



S U M M A R Y

**of the session of the National Judicial Council (OBT) of Hungary
held on 6nd February 2019 with 10 elected members
and President of Kúria present.**

*The session was also attended by
János Bánáti, President of the Hungarian Bar Association
Tibor Anka, Vice-president of the Bar Association of Public Notaries
Andrea Bencze, seconded judge, head of department at the Ministry of Justice
Judit Oltai, president of Hungarian Association of Judges (MABIE)*

1. The National Judicial Council decided on **personnel issues** (acquittals and exemptions) proposed directly by the affected judges.
2. Sándor Szabó **former president of the National Judicial Council reported** on activities of the Council and events in the second half of 2018.
3. The National Judicial Council participates in the **survey among professional judges about their independence** launched by European Network of Judicial Councils (ENCJ). The National Judicial Council turns to the judges asking them to fill out the voluntary and anonym survey.
4. The presidents of the **first instance and second instance service courts** (disciplinary courts) reported on the caseload of the service courts and the development of their case-law of the last year. The president of the First Instance Service Court noted that from 1 of March, as her judicial service terminates, the service court operates without president or vice presidents. Since there are no service judges from the Metropolitan Regional Court of Appeal, difficulties arise to commission a service judge temporarily for this task. The National Judicial Council is prevented from deciding on the appointments, because since 26th July 2018 the President of the National Office for the Judiciary – despite the request of the Council – withholds the nominations of the judicial conferences. The service courts are seriously endangered by immediate inoperability.

During their report it was also mentioned that the procedures of the service courts are still not regulated sufficiently, which raises constitutionality issues.

5. The National Judicial Council appointed three service court judges to the First Instance Service Court on the direct proposal of the president of Budapest Environs Court.
6. The National Judicial Council approved the **follow-up report of the committee** inspecting the development of appointment practise of the President of the National Office for the Judiciary and the execution of legal obligations regarding the National Judicial Council. The Council decided to disclose the report.

Due to the fact that the President of the National Office for the Judiciary notified the president of the Council about her will to give substantive remarks on the draft report, the National Judicial Council **grants additional time until 22nd of February 2019**.

Meanwhile, the National Judicial Council calls the President of the National Office for the Judiciary – with the same deadline – to **forward the following urgent proposals requiring immediate actions**: the transmission of documents necessary for the appointment of service court judges and proposals of judicial conferences for the donation of awards and honours for judges and judicial staff.

If no substantive remarks were made and no proposals were presented by the President of the National Office for the Judiciary, the National judicial Council draws the necessary conclusions based on the information available based on the inquiry report and takes the appropriate steps without further delay.