physical, intellectual and moral development.
 - (2) Parents shall have the right to choose the upbringing to be given to their children.
 - (3) Parents shall care for their children until they reach adulthood. This obligation shall also include the child's education.
 - (4) Adult offspring shall care for their parents if they are in need of such care.
 - (5) Hungary shall take special measures to protect women, the elderly and the disabled.

Article XVI

- (1) Workers and employers shall cooperate with each other in order to ensure employment and the sustainability of the national economy as well as with a view to other community goals.
 - (2) Workers and their organisations shall have, in accordance with an Act, the right to negotiate and conclude collective agreements with their employers, and to act jointly or go on strike to protect their interests.
 - (3) Every worker shall have the right to working conditions which take account of his or her health, safety and dignity.
 - (4) Every worker shall have the right to daily and weekly rest periods, and to an annual period of paid leave.

Article XVII

- (1) The employment of children shall be prohibited, with the exception of cases laid down in an Act; such employment conditions must not endanger their physical, intellectual or moral development.
 - (2) Hungary shall ensure through special measures the protection at work of young people and parents.

Article XVIII

- (1) Hungary shall strive to provide social security to all of its citizens. Every Hungarian citizen shall be entitled to assistance as laid down in an Act in the event of maternity, illness or disability, or if he or she becomes a widow(er) or an orphan, or loses employment through circumstances beyond his or her control.
 - (2) For those in need of social security assistance for the reasons referred to in Paragraph (1), or for other reasons, Hungary shall provide social security through a system of social institutions and measures.
 - (3) The nature and extent of social measures may be determined in an Act also according to the usefulness to the community of the activity of those benefiting from the social measure.
 - (4) Hungary shall contribute to ensuring a livelihood for the elderly by maintaining a unified state pension system based on social solidarity and by making possible the operation of voluntarily established social institutions. The conditions of entitlement to state pension may be specified by an Act also in view of the requirements for increased protection for women.

Article XIX

- (1) Everyone shall have the right to the preservation of his or her physical and mental health.
- (2) Hungary shall promote the fulfilment of the right referred to in Paragraph (1) by providing safety at work, health care institutions and medical care, by supporting sport and regular physical exercise, as well as through ensuring the protection of the man-made and natural environment.
- (3) Hungary shall protect Hungarian sign language as part of Hungarian culture.

Article XX

Hungary shall strive to ensure decent housing conditions and access to public services for everyone.

Article XXI

- (1) All adult Hungarian citizens shall have the right to vote and to stand as candidates in parliamentary elections, in mayoral and local government elections, and in elections to the European Parliament. By a cardinal Act, voters may be required to reside in Hungary in order to exercise or fully exercise their right to vote, or they may also be required to meet additional criteria to stand for election.
- (2) A cardinal Act may grant the right to vote referred to in Paragraph (1) to minors as well. This right of the minor shall be exercised – as determined in a cardinal Act – by his or her mother or other lawful representative and in such a way that the latter can have at most one vote in addition to his or her own.
- (3) Those deprived of their right to vote by a court for a criminal offence shall not have the right to vote.
- (4) Those deprived of their right to vote by a court for limited mental ability shall not have the right to vote.
- (5) All those entitled to vote in parliamentary elections shall have the right to vote in national referenda. All those entitled to vote in mayoral and local government elections shall have the right to vote in local referenda.
- (6) All Hungarian citizens shall have the right to hold public office according to their suitability, education and professional competence. Public offices that may not be held by members or officials of political parties shall be specified in an Act.

Article XXII

- (1) Everyone shall have the right to have his or her affairs handled impartially, fairly and within a reasonable time period by the authorities. This right also obliges such authorities to give reasons for their decisions.
- (2) Everyone shall have the right to have the State, as specified in an Act, make good any damage unlawfully caused by its authorities in the performance of their duties.

Article XXIII

Everyone shall have the right to submit – either individually or jointly with others – a written request, complaint or proposal to any organ exercising authority in the public realm.

Article XXIV

In order to increase the efficiency of its operations, the quality of public services, the transparency of public affairs, and to promote equality of opportunity, the State shall strive to employ the latest results of science and technology.

Article XXV

- (1) Everyone staying lawfully within the borders of Hungary shall have the right to move freely, and to freely choose his or her place of residence.
- (2) Every Hungarian citizen shall have the right to enjoy the protection of Hungary during his or her stay abroad.

Article XXVI

(1) Everyone shall be entitled to have any charges against him or her, or his or her rights and obligations in any litigation, adjudicated within a reasonable time in a trial conducted in public by an independent and impartial court established by an Act.

(2) No one may be considered guilty until his or her guilt under criminal law has been established by the final ruling of a court.

(3) Everyone subjected to criminal proceedings shall be entitled to legal defence at all stages of such proceedings. Defence counsels shall not be held accountable for opinions expressed by them in the course of their duties.

(4) No one may be found guilty and subject to punishment for an act that, at the time it was committed, was not a criminal offence under the law of Hungary or – within the sphere specified in an international treaty or a legal act of the European Union – under the law of another State.

(5) Paragraph (4) may not exclude the prosecution and conviction of a person for an act which, at the time it was committed, was a criminal offence according to the generally accepted rules of international law.

(6) No one may be prosecuted or convicted in criminal proceedings for a criminal offence for which he or she has already been finally acquitted or convicted under criminal law in Hungary or – within the sphere specified in an international treaty or a legal act of the European Union – under the law of another State.

(7) Everyone shall have the right to seek legal remedy against decisions of the courts or of public administration or other authorities which infringe their rights or legitimate interests.

Article XXVII

(1) Nationalities and ethnic groups living in Hungary shall be constituent elements of the State. Every Hungarian citizen belonging to a nationality or ethnic group shall have the right to freely declare his or her identity. Nationalities and ethnic groups shall have the right to use their mother tongue, to use their own names in their mother tongue, to foster their culture and to receive education in their mother tongue.

(2) Nationalities and ethnic groups living in Hungary may set up local and national self-governments.

Article XXVIII

(1) Every natural person and every legal entity established on the basis of an Act shall contribute, according to their capacity, to financing the needs of the community.

(2) For those raising children, the extent of this contribution to financing the needs of the community shall make allowance for the expenses of childrearing.

Article XXIX

(1) All Hungarian citizens shall be obliged to contribute to the defence of their country.

(2) Hungary shall have a volunteer reservist system for national defence.

(3) During a state of national crisis, or if Parliament decides so in a state of preventive defence emergency, all adult men of Hungarian citizenship residing in Hungary shall perform military service. The forms and detailed rules for military service shall be laid down in a cardinal Act.

(4) For the duration of a state of national crisis, adult Hungarian citizens residing in Hungary may be obliged, as laid down in a cardinal Act, to perform defence-related work.

(5) Adult Hungarian citizens residing in Hungary may be obliged, as laid down in a cardinal Act, to perform national defence or disaster-related tasks by participating in civil protection.

(6) Every natural person and every legal entity established on the basis of an Act may be obliged, as laid down in a cardinal Act, to perform national defence or disaster-related tasks by providing economic or material services.

The State

The Tasks and Competences of Parliament

Article 1

- (1) HUNGARY's supreme body of popular representation shall be Parliament.
- (2) Parliament shall
 - a)* adopt the Fundamental Law of Hungary;
 - b)* adopt other Acts;
 - c)* adopt the central budget and approve its implementation;
 - d)* give authorisation to recognise the binding force of international treaties falling within its tasks and competences;
 - e)* elect the President of the Republic, the members and the President of the Constitutional Court, the President of the Supreme Court of Justice, the Chief Public Prosecutor, the Commissioner for Fundamental Rights, and the President of the State Audit Office;
 - f)* elect the Prime Minister, decide on the question of confidence in the Government;
 - g)* dissolve representative bodies of local government which operate in a way that is contrary to the Fundamental Law; take decisions relating to a special legal order or to military operations;
 - h)* decide on the declaration of a state of war, or on the conclusion of peace;
 - i)* make decisions related to a special legal order and to military operations;
 - j)* exercise general amnesty;
 - k)* perform other tasks and exercise other competences laid down in the Fundamental Law or in other Acts.

The Election of Members of Parliament

Article 2

- (1) Members of Parliament shall be elected by direct and secret ballot by citizens eligible to vote, and enjoying universal and equal voting rights, in elections which guarantee free expression of the will of voters, in accordance with the procedures laid down in a cardinal Act.
- (2) The participation in the work of Parliament of nationalities and ethnic groups living in Hungary shall be regulated in a cardinal Act.
- (3) The general election of Members of Parliament shall be held in the month of April or May of the fourth year following election of the previous Parliament, except for elections resulting from the premature dissolution of a Parliament.

The Commencement and Termination of the Mandate of Parliament

Article 3

- (1) The mandate of Parliament shall commence with its inaugural sitting, and shall last until the inaugural sitting of the next Parliament. The inaugural sitting shall be convened by the President of the Republic within thirty days of parliamentary elections.
- (2) Parliament may declare its own dissolution.
- (3) The President of the Republic may dissolve Parliament, and simultaneously set a date for new elections, if
 - a)* the mandate of the Government terminates, and a candidate for Prime Minister nominated by the President of the Republic is not elected by Parliament within a period of forty days after the initial nomination of a prime-ministerial candidate;
 - b)* Parliament does not adopt the central budget for a given year by 31 March of that year.
- (4) Prior to dissolving Parliament, the President of the Republic shall request the opinions of the Prime Minister, the Speaker of Parliament and the leaders of the parliamentary fractions of the parties represented in Parliament.

(5) The President of the Republic may exercise his or her right pursuant to Point a) of Paragraph (3) until Parliament elects a prime minister. The President of the Republic may exercise his or her right pursuant to Point b) of Paragraph (3) until Parliament adopts the central budget.

(6) The new Parliament shall be elected within ninety days of the dissolution of Parliament.

The Legal Status of Members of Parliament

Article 4

(1) The rights and obligations of Members of Parliament shall be equal, they shall perform their activities in the public interest, and they may not be given instructions regarding their activities.

(2) Members of Parliament shall be entitled to immunity and to adequate remuneration ensuring their independence. A cardinal Act shall determine the public offices which may not be filled by Members of Parliament, and may define other cases of conflict of interest.

(3) The mandate of a Member of Parliament shall terminate:

a) upon the completion of the term of Parliament,

b) upon death of the Member of Parliament,

c) upon the declaration of a conflict of interest,

d) upon resignation,

e) if the conditions necessary for his or her election no longer exist, or

f) if he or she has not participated in the work of Parliament for a year.

(4) Parliament shall decide on the declaration of a conflict of interest, and the establishment of cases of termination of the mandate pursuant to Points e) and f) of Paragraph (3), with a majority of two-thirds of the votes of the Members of Parliament present.

(5) The detailed rules on the legal status and the remuneration of Members of Parliament shall be laid down in a cardinal Act.

The Functioning of Parliament

Article 5

(1) The sittings of Parliament shall be open to the public. At the request of the Government or of any Member of Parliament, and with the votes of two-thirds of the Members, Parliament may decide to hold a sitting *in camera*.

(2) Parliament shall elect the Speaker of Parliament, Deputy Speakers and officers with notarial functions from among its members.

(3) Parliament shall establish standing committees from among its members.

(4) In order to coordinate their activities Members of Parliament may establish fractions in accordance with the conditions laid down in the Standing Orders.

(5) Parliament shall have a quorum if more than half of its Members are present.

(6) Except where the Fundamental Law provides otherwise, Parliament shall decide questions put before it by a simple majority of votes from the Members present. The Standing Orders may stipulate that certain questions are to be decided by a qualified majority.

(7)) Parliament shall establish its rules of procedure and of debate in its Standing Orders, to be adopted by a majority of two-thirds of the votes of the Members of Parliament present.

(8) The provisions ensuring regular sittings of Parliament shall be laid down in a cardinal Act.

The Adoption of Acts

Article 6

(1) The adoption of an Act may be initiated by the President of the Republic, the Government, any Parliamentary Committee, or any Member of Parliament.

(2) At the motion submitted by the initiator of the Act, the Government or the Speaker of Parliament before the final vote, Parliament may send the adopted Act to the Constitutional Court to rule on its conformity with the Fundamental

Law. Parliament shall decide on the motion after a final vote. If the motion is adopted by Parliament, the Speaker of Parliament shall immediately send the adopted Act to the Constitutional Court to rule on its conformity with the Fundamental Law.

(3) The Speaker of Parliament shall sign the adopted Act within five days and forward it to the President of the Republic. The President of the Republic shall sign the Act within five days of receiving it from the Speaker and order its publication. If Parliament has sent the Act to the Constitutional Court to rule on its conformity with the Fundamental Law pursuant to Paragraph (2), the Speaker of Parliament may only sign it and forward it to the President of the Republic if the Constitutional Court has not ruled it to be contrary to the Fundamental Law.

(4) Should the President of the Republic consider an Act or any of its provisions to be contrary to the Fundamental Law, and its conformity has not been ruled on pursuant to Paragraph (2), he or she shall send the Act to the Constitutional Court to rule on its conformity with the Fundamental Law.

(5) If the President of the Republic disagrees with an Act or any of its provisions and has not exercised his or her right pursuant to Paragraph (4), prior to signing the Act he or she may return it, together with comments, to Parliament for reconsideration. In this event Parliament shall debate the Act once more and decide on its adoption. The President of the Republic may also exercise this right if in the course of its deliberations the Constitutional Court has not ruled the Act to be contrary to the Fundamental Law in any way.

(6) The Constitutional Court shall decide on the motion pursuant to Paragraphs (2) or (4) with special dispatch, but within thirty days at the latest. Should the Constitutional Court establish a violation of the Fundamental Law, Parliament shall hold another debate on the Act in order to terminate the violation.

(7) If the Constitutional Court does not establish any violation of the Fundamental Law when examining an Act at the request of the President of the Republic, the President of the Republic shall immediately sign the Act and order its publication.

(8) The Constitutional Court may be requested to conduct another examination, pursuant to Paragraphs (2) and (4), of the conformity with the Fundamental Law of an Act debated and adopted by Parliament pursuant to Paragraph (6). The Constitutional Court shall decide on the second request with special dispatch, but within ten days at the latest.

(9) If Parliament amends an Act that has been returned to it by the President of the Republic for reconsideration, Parliament or the President of the Republic shall have the right pursuant to Paragraphs (2) or (4) in respect of the amended provisions.

Procedures for Parliamentary Oversight

Article 7

(1) Members of Parliament may address questions to the Commissioner for Fundamental Rights, to the President of the State Audit Office, to the Chief Public Prosecutor and to the Governor of the National Bank of Hungary on any matter which falls within their respective competence.

(2) Members of Parliament may address interpellations or questions to the Government or any of its Members on any matter which falls within their respective competence.

(3) The inquiries of parliamentary committees and the obligation to appear before these committees shall be regulated by a cardinal Act.

National Referenda

Article 8

(1) At the initiative of at least two hundred thousand citizens with voting rights, Parliament shall order a national referendum. At the initiative of the President of the Republic, the Government, or one hundred thousand citizens with voting rights, Parliament may order a national referendum at its discretion. The result of a valid and successful referendum shall be binding on Parliament.

(2) Questions falling within the tasks and competences of Parliament may be the subject of national referenda.

(3) No national referendum may be held on

a) questions aimed at amending the Fundamental Law;

b) the central budget, implementation of the budget, central taxes, stamp duties, contributions, customs duties, or the content of Acts determining the central requirements related to local taxes;

- c)* the contents of Acts on the election of Members of Parliament, of local government representatives and mayors, as well as of Members of the European Parliament;
- d)* obligations arising from international treaties;
- e)* personal matters and questions concerning the establishment of organizations that fall within the competence of Parliament;
- f)* the dissolution of Parliament;
- g)* the dissolution of a body of local government representatives;
- h)* the declaration of a state of war, a state of national crisis or a state of emergency;
- i)* questions concerning participation in military operations;
- j)* the exercise of general amnesty.

(4) A national referendum shall be deemed valid if more than half of the total electorate have cast valid votes, and it shall be deemed successful if more than half of those voting validly have given the same answer to the question being voted on.

The Tasks and Competences of the President of the Republic

Article 9

- (1) The Head of State of Hungary shall be the President of the Republic, who shall embody the unity of the nation and be the guardian of the democratic functioning of the State.
- (2) The President of the Republic shall be the Commander in Chief of the Hungarian Defence Forces.
- (3) The President of the Republic:
 - a)* shall represent Hungary;
 - b)* may participate in and take the floor at the sittings of Parliament;
 - c)* may initiate an Act ;
 - d)* may initiate national referenda;
 - e)* shall set the date for general parliamentary, local government and mayoral elections, as well as the dates for elections to the European Parliament and for national referenda;
 - f)* shall make decisions concerning a special legal order;
 - g)* shall convene the inaugural sitting of Parliament;
 - h)* may dissolve Parliament;
 - i)* may send an Act adopted by Parliament to the Constitutional Court to rule on its conformity with the Fundamental Law, or return it to Parliament for reconsideration;
 - j)* shall put forward nominations for the posts of Prime Minister, the President of the Supreme Court of Justice, the Chief Public Prosecutor and the Commissioner for Fundamental Rights;
 - k)* shall appoint professional judges and the President of the Budgetary Council;
 - l)* shall confirm the President of the Hungarian Academy of Sciences in his or her office;
 - m)* shall decide on any other matters assigned to his or her competence by an Act.
- (4) The President of the Republic shall:
 - a)* recognize the binding force of international treaties on the basis of an authorisation from Parliament;
 - b)* accredit and receive ambassadors and envoys;
 - c)* appoint Ministers, the Governor of the National Bank of Hungary, the heads of autonomous regulatory organs and university professors;
 - d)* appoint university rectors;
 - e)* appoint and promote generals;
 - f)* confer titles, medals of merit and decorations specified by an Act, and authorize the use thereof;
 - g)* exercise the right to grant presidential pardons;

h) decide on matters of territorial organization falling under his or her competence;

i) decide on cases related to the acquisition or termination of citizenship.

(5) The counter-signature of a Government Minister shall be required for all the actions of the President of the Republic detailed in Paragraph (4). An Act may prescribe that a decision assigned by an Act to the competence of the President of the Republic shall be counter-signed by a Government Minister.

(6) The President of the Republic shall refuse to comply with the provisions of Points b) to e) of Paragraph (4) if the conditions specified in rules of law have not been met, or he or she sees reasonable grounds to conclude that his or her compliance with such provisions would result in grave harm being done to the democratic functioning of the State.

(7) The President of the Republic shall refuse to comply with the provisions of Point f) of Paragraph (4) in circumstances where compliance would be contrary to the values of the Fundamental Law.

The Procedure for Mandating the President of the Republic

Article 10

(1) Parliament shall elect the President of the Republic for a period of five years.

(2) Any Hungarian citizen who has reached the age of thirty-five is eligible to stand for election as President of the Republic.

(3) The President of the Republic may not be re-elected to the office more than once.

Article 11

(1) The President of the Republic shall be elected at least thirty days prior to the expiry of an incumbent president's mandate, and at most 60 days prior to such expiry; should the incumbent President's mandate end prematurely, a new president shall be elected within a thirty-day period following such termination of office. The date of the election of the President of the Republic shall be set by the Speaker of Parliament. Parliament shall elect the President of the Republic by secret ballot.

(2) The election of the President of the Republic shall be preceded by a nomination procedure. For a nomination to be valid, the written recommendation of no fewer than fifty Members of Parliament shall be required. A nomination shall be submitted to the Speaker of Parliament prior to the vote being timetabled. No Member of Parliament may recommend for nomination more than one candidate. If a Member of Parliament recommends more than one candidate for nomination, all recommendations made by that Member shall be invalid.

(3) President of the Republic elected at the first round of voting shall be the nominee who receives a majority of two-thirds of the votes of Members of Parliament.

(4)) Should the first round of voting fail to result in a two-thirds majority for one nominee, a second round shall be held. The two nominees receiving the highest and second highest number of votes in the first round may stand in the second round. If it is impossible to establish which two persons have received the two largest numbers of votes due to a tie of votes for first or second place, more than two nominees may proceed to the second round. In the second round, the nominee receiving the highest number of valid votes – regardless of the total number of nominees – shall be elected President of the Republic. Should the second round of voting also fail to yield a result, a new election shall be held on the basis of new nominations.

(5) The voting procedure shall be completed within a period of no more than two consecutive days.

(6) The President-elect of the Republic shall enter office upon expiry of the previous President's mandate, or, should the previous President's mandate have ended prematurely, on the eighth day following the announcement of the result of the election; prior to taking office the President of the Republic shall take an oath before Parliament.

The Legal Status of the President of the Republic

Article 12

(1) The person of the President of the Republic shall be inviolable.

(2) The office of President of the Republic shall be incompatible with all other state, social, economic or political offices or mandates. The President of the Republic may not pursue any other gainful occupation and may not accept remuneration for other activities, with the exception of activities falling under the protection of intellectual property law.

(3) The mandate of the President of the Republic shall end:

a) upon expiry of his or her term of office;

- b)* upon the death of the President;
- c)* if the President is incapable of fulfilling his or her duties for a period of more than ninety days;
- d)* if the conditions necessary for his or her election no longer exist;
- e)* upon establishment of a conflict of interest,
- f)* upon resignation; or
- g)* upon removal of the President of the Republic from office.

(4) A two-thirds majority of votes by Members of Parliament present shall be necessary to declare that the President of the Republic is incapable of fulfilling his or her duties for a period of more than ninety days, that the conditions required for his or her election no longer exist, or that there is a conflict or interest.

(5) The detailed rules of the legal status of the President of the Republic as well as his or her remuneration shall be laid down in a cardinal Act.

Impeachment of the President of the Republic

Article 13

(1) Criminal proceedings against the President of the Republic may only be initiated after the termination of his or her mandate.

(2) A motion supported by one-fifth of all Members of Parliament may initiate impeachment proceedings against a President of the Republic intentionally violating the Fundamental Law, or violating any other Act while performing the duties of his office, or committing an intentional criminal offence.

(3) A majority of two-thirds of the votes of all Members of Parliament shall be required to start impeachment proceedings. Voting shall be held by secret ballot.

(4) The President of the Republic may not exercise his or her powers in the period between the adoption of Parliament's decision to impeach and the conclusion of impeachment proceedings.

(5) The Constitutional Court shall have competence to adjudicate on the act committed by the President of the Republic.

(6) If, pursuant to Paragraph (2), the Constitutional Court establishes as a result of its proceedings, that the President has committed an intentional violation of the law, it may remove the President of the Republic from office.

Substitution of the President of the Republic

Article 14

(1) Should the President of the Republic be temporarily prevented from fulfilling his or her presidential duties, or if the President's mandate ends, the Speaker of Parliament shall exercise the powers of the President of the Republic until he or she is once again able to fulfil his or her duties, or until a newly-elected President takes office.

(2) The fact that the President of the Republic is temporarily unable to fulfil his or her duties shall be established by Parliament upon the initiative of the President of the Republic, the Government or any Member of Parliament.

(3) While acting as the President of the Republic, the Speaker of Parliament may not exercise his or her rights as a Member of Parliament, and his or her duties as Speaker of Parliament shall be attended to by the Deputy Speaker of Parliament designated by Parliament.

The Tasks and Competences of Government

Article 15

(1) The Government shall be the general organ of executive power; its tasks and competences shall encompass all that is not expressly assigned by the Fundamental Law or another rule of law to the tasks and competences of another organ. The Government shall be answerable to Parliament.

(2) The Government shall be the principal organ of public administration; it may establish organs of state administration pursuant to provisions laid down in an Act.

(3) Acting within its remit, the Government shall adopt decrees in matters not regulated by an Act, or on the basis of an authorization given by an Act.

(4) The decree of the Government may not be contrary to an Act.

The Organization of the Government and the Legal Status of its Members

Article 16

(1) The members of the Government shall be the Prime Minister and the Ministers.

(2) By decree the Prime Minister shall appoint one or more Deputy Prime Ministers from among the Ministers.

(3) The Prime Minister shall be elected by Parliament at the nomination of the President of the Republic.

(4) A simple majority of votes cast by Members of Parliament shall be required to elect the Prime Minister. The Prime Minister shall take office immediately upon his or her election.

(5) The President of the Republic shall nominate a candidate for Prime Minister pursuant to Paragraph (3):

a) at the inaugural sitting of the new Parliament, if the mandate of the Prime Minister has ended with the formation of a newly-elected Parliament;

b) within a period of fifteen days after the termination of the mandate of the Prime Minister, if such termination is due to the Prime Minister's resignation from office, his or her death, the establishment of a conflict of interest, the absence of conditions required for his or her election, or the fact that Parliament has expressed its lack of confidence in the Prime Minister in a vote of confidence.

(6) If Parliament fails to elect the person nominated for the office of Prime Minister, the President of the Republic shall make a new nomination within fifteen days.

(7) The Minister shall be appointed by the President of the Republic at the nomination of the Prime Minister. The Minister shall take office on the date indicated in the deed of appointment or, in the absence thereof, immediately upon his or her appointment.

(8) The Government shall come into being with the appointment of the Ministers.

(9) The members of the Government shall take an oath before Parliament.

Article 17

(1) The Ministries shall be listed in a separate Act.

(2) Ministers without portfolio may be appointed to perform the tasks determined by the Government.

(3) The municipal and county government offices shall be organs of the Government with general territorial state administration competence.

(4) The provisions of a cardinal Act regarding the designation of ministries, Ministers or organs of public administration may be amended by an Act.

The Tasks and Competences of Members of the Government

Article 18

(1) The Prime Minister shall define the general policy of the Government.

(2) Ministers shall – within the framework of the general policy of the Government – autonomously direct the sectors of state administration falling within their competence and perform the tasks assigned to them by the Government or the Prime Minister.

(3) The Government shall set up government offices in order to perform its tasks of territorial public administration.

(4) Members of the Government shall adopt decrees, as authorised by an Act or Government decree, and acting within their remit, autonomously or with the consent of other ministers; such decrees may not be contrary to any Act, Government decree or decree of the Governor of the National Bank of Hungary.

(5) Members of the Government shall be answerable to Parliament for their official actions, and Ministers shall be similarly answerable to the Prime Minister. Members of the Government may participate in and take the floor at sittings of Parliament. They may be required to appear at a sitting of Parliament or a committee thereof.

(6) The detailed rules of the legal status of members of the Government, their remuneration as well as the rules regarding the substitution of Ministers shall be laid down in an Act.

(7) The legal status of government officials shall be regulated in an Act.

Cooperation between the Government and Parliament in the Course of Decision-making in the European Union

Article 19

Parliament may request information from the Government on the government position to be represented in the decision-making procedures of those institutions of the European Union which operate with government participation, and may take a stand on the draft placed on the agenda thereof. In the course of European Union decision-making, the Government shall act on the basis of the position taken by Parliament.

Termination of the Mandate of the Government or that of its Members

Article 20

- (1) Upon termination of the Prime Minister's mandate, the mandate of the Government shall come to an end.
- (2) The Prime Minister's mandate shall terminate
 - a)* upon inauguration of a newly-elected Parliament,
 - b)* if Parliament adopts a motion of no-confidence against the Prime Minister, and elects a new Prime Minister;
 - c)* if Parliament censures the Prime Minister in a vote of confidence initiated by the Prime Minister;
 - d)* upon the Prime Minister's resignation;
 - e)* upon the Prime Minister's death;
 - f)* upon the occurrence of conflict of interest, or
 - g)* if the conditions necessary for his or her election no longer exist.
- (3) A Minister's mandate shall terminate
 - h)* upon termination of the Prime Minister's mandate;
 - i)* upon the Minister's resignation;
 - j)* upon the Minister's dismissal; or
 - k)* upon the Minister's death.
- (4) A two-thirds majority of the votes of all Members of Parliament shall be needed to establish the validity or otherwise of Points *f)* and *g)* of Paragraph (2).

Article 21

- (1) A written motion of no-confidence against the Prime Minister may be introduced by no less than one-fifth of all Members of Parliament, who must simultaneously nominate an alternative candidate for the office of Prime Minister.
- (2) If Parliament supports the motion of no-confidence, it thereby expresses its lack of confidence in the Prime Minister, and also elects the person nominated for the office of Prime Minister in the motion of no-confidence. A simple majority of the votes cast by Members of Parliament shall be required for such decision.
- (3) The Prime Minister may propose a vote of confidence. Parliament expresses its lack of confidence in the Prime Minister if in the vote of confidence proposed by the Prime Minister a simple majority of votes cast by Members of Parliament are in opposition to the Prime Minister's motion.
- (4) The Prime Minister may propose that the vote on a motion the Government has submitted be simultaneously considered as a vote of confidence. If Parliament does not support the proposal submitted by the Government, Parliament is deemed to have expressed its lack of confidence in the Prime Minister.
- (5) Parliament shall decide on the question of confidence – either a motion of no-confidence, or the Prime Minister's motion pursuant to Paragraphs (3) and (4) – a minimum of three days, but no later than eight days after the submission of the motion of no-confidence or the Prime Minister's motion pursuant to Paragraphs (3) and (4).

An Acting Government

Article 22

- (1) The Government, from the termination of its mandate until the formation of a new government, shall exercise its powers as an acting Government; it may not, however, recognize the binding force of international treaties and may adopt decrees only on the basis of the express authorization provided for by an Act and in circumstances when no delay is permissible.

(2) If the mandate of the Prime Minister has ended upon his or her resignation, or upon the inauguration of a newly-elected Parliament, the Prime Minister shall exercise his or her powers as acting Prime Minister; however, he or she may not propose the dismissal of a Minister or the appointment of a new Minister, and may issue a decree only on the basis of express authorization provided for by an Act and in circumstances when no delay is permissible.

(3) If the mandate of the Prime Minister has ended due to his or her death, to the establishment of a conflict of interest, to the absence of conditions required for his or her election, or to the fact that Parliament has expressed its lack of confidence in the Prime Minister in a vote of confidence, the powers of the Prime Minister shall be exercised by the Deputy Prime Minister until a new Prime Minister is elected, with the limitations provided for in Paragraph (2) hereof; should there be more than one Deputy Prime Minister, these powers shall be exercised by the Deputy Prime Minister designated for this role.

(4) A Minister shall exercise his or her powers as acting Minister from the termination of the mandate of the Prime Minister until the appointment of a new Minister, or until the mandating of another member of the new Government with the relevant temporary ministerial powers; an acting Minister may issue a decree only in circumstances when no delay is permissible.

Autonomous Regulatory Organs

Article 23

(1) Parliament may establish autonomous regulatory organs in a cardinal Act for the performance of certain tasks and the exercise of certain competences belonging to the Executive.

(2) The head of the autonomous regulatory organ shall be appointed by the President of the Republic, following nomination by the Prime Minister, for the period of time specified in a cardinal Act. The head of the autonomous regulatory organ shall appoint his or her deputy or deputies.

(3) The autonomous regulatory organ shall report annually to Parliament.

(4) As authorised by an Act, the head of the autonomous regulatory organ shall issue decrees within his or her remit as defined by a cardinal Act; such a decree may not be contrary to an Act, a Government decree, a prime ministerial decree, a ministerial decree or a decree of the Governor of the National Bank of Hungary. In issuing a decree, the head of the autonomous regulatory organ may be substituted for by the deputy he or she has designated in a decree.

The Constitutional Court

Article 24

(1) The Constitutional Court shall be the principal organ for the protection of the Fundamental Law.

(2) The Constitutional Court shall

a) rule on the conformity with the Fundamental Law of Acts which have been adopted but not yet published ;

b) at the initiative of a judge, review the conformity with the Fundamental Law of rules of law to be applied in an individual case;

c) review, on the basis of a constitutional complaint, the conformity with the Fundamental Law of the rules of law applied in an individual case or of a judicial decision;

d) at the initiative of the Government or of one quarter of all Members of Parliament, review the conformity of rules of law with the Fundamental Law ;

e) examine conflicts between of rules of law and international treaties; and

f) exercise other tasks and competences laid down in the Fundamental Law and in a cardinal Act.

(3) The Constitutional Court shall, within its competence pursuant to Points b) to d) of Paragraph (2), annul any rule of law, provision or judicial decision that is contrary to the Fundamental Law, within its competence pursuant to Point e) of Paragraph (2), may annul the rule of law or its provision conflicting with an international treaty, and may determine other legal consequences as laid down in a cardinal Act.

(4) The Constitutional Court may, within its competence pursuant to Points b) and d) of Paragraph (2), rule on the conformity with the Fundamental Law of Acts related to the central budget, on the implementation of the budget, on central taxes, on stamp duties and contributions, on customs duties, and on the central requirements related to local taxes, exclusively in connection with the rights to life and human dignity, to the protection of personal data, to the freedom of thought, conscience and religion, or in connection with the rights related to Hungarian citizenship, and it may only annul these Acts for the violation of these rights. Acts governing the above matters may be annulled by the

Constitutional Court without restriction if the procedural requirements laid down in the Fundamental Law for the creation and publication of such rules of law have not been observed.

(5) The Constitutional Court shall be composed of eleven members who shall be elected for twelve years by Parliament with a majority of two-thirds of the votes of all Members of Parliament. With a majority of two-thirds of the votes of its Members, Parliament shall elect a president from among the members of the Constitutional Court; the President of the Constitutional Court shall hold this office for as long as he or she is a judge of the Constitutional Court. Members of the Constitutional Court may not be members of a political party or engage in any political activities.

(6) The detailed rules of the competences, organization and functioning of the Constitutional Court shall be laid down in a cardinal Act.

The Courts

Article 25

(1) Courts shall administer justice. The highest judicial organ shall be the Supreme Court of Justice ('Kúria').

(2) The courts shall rule in criminal cases, in private law litigation, in other matters defined by an Act, and on the legality of public administration decisions.

(3) Apart from those specified in Paragraph (2) above, the Supreme Court of Justice shall

a) ensure uniformity of the application of the law by the courts, and make decisions on the uniform application of the law which shall be binding on the courts;

b) rule, at the initiative of the Metropolitan or a County Office of the Government, on a conflict between a local government decree and a rule of law and annul any local government decree which is contrary to any other rule of law;

c) rule, at the initiative of a judge, on a conflict between a rule of law and a local government decree to be applied in an individual case, and annul any local government decree which is contrary to any other rule of law.

(4) The judicial system shall be organized at several levels. For specific groups of cases – especially for those of public administration and labour law litigations– separate courts may be established.

(5) The organs of judicial self-government shall participate in the administration of the courts.

(6) An Act may provide that in certain types of litigation other organs may also conduct proceedings.

(7) Detailed rules for the organization and administration of courts, the legal status of judges, and the remuneration of judges shall be laid down in a cardinal Act.

Article 26

(1) Judges shall be independent and subordinate only to the provisions of Acts and they may not be given instructions in relation to their judicial activities. Judges may only be removed from office on grounds and according to procedures specified in an Act. Judges may not be members of political parties and may not engage in political activities.

(2) Professional judges shall be appointed by the President of the Republic.

(3) The President of the Supreme Court of Justice shall be elected by Parliament for a period of nine years following nomination by the President of the Republic. The President of the Supreme Court of Justice shall be elected by a two-thirds majority of votes of all Members of Parliament.

Article 27

(1) The courts, unless provided otherwise by an Act, shall adjudicate in councils.

(2) Lay judges shall also participate in the adjudication of certain cases specified in an Act, and in a manner specified therein.

(3) Only professional judges may proceed as a single judge in a case or act as the president of a council. In matters specified by an Act, the officer of the court may also proceed within the competence of a single judge; in the course of his or her relevant proceedings Paragraph (1) of Article 26 shall apply.

Article 28

In the course of the application of law, the courts shall interpret the text of rules of law primarily according to their purpose and the Fundamental Law. When interpreting the Fundamental Law or rules of law, it shall be presumed that they aim at moral and economic purposes that are reasonable and serve the public good.

The Office of the Public Prosecutor

Article 29

- (1) The Office of the Public Prosecutor shall enforce the punitive authority of the State. The Office of the Public Prosecutor shall prosecute criminal offences, take action against other illegal acts or omissions and aid the prevention of illegal acts.
- (2) The Office of the Public Prosecutor shall, pursuant to the provisions of an Act
 - a) exercise powers in relation to investigations;
 - b) represent the public prosecution in court proceedings;
 - c) initiate proceedings in civil law matters, take part in the proceedings and have recourse to legal remedy, provided that the person concerned is not able to defend his or her rights or that such recourse is necessary to protect the public interest;
 - d) supervise the legality of law-enforcement;
 - e) perform other tasks and exercise other competences specified in an Act.
- (3) The prosecution shall be headed and directed by the Chief Public Prosecutor; he or she shall appoint public prosecutors.
- (4) The Chief Public Prosecutor shall be elected by Parliament following nomination by the President of the Republic for a term of nine years. A majority of two-thirds of the votes of all Members of Parliament shall be required to elect the Chief Public Prosecutor.
- (5) The Chief Public Prosecutor shall report annually to Parliament on his or her activities.
- (6) Public prosecutors may not be members of political parties; nor may they engage in political activities.
- (7) The detailed rules of the organization and functioning of the Office of the Public Prosecutor, as well as of the legal status of public prosecutors, shall be laid down in a cardinal Act.

The Commissioner for Fundamental Rights

Article 30

- (1) The Commissioner for Fundamental Rights shall undertake activities aimed at protecting fundamental rights; anyone may initiate the Commissioner's proceedings.
- (2) The Commissioner for Fundamental Rights shall investigate those improprieties related to fundamental rights that have come to his or her knowledge, or have those improprieties investigated, and initiate general or specific measures to redress them. The Commissioner for Fundamental Rights shall pay special attention to the interests of future generations, as well as to protecting the rights of nationalities and ethnic groups in Hungary.
- (3) Parliament shall elect the Commissioner for Fundamental Rights for a period of six years with the votes of two-thirds of all Members of Parliament. The Commissioner for Fundamental Rights shall appoint his or her deputies. The Commissioner for Fundamental Rights or his or her deputies may not be members of a political party, nor may they engage in political activities.
- (4) The Commissioner for Fundamental Rights shall report annually to Parliament on his or her activities.
- (5) The detailed rules relating to the Commissioner for Fundamental Rights and to his or her deputies shall be laid down in an Act.

The Local Public Authority

Article 31

- (1) In Hungary local governments shall function for the administration of local public affairs and the local exercise of public authority.
- (2) The rules relating to local governments shall be laid down in a cardinal Act.

The Tasks and Competences of Local Governments

Article 32

(1) Within the management of local public affairs and within the framework of an Act, a local government

- a)* shall adopt decrees;
- b)* shall adopt decisions;
- c)* shall autonomously administer its affairs;
- d)* shall determine its organization and rules of functioning;
- e)* shall exercise rights of ownership with respect to the property of the local government;
- f)* shall determine its budget and autonomously manage its affairs on the basis thereof;
- g)* may undertake entrepreneurial activities using its assets and revenues, but without thereby endangering the performance of its mandatory tasks;
- h)* shall decide on the types and rates of local taxes;
- i)* may create symbols of local government, and institute local honours and titles of merit;
- j)* may request information from the competent organ, initiate a decision, express an opinion;
- k)* may freely associate with other local governments, set up associations for the representation of its interests; cooperate within its remit with local governments from other countries, and become a member of international organizations of local governments; and
- l)* shall perform other tasks and exercise other competences as laid down in an Act.

(2) A local government, acting within its remit, shall issue local government decrees:

- a)* in order to regulate local social relations not yet regulated by an Act; and
- m)* as authorized by an Act.

(3) A local government decree may not be contrary to other rules of law.

(4) Local governments shall immediately send their decisions or local government decrees after their publication to the Metropolitan or county Office of the Government. If the Office of the Government finds that the decision or the local government decree or any of its provisions is contrary to a rule of law it can, within fifteen days of its receipt, initiate a review of the decision in a court of law, or can ask the Supreme Court of Justice to review the local government decree.

(5) The property of local governments shall be public property serving the performance of local government tasks.

The Organs of Local Government

Article 33

- (6) The tasks and competences of a local government shall be performed and exercised by a representative body.
- (7) A local representative body shall be presided over by a mayor. The president of the county representative body shall be elected by the county representative body from among its members for the term of its mandate.
- (8) A representative body may elect committees and set up an office as laid down in a cardinal Act.

The Functioning of Local Governments

Article 34

- (1) A local government and the State shall cooperate in order to achieve the aims of the community. Only an Act may define mandatory tasks and competences for local governments. In order to perform its tasks and exercise its competences, a local government shall be entitled to budgetary and other financial means proportionate thereto.
- (2) An Act may prescribe that a mandatory task of a local government be performed within the framework of an association.

- (3) Apart from his or her local government tasks, the mayor and the president of a county representative body may also in exceptional circumstances assume the tasks and competences of state administration, on the basis of an Act or of a Government decree authorized by an Act.
- (4) The Government shall ensure supervision of the legality of local governments through the Metropolitan and County Offices of the Government.
- (5) In the interest of preserving a balanced budget, an Act may prescribe that if a local government wants to contract a debt above a level defined by an Act or to undertake any other commitment, it shall obtain the consent of the Metropolitan or County Office of the Government.

The Mandate of Local Governments

Article 35

- (1) Local government representatives and mayors shall be elected by direct and secret ballot by constituents with voting rights, based on their universal and equal right to vote, in elections ensuring the free expression of the will of the voters, in the manner laid down in a cardinal Act.
- (2) Local government representatives and mayors shall be elected for a term of five years as laid down in a cardinal Act.
- (3) The mandate of the local representative body shall last until the day of the general local government elections. If elections cannot be held due to a lack of candidates, the mandate of the local representative body shall be extended until a by-election can take place. The mandate of an incumbent mayor shall last until the election of a new mayor.
- (4) A local representative body may declare its dissolution in accordance with the conditions laid down in a cardinal Act.
- (5) At the submission of a motion of the Government made following its request for an opinion of the Constitutional Court, Parliament shall dissolve the representative body functioning contrary to the Fundamental Law.
- (6) Upon dissolution of a local representative body, the mandate of the mayor shall also end.

The Central Budget and its Implementation

Article 36

- (1) Parliament shall adopt an Act on the central budget for one calendar year and on its implementation. The Government shall submit the Bill on the central budget and the Bill on implementation thereof to Parliament by the deadline provided for in an Act.
- (2) The Bill on the central budget and the Bill on implementation thereof shall contain all state expenditures and revenues in an identical format, in a transparent manner and in reasonable detail.
- (3) With the adoption of the Act on the central budget, Parliament shall authorise the Government to collect the revenues and make the expenditures determined in the same.
- (4) Parliament may only adopt an Act on the central Budget which will not result in an increase in the state debt compared to gross domestic product.
- (5) For as long as the level of state debt exceeds the level specified in Paragraph (2) of Article 37, Parliament may only adopt an Act on the central budget which envisages a decrease of the state debt.
- (6) One may only derogate from the provisions contained in Paragraph (4) during a special legal order and to the extent necessary to mitigate the consequences of circumstances triggering the special legal order, or, if there is a significant and enduring national economic recession, to the extent necessary to restore the balance of the national economy.
- (7) If Parliament has not adopted the Act on the central budget by the beginning of the calendar year, the Government shall be authorised to collect the revenues determined in the relevant rules of law and, within the framework of the appropriations determined in the Act on the central budget for the previous year, make the pro-rata expenditures.

Article 37

- (8) The Government shall implement the central budget in a lawful and expedient manner, with effective management of public funds and the guarantee of transparency.
- (9) In the course of the implementation of the central budget, the Government may not – with the exceptions specified in Paragraph (6) of Article 36 – contract such debts or undertake such financial obligations on behalf of the State as a result of which the level of state debt would exceed fifty per cent of the gross domestic product of the previous

calendar year. The method for calculating the level of state debt and of the gross domestic product shall be laid down in an Act.

- (10) During the period specified in Paragraph (5) of Article 36, the Government when implementing the central budget may not, with the exceptions specified in Paragraph (6) of Article 36, contract such debts or undertake such financial commitments on behalf of the State as would result in an increase of the state debt compared to that of the preceding calendar year.

National Assets

Article 38

- (1) The property of the Hungarian State and of local governments shall constitute national assets. The aim of the management and protection of national assets shall be to serve the public interest, to satisfy common needs and preserve natural resources, and to take into account the needs of future generations. The requirements for preserving and protecting national assets, as well as for the responsible management thereof, shall be laid down in a cardinal Act.
- (2) The spheres of the exclusive property and of the exclusive economic activities of the State, as well as the limits and conditions of the alienation of national assets of outstanding importance for the national economy shall be determined by a cardinal Act with regard to the aims referred to in Paragraph (2).
- (3) National assets may only be alienated in exceptional circumstances defined by an Act, and only for purposes specified in an Act, taking costs and benefits into account.
- (4) Contracts for the alienation or utilisation of national assets may only be concluded with an organisation in which there is transparency of ownership structure, organization, and of the activities relating to the management of the alienated or utilised national assets.
- (5) Economic organizations in state or local government ownership shall conduct their management duties responsibly and autonomously in a manner determined by an Act, according to the requirements of legality, expediency, and effectiveness.

The Protection of Public Funds

Article 39

- (1) Only such organizations may receive funding or contracted payments from the central budget in which there is transparency of ownership structure, organization, and of the activities for which funding are to be used.
- (2) Every organization managing public funds shall publicly account for the management of those funds. Public funds and national assets shall be managed according to the principles of transparency and of corruption-free public life. Data relating to public funds or to national assets shall be considered to be data of public interest.

Article 40

A cardinal Act shall regulate the basic rules for sharing the burden of public finances and public service provision as well as of the pension system, in order to make calculable contributions to common needs and ensure decent living conditions for the elderly.

The National Bank of Hungary

Article 41

- (1) The National Bank of Hungary shall be the central bank of Hungary. The National Bank of Hungary shall be responsible for monetary policy as laid down in an Act.
- (2) The Governor of the National Bank of Hungary shall be appointed for a period of nine years by the President of the Republic, following nomination by the Prime Minister. The Deputy Governor or Deputy Governors of the National Bank of Hungary shall be appointed by the Governor of the National Bank of Hungary.
- (3) The Governor of the National Bank of Hungary shall report annually to Parliament on the activities of the National Bank of Hungary.
- (4) As authorized by an Act, the Governor of the National Bank of Hungary shall issue decrees, which may not be contrary to Acts. In issuing a decree, the Governor of the National Bank of Hungary may be substituted for by the Deputy Governor he or she has designated in a decree.

The State Audit Office

Article 42

- (1) The State Audit Office shall be the organ of Parliament responsible for financial and economic control. Within its remit as laid down in an Act, the State Audit Office shall control implementation of the central budget, the management of public finances, the utilisation of public funds and the management of national assets. The State Audit Office shall carry out such oversight according to the criteria of legality, expediency and effectiveness.
- (2) The President of the State Audit Office shall be elected for a period of twelve years by Parliament with a majority of two thirds of the votes of all Members of Parliament.
- (3) The President of the State Audit Office shall report annually to Parliament on the activities of the State Audit Office.
- (4) The detailed rules of the organisation and functioning of the State Audit Office shall be regulated in a cardinal Act.

The Budgetary Council

Article 43

- (1) The Budgetary Council shall be an organ assisting the activities of Parliament by examining whether the central budget is well-founded.
- (2) The Budgetary Council shall contribute to the preparation of the Act on the central budget as determined by an Act.
- (3) For the adoption of the Act on the central budget, the prior approval of the Budgetary Council shall be needed in respect of observing those provisions contained in Paragraphs (4) and (5) of Article 36.
- (4) The members of the Budgetary Council shall be the President of the Budgetary Council, the Governor of the National Bank of Hungary, and the President of the State Audit Office. The President of the Budgetary Council shall be appointed for a period of six years by the President of the Republic.
- (5) The detailed rules of the functioning of the Budgetary Council shall be regulated in a cardinal Act.

The Hungarian Defence Forces

Article 44

- (1) The armed forces of Hungary shall be the Hungarian Defence Forces. The fundamental duty of the Hungarian Defence Forces shall be to defend by military means the independence, territorial integrity and borders of Hungary, to perform defence and peace-keeping missions arising from international treaties, as well as to carry out humanitarian operations in accordance with the rules of international law.
- (2) Unless otherwise provided for by an international treaty, only Parliament, the President of the Republic, the National Defence Council, the Government or the competent minister shall have the right to command the Hungarian Defence Forces, within the framework determined in the Fundamental Law and in a cardinal Act. The Hungarian Defence Forces shall operate under the direction of the Government.
- (3) The Hungarian Defence Forces shall participate in the prevention of disasters, and the mitigation and recovery of the consequences thereof.
- (4) Professional staff members of the Hungarian Defence Forces may not be members of political parties and may not engage in political activities.
- (5) The detailed rules of the organisation, tasks, direction and management, as well as the operation of the Hungarian Defence Forces shall be laid down in a cardinal Act.

The Police and the National Security Services

Article 45

- (1) The fundamental duty of the Police shall be the prevention and detection of criminal acts, as well as the protection of public security, public safety and of the state borders.
- (2) The Police shall operate under the direction of the Government.

- (3) The fundamental duty of the National Security Services shall be the protection of the independence and lawful order of Hungary, as well as the assertion of its national security interests.
- (4) The National Security Services shall operate under the direction of the Government.
- (5) Professional staff members of the Police and the National Security Services may not be members of political parties and may not engage in political activities.
- (6) The detailed rules of the organisation and operation of the Police and the National Security Services, the rules of the use of special investigative means and techniques, as well as the rules related to national security activities shall be laid down in a cardinal Act.

Decision on Participation in Military Operations

Article 46

- (1) The Government shall decide on such troop movements of the Hungarian Defence Forces and of foreign armed forces as involve the crossing of borders.
- (2) With the exception of the cases specified in Paragraph (3) below, Parliament shall – on the basis of a two-thirds majority of the votes by Members of Parliament present – decide on the use of the Hungarian Defence Forces abroad or within Hungary, or on their stationing abroad, the use of foreign armed forces within or departing from the territory of Hungary, or on the stationing of foreign armed forces in Hungary.
- (3) The Government shall decide on such use of the Hungarian Defence Forces and foreign armed forces as referred to in Paragraph (2) and based on a decision of the European Union or the North Atlantic Treaty Organisation, or on other troop movements thereof.
- (4) While simultaneously informing the President of the Republic, the Government shall immediately report to Parliament on any decision made in accordance with Paragraph (3), or authorizing the participation of the Hungarian Defence Forces in peace-keeping missions or in humanitarian operations in foreign spheres of operation.

The Special Legal Order

Article 47

- (1) Parliament shall
 - a) declare a state of national crisis and set up a National Defence Council in the event of the declaration of a state of war or the immediate danger of an armed attack by a foreign power (danger of war);
 - b) declare a state of emergency in the event of armed actions aimed at subverting the lawful order or at the acquisition of exclusive control of power, or in the event of grave acts of violence committed with the use of arms or alternative means capable of endangering life and property on a massive scale.
- (2) For declaration of the special legal order pursuant to Paragraph (1), a majority of two thirds of the votes of all Members of Parliament shall be required.
- (3) If Parliament is prevented from taking these decisions, the President of the Republic shall have the right to declare a state of war, to declare a state of national crisis and set up the Defence Council, or to declare a state of emergency.
- (4) Parliament shall be deemed incapable of taking such decisions if it is not in session and its recall is made impossible by insurmountable obstacles caused by lack of time or the events necessitating the declaration of a state of war, state of national crisis or state of emergency.
- (5) The Speaker of Parliament, the President of the Constitutional Court and the Prime Minister shall jointly determine whether Parliament is incapable of acting, and whether the declaration of a state of war, a state of national crisis or a state of emergency is justified.
- (6) As soon as Parliament is once more able to act, it shall review at its first sitting whether the declaration of a state of war, state of national crisis or state of emergency was justified, and it shall decide on the legality of the measures taken. A majority of two-thirds of the votes of all Members of Parliament shall be required for such decision.
- (7) During a state of national crisis or a state of emergency Parliament may not dissolve itself, nor may it be dissolved. During a state of national crisis or a state of emergency no date may be set for general elections for Members of Parliament, nor may such elections be held; in such cases a new Parliament shall be elected within ninety days of the termination of the state of national crisis or state of emergency. If the general elections for Members of Parliament have already been held but the new Parliament has not yet had its inaugural sitting, the President of the Republic shall

convene the inaugural sitting for a date within thirty days of the termination of the state of national crisis or state of emergency.

(8) If Parliament has dissolved itself or has been dissolved, it may be convened also by the Defence Council during a state of national crisis, or by the President of the Republic during a state of emergency.

A State of National Crisis

Article 48

- (1) The President of the Defence Council shall be the President of the Republic, and its members shall be the Speaker of Parliament, the leaders of the fractions of political parties represented in Parliament, the Prime Minister and the Ministers and – in an advisory capacity – the Chief of Staff of the Hungarian Defence Forces.
- (2) The Defence Council shall exercise
 - a) the powers conferred on it by Parliament;
 - b) the powers of the President of the Republic;
 - c) the powers of the Government.
- (3) The National Defence Council shall decide
 - a) on the use of the Hungarian Defence Forces within or outside Hungary, on their participation in peace-keeping missions, or in humanitarian operations in foreign spheres of operation, or on their stationing abroad;
 - b) on the use of foreign armed forces within or departing from the territory of Hungary, or their stationing in Hungary;
 - c) on the introduction of extraordinary measures laid down in a cardinal Act.
- (4) The National Defence Council may issue decrees suspending the application of certain Acts or derogating from the provisions of Acts, and it may take other extraordinary measures.
- (5) Upon the termination of the state of national crisis, the decrees of the National Defence Council shall cease to have effect unless Parliament extends their effect.

A State of Emergency

Article 49

- (1) The Hungarian Defence Forces may be used during a state of emergency if the use of the Police – and of the National Security Services – should prove insufficient.
- (2) During a state of emergency, if Parliament is prevented from acting, the President of the Republic shall decide on the use of the Hungarian Defence forces pursuant to Paragraph (1).
- (3) During a state of emergency, the extraordinary measures defined in a cardinal Act shall be introduced by decree of the President of the Republic. In his or her decree, the President of the Republic may suspend the application of certain Acts, derogate from provisions of Acts, or take other extraordinary measures.
- (4) The President of the Republic shall immediately inform the Speaker of Parliament of any extraordinary measures introduced. During a state of emergency, Parliament – or if it is prevented from acting, the Standing Defence Committee of Parliament – shall remain continuously in session. Parliament – or if it is prevented from acting, the Standing Defence Committee of Parliament – shall have the power to suspend the application of extraordinary measures introduced by the President of the Republic.
- (5) Extraordinary measures introduced by decree shall remain in force for a period of thirty days, unless their effect is extended by Parliament or, if it is unable to act, the Standing Defence Committee of Parliament.
- (6) Upon termination of the state of emergency, the decree of the President of the Republic shall cease to have effect.

A State of Preventive Defence Emergency

Article 50

- (1) In the event of an imminent armed invasion or in order to fulfil commitments under an alliance treaty, Parliament shall declare a state of preventive defence emergency and simultaneously authorise the Government to introduce the

extraordinary measures laid down in a cardinal Act. The duration of the state of preventive defence emergency may be extended.

(2) For the declaration or extension of the special legal order pursuant to Paragraph (1), the votes of two-thirds of the Members of Parliament present shall be required.

(3) After having put forward a motion for a state of preventive defence emergency, the Government may, in a decree, introduce measures derogating from the Acts governing the functioning of public administration and of the Hungarian Defence Forces and of law-enforcement organs, of which measures it shall continuously inform the President of the Republic and the competent standing committees of Parliament. The measures introduced in this way shall remain in force until Parliament's decision on the declaration of a state of preventive defence emergency, but in any case for no longer than sixty days.

(4) During a state of preventive defence emergency the Government may issue decrees with which it may – according to those laid down in a cardinal Act – suspend the application of certain Acts, derogate from the provisions laid down in Acts, or take other extraordinary measures.

(5) Upon termination of the state of preventive defence emergency, the above decrees of the Government shall cease to have effect.

An Unexpected Attack

Article 51

(1) Should the territory of Hungary be subject to unexpected attack by foreign armed groups, the Government shall take immediate measures to repel such an attack and defend the territorial integrity of Hungary with the Hungarian and allied anti-aircraft and stand-by air forces, if necessary in accordance with the defence plan approved by the President of the Republic. It shall deploy forces commensurate with the gravity of the attack and which have been prepared for such a role, until a state of emergency or state of national crisis has been declared, in the interests of protecting lawful order, lives and property, and public order and safety.

(2) The Government shall immediately inform Parliament and the President of the Republic of the measures taken pursuant to Paragraph (1).

(3) In the event of an unexpected attack, the Government may issue decrees with which it may – according to the provisions laid down in a cardinal Act – suspend the application of certain Acts, derogate from the provisions laid down in Acts, or take other extraordinary measures.

(4) Upon termination of the unexpected attack, the above decrees of the Government shall cease to have effect.

A State of Danger

Article 52

(1) In the event of a natural or industrial disaster endangering lives or property, or in order to mitigate the consequences thereof, the Government shall declare a state of danger, and may introduce extraordinary measures laid down in a cardinal Act.

(2) During a state of danger the Government may issue decrees with which it may – according to the provisions laid down in a cardinal Act – suspend the application of certain Acts, derogate from the provisions laid down in Acts or take other extraordinary measures.

(3) The decree of the Government pursuant to Paragraph (2) shall remain in force for fifteen days, except if the Government – on the basis of an authorization from Parliament – extends the effect of the decree.

(4) Upon termination of the state of danger, the above decrees of the Government shall cease to have effect.

Common Rules of a Special Legal Order

Article 53

(1) Under special legal order, the exercise of fundamental rights – excepting those laid down in Articles II and III, as well as in Paragraphs (2) to (5) of Article XXVI – may be suspended or restricted beyond the extent defined in Paragraph (3) of Article I.

(2) The application of the Fundamental Law may not be suspended under a special legal order, nor may the functioning of the Constitutional Court be restricted.

(3) A special legal order shall be terminated by the organ competent to introduce it, if the conditions for its declaration cease to apply.

(4) The rules to be applied under a special legal order shall be laid down in a cardinal Act.

Closing Provisions

1. This Fundamental Law of Hungary shall enter into force on 1 January 2012.

2. Parliament shall adopt this Fundamental Law according to Point a) of Paragraph (3) of §19 and to Paragraph (3) of §24 of Act XX of 1949.

3. The transitional provisions shall be adopted separately by Parliament according to the procedure referred to in Point 2 above.

4. The Government shall submit to Parliament the Acts necessary for the implementation of the Fundamental Law.

We, Members of Parliament elected on 25 April 2010, responsible before Man and God and availing ourselves of our power to adopt a constitution, have hereby determined, the first unified Fundamental Law of Hungary as above.

[at the end of the Fundamental Law, a list of the names of the Members of Parliament voting in favour, without the indication of titles, honours, party affiliation, etc.]

May there be peace, freedom and concord.

