

Government Decree 52/2021 (9 February)
on rental fee payment exemption

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 within its function laid down in Article 15 (1) of the Fundamental Law,
decrees as follows:

1. General provisions

Section 1 (1) Operators of the following shall not fall within the scope of this Decree:

- a)* workplace restaurants and cafeterias,
- b)* restaurants and bars in accommodation establishments,
- c)* canteens and cafeterias of public upbringing institutions and vocational training institutions,
- d)* restaurants and cafeterias in healthcare institutions.

(2) The Hungarian National Bank and companies under the majority control of the Hungarian National Bank shall not fall within the scope of this Decree.

2. Rental fee payment exception

Section 2 (1) The lessor shall not demand from the lessee rental fee for the months of February, March, April, May and June 2021 arising from a lease contract for premises specified in paragraph (2) that are owned by

- a)* the State or a local government, or
- b)* a company under the majority control of the State or a local government.

(2) Pursuant to paragraph (1), the lessor shall not demand rental fee for premises for which the lease contract was established before the entry into force of this Decree for carrying out an activity specified in points 1 to 25, and in which the lessee carried out any of the following activities on 4 November 2020:

1. restaurant and mobile food serving services,
2. event catering services,
3. beverage serving services,
4. motion picture projection services,
5. convention and trade show organisation services,
6. sports and recreation education services,
7. services of performing artists,
8. support services to performing arts,
9. arts facility operation services,
10. museum services,
11. botanical and zoological garden services and nature reserve services,
12. sports facility operation services,
13. services of sport clubs,
14. services of fitness facilities,
15. other sporting services,
16. amusement park and theme park services,
17. physical well-being services,

18. other amusement and recreation services,
19. hotel and similar accommodation services,
20. holiday and other short stay accommodation services,
21. camping ground services,
22. other accommodation services,
23. travel agency services,
24. tour operator services,
25. other passenger land transport services.

(3) The provisions of paragraph (1) shall apply to an entity pursuing an activity under point 17 of paragraph (2) if the entity pursuing the activity complies with the rules set out in Decree 37/1996 (18 October) NM on the public health requirements for establishing and operating public baths.

(4) The provisions of paragraph (1) shall apply to an entity pursuing an activity under point 25 of paragraph (2) that leases a premises under paragraph (1) for carrying out passenger transport services if

a) it provides a transport service that is not aimed at the fulfilment of a public service obligation under Act XLI of 2012 on passenger transport services, and

b) the entity pursuing the activity holds a road passenger transport licence under Government Decree 261/2011 (7 December) on remunerated road transit activities, own-account road freight activities, and remunerated and own-account bus passenger transport activities and amending certain related laws.

(5) The lessor shall return to the lessee by 15 March 2021 any rental fee already paid before the entry into force of this Decree for the period specified in paragraph (1) on the basis of a lease contract for a premises meeting the requirements set out in paragraph (2).

Section 2/A (1) (1) The lessor shall not demand from the lessee rental fee for the months of March and April 2021 arising from a lease contract for premises specified in paragraph (2) that are owned by

a) the State or a local government, or

b) a company under the majority control of the State or a local government.

(2) Pursuant to paragraph (1), the lessor shall not demand rental fee for premises for which the lease contract was established before the entry into force of this Decree for carrying out an activity specified in points 1 to 31, and in which the lessee carried out any of the following activities on 3 March 2021:

1. other retail trade services in non-specialised stores,
2. retail trade services of audio and video equipment,
3. retail trade services of textiles,
4. retail trade services of electrical household appliances,
5. retail trade services of furniture, lighting equipment and other household goods,
6. retail trade services of books,
7. retail trade services of stationery,
8. retail trade services of music and video recordings,
9. retail trade services of sporting equipment,
10. retail trade services of games and toys,
11. retail trade services of clothing,
12. retail trade services of footwear and leather goods,
13. retail trade services of watches and jewellery,
14. retail trade services of other new goods n.e.c.,
15. retail trade services of second-hand goods,

16. rental services of video tapes and disks,
17. rental and leasing services of other personal and household goods,
18. other reservation services,
19. gambling and betting services, except football pools and lottery services,
20. repair services of consumer electronics,
21. repair services of footwear and leather goods,
22. repair services of furniture and home furnishings,
23. repair services of watches, clocks and jewellery,
24. repair services of other personal and household goods,
25. hairdressing and other beauty treatment services,
26. other personal services n.e.c.,
27. retail trade services of flowers, wreaths and plants,
28. for businesses operating in educational institutions: Other food serving services,
29. driving school services,
30. other education services n.e.c.,
31. educational support services.

(3) The provision of paragraph (1) shall not apply to an entity pursuing an activity under paragraph (2) 14 if the entity provides optical services and agricultural services as actual main activity.

(4) The provision of paragraph (1) shall not apply to an entity pursuing an activity under paragraph (2) 17 if the entity provides rental and leasing services of goods connected to construction and installation works as actual main activity.

(5) The provision of paragraph (1) shall not apply to an entity pursuing an activity under paragraph (1) 24 if the entity provides repair services of bicycles as actual main activity.

(6) The lessor shall return to the lessee by 16 March 2021 any rental fee already paid before the entry into force of this Decree for the period specified in paragraph (1) on the basis of a lease contract for a premises meeting the requirements set out in paragraph (2).

(7) The lessor shall return to the lessee by 16 April 2021 any rental fee already paid before the entry into force of Government Decree 147/2021 (27 March) amending certain government decrees on economy protection measures for the period specified in paragraph (1) on the basis of a lease contract for a premises meeting the requirements set out in paragraph (2).

3. Final provisions

Section 3 This Decree shall enter into force on the day following its promulgation.