

Customer Information

On the necessary steps to initiate civil proceedings and on how to withdraw from such proceedings

e-Papír included in information

Case Group: Procedure regarding a breach of the law.

Identifier	Title of form
99	Szabálysértési eljárás megindításához szükséges magánindítvány
99	Civil claim needed to initiate proceeding regarding a breach of the law.
100	Szabálysértési eljárás megindításához szükséges magánindítvány visszavonása
100	Withdrawal of a civil claim needed to initiate proceeding regarding a breach of the law.

This information is effective as of 1January, 2018.

Information

This page contains information related to civil claims and how to initiate proceedings regarding a breach of the law and also gives information on withdrawing from such proceedings.

Legislation related to the procedure:

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

Procedural order

Submission of a civil claim.

For the alleged offence to be pursued through the civil court system, it is the plaintiff who must instigate the claim. A civil claim involves the plaintiff making a statement that he wishes the person subject to the proceedings to be held liable for a breach of law. If the plaintiff is limited in his capacity to act on his own behalf or if he is incapacitated, the claim can also be submitted by his legal representative. In such cases, the relevant authority is also entitled to present the claim which must be submitted within 30 days from the date when the plaintiff discovered the identity of the person subject to the proceedings. The claim will be sent to the appropriate police authorities who are obliged to conduct the preparatory proceedings as well as to the National Tax and Customs Administration in case of a breach of the law regarding industrial property rights.

Withdrawal of a civil claim

A civil claim can be withdrawn up until the time when the relevant authority or court has come to a decision. To instigate the withdrawal of a civil claim the plaintiff must write a statement expressing that that he does not wish any further action to be taken against the person subject to the proceedings.

This withdrawal statement must be sent to the appropriate authority acting on the case.

Electronic attachments may accompany the civil claim or its withdrawal.

The civil claim and its attachments sent electronically through a client gateway are transmitted through the central system to the police records system. The client is then notified by the central system. The police records system automatically receives the civil claim and its attachments and sends it to the recipient authority which, in turn, automatically notifies the claimant. If the police records system does not send an automatic notification, this means that the civil claim and its attachments have not been received by the addressed authority. In this case, we recommend that you contact the recipient authority by telephone.

Receipt of a civil claim

The civil claim and its attachments sent electronically through a client gateway are transmitted through the central system to the police records system. The client is then notified by the central system. The police records system automatically receives the civil claim and its attachments and sends it to the recipient authority which, in turn, automatically notifies the claimant. If the police records system does not send an automatic notification, this means that the civil claim and its attachments have not been received by the addressed authority. In this case, we recommend that you contact the recipient authority by telephone.

Processing a civil claim

Based on the civil claim being filed in due time, the subsequent proceedings are conducted by the relevant authority or the court. In the event of the withdrawal of the claim, the alleged offence against the person subject to the proceedings is terminated by the relevant authority or by the court for reasons of non-liability.