

Customer Information

For sole traders of other EEA member states applying for the issue/ extension of a licence to perform private security activities in Hungary

ÁNYK (General Form Completion program) form included in information

Case group: Procedures concerning private security and private investigation (security procedures)

Identifier	Title of form
RI-0205	Kérelem más EGT-tagállam egyéni vállalkozója részére Magyarországon végezni kívánt személy- és vagyonvédelmi tevékenység végzéséhez szükséges működési engedély kiadásához, meghosszabbításához
RI-0205	Applications for sole traders of other EEA member states for the issue/extension of a licence to perform private security activities in Hungary

This information is effective as of 1 January, 2018.

Legislation relating to the procedure

1. Act CL of 2016 on the general rules of administrative proceedings and services
http://njt.hu/cgi_bin/njt_doc.cgi?docid=199170.331240
2. Act CXXXIII of 2005 on the rules of private security and private investigation (hereinafter: PSI Act)
http://njt.hu/cgi_bin/njt_doc.cgi?docid=95492.338607
3. Act CXX of 2012 on the activities of persons performing certain law enforcement tasks and on the amendments to certain acts to fight truancy (hereinafter: Law Enforcement Act)
http://njt.hu/cgi_bin/njt_doc.cgi?docid=152650.337597
4. Act CCXXII of 2015 on the general rules of electronic administration and trust services (hereinafter: "E-Administration Act")
http://njt.hu/cgi_bin/njt_doc.cgi?docid=193173.338642
5. Act XCIII of 1990 on Duties (hereinafter: D. Act)
http://njt.hu/cgi_bin/njt_doc.cgi?docid=13511.338389
6. Government decree 329/2007 on the organs of the police and on the responsibilities and powers of the organs of the police (hereinafter: Gov. D.)
http://njt.hu/cgi_bin/njt_doc.cgi?docid=112629.326988
7. Decree of the Minister of Justice and Law Enforcement 67/2007. (XII. 28.) on the territorial jurisdiction of the organs of the police
http://njt.hu/cgi_bin/njt_doc.cgi?docid=110516.316679

Procedure

The form is used for authorising private security activities performed by sole traders that have been established and have obtained their operating licence in other states of the EEA and pursue private security activities on the basis of residence in Hungary.

Submitting the application

The application has to be submitted to the city (district) police headquarters whose jurisdiction covers the sole trader's establishment/ branch in Hungary.

Costs and expenses of procedure

1. An administrative service fee of HUF 23,000 (twenty-three thousand), to be paid into the appropriation allocation fund account of the county (or Budapest) police headquarters in charge of the case, in advance or retrospectively.
2. Account numbers: see Attachment 1 of MoI (Minister of Interior) Decree.
3. Advance payment: "SZV. ig. szolg. díj" (Private Security administrative service fee) to be indicated in the reference field.
4. Retrospective payment: to be made at the latest within one day after knowledge of the registration number of the authority in charge of the case (Registration number: the "RZSEIR" registration number indicated on the notification sent by the document management system of the Police to the applicant's Client Gateway storage space).

Attachments to be added to the application

1. In the case of a person without Hungarian citizenship, a public document certifying his legal capacity and its certified Hungarian translation.
2. In the case of a person without Hungarian citizenship, a public document issued by the relevant authority of the applicant's country of residence, not older than 3 months, certifying compliance with the requirements concerning the applicant's background (absence of any criminal record). A document issued in another country is of probative value – unless otherwise suggested by an international treaty or the practice of international reciprocity- if it has been certified as diplomatically authentic by the Hungarian foreign representation operating in the country where the document was issued. For documents issued in a language other than Hungarian, a certified Hungarian translation also has to be attached to the application.
3. A valid and effective document issued in another EEA member state, which authorises the enterprise to conduct private security activities and its certified Hungarian translation.
4. A liability insurance covering the activity to be conducted, and a certificate issued by the insurance company attesting that the insurance contract has been continuously in effect due to payments of the insurance fee.
5. In the case of an advance payment of the administrative service fee to the Police, a proof of the payment.

Processing the application

The Police shall –at the request of the EEA sole trader—authorise the sole trader's activity in Hungary, if upon examining the documents (translated into Hungarian) provided by the applicant, they have found that the EEA sole trader holds valid and effective documents

issued in other EEA member states, which authorise the enterprise to conduct private security activities.

If during the processing of the application it is established that an eligible customer has submitted a fully completed application to the relevant authority or has complied with the request for supplying missing items and conforms to the applicable requirements set out in legislation, the Police shall issue a decision authorising the activity until the original end of validity date of the licence issued in the other EEA member state. The decision shall be sent by post at the applicant's request, or may be received in person at the authority in charge. (In the case of an extension, the previous, still valid decision has to be returned to the authority in charge upon receiving the new decision.)

The private security activities may only be commenced if the authority in charge has authenticated the records of the sole trader's contracts.

In the case of an incomplete application, the authority in charge shall order the issue of a request for the supply of missing items, which shall be sent to the applicant's Client Gateway storage space. The missing documents requested can be attached to a separate form.

If the requested documents are not supplied or the administrative service fee defined is not paid, the Police shall or may terminate the public administration procedure.

If the applicant does not comply with the provisions of the relevant legislation, the application shall be rejected.

The procedure requires personal appearance.