

REPUBLIC OF HUNGARY

I. System of Government

1. Hungary is a unitary republic with a parliamentary form of government.
2. The President is the head of state. Executive powers are exercised by the President and by the Government composed of the Prime Minister and cabinet ministers. The President is elected by parliament for a five year term with the possibility of a single re-election, under a two round system under which the winning candidate must receive two thirds of the votes. A third round contest is held between the two leading candidates if this is not achieved by the second round. The prime minister is elected by a majority of the votes of the members of parliament upon the recommendation of the President.
3. Legislative power is exercised by the unicameral National Assembly, which consists of 386 members, who are elected every four years under a mixed member proportional system. 176 members of parliament are elected in single member constituencies under a two round system, and 152 members of parliament are elected from 20 territorial constituencies through a party list system of proportional representation with a threshold for party representation of 5 percent of the votes nationally. The remaining 58 seats are “compensation mandates” that are allocated to national candidate lists of parties according to surplus votes, using a proportional representation system.
4. Local government elections are held every four years.
5. There were 8,046,129 registered voters for the parliamentary elections held on 9 April 2006.

II. Electoral Legal Framework

6. The electoral legal framework of Hungary is governed by its Constitution—which contains provisions on the structure of government, citizenship, right to vote, elective offices and terms of office, laws passed by parliament, decrees of the Ministry of Interior, measures of the National Election Office, and decrees of the Cabinet.
7. The primary laws governing elections are: Act XXXIV of 1989: On the Election of Members of Parliament; Act C of 1997 on Electoral Procedure; Act LXVI of 1992 On Keeping Records on the Personal Data and Address of Citizens; Law XXXIII of 1989 on the operation and functioning of political parties; Act IV of 1978 - provisions of the Criminal Code on election related offenses; Act XLI of 1999 On Territorial Organization Activity; and Act CXIII of 2003 governing elections to the European Parliament.
8. The compilation and maintenance of the electoral rolls are governed by: Act C of 1997 on Electoral Procedure; Act LXVI of 1992 On Keeping Records on the Personal Data and Address of Citizens, consolidated with Government Decree 146/1993; and Decree No. 60/2005 of the Ministry of Interior on the Execution of Act C of 1997 on Electoral Procedure.

III. Electoral Management Body

9. Parliamentary elections in Hungary are managed at four levels. Electoral management bodies exist at the national, territorial, constituency, and polling station levels composed of elected and party nominated members. Each electoral management body is supported by a corresponding electoral office supervised by the National Election Office.
10. At the national level, the National Election Commission (NEC) ensures the legality and fairness of

elections. It is primarily tasked to interpret election laws and to promote uniform electoral practice, decide registration of candidates, approve the contents of the ballot, determine achievement of voting thresholds, determine compensatory seats, publish vote results, and decide in the first instance electoral cases requiring national competence. However, the NEC has no authority to issue binding instructions to lower level electoral commissions. The NEC is a deliberative body composed of five regular members elected by parliament and two alternates appointed by political parties qualifying to present a national candidate list.

11. Below the NEC are the regional or county election commissions, constituency (district) election commissions and polling station election commissions. Local election commissions are also formed for local elections. The structure of the electoral management bodies is not hierarchical and each operates with relative autonomy, although it is the NEC that provides guidance to all other electoral management bodies.
12. The National Election Office created under the Ministry of Interior and subordinate election offices at the district and county levels provide the administrative, logistical and technical support to the corresponding electoral management bodies. Polling stations are formed for every 600 to 1,200 voters.

IV. The Right to Vote

13. A Hungarian citizen who is at least 18 years of age has the right to vote. Non-citizen residents are also allowed to vote in local elections, referenda and popular initiatives. In order to vote, a person must be included in the electoral roll. However, voting is not compulsory in Hungary.
14. A qualified voter who is included in the electoral roll may cast his/her vote at his/her designated voting station upon presentation of his/her proof of identity. Individuals who are not included in the electoral roll may be allowed to vote upon presentation of proof of identity and proof of residence, provided that he/she is not included in the register of citizens without voting rights. Voting station commissions prepare lists of those disqualified from voting. Voters who are not at their permanent residences on election day may request a voting certificate from the local election office where they are registered at least two days before the first round of voting for parliamentary elections. The voter must indicate if the voting certificate he/she is requesting is for the first, second or both rounds of elections. This certificate is presented to the voting station commission where the voter casts his/her vote.
15. Qualified voters who are abroad on election day yet maintain a residence within Hungary are allowed to vote in Hungarian embassies or consulates. Overseas voters may cast their votes in person in foreign representation offices one week before the first round of voting in parliamentary elections and on the actual date of the elections for the second round of voting.
16. Disqualifications from voting include: imprisonment for a criminal offence; under guardianship on grounds of restricted capabilities; barred from voting by a court decision; and having been committed to compulsory medical treatment in a criminal proceeding.

V. System and Procedure of Voter Registration

17. Hungary's electoral rolls are based on a civil registry system that is continuously updated. Owing to the compulsory nature of inclusion in the civil registry, voter registration is, in effect, also compulsory.
18. All Hungarian citizens, residents, immigrants or refugees within Hungary are required to register and

provide personal information to the local civil registries. Upon application before the local civil registry, the individual is issued an Authority Certificate, an identity card, and an 11-digit personal identification number. The Authority Certificate is the written proof of registration in the civil registry. It contains the following information about the registrant: name, address, a personal identifier in the form of a bar code, a document identifier number, date of issue and the name of the issuing authority.

19. Every change in personal circumstance (i.e. Change of name, change of address, birth, marriage, death, etc.) is required to be reported and recorded in the appropriate registries. The local register contains the following data on registered individuals: name; status (Hungarian, foreign national, stateless); gender; place and date of birth; mother's name; personal identification number; place and date of death (if applicable); domicile address; limitation on, or prohibition of, data accessible to the public; indication of personal data accessible to the public; civil status and place of marriage; photo & signature; and identity card number.
20. Registered citizens may indicate what of their personal data recorded on the civil register may be accessed by the public and what may not be accessed by the public.
21. A government agency called the Central Data Processing Unit of the Central Registration and Election Office under the Ministry of Interior is tasked to supervise and monitor the operations of the local and territorial registers and to control the accuracy of data. It oversees the operation of the central system of registration, provides operational regulations and manages the central database.
22. Once an election is called, the local electoral office prepares the preliminary electoral roll containing information on qualified voters on the basis of the Personal Data and Home Address Register and the Register of Citizens of Age Without Voting Rights. A qualified voter whose domicile or residence is within the electoral district is entered into the electoral roll for that district. A provisional electoral roll is displayed by the local electoral office for eight days, commencing 60 days before the date of the election.
23. A written notification of inclusion in the electoral roll and a "proposal coupon" (to support a candidate's nomination) are sent to each registered voter not later than the 58th day before election day. The written notification contains the following information about the registered voter: complete name, address, personal identification number, serial number in the register, time and venue of voting and other technical and useful information. Amendments or inclusion in the electoral roll may be made within the period of its display. Persons who did not receive the written notification and application form may apply for them at the local election office.
24. A qualified voter who will be abroad on election day and who is already included in the electoral roll for his/her place of residence in Hungary may request (in person, by mail, or through a representative) to be included in the electoral roll of Hungarian embassies and consulates abroad. Upon application of the voter, the head of the local election office shall include the name of the voter in the register of overseas voters and delete the voter's name from the Home Address Register.
25. These requests for overseas registration must be made to the relevant local election office before the 23rd day prior to election day for parliamentary elections (16th day prior to election day for other elections). Then, the head of the local election office shall send the data contained in the register of overseas voters to the National Election Office not later than the 15th day prior to election day for parliamentary elections (eighth day before election day for other elections). In turn, the National Election Office shall prepare, and transmit in secure electronic form, the electoral roll of overseas voters split by embassy or consulate, to the election offices established in the embassies and consulates. Upon receipt, the election office established in the embassy or consulate shall print and

authenticate the electoral roll.

VI. Data Management and Storage

26. The different registries are maintained and continuously updated at three levels: by the Municipal Clerk, by the head of the county, and by the Central Data Processing Office of the Ministry of Interior. Data is managed at the municipal level through the extensive use of computers (or manually, for temporary processing). The Municipal Clerk is in charge of recording, maintaining, continuously updating and protecting the registry data. Any change in the data is relayed to the Regional Center Clerk who then forwards such changes to the Central Registration and Election Office of the Ministry of Interior. This Office supervises the local and regional organs of registration with respect to registration of address and domicile, issuance of the Authority Certificate, issuance of the identity card and generation of the unique personal identification number of the registrant. The Central Office is entitled to examine any data error of the register, and may give instructions on the methods to eliminate errors.

VII. Data Management Technology

27. With the centralized system of database management, the Central Registration and Election Office of the Ministry of Interior lays down the technology standards required for the register, and engages in the continuous development of the information technology. The Central Office also assesses the required software applications that administer the register, including software registration, and required technical specifications. The Central Office oversees the implementation of system technological developments or upgrades, including the propagation of such new digital technologies to competent organs of the State.
28. In line with the inclusion of the registration of births, marriages and other demographics, the existing national digital network has been expanded by adding 1,800 new network workstations with direct links to more than 2,000 municipal offices at election time.
29. The IT system operates on a three-layered architecture: "thin client" functions at local level (Microsoft Explorer), application servers carry out processing tasks in the centre, and special database servers handle the databases. In addition to the foregoing, special IT solutions are also applied in the systems serving the compilation of the electoral rolls and the register of those without voting rights.

VIII. Types of Voters List Generated

30. A preliminary electoral roll containing information on qualified voters is prepared on the basis of the Personal Data and Home Address Register. The final electoral roll is prepared upon termination of the period for display and amendment of the electoral roll. A separate register of qualified overseas voters is compiled by the National Election Office for each Hungarian embassy or consulate. A Register of Citizens of Age Without Voting Rights is also maintained by electoral offices. For elections to the European Parliament, a separate register is maintained for citizens of other member states of the European Union who wants to vote in Hungary and another separate register is kept for Hungarian citizens admitted to a voters' register in another member state of the European Union.

IX. Proof of Registration

31. An Authority Certificate, identity card and personal identification number are issued to all individuals, 14 years and above, who are included in the civil registry. A qualified voter with an

identity card is also automatically included in the electoral roll unless excluded for some legal reason. The identity card contains key aspects of the registry data such as date of birth, civil status, and place of residence or domicile.

X. Maintenance of Voters Register

32. The electoral roll is continuously maintained and updated as part of the civil register. A qualified voter may also apply before the local electoral office for an amendment of the electoral roll if:
 - a. he/she is not included in the electoral roll; or
 - b. he/she gained voting rights after the publication of the electoral roll; or
 - c. he/she regained voting rights after the publication of the electoral roll.
33. The local election office continuously updates the electoral roll by removing the names of deceased or unqualified voters and adding the names of newly qualified voters. The change of address of a registered voter after the completion of the electoral roll results in his/her inclusion in the electoral roll for his/her new residence and deletion from the electoral roll for his/her previous domicile.
34. Voters can be excluded from or included in the electoral roll during the period of display of the electoral roll. On the other hand, the electoral roll of overseas voters prepared by the National Election Office cannot be altered or modified. A voter who was included in the electoral roll for overseas voters, or who was denied inclusion therein, can lodge an appeal before the local electoral office within three days from receipt of the notice in order to reverse the decision.
35. The register of disenfranchised persons is updated by information from public guardianship authorities and national penal authorities.
36. Registry data protection and personal data protection are the responsibilities of the Municipality Clerk, the Head of the Police Department, the Head of the County (Budapest Administrative Agency) and other key offices. They are tasked to undertake technical and organizational measures to develop control systems or protection regulations. The Minister of the Interior also appoints a data protection supervisor at the Central Registration and Election Office and the Head of the County (Budapest Administrative Agency) to ensure the legal aspects of data management.

XI. Quality Assurance Mechanisms

37. The National Election Office and the Central Registration and Election Office of the Ministry of Interior aim for a trouble-free integrated information technology (IT) system. A parallel IT system is installed for quality control purposes. Quality control encompasses the whole process of laboratory tests up to large national trial runs. In addition, the electronic infrastructure and the application solutions being used by the system ensure the accuracy of the electoral roll information. In order to ensure that only those with active voting rights can vote, the Register of Citizens of Age Without Voting Rights is linked with local, district and central records on personal data and addresses from the day the election is announced until final election results are published.

XII. Transparency and Accessibility to the Public

38. The activities of election committees as well as the data available to election committees are available to the public subject to the provisions of laws protecting personal data.
39. The electoral roll for each voting station is compiled and displayed for eight days starting 60 days prior to elections. Voters are notified of their inclusion in the electoral roll by a written advice sent

by mail (not later than 58 days before election day). The voter's personal identification number is not included in the published register. The amended electoral roll may be inspected by the public in each mayor's office until the second day prior to polling day.

40. The Register of Citizens of Age Without Voting Rights is not available to the public and may be examined only by the person concerned, by the courts, election committees or electoral management body members and staff.
30. Candidates are allowed to purchase a copy of the electoral roll.
31. The right to privacy of personal data is protected under Act LXIII of 1992 on the Protection of Personal Data and Act LXVI of 1992 which contain rules about protection of personal data and general access to data of public interest.

XIII. Voter Education

41. The National Election Office and its regional and district offices are in charge of providing information to voters. Information on voter registration processes, management and computer systems is also available on the National Election Office's website.

XIV. Voter Registration Cost

42. The financial costs for the Register's establishment, operation and development are determined by the state through the Parliament. The actual costs and expenses of operation of the registration are based on, and included in the budget, of the local governments. No aggregated costs for maintaining the registry from local governments are available. However, official sources revealed that the extraction, publication and distribution of the electoral roll from civil register data for the 2002 parliamentary elections amounted to 10.7 percent of the total electoral cost of US \$25 million, or around US\$2.68 million.

XV. Performance Standards

43. The experience of previous elections underscores the importance of IT support in ensuring the accuracy and integrity of the electoral rolls. The National Election Office set the following performance standards for the voter registration system:
 - a. full compliance with the principles of plausibility and publicity;
 - b. full correctness and professionalism;
 - c. continuous operation with zero error;
 - d. supporting the establishment of the conclusions of the ballot;
 - e. safeguarding the pureness of the ballot, enforcement of the fundamental principles of election;
 - f. providing continuous information to the electoral bodies, the media and the voters; and
 - g. following the progress of information technology.

XVI. Performance of the Voter Registration System

44. The National Election Office claims that the utilization of the database network of document bureaus, especially the processing of data on births, marriages, and the like, as well as the use of integrated software applications (software programs) have achieved its set of objectives. The Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR) Election Observation Mission for the 7 April (first round) and 21 April (second

round) 2006 parliamentary elections of Hungary reported that the parliamentary elections was transparent, accountable, free, fair, equal and were conducted in a manner consistent with international standards and commitments for democratic elections.