

Government Decree 83/2020 (3 April)
on certain healthcare measures to be taken during the period of state of danger

The Government,
acting within its original legislative power laid down in Article 53 (2) of the Fundamental Law, having regard to the provisions of Act XII of 2020 on the containment of coronavirus,
acting, with respect to section 9, within its original legislative power laid down in Article 53 (3) of the Fundamental Law, on the basis of authorisation by the National Assembly under section 3 (1) of Act XII of 2020 on the containment of coronavirus,
acting within its function laid down in Article 15 (1) of the Fundamental Law,
orders as follows:

1. Evidence of payment of administrative service fee, data processing rules, and health crisis patient care duties

Section 1 (1) During the period of state of danger declared in Government Decree 40/2020 (11 March) on the declaration of state of danger (hereinafter “state of danger”), the National Institute of Pharmacy and Nutrition shall not examine the evidence of payment of the administrative service fee under Act XCV of 2005 on medicinal products for human use and amending other Acts regulating the market for medicinal products as a prerequisite for the assessment of the application if

a) the application is submitted to have the authority make, for supply reasons, a decision for the purpose of controlling the human epidemic causing massive disease outbreaks under Government Decree 40/2020 (11 March) on the declaration of state of danger, or

b) the National Institute of Pharmacy and Nutrition issues, in connection with the purpose referred to in point *a)*, an authority decision applicable for a fixed period not exceeding six months.

Section 2 In connection with the tasks of the Operational Corps Responsible for the Containment of the Coronavirus Epidemic established by Government Decision 1012/2020 (31 January) on the establishment of the Operational Corps Responsible for the Containment of the Coronavirus Epidemic, for the elimination of the consequences of the human epidemic endangering life and property and causing massive disease outbreaks, and in this respect, for the protection of the health and lives of Hungarian citizens, the Minister of Interior and the Minister of Human Capacities may, until the end of the period of state of danger at the latest, have access to, and may process, personal data processed by patient care providers and the healthcare state administration organ, or in the National eHealth Infrastructure, through its operator.

Section 3 During the period of state of danger, adult persons participating in secondary or higher-level vocational education and training in healthcare, a training leading to a college or university degree in healthcare, a training leading to higher education degree in social assistance, or accredited full time healthcare and social assistance vocational education and training provided within the school system may be involved in performing tasks relating to a state of health crisis. For the period of involvement, involved persons shall be exempt from their other civil defence obligations.

2. Derogations related to the acquisition of alcohol necessary for manufacturing biocidal products

Section 4 Any source may be used to acquire alcohol necessary for manufacturing biocidal products under Government Decree 316/2013 (28 August) on certain rules on authorisation and placing on the market of biocidal products, used for disinfection.

Section 5 Authorisation holders authorised to manufacture biocidal products shall ensure that the active substance under section 4 meets the quality requirements of manufacturing.

3. Derogations from the provisions of Act LXVIII of 2016 on excise tax

Section 6 (1) During the period of state of danger, by way of derogation from their authorisations, authorised warehouse keepers under Act LXVIII of 2016 on excise tax (hereinafter “Jöt.”) shall be allowed to manufacture disinfectants having the composition specified in the provisional authorisation for biocidal product issued by the competent national authority under Article 55 (1) of Regulation (EU) No 528/2012 from alcohol products without partial denaturation; the authorised warehouse keeper shall, without amending its tax warehouse authorisation, notify the state customs and tax authority of such manufacturing no later than 12 hours before its planned commencement.

(2) Section 133 (2) of the Jöt. shall not apply to the manufacturing under paragraph (1) of disinfectants having the composition specified in the provisional authorisation for biocidal product.

(3) A notification under paragraph (1) may be made on paper.

(4) A notification under paragraph (1) shall contain the name and address of the manufacturer, the starting date of manufacturing and a brief description of the use of the excise good.

(5) Disinfectants manufactured under paragraph (1) shall qualify as excise goods exempt from tax obligation.

(6) Authorised warehouse keepers shall end manufacturing disinfectants under paragraph (1) at the latest on the day when the decision granting the provisional authorisation for biocidal product is revoked or the authorisation expires, and shall notify the state customs and tax authority of the date of ending.

Section 7 During the period of state of danger, by way of derogation from section 144 (4) of the Jöt., the volume of denatured alcohol that can be used exclusively by an authorised warehouse keeper, authorised user or registered user shall be amended to 1 m³.

4. Transitional and final provisions

Section 8 (1) With the exception specified in paragraph (2), this Decree shall enter into force on the day following its promulgation.

(2) Section 9 shall enter into force on the fifteenth day following the promulgation of this Decree.

Section 9 The Government extends the temporal scope of this Decree until the end of the period of state of danger under Government Decree 40/2020 (11 March) on the declaration of state of danger.