

**Government Decree 366/2021 (30 June)**  
**on certain questions relating to the issuance of EU Digital COVID Certificates 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 section 51/A of Act CXXVIII of 2011 on disaster management and amending certain related Acts,  
acting, with respect to section 11, within its original legislative power laid down in Article 53 (3) of the Fundamental Law, on the basis of an authorisation by the National Assembly pursuant to section 2 (1) of Act I of 2021 on the containment of the coronavirus pandemic,  
acting, with respect to section 12, on the basis of authorisation under point *c*) of section 247 (1b) of Act CLIV of 1997 on healthcare and  
acting within its function laid down in Article 15 (1) of the Fundamental Law,  
decrees as follows:

**Section 1** (1) The Government designates the Government Office of the Capital City Budapest as the organ responsible for issuing a EU Digital COVID Certificate (hereinafter “issuing organ”) within the meaning of Regulation (EU) 2021/953 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic (hereinafter “Regulation”) (hereinafter “digital COVID certificate”).

(2) The issuing organ shall perform its task under paragraph (1) with the involvement as data processor of the operator of the National eHealth Infrastructure (hereinafter the “EESZT”).

**Section 2** (1) The issuing organ shall be entitled, for issuing a digital COVID certificate, to obtain data to be indicated in the digital COVID certificate, if not already available to the issuing organ, from a primary source of information within the meaning of Act CCXXII of 2015 on the general rules on electronic administration and trust services (hereinafter the “Eüsztv.”), by way of automatic information transfer if technically possible.

(2) If the primary source of information is prevented from acting, the issuing organ may obtain data to be indicated in the digital COVID certificate pursuant to the Regulation also from a secondary source of information.

(3) By way of derogation from section 60 (3) of the Eüsztv., for the purposes of this section, every organ or person performing a public duty or healthcare activity shall be considered a primary source of information if

- a*) the data is registered in a publicly certified register kept by it or him,
- b*) the data is generated by it or him in the course of its or his public duty performance or healthcare activity, or
- c*) a law so provides relating to it or him by specifying the primary source of information.

(4) The issuing organ shall be entitled to request, through the data link register service if necessary, the name and birth date data of the person eligible to digital COVID certificate (hereinafter “person concerned”), if it is not available in the EESZT, from the organ keeping the personal data and address register, or if the person concerned is not registered in the personal data and address register, from the immigration registers.

(5) If the social security identifier (hereinafter “SSI”) of the person concerned is not available in the EESZT, the issuing organ shall be entitled to obtain, through the data link register service if necessary, the SSI of the person concerned from the organ that generated it.

**Section 3** (1) The issuing organ shall issue the digital COVID certificate

*a)* in an electronic form or

*b)* in a paper-based form (hereinafter “paper-based certificate”)

at the choice of the applicant concerned.

(2) The issuing organ shall issue the digital COVID certificate based on data available to it in the EESZT.

(3) A paper-based certificate shall be authentic even in the absence of the signature of the issuer and the seal of the issuing organ, provided that it complies with the requirements set out in the Regulation and reading the interoperable barcode within the meaning of the Regulation with an IT device confirms the data included.

**Section 4** (1) A person concerned holding an SSI may request that the digital COVID certificate within the meaning of section 3 (1) *a)* be provided to him, after being identified by an electronic identification service mandatorily provided by the Government, in a mobile phone application or in a format downloadable through the EESZT portal.

(2)

(3) The paper-based certificate may be printed by the person concerned himself from the EESZT Citizens Portal following identification by an electronic identification service mandatorily provided by the Government; this certificate shall be authentic if it complies with the requirements set out in the Regulation and reading the interoperable barcode within the meaning of the Regulation with an IT device confirms the data included.

**Section 5** (1) In addition to as specified in section 4, a person concerned may apply for a digital COVID certificate by way of an application submitted to the issuing organ in person or in writing.

(2) The application shall contain the natural personal identification data of the person concerned and his SSI, if any.

(3) If the person concerned does not hold an SSI, the application shall include the number of the official verification card suitable for verifying identity of the person concerned that was provided to the healthcare service provider in the course of the medical treatment of the circumstance serving as grounds, under the Regulation, for the issuance of a digital COVID certificate, based on which the digital COVID certificate was issued.

**Section 6** (1) The issuing organ shall make a decision on an application under section 5 by way of automated decision-making.

(2) If the person concerned so requests, the issuing organ shall

*a)* send a certificate under section 3 (1) *a)* to the storage space of the secure electronic delivery address within the meaning of the Eüsztv.,

*b)* hand over a certificate under section 3 (1) *b)* when the person concerned or his representative are present in person, provided that the legal requirements for its issuance are met,

*c)* serve a certificate under section 3 (1) *b)* by mail if it was not handed over pursuant to point *b)*.

(3) If in the course of its proceedings, the issuing organ detects that the data of the person concerned stored in the EESZT are not identical to the data in the application, the issuing organ shall call upon, in an expedited manner and without delay, the healthcare service provider that medically treated the circumstance serving as grounds, under the Regulation, for the issuance of a digital COVID certificate to reconcile, review and rectify data stored in the EESZT as a matter of priority. The healthcare service provider shall review and rectify the data concerned as a matter of priority, but not later than within 72 hours from the call to that effect. The person concerned may be involved in this proceeding as necessary.

(4) The content and form of a digital COVID certificate sent by the issuing organ shall be identical to that of COVID certificate under section 4 that can be downloaded and printed by the person concerned.

**Section 7** Relating to applications submitted pursuant to this decree, the government window shall proceed on behalf of the issuing organ on the basis of section 48 (1) of Government Decree 86/2019 (23 April) on capital and county government offices and district (capital district) offices.

**Section 8**

**Section 9** With the exception set out in section 8, the general practitioner of the person concerned shall print, as part of healthcare, the paper-based certificate for the person concerned if he so requests.

**Section 10** (1) With the exceptions specified in paragraphs (2) and (3), this Decree shall enter into force on 1 July 2021.

(2) Section 11 shall enter into force on 15 July 2021.

(3) Section 4 (2), section 8 and section 14 (2) shall enter into force on 9 August 2021.

**Section 11** (1) The Government extends the temporal scope of this Decree until Act I of 2021 on the containment of the coronavirus pandemic is repealed.

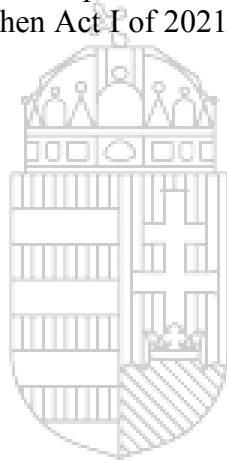
(2) This Decree shall be repealed when Act I of 2021 on the containment of the coronavirus pandemic is repealed.

**Section 12**

**Section 13**

**Section 14**

**Section 15**



MINISTRY OF JUSTICE  
HUNGARY