



Hungary

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Kúria

Date of establishment:

As of the 1st of January 2012, the Curia of Hungary is the legal successor of the Supreme Court of Hungary.

Address and e-mail of the court:

Seat – Markó utca

16, Budapest, 1055,

Hungary;

international@kuria.birosag.hu

Website :

<http://kuria-birosag.hu/en> (English version of the official website of the Curia of Hungary)

National database of their case law:

<http://kuria-birosag.hu/en/administrative-and-labour-law-cases> (English summaries of selected administrative and labour law cases of the Curia of Hungary since August 2012)

<http://kuria-birosag.hu/en/civil-law-cases> (English summaries of selected civil law cases of the Curia of Hungary since August 2012)

<http://kuria-birosag.hu/en/criminal-law-cases> (English summaries of selected criminal law cases of the Curia of Hungary since August 2012)

<http://kuria-birosag.hu/en/uniformity-decisions-jurisprudence-analysis> (English summaries of the uniformity decisions of the Curia of Hungary)

<http://kuria-birosag.hu/hu> (Database of some of the decisions of the Curia of Hungary, available only in Hungarian)

<http://birosag.hu/ugyfelkapcsolati-portal/anonim-hatarozatok-tara> (National database of anonymised court decisions with an advanced search engine, available only in Hungarian)

According to Article 25 of the Fundamental Law, the Curia is the highest instance judicial authority of Hungary. It guarantees the uniform application of law, its uniformity decisions are binding on all other courts in the judicial system.

What does the court decide about:

Based on Act CLXI of 2011 on the Organisation and Administration of the Courts, the responsibilities of the Curia of Hungary are the following:

- it examines appeals submitted against the decisions of the county courts and the regional courts of appeal in cases defined by law,
- it reviews final decisions if these are challenged through an extraordinary remedy,
- it adopts uniformity decisions, which are binding for all other courts,
- it analyses final decisions to examine and explore judicial practice,
- it publishes decisions on principles,
- it passes decisions in cases where local government decrees violate legal rules,
- it passes decisions in cases where the local government fails to legislate as laid down in the act on local governments,
- it carries out other duties referred to its authority by law.

In the Hungarian judicial system, courts have the authority to adjudicate legal disputes between parties and carry out the administration of justice in civil, economic, criminal, administrative and labour matters in accordance with the rule of law.

The principals of procedure:

In Hungary, courts shall administer justice and perform other tasks defined by law. Within the framework of proceedings defined by law, courts shall render final decisions on disputed or violated rights, on the conflict of local ordinances with other legislation and their annulment, and on the establishment of a local government's neglect of its statutory legislative obligations.

The courts shall guarantee that the law is upheld during their judicial application of laws.

Judges and lay judges are independent, they shall render their decisions based on the law and in accordance with their convictions; they may not be influenced or instructed in relation to their activities in the administration of justice.

Trial by court shall be public – unless an exception is provided for by law.

The court shall announce its decision passed at the trial in public.

The court shall be obliged to give reasoning for its decision, unless otherwise provided for by law.

Legal remedy may be sought against court decisions, unless an exception is provided for by law.

The number of justices and panels:

Altogether eighty-three justices serve at the Curia of Hungary, including its President and Vice-President. The Administrative and Labour Department comprises eight judicial panels, the Civil Department contains seven judicial panels, and the Criminal Department consists

of three judicial panels.

How are the justices appointed:

As a result of a call for applications with the involvement of the president of the relevant court, candidate judges are selected by the President of the National Office for the Judiciary from the best three candidates chosen according to the selection criteria set by the National Judicial Council and based on the opinion of the relevant judicial council. The selected candidates are then appointed by the President of the Republic. The first appointment results in a three-year long probationary service period, while the subsequent appointment leads to an indeterminate service period.

Justices are appointed to the Curia of Hungary upon decision of the President of the Curia of Hungary with the administrative co-operation of the President of the National Office for the Judiciary.

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