

### Section 5 - Responsibility

“(1) Providers shall be responsible in accordance with general laws for their own content, which they make available for use.

(2) Providers shall not be responsible for any third-party content which they make available for use unless they have knowledge of such content and are technically able and can reasonably be expected to block the use of such content.

(3) Providers shall not be responsible for any third-party content to which they only provide access. The automatic and temporary storage of third-party content due to user request shall be considered as providing access.

(4) The obligations in accordance with general laws to block the use of illegal content shall remain unaffected if the provider obtains knowledge of such content while complying with telecommunications secrecy under § 85 of the Telecommunications Act (Telekommunikationsgesetz) and if blocking is technically feasible and can reasonably be expected.”

HUNGARY				
QUESTION	ANSWER	SOURCE OF LAW/ INFORMATION	ADDITIONAL INFORMATION/ DEFINITIONS	COURT RULINGS
<i>Where is online hate speech established as a criminal offence?</i>	Hate speech, or incitement to hatred, made available to the "public at large", including on the internet, is prohibited in Hungary's Criminal Code.  Media content may not incite to hatred against any nation, community, national, ethnic, linguistic or other minority or any majority as well as any church or religious group.	Sections 77, 332, and 459 of the Criminal Code <sup>A</sup>  Articles 17 and 21 of the Act on the Freedom of the Press and Fundamental Rules on Media Content <sup>F</sup>	"Public at large" as defined in Section 459 of the Criminal Code, is when a crime is committed through publication in the press or other media services, by way of reproduction or by means of publication on an electronic communications network. <sup>A</sup>	“The meaning of the term ‘general public’ has been interpreted by the Supreme Court of Hungary, which found that a crime can be said to have been committed in front of the general public if, during its perpetration, a bigger group of people was present, or there is a chance that a group of a bigger number of people will learn about the result of the crime. In the meaning of the provision a group should contain a large number of people (where the number cannot be specified, it should be at least 20-30 people”. <sup>64</sup>
<i>What is the punishment for online hate speech?</i>	Imprisonment of up to three years <sup>A</sup>	Section 332 of the Criminal Code <sup>A</sup>		

<sup>64</sup> The European Legal Framework on Hate Speech, Blasphemy and its Interaction with Freedom of Expression, 2015, p. 259. Available at [http://www.europarl.europa.eu/RegData/etudes/STUD/2015/536460/IPOL\\_STU\(2015\)536460\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2015/536460/IPOL_STU(2015)536460_EN.pdf).

HUNGARY				
QUESTION	ANSWER	SOURCE OF LAW/ INFORMATION	ADDITIONAL DEFINITIONS	INFORMATION/ COURT RULINGS
<i>Is there a law-based obligation for intermediaries to filter or monitor hate speech?</i>	If the content is inciting to hatred, and thus a criminal offence, then it should be "rendered inaccessible", i.e., removed or blocked.	Section 77 of the Criminal Code.		
<i>Who is responsible to remove/block access to hate speech?</i>	Web hosting providers are required to temporarily remove electronic data, upon receiving a court order. If the web-hosting provider does not comply, the prosecutor may impose a fine between one hundred thousand and one million Hungarian Forints.	Section 158/C of the Criminal Procedure Code <sup>F</sup>  Act on Electronic Commercial Services and Certain Issues Concerning Services Related to Information Society. <sup>C</sup>		
<i>What is the required timeframe, if any, for removing hate speech?</i>	One working day.	Section 158/C of the Criminal Procedure Code <sup>F</sup>		
<i>Is the intermediary liable for hate speech posted on a website by third parties?</i>	Intermediaries may be held liable under administrative law (rather than criminal law) for hate speech posted online by third parties.	Source: The European Legal Framework on Hate Speech, Blasphemy and its interaction with freedom of expression, 2015, p. 264. <i>Available at</i> <a href="http://www.europarl.europa.eu/">http://www.europarl.europa.eu/</a>		In a European Court of Human Rights ruling from February 2016, the Court declared that intermediaries, such as internet news sites, were not liable for any offensive comments made by their users, and that attributing such liability would be considered a violation of the right to freedom of expression. <sup>B</sup>
<i>Are there any online mechanisms for anyone to report about hate speech?</i>	There are no online reporting mechanisms.			

HUNGARY					
QUESTION	ANSWER	SOURCE OF LAW/ INFORMATION	ADDITIONAL DEFINITIONS	INFORMATION/	COURT RULINGS
<p><i>When is the offence considered to have been committed within the territory\under the country's jurisdiction?</i></p>	<p>When it is a hate speech offence committed by media content providers established in Hungary.</p> <p>If the service provider is established in another state which is a party to the European Economic Area Agreement, its service may be restricted if necessary for the prevention of incitement to hatred.</p> <p>Media and press services targeted at, distributed or published on the territory of Hungary, may also be considered within the territory.</p>	<p>Article 2 of the Act on the Freedom of the Press and Fundamental Rules on Media Content <sup>E</sup></p> <p>Act on Certain Issues of Electronic Commerce Services and Information Society Services <sup>C</sup></p> <p>Article 3 of the Act on the Freedom of the Press and Fundamental Rules on Media Content <sup>E</sup></p>			

#### HUNGARY APPENDIX

##### A. Criminal Code of 2013<sup>65</sup>

###### Section 77

“1. Data disclosed through an electronic communications network shall be rendered irreversibly inaccessible:

- a) the publication or disclosure of which constitutes a criminal offense;
- b) which is actually used as an instrument for the commission of a criminal act; or
- c) which is created by way of a criminal act.

2. The order for irreversibly rendering electronic information inaccessible shall be issued even if the perpetrator cannot be prosecuted for reason of minority or insanity, or due to other grounds for exemption from criminal responsibility, or if the perpetrator had been given a warning.”

###### Section 332

<sup>65</sup> Hungary adopted a new Criminal Code on 1 July 2013. Available at <http://www.legislationline.org/documents/section/criminal-codes> and <http://www.refworld.org/pdfid/4c358dd22.pdf>.

“Any person who before the public at large incites hatred against: a) the Hungarian nation; b) any national, ethnic, racial or religious group; or c) certain societal groups, in particular on the grounds of disability, gender identity or sexual orientation; is guilty of a felony punishable by imprisonment not exceeding three years.

#### **Section 459<sup>66</sup>**

“22. “public at large” shall mean, among others, when a crime is committed through publication in the press or other media services, by way of reproduction or by means of publication on an electronic communications network.”

#### **B. European Court Ruling of Magyar Tartalomszolgáltatók Egyesülete and Index.hu Zrt v. Hungary, 02.02.2016 (The Chamber Judgment).<sup>67</sup>**

The case concerned the liability of a self-regulatory body of Internet content providers and an internet news portal for vulgar and offensive online comments posted on their websites. The Court ruled that the self-regulatory body and the internet news portal were not liable for the offensive online comments of their readers. Considering them liable for these comments constituted a violation of Article 10 (freedom of expression) of the European Convention on Human Rights.

“The applicant self-regulatory body (Magyar Tartalomszolgáltatók Egyesülete) and news portal (Index.hu Zrt) both complained that they had been held liable by the national courts for online comments posted by their readers following the publication of an opinion criticizing the misleading business practices of two real estate websites. The Court reiterated that, although not publishers of comments in the traditional sense, Internet news portals had to, in principle, assume duties and responsibilities. However, the Court considered that the Hungarian courts, when deciding on the notion of liability in the applicants’ case, had not carried out a proper balancing exercise between the competing rights involved, namely between the applicants’ right to freedom of expression and the real estate websites’ right to respect for its commercial reputation. Notably, the Hungarian authorities accepted at face value that the comments had been unlawful as being injurious to the reputation of the real estate websites”. “It is to be noted that the applicants’ case was different in some aspects from a recent case decided by the Court (*Delfi AS v. Estonia*, application no. 64569/09) in which it had held that a commercially run Internet news portal had been liable for the offensive online comments of its readers. The applicants’ case was notably devoid of the pivotal elements in the *Delfi AS* case of hate speech and incitement to violence. Although offensive and vulgar, the comments in the present case had not constituted clearly unlawful speech. Furthermore, while Index is the owner of a large media outlet which must be regarded as having economic interests, MTE is a non-profit self-regulatory association of Internet service providers, with no known such interests”.

ECHR reiterated that, “in cases where third-party user comments took the form of hate speech and direct threats to the physical integrity of individuals, the rights and interests of others and of the society as a whole could entitle Contracting States to impose liability on Internet news portals if they had failed to take measures to remove clearly unlawful comments without delay, even without notice from the alleged victim or from third parties. For those reasons in particular, in a recent case by the Court (*Delfi AS*) the Court held that, in view of the “duties and responsibilities” of a large professionally managed Internet news portal, the finding of liability of such portals for the comments of some users – whether identified or anonymous – who engage in clearly unlawful speech which infringes the personality rights of others and amounts to hate speech and incitement to violence against them, is not contrary to the Convention. The applicants’ case was, however, devoid of the pivotal elements of hate speech and incitement to violence. Although offensive and vulgar, the comments had not constituted clearly unlawful speech. Moreover, while Index is the owner of a large media outlet which must be regarded as having economic interests, MTE is a non-profit self-regulatory association of Internet service providers, with no known such interests”<sup>68</sup>. The Court held that Hungary was to pay the applicants 5,100 euros (EUR) for costs and expenses.

#### **C. Act CVIII of 2001 on Certain Issues of Electronic Commerce Services and Information Society Services<sup>69</sup>**

##### **Article 3/A**

“1. The service provided by a service provider established in the territory of other States Party to the Agreement on the European Economic Area targeting the territory of the Republic of Hungary, may not be restricted unless the relevant authority or court needs to take measure

(a) for protecting any of the following interests:

---

<sup>66</sup> “Deriving from the definition of the general public as set out in Article 459(22) of the Criminal Code, the offence provision of incitement to hatred covers the commission of online crimes. This interpretation is also followed by the courts, who have adjudicated cases for such crimes committed online.” (The European Legal Framework on Hate Speech, Blasphemy and its interaction with freedom of expression, 2015, p. 285

<sup>67</sup> Magyar Tartalomszolgáltatók Egyesülete and Index.hu Zrt v. Hungary, 02.02.2016 (The Chamber Judgment), available at [http://www.echr.coe.int/Documents/CP\\_Hungary\\_ENG.pdf](http://www.echr.coe.int/Documents/CP_Hungary_ENG.pdf).

<sup>68</sup> ECHR decision issued by the Registrar of the Court, ECHR 050 (2016), 02.02.1016. Summary and entire judgment available at <http://hudoc.echr.coe.int/>

<sup>69</sup> Act CVIII of 2001 on Certain Issues of Electronic Commerce Services and Information Society Services. Official version available at [http://njt.hu/cgi\\_bin/njt\\_doc.cgi?docid=57566.296201](http://njt.hu/cgi_bin/njt_doc.cgi?docid=57566.296201).

(aa) the public order, thus, in particular, the prevention, investigation and prosecution of criminal offences, including the protection of minors and actions against incitement based on race, sex, religion or nationality and the violation of the human dignity of individuals [...]"

#### **D. Civil Code of 2013<sup>70</sup>**

##### **Section 2:54**

"1. - 4. (...).;

5. Any member of a community shall be entitled to enforce his personality rights in the event of any false and malicious statement made in public at large for being part of the Hungarian nation or of a national, ethnic, racial or religious group, which is recognized as an essential part of his personality, manifested in a conduct constituting a serious violation in an attempt to damage that community's reputation, by bringing action within a thirty-day preclusive period. All members of the community shall be entitled to invoke all sanctions for violations of personality rights, with the exception of laying claim to the financial advantage achieved."

#### **E. Act CIV of 2010 on the Freedom of the Press and Fundamental Rules on Media Content<sup>71</sup>**

##### **Article 2**

"1. This Act shall apply to media services provided by media content providers established in Hungary.

1a. The scope of this Act – with the exception of Article 13, Paragraph (1) of Article 14, Paragraphs (1), (2) and (4) of Article 19, the second sentence of Paragraph (8) of Article 20, and Paragraph (9) of Article 20 – shall also apply to the press products published by media content providers established in the territory of Hungary.

2. For the purposes of this Act, a media content provider shall be deemed as established in Hungary if it meets the following criteria:

- a) the analogue distribution of the media service provided by it is performed through the use of a frequency owned by Hungary, or the press product is primarily accessible through the electronic communications identifier designated for the users of Hungary;
  - b) the seat of its central administration is located on the territory of Hungary and the editorial decisions related to the media service or the press product are made on the territory of Hungary;
  - c) if either the seat of its central administration or the place where editorial decisions are made is located on the territory of Hungary, however the significant part of the media content provider's staff being employed on the territory of Hungary;
  - d) if a significant part of the media content provider's staff is employed both in and outside the territory of Hungary but the seat of its central administration is located on the territory of Hungary; or e) if either the seat of its central administration or the place where editorial decisions are made is located on the territory of Hungary, however its activity was commenced on the territory of Hungary and it maintains actual and continuous contact with the players of the Hungarian economy.
3. This Act shall also apply to media services provided by media content providers not meeting the criteria set forth in Paragraphs (1)-(2) above, provided that such media content providers use a satellite uplink station located on the territory of Hungary or use such transmission capacity of the satellite that is owned by Hungary.

4 If, on the basis of Paragraphs (1)-(3), it cannot be determined whether a particular media content provider falls under the jurisdiction of Hungary or some other Member State, the media content provider shall fall under the jurisdiction of the state where it is established, according to the provisions of Articles 49-55 of the Treaty on the Functioning of the European Union."

##### **Article 3**

"1. This Act shall apply to media services and press products which, although outside the scope of Article 2 (1)-(4), are targeted at or distributed or published on the territory of Hungary, subject to the conditions set forth in Articles 176-180 of Act CLXXXV of 2010 on Media Services and Mass Media (hereinafter: the Media Act).

2. This Act shall also apply to the media services and press products targeted at or distributed or published on the territory of Hungary by such media content providers that are not deemed as established in any Member State of the European Economic Area, provided that their media services or press products are not subject to the jurisdiction of any one of the Member States either.

3. This Act shall apply to media content providers rendering media services or publishing press products that fall under the scope of the Act pursuant to Article 2 and Paragraphs (1)-(2).

---

<sup>70</sup> The new Civil Code of 2013, which entered into force on 15 March 2014, provides a civil law response to hate speech against a community, developing further the Fourth Amendment to the Fundamental Law. Thus, hate speech targeting a community amounts to a violation of the rights of its members. Any member of the community affected may ask the court to declare a violation, to issue an injunction to stop the violation, or to seek damages. (ECRI Report on Hungary, 2015, p. 14).

<sup>71</sup> Act CIV of 11 January 2010, consolidated version as of March 2011, Available at [http://nmhh.hu/dokumentum/162262/smtv\\_110803\\_en\\_final.pdf](http://nmhh.hu/dokumentum/162262/smtv_110803_en_final.pdf).

4. In case this Act is violated, the Media Council of the National Media and Info-communications Authority may proceed and apply sanctions in accordance with the provisions of the Media Act on regulatory procedures.”

#### **Article 17**

- “1. The media content may not incite hatred against any nation, community, national, ethnic, linguistic or other minority or any majority as well as any church or religious group.
2. The media content may not exclude any nation, community, national, ethnic, linguistic and other minority or any majority as well as any church or religious group.”

#### **Article 21**

- “1. The media content provider, subject to the provisions of applicable legislation, shall make its decision on publication of the media content in its sole discretion and shall be responsible for compliance with the provisions of this Act.
2. The provisions of Paragraph (1) shall not affect the responsibility, as defined in other legislation, of persons providing information to the media content provider or those persons employed by or engaged in any other work-related legal relationship by the media content provider who participate in production of the media content.”

### **F. Code of Criminal Procedure<sup>72</sup>**

#### **Section 158/B<sup>73</sup>**

- “1. Rendering electronic data temporarily inaccessible means a temporary restriction of a person's right of use of data posted via electronic communication systems (hereinafter: electronic data) and temporarily disabling access to data.
2. Proceedings instigated due to criminal acts that warrant prosecution and require that electronic data be rendered permanently inaccessible also in order to prevent the criminal act from continuing, an order may be issued to render electronic data temporarily inaccessible.
3. Courts are authorized to issue an order to render electronic data temporarily inaccessible.
4. Orders to render electronic data temporarily inaccessible may require
  - a) the temporary removal of electronic data,
  - b) the temporary prevention of access to electronic data.
5. Entities subject to a court order issued to render electronic data temporarily inaccessible shall notify users of the legal grounds of removing, or preventing access to, the affected content and shall cite the name of the court and the number of the court order in such notices.
6. Orders to render electronic data temporarily inaccessible as envisaged in Section (4) a) and to reserve data stored in an information system may be ordered simultaneously.”

#### **Section 158/C**

- “1. Orders to remove electronic data temporarily shall oblige the web hosting providers defined in the Act on Electronic Trading Services and Certain Issues Concerning Services Related to Information Society. Obligated parties shall have one working day to give effect to the temporary removal of electronic data after the communication of the court order. 2. The court lifts the obligation to render electronic data temporarily inaccessible as envisaged in Section 158/B (4) subsection a) and issues an order to restore electronic data if:
  - (a) the reason for the order to render electronic data temporarily inaccessible ceases to exist, or
  - (b) investigations have been terminated, except in case the option to issue an order to render electronic data permanently inaccessible exists under Section 77(2) of the Criminal Code.
3. The obligation to render electronic data temporarily inaccessible as envisaged in Section 158/B (4) subsection a) is lifted upon the termination of criminal proceedings. If a court refrains from issuing an order to render electronic data temporarily inaccessible, it shall require the web-hosting provider to restore electronic data.

---

<sup>72</sup> Act No. XIX of 1998 on the Criminal Procedure Code. Available at <https://www.icrc.org/>.

Amendment to the Criminal Procedure Code was introduced by the Act No. CCXXIII of 2012 on the amendment of certain laws and temporary provisions related to the entry into force of Act No. C of 2012 on the Criminal Code (in force since 1 July 2013). The new measure aims at preventing the continuance of commission of crimes, which may be committed through computer systems, and at the disabling of access to prohibited data.

<sup>73</sup> The new sections are available at [https://www.unodc.org/res/cld/document/hun/1998/hungarian\\_criminal\\_procedure\\_code\\_html/Act\\_XIX\\_of\\_1998\\_on\\_Criminal\\_Proceedings\\_Excerpts.pdf](https://www.unodc.org/res/cld/document/hun/1998/hungarian_criminal_procedure_code_html/Act_XIX_of_1998_on_Criminal_Proceedings_Excerpts.pdf).

4. The ruling on the termination of rendering electronic data temporarily inaccessible and on restoring such data shall be communicated to the obliged party immediately. Web- hosting providers shall have one working day to restore electronic data after the communication of the court ruling.
5. It is the duty of the bailiff to give effect to orders issued to remove temporarily or to restore electronic data.
6. The courts, acting ex officio or upon a motion to that effect by the prosecutor, may impose a fine between one hundred thousand and one million Hungarian Forints whenever an obliged party fails to abide by its obligation to remove temporarily or to restore electronic data. Fines may be imposed repeatedly."

#### **Section 158/D**

- "1. The courts shall issue an order to render electronic data temporarily inaccessible as envisaged in Section 158/B (4) subsection b) if
- (a) a web hosting provider fails to comply with its obligation to remove electronic data temporarily, or in case a letter rogatory by a foreign government agency seeking the temporary removal of electronic data fails to achieve its intended purpose within a period of thirty days after being sent, and
  - (b) if criminal proceedings have been instigated to combat child pornography (Section 204 of the Criminal Code), criminal acts against the state (Chapter XXIV of the Criminal Code) or a terrorist act (Sections 314-316 of the Criminal Code) and the electronic data are connected to these forms of criminality.
2. By issuing an order, the courts oblige electronic communications providers to temporarily disable access to electronic data.
3. If the person with the right to use the electronic data is unknown, court rulings to render electronic data temporarily inaccessible as envisaged in Section 158/B (4) subsection b) shall be served to recipients by posting an announcement. Such announcements shall be posted on the bulletin board of the court for a period of fifteen days and on the central website of courts, provided that the rules of delivery of such announcements shall otherwise be subject to Section (70) paragraphs (5) and (6). The party holding the right to use electronic data has eight days to appeal the ruling after it is served.
4. The courts shall immediately send electronic notification to the National Media and Info-communications Authority (NMIA) about its orders to render electronic data temporarily inaccessible as envisaged in Section 158/B (4) subsection b).
5. The NMIA organizes and supervises the execution of orders to render electronic data temporarily inaccessible as envisaged in Section 158/B (4) subsection b). With reference to electronic notifications received from the courts, the NMIA records the obligation to render electronic data temporarily inaccessible in a central database of court rulings issued to render electronic data inaccessible and shall immediately notify electronic communications providers about court rulings, and electronic communications providers have one working day to temporarily disable access to electronic data after the notice is served. The NMIA notifies the courts immediately about any failure by an electronic communications provider to comply with this obligation.
6. The court lifts the obligation to render electronic data temporarily inaccessible as envisaged in Section 158/B (4) subsection b) if
- a) the web hosting provider complies with its obligation to remove electronic data temporarily, b) the reason for issuing the order has otherwise ceased to exist, or c) investigations have been terminated, except in case the option to issue an order to render electronic data permanently inaccessible exists under Section 77(2) of the Criminal Code.
7. The courts shall immediately notify the NMIA about lifting the obligation to render electronic data temporarily inaccessible as envisaged in Section 158/B (4) subsection b) and the NMIA removes the obligation to render electronic data temporarily inaccessible from the central database of court rulings ordered to render electronic data inaccessible and shall immediately notify electronic communications providers about the termination of the obligation by electronic means, and electronic communications providers have one working day to provide access to electronic data after the notice is served.
8. The obligation to render electronic data temporarily inaccessible as envisaged in Section 158/B (4) subsection b) is lifted upon the termination of criminal proceedings. When the courts have refused to order the render electronic data permanently inaccessible, the courts shall immediately notify the NMIA about lifting the obligation to render electronic data temporarily inaccessible, and the NMIA in turn shall remove the obligation to render electronic data temporarily inaccessible from the central database of rulings ordered to render electronic data inaccessible and shall simultaneously notify electronic communications providers about the termination of the obligation by electronic means, and electronic communications providers have one working day to provide access to electronic data after the notice is served.
9. The NMIA notifies the courts immediately about any failure by an electronic communications provider to ensure access once again.
10. The courts, acting ex officio or upon a motion to that effect by the prosecutor, may impose a fine between one hundred thousand and one million Hungarian Forints on electronic communications providers that fail to abide by the obligation to temporarily disable or to restore access to electronic data. Fines may be imposed repeatedly."

**Section 596/A** - "1. The courts, acting ex officio or upon a motion to that effect by the prosecutor, issue an order to render electronic data permanently inaccessible by having access irrecoverably disabled if

- a) and order to temporarily disable access to data was in effect at the time criminal proceedings terminated [see Section 158/D (1)] and blocking access continues to be justified,
- b) the web-hosting provider fails to comply with its obligation despite a fine imposed under Section 324 (3) of Act 2013 of CCXL on the Executions of Punishments and Measures,

c) the courts ordered to render electronic data permanently inaccessible due to acts of child pornography (Section 204 of the Criminal Code) and the web hosting provider fails to abide by its obligation immediately despite being fined,

d) a letter (...) by a foreign government agency seeking to render electronic data permanently inaccessible fails to achieve its intended purpose within a period of thirty days after being sent.

2. As regards subsection a) of paragraph (1), the court with competence to decide the case has the power to rule that electronic data shall be rendered permanently inaccessible by disabling access irrecoverably.

3. The period for appealing a ruling issued to render electronic data permanently inaccessible by irrevocably disabling access, shall be open for eight days, respectively, for prosecutors after the date the ruling is communicated, for electronic communications providers after the related notice is served and for parties, including unknown parties, holding the right to use electronic data after the ruling is communicated, including communication by posting an announcement as envisaged in Section 158/D (3).

4. If the ruling on the order to render electronic data permanently inaccessible by disabling access irrecoverably was issued by a second instance court on the basis of paragraph (2), the adjudication of the appeal shall be subject to Title IV of Chapter XIV.

5. Upon a request to that effect by the prosecutor, the court will terminate the order to render electronic data permanently inaccessible by disabling access irrecoverably in case the web-hosting provider performs its obligation to remove the electronic data temporarily.

6. The courts shall immediately notify the NMIA by electronic means of court orders issued to render electronic data permanently inaccessible by irrevocably disabling access and of any rulings that lift such an obligation as envisaged in paragraph (5).

The NMIA organizes and supervises the execution of orders to render electronic data permanently inaccessible by irrevocably disabling access. The NMIA proceeds in compliance with paragraph (5) of Section 158/D and paragraphs (7) and (9) of Section 158/D, respectively, concerning rulings issued to impose and those lifting the obligation to disable access.

7. The courts, acting ex officio or upon a motion to that effect by the prosecutor, may impose a fine between one hundred thousand and one million Hungarian Forints whenever an obliged party fails to abide by its obligation to permanently disable or to restore access to electronic data. Fines may be imposed repeatedly. Rulings imposing a fine may be appealed with suspensory effect.”