

Customer Information

Objection, renewed objection, and withdrawing an objection

e-Papír included in information

Case category: Misdemeanour procedure

| Identifier | Title of form |
|------------|--------------------------|
| 100114 | Kifogás |
| 100114 | Objection |
| 100115 | Ismételt kifogás |
| 100115 | Renewed objection |
| 100116 | Kifogás visszavonása |
| 100116 | Withdrawing an objection |

This information is effective as of 1 January, 2018.

Information

This page contains information on objection, renewed objection, and withdrawing an objection.

Legislation relating to the procedure

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

Procedure

Submitting an objection

Within 8 days of the communication of a substantive decision, the defendant and his representative may submit an objection against the decision to the misdemeanour authority making the substantive decision, while in cases where the defendant is obliged to compensate for damages, the defendant may submit an objection against this (and only this) provision of the decision. The objection has to specify the grounds on which it is raised and has to clearly state the request that the court should hear the case in a trial.

Submitting a renewed objection

The defendant and his representative may submit a renewed objection against the decision of the misdemeanour authority on a previously raised objection within 8 days of the communication of the decision. The renewed objection may only include statements of the decision that are subject to change.

Withdrawing an objection

Objections that have been submitted but have not yet been judged may also be withdrawn.

Objections, renewed objections and withdrawals of objections have to be sent to the authority in charge of the case.

Electronic attachments can be added to the objection.

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 objection

Based on the objection, the authority in charge may withdraw its decision in the form of a new decision, or may change it in favour of the defendant.

If the authority in charge does not change the decision that the objection has been raised against, the relevant documents shall be sent to the relevant district court for the judgement of the objection within 8 days of the receipt of the objection by the authority; while in the case of a trial being conducted, within 15 days. Renewed objections shall be immediately forwarded by the authority in charge to the relevant district court for judgement.

The authority in charge shall reject objections submitted late or submitted by persons other than those entitled; and shall reject renewed objections if they are not raised against statements subject to change.

The Police shall issue and forward an electronically authenticated and issued copy of the decision to the applicant's Client Gateway storage space.