

## **Government Decree 57/2020 (23 March)**

**on the enforcement measures to be taken during the period of state of danger declared for the prevention of the human epidemic endangering life and property and causing massive disease outbreaks, for the elimination of its consequences, and for the protection of the health and lives of Hungarian citizens**

The Government,  
acting within its original legislative power laid down in Article 53 (2) of the Fundamental Law,  
acting within its function laid down in Article 15 (1) of the Fundamental Law,  
decrees as follows:

### **1. Derogations from the provisions of Act LIII of 1994 on judicial enforcement**

**Section 1** During the period of state of danger, the provisions of Act LIII of 1994 on judicial enforcement shall apply subject to the derogations laid down in this Decree.

**Section 2** (1) During the period of state of danger, documents shall not be served by bailiff, with the proviso that the time limit for service of documents shall recommence on the 15<sup>th</sup> day following the end of the period of state of danger.

(2) In enforcement procedures during the period of state of danger, after the commencement of an enforcement procedure, the bailiff shall advise the debtor of the possibility of, and conditions for, payment in instalments at the time of serving the enforceable title on the debtor. If the debtor notifies the bailiff of his intent to pay in instalments, the bailiff may permit it without the prior consent of the person seeking enforcement.

(3) In the course of an enforcement procedure, documents shall be served by post or using electronic means and in accordance with the rules on electronic communication.

(4) Bailiffs shall suspend the reception of parties in person until the day following the end of the period of state of danger; however, bailiffs shall ensure that during this period they are available to persons concerned via electronic means or in writing, using the closed collection box placed at the entrance of the bailiff's office.

(5) In individual enforcement cases, persons requesting information may be informed via a telecommunication device suitable for identification and for ensuring uninterrupted audio and video connection. The fact of the provision of information shall be recorded in minutes that shall be sent to the person requesting information.

**Section 3** (1) No on-site proceedings or regular auctions may be conducted and no on-site procedural acts may be carried out until the end of the period of state of danger.

(2) Procedural acts referred to in paragraph (1) may be carried out after the end of the period of state of danger, with the proviso that the time limit for the performance of the procedural act shall recommence on the 15<sup>th</sup> day following the end of the period of state of danger.

(3) Measures for, or related to, the evacuation of a real estate may be taken, and on-site procedural acts for the evacuation of a real estate may be carried out, only after the end of the period of state of danger, with the proviso that, with the exception of the provisions of paragraph (4), the time limits for taking a measure, for carrying out a procedural act, for postponement and for notifying the local government clerk shall recommence on the 15<sup>th</sup> day after the end of the period of state of danger.

(4) If the 15<sup>th</sup> day following the end of the period of state of danger falls on a day between 15 November and 30 April, the time limit specified in paragraph (3) shall recommence on the 15<sup>th</sup> day after the 30<sup>th</sup> day of April.

**Section 4** The bailiff may arrange for the deregistration of a vehicle seized in the course of an enforcement procedure only after the end of the period of state of danger, with the proviso that the time limit for the procedural act shall recommence on the 15<sup>th</sup> day following the end of the period of state of danger.

**Section 5** (1) A bailiff may arrange for auctioning the residential real estate of a debtor who is a natural person, or for the publication of a real estate auction notice, no sooner than on the 15<sup>th</sup> day following the end of the period of state of danger.

(2) The bailiff may arrange for the activation of the user name and the password of an auctioneer who wishes to place a bid for a residential real estate in connection with a notice of the continuous auctioning of the residential real estate of a debtor who is a natural person no sooner than on the 15<sup>th</sup> day following the end of the period of state of danger.

**Section 6** (1) With the exception specified in paragraph (2), measures for, or related to, the enforcement of a specific act may be taken, and procedural acts may be carried out, only after the end of the period of state of danger, with the proviso that the applicable time limits shall recommence on the 15<sup>th</sup> day following the end of the period of state of danger.

(2) In the case of the enforcement of a court decision, or a settlement approved by a court, concerning the receiving or placing of a child, procedural acts and measures may not be carried out if they were to be carried out at a location that is subject to an epidemiological measure.

(3) A procedural act or measure under paragraph (2) may be carried out only after the end of the period of state of danger, with the proviso that the applicable time limit shall recommence on the 15<sup>th</sup> day following the end of the period of state of danger.

**Section 7** (1) In the course of an enforcement procedure no disciplinary fine shall be imposed on a person for failing to perform an obligation set out by law due to epidemiological measures during the period of state of danger.

(2) At the request of the debtor, a court proceeding in an enforcement procedure may also suspend the enforcement exceptionally if the debtor got into a situation constituting a circumstance deserving consideration in connection with epidemiological measures.

**Section 8** If in the course of an enforcement procedure, a movable property (claim, right) or an immovable property is seized as part of both a judicial and an administrative enforcement, during the judicial enforcement procedure, the bailiff shall not provide for the recovery of the claim subject to the administrative enforcement before the 15<sup>th</sup> day following the end of the period of state of danger.

## **2. Derogations from the provisions of Act CLIII of 2017 on enforcement procedures applied by the tax authority**

**Section 9** (1) From the day of the entry into force of this Decree until the 15<sup>th</sup> day following the end of the period of state of danger, enforcement procedures pending before the tax authority in accordance with Act CLIII of 2017 on enforcement procedures applied by the tax authority (hereinafter "Avt.") shall be stayed, with the exception of procedures conducted under subtitles 57 and 57/B of the Avt. and procedures for the enforcement of claims arising from violating mandatory epidemiological measures prescribed during the period of state of danger.

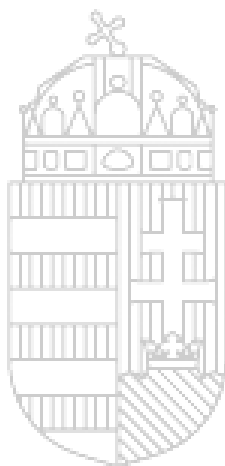
(2) In cases stayed under paragraph (1), the tax authority shall proceed in accordance with section 16 (2) and (3) of the Avt.

(3) Amounts credited to the deposit accounts of bailiffs before the entry into force of this Decree may be settled against the debts.

(4) In procedures under paragraph (1), the running of the limitation period of the right to enforcement shall be suspended from the entry into force of this Decree until the 15<sup>th</sup> day following the end of the period of state of danger.

### **3. Final provisions**

**Section 10** This Decree shall enter into force on the day following its promulgation.



MINISTRY OF JUSTICE  
HUNGARY