

# **European Conference on Courts and Communication**

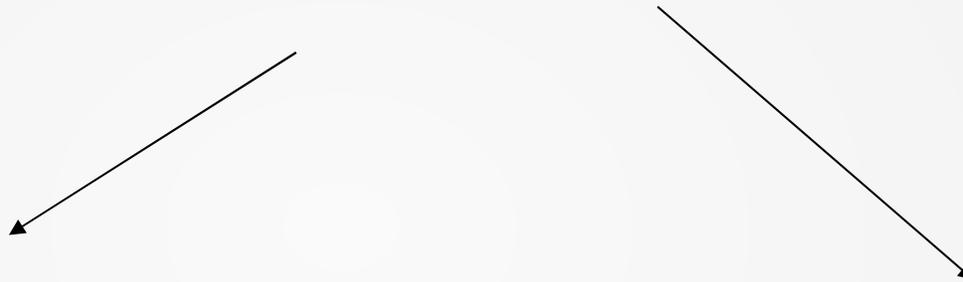
**16-17 October, 2014**

**The role of the Network of Judicial Advisors in  
European Union Law in court communication**

# **The role of the Network of Judicial Advisors in European Union Law in court communication**

**. dr. Anna Csorba**

# The European Union and Hungary (one of the 28 member states)



**Eu Law / acquis  
Law materials**

**communautaire  
Hungary**

**of**

## EU Treaties:

## Loyalty clause:

Treaty on European Union and Treaty on The Functioning of the European Union

Helps the Member States:

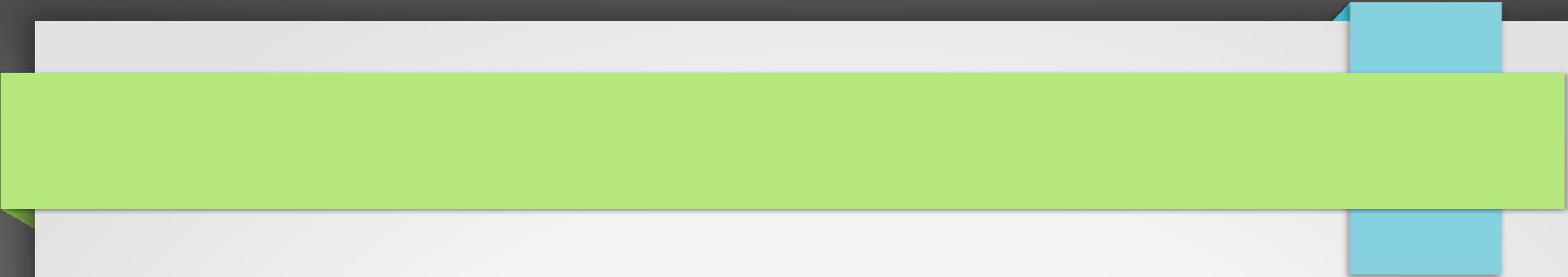
Regulations, Directives and other acts

Not to do against the EU law

To do everything harmonized with the EU law

## Article 4

(1) In accordance with Article 5, competences not conferred upon the Union in the Treaties remain with the Member States.



(3) Pursuant to the principle of sincere cooperation, the Union and the Member States shall, in full

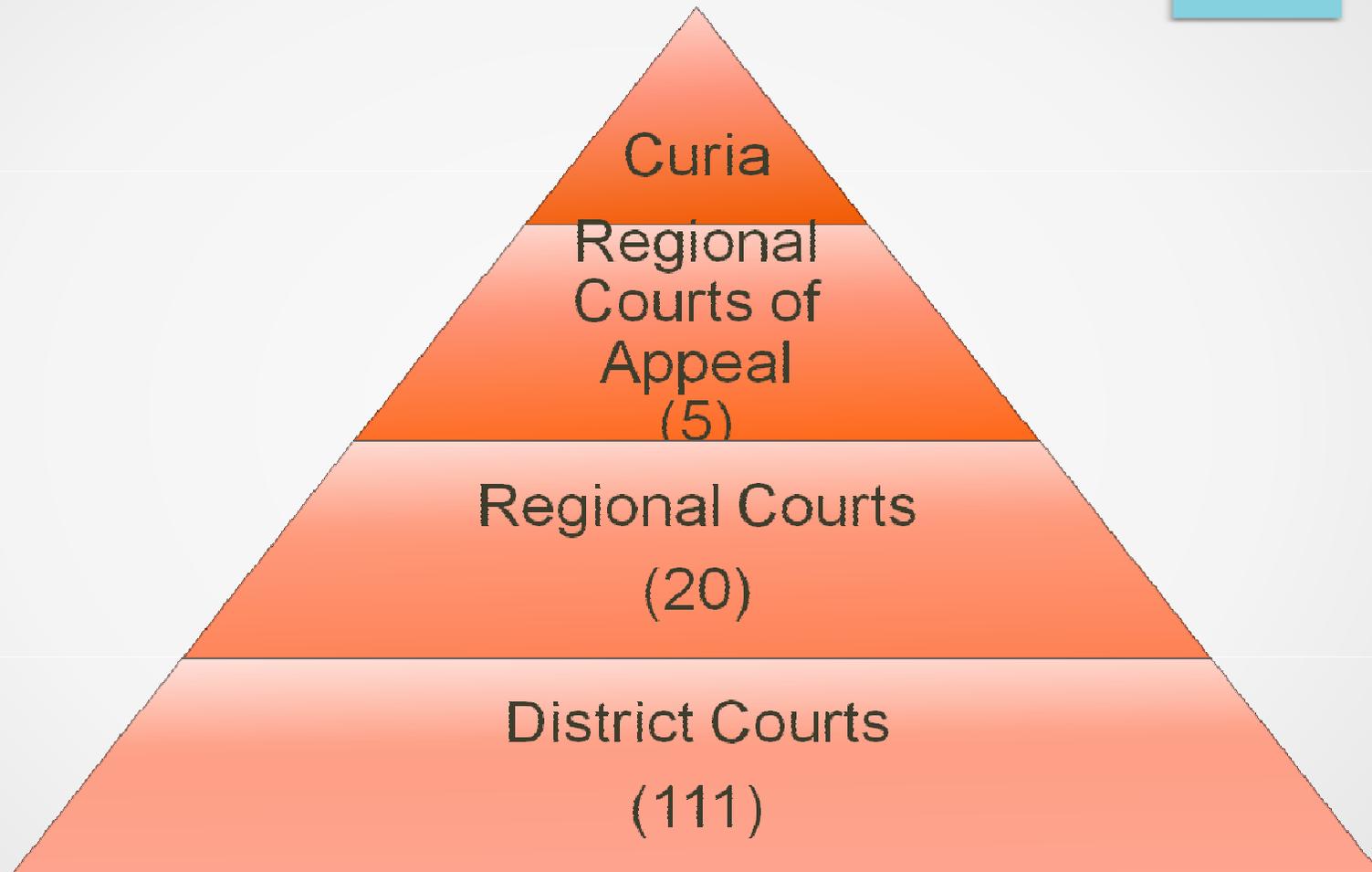
mutual respect, assist each other in carrying out tasks which flow from the Treaties.

The Member States shall take any appropriate measure, general or particular, to ensure fulfilment of

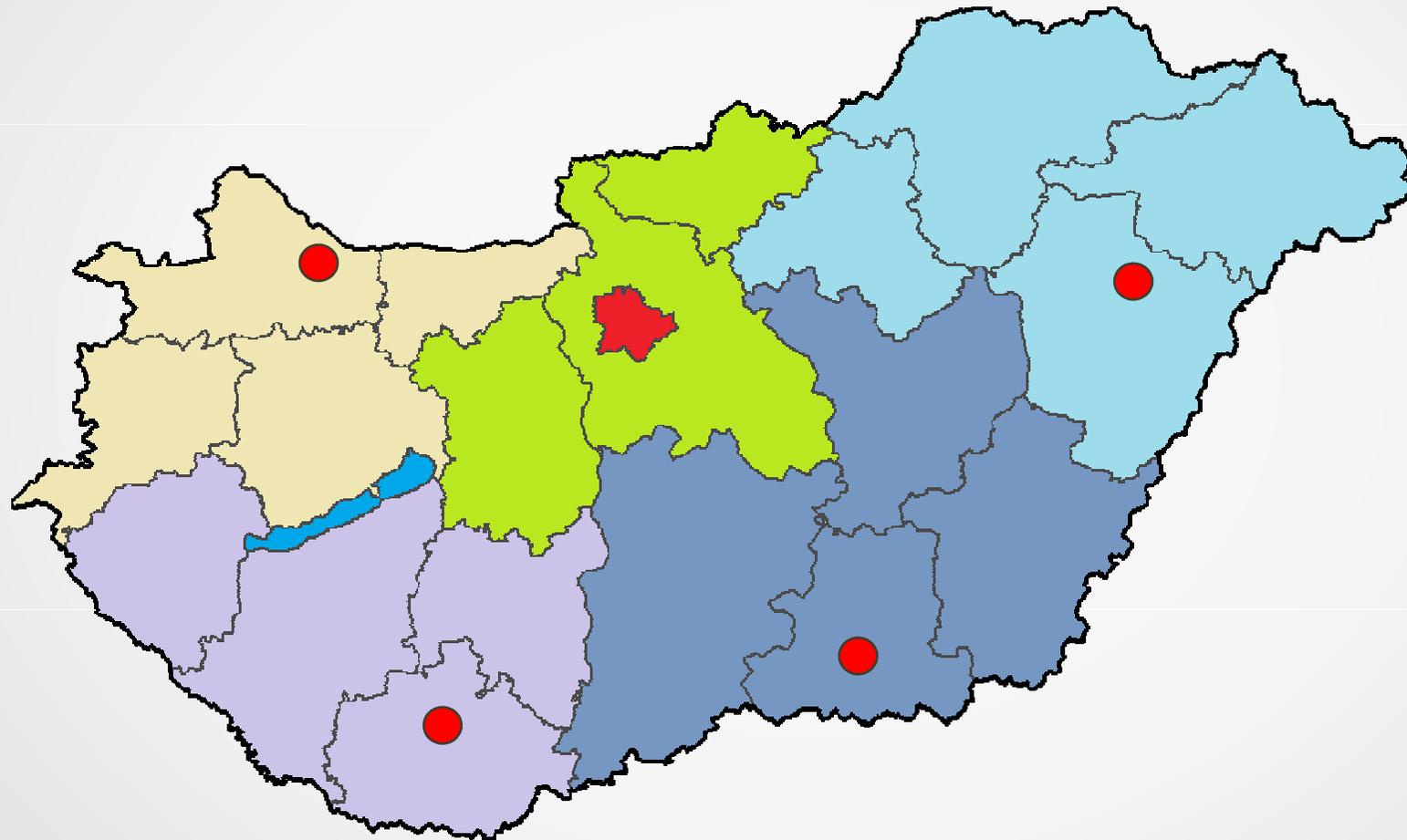
the obligations arising out of the Treaties or resulting from the acts of the institutions of the Union.

The Member States shall facilitate the achievement of the Union's tasks and refrain from any measure which could jeopardise the attainment of the Union's objectives.

# The Hungarian Judicial System



# Court competence



## Curia's scope of work

- Legal remedy assessment
- Assessment of applications for revision
- Obligatory resolutions for the uniformity in law
- Jurisprudence analysis
- Theoretical court resolutions and theoretical court decisions
- Duties relating to local government decrees

## Administrative and Labour Courts

- Prelogikus regulation
- Establishment of Administrative and Labour Courts (1st January 2013)
- Regional chambers
- Scope of authority and competence
- Management of Administrative and Labour Courts

# Administrative and Labour Courts

- Previous regulation
- Establishment of Administrative and Labour Courts (1st January 2013)
- Regional chambers
- Scope of authority and competence
- Management of Administrative and Labour Courts

## District courts

- 111 district courts located in major cities
- only in first instance,
- proceed in all actions (civil and penal) not delegated under the competence of regional courts by law
- in civil cases for example: legal disputes in that the amount of the claim not exceeds HUF 30,000,000.-, divorce, family law, property- and assets law, etc.
- led by the President, not legal entities

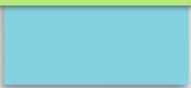
## Administrative and labour courts

- there are 20 administrative and labour courts
- located on the seat of regional courts
- proceed in the first instance in cases reviewing administrative decisions, and in cases regarding employment relationships and legal relationships of an employment nature.
- led by the President, not legal entities

## Regional courts

**20 regional courts /19 in the country of Hungary + 1 in Budapest (Budapest-Capital Regional Court)/**

Proceed as the first instance court	Proceed in the second instance
In cases defined by law (Code of civil procedure and Code of criminal procedure)	Appeals lodged against the decisions of district courts and administrative and labour courts
For example: actions where the amount of the claim exceeds HUF 30,000,000.-, actions relating to copyright and related rights, international carriage of goods, etc.	The code of civil procedure defines special cases when the second instance court decides without formal hearing.
Shall consist of <u>one professional judge</u>	Shall consist of <u>three professional judge</u>
	Its judgment is a final judgment, may not be appealed

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- Special: Company Registry Courts, special divisions for liquidation and bankruptcy procedures, and registration of civil organisations.
  - led by the President, legal entities
  - Chambers, groups (criminal, civil, economic) and administrative and labour judicial colleges shall operate at regional court.

## Regional courts of appeal:

- 5 regional court of appeal /Capital, Debrecen, Győr, Pécs, Szeged/
- review appeals **in second or third instance**, submitted against the decisions of district courts or regional courts and shall proceed in other cases referred to its jurisdiction
- led by the President, legal entity.
- Chambers, criminal and civil judicial colleges.

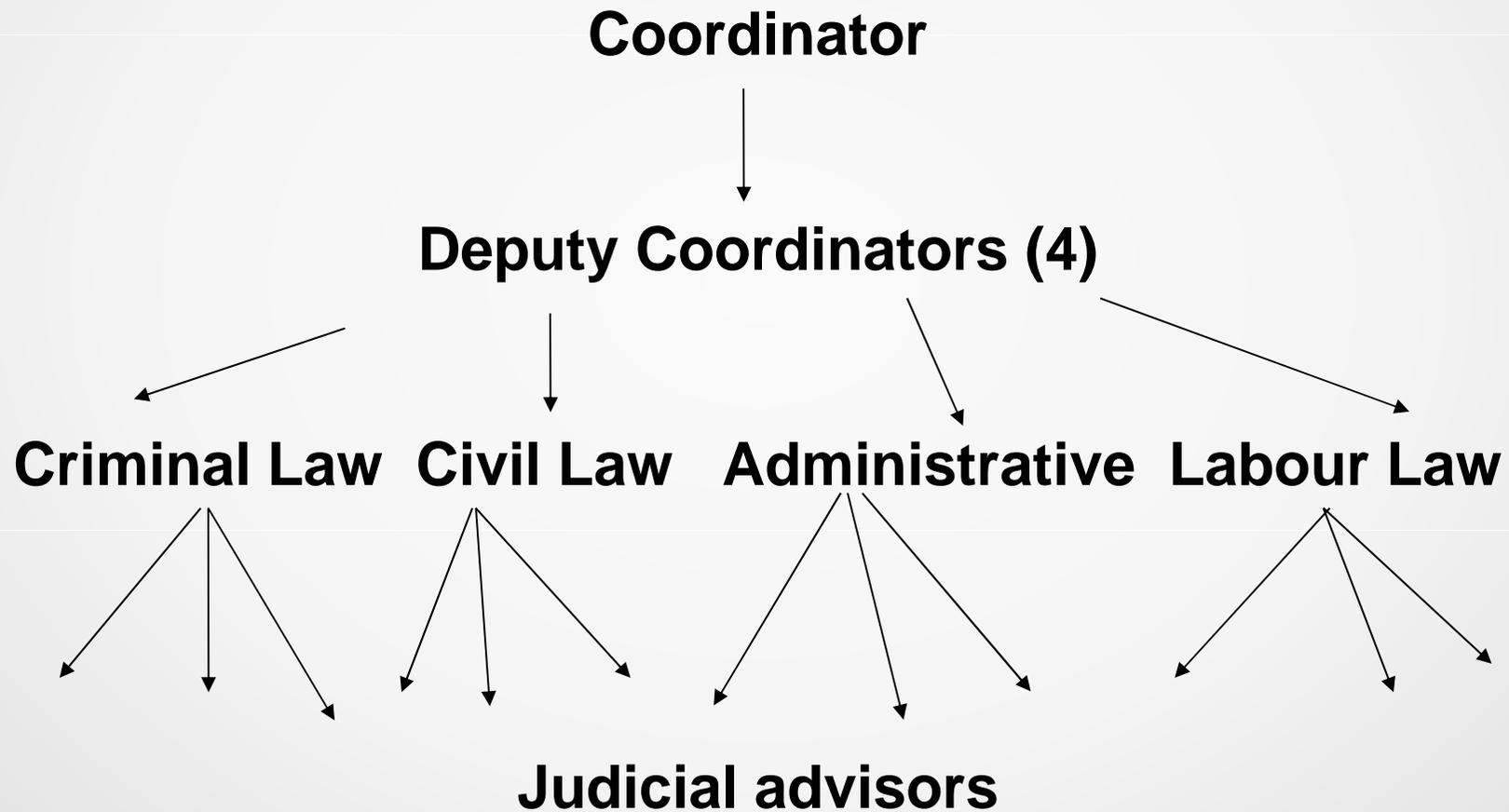
# Curia of Hungary

- the highest judicial authority in Hungary, the Supreme Court
- guarantees the uniform application of law., the decisions on uniform jurisdiction are binding for other courts.
- three departments: criminal, civil and administrative-labour law departments; and various chambers: chambers hearing appellate cases, chambers passing uniformity decisions, chambers issuing decisions on principles, as well as working groups examining judicial practice.
- the judges administer justice in chambers consist of three judges, in uniformity decisions consists of five judges, in cases requiring the collaboration of several sections/departments, the size of the chamber increases to seven members.

## The responsibilities of the Curia:

- examination appeals submitted against the decisions of the regional courts and the regional courts of appeal in cases defined by law,
- review final decisions if these are challenged through an extraordinary remedy,
- adopting uniformity decisions, which are binding for all other courts,
- analysis final decisions to examine and explore judicial practice,
- publishing decisions on principles,
- passing decisions in cases where local government decrees violate legal rules,
- passing decisions in cases where the local government fails to legislate as laid down in the act on local governments

# The Network of Judicial Advisors in European Union Law



## Network of Judicial Advisors in European Union Law

The system makes professional assistance smooth for judges in respect of EU law matters and provides an interactive panel to obtain information in a better way.

- To help to get a deeper acquaintance with EU legislation.

# Intranet

A centralized internal surface just for the Network of Judicial Advisors shared between

the four field of law (criminal, civil, administrative, labour)

This page can be seen by the citizens as soon as possible.

# Novell Vibe

Észak-Magyarországi Közigazgatási és Munkaügyi Regionális Kollégium - Windows Internet Explorer

https://vibe.birosag.hu/ssf/a/c/p\_name/ss\_forum/p\_action/1/showWhatsNew/1/action/view\_permalink/entityType/user/entryId/ss\_user\_id\_place\_holder/vibeo

Fájl Szerkesztés Nézet Kedvencek Eszközök Sütő

Novell Vibe

## Közigazgatási és Munkaügyi Regionális Kollégium Intranet

Demjén, Péter | Kijelentkezés

Saját munkaterület Újdonság Kedvencek Csapataim Legutóbbi helyek Munkaterület Megtekintés

### Észak-magyarországi Közigazgatási és Munkaügyi Regionális Kollégium

Dokumentumtár  
Beszámolók  
Hírievél  
Kézikönyvek  
Kollégiumi adattár  
Kollégiumi határozatok  
Kollégiumi Jegyzőkönyvel  
Kollégiumi ügyrend  
Munkaterv  
Regionális bírósági határozatok  
2013. évi határozatok  
Közigazgatási határozatok  
Munkaügyi határozatok  
2014. évi határozatok  
Feladatok  
Fórum (Közigazgatási)  
Bírók  
Titkárok, Fogalmazók  
Vezetők  
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Fotóalbum  
2014. IV. 25. kollégiumi ü...  
2014. VI. 20. konzultáció  
2014. X. 10. rész-kollégiu...  
Kezdő bírói konzultáció 20...  
Teljes kollégiumi ülés 20...

Dokumentumtár  
Feladatok  
Fórum (Közigazgatási)

Kollégiumi adattár  
Hírek  
Fórum (Munkaügyi)

Regionális bírósági határozatok tára  
Naptár  
Kérdőív

Szakmai anyagok  
Fotó album

Közvetlen hivatkozások

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**Thank you for your attention**