

Customer Information

Application for reconsideration of court decisions due to mitigating circumstances

e-Papír included in information

Case group: Misdemeanour procedure

Identifier	Title of form
100122	Méltányossági kérelem
100122	Application for reconsideration of court decision due to mitigating circumstances

This information is effective as of 1 January, 2018.

Information

This page contains information on mitigating circumstances applications.

Legislation relating to the procedure

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

Procedure

Submitting a mitigating circumstances applications

The perpetrator – and with his approval, his representative – may submit a mitigating circumstances application (hereinafter: application) to have the penalty imposed by the misdemeanour authority or the measures taken waived or reduced. Persons subject to confiscation may also submit an application to recover the objects confiscated. No mitigating circumstances application may be submitted for the retrospective remission of penalties or measures already implemented.

The application may be submitted once, within 30 days of the decision imposing a fine becoming final, and in the case of other sanctions, until the start of their enforcement.

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 (Központi Rendszer). 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 has to be submitted to the misdemeanour authority making the substantive decision in the case, which shall in turn forward the application and its documents to the minister in charge of misdemeanour procedures as a matter of urgency. The Police shall forward an electronically authenticated and issued copy of the decision on the application 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.