



Strasbourg, 17 January 2025

**CDL-REF(2025)005**

Engl. only

**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**HUNGARY**

**PROVISIONS OF ACT XVII OF 2024 ON THE  
AMENDMENT OF LAWS RELATED TO JUSTICE MATTERS**

**Act XVII of 2024 on the Amendment of Laws related to justice matters****Subtitle 15: Amendment of the Act CLXI of 2011 on the organization and administration of courts**

§ 53. (1) Section 76(8) of the Act CLXI of 2011 on the organization and administration of courts is supplemented by the following point:

*(The President of OBH in his function related to information)*

"g) for the purpose of preparing legislation and examining the effective application of laws shall, at the request of the minister in charge of the judicial system, make available to the minister in charge of the judicial system the final and binding or definitive court decisions in the subjects indicated in the request, in a depersonalised form, including other court decisions and decisions made by other authorities and bodies which were revised or reviewed by the final and binding or definitive court decision."

(2): Section 76 of the Act CLXI of 2011 on the organization and administration of courts is supplemented by the following paragraphs (12) and (13):

"(12) For the purpose of preparing legislation and examining the effective application of laws, the president of OBH, acting in his capacity under Paragraph d) of Subsection (4) related to the collection of statistical data, shall, at the request of the minister in charge of the judicial system, inform, within the framework of the collection of specific statistical data, the minister in charge of the judicial system of data from which the entire duration of ongoing and completed court proceedings can be established from the time of the opening of proceedings to their final and binding conclusion, including the duration of any official or other public authority proceedings conducted by another body prior to the court proceedings (hereinafter referred to as "preliminary proceedings"), the duration of proceedings for ordinary and extraordinary remedies, as well as the duration of cases reopened based on redress procedures. In addition to the entire duration of proceedings, also the duration of preliminary proceedings and court proceedings between the beginning and final and binding or definitive conclusion of the proceedings shall be capable of being ascertained from said data collection.

(13) In the case provided for in Paragraph g) of Subsection (8), if the decision requested has already been published in the *Bírósági Határozatok Gyűjteménye* (Register of Court Decisions), the decision thus published shall be made available. In other cases, the provisions of Subsection (1), Paragraphs a), c), d) and e) of Subsection (2), and Subsection (5) of Section 166 shall apply to depersonalization. When complying with the request, the president of OBH may request consultation with the minister in charge of the judicial system in order to ensure that complying with the request does not result in a disproportionate caseload for the courts."

**Subtitle 17: Amendment of the Act CLXIII of 2011 on the Prosecution Service of Hungary**

**§ 58.** On chapter V of the Act CLXIII of 2011 on the Prosecution Service, the following § 37/A is added:

“§ 37/A. (1) For the purpose of preparing legislation and examining the effective application of laws, the Prosecutor General shall, at the request of the minister in charge of the judicial system, make available to the minister in charge of the judicial system, in a depersonalised form, any non-appealable decisions of the prosecution service in the subjects indicated in the request delivered in criminal proceedings terminated by a final and binding court decision, or a definitive non-conclusive court order, or a non-appealable decision by the prosecution service or the investigating authority; the indictment documents; as well as all those decisions of the prosecution service, other authorities and other bodies which were revised or reviewed by the non-appealable decision of the prosecution service.

(2) Depersonalisation shall be performed by replacing the data that make the persons concerned identifiable with data that prevent their identification. It shall be guaranteed that classified data are protected also when the decisions are made available.

(3) When complying with the request, the Prosecutor General may request consultation with the minister in charge of the judicial system to ensure that complying with the request does not result in a disproportionate caseload for the prosecution service.”