

Customer Information

On the submission of applications to research the archives of the Police

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Case group: Research application

Identifier	Title of form
100010	Kutatási kérelem a Rendőrség irattárában
100010	Application to conduct research in the archives of the Police

This information is effective as of 1 January, 2018.

Information

Brief description of the case

Records of permanent value and locally preserved records can be researched in the archives of the Police in accordance with section 12 of Act LXVI of 1995 on public records, public archives, and the protection of private archives (hereinafter: the Act).

When considering research applications, the protection period defined in Section 22 of the Act must be adhered to, which states that records created after 1 May 1990, or archives older than thirty years from the calendar year of their creation, archives that were created before 2 May 1990, if older than fifteen years from the calendar year of their creation can be researched - with the following exception: unless an Act otherwise provides, archives containing personal data shall be disclosed for access by anyone thirty years after the year of the data subject's decease. If the year of death is unknown, the protection period shall be ninety years from the birth of the subject, and when neither the date of birth nor of death is known, it shall be sixty years from the creation of the record held by the archives. The archives shall be open for access before the expiry of the protection period, if

- a) research can also be carried out - at the cost of the applicant - through an anonymized copy, or
- b) the subject, or after his death any heir, relative or registered spouse of his/hers, has consented to the research upon the request of the researcher, or
- c) research is required for scientific purposes – provided that the thirty or fifteen years defined in Section 22, subsection (1) have already expired—and the researcher attaches a statement of support issued by an institute or body performing public duties and scientific research in accordance with its designated purpose, granted on the basis of the detailed research plan of the researcher. Furthermore, the applicant shall sign a written declaration accepting that he shall handle and use the acquired and collected personal data in accordance with the provisions of

the act on information self-determination and freedom of information relating to the handling of data for the purpose of scientific research; moreover the declaration shall indicate the place of data handling.

If the records cannot be made available to the researcher due to their physical condition, the public archives may comply with the application by preparing a copy at its own expense, if this process does not involve the danger of further deterioration or destruction of the original, and does not entail an expense exceeding five times the fee for usual copying. However, in the latter case, if the researcher pays the excess cost, the public archives shall be obliged to make a copy.

Furthermore, research can be performed without any time limitation on archives that have already been made public, and/or the content of which anyone may become familiar with – according to the act on information self-determination and freedom of information.

The archiving body shall give written reasons for the partial or total denial of the application for research.

Who is eligible for the procedure

Persons who wish to research the archives of the Police for research purposes.

What data needs to be submitted

- a) The applicant's personal identification data (name, place and name of birth, mother's name, address)
- b) The aim of the research
- c) The subject of the research
- d) The period of the research
- e) The applicant's contact details

What documents are required

In the case of research for scientific purposes, the researcher must attach a statement of support issued by an institute or body performing public duties and scientific research in accordance with its designated purpose, granted on the basis of the detailed research plan.

Costs and expenses of procedure

Submitting the application is free of charge. Any natural person may conduct research free of charge and may obtain copies of records released for inspection at his own cost.

Where shall it be addressed

At the body keeping the records to be researched (National Police Headquarters, Intervention Police, International Law Enforcement Cooperation Centre, Airport Police Directorate, Police Education and Training Centre, International Education Centre, county (municipal) police headquarters, police headquarters, and border guard agencies).

Administration deadline

Applications shall be judged within 30 days.

Legal remedies: –

On what grounds can the research permit be issued

Research permits can be issued upon a written application.

Who can issue a research permit

The archives of the Police can only be researched with the permission of the head of the archiving body.

Applications shall be judged in accordance with the Law, the provisions of the act on the protection of classified Information; the act on information self-determination and freedom of information; and other relevant legislation.

The applicant's further tasks following the issue of the research permit

The applicant shall sign a written declaration accepting that he shall handle and use the acquired and collected personal data in accordance with the provisions of the act on information self-determination and freedom of information relating to the handling of data for the purpose of scientific research; moreover the declaration shall indicate the place of data handling.

Relevant legislation

- Act LXVI of 1995 on public records, public archives, and the protection of private archives;
- Act CLV of 2009 on the Protection of Classified Information;
- Act CXII of 2011 on information self-determination and freedom of information