

## Customer Information

### Applications for complaints regarding public safety, reports to the police and complaints about measures taken by law enforcement personnel

#### inNOVA form included in information:

Case Group: complaint handling:

Identifier	Title of form
RK-0101	Rendőri intézkedés elleni panasz bejelentőlap
RK-0101	Complaints against measures taken by the police (form)

This information is effective as of 04 March 2020.

## Information

If you wish to report any case requiring an immediate police response, please do not report it in an electronic format, but in person at the nearest police station or call its telephone number immediately or dial the free emergency numbers of 107 and 112, respectively.

#### Complaint against measures taken by the police (form)

Please note that the Independent Police Complaints Board has ceased to exist on 27 February 2020 and the same role and powers are exercised by the Commissioner for Fundamental Rights.

How you can file an application:

- verbally, in person at any police authority as well as at the Commissioner for Fundamental Rights;
- by mail;
- via the client portal by filling out the inNOVA form RK-0101.

In order to investigate the application, the provisions of Act CL of 2016 on Administrative Proceedings (hereinafter referred to as Ákr.) shall be applied. If the application does not meet the conditions set in the national law, the relevant authority to conduct the procedure shall invite, on one occasion, the applicant to remedy the deficiencies by setting a deadline for it and by indicating the consequences of failure— unless otherwise provided by the national law or the governmental decree, or if applicant does not submit it in one of the forms listed above, the application may be refused by the authority. If, within five days of the refusal, your application is resubmitted in the prescribed form, the authority will consider the case in its entirety and the application shall be deemed to have been filed within the original time limit.

In case of non-submission for remedy, the procedure cannot be carried out and the applicant is informed of it in an order. As regards the most important data to the current procedures, they are as follows: where and when did the measures complained of happen and against whom. Since the authorities must investigate whether the application has been submitted by the person entitled to submit it, or by a person legally acting on their behalf, your application in writing (paper-based or in an electronic format) must be signed by you or your representative.

Please note that your applications sent via e-mail, in text or in similar fashion DO NOT QUALIFY AS A FORM OF WRITTEN APPLICATION. Therefore they are not suitable for initiating procedures aiming at investigating COMPLAINTS AGAINST MEASURES TAKEN BY THE POLICE.

With reference to the case number during administrative authority procedures, you may initiate proposals, observations or submit applications at any time regarding investigating complaints against police measures. We kindly request that you submit your application regarding such issues in accordance with the method detailed above. In your application, please make reference to the case number (if it is known to you) and briefly summarize in which case you wish to exercise your above rights.

Regarding persons of fully limited legal capacity, additionally persons of partially limited legal capacity in initiating judicial matters and public authority procedures, their legal representative shall act on their behalf; regarding minors of partially limited legal capacity or adults of limited legal capacity (with the exception of the matters mentioned above) in other matters, either their legal representative or their authorised representative may act on their behalf. The complaint may be submitted either by the authorized representative or the legal representative. The procedures are exempt from charges and fees.

If the person authorized or the legal representative acts on your behalf, it is required in all circumstances that you attach the document on the entitlement of representation, which must be recorded in an authentic instrument or a private document providing full evidence, or may be recorded in minutes.

In your application, please provide as much detailed information as possible regarding the behaviour you complained about or wish to report. By doing so, you can help us achieve our common goals, the most effective conduct of procedure, an effective remedy, and our work regarding holding the perpetrators of infringements accountable, respectively. The most important pieces of information are as follows: what happened, when and where, who was the person displaying the behaviour you complained about.

As regards the content of the application, the applicant is held liable for it. So in the application, in particular, the applicant is not allowed to falsely accuse other persons with committing offences, infringements, insubordination, or violation subject to administrative penalty, nor is he/she allowed to provide false evidence regarding the aforementioned to the authorities or others exercising disciplinary power. The applicant is not allowed to make such patently false reports which may serve as the basis of prosecution against the other person. In both cases, submitting such an application is subject the criminal proceedings. The application shall always be examined and considered according to its content. Therefore, your application may constitute the basis of criminal proceedings or infringement proceedings. Please note that you are required to act in good faith during the procedure which entails providing data and information to the very best of your ability with accurately and correctly. Against those who infringe the above criteria, the authority may impose procedural fines ranging, in case of natural persons, from HUF 10,000 to HUF 500,000. In case of legal persons the upper limit of the fine may be up to HUF one million.