

Customer Information

Regarding applications to rebut a service presumption

e-Papír included in information

Case category: Misdemeanour procedure

Identifier	Title of form
100106	Kézbesítési vélelem megdöntései ránti kérelem
100106	Application to rebut a service presumption

This information is effective as of 1 January, 2018.

Information

This page contains information regarding applications to rebut a service presumption.

Legislation relating to the procedure

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

Procedure

Submitting the application to rebut a service presumption

An application to rebut a service presumption can be submitted by the addressee, if the service has violated acts governing the service of administrative documents, or if the addressee has failed to receive the administrative document without any fault on his part. The addressee may submit the application to rebut the service presumption (hereinafter: application) within 8 days of knowledge of the establishment of the service presumption, but at the latest within the 3 month mandatory limitation period counted from the establishment of the service presumption. The application must present the facts and circumstances that prove the unlawfulness of the service or suggest the lack of fault on the part of the applicant.

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 shall be judged by the misdemeanour authority responsible for the service within eight days of its receipt. If the application is accepted by the misdemeanour authority, any legal consequences relating to the presumed service shall be made invalid and the service and the measures/procedures already implemented shall be repeated as needed. If the application relates to an objection, the documents shall be sent to the court ruling on the objection. The Police shall forward an electronically authenticated and issued copy of the decision to the applicant's Client Gateway storage space. In most cases, the applicant's personal appearance is not required during the consideration of the application.