

Customer Information

Reporting suspicious transactions, deficiencies and thefts related to regulated explosives precursors

InNOVA form from the customer information

Topic Group: Administration related to the transport of explosives

Identifier	Name of form
RI-0404	Szabályozott robbanóanyag-prekursorokkal kapcsolatos gyanús tranzakciók, hiányok és lopások bejelentése Reporting suspicious transactions, deficiencies and thefts related to regulated explosives precursors

Information in effect as of 19 April, 2022.

Legislation relating to the procedure:

1. Act CL of 2016 on General Administrative Procedure
<https://njt.hu/jogszabaly/2016-150-00-00>
2. Gov. Decree 274/2016 (IX.15.) on the marketing and use of explosives precursors
<https://njt.hu/jogszabaly/2016-274-20-22>
3. Gov. Decree 329/2007 (XII.13.) on the bodies of the Police and the tasks and powers of the bodies of the Police
<https://njt.hu/jogszabaly/2007-329-20-22>
4. Regulation (EU) 2019/1148 of the European Parliament and of the Council on the marketing and use of explosives precursors, amending Regulation (EC) No 1907/2006 and repealing Regulation (EU) No 98/2013
<https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=CELEX%3A32019R1148#>

Submission of the report:

The report must be forwarded to the National Police Headquarters.

Annexes to be attached to the report:

There is no compulsory annex to the report.

Costs of the procedure:

The reporting is free of charge.

Processing of the report:

The Hungarian National Police Headquarters examines the data contained in the report, and if it is necessary to obtain additional information, it shall contact the person making the report.

General information under the Regulation:

Pursuant to Article 9 Section (1) to (6) of Regulation (EU) 2019/1148 of the European Parliament and of the Council on the marketing and use of explosives precursors, amending Regulation (EC) No 1907/2006 and repealing Regulation (EU) No 98/2013 (henceforth: the Regulation), in order to prevent and detect the illicit manufacture of explosives, economic operators and online marketplaces are required to report suspicious transactions. Economic operators and online marketplaces shall do so after all circumstances have been taken into account, in particular if the prospective customer acts in at least one of the following ways:

- a) appears to be unaware of the intended use of regulated explosives precursors;
- b) does not appear to be aware of or cannot credibly explain the intended use of regulated explosive precursors;
- c) intends to buy regulated explosives precursors in quantities, combinations or concentrations uncommon for legitimate use;
- d) refuses to prove his/her identity or place of residence or, where applicable, his/her status as a professional user or economic operator;
- e) insists on the use of unusual payment methods, including large-value cash payments.

Economic operators and online marketplaces should have appropriate, reasonable and proportionate procedures for detecting suspicious transactions, adapted to the specific environment in which regulated explosives precursors are made available.

Each Member State shall establish one or more national contact point(s) for reporting suspicious transactions, significant deficiencies and thefts, with a clearly identified telephone number and e-mail address, an online form or any other effective means. The national contact points shall be available 24 hours a day, 7 days a week.

Economic operators and online marketplaces may refuse suspicious transactions. Operators and online marketplaces shall report a suspicious transaction or an attempted suspicious transaction no later than 24 hours after the transaction has been deemed suspicious. When notifying such transactions, they shall, as far as possible, provide the identity of the customer and any data that led to the transaction being considered suspicious to the national contact point of the Member State in which the suspicious transaction was carried out or attempted.

Operators and professional users shall report significant deficiencies or thefts involving regulated explosives precursors to the national contact point of the Member State where the deficiency or theft occurred no later than 24 hours after the detection. In deciding whether a shortage or theft is significant, consideration should be given to whether the quantity is unusual in all the circumstances of the case.

In accordance with Article 5 Section (3) of the Regulation, citizens acquiring restricted explosives precursors shall report significant deficiencies or thefts involving restricted explosives precursors to the national contact point of the Member State where the shortage or theft occurred no later than 24 hours after detection.