

Declaration by Hungary pursuant to Article 9 of Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems in respect of the reference year ending 31 December 2021

I. DECLARATIONS REFERRED TO IN ARTICLE 1(L) OF REGULATION (EC) NO 883/2004 AND THE DATE FROM WHICH THE DECREE APPLIES

Regulation (EC) No 883/2004 applies with regard to the national legislation, in respect of the aspects covered by the Decree, from 1 May 2010, unless the declaration specifies a different date. That is also the date from which the Decree applies in this Member State.

II. LEGISLATION AND SCHEMES REFERRED TO IN ARTICLE 3 OF REGULATION (EC) NO 883/2004 AND THE DATE FROM WHICH THE DECREE APPLIES IN THEIR RESPECT

1. Sickness benefits

(i) Benefits in kind

- *Act CXXII of 2019 on persons entitled to receive social security benefits and on the coverage of such benefits sets out who is entitled to benefits in kind. Date of entry into force: 1 July 2020, Decree applicable: 1 July 2020*
- *Act LXXXIII of 1997 on benefits provided under compulsory health insurance sets out health services in kind. Date of entry into force: 1 January 1998.*
- *Government Decree No 217/1997 of 1 December 1997 implementing Act LXXXIII of 1997 on benefits provided under compulsory health insurance sets out the implementing regulations for benefits in kind. Date of entry into force: 1 January 1998.*
- *Government Decree No 340/2013 of 25 September 2013 laying down detailed rules governing medical treatment abroad lays down detailed rules governing medical treatment abroad. Date of entry into force: 25 October 2013.*

(ii) Cash benefits

- *Act CXXII of 2019 on persons entitled to receive social security benefits and on the coverage of such benefits sets out who is entitled to cash benefits. Date of entry into force: 1 July 2020, Decree applicable: 1 July 2020.*
- *Act LXXXIII of 1997 on benefits provided under compulsory health insurance sets out the rules on cash health-insurance benefits. Date of entry into force: 1 January 1998.*
- *Government Decree No 217/1997 of 1 December 1997 implementing Act LXXXIII of 1997 on benefits provided under compulsory health insurance sets out detailed rules on cash health-insurance benefits. Date of entry into force: 1 January 1998.*

2. Maternity and equivalent paternity benefits

(i) Benefits in kind

None.

(ii) Cash benefits

- *Act CXXII of 2019 on persons entitled to receive social security benefits and on the coverage of such benefits sets out who is entitled to cash benefits. Date of entry into force: 1 July 2020, Decree applicable: 1 July 2020.*
- *Act LXXXIII of 1997 on benefits provided under compulsory health insurance lays down detailed rules on cash benefits. Date of entry into force: 1 January 1998.*
- *Government Decree No 217/1997 of 1 December 1997 implementing Act LXXXIII of 1997 on benefits provided under compulsory health insurance lays down detailed implementing rules. Date of entry into force: 1 January 1998.*

3. Invalidity benefits

(i) Benefits in kind

None.

(ii) Cash benefits

- *Act CXCI of 2011 on benefits for disabled persons and amending certain acts lays down the rules applicable to invalidity and rehabilitation benefits. Date of entry into force: 1 January 2012. Decree applicable: 1 January 2012.*
- *Government Decree No 327/2011 of 29 December 2011 on the rules of procedure for benefits for disabled persons lays down the applicable implementing rules. Date of entry into force: 1 January 2012. Decree applicable: 1 January 2012.*

4. Old-age benefits

(i) Benefits in kind

None.

(ii) Cash benefits

- *Act CXXII of 2019 on persons entitled to receive social security benefits and on the coverage of such benefits sets out who is entitled to such benefits. Date of entry into force: 1 July 2020, Decree applicable: 1 July 2020.*
- *Act LXXXI of 1997 on social security pension benefits sets out cash benefits. Date of entry into force: 1 January 1998.*

- *Act CLXVII of 2011 on the abolition of early retirement pension schemes, on early retirement benefit and on social benefits.* Date of entry into force: 1 January 2012. Decree applicable: 1 January 2012.
- *Act XLVIII of 1993 on mining.* Entry into force: 12 June 1993. Decree applicable: 1 January 2012.
- *Act XCIX of 2008 on support for and the special employment rules applicable to performing arts organisations.* Date of entry into force: 1 March 2009. Decree applicable: 1 January 2012.
- *Government Decree No 168/1997 of 6 October 1997 implementing Act LXXXI of 1997 on social security pension benefits sets out the implementing regulations.* Date of entry into force: 1 January 1998.
- *Government Decree No 333/2011 of 29 December 2011 on the procedural rules for early retirement benefits, length-of-service benefits, the ballet annuity and the transitional mining allowance, and amending certain related government decrees.* Entry into force: 1 January 2012. Decree applicable: 1 January 2012.

5. Survivors' benefits

(i) Benefits in kind

None.

(ii) Cash benefits

- *Act CXXII of 2019 on persons entitled to receive social security benefits and on the coverage of such benefits sets out who is entitled to such benefits.* Date of entry into force: 1 July 2020, Decree applicable: 1 July 2020.
- *Act LXXXI of 1997 on social security pension benefits sets out the various benefits.* Date of entry into force: 1 January 1998.
- *Government Decree No 168/1997 of 6 October 1997 implementing Act LXXXI of 1997 on social security pension benefits lays down the implementing rules relating to such benefits.* Date of entry into force: 1 January 1998.

6. Benefits in respect of accidents at work and occupational diseases

(i) Benefits in kind

- *Act CXXII of 2019 on persons entitled to receive social security benefits and on the coverage of such benefits sets out who is entitled to such benefits.* Date of entry into force: 1 July 2020.
- *Act LXXXIII of 1997 on benefits provided under compulsory health insurance lays down rules on benefits in kind.* Date of entry into force: 1 January 1998.
- *Government Decree No 217/1997 of 1 December 1997 implementing Act LXXXIII of 1997 on benefits provided under compulsory health insurance lays down the implementing rules.* Date of entry into force: 1 January 1998.

(ii) Cash benefits

- *Act CXXII of 2019 on persons entitled to receive social security benefits and on the coverage of such benefits sets out who is entitled to such benefits. Date of entry into force: 1 July 2020, Decree applicable: 1 July 2020.*
- *Act LXXXI of 1997 on social security pension benefits lays down rules on cash benefits. Date of entry into force: 1 January 1998.*
- *Act LXXXIII of 1997 on benefits provided under compulsory health insurance sets out cash benefits. Date of entry into force: 1 January 1998.*
- *Government Decree No 217/1997 of 1 December 1997 implementing Act LXXXIII of 1997 on benefits provided under compulsory health insurance lays down the implementing rules. Date of entry into force: 1 January 1998.*
- *Government Decree No 168/1997 of 6 October 1997 implementing Act LXXXI of 1997 on social security pension benefits sets out the implementing regulations. Date of entry into force: 1 January 1998.*

7. Death grants

Cash benefits

None.

8. Unemployment benefits

(i) Benefits in kind

None.

(ii) Cash benefits

- *Act IV of 1991 on the promotion of employment and on unemployment benefits sets out who is entitled to such benefits and the passive labour market services. Date of entry into force: 1 March 1991.*
- *Decree No 2/2011 of 4 January 2011 of the Minister for National Economy on registration and deletion from the register of jobseekers lays down detailed rules on payment of the various benefits. Date of entry into force: 15 January 2011. Decree applicable: 15 January 2011.*

9. Pre-retirement benefits

Cash benefits

None.

10. Family benefits

(i) Benefits in kind

- *Act LXXXIV of 1998 on family support sets out who is entitled to such support. Date of entry into force: 1 January 1999. The Decree does not apply to maternity benefits;*
- *Government Decree No 223/1998 of 30 December 1998 implementing Act LXXXIV of 1998 on family support lays down the implementing rules. Date of entry into force: 1 January 1999.*

(ii) Cash benefits

- *Act LXXXIV of 1998 on family support sets out the various benefits and who is entitled to them. Date of entry into force: 1 January 1999. The Decree does not apply to maternity benefits;*
- *Government Decree No 223/1998 of 30 December 1998 implementing Act LXXXIV of 1998 on family support lays down the implementing rules. Date of entry into force: 1 January 1999.*
- *Act LXXXIII of 1997 on benefits provided under compulsory health insurance sets out the various benefits and who is entitled to them. Date of entry into force: 1 January 1998.*
- *Government Decree No 217/1997 of 1 December 1997 implementing Act LXXXIII of 1997 on benefits provided under compulsory health insurance lays down the implementing rules. Date of entry into force: 1 January 1998.*

11. Special non-contributory cash benefits

(a) Special non-contributory cash benefits guaranteeing a minimum subsistence income under Article 70(2)(a)(i) of Regulation (EC) No 883/2004

Cash benefits

- *Act III of 1993 on social administration and social benefits. Date of entry into force: 26 February 1993. The Decree applies to old-age allowances only.*
- *Government Decree No 63/2006 of 27 March 2006 laying down detailed rules on the claiming, establishment and payment of social benefits in cash and in kind. Date of entry into force: 1 April 2006.*

(b) Special non-contributory cash benefits guaranteeing the specific protection under Article 70(2)(a)(ii) of Regulation (EC) No 883/2004

Cash benefits

- *Decree No 83/1987 of 27 December 1987 of the Council of Ministers on invalidity annuity. Date of entry into force: 1 January 1988.*

III. CONVENTIONS REFERRED TO IN ARTICLE 8(2) OF REGULATION (EC) NO 883/2004 AND THE DATE FROM WHICH THEY APPLY

None.

IV. MINIMUM BENEFITS REFERRED TO IN ARTICLE 58 OF REGULATION (EC) NO 883/2004 AND THE DATE FROM WHICH THEY APPLY

Regulation (EC) No 883/2004 applies with regard to the national legislation, in respect of the aspects covered by the Decree, from 1 May 2010, unless the declaration specifies a different date. That is also the date from which the Decree applies in this Member State.

- *Act LXXXI of 1997 on social security pension benefits* Date of entry into force: 1 January 1998.
- *Government Decree No 168/1997 of 6 October 1997 on the implementation of Act No LXXXI of 1997 on social security pension benefits;* Date of entry into force: 1 January 1998.
- *Act CXCI of 2011 on benefits for disabled persons and amending certain Acts* Date of entry into force: 1 January 2012. Decree applicable: 1 January 2012.

V. THE POSSIBILITY UNDER ARTICLE 65A(1) OF REGULATION (EC) NO 883/2004 FOR SELF-EMPLOYED PERSONS TO BE COVERED BY THE UNEMPLOYMENT BENEFIT SYSTEM, AND LEGAL REFERENCE, WHERE APPLICABLE

The Hungarian legislation allows self-employed persons to be covered by the unemployment benefit system.

Legal reference:

- *Section 27(1) and Section 58(5)(e) of Act IV of 1991 on the promotion of employment and on unemployment benefits set out who is entitled to such benefits and the passive labour market services.* Date of entry into force: 1 March 1991.
- *Decree No 2/2011 of 4 January 2011 of the Minister for National Economy on registration and deletion from the register of jobseekers lays down the implementing rules.* Date of entry into force: 15 January 2011. Decree applicable: 15 January 2011.