

LAKATOS, KÖVES ÉS TÁRSAI  
ÜGYVÉDI IRODA

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## NEW LEGISLATION PROMULGATED TO TEMPORARILY SUSPEND THE PARLIAMENT'S POWERS

Further information to follow

### FAQ: HUNGARIAN GOVERNMENT SUBMITS NEW LEGISLATION INTRODUCING THE POSSIBILITY TO GOVERN WITHOUT THE PARLIAMENT

As part of the Hungarian government's efforts to protect the safety and health of Hungary during the state of emergency ordered as a result of COVID19, the Hungarian government has proposed a new law (Act on Protecting Against the Coronavirus) which is scheduled to be passed on Monday. To meet this deadline, the government party would need a fourth-fifths majority since such an early acceptance of the bill would require an exception to parliamentary house rules. There seems to be a general agreement between the opposition parties as well that urgent measures are needed and it is therefore expected that the opposition parties will also approve the bill (possibly subject to certain limitations). In any case the government party announced today that in case of lack of the required fourth-fifths majority it is ready to accept the bill in 8 days with its current supermajority.

### WHAT DOES THE LEGISLATION ACHIEVE?

The legislation is intended to give the Hungarian government the right to suspend the enforcement of certain laws, depart from statutory regulations and implement additional extraordinary measures by executive decree in order to guarantee for Hungarian citizens the safety of life and health, personal safety, the safety of assets and legal certainty as well as the stability of the national economy. The only limitation is that such measures shall be necessary and proportionate and aimed at preventing, managing, and eliminating the human epidemic as well as for preventing and mitigating its harmful effects. The government shall then inform the Parliament – or in the absence thereof, the speak and the heads of parliamentary representatives' groups . of the measures taken.

### ARE THESE LIMITATIONS TEMPORARY?

Under the special regime the government may extend the effect of its decrees until the end of the emergency although the term emergency is not defined, thus it remains up to the government to declare the end of the emergency. We note that the bill includes the right of Parliament to withdraw this authorisation anytime although the supermajority of the government party in the Parliament is unlikely to lead to the Parliament exercising such right.

### ARE THERE ANY OTHER LIMITATIONS?

Yes, the bill also purports to suspend any midterm election, national or local referendum until the end of the emergency. In addition, the bill also criminalises certain actions which obstruct the implementation of epidemiological isolation, observation, quarantine or control decreed for the purpose of preventing the introduction or dissemination of an infectious disease that is subject to a quarantine or epidemiological isolation, observation, quarantine or control decreed during an epidemic and declared that such actions shall be considered a criminal act, punishable by up to three years of prison. In addition, false information spread regarding an emergency that may alarm a large group of people would also be criminalised and punishable by up to three years of prison.

### WHO TO CONTACT?

If your business is listed or otherwise affected by the state of emergency, please do not hesitate to contact any member of our team:

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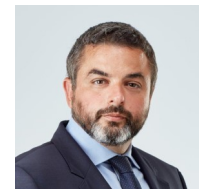
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