

Act XLII of 1999

on the Protection of Non-Smokers and Certain Regulations on the Consumption and Distribution of Tobacco Products¹

The Parliament,

- having regard to the unfavorable general health indicators of the Hungarian population,
 - in the interest of dissuading young non-smokers from starting to use tobacco by way of imposing some restrictions concerning the sale of tobacco products,
 - showing its commitment for providing protection to non-smokers and persons who, due their age or state of health, require increased protection against the harmful effects of passive smoking through the regulation of the consumption of tobacco products primarily in public places,
 - recognizing, moreover, the need for having the regulations concerning the protection of non-smokers to be reviewed periodically consistent with the expansion of more health-conscious behavior, so as to enable the state to provide protection against the harmful effects of passive smoking in previously unaffected areas of the private sector,
 - stressing, particularly, that smoking should be avoided, in due respect of the right to privacy, in the presence of minors, pregnant women, sick people or persons whose mobility is limited for any reason, even in areas of private life, especially in enclosed areas or inside of cars, in light of the fact that all tobacco smoke has toxic properties, and it has no health-based limit value in terms of exposure, that can be considered safe,
 - thus promoting the implementation and protection of the constitutional rights related to good health and a healthy environment,
 - having regard - subject to consultation concerning reconciliation of conflicting interests - to the need for improvements in the traditional habits of consumption of tobacco products, while recognizing reasonable consumption patterns,
- has adopted the following Act:²

Interpretative provisions

Section 1

For the purposes of this Act:

- a)*³ "tobacco product" means products that can be consumed and consist, even partly, of tobacco, whether genetically modified or not;
- b)*⁴ "smoking" means the burning, including combustion, of tobacco products or herbal products for smoking;

¹ Promulgated: 23 April 1999.

² Established: by Section 1 of Act XLI of 2011. In force: as of 9. 05. 2011.

³ Established by Subsection (1) of Section 45 of Act LXXVII of 2015, effective as of 20 May 2016.

⁴ Established by Section 30 of Act XXXIV of 2016, effective as of 21 May 2016.

c)⁵ "public institution" means any establishment or other similar means of natural or legal persons, or unincorporated business associations engaged in performing public functions, public duties or other services in the public interest (hereinafter referred to collectively as "services") for those concerned, irrespective of whether admission thereto for the general public is unrestricted or rendered conditional;

d)⁶ "event" means a gathering or program created through the congregation of at least three persons as set forth in Subsection (1) of Section 2 of Act III of 1989 on the Right of Assembly, and organized for business, cultural, sport - other than recreational - or religious purposes or for interest representation purposes;

e)⁷ "confined area" means any structure or means physically separated from its environment by some technical solution, that cannot be frequently ventilated from the external environment, or whose ventilation can be ensured by means of openings or doors and windows occupying a whole side or at least half of the roof thereof, or by way of a forced ventilation system;

f)⁸ "combined health warning" means a health warning provided for in the government decree adopted by authorization of this Act consisting of a combination of a text warning and a corresponding photograph or illustration;

g)⁹ "non-governmental organization for the protection of health" means an association established under the Act on the Right of Association, whose objective specified in the statutes is the suppression of smoking, that has been operating for at least two years, including the alliances of such associations;

h)¹⁰ "outside packaging" any packaging in which tobacco or related products are placed on the market and which includes a unit packet or an aggregation of unit packets; transparent wrappers are not regarded as outside packaging;

i)¹¹ "institution providing accommodation services" means a place of accommodation provided for in Point 22 of Section 2 of Act CLXIV of 2005 on Trade, including workers hostels, as well as residential care institutions provided for in Paragraph d) Subsection (2) of Section 57 of Act III of 1993 on Social Administration and Social Welfare Benefits, and other special social institutions under Paragraph f) thereof;

j)¹² "health warning" means a warning concerning the adverse effects on human health of a product or other undesired consequences of its consumption, as provided for in the government decree adopted by authorization of this Act;

⁵ Established: by paragraph (1) Section 2 of Act XLI of 2011. In force: as of 1. 01. 2012.

⁶ Amended: by Section 80 of Act CXXXIII of 2013. In force: as of 1. 08. 2013.

⁷ Established by Subsection (1) of Section 30 of Act CCXXIV of 2015, effective as of 1 January 2016.

⁸ Established by Subsection (2) of Section 45 of Act LXXVII of 2015, effective as of 20 May 2016.

⁹ Enacted: by Section 131 of Act CLXXV of 2011. In force: as of 22. 12. 2011.

¹⁰ Established by Subsection (3) of Section 45 of Act LXXVII of 2015, effective as of 20 May 2016.

¹¹ Enacted by Subsection (2) of Section 30 of Act CCXXIV of 2015, effective as of 1 January 2016.

¹² Enacted by Subsection (3) of Section 30 of Act CCXXIV of 2015, effective as of 20 May 2016.

k)¹³ "general warning" means a warning that appears on the most visible surface of the unit packet and any outside packaging of tobacco products for smoking, specifically, "A dohányzás halált okoz - szokjon le most!" (*Smoking kills - quit now*);

l)¹⁴ "information message" means a message that appears on each unit packet and any outside packaging of tobacco products for smoking, specifically, "A dohányfüst több mint 70 rákkeltő anyagot tartalmaz." (*Tobacco smoke contains over 70 substances known to cause cancer.*);

m)¹⁵ "unit packet" means the smallest individual packaging of a tobacco or related product that is placed on the market;

n)¹⁶ "herbal product for smoking" means a product based on plants, herbs or fruits which contains no tobacco and that can be consumed via a combustion process;

o)¹⁷ "cross-border distance sales" means distance sales to consumers where, at the time the consumer orders the product from a retail outlet, the consumer is located in a Member State other than the Member State or the third country where that retail outlet is established; a retail outlet is deemed to be established in a Member State:

oa) in the case of a natural person: if he or she has his or her place of business in that Member State,

ob) in other cases: if the retail outlet has its registered office provided for in the instrument of constitution, central administration or place of business, including a branch, agency or any other establishment, in that Member State;

p)¹⁸ "electronic cigarette" shall mean a product - either single-use (disposable) or refillable by means of a refill container and a tank, or rechargeable with cartridges (reusable) - that can be used for consumption of nicotine-containing vapor via a mouth piece, or any component of that product, including a cartridge, a tank and the device without cartridge or tank;

q)¹⁹ "refill container" shall mean a receptacle that contains a nicotine-containing liquid, which can be used to refill an electronic cigarette;

r)²⁰ "cartridge" shall mean a receptacle used with an electronic cigarette, typically single use (non-refillable), that contains a liquid containing nicotine in any way or form;

s)²¹ "electronic device imitating smoking" shall mean an electronic product that can be used for consumption of nicotine-free vapor via a mouth piece;

¹³ Enacted by Subsection (3) of Section 30 of Act CCXXIV of 2015, effective as of 20 May 2016.

¹⁴ Enacted by Subsection (3) of Section 30 of Act CCXXIV of 2015, effective as of 20 May 2016.

¹⁵ Enacted by Subsection (3) of Section 30 of Act CCXXIV of 2015, effective as of 20 May 2016.

¹⁶ Enacted by Subsection (3) of Section 30 of Act CCXXIV of 2015, effective as of 20 May 2016.

¹⁷ Enacted by Subsection (3) of Section 30 of Act CCXXIV of 2015, effective as of 20 May 2016.

¹⁸ Established by Subsection (1) of Section 1 of Act CIII of 2019, effective as of 15 December 2019.

¹⁹ Established by Subsection (1) of Section 1 of Act CIII of 2019, effective as of 15 December 2019.

²⁰ Established by Subsection (1) of Section 1 of Act CIII of 2019. Amended by Paragraph a) of Section 72 of Act CI of 2021.

²¹ Established by Subsection (1) of Section 1 of Act CIII of 2019, effective as of 15 December 2019.

t)²² "nicotine-free refill container" shall mean a receptacle that contains a nicotine-free liquid used to refill an electronic device imitating smoking, including a single use (non-refillable) receptacle, that contains a nicotine-free liquid;

u)²³ "smokeless tobacco product" shall mean a tobacco product not involving a combustion process, including chewing tobacco, nasal tobacco and tobacco for oral use;

v)²⁴ "novel tobacco product" shall mean a tobacco product which:

va) does not fall into any of the following categories: cigarettes, roll-your-own tobacco, pipe tobacco, waterpipe tobacco, cigars, cigarillos, chewing tobacco, nasal tobacco or tobacco for oral use, and

vb) is placed on the market after 19 May 2014;

w)²⁵ "novel tobacco product accessory" shall mean a product that facilitates the consumption of a novel tobacco product directly, in particular a device ancillary to consumption, and products related to the use, storage, maintenance, operation of novel tobacco products (accessories, components);

x)²⁶ 'electronic cigarette identification number' shall mean a number for the identification of products uploaded through the common entry gate provided for in Commission Implementing Decision (EU) 2015/2183 of 24 November 2015 establishing a common format for the notification of electronic cigarettes and refill containers;

y)²⁷ "smoking-substitute nicotine-containing product" shall mean a product, other than an electronic cigarette, refill container or cartridge, that contains nicotine, but no tobacco, that is not considered as a medicinal product and whose active substance enters the body orally (through the mucous membrane).

Fundamental Provisions on the Consumption of Tobacco Products

Section 2²⁸

(1)²⁹ With the exception of areas designated for smoking - subject to the derogation set out in Subsection (3) - smoking, or the use of electronic cigarette or electronic device imitating smoking is prohibited:

a) in the areas of public institutions which are open to the general public;

²² Established by Subsection (1) of Section 1 of Act CIII of 2019, effective as of 15 December 2019.

²³ Established by Subsection (1) of Section 1 of Act CIII of 2019, effective as of 15 December 2019.

²⁴ Established by Subsection (1) of Section 1 of Act CIII of 2019, effective as of 15 December 2019.

²⁵ Enacted by Subsection (2) of Section 1 of Act CIII of 2019, effective as of 15 December 2019.

²⁶ Established by Section 68 of Act CI of 2021, effective as of 29 June 2021.

²⁷ Enacted by Subsection (2) of Section 1 of Act CIII of 2019, effective as of 15 December 2019.

²⁸ Established: by paragraph (1) Section 10 of Act CLXVI of 2011. In force: as of 1. 01. 2012.

²⁹ Established by Subsection (1) of Section 31 of Act CCXXIV of 2015, effective as of 20 May 2016.

b) on means of public transport;

c) at places of work;

d) in public places, such as:

da) underpasses for pedestrian traffic and other enclosed interconnecting spaces open for public traffic, in public playgrounds, including a five-meter zone surrounding such playgrounds, measured from the perimeter of the playground,

db) in railway facilities serving the operation of public railway services and other spaces comprising part of railway lines which are open to the general public, in stations and stopping places installed or designated for the use of means of public transport, including waiting areas and spaces, in the case of open-air stopping places and waiting areas inside a five-meter zone surrounding such stopping places and waiting areas, measured from the perimeter of the stopping place and waiting area, however, if the outer perimeter of the designated non-smoking area cannot be clearly identified, smoking shall be prohibited within a five-meter radius from the sign or other marking of the stopping place or waiting area;

e) within ten meters from the public entrance of a healthcare service provider specified in Paragraph *f)* of Section 3 of Act CLIV of 1997 on Health Care (hereinafter referred to as “HCA”).

(2) Subject to the exception set out in Subsection (5), smoking areas may not be designated:

a) in the enclosed spaces of public institutions;

b) in the enclosed spaces of work places;

c) on means of local public transport, suburban light rails, suburban railways, on scheduled intercity buses and scheduled railways carrying passengers.

(3) By way of derogation from Paragraph *a)* of Subsection (1), smoking is permitted without the designation of a smoking area:

*a)*³⁰

b) in the enclosed rooms of institutions providing accommodations, if let and expressly designated as a room for smokers;

provided that smoking is not prohibited by other provisions of this Act or by fire regulations.

(4) In addition to what is contained in Paragraphs *a)* and *b)* of Subsection (2), areas may not be designated outdoors for smoking:

*a)*³¹ in public education institutions;

b) in child welfare and child protection institutions;

*c)*³²

(5)³³ According to the provisions of Subsections (7)-(9) indoor smoking areas may be designated:

a) in the cases described in Section 9;

b) in penal institutions, police detention facilities, lockups and compounds of restricted access for the inmates and detainees, including those suffering in some form of mental disorder;

³⁰ Repealed: by paragraph (5) Section 25 of Act CXXXIV of 2012. No longer in force: as of 1. 07. 2013.

³¹ Amended by Paragraph *a)* of Section 38 of Act CCXXIV of 2015.

³² Repealed by Section 39 of Act CCXXIV of 2015, effective as of 1 January 2016.

³³ Established: by paragraph (1) Section 1 of Act XXVI of 2012. In force: as of 9. 04. 2012.

c) in the psychiatric institutions referred to in Paragraph *a)* of Section 188 of the HCA, for psychiatric patients;

d) for workers, where the adjusted effective temperature - defined in specific other legislation - in indoor workplaces is higher than 24 °C;

e) for workers working in places rated extremely or highly flammable or in workplaces and facilities of moderate fire risk where areas may not be designated outdoors for smoking:

ea) in harmony with break-times provided under the Labor Code,

eb) in compliance with fire regulations, and

ec) in accord with the nature of the activity pursued,

or may be designated only at the expense of causing serious danger to safety of life or property, or to the national economy.

(5a)³⁴ At the healthcare service providers specified in Paragraph *f)* of Section 3 of the HCA any area designated outdoors for smoking must be inside the healthcare service provider's premises, properly separated from the usual or necessary passageway or route used by persons seeking medical services, at least ten meters from such passageway or route.

(6) The government body in charge of the healthcare system and the fire protection authority shall inspect designated smoking areas for compliance with the provisions of this Act and from the point of view of fire prevention, respectively.

(7)³⁵ Areas and spaces where smoking and the use of electronic cigarette and electronic device imitating smoking is prohibited, and areas, spaces and public places designated for smoking and for the use of electronic cigarette and electronic device imitating smoking must be clearly indicated as such by means of a symbol or other explicit sign, or a standard prohibitive sign or pictogram in the event of prohibition under fire regulations.

(8) Where an enclosed area is designated for smoking under this Act, such smoking section may not be designated in the same room where a non-smoking area is also located. In the case of enclosed smoking areas, an adequate supply of fresh air must be ensured through windows or by the installation of other technical means, where tobacco smoke must not be allowed to enter the non-smoking areas. In the application of this Subsection, circulation of air shall be considered adequate if:

a) a ventilation mechanism providing a steady supply of fresh air and the removal of spent air is installed, and

b) the designation of the smoking areas and the air ventilation of the premises are designed in such a way that tobacco smoke flows directly from where it originates through the ventilation conduit without the non-smoking areas being in the direction of the flow.

(9)³⁶ In the cases referred to in Paragraphs *d)* and *e)* of Subsection (5) enclosed smoking areas may be designated subject to the prior consent of the government body in charge of the healthcare system, or upon notification in cases defined by government decree. The government body in charge of the healthcare system shall authorize the designation of a smoking area if it meets the requirements set out in Paragraphs *d)* and *e)* of Subsection (5) and in Subsections (7) and (8). The proceedings of the government body in charge of the healthcare system for the

³⁴ Enacted by Subsection (2) of Section 31 of Act CCXXIV of 2015, effective as of 1 January 2016.

³⁵ Established by Subsection (3) of Section 31 of Act CCXXIV of 2015, effective as of 20 May 2016.

³⁶ Established by Section 41 of Act CX of 2019, effective as of 1 January 2020.

authorization, notification of a designated smoking area shall be subject to an administrative service fee in the amount decreed by the minister in charge of the healthcare system in agreement with the minister in charge of taxation.

Section 2/A³⁷

(1) In addition to what is contained in Paragraph *d*) of Subsection (1) of Section 2, municipal governments shall be empowered to declare public places non-smoking areas by way of a decree. The decree of municipal governments shall define the scope of prohibition of smoking in sufficient detail so as to allow the persons required to designate smoking areas in accordance with this Act to satisfy such obligation. The provisions of Subsection (7) of Section 2 shall apply to the designation of non-smoking public places.

(2) Compliance with smoking restrictions in public places pursuant to this Act and the municipal decree referred to in Subsection (1) may be monitored - in addition to what is contained in Section 7 and in accordance with the relevant municipal decree - by the local community patrol as well, with the right to levying an instant fine of up to 30,000 forints upon any person violating smoking restrictions.

(3) The instant fine referred to in Subsection (2) shall constitute revenue for the competent municipal government.

(4)³⁸ For any violation of smoking restrictions by the same person, at the same time and place, the instant fine under Subsection (2) hereof and the healthcare penalty under Section 7 may not be imposed collectively. If both the local community patrol and the government body in charge of the healthcare system have opened proceedings for any violation of smoking restrictions by the same person, at the same time and place, it shall be completed by the authority where the proceedings were first opened.

Section 2/B³⁹

The consumption of a smoking-substitute nicotine-containing product is prohibited in public educational institutions and in child welfare, child protection institutions.

Section 3

(1)⁴⁰ Persons acting within the scope of duties of the public institution as well as persons professionally involved in the operation of means of public transport (hereinafter jointly referred to as „authorized persons”) are obliged to request anyone violating the smoking restriction and the restriction on the use of electronic cigarette and electronic device imitating smoking to

³⁷ Established: by Section 54 of Act CCXII of 2012. In force: as of 1. 01. 2013.

³⁸ Established by Subsection (1) of Section 167 of Act L of 2017, effective as of 1 January 2018.

³⁹ Enacted by Section 69 of Act CI of 2021, effective as of 29 June 2021.

⁴⁰ Amended on the base: of paragraph a) Section 13 of Act XLI of 2011, Paragraph b) of Section 38 of Act CCXXIV of 2015.

immediately cease such infringement. In the event that the request is unsuccessful, the authorized person shall demand that the person concerned leave the public institution or the means of public transport or shall initiate the proceedings described in Subsections (1), (2) and (13) of Section 7.

(2) At the request of the person defined in Subsection (1)- upon presenting proof of authority for the measures being taken - the person concerned is obliged to prove his identity.

Section 4

(1)⁴¹ In the cases defined in Paragraphs *a*) and *c*) of Subsection (1) of Section 2 - with the exceptions set out in Subsection (6) of this Section and Subsections (3)-(5) of Section 2 - a non-enclosed area that meets the requirements set out in this Act and by fire regulations shall be designated and maintained for smoking subject to the provisions of Subsection (7) of Section 2. With the exception of public institutions providing entertainment and/or restaurant services, smoking areas may not be designated within five meters from the entrance of any public institution. In the case of public institutions providing entertainment and/or restaurant services, a smoking area may be designated within five meters from the entrance if there is no outdoor space available inside the premises of the institution that can be designated for smoking within five meters from the entrance.

(2)⁴²

(3)⁴³ The designation of smoking areas on means of public transport, operating by public or private operators, other than those mentioned in Paragraph *c*) of Subsection (2) of Section 2, shall be determined by the operator in compliance with fire regulations and traffic safety requirements.

(4)-(5)⁴⁴

(6)⁴⁵ The operator of a public institution - other than the public institutions under Paragraphs *a*)-*c*) of Subsection (5) of Section 2 - may declare the institution a non-smoking establishment. In this case there is no need to designate a smoking area in the institution, neither enclosed nor outdoors. The non-smoking status of the institution must be displayed in an easily visible manner using unambiguous wording or signs at the entrance to the institution open to the general public, as well as in all places which are open to the general public.

(7)⁴⁶

⁴¹ Established: by paragraph (1) Section 55 of Act CCXII of 2012. In force: as of 1. 01. 2013.

⁴² Repealed: by paragraph a) paragraph (1) Section 18 of Act XLI of 2011. No longer in force: as of 1. 01. 2012.

⁴³ Established: by paragraph (2) Section 5 of Act XLI of 2011. In force: as of 1. 01. 2012.

⁴⁴ Repealed: by paragraph a) paragraph (1) Section 18 of Act XLI of 2011. No longer in force: as of 1. 01. 2012.

⁴⁵ Established: by paragraph (2) Section 55 of Act CCXII of 2012. In force: as of 1. 01. 2013.

⁴⁶ Repealed: by paragraph a) paragraph (1) Section 18 of Act XLI of 2011. No longer in force: as of 1. 01. 2012.

(8)⁴⁷ In multi-purpose institutions in which, or in the premises of which, healthcare services are also provided the provisions of Subsection (1) shall apply *mutatis mutandis*, with the proviso that areas may be designated outdoors for smoking only if properly separated from the usual or necessary passageway or route used by persons seeking medical services. By way of derogation from Subsection (1), a smoking area may not be designated within ten meters from the public entrance of such institutions.

(9)⁴⁸ The requirements set out in Subsections (1)-(8) of this Section and in Section 4/A shall be enforced by the person appointed under the internal regulations of the public institution - failing this by the head or operator of the institution -, by the organizer of the event or by the operator of the means of public transport, or the principal of the institution of public education or the employer.

Section 4/A⁴⁹

(1) Employers may prohibit smoking at any workplace - or any business establishment where applicable - in accordance with the provisions laid down in Subsections (2)-(3). In this case, in the facilities and areas of which the employer has exclusive control smoking areas may not be designated. The designation that a workplace has been declared smoke-free must be displayed in an easily visible manner using unambiguous wording or signs at the entrance to the premises open for pedestrian traffic, as well as in all places used also by persons other than the employees and in the corridors leading to these areas at places where it can be seen by all persons admitted.

(2) The decision to declare an employer a smoke-free workplace in accordance with Subsection (1) may be adopted:

- a)* in the collective agreement where applicable;
- b)* at the request of or in agreement with the employees of employers to whom Paragraph *a)* does not apply.

(3) The initiative referred to in Paragraph *b)* of Subsection (2) may be presented by a trade union vested with powers to conclude the collective agreement, or failing this by at least fifty per cent of all workers employed at the particular workplace, or at the business establishment where applicable, at the time the agreement is concluded. If initiated by the employer the agreement of employees shall be governed by the same rules that govern the launching of the initiative. The employer must comply with the initiative presented by the employees and shall declare the workplace or establishment smoke-free within thirty days.

(4)⁵⁰ In connection with any workplace where a smoking area cannot be designated in accordance with Subsections (2) and (4) of Section 2, or where designating smoking areas is not obligatory under Subsection (3) of Section 2, Subsections (1)-(3) may not be applied. Where a

⁴⁷ Established by Section 32 of Act CCXXIV of 2015, effective as of 1 January 2016.

⁴⁸ Established: by paragraph (3) Section 5 of Act XLI of 2011. In force: as of 1. 01. 2012. Amended: by paragraph a) Section 13 of Act XLI of 2011. In force: as of 1. 01. 2012. The change does not effect the English version.

⁴⁹ Enacted: by Section 38 of Act CLXXXI of 2005. In force: as of 01. 09. 2006.

⁵⁰ Amended: by paragraph c) Section 13 of Act XLI of 2011. In force: as of 1. 01. 2012.

workplace has been declared smoke-free according to Subsection (1), Subsections (2)-(3) shall apply *mutatis mutandis* to requests for the designation of smoking areas.

Restrictions on the Marketing and Distribution of Tobacco Products

Section 5⁵¹

(1)⁵² Activities for the retail sale of products listed in Paragraphs *b)-h)* of Subsection (1) of Section 1 of Act CXXXIV of 2012 on Anti-Smoking Programs for Young People and on the Retail Sale of Tobacco Products (hereinafter referred to as “Tobacco Act”) may not be pursued in public education institutions, social institutions providing personal care, in child welfare and child protection institutions, and in healthcare institutions.

(2)⁵³ Tobacco products listed in Paragraphs *b)-h)* of Subsection (1) of Section 1 of the Tobacco Act may not be placed on the market as representative samples.

(3)⁵⁴ Tobacco products listed in Paragraphs *b)-h)* of Subsection (1) of Section 1 of the Tobacco Act may not be sold by vending machines.

(4)⁵⁵ For the purposes of this Section, ‘retail sale of tobacco products’ shall have the meaning defined in the Tobacco Act.

Section 6⁵⁶

(1) Tobacco products may be placed on the market only if each unit packet and any outside packaging of these products comply with the provisions of the government decree adopted for the implementation of this Act.

(2)-(3)⁵⁷

(4) The detailed regulations governing the labeling and packaging of tobacco products are laid down in the government decree adopted for the implementation of this Act.

Section 6/A⁵⁸

⁵¹ Established by Section 33 of Act CCXXIV of 2015, effective as of 20 May 2016.

⁵² Established by Section 70 of Act CI of 2021, effective as of 29 June 2021.

⁵³ Established by Section 70 of Act CI of 2021, effective as of 29 June 2021.

⁵⁴ Established by Section 70 of Act CI of 2021, effective as of 29 June 2021.

⁵⁵ Established by Section 70 of Act CI of 2021, effective as of 29 June 2021.

⁵⁶ Established by Section 46 of Act LXXVII of 2015, effective as of 20 May 2016.

⁵⁷ Repealed by Point 1 of Section 172 of Act LXVII of 2016, effective as of 1 January 2017.

⁵⁸ Enacted by Section 47 of Act LXXVII of 2015, effective as of 20 May 2016.

(1) The labeling of a unit packet and any outside packaging and the tobacco product itself shall not include any element or feature that:

a) promotes a tobacco product or encourages its consumption by creating an erroneous impression about its characteristics, health effects, risks or emissions; labels shall not include any information about the nicotine, tar or carbon monoxide content of the tobacco product;

b) suggests that a particular tobacco product is less harmful than other tobacco products or aims to reduce the effect of some harmful components of smoke or has vitalizing, energetic, healing, rejuvenating, natural, organic properties or has other health or lifestyle benefits;

c) refers to taste, smell, any flavorings or other additives or the absence thereof by way of means liable to mislead the consumer;

d) resembles a food or a cosmetic product;

e) suggests that a certain tobacco product has improved biodegradability or other environmental advantages.

(2) The unit packets and any outside packaging shall not suggest economic advantages by including printed vouchers, offering discounts, free distribution, two-for-one or other similar offers.

(3) The elements and features that are prohibited pursuant to Subsections (1) and (2) may include but are not limited to texts, symbols, names, trademarks, figurative or other signs.

Section 6/B⁵⁹

Cross-border distance sales of tobacco products to consumers is prohibited.

Section 6/C⁶⁰

In the case of notification of a substance, other than tobacco, that is added to a tobacco product, a unit packet or to any outside packaging, notified according to the government decree implementing this Act (hereinafter referred to as “additive”), an administrative service fee shall be charged for each additive, payable to the government body in charge of the healthcare system each year, by 31 March of the reference year. From the year following the notification the administrative service fee shall serve to maintain the notification.

Violation of Prohibitions and Obligations Regarding the Consumption and Distribution of Tobacco Products

Section 7

(1)⁶¹ The government body in charge of the healthcare system shall monitor compliance with the provisions contained in Sections 2-4/A, Section 7/H and Section 9 of this Act, and Section 38 of Act XCIII of 1993 on Labor Safety, and - in the case of any infringement - shall impose a

⁵⁹ Enacted by Section 47 of Act LXXVII of 2015, effective as of 20 May 2016.

⁶⁰ Enacted by Section 19 of Act CLXXII of 2016, effective as of 19 January 2017.

⁶¹ Established by Subsection (1) of Section 34 of Act CCXXIV of 2015, effective as of 20 May 2016.

healthcare penalty upon the infringer natural or legal person, or unincorporated business association. The government body in charge of the healthcare system may waive the penalty in respect of the person specified in Subsection (9) of Section 4, if the authorized person has verifiably discharged his obligation set out in Subsection (1) of Section 3 in respect of the person engaged in any violation of the restriction on smoking and on the use of electronic cigarette and electronic device imitating smoking.

(2)⁶² The party described in Subsection (9) of Section 4 shall also be obliged to pay a health care penalty if, within his scope of responsibilities, he does not enforce adherence to the prohibitions and restrictions contained in this Act with reference to smoking.

(3)⁶³ A healthcare penalty may only be imposed on natural persons who at the time of the act were over the age of 14.

(4)-(5)⁶⁴

(6)⁶⁵

(7) The health care penalty must be imposed by the authority vested with powers and jurisdiction for conducting the procedure within 6 months of acquiring knowledge of the conduct in accordance with Subsections (1)-(2). The health care penalty may not be imposed if one year has passed from confirmation of the unlawful conduct, unless such unlawful conduct continues. In this case the term of limitation begins the day the violation ceases.

(8)⁶⁶

(9)⁶⁷ The healthcare penalty established by a definitive resolution, and the consumer protection penalty imposed by definitive resolution for any violation of the prohibitions or restrictions contained in this Act with regard to the distribution of tobacco products, as well as instant fines shall be payable into the account of government body in charge of the healthcare system.

(10)⁶⁸

(11)⁶⁹

⁶² Amended: by subparagraph f) paragraph (3) Section 44 of Act CLXXXI of 2005. In force: as of 01. 09. 2006. Amended: by paragraph b) paragraph (1) Section 18 of Act XLI of 2011. In force: as of 1. 01. 2012.

⁶³ Established: by Section 57 of Act CCXII of 2012. In force: as of 1. 01. 2013.

⁶⁴ Repealed by Point 2 of Section 172 of Act LXVII of 2016, effective as of 1 January 2017.

⁶⁵ Repealed: by paragraph d) paragraph (1) Section 18 of Act XLI of 2011. No longer in force: as of 1. 01. 2012.

⁶⁶ Repealed: by paragraph d) paragraph (1) Section 18 of Act XLI of 2011. No longer in force: as of 1. 01. 2012.

⁶⁷ Established by paragraph (2) Section 10 of Act CLXVI of 2011. Amended by Paragraph a) of Section 168 of Act L of 2017.

⁶⁸ Repealed: by point 25 Section 84 of Act CLXVI of 2011. No longer in force: as of 1. 01. 2012.

⁶⁹ Repealed: by paragraph (2) Section 202 of Act LVI of 2009. No longer in force: as of 1. 10. 2009.

(12) The imposition of the health care penalty shall not affect the applicability of any other legal ramifications of the violation, as set forth in other legal regulations.

(13)⁷⁰ The person described in Subsection (1) of Section 3 shall initiate the execution of the disciplinary procedures against a violator of the smoking prohibition in public education institutions as provided for by this Act, in the course of fulfilling the obligation arising from the student relationship, or in the course of any other connected activity in the public education institution or in any other institution operating in this line of activity, with regard to students over the age of 14.

Section 7/A⁷¹

(1)⁷² The consumer protection authority shall monitor compliance with the provisions set out in Sections 5, 6 and 6/A, and shall take action in the event of any infringement thereof in accordance with Act CLV of 1997 on Consumer Protection (hereinafter referred to as “CPA”).

(2) The provisions contained in Subsection (1) above are treated as consumer protection regulations in the application of the CPA.

Section 7/B⁷³

(1)⁷⁴ The government body in charge of the healthcare system, civil society organizations for the protection of health or the public prosecutor may file charges against any party engaged in illegal activities and causing substantial harm to public health policies affecting a broad segment of the population, aimed at enforcing the interests of the general public and/or to prevent such substantial harm to public health policies. The legal action referred to above may be filed if the identity of the injured persons cannot be established.

(2) The legal action referred to in Subsection (1) may be filed within one year of the occurrence of the infringement.

(3) In its decision the court may authorize the party enforcing the claim to publish the court’s decision in a national newspaper at the expense of the infringing party.

(4)⁷⁵ Civil society organizations pursuing the protection of health shall be treated as clients by operation of law.⁷⁶

⁷⁰ Amended by Paragraph c) of Section 38 of Act CCXXIV of 2015.

⁷¹ Enacted: by Section 8 of Act XLI of 2011. In force: as of 1. 01. 2012.

⁷² Amended by Paragraph a) of Section 49 of Act LXXVII of 2015.

⁷³ Enacted: by Section 9 of Act XLI of 2011. In force: as of 1. 01. 2012.

⁷⁴ Shall enter into force with the text established: by subparagraph b) Section 186 of Act CLXXV of 2011.

⁷⁵ Amended by Paragraph b) of Section 168 of Act L of 2017.

⁷⁶ Shall enter into force with the text established: by subparagraph c) Section 186 of Act CLXXV of 2011.

a) in proceedings of the government body in charge of the healthcare system opened with respect to any infringement of the provision of Sections 2-4/A of this Act and Section 38 of Act XCIII of 1993 on Labor Safety,

b)⁷⁷ in proceedings of the consumer protection authority opened with respect to any infringement of the provision of Sections 5, 6 and 6/A.

Regulations Relating to Electronic Cigarettes⁷⁸

*Section 7/C*⁷⁹

Without prejudice to the provisions on medicinal products and medical devices, electronic cigarettes may only be placed on the market and distributed if they meet the requirements set out in the government decree adopted by authorization of this Act.

*Section 7/D*⁸⁰

(1) Manufacturers and importers of electronic cigarettes and refill containers shall submit a notification to the government body in charge of the healthcare system of any such products which they intend to place on the market at least six months in advance.

(2) The notification referred to in Subsection (1) shall be submitted in electronic form, subject to the content requirements laid down in the government decree adopted by authorization of this Act.

(3) In accordance with Subsection (1) all changes affecting the technical characteristics of electronic cigarettes and refill containers provided for in this Act and the government decree adopted by authorization of this Act shall also be notified.

(4)⁸¹ In connection with the notifications referred to in Subsections (1) and (3) the notifier shall be liable to pay an administrative service fee to the government body in charge of the healthcare system, as well as for notified products for which the government body in charge of the healthcare system has issued a certificate provided for in the government decree implementing this Act each year, by 31 March of the reference year. From the year following the notification the administrative service fee shall serve to maintain the notification.

*Section 7/E*⁸²

⁷⁷ Amended by Paragraph b) of Section 49 of Act LXXVII of 2015.

⁷⁸ Enacted by Section 35 of Act CCXXIV of 2015, effective as of 20 May 2016.

⁷⁹ Enacted by Section 35 of Act CCXXIV of 2015, effective as of 20 May 2016.

⁸⁰ Enacted by Section 35 of Act CCXXIV of 2015, effective as of 20 May 2016.

⁸¹ Established by Section 20 of Act CLXXII of 2016, effective as of 19 January 2017.

⁸² Enacted by Section 35 of Act CCXXIV of 2015, effective as of 20 May 2016.

(1) Commercial communications provided for in Act CLXXXV of 2010 on Media Services and on the Mass Media (hereinafter referred to as “Media Act”) in information society services, in the press and other printed publications, with the aim or direct or indirect effect of promoting electronic cigarettes and refill containers are prohibited. This prohibition shall not apply to publications that are intended exclusively for professionals in the trade of electronic cigarettes or refill containers and for publications which are printed and published in third countries, where those publications are not intended for the Union market.

(2) Commercial communications - provided for in the Media Act - on the radio, with the aim or direct or indirect effect of promoting electronic cigarettes and refill containers, are prohibited.

(3) Any form of sponsorship provided under Act XLVIII of 2008 on the Basic Requirements and Certain Restrictions of Commercial Advertising Activities (hereinafter referred to as “Advertising Act”) to radio programs with the aim or direct or indirect effect of promoting electronic cigarettes and refill containers is prohibited.

(4)⁸³ Any form of sponsorship provided under the Advertising Act to any event, activity or individual person with the aim or direct or indirect effect of promoting electronic cigarettes and refill containers is prohibited.

(5) Audiovisual commercial communications to which the Media Act applies, are prohibited for electronic cigarettes and refill containers.

(6) Advertising any product with the same brand name as an electronic cigarette or refill container, or referring to the brand name of an electronic cigarette or refill container, which could have a direct or indirect impact on the marketing thereof, is prohibited.

(7) In connection with any infringement of the provisions of Subsections (1)-(6) the consumer protection authority shall have jurisdiction according to the provisions of the Advertising Act.

Section 7/F⁸⁴

Distance sale of electronic cigarettes and refill containers is prohibited.

Section 7/G⁸⁵

(1) Where the government body in charge of the healthcare system ascertains or has reasonable grounds to believe that specific electronic cigarettes or refill containers, or a type of electronic cigarette or refill container does not comply with the requirements set out in a government decree relating to marketing, and thus could present a serious risk to human health, it may take the following measures depending on the gravity of the situation:

a) suspend further sale of the given product and shall require the manufacturer or importer of the product to provide evidence within the prescribed time limit on the safety of that product,

b) prohibit further sale of the product if the evidence supplied under Paragraph *a)* is insufficient to verify the safety of the product, or if no evidence is provided within the time limit prescribed under Paragraph *a)*.

⁸³ Amended by Section 33 of Act XXXIV of 2016.

⁸⁴ Enacted by Section 35 of Act CCXXIV of 2015, effective as of 20 May 2016.

⁸⁵ Enacted by Section 35 of Act CCXXIV of 2015, effective as of 20 May 2016.

(2) If the manufacturer or importer of electronic cigarettes and refill containers fails to comply with the obligation of notification, data disclosure or information provided for in this Act or the government decree adopted by authorization of this Act, or places electronic cigarettes and refill containers on the market in violation of the provisions of this Act, the government body in charge of the healthcare system may impose a fine of up to 50 million forints having regard to the gravity of the infringement, its duration and to repeated occurrence.

(3) The government body in charge of the healthcare system shall inform the European Commission of the measures taken under Paragraph *b*) of Subsection (1).

Section 7/H⁸⁶

The provisions set out in Sections 2-4/A shall also apply to the use of electronic cigarettes and electronic devices imitating smoking.

Section 7/I⁸⁷

The provisions of this subtitle shall also apply to electronic devices imitating smoking.

Provisions Applicable to Novel Tobacco Products⁸⁸

Section 7/J⁸⁹

(1) The provisions set out in Sections 7/D-7/H relating to electronic cigarettes shall apply to novel tobacco products in accordance with this Subtitle.

(2) Novel tobacco products may be released for free circulation upon prior notification. Initial placing on the market may take place after at least three months from the time of notification.

(3) Specific provisions may be introduced by law relating to the marketing and promotion of novel tobacco products.

(4)⁹⁰ The manufacturers and distributors of novel tobacco products shall be liable to pay an administrative service fee to the government body in charge of the healthcare system in connection with the notification referred to in Subsection (2), and yearly, by 31 March of the reference year for each product. From the year following the notification the administrative service fee shall serve to maintain the notification.

Section 7/K⁹¹

⁸⁶ Enacted by Section 35 of Act CCXXIV of 2015, effective as of 20 May 2016.

⁸⁷ Enacted by Section 31 of Act XXXIV of 2016, effective as of 21 May 2016.

⁸⁸ Enacted by Section 20 of Act CXXXV of 2016, effective as of 21 December 2016.

⁸⁹ Enacted by Section 20 of Act CXXXV of 2016, effective as of 21 December 2016.

⁹⁰ Enacted by Section 21 of Act CLXXII of 2016, effective as of 19 January 2017.

⁹¹ Repealed by Paragraph a) of Section 73 of Act CI of 2021, effective as of 29 June 2021.

Section 7/L⁹²

Closing Provisions

Section 8

(1) This Act shall enter into force on the first day of the seventh month following its promulgation, whereby in respect of institutions open to the public providing entertainment and hospitality services operating with a valid business license on the day the law enters into force, or which start operation after the law enters into force based on an application which has been filed and is in progress for a business license, the smoking restriction and the obligation regarding the designation of smoking areas shall be applied as of 1 January 2001.

(2)⁹³

(3)⁹⁴ Cigarette tobacco products that do not conform to the provisions of Subsections (1) and (2) of Section 6 of this Act or the regulations laid down in specific other legislation cannot be manufactured and cannot be released for free circulation according to the provisions of Act LXVIII of 2016 on Excise Tax; nor can they be marketed for more than one year from the date on which this provision enters into force.

(4)⁹⁵ The ministers affected are hereby authorized to decree detailed regulations on smoking and the use of electronic cigarettes, the designation of smoking areas and the distribution of tobacco products with regard to the law enforcement agencies provided for in the Act on the Service Relation of the Professional Staff Members of Law Enforcement Bodies and Organizations, operating under their control and supervision in harmony with the provisions of this Act.

(4a)⁹⁶ The minister in charge of the agricultural sector and the minister in charge of supervising the food supply chain is hereby authorized to decree, in agreement with the minister in charge of the healthcare system and the minister in charge of taxation:

a) the fees for receiving, storing, handling, analyzing and publishing the information submitted in connection with ingredients and emissions;

b) the fees charged for assessing whether a tobacco product has a characterizing flavor, whether prohibited additives or flavorings are used and whether a tobacco product contains additives in quantities that increase to a significant and measurable degree the toxic or addictive effect or the CMR properties of the tobacco product concerned.

⁹² Repealed by Paragraph b) of Section 73 of Act CI of 2021, effective as of 29 June 2021.

⁹³ Repealed by Paragraph c) of Section 73 of Act CI of 2021, effective as of 29 June 2021.

⁹⁴ Established by Subsection (1) of Section 47 of Act LVIII of 2002. Amended by Paragraph b) of Section 72 of Act CI of 2021.

⁹⁵ Established by paragraph (1) Section 42 of Act XIX of 2004. Amended by subparagraph b) paragraph (5) Section 170 of Act CIX of 2006, Subsection (15) of Section 366 of Act XLII of 2015, Paragraph e) of Section 38 of Act CCXXIV of 2015.

⁹⁶ Enacted by Subsection (1) of Section 48 of Act LXXVII of 2015, effective as of 20 May 2016.

(4b)⁹⁷ The minister in charge of consumer protection is hereby authorized to decree, in agreement with the minister in charge of taxation, the fees charged for the registration and examination of tobacco products, and for measuring the tar, nicotine and carbon monoxide emissions of cigarettes.

(4c)⁹⁸ The minister in charge of the healthcare system is hereby authorized to decree, in agreement with the minister in charge of taxation :

*a)*⁹⁹ the amount of administrative service fee charged in connection with placing electronic cigarettes, refill containers, nicotine-free refill containers, smoking-substitute nicotine-containing products and electronic devices imitating smoking on the market, for their registration and for the notification of related changes, including the maintenance of such notifications, and the detailed regulations relating to the collection, handling, accounting and refund of that fee;

b) the amount of administrative service fee charged in connection with the notification and registration of novel tobacco products, including the maintenance of such notifications, and the detailed regulations relating to the collection, handling, accounting and refund of that fee;

c) the amount of administrative service fee charged in connection with the notification and registration of additives used for the manufacture of tobacco products, including the maintenance of such notifications, and the detailed regulations relating to the collection, handling, accounting and refund of that fee.

(4d)¹⁰⁰

(5)¹⁰¹ The Government is hereby authorized to decree:

*a)*¹⁰² the combined warnings, the health warnings and the detailed regulations for the application thereof, the detailed regulations relating to the retail unit packets of tobacco products and the unit packets of electronic cigarettes, refill containers and electronic devices imitating smoking, the contents and form of symbols and signs of smoking restrictions and for the designation of smoking areas and areas for the use of electronic cigarettes and electronic devices imitating smoking, and the conditions for the production, marketing and control of tobacco products, electronic cigarettes, refill containers and electronic devices imitating smoking, other than those covered by the Act on Excise Tax;

*b)*¹⁰³ the detailed rules on the rates of healthcare penalties, including payment and keeping records on such payments, and the grounds for levying such penalties;

*c)*¹⁰⁴ the detailed regulations relating to the ingredients of tobacco products;

⁹⁷ Established by Subsection (1) of Section 22 of Act CLXXII of 2016, effective as of 1 January 2017.

⁹⁸ Established by Subsection (2) of Section 22 of Act CLXXII of 2016. Amended by Subsection (2) of Section 43 of Act V of 2018.

⁹⁹ Amended by Paragraph c) of Section 72 of Act CI of 2021.

¹⁰⁰ Repealed by Paragraph d) of Section 73 of Act CI of 2021, effective as of 29 June 2021.

¹⁰¹ Established: by Section 162 of Act CLXXVI of 2011. In force: as of 2. 01. 2012.

¹⁰² Established by Section 155 of Act LXVIII of 2016, effective as of 1 July 2017.

¹⁰³ Established by Section 171 of Act LXVII of 2016, effective as of 1 January 2017.

¹⁰⁴ Enacted by Subsection (3) of Section 48 of Act LXXVII of 2015, effective as of 20 May 2016.

*d)*¹⁰⁵ the detailed rules concerning the emission levels of tobacco products and the related measurement methods;

*e)*¹⁰⁶ the detailed rules on reporting obligations relating to ingredients and emissions of tobacco products;

*f)*¹⁰⁷ the detailed regulations relating to reporting obligations in respect of additives used in tobacco products;

*g)*¹⁰⁸ the detailed provisions relating to the packaging and labeling of tobacco products;

*h)*¹⁰⁹ the provisions for placing novel tobacco products on the market;

*i)*¹¹⁰ the detailed rules relating to herbal product for smoking;

*j)*¹¹¹ the specific provisions relating to the marketing and promotion of novel tobacco products;

*k)*¹¹²

(6)¹¹³ This Act contains regulations that may be approximated with the following legal regulations of the European Communities:

*a)*¹¹⁴

b) Directive 2003/33/EC of the European Parliament and of the Council of 26 May 2003 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products, Article 5(2) [Subsection (4) of Section 5 of this Act];

*c)*¹¹⁵ Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC.

¹⁰⁵ Enacted by Subsection (3) of Section 48 of Act LXXVII of 2015, effective as of 20 May 2016.

¹⁰⁶ Enacted by Subsection (3) of Section 48 of Act LXXVII of 2015, effective as of 20 May 2016.

¹⁰⁷ Enacted by Subsection (3) of Section 48 of Act LXXVII of 2015, effective as of 20 May 2016.

¹⁰⁸ Enacted by Subsection (3) of Section 48 of Act LXXVII of 2015, effective as of 20 May 2016.

¹⁰⁹ Enacted by Subsection (3) of Section 48 of Act LXXVII of 2015, effective as of 20 May 2016.

¹¹⁰ Enacted by Subsection (3) of Section 48 of Act LXXVII of 2015, effective as of 20 May 2016.

¹¹¹ Enacted by Subsection (2) of Section 21 of Act CXXXV of 2016, effective as of 21 December 2016.

¹¹² Repealed by Paragraph e) of Section 73 of Act CI of 2021, effective as of 29 June 2021.

¹¹³ Established: by Section 10 of Act LXXVII of 2005. In force: as of 1. 08. 2005.

¹¹⁴ Repealed by Section 50 of Act LXXVII of 2015, effective as of 20 May 2016.

¹¹⁵ Enacted by Subsection (4) of Section 48 of Act LXXVII of 2015, effective as of 20 May 2016.

Section 8/A¹¹⁶

(1) Subsections (1)-(4) of Section 5 of this Act, as established by Act CI of 2021 on Certain Asset Management Issues and on the Amendment of Certain Acts With a View to Strengthening the Coherence of the Legal System (hereinafter referred to as “Act CI/2021”) serves the purpose of compliance with Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

(2) The draft of Subsections (1)-(4) of Section 5 of this Act, as established by Act CI/2021, had been submitted in advance in accordance with Article 15(7) of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

Section 8/B¹¹⁷

Section 9¹¹⁸

(1)¹¹⁹ Any enclosed smoking area existing at the time of Amending Act entering into force in a public institutions that is recognized as accommodation under the Trade Act, and operated as a hotel in accordance with the relevant legislation, and that is authorized according to Subsections (3) and (4) may be retained and operated as a cigar room. Such continued operation shall be authorized by the government body in charge of the healthcare system.

(2) In the cigar rooms described in Subsection (1) no other service may be provided as of 1 January 2012, specifically, food and beverages may not be served, and employees may not be compelled to perform that function of their job that may require them to enter the cigar room in the presence of any guest to whom the service is supplied.

(3)-(4)¹²⁰

(5)-(6)¹²¹

Section 10¹²²

(1)¹²³

¹¹⁶ Established by Section 71 of Act CI of 2021, effective as of 29 June 2021.

¹¹⁷ Repealed by Point 4 of Section 172 of Act LXVII of 2016, effective as of 1 January 2017.

¹¹⁸ Enacted: by Section 12 of Act XLI of 2011. In force: as of 9. 05. 2011.

¹¹⁹ Amended: by paragraph f) Section 13 of Act XLI of 2011. In force: as of 1. 01. 2012.

¹²⁰ Repealed by Point 5 of Section 172 of Act LXVII of 2016, effective as of 1 January 2017.

¹²¹ Repealed: by paragraph e) paragraph (1) Section 18 of Act XLI of 2011. No longer in force: as of 1. 01. 2012.

¹²² Enacted: by Section 2 of Act XXVI of 2012. In force: as of 9. 04. 2012.

¹²³ Repealed by Point 6 of Section 172 of Act LXVII of 2016, effective as of 1 January 2017.

(2)¹²⁴ Electronic cigarettes and refill containers manufactured before 20 November 2016 may be placed on the market until 20 May 2017.

(3)¹²⁵ In the case of electronic cigarettes already placed on the market by 19 May 2016 the notification provided for in Subsection (1) of Section 7/D, as established by Act CCXXIV of 2015 on the Amendment of Regulations Relating to the Health Insurance and the Healthcare System, shall be submitted by 20 December 2016.

(4)¹²⁶ The administrative service fee provided for in Section 6/C, Subsection (4) of Section 7/D and Subsection (4) of Section 7/J, as established by Act CLXXII of 2016 on the Amendment of Certain Acts Relating to the Health Insurance and the Healthcare System, payable on a yearly basis for the maintenance of notifications related to additives, electronic cigarettes, refill containers, electronic devices imitating smoking and novel tobacco products shall be payable for the first time by 31 March of the year following the date of notification of the product in question.

(5)¹²⁷ The provisions of this Act established by Act L of 2017 on Amendments Relating to the Implementation of the Act on General Public Administration Procedures and the Act on the Code of Administrative Procedure (hereinafter referred to as “Administrative Amendments Act”) shall apply to proceedings opened after the date of entry into force of the Administrative Amendments Act and to reopened cases.

*Schedule to Act XLII of 1999*¹²⁸

¹²⁴ Enacted by Section 37 of Act CCXXIV of 2015, effective as of 20 May 2016.

¹²⁵ Enacted by Section 37 of Act CCXXIV of 2015, effective as of 20 May 2016.

¹²⁶ Enacted by Section 23 of Act CLXXII of 2016, effective as of 19 January 2017.

¹²⁷ Enacted by Subsection (3) of Section 167 of Act L of 2017, effective as of 1 January 2018.

¹²⁸ Repealed: by paragraph f) paragraph (1) Section 18 of Act XLI of 2011. No longer in force: as of 1. 01. 2012.