

Government Decree 301/2016. (IX. 30.)

on the amount of the reimbursement claimable for complying with public data requests

Pursuant to the authorization granted in Point (b) of Subsection (1) of Section 72 of Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information (hereinafter referred to as „the Act”), acting within its legislative competence conferred under Article 15(1) of the Fundamental Law, the Government has adopted the following Decree:

Section 1

(1) The following amounts may be taken into account as costs of the data carrier containing the requested data:

a) for hard copies in colour, the direct costs of the data carrier but not more than

aa) HUF 130 per page for A/4 size copies,

ab) HUF 260 per page for A/3 size copies,

b) for hard copies in black & white, the direct costs of the data carrier but not more than

ba) HUF 12 per page for A/4 size copies,

bb) HUF 24 per page for A/3 size copies,

c) for copies on an optical data carrier, the direct costs of the data carrier but not more than HUF 580 per medium,

d) for copies on any other electronic medium, the direct costs of the medium.

(2) In the event of temporary or permanent unavailability of the device necessary to reproduce data – notwithstanding the amounts set out in paragraph (1) hereof – costs accompanied by proof and incurred in and necessary for the reproduction of data may be taken into account as costs of the data carrier containing the requested data. The data holder public authority must prove the applicability of the costs set out in this paragraph in order to discharge the burden of proof referred to in Subsection (2) of Section 31 of the Act.

(3) Hard copies only over and above ten pages may be claimed for.

Section 2

The following amounts may be taken into account as delivery costs of the data carrier containing the requested data:

a) sent as domestic mail, the domestic postal tariffs applicable to official documents,

b) sent as international mail, the tariffs applicable to registered post with a delivery advice, within the universal postal services.

Section 3

Repealed by Section 3 of Government Decree 382/2022. (X. 10.). Not in force since 13. 10. 2022.

Section 4

Repealed by Section 3 of Government Decree 382/2022. (X. 10.). Not in force since 13. 10. 2022.

Section 4/A

Repealed by Section 15 of Government Decree 31/2020. (II. 29.). Not in force since 01. 03. 2020.

Section 5

Pursuant to Subsection (4) of Section 29 of the Act, the difference with which the advance payment exceeds the actual costs of complying with the data request as set out in Section 1 and 2 hereof is repayable to the requesting party and may not be included in the amount claimable for complying with public data requests.

Section 6

The amount of the reimbursement under Subsection (3) of Section 29 of the Act for complying with public data requests may not be

- a) less than HUF 10 000,
- b) more than HUF 190 000.

Section 7

This Decree shall enter into force on the fifteenth day following its promulgation.