2018 CXXV. law

Government Administration

In order to establish a modern and efficient system of government administration, to regulate the employment of government officials serving the nation at a high level, to financially recognize their service and to promote the compatibility of public service and family life, Article 17 (5) and Article 18 of the Basic Law (5) constitutes the following law:

FIRST PART

GENERAL PROVISIONS

CHAPTER I.

INTRODUCTORY PROVISIONS

§ 1 *[Scope]*

(1) The scope of this Act covers the legal status and organization of governmental administrative bodies (hereinafter: governmental administrative body), as well as the employment of officials of governmental administrative bodies.

(2) The scope of Part Nine extends to employees of governmental administrative bodies and their employment.

(3) The provisions applicable to government officials shall apply to a prosecutor assigned to a ministry headed by the Minister responsible for justice and to a judge or court clerk assigned to a government administrative body, unless otherwise provided by law.

(4) The scope of this Act extends to the government service and employment of persons employed by a body not listed in § 2 - under the direction or supervision of a government administrative body, if the employment relationship is established in the position pursuant to this Act, or exists.

(4a) Article 1 / A. § extends to employees whose governmental service relationship is defined in 1 / A. § and the bodies that employ them.

(5) The provisions of this Act shall apply to the Central Statistical Office with the exceptions specified in the Act on Official Statistics.

(6) The scope of this Act does not extend to the employment and employment of employees belonging to the personnel of the National Tax and Customs Board.

(7) The scope of this Act does not extend to the governmental employment and employment of the employees of the Immigration and Asylum Office.

1 / A. § *[Application of the Act to a New Governmental Administration]*

(1) If, as a result of a provision of law, a body is transformed into a government administrative body falling within the scope of this Act (for the purposes of this section: new body), the new body and its employees It shall apply from the first day of the month.

(2) By way of derogation from paragraph (1), Section 2, Section 4, Part Two and Section 51 shall apply from the day following the establishment of the new body.

(3) Until the date referred to in subsection (1), the rules governing the legal relations of employees of the predecessor body of the new body (for the purposes of this §: predecessor body) shall apply to the legal relationship of employees of the new body.

(4) The employment relationship of an employee of the predecessor body with the predecessor body, excluding the employment relationship, shall be transformed into a government service relationship under this Act on the date specified in subsection (1). The employee shall be informed of the transformation of the legal relationship within 15 days after the transformation of the legal relationship, a job document pursuant to this Act shall be issued to him or her, and his or her salary shall be determined on the basis of paragraphs (12) and (13).

5. By way of derogation from paragraph 4, the legal relationship shall not be transformed if the employee does not comply with the general conditions of appointment. In this case, the provisions of Section 114 (3) shall apply to the termination of the employee's legal relationship.

(6) The provisions of subsection (5) shall apply if there is a conflict of interest against the employee in accordance with this Act, unless the cause of the conflict of interest can be eliminated and the employee takes action prior to the transformation of the legal relationship and justifies it.

(7) At the written request of the employee within five working days after the notification of the job title pursuant to subsection (4), the employee shall be released pursuant to subsection (5) of section 89 by applying the provisions of subsections (12) and (13) before the change of appointment.) shall be understood as remuneration.

(8) In the event of a transformation of the employment relationship of an employee pursuant to subsection (4), the legal relationship shall be deemed to be continuous in terms of probationary period, severance pay and recognition of service.

(9) Unless otherwise provided by law, an employment relationship of indefinite duration shall be transformed into an employment service of indefinite duration. In the case of full-time employment, the legal relationship is transformed into a full-time government service relationship.

(10) The employer may, with his consent, transform the employment of an employee employed by the new body into a government service on the date specified in subsection (1), provided that his salary may not be less than the wage due to the employee on the day of the transformation. If the employment relationship was established after the date of the transformation of the employment body, the salary in the event of the transformation of the legal relationship may not be less than the wage according to the employment contract.

(11) The basic number of the new body and the classification of its positions shall be determined within the framework of the procedure pursuant to Section 51. The criteria for the classification of posts shall be determined by the Government, taking into account the provisions of paragraph (12).

(12) The salary of an employee under this Act shall be determined in such a way that it may not be less than the amount to which the employee was entitled under the appointment document on the day of the transformation of the employer, taking into account the date of the transformation.

a) a change in the amount of the salary on the basis of the time spent in the legal relationship,

(b) the fixing or change in the amount of the allowance forming part of the remuneration,

(c) in the case of appointment to a non-managerial or non-managerial post, the salary under the change of appointment.

(13) If the employee's legal relationship was established after the date of the transformation of the employing body, the salary according to his / her appointment document shall be taken into account for the application of paragraph (12).

(14) An employee who has not been granted leave by the predecessor body on the day before the transformation of the legal relationship shall be redeemed in cash by the predecessor body in accordance with the provisions of the legislation governing the subsection (3).

(15) For the purposes of this Section, a new government administrative body shall not be a government administrative body established by the division of a government administrative body or by a spin-off from a government administrative body.

(16) Issues related to the transformation of a legal relationship, which are not regulated in paragraphs (1) - (15), shall be settled in the legislation on the transformation of the predecessor body.

§ 2 *[Government administrative bodies]*

(1) Government administrative body:

(a) central government administrations and their territorial, local (hereinafter collectively: territorial) bodies, and

(b) local government administrations.

(2) Central government administrative body:

a) the Government,

b) the Government Office of the Prime Minister,

c) the Ministry,

(d) the government headquarters, and

(e) the central office.

(3) Government Headquarters:

a) the Central Statistical Office,

b) the National Atomic Energy Agency,

(c) the National Intellectual Property Office, and

d)

(4) Territorial government administrative bodies are the capital offices of the capital and counties (hereinafter together: the government office).

Section 3 *[Officials of Government Administration]*

(1) Government officials

a) in a political service,

(b) as a Commissioner, or

(c) in a government employment relationship

are available.

(2) The following are employed in political service:

a) the political chief,

(b) the political leader, and

(c) the Political Adviser, the Chief Political Adviser and the Chief of Staff (hereinafter together referred to as the Adviser).

(3) Senior political leader:

a) the Prime Minister,

(b) the Minister and

(c) the Secretary of State.

(4) Political leader is the government commissioner.

(5) The Commissioner shall have the following legal relations:

a) the Government Commissioner,

(b) the Prime Minister and

(c) the Ministerial Commissioner.

(6) The following are employed in government service:

a) the professional senior manager,

b) the professional manager,

(c) a government official of central government administrations and their territorial units; and

d) a government official of the territorial government administrative bodies.

(7) Professional senior manager:

a) the State Secretary for Administration of the Prime Minister's Office and the Ministry,

b) the Office of the Prime Minister and the Deputy State Secretary of the Ministry,

(c) the Head and Deputy Head of the Government Headquarters and Central Office; and

(d) the Director General of the Government Office (hereinafter referred to as the Director General).

(8) Professional leader:

(a) the Director of the Government Office (hereinafter referred to as "the Director"),

b) the head and deputy head of the district office or, in the capital, the capital district office (hereinafter together: the district office),

(c) the head of department, and

(d) the head of department.

(9) A mandate and position not provided for in this Act may not be given for the performance of governmental duties.

(9) The Prime Minister may, by decision, authorize a person employed by the Prime Minister's Office and the Ministry headed by the Minister responsible for general political coordination to use the title of Adviser to the Prime Minister or Chief Adviser to the Prime Minister.

(11) By way of derogation from subsection (2) (*c)* , in a ministry headed by the Minister responsible for defense and in a ministry headed by the Minister responsible for law enforcement, a person employed or seconded to the ministry in accordance with the Defense Forces Act; in accordance with the Act on the Service Status of the Professional Staff of Bodies Performing Law Enforcement Duties, a person directed to the Ministry may also be appointed.

§ 4 *[Management of the activities of certain officials]*

Where this Act refers to the management of the activities of a Secretary of State, a Secretary of State for Administration, a Deputy Secretary of State, a person with a legal capacity as a Commissioner or a head of a government administrative body, the following powers shall be construed

a) issuing an individual instruction to perform an individual task or to make up for an omission,

(b) control of the driver 's activities; and

(c) reporting or accountability.

SECOND PART

II. CHAPTER

THE GOVERNMENT

§ 5 *[Duties of the Prime Minister]*

(1) The Prime Minister, acting within the scope of duties specified in the Basic Law, may assign tasks to the heads of bodies under the control of the Government or under the direction or supervision of the Minister, and may request information from them. The head of the body shall inform the Minister of Management or Supervision of the definition of the task or the request for information.

(2) The Prime Minister, acting within the scope of duties specified in the Basic Law, may assign duties to other senior political leaders, the Secretary of State for Administration and the Deputy Secretary of State, and may oblige these officials to report or report on matters within their duties and competencies. The Chief Political Executive, the Secretary of State for Administration and the Deputy Secretary of State shall inform the person in charge of him or her in accordance with this Act.

§ 6 *[Direct control by the Prime Minister]*

(1) In a decree issued by the Government in its original legislative capacity, the Government may also appoint the Prime Minister to direct certain branches of public administration or certain central state administration bodies or their heads.

(2) The detailed duties and powers of the Prime Minister shall be established by a decree issued by the Government in its original legislative competence.

(3) With regard to the duties and powers transferred to the Prime Minister pursuant to the Government Decree specified in subsection (2), the legal successor of the ministry headed by the minister who previously performed the duties and powers, if referred to in subsection (2) specific government decree does not provide otherwise - the Prime Minister's Office.

§ 7 *[Documentation of Government Meetings]*

(1) Unless otherwise decided by the Prime Minister, meetings of the Government shall not be public. What was said at the government meeting should be recorded in a summary.

(2) The summary shall include the place and date of the government meeting, the names of the participants in the meeting, the address of the written materials discussed and the name of the rapporteur, the subject matter of the off-agenda, the names of the speakers, the essence of the Government's decision. At his request, the statement or disagreement of the participant in the government meeting shall be recorded verbatim. As an appendix to the summary, the submission, the report and a copy of government decrees, government decisions, and other documents specified by the Government with their original signatures must be kept.

(3) The original copy of the summary of the meeting and its annexes shall be kept by the Prime Minister's Office. The material of the meeting documentation is a non-discardable document of lasting value; The provisions on the protection of public documents, the protection of classified information and the disclosure of data of public interest shall apply to the management and acquaintance of such data.

(4) The detailed rules for the preparation of the summary and its use by the internal government shall be determined by the Government in a normative resolution.

Section 8 *[Cabinet]*

(1) The Government may establish a cabinet for resolutions before the meetings of the Government on matters of priority social policy, economic policy or national security.

(2) The members of the Cabinet are the ministers involved in their duties and the persons appointed by the Prime Minister. The persons permanently invited to the Cabinet meeting, the officials authorized to replace the Cabinet Ministers, and the persons authorized to replace other Cabinet members and permanent guests shall be appointed by the normative government decision establishing the Cabinet.

§ 9 *[The Government Committee]*

(1) The Government may establish a government committee to manage the coordinated solution of significant tasks falling within the competence of several ministers.

(2) The members of the Government Committee shall be the ministers concerned. The number of persons permanently invited to the meetings of the Government Committee, as well as the officials entitled to replace the members of the Committee and the persons entitled to replace the permanent guests shall be determined by the normative government decision establishing the Government Committee.

Section 10 *[The Boards]*

(1) The Government may establish other bodies to perform advisory, advisory or consultative activities. Board members may receive an honorarium for their activities.

2. The members of the body referred to in paragraph 1 and the persons permanently invited to its meetings shall be appointed by the normative government decision establishing the body.

Section 11 *[Other Provisions]*

(1) A normative government decision establishing a cabinet or government committee may provide that the prime minister is also a member of the cabinet or government committee.

(2) It has no quorum

(a) the Cabinet and the Government Committee, unless otherwise provided by law or government decree; and

(b) any other proposing, advisory or advisory body of the Government.

Section 12 *[The Government Commissioner]*

(1) By a normative resolution of the Government, the Government may appoint a government commissioner to perform a task falling within the competence of the Government - not referred to the competence of a minister or a government headquarters - or to perform a task of special importance.

(2) The activities of the Government Commissioner shall be directed by the Prime Minister or a Minister appointed by a resolution of the Government. The person in charge may be different for each of the tasks to be performed by the government commissioner.

(3) A Government Decree may confer on the Government Commissioner the power of management with regard to the activities of the heads of the bodies under the control of the Government, the heads of the organizational units of the bodies and the activities of certain Deputy State Secretaries.

Section 13 *[Secretariat of the Government Commissioner]*

(1) The Government Commissioner shall be assisted in the performance of his or her activities by a secretariat operating in a ministry designated by the Government or in the Government Office of the Prime Minister, as defined in the normative resolution pursuant to Section 12 (1). A normative decision pursuant to Section 12 (1) may also provide that the activities of the Government Commissioner shall not be assisted by a secretariat.

(2) By way of derogation from subsection (1), if the person appointed as a government commissioner is a political or professional head of the ministry or the Prime Minister's Office, in the performance of his activities

(a) a Secretariat within the Ministry designated by him, under the direction of the Minister, or

(b) a Secretariat of the Government Office of the Prime Minister of his appointment
assisted by the rules of the Secretariat of the Secretary of State.

(3) The Ministry or the Government Office of the Prime Minister shall be responsible for the enforcement of the rights and obligations arising from the legal relationship of the Government Commissioner and for the budget coverage of the expenses related to the legal relationship.

§ 14 *[The Prime Minister's Commissioner]*

(1) The Prime Minister may, by his normative instruction, appoint a Prime Ministerial Commissioner to perform the task falling within his or her area of responsibility.

(2) The activities of the Prime Minister shall be directed by the Prime Minister.

(3) The Prime Minister may be entrusted with the power of management by a decree of the Prime Minister pursuant to Section 12 (3).

(4) The Prime Minister shall be assisted in his / her activities by a secretariat in the ministry designated by the Prime Minister or in the Government Office of the Prime Minister, as defined in the normative instruction pursuant to paragraph (1). The normative instruction pursuant to paragraph (1) may also provide that the activities of the Prime Minister shall not be assisted by a secretariat.

(5) The Ministry or the Prime Minister's Office specified in the Prime Minister's Instruction on his appointment shall be responsible for enforcing the rights and obligations arising from the legal relationship of the Prime Minister and for covering the expenses related to the legal relationship.

Section 15 *[The Prime Minister's Agent]*

(1)

(2) The prohibition specified in Section 3 (9) shall not prevent the Prime Minister from instructing him to perform diplomatic, personal advisory or other ad hoc tasks as the Prime Minister's agent. The Prime Minister may authorize the Prime Minister's Agent to use the title of Chief Adviser to the Prime Minister.

(3) The term of office may not exceed the term of office of the Prime Minister.

III. CHAPTER

THE GOVERNMENT OFFICE OF THE PRIME MINISTER AND THE MINISTRY

§ 16 *[Legal status of the Prime Minister's Office]*

(1) The Prime Minister's Office is a central government administrative body with special competence acting as the Prime Minister's governmental administrative work organization.

(2) The Prime Minister's Government Office is directly managed by the Prime Minister.

(3) The Prime Minister's Office is a central budgetary body with an independent budget chapter.

(4) The organizational and operational regulations of the Prime Minister's Office shall be issued by the Prime Minister in a normative instruction.

(5) In the case of the Prime Minister's Office

(a) the legal provisions applicable to ministries shall be applied accordingly,

(b) the legal provisions concerning the duties and powers of the Minister in respect of the Ministry and its staff shall apply mutatis mutandis to the Prime Minister.

(6) The register of personal material of senior political leaders, administrative secretaries of state and deputy secretaries of state shall be kept by the Office of the Prime Minister.

§ 17 *[Head of the Prime Minister's Office]*

(1) The Prime Minister's Office shall be headed by the Secretary of State for Public Administration, under the direct control of the Prime Minister, in accordance with the law and professional requirements.

(2) With regard to the State Secretary for Administration of the Prime Minister's Office, the legal provisions concerning State Secretaries of State Administration shall apply accordingly.

(3) A decree of the Government issued in its original legislative capacity may determine which duties and powers the Prime Minister exercises through the State Administrative Secretary of the Prime Minister's Office, provided that the its rules of procedure.

§ 18. *[State Secretary and Deputy State Secretary working in the organization of the Prime Minister's Office]*

(1) The Secretary of State may work in the organization of the Prime Minister's Office.

(2) With regard to the Secretary of State in the organization of the Office of the Prime Minister, the legal provisions concerning the Secretaries of State shall be applied accordingly, provided that:

a) the Secretary of State may not replace the Prime Minister,

b) when proposing the appointment or dismissal of the Secretary of State, the Prime Minister shall not seek the opinion of the Minister,

(c) in the event of the resignation of the Secretary of State, the declaration of resignation shall be forwarded to the Prime Minister by a non-minister.

(3) The Deputy State Secretary working in the organization of the Prime Minister's Office shall manage the professional work in respect of the part of the Prime Minister's duties and powers specified in the organizational and operational regulations of the Prime Minister's Office and decide on matters referred to his competence.

(4) With regard to the Deputy State Secretary working in the organization of the Prime Minister's Office, the legal provisions concerning the Deputy State Secretaries shall apply accordingly.

§ 19 *[Legal status and head of the ministry]*

(1) The Ministry is a central government administrative body with special competence under the control of the Government, acting as a working body of the Minister.

(2) The Office of the Prime Minister's Office, which provides general political coordination, is headed by the Prime Minister's Chief of Staff as a Minister.

(3) Within the framework of this Act, the Minister shall issue the organizational and operational regulations of the Ministry and amendments thereto in a normative instruction after the approval of the Prime Minister.

(4) The Minister shall direct the Ministry and direct the activities of the Secretary of State and the Secretary of State for Administration in this area of responsibility. The Minister for Administrative Quality Policy and Personnel Policy and the Minister for General Political Coordination may directly direct the activities of the Deputy State Secretary of the Ministry under his authority.

(5) The detailed duties and powers of the Minister shall be established by a decree issued by the Government in its original legislative competence.

(6) With regard to the duties and powers transferred to the Minister pursuant to the Government Decree specified in subsection (5), the legal successor of the ministry headed by the minister or the Prime Minister's Office, if the other duties, rights and obligations Unless otherwise provided by a government decree specified in subsection (5), a ministry headed by a minister taking over tasks and powers.

Section 20 *[The Minister without Portfolio]*

(1) The duties of a minister without portfolio may be defined as the performance of duties that do not fall within the remit of any minister.

(2) The detailed duties and powers of the Minister without portfolio shall be established by a decree issued by the Government in its original legislative competence. The activities of a minister without portfolio shall be assisted by a ministry specified by a decree of the Government or the Government Office of the Prime Minister, as specified in this Act.

(3) A minister without a portfolio shall be assisted in the performance of his or her activities by a cabinet operating in the ministry referred to in paragraph (2) or in the Government Office of the Prime Minister. In the organizational and operational regulations of the Ministry referred to in paragraph 2 or the Prime Minister's Office, the Secretary of State, the Deputy Secretary of State or the head of another organizational unit of the Ministry referred to in paragraph 2 or the Prime Minister's Office may be appointed to assist the Minister.

(4) The Minister without portfolio may, in his or her area of responsibility, give specific instructions to the State Secretary for Administration of the Ministry referred to in paragraph (2) or the Prime Minister's Office and to the Secretary of State, Deputy State Secretary and head of department assisting the Minister.

(5) Unless otherwise provided by a government decree specified in subsection (2), in respect of the duties and powers transferred to the minister without portfolio pursuant to the government decree specified in subsection (2), the duties and powers shall be extended to other duties, rights and obligations related to their performance. the ministry headed by the former Minister or the Office of the Prime Minister shall be the legal successor of the Ministry referred to in paragraph (2) or the Office of the Prime Minister.

(6) Pursuant to the government decree specified in subsection (2), the activities of the minister without portfolio, if the minister without portfolio is the deputy general prime minister, may be assisted by several bodies pursuant to subsection (2).

(7) In the case referred to in subsection (6), the activities of the minister without portfolio may be assisted by a cabinet specified in a government decree specified in subsection (2).

(8) In respect of organizational units under the sole control of the Minister without Portfolio, the employer's rights shall be exercised by the Minister without Portfolio or, in the case of organizational and operational regulations, by the Chief of Staff of the Minister without Portfolio.

Section 21 *[Replacement of Minister]*

(1) In the event of obstruction

(a) the Minister, as defined in the rules of organization and operation of the ministry which he or she heads, by the Secretary of State,

b) the Minister without Portfolio - the Secretary of State of the Ministry pursuant to Section 20 (2) or the Prime Minister's Office as defined in the organizational and operational regulations of the Ministry pursuant to Section 20 (2) or the Prime Minister's Office

replaces.

(2) In initiating and countersigning the measure of the President of the Republic and, in the event of the impediment of the Secretary of State specified in subsection (1), at a sitting of the National Assembly

a) in the event of the Minister being prevented from attending, another minister appointed in a government decree laying down his detailed duties and powers,

b) in the event of the Minister without portfolio being prevented from attending, another minister appointed in a government decree laying down his detailed duties and powers

replaces.

(3) On the basis of a decision of the institutions of the European Union with the participation of the government, with the exception of the bodies of the Council of the European Union requiring ministerial representation

(a) the Minister is another Minister appointed by a government decree laying down detailed duties and powers, or the Secretary of State as defined in paragraph 1 (*a)* ,

(b) the Minister without portfolio shall be the other Minister designated in the Government Decree laying down the detailed tasks and powers, or the Secretary of State specified in paragraph (1) (*b);*

replaces.

Section 22 *[The Ministerial Commissioner]*

(1) The Minister may, by a normative instruction, appoint a Ministerial Commissioner to perform a task of special importance falling within the competence of the Minister.

(2) The activities of the Ministerial Commissioner shall be directed by the Minister appointing him or her.

(3) The Ministerial Commissioner shall be assisted in the performance of his or her activities by a secretariat, which may also operate in the Cabinet of Ministers. The Secretariat shall be governed by the rules of the Secretariat of the Deputy Secretary of State. The Minister may, in his normative instruction under paragraph (1), provide that the activities of the Ministerial Commissioner shall not be assisted by a secretariat.

Section 23 *[Duties of the Secretary of State]*

(1) The Secretary of State shall, with the exceptions specified by law, as specified in the organizational and operational regulations of the Ministry, be the full Deputy Minister.

(2) In the organizational and operational regulations of the Ministry, the Minister shall appoint a Deputy Minister from among the State Secretaries working in the Ministry.

(3) In accordance with the organizational and operational regulations of the Ministry, the Secretary of State shall manage the activities of the Deputy Secretary of State specified therein.

(4) The Secretary of State shall be responsible to the Minister and the Prime Minister for the performance of his duties and the exercise of his powers.

(5) When using the title of Secretary of State, reference shall be made to the duties of the Secretary of State in accordance with the organizational and operational regulations of the Ministry.

Section 24 *[Replacement of Secretary of State]*

(1) The Secretary of State may not be replaced if he acts in the capacity of substitute for the Minister.

(2) The Secretary of State shall be replaced by another Secretary of State, the Secretary of State for Administration, the Deputy Secretary of State, the Chief of Staff of the Secretary of State or a head of department or head of department under the direction of the Secretary of State, unless acting in his capacity as Deputy Minister. If the position of the Secretary of State is not filled, the powers of the Secretary of State, except for the powers replacing the Minister, shall be exercised by the person appointed to replace him or her, unless otherwise provided by this Act.

Section 25 *[The Secretary of State for Administration]*

(1) The official organization of the Ministry shall be managed by the Secretary of State for Administration under the direction of the Minister, in accordance with legislation and professional requirements.

(2) The Secretary of State for Administration may work in the Ministry.

(3) The Secretary of State for Administration shall be replaced by a Deputy Secretary of State as defined in the organizational and operational regulations. If the post of State Secretary for Administration is not filled, the powers of the Secretary of State for Administration shall be exercised by the Deputy State Secretary appointed to replace him.

Section 26 *[Deputy Secretary of State]*

(1) The Deputy Secretary of State shall direct the professional work and decide on matters referred to his or her competence in respect of the part of his or her duties and powers specified in the organizational and operational regulations of the Ministry in accordance with legislation and professional requirements.

(2) The activities of the Deputy State Secretary shall be managed by the Secretary of State, the Secretary of State for Public Administration, a Government Commissioner in the case of a government decree or a Prime Minister's Commissioner in the case of an authorization provided for in a decree of the Prime Minister.

(3) With regard to the management of the activities of the Deputy Secretary of State, the organizational and operational regulations of the Ministry may divide the powers related to the management of the activities of the Deputy Secretary of State between the Secretary of State and the Secretary of State for Administration.

(4) When using the title of Deputy State Secretary, reference shall be made to the duties of the Deputy State Secretary in accordance with the organizational and operational regulations of the Ministry.

(5) The Deputy State Secretary shall be replaced by the Head of Department or Deputy State Secretary appointed in the organizational and operational regulations of the Ministry. If the position of Deputy Secretary of State is not filled, the powers of the Deputy Secretary of State shall be exercised by the Head of Department or Deputy Secretary of State appointed to replace him in the organizational and operational regulations of the Ministry.

Section 27 *[Deputy Secretary of State for Managing Authority]*

(1) The Ministry has a Deputy Secretary of State to perform the tasks of managing authority related to the use of European Union funds.

(2) The Deputy Secretary of State referred to in paragraph 1 may not be entrusted with any professional task other than the tasks of managing authority related to the use of European Union funds, except for the Implementation Operational Program responsible for the use of the Technical Assistance Framework.

(3) The activities of the Deputy Secretary of State under subsection (1) shall be directed by the Minister, the Secretary of State or the Secretary of State for Administration in accordance with the organizational and operational regulations of the Ministry. The Deputy Secretary of State referred to in paragraph 1 may not be instructed in respect of the tasks of the managing authority in relation to the use of European Union funds.

§ 28 *[The organizational units]*

(1) The Ministry shall be divided into a Cabinet of Ministers, departments and secretariats, and the Department and the Secretariat, if headed by a head of a department, may be divided into departments. The ministry may have a cabinet of state secretaries.

(2) The organizational and operational regulations may provide for the work of the Secretary of State to be assisted by a Cabinet.

(3) The work of the Prime Minister shall be assisted by the Prime Minister's Program Office in the Ministry headed by the Minister responsible for general political coordination. The Prime Minister's Program Office is headed by a Secretary of State, whose activities are directly managed by the Prime Minister. The Prime Minister's Program Office may have a Deputy State Secretary, whose activities shall be headed by the Secretary of State in charge of the Prime Minister's Program Office. Within the framework of this Act, the Prime Minister's Program Office is divided into departments and divisions as defined in the organizational and operational regulations of the ministry headed by the Minister responsible for general political coordination.

(4) A foreign mission is not an independent organizational unit of the ministry as defined in the Act on Foreign Representations and Permanent Foreign Service. By law, a foreign mission may be an independent organizational unit of a ministry headed by the Minister responsible for defense.

(5) A managerial position may be filled for the management of an organizational unit specified in the organizational and operational regulations.

Section 29 *[Special organizational units]*

(1) The Minister responsible for national defense may establish an organizational unit other than those specified in Section 28 (1) for the exercise of his rights related to the management of the Hungarian Armed Forces in the ministry headed by him, and the Minister directing law enforcement .

(2) The organizational unit referred to in paragraph 1

a) a person in professional service who is commanded or seconded to the Ministry in accordance with the Act on the Status of Defense Forces or a person in charge of the professional staff of law enforcement agencies may be appointed to lead the Ministry,

b) its head is appointed and dismissed by the Prime Minister on the proposal of the Minister,

c) his leader receives an allowance for the head of the Hungarian Armed Forces or, in the case of a law enforcement body, for the national commander in accordance with the provisions.

(3) A position not assigned to an organizational unit may be created in the ministry headed by the Minister responsible for defense - in the manner prescribed in the organizational and operational regulations of the ministry headed by the Minister responsible for defense - for the purpose of liaising with the Hungarian Armed Forces and coordinating priority management tasks. The person holding the post is appointed by the Minister responsible for national defense. The person holding the position may manage an independent organizational unit in the manner specified in the organizational and operational regulations of the ministry headed by the Minister responsible for defense, and is entitled to a regular position, rank or salary and use of address for the position.

§ 30 *[The working group]*

1.

(2) The normative instruction pursuant to subsection (1) shall specify the task of the working group, its leader, members, the order of replacement of its members, and the time of its operation.

Section 31 *[The Cabinet of Ministers and the Secretary of State]*

(1) The Cabinet of Ministers shall be headed directly by the Chief of Staff, whose activities shall be directed by the Minister.

(2) The Cabinet of State Secretaries shall be headed directly by the Chief of Cabinet, whose activities shall be directed by the Secretary of State.

(3) The Chief of Staff shall be replaced by a government official appointed by the Cabinet.

Section 32 *[The Department and Division]*

(1) The department is headed by a head of department, whose activities are headed by the Deputy Secretary of State specified in the organizational and operational regulations. The rules of organization and operation may provide that the activities of the head of department shall be directed by the Minister, the Secretary of State or the Secretary of State for Administration.

(2) The department is headed by the head of the department or directly by the head of the department. The activities of the head of the department are managed by the head of the department.

Section 33 *[The Secretariat]*

1. The activities of the Chief Political Executive, the Secretary of State for Administration and the Deputy Secretary of State may be assisted by a Secretariat, if provided for in the rules of organization and operation.

(2) The secretariat of the Minister shall be headed by a head of department. The activities of the head of the department heading the secretariat of the Minister are directed by the Chief of Staff of the Minister. In a ministry headed by the Minister responsible for defense, the activities of the head of department leading the secretariat of the minister are directly managed by the minister. The secretariat of the Minister without Portfolio is headed by the Chief of Staff of the Minister without Portfolio.

(3) The secretariat of the Secretary of State shall be headed by a head of department, whose activities shall be headed by the Secretary of State. If the work of the Secretary of State is assisted by a Cabinet, the Secretariat of the Secretary of State shall be headed by a Head of Department, whose activities shall be directed by the Chief of Staff of the Secretary of State.

(4) The secretariat of the Secretary of State for Administration shall be headed by a head of department, whose activities shall be headed by the Secretary of State for Administration.

(5) The secretariat of the Deputy Secretary of State shall be headed by a Head of Department, whose activities shall be headed by the Deputy Secretary of State.

33 / A. § *[The joint official body]*

(1) In the case of governmental administrative bodies falling within the scope of this Chapter, the Government may designate bodies authorized by a decree to establish a joint official organization.

2. In the case referred to in paragraph 1, the heads of the bodies may conclude an agreement on the performance of the tasks of the official body or a specified part of their tasks by the joint official body. The agreement shall specify the scope of the tasks to be performed by the joint official body and the body which will act as the joint official body for that task.

3. The power to conclude the agreement shall not be transferable. The entry into force of this Agreement or any amendment thereto shall be subject to the issuance or amendment of the Organizational and Operational Regulations in accordance with the Agreement. The joint official organization may be terminated only by amending or repealing the Government Decree pursuant to paragraph (1).

4. In the case of a joint organization, the agreement may, with the exception of the rules of organization and operation, provide for the bodies referred to in paragraph 1 to issue common rules. The common rules must be signed by the authorized heads of all the bodies involved in the agreement.

(5) The body receiving the task shall be entitled to process all the data to which the body transferring the task is entitled for the same purpose and under the same conditions and under the same conditions as the body transferring the task.

(6) In accordance with the provisions of the agreement and the organizational and operational rules, the transferor shall participate in the management of the departments of the joint office organization in the context of the tasks delegated.

ARC. CHAPTER

HEADQUARTERS OF THE GOVERNMENT AND THE HEADQUARTERS

Section 34 *[Legal Status of the Government Headquarters]*

(1) The head office of the government is a central government administrative body established by law and under the control of the Government.

(2) The head office of the government shall be supervised by a minister appointed in a decree of the Government issued in the original legislative competence, who, in this competence, unless otherwise provided by law, shall in particular:

a) on the basis of the authorization of a law or a government decree, makes a decree on matters within the remit of the head office of the government, or makes a proposal for the drafting of a law or a government decree,

b) represents the headquarters of the government before the Government and the Parliament.

(3) The head office of the government may not be instructed in the scope of duties specified by law.

(4) The headquarters of the Government shall report on the activities of the Government - as specified in paragraph (2) (*b)* - to the Government, as well as inform the committee of the National Assembly concerned. The information shall be published on the website of the central government office.

Section 35 *[Organization of the Government Headquarters]*

(1) The organizational and operational regulations of the headquarters shall be prepared by the head of the headquarters and issued by the minister supervising the headquarters in a normative instruction after approval by the minister responsible for administrative quality policy and personnel policy.

(2) Unless otherwise provided by law, the provisions concerning the organization of the ministry shall apply to the organization of the head office of the government, unless otherwise provided by law.

(3) The headquarters of the government shall have territorial bodies if the law establishing the headquarters of the government expressly provides for this.

§ 36 *[Legal status and organization of the central office]*

(1) The central office is a central government administrative body established by law or a government decree and under the control of a minister.

(2) A law or government decree may provide for the management of the central office in connection with certain groups of cases, with the exception of efficiency and financial control, in accordance with Act XLIII of 2010 on the status of central public administration bodies and members of the Government and state secretaries. Certain powers or a combination thereof specified in Section 2 (1) (*c), (e)* and *(f) to (h)* of Section 2 (1) of the Public Procurement Act shall be exercised by the head of a central government administrative body or a government commissioner.

(3) The organizational and operational regulations of the central office shall be issued by the minister managing the central office in a normative instruction.

3a. In the case of a central office which does not perform its functions in the whole territory of the country, a law or government decree may lay down a rule different from that provided for in paragraphs (2) and (3).

(4) Unless otherwise provided by law or government decree, the provisions concerning the organization of the ministry shall apply to the organization of the central office, except for the provisions concerning professional senior managers.

(5) The central office shall have territorial bodies if the law or government decree establishing the central office expressly provides for this.

Section 37 *[Central Office established by law]*

(1) A central office may be established by law if the central office performs law enforcement tasks.

(2) The central office established by law shall be managed by a minister appointed by a decree of the Government issued in the original legislative competence.

(3) Pursuant to the relevant provision of the Act establishing the Central Office, the duties and powers of the Head of the Central Office shall be exercised by a Secretary of State appointed by a decree of the Government issued under the original legislative power under the authority of the Minister managing the Central Office.

(4) In the case referred to in paragraph (3), the duties and powers of the Deputy Head of the Central Office shall be exercised by the Deputy State Secretary specified in the organizational and operational regulations of the Ministry headed by the Minister managing the Central Office.

(5) The Secretary of State under paragraph (3)

a) in respect of the activities referred to in paragraph (3) by the minister managing the central office - in addition to the exercise of powers relating to the management of the central office - no instructions

(b) may not exercise the powers conferred on the Minister in charge of the central office to take a decision relating to the management of the central office,

(c) may not replace the Minister in charge of the central office and may not act on behalf of the Minister in connection with the exercise of management powers in respect of the central office which carries out the duties and powers of its head,

(d) the person exercising the powers of the Minister in charge of the central office in relation to the management of the central office and the review of the official decision taken by the central office as a superior body may not be directed by the head of department.

(6) The Deputy Secretary of State under paragraph (4)

(a) its activities are directed by the Secretary of State referred to in paragraph 3,

b) no professional task of the ministry other than the deputy head may be assigned to its competence,

(c) may not be instructed by the Minister in charge of the central office, in addition to exercising powers relating to the management of the central office,

(d) may not exercise the powers conferred on the Minister in charge of the central office to take a decision relating to the management of the central office,

(e) may not act in the exercise of powers delegated by the Minister in charge of the central office on behalf of the Minister in connection with the exercise of powers concerning the management of the central office and the review of an official decision taken by the central office as a superior;

(f) the head of the department exercising the powers delegated to the Minister in charge of the central office in relation to the management of the central office and the review of an official decision taken by the central office as a superior body may not be directed in connection with this activity,

(g) the Secretariat of the Ministry headed by the Minister in charge of the central office shall not assist in the performance of its activities.

(7) In the case referred to in subsection (4), if the powers related to the management of the central office are exercised by a deputy secretary of state whose activities are headed by the secretary of state under subsection (3). , and in connection with the review of an official decision taken by the central office as a superior body, the activities of the Deputy Secretary of State shall be directed by the Minister in charge of the central office.

(8) In the case referred to in paragraph 3

a) the Secretary of State under paragraph (3) shall not be entitled conjunction with the head of the central office functions and the exercise of powers set out in salary and benefits, government regulation,

(b) the Deputy Secretary of State referred to in paragraph 4 shall not be entitled to the salary and allowances provided for in a government decree in connection with the exercise of the duties and powers of the Deputy Head of the Central Office,

(c) the rules relating to the appointment of the head and deputy head of the central office and to the service of the government shall not apply; and

(d) no governmental service may be established or maintained for the performance of the duties of the head and deputy head of the central office.

Section 38 *[Types of Central Office]*

(1) The central office is based on its activities in the law or government decree establishing the central office

a) official,

b) market surveillance,

c) service provider,

d) maintainers,

e) resource manager,

(f) inspection or

g) server

can be classified into types.

(2) In the case of classification under subsection (1), the law or government decree establishing the central office may specify the activities specified in the primary and supplementary manner.

CHAPTER V.

GOVERNMENT OFFICES

Section 39 *[Organization of the Government Office]*

(1) The government office consists of departments and district offices directly headed by the government agent.

(2) The district office shall exercise its powers established by law independently. In the individual case of the district office, the government office has no right of instruction.

(3) The organizational and operational regulations of the government office shall be issued in a normative instruction by the minister appointed by government decree to manage the government office, if necessary by requesting the opinion of the minister participating in professional management pursuant to Section 40 (2).

(4) The seat of the county government office is in the county seat city, the seat of the capital government office and the seat of the Pest county government office is in Budapest.

Section 40 *[Management of the Government Office]*

(1) The Government Office shall be managed by the Government through a minister appointed by government decree to manage the Government Office, with the exceptions specified in this Chapter.

(2) Pursuant to a Government decree, a minister who, unless otherwise provided by law or a government decree, has the relevant authority on the basis of a government decree on the duties and powers of members of the Government (hereinafter: the professional managing minister) may participate in professional management with regard to government offices.

(3) With regard to the government office, with the exception of the establishment of the government office, the appointment and dismissal of the government agent, the Ksztv. Section 2 (1), as well as the CL of 2016 on general administrative order. (hereinafter: the Act), the powers delegated to the supervisory body are exercised by a minister appointed in a government decree to manage the government office.

(4) A government decree may provide that:

a) in connection with certain groups of cases, the Ksztv. The Minister of Professional Affairs, as defined in Section 2 (1) *e) –h)* and the powers of control of legality and professionalism and the powers delegated to the supervisory body in the Act on

b) with regard to the tasks of government offices related to European Union and national agricultural and rural development support, the Ksztv. The powers specified in Section 2 (1) (*f) - (h)* and the powers of control of legality and professionalism of the head of a central state administration body,

c) in connection with administrative authority matters, the Ksztv. § 2 (1) *e)* and *f)* , and only in connection with these, the Ksztv. The powers specified in Section 2 (1) (*g)* and the powers conferred on the supervisory body in the Ákr. Are designated by a government decree.

exercise.

(5) The Government shall establish detailed rules for the management of the government office or district office, the control of legality, professionalism and efficiency, as well as the cooperation of the professional managing minister and the central state administration body pursuant to subsection (4) (*b)* .

Section 41 *[Management of the Government Office]*

(1) The government office is headed by a government agent.

(2) The Government Commissioner is politically responsible to the Prime Minister for the performance of his duties and the exercise of his powers, and to the Minister appointed by Government Decree to manage government offices.

(3) The official organization of the government office shall be headed by a director general. The Director-General is the Deputy General Representative of the Government.

4. The Director-General shall be assisted by a Director as Deputy Director-General.

Section 42 *[Coordination of Territorial Public Administration Tasks]*

(1) The Government Office shall coordinate and facilitate the territorial implementation of governmental functions in accordance with the legislation and the decisions of the Government.

(2) The territorial bodies of the central state administration bodies and the law enforcement bodies are obliged to co-operate with each other and with the government office in the performance of their duties. In order to perform its tasks, the government office is entitled to request data and information from the heads of the territorial bodies of the central state administration bodies.

(3) Territorial bodies of central state administration bodies, with the exception of the state tax and customs authority, as well as other bodies and persons with territorial competence performing public administration tasks, and with regard to the public administration tasks performed by them, retaining their organizational and professional independence, coordination.

(4) Unless otherwise provided by law, the territorial bodies of the central state administration bodies, as well as other bodies and persons with territorial competence performing state administration functions, or in relation to the state administration functions performed by them, the law enforcement agencies and the state tax and customs authority. are subject to the control of the government office.

(5) If the competence of a territorial body pursuant to subsections (2) - (4) extends to an area other than the area of competence of the government office, the powers of the government office shall be exercised by the government office of the seat of the territorial body.

Section 43 *[The College of Public Administration]*

(1) The College of Public Administration of the capital and counties is a permanent forum facilitating the coordination tasks of the government office.

(2) The head of the capital and county public administration college is the government commissioner, its members are the director general, director and heads of departments, heads of district offices (hereinafter: registrar), heads of bodies appointed by the government bodies and those invited by the government commissioner.

(3) In order to facilitate the coordination tasks of the government office, the government commissioner may convene a capital city or county coordination meeting if necessary.

§ 44. *[Jurisdiction to appeal]*

(1) The government office is entitled to exercise the powers conferred on the supervisory body in the Act if the district office or local government notary, in the capital the district local government notary, the capital's notary, the mayor's office and the administrator of the joint local government office (hereinafter together: the clerk) and the mayor, the mayor, the chairman of the county assembly (hereinafter together: the mayor) act in state administrative competence.

(2) By way of derogation from subsection (1), a law or government decree may designate another authority to exercise supervisory powers in respect of a decision falling within the administrative competence of a district office, a notary or a mayor.

Section 45 *[Opinion]*

With the exception of law enforcement agencies and the state tax and customs authority, the government office provides opinions to the territorial bodies of the central state administration bodies, as well as to other bodies with territorial competence that perform exclusively public administration tasks.

a) the appointment and dismissal of its directors,

(b) a proposal for its creation, reorganization and amendment of their status and area of competence,

c) proposals and proposals concerning the number of its employees and the establishment of its budget.

Section 46 *[Orientation]*

(1) The Government Office, with the exception of law enforcement agencies and state tax and customs authorities, from any territorial body subordinate to the Government, and from the mayor and the clerk in respect of their administrative functions, and other bodies with territorial competence and he may request any decision from the person, request information on the action of the body or, unless otherwise provided by law, inspect the documents.

(2) The government office shall initiate conciliation proceedings with the body specified in subsection (1) - in case of detection of a violation of law, in case of failure to do so shall initiate supervision proceedings with the supervisory body of the body, in case of failure to do so.

(3) The Government Office shall be entitled to process personal data contained in documents available to it and obtained on the basis of information provided to it for the purpose of conducting the procedure specified in subsections (1) - (2) until such time as it is necessary for the performance of its duties.

Section 47 *[Inspection]*

(1) A government official of a government office may carry out an official inspection under the authority of the competent government office or district office in possession of a certificate authorizing this.

(2) The card shall contain the serial number of the card, the name of the government office or district office, and the name and photograph of the government official.

(3) The district office shall exercise simplified official control powers for the control of violations of legislation specified in a government decree and for the application of its legal consequences.

(4) Acting within the competence of simplified official control, the district office shall apply the procedural rules specified in this Act and the government decree on simplified official control.

(5)

Section 48 *[Other duties and powers]*

The government office

a) the Government's right to make motions under Article 35 (5) of the Basic Law, the Minister responsible for local governments in accordance with Act CLXXXIX of 2011 on Local Governments of Hungary, participates as a decision-making and proposing body. § 128: Law (hereinafter motv.) *a)* and *c)* in charge of the local government minister overseeing the legality motv. § 129 *b)* and *c)* , as well as the Minister of Professional Management in Mötv. In the performance of its duties specified in Section 130 of Act No. CLXXIX of 2011 on the Rights of Nationalities. (hereinafter: Njtv.) § 150 *d) –e)*the Minister responsible for nationality policy in the Njtv. § 151 *a)* of the Minister of Duties and Competences, Njtv. In *the* performance of his duties specified in Section 152 *a)* ,

b) - with the exception of law enforcement agencies and the state tax and customs authority - performs control tasks, in particular with regard to Ákr. to monitor the implementation and legality of official action,

c) - with the exception of law enforcement agencies and the state tax and customs authorities - ensure the coordination of the control activities of the territorial state administration bodies,

d) performs administrative IT assistance activities,

e) operate customer service,

f) keep records as specified by law,

g) - provides IT services related to administration, with the exception of IT services falling within the scope of duties of a service provider specified by law,

h) performs other duties specified by law.

Section 49 *[Organization of the District Office]*

(1) District offices act as branches of the county government office. The seat of the district office is in the city designated as the seat of the district.

(2) District offices operate as branches of the capital's government office. The district office is subject to the legislation of the district office.

(3) The Government shall designate in a decree the district office performing the functions of the district office of the county seat in Pest county and the district office performing the functions of the district office of the county seat in the capital.

Section 50 *[Management of the District Office]*

(1) The district office is headed by the registrar.

(2) The Registrar shall be replaced by a Deputy Registrar.

THIRD PART

GOVERNANCE MANAGEMENT

VI. CHAPTER

BASIC STAFF NUMBER OF THE GOVERNMENT ADMINISTRATIVE BODY

Section 51 *[Determination of the basic number of government administrative bodies]*

(1) The Government, taking into account the proposal pursuant to paragraph (3), shall determine the basic number of the government administrative body in a resolution.

(2) The Government, taking into account the proposal referred to in paragraph (3), shall determine the classification of the posts belonging to the basic staff of the government administrative body.

(3) The Minister who heads, directs or supervises a government administrative body may, taking into account the opinion of the head of the government administrative body, make a proposal to the Government through the body appointed for government personnel administration on the number of employees to classify basic posts.

(4) If the governmental administrative body is not headed by a minister and is not under the direction or supervision of a minister, the head of the governmental administrative body is entitled to make a proposal pursuant to subsection (3).

(5) The Minister without Portfolio may make a proposal pursuant to subsection (3) with regard to the organizational units or government administrative bodies managed, managed or supervised by him or her after approval by the head of the government administrative body assisting the Minister without portfolio, if the proposal affects the basic number and positions of the government administrative body assisting the activities of the Minister without

(6) The persons specified in Section 1 (3) and Section 54 (3) shall be taken into account when determining the basic number of government administrative bodies pursuant to subsection (1).

Section 52 *[Revision of the basic number of government administrative bodies]*

(1) The Government shall review the basic number of government administrative bodies on the basis of a proposal pursuant to paragraph (3), as specified in its decree.

(2) The Government shall, in the course of a review under paragraph (1)

a) may increase the basic number of government administrative bodies,

b) may reduce the basic number of government administrative bodies,

(c) may leave the basic staff of the governmental administration unchanged; or

(d) change the classification of the post.

(3) The Minister who heads, directs or supervises a government administrative body may, through the body designated for government personnel administration, make a proposal once a year to change the basic number of the ministry headed by it and the government administrative body managed or supervised by it.

(4) The Minister who heads, directs or supervises a government administrative body may, in addition to the provisions of subsection (3), initiate a change in the basic number of the government administrative body due to the reorganization of the government administrative body or a change in its tasks.

(5) With regard to the proposal pursuant to subsections (3) and (4), subsections (4) and (5) of Section 51 shall apply accordingly.

52 / A. § *[Termination of posts belonging to the basic number of government administrative bodies]*

If the governmental administrative body ceases to exist or is otherwise excluded from the scope of this Act, the position belonging to the basic staff of the governmental administrative body shall be terminated.

VII. CHAPTER

THE CENTRALIZED JOB STOCK

Section 53 *[The centralized staff]*

(1) The number of posts belonging to the centralized staff shall be determined by the Government.

(2) The Minister who heads, directs or supervises a government administrative body may, on the initiative of the head of the government administrative body, apply for a position from the centralized staff at the body designated for government personnel administration.

(3) With regard to the application pursuant to subsection (2), subsections (4) and (5) of section 51 shall be applied accordingly.

(4) The filling of a post belonging to the centralized staff may be authorized by a decision of the Government for a definite or indefinite period of time with the assistance of a body designated for government personnel administration.

(5) During the licensing pursuant to subsection (4), the Government shall determine the classification of the position belonging to the centralized position stock, taking into account the classification categories pursuant to subsections (1) and (2) of Section 57.

(6) Unless otherwise decided by the Government, a post belonging to the centralized staff shall not become part of the basic staff of the government administrative body with the permission pursuant to paragraph (4).

(7) For the purpose of employing a government official previously employed in a managerial position as an administrator, the government administrative body may request an administrator position from the centralized staff if it does not have a vacant administrative position.

(8) The rules and conditions for applying for and assessing the need for a post belonging to the centralized staff shall be established by a Government decree.

VIII. CHAPTER

THE JOB

§ 54 *[Cases of use of posts]*

(1) In a post belonging to the basic staff of the government administrative body and to a post belonging to the centralized staff

a) government employment,

b) legal relationship with the Commissioner,

(c) political service, or

d) employment relationship

can be created.

(2) Based on the decision of the Government, a government service relationship may also be established in a position provided for a body not included in § 2.

(3) The position may be filled in a legal relationship with the government administrative body under the Act on the Employment of Professional Staff of Law Enforcement Bodies (hereinafter: professional service) and in a professional or contractual service relationship with the government administration body under the Law on the Status of Defense Forces. (hereinafter: military service) or a person assigned or directed to a government administrative body in a tax and customs service relationship under the Act on the Status of Personnel of the National Tax and Customs Board person, provided that in this case, the professional service,except in the case of termination of military service and service of the tax and customs authorities, the employment referred to in paragraph 1 and the professional service, the military service and the service of the tax and customs authority shall not continue to exist.

(3a) If a professional management position is filled by management pursuant to subsection (3) or by a position pursuant to subsection 1 (3), section 3 (6) (*b)* shall not apply .

(4) With the exception of paragraph 5, a legal relationship may be established at the same time in one post.

(5) Multiple legal relationships in one post

(a) in the case of part - time employment, and

b) for a definite period of time in the case pursuant to Section 55 (3)

may be established, provided that in the case of part-time employment, the working time of the employees of the position may not exceed the working time specified in Section 118 (2).

§ 55 *[Position belonging to the basic staff]*

(1) The government administrative body shall fill all the posts belonging to its basic staff.

(2) If a post is vacant for six months, it shall be placed in the centralized staff by a decision of the Government, as specified in its decree.

2a. If necessary for the performance of the functions of a governmental administrative body, the Government may, by way of derogation from paragraph 2, refrain from placing a vacancy in the centralized post for a period of six months, in which case the period referred to in paragraph 2 shall begin to run again. .

2b. The period referred to in paragraph 2 shall be interrupted by the employment relationship on the 21st day following the date on which the employment relationship began. This shall also apply if the post is filled by application of Section 59 or Section 89 (6), provided that in such cases the filling of the post interrupts the period referred to in paragraph (2) on the 21st day after the change of appointment. .

3. For the purposes of paragraph 2, a post held by a government official shall not be considered vacant.

a) is on unpaid leave,

b) is released from the obligation to work,

(c) has been seconded in the interests of government, or

(d) has been seconded.

(4) The Government may, by resolution, transfer a post belonging to the basic number of the government administrative body to another government administrative body.

(4a) On the joint proposal of the ministers leading, directing or supervising the relevant government administrative bodies, the Government may, with the exception of positions filled by command or secondment pursuant to Section 54 (3), exchange positions of two government administrative bodies in the same category as determined by government decree. provided that the exchange does not affect the existence of legal relationships in the posts. Following the exchange of posts, the employer shall, as necessary, amend the conditions of filling the post and the tasks to be performed in the post.

(4b) By way of derogation from paragraph 4a, the Minister appointed by a government decree to replace a government office may exchange a post in one government office with another in a government office, provided that the replacement does not affect the legal status of the posts. Following the exchange of posts, the employer shall, as necessary, amend the conditions of filling the post and the tasks to be performed in the post.

(4c) If redeployment takes place exclusively between government offices, the power to transfer shall be exercised by the Minister appointed by government decree to direct the government office instead of the Government.

(4d) The body designated for government personnel administration shall be informed of the measure pursuant to subsections (4b) and (4c) as specified in a government decree.

(5) A post belonging to the basic number of the government administrative body shall be transferred to the centralized staff if the task of the government administrative body to be performed in the position is terminated. The governmental administration body shall immediately inform the body designated for governmental personnel administration of any change in its responsibilities.

Section 56 *[Position belonging to the centralized staff]*

(1) A legal relationship pursuant to Section 54 (1) may be established on the basis of a permit pursuant to Section 53 (4) in a position belonging to a centralized position.

(2) For the performance of tasks specified in the framework of a European Union or separate project or program, a legal relationship may be established in a post from the centralized staff.

(3) The Government may reinstate a post from the centralized staff, as specified in the Government Decree, to the centralized staff.

(4) permanent foreign service, preparation for foreign service and temporary internal placement after foreign service, a government service relationship may be established at a posting body pursuant to Section 102 (1) at a post belonging to a centralized staff.

(5) A national expert pursuant to Section 103 may also be employed in a post belonging to the centralized staff.

(6) Paragraphs (2) - (4) of Section 55 shall also apply to the position of the government administrative body arising from the centralized staff.

Section 57 *[Classification of post]*

(1) Job classification categories:

(a) an administrator, including:

aa) Government Adviser,

ab) Chief Government Adviser,

(c) the Chief Government Adviser,

ad) Chief Government Adviser,
b) professional manager,
c) professional senior manager,
d) a person with a legal status as a Commissioner,
e) consultant,
f) political chief.

(2) For the head office and the central office and for the government office, the classification categories in paragraph 1 (*a)* are replaced by Annex 1, Part II. Table 1-5. The categories set out in

(3) A position belonging to the basic staff of a government administrative body shall be classified in one of the categories referred to in subsections (1) and (2) by a decision determining the basic staff of the government administrative body.

4. A post in a centralized post shall be classified in one of the categories referred to in paragraph 1 or 2 by the decision authorizing it to be filled.

(5) The classification of a position established in accordance with subsections (2) - (4) may not be changed by a government administrative body.

(6) A change in the classification of a position established in accordance with subsections (2) - (4) may be initiated by the Minister managing, leading or supervising a government administrative body at a body designated for government personnel administration as specified in a government decree.

(7) The classification of a position filled by a permanently absent government official shall be amended by the Government on the proposal of the Minister, if this is necessary for the performance of the duties to be performed in the position and Section 134 (1a) does not apply. On the day following the termination of the absence of the government official, the classification of the position shall be restored to the original classification, unless otherwise decided by the Government.

(8) The classification of the position established in accordance with paragraphs (2) - (4) may be amended by a decision of the Government.

(9) With regard to the proposal pursuant to subsection (6), subsections (4) and (5) of section 51 shall apply accordingly.

(10)

Section 58 *[Conditions for filling the post]*

1. A post may be filled by a person who is suitable for the post in question

a) the conditions specified by law for the establishment of a legal relationship pursuant to Section 54 (1),
(b) the professional requirements determined by the employer in accordance with paragraph 2.

(2) The person exercising the employer's right shall, taking into account the task to be performed at the position and the provisions of the government decree pursuant to subsection (3), determine the professional conditions for filling the position, in particular:

a) education,
b) other professional qualifications,
c) the existence of a basic administrative or professional examination, a legal examination, a scientific degree, other administrative studies,
d) language skills,
(e) professional experience, and
(f) compliance with the training obligation.

(3) The Government shall establish by decree the criteria and framework for determining the professional and qualification requirements pursuant to subsection (2).

§ 59 *[Change of position]*

(1) The existence of a government official in the service of the government shall not be affected if the government official is transferred from one position of the government administrative body to another position of the same government administrative body.

(2) If, as a result of a change of position pursuant to subsection (1), the person of the person exercising the employer's right also changes, the employer's action on the change of position shall be taken by the prospective exercise of the employer's right with the consent of the former employer.

§ 60 *[Duties of the governmental administrative body in relation to the job register]*

A government official of the government administrative body included in the entitlement management register shall participate in the management of the data in the job register and in the performance of tasks related to the job register, as specified in the Government Decree.

IX. CHAPTER

CENTRAL TASKS OF THE GOVERNMENT PERSONNEL ADMINISTRATION

Section 61 *[Performance of Central Functions of the Government Personnel Administration]*

(1) The central functions of the government personnel administration shall be performed by a body designated by a decree of the Government (hereinafter: the body designated for government personnel administration).

(2) In order to perform its duties under this Act, the body designated for the government personnel administration is entitled to manage the data contained in the civil service personnel register.

Section 62 *[Government Personnel Administration Tasks]*

(1) The centralized staff shall be managed by a body designated for government personnel administration.

(2) The body appointed for the government personnel administration shall ensure the review of the basic number of the government administration body pursuant to Section 52.

(3) The body designated for government personnel administration shall receive and process proposals related to the basic number and position of government administration bodies.

(4) The body appointed for the government personnel administration shall prepare and ensure to the Government decisions related to the basic number of government administrative bodies, the centralized position and the position.

(5) The body appointed for the government personnel administration shall, as specified in the Government Decree, monitor the implementation of the decisions of the Government regarding the basic number of government administrative bodies, the centralized staff and the position.

(6) The body designated for government personnel administration shall maintain the position register and the entitlement management register, which are part of the Job Registration System.

(7)

(8)

(9) The body designated for government personnel administration shall register on the basis of the information pursuant to Section 95 (9).

(a) the identity of the government official concerned,

(b) the definition of the activity carried out or notified by the government official on the basis of a permit,

c) the starting date of the performance of the activity performed or notified by the government official under the permit,

d) the data of the government administrative body providing the information pursuant to Section 95 (9).

(10) The body designated for the government's personnel administration shall participate in the performance of the Government's employer duties as specified in the Government Decree.

(11) In addition to the provisions of subsections (1) to (10), the body designated for the government personnel administration shall perform other tasks established for it by law or a government decree.

(12) The government administrative body - with the exception specified in the Government Decree - shall inform the body designated for government personnel administration in advance of all non-regular personnel benefits with the content and form specified in the Government Decree.

62 / A. § *[Register of positions]*

1. The register of posts shall contain, in respect of posts in governmental administrative bodies:

a) the name, PIR number, tax number of the body holding the position,

(b) the name and position in the organizational hierarchy of the department to which the post belongs,

c) job ID,

(d) type of post (basic post or centralized post),

e) the grade of the post,

f) the amount of the salary or wages according to the document establishing the employment relationship, as well as the amount of benefits and allowances paid on the basis of the employment relationship, in addition to the salary or wages,

(g) the fact that the post is vacant or vacant or that the person filling the post is permanently absent and the post is temporarily filled by another person,

h) the type of employment relationship in the post,

(i) the fact that the employment relationship is fixed-term or indefinite,

j) if the employment relationship is for a fixed period, the date of termination of the employment relationship,

k) the fact that the filling of the position has been authorized by the Government for a definite or indefinite period,

(l) the fact of part-time employment and the number of legal relationships in the post in question,

m) the form of financing of the post (domestic, EU, mixed),

n) if the filling of the position has been authorized by the Government for a definite period of time, the term specified in the permit,

(o) the number of any decision, instruction or other measure taken by the employer authorizing the post to be filled or relating to the post, and

(p) the number of the decision, instruction or other measure taken by the employer in relation to the basic number.

(2) In addition to the data specified in subsection (1), the job register shall contain the following personal identification data of the person (s) holding the job for the purposes specified in Section 61 (2):

(a) surname and forenames (birth surname and forenames); and

(b) place and date of birth.

(3) The body designated for the government personnel administration shall process the personal data pursuant to subsection (2) for five years after the termination or termination of the employment relationship with the government administration body employing the data subject.

(4) The body designated for government personnel administration shall provide access to the job register in accordance with Article 62 / B. § for persons with editing and access rights in the rights management register pursuant to §.

(5) The job register shall be linked to the basic civil service registers of government administrations, the personnel register programs used by them, the training and performance appraisal system, the public task cadastre, the centralized payroll system as defined in the Government Decree on the registration of positions in government administrations. and the Government Personnel Decision Support System.

62 / B. § *[Authorization management register]*

(1) The body designated for government personnel administration shall maintain a rights management register for the purpose of identifying and verifying editorial and access rights related to the job register.

(2) The rights management register shall contain:

(a) the surname and forename, surname and forename, place and date of birth and address of the person entitled to edit or inspect,

b) the e-mail address, mobile number,

c) the type of authorization (editing or viewing),

(d) the name of the body to which the authorization belongs, and

(e) the date on which the entitlement arose.

(3) The government administrative body may only be granted the right to inspect or edit its own data or the data of the government administrative body managed or supervised by the Minister.

(4) In addition to the provisions of subsection (3), the body designated for the government personnel administration may also grant access rights to other persons or bodies for the purpose of performing tasks related to the management of the government administration.

5. The data referred to in paragraph 2 shall be kept for a period of five years following the expiry of the right to edit, in order to verify the processing in accordance with the right to edit, any deficiencies and responsibilities which may have been identified during the check.

(6) The body appointed for the government personnel administration is entitled to get to know and manage the data of all government administration bodies in order to perform the control tasks related to the job register and the entitlement management register.

PART FOUR

GENERAL RULES APPLICABLE TO GOVERNMENT SERVICE RELATIONS

CHAPTER X.

GENERAL CONDUCT AND PRINCIPLES OF CONDUCT

Section 63 *[Principles of good faith and fairness]*

1. A government official and the employer (hereinafter together: the Parties) shall act and cooperate with each other in the exercise of their rights and obligations in good faith and fairness, and shall not engage in conduct that is contrary to the rights of the other Party, infringes a legitimate interest.

(2) The parties shall inform each other of any facts, data, circumstances or changes that are relevant to the exercise of the rights and fulfillment of the obligations specified in this Act.

Section 64 *[Prohibition of abuse of rights]*

1. Rights and obligations in connection with governmental service shall be exercised and performed in accordance with their purpose.

(2) Abuse of rights is prohibited. For the purposes of this Act, an abuse of rights is intended, in particular, if it is aimed at undermining the legitimate interests of others, restricting, harassing, harassing or suppressing the expression of one's opinions.

(3) A government official is obliged to comply with the legislation related to the exercise of his or her profession.

(4) The adverse consequences of an abuse of rights shall be remedied.

(5) If the abuse of rights consists in refusing a legal declaration required by this Act or legislation issued for the implementation of this Act and such conduct harms the overriding interest of the public service or the other party deserves special consideration, the court may replace the legal declaration damage to interests cannot be remedied otherwise.

§ 65 *[Principle of professionalism]*

(1) A government official shall perform his or her duties in accordance with the rules governing the employment of government and other professional rules, taking into account the public interest.

(2) A government official shall enforce professional requirements related to his or her duties in the course of his or her work.

(3) The exerciser of the employer's authority shall determine the salary of a government official on the basis of professional abilities, qualifications, practice and performance within the framework specified in this Act.

Section 66 *[Principle of Efficiency]*

(1) Government service shall be based on the priority of the public service, with a sense of responsibility and in order to maintain trust in the public administration.

(2) A government official is obliged to carry out his work economically, cost-effectively, keeping in mind the satisfaction of citizens, efficiency and meeting deadlines.

Section 67 *[Protection of the rights of the individual]*

(1) The personal rights of those covered by this Act shall be respected.

(2) The right of a government official to personality may be restricted if the restriction is absolutely necessary for a reason directly related to the purpose of the public service and is proportionate to the achievement of the objective. The government official shall be informed in advance of the manner, conditions and expected duration of the restriction of the right to privacy.

(3) A government official may not waive his or her right to personality in advance in advance, he or she may validly make a legal declaration of his or her right to personality only in writing.

(4) In the event of a violation of the personal rights of persons covered by this Act, Act V of 2013 on the Civil Code (hereinafter: the Civil Code) shall be a legal consequence.

a) 2:51. § (1), 2:52. § (1) shall apply, and

b) 2:52. § (2) and (3) and 2:53. § shall be applied with the exception that in applying these provisions the rules of this Act concerning liability for damages shall apply.

(5) The rules specified in the Government Decree on Disciplinary Procedure shall apply to the obligation of a government official to pay damages, with the exception that the provisions on limitation shall apply to the initiation of proceedings.

(6) By way of derogation from subsection (5), if the legal relationship of a government official is terminated or terminated, the government administrative body may apply directly to a court to order the government official to pay damages.

(7) A government official may be requested to make a statement or provide information only, or only an aptitude test may be applied to him or her which does not violate his or her personal rights and is essential for the establishment, performance or termination of the public service.

(8) A person exercising the authority of an employer may control a government official only in the context of his or her conduct in connection with the public service. The control of the exercise of the employer's authority and the means and methods used in the process must not violate human dignity. The privacy of a government official cannot be verified.

(9) The employer shall inform the government official in advance of the use of technical means for the control of the government official.

XI. CHAPTER

LEGAL NOTICES

§ 68. *[Unilateral legal declaration, declaration, information]*

(1) Rights or obligations may arise from a unilateral declaration of rights in the cases specified in this Act, legislation issued for the implementation of this Act and public service regulations.

(2) A unilateral declaration of rights shall become effective upon notification to the addressee and, unless otherwise provided by this Act, may be amended or revoked only with the consent of the addressee.

(3) A declaration of waiver or waiver shall not be construed broadly.

4. The rules of the Agreement shall apply mutatis mutandis to the unilateral declaration. With regard to the declaration made during the performance of the agreement, which does not qualify as a legal declaration, as well as the legal declaration of the employer exercising the right of the employer related to the management of the work § shall be applied accordingly.

(5) Where this Act imposes an obligation on a party to provide information, the information shall be deemed to have been communicated if it is published in a manner customary and generally known on the spot.

(6) The information shall be provided in a timely manner and in a manner that enables the right to be exercised and the obligation to be fulfilled.

Section 69 *[The condition]*

1. The parties may also make the conclusion, amendment or termination of this agreement subject to a future, uncertain event (condition). No condition may be imposed on the basis of which the legal relationship would change to the detriment of a government official or result in the termination of the legal relationship.

(2) A contradictory, impossible or incomprehensible condition is invalid. In such a case, the agreement shall be treated as if the parties had not entered into that condition.

3. The parties shall, while the condition is pending, refrain from any conduct that would impair the other party's conditional right. The occurrence or failure of the condition may not be invoked by a party if it was caused by fault.

Section 70 *[Representation]*

(1) The person exercising the employer's right is entitled to make a legal declaration on behalf of the government administrative body.

(2) A government official may make a legal declaration related to the acceptance of the appointment, the conclusion and amendment of the agreement, and the termination of the legal relationship only in person.

(3) A government official may also make other legal declarations through his or her authorized representative, the power of attorney for this shall be recorded in writing. The authorization is valid until revoked or, in the case of a fixed-term authorization, until the expiry of the fixed-term authorization. Revocation of the power of attorney to a third party in good faith shall take effect only if it has been notified to him. The right of withdrawal cannot be validly waived.

(4) In the absence of the power of attorney specified in subsection (3), a relative may act on behalf of a government official if the government official is prevented from making the legal declaration. In the event of a dispute, you must prove the impediment.

(5) The government administrative body shall take into account the personal legal declaration of the government official if the legal declarations of the government official and the representative referred to in subsections (3) and (4) differ.

(6) A government official, unless the content of the representation is clearly limited, may not claim that his or her representative has acted in excess of his or her powers.

Section 71 *[Formalities]*

(1) The relevant agreement and legal declaration concerning the government service relationship shall be in writing.

(1a) Legal notices should be judged on their content.

(2) At the request of a government official, the government administrative body shall record its legal declaration in writing, even if it is not otherwise mandatory.

(3) The agreement, if it had to be written, amended or terminated, may only be in writing.

(4) A legal declaration made in violation of a formal obligation shall be invalid, unless otherwise provided by this Act. The legal consequence of invalidity does not apply if the declaration of rights has been executed of the same will of the parties and this does not harm the public interest.

(5) The government administrative body shall justify its unilateral legal declaration in writing in the case specified in this Act, and the government official shall be informed of the manner of enforcing the claim and, if shorter than the limitation period, of the term thereof. In the event of failure to notify the deadline, the claim shall not be valid after six months.

(6) The government administrative body shall ensure that the agreement is recorded in writing and a copy thereof shall be handed over to the government official.

(7) The agreement shall indicate the names of the parties and the information relevant to the performance of the agreement.

8. Except as provided in paragraph 11, a legal declaration shall be deemed to be in writing if it is communicated in an electronic document (hereinafter: electronic document) capable of retrieving the information contained in the legal declaration, identifying the person of the declarant and the date of making the legal declaration.

(9) The identification of the declarant pursuant to subsection (8) does not require the enhanced security or qualified electronic signature of the declarant.

(10) A written Letter of Rights shall be deemed to have been communicated if it is handed over to the addressee or another person entitled to receive it or the electronic document becomes available to them. The communication shall also be valid if the addressee or another person authorized to receive it refuses to accept it or intentionally prevents it. Minutes must be taken of this.

(11) The part of the instrument of appointment and the amendment thereto, the declaration of termination, the notice of termination of the conflict of interest and the order for payment shall be issued electronically by the employer exercising at least an enhanced electronic signature.

(12) An electronic document shall become accessible when the addressee or any other person entitled to receive it has an opportunity to acquaint himself with its contents.

(13) In the case of a paper-based publication, in addition to the provisions of paragraph (10), a legal declaration delivered as a consignment sent by return receipt service in accordance with the Postal Services Act,

(a) if the consignee or another person entitled to take charge has refused to accept the consignment or delivery at the contact address provided by the consignee has failed due to unidentification of the address, unknown identity of the consignee or removal, on the day of attempted delivery,

(b) if the consignment is returned "not sought" with an indication of the reason for non-delivery, on the fifth working day following the day on which the notice was placed

shall be deemed to have been delivered.

(14) In the event of a dispute, it shall be for the party making the declaration to prove that the communication was duly made.

(15) Written declarations of rights shall be issued in accordance with subsections (8) and (11) and served in accordance with subsection (10) and section 72.

(16) The provisions of paragraph 10 shall not apply to electronic documents containing the employer measure referred to in paragraph 11.

Section 72 *[Service of electronic document]*

(1) CCXXII of 2015 on the general rules of electronic administration and trust services for the service of an electronic document containing an employer's measure pursuant to Section 71 (11). The provisions of Section 14 and Section 15 (2) and (3) of the Act (hereinafter: E-Administration Act) shall apply with the exceptions set out in Sections (3) and (3a) by , a body providing electronic administration shall mean a government administrative body.

(2) In order to electronically sign written legal declarations and confirm the receipt of electronic documents, the government official shall comply with the provisions of the E-Administration Act. to have the electronic identification service provided by the Government and the storage space suitable for the related secure delivery service and to communicate its electronic contact details suitable for the secure delivery service to its employer. A government official shall perform this obligation within 15 days of his or her appointment, unless otherwise provided by law.

(3) In the case of the service of an electronic document containing an employer's measure pursuant to Section 71 (11), the E-Administration Act shall apply. By way of derogation from Section 15 (3), if the service provider confirms that the consignment has not been received despite the recipient being notified twice, the electronic document shall be deemed to have been delivered on the fifth working day following the date of the second notification.

3a. By way of derogation from paragraph 3, a document containing an employer's measure terminating the employment relationship with immediate effect shall be deemed to have been served on the date specified in the notification of dispatch to the addressee's place of storage pursuant to paragraph 2.

(4) If the electronic service of an electronic document (or the application of the presumption of service rules) is not possible for any reason or provides for the establishment of a legal relationship, the person designated in writing by the employer or in the organizational and operational regulations prepares an authentic paper-based publication with a clause. The clause shall include the signature of the person entitled to the clause, the date of the clause and a textual reference to the fact that the paper-based publication is identical to the underlying electronically authenticated document. The paper document must be communicated to the government official.

§ 73 *[Calculation of time limit and duration]*

1. The provisions of paragraphs 2 to 6 shall apply to the calculation of the time limit if a law or an agreement of the parties prescribes a time limit for making a legal declaration or certifying other conduct.

(2) A day shall be a calendar day, unless otherwise provided by law.

(3) The calculation of the time limit shall begin on the day following the measure (event) giving rise to the beginning of the time limit.

4. The time limit laid down in weeks shall expire on the day which, by its designation, corresponds to the starting day. The expiry date of a period expressed in months or years shall be the day on which the number corresponds to the starting day, if that day is absent in the month of expiry, the last day of the month.

(5) The time limit expires at the end of the last day. The time limit expires at the end of the next working day according to the general working schedule, if the last day according to the general working schedule is a weekly rest day or public holiday.

(6) Unless otherwise provided by this Act, the term shall be deemed to have been observed if the legal declaration is notified by the end of the expiry date or other conduct is certified by that date.

(7) Failure to comply with the time limit may be excused if the law establishing the time limit expressly so permits.

(8) A legal declaration or other conduct shall be made or certified without delay, if necessary by advancing the costs not otherwise to be borne by the debtor, if the party is obliged by law to make the legal declaration or certify other conduct immediately.

(9) Paragraphs (4) to (8) shall not apply to the calculation of a period of time specified by law or by agreement of the parties, paragraphs 4 to 8 shall not apply, and the calendar shall prevail in the calculation of such period.

Section 74 *[Invalidity]*

1. An agreement which is contrary to law or to good morals and which is the result of circumvention shall be null and void.

2. A sham agreement shall be null and void and, if it disguises another agreement, it shall be judged on the basis of the disguised agreement.

(3) A null and void agreement is invalid unless the legislation establishing the provision imposes other legal consequences on it. The nullity may be invoked by the party concerned without time limit, the nullity of the agreement being detected ex officio by the Civil Service Arbitration Committee and the court.

4. An agreement may be challenged if a party erred in a material fact or circumstance at the time of concluding the agreement, provided that the error was caused or recognized by the other party, or if the parties were in the same erroneous fact or circumstance at the time of concluding the agreement, or if the party was persuaded to enter into the agreement by deception or unlawful threat.

5. For the purposes of paragraph 4, a material fact or circumstance is affected by an error or presumption if, in the knowledge of the party, the party would not have entered into the agreement or with other content.

(6) An agreement may be challenged by a person who was in error or erroneous assumption when concluding the agreement.

(7) An agreement entered into as a result of deception may be challenged by an error or misconduct on the part of the other party.

(8) An agreement may be challenged if the other party has unlawfully threatened to enter into the agreement.

9. The rules set out in paragraphs 7 and 8 shall apply where the fraud or unlawful threat was committed by a third party and the other party knew or ought reasonably to have known of it.

(10) The time limit for an appeal shall be thirty days, starting from the recognition of the mistake, deception, erroneous assumption or, in the case of an unlawful threat, from the cessation of the state of urgency. The limitation period is duly governed by the rules on limitation, provided that after six months the right of appeal may not be exercised.

11. The statement of opposition shall be notified in writing to the other party within the time limit specified in paragraph 10.

(12) The successfully challenged agreement is invalid.

(13) The validity of this Agreement shall not be affected by confidentiality or disguised reasons of a Party.

Section 75 *[Legal Consequences of Invalidity]*

1. Rights and obligations arising out of a relationship entered into under an invalid agreement shall be deemed to exist under a valid agreement. Unless otherwise provided by this Act, a legal administrative body shall terminate a legal relationship established on the basis of an invalid agreement without delay, with immediate effect, provided that the parties do not eliminate the cause of invalidity within a short period of time without prejudice to the public interest.

(2) The government administrative body shall pay the salary of the government official for the period of time that would be due in the event of dismissal, and the rules on severance pay shall also apply accordingly if the appointment is invalid for reasons incurred by the employer. should be abolished.

3. If any part of this Agreement is invalid, the law shall prevail, unless the parties have agreed otherwise without it.

(4) If a unilateral legal declaration is invalid, no rights and obligations arise from this legal declaration.

(5) In the event of the invalidity of a legal declaration for the termination of a legal relationship, except for the successful challenge of the government administrative body's own legal declaration, the legal consequences of the illegal termination of the legal relationship shall be applied accordingly.

(6) The rules of liability for damages under this Act shall apply mutatis mutandis to compensation for damage resulting from the invalidity of the agreement.

XII. CHAPTER

FACULTY OF HUNGARIAN GOVERNMENT OFFICIALS

§ 76. *[Legal status of the Faculty of Hungarian Government Officials]*

(1) The Faculty of Hungarian Government Officials (hereinafter: MKK) is a public administration professional body of government officials with self-government.

(2) MKK is a legal entity.

(3) The MKK operates on the basis of compulsory membership. The government official becomes a member of the MKK upon appointment.

(4) Membership does not preclude other chamber memberships.

(5) The organization of the MCC consists of representative, administrative bodies, as well as officials and administrative bodies.

(6) The main representative and decision-making body of the MKK is the National Assembly of Delegates.

(7) The main administrative body of the MKK is the National Presidency (hereinafter: the Presidency).

8. The members of the Bureau shall:

(a) the President, the Vice-Presidents;

b) the Chairman of the Supervisory Board with deliberative rights;

c) the chairman of the National Ethics Committee.

(9) The Chairman shall exercise the representation of the MKK independently, and may delegate his powers in the manner specified in the Articles of Association. The work of the President is assisted by a maximum of five Vice-Presidents elected by the National Assembly of Delegates. In this capacity, the President is entitled to the salary and allowance of the Secretary of State. The President shall be relieved of his duties in the service of the Government and shall not be entitled to any salary or other allowance in that connection.

(10) The President directs the activities of the National Office of the MKK (hereinafter: the National Office) and the Secretary General leading the National Office.

(11)

§ 77 *[Tasks and powers of the MKK]*

(1) The MKK carries out its tasks through its national organization and its organization operating in the capital and the counties (hereinafter together: the territorial level).

(2)

(3) The MKK

(a) protect the authority of the Faculty of Government Officials, the interests of its bodies and members, and the rights of government officials;

b) establishes the detailed rules of professional ethics, establishes the system of ethical procedures and conducts ethical procedures;

(c) issue, at the request of a government official, an ethical certificate to the members of the MCC certifying that no ethical proceedings are pending against that member and is not subject to an ethical penalty;

(d) participate in the drafting of legislation concerning the professional examinations required of government officials and affecting the MKK, which affects the employment and conditions of the exercise of the profession of government officials;

(e) its opinion shall be sought

ea) in matters related to government service,

(eb) in the context of the provisions of the central and social security budgets concerning government officials, and

(ec) matters of principle concerning the management of administrative staff and personal allowances;

f) may initiate in the Government the creation or amendment of legislation concerning the living and working conditions, employment conditions and exercise of the profession of government officials;

(g) exercise the right of referral in any matter falling within its mission and competence;

h) may initiate changes in the law of the Minister of Justice in connection with the law relating to government service;

(i) establish its rules of procedure;

(j) keep records of its members and bodies;

(k) establish and award prizes in recognition of outstanding work;

l) may initiate the award of an award or other recognition to the Government, the Minister responsible for administrative quality policy and personnel policy, or the head of the competent body, as specified in a government decree;

m) organize professional conferences, scientific meetings, preparatory trainings;

n) may issue and judge tenders and publish publications for the development of public administration, the unification of its practice, the introduction of exemplary administrative working methods and the maintenance of its traditions;

(o) provide welfare, social and other preferential services to its members;

(p) participate as an observer in the examination and further training of government officials and, where appropriate, initiate legal and other measures;

q) delegates a member to the College of Administrative Training;

r) draws up its annual budget, approves the report on the implementation of the annual budget in accordance with the Accounting Act;

s) performs all tasks assigned to the MKK by law or government decree.

(4) The head of the governmental administrative body with county or county competence is obliged to seek the opinion of the MCC operating at the territorial level on the regulation of the work of government officials on the work, working and rest time, remuneration and allowances of government officials. The MKK operating at the regional level is entitled to give an opinion on an employer measure or a draft thereof taken by a governmental administrative body with county competence in the capital, affecting a group of government officials, and to initiate a consultation in this connection.

(5) A government administrative body shall not be obliged to provide information or consult if this may result in the disclosure of a fact, information, solution or data which would endanger the interests or operation of the public service or the legitimate interests or operation of the government administrative body.

(6) A member of the MCC may not in any way disclose any fact, information, solution or data which he or she has become aware of by referring to the treatment of confidential legitimate or classified data in the protection of the legitimate interests or operation of the government public and may not use it in any way outside the achievement of the purposes specified in this Act.

(7) A member of the MCC may disclose information obtained in the course of his or her activities only without endangering the legitimate interests or operation of the government administrative body and the interests and operation of the public service, as well as without violating the rights of the individual.

(8) The MKK member register is maintained by the National Office in the IT system operated by the NISZ National Infocommunication Service Private Limited Company.

77. § / A. § (1) In order to ensure the continuous operation of the MKK, the MKK is obliged to submit the documents necessary for the support by 15 January each year for the transfer of the operating grant established in the Act on the Central Budget. The chapter owner entitled to provide the operating grant shall provide the grant amount to the MKK by 30 January each year.

(2) The staff of the National Office, with the exception of the Secretary General, shall be employed by a central government administrative body managed by the chapter owner entitled to provide operating support to the MKK.

(3) The material conditions necessary for the operation of the MKK shall be provided by the chapter owner entitled to provide operating support to the MKK.

77 / B. § (1) The MKK may turn to the head of the state body competent in the given matter in any matter concerning its tasks and competence, and

(a) request information, data, a resolution on a professional or legal issue (hereinafter together: information);

b) may make a proposal, initiate action;

(c) may express an opinion, initiate the amendment or revocation of a body governed by the law which it administers, or of legislation, a regulatory instrument of a body governed by public law and other decisions issued by it.

(2) The requested body shall respond to the request of the MKK within thirty days. If the information or response or action does not fall within the competence of the requested authority, it shall forward the request to the competent authority within eight days and inform the MCC thereof at the same time.

Section 78 *[Rules on data management related to membership]*

(1) The governmental administrative body shall inform the designated body of the MKK of the establishment and termination of the governmental service relationship no later than within fifteen days.

(2) A member of the MCC may appeal against the registration, failure to register or deletion from the register to the designated body. For appeals against decisions or omissions related to the registration, the Ákr. shall apply.

(3) The MKK shall keep records of the results of the ethical procedures specified in Section 77 (3) (*b)* .

(4) The designated body of the MKK shall manage the I / A from the data scope of the basic public service register according to Annex 3 in order to perform the tasks specified in Section 77 (3) of the MKK. 1-4, 9-11, I / B. 1-2, II.1., A III.1. and only in respect of pre-existing government service and public service relationships, the data generated in connection with the rights and obligations set forth in Sections III.6, IV.1, V.1–2, 5 and 8, and arising from the membership relationship . The data managed by the MKK shall be transmitted to the MKK by the governmental administration body on the date specified in paragraph (1). The data processed shall be deleted five years after the termination of the membership.

XIII. CHAPTER

GOVERNMENT SERVICE RELATIONSHIP AND ITS SUBJECTS

Section 79 *[Government Service Legal Relationship]*

Government service is a special legal relationship established for the purpose of public service and work.

Section 80 *[The Government as Employer]*

(1) The legal service relationship of the Government shall be established between the Government as an employer and the Government official as an employee.

(2) The legal service relationship of the Government shall not be affected by the change in the composition of the Government and the termination of the term of office of the Government.

(3) An employer body pursuant to Section 18 (3) of Act I of 2017 on Administrative Procedure, an employer pursuant to the Law on the Activity of Lawyers and the Act on the Procedure for Taxation shall mean the governmental administrative body at which the government official performs or has performed his duties according to his position.

(4) In order to perform the duties of an employer related to the government service, the Government manages the data of the government official in the civil service personnel register.

Section 81 *[Exerciser of employer's authority]*

(1) The employer's rights over a government official shall be exercised on behalf of the Government, unless otherwise provided by law or a government decree, by the head of the official organization of the government administrative body (hereinafter: the exercise of the employer's authority).

1a. By way of derogation from paragraph 1, the employer's rights shall be governed by Article 33 / A. § in the case of the head of the joint office organization, if the agreement establishing the joint office organization so provides.

(2) The holder of the employer's authority may, with the exceptions specified in subsection (3), delegate the exercise of the employer's rights in writing to a government official holding the position of professional senior manager or professional manager. The delegated employer's power may not be sub-delegated.

(3) The following may not be transferred:

a) the definition in the regulations of the tasks to be performed in positions belonging to the basic staff of the government administrative body,

b) determination of the professional requirements for filling the position belonging to the basic staff of the government administrative body,

c) the definition in the regulations of the task to be performed in a position belonging to a centralized position staff authorized to be filled pursuant to Section 53 (4),

d) determination of the professional conditions for filling a position belonging to a centralized position staff authorized to be filled pursuant to Section 53 (4).

(3a) Pursuant to the agreement of the government administrative body, the government official and the National Civil Service University, the employer may also define teaching and research activities at the National Civil Service University (hereinafter together: educational task) as a task to be performed.

(3b) The agreement referred to in paragraph 3a shall set out the number of hours per week for the educational task and shall provide for other matters related to the performance of the task, as specified in the Government Decree.

(3c) The performance of an educational task does not affect government service or the exercise of employer's rights. A government official in charge of education shall be entitled to the salary and other allowances, allowances and grants of his appointment. The salary of a government official, other allowances, discounts and subsidies provided to him, the related public burdens and the costs incurred in performing the educational task shall be borne by the government administrative body.

(3d) The performance of an educational task is considered to be professional experience gained in education, research and research organization.

(4) If the employer's power was not exercised by the person entitled thereto, the measure shall be invalid unless the person exercising the power has approved the declaration of rights in writing within six months.

(5) The Government shall establish detailed rules in connection with the exercise and transfer of the employer's authority in connection with government service.

XIV. CHAPTER

ESTABLISHMENT OF GOVERNMENT SERVICE RELATIONSHIP

Section 82 *[General conditions for appointment]*

(1) Government service

a) has a criminal record,

b) capable of acting,

(c) have at least a bachelor 's degree or an intermediate vocational qualification; and

(d) a person taking the oath

can be established and maintained with a Hungarian citizen.

(2) No governmental service relationship may be established with a person who is a criminal offense against the state [Act C of 2012 on the Criminal Code (hereinafter: the Criminal Code) XXIV. Chapter IV of the Criminal Code of 1978. Act (hereinafter: Act IV of 1978) Chapter X], a crime against justice (Chapter XXVI of the Criminal Code and Chapter XV, Title VI of Act IV of 1978), a crime of corruption (Chapter XXVII of the Criminal Code). Chapter) or a crime against the purity of public life and against the purity of international public life (Chapter XV, Titles VII and VIII of Act IV of 1978), an official crime (Chapter XXVIII of the Criminal Code and Act XV of Act IV of 1978). Title XXX of Chapter IV of the Criminal Code), Chapter XXXIII of the Criminal Code, and Chapter XVI, Title III of Act IV of 1978.

(3) If the duties to be performed in the position include the upbringing, supervision, care or medical treatment of a person under the age of eighteen, a governmental employment relationship may not be established with a person other than those specified in subsections (1) and (2).

(a) homicides in force until 30 June 2013 [Annex IV to the 1978 Section 166 (2) (*i*) of *the* Act of 1978], participation in suicide [Act of 1978. évi IV. Section 168 (2) of the Act of 1978], violation of personal liberty [1978. évi IV. Section 175 (3) (*e) of the* Act], trafficking in human beings [Section 1978 of the Act of 1978]. évi IV. Act 175 / B. § (2) (*a)* and (5)], change of family status [1978. évi IV. Section 193 (2) (*b) of the* Act], endangering a minor [Act 1978 évi IV. Section 195 (1) - (3) of the Act], forced intercourse [Act 1978. évi IV. Section 197 (2) (*a)* and (3) of Act 1978], Violence Against Shame [Act 1978 évi IV. Section 198 (2) a) of *the* Actand (3)], corruption (Section 201–202 / A of Act IV of 1978), abuse of prohibited pornographic recording (Section 204 of Act IV of 1978), promotion of business-like libel [Section 1978 of the Act of 1978]. évi IV. Section 205 (3) (*a*) of *the* Act], drug abuse [Act of 1978. évi IV. Act 282 / B. § (1), (2) *a)* and *c)* , 282 / B. § (5) and (7) *a)*], is subject to criminal proceedings,

b) prohibited recruitment [Btk. § 146 (3)], homicide [Btk. Section 160 (2) (*i)*], participation in suicide [Btk. § 162 (2)], prohibited use of the human body [Btk. Section 175 (3) (*a)*], drug trafficking [Btk. § 177 (1) *a)* and *b)*], possession of drugs [Btk. Section 179 (1) (*a)* and (2)], inconvenience (Section 181 of the Criminal Code), abuse of a performance enhancing drug [Criminal Code. Section 185 (3) and (5)], kidnapping [Btk. Section 190 (2) (*a)* and (3) (*a)*], trafficking in human beings and forced labor [Btk. Section 192 (5) *a)*and paragraph 6 (*a)*], forced labor [until the entry into force of Act V of 2020 amending certain laws necessary for the fight against the exploitation of victims of trafficking in human beings. Section 193 (2) (*c)*], violation of personal liberty [Btk. Section 194 (2) (*a)* and (3)], sexual coercion [Btk. Section 196 (2) (*a)* and (3)], sexual violence [Btk. Section 197 (2), (3) (*a)* and (4)], sexual abuse (Section 198 of the Criminal Code), fencing [Cr. Section 200 (2) and (4) (*a)*], promotion of prostitution [Btk. Section 201 (1) *c)*and (2)], exploitation of child prostitution (Section 203 of the Criminal Code), child pornography (Section 204 of the Criminal Code), humiliation [Criminal Code. Section 205 (2)], endangering a minor (Section 208 of the Criminal Code), child labor (Section 209 of the Criminal Code), violation of family status [Section 208 (2) of the Criminal Code). Section 213 (2) (*b)*] is subject to criminal proceedings,

c) the Criminal Code. Is subject to a ban on occupation pursuant to Section 52 (3), and

(d) is undergoing compulsory medical treatment for the offenses referred to in points *(a)* and *(b)* .

(4) governmental employment relationship may not be established with a person against whom the

(a) has been sentenced to imprisonment for an intentional criminal offense,

(aa) in the case of imprisonment of less than five years, for a period of five years from the commencement of the release,

(ab) to imprisonment for a term of five years or more, for eight years from the date on which the release takes effect;

(b) for an intentional criminal offense, a public interest work or a fine has been imposed for a period of two years from the date on which the exemption is granted;

(c) has been sentenced to imprisonment for an intentional criminal offense for a period of three years from the commencement of the release.

5. In addition to the provisions of paragraphs 2 and 4, a probation officer may not be appointed

a) who has a criminal record but has established his criminal liability for the commission of a criminal offense in a final decision,

(aa) in the case of a custodial sentence of five years or more imposed *for an* intentional criminal offense, for a period of twelve years from the commencement of the release,

(ab) in the case of a custodial sentence of less than five years imposed for an intentional criminal offense, for a period of ten years from the commencement of the release,

(c) in the case of a custodial sentence imposed for an intentional criminal offense, suspended for a period of eight years from the commencement of the release,

(ad) in the case of work in the public interest or a fine imposed for an intentional criminal offense, for a period of five years from the date on which the exemption is granted,

(ae) in the case of a pecuniary penalty imposed for an intentional criminal offense, suspended for three years from the date on which immunity is granted,

(af) in the case of a custodial sentence imposed for a negligent offense, up to eight years from the commencement of the acquittal,

(ag) in the case of a custodial sentence imposed for negligent offenses, suspended for a period of five years from the commencement of the release,

(ah) in the case of work in the public interest imposed for negligent criminal offenses, for a period of three years from the date on which the exemption is granted,

(b) against whom the court has applied compulsory treatment for a period of three years from the date on which the order terminating the compulsory treatment became final;

(c) for whom the court has sentenced him to probation, for a period of three years from the end of the probationary period, if extended;

(d) who is the subject of criminal proceedings, other than private or substitute proceedings;

(e) who is subject to a prohibition on engaging in an activity for which he has been engaged in a governmental service.

(6) Pursuant to legal regulations, a government service relationship subject to national security control may not be established with a person whose national security risk has been identified during the national security audit, unless the person or body authorized to do so has approved the establishment of government service status.

(7) If a government official becomes a person subject to national security control during his or her official service, and

(a) does not contribute to national security controls; or

b) during the national security inspection, a national security risk has been identified and the maintenance of the government service has not been approved by the person or body authorized by law,

government service shall be terminated with immediate effect.

(8) In the event of the termination of government service pursuant to subsection (7), a government official shall not be entitled to time of dismissal or severance pay. The reason for the termination and the legal consequences shall be communicated to the government official.

(9) If the Police Act allows the lawful performance of the official duties of a government official to be verified by an internal crime prevention and detection body by a due diligence in cases and in a manner specified by law, consent to the audit shall be a condition for establishing and maintaining government service.

(10) A person entitled to a retirement pension specified in accordance with this Act may not be appointed a government official unless the Government consents to the employment of a government official at the request of the person exercising the employer's authority.

(11) A member of the administrative and technical staff of a foreign mission under the Act on Foreign Missions and Permanent Foreign Service who has a secondary education shall be exempt from fulfilling the condition specified in subsection (1) (*c)* .

(12) No exemption may be granted from the conditions of employment specified in this Act, with the exception specified in subsection (11). A government official must comply with the conditions of employment specified in this Act during the entire term of government service.

(13)

Section 83 *[Selection Procedure]*

1. Appointments may be made on the basis of legislation or, at the discretion of the employer, on the basis of a restricted or competitive procedure (hereinafter collectively referred to as a 'selection procedure'). In the case of a tender procedure, an appointment may only be made to a person who has participated in the tender and has met the conditions of the tender.

(2) The time required for the preparation and conduct of the selection procedure shall be determined taking into account the deadline set out in Section 55 (2).

(3) The Personnel Center shall operate a recruitment database to facilitate the selection and information of potential candidates. A Hungarian citizen with a criminal record, legal capacity and at least a high school diploma or a medium-level vocational qualification can apply for inclusion in the recruitment database. Annex 4 sets out the information that the person requesting inclusion in the recruitment database is required or optional.

(4) The head of the government administrative body shall have direct access to the data of the persons registered in the recruitment database in a manner suitable for individual identification in order to fill the vacant position.

(5) The mandatory CVs of applicants for inclusion in the recruitment database, participants in the selection procedure and government officials (hereinafter: CVs) shall contain the mandatory data sets specified in the Government Decree, as well as annexes certifying the contents of the CVs. information.

(6) Personal data obtained pursuant to subsections (4) and (5) may be processed by a government administrative body until the date of the decision on the establishment of a government service relationship or - in the case of the establishment and existence of a government service relationship - until the termination or termination of the government service relationship.

§ 84. *[Certificate based on official certificate]*

(1) Prior to appointment, a person intending to establish a governmental service relationship shall certify with an official certificate that he or she has no criminal record and is not subject to criminal proceedings pursuant to Section 82.

(2) A person who wishes to establish a government service relationship with a government administrative body pursuant to Section 82 (3) shall, in addition to the provisions of subsection (1), also certify that the exclusionary conditions specified therein do not apply to him or her.

(3) In addition to the provisions of subsection (1), a person intending to establish a government service relationship as a probation officer shall also certify with an official certificate that the exclusionary conditions set out in section 82 (5) do not apply to him.

(4) At the request of the person exercising the right of employer, the person intending to establish a government service relationship shall certify with an official certificate that he or she is not subject to a prohibition from engaging in an occupation which does not allow the establishment of a government service relationship.

(5) In justified cases, the employer may, in writing, request a government official to prove, within fifteen working days of the call, if this is not possible for a reason that can be saved within this time limit, immediately after its termination, by an official certificate that:

a) has a criminal record,

(b) is not subject to a prohibition on pursuing an occupation in connection with his post,

c) in addition to *the provisions of* point *a)* , in the case of a probation officer, that the exclusionary conditions set out in Section 82 (5) do not apply to him, and

d) for *a)* addition to those, there is no case of leaving government service existing government administrative bodies according to § 82 (3) of section against her exclusion criteria set out in § 82 paragraph (4) and (5).

(6) For the purpose of verifying the reason for exclusion from employment and to be examined pursuant to subsections (1) to (4), the government administrative body shall

a) a person who intends to enter into a government service as a government official,

(b) a government official

personal data contained in an official certificate issued by a criminal record body.

(7) Personal data obtained on the basis of subsections (1) - (6) shall be issued by the government administrative body until the date of the decision on the establishment of a government service relationship, or - in the case of establishment and existence of a government service relationship - in § 174 (6) and for the period specified in Section 179 (4).

Section 85 *[Establishment of Government Service Legal Relationship, Period of Appointment]*

(1) Government service shall be established by appointment and acceptance. A government employment relationship can be established for both a definite and an indefinite period of time. Unless otherwise provided, a government employment relationship is established for an indefinite period of time and full-time. The appointment and its acceptance shall be in writing. Failure to record in writing may be invoked by a government official only within thirty days of taking up his duties.

(2) The duration of a fixed-term government service shall be determined on a calendar or other appropriate basis, in particular in connection with the performance of a specific job, the performance of a task or the occurrence of an event. The date of termination of government service, except for the termination of permanent foreign service, may not depend solely on the will of the government administrative body or government official, if the parties have not specified the duration of government service on a calendar basis. In the latter case, the employer shall inform the government official of the expected duration of the government service.

Section 86 *[The appointment document]*

(1) The instrument of appointment

(a) the instrument of government; and

(b) consists of a job description defining the content elements of the government service relationship.

(2) The job description must contain

a) the date of commencement of governmental service,

b) the duration of government service,

(c) the start and end dates of the probationary period of a government official, with the exceptions provided for in paragraph 7,

d) the name of the government administrative body and organizational unit employing the government official,

e) the place of work of the government official,

f) the working hours of the government official,

g) the classification and identification of the position of the government official, in case of a change of position, the identification of both the previous and the new position,

(h) the salary of a government official; and

(i) the definition of the tasks to be performed in the post.

(3) The task to be performed at the position may be determined by reference to the regulations of the governmental administrative body.

(4) The instrument of appointment may also provide for other matters concerning the legal service of the government.

(5) The appointment document shall be issued by the employer.

(6) If the invalidity of the appointment is established before entering the job, the government official may not be put to work until the reason for the invalidity is eliminated. If the reason for the invalidity becomes known to the person exercising the employer's authority after the commencement of the work, the government official shall be prohibited from performing the work until the invalidity is remedied.

(7) In the instrument of appointment - paragraphs (10), § 59, § 88 (4), § 89 (6), § 104 (9) and § 105 With the exception of paragraph (2), a probationary period of not less than three months and not more than six months shall be stipulated when establishing a government service.

(8) The probationary period may not be extended.

(9) During the probationary period, any service may be terminated by either party with immediate effect without justification.

(10) In the case of appointments of less than three months, the parties may agree to stipulate a probationary period, provided that the probationary period may not exceed half the term of the fixed-term appointment.

Section 87 *[The oath]*

1. A government official shall, on his appointment, take an oath to comply strictly with his duties.

(2) The oath shall be taken before the employer or the manager appointed by him, by signing the oath, which may be confirmed orally by a government official not later than 30 days after the signature of the appointment.

(3) The oath is worded as follows:

“I, ... bet on my honor and conscience that I will be faithful to Hungary and its Basic Law; I keep his laws and keep them with others; I exercise my office for the benefit of the Hungarian nation. ”

(According to the jury's beliefs :)

"God help me like that!"

(4) The government administrative body shall allow the government official to confirm the oath orally.

Section 88 *[The Scholarship]*

(1) The Government may establish a scholarship to support administrative internships.

(2) A person who has been awarded a scholarship (hereinafter: scholarship holder) has a scholarship relationship with the government administrative body.

(3) The scholarship relationship counts

(a) the period required for recognition in the post and in the service,

b) the practical time required for the administrative examination,

(c) administrative practice.

(4) After the successful fulfillment of the conditions specified in the contract establishing the scholarship relationship, the first administrative employment relationship with the scholarship holder may not stipulate a probationary period within one year after the termination of the scholarship relationship.

(5) For the scholarship

(a) Paragraphs 64, 66 to 68 of this Act shall apply mutatis mutandis. §§ 70-75. Section 86 (2) (*a), (f)* and *(g)* , Section 90 (1), Section 91 (1) (*b), (c), (e) to (j)* and (2) - (5), § 93 (1) and (2), § 94, § 98, § 115, § 118 (3), § 119 (1), (3) and (5), (6) (*a)* and (11), Section 120, Section 121 (1), (4) and (6), 127. § 128 (1) and (6) - (8), § 129 (1), (10) - (12), (16) - (17) and (21) - (22) 133 (1) (*a),* the rules on the recording of normal working time and (1) (*c)* , Article 135 (3)*(a)* and *(d),* §§ 136 and 137, § 139, § 155, § 164 (1) to (11) and (20) to (28), 165. §,

b) where this Act

(ba) mentions a salary, a scholarship;

(bb) mentions an appointment or instrument of appointment, the contract establishing that fellowship;

bc) mentions a government service relationship, there a scholarship relationship;

bd) mentions a government official, there a fellow;

be) mentions government administrative bodies, the host institution, the ministry paying the scholarship for the purposes of § 137 and § 139;

bf) mentions work, work, duties, professional practice;

bg) mentions freedom, that absence

should be understood.

Section 89 *[Amendment of Appointment]*

(1) The appointment may be amended by a unilateral declaration of rights by the employer.

2. With the exception provided for in paragraph 1, the rules on appointment shall apply mutatis mutandis to amendments to the appointment.

3. A government official may request his dismissal in writing within four working days of notification of the change in his appointment if:

(a) his salary does not reach 80% of his previous salary after the change of appointment,

b) working hours change,

c) the place of work changes outside the settlement,

d) iskolai végzettségének, szakképzettségének vagy szakképesítésének, szakmai tapasztalatának meg nem felelő feladatok ellátására kötelezik,

e) a munkáltatói jogkör gyakorlója a szakmai vezetői álláshelyen foglalkoztatott kormánytisztviselőt ügyintézői álláshelyre helyezi,

f) elhelyezkedési korlátozás alá eső álláshelyen kívánja a munkáltatói jogkör gyakorlója továbbfoglalkoztatni,

g) a kinevezés módosítására az 55. § (4a) vagy (4b) bekezdése szerinti álláshelycsere miatt kerül sor.

(4) Ha a kormánytisztviselő nem kéri a (3) bekezdés alapján a felmentését, a kinevezés-módosítás a kormánytisztviselő által elfogadottnak minősül.

(5) A (3) bekezdésben foglalt kérelemre a kormánytisztviselőt – a nyilatkozattétel időpontjával kezdődően – a 107. § (2) bekezdés *g)* pontja alapján fel kell menteni, a felmentési időre járó illetmény, a végkielégítés, valamint az egyéb járandóságai összegének meghatározásakor a kinevezésmódosítást megelőző illetményét kell alapul venni.

(6) If a government official wishes to be employed by a government administrative body other than his or her position, he or she shall make a legal declaration to that effect to the government administrative body of his or her place of employment at least 30 days before the intended date of change. Until the 30th day after the notification, the government official shall perform his duties in the government administrative body. As of the 31st day after the announcement, the government official's employment with the government is suspended. A government official is not entitled to a salary and has no obligation to work during the rest of his or her government service. If, within 30 days of the commencement of the termination of the governmental service, the host government administration body issues a new document for the position of a government official, the legal relationship of the government official is continuous. If no new official document is issued to a government official, the government official's service in the government shall end on the 31st day following the starting date of the termination of the legal relationship.

Section 90 *[Amendment of the Appointment of a Pregnant Government Official]*

(1) A government official may be assigned tasks appropriate to his or her condition from the time of pregnancy to the age of one, or the working conditions and working hours shall be adjusted accordingly if he or she is unable to perform the duties assigned to his or her position on the basis of a medical opinion.

(2) The salary of a government official in the case referred to in subsection (1) may not be less than her previous salary.

(3) A government official pursuant to subsection (1) shall be released from the obligation to work if, due to the provisions of subsection (2), it is not possible to employ him or her properly in the government administrative body. A government official shall be entitled to his salary for the duration of his dismissal, unless he does not accept the position offered without good reason.

90 / A. § *[Succession in the person of a government administrative body]*

1. If there is a change in the identity of the governmental administration due to a succession, the rights and obligations arising from the legal relationship in the posts concerned at the time of the succession shall pass from the transferring governmental administration to the receiving governmental administration at the time of the succession.

(2) Prior to the transfer, the transferring governmental administrative body shall inform the receiving governmental administrative body of the rights and obligations arising from the legal relationship affected by the transfer. Failure to provide information to the receiving governmental administration shall not affect the enforcement of claims arising from this legal relationship.

(3) In the event of succession under paragraph (1), the new document of the official holding the post shall be issued by the receiving governmental administration within thirty days of the transfer.

(4) The provisions of subsections (1) - (3) shall apply in the case of redeployment pursuant to Section 55 (4) and replacement of posts pursuant to Section 55 (4a) and (4b).

XV. CHAPTER

CONTENTS OF THE GOVERNMENT SERVICE RELATIONSHIP

91. § *[Obligations of the employing government administrative body]*

(1) The government administrative body is obliged

(a) to take an oath of office against government officials;

(b) to employ a government official in the post in accordance with the terms of his appointment and the law and the civil service regulations;

(c) provide a government official with the conditions for healthy and safe work and the conditions necessary for such work;

d) to record in writing the requirements necessary for the performance of the duties of a government official (qualification, professional qualification, professional qualification, experience, abilities);

e) to organize the performance of duties in such a way that the government official can exercise the rights and fulfill the obligations arising from the governmental service;

(f) provide information and guidance necessary for the performance of the tasks;

(g) provide reasonable and necessary training and further training related to the duties of a government official, as required or authorized by the employer;

(h) to pay the salary and other emoluments of a government official;

(i) to reimburse a government official for expenses reasonably incurred in the performance of his duties in the service of the government, and

(j) to ensure that a government official is able to exercise his or her rights in relation to his or her advocacy activities.

(2) A government official may be employed only for work which, having regard to his physical condition or development, may not adversely affect him.

(3) When employing a government official with a disability or a disability, the government administrative body shall ensure the conditions for reasonable accommodation.

(4) The government administrative body shall ensure the examination of the suitability of a government official free of charge before taking up employment and during the existence of a government service.

(5) The head of the official organization of a government administrative body is obliged to issue public service regulations in matters specified in this Act and in matters falling within the general regulatory competence of employers, as specified in a government decree.

Section 92 *[Professional ethics requirements]*

The principles of professional ethics for a government official are, in particular, commitment, favoring national interests, justice, fairness, dignity, fairness, freedom from prejudice and a sense of responsibility.

Section 93 *[Obligations of a Government Official]*

(1) A government official shall:

(a) to appear at the prescribed place and time in a condition for work;

(b) to be at the disposal of the governmental administration during working hours, for the purpose of work, in a condition capable of work, and to perform work in accordance with the instructions of the employer;

(c) to carry out his work in person;

d) carry out the instructions of his superior in accordance with the provisions of this Act;

(e) to carry out his duties in the public interest, with the expertise and care required of him, in accordance with the law and management decisions;

(f) to behave in a manner which, in general, does not endanger the health and physical integrity of others, interfere with their work, cause damage to property or misjudge;

(g) to retain classified information and, in addition, not to disclose to any unauthorized person or entity any fact which came to its knowledge in the course of its activities and the disclosure of which would have adverse or beneficial consequences for the State, a governmental authority, an employee or a citizen.

(2) A government official shall be released from the obligation to be available and to perform his / her duties

a) for the duration of his incapacity for work,

b) for the duration of the statutory treatment in a health institution related to the human reproduction procedure,

c) for the duration of the compulsory medical examination,

d) for a period of at least four hours required for blood donation,

(e) a breastfeeding mother for one hour twice a day during the first six months of breastfeeding, twice a day for twins and once a day for two hours a day until the end of the ninth month,

f) for two working days at the time of the death of a relative,

g) the time required to participate in the training,

h) for the duration of the voluntary or facility fire service,

i) the period necessary for personal participation in the proceedings of the court, authority, public service arbitration committee or ethics, or in the meetings of the National Delegates' Assembly of the MKK and other representative and administrative bodies,

j) for periods of absence justified on personal, family or unavoidable grounds, which merit special consideration,

k) for the period specified in this Act, the legislation issued for the implementation of this Act and the public service regulations,

(l) with the permission of the employer; and

m) for the duration of the actual voluntary reserve military service,

(n) for a maximum of ten working days per year during the period of preparation for legal adoption for the purpose of personal contact with the child to be adopted.

(3) In the case referred to in paragraph (2) (*n)* , the government official shall be discharged at a time appropriate to his request, on the basis of a certificate issued by the adoption organization, within ninety days of his issuance. The government official shall inform the person exercising the employer's authority of the use at least five working days in advance.

Section 94 *[Refusal to Execute an Instruction]*

(1) A government official shall refuse to carry out the instruction of his superior if by complying with it

(a) commits a criminal offense or infringement; or

(b) would directly and seriously endanger the life, physical integrity, health or environment of another person.

(2) A government official may refuse to execute an instruction if it is complied with

(a) would directly and seriously endanger his life, health or physical integrity, or

b) would violate legislation, normative instructions issued by a government administrative body.

(3) A government official shall draw the attention of the person giving the instruction and may at the same time request that the instruction be recorded in writing if the instruction

a) its implementation would be in conflict with legislation or a normative instruction issued by a government administrative body,

(b) its performance may cause harm and the government official may anticipate the consequences; or

(c) infringes the legitimate interests of the persons concerned.

(4) The person giving the instruction may not refuse to record the instruction in writing. A government official shall not be disadvantaged by his request for a written record.

(5) If the instructor is not the immediate superior of the government official, the written reservation shall be requested through the immediate superior.

(6) A government official, if he or she does not agree with the decision or instruction of his or her superior, is entitled to record his or her dissenting opinion in writing. You should not be disadvantaged by this.

(7) A lawful refusal of an instruction shall not relieve a government official of continuing to be available for work and to comply with lawful instructions.

(8) If a government official does not perform work as a result of a lawful refusal to comply with the instruction, he or she shall be entitled to remuneration for the lost time.

(9) A government official may deviate from the instruction of his or her superior if it is absolutely necessary to protect the government administrative body from damage and it is not possible to notify the government administrative body. Deviations from the instruction must be reported to the government administration immediately.

Section 95 *[Prohibition of Co-employment and Conflicts of Interest for Government Officials]*

(1) A government employment relationship may not be established if he or she enters into a management (supervisory), control or accounting relationship with a relative of a government official.

(2) The Minister responsible for foreign policy with regard to the foreign service network and the permanent foreign service, and the Minister responsible for the coordination of European Union affairs with regard to the Permanent Representation of Hungary to the European Union (hereinafter: EU GC), unless otherwise provided by law, may, in particularly justified cases, grant an exemption from the prohibition laid down in paragraph 1.

(3) A government official may not be a representative of a local government or a national self-government of the local government which operates in the area of competence of the government administrative body employing him or her.

(4) A government official may not be a government official

a) the chairman and vice-chairman of *the* local national self-government,

b) the chairman and vice - chairman of a national self - government, and

c) a representative of a national self-government.

(5) A government official shall engage in further employment, including other gainful employment and remunerated activities - scientific, educational, artistic, proofreading, editorial, legally protected intellectual property, foster employment and state project appraisal (the hereinafter together: an activity which may be exercised) and, with the exception of voluntary activity in the public interest, may be established only with the prior authorization of the holder of the employer's right.

(6) Prior to its establishment, a government official shall notify the holder of the employer's authority in writing of the legal relationship for the performance of the practicable activity and the legal relationship for the performance of the voluntary activity in the public interest.

(7) By way of derogation from subsection (6), a government official may establish a legal relationship for the performance of an activity as well as a voluntary activity in the public interest only with the prior permission of the employer if the duration of the work is partly the same as the government official's working hours.

(8) In the event of failure to apply for prior authorization pursuant to subsections (5) and (7) and failure to notify pursuant to subsection (6), the employment of a government official in government service may be terminated by dismissal.

(9) The employer shall inform the body designated for government personnel administration within 30 days of the submission of the notification or, in the case of a request for prior authorization, of its decision, as specified in the Government Decree.

(10) Government official

a) may not hold office in a party, nor may he or she perform public office in the name or on behalf of a party, except for participation in parliamentary, European Parliament or local government elections;

(b) may not be a senior executive or member of the supervisory board of a company, unless the company is owned by a local government, a public body, or by a state-owned or state-run organization, or by a state-owned organization, or (public) foundation established jointly with a non - governmental organization is directly or indirectly owned, permanently owned by the state or delegated by the state owner on the basis of ownership rights conferring special rights, and if the degree of direct or indirect state influence in the company. year CXX. calculated in accordance with the provisions of the Act - at least fifty percent.

(11) Membership of senior executives, supervisory boards and audit committees in a company or other organization arising from the exercise of state influence based on a state measure taken to strengthen the stability of public finances or the financial intermediation system, in particular raising public capital, lending , suretyship or guarantee.

(12) An international administrative expert activity does not create a conflict of interest if the agreement between the government official and the organization coordinating the tasks related to the export and development of digital solutions is approved in advance by the employer and the duration of the activity does not exceed six months per year. .

(13) A government official shall immediately notify in writing if he or she has a cause of conflict of interest specified by law or if he or she finds himself or herself in a situation of conflict of interest during the term of his or her governmental service. If the employer exercises knowledge of a reason for a conflict of interest, he or she must immediately instruct the government official in writing to terminate the conflict of interest within thirty days (written request to terminate the conflict of interest), indicating the legal consequences. If the government official does not terminate the conflict of interest within thirty days of service of the summons, his employment with the government shall terminate.

(14) If a conflict of interest pursuant to subsection (1) arises during the existence of a government employment relationship, the practitioner of the employer's authority shall decide, in the absence of the agreement of the parties concerned, which government official shall terminate the government employment relationship.

§ 96 *[Performance evaluation]*

(1) The performance of the work of a government official may be evaluated in writing by the person exercising the employer's authority (performance evaluation). The performance evaluation may be carried out as necessary, at the discretion of the employer.

(2) At the request of a government official, his or her performance shall be evaluated once a year.

(3) Based on the performance appraisal by the government official

(a) his salary may be reduced by up to 20% or increased by up to 30% within the limits of the amount for that grade,

b) for which performance recognition is payable.

(4) The detailed rules for the performance evaluation of a government official shall be determined by a Government decree.

(5) A government official may initiate a civil service dispute regarding the annulment of a performance appraisal.

Section 97 *[The training]*

(1) A government official shall be obliged and entitled to participate in the training, further training, retraining or administrative management training (hereinafter together: training) prescribed by the Government, the Minister of Head, Management or Supervision of the Government Administration Body or the exercise of the employer's authority.

(2) Unless otherwise provided by law, the training shall be provided by the National Civil Service University.

(3) The salary of a government official for lost working time due to the performance of the required training and the related reporting or examination obligation shall be reimbursed by the government administrative body.

(4) A government official shall reimburse the costs of the training to the government administrative body if, for reasons attributable to him or her, he or she fails to provide the training or fails to comply with the prescribed requirements.

(5) If a government official fails or fails to complete the training for reasons attributable to the employer, the government administrative body shall reimburse the costs of the training to the government official.

(6) The detailed rules of compulsory training shall be established by a Government decree.

97 / A. § *[Administrative examination]*

(1) Within two years of his or her appointment, a probation officer and a government official acting as a probation officer, legal aid and victim support service at a body designated as a compensation authority shall also pass an administrative examination on judicial knowledge. Legislation may exempt a government official with a particular education from this examination in whole or in part.

(2) The holder of the employer's right may, in exceptionally justified cases, grant a deferral for a maximum of 3 years from the condition for obtaining the business administration examination.

Section 98 *[Limitation]*

1. A claim relating to government service shall be time-barred after a period of three years.

(2) A claim for compensation for damage caused by a criminal offense shall be five years, if the limitation period for criminal liability is longer, it shall expire during the corresponding period.

(3) A claim for damages payable for a personal injury caused by a criminal offense shall be five years, if the limitation period for criminal liability is longer, it shall expire during the corresponding period.

(4) Unless otherwise provided by this Act, compensation shall be due immediately upon the occurrence of the damage.

(5) Unless otherwise provided by this Act, the damages fee shall be due immediately upon the occurrence of the personal rights violation.

(6) The limitation period for a claim shall run from the time when it becomes due. The statute of limitations must be taken into account ex officio.

(7) The limitation period for a claim for the redemption of leave shall begin on the date of termination of the service of the Government.

(8) An expired claim may not be enforced in court. Post-limitation performance cannot be reclaimed as limitation.

(9) If the right holder is unable to assert his claim for a justifiable reason, he may do so within six months of the cessation of the obstacle, even if the limitation period has expired or is less than six months left.

(10) A written summons to enforce the claim, to enforce the claim in court, to initiate the use of a mediator or conciliator by law, to amend the claim by agreement, to enter into a settlement and to recognize the debtor shall interrupt the limitation period. Upon interruption of the limitation period or the final termination of the proceedings giving rise to the interruption of the limitation period, the limitation period shall begin again. If an enforceable decision has been taken during the interruption proceedings, the limitation period shall be interrupted only by enforcement acts.

XVI. CHAPTER

EMPLOYMENT OTHER THAN APPOINTMENT

Section 99 *[Common rules on secondment and internal posting]*

(1) A government official may be temporarily employed by a government official on secondment, secondment, domestic and foreign secondment, and secondment between government offices, other than by appointment. A written measure of the employer concerning temporary employment other than appointment shall provide for the provisions of a Government decree.

(2) Employment other than appointment shall not cause disproportionate harm to a government official, in particular with regard to his age, state of health or other circumstances. Employment other than the appointment may be ordered if the performance of the task belonging to the other position corresponds to the education, qualification or professional qualification of the government official.

(3) A government official shall be informed in writing at least ten working days in advance of the order of employment other than the appointment and of its expected duration.

(4) May not be assigned, in the framework of posting - without his / her consent - may not be obliged to work in another place

(a) from the determination of the pregnancy of a government official to the age of three years,

(b) a government official raising a minor child alone,

c) a government official caring for a close relative in need of long-term care,

(d) a government official with at least 50 per cent damage to health determined by a rehabilitation expert body.

(5) If any of the reasons specified in subsection (4) occurs during the period of employment other than the appointment, the employment other than the appointment shall be terminated immediately at the request of a government official.

§ 100 *[Secondment in the interests of the government]*

(1) Upon the decision of the Prime Minister, the Minister or Ministers designated by him or the State Secretary of the Prime Minister's Office, a government official of the Government Administration may be seconded to another Government Administration for a fixed term after seeking the opinion of the Head of Government.

(2) The duration of secondment in the interests of government shall not exceed one year. The secondment may be extended once for a single period of up to one year. Upon expiry of the secondment, the government official shall be re-employed in the original post by the governmental administration of his appointment.

(3) For the duration of the secondment in the interests of the government, the government official is entitled to the salary included in the appointment from the body of the place of secondment, during the secondment the salary may be changed only for the benefit of the government official.

§ 101 *[Domestic posting]*

(1) The holder of the employer's authority may, with the exception specified in subsection (2), oblige the government official to work outside the settlement of the usual place of work. This is conditional on the government official carrying out the work under the direction and instruction of the employer's authority during the period of secondment.

(2) A government official raising a child under the age of 14 shall not be required to be posted abroad outside the administrative boundaries of the settlement of his or her residence.

(3) It shall not be considered a domestic posting if a government official, due to the nature of the work, normally performs his or her work outside the seat of the governmental administrative body and if he or she performs his or her work in a settlement belonging to the organizational operation of the governmental administrative body.

(4) The duration of a domestic posting shall not exceed sixty working days at a time and one hundred and ten working days per calendar year.

(5) The rules concerning the coverage of the additional expenses and the daily allowance of a government official on a domestic mission shall be established by a Government decree.

(6) The rules of temporary posting abroad - not exceeding three months - deviating from this Section shall be established by a Government decree.

Section 102 *[Permanent Foreign Service]*

(1) order to perform a sectoral professional task or to support this task, a government official is appointed to the Ministry headed by the Minister for Foreign Policy and the Minister for Coordination of European Union Affairs, the Permanent Representation of Hungary to NATO, the Permanent Representation of Hungary to the OSCE) may, on the basis of a decision of the governmental administrative body, in consultation with the seconding body, be seconded for a definite period of time necessary for the performance of tasks (hereinafter: external service secondment).

(2) For the duration of the secondment, the government official shall be placed in the staff of the seconding body, his or her job description shall be amended, and shall be returned to the staff of the government administrative body after the end of the term of office.

(3) The secondment of a foreign service shall not affect the legal service of the government. During the period of secondment, the salary, other allowances, public charges and expenses incurred in connection with the secondment shall be borne by the government administration to which the official is seconded.

(4) A government official appointed to the Ministry headed by the Minister responsible for the coordination of European Union affairs or seconded to the Ministry for the Coordination of European Union Affairs for the purpose of secondment to the EU SAO as a diplomat or professional diplomat for a fixed period of time; The employer's rights over the additional government official to be seconded shall be exercised by the Minister responsible for the coordination of EU affairs.

(5) In matters not regulated in subsections (1) - (4), in connection with the secondment of a foreign service, Act LXXIII of 2016 on Foreign Representations and Permanent Foreign Service. the rules of law shall apply.

§ 103. *[Participation of experts in development programs financed by the European Union or international organizations, national expert employed in the institutions of the European Union and international organizations]*

1. The governmental administrative body and the government official may agree that the government official shall provide expert services to the institutions of the European Union or international organizations for a specified period of time, or national experts to the institutions of the European Union or other international organizations. An agreement concluded between a government official and the body responsible for the implementation of development programs or an institution of the European Union or another international organization in connection with the exercise of expert activity shall not create an additional legal relationship under this Act.

2. Employment as an expert or as a national expert shall be the subject of an agreement between the body referred to in paragraph 1 and the sending government. The government official's employment with the sending public administration body lasts continuously during his employment as a national expert.

3. The appointment of a government official for the duration of the activities referred to in paragraphs 1 and 2 shall be amended by mutual agreement. At the end of the fixed term, the government official must be reinstated in the position he or she held prior to the expert activity.

(4) During the performance of the activities set out in subsections (1) and (2), the governmental employment relationship of a government official may not be terminated by dismissal, with the exception of section 107 (2).

5. Paragraph 3 shall not apply to a government official participating in the program referred to in paragraph 1 as an expert responsible for carrying out certain sub-tasks who may be present in the beneficiary country during the period of implementation.

(6) A government official shall not be entitled to leave pursuant to Section 128 during the period of activity pursuant to subsection (1), if the body referred to in subsection (1) is granted leave during the period of employment.

XVII. CHAPTER

TERMINATION AND TERMINATION OF GOVERNMENT SERVICE RELATIONSHIP

Section 104 *[Termination of Government Service]*

(1) Government service shall be terminated:

(a) at the end of the fixed term of the appointment;

(b) the death of a government official;

(c) on reaching the age of 70;

(d) the dissolution of a governmental administration without a successor;

(e) the election or appointment of a government official as a senior political leader or political leader;

(f) if the government official does not terminate the conflict of interest within thirty days of service of the summons;

g) if the government official establishes a legal relationship with a state or intergovernmental international organization or a body of the European Union;

h) if the government official has reached the retirement age under the social security rules and has completed the length of service required for the full retirement pension, except for Act LXXXIV of 2003 on certain aspects of the pursuit of health care activities. a government official who is a health worker by law, and in view of the particularly important interest of the governmental administrative body, if the Government has authorized it and the legal relationship is maintained by the governmental administrative body;

i) in the event of a change of legal relationship in the case pursuant to Section 114 (3);

j) in the event that, in the course of the application of Section 89 (6), the new administrative document is not issued by the host governmental administration by the expiry of the time limit laid down therein,

k) if, based on the decision of the Government, the post from the centralized staff is returned to the centralized staff,

l) if the Government places the position in the centralized position stock pursuant to Section 55 (2),

m) if the Government terminates a position that is part of the basic staff or if it is covered by Article 52 / A. § is terminated.

(2) The Prime Minister may grant an exemption from the age limit specified in subsection (1) (*c)* if the appointment of a government official is necessary for the appointment of the head of a foreign mission related to the permanent foreign service.

(3) If a governmental service is terminated pursuant to subsection (1) (*d)* , the government official shall be paid an amount corresponding to his salary for the period of dismissal in the event of his dismissal.

(4) One year before reaching the retirement age applicable to him, a government official shall request the issuance of an official certificate of the length of service acquired by the pension insurance administration in order to verify the condition referred to in subsection (1) (*h)* . It is not necessary to apply for an official certificate if a previous decision of the pension insurance administration body proves the existence of the length of service required for a full old-age pension. A government official shall submit a copy of the official certificate of service or other decision issued at least three months before reaching the retirement age applicable to him to the government administration, which shall disclose the personal data thus disclosed in accordance with paragraph 1 (*h).* for the purpose of verifying the fulfillment of the condition specified in Section 1 of this Act.

(5) If the government administrative body agrees to maintain the legal relationship of a government official, it shall seek the opinion of the Government.

(6) As specified in paragraph (1) (*h)* , a governmental administrative body may maintain a legal relationship if the Government so agrees. The opinion of the Government binds the governmental administrative body in making its decision.

(7) If the government administrative body does not maintain the employment of a government official, the government service of the government official shall terminate on the last day of the month of receipt of the decision or, if later, on the last day of the month when the government official retires. has reached retirement age and has completed the length of service required for a full old-age pension.

(8) If the government official

(a) an intergovernmental or intergovernmental international organization, or

(b) bodies of the European Union

establishes a legal relationship, his or her governmental service relationship shall terminate on the day prior to the commencement of the legal relationship pursuant to *a)* or *b)* .

(9) If a government official establishes a new government service relationship as the first legal relationship within 30 days after the termination of her government service, her government service relationship shall be deemed to be continuous.

(10) If the person establishing a government service relationship prior to the establishment of a government service relationship is subject to the provisions of Act CXCIX of 2011 on Civil Service Officials. (hereinafter: Kttv.) in a civil service or public service legal relationship, civil servant, tax and customs authority service, professional service, military service, defense employee or law enforcement administrative service, and within 30 days after the termination of this legal relationship establishes a legal relationship, its legal relationship shall be considered continuous for the purposes of this Act.

105. § *[Termination of government service]*

(1) Government service may be terminated:

a) by mutual agreement of the parties,

b) by resignation,

c) by exemption,

d) loss of office with disciplinary punishment,

(e) with immediate effect during the probationary period.

(2) If a government official establishes a new government service relationship as the first legal relationship within 30 days after the termination of her governmental service, her governmental service relationship shall be deemed to be continuous.

(3) If, prior to the establishment of governmental service, a person establishing a governmental service relationship is employed in a governmental service or public service relationship, civil servant, tax and customs service, professional service, military service, defense official or law enforcement administration and establishes a government service relationship as the first legal relationship within 30 days of the termination of this legal relationship, her legal relationship shall be deemed to be continuous.

Section 106 *[Resignation of a Government Official]*

(1) A government official may resign from government service at any time.

(2) The term of resignation of a government official shall be two months.

(3) In the case of a fixed-term government service, the period of resignation may not exceed the period specified in the appointment.

Section 107 *[Dismissal of a Government Official]*

(1) Government service may be terminated by dismissal if

(a) a reduction shall be made by decision of the Government;

(b) the duties of the governmental administration in the post of government official have ceased;

(c) will be terminated as a result of a post held by a government official or a reorganization of a post held by a government official

(d) the governmental administration employs another government official to replace the government official;

(e) a government official is retired;

f)

g) a government official fails to apply for a prior authorization pursuant to Section 95 (5) and (7) or to make a notification pursuant to Section 95 (6),

h)

(2) Government service shall be terminated by dismissal if

(a) a government official is unfit to exercise his profession;

(b) the work of the government official is inadequate;

(c) the reason for the exclusion of employment becomes known to the government administration;

(d) a government official is unfit to perform his duties for medical reasons;

(e) Act LXXXI of 1997 on social security pensions. the condition contained in Section 18 (2a) of the Act is applied for by a government official fulfilling it at the end of the dismissal period;

f) in the case pursuant to Section 82 (7);

g) it is requested by a government official pursuant to Section 89 (3) or Section 166 (5).

(3) The government administrative body shall give reasons for the exemption. The reason for the dismissal must be clear from the justification and the governmental administration must prove that the reason for the dismissal is real and reasonable.

(4) A government administrative body shall not be obliged to terminate an employment relationship of indefinite duration by dismissal if the government official qualifies as a pensioner.

(5) For the purpose of improper work referred to in subsection (2) (*b),* a government official shall be dismissed if the government official achieves a below-average or unacceptable level of performance as a result of the performance appraisal.

(6) Pursuant to subsection (2) (*c)* , a government administrative body shall terminate a governmental employment relationship, with the exception of subsection (7), with immediate effect if it becomes aware of a reason for exclusion from employment.

(7) Pursuant to paragraph (2) (*c)* , the governmental administrative body shall terminate the governmental service relationship with immediate effect pursuant to Section 75 (1) and apply the legal consequences of invalidity,

a) if the government official does not comply with the obligation set forth in Section 84 (5) upon repeated regular invitation and does not prove that the failure to fulfill the obligation occurred for a verifiable reason, or

b) if the government official cannot prove compliance with the requirements for exclusion of employment and to be examined pursuant to Section 84 (1) - (4) with an official certificate issued by a criminal registration body or otherwise informs the person exercising the employer's authority of the reason for exclusion jut.

(8) In the event of termination of government service for the reason specified in subsection (6), a government official shall not be entitled to time of dismissal or severance pay. The reason for the termination and the legal consequences shall be communicated to the government official.

9. In the event of unfitness for health reasons as defined in paragraph 2 (*d)* , a government official may be dismissed if:

a) the position does not correspond to his / her state of health,

(b) does not have a vacancy corresponding to his education, training, qualifications and state of health or does not contribute to his employment in another post.

(10) Act LXXXI of 1997 on Social Security Pensions. The period of entitlement required to establish the condition set out in Section 18 (2a) of the Act shall be verified by a decision of the pension insurance administrative body.

(11)

§ 108. *[Ensuring more efficient performance of tasks]*

(1) If there is a change in the duties assigned to the position held by a government official, for the effective performance of which the education, qualification, professional qualification and professional experience of the government official are inadequate, the government administrative body may fill the position with another government official. The change may be a reason in the interest of the government administration. It is considered to be a reason arising in the sphere of interest of a government administrative body, especially if it is related to a change in the performance of the tasks of a government administrative body.

(2) The government administrative body is obliged to offer the possibility for the government official to obtain the education, qualification and vocational qualification necessary for the performance of the duties within a reasonable period of time provided by the educational institution in order to obtain the education, qualification or vocational qualification.

(3) The legal relationship of a government official may be terminated for the reason set out in Section 107 (1) (*d)* only if the employing government administrative body does not have a vacant position corresponding to the education, professional qualifications, professional qualifications or professional experience of the government official, or the position thus offered shall not be accepted by a government official.

(4) The government administrative body shall inform the government official in writing about the existence of the position to be offered, its absence and the consequences of not accepting the position.

The grounds for exemption shall include the following:

a) our refusal under paragraph (1) raised interest among government administrations, and

(b) what is the additional requirement necessary to fill the post, but which is not available to the government official.

(6) Exemption pursuant to Section 107 (1) (*d)* shall not apply if

a) the government official undertakes to obtain the given education, qualification or vocational qualification within the term provided by the educational institution, or

b) a vacancy corresponding to the education, qualification, professional qualifications and professional experience of a government official shall be accepted by the government official.

Section 109 *[Unworthiness]*

(1) The ground for unworthiness may be only a fact which can be manifested and provable in the conduct or work of a government official.

(2) It is considered irrelevant if the government official

(a) engages in conduct outside his or her place of work which is likely to seriously damage the reputation or confidence in the good administration of the governmental administration which employs him or her, or

(b) he / she does not perform his / her duties with the professional commitment required by the Fund

and, as a result, its legal relationship cannot be expected to be maintained.

(3) The right to dismiss on the grounds of unworthiness shall be granted by the governmental administrative body

(a) within 30 days of becoming aware of the underlying reason, but not later than one year after its occurrence;

(b) in the case of an offense, until the expiration of the criminal record

you can practice.

(4) Before taking a decision on a finding of unworthiness, a government official shall be given an opportunity to become acquainted with the circumstances on which the decision is based and to present his defense within fifteen days of being informed, unless, in all the circumstances, cannot be expected from an administrative body.

§ 110 *[The obligation to provide information]*

(1) The government administrative body shall inform the state employment body and the body designated for government personnel administration in writing at the latest when notifying the dismissal of the personal data, education, qualifications, professional qualifications and salaries of the government officials affected by the dismissal.

(2) The condition of the information obligation contained in subsection (1) is that the dismissal takes place for the reason specified in Section 107 (1) *a) –c)* and the number of government officials affected by the dismissal within thirty days.

(a) in the case of less than twenty government officials, at least five;

(b) at least ten persons employed by twenty or more but less than one hundred government officials;

(c) in the case of the employment of one hundred or more but less than three hundred government officials, at least 10% of the government officials;

(d) in the case of the employment of three hundred or more government officials, at least thirty.

(3) For the purposes of paragraph (2), the number of persons in government employment and employment shall be calculated.

Section 111 *[Period of Exemption]*

1. The period of exemption shall be two months.

(2) The period of exemption shall begin on the date specified in the exemption document. The period of dismissal may not begin earlier than the day following the notification of the dismissal.

(3) In the case of termination of a fixed-term governmental service, the period of dismissal shall not extend beyond the date when the governmental service would have been terminated without dismissal pursuant to the appointment.

(4) A government official shall be released from the obligation to work for at least half of the period of dismissal and shall be entitled to remuneration for this period. The conflict of interest rules do not apply to a government official who is exempt from work. A government official shall be relieved of his duties at his

request, in not more than two installments.

(4a) A government official shall be entitled to remuneration for the entire period of dismissal if he is relieved of his obligation to work due to unpaid leave.

(5) A government official shall be entitled to the salary due for the period of exemption from the obligation to work in equal monthly installments.

(6) The salary paid may not be recovered if the government official has been permanently released from work and the circumstance precluding the payment of the salary has occurred after the government official has been released from work.

(7) If a government official establishes a full-time or part-time legal relationship with any budgetary body or any economic entity under the majority influence of a budgetary body during the period of exemption from employment,

(a) must immediately notify his employer in writing of this fact,

(b) shall not be entitled to remuneration in respect of the time remaining from the period of dismissal.

(8) A government official shall not be entitled to a period of dismissal in the event of dismissal pursuant to Section 107 (2) *a)* and dismissal on the grounds of exclusion of employment pursuant to Section 107 (6).

§ 112. *[Severance pay]*

(1) A government official shall, with the exception of paragraph 10, be entitled to severance pay

a) in the event of his dismissal,

b) in the event of the dissolution of a government administrative body without a legal successor,

c) in the event of termination of his / her legal relationship pursuant to Section 104 (1) (*k)* , if the post from the centralized post is returned to the centralized post earlier than the deadline specified in the permit pursuant to Section 53 (4), or the Government has authorized the filling of a centralized post for an indefinite period,

d) in the event of termination of his legal relationship pursuant to Section 104 (1) (*l)* and (*m)* .

(2) The amount of severance pay if the term of office of a government official in government service is at least

a) three years: one month,

b) five years: two months,

c) eight years: three months,

d) ten years: four months,

(e) thirteen years: five months,

(f) sixteen years: six months,

g) twenty years: eight months,

The amount corresponding to his salary at the beginning of the period of dismissal or at the termination of the governmental administration without successor.

(3) The amount of severance pay shall be increased by the amount of four months' salary if the government official's employment with the government terminates within five years prior to the acquisition of the right to a retirement pension. A government official shall not be entitled to an increased severance pay if he has previously received an increased severance pay on any of the items. The amount of severance pay paid must be indicated on the civil service certificate.

(4) Only time spent in government service may be taken into account in determining the amount of severance pay.

(5) In the case of termination of a governmental employment relationship established for a definite period of time pursuant to Section 85 (2) by dismissal, the period between the appointment and dismissal shall be taken into account in determining the amount of severance pay.

6. For the purposes of paragraphs 3 and 4, time spent in government service shall be deemed to be:

(a) the employer of the predecessor, including, in the case of a change of legal relationship, the transferring employer,

b) a költségvetési szervnél kormányzati szolgálati, állami szolgálati, közszolgálati, közalkalmazotti jogviszonyban, adó- és vámhatósági szolgálati jogviszonyban, hivatásos szolgálati jogviszonyban, szerződéses vagy hivatásos katonai szolgálati viszonyban, honvédelmi alkalmazotti jogviszonyban, illetve a költségvetési szervnél munkaviszonyban,

c) átminősítés esetén a hivatásos szolgálati vagy katonai szolgálati viszonyban,

d) a Kttv. szerinti szervnél munkaviszonyban

eltöltött idő is. A *b)* és *d)* pont azzal az eltéréssel alkalmazandó, hogy a kormánytisztviselő nem jogosult végkielégítésre azon időtartam vonatkozásában, amely alapján korábbi jogviszonyának megszűnésekor vagy megszüntetésekor végkielégítésben részesült.

(7)

(8) A végkielégítés összegének a felére jogosult a kormánytisztviselő, ha felmentésére azért került sor, mert a 107. § (9) bekezdés *b)* pontja szerinti másik álláshelyen történő foglalkoztatásához nem járult hozzá, kivéve, ha a hozzájárulását alapos indokkal tagadta meg, így különösen, ha

a) a felajánlott illetmény összege kevesebb a korábbi illetménye 80%-ánál,

(b) a fixed-term offer is offered instead of the previous indefinite application,

(c) the journey time between the new place of employment and the place of residence by means of public transport exceeds three hours per day or two hours in the case of a government official raising a child under the age of 10.

(9) The severance pay shall be paid on the last day of the period of dismissal.

(10) A government official is not entitled to severance pay if

(a) is retired at the latest at the time of termination of his service;

b) of § 107 paragraph (2) *a)* demerit points under the § 107 paragraph (2) *b)* employment by inadequate working within the meaning of the § 107 (6) of the grounds for refusal or by virtue of § 166 (5), the government official was dismissed at his request.

(11) If a government official establishes a full-time or part-time legal relationship with any budgetary body or any economic entity with at least a majority influence of a budgetary body during the period of dismissal, he shall not be entitled to severance pay. the period of entitlement to severance pay under the legal relationship shall be taken into account.

(12) If a government official establishes another government service within 30 days after the termination or termination of the legal relationship,

(a) if he is entitled to severance pay, he shall be entitled to one month's severance pay and shall repay any part of the severance pay paid to him in excess of one month's time to the government administration which previously employed him,

(b) in calculating the period on which the severance grant is based in his new legal relationship, his period of entitlement to severance pay under the previous legal relationship shall be taken into account to the extent of three years' legal relationship.

Section 113 *[Protection of Exemption]*

(1) The governmental administrative body may not terminate the legal relationship with an exemption

a) pregnancy,

b) maternity leave,

(c) unpaid parental leave or, even without unpaid leave, a period up to the age of three,

d) incapacity to care for a sick child,

e) the actual voluntary reserve military service,

(f) the legal treatment of the woman in connection with the human reproductive process, but not exceeding six months from the commencement thereof;

g) unpaid leave for the care of a relative at home,

(h) unpaid leave to care for a grandchild

during its term.

2. For the purposes of applying the protection provided for in paragraph 1, the date of notification of the exemption shall apply.

(3) A circumstance specified in subsection (1) (*a)* and *(f)* may be invoked by a government official only if he or she has informed the government administrative body thereof. In the case of notification of a government official following the notification of the dismissal, the government administrative body may revoke the dismissal in writing until the termination of the government service, but no later than within 15 days after the notification.

4. The protection provided for in paragraph 1 (*c) shall* be granted, without recourse to unpaid leave, to the parent who last took unpaid leave.

(5) In the case of incapacity for work due to illness, the period of dismissal shall begin at the earliest on the day following the expiry of the incapacity for work, but no later than one year after the end of sick leave.

(6) The protection provided for in subsection (5) shall not apply to the termination of the employment of a government official by dismissal if the government official qualifies as a pensioner.

(7) The protection specified in subsections (1) and (5) shall not apply to the termination of the legal relationship of a government official by dismissal if the dismissal is applied for by a government official pursuant to Section 107 (2) (*e)* or *(g)* .

(8) A government official shall not be entitled to dismissal protection in the event of dismissal on the grounds of unworthiness pursuant *to* Section 107 (2) (*a)* and grounds for exclusion from employment pursuant to Section 107 (6).

§ 114. *[The change of legal relationship]*

(1) If, as a result of a statutory provision, all or part of a governmental administrative body (organizational unit, specific group of material and non-material resources or tasks and powers) is transferred from the scope of this Act to a body subject to the Civil Servants Act , with the exception of paragraphs 3, 4 and 9, the employment of a government official employed within the framework of the relevant organization or activity of the government administrative body shall be transformed into that of a civil servant at the time of the change of status and his / her position shall be centralized. will cost.

(2) The receiving employer shall inform the persons concerned of the transformation of the legal relationship within thirty days after the transformation.

(3) Notwithstanding subsection (1), the legal relationship of a government official shall not be transformed if the receiving employer cannot establish a civil servant relationship with the government official involved in the transfer pursuant to the provisions of the Civil Servants Act, in which case the governmental service ceases to exist on. Termination of the legal relationship shall be notified to the government official in writing on the date of transfer. In the event of termination of the legal relationship, the government official shall be paid severance pay determined in application of Section 112.

(4) Paragraph 3 shall apply mutatis mutandis if there is a conflict of interest with the transferred civil servant under the regulations applicable to civil servants, unless the cause of the conflict of interest can be eliminated and the government official takes action within 30 days after the transformation, and justifies it.

(5) Within forty-five days following the transformation of the legal relationship into a civil servant, the government official shall be classified in accordance with the rules applicable to civil servants and his or her salary shall be determined.

(6) Unless otherwise provided by law, a government service contract of indefinite duration shall be transformed into a civil servant contract of indefinite duration. In the case of full-time employment, the legal relationship is transformed into a full-time civil servant relationship.

(7) In the case of a transformed legal relationship, the time of a government official recognized as a governmental service in a government administrative body subject to this Act affected by the transformation shall be deemed to have been spent at the receiving body.

(8) Following the transformation of the legal relationship of a manager in a governmental service relationship, the level and name of the managerial position shall be determined, taking into account the rule on the legal relationship of a civil servant.

(9) If, at the time of the transformation of the legal relationship, a civil service dispute is pending regarding disciplinary liability, the

(a) the rules on disciplinary dismissal shall apply mutatis mutandis where the employment of a government official becomes a civil servant,

(b) the rules on extraordinary dismissal shall apply mutatis mutandis if the employment of a government official becomes an employment relationship,

(c) the rules on disciplinary action for disqualification shall apply mutatis mutandis if the employment of a government official becomes a civil service.

transforms.

(10) The provisions of this Section shall apply mutatis mutandis if the legal relationship of a government official is transformed into a civil service, tax and customs authority service, professional service or military service relationship, a national defense employee relationship, a law enforcement administrative service relationship or an employment relationship.

§ 115. *[Procedure in case of termination of legal relationship]*

(1) Upon termination or termination of the legal relationship of a government official, he or she shall hand over his or her documents related to his or her duties and settle accounts with the government administrative body. The conditions of handover and settlement are to be provided by the government administration.

(2) At the time of termination or termination of employment, the salary and other emoluments of a government official, with the exception of imprisonment, shall be paid to him and the certificates provided for in the legal regulations and other legislation shall be issued.

§ 116 *[Legal consequences of unlawful termination of a legal relationship]*

(1) If the Civil Service Arbitration Committee or a court finds that a government official has unlawfully terminated the employment of a government official in the government service, the government official may request to be re-employed in his original position if:

(a) the termination infringes the prohibition on abuse of rights or the protection of dismissal, or the governmental administration violates the provisions on restrictions on dismissal,

b) the governmental administrative body of the elected trade union official or the labor protection representative (members of the labor protection committee) has a government service relationship in accordance with Section 172 (10) or Section XCIII of 1993 on Occupational Safety and Health. terminated in a manner contrary to Section 76 (3) of the Act,

c) in the case of a disciplinary sanction for loss of office, there is no disciplinary liability or the punishment is disproportionate to the seriousness of the disciplinary offense committed,

(d) the termination of the relationship infringed the requirement of equal treatment; or

e) the government official has successfully challenged the termination of the legal relationship by mutual agreement or his own declaration to that effect.

(2) At the request of a government administrative body, the Civil Service Arbitration Committee or a court shall refrain from re-employing a government official in the original position, provided that further employment of a government official is not expected from the government administrative body.

(3) In the case referred to in subsection (1), the unpaid salary (other remuneration) of the government official shall be reimbursed, as well as the damage incurred in connection with the unlawful termination of the legal relationship. There is no need to reimburse the part of the salary (other remuneration) or

damage that has been recovered from elsewhere or could have been recovered with due diligence. In particular, failure to exercise due diligence shall be deemed to exist if a government official does not co-operate with the public employment body in order to establish an employment relationship, does not enter into a job search agreement or rejects a suitable job offered by that body under employment promotion law. , and you are not actively looking for a job.

(4) If, in the event of unlawful termination of government service as provided for in paragraph (1), the government official does not apply for re-employment in the original position or the Civil Service Arbitration Committee or the court refuses to do so, the government service shall be final. the judgment of the court ceases to have effect on the day on which it becomes final. In this case, in addition to paragraph 3, the Civil Service Arbitration Committee or the court shall order the governmental administration to pay a lump sum equal to at least two to a maximum of twelve months' salary, considering all the circumstances of the case, in particular the gravity of the infringement and its consequences.

(5) If the governmental service was not terminated unlawfully in the manner provided for in subsection (1), the governmental service shall be terminated on the date specified in the notice of termination, but the government official shall be informed of all circumstances, in particular the gravity of the violation and its consequences. a flat-rate compensation equal to at least two and at most twenty-four months' salary.

(6) In assessing the amount of compensation, the Civil Service Arbitration Committee or the court shall take into account the extent to which the government official has fulfilled his obligation under paragraph (3) (compensation).

(7) If a government official terminates his or her service in the government not in accordance with the provisions of this Act, he or she is obliged to pay an amount corresponding to his or her salary for the period of resignation to the government administrative body.

(8) If a government official unlawfully terminates his or her fixed-term government service, the provisions of subsection (7) shall apply accordingly. However, if the remaining period of the fixed term is less than two months, the governmental administration may only demand payment of the remaining salary.

(9) The governmental administrative body is also entitled to enforce damages exceeding the extent specified in subsections (7) and (8). Together, they may not exceed the amount of twelve months' salary of a government official.

(10) The rules on compensation for damage caused by a government official shall apply to the enforcement of claims of a governmental administrative body arising under subsections (7) - (9).

Section 117 *[Location Restriction and Re-employment Restriction]*

(1) The Government shall determine the sectors and positions within the sectors for which a government official may not establish an employment relationship with a company engaged in the main activity of the sector after the termination or termination of his service (hereinafter: employment restriction).

(2) duration limit under paragraph (1) an appropriate time in the posts restricted period not exceeding two years.

(3) Information obtained during the term of government service may not be used for business purposes beyond the term specified in subsection (2).

(4) A contract entered into in violation of paragraphs (1) - (3) shall be or the provisions of Act I of 2012 on the Labor Code (hereinafter: Mt.) concerning nullity shall apply.

(5) The employment restriction may be taken into account when determining the salary.

(6) If the government service of a government official is terminated in accordance with *the* provisions of Section 107 (2) *a)* , he may not establish a government service for three years from the termination of the employment.

(7) If a government service has been terminated unlawfully, a government official shall be paid the same amount as a government official employed in a similar position.

(8) If the government service of a government official is terminated in accordance with *the* provisions of Section 107 (1) (*a), (b)* and *(d)* and Section 107 (2) (*g)* , another government service shall be terminated from the termination of the employment. may be established only with the permission of the Government for a period of three years.

XVIII. CHAPTER

WORKING TIME, REST TIME, LEAVE

§ 118 *[Working hours, work schedule, working time frame]*

(1) The person exercising the employer's authority shall establish the order of work, the rules of working hours according to the nature of the tasks performed by the government administrative body and the position established for the performance of the task, as well as the quantity and term of the tasks (work schedule).

(2) The working time is forty hours a week, the daily working time is eight hours (general full-time working time), within the framework of which the employer may determine the start and end dates of the work (general work schedule).

(3) The appointment may stipulate a weekly working time shorter than that referred to in paragraph 2, provided that in this case the remuneration otherwise due shall be reduced proportionately (part-time).

(4) The person exercising the employer's right may also determine the working time within a working time frame.

(5) The working time to be completed in the working time frame shall be determined on the basis of the duration of the working time frame, the daily working time and the general work schedule. In doing so, a holiday on a working day in accordance with the general working hours shall be disregarded.

(6) In determining working time pursuant to subsection (3), the duration of the absence shall be disregarded or the days involved shall be taken into account by the daily working time applicable to the government official.

(7) The working time frame shall not exceed four months or sixteen weeks.

(8) Depending on the nature of the work, the employer may determine the length of time required to be spent at the workplace out of the total working time, as well as certain specific rules for working during this period.

§ 119 *[Certain rules of working time]*

(1) The rules of work schedule (work schedule) shall be established by the person exercising the employer's authority, taking into account the general regulations related to the organization of the order of work.

(2) In cases of employment other than appointment, the government official shall be governed by the work schedule according to the place of work.

(3) The employer shall allocate working time taking into account the requirement of healthy and safe work and the nature of the work.

(4) The working hours of a government official may be determined by the person exercising the employer's authority differently from the general work schedule.

(5) The daily working hours of a government official, except for part-time work, may not be less than four hours.

(6) According to the position of a government official

(a) its daily working time does not exceed twelve hours,

(b) its weekly working time does not exceed forty-eight hours

may.

(7) Working hours may not exceed

(a) in the case referred to in paragraph 6 (*a)* , the working time limit or, failing that, the weekly average of eight hours per day, and

(b) in the case referred to in paragraph 6 (*b)* , the working time frame or, failing that, forty hours per week on average per month.

(8) The working hours of a government official shall also include the duration of the specified extraordinary working hours.

(9) The daily working time of a government official according to his / her position shall include the total duration of on-call time and on-call time if the duration of work cannot be measured.

(10) In the case of unequal working time arrangements, the average weekly working time according to the schedule shall be taken into account.

(11) The employer may, by agreement of the parties, divide the daily working time into two parts (split daily working time), between which at least two hours of rest must be provided.

Section 120 *[Provisions concerning public holidays]*

(1) Public holidays: 1 January, 15 March, Good Friday, Easter Monday, 1 May, Pentecost Monday, 20 August, 23 October, 1 November and 25-26 December.

(2) Normal working hours on public holidays

a) by a government administrative body which is still in operation today,

b) in the context of seasonal activity,

c) for the provision of a service meeting a social public need or abroad, in view of the nature of the service, in the case of work required on that day,

(d) when working abroad

may be allocated to an employed government official.

(3) A government administrative body shall be deemed to be operating on a public holiday even if it is intended for the use of the activity.

(a) on the basis of a demand arising directly from a locally established or generally accepted social custom directly linked to the public holiday, or

(b) in order to prevent or eliminate an accident, an elemental disaster, serious damage or a danger to health or the environment, or the protection of property.

4. The rules applicable to public holidays shall apply mutatis mutandis if the public holiday falls on a Sunday and on Easter and Pentecost.

(5) The decree issued annually by the Minister responsible for employment policy regulating the change of the working hours of employees employed in general working hours due to public holidays shall also apply to government officials.

§ 121 *[Break between work and rest periods]*

(1) If the daily working time exceeds six hours, a government official shall be granted a break of at least twenty minutes between working hours in addition to the working time, with interruption of work, and at least twenty minutes after each additional three hours.

(2) A government official shall take the break in such a way that he or she can be at the disposal of his or her manager, if necessary by interrupting the break. Interruption of work interrupted due to the driver's order shall be considered as working time, for which an interruption of work equal to the time of the interruption shall be granted immediately after the circumstance giving rise to the interruption ceases.

3. For the purposes of paragraph 1, the daily working time in the schedule shall include the length of time spent on extraordinary work.

(4) A government official shall be granted a continuous rest period (daily rest period) of at least eleven hours between the end of his / her daily work and the beginning of the following day's work.

(5) A government official shall not be entitled to a rest period after standby if he has not performed work.

(6) A government official shall be entitled to two consecutive days of rest per week, one of which shall be on a Sunday (weekly rest day).

Section 122 *[Extraordinary working hours]*

(1) In exceptional cases, a government official shall be required to perform work in addition to his or her working hours.

(2) Extraordinary working hours

a) working time other than working hours,

b) working time outside working hours,

(c) the duration of the watch; and

(d) in the case of on-call duty, the period from arrival at the place of employment to completion of the work, if the government official is required to work in more than one place, from arrival at the first place of work to completion of work at the last place of work.

(3) Extraordinary working hours shall not be considered if a government official works the time of authorized absence on the basis of an agreement with the exercise of the employer's authority.

(4) Extraordinary working hours shall be ordered in writing at the request of a government official. The procedure for ordering, recording and accounting for such work shall be established by the exercise of the employer's authority.

(5) The ordering of extraordinary working hours is not restricted in order to prevent or eliminate an accident, an elemental disaster, serious damage, or an immediate and serious danger to health or the environment.

(6) Extraordinary working hours on public holidays

(a) for a government official who may continue to be employed during that normal working day, or

(b) in the case provided for in paragraph 5

can be ordered.

(7) The imposition of extraordinary working hours shall not endanger the physical integrity and health of a government official, nor shall it constitute a disproportionate burden in view of his or her personal, family and other circumstances.

(8) In the case of full-time working hours, two hundred hours of extraordinary working hours may be ordered per calendar year.

(9) Paragraph (8) shall apply mutatis mutandis if the government is employed

a) started during *the* year,

b) was established for a definite period of time,

(c) was created on a part-time basis.

Section 123 *[On-call time and on-call time]*

(1) In exceptional cases, a government official shall be available for work at a specified time and place in addition to his or her working hours.

(2) Availability of more than four hours

(a) the continuous provision of a service which meets a public social need; and

(b) the prevention or remedying of an accident, an elemental disaster, serious damage or a danger to health or the environment;

can be ordered.

(3) A government official shall be obliged to maintain his or her condition for work during the period of availability and to perform work in accordance with the instructions of the head of the official organization.

(4) The person exercising the employer's authority may determine the place of availability (duty) for the government official, otherwise the place of residence shall be determined by the government official in such a way that he is immediately available (on standby) upon the instruction of the head of the official organization.

(5) Section 122 (4) shall apply mutatis mutandis to the order of availability.

6. The period of availability shall be announced at least one week in advance, one month in advance. The employer may deviate from this, especially in justified cases. The deviation must take into account the requirements of healthy and safe working.

(7) The duration of on-call time shall not exceed twenty-four hours, during which the duration of normal and ordered extraordinary working hours assigned on the day of commencement of on-call time shall be taken into account.

(8) The monthly period of on-call time shall not exceed one hundred and sixty-eight hours, which shall be taken into account on average in the application of the working time frame.

(9) Standby during the weekly rest day (weekly rest period) may be ordered only with the consent of a government official if the government official performed standby on the weekly rest day during the one hundred and sixty-eight hour period prior to the order.

Section 124 *[* **Remuneration for** *extraordinary working hours, on-call time, on-call time and work during normal working hours on public holidays]*

(1) A government official shall be entitled to the same amount of free time as the duration of extraordinary working hours.

(2) By way of derogation from paragraph 1, to a government official

(a) in return for extraordinary working time on a weekly rest day, twice the working time,

(b) in return for extraordinary hours worked on public holidays in return for three times the hours worked

adequate leisure time.

(3) A government official shall be entitled to no more than the same amount of free time for on-call duty and standby duty as may be performed in excess of daily working hours. If the on-call duty is on the weekly rest day or public holiday of a government official, he or she shall be entitled to free time in accordance with paragraph (2).

(4) A government official who regularly performs extraordinary working hours may be granted a lump sum of up to twenty-five working days per year.

(5) A government official holding a managerial position shall be entitled to time off or a lump sum for extraordinary working time if this is established by the public service regulations.

(6) A government official obliged to work during normal working hours on a public holiday shall be entitled to a period of time corresponding to twice the duration of the work performed.

7. Leisure time shall be granted no later than thirty days after the completion of the extraordinary working time or the working time pursuant to paragraph 6, if this is not possible, it shall be replaced. The rate of redemption is the pro rata amount of the official's salary at the time of payment.

Section 125 *[Telework]*

1. Telework is a regular activity carried out by an information technology or computer device (hereinafter together: computer device) and its results are transmitted electronically, excluding work from home, at a place other than the seat of the employing government administration or the place of normal work. .

(2) Telework may be performed on the basis of an agreement, at a place specified by the employer.

(3) Unless otherwise agreed, the means of work and communication shall be provided by the employer.

(4) The detailed rules for teleworking shall be established in a Government decree, on the basis of which the person exercising the employer's authority shall lay down the special conditions and rules in regulations.

(5) The person exercising the employer's right may prescribe that the computer or electronic device provided by him may be used by the government official only for the performance of work.

(6) The employer shall be obliged to provide the government official performing telework with all information that he / she provides to other government officials.

(7) The person exercising the employer's authority shall inform the government official

a) the rules of control by the employer,

(b) rules on restrictions on the use of a computer or electronic device.

(8) The employer shall determine the manner of the inspection and, in the case of an inspection in the area of the property where the work is performed, the shortest period between its notification and the commencement thereof. The inspection shall not impose a disproportionate burden on a government official or other person using the property where the work is performed.

§ 126 *[Working from home]*

(1) In the case of an agreement between a government official and an employer exercising the authority of an employer, a government official may perform his or her work at his or her place of residence or stay, using his or her own means, differently from the usual place of work.

(2) Home work may be carried out if the nature of the work to be performed so permits and if the ordering or allowing of home work does not cause a disproportionate harm to the government administrative body or government official.

(3) The agreement on work at home shall specify the time of work at home, the tasks to be performed individually, as well as the manner and date of contact and delivery of the work performed.

(4) The detailed rules of working from home shall be established by a Government decree and, within the framework thereof, by the head of the official organization in the public service regulations.

Section 127 *[Special Provisions Relating to Certain Groups of Government Officials]*

1. The rules on working time and rest periods shall apply, subject to the derogations provided for in paragraphs 2 and 3, where there is a risk of damage to health as defined by law.

In the case provided for in paragraph 1

a) unequal working hours may be applied only with the consent of a government official,

(b) weekly rest days may not be divided unequally,

(c) no extraordinary working hours or on-call time may be ordered.

(3) In the case specified in subsection (1), the daily working time of a government official in his or her position during night work may not exceed eight hours.

Section 128 *[Freedom]*

(1) A government official shall be entitled to 20 working days of basic leave in each calendar year on the basis of the time spent at work and shall be entitled to additional annual leave in addition to the basic leave specified in subsections (3) - (8) and section 155 (hereinafter together: leave). .

2. In addition to paragraph 1, leave shall be granted on the basis of the following periods:

(a) the duration of the exemption from the obligation to work on the basis of working hours,

(b) the first six months of unpaid parental leave,

c) during the period of maternity leave,

(d) the duration of unpaid leave not exceeding thirty days for caring for a relative,

e) the period of actual voluntary military service not exceeding three months,

f) the cases specified in Section 93 (2) *a), b), h), j)* and *n)* , and

(g) any time not worked for which the government official is entitled to remuneration.

(3) In addition to his basic leave under subsection (1), a government official of the Ministry shall, depending on the classification of the position he holds, annually:

a) in the case of classification as a government adviser, three working days,

b) five working days in the case of the rank of chief government adviser,

c) seven working days for the post of Chief Government Adviser,

(d) nine working days for the post of Chief Executive Officer

you may take additional leave.

(4) In addition to the basic leave provided for in subsection (1), an official of a government headquarters, a central office and a government office shall annually, depending on the classification of the position he holds:

a) three working days in *the case of the* appointment of an adviser,

b) five working days in the case of senior management,

c) seven working days in the case of Class I Adviser-General,

(d) Chief Adviser II. eight working days for classification,

(e) nine working days for the post of Chief Executive Officer

you may take additional leave.

(5) A government official holding a professional managerial position may take additional managerial leave in lieu of the additional leave provided for in subsection (3), the amount of which shall be:

a) five working days at *the* head of department,

b) ten working days for the head of department.

(6) If a government official working permanently underground or in a workplace exposed to ionizing radiation performs his work for at least three hours a day in working conditions exposed to ionizing radiation, he shall take five working days of additional leave per year, and if a government official has spent at least five years you may take additional leave.

(7) Irrespective of the daily working time spent in a workplace exposed to radiation, the additional leave specified in subsection (6) shall also be granted to a government official employed in a workplace regularly exposed to double health, provided that one of the health hazards is radiation.

(8) A government official if

(a) on the basis of a valid qualification by the rehabilitation authority or its predecessors

aa) his state of health is 60 per cent or less according to the complex qualification of the rehabilitation authority,

ab) has at least 40% damage to health, on the basis of an expert opinion, a resolution of the competent authority, an official certificate,

(ac) the reduction in capacity for work is at least 50%,

b) is exempted from the complex classification on the basis of a legal provision during the period of payment of invalidity benefits (person with altered working capacity),

(c) is entitled to a disability allowance, or

d) is entitled to a personal allowance for the blind,

he may take five working days of additional leave per year.

(9) A government official who is not entitled to additional managerial leave and additional leave pursuant to Section 155 (1) and (2) may also take 3 working days of additional leave per year from the age of fifty.

Section 129 *[Issuance of leave]*

1. Leave shall be granted and taken in the year in which it falls due.

(2) Exerciser of the employer's authority

(a) in the case of a service interest, grant basic leave by the last day of March of the year following the year in which it falls due,

b) the extra day - for *a)* point and those set out in paragraph (6) Given - pass on the last day of June of the year following the year of the due date, and the government officials take advantage of that date,

if the due date has passed.

2a. If a government official is unable to take his leave in the year of due due to sick pay, maternity leave or unpaid leave to care for a child or grandchild, he shall even after the due date - you can take the leave.

(3) After the time limits referred to in paragraphs 2 and 2a, the leave may not be granted or taken.

4. The service interest referred to in paragraph 2 (*a)* shall be deemed to exist in particular where, as a result of the grant of a fundamental leave:

(a) the continuous performance of the organization 's core functions; or

(b) the timely performance of unforeseen, extraordinary tasks

cannot be provided.

(5) Half of the leave shall be held by a government official.

(6) Additional leave - with the exception of additional leave pursuant to Section 155 (4) - (6) - may be granted and exercised if the basic leave has already been granted.

(7) Subject to paragraph (3), the employer shall, within a reasonable time, inform the government official of the extent of the leave not yet taken and of the time limit for taking it.

(8) A person exercising the right of an employer may interrupt a leave of a government official which has already begun in an exceptionally important interest. In this case, the time spent on the holiday from the place of residence during the leave to the place of work and on the return journey and work is not included in the leave. The government administrative body is obliged to reimburse the damage or costs incurred by the government official in connection with the interruption.

(9) When granting leave, working days according to the work schedule (working time schedule) shall be taken into account.

(10) A government official shall be entitled to a proportionate share of leave if his or her service in the government began or ended during the year.

(11) With the exception of paragraphs 13 and 22, leave may not be redeemed in cash and may not be accumulated.

(12) The limitation period for a claim for the redemption of leave shall begin on the date of termination of the service of the Government.

(13) In the event of termination and termination of government employment, if the employer has not granted proportional leave, the proportional leave (if the government official has the remaining leave) shall be redeemed on the fortieth day following the termination of the employment.

(14) A government official whose working hours do not provide for two days off per week should be counted on time off to be exempted from work for the same calendar period (week) as those working with a five-day working week.

(15) In the case of a working schedule providing more than two days of rest per week, each day of the week shall be considered a working day for the purpose of granting leave, except for two days of rest for a government official and a day off.

(16) If a government official has taken more leave than would have been due to the time spent in the government administration until the termination of his government service, he shall be obliged to repay the salary paid for the difference.

(17) An overpayment may not be recovered if the employment of a government official has been terminated due to the retirement of the government official, his death, the transfer of his position to a centralized position, or the termination of the government administrative body without a successor.

(18) If a government official has been granted more leave in the year due than the leave due to him, the government official shall be entitled to proportionately fewer leave in the following year.

(19) A fractional day reaching half a day is considered a full working day.

(20) If a change in the amount of leave takes place during the year, the government official shall be entitled to a proportionate share of the basic leave or a proportionate part of the additional leave.

(21) A government official must give notice of his request for the leave to be taken no later than fifteen days before the start of the leave. If a circumstance affecting a government official arises that would cause him or her disproportionate or significant harm to the performance of his or her duties in view of his or her personal or family circumstances, the government official shall immediately notify the employer. In this case, the employer is obliged to grant the leave without complying with the fifteen-day notice period rule. A government official is obliged to prove the existence of the circumstance immediately upon taking up employment if he or she is called upon to exercise the employer's authority.

(22) If a government official has not been granted leave for the first six months of unpaid leave to care for a child or grandchild, it may be redeemed in cash by agreement between the parties for the care of the child or grandchild, after the end of unpaid leave for the purpose of caring for a relative.

Section 130 *[Sick leave]*

(1) The employer shall grant a government official fifteen working days of sick leave per calendar year for the period of proven incapacity for work due to illness.

2. By way of derogation from paragraph 1, sick leave shall not entitle the holder to incapacity for work due to an accident at work or an occupational disease or to incapacity for work due to pregnancy under social security rules.

(3) In the case of a governmental employment relationship beginning during the year, a government official shall be entitled to a proportionate share of sick leave.

(4) The provisions of Section 129 shall apply to the granting of sick leave, with the exception that if a government official is released from his or her duty to work due to a public holiday, that day shall be taken into account as a working day.

(5) With regard to sick leave, Section 129 (19) shall apply accordingly.

Section 131 *[Unpaid leave]*

(1) A government official shall be entitled to unpaid leave

(a) for the duration of the actual voluntary reserve military service;

(b) for the duration of the external service, if his or her spouse or partner is serving abroad;

(c) for the duration of the international administrative expert activity.

(2)

(3)

(4) A government official shall give written notice of the use of unpaid leave at least fifteen days in advance.

(5) Unpaid leave shall end on the date specified by the government official, but not earlier than on the thirtieth day after the publication of the legal declaration terminating the leave.

6. The provisions of paragraphs 4 and 5 concerning time limits shall not apply to unpaid leave under paragraph 1 (*a)* .

Section 132 *[Government Administrative Break]*

(1) The Government may, in a decree concerning government administrative bodies, determine the period (government administrative break) during which, if possible, the part of the leave for the year due shall be granted to the person exercising the employer's right.

(2) The head of the official organization of a government administrative body may determine the granting of leave within a different period or period for each organizational unit within the period of government administrative break established by the Government.

(3) The holder of the employer's authority shall grant the leave during the governmental administrative break in such a way as to ensure the smooth running of business and, in the case of bodies with retail customer service, the continuous performance of tasks.

Section 133 *[Registration of working and rest time]*

(1) The employer shall be obliged to register

a) normal and extraordinary working hours,

b) preparedness,

(c) leave; and

(d) other working time allowances

duration.

(2) It must also be possible to ascertain from the register the normal and extraordinary working hours completed and the start and end dates of standby.

3. By way of derogation from paragraph 2, the records referred to in paragraph 1 (*a)* may be kept by certifying the written working hours at the end of the month and by updating the change.

(4) After becoming aware of the needs of government officials, the employer may prepare an annual leave plan (hereinafter: leave plan) for the current year's schedule by the end of February of the current year, and inform the government officials thereof.

XIX. CHAPTER

THE SALARY, THE ABOVE BENEFITS, DISCOUNTS AND SUBSIDIES

§ 134. *[The salary]*

1. A government official shall be entitled to a monthly salary in accordance with Annex 1 on the basis of his or her service in the government, which shall be determined by the holder of the employer's authority within the classification band for the post. The salary shall be rounded to the nearest 100 forints. Rounding does not constitute an unusual wage determination based on an employer's measure.

(1a) By way of derogation from paragraph (1), on the basis of a fixed-term legal relationship established in application of Section 54 (5) (*b) in a* position held by a permanently absent government official, to a category one lower or one higher. Salary in the salary band belonging to the

(2) The amount of the salary must be at least equal to the amount of the guaranteed minimum wage.

(3) The amount and scope of the guaranteed minimum wage shall be determined by the Government.

(4) In the case of a monthly salary, the amount of the monthly salary shall be divided during the determination of the hourly salary.

(a) for general full-time working hours: 174 hours,

(b) for full-time or part-time work other than normal: 174 hours on a pro rata basis.

(5) The established salary of a government official may be amended on the basis of a performance appraisal. The salary may be adjusted without performance appraisal if it is necessary to change the classification category of the position held by the government official.

§ 135 *[Remuneration in the absence of work]*

(1) A government official, if he or she is unable to perform work due to a reason that arises within the scope of operation of the governmental administrative body, shall be entitled to remuneration for the lost working time (downtime).

(2) If a government official is exempted from work pursuant to Section 93 (2) (*j)* or (*l)* , he or she shall be entitled to remuneration for the lost working time in accordance with their agreement with the employer.

(3) A government official shall be entitled to a salary

a) for the duration of the leave,

b) the cases specified in Section 93 (2) *c) –g), i)* and *n)* ,

c) if this Act provides for the payment of wages without work without specifying the amount thereof,

(d) time lost due to public holidays.

(4) The duration of sick leave shall be 70% of the salary.

§ 136 *[Protection of salary]*

(1) Unless otherwise provided for by work abroad or by law, the salary shall be determined and paid in the Hungarian legal currency.

(2) The salary may not be paid in any other form intended to replace a voucher or means of payment.

§ 137 *[Rules for payment of salary]*

(1) The salary due to a government official under this Act shall be paid by transfer to a payment account chosen by the government official or, in the absence of a payment account, by delivery of a cash payment from a current account.

(2) In connection with the payment account, a bank official may be granted a bank account contribution to the extent specified in the Central Budget Act up to a monthly amount.

(3) The cost of transferring the salary to a payment account or paying it in cash shall be borne by the government administrative body employing the government official.

(4) The salary due to a government official shall be accounted for and paid once a month in arrears. If the legal relationship lasts for less than a month, the salary must be accounted for and paid at the end of the legal relationship.

(5) In the case of unequal working hours, the government administrative body employing the government official shall account for and pay the salary of the government official with the appropriate application of the provisions of Section 134 (4).

(6) The salary shall be paid by the fifth day following the month in question.

(7) In the case of payment of the salary by transfer to a bank account, the government administrative body employing the government official shall act in such a way that the salary of the government official can be disposed of on the day of payment of the salary.

(8) The salary shall be paid to the government official, unless otherwise authorized or restricted by a court or other official decision.

(9) If the legal relationship is terminated before the payment, the salary shall be sent by the government administrative body employing the government official to the address provided by the government official on the due date. The costs of the posting shall be borne by the governmental administration employing the government official.

(10) If the time limit laid down in paragraph 6 falls on a weekly rest day (weekly rest period) or a public holiday, it shall be paid no later than the preceding working day.

(11) The period of delay shall bear interest at the rate of the central bank base rate applicable on the first day of the calendar half-year affected by the delay.

(12) The provisions of this Section shall apply mutatis mutandis to the payment of benefits and allowances due or which may be due to a government official.

Section 138 *[Settlement]*

(1) A government official shall be provided with a detailed written account of his or her salary. The accounting must be such that a government official can verify the accuracy of the calculation and the title and amount of deductions from salary. The written statement must also include the remuneration paid for extraordinary work.

(2) If, due to a reason arising after the settlement of the salary for the relevant month, it is necessary to amend the settlement, the government official shall be notified of the change in the salary settlement for the relevant month at the latest when the next monthly salary is settled. The salary difference must be paid at the same time as the next monthly salary. A government official employing a government official may deduct the salary paid without a legal basis in accordance with the rules applicable to claims for advances.

Section 139 *[Other rules relating to remuneration]*

(1) Deduction from the salary - up to the part of the salary without deduction - is valid on the basis of legislation and an enforceable decision.

(2) The government administrative body employing a government official shall receive his / her claim on the basis of the consent of the government official or, if from the advance payment or in case of termination of government service during the year, the benefit pursuant to Section 147 (1) and Section 159 (1). it may deduct from the salary up to the non-deductible part of the salary.

(3) Deduction of salaries for the benefit of a government administrative body employing a government official, its representative or an intermediary in return for the establishment or maintenance of a legal relationship by a government official is prohibited.

(4) In other respects, deduction from remuneration shall be governed by the law of enforcement.

(5) The provisions contained in this section shall also apply to the deduction of trade union membership fees.

(6) There is no place for offsetting against the salary.

(7) Remuneration paid without a legal basis may be recovered beyond sixty days if the government official had to recognize the unjustified payment or caused it himself.

(8) A government administrative body employing a government official may enforce a claim of a government official for the reimbursement of debts related to a legal relationship by means of a demand for payment.

(9) A government official may not waive his claim for his salary, except in the case of an agreement.

(10) Assignment is appropriate in the case of a claim for money. The non-deductible part of the salary cannot be assigned.

(11) A debt assumption is appropriate in the case of a pecuniary claim. The debt of a government administrative body employing a government official may not be assumed by a government official.

Section 140 *[Interest]*

On the basis of an agreement between a government official and a government administrative body employing a government official, interest may be fixed on a debt owed, provided that the amount does not exceed the amount specified in the Civil Code. 6:47. §.

§ 141 *[Recognition of merits]*

1. A government official may be awarded the following merits:

a) written praise,

b) performance recognition,

c) motivational recognition,

d) job recognition,

(e) service recognition.

(2) The conditions for granting recognition and the amount of the benefit associated with recognition shall be established by a Government decree.

(3) The procedure for the assessment and accounting of recognitions shall be established in the public service regulations of the governmental administrative body and shall be ensured within the framework of the appropriation of personal allowances.

Section 142 *[Recognition of Performance]*

A government official may be recognized for his or her outstanding performance over a long period of time and for the efficient performance of his or her duties.

§ 143 *[Motivational recognition]*

A government official may be granted motivational recognition in view of any of his or her competencies, special abilities, knowledge and knowledge, if working in the given position is in the best interest of the employer.

§ 144 *[Recognition of employment]*

(1) A government official shall be entitled to recognition of a post on the basis of his or her length of service, the extent of which

(a) months in the case of five-year posts,

(b) three months in the case of ten years' service,

(c) six months in the case of fifteen years' service,

(d) six months in the case of twenty years' service,

e) nine months in the case of twenty-five years' service,

(f) nine months in a period of thirty years,

(g) twenty-four months in the case of thirty-five years 'service and a further five months in the case of every five years' service.

amount corresponding to the salary.

2. In determining the period of entitlement to recognition of a post, account shall be taken of the time spent in a given post.

§ 145 *[Recognition of service]*

(1) A government official shall be entitled to recognition on the basis of his or her length of service, the extent of which

a) two months in the case of twenty-five years' service in a government service,

b) three months in the case of thirty years of service in the Government,

c) four months in the case of thirty-five years of service in government service,

(d) forty years in the case of government service, five months

amount corresponding to the salary.

(2) Recognition of service shall be due on the date of completion of the time spent in governmental service under subsection (1).

(3) In determining the period of entitlement to recognition

a) the employment of an employer covered by this Act, the Act on the Status of Civil Servants, the Act on the Status of Government Officials, the Act on State Civil Servants and the Act on the Status of Personnel of the National Tax and Customs Administration, government service, public service , civil servants, civil servants and tax and customs officials,

b) time spent in an employment relationship as a civil servant at a body subject to the Law on the Status of Civil Servants,

c) the duration of professional service, contract or professional military service, military service, law enforcement administrative service,

d) time spent in the service of the court and the prosecutor's office,

e) time spent in a professional foster parent relationship and in a foster parent employment relationship,

f) time spent in a scholarship employment relationship with a body covered by this Act, the Act on the Status of Civil Servants, the Act on the Status of Government Officials and the Act on the Status of Civil Servants,

g) the case of the establishment of a legal relationship pursuant to Section 104 (9) and Section 105 (2), the period between the two legal relationships,

h) the period of rest in the event of a change of job pursuant to Section 89 (6), and

i) the service of a state leader, in the service of a political leader as a political leader

should be taken into account.

(4) A government official is not entitled to the grade of service recognition in which service in another employment relationship has been recognized as service or as a jubilee reward.

§ 146 *[Targeting]*

1. A government official may be granted extraordinary allowances in view of the additional duties he performs.

(2) The exerciser of the employer's authority, excluding replacement, may establish an extraordinary, purposeful task for a government official, the performance of which significantly exceeds the workload arising from the performance of his or her duties.

(3) In addition to the salary of a government official, the employer shall, in addition to the salary of a government official, determine a targeted benefit from the appropriation of the established personal benefits for the effective performance of the assigned task.

(4) In addition to subsection (2), the person exercising the employer's right may establish a task that may be related to the purpose for a government official employed in another government administrative body, with the consent of the head of the relevant official organization. The target benefit is determined for the government official by the employer exercising the task that can be linked to the target.

(5) The activity of international administrative experts may also be performed by performing a task that can be linked to a goal. The duration of your benefit may not exceed six months in the year in question. For the successful implementation of the task that can be linked to the goal, the target grant is advanced by the head of the government administrative body.

(6) The definition of the task that can be related to the goal is based on an agreement between the government administrative body and the organization that coordinates the tasks related to the export of digital solutions and the development of its program. The agreement shall include, in particular, the definition of international administrative expertise, the rules of implementation, the remuneration, reimbursement and accounting of the government official.

7. For the purposes of paragraphs 5 and 6, paragraphs 1 to 4 and the rules on temporary posting shall not apply.

(8) The content and type of international administrative expert activity, the detailed rules concerning the agreement related to the task that can be connected to the purpose shall be established in a Government decree.

Section 147 *[The cafeteria allowance]*

(1) As a fringe benefit, a government official is subject to the provisions of Act CXVII of 1995 on Personal Income Tax. is entitled to the benefits listed in Section 71 (1) of the Act to the extent specified in the Budget Act in the order specified by the Government (cafeteria benefit).

(2) The annual amount of the cafeteria allowance shall also cover the payment of the public charges related to each allowance, which shall be borne by the government administrative body performing the allowance.

(3) An employee of the long-term foreign service employed by a foreign mission pursuant to the Act on Foreign Representations and Long-Term Foreign Service and a spouse employed by a foreign mission, a government official performing expert activities pursuant to Section 103 and a government official shall not be entitled to a cafeteria benefit. provided he is not entitled to remuneration, provided that the period of absence exceeds thirty days. In the event of an absence of more than thirty days, the government official shall not be entitled to the allowance from the first day of the absence. The duration of absences cannot be calculated in terms of eligibility.

(4) .

§ 148 *[Other benefits]*

(1) A refundable or non-refundable allowance specified in this Act and in a government decree issued on the basis of the authorization of this Act may be granted to a government official.

(2) The amount and conditions of the benefit pursuant to paragraph (1), the procedure of assessment and settlement, and the rules of reimbursement shall be established by a Government decree. The regulations of the governmental administrative body may not change the name of the benefit - as defined in this Act or in the Government Decree - and may not apply any deviations from it.

(3) A deceased government official may be declared dead by the head of the government administrative body. A deceased retired government official may be declared dead in the public service if his or her legal relationship has not been terminated on the basis of a court judgment rendered in criminal proceedings or on the grounds of unworthiness, or as a result of disciplinary proceedings. The funeral expenses of a person declared dead in the public service shall be borne in part or in full by the governmental administration.

Section 149 *[Housing Benefits]*

1. Housing allowances may be granted to a government official, in particular:

(a) the provision of a state-owned dwelling managed by a ministry or body against payment of rent (service dwelling),

b) rent subsidy or rent contribution for the rent of a municipal or private apartment,

(c) financial support for the acquisition of a dwelling, house or property necessary for the provision of housing by means of an interest-free loan or a non-repayable allowance,

d) providing a one-time financial support to solve the housing need,

e) accommodation in a hostel or studio,

f) contribution to housing costs,

(g) public support for the use of a credit institution loan for the acquisition of a home.

(2) If the amount of a state-subsidized loan requested from a credit institution for the construction or purchase of an apartment by a government official exceeds the maximum proportion of the loan security value of this residential property determined by the credit institution, the difference shall be guaranteed by the state. A government official can use the state guarantee through a credit institution that has a contractual obligation to do so with the state.

(3) In addition to the provisions of subsection (2), the state may provide a surety guarantee to a government official who:

a) government service for an indefinite period,

(b) has at least three years' administrative experience,

c) does not spend his period of dismissal or resignation,

(d) is not the subject of disciplinary or criminal proceedings; and

(e) the part of the loan guaranteed by paragraph 2 has been settled by the credit institution or the spouse or partner living in the same household as him or her is not obliged to repay the housing loan guaranteed by the State at the time of the claim.

(4) The detailed rules of the guarantee included in subsection (3) shall be established by a decree of the Government.

(5) A subsidy may be granted to a government official for a loan from a credit institution used for the acquisition of a private apartment in accordance with the procedure specified by the Government.

(6) A government official may initiate the conclusion of a forint-based housing loan agreement for the construction or purchase of a privately owned dwelling at a credit institution specified in the Act on Credit Institutions and Financial Undertakings, provided that the Government meets the conditions specified in the decree.

Section 150 *[Other social assistance]*

At the request of a government official, a subsidy may be granted in accordance with a Government decree to alleviate his or her circumstances involving a serious financial burden.

§ 151 *[Grants of a study nature]*

(1) Grants may be granted to a government official for the acquisition or expansion of the knowledge necessary for his or her intellectual development and the performance of his or her work to the highest possible standard:

a) scholarship,

b) training and further training support,

(c) language learning support.

(2) The amount of the scholarship and subsidies and the method of using them - within the framework specified in the Government Decree - shall be established by the public service regulations of the government administrative body.

(3) A study contract may be concluded between a government official and a government administrative body. In the study contract, the government administration undertakes to provide support during the studies, and the government official undertakes to continue the agreed studies and not to serve in the government service for a period of time commensurate with the amount of the grant, but for a maximum of five years. terminates. The study contract must be in writing.

(3) For the purposes of (3) shall constitute termination by government officials leaving government service

a) a change of job pursuant to Section 89 (6),

b) termination of the legal relationship on the basis of Section 105 (1) *a)* and *b)* ,

c) termination of the legal relationship pursuant to Section 105 (1) (*c)* if it is due to a government official failing to apply for prior authorization pursuant to Section 95 (5) and (7) or pursuant to Section 95 (6).

(4) No study contract can be concluded

(a) to provide benefits under legislation or public service regulations, and

(b) if the government official has been required by a governmental administration to carry out the studies.

(5) The study contract shall specify the form and amount of the support and, in proportion to the amount of the support, the length of time the government official must serve in the government administrative body, which may not exceed five years.

(6) Unless otherwise stipulated in the study contract, the period of time spent in government service in the given governmental administrative body shall not include the period for which the government official is not entitled to leave.

(7) If the government administrative body does not provide the support or commits another material breach of contract, the government official shall be released from his obligations under the contract.

(8) If a government official receiving a grant fails to complete his / her studies with an unsatisfactory result, fails to work for the relevant governmental administration on the contract date, fails to complete the specified period or commits any other material breach of contract, the governmental administration may claim the grant. reimbursement of an appropriate amount.

(8a) Paragraph (8) shall also apply in the event that the government official's employment with the government is terminated pursuant to Section 105 (1) (*d)* .

(9) If the beneficiary does not spend only part of the period stipulated in the contract, his obligation to reimburse shall be proportionate.

(10) The study contract may be terminated by either party if there has been a material change in its circumstances which would make it impossible or disproportionately prejudicial to the fulfillment of the obligation arising from the study contract.

(11) In the event of the termination of a government official, the government administrative body may recover the support provided by it. The government administration may recover the grant on a pro rata basis if the government official completes only part of the duration stipulated in the contract. In the event of termination by the government, the grant cannot be recovered.

(12) In the event of a breach of contract by either party, the other party shall be liable for any damages resulting from the breach of contract. under the provisions on liability for breach of contract.

(13) In case of violation of the personal rights of the parties related to the study contract, as a legal consequence, the Civil Code. 2: 51–2: 53. § shall apply.

(14) A government official may, in accordance with his or her own decision, pursue studies in school-based education and training only on the basis of a prior notification to the government administrative body or a study contract. The government administrative body may restrict participation in education and training only if it would cause a disproportionate harm to the government interest. The participant in the training must be provided with the necessary free time to continue his / her studies as a study time discount, the government official is entitled to a salary for the duration of the study exemption, the government official is obliged to work the study exemption period.

(15) The amount of free time pursuant to subsection (14) shall be determined on the basis of a certificate issued by the educational institution on the duration of compulsory schooling and professional practice.

(16) In addition to the provisions of subsection (15), four working days of free time shall be provided for each examination, and if several examination subjects are to be examined on one examination day, including the day of the examination. The examination is considered to be an examination specified by the educational institution. Ten working days must be provided for the preparation of the diploma thesis, thesis and grade thesis.

(17) The government administrative body may grant a government official a study time discount in education and training outside the school system.

(18) Once every four years, a government administrative body may grant a government official fifteen days' paid paid leave in addition to unpaid leave and unpaid creative leave for the purpose of obtaining a qualification, vocational qualification, degree, examination and scientific degree.

XX. CHAPTER

SUPPLEMENTARY PROVISIONS FOR GOVERNMENT OFFICERS RAISING CHILDREN AND ESTABLISHING A FAMILY

Section 152 *[Additional provisions concerning working time]*

(1) From the determination of the pregnancy of a government official to the age of three years or, in the case of a government official raising a child alone, to the age of three years.

a) unequal working hours may be applied only with the consent of a government official,

(b) weekly rest days may not be divided unequally,

(c) no extraordinary working hours or on-call time may be ordered,

(d) a government official may not be required to work at night.

(2) Extraordinary working hours or on-call time may be ordered for a government official raising a child alone, from the age of three to the age of four, except with the consent of Section 122 (5).

§ 153 *[Support for training and information of government officials]*

(1) A government official is also entitled to support for training, further training and language learning on the basis of § 151 during maternity leave or unpaid leave for the purpose of caring for a child.

(2) A government official is entitled to be regularly informed in electronic form during the period of maternity leave or unpaid care for the care of a child about changes affecting the public service as a whole and the government administration body.

Section 154 *[Provisions concerning the period of dismissal]*

(1) The period of dismissal in relation to the period laid down in section 111

(a) 30 days in the case of a government official raising at least one child in his household,

(b) sixty days in the case of a government official raising at least three children in his household

shall be extended if requested by a government official within four working days of notification of the waiver.

(2) The parents of both government officials of the child are entitled to the benefit under paragraph (1) if the government official and the child live in the same household.

Section 155 *[Provisions on Additional Leave]*

(1) A government official for a child under the age of eighteen

a) in the case of one child, four,

b) eight for two children,

(c) in the case of more than two children, a total of fourteen

is entitled to additional working days.

(2) The supplementary leave under subsection (1) shall increase by two working days per disabled child if the child of a government official is disabled.

3. For the purposes of entitlement to supplementary leave, the child shall be taken into account first in the year of birth and last in the year in which he reaches the age of eighteen years.

(4) The father shall be entitled to eight working days of additional leave in the case of the birth of a child, no later than the end of the second month following the birth, and ten working days in the case of the birth of twin children, which shall be granted at the time requested. Leave is granted even if the child is stillborn or dies.

5. In the event of the birth of a grandchild's grandchild, he may take five working days of additional leave at the latest by the end of the second month following the birth, which must be granted at the time requested.

(6) A government official shall be entitled to five working days of additional leave on the occasion of his or her first marriage no later than the end of the second month following the marriage.

(7) Additional leave

(a) in the case referred to in paragraphs 1 and 2, the child is entitled to both parents of a government official if he or she lives in the same household as the child,

(b) in the case referred to in paragraph 5, all government officials shall be entitled to a grandparent.

Section 156 *[Maternity leave]*

1. A mother shall be entitled to 24 consecutive weeks 'maternity leave with two weeks' maternity leave.

(2) Maternity leave shall also be granted to a parent who takes care of the child due to the mother's state of health or death, or on the basis of an enforceable court judgment or an enforceable guardianship decision.

3. Unless otherwise agreed by the parties, maternity leave shall be granted not more than four weeks before the expected date of confinement.

(4) Unused part of maternity leave, if the child is cared for in an institution reserved for the care of premature infants, may be taken up to one year after the birth even after the child has been released from the institution.

(5) The period of maternity leave, with the exception of entitlement specifically related to work, shall be regarded as time spent at work.

(6) Maternity leave shall be terminated

a) in the case of the stillbirth of a child,

b) if the child dies, on the fifteenth day after his death,

(c) if the child has been placed in temporary, temporary or permanent care, as provided by law, and has been placed in a residential social institution for more than thirty days, on the day following the child's placement.

7. In the case referred to in paragraph 6, the period of leave after childbirth may not be less than six weeks.

Section 157 *[Provisions concerning unpaid leave]*

1. A government official shall be entitled to unpaid leave for the care of the child until the child reaches the age of three, which shall be granted at a time appropriate to the request of the government official.

(2) A government official shall be entitled to unpaid leave for the purpose of caring for an adopted child for a period of three years from the date on which the child is placed in care, but not later than the date on which the child becomes a compulsory schooler.

(3) In addition to the provisions of subsection (1), a government official shall be entitled to unpaid leave for the personal care of his or her child until the child reaches the age of ten during the period of payment of childcare allowance.

(3) to the personal care of government officials grandson of unpaid leave during the period of payment of childcare fees.

(4) A relative of a government official shall be entitled to long-term unpaid leave for the purpose of long-term personal care, which is expected to exceed thirty days, but for a maximum of two years. Long-term care and its justification are certified by the doctor of the person in need of care.

§ 158 *[stipulation of compulsory part-time work]*

1. At the written request of a full-time government official, part-time appointment shall be stipulated in the appointment if the government official is entitled to unpaid leave to care for the child until the child reaches the age of three at the time of the application. In the case of part-time employment, the weekly work schedule of a government official may, at the request of the government official, be determined by unequal working hours.

(2) A request of a government official for unequal distribution of working hours pursuant to subsection (1) may be refused only if it would impose a significantly higher work organization burden on the person exercising the employer's right. The employer shall be obliged to give written reasons for the refusal of the application.

(3) Part-time stipulation

a) from the day following the end of the unpaid leave,

(b) if, in the event of illness or other unavoidable impediment affecting a person, a government official is to be granted his or her basic leave within thirty days of the cessation of the impediment,

applicable.

4. Where paragraph 3 (*b)* applies, unless otherwise agreed by the parties, the issue of ordinary leave shall begin on the first working day following the end of the unpaid leave. Unless otherwise agreed, the issue of ordinary leave shall begin within thirty days of the expiry of the unpaid leave.

(5) The application shall be communicated to the head of the official organization at least sixty days before the end of the unpaid leave referred to in paragraph 1. In the application, the government official must inform the head of the office organization

(a) the date on which the child entitled to unpaid leave reaches the age of three; and

(b) if you wish to work in unequal working hours, your proposal for working hours.

(6) During part-time work stipulated on the basis of an application pursuant to subsection (1), the employer shall exercise the right of a government official

(a) until the date requested, but

(b) up to the age of four, in the case of government officials raising three or more children up to the age of six

must employ. Thereafter, the working hours of the government official shall be determined according to the extent prior to the submission of the application.

(7) Paragraphs 1 to 6 shall not apply to a government official employed in a managerial position.

Section 159 *[Provisions concerning the cafeteria allowance]*

(1) Except in the case provided for in Section 147 (3), a government official raising a child may be granted a cafeteria allowance in excess of the cafeteria allowance per child per ten years of age, up to the age of ten.

(2) The parents of both government officials of the child are entitled to the benefit under paragraph (1) if the government official and the child live in the same household.

3. The benefit provided for in paragraph 1 shall be payable for the last time in the year in which the child reaches the age of 10.

(4) The amount of the allowance referred to in subsection (1) and the rules for its use shall be established by the head of the official organization in public service regulations.

Section 160 *[Provisions concerning work from home]*

(1) The head of an official organization may establish in his or her public service regulations provisions more favorable than those contained in Section 126 with regard to the work of a government official raising a child of ten years of age or younger at home.

(2) The parents of both government officials of the child are entitled to the benefit under paragraph (1) if they live in the same household as the child.

Section 161 *[Family Starting Allowance]*

1. In order to contribute to the extra expenses incurred in setting up a family, a family official may, on request, be granted interest-free family allowance at a rate equal to five times the minimum wage, free of interest, once during the period of governmental employment.

(2) A government official is entitled to a childbirth allowance if a child was born or legally adopted during his or her legal relationship and the child is maintained in his or her own household, including if he or she is temporarily in a health care institution to cure the child's illness.

3. Both parents of a child of a government official who are living in the same household as the child shall be entitled to the allowance provided for in paragraphs 1 and 2.

Section 162 *[Support for starting school and raising children]*

(1) A government official shall, to the extent and in the manner specified in a Government decree, be entitled to a school start allowance once a year in respect of his or her child in public education or vocational training who is in school and raised in his or her own household.

(2) Pursuant to subsection (1), a government official who is in government service on 1 August of the current year and who is the child's parent or guardian, except for the child protection guardian, or the parent or guardian's spouse living in the same household, or partner.

(3) Once a year, a government official shall be entitled to child-raising allowance per child in order to improve the life situation of families with children.

4. Both parents of a child of a government official shall be entitled to the allowance provided for in paragraphs 1 and 3 if they live in the same household as the child.

§ 163 *[Support for camping]*

(1) A government official is entitled to a subsidy for the costs of the supervision and camping of a kindergarten or school child during the summer holidays to the extent and in the manner specified in the Government Decree.

(2) Both parents of a child of a government official shall be entitled to the allowance provided for in paragraph 1 if they live in the same household as the child.

XXI. CHAPTER

LIABILITY AND DISCIPLINARY LIABILITY

Section 164 *[Liability of a Government Official for Compensation]*

(1) A government official, if he has not acted as would normally be expected in a given situation, shall be liable for damages caused by a breach of an obligation arising out of his official service.

(2) The existence of the conditions set forth in subsection (1), the occurrence or extent of the damage, and the causal link shall be proved by the government administrative body.

(3) The amount of compensation shall not exceed the four-month salary of a government official or the four-month foreign currency salary of a government official on long-term service. In the event of willful and grossly negligent damage, full damages must be awarded.

(4) Damage, the occurrence of which was unforeseeable at the time of the damage, or which was caused by the misconduct of the governmental administration, or which resulted from the failure of the governmental administration to fulfill its obligation to compensate, shall not be compensated.

(5) The guilty conduct of a government administrative body shall be deemed to have been committed, in particular, if the damage resulted from the execution of an instruction, the consequences of which the instructed government official previously drew the instructor's attention to in the manner specified in Section 94 (3).

(6) Irrespective of the fault of the government official, he shall be obliged to compensate the full damage in the event of a deficiency in things taken over by the obligation to return or settle, which he is constantly in custody, uses or handles exclusively.

(7) A government official shall be released from liability if he or she proves that the deficiency was caused by an unavoidable external cause or the government administrative body did not provide the conditions for safe custody.

(8) A government official shall have full financial responsibility pursuant to subsection (6) only if he or she has received the thing on the basis of a list or a receipt. When a thing is handed over to several government officials for safekeeping, the list or receipt must be signed by all receiving government officials. A government official may authorize the transferee to take over the thing in his place and on his behalf.

(9) A cashier, cashier or custodian shall be liable for money, securities and other valuables managed by it even without a list or receipt pursuant to subsection (8).

(10) The existence of the conditions specified in subsections (6) and (8), the occurrence or extent of the damage (deficit) shall be proved by the government administrative body.

(11) If the damage caused by damage to the thing transferred for safekeeping has occurred, the government official shall be released from liability if he proves that he acted as would normally be expected in the given situation.

(12) Inventory shortage is a shortage of material, goods (inventory stock) that has been properly handed over and received for treatment, for an unknown reason, in excess of the amount of loss due to natural quantity reduction and treatment. The range of substances for which a natural reduction in volume, a loss due to treatment cannot be accounted for, and the lower and upper limits of the reduction and loss are determined by the employer's authority. For an inventory period, the natural decrease in volume and the loss associated with treatment can also be determined to a varying extent.

(13) A government official, whose duties set out in the Rules of Procedure include the handling of material and goods (inventory stock) duly handed over and received to him, shall be liable for the resulting lack of inventory, regardless of his fault.

(14) Liability for lack of inventory can only be asserted if

(a) the name and extent of liability for the lack of inventory shall be recorded in writing;

(b) the inventory has been properly handed over and received;

(c) the shortage of inventory is established during an inventory of the entire inventory carried out in accordance with an inventory order determined by a government administrative body.

(15) If a government official responsible for the inventory deficit pursuant to subsection (13) works in a position where he manages the received inventory alone on a permanent basis, he shall be liable for the full amount of the inventory deficit.

(16) Other government officials responsible for inventory deficiencies in accordance with paragraph (13) and other inventory managers shall be liable for inventory deficiencies in proportion to their salaries.

(17) A condition for the presence of a government official or, in the event of his or her impediment, his or her representative, shall be ensured during the inventory. If a government official does not provide for his or her representation, the government administrative body shall appoint a professionally qualified, uninteresting representative to perform this task.

(18) A government official may comment on the inventory during or after the inventory taking.

(19) The provisions of paragraph 26 shall apply to the determination of the liability for the lack of inventory, with the exception that the liability shall be assessed within sixty days after the completion of the inventory taking. In the case of criminal proceedings, this period shall begin thirty days from the day following the service of the final or final decision of the court terminating the criminal proceedings or the decision of the public prosecutor's office or the investigating authority terminating the proceedings without further appeal. After the expiry of the time limit, the government official responsible under paragraph 13 shall not be liable for damages.

(20) If the damage was caused jointly by several persons, it shall be borne in proportion to their fault, if this cannot be established, in proportion to their contribution. Damage is borne equally by government officials if the degree of guilt or interference cannot be determined.

(21) In the event of a shortfall in things transferred for safekeeping, government officials shall be liable in proportion to their salaries.

(22) Where the damage was caused intentionally by several persons, there is a joint and several obligation.

(23) The damaging government official shall be obliged to compensate for damages

a) depreciation of government assets,

(b) the foreclosure, and

(c) the costs necessary to remedy the pecuniary disadvantage suffered by the employer.

(24) Damage should be compensated in cash, unless circumstances justify compensation in kind.

(25) In determining the amount of injury:

(a) the cost of repairing the damaged item, including operating costs, and the amount of any remaining depreciation despite the repair;

(b) if the thing has been destroyed or become unusable or, failing that, the consumer price at the time of the damage must be taken into account, taking into account obsolescence.

(26) In order to establish the liability of a government official for damages, the rules laid down in a government decree shall apply to disciplinary proceedings, with the exception that the provisions on limitation shall apply to the initiation of proceedings.

(27) By way of derogation from paragraph 26, if a government official's employment with the government is terminated, the employer may apply directly to a court to establish the government official's liability for damages.

(28) A civil servant may be partially exempted from compensation by the Civil Service Arbitration Committee or a court on the basis of exceptional circumstances. In doing so, it assesses in particular the urgency of the performance of the tasks related to the harmful act, as well as other specific circumstances, the financial situation of the parties, the gravity of the infringement, the extent of the damage and the consequences of compensation.

Section 165 *[Liability of the Government Administrative Body for Compensation]*

(1) A government administrative body shall be fully liable for any damage caused to a government official in connection with his or her service in the government, regardless of fault.

(2) The governmental administrative body shall be released from liability if it proves that:

(a) the damage was caused by a circumstance outside its control which he did not have to take into account and could not have been expected to avoid or remedy the injurious circumstance, or

(b) the damage was caused solely by the unavoidable conduct of the injured party.

(3) Not to be reimbursed

(a) damage in respect of which the governmental administration proves that its occurrence was unforeseeable at the time of the damage,

(b) that part of the damage which was caused by the fault of the government official or which resulted from the government official's failure to fulfill his obligation to make good the damage.

(4) A government official shall prove that the damage occurred in a causal connection with his employment with the government.

(5) The provisions of Section 164 (1) - (3) shall apply accordingly to the compensation of damage.

(6) In the event of the secondment or secondment of a government official in the interests of the government, the liability of the exercise of the employer's authority shall be joint and several.

(7) Pursuant to subsection (1), the government administrative body shall be liable for damages caused in the objects and things brought into the workplace by the government official.

(8) A government administrative body may require that items brought into the workplace be placed in a custody or that the entry be reported. Items that are not necessary for going to work or work can only be brought in with the permission of the employer. In the event of a breach of these rules, the governmental administration shall be liable for the damage caused only in the case of intentional damage.

(9) In determining the amount of income foregone in the context of government service, account shall be taken of the salary arrears and the monetary value of the regular benefits to which the government official is entitled under the government service in addition to his salary, provided that he received them regularly before the damage occurred.

(10) Other regular, legally earned income lost as a result of an injury shall be reimbursed as income lost outside the service of the government.

(11) It is also necessary to compensate for the damage which a government official, despite his or her significant disability resulting from the injury, has repaired with exceptional work performance.

(12) There is no need to reimburse the value of benefits which are intended only for work.

(13) The amount of material damage should be determined on the basis of the consumer price at the time the compensation is established.

(14) The amount of material damage should be calculated taking into account obsolescence. The cost of repairs must be taken into account as damage if the damage to the thing can be repaired without depreciation.

(15) The government administrative body is also obliged to compensate the relatives of a government official for the damage incurred in connection with the damage.

(16) In the event of the death of a government official in connection with the damage, the dependent relative may, in addition to the provisions of subsection (1), claim maintenance compensation equal to his or her needs, taking into account his or her actual or expected salary and income. ensures the satisfaction of the

(17) To be deducted in calculating the amount of compensation

(a) benefits provided by social security or voluntary mutual funds,

(b) which the government official has sought or could reasonably have requested in the particular situation,

c) which the government official (relative) has obtained by utilizing the damaged thing,

(d) received as a result of expenses saved by the claimant as a result of the damage.

(18) In determining the income on which the compensation is based, the income should be taken into account in the amount less the contribution charged to the beneficiary under the social security rules.

(19) An annuity may also be established as compensation. An annuity is normally required if the compensation is intended to support or supplement the maintenance of a government official or his dependent entitled to maintenance.

(20) The governmental administration body shall be obliged to pay a general amount of compensation that is suitable for the full material compensation of the injured party if the amount of the damage or a part of it cannot be precisely calculated. General compensation can also be determined as an annuity.

(21) In the case of indemnity provided on the basis of the injured party, a government administrative body or liability insurance, the insurer may request an amendment to the established indemnity if there is a material change in the circumstances after the indemnification has been established.

(22) In determining the extent of the salary change on the basis of which the compensation is adjusted, the rate of the average annual salary change of the government officials employing the injured party at the organizational unit employing the injured party, In the absence of government officials performing the same task, the average annual salary change at the organizational unit shall be taken into account as the basis for the amendment.

(23) The government administrative body and the insurer may, as necessary, request a certificate from the government official or his / her relative regarding the income and income relations arising from the work.

(24) The government administrative body shall notify the injured party within fifteen days if it has made a change in the salary on the basis of which the amount of compensation has been changed.

(25) The governmental administration must call on the injured party to submit a claim for damages within fifteen days of becoming aware of the damage. The governmental administration shall provide a reasoned written response to the claim within fifteen days.

(26) It should be considered independent in terms of limitation

a) salary and sick pay,

(b) a reduction in earnings due to salary and injury; and

(c) salary and invalidity pension, accident invalidity pension, invalidity benefit or rehabilitation benefit

claim for reimbursement of the difference.

(27) Where several separate claims for damages arise in connection with an injury and are due at different times, their limitation period should be calculated separately from the time when each claim becomes due.

(28) The limitation period shall be differentiated according to paragraph 1

a) from the date of the first payment of sickness benefit,

(b) from the time when the loss of capacity for work due to the injury or the loss of health led to the loss of income for the first time,

(c) from the date of payment of the invalidity pension, accidental invalidity pension, invalidity benefit or rehabilitation benefit

begins.

(29) An annuity claim may be enforced retroactively for a period of more than six months only if the claimant is not defaulted in enforcing the claim or the employer has failed to fulfill the obligation specified in paragraph (25). An annuity claim cannot be asserted retroactively for more than three years.

Section 166 *[Disciplinary Liability]*

(1) A disciplinary offense shall be committed by a government official if he or she is guilty of a breach of his or her obligations arising from his or her governmental service.

(2) Disciplinary penalties may be imposed on a government official who commits a disciplinary offense:

a) reprimand,

b) salary reduction within a classification category,

c) transfer from a managerial position to a non-managerial position,

(d) loss of office.

(3) A government official shall be subject to a disciplinary sanction

a) paragraph (2) *b) the* punishment set out in point 1 year;

(b) for a period of 2 years from the execution of the sentence provided for in paragraph 2 (*c)* ;

(c) 3 years in the case of the penalty provided for in paragraph 2 (*d)* .

At the end of the period, the disciplinary sanction must be removed from all records.

(4) A government official shall be required to report on his or her disciplinary punishment during the term of government service. If the government service has been terminated due to loss of office, the former government official may not be employed by a government administrative body for three years.

(5) A government official may request immediate release from the commencement of disciplinary proceedings. In this case, you are not entitled to severance pay.

(6) On the proposal of the investigating commissioner, the employer may suspend a government official subject to disciplinary proceedings from his or her position until the disciplinary decision is announced, if his or her presence would impede clarification of the facts or the gravity and nature of the breach justify his or her absence from work.

(7) The suspension should be lifted immediately if the reasons no longer prevail.

(8) There shall be a salary for the duration of the suspension, but 50% of it shall be withheld until the suspension is lifted. The amount withheld shall be paid after the disciplinary decision has become final, unless the decision declaring the loss of office has become final.

(9) A government administrative body may impose a reprimanding disciplinary penalty without conducting disciplinary proceedings, if the assessment of the facts is simple and the breach of duty is acknowledged by a government official.

(10) In the event of a reasonable suspicion of the commission of a disciplinary offense, the employer shall be obliged to initiate proceedings. Disciplinary proceedings may not be instituted if three months have elapsed since the breach was discovered or three years have elapsed since the disciplinary offense was committed.

(11) In the case of a breach of obligations committed abroad, the time limits shall run from the time of return to the home country, except in the case of a permanent foreign service, the breach of obligations committed abroad.

(12) The detailed rules of disciplinary proceedings shall be established by a Government decree.

XXII. CHAPTER

PROCEDURE OF THE CIVIL SERVICE ARBITRATION COMMITTEE, THE DISPUTE

§ 167 *[The Civil Service Arbitration Committee]*

1. The chairman and deputy chairman and members of the Civil Service Arbitration Committee (civil servants) shall be appointed for an indefinite period by the Minister responsible for administrative quality policy and personnel policy.

(2) A member of the Arbitration Committee may be:

(a) at least five years' administrative experience,

b) higher education,

(c) has an administrative or legal examination; and

(d) has completed experience in the field of civil service law.

(3) A conflict of interest shall not arise if the government official or the professional manager or senior professional manager is a member of the Civil Service Arbitration Committee.

(4) The conflict of interest rules established by a government decree in disciplinary proceedings shall be duly applied to the conflict of interest of a member of the council acting in the adjudication of a public service complaint.

(5) The rules concerning the organization, procedure and allowances of the members of the Civil Service Arbitration Committee shall be established by a Government decree.

§ 168 *[The dispute]*

(1) A government official may file a public service complaint against a government administrative body specified in Section 80 (3) in order to enforce his or her claim arising from a government service relationship. The government administrative body and the interest representation body may enforce their claim arising from this Act in court.

(2) A civil service complaint may be submitted to the Civil Service Arbitration Committee within thirty days of the service of the document on the employer's measure considered to be prejudicial.

a) termination and termination of government service,

b) a written request to terminate the conflict of interest,

c) performance evaluation,

d) the decision taken in the disciplinary and compensation case,

e) unilateral change of appointment,

f) the decision on the payment of damages,

(g) the demand for payment

subject.

(3) In the event of a claim other than that specified in paragraph (2), the public service complaint may be lodged within the limitation period.

(4) A government official or a government administrative body may appeal to a court against the decision of the Civil Service Arbitration Committee.

(5) A government official may bring an action directly before a court if the Civil Service Arbitration Committee does not adjudicate the public service complaint within the time limit specified in paragraph (10). In that case, the application may be lodged within thirty days of the expiry of the time limit.

(6) In the event of a challenge to an agreement to terminate the legal relationship by mutual agreement, the government official shall file a public service complaint, the government administrative body specified in Section 80 (3) shall declare the application ineffective under Section 74 (10) and (11). within thirty days of the An appeal shall be ineffective if the other party does not respond or accept it within fifteen days of its communication.

(7) A government official may appeal against a decision falling within the discretion of a governmental administrative body to the Civil Service Arbitration Committee if this Act so permits.

(8) The time-limit for lodging a public service complaint shall be deemed to have been complied with if the public-service complaint to the Civil Service Arbitration Committee was sent by registered post or sent by electronic means no later than the last day of the time-limit. If a party fails to meet the deadline for lodging a public service complaint, he may use a certificate. The claim cannot be enforced after six months.

(9) With *the* exception of the employer's measure referred to in subsection (2) (*a)* and *(e)* and *the* disciplinary decision imposing a disciplinary sanction for loss of office, the filing of a public service complaint shall have suspensory effect.

(10) The civil service complaint shall be adjudicated by the Public Service Arbitration Committee in a reasoned decision within sixty days of its receipt and its decision shall be communicated in writing. This period may, if justified, be extended by the Civil Service Arbitration Committee once for sixty days.

(11) The competence of the Civil Service Arbitration Committee covers legal disputes arising at a government administrative body falling within the scope of this Act.

(12) The public service complaint shall be adjudicated by a three-member council. The members of the acting council and the chairman of the council shall be appointed by the chairman of the Civil Service Arbitration Committee. The chairman of the council may be a person who has a legal qualification.

13. The Council shall act by a majority of its members.

(14) The procedure of the Civil Service Arbitration Committee is free of fees and costs.

(15) For the purpose of assessing the claim in its proceedings, the Civil Service Arbitration Committee shall process personal data obtained in connection therewith until the purpose of data processing has been achieved, but at the latest until the documents in the case are discarded or filed.

169. §

XXIII. CHAPTER

THE CONCILIATION OF INTEREST

§ 170 *[Reconciliation of interests of government officials]*

(1) In order to protect the social and economic interests of government officials and to maintain peace at work, this Act regulates the system of relations between the trade union and the government administrative body and their interest representation organizations. Within this framework, it ensures the participation of government officials in shaping working conditions, and defines the procedure for the prevention and resolution of labor conflicts.

(2) . depending on its rules - to enter or stay away from such organizations.

3. Interest representation organizations shall have the right to establish or join associations, including international associations.

(4) Government officials have the right to form a trade union in the government administrative body. The trade union may operate bodies and involve its members in their operation.

(5) The government administrative body and the trade union shall inform each other in writing about the person entitled to represent them and the official.

(6) A government administrative body shall not be obliged to provide information or consult if this may result in the disclosure of a fact, information, solution or data which would endanger the interests or operation of the public service or the legitimate interests or operation of the government administrative body.

(7) A person acting on behalf of or in the interest of a trade union is informed of a fact, information, solution or data which he or she has become aware of by referring to the treatment of confidential or classified information as a legitimate interest or function of government, it may not be disclosed in any way and it

may not be used in any way in activities other than the achievement of the purposes specified in this Act.

(8) A person acting on behalf of or in the interests of a trade union may disclose information which has come to his or her knowledge in the course of his or her activities only without endangering the legitimate interests or functioning of the governmental administration and the interests or functioning of the public service.

(9) The rights granted to a trade union in this Act belong to the local trade union represented in the government administrative body.

(10) A government administrative body may not require a government official to declare that he or she belongs to a trade union.

(11) The employment of a government official may not be made conditional on his membership of a trade union, the termination of his previous trade union membership or his undertaking to join the trade union.

(12) It is prohibited to terminate the employment of a government official or otherwise discriminate against a government official due to his or her membership in a trade union or his or her trade union activities.

(13) Entitlements or benefits should not be made conditional on membership of or absence from a trade union.

(14) The government administrative body may not demand consideration for the deduction of trade union membership fees and their transfer to the trade union.

(15) Act XXIX of 1991 on the Voluntary Payment of Membership Representation Fees. Unlike the law, the government administrative body deducts the trade union membership fee from the salaries of government officials if it agrees to this effect.

§ 171 *[Central conciliation of interests]*

(1) In order to reconcile the interests of government administrations and government officials, to settle disputes through negotiations and to reach appropriate agreements with the participation of the Government, national municipal interest organizations and the negotiating group of government officials and national civil servants' organizations, (hereinafter: KÉF).

(2) The competence of the KÉF includes matters concerning the living and working conditions and employment conditions of government officials and civil servants employed in the public administration.

(3) The opinion of the KÉF shall be sought in connection with the matters within its competence pursuant to paragraph 2 in matters of the management of the administrative workforce and personal benefits.

(4) The KÉF is entitled to request information or make proposals in connection with other matters within its competence pursuant to paragraph (2).

(5) The rules of the organization and operation of the KÉF are contained in an agreement between the Minister responsible for administrative quality policy and personnel policy acting on behalf of the Government and the parties involved in the conciliation of interests. Its secretariat is provided by the Minister for Administrative Quality Policy and Personnel Policy.

(6) The National Public Service Reconciliation Council, regulated by the Act on the Legal Status of Civil Servants and the Act on the Service Relations of the Professional Staff of Law Enforcement Bodies, is also a forum for conciliation of interests of government officials covered by this Act.

§ 172. *[Reconciliation of interests of government officials at work]*

1. The conciliation of the interests of government officials at work shall be used to settle government service issues at the workplace. The head of the government administrative body and an elected official of the trade union take part in the conciliation of interests of government officials at work. Negotiating partners may also involve experts in the conciliation of disputes.

(2) The head of the government administrative body is obliged to seek the opinion of the trade union on the regulation referred to the competence of the exercise of the employer's authority concerning the work, working and rest time, remuneration and benefits of government officials.

(3) In addition to the provisions of subsection (2), a trade union is entitled to communicate its opinion on an employer measure (decision) or a draft thereof concerning a group of government officials to the government administrative body, and to initiate consultations in this connection.

(4) A trade union may request information from the governmental administration regarding the economic and social interests of government officials in connection with their governmental service, in particular:

a) in the subjects listed in paragraph (2) of the draft, statistical headcount to salary data, calculations, analysis and knowledge of policies and;

(b) the implementation of government service legislation;

(c) compliance with local agreements;

(d) at least every six months, the evolution of the situation of part-time and fixed-term employment.

(5) The trade union may propose:

(a) for governmental administrations, measures affecting government officials,

(b) a uniform interpretation of local regulations affecting government officials; and

(c) local regulatory issues affecting government officials.

(6) The trade union has the right to inform government officials on matters related to labor relations or employment.

(7) The government administrative body, in consultation with the trade union, shall ensure the possibility for the trade union to publish information related to its activities with the government administrative body.

(8) The right of a trade union to represent government officials in relation to their financial, social, living and working conditions vis-à-vis the government administration body or its advocacy organization.

(9) A trade union has the right to represent its member before a court, the Civil Service Arbitration Committee, an authority and other bodies in order to protect its economic and social interests.

(10) The consent of the immediate higher trade union body is required for the termination of the government service of a government official holding a position elected to the trade union and nominated by the trade union by dismissal by the government administrative body.

(11) In applying the provisions of paragraph (10), a trade union shall have the right to nominate a maximum of one government official. If the government administration has several premises, the trade union is entitled to nominate a maximum of one government official per site.

(12) A trade union is entitled to nominate another government official instead of a government official entitled to protection under subsection (11) if the government official's employment or position in the government has ceased.

(13) The trade union shall communicate its position regarding the employer's measure pursuant to subsection (11) in writing within eight days from the receipt of the written notification of the government administrative body. If the trade union does not agree with the planned measure, the information shall include the reasons for the disagreement. The justification is thorough if the implementation of the planned measure would result in discrimination due to participation in the trade union's advocacy activities. If the union does not communicate its opinion to the government administration within the above deadline, it shall be deemed to agree with the planned measure.

(14) In order to perform his or her duties, at least 10% of the government officials of the government administration body, but at least thirty senior government officials, shall hold ten percent of their monthly working hours. appropriate working time allowance. In addition, he is exempted from the obligation to work for the duration of the consultation. The working time discount cannot be combined. The use of the working time discount must be announced at least ten days in advance. If the reason justifying the use of the benefit becomes known to a government official for reasons beyond his or her own fault later, he or she shall immediately announce his or her intention to use the working time discount after the knowledge has been acquired.

(15) The duration of the working time allowance is remunerated. The working time discount cannot be redeemed.

(16) A non-governmental person acting on behalf of a trade union may enter the territory of the governmental administrative body if the trade union has a member of the governmental administrative body with a governmental administrative body. When entering and staying in the workplace, the rules governing the operation of the governmental administrative body must be observed.

XXIV. CHAPTER

DATA MANAGEMENT

§ 173. *[Rules of data management]*

(1) The government administrative body is obliged to inform the government official about the processing of his / her personal data. A government administrative body may communicate facts, data or opinions concerning a government official to a third party only in cases specified by law or with the consent of the government official.

(2) A government official is entitled to request the correction of incorrect data registered about him, the deletion of illegally registered data, and to refuse to disclose illegally requested data. The data controller is obliged to correct or delete incorrect data immediately.

(3) In order to fulfill the obligations arising from the government service relationship, the government administrative body may transfer the personal data of a government official to a data processor, indicating the purpose of the data provision, as specified by law. The government official must be informed in advance.

(4) Data relating to a government official may be used for statistical purposes and may be transferred for statistical purposes without his or her consent, in a manner unsuitable for personal identification, on the basis of legislation.

(5) The curricula vitae of government officials shall contain the mandatory data sets specified in the Government Decree, as well as the appendices to be attached to the curriculum vitae, certifying the contents of the curriculum vitae, and other additional information.

(6) If the government administrative body is in accordance with Act XC of 2017 on Criminal Procedure. pursuant to Section 111 of the Act on the fact that criminal proceedings have been instituted against a person subject to this Act, natural identity data which came to his knowledge during the information and an employer action is taken on the basis of the information, he is entitled to manage it until the action is taken. The data must then be deleted.

Section 174 *[The Civil Service Personnel Register]*

1. The civil service personnel register shall comprise:

(a) the basic civil service register; and

(b) the central civil service register.

(2) The purpose of public service personal data management is:

a) ensuring the preparation and making of employer measures and legal declarations related to government service,

(b) ensuring the exercise of rights and obligations in connection with government employment; and

(c) ensuring the establishment and payment of social security, social and charitable care to which a close relative is entitled.

(3) The personal data of a government official specified in Annex 3 shall be processed in the civil service personnel register.

(4) The civil service personnel register shall be managed separately from the register of the government administrative body containing other personal data. The civil service personnel register may not be linked to a register containing other personal data, with the exception of the job register.

(5) The personal data specified in Annex 3 may be processed in the public service personnel register - with the exception specified in paragraph 6 - during the existence of a government service relationship.

(6) Following the termination or termination of government service on any grounds, the processing of personal data concerning the data subject listed in Annex 3 in the public service personnel register shall be limited to 50 years. Personal data subject to the restriction may only be disclosed to the data subject and on the basis of a request that may be forwarded to a body authorized to do so by law. No operations other than storage may be performed on the restricted data.

(7) The data stored in the civil service personnel register pursuant to subsection (6) shall be deleted on the day of expiry of the term specified therein.

Section 175 *[The Basic Civil Service Register]*

(1) Unless otherwise provided by law, the head of the official organization of a government administrative body employing a government official is responsible for the protection of personal data in the basic civil service register, the lawfulness of data processing and the provision of data prescribed in this Act.

(2) The electronically maintained basic civil service register system of a government administrative body may not be linked to a register containing other personal data, unless authorized by law, and with the exception of the job register.

(3) To the extent justified in its procedure, the following shall be entitled to inspect the basic civil service register and to take data from it:

(a) in respect of his own data, a government official;

(b) the superior of a government official;

(c) the head of the performance review;

(d) carrying out legality verification or legality supervision;

(e) the body or person conducting the disciplinary proceedings;

f) in connection with a civil service dispute, the court seised, the Civil Service Arbitration Committee;

g) for the purposes specified by law, acting within the scope of their duties, the national security services and, in criminal proceedings, the court, the prosecutor's office and the investigating authority;

(h) acting in the exercise of its legality control functions;

(i) the Chairperson of the National Data Protection and Freedom of Information Authority in relation to the processing of personal data;

j) within the scope of the duties of the staff member of the body performing personnel, labor and payroll accounting tasks assigned to this task, in accordance with Annex 3 I / A, I / B, II, IV, V, VII, VIII. and X for the purpose of calculating or verifying the salary of a government official;

k) in connection with the collection of public service statistics, in the role of the Minister responsible for the development of the public service career and an official of the capital, county government office;

(l) the head of the personnel center and the person authorized by him to be employed by the personnel center in order to reconcile data, compare data, correct data with regard to data concerning ministries and in connection with the training, further training and examination of government officials of government administrative bodies;

(m) the body auditing European grants;

n) the body performing IT operational tasks and logistics-equipment supply tasks for the government administrative body, to the extent necessary for its activities, in accordance with Annex 3 I / A. points 1 to 3. with regard to the data sets set out in

4. In the case of the Minister, the Secretary of State, the Secretary of State for Administration and the Deputy Secretary of State, the basic civil service register shall contain, in addition to the information set out in Annex 3, the driving license number, the EC VIP card number, the diplomatic passport number and the the

Secretary of State, the Secretary of State for Administration and the Deputy Secretary of State, as well as the details of the benefits provided for government officials to government officials on government grants and their conditions.

5. In the case of a government official on a permanent basis, in addition to the information specified in Annex 3, the name of the mission, the diplomatic or consular rank and the flat-rate reimbursement shall be recorded in the basic civil service register.

(6) The government administrative body shall process the data of the government official specified in subsections (4) and (5) and Annex 3 in the electronically maintained basic civil service register system for the period specified in Section 179 (4).

(7) If a government official is employed by another government administration after the termination or termination of his or her service, he or she shall, upon request, provide a copy of his or her data under paragraph (6) to the employing government in an electronised form.

(8) If the exercise of the employer's authority is subject to the provisions of Act XC of 2017 on Criminal Procedure. pursuant to Section 111 of the Act on the fact that criminal proceedings have been instituted against a person subject to this Act, the natural identity data which came to his / her knowledge during the information and the fact of the initiation of criminal proceedings for a criminal offense if, on the basis of the information, an employer action is taken on the basis of the information, he shall be entitled to manage it until the action is taken.

(9) The person exercising the employer's right is entitled to process the personal data obtained in the course of the information pursuant to Section 82 (4) for fifteen days after the information, if an employer action is taken on the basis of the information, until the action is taken. The data must then be deleted.

Section 176 *[The Central Civil Service Register]*

(1) Government administrative bodies shall provide information on the data of the basic civil service register and their changes, as well as on the organizational data of the government administrative body to the Minister responsible for the development of the public service career, keeping the central public service register.

(2) The purpose of the management of the central public service register - in addition to those specified in Section 174 (2) *a) –c)* -

a) to provide the data and analyzes related to the career of government officials necessary for the development and implementation of the Government's civil service personnel policy,

b) the analysis of the headcount and salary data necessary for the operation of the country for the competent governmental bodies and parliamentary committees preparing the parliamentary decision on the salary base,

(c) the provision of occasional information to competent bodies in connection with international relations; and

d) to inform the public about the data related to the career of government officials within the scope determined by the Government.

(3) The government officials and employees of government administrative department employees headcount and salary data, earnings data for the central staff and wage management of statistical information system passes set by the Government in order for the minister responsible for civil service careers for the formulation of paragraph (2) *b)* of and to analyze data on employees in government administrations.

(4) The Minister responsible for administrative quality policy and personnel policy and the Minister responsible for the development of public service careers shall have the right to inspect the basic civil service register kept by government administrative bodies in order to ensure the coordination of government activities.

(5) The data processing operations related to the central public service register shall be performed by the Personnel Center as a data processor.

(6) The Minister responsible for administrative quality policy and personnel policy and for the development of public service careers may, in the manner and within the scope of data specified by the Government, conduct statistical queries from the data specified in subsection (1).

Section 177 *[Register kept by the Personnel Center]*

1. The Personnel Center shall record and manage it

a) the tendering procedure conducted by it,

b) competency test,

c) the recruitment database,

d) the central civil service register,

e) the performance evaluation data.

(2) The head of the personnel center is responsible for the protection of personal data in the register of the personnel center, for the legality of data processing and for the provision of data.

(3) The following shall be entitled to inspect the register kept by the Personnel Center, to the extent justified by its procedure, or to take data from it with the consent of the Personnel Center:

(a) the head of the personnel center and the person authorized by him to be employed by the personnel center,

b) the Minister responsible for the development of the civil service career supervising the Personnel Center and, to the extent determined by him, a government official authorized by him,

c) the head of the body designated for government personnel administration and the person authorized by him to be employed by the body designated for government personnel administration,

d) the person in the database with regard to his or her own data,

e) the body or person conducting the disciplinary proceedings,

f) in connection with a civil service dispute, the Civil Service Arbitration Committee, the

(g) in the exercise of their functions, in criminal proceedings instituted in connection with national security services and government service, the court, the public prosecutor's office and the investigating authority,

h) acting within the scope of the lawfulness of the prosecutor's office, the prosecutor,

(i) the body or person acting on the ethical issue; and

j) for the purpose of exercising the powers specified in Section 77 (3) (*f) - (g)* .

(4) Data from the register referred to in points (a) to (*c)* of subsection (1) may be provided for statistical purposes in a manner unsuitable for personal identification, as specified in a government decree.

(5) In paragraph (1) *a)* data recording and data management in point includes:

a) the natural identity of the applicant,

b) the applicant's CV, motivation letter,

c) other information related to the tender procedure and selection,

d) the results of the selection methods used in the tender procedure,

(e) the result of the proficiency check; and

(f) the data specified in Annex 4.

6. Following the tendering procedure, regardless of its effectiveness, the Personnel Center may store the data related to the tendering procedures for statistical data collection in a way that is not personally identifiable. Data relating to the application procedure will be deleted from its register by the Personnel Center after the closing of the application procedure, unless it consents to the further processing of the applicant's data in order to be informed of future application opportunities and entered in the recruitment database. Personally identifiable data from the tender register - in the manner specified in a government decree - may only be provided to the government administrative body issuing the tender.

(7) The data registration and data management pursuant to subsection (1) (*e)* , in order to operate the performance appraisal system of government officials as specified by law, shall include:

(a) the natural identity of the government official and the head of the performance appraisal, the job classification;

(b) the individual tasks recorded during the performance appraisal of the government official and their evaluation.

(8) The Personnel Center shall delete the data of a government official pursuant to paragraph (7) from the register 3 years after the termination or termination of the governmental service, if no new governmental service has been established.

(9) The central register related to the training, further training and examination of government officials shall be operated by the National Civil Service University as specified in the Government Decree. Within the scope of this task, the National Civil Service University shall handle the data specified in paragraphs (10) and (11) for the period specified in Section 179 (4).

(10) The examination organizer appointed by the Government in a decree shall register and manage the following data in connection with the basic administrative and case management examination and the administrative professional examination:

a) the natural identity of the candidate,

b) information on the candidate's employer,

c) the data contained in the examination report,

d) the number and date of the examination certificate,

e) the data required to pass the examination,

(f) the contact details of the candidate.

(11) The organizer of in-service training shall record and manage the following data related to the provision of in-service training:

a) the natural identity of the participant,

b) details of the participant's employer,

c) data necessary for the completion of further training,

(d) the contact details of the participant.

§ 178 *[Other tasks of the personnel center]*

The Personnel Center provides methodological support for the selection, qualification, training, retraining, performance appraisal, remuneration and accountability systems of government officials.

Section 179 *[Personal material]*

(1) A government official shall be one of the documents related to the legal service of a government official

a) his portrait,

b) its basic public service record sheet,

c) curriculum vitae,

d)

e) his oath,

f) his appointment and amendment thereof,

g) performance evaluation,

h) a document terminating the employment of a government official,

(i) a decision imposing a disciplinary sanction in force; and

j) copies of public service certificates, previous employment certificates,

k) a copy of documents certifying education, professional qualifications,

l) copies of documents proving your personal data in accordance with Annex 3,

m) other permits necessary for filling the position and performing his / her duties

must be stored together (hereinafter together: personal material).

(2) The persons and bodies specified in Section 175 (3) are entitled to inspect the personal material.

(3) The personal material of a government official shall be compiled and managed by the governmental administrative body or, in the event that the legal relationship is to be regarded as continuous, sent to the host governmental administrative body.

4. Personal material, other than that transferred pursuant to paragraph 3, shall be kept for a period of fifty years from the date of termination of the legal relationship.

(5) A government official, in conjunction with Section 89 (6), Section 104 (9) and (10), and Section 105 (2) and (3), shall be retained for the period specified in subsection (4). a copy of the personal material transferred (disability material).

Section 180 *[Public Service Inspection]*

(1) The Government, with the assistance of the Minister responsible for administrative quality policy and personnel policy, monitors the implementation of legislation on government service.

(2) On the proposal of the Minister responsible for administrative quality policy and personnel policy, the Government may annually determine the subjects of investigation (targeted inspection) and the bodies to be inspected (inspected bodies).

(3) The targeted inspection shall be carried out by the Minister responsible for administrative quality policy and personnel policy, the experience of which shall be communicated to the Government on an annual basis.

(4) The Minister responsible for administrative quality policy and personnel policy is entitled - in the framework of targeted inspections - in the case of central government administrative bodies pursuant to Section 2 (2) (*c) - (e)*

a) inspect the documents containing the employer's measure,

(b) in the event of a breach of law or inappropriate action, take action with the head of the governmental administration or, in the event of a dispute, with his superior;

(c) initiate disciplinary or compensation proceedings.

(5) In the cases specified in subsection (4) (*b)* and *(c)* , the head of the government administrative body shall examine the merits of the request of the Minister responsible for administrative quality policy and personnel policy and the Minister responsible for administrative quality policy and personnel policy within thirty days of notification.

(6)

PART FIVE

THE RELATIONSHIP BETWEEN THE POLITICAL SERVICE

XXV. CHAPTER

COMMON RULES FOR POLITICAL EXECUTIVES

Section 181 *[Applicability of Government Service Rules]*

(1) Unless otherwise provided by the Basic Law and this Act, the rules applicable to governmental service and government officials shall apply to the political service relationship of a senior political leader.

(2) Section 79, Section 80 (2), Section 81, Section XII shall not apply to the political service relationship of a political senior leader. Chapter XIV, with the exception of Section 86 (1) to (6) and Section 89 (1) and (2). Chapter 92, Sections 95-97. §, a XVI. with the exception of Chapters 115 and 117, Chapter XVII. Chapter 124, Section 128 (1) and (3) to (7), Section 134 (1) to (3) and (5), Sections 144 to 145 §, § 149, § 151, § 158, § 166 and XXII. and XXIII. provisions of this Chapter.

§ 182 *[Conflict of interest of senior political leaders]*

1. A senior political executive may not enter into any further employment relationship, including membership of the supervisory board, senior management of a company or cooperative, membership in the management body of a foundation, and membership of an advocacy organization, and .

2. The provision set out in paragraph 1 shall not preclude the appointment of a political leader

a) be a Member of Parliament,

(b) a member of a body authorized and responsible for the use of segregated public funds, a member of a body responsible for taking conceptual, managerial and coordinating decisions in relation to segregated public funds or a ministerial or body authorized and available for use and be a member of the board,

c) carry out intellectual, educational, artistic, proofreading, editorial and legally protected intellectual activity,

d) establish an employment relationship with a foster parent,

e) be an official of sports federations or associations,

(f) his professional service shall be suspended for the duration of the appointment of a political chief executive officer in accordance with the Act on the Status of Defense Forces or the Act on the Employment Status of Professional Staff of Law Enforcement Bodies.

g) his employment with the tax and customs authority shall be suspended for the duration of the appointment of the chief political officer in accordance with the Act on the Status of Personnel of the National Tax and Customs Administration.

(3) The members of the Supervisory Board of the Magyar Nemzeti Bank, the members of the National Asset Management Council, the members of the Board of Directors of the National Deposit Insurance Fund, the members of the Board of Directors of the Resolution Fund, the Liquidity Management Committee and the Members of the Management Board of the direct or indirect majority state-owned investment fund manager and the management body performing supervisory tasks, as well as the Public Debt Management Center Private Limited Company, the Hungarian Export-Import Bank Private Limited Company and the Hungarian Export Credit Insurance Private Limited Company Board of Directors,shall not apply to the members of its supervisory board or to the chairman or members of the Land Policy Council of the National Land Management Organization.

3a. The grounds for conflict of interest set out in paragraph 1 shall not apply to members of the board of trustees of a public trust fund.

(4) If, during the conflict of interest procedure, the Chief Political Commander eliminates the cause of the conflict of interest against him, no conflict of interest may be declared in the case of the Prime Minister, the Minister and the Secretary of State shall be waived.

§ 183 *[Declaration of assets of the non-attached political leader]*

(1) Within thirty days after the commencement of the term of office of a non-attached political leader, and until 31 January of each year thereafter, and within thirty days after the termination of his term of office, he shall make a declaration of assets with the same a declaration of property of the spouse or partner and children (hereinafter together: family member) living in a common household with the same content as the declaration of assets of the members of parliament.

(2) Declarations of assets shall be handled by the Prime Minister's Office.

(3) With the exception of the family member's declaration of assets, the Prime Minister's Office shall publish a public, page-true copy of the declaration of assets of the senior political leader who is not a Member of Parliament, except for the family member's personal data. The declaration of assets may be removed from the website one year after the termination of the term of office of the non-attached political leader.

(4) Members of the Conflict of Interest Committee of the National Assembly (hereinafter: Conflict of Interest Committee) may inspect the family member's declaration of assets during the procedure related to the declaration of assets of a non-attached political chief.

(5) The procedure related to the declaration of assets of a non-parliamentary senior political leader may be initiated by the Chairman of the Conflict of Interest Committee by anyone with a statement of facts concerning the specific content of the declaration of assets. If the initiative does not comply with the requirements of this paragraph, is manifestly unfounded, or the re-submitted initiative does not contain new facts or information, the chairperson of the conflict of interest committee shall reject the initiative without proceeding. The conflict of interest committee verifies the reality of the contents of the declaration of assets.

(6) In the course of the procedure related to the declaration of assets, at the request of the conflict of interest committee, the senior political leader who does not have the mandate of a Member of Parliament shall immediately notify in writing the data certifying the property, income and interests of his or her family member. The members of the conflict of interest committee may inspect the supporting data. The Speaker of the Conflict of Interest Committee shall inform the Speaker of the Parliament of the result of the audit, who shall inform the Parliament of the facts established by the Conflict of Interest Committee at the next sitting.

(7) The supporting data submitted by the non-attached political leader shall be deleted on the thirtieth day after the conclusion of the procedure related to the declaration of assets. The Prime Minister's Office keeps the declaration of assets of the non-parliamentary senior political leader and his / her family member for one year after the termination of the non-parliamentary political leader's term of office.

§ 184 *[Declaration of assets of the Chief Political Leader with the mandate of a Member of Parliament]*

(1) The Chief Political Leader with the mandate of a Member of Parliament shall make a declaration of assets in accordance with the rules applicable to Members of Parliament, and the rules applicable to Members of Parliament shall be governed by the rules applicable to Members of Parliament.

(2) The political chief with the mandate of a member of parliament shall make a declaration of assets in accordance with paragraph 1 within thirty days after the termination of the term of office of the political chief.

§ 185 *[Improper fulfillment of the obligation to make a declaration of assets]*

1. If the chief political officer intentionally fails to make a declaration of assets or intentionally misrepresents material or facts relevant to the declaration of assets, after examining the reasons for it in the framework of the procedure related to the declaration of assets

a) - in the case of the Prime Minister, the President of the National Assembly declaring the conflict of interest of the Prime Minister,

(b) the Prime Minister shall dismiss the Minister or the Secretary of State

initiates.

(2) The President of the Republic shall, on the initiative referred to in paragraph 1 (*b)* , relieve the Minister or the Secretary of State of this mandate.

(3) Upon the termination of the term of office of the political chief, the Ksztv. He shall not be entitled to the benefit specified in § 13 until he has fulfilled his obligation to make a declaration of assets due under this Act after the termination of the exercise of his or her powers.

Section 186 *[Disclosure of Data]*

1. The amount of the consolidated tax base, the amount of the tax of the consolidated tax base, the amount of tax credits reducing the tax of the consolidated tax base, the amount of the separate taxable income and the amount of the tax of the separate taxable income shall be public from the personal income tax return of the political leader. This information shall be sent by the Chief Political Executive to the Prime Minister's Office within fifteen days of the expiry of the deadline for submitting the tax return for publication on the website of the Prime Minister's Office.

(2) Information on the salary of the senior political leader, the remuneration paid to him and the target bonus, the remuneration of the senior parliamentary leader with the mandate of a Member of Parliament and other allowances granted to the senior political leader in connection with this mandate shall be published on the Prime Minister's Office.

3. In the event of a change in the information specified in paragraph 2, the changed information shall be published within fifteen days of the change, without removing the previous information.

4. The data referred to in paragraphs 2 and 3 may be deleted one year after the end of the term of office of the Chief Political Officer.

Section 187 *[Other common rules]*

(1) The political chief

a) severance pay,

b) exemption period,

(c) recognition for employment and service

not eligible.

(2) The Prime Minister shall be entitled to forty working days in each calendar year, and the Minister and the Secretary of State to twenty working days. The use of the leave in the case of the Minister and the Secretary of State must be notified in advance to the Prime Minister's Office.

3. If a political chief is re-elected or appointed as a senior political leader or professional senior manager no later than thirty days after the end of his or her term of office, he or she shall be deprived of his or her seniority under the political or governmental service leave must be added.

(4) For the duration of the term of office of the Chief Political Executive and during the term of office after the termination of his / her term of office, he / she shall be an insured person employed in government service for the purpose of entitlement to social security benefits.

(5) The term of office of a political chief and the term of office after the termination of the term of office shall be considered as time spent in government service.

(6) With regard to the financial liability of the Minister and the Secretary of State for damage caused by a breach of duty, the employer shall be exercised by the Prime Minister, the appointed Chief Investigating Officer acting as at least the Secretary of State and the members of the acting council.

7. If the term of office of a political chief is terminated, he shall be entitled to use the name referring to that term of office, unless his term of office is:

(a) in the case of the Prime Minister, a declaration of conflict of interest or a finding that the conditions necessary for his election have not been met,

(b) in the case of the Minister and the Secretary of State, dismissed on the basis of a finding of incompatibility or lack of conditions for his appointment

terminated due to.

8. The political leader shall repay the allowance received without legal basis within fifteen days of receipt of the request to that effect.

(9) If the date of commencement or termination of the term of office is specified as a calendar day in the instrument appointing, releasing or terminating the term of office of the Minister and the Secretary of State, the Minister and the Secretary of State shall take office at the beginning of the specified calendar day. ceases at the end.

(10) With the exception of paragraph 11, the freedom of a senior political leader may not be waived.

(11) The leave of a political senior manager shall be redeemed upon termination of political service, if the holder of the employer's authority has not granted proportional leave.

XXVI. CHAPTER

THE PRIME MINISTER

Section 188 *[Conditions for the Election of the Prime Minister]*

All persons with no criminal record who can be elected in the election of members of parliament may be nominated as prime ministers or elected prime ministers.

§ 189 *[Termination of the term of office of the Prime Minister]*

(1) The Prime Minister may resign from office by a written declaration addressed to the President of the Republic.

(2) The term of office of the Prime Minister shall terminate upon the resignation. A declaration of acceptance is not required for the waiver to be valid.

(3) The President of the Republic shall immediately inform the National Assembly of the resignation of the Prime Minister.

(4) If the term of office of the Prime Minister is terminated for a reason specified in Article 20 (2) (*e)* of the Basic Law , the President of the National Assembly shall notify the National Assembly thereof.

Section 190 *[Decision on Conflicts of Interest and Lack of Conditions for Election]*

The National Assembly is the Prime Minister

(a) a declaration of conflict of interest, if he does not terminate his conflict of interest within thirty days of his election or if a conflict of interest arises in the exercise of his office, and

(b) the absence of the necessary conditions for his election

upon a written motion of any Member of Parliament, after seeking the opinion of the Conflict of Interest Committee, the motion shall be decided within thirty days of its receipt by the Speaker of the National Assembly.

Section 191 *[Voting in Confidence]*

(1) A motion of confidence and a motion of censure on the Prime Minister shall be submitted to the Speaker of the National Assembly.

(2) The Prime Minister may not resign from the date of submission of a motion under subsection (1) until a decision has been made thereon.

(3) In the case of a vote of confidence pursuant to Article 21 (4) of the Basic Law, the final vote on the proposal submitted by the Government shall be held with unchanged content.

Section 192 *[Allowances of the Prime Minister]*

(1) The Prime Minister

(a) personal protection, including public and private programs,

b) for the use of a residence,

c) - for personal and official use - for the use of two passenger cars,

d) the use of radiotelephony and the Internet, as well as the use of the communications network for government purposes,

(e) escorts, daily subsistence allowances and reimbursement of political and professional senior management during their official secondment abroad and, if necessary, special air travel,

f) is entitled to use the government waiting areas at the airport in case of traveling abroad and traveling home from abroad, or for the purpose of receiving and accompanying an official foreign delegation,

(g) free access to all healthcare free of charge, as agreed between the healthcare institution providing the service and the ministry headed by the Minister for Administrative Quality and Personnel Policy

entitled.

(2) The Prime Minister shall use the residence referred to in subsection (1) (*b)* .

(3) When traveling abroad pursuant to paragraph (1) (*e) by* scheduled airplane or train, the Prime Minister may use first class or an equivalent level of travel comfort. The Minister for General Political Coordination shall be responsible for the provision of these benefits and services.

(4) The Prime Minister shall immediately notify the relevant body of the information necessary for the use of the benefits and services due to him, as well as of any changes in the information.

Section 193 *[Public Offerings and Donations]*

(1) The costs of the Prime Minister's public offerings and donations may be covered by a separate appropriation within the budget chapter of the ministry headed by the Minister responsible for administrative quality policy and personnel policy and the ministry headed by the Minister responsible for general political coordination in the Central Budget Act.

(2) A public offer or donation may be made from the appropriation referred to in subsection (1) by means of a tender or without a tender, on the basis of an individual decision.

(3) A party, an organization providing financial support to a party, and an organization engaged in direct political activity may not be granted a public donation or donation from the appropriation referred to in subsection (1).

(4) The appropriation referred to in paragraph (1) may be used on the basis of a prior written commitment by the Prime Minister, without a separate contract with the beneficiary.

(5) The Minister referred to in subsection (1) shall publish on the website of the ministry headed by him the name of the recipient of the public donation, donation from the appropriation referred to in subsection (1), the purpose of the donation. amount.

Section 194 *[Termination of the term of office of the Executive Prime Minister]*

1. The term of office of the Executive Prime Minister shall expire

a) with his death,

(b) if the conditions for the election of the Prime Minister are no longer met in the case of the Executive Prime Minister,

(c) by declaring a conflict of interest.

(2) If the term of office of the Executive Prime Minister is terminated for a reason specified in paragraph (1) *a)* , the President of the National Assembly shall notify the National Assembly thereof.

(3) The provisions concerning the Prime Minister shall apply to the declaration of a conflict of interest of the Executive Prime Minister and to the determination of the absence of conditions necessary for his election.

4. After the termination of this term of office of the Executive Prime Minister until the election of a new Prime Minister, the powers of the Executive Prime Minister shall be exercised by the Deputy Prime Minister or, in the case of several Deputy Prime Ministers, by the first Deputy Prime Minister.

§ 195 *[Benefits of the former Prime Minister]*

(1) The former Prime Minister shall be appointed by the Ksztv. In addition to those specified in Section 13, the benefits specified in paragraphs (2) and (3) shall be due.

(2) The former Prime Minister shall, after the termination of his term of office, be entitled to the use of a personal car for the duration of his term of office, for which a car and a driver shall be provided by the police.

(3) The former Prime Minister shall be entitled to a two-member secretariat for half of his term of office after the end of his term of office, for which the Minister for Administrative Quality and Personnel Policy shall be provided. The personal and material conditions of employment of the Secretariat shall be provided by the Minister for Administrative Quality Policy and Personnel Policy.

(4) The benefits of the former Prime Minister specified in this section

a) the political leader's indemnity,

(b) as a condition of the benefit, to settle the obligation to declare assets after termination of service, and

(c) the obligation to provide the information necessary to claim the benefits

shall apply.

(5) The former Prime Minister shall not be entitled to the benefits specified in subsections (2) and (3) if his or her term of office has terminated for the reasons specified in Article 20 (2) (*f)* and *(g)* of the Basic Law .

XXVII. CHAPTER

THE MINISTER

Section 196 *[Appointment of the Minister]*

(1) Every person with a criminal record who can be elected in the election of members of parliament may be appointed a minister.

(2) The person nominated for the position of Minister shall be heard by the committee of the National Assembly competent according to the duties of the Minister prior to his or her appointment.

(3) The appointed minister shall take an oath before the National Assembly with the text pursuant to the Act on the Oath and Vow of Certain Public Officials.

(4) Unless otherwise provided by law, the rights of employers shall be exercised by the Prime Minister with respect to the Minister.

(5) The President of the Republic shall issue a certificate to the Minister for the purpose of certifying the holding of a public law position. The card shall contain the name and portrait of the Minister and the title of the post held.

Section 197 *[Resignation of the Minister]*

(1) The Minister may at any time resign from office by a written declaration addressed to the President of the Republic by the Prime Minister.

(2) In the event of resignation, the date of termination of the term of office of the Minister shall be determined by the President of the Republic on the proposal of the Prime Minister, but shall not be later than the thirtieth day after the resignation is communicated to the Prime Minister.

(3) A declaration of acceptance is not required for the waiver to be valid.

Section 198 *[* **Dismissal of** *the Minister]*

(1) The Prime Minister may at any time propose to the President of the Republic the dismissal of the Minister.

(2) The Prime Minister shall initiate the dismissal of the Minister with the President of the Republic if

(a) the Minister does not terminate the conflict of interest within thirty days of his appointment or of the occurrence of the circumstance giving rise to the conflict of interest, or

(b) the conditions for the appointment of the Minister are no longer met.

(3) In the event of an initiative under subsection (2), the President of the Republic shall relieve the Minister of this mandate.

(4) In the event of dismissal, the date of termination of the Minister's term of office shall be determined by the President on the proposal of the Prime Minister, which may not be later than the fifteenth day of the Prime Minister's initiative under paragraph (2).

Section 199 *[Death of the Minister]*

If the term of office of the Minister is terminated for a reason specified in Article 20 (3) (*d)* of the Basic Law , the fact of this shall be established by the President of the Republic on the proposal of the Prime Minister.

Section 200 *[Procedure in the event of termination of the Minister's term of office]*

(1) If the term of office of the Minister is terminated by the termination of the term of office of the Prime Minister, the newly elected Prime Minister shall immediately propose the new Minister to the President or temporarily appoint another member of the new Government to perform his duties.

(2) If the term of office of the Minister is not terminated by the termination of the term of office of the Prime Minister, the Prime Minister shall immediately propose to the President the new Minister or temporarily entrust another member of the Government with a Prime Ministerial Decree.

(3) A member of the Government entrusted with the ministerial function pursuant to subsection (1) or (2) shall exercise the powers of the minister without any restrictions.

Section 201 *[The Executive Minister]*

1. The term of office of the Executive Minister shall expire

a) with his death,

b) by resignation,

(c) if the conditions for the appointment of the Minister are no longer met in the case of the Executive Minister,

(d) by declaring a conflict of interest.

(2) In the event of termination of the term of office of the Executive Minister in the case specified in paragraph (1) (*a) to (c)* , the rules applicable to the Minister shall apply.

(3) If there is a conflict of interest with the Executive Minister in the performance of his or her duties, the President of the Republic shall, on the proposal of the Prime Minister, decide to declare a conflict of interest within thirty days of receipt of the motion.

(4) If this term of office of the Executive Minister is terminated, the powers of the Government shall be exercised by the Prime Minister or a member of the Executive Government appointed by the Executive Prime Minister in a Prime Ministerial Decree.

XXVIII. CHAPTER

THE SECRETARY OF STATE

Section 202 *[Appointment of the Secretary of State]*

(1) Every person with a criminal record who can be elected in the election of members of parliament may be appointed Secretary of State.

(2) The Secretary of State shall be appointed by the President of the Republic on the proposal of the Prime Minister after seeking the opinion of the Minister.

(3) The Secretary of State shall take office on the date specified in his appointment, failing which upon his appointment.

(4) The appointed Secretary of State shall take an oath before the President of the Republic in accordance with the text of the Act on the Oath and Vow of Certain Public Officials.

(5) The Prime Minister shall issue a certificate to the Secretary of State to certify the holding of the post of senior political leader. The card contains the name and portrait of the Secretary of State and the title of the position held.

(6) The Minister shall exercise the employer's rights with respect to the Secretary of State, unless otherwise provided by law.

Section 203 *[Termination of the term of office of the Secretary of State]*

1. The term of office of the Secretary of State shall be terminated

a) upon the termination of the term of office of the Prime Minister,

b) by resignation,

c) by dismissal,

d) by his death.

2. If the term of office of the Secretary of State is terminated pursuant to paragraph 1 (*a)* , the Secretary of State shall exercise his powers until the formation of a new Government or the *fulfillment* of the condition specified in paragraph 1 (*b) to (d)* .

(3) If the term of office of the Secretary of State is terminated pursuant to subsection (1) (*d)* , the President of the Republic shall establish the fact thereof upon the proposal of the Prime Minister.

Section 204 *[Resignation of the Secretary of State]*

(1) The Secretary of State may resign at any time by a written declaration addressed to the President of the Republic by the Prime Minister. The declaration shall be forwarded by the Secretary of State to the Minister, who shall forward it to the Prime Minister without delay.

(2) In the event of resignation, the date of termination of the term of office of the Secretary of State shall be determined by the President of the Republic on the proposal of the Prime Minister, but shall not be later than the thirtieth day after the resignation is communicated to the Prime Minister.

(3) A declaration of acceptance is not required for the waiver to be valid.

Section 205 *[* **Dismissal of** *the Secretary of State]*

(1) The Prime Minister may at any time, after seeking the opinion of the Minister, propose to the President of the Republic the dismissal of the Secretary of State.

(2) The Prime Minister shall initiate the dismissal of the Secretary of State with the President of the Republic if

(a) the Secretary of State does not terminate his conflict of interest within thirty days of his appointment or of the occurrence of the circumstance giving rise to the conflict of interest, or

(b) the conditions for the appointment of the Secretary of State are no longer met.

(3) In the event of an initiative under paragraph (2), the President of the Republic shall relieve the Secretary of State of this mandate.

(4) In the event of dismissal, the date of termination of the term of office of the Secretary of State shall be determined by the President on the proposal of the Prime Minister.

XXIX. CHAPTER

THE GOVERNMENT COMMISSIONER

Section 206 *[Rules Applicable to the Legal Relationship of a Government Agent]*

(1) Unless otherwise provided by this Act, the rules applicable to governmental service and government officials shall apply to the legal service of a government commissioner.

(2) The legal service of a government commissioner shall be governed by the provisions of this Act concerning the legal service of government and a government official,

a) with the subjects of the employment relationship,

b) membership in the Faculty of Hungarian Government Officials,

c) by exercising the employer's authority,

d) by the establishment of an employment relationship and a change of appointment,

e) by stipulating compulsory part-time work,

f) upon termination or termination of the legal relationship,

g) training and further training,

h) the study contract,

i) professional ethics,

j) prohibition of co-application and conflicts of interest,

k) compensation for extraordinary working hours, on-call time and on-call time,

l) basic and additional leave, not including additional leave pursuant to Section 128 (8) and Section 155,

m) employment other than appointment,

n) performance evaluation,

o) the salary,

p) job and service recognition,

q) housing benefits,

(r) the civil service arbitration procedure and the dispute, and

s) by conciliation of the interests of government officials

shall not apply.

Section 207 *[Appointment of a Government Agent]*

(1) The Prime Minister shall be appointed and dismissed by the Prime Minister on the proposal of the Minister appointed by government decree to direct the Government Office. With the exception of appointment and dismissal, the employer's rights over the government agent are exercised by a minister appointed by government decree to direct the government office.

(1a) With regard to the freedom of a government agent, the employer's powers under this Act shall, notwithstanding paragraph (1), be exercised by a political chief appointed by a minister appointed by government decree to direct the government office.

(2) A person with a criminal record who may be elected at the election of members of parliament may be appointed a representative of the government.

(3) The Government Agent shall take office on the date specified in his appointment, failing which he shall take office upon his appointment. The appointed government commissioner shall take an oath before the Prime Minister with the text of the Act on the Oath and Vow of Each Public Law Officer.

(4) The Prime Minister shall issue a certificate to the Government Plenipotentiary for the duration of his or her term of office and to certify his or her status as a Government Plenipotentiary. The card contains the name, portrait and title of the government agent.

Section 208 *[Conflict of interest of the Government Agent]*

(1) A government agent may not establish a legal relationship for further work, may not be a member of parliament, a local government representative, a member of the capital, county assembly, mayor, chairman of county assembly, mayor, deputy mayor, vice-mayor, deputy chairman, deputy municipal representative.

(2) The provision specified in subsection (1) shall not prevent a government agent from carrying out scientific, educational, artistic, proofreading, editorial, legally protected intellectual activity and establishing an employment relationship with a foster parent without the permission of the employer.

Section 209 *[Termination of the term of office of a government agent]*

(1) The term of office of a government agent shall terminate:

a) upon the termination of the term of office of the Prime Minister,

b) by resignation,

c) by dismissal,

d) with his death,

e) if it is no longer possible to elect members of parliament,

f) a declaration of conflict of interest,

(g) by mutual agreement.

(2) If the term of office of the Prime Minister is terminated by the termination of the term of office of the Prime Minister, he shall exercise his powers until the formation of the new Government.

Section 210 *[Salary and Benefits of a Government Agent]*

(1) The salary of a government agent shall be determined by a minister appointed by government decree to direct the government office. The monthly salary of a government agent is equal to the salary of the Secretary of State for Administration. The government agent is entitled to the benefits specified in a government decree.

(2) During his term of office and in the event of termination of the term of office of the Prime Minister until the formation of the new Government, the Government Commissioner shall be an insured person employed in government service for the purpose of entitlement to social security benefits.

(3) The duration of the term of office of a government commissioner and, in the event of termination of the term of office of the Prime Minister, until the formation of the new Government shall be deemed to be time spent in government service.

(4) If the term of office of a government agent is terminated, his or her salary and benefits shall be due for as long as he or she exercises his or her powers under paragraph (3).

(5) If the Government Commissioner has held this office for at least three years and his term of office is terminated by the termination, resignation or death of the Prime Minister, he shall be entitled to an allowance equal to six months' salary in the event of resignation. paragraph 2 shall apply.

(6) In the event of the death of a government agent, the benefit under paragraphs (5) and (7) shall be due to the agent's spouse or, in the absence thereof, his or her spouse (hereinafter together: widow) - in the absence of a widow.

(7) If the term of office of a government agent has expired earlier than three years for the reasons specified in paragraph (5), but he has held office for at least one year, he shall be entitled to half of the allowance specified in paragraph (5).

(8) If, after the termination of his or her term of office, the Government Commissioner receives the post of Chief Political Officer, Professional Chief Executive Officer or new Government Commissioner, the amount of the allowance provided for in paragraphs (5) and (7) shall be equal to the salary

9. Paragraph 8 shall also apply if the term of office of a government representative is terminated due to a conflict of interest due to his or her election as a Member of Parliament or a Member of the European Parliament.

(10) A government agent shall not be entitled to severance pay and dismissal, as well as to job and service recognition.

(11) For the purposes of calculating the period specified in paragraphs (5) and (7), the term of office of the continuing Government Commissioner shall not exceed six months from the end of the term of office until taking up his duties and from the end of the term of office until the end of the term of office. not counted - must be added together.

Section 211 *[Freedom of the Government Agent]*

1. A government representative shall be entitled to thirty-five working days of basic leave in each calendar year. The Government Commissioner shall not be entitled to special time off after extraordinary work.

(2) If the Government Commissioner is reappointed, elected or appointed as a Senior Political Chief, or appointed as a Senior Professional, no later than thirty days after the termination of his or her powers, the term of office of the newly appointed Government Commissioner leave on the basis of employment or governmental service.

Section 212 *[Disciplinary and Compensation Liability of the Government Agent]*

(1) In connection with the disciplinary or indemnification liability of a government agent for damage caused by a wrongful breach of an obligation arising from his or her duties, the employer's authority shall be exercised by a minister appointed by government decree to manage the government office.

(2) In proceedings initiated by a minister appointed by government decree to manage a government office, a council shall act in the procedure for establishing disciplinary or compensation liability, the members of which shall be appointed by the minister appointed by government decree to manage the government office. The appointed Commissioner of Inquiry shall be at least a senior political secretary.

Section 213 *[Declaration of Assets of the Government Agent]*

(1) The Government Agent shall, within thirty days after the commencement of his or her term of office, and annually thereafter, and within thirty days after the termination of his or her term of office, (hereinafter: Vnytv.), to which he / she is obliged to attach his / her spouse or life partner and children living in a common household with him / her. declaration of assets in accordance with

(2) The declaration of assets shall be managed by a minister appointed by government decree to direct the government office.

(3) The Vnytv. § 9, § 10 and 14–16. § shall be applied in the event of an investigation into the increase of assets against the Government Agent and in the event of a breach of the Government Agent's obligation to make a declaration of assets.

XXX. CHAPTER

POLITICAL SERVICE LEGISLATION OF THE CONSULTANT

§ 214 *[Political service relationship of political adviser and chief adviser]*

(1) Political adviser and chief adviser (for the purposes of this section, hereinafter together: political adviser)

a) in the ministry headed by the Minister responsible for administrative quality policy and personnel policy, to the activities of the Prime Minister and to the preparation of decisions of the Government,

b) in the ministry headed by the Minister responsible for general political coordination, to the activities of the Prime Minister and to the preparation of decisions of the Government,

c) in the Cabinet of Ministers for the activities of the Minister,

d) in the Cabinet of the Secretary of State or, failing that, in the Secretariat of the Secretary of State for the activities of the Secretary of State

to perform directly related tasks.

(2) The appointment of a political adviser shall be for the term of office of the Prime Minister, Minister or Secretary of State or, in the event of termination of office, for the term of office of the Prime Minister, Minister or Secretary of State.

(3) A maximum of 15 political advisory posts may be established in the Cabinet of Ministers or in the Cabinet of State Secretaries or, failing that, in the Secretariat of the Secretary of State.

(4) The provisions of this Act concerning governmental service shall apply to the political service of a political adviser, with the exceptions provided for in this Chapter.

(5) A political adviser shall not be subject to government service

a) the duration of *the* appointment,

b) by selection,

c) severance pay,

d) by change of legal relationship,

e) with a salary,

f) additional leave, excluding additional leave pursuant to Section 128 (8) and Section 155,

g) performance evaluation,

(h) training, further training, and

(i) job and service recognition
provisions relating to

(6) The political adviser may conduct basic and professional administrative examinations in accordance with the rules applicable to government officials. The cost of the exams is borne by the political adviser, which can be taken over by the government administration.

§ 215 *[Exercise of the employer's authority over the political adviser]*

A political advisor over employer rights

a) in the case pursuant to Section 214 (1) (*a)* , the Minister responsible for administrative quality policy and personnel policy,
b) in the case pursuant to Section 214 (1) (*b)* , the Minister responsible for general political coordination,
c) in the case pursuant to Section 214 (1) (*c)* , the Minister,
d) in the case pursuant to Section 214 (1) (*d)* , the Secretary of State
exercise.

§ 216 *[Salary and leave of political adviser]*

(1) The remuneration of a political adviser shall be determined by the exercise of the employer's authority. The monthly salary for the period from 1 March of the current year to the end of February of the following year may not exceed ten times the average monthly gross earnings of the national economy for the year preceding the current year, officially published by the Central Statistical Office.

2. The adviser shall be entitled to seven working days of additional leave in addition to the basic leave.

§ 217. *[Content of the political service of the Chief of Staff]*

1. By way of derogation from paragraphs 2 and 3, the provisions relating to political advisers shall apply to the political service of the Chief of Staff.

(2) The Minister shall exercise the employer's rights over the Chief of Staff who heads the Cabinet of Ministers, the Minister shall exercise the basic employer's rights over the Chief of Staff who heads the Cabinet of Ministers, and the Secretary of State shall exercise other employer rights.

(3) Chief of Staff appointed or seconded to the ministry headed by the Minister responsible for defense pursuant to Section 3 (11) of the Defense Forces Act and headed by the Minister responsible for law enforcement pursuant to the Act on the Employment of Professional Staff of Law Enforcement Bodies The Act on the Legal Status of Defense Forces and the Act on the Service Status of the Professional Staff of Bodies Performing Law Enforcement Duties shall apply to the legal relationship of the Chief of Staff appointed to the Ministry.

Section 218 *[The exercise of the employer's right by the Chief of Staff]*

(1) The Chief of Staff of the Cabinet of Ministers exercises the employer's rights over government officials and employees of the Cabinet of Ministers and the Head of Department headed by the Minister's Secretariat, with the Minister being responsible for the appointment and revocation of the post of Head of Department.

(2) By way of derogation from paragraph (1), in a ministry headed by the Minister responsible for defense, the Minister shall exercise the employer's rights over the head of department headed by the Minister's Secretariat.

(3) The Chief of Staff of the Secretary of State shall exercise the employer's rights over government officials belonging to the staff of the Office of the Secretary of State and the Head of Department of the Secretariat of the Secretary of State, with the Secretary of State being responsible for appointing and revoking it.

PART SIX

THE COMMISSION 'S LEGAL RELATIONSHIP

XXXI. CHAPTER

THE GOVERNMENT COMMISSIONER, THE PRIME MINISTER AND THE MINISTER

§ 219. *[Conditions for holding the office of government commissioner]*

(1) To be a Government Commissioner
(a) the Minister, the Secretary of State, the Secretary of State for Administration or the Deputy Secretary of State; and
b) to *a)* persons not covered by point
can be appointed.

(2) The person of the Government Commissioner shall be proposed by the Prime Minister.

(3) The term of office of the Government Commissioner shall be for a fixed term, but not exceeding two years. This term of office of the Government Commissioner shall terminate upon the termination of the term of office of the Minister, State Secretary, Administrative Secretary of State or Deputy State Secretary. This term of office of the Government Commissioner shall terminate upon the termination of the term of office of the Prime Minister.

§ 220 *[Conditions for holding the office of Commissioner of the Prime Minister]*

(1) To the Prime Minister
(a) the Minister, the Secretary of State, the Secretary of State for Administration or the Deputy Secretary of State; and
b) to *a)* persons not covered by point
can be appointed.

(2) The term of office of the Prime Minister shall be for a specified period, but not later than until the termination of the term of office of the Prime Minister. This term of office of the Prime Minister shall expire upon the termination of the term of office of the Prime Minister.

§ 221. *[Conditions for holding the office of Ministerial Commissioner]*

(1) Prior to the appointment of the Ministerial Commissioner, the Minister shall inform the Secretary of State for Administration of the Ministry headed by the Minister for Administrative Quality and Personnel Policy of the proposed person, who may object to the proposal within fifteen days of the notification. The objected person may not be appointed Ministerial Commissioner. The Secretary of State for Administration, headed by the Minister for Administrative Quality Policy and Personnel Policy, shall inform the Prime Minister of the fact of the objection and the person objected to him through the Secretary of State for Administration of the Prime Minister's Office.

(1a) Ministerial Secretary for proof, Permanent Secretary and Deputy Secretary of State may not be appointed.

(2) The term of office of the Ministerial Commissioner shall be for a fixed term, but not exceeding two years. This term of office of the Ministerial Commissioner shall also be terminated by the revocation or termination of the powers of the Minister appointing him.

Section 222 *[Common rules for persons in a commission relationship]*

(1) A person in an employment relationship as a commissioner shall be deemed to be an insured person employed in a governmental service relationship for the duration of his or her term of office in order to be entitled to social security benefits.

(2) If the normative decision or normative instruction concerning the appointment of a person in a commission relationship specifies the date of creation or termination of the mandate as a calendar day, the commissioner shall take office at the beginning of the specified calendar day or terminate at the end.

(3) From the point of view of the performance of other positions, assignments, activities related to other work or the establishment of a legal relationship, the legal relationship of a commissioner shall not be considered an employment or employment relationship, nor shall it create a conflict of interest.

PART SEVEN

GOVERNMENT SERVICE MANAGERS

XXXII. CHAPTER

THE PROFESSIONAL SENIOR

§ 223. *[Rules applicable to the Secretary of State for Administration and the Deputy Secretary of State]*

Section 83, Section 85, Section 86 (7) - (10), Section 87, Section 88 shall not apply to the governmental service relationship between the Secretary of State for Administration and the Deputy Secretary of State. §, § 90, § 96, § 100, 103-110. § 111 (1), (3) and (8), § 111 (4) with the exception of the second sentence, §§ 112-114. § 128 (1) and (3) - (7), § 149, § 158, and § 166 (2) - (3) and (5).).

§ 224 *[Common rules for the appointment of the Secretary of State for Administration and the Deputy Secretary of State]*

(1) All persons with no criminal record who may be elected by the election of members of parliament may be appointed Secretary of State for Administration and Deputy Secretary of State with a degree in law or has a higher education degree and a specialist qualification appropriate to the task and competence.

(1a) , unlike in paragraph (1) from those ministries led by the minister responsible for child and youth policy, appointed an Under Secretary in the criminal record, selectable election of Members of Parliament person who does not have the qualifications specified in paragraph (1), but its provided that the Deputy Secretary of State is responsible for youth policy.

(2) The Prime Minister shall issue a certificate to the Secretary of State for Administration and the Deputy Secretary of State for the purpose of certifying the holding of the position of professional senior manager. The card shall contain the name, portrait and title of the Secretary of State for Administration or Deputy Secretary of State.

§ 225 *[Common rules on conflicts of interest between the Secretary of State for Administration and the Deputy Secretary of State]*

(1) The Secretary of State for Administration and the Deputy Secretary of State may not hold a position in an advocacy organization or a position leading in a cooperative.

(2) No conflict of interest shall arise if the Secretary of State for Administration or the Deputy Secretary of State is a member of the Supervisory Board of the Magyar Nemzeti Bank, a member of the National Asset Management Council and the chairman or member of the Land Policy Council of the National Land Management Organization.

(3) If, during the conflict of interest procedure, the Secretary of State for Administration or the Deputy Secretary of State eliminates the cause of a conflict of interest against him or her, the establishment of a conflict of interest shall be omitted.

(4)

Section 226 *[Rules on the leave of the Secretary of State for Administration and the Deputy Secretary of State]*

(1) The Secretary of State for Administration and the Deputy Secretary of State shall be entitled to 20 working days of basic leave in each calendar year, as well as 15 working days of additional managerial leave.

(2) The use of leave shall be notified in advance to the Secretary of State for Administration of the Prime Minister's Office.

Section 227 *[Disciplinary* **Sanctions of** *the Secretary of State for Administration and the Deputy Secretary of State]*

Disciplinary penalties may be imposed on the Secretary of State for Administrative Discipline and the Deputy Secretary of State:

a) reprimand,

(b) loss of office.

Section 228 *[Common Rules for the Termination and Termination of the Government Service of the Secretary of State for Administration and the Deputy Secretary of State]*

1. The employment of the Secretary of State for Administration and the Deputy Secretary of State in the service of government shall be terminated:

a) with his death,

b) if it is no longer possible to elect members of parliament,

(c) a declaration of conflict of interest,

d) by electing or appointing a Member of Parliament, a local government representative, an advocate of a nationality, a mayor, a senior political leader or a political leader,

e) loss of office with disciplinary action,

(f) by transferring his post to the centralized post.

(2) The employment service of the State Secretary for Administration and the Deputy State Secretary may be terminated:

(a) by resignation from that office,

(b) by dismissal from that office.

(3) If the employment of the Secretary of State for Administration or the Deputy Secretary of State is terminated, he shall be entitled to use the title referring to his position, provided that his employment is not due to a finding of conflict of interest or termination of office due to disciplinary action or termination of parliamentary elections. can no longer be selected.

(4) The Secretary of State for Administration and the Deputy Secretary of State shall repay the allowance received without a legal basis within fifteen days from the receipt of the request to that effect.

(5) If the date of commencement or termination of the term of office is specified as a calendar day in the document appointing the Secretary of State for Administration or the Deputy Secretary of State, establishing his resignation or resignation from office, the Secretary of State or Deputy Secretary of State shall he shall take office at the beginning of the specified calendar day or his term of office shall expire at the end of the specified calendar day.

(6) The Secretary of State for Administration or the Deputy Secretary of State shall not be entitled to severance pay.

Section 229 *[Appointment of the Secretary of State for Public Administration]*

(1) The Secretary of State for Administration shall be appointed by the President of the Republic for an indefinite period on the proposal of the Prime Minister. The Prime Minister shall make his proposal for appointment on the initiative of the Minister.

(2) The Secretary of State for Administration shall take office on the date specified in his appointment, failing which upon his appointment.

(3) With regard to the employment of the Secretary of State for Government in the service of the Government, the powers of the employer shall be exercised by the Minister, with the exception of appointment to and dismissal from this position. In proceedings brought in order to enforce claims arising from government service, the Minister acts as the employer.

(4) The appointed Secretary of State for Public Administration shall take an oath before the President of the Republic in accordance with the text of the Act on the Oath and Vow of Certain Public Officials.

Section 230 *[Remuneration of the Secretary of State for Public Administration]*

The Secretary of State for Public Administration shall be entitled to the salary for the position of Secretary of State for Public Administration specified in Annex 1, the amount of which shall be determined by the exercise of the employer's authority on the basis of discretion without performance appraisal.

Section 231 *[Termination and Termination of the Legal Relationship of the Secretary of State for Public Administration]*

(1) If the Secretary of State for Administration does not resolve his conflict of interest within thirty days of his appointment, or if a conflict of interest arises in the performance of his duties, the President of the Republic shall decide on the conflict of interest within thirty days of notification.

(2) The loss of office shall be announced by the President of the Republic on the proposal of the Disciplinary Council submitted through the Prime Minister.

(3) The proposal of the Disciplinary Board to impose a penalty for loss of office, which shall be accompanied by the suspension of the Secretary of State for Administration, shall be communicated to the Secretary of State for Administration. The Secretary of State for Administration may appeal against the proposal to the court within fifteen days of the communication. Until the action is finally decided, the proposal cannot be submitted to the Prime Minister.

(4) The employer's measures related to the termination or termination of the governmental service of the Secretary of State for Administration shall be taken by the Minister on the basis of a resolution of the President of the Republic.

(5) If the legal service of the Secretary of State for Government terminates on the basis of Section 228 (1) (*a), (b), (d)* or *(f)* or Section 228 (2) (*a)* , the mandate the fact of termination shall be established by the President of the Republic on the proposal of the Prime Minister.

§ 232. *[Resignation of the Secretary of State for Public Administration]*

(1) The Secretary of State for Public Administration may resign from office at any time by a written declaration addressed to the President of the Republic by the Prime Minister. The declaration shall be forwarded by the Secretary of State for Administration to the Minister, who shall forward it to the Prime Minister without delay. The Secretary of State for Administration of the Prime Minister's Office shall forward this declaration directly to the Prime Minister.

(2) In the event of the resignation of the Secretary of State for Administration, the date of termination of office shall be determined by the President of the Republic on the proposal of the Prime Minister, which may not be later than the thirtieth day after the resignation is communicated to the President. The resignation period shall begin on the day following the termination of the term of office.

3. If the Secretary of State has served for at least three years, the period of resignation shall be three months from the end of the term of office, if he has resigned earlier than three years, but for at least one year, the period of resignation shall be forty-five days. less than one year, the cancellation period is fifteen days. During the period of resignation, the Secretary of State for Administration shall be released from the obligation to work.

Section 233 *[* **Dismissal of** *the Secretary of State for Public Administration]*

(1) The Secretary of State for Administration shall be relieved of his duties by the President of the Republic on a proposal from the Prime Minister after obtaining the opinion of the Minister. The Secretary of State for Administration of the Prime Minister's Office shall be relieved of his duties by the President of the Republic on the proposal of the Prime Minister. The exemption does not need to be justified.

(2) Subject to the provisions of Section 105 (2), if the Secretary of State for Public Administration has held office for at least three years, six months, if his office has expired earlier than three years, but has held office for at least one year, he shall be entitled to three months' dismissal. , during which he is released from the obligation to work. If he has served as Secretary of State for less than one year, his term of office shall be fifteen days.

(3) For the periods specified in subsection (2), the duration of the position of senior political secretary and deputy secretary of state prior to the position of administrative secretary of state - from not counting for continuity, should be added.

(4) The Minister shall initiate the dismissal of the Secretary of State for Administration at the Prime Minister if the Secretary of State has reached the retirement age and has the length of service required for a full old-age pension.

(5) Paragraph (4) shall not apply if the Secretary of State for Administration has reached the retirement age at the time of his appointment and has had the length of service required for a full retirement pension.

(6) Paragraphs 2 and 3 shall not apply in the event of the dismissal of the Secretary of State for Administration on the initiative of the Minister pursuant to subsection (4).

Section 234 *[Appointment of the Deputy Secretary of State]*

(1) The Deputy State Secretary of the Ministry shall be appointed by the Prime Minister on the proposal of the Minister, and the Deputy State Secretary of the Prime Minister's Office on the proposal of the Secretary of State for Administration of the Prime Minister's Office.

(2) The Minister shall submit his proposal to the Prime Minister through the Secretary of State for Public Administration of the Prime Minister's Office, after seeking the opinion of the Secretary of State for Public Administration headed by the Minister responsible for administrative quality policy and personnel policy. The Secretary of State for Public Administration of the Prime Minister's Office shall submit his proposal directly to the Prime Minister, after seeking the opinion of the Secretary of State for Public Administration, headed by the Minister responsible for administrative quality policy and personnel policy.

(3) The State Secretary for Administration of the Ministry headed by the Minister responsible for administrative quality policy and personnel policy may object within fifteen days from the submission of the proposal by the Minister and the State Secretary for Administration of the Prime Minister's Office. The Secretary of State for Administration, headed by the Minister for Administrative Quality Policy and Personnel Policy, shall inform the Prime Minister of the fact of the objection and the person objected to him through the Secretary of State for Administration of the Prime Minister's Office.

(4) The Deputy Secretary of State shall take office on the date specified in his appointment, failing which he shall take office upon his appointment.

(5) The powers of the employer in connection with the governmental service of the Deputy Secretary of State shall be exercised by the Secretary of State for Administration, with the exception of appointment to and dismissal from this position.

(6) The appointed Deputy Secretary of State shall take an oath before the Prime Minister in accordance with the text of the Act on the Oath and Vow of Certain Public Officials.

Section 235 *[Remuneration of the Deputy Secretary of State]*

The Deputy Secretary of State shall be entitled to the salary for the position of Deputy Secretary of State set out in Annex 1, the amount of which shall be determined by the employer's authority without performance appraisal and on the basis of discretion.

Section 236 *[Termination of the Legal Relationship of the Deputy Secretary of State]*

(1) If the employment of a Deputy Secretary of State in governmental service is terminated pursuant to Section 228 (1) (*a), (b)* or *(d)* or Section 228 (2) (*a)* , the fact of termination of office shall be in the case of the Deputy State Secretary of the Ministry, on the proposal of the Minister, in the case of the Deputy State Secretary of the Prime Minister's Office on the proposal of the State Secretary of Administration of the Prime Minister's Office.

(2) The employer's measures related to the termination or termination of the employment of the Deputy Secretary of State in government service shall be taken by the Secretary of State for Administration on the basis of a decision of the Prime Minister.

237. § *[Conflict of interest of the Deputy Secretary of State]*

If the Deputy Secretary of State does not resolve his conflict of interest within thirty days of his appointment, or if a conflict of interest arises in the exercise of his office, the Prime Minister shall, on the proposal of the Minister. decide on the conflict of interest on the basis of a proposal within 30 days of receipt of the motion.

Section 238 *[Rules for Determining Loss of Office in the Case of the Deputy Secretary of State]*

(1) The Minister shall declare the loss of office on the proposal of the Disciplinary Board.

2. The proposal of the Disciplinary Board to impose a penalty of loss of office, which shall be accompanied by the suspension of the Deputy Secretary of State, shall be communicated to the Deputy Secretary of State. The Deputy Secretary of State may bring an action against the proposal within fifteen days of its communication. Until the action is finally decided, the proposal cannot be submitted to the Minister.

Section 239 *[Resignation of the Deputy Secretary of State]*

(1) The Deputy State Secretary of the Ministry may at any time resign from this position by the Minister, the Deputy State Secretary of the Prime Minister's Office by means of a written declaration addressed to the Prime Minister by the Administrative Secretary of the Prime Minister's Office.

(2) In the event of the resignation of the Deputy State Secretary of the Ministry, the date of termination shall be determined by the Minister or, in the case of the Deputy State Secretary of the Prime Minister's Office, by the Prime Minister. The resignation period shall begin on the day following the termination of the term of office.

(3) If the Deputy Secretary of State has held this office for at least three years, the period of resignation shall be three months from the date of termination of office, if he has terminated it earlier than three years, less than one year, the cancellation period is fifteen days. During the period of resignation, the Deputy Secretary of State shall be released from the obligation to work.

Section 240 */* **Dismissal of** *the Deputy Secretary of State]*

(1) In the case of the Deputy State Secretary of the Ministry, the Minister, or in the case of the Deputy State Secretary of the Prime Minister's Office, the State Secretary of the Prime Minister's Office may at any time propose that the Prime Minister be relieved of this post. The exemption does not need to be justified. Section 233 (2) and (3) shall apply to the dismissal of the Deputy Secretary of State.

(2) In the Ministry, the Minister, in the Prime Minister's Office, the Secretary of State for Administrative Affairs of the Prime Minister's Office shall initiate the dismissal of the Deputy Secretary of State if the Deputy Secretary of State has reached retirement age and has the full retirement age.

3. Paragraph 2 shall not apply if the Deputy Secretary of State has reached the retirement age at the time of his appointment and has completed the length of service required for a full retirement pension.

(4) In the event of the dismissal of the Deputy Secretary of State on the initiative pursuant to subsection (2), subsections (2) and (3) of Section 233 shall not apply.

§ 241. *[Head and Deputy Head of Government Headquarters]*

Subject to the exceptions provided for in this Chapter, the rules applicable to the Secretary of State for Public Administration shall apply to the employment of the Head of the Government Head Office and the Deputy Head of the Head Office of the Government.

Section 242 *[Appointment of the Head of the Government Headquarters]*

(1) The head of the head office of the government shall be appointed and dismissed by the prime minister on the proposal of the minister supervising the head office of the government, unless otherwise provided by law.

(2) The proposal of the Minister supervising the headquarters of the Government shall be submitted to the Prime Minister through the Minister responsible for administrative quality policy and personnel policy.

(3) The Minister responsible for administrative quality policy and personnel policy may object within fifteen days of the submission of the proposal and may return the proposal to the Minister supervising the Government Headquarters or forward it to the Prime Minister.

Section 243 *[Appointment of the Deputy Head of the Government Headquarters]*

(1) The Deputy Head of the Government Head Office shall be appointed and dismissed by the Minister supervising the Government Head Office on the proposal of the Head of the Government Head Office, unless otherwise provided by law.

(2) The Head of the Government Headquarters shall inform the Secretary of State for Administration of the Ministry headed by the Minister for Administrative Quality Policy and Personnel Policy of the person proposed to his deputy at least fifteen days before making a proposal to the Minister supervising the Government Headquarters. may object. The objected person may not be appointed Deputy Head of the Government Headquarters.

(3) If the head office of the government is supervised by the Minister responsible for administrative quality policy and personnel policy, paragraph (2) shall not apply.

Section 244 *[Remuneration of the Head of the Government Headquarters and the Deputy Head]*

(1) The head of the main government office is entitled to the salary of an administrative secretary of state according to the Salary Table set out in Annex 1, point I, the amount of which is determined by the exercise of the employer's authority. The head of the government headquarters is entitled to the benefits specified in the government decree.

(2) The Deputy Head of the Government Headquarters shall be entitled to the salary according to the position of Deputy Secretary of State specified in Annex 1, the amount of which shall be determined by the person exercising the employer's authority. The Deputy Head of the Government Headquarters is entitled to the benefits specified in a government decree.

245. § *[Rule applicable to the head and deputy head of the central office]*

The employment of the Head of the Central Office and the Deputy Head of the Central Office shall be governed by the rules applicable to the Deputy Secretary of State, subject to the exceptions provided for in this Chapter.

Section 246 *[Appointment of the Head of the Central Office]*

(1) The head of the central office shall be appointed and dismissed by the minister in charge of the central office, unless otherwise provided by law or government decree.

(2) The Minister in charge of the Central Office shall inform the Secretary of State for Administration headed by the Minister for Administrative Quality and Personnel Policy of the person nominated as Head of the Central Office, who may object to the proposed person within fifteen days of the notification. The person objected may not be appointed head of the central office.

(3) Paragraph 2 shall not apply if the central office is headed by the Minister responsible for administrative quality policy and personnel policy.

246 / A. § *[Appointment of Deputy Head of Central Office]*

(1) The Deputy Head of the Central Office shall be appointed and dismissed by the Minister in charge of the Central Office on the proposal of the Head of the Central Office, unless otherwise provided by law or a government decree.

(2) The head of the central office shall inform the Secretary of State for Administration, headed by the Minister responsible for administrative quality policy and personnel policy, of the person proposed to his deputy at the same time as making a proposal to the Minister in charge of administrative quality and personnel policy. The person complained against may not be appointed Deputy Head of the Central Office.

(3) Paragraph 2 shall not apply if the central office is managed by the Minister responsible for administrative quality policy and personnel policy.

Section 247 *[Remuneration of the Head of the Central Office and his Deputy]*

(1) The head of the central office shall be entitled to the salary of an administrative secretary of state in accordance with the Salary Table set out in point I of Annex 1, the amount of which shall be determined by the exercise of the employer's authority. The head of the central office, with the exception of paragraph 1a, shall be entitled to the benefits specified in the government decree.

1a. The head of a central office which does not perform its duties in the whole territory of the country shall be entitled to the salary of the head of the department according to the Salary Table in Annex 1, point I, unless otherwise provided by law or government decree. The amount of the salary is determined by the employer.

1b. law or government decree may, for the remuneration of the head of the central office referred to in paragraph 1a, order the application of paragraph 1 instead of paragraph 1a.

2. The Deputy Head of the Central Office shall, with the exception provided for in paragraph 2a, be entitled to the salary of a Deputy Secretary of State as defined in Annex 1, the amount of which shall be determined by the employer.

2a. The Deputy Head of the Central Office pursuant to paragraph 1a shall, unless otherwise provided by law or government decree, be appointed in accordance with Annex 1, Part II. is entitled to the salary of the head of the department according to the Salary Table included in point. The amount of the salary is determined by the employer.

2b. law or government decree may order the application of paragraph 2 instead of paragraph 2a for the remuneration of the deputy head of the central office referred to in paragraph 1a.

§ 248 *[Rule applicable to the Director-General, appointment of the Director-General]*

(1) The rules applicable to the Head of Department shall apply to the employment of the Director-General in government service, with the exceptions provided for in this Chapter.

(2) The Director General of the Government Office shall be appointed and dismissed by a Minister appointed by Government Decree to manage the Government Office on the proposal of the Government Agent.

(3) A director general may be appointed who has a higher education degree and at least 5 years of managerial experience. At the request of the Government Agent in charge of the Government Office, the Minister appointed to manage the Government Office by Government Decree may grant an exemption from the existence of a managerial practice in exceptionally justified cases.

Section 249 *[Exercise of the employer's authority over the Director-General]*

Above the Director-General, with the exception of appointment, dismissal, initiation of disciplinary proceedings and imposition of disciplinary sanctions, the employer's rights are exercised by a government agent.

§ 250 *[Remuneration and other allowances of the Director-General]*

(1) The salary of the Director-General shall be determined by the exercise of the employer's authority so that the monthly salary is equal to the salary of the Deputy Secretary of State.

(2) The Deputy Director-General's leave of absence shall be equal to that of the Deputy Secretary of State.

XXXIII. CHAPTER

THE PROFESSIONAL LEADER

250 / A. § *[Rules applicable to professional managers]*

The general rules of government service shall apply to the government service relationship of a professional manager, with the exceptions and exceptions specified in this Act.

Section 251 *[Appointment of the Director]*

1. The Director shall be appointed and dismissed by the Government Agent on the proposal of the Director General. In the event of a vacancy in the post of Director-General or the impediment of the Director-General, the appointment of the Director shall be decided by the Government Commissioner.

(2) A director may be appointed who has a higher degree in administrative organization, a lawyer's qualification or a diploma in administrative management or an economist's qualification, as well as a legal or administrative examination, a master's degree in public science or a degree in government studies and at least 5 years in public administration.

Section 252 *[Exercise of the employer's authority over the director]*

With the exception of initiating disciplinary proceedings and imposing disciplinary sanctions, the employer's rights over the director are exercised by a government agent.

Section 253 *[Director's Remuneration and Other Benefits]*

(1) The salary of the director shall be determined by the exercise of the employer's authority by the fact that the salary is the same as the salary of the head of the department.

(2) The leave of the director shall be equal to the leave of the head of the department.

Section 254 *[Rules Applicable to the Registrar]*

The provisions applicable to the Head of Department shall apply mutatis mutandis to the Registrar.

§ 255 *[Appointment of the Registrar]*

(1) The Registrar shall be appointed and dismissed by a Minister appointed by government decree to direct the Government Office on the proposal of the Government Agent.

(2) A head of office may be appointed who has a criminal record of at least five years 'administrative experience or at least three years' experience in a managerial position or managerial position in an administrative body. With regard to this §, the activities of members of parliament, the chairmanship of the county parliament and the mayor are also considered administrative practices.

(3) The Registrar shall take office on the date specified in his appointment. The appointed Registrar shall take an oath before the Minister appointed by Government Decree to direct the Government Office with the text in accordance with the Act on the Oath and Vow of Certain Public Officials.

Section 256 *[Conflict of interest of the Registrar]*

(1) The Registrar may not establish any additional employment relationship - with the exception of scientific, educational, artistic, proofreading, editorial and legally protected intellectual activity, the employment relationship with foster parents, as well as voluntary activity in the public interest. local government representative, non-representative member of the representative body committee, member of the capital city, county assembly, mayor, chairman of the county assembly, mayor, deputy mayor, vice-chairman of the county assembly, deputy mayor, chairman of the national self-government and national self-government.

(2) Paragraphs
(6) - (9) of Section 95 shall apply to scientific, educational, artistic, proofreading, editorial and legally protected intellectual activity, the employment relationship of foster parents, and voluntary activity in the public interest .

Section 257 *[Exercise of the employer's authority over the Registrar]*

(1) With the exception of appointment and dismissal, the employer's rights over the Registrar shall be exercised by the Government Agent.

(2) If it is justified to impose a penalty of loss of office against the Registrar, the Minister appointed by a government decree to direct the Government Office shall decide on the proposal of the Government Agent to do so. In his proposal, the Government Agent shall inform the Minister appointed by Government Decree to manage the Government Office of the findings and results of the disciplinary proceedings conducted and of other relevant circumstances of the disciplinary offense.

Section 258 *[Termination of the Registrar's Government Service]*

The employment of the Registrar in the service of the Government shall be terminated:

a) by resignation,

b) by dismissal,

c) with his death,

d) if it is no longer possible to elect members of parliament,

e) establishing its conflict of interest,

(f) by transferring his post to the centralized post.

§ 259. *[Remuneration of the Registrar]*

The salary of the clerk is determined by a minister in a government decree on the proposal of the government commissioner to manage the government office, taking into account the characteristics of the given district, district office, especially the district .

Section 260 *[Appointment of Deputy Registrar]*

(1) The Deputy Registrar shall be appointed and terminated by the Government Agent on the proposal of the Registrar.

(2) A deputy head of office may be appointed who has a bachelor's degree and an administrative qualification, a bachelor's degree and an international administrative qualification, a master's degree and a diploma in public administration, a master's degree and a bachelor's degree, a European degree

§ 261. *[Exercise of employer's rights over the Deputy Registrar]*

With the exception of appointment, termination of employment, initiation of disciplinary proceedings and imposition of disciplinary sanctions, the employer's rights over the Deputy Registrar shall be exercised by the Registrar.

262. § *[Remuneration of the Deputy Registrar]*

The salary of the deputy registrar is determined by the government commissioner on the proposal of the registrar in the amount corresponding to the salary of the head of the ministry department, taking into account the characteristics of the given district or district office, especially the district population, organization, duties and staff of the district office.

262 / A. § *[Freedom of Deputy Registrar]*

The replacement leave of the Deputy Registrar shall be equal to that of the Head of Department.

Section 263 *[Appointment of Head of Department and Head of Department]*

(1) In terms of the division of labor, the head of a separate organizational unit may be appointed to the position of professional manager (head of department or department head).

(2) The Secretary of State for Administration shall inform the Secretary of State for Administration of the Minister for Administrative Quality and Personnel Policy of the person proposed for the post of Head of Department and Head of Department, who may visit the proposed person within fifteen days of being informed. . The objected person may not be appointed to the position of professional manager (department head or department head). The Secretary of State for Administration, headed by the Minister for Administrative Quality Policy and Personnel Policy, shall inform the Prime Minister of the fact of the objection and the person objected to by the Secretary of State for Administration in the Prime Minister's Office.

(3) The conditions necessary for the filling of the positions of heads of departments and heads of departments shall be established by a government decree.

Section 264 *[Replacement of Head of Department and Head of Department]*

(1) The head of the department shall be replaced by the head of the department appointed in the rules of procedure of the department.

(2) If the department is not divided into departments or the department is divided exclusively into departments directly headed by the head of the department, the head of the department shall be replaced by a government official appointed by him in writing.

(3) Upon the decision of the head of the department, the head of the department shall be replaced by the head of the department or a government official appointed in writing by the head of the department or the head of the department.

Section 265 *[Remuneration of the Head of Department and Head of Department]*

1. The head of a department shall be entitled to a salary in accordance with the position of head of department specified in Annex 1, the amount of which shall be determined by the employer.

(2) The head of the department is entitled to the salary according to the position of the head of the department specified in Annex 1, the amount of which shall be determined by the employer.

(3) The head of the department of the government office is listed in Annex 1, Part II. is entitled to the salary according to the position of the head of the department specified in point 1, the amount of which is determined by the exerciser of the employer's authority.

(4) The Head of the Department of the Government Office is listed in Annex 1, Part II. is entitled to the salary according to the position of the head of the department specified in point 1, the amount of which is determined by the exercise of the employer's authority.

PART EIGHT

GOVERNMENT OFFICIALS AND GOVERNMENT ADMINISTRATORS OF GOVERNMENT OFFICES

XXXIV. CHAPTER

§ 266

XXXV. CHAPTER

SPECIAL PROVISIONS CONCERNING GOVERNMENT SERVICE LEGAL RELATIONS

267. §

268. §

269. §

§ 270 *[Recognition of service and severance pay]*

(1) Degree of recognition of service

(a) two months in the case of 20 years' service,

b) three months in the case of twenty-five years' service,

(c) five months in the case of thirty years' service,

(d) thirty-five months, and every five years thereafter, seven months

amount corresponding to the salary.

(2) The amount of severance pay shall be the equivalent of ten months 'salary after twenty-five years' service.

271. §

272. §

273. §

274. §

275. §

276. §

Section 277 *[Secondment between Government Offices]*

(1) A government official may be seconded from the government office of his or her place of employment (hereinafter: secondee) to work at another government office if the government office of the place of secondment is otherwise unable to perform an official task effectively. During the secondment, the place of work may be changed only if it is strictly necessary for the performance of the duties of the government office of the place of secondment. Secondment between government offices does not require the consent of a government official.

(2) Secondment shall be made on the basis of an agreement between government agencies, with the appropriate application of Sections 99 and 100, provided that:

(a) the fundamental rights of the employer are exercised by the head of the secondment's official body, subject to the derogations provided for in paragraph 3,

(b) by agreement, the secondment may last until the task has been performed, but for a maximum of six months per calendar year, provided that the place of employment does not change; if the performance of the official task can be ensured for a longer period of time, the secondment shall be extended until the performance of the task,

(c) if the performance of the official task can be solved only by working for a government office in another locality, the duration of the secondment shall not exceed fifty working days per calendar year. Secondment between government offices may also take the form of a framework agreement.

3. In the case of secondment between government offices, the basic rights of the employer shall be exercised by the head of the secondment's official organization and the government office of the place of secondment as follows:

(a) if, during the secondment, a government official behaves in a manner which justifies the initiation of disciplinary, damages or damages proceedings, the head of the administrative office of the place of secondment shall be entitled to initiate proceedings with the head of the seconding office;

b) if the head of the office of the government office of the place of secondment becomes aware of the reason for the exclusion of employment, he shall initiate termination of dismissal with the head of the office of the posting office,

c) if the head of the office of the government office of the place of secondment becomes aware that a reasonable suspicion of a crime to be prosecuted against a government official has been communicated, the head shall immediately inform the head of the office of the posting office, informing the official of the post office,

(d) the head of the official body of the governmental office of secondment shall be entitled to give instructions in connection with the performance of the task referred to in paragraph 1,

(e) if the period of secondment exceeds two months, the head of the official body of the governmental office of the place of secondment shall be entitled to leave;

(f) the head of the official body of the government office of the place of secondment shall be entitled to order extraordinary work during the period of secondment.

(4) The agreement between government agencies shall contain

(a) the task giving rise to the secondment in accordance with paragraph 1,

b) the duration of the secondment,

c) place of work (if this is not permanent, an indication of this),

(d) detailed rules for the payment of salaries and other costs incurred in connection with the task referred to in paragraph 1.

(5) The agreement between government agencies may not provide for derogations from the rules set forth in paragraph (3); in the absence of the provisions set forth in paragraph (4), the secondment agreement shall be void. In the event of a dispute or in the absence of an agreement, the employer's rights and the fulfillment of the obligations related to the legal relationship shall be the responsibility of the head of the secondment's office organization.

6. Paragraph 2 (*a)* and paragraph 3 shall not apply if the exercise of the fundamental rights of the employer is the same as the body or person in respect of the government office of posting and the place of secondment.

PART NINE

RULES OF EMPLOYMENT IN EMPLOYMENT

Section 278 *[Different rules applicable to employees]*

(1) The Mt. shall apply to the employment of employees employed by a government administrative body with the exceptions specified in this Act.

(2) Paragraphs (8) to (15), Section 72 and Paragraphs (5) to (7) of Section 95 shall apply to the employment relationship of an employee employed by a government administrative body.

(3) In the event of dismissal for reasons related to the operation of the employer, the employee shall be entitled to the absence allowance for the period of exemption from work obligation in equal monthly installments, and the severance pay shall be paid on the last day of the notice period.

(4) An employee if, during the period of exemption from the obligation to perform work, establishes a full-time or part-time employment relationship with a budgetary body or an economic organization under the majority influence of a budgetary body,

(a) must immediately inform his employer in writing of this fact,

b) is not entitled to an absence allowance for the remainder of the period of notice,

(c) is not entitled to severance pay, but in calculating the period on which the severance pay is based, the period of entitlement to severance pay based on the termination of the termination shall also be taken into account.

(5) In addition to those specified in the Mt., the employment of an employee employed by a government administrative body may be terminated by termination by the employer.

a) in the case pursuant to Section 107 (1) *a)* and *b)* ,

b) if the employee fails to apply for prior authorization pursuant to Section 95 (5) and (7) or to make a notification pursuant to Section 95 (6).

(6) The employment relationship of an employee employed by a government administrative body is governed by Articles 71-76 of the Mt. §, 82–84. § 158 (1) and (3) and § 159 shall not apply. In their case, Sections 110, 116 and 137 of this Act shall apply.

(7) In the case of employees, the regulations under this Act and the public service regulations shall be deemed to be the employer's regulations pursuant to Section 17 of the Labor Code.

Section 279 *[Establishment of Employment]*

(1) An employment relationship may be established for the performance of the tasks of a government administrative body, taking into account the provisions of subsections (2) and (3).

1a. The employee's employment contract shall include the employee's job ID. The job description of the employee must specify the tasks to be performed by the employee at the employee's position. Section 59 shall apply to the employee's employment relationship, provided that, unlike Section 58 of the Labor Code, in case of transfer to another position, the employer body is also entitled to unilaterally amend the employment contract, provided that in this case the employee's employment relationship is governed by Section 89 (3). shall apply mutatis mutandis.

(2) The tasks that may be performed at the government administrative body within the framework of employment are determined by the regulations of the government administrative body.

(3) Employment may be created in any position belonging to the basic staff of the government administrative body or in a position authorized by the Government to be filled from the centralized staff of the central government administration body, regardless of its classification.

(4) The number of positions filled in the government administrative body within the framework of employment shall not exceed 10 per cent of the basic number of the government administrative body and the number of positions authorized for the government administrative body to fill.

(5) The rate specified in subsection (4) shall not apply to employees of the ministry headed by the Minister responsible for general political coordination, employees responsible for and supporting the tasks related to the supervision of public procurement, and persons employed by the Prime Minister's Office. In other cases, the Minister responsible for administrative quality policy and personnel policy may grant an exemption from the 10% rate in justified cases.

(6) An employment relationship may be established with a person with a criminal record and a legal capacity who complies with the qualification requirements established for the position and the safety conditions. It is not possible to establish employment with a government administrative body with a person who is a criminal offense against the state (Chapter XXIV of the Criminal Code and Chapter X of Act IV of 1978), a crime against justice (Chapter XXVI of the Criminal Code and Act IV of 1978). Chapter XV, Title VI), a crime of corruption (Chapter XXVII of the Criminal Code) or a crime against the purity of public life, and a crime against the purity of international public life (Act XV of Chapter XV, Titles VII and VIII of 1978), an official crime (Chapter XXVIII of the Criminal Code and Title IV of Chapter XV of Act IV of 1978) and a crime against public trust (Chapter XXXIII of the Criminal Code). Chapter) is subject to criminal proceedings. The employee makes a written confidentiality statement, until which it cannot be hired.

(7) A person intending to establish an employment relationship shall certify with an official certificate that he or she has a criminal record, is not subject to the criminal proceedings specified in subsection (6), and that he or she is not subject to a prohibition on engaging in an employment relationship. The provisions of Section 84 shall apply to the attestation with an official certificate.

(8) The government administrative body shall keep a labor register in order to fulfill the rights and obligations arising from the employment relationship. The data content of the register, except for the data relevant only for government officials, is the same as the data in the basic civil service register of government officials according to Annex 3. The rules on the basic civil service register shall otherwise apply to the labor register, provided that the government administrative body handles the data in the labor register for 5 years after the termination or termination of employment.

PART TEN

FINAL PROVISIONS

Section 280 *[Interpretative provisions]*

(1) For the purposes of this Act

1. *basic number:* the number of positions established for the government administration body by the Government on the basis of the public duties of the government administration body, taking into account the proposal of the Minister leading, managing or supervising the government administration body;

2. *basic employer's right:* initiation of appointment, termination of legal relationship, disciplinary and compensation proceedings, as well as proceedings for payment of damages, disciplinary action, compensation, damages, establishment of conflicts of interest, modification of the content of appointment;

Position 3: a tool for task-based allocation of human resources available in government administration;

4th *weekly working time:* normal working time *assigned to* the week;

5. *daily working time according to the schedule:* normal working hours *assigned to* the working day;

6. *night work: work performed* between twenty-two and six hours;

7. *preparatory or finalizing activity:* the performance of all tasks that a government official is required to perform in connection with the duties to be performed in his or her position, as usual and on a regular basis, without special instructions;

8. *disabled child:* a child in respect of whom a higher amount of family allowance has been established under the Family Support Act;

9. *child:* a *child* brought up or cared for in his or her own household in accordance with the rules on family support;

10. a *government official raising a child alone:* one who raises his or her child in his or her own household and is single, unmarried, widowed, divorced or separated from his or her spouse and has no partner;

Week 11 *: one* hundred and sixty-eight hours without interruption as determined by the calendar week or by the holder of the employer's authority, if, due to the employer's activities, the beginning and end of the daily working time on the schedule do not fall on the same calendar day;

12. *weekly rest or public holiday:* the concept of a working day shall apply mutatis mutandis to the definition of a weekly rest or non-working day, with the period between seven hours and twenty-two hours being considered a weekly rest or non-working day;

13. *relatives:* the *relative in* the direct line and his spouse; the adoptive, stepfather and foster parent; the adopted, stepfather and foster child; the sister; the spouse, the life partner, the registered partner; the spouse, registered relative of the spouse, registered partner and the spouse, registered partner of the brother;

14. *competency test:* a comparison of the requirements imposed on the applicant for different positions and the applicant's actual skills and abilities, assessment of his / her suitability for work, during which a personal interview, aptitude test, assessment center may be used;

15. *government officials:* a professional senior manager and a professional manager and administrator acting within the duties and powers of the governmental administrative bodies listed in § 2, who prepare matters within the duties and powers of the governmental administrative body for a substantive

decision or, in the case of authorization, the decision publishes;

16. *public administration body:* a *body* covered by the Civil Service Officials Act and a government administrative body;

17. " *compulsory medical examination" means* a medical examination in which a government official is required by law to undergo a medical examination, including a medical examination prescribed in view of the pregnancy condition;

18. *administrative practice:* time spent in the employment of government officials, government service, public service, civil service, tax and customs service, public administration, continuously in the administrative service or its predecessor body, regardless of the fact that the legal this or not, as well as experience gained in a body subject to the Act on the Employment of Professional Staff of Bodies Performing Law Enforcement Tasks;

19. *trade union represented in a government administration body:* a trade union which, in accordance with its statutes, operates a body authorized to represent it in a government administration body or has an official;

20. *Public service regulations:*

a) by the head of the administrative body of the government administrative body - Act CXXX of 2010 on Legislation. as a means of regulating public bodies for the application of the Act - a normative instruction issued in matters specified in this Act and in matters falling within the general employer's regulatory competence of the head of the public organization, or

b) if the head of the public administration body is not entitled to issue a public law regulatory instrument, internal, normative regulations issued in other forms by the head of the public administration in matters specified in this Act and in matters falling within the general employer's regulatory competence of the head of the public administration body;

21. *non-deductible part of the salary:* the part of the salary remaining after deductions that can be made under the Judicial Enforcement Act;

22. " *working time" means* the time from the beginning to the end of the working time and the duration of the preparatory and final activities related to the work, excluding, in the case of on-call time, breaks between lunch, lunch, the actual place of residence or stay of the government official; the place of work and the duration of the journey from the place of work to the place of residence or stay;

23. *seasonal activity:* the *activity of* the employer is linked to a period or time of the year, regardless of the organization of work;

24th *working day:* twenty-four hours without interruption as determined by the calendar day or by the employer, if, due to the operation of the governmental administration, the beginning and end of the daily working time according to the position do not fall on the same calendar day;

25. *daily working time:* full-time or part-time work as defined by the parties or by law;

26. *grandparent:* the adoptive parent of the child's parent by blood and his or her cohabiting spouse;

27. *international administrative expert activity: expert activity related to* the export of international state-of-the-art state digital solutions and the development of its program, involving the performance of tasks abroad for a fee;

28. *probation officer:* who prepares a probation officer's opinion, environmental study, conducts mediation proceedings in criminal matters, ensures the implementation of work in the public interest, performs probation supervision, performs aftercare and performs other tasks specified by law in accordance with the individual probation officer plan;

29. *freedom: fundamental freedom and additional freedom* under this Act;

30. *trade union: an* employee representative body, any organization of government officials whose primary purpose is to promote and protect the interests of government officials in connection with their governmental service;

31. *personnel center:* a body performing tasks related to the selection, qualification, training, further training, performance appraisal, remuneration and liability systems of government officials and managing the records in accordance with this Act;

32. *body designated for government personnel administration:* a body designated by the Government to perform government personnel administration tasks under this Act;

33rd *parent:*

(a) the blood and adoptive parents and the cohabiting spouse,

(b) a person who wishes to adopt a child living in his or her own household and the procedure for doing so is already under way,

c) the guardian,

(d) foster parent and surrogate parent;

34. *additional legal relationships:*in particular civil service, in the case of existing government service, other government service, tax and customs service, employment, political service, civil servant, defense staff, law enforcement administrative service, , judicial employee service or employment relationship, prosecutor's office, professional (contractual) service legal relationship, scholarship employment legal relationship, employee employment relationship, cooperative membership relationship including work obligation, professional group membership relationship, business and assignment-based relationship and personal contribution activity as a member of a commercial or civil law partnership or sole proprietorship,legal relations for the performance of legal and individual entrepreneurial activities, as well as scientific, educational, artistic, proofreading, editorial and legally protected intellectual activities, legal relations for the employment of foster parents, legal relations for the performance of voluntary activities in the public interest and public legal relations for project evaluators.

(2)

(3) For the purposes of this Act, a government official shall be deemed to be a pensioner if

(a) has reached the retirement age and has completed the length of service required for the old-age pension (entitlement to an old-age pension),

b) receives a retirement pension before reaching the retirement age,

c) has reached the retirement age and has received an old-age, invalidity pension in the form of an old-age, invalidity pension (pension), a church or denomination pension, an old-age pension, an old-age pension, an old-age pension obsession

d) requests his dismissal pursuant to Section 107 (2) (*e)* .

4. A government official shall receive a benefit under paragraph 3 (*b)* or *(c)* when the benefit has been definitively established.

(5) A government official shall inform the employer if he or she falls within the scope of subsection (3).

(6) For the purposes of applying Section 104 (1) (*h)* and Section 107 (1) (*e)* , a civil servant shall be entitled to a retirement pension in the case referred to in subsection (3) (*a) - (c)* .

Section 281 *[Authorizing Provisions]*

(1) It is authorized by the Government to issue a decree

1. determine the allowances of the Minister, the Secretary of State, the Government Plenipotentiary, the Secretary of State for Administration, the Deputy Secretary of State, the Government Commissioner, the Prime Minister's Commissioner, the Prime Minister's Deputy, the Ministerial Commissioner, the Head and Deputy Head of Government ;

2.

3. confer management powers on the government commissioner.

(2) The Government shall be authorized to determine by decree

1. detailed rules concerning the tasks and powers, organization, operation and control of government agencies;
2. detailed rules for the management of the government office and district offices, the Minister of Professional Administration, the Minister of Professional Administration other than the provision specified in the Government Decree on the Duties and Powers of the Members of the Government, and other bodies;
3. management rules for the government office;
4. the headquarters and areas of competence of the district offices, except for the district offices of the capital, the district office performing the functions of the county seat of the county seat in Pest county, and the district office performing the functions of the county office of the county seat in the capital;
5. the duties and powers of the district offices, the area of competence of the government windows and the rules for their operation;
6. rules for the selection and training of persons to perform tasks related to the government window;
7. procedural rules for simplified official control of the district office.
(3) The Government shall be authorized to determine by decree
1. rules for determining and reviewing the basic number of government administrations;
2. the rules of procedure for centralized posts, the procedure for applying for and assessing a post in a centralized post and the procedure for reinstating a post in a centralized post;
3. rules on the content and maintenance of the job register and the entitlement management register;
4. the arrangements for audits of the basic number of government administrations, the centralized staff and the post;
5. the procedural rules related to the change of position pursuant to Section 55 (4a) and (4b) and the tasks of the person exercising the employer's authority;
6. posts in 1 / A. §.
(4) The Government shall be authorized to determine by decree
1. the rules for the exercise of the employer's authority in relation to employment relationships covered by this Act;
2. the criteria and framework for determining the professional and qualification requirements that may be established by the employer in relation to the post;
3. the conditions required for the post of Head of Department and Head of Department;
4.
5. detailed rules of the scholarship relationship;
6. the detailed rules of the guarantee pursuant to Section 149 (2);
7. detailed rules for social assistance to be provided to a government official;
8. reimbursable and non-refundable allowances, grants and benefits that may be provided to government officials under this Act, as well as those - including those set forth in Annex XX. Benefits and allowances under this Chapter - the amount and conditions, the procedure for assessing and accounting for benefits, allowances and benefits, the rules for making and amending the cafeteria benefit declaration, and the rules for repayment;
9. rules on the content of the public service regulations;
10. detailed rules on the selection, the recruitment database and the content elements of the curriculum vitae;
11. the range of data required for the entry card of government officials performing probation duties;
12. detailed rules for covering the additional costs and daily subsistence allowance of a government official on a domestic mission;
13. detailed rules for the temporary secondment of a government official abroad for a period not exceeding three months;
14. detailed rules concerning the governmental service status and the special legal status of a civil servant participating in a development program financed by the European Union or international organizations or as an expert employed by international organizations;
15. detailed rules concerning the legal relations and special status of government officials employed as institutions of the European Union and international organizations as national experts;
16. the amount and scope of the guaranteed minimum wage for government officials, after consultation of the National Economic and Social Council;
17. detailed rules on teleworking and working from home;
18. the conditions for granting a recognition to a government official and the amount of the allowance for recognition not specified in this Act;
19. detailed rules for performance evaluation;
20. the training, retraining, retraining and administrative management of government officials and on the sectoral management and supervision of retraining;
21. the period of government recess;
22. detailed rules concerning the organization and procedure of the Civil Service Arbitration Committee, its decision, the organization supporting its operation, procedural deadlines, the legal status of the Civil Service Arbitration Committee, its allowances and the conflict of interest of a member of the Civil Service Arbitration Committee;
23. the sectors and posts affected by the restriction on employment, the rules for exemption from the restriction and the criteria for defining a company as having its principal activity as a principal activity;
24. detailed rules for civil service personnel registers, labor registers and the collection of civil service statistics;
25. detailed rules for earmarking;
26. detailed rules on disciplinary proceedings;
27. detailed rules on the content of the agreement concluded for the performance of the educational task;
28. the content, type, conditions of performance of the international administrative expert activity, detailed rules for the authorization of the international administrative expert activity and the agreement related to the target task;
29. the rules on information and other obligations imposed on the employee, the head of the official organization and the employer in connection with the establishment and existence of government service, political service, commissioner employment and employment;
30. non-regular personal benefits for which the government administrative body is not required to inform the government personnel administration body in advance;

31. rules for determining the content of a written employer measure on temporary employment other than appointment;

32. the rules for the operation of the register pursuant to Section 177 (9) by the National Civil Service University,

33. procedural and other transitional rules related to the transformation of the legal relationship of the employees of the new government administrative body created by the transformation.

(5)

(6) The Government is authorized to appoint by decree

1. the person exercising the employer's right;

2. a body performing the central tasks of the government personnel administration,

3. the governmental administrative body performing the functions of the personnel center;

4. and 33 / A. § bodies authorized to establish a joint official organization;

5. the exam organizer pursuant to Section 177 (10).

(7) The Government is authorized to determine the detailed tasks and powers of the body performing the central functions of the government personnel administration and the government administration body performing the functions of the personnel center, and the detailed rules for the participation of the body performing the central functions of the government personnel Regulation.

(8) The Government is authorized to establish in a decree a lower or upper limit higher than the lower or upper limit of the salaries specified in this Act.

(9) The Prime Minister or the Executive Prime Minister shall be authorized to appoint another minister exercising the powers of the Minister by decree and to confer the power of management on the Prime Ministerial Commissioner.

(10) The Minister appointed by decree to manage the government office shall be authorized to determine in a decree the personal and technical conditions for the operation of government windows and document offices.

(11) The Minister responsible for justice is authorized to lay down in a decree the rules for the examination of the probation officer, government official working as a body appointed as a probation officer, legal aid and victim support service, as well as a compensation authority.

(12) The Government is authorized to determine in a decree the procedure of redemption of liberty pursuant to Section 289 and the rules of its payment.

(13) The Government is authorized to determine in a decree the method of calculating income pursuant to Section 286 (5).

(14) The Government is authorized to determine by decree the method of calculating income pursuant to Section 296 (8).

(15) .

Section 282 *[Entry into Force]*

(1) This Act, with the exception of paragraphs (2) and (3), shall enter into force on 1 January 2019.

(2) Section 327 shall enter into force on 2 January 2019.

(3) A 296–323. §, a 325–326. §, § 328 and § 330 shall enter into force on 1 March 2019.

Section 283 *[Transitional provision for the date of application of the Act]*

(1) The provisions of this Act, with the exception specified in subsection (2), shall apply from 1 March 2019.

(2) Section 2, Section 4, Part Two, Section IX. Chapters 3 to 10 and 284 to 291. § shall apply from 1 January 2019.

(3) Until 28 February 2019

(a) may perform the duties of a government official holding the position of deputy head of department upon the entry into force of this Act;

(b) a senior political leader, political leader, commissioner, professional senior manager and professional leader who is in a legal relationship or holding a position at the time of the entry into force of this Act may perform the duties arising from his or her job or mandate;

c) for the professional management of government offices, Act CXXVI of 2010 on Amendments to the Law on Capital Offices and County Government Offices and on the Establishment of Capital Offices and County Government Offices and Territorial Integration. (hereinafter: Khtv.) shall apply as of 31 December 2018.

(4) Until 28 February 2019

a) the Government Service Officer, Government Case Manager, Political Adviser, Political Adviser, Chief of Staff, as well as the Government Secretary of State for Public Administration and the Deputy State Secretary employed by the Central Government Administration,

b) the employment of the Prime Minister, the Minister, the Secretary of State in the service of the Head of State, the Government Commissioner, the Prime Minister's Commissioner, the Prime Minister's Deputy, the Minister's Commissioner, the Head of the Government Headquarters and the Central Office,

c) the public service relationship between a public official and a public case manager employed by a territorial government administrative body in accordance with Article LII of 2016 on public officials. Act (hereinafter: Act),

d) the legal relationship of the Government Agent, the Director General and Director of the Government Office, and the Head and Deputy Head of the District Office in accordance with the Public Procurement Act,

e) for the employment of an employee of a government administrative body, the Kttv.

The provisions in force on 31 December 2018 shall apply.

5. The data subject referred to in points (a) to (*b)* and *(d) to (e)* of paragraph 4, with *the* exception of paragraphs 7 and 8, shall, until 28 February 2019, is entitled to his salary or remuneration or wages.

(6) If the salary of the person concerned pursuant to subsection (5) has been determined to a reduced extent for the year 2018, with the exception of paragraphs 7 and 8, until 28 February 2019 to the salary due to him or her on 1 January 2019. entitled.

(7) If, pursuant to the provisions of the law governing him or her pursuant to subsection (4), a change in the salary of the person concerned pursuant to subsection (5) is made between 2 December 2018 and 28 February 2019 on the basis of his / her legal relationship or shall be entitled to the salary thus determined until 28 February 2019.

8. If a person referred to in subsection (5) receives a managerial appointment or is transferred from a managerial position to a non-managerial position between 2 December 2018 and 28 February 2019, he or she shall be entitled to the salary specified in the amendment to the appointment until 28 February 2019.

(9) If the legal relationship of the person concerned pursuant to subsection (5) was established after 1 December 2018, the salary according to his / her appointment document shall be taken into account for the application of subsection (5).

(10) As of 1 March 2019, only those provisions of the Act which are not regulated by this Act shall apply to the bodies and officials subject to this Act.

§ 284 *[Transitional provision for classification of posts]*

(1) The Government - taking into account the provisions of Section 286 (1) and (2) - shall establish the criteria for the appointment of government officials.

(2) A position belonging to the basic staff of a government administrative body shall be deemed to be a position in the classification category pursuant to Section 57 (1) and (2) for which the government official shall determine the criteria determined by the Government on the basis of paragraph (1) and It may be ordered on the basis of the provisions of Section 286 (1) and (2).

(3) The Minister leading, directing or supervising a government administrative body may make a proposal by 5 February 2019, taking into account the considerations set out in subsection (1) and the provisions of section 286 (1) and (2) - the body designated for government personnel administration to amend the classification of positions in the basic staff of the Ministry headed by it and the government administrative body managed or supervised by it in accordance with paragraph (2), so that the proposal shall include the section 286 (1) or (2) - the amount of salary.

(4) In making a proposal pursuant to subsection (3), subsections (4) and (5) of section 51 shall be applied accordingly.

(5) The Government shall decide on the proposal pursuant to paragraph (3) and, taking into account the adopted proposals, shall approve the classification of the positions belonging to the basic number of government administrative bodies in accordance with paragraph (2).

(6)

§ 285 *[Transitional provision for the transformation of legal relations]*

(1) From 1 March 2019

a) the employment service of a government official, a government affairs manager employed by the central government administration body, and the Secretary of State for Administration and the Deputy Secretary of State for government service under this Act,

b) the employment of the Prime Minister, the Minister, the Secretary of State for political leadership under this Act, the term of office of the Government Commissioner, the Prime Minister and the Commissioner of the Commissioner under this Act, the term of office of the Prime Minister shall be this Act,

c) the service of the Political Adviser and the Chief Political Adviser and the Chief of Staff in the Government shall become a political service,

d) the civil service status of state officials and state case managers employed by a territorial government administrative body shall be the status of government service under this Act

transforms.

(2) The person concerned shall be informed of the transformation of the legal relationship pursuant to subsection (1) by 15 March 2019, an appointment document pursuant to this Act shall be issued to him or her, and his or her salary shall be determined on the basis of § 286.

(3) The data subject may perform the duties performed on the basis of his or her job on 28 February 2019 until the duties to be performed at the position or the professional conditions for filling the position pursuant to Section 58 (2) change.

(4) By way of derogation from subsection (2), the transformation of the legal relationship between the Prime Minister, the Minister, the Secretary of State, the Government Agent, the Government Commissioner, the Prime Minister and the Ministerial Commissioner shall not affect the mandate or appointment, nor shall it create information obligation.

(5) The Kttv. A government case manager pursuant *to* paragraph 1 (a) shall be re - employed as a government official if he or she fulfills the general conditions for appointment. If the government case manager does not comply with the general conditions of appointment, his or her legal relationship shall be terminated in accordance with the provisions of Section 114 (3).

(6) By way of derogation from subsection (1), the legal relationship of the person concerned shall not be transformed into a legal relationship under this Act if the legal relationship is terminated after the entry into force of this Act on the basis of an agreement concluded before 1 March 2019 or a unilateral declaration of one of the parties.

7. In the event of a transformation of the legal relationship of the person concerned pursuant *to* paragraph 1 (*a)* and *(d)* , the legal relationship shall be continuous in terms of probation, severance pay and recognition of service, and in the case of transformation pursuant to paragraph 1 (*c)* should be considered.

(8) The entry into force of this Act and its application pursuant to Section 283 (1) shall not interrupt the limitation of claims arising from the legal relationship existing on 28 February 2019.

(9) The data subject referred to in subsection (1) *a), c)* and *d)* shall be released upon the written request of the document referred to in subsection (2) within five working days after the notification of the document pursuant to subsection (2). that his salary prior to the change of appointment shall be understood as the salary pursuant to Section 283 (5) - (9).

(10) The employer may, with his consent, transform the employment of an employee employed by a government administrative body into a government employment relationship as of 1 March 2019, provided that his or her salary may not be less than the salary due to the employee on 1 December 2018. If the employment relationship was established after 1 December 2018, in the case of reorganization of the legal relationship, the salary may not be less than the salary according to the employment contract.

Section 286 *[Transitional provision for determining salary]*

(1) The salary of the person concerned pursuant to Section 285 (1) *a)* and *c)* shall be determined in such a way that it may not be less than the amount as the salary of the person concerned - including the basic salary, the basic salary deviation, was entitled to the salary supplement and the salary supplement on the basis of the deed of appointment on 1 December 2018 by:

a) a change in the amount of salary after 1 December 2018 based on the time spent in the legal relationship,

b) the foreign language proficiency allowance established after 1 December 2018,

(c) in the case of transfer to a management post or from a management post to a non-managerial post after 1 December 2018, the salary according to the change of appointment

needs to be considered.

2. If the legal relationship of the person concerned was established after 1 December 2018, the salary according to his / her appointment document shall be taken into account for the purposes of paragraph 1.

3. By 15 February 2019, the employer shall determine the grade to which the person concerned will be assigned and the category of the post assigned to the person concerned, within the limits set out in Annex 1, taking into account paragraphs 1 and 2. - determine the salary of the person concerned.

(4) In making the decision pursuant to subsection (3), the employer shall take into account the performance assessment and annual qualification of the government official for the second half of 2018.

5. The difference between the person's salary determined in accordance with paragraph 3 and the person's income from the same employer after January and February 2019 shall be paid at the same time as the person's March 2019 salary. The method of calculating income is laid down in a Government decree.

§ 287 *[Transitional provision for the Faculty of Hungarian Government Officials]*

(1) As of March 1, 2019, the name of the Faculty of Hungarian Government Officials and Civil Servants will change to the Faculty of Hungarian Government Officials. The entry into force of this Act and its application pursuant to Section 283 (1) shall not affect the legal status, rights and obligations of the public body, as well as its tasks and the mandate of its elected officials, the operation of the public body shall be continuous.

(2) A person whose legal relationship is transformed on the basis of Section 285 (1) *a)* and *d)* and was a member of the Hungarian Faculty of Civil Servants and Civil Servants on 28 February 2019 shall have his / her membership relationship with the Faculty of Hungarian Government should be considered.

(3) Ethical procedures initiated or in progress on 28 February 2019 shall be conducted in accordance with Kttv. and shall be conducted in accordance with the rules of the Code of Professional Ethics of the Faculty of Hungarian Government and Civil Servants in force on 31 December 2018. Ethical penalties in force on 28 February 2019 shall not be affected by the entry into force of this Act and its application pursuant to Section 283 (1).

Section 288 *[Transitional Provision for the Content of Government Service]*

(1) The entry into force of this Act and its application pursuant to Section 283 (1) shall not affect tripartite agreements on fixed-term transfers or secondments in force on 28 February 2019. Upon termination of the fixed-term transfer or secondment, the person concerned shall be re-employed by a governmental

administration body as agreed by the parties.

(2) For posting and secondment in the interest of the government ordered on 28 February 2019 at the latest, Kttv. Its rules in force on 31 December 2018 shall apply.

(3) The probationary period in progress on 28 February 2019 shall last for the period stipulated upon the establishment of the legal relationship.

4. In accordance with the provisions in force on 31 December 2018, the obligation arising between 1 January and 28 February 2019 must be and the Atv. May be performed in accordance with the provisions in force on 31 December 2018.

5. The in-service training obligation existing on 31 December 2018 shall be fulfilled in accordance with paragraph 4, and the in-service training obligation arising between 1 January and 28 February 2019 may be fulfilled in accordance with paragraph 4.

(6) The study contract and the employer's loan contract existing on 28 February 2019 shall not be affected by the entry into force of this Act and its application pursuant to Section 283 (1).

(7) The disciplinary or compensation proceedings pending on 28 February 2018 shall be conducted in accordance with the rules in force at the beginning of the proceedings, with the possibility that a disciplinary sanction pursuant to Section 166 (2) may be imposed in the disciplinary proceedings.

(8) A government official who, before 1 March 2019, has been awarded a title in accordance with the title or has held the position of chief adviser or consultant on 28 February 2019, is not entitled to use this title as of 1 March 2019.

(9) The Kttv. shall be accounted for by 31 March 2019. Unallocated time off on 28 February 2019 in return for the performance of extraordinary working time shall be granted within 30 days after 1 March 2019, if this is not possible, it shall be redeemed. The rate of redemption is the pro rata amount of the leisure time pay according to Section 286 (1) and (2).

(10) Reimbursable or non-refundable benefits provided in accordance with the regulations of a government administrative body may be granted in accordance with the rules in force on 31 December 2018 until the entry into force of a government decree pursuant to Section 148 (2).

(11) The Kttv. The provisions in force on 31 December 2018 shall apply until the existence of the legal relationship.

(12) Paragraphs (1) - (5) of Section 117 shall apply only to those who establish a legal relationship on or after 1 March 2019 pursuant to this Act.

(13) In the case of an unreported practicable activity existing on 31 May 2019, which becomes subject to a permit or notification pursuant to this Act, as well as in the case of voluntary activity in the public interest, the application or notification shall be submitted by 30 June 2019. to be submitted or done by a government official.

(14) The transformation of the legal relationship of a chief of staff who heads a cabinet of a minister or a secretary of state as a head of a department into a political service before the entry into force of this Act shall not affect the chief's right to service recognition.

Section 289 *[Transitional provision for redemption of leave]*

(1) For the person concerned pursuant to Section 283 (4) *a), c)* and - with the exception of the Government Agent - *d)* after his or her leave on 31 December 2018 after 31 December 2018 - the with the exception of - cannot be issued.

(2) The unissued leave of the person concerned existing on 31 December 2018, as defined in the Government Decree, shall be redeemed.

(3) During the redemption pursuant to subsection (2), the salary of the person concerned pursuant to subsections (5) - (9) of Section 283 shall be taken into account.

(4) A person on maternity leave on 31 December 2018 or on unpaid leave for the care of a child to which he or she was entitled by 31 December 2018 shall, after the termination of his or her absence, decide to do so after 31 December 2018.

(a) be issued within 2 years, or

(b) must be redeemed within 30 days.

Section 290 *[Transitional provision for the 2019 leave]*

(1) In January and February 2019, the person concerned shall comply with the provisions of the Public Procurement Act, the Public Procurement Act, the Public Procurement Act and the Public Procurement Act. entitled to a pro rata temporis share of his 2019 leave under

(2) From 1 March 2019 to 31 December 2019, the person concerned is entitled to a pro rata share of his or her basic and additional leave under this Act.

(3) A government official may, in accordance with the provisions of this Act concerning the granting of leave, exercise the fundamental leave established for him or her for one calendar year in the period specified in subsection (1).

(4) The part of the leave pursuant to subsection (1) which has not been issued during the period referred to in subsection (1) may be granted after 28 February 2019, provided that the provisions of this Act relating to fundamental freedom apply to this leave.

Section 291 *[Compliance provision]*

(1) Where legislation is in accordance with Ksztv. According to its rules in force on 31 December 2018

a) mentions a government office, the head office of a government under this Act,

b) mentions a head of state, a political chief under the law, a state secretary of administration and a deputy state secretary,

c) mentions a service relationship of a state leader, a political service relationship under this Act,

d) mentions a political leader, a political chief under this Act,

e) mentions a professional manager, the Secretary of State for Administration under this Act and the Deputy Secretary of State

should be understood.

(2)

(3) If applicable

(a)

b)

c) Ksztv. on public offerings and donations of the Prime Minister. Until 31 December 2020, unless otherwise provided by law, the Ksztv. rules on public offerings and donations by the Prime Minister

the prevailing.

(3a)

(4)

(5) Where a law mentions a public official or a state case manager, it shall be understood as a government official of the capital city and county government office pursuant to this Act.

(6) Where legislation prescribes the application of the rules applicable to the Secretary of State with regard to the remuneration of the head of a government headquarters or central office, the provisions of Section 244 (1) and Section 247 (1) shall prevail.

292. §

293. §

294. §

Section 295 *[Transitional provision for certain rules relating to remuneration]*

(1) Act CLXXXV of 2010 on Media Services and Mass Communication. Until 1 July 2019, the Deputy Secretary of State under the Act of the Deputy Secretary of State pursuant to Section 117 (3) of Act no. Your salary shall be understood in accordance with the provisions in force on 31 December 2018.

(2) Act XXXVI of 2013 on the Electoral Procedure. Until 1 July 2019, the Deputy State Secretary under the salary of a Deputy State Secretary pursuant to Section 64 (1) of Act no. Your salary shall be understood in accordance with the provisions in force on 31 December 2018.

§ 296 *[Transitional provisions for the modification of the content of the service of government officials in 2020]*

(1) Act CXXV of 2018 on Government Administration. Act CXXV of 2018 on Government Administration. Act CIX of 2019 on the amendment of the Act. The provisions concerning officials of government offices established by Act No. (hereinafter: Mod.) shall be applied in accordance with the provisions of this Section.

2. The employer shall inform the official of significant changes in the legal relationship by 1 March 2020 and shall amend the appointment of the official by 16 March 2020.

(3) The criteria for reassigning officials affected by a change in the classification category of a post to a new position shall be established by the Government. The reclassification shall not affect the existence or continuity of the service of the government if the official satisfies the general conditions of appointment. If the government case manager does not meet the general conditions of appointment by changing the job classification category, his / her legal relationship will be transformed into an employment relationship by changing the legal relationship.

4. In the case referred to in paragraph 3, the official shall take up his new post from 1 April 2020.

(5) The salary of an official shall be determined in such a way that it may not be less than the amount to which the official was entitled as a salary on the basis of the instrument of appointment on 31 December 2019 by:

(a) a change in the amount of remuneration after 1 January 2020 on the basis of length of service,

(b) the filling of a management post after 1 January 2020 or a non-managerial post after the filling of a management post and the salary determined accordingly

needs to be considered.

6. If the legal relationship of the person concerned was established after 1 January 2020, the salary according to his / her instrument of appointment shall be taken into account for the purposes of paragraph 5.

(7) The difference between the salary of an official determined in application of this Section and the official's income from the same government administration after January, February and March 2020 shall be paid at the same time as the April 2020 salary of the person concerned. The method of calculating income is laid down in a Government decree.

8. The extent of the official's leave in January, February and March 2020 shall be subject to the regulations in force on 31 December 2019, for which period the person concerned shall be entitled to a pro rata share of the 2020 leave. From 1 April 2020 to 31 December 2020, the official is entitled to a pro rata share of his leave under the new rules.

(9) In 2020, an official shall be entitled to a pro rata share of the cafeteria allowance from 1 April 2020 to 31 December 2020.

(10) An official shall be entitled to official recognition and severance pay for the period from 1 January 2020 to 1 April 2020 in accordance with the regulations in force on 31 December 2019. The starting date of the period for recognition of a post shall be the date specified in paragraph 4.

297. § *[Transitional provisions of Act CXXV of 2018 on Government Administration. Act CXXV of 2018 on Government Administration. Act CIX of 2019 on the amendment of the Act. to the law]*

(1) Until 29 February 2020, the head of the official organization of the government administrative body shall ensure compliance with the provisions of the Mod. necessary for its entry into force.

(2) Section 168 of this Act, as amended by the Act, shall be amended by after the entry into force of this Regulation .

§ 298 *[Transitional provisions for the amendment of the rules on the appointment of ministerial commissioners in 2020]*

Act LXXVI of 2020 on the establishment of the central budget of Hungary for 2021 of this Act. Section 221 (1a) and Section 222 (3) of the Act (hereinafter: Mod. appointments after its entry into force .

299. §

300. §

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330. §

331. §

Section 332 *[Compliance with the requirements of the Basic Law concerning cardiomorality]*

(1) Paragraph (1) of Section 295 is amended in accordance with Article IX of the Basic Law. Article 2 (6) and Article 23.

(2) Subsection (2) of Section 295 is amended by Article XXIX. Article 2 (3), Article 2 (1) and Article 35 (1).

(3) Section 301 is considered cardinal pursuant to Article 46 (6) of the Basic Law.

(4) Subsection (1) of Section 320 is considered cardinal pursuant to Section 29 (7) of the Basic Law.

Section 333 *[Compliance with Acts of the European Union]*

This law is intended to comply with the following EU legal acts:

(a) Directive 2003/88 / EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organization of working time;

(b) Council Directive 91/533 / EEC of 14 October 1991 on an employer's obligation to inform employees of the conditions applicable to the contract or employment relationship;

(c) Council Directive 1999/70 / EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP;

(d) Council Directive 97/81 / EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC;

(e) Directive 2004/38 / EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States and amending Regulation (EEC) No 1612/68; / 221 / EEC, 68/360 / EEC, 72/194 / EEC, 73/148 / EEC, 75/34 / EEC, 75/35 / EEC, 90/364 / EEC, 90 / Repealing Directives 365 / EEC and 93/96 / EEC, Article 24;

(f) Council Directive 2010/18 / EU of 8 March 2010 on the implementation of the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and the ETUC and repealing Directive 96/34 / EC;

(g) Council Directive 92/85 / EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (Tenth individual Directive within the meaning of Article 16 of Directive 89/391 / EEC (1)) within the meaning of paragraph 1);

(h) Council Directive 2003/9 / EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers;

(i) Directive 2011/95 / EU of the European Parliament and of the Council of 13 December 2011 on the recognition of third country nationals and stateless persons as beneficiaries of international protection, the status of beneficiaries of uniform refugee or subsidiary protection status and the content of protection granted rules;

(j) Council Directive 2005/85 / EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status.

Annex 1 to the 2018 CXXV. to Act

I. Salary table for ministries

	THE)	B)	C)
	the name of the grade	lower limit of salary	salary cap
1.	government adviser	HUF 250,000	HUF 500,000
2.	senior government adviser	350 000 Ft	650,000 HUF
3.	Chief Government Adviser	HUF 400,000	750,000 HUF
4.	Chief Government Adviser	600,000 HUF	1,500,000 HUF
5.	head of department	700,000 HUF	1 400 000 HUF
6.	head of department	800,000 HUF	1,500,000 HUF
7.	deputy State Secretary	1,300,000 HUF	HUF 1,650,000
8.	Secretary of State for Administration	1,500,000 HUF	HUF 1,900,000

II. Salary table for government headquarters, central offices, and government offices

	THE)	B)	C)
	the name of the grade	lower limit of salary	salary cap
1.	office counsel	HUF 200,000	350 000 Ft
2.	senior clerk	HUF 300,000	HUF 500,000
3.	Advocate General I.	HUF 400,000	600,000 HUF
4.	Advocate General II.	450,000 HUF	700,000 HUF
5.	Chief Adviser	HUF 500,000	1,200,000 HUF
6.	head of department	HUF 400,000	1100 000 HUF
7.	head of department	550,000 Ft	1,300,000 HUF

Annex 2 to the 2018 CXXV. to Act

Annex 3 to the 2018 CXXV. to the law

DATA SCOPE OF THE PUBLIC SERVICE REGISTER

The government official

I / A.
1. surname and first name (birth surname and first name), sex
2. place and time of birth
3. mother's birth surname and first name
4. place of residence, home address, place of residence, telephone number
5. marital status
6. tax identification number
7. social security identification mark
8. payment account number
9. e-mail address and electronic contact details in accordance with Section 9 (2)
Photo 10
11. CV
I / B. dependent child (ren)
1. surname and first name
2. place and time of birth
3. mother's birth surname and first name
4. place of residence, residential address, place of residence
5. tax identification number
6. social security identification mark
I / C. grandchildren, grandchildren
1. surname and first name
2. place and time of birth
3. mother's birth surname and first name
4. place of residence, residential address, place of residence
5. tax identification number
6. social security identification mark
II.
1. highest level of education (all in case of several qualifications)
Qualification (s) 2
3. details of the vocational qualification (s) obtained in the framework of out-of-school education and the documents entitling to fill a specific position
4th academic degree
5. knowledge of a foreign language
6. data on training, further training, management training, retraining
III. Data on previous employment
1. the name of the workplace
2. name of the type of legal relationship
Position 3
Classification 4
5. Tasks
6. start / end date of the legal relationship
7. the method of termination
ARC.
1. the beginning of the government service, the periods to be disregarded in its calculation
2. citizenship
3. number and date of the official certificate issued by the criminal record body
4. data of the basic administrative exam
5. data of the administrative professional examination
6. the periods on which the calculation of service recognition and severance pay is based
7th oath number, date
8. Details of administrative competitions and other examinations required to fill the post
9. details of the result of the aptitude test
10. details of the certificate of official inspection
11. driving license data
12. information and data on working hours, extraordinary working hours, on-call time, standby, other working hours, work (teleworking, date and place of work at home)
13. data on leave (extent, type of leave, holiday dates-plans)
14. Performance evaluation information
15. information on target benefits, target premium
16. information on the recognition of merits (written praise, ministerial recognition, performance recognition, motivational recognition, job recognition, service recognition)
17. details of other benefits (cafeteria, housing allowance, social, training and study allowance)
18. information on the mandatory aptitude test
19. family support benefits

20. the version of the political leader's personal income tax return intended for public publication on the website (amount of the consolidated tax base, amount of the tax base of the consolidated tax base, amount of tax benefits reducing the tax base of the consolidated tax base, amount of separate taxable income and amount of separate taxable income)
21. the number of the certificate issued for the purpose of holding the post of senior political executive
22. details of employment other than appointment
23. non-compete obligation information
24. Information on compulsory and voluntary training
25. compensation, disciplinary information
26.
27. information on the obligation to make a declaration of assets
28. and results of national security inspections
29. data on material supplies (car, computer, etc.)
V.
1. the name, registered office and statistical code of the applying government administrative body
2. the beginning of government service with this body
3. current classification of the government official, date of his classification
Name of task 4 (s) and duration of loading, FEOR number
5. details of the appointment and termination of management
6. details of rewards
7. a disciplinary sanction in force
8. details of your application
9. competency data
10. probationary details
VI.
1. registration of personal benefits taking into account the central statistical information system on personnel and payroll
VII.
1. the title and duration of the absence of the government official from work
2. details of your government secondment
VIII.
1. the date and manner of the termination of the governmental service, as well as the final and fixed-term transfer, the details of the severance pay
2. details of the exemption period
IX.
1. data related to the conflict of interest, data on the prohibition on co-application (information on the activity to be exercised, as well as data on the legal relationship for the performance of the voluntary activity in the public interest and data on the notification;
X.
1. data related to the state full payment guarantee (name and address of the financial institution concluding the loan agreement; amount of the loan guaranteed by the state guarantee; date of maturity of the loan)

Annex 4 to the 2018 CXXV. to the law

The scope of the recruitment database

I.
1. surname and first name
2. place and time of birth
3. address, telephone number, e-mail address
4. citizenship
5. photos
II.
1. professional experience
2. name of the employer, field of activity
3. role held
Duration 4
III.
1. education, (vocational) qualification, qualification
2. name of the training institution (indicating the faculty, major)
3. duration of training, date of graduation
4. knowledge of a foreign language (level, type)
5. date of obtaining administrative (law enforcement) exams, number of diplomas, results
6. IT skills
7. other voluntarily provided data (eg hobby, interest)
ARC.
1. areas that you would like to be informed about in the newsletter in the event of a call for proposals.