

## Customer Information

### Application for restitutio in integrum

#### e-Papír included in information

Case category: Misdemeanour procedure

Identifier	Title of form
100105	Igazolási kérelem
100105	Application for restitutio in integrum

**This information is effective as of 1 January, 2018.**

### Information

This page contains information on applications for restitutio in integrum in misdemeanour procedures.

#### Legislation relating to the procedure

Act II of 2012 on Misdemeanours, the Misdemeanour Procedure and the Misdemeanour Registry System

#### Procedure

##### *Submitting the application for restitutio in integrum*

Persons who, without any fault on their part, failed to appear on a specified date or missed a deadline, may submit an application for restitutio in integrum (hereinafter: application). The application can be submitted within 8 days of the date or deadline missed. If the omission came to the knowledge of the person subject to the proceedings/witness or expert at a later point in time, or the obstacle ceased to exist at a later point in time, the time limitation is counted from the date of knowledge or the day when the obstacle ceased to exist. No applications may be submitted after 3 months from the date (or deadline) missed. The application has to specify the reason for the omission, and the circumstances that suggest that the omission is due to no fault on the applicant's side. If a deadline for performing an act has been missed, the act has to be performed along with submitting the application.

The application has to be submitted to the authority in charge of the case.

Electronic attachments may be added to the application.

##### *Receipt of the application*

Applications and attachments submitted electronically through the Client Gateway (Ügyfélkapu) are forwarded to the document management system of the Police via the Central

Electronic Service System (KözpontiRendszer). The client receives notification thereof from the Central Electronic Service System. The application and its attachments automatically reach the authority that they are addressed to via the document management system of the Police and the applicant receives an automatic notification of the fact. Lack of an automatic notification from the document management system of the Police means that the application and its attachments have not reached the relevant authority. In that case it is suggested that the applicant contact the relevant authority by telephone.

*Processing the application*

The application for restitutio in integrum shall be judged by the misdemeanour authority conducting the procedure in which the omission occurred. If the omission is related to an objection, it shall be judged by the relevant court. If the application is well founded, the relevant authority shall order the continuation of the proceedings and – depending on the outcome of the procedure- the earlier decision shall be upheld or shall be annulled, and a new decision shall be made. The Police shall forward an electronically authenticated and issued copy of the decision to the applicant's Client Gateway storage space.