



## **Act XII of 2020 on Measures for the Control of Coronavirus<sup>1</sup>**

In order to enable the Government to take all emergency measures considered necessary to prevent and mitigate the consequences of the pandemic caused by COVID-19 in the wake of the mass epidemic occurring in 2020, taking into account the possibility that the sittings of the Parliament may be suspended due to the human epidemic, being aware of the need to make responsible decisions in such times of distress and that the actions taken so far – including those potentially ahead of us – may appear to be unusual and alien restrictions, however, upholding such actions, as well as co-operation and discipline may be the most important resource that the Hungarian people may rely on in the times to come, concerted action, nation-wide co-operation, acknowledging the unrelenting work of health professionals and law enforcement personnel and all other contributors, Parliament has adopted the following Act granting authorisation for extending the effect of Government decrees brought in this state of danger and to define the framework for such empowerment:

**Section 1** This Act lays down special rules relevant to the national emergency declared by the Government pursuant to Article 53(1) of the Fundamental Law, intended to prevent and mitigate the consequences of the mass epidemic provided for in Government Decree 40/2020 (III. 11.) on the Declaration of State of Danger (hereinafter referred to as “Decree”), endangering the safety of life and property on a massive scale (hereinafter referred to as “state of danger”), for the protection of health and life of Hungarian citizens.

**Section 2** (1) During the state of danger, in addition to the emergency measures and provisions set out in Act CXXVIII of 2011 on Disaster Preparedness and on the Amendment of Certain Related Acts, the Government is authorised to suspend the application of specific Acts, derogate from statutory provisions and introduce other extraordinary measures by means of a decree in order to guarantee that the life, health, personal safety and property, and the rights of the citizens are protected, and to guarantee the stability of the national economy.

(2) The Government shall exercise its powers conferred under Subsection (1) to the extent necessary and proportionately having due regard to the objective pursued, so as to prevent, control and eliminate the human epidemic provided for in the Decree, and to prevent and eliminate the harmful effects thereof.

**Section 3** (1) Pursuant to Article 53(3) of the Fundamental Law, Parliament grants powers to the Government to extend the term of the government decrees referred to in Article 53(1) and (2) of the Fundamental Law during the state of danger, until the state of danger is declared ended.

(2) Before the state of danger is declared ended, Parliament may withdraw the authorisation granted under Subsection (1).

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<sup>1</sup> Adopted by Parliament on 30 March 2020.



(3) Parliament confirms the government decrees mentioned in Subsection (1), adopted between the time of entry into force of the Decree and the entry into force of this Act.

**Section 4** The Government shall provide information on a regular basis in Parliament sittings, or to the Speaker of Parliament and the leaders of Parliament groups in the absence thereof, of the measures introduced in order to eliminate the state of danger, until said measures remain in effect.

**Section 5** (1) The President of the Constitutional Court (hereinafter referred to as “President”) and the secretary-general of the Constitutional Court shall ensure that the Constitutional Court remains functional throughout the duration of the state of danger, and shall take operational and administrative measures and measures for the preparation of decisions.

(2) Before the state of danger is declared ended, plenary sessions of the Constitutional Court and panel sittings may be held using electronic communications by decision of the President.

(3) During the period of state of danger, the President may permit derogation from the rules of procedure of the Constitutional Court.

**Section 6** (1) Where a municipal government or a nationality self-government is declared dissolved, such decision shall take effect on the day following the end of the state of danger.

(2) Up to the day following the end of the state of danger no by-election may be scheduled, and any by-election already scheduled shall be postponed. The recommendation sheets distributed shall be returned to the election office within fifteen days of the date of entry into force of the Act, where they shall be destroyed. An unscheduled and postponed election shall be rescheduled within fifteen days after the end of the state of danger.

(3) Up to the day following the end of the state of danger national and local referendum may not be initiated, and any national and local referendum already scheduled shall be postponed. All deadlines specified in Chapters II–IV of Act CCXXXVIII of 2013 on Referendum Petitions, European Citizens’ Initiative, and on the Referendum Process shall be interrupted. Said deadlines shall recommence on the day following the end of the state of danger. An unscheduled and postponed national and local referendum shall be rescheduled within fifteen days within fifteen days after the end of the state of danger.

**Section 7** This Act shall enter into force on the day following promulgation.

**Section 8** The decision for the withdrawal of this Act lies with Parliament upon the end of the state of danger.

**Section 9** Of the provisions of this Act:

- a) Section 2 shall be considered cardinal pursuant to Article 54(4) of the Fundamental Law,
- b) Section 5 shall be considered cardinal pursuant to Article 24(9) of the Fundamental Law,
- c) Section 6(1) shall be considered cardinal pursuant to Article XXIX(3) and Article 31(3) of the Fundamental Law,
- d) Section 6(2) shall be considered cardinal pursuant to Article XXIX(3), Article 2(1) and Article 35(1) of the Fundamental Law.