

**Act CIV of 2020
on Laying Down Certain Rules Relating to Epidemiological
Measures and on the Amendment of Certain Acts Relating
to Epidemiological Measures¹**

With a view to the protection of human life and health before all else and in the interest of taking effective epidemiological measures, to communicate them rapidly to those concerned and to improve the effectiveness of actions taken against the epidemic through such measures, furthermore, for fostering and promoting better compliance with the law Parliament has adopted the following Act:

1. Scope

Section 1 This Act contains provisions related to the ordering and enforcement of epidemiological measures (hereinafter referred to as “epidemiological preparedness”) provided for in Title 6 of Chapter III of Act CLIV of 1997 on Health Care (hereinafter referred to as “HCA”) during the period of epidemiological preparedness introduced under Subsection (1) of Section 228 of the HCA. The provisions of the HCA shall apply subject to the derogations provided for in this Act.

2. Quarantine obligation mandated by law

Section 2 (1) Where compulsory home quarantine is ordered during epidemiological preparedness by government decree when entering the country from certain specific countries, no administrative proceedings shall be opened on an ad hoc basis in connection with the ordering of compulsory home quarantine if the information under Subsections (2) and (3) has been provided.

(2) In the case provided for in Subsection (1) the police unit responsible for patrolling the external borders shall inform the person subject to quarantine requirement that upon entering the territory of Hungary he or she is obligated to stay in the home or adjoining enclosed area he or she has designated, or any other place not qualifying as a healthcare institution (hereinafter referred to collectively as “quarantine home”) for the period of time specified by government decree.

(3) The person subject to quarantine requirement shall inform the police unit responsible for patrolling the external borders of the address of the quarantine home where he or she intends to stay during the compulsory home quarantine.

(4) If the person subject to quarantine requirement fails to meet the information obligation set out in Subsection (3), further measures shall be imposed in the procedure conducted under Subtitle 3.

¹ Promulgated on 27 October 2020.

Section 3 (1) After entering the territory of Hungary, the person subject to quarantine requirement shall proceed to the quarantine home directly and shall not be permitted to break his or her travel to the quarantine home, except where necessary for health reason, technical reason or – if travelling by means of public transportation – where the schedule so dictates.

(2) The person subject to quarantine requirement shall occupy the quarantine home immediately upon arrival and shall install the sign received from the police unit responsible for patrolling the external borders on the front door in a clearly visible place.

(3) Where the conditions for the installation of the software provided for in Section 74/B of the HCA for monitoring compliance with the compulsory home quarantine order (hereinafter referred to as “quarantine software”) are available and the person subject to quarantine requirement has the necessary equipment, he or she shall install the quarantine software on his or her means of telecommunication upon arrival to the quarantine home, and shall use it during the period of compulsory home quarantine. The person subject to quarantine requirement shall be allowed to remove the quarantine software from his or her means of telecommunication on the day next of the expiry of compulsory home quarantine.

Section 4 (1) The police unit responsible for patrolling the external borders – for the purpose of prevention of the spread of the epidemic and/or for monitoring compliance with quarantine obligations having regard to the protection of health of the public – shall record the exact time of crossing the border upon the admission of the person subject to quarantine requirement to Hungary, and – except as provided in Subsection (2) – the following details of the person subject to quarantine requirement:

- a)* name and birth name;
- b)* place and date of birth;
- c)* mother’s name;
- d)* home address;
- e)* habitual residence;
- f)* address of the quarantine home provided;
- g)* telephone number;
- h)* electronic mail address;
- i)* nationality; and
- j)* number of the document used for crossing the border.

(2) Persons subject to quarantine requirement shall have the option to communicate the data referred to in Subsection (1) also by way of the means provided for in the website of the body established for carrying out official police business (hereinafter referred to as “police”) 24 hours before entering Hungary, and may report the address of the quarantine home.

(3) If the person subject to quarantine requirement communicates the data under Subsection (1) and the address of the quarantine home by way of the means specified in Subsection (2), the police unit responsible for patrolling the external borders shall cross-check the data disclosed in advance with the data contained in the document presented when crossing the border.

(4) The police unit responsible for patrolling the external borders shall disclose the particulars referred to in Subsection (1) of the person subject to quarantine requirement, together with the exact time and place of entering Hungary to the police department of jurisdiction by reference to the place where the quarantine home is located within 8 hours of the time of entering Hungary.

(5) The police department of jurisdiction by reference to the place where the quarantine home is located shall process the data referred to in Subsection (1) of the person subject to quarantine requirement:

- a)* until the day following the end of the expiry compulsory home quarantine,
- b)* until the day of notification provided for in Subsection (3) of Section 5, or
- c)* until the time referred to in Subsection (6) of Section 6,

if no action was taken for breach of the quarantine obligation.

(6) The police department of jurisdiction by reference to the place where the quarantine home is located shall delete the data referred to in Subsection (1) of the person subject to quarantine requirement at the time specified in Paragraphs *a)*–*c)* of Subsection (5).

Section 5 (1) The person subject to quarantine requirement shall be allowed to leave the quarantine home before the expiry of compulsory home quarantine only:

- a)* after the acknowledgement of the notification made to the police department of jurisdiction by reference to the place where the quarantine home is located,
- b)* upon a doctor's prescription,
- c)* on account of illness, accompanied by a person providing emergency care,
- d)* in the event of a life-threatening or potentially devastating situation, or
- e)* in cases specified by government decree.

(2) Where a person subject to quarantine requirement is experiencing symptoms of a communicable disease compatible with the one on account of which the epidemiological preparedness has been introduced, such person must notify his or her general practitioner by phone, or in the absence thereof the general practitioner of the place where the quarantine home is located.

(3) Where the suspicion of having contracted the communicable disease on account of which the epidemiological preparedness has been introduced is diagnosed by the competent general practitioner, or in the absence thereof the general practitioner of the place where the quarantine home is located, with respect to the person subject to quarantine requirement, the general practitioner shall initiate epidemiological measures and inform the police department of jurisdiction by reference to the place where the quarantine home is located.

Section 6 (1) If the government decree provides the opportunity for the person subject to quarantine requirement to exit the quarantine home before the period of compulsory home quarantine expires for the purpose of medical examination with a view to being released from the obligation of home quarantine, and the person subject to quarantine requirement has an appointment for such medical examination with a healthcare institution, the person subject to quarantine requirement shall notify the police department of jurisdiction by reference to the place where the quarantine home is located concerning the appointment for the medical examination 24 hours in advance by way of filling out

a) the electronic form received through the company gateway or customer gateway electronically,

b) the intelligent form available through the official police website if no access is available to the company gateway or customer gateway, and submitting it in Hungarian or English.

(2) The police department of jurisdiction by reference to the place where the quarantine home is located shall acknowledge the notification provided for in Subsection (1) by sending an electronic confirmation in proof of receipt thereof.

(3) The person subject to quarantine requirement may exit the quarantine home for the purpose of medical examination and shall be permitted to break his or her travel to the place of the medical examination and back to the quarantine home after the medical examination only for health reason, technical reason or – if travelling by means of public transportation – if the schedule so requires.

(4) If based on the results of the medical examination the person subject to quarantine requirement may be released from compulsory home quarantine according to the relevant government decree, the person subject to quarantine requirement may present the result of said medical examination by filling out

a) the electronic form received through the company gateway or customer gateway electronically,

b) the intelligent form available through the official police website if no access is available to the company gateway or customer gateway, and submitting it in Hungarian or English to the police department of jurisdiction by reference to the place where the quarantine home is located.

(5) In the case under Subsection (4) the police department of jurisdiction by reference to the place where the quarantine home is located shall acknowledge the result of the medical examination by sending an electronic confirmation in proof of receipt thereof.

(6) The police department of jurisdiction by reference to the place where the quarantine home is located shall delete the result of the medical examination within 24 hours of sending an electronic confirmation in proof of receipt thereof.

Section 7 (1) Compliance with the compulsory home quarantine provided for in this Subtitle shall be checked by the police.

(2) The person subject to quarantine requirement shall facilitate the police inspection and shall permit the police officer to enter the quarantine home if there is no other way to carry out the inspection.

Section 8²

² Enters into force on 12 November 2020.

3. Quarantine obligation ordered by the relevant authority

Section 9 Subsection (3) of Section 3, Subsection (1) of Section 5, Subsections (1)–(3) of Section 6, Section 7, Paragraphs *b)–d)* of Subsection (1) of Section 8, Subsections (2)–(5) of Section 8 shall also apply where the compulsory home quarantine is ordered by the government body in charge of the healthcare system.

Section 10 The provisions of Act CL of 2016 on General Public Administration Procedures (hereinafter referred to as “Administrative Procedure Act”) shall apply to decisions brought for ordering, amending or lifting:

- a)* compulsory home quarantine provided for in Subsection (1) of Section 67/A of the HCA, not covered by Subtitle 2,
- b)* epidemiological separation provided for in Subsection (3) of Section 64 of the HCA,
- c)* epidemiological surveillance, and
- d)* temporary quarantine facilities,

(for the purposes of this Subtitle hereinafter referred to collectively as “quarantine”) subject to the derogations provided for in this Subtitle.

Section 11 (1) The decision establishing the quarantine obligation shall contain:

- a)* the particulars of the acting authority and the client, and data required for the identification of the case, with the exception of confidential data and privileged information,
- b)* the provision ordering the quarantine obligation, the place and – if available – the duration of the quarantine,
- c)* an indication if the quarantine obligation is enforceable effective immediately or if immediate enforceability is discounted,
- d)* an indication of the reason for ordering the quarantine obligation,
- e)* an indication of the specific statutory provisions on the basis of which the decision was adopted, and
- f)* the information provided in connection with Subsections (3) and (4) of Section 14.

(2) The decision on the amendment or termination of quarantine obligation shall not contain the information referred to in Paragraphs *c)* and *d)* of Subsection (1).

(3) All officers of the acting authority assigned to handle duties relating to quarantine shall be entitled to issue such decisions.

Section 12 (1) Decisions related to quarantine are immediately enforceable.

(2) By way of derogation from Subsection (1), the acting authority may decide to discount the immediate enforceability of a decision based on the circumstances of the case and low epidemic risk.

Section 13 (1) A quarantine related decision shall be communicated in person or in electronic form not deemed to be in writing.

(2) A decision may be communicated in writing only if:

- a)* the communication referred to in Subsection (1) is expected to fail, or
- b)* the acting authority is of the opinion that based on the circumstances of the case written communication appears to be a more viable option in terms of success.

(3) Transcription of the decision communicated subsequently according to Subsection (1) hereof, subject to content requirements provided for in Subsection (1) of Section 81 of the Administrative Procedure Act and its communication according to the Administrative Procedure Act is permitted only in the case under Subsection (3) of Section 14.

Section 14 (1) Quarantine related cases may not be appealed.

(2) The Fővárosi Törvényszék (*Budapest Metropolitan Court*) shall have exclusive jurisdiction to hear and determine quarantine related administrative actions.

(3) Where a decision is considered unlawful by the client, transcription of the decision may be requested within 15 days from the date of communication subject to content requirements provided for in Subsection (1) of Section 81 of the Administrative Procedure Act, as well as its communication according to the Administrative Procedure Act.

(4) A statement of claim may be submitted only against a decision made out in writing within 15 days of the date of communication.

4. Closing provisions

Section 15³

Section 16 (1) This Act – with the exceptions set out in Subsections (2)–(4) – shall enter into force on the day following the day of its publication.

(2) Subsections (1)–(5) and (7)–(8) of Section 25, Subsection (1) of Section 26 and Section 27 shall enter into force on the 3rd day following the date of publication of this Act.

(3) Section 8, Section 15, Section 23 and Subsection (6) of Section 25 shall enter into force on the 16th day following the date of publication of this Act.

(4) Subsection (2) of Section 26 shall enter into force on 1 January 2021.

Sections 17–22⁴

Section 23⁵

Section 24⁶

Section 25 (1)–(5)⁷

(6)⁸

(7)–(8)⁹

Section 26 (1)¹⁰

(2)¹¹

³ Enters into force on 12 November 2020.

⁴ Repealed under Sections 12–12/B of Act CXXX of 2010, effective as of 29 October 2020.

⁵ Enters into force on 12 November 2020.

⁶ Repealed under Sections 12–12/B of Act CXXX of 2010, effective as of 29 October 2020.

⁷ Repealed under Sections 12–12/B of Act CXXX of 2010, effective as of 31 October 2020.

⁸ Enters into force on 12 November 2020.

⁹ Repealed under Sections 12–12/B of Act CXXX of 2010, effective as of 31 October 2020.

¹⁰ Repealed under Sections 12–12/B of Act CXXX of 2010, effective as of 31 October 2020.

¹¹ Enters into force on 1 January 2021.