

## Customer Information

### Notification of disappearance / Notification of whereabouts of a missing person

#### inNOVA forms included in information:

Case Group: Notification of disappearance / Notification of whereabouts of a missing person:

Identifier	Title of form
BU-0001	Eltűnés bejelentése
BU-0001	Notification of the disappearance
BU-0002	Eltűnt személy tartózkodási helyének bejelentése
BU-0002	Reporting a missing person's location

The Information is effective as of 01 February, 2020

#### Information

##### Reporting the disappearance of a person

*Legal background:*

- Act LXXXVIII of 2013 on the Search Warrant record system and the search and identification of persons, things
- 63/2013. (XI.28.) Minister of Interior decree on transmission of data to certain Search Warrant registration systems and on the detailed rules for conducting the search.

*Brief description of the case*

The police orders to locate a person in an unknown place of residence, whose disappearance has been reported to the police.

A person in an unknown location shall be deemed to be missing for the purpose of ordering a Search Warrant if:

- The data available on the circumstances of disappearance, on the lifestyle, occupation and other personal circumstances suggest that his disappearance – with the exception of a wanted person - is related to the commission of a criminal offence.
- is unable to act or has limited ability to act, because of his health, age or other reason is unable to take care of himself
- according to his lifestyle, personal circumstances and occupation, no reasonable explanation for his disappearance can be given,
- disappearance is related to a natural disaster or suicide, or

- disappearance is related to an injury that has been sustained by an individual against their will.  
Search shall be ordered immediately after the notification or official knowledge of a person's disappearance.

There is no legal remedy against the ordering of the Search Warrant.

The police department that issues the Search Warrant shall not inform the notifier in the absence of authorization with regard to the appropriate law.

- issuing the Search Warrant
- about the procedures carried out in the course of the search,
- The notifier has no access to the documents of the search, shall not have access to any copies

The Police responsible for implementing the search for a missing person who is in an unknown location shall be the Police whose jurisdiction covers

- The person's given residence,
- In the absence of a permanent given residence, a place of temporary residence,
- The last known place of permanent residence or temporary residence,
- In the absence of such lists, the last given permanent or temporary residence
- In the absence of these, the Police headquarters which has jurisdiction over the residence or institution of the person who has reported the disappearance shall be responsible.

When determining the jurisdiction of a police force in the case of a juvenile in an unknown location, the above rules shall apply to an adult who is responsible for the supervision of a minor.

In the case of a minor who is placed in temporary custody or who is in an unknown place, the relevant the police force conducting the search proceedings shall apply to the place of care designated at the time of the disappearance of the minor.

## **Notification of the place of residence of a wanted person/missing person**

### *Relevant legislation*

- Act LXXXVIII of 2013 on the search record system and the search and identification of persons, things.
- 63/2013. (XI.28.) Minister of Interior decree on the transmission of data to certain registers of the search registration system and on the detailed rules for conducting the search procedure as well as on the amendment of certain ministerial decrees.

### *Brief description of the case*

A person who had been subject to a Search Warrant and found shall be informed by the Police that he is subject to such a warrant by means of a notification and shall state in writing whether or not he agrees to communicate to the notifier his place of residence or the address where he was found. If the person subject to the Search Warrant refuses to make a declaration, it shall be deemed to be a denial of consent.

The police shall inform the notifier of the missing person of his residence or that he is alive, as well as of his refusal to make a declaration. Then, following the declaration of the person sought, the Police shall revoke the Search Warrant.