

HUNGARIAN GOVERNMENT INTRODUCES NEW LOCKDOWN RESTRICTIONS IN RESPONSE TO THE 'THIRD WAVE'

On 5 March 2021 the Hungarian Government issued Government Decree No. 104/2021. (III.5.) on the temporary tightening of protective measures due to the Covid-19 pandemic ("**Government Decree**"), effective from 8 March 2021.

I. RULES ON MANDATORY MASK WEARING AND SOCIAL DISTANCING

In the inner area of settlements, on the streets and in public areas everyone must wear a medical mask, a safety mask or a mask made of textile or other material, in such a way that the nose and mouth are constantly covered. The rule does not apply to children under the age of six, and persons with mental or psychosocial disability or an autism spectrum disorder. Individual outdoor sports activities are also exempted from this rule.

Everyone must limit social contact with other people in public – except with people living in the same household – and keep at least 1.5 meter distance from others.

Between 5. a.m. and 8. p.m. individual recreational sports activities may be carried out inside or outside settlements alone or with people living in the same household, however, the 1.5 meter distance from others shall be kept.

II. RULES ON BUSINESS AND CATERING PREMISES, SERVICE PROVIDERS

All business premises, shops¹ and service providers² not listed among the exceptions in the Government Decree shall be closed until 22 March 2021 and only the staff is allowed to stay in the premises of such businesses and shops.

Pursuant to the resolution of the National Center for Public Health closed stores cannot act as pick-up points, products purchased online can only be picked up in person in stores listed among the exceptions in the Government Decree or must be delivered to homes or to a freely accessible pick-up point. Although this 'rule' is not explicitly mentioned in the text of the Government Decree, presumably the interpretation of the National Center for Public Health will govern the practice during the lockdown.

Staying in catering premises in order to wait for takeaway goods is allowed.

It is no longer allowed to visit casinos and card rooms, and only the staff is allowed to stay in these premises.

III. CONSEQUENCES OF BREACHING THE PROVISIONS ON BUSINESS AND CATERING PREMISES, SERVICE PROVIDERS

The owner and/or the operator of the business and catering premises and service providers must ensure compliance with the temporary protection measures. In case the provisions of the Government Decree are breached, a penalty between HUF 100,000 and HUF 1,000,000 may be imposed (and shall be paid within 15 days) on the owner or the operator of the business and the police may close the premises for a maximum of one year. The penalty may be imposed more than once within one day.

The sanctions may be applied simultaneously and no appeal is available against the decision imposing the penalty.

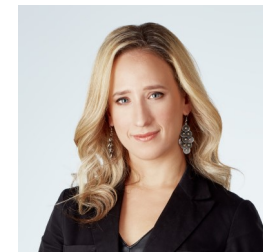
The consequences shall not apply in case the owner and/or operator of the premises has taken the necessary measures to remedy the situation, in particular, if (a) the offender has been called upon to leave, and (b) the police has been informed in case the offender did not comply with such request.



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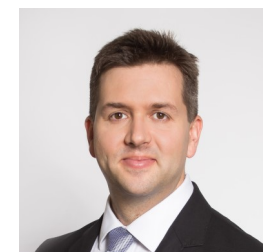
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¹ Business and catering premises, shops exempt from the Government Decree: (i) food markets involving daily consumer goods; (ii) other shops relating to daily consumer goods (i.e. drug stores, shops distributing household detergents, chemicals and hygiene paper products); (iii) shops selling materials and equipment essential for carrying out work, professional duties, economic, agricultural and forestry activities (i.e. shops selling vehicles, machinery, constructions materials and equipment), electronic equipment stores, excluding entertainment and household activities as its main activity; (iv) shops distributing food; (v) agricultural shops and shops distributing fodder; (vi) shops selling gardening goods and tree nurseries; (vii) markets, local producer markets; (viii) petrol stations; (ix) tobacco shops; (x) news-vendors.

² Services exempt from the Government Decree: (i) financial services; (ii) transporting and shipping services; (iii) private health care services including optical services; (iv) postal and delivery services; (v) lottery services; (vi) repair of vehicles, agricultural and industrial machinery, household -machines, as well as building and engineering services; (vii) IT and communication device repair services; (viii) funeral services; (ix) animal health-care services; (x) veterinary, phytosanitary, food testing laboratory services; (xi) food processing services; (xii) public catering services; (xiii) animal husbandry services; (xiv) legal services; (xv) security services; (xvi) building management and office services; (xvii) vehicle and machine renting

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IV. RULES ON EDUCATION

All educational institutions shall work with a digital agenda and must convert to digital education. Dormitories operate based on the decision of the director of the institution.

Exams cannot be organized in adult education and exams already in progress or announced at the time of entry into force of the Government Decree shall be postponed.

Kindergartens must be closed, but nurseries, however, may stay open.

V. RULES ON PEOPLE EMPLOYED IN PUBLIC ADMINISTRATION

As a general rule those employed in public administration shall work from home from their own devices as a general rule. Work from the usual workplace may be ordered for those for whom it is absolutely necessary, in particular those involved in the control of the Covid-19 pandemic, and for those whose work by its nature does not allow them to work from their home.

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