

Government Decree 93/2020 (6 April)
on certain rules relating to data processing and traffic applicable 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 7, 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. Extraordinary measures

Section 1 The Government, by means of Government Decision 1012/2020 (31 January) on the establishment of the Operational Corps Responsible for the Containment of the Coronavirus Epidemic, established the Operational Corps Responsible for the Containment of the Coronavirus Epidemic (hereinafter “Operational Corps”) for coordinating the fight against the coronavirus epidemic, and appointed its members and its head in its Decision. The Operational Corps operates a response centre as its work organisation.

Section 2 (1) For the performance of its tasks and for preventing, learning about, locating, and preventing the further spread of, coronavirus cases and for organising the coordinated performance of the tasks of state organs, the Operational Corps may request data provision from any organ, legal person, or organisation without legal personality, which shall be obliged to comply with the request. The performance of the data provision obligation shall be free of charge. The data provision obligation shall be a means for epidemiological monitoring ordered during the period of the epidemic.

Section 3 (1) For the performance of its tasks and for preventing, learning about, locating, and preventing the further spread of, coronavirus cases and for organising the coordinated performance of the tasks of state organs, the Operational Corps shall have the right to access personal identification, address and other contact or health data, and data in the relevant registers, of persons affected by the coronavirus disease, or by the suspicion of it, and of persons who are or were in contact with such a person, and who therefore are endangered persons from public health and epidemiological aspects.

(2) The operator of the National eHealth Infrastructure shall ensure that the Operational Corps receives directly all information concerning coronavirus cases, including personal data.

Section 4 (1) The Government authorises the Minister responsible for traffic to establish, by means of an individual decision, a different order for ensuring traffic, a traffic restriction or a traffic prohibition.

(2) If a decision under paragraph (1) impacts cross-border traffic, the Minister responsible for traffic shall pass the individual decision with the agreement of the Minister responsible for border policing.

(3) On the basis of section 47 (3) *a*) and *i*) of Act CXXVIII of 2011 on disaster management and amending certain related Acts, a decision under paragraph (1) or (2) shall not be challenged before a court and no legal remedy shall lie against it. The decision may be communicated also by means of telecommunication.

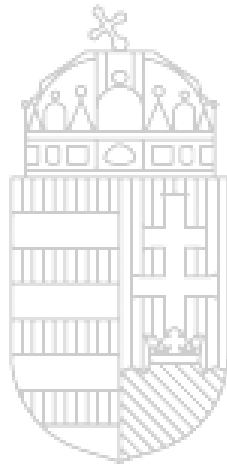
Section 5 Airworthiness certificates issued by the military aviation authority expiring during the period of state of danger shall be valid until the 30th day after the end of the period of state of danger.

2. Final provisions

Section 6 (1) With the exception specified in paragraph (2), this Decree shall enter into force on the day following its promulgation.

(2) Section 7 shall enter into force on the fifteenth day following the promulgation of this Decree.

Section 7 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.



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