

**Government Decree No 95/2012 (15.V.) on
the Definition of Powers and Responsibilities of the National Office for
Rehabilitation and Social Affairs and of the Policy Administration Services
for Rehabilitation falling under the Professional Authority of the National
Office**

Within its original competence to adopt decrees specified in Article 15 (3) of the Fundamental Law,

regarding Section 1 (a) (b) and Section 1(c) cd), under its authorisation provided by Section 28 (2) of Act CXCI of 2011 on Benefits Provided to Employees with Changed Work Ability and on the Amendment of Particular Acts,

regarding Section 1 (c) ca) and cd), under its authorisation provided by Section 162 (1) f) of Act XXXI of 1997 on the Protection of Children and Guardianship Administration,

regarding Section 1 (c) cc), under its authorisation provided by Section 31 (6) a) of Act CXXV of 2009 on Hungarian Sign Language and the use of Hungarian Sign Language,

regarding Section 1 (d), under its authorisation provided by Section 132 (1) n) of Act III of 1993 on Social Governance and Social Benefits,

regarding Section 1 (e), under its authorisation provided by Section 162 (1) o) of Act XXXI of 1997 on the Protection of Children and Guardianship Administration,

regarding Section 1 (f), under its authorisation provided by Section 174/A (1) a) of Act CXL of 2004 on the General Rules of Administrative Proceedings and Services,

regarding Section 26, under its authorisation provided by Section 28 (a) of Act XLV of 1994 on Military Care,

regarding Section 27, under its authorisation provided by Section 83 (2) b) of Act LXXXIII of 1997 on the Services of the Compulsory Health Insurance System,

regarding Section 29, under its authorisation provided by Section 101 (1) c) of Act LXXXI of 1997 on Social Insurance Pension and by Section 174/A (1) a) of Act CXL of 2004 on the General Rules of Administrative Proceedings and Services,

regarding Section 30, under its authorisation provided by Section 83 (2) e) of Act LXXXIII of 1997 on Compulsory Health Insurance,

regarding Section 31, under its authorisation provided by Section 30 (1) a) of Act XXVI of 1998 on Provision of The Rights of Persons Living with Disability and their Equality of Opportunity,

regarding Section 34, under its authorisation provided by Section 40 of Act LXXXIV of 1999 on Road Transport Registration,

regarding Section 35, under its authorisation provided by Section 132 (1) d) of Act III of 1993 on Social Governance and Social Benefits,

regarding Section 36, under its authorisation provided by Section 153 (1) 11) of Act CXXXIX of 2005 on Higher Education,

regarding Section 38, under its authorisation provided by Section 170 (1) 34) of Act LXXXVI of 2007 on Electric Energy,

regarding Section 39, under its authorisation provided by Section 132 (1) q) of Act III of 1993 on Social Governance and Social Benefits,

regarding Section 40, under its authorisation provided by Section 132 (1) r) of Act III of 1993 on Social Governance and Social Benefits,

regarding Section 41, under its authorisation provided by Section 132 (26) of Act XL of 2008 on Natural Gas Supply,

regarding Section 42, under its authorisation provided by Section 21 (a) (b) of Act CXXVI of 2010 on Metropolitan and County-level Government Offices and Legislative Amendments Pertaining to the Establishment of Metropolitan and County-level Government Offices and to Territorial Integration,

regarding Section 43, under its authorisation provided by Section 162 (1) f) o) of Act XXXI of 1997 on the Protection of Children and Guardianship Administration, by Section 31 (6) a) of Act CXXV of 2009 on Hungarian Sign Language and the use of Hungarian Sign Language, by Section 132 (1) n) of Act III of 1993 on Social Governance and Social Benefits, by Section 174/A (1) a) of Act CXL of 2004 on the General Rules of Administrative Proceedings and Services, by Section 28 (1) b) and Section 28 (2) of Act CXCI of 2011 on Benefits Provided to Employees with Changed Work Ability and on the Amendment of Particular Acts,

regarding Section 45, under its authorisation provided by Section 47 (1) of Act IV of 1991 on Furthering Employment and Provisions for the Unemployed,

regarding Section 46, under its authorisation provided by Section 28 (1) a) c) and Section 28 (2) of Act CXCI of 2011 on Benefits Provided to Employees with Changed Work Ability and on the Amendment of Particular Acts,

acting within its scope of responsibilities under Article 15(1) of the Fundamental Law, the Government shall adopt the following decree:

1. Designation of the National Office for Rehabilitation and Social Affairs and the Policy Administration Services for Rehabilitation

Section 1 The Government designates

a) the Policy Administration Service for Rehabilitation as the authority for rehabilitation and the medico-legal and rehabilitation expert body in administrative proceedings at first instance;

b) the National Office for Rehabilitation and Social Affairs (hereinafter Office) as the authority for rehabilitation and the medico-legal and rehabilitation expert body in administrative proceedings at second instance;

c) Under Act LXXXVI of 2009 on general rules on taking up and pursuit of service activities, the Office as the supervisory authority in pursuing tasks related to

- a) the National Register of Child Protection Experts,
- b) the National Register of Social Policy Experts,
- c) the National Register of Sign Language Interpreters,
- d) the National Register of Employment Rehabilitation;

d) Under Section 20/C of Act III of 1993 on Social Administration and Social Assistance (hereinafter Social Act), the Office as the social authority maintaining records to ensure control over the financing of social protection services offering personal care;

e) Under Section 139 (2) of Act XXXI of 1997 on Child Protection and Custody Administration (hereinafter Child Protection Act), the Office as the authority maintaining records to ensure control over the financing of child welfare primary care and child protection specialized care offering personal care;

f) Under (2) and (2a) of section 58/A of the Social Act and under (2) and (2a) of Section 145 of the Child Protection Act, the Office as the competent authority in admission procedure (hereinafter admission) into the financing system based on the territorial coverage of social and child welfare services at first instance;

2. Legal Status of the Office

Section 2 (1) The Office is a central office.

(2) The Office shall be directed by the Minister of Human Resources (hereinafter Minister).

(3) The Office shall be directed and represented by the Director-General.

(4) The Deputy Director-General of the Office shall be appointed and dismissed by the Minister on the proposal of the Director-General who shall exercise the other employer's rights over the Deputy Director-General.

(5) The Financial Director of the Office shall be appointed and dismissed by the Minister on the proposal of the Director-General who shall determine his/her remuneration; the employer's rights shall be exercised by the Director-General.

(6) The head office is in Budapest.

Section 3 The Director-General of the Office

- a)* shall exercise employer's rights over the employees of the Office,
- b)* shall ensure the establishment of the harmonized government, competent authority and expert activity, shall direct and control the professional activity of the Office,
- c)* shall direct the performance of the planning, financial management and reporting tasks,
- d)* shall define the internal procedural and management system to be followed during the performance of the tasks of the Office,
- e)* shall ensure the operation of the embedded ex-ante and ex-post controls and internal auditing and within this framework may order overviews, if necessary, shall initiate the termination of benefits by the body granting the benefit and the repayment of the unduly received benefits,
- f)* shall ensure the training and further training of employees,
- g)* shall submit a legislative initiative to the Minister on the powers and responsibilities of the Director-General, shall contribute to the preparation of the legislation and shall give opinion on the draft legislation regarding his/her powers and responsibilities,
- h)* shall prepare annual report on the activity of the Office for the Minister and shall ensure the publication of the report on the website of the Office.

3. Powers, responsibilities and competence of the Office

Section 4 The Office – within its scope of authority of maintaining records – shall ensure tasks related to

- a)* the registration of persons performing tasks of official guardian,
- b)* the National Provider Identifier and National Register of social, child welfare and child protection service providers and institutions,
- c)* the national reporting system of social services,
- d)* the records drawn up to ensure control over the financing of social services, of child welfare primary care and child protection specialized care,
- e)* the register of accredited employers,
- f)* the central register of employers and employees subject to budget support for the employment of people of reduced capacity to work,
- g)* the registration of sheltered workshops,
- h)* the National Register of Social Policy Experts,
- i)* the National Register of Child Protection Experts,
- j)* the National Register of Sign Language Interpreters,
- k)* the National Register of Employment Rehabilitation Experts.

Section 5 (1) The Office – within its scope of social, child welfare and child protection authority – shall ensure the performance of tasks related to

- a)* the authorization of operation of social service providers and institutions, the control of operation and the supervision of the activity of the authority,
- b)* the authorization of operation of child welfare and child protection service providers and institutions,
- c)* employment by social institution, tendering and financing social employment aid,

- d)* financing support services, community care, home help with signalling system, street social work and crisis centres,
- e)* issuing electronic samples created to support the activity of bodies authorizing the operation of social, child welfare and child protection service providers and institutions through the national registration system of social, child welfare and child protection service providers and institutions,
- f)* development and operation of central social information systems.

(2) in accordance with the provisions set out in Regulation, the Office shall provide position statement of competent authority to determine admission in procedure at first instance.

(3) The Office shall provide specialist knowledge in cases specified by law and in this scope shall issue specialist opinion regarding

- a)* cases of severe dementia,
- b)* basic medical examination of disabled persons, medical examinations for rehabilitation and sheltered employment eligibility and health surveillance of residents in social institutions.

Section 6 (1) The Office – within its scope of rehabilitation authority – shall exercise functions related to

- a)* the accreditation of employers employing people with reduced capacity to work and authority tasks in relation with the supervision of accredited employers,
- b)* budget support for the employment of people with reduced capacity to work,
- c)* provision of information on employment of people with reduced capacity to work and on incentive support schemes and services,
- d)* call for proposals, administration and monitoring of tenders implemented with support provided by the central budget or by European Union funds.

(2) The Office shall provide tasks related to education, innovation, storage, logistics, registration and informatics regarding employment rehabilitation.

Section 7 The Office – within its scope of authority in the field of methodology - shall elaborate and regularly supervise

- a)* needs assessment and evaluation criteria regarding rehabilitation, social provision and services,
- b)* professional standards of examinations falling under its scope of authority.

Section 8 The Office shall perform the tasks set out in regulation related to the employment of representatives of the rights of patients, welfare recipients and children. The Director-General shall conclude employment contract on the performance of tasks of the representative of the rights of patients, welfare recipients and children.

Section 9 (1) Save as otherwise provided for in regulation, the Office shall be the authority entitled to give a decision on appeals and the supervisory body in administrative procedures of the policy administration services for rehabilitation. If the Policy Administration Service for Rehabilitation acts as competent authority or expert body in public administration procedures defined in regulation, the Office shall act in procedures at second instance.

(2)) Save as otherwise provided for in regulation, the Office shall be the authority entitled to give a decision on appeals and the supervisory body in cases administered by Social and Guardianship and Child Protection Offices.

(3) The scope of authority of the Office shall extend to the entire area of Hungary.

(4) By way of derogation from the provisions of the Act on the General Rules of Administrative Proceedings and Services, appeal may be brought against the first instance decision of the leader of the central state administration body within the framework of the procedure of the Office. In this case the authority entitled to give a decision on appeal and the supervisory body shall be the Minister.

4. Legal Status of Policy Administration Services of Rehabilitation

Section 10 (1) The Policy Administration Service of Rehabilitation is the policy administration body of the capital-based and county-based government offices.

(2) Regarding the policy administration service for rehabilitation, the leader of the professional governing body entitled to exercise powers laid down in Section 6 (4) and Section 7 (2)-(4) of Act CXXVI of 2010 on capital-based and county-based government offices and amending acts on the establishment of capital-based and county-based government offices and territorial integration (hereinafter Act on Government Offices) – also including the power laid down in Section 2 paragraph 1) item *h*) and *i*) of Act XLIII of 2010 on central state administration and the legal status of government members and state secretaries – is the Director-General of the Office.

(3) The right to agree laid down in Section 7 (1) of Act on Government Offices shall be exercised by the Minister.

Section 11 Within the scope of responsibilities related to the governance of the policy administration service for rehabilitation, the Director-General of the Office

a) shall determine the principles and major content requirements of the compulsory internal professional regulations of policy administration services for rehabilitation,

b) shall support the authority and service activity by elaborating procedural rules, methodological guidance, recommendations,

c) shall determine and elaborate the technical requirements of information technology and computer systems required for the performance of authority and service activity, shall make proposal on the development of the information technology system and building stock of policy administration services for rehabilitation,,

d) shall determine the data collection system related to the authority and service activity of policy administration services for rehabilitation, shall carry out efficiency tests in relation of which shall prepare prognoses, analyses, statistical summaries and registries,

e) shall perform tasks related to the rehabilitation professional human resource development and internal professional training of the employees of policy administration services for rehabilitation,

f) shall coordinate the implementation of tasks of policy administration services for rehabilitation related to the free movement of persons,

g) shall perform organisation, implementation and coordination tasks related to the implementation of development, employment, employment rehabilitation, training and IT programmes supported by European Union funds or other foreign funds,

h) shall coordinate the activity of the policy administration services for rehabilitation implemented with the support provided by the European Union funds.

12. § (1) Policy administration services for rehabilitation are listed in Annex 1. The head office of policy administration services for rehabilitation is the same as the head office of capital-based and county-based government offices.

(2) The head of the policy administration service for rehabilitation is the director. The activity of the director is supported by the deputy director. The director or the deputy director of the policy administration service for rehabilitation is a medico-legal expert.

5. Powers, responsibilities and competence of the policy administration services for rehabilitation

Section 13 (1) The policy administration service for rehabilitation shall perform the public administration tasks defined in the legislation and shall perform the tasks laid down in Act CXCI of 2011 on Benefits Provided to Employees with Changed Work Ability and on the Amendment of Particular Acts and implementing regulations for the rehabilitation authority.

(2) The policy administration service for rehabilitation shall participate as competent authority in public administrative proceedings set out in legislation and shall make position statement of the competent authority in order to determine:

- a) survivor's benefit,
- b) work accident-related disability pension,
- c) invalidity benefit,
- d) disability benefit,
- e) benefit for persons of active age,
- f) family allowance in increased sum,
- g) health damage annuity for miners,
- h) income supplement to miners,
- i) provision for war invalids

(3) The policy administration service for rehabilitation shall provide specialist knowledge in cases specified by law and in this scope shall issue specialist opinion in order to determine

- a) earning capacity or incapacity for work
- b) damage to health during period of sick pay,
- c) prolongation of work accident-related sickness leave,
- d) assessment of fitness-to-drive,
- e) mobility disability,
- f) the extent of the damage to health and health condition during the medical surveillance of the professional and contracted staff of the Hungarian military and members of the professional staff of the armed forces

- g) the extent of damage to health to determine entitlement to supplement called For National Heroism,
- h) the extent of damage to health to determine entitlement to national care fee,
- i) the extent of damage to health to determine entitlement to benefit for persons unlawfully convicted between 1945 and 1963,
- j) the extent of damage to health to determine entitlement to life annuity in return for compensation note,
- k) disability of students in tertiary education.

(4) The Policy Administration Service for Rehabilitation and the Office shall carry out complex assessment in cases defined in legislation. The Policy Administration Service for Rehabilitation shall carry out complex assessment in cases defined in legislation upon the request of the concerned person and shall issue official certificate about the results of the assessment.

5) Upon request the Policy Administration Service of Rehabilitation and the Office shall issue specialist opinion on mobility disability within the framework of complex assessment.

Section 14 In case of benefits to which EC regulations on the coordination of social security systems do not apply, the policy administration service for rehabilitation – upon the specific request of the competent social security body and for fee – shall give specialist opinion on the effectiveness of rehabilitation of persons considered to be insured and domiciled or permanently resident in Hungary

a) in member states of the European Union

b) in other states which are a party to the European Economic Area Agreement or in a state the citizen of which enjoys a status equivalent to the status of citizens of states which are a party to the European Economic Area Agreement on the basis of international treaty concluded by the European Community and its member states and the state which is not a party to the European Economic Area Agreement

c) in state with bilateral social security agreement

and shall make proposal on the medical services required for the medical rehabilitation.

Section 15 (1) The scope of authority of the policy administration service for rehabilitation – with the exception of the Policy Administration Service for Rehabilitation of the Government Office of the Capital City Budapest – shall be equal to the scope of authority of county-based government office. The scope of authority of the Policy Administration Service for Rehabilitation of the Government Office of the Capital City Budapest shall extend to the territory of the capital city Budapest and Pest County.

(2) If the person subject to authority, competent authority or expert procedure (hereinafter concerned person) is not resident or domiciled in Hungary, the Policy Administration Service for Rehabilitation of the Government Office of the Capital City Budapest shall be the authority in public administrative proceedings at first instance.

(3) The Policy Administration Service for Rehabilitation of the Government Office of the Capital City Budapest shall carry out the procedure to determine the extent of damage to

health and health condition during the medical surveillance of the professional and contracted staff of the Hungarian military and members of the professional staff of the armed forces.

(4) The Policy Administration Service for Rehabilitation of the Government Office of the Capital City Budapest shall carry out the procedure to determine the disability of dyslexia, dysgraphia and dyscalculia of students in tertiary education.

6. Regulations on the procedure of policy administration services for rehabilitation and the Office

Section 16 (1) The Policy Administration Service for Rehabilitation and the Office shall take decisions, make position statements of competent authority and specialist opinions on the basis of committee resolutions in procedures under Sections 13 and 14. The members and the president of the committee shall be appointed by the responsible body. The president of the committee shall be a medical examiner with appointment and in government employment.

(2) The expert committee - unless otherwise provided for by legislation – shall consist of at least two members. In the case of complex assessment, the expert committee shall consist of at least four members.

(3) Unless exception is laid down by regulation, the number of members who are not medical examiners may not exceed the number of medical examiners.

(4) In the case of complex assessment, the expert committee shall consist of

- a) at least of two medical examiners,
- b) at least one employment rehabilitation expert,
- c) at least one social expert.

5) With the exception of the chairman of the expert committee, the Policy Administration Service for Rehabilitation and the Office may use experts who are not government employees. In this case - unless otherwise provided for by legislation – experts can be designated from

- a) the National List of Social Policy Experts as social policy experts,
- b) the National List of Employment Rehabilitation Experts as employment rehabilitation experts.

(6) Persons participating in the medication of the concerned person may not be the members of the expert committee.

Section 17 The execution period of administration to be followed in procedures of the Policy Administration Service for Rehabilitation and the Office - unless otherwise provided for by legislation – shall be 30 days. In case of complex assessment the execution period of administration to be followed shall be 60 days.

Section 18 In competent authority procedures under section 13, the applicant authority shall submit the documents required for the execution of the assessment to the policy administration service for rehabilitation, such as

a) the medical opinion of the family doctor, therapist containing summarized data on the health condition, medication and rehabilitation of the concerned person,

b) medical documentation in relation with conditions listed in the opinion under item *a)*,

c) the information of the primary care physician on the job description, working conditions, occupational hazards of the concerned person and if the health condition of the concerned person allows the future employment which information is necessary to issue well-founded opinion of the competent authority,

d) the submission form or acknowledgement form supplied by the intervening authority or defined by legislation for that purpose.

(2) In the case of complex assessment, the policy administration service for rehabilitation – within the framework of internal legal assistance –

a) may request information on data and conditions referring to the social situation and entitlement to social benefits of the concerned person from the notary of the competent local government,

b) may request information on the labour market situation of the concerned region of the concerned person from the field office of the employment centre.

Section 19 (1) In the case of procedures of the Policy Administration Service for Rehabilitation and the Office under Sections 13 and 14, personal examination shall be carried out if

a) it is made compulsory by legislation,

b) the condition of the concerned person can not be determined in a well-founded manner on the basis of the available medical documentation and other documents, or

c) on the basis of the available medical documentation and other documents - unless otherwise stated – the conditions of entitlement to benefit examined by the expert committee do not exist.

(2) The personal examination – with the exception set out in Sections (3) and (4) – shall be carried out at the head office or premises of the Policy Administration Service for Rehabilitation or the Office.

(3) The personal examination may also be carried out at the place of residence or stay of the concerned person if it is necessary to ascertain the housing conditions, circumstances, extent of independence and capacity of self-sustenance of the concerned person to issue the decision, position statement of the competent authority or expert opinion.

(4) The personal examination shall be carried out at the place of residence or stay of the concerned person if the health condition of the concerned person certified by the family doctor does not enable the concerned person to appear at the head office or premises of the Policy Administration Service for Rehabilitation or the Office.

(5) The Policy Administration Service for Rehabilitation or the Office may conclude cooperation agreement with service providers possessing the required staff and material facilities on the conduction of the supplementary health and skills assessment.

Section 20 (1) The specialist opinion issued by the Policy Administration Service for Rehabilitation and the Office shall contain:

- a)* personal data specified under the Data Protection Act for the purpose of identification of the concerned person,
- b)* medical data referring to the health condition of the concerned person specified under the Data Protection Act ,
- c)* place and date of issue of the specialist opinion,
- d)* name of body requesting the specialist opinion,
- e)* type of requested examination, questions asked and responses,
- f)* list of documents used and tests undertaken during the expert examination, in case of personal examination and hearing, the time and place of the examination, and
- g)* the necessity and time of the medical surveillance and the deadline of the specialist opinion.

(2) The position statement issued by the Policy Administration Service for Rehabilitation and the Office shall contain besides data specified in the act on the general rules of administrative proceedings and services

- a)* personal data specified under the Data Protection Act for the purpose of identification of the concerned person,
- b)* medical data referring to the health condition of the concerned person specified under the Data Protection Act,
- c)* in case of complex assessment, data specified under the Data Protection Act referring to the social situation and effectiveness of rehabilitation of the concerned person,
- d)* the necessity and time of the medical surveillance and the deadline of the position statement.

Section 21 (1) During the admission procedure, the Office shall issue its position statement, preliminary permit of competent authority

a) on the basis of the admissible capacities per service type of the concerned territory determined in the light of the budgetary resources and territorial coverage (hereinafter capacity),

b) on the basis of the financial contribution of local governments laid down in Section 58/A paragraphs (2b)–(2c) in case of admission of welfare recipients from 1 July 2012 who are not subject to insurance contract of not publicly-owned – other than church-owned - home help on 31 December 2011.

(2) The Minister shall publish the capacity of the calendar year in communication by 15th January every year and the changes – as necessary - in capacities occurring during the course of the year.

(3) The Office shall publish the capacity available for the particular year by the fifth day of every month on its website. There is possibility for admission up to the capacity in the order of the initiation of the procedures of the competent authority. The body permitting the operation – if there was no preliminary permit of competent authority attached to the request – shall contact the competent authority in the order of the submission of the requests.

(4) Irrespective of the time of the initiation of the procedure and of the available capacity, the Office shall admit the local municipality owner meeting its obligation to exercise its functions and the body designated by the Government to own the institution and the service, institution, network, number of welfare recipients, capacity for which the owner receives European Union or Hungarian development aid on the basis of successful tender

(5) Besides the data provided for in the Act on the General Rules of Administrative Proceedings and Services, the position statement issued by the Office during the admission shall contain

a) the name and area of care of the admitted service, institution, network,

b) the number of admitted welfare recipients and the admitted capacity.

7. Final Provisions

Section 22 The present Decree shall enter into force on 1 July 2012.

Section 23 (1) The medical examiner members of the expert committee shall obtain the social security qualification exam certificate by 31 December 2013. After 31 December 2013, persons without social security qualification exam certificate cannot be members of the expert committee as medical examiners.

(2) Procedures aimed at the determination of necessity of care pending on 16 August 2010 and their supervision shall be concluded in accordance with the provisions of Government Decree 213/2007 (7.VIII.) on the National Institute for Rehabilitation and Welfare Affairs and on the detailed rules of its procedure effective on 16 August 2010. Specialist opinions on the necessity of care issued by the National Institute for Rehabilitation and Welfare Affairs prior to 17 August 2010 can be used without further examination of necessity of care.

(3) Specialist opinion issued by the National Institute for Rehabilitation and Welfare Affairs and its legal predecessors prior to 1 October 2009 shall be regarded as position statement of competent authority.

(4) Specialist opinions, position statements issued by the Office and its legal predecessors – during their period of validity- can be used also after the entry into force of the present Decree.

(5) The Office shall be regarded as legal successor of the powers and responsibilities covered by the National Employment and Social Office prior to 1 January 2011 defined in the present Decree. In order to perform the task laid down in Section 5 paragraph (1) item f) the Office

shall be regarded as the legal successor of the National Employment and Social Office in case of SROP 5.4.2 “Central social information developments” priority project.

(6) From 1 January 2011

a) the functions of the Public Foundation for the Rights of Patients, Welfare Recipients and Children laid down in Decree on the Conditions of Operation of the Representative of the Rights of Patients, Welfare Recipients and Children and on the adherent legal status with regard to the employment of representatives, and

b) with regard to SROP 5.5.7 “Development of the network of representatives of the rights of patients, welfare recipients and children and non-governmental civil rights organisations” priority project in order to perform the functions under Section 8

the Office shall be regarded as legal successor.

(7) In public administration cases pending at the time this Decree enters into force, the body which shall administer the public administration case or give opinion on the appeal under the provision of the act, shall be competent.

(8) During the judicial review of public administration decisions made by authority prior to 1 January 2012, the public administration body which was competent for the public administration case prior to 1 January 2012 shall be competent as defendant and in repeated procedure. If the public administration decision was made on the basis of position statement of the Office, the defendant can interplead the Office. In case the defendant is ordered to undergo repeated procedure, the position statement of the competent authority required for the execution of court ruling shall be made by the policy administration service for rehabilitation upon the request of the defendant public administration body.

(9) ¹ The capital-based and county-based government offices shall be regarded as the legal predecessors of the powers and responsibilities and the legal statuses related their performance of the field offices of the regional directorates of the Office prior to 1 July 2012 defined in the present Decree as the powers and responsibilities of the policy administration service for rehabilitation..

(10) ² The Policy Administration Service for Rehabilitation of the Government Office of the Capital City Budapest shall be regarded as the legal successor of the powers and responsibilities and the legal statuses related their performance of the Pension Payment Directorate prior to 1 July 2012 defined in Section 15 (2) as the powers and responsibilities of the Policy Administration Service for Rehabilitation.

(11) ³ The Policy Administration Service for Rehabilitation of the Government Office of the Capital City Budapest shall be regarded as the legal successor of the powers and responsibilities and the government service statuses related their performance of the Labour Centre of the Government Office of Pest County prior to 1 July 2012 defined in the present Decree as the powers and responsibilities of the Policy Administration Service for Rehabilitation.

(12) ⁴ The Office shall be regarded as the legal successor of the powers and responsibilities and the legal statuses related their performance of the Central Administration of National

Pension Insurance prior to 1 July 2012 defined in Section 1 item *b*) as the powers and responsibilities of the Office.

Section 24 Section 46 lays down provisions necessary for the implementation of Regulation (EC) No 883/2004 of the European Parliament and of the Council on the coordination of social security systems and Regulation (EC) No 987/2009 of the European Parliament and of the Council laying down the procedure for implementing Regulation (EC) No 883/2004.

8. 5

Sections 25 - 46⁶

Annex 1 to Government Decree 95/2012. (15.V.)

The policy administration services for rehabilitation

1. The Policy Administration Service for Rehabilitation of the Government Office of the Capital City Budapest
2. The Policy Administration Service for Rehabilitation of the Government Office of Baranya County
3. The Policy Administration Service for Rehabilitation of the Government Office of Bács-Kiskun County
4. The Policy Administration Service for Rehabilitation of the Government Office of Békés County
5. The Policy Administration Service for Rehabilitation of the Government Office of Borsod-Abaúj-Zemplén County
6. The Policy Administration Service for Rehabilitation of the Government Office of Csongrád County
7. The Policy Administration Service for Rehabilitation of the Government Office of Fejér County
8. The Policy Administration Service for Rehabilitation of the Government Office of Győr-Moson-Sopron County
9. The Policy Administration Service for Rehabilitation of the Government Office of Hajdú-Bihar County
10. The Policy Administration Service for Rehabilitation of the Government Office of Heves County
11. The Policy Administration Service for Rehabilitation of the Government Office of Jász-Nagykun-Szolnok County
12. The Policy Administration Service for Rehabilitation of the Government Office of Komárom-Esztergom County
13. The Policy Administration Service for Rehabilitation of the Government Office of Nógrád County
14. The Policy Administration Service for Rehabilitation of the Government Office of Somogy County
15. The Policy Administration Service for Rehabilitation of the Government Office of Szabolcs-Szatmár-Bereg County

16. The Policy Administration Service for Rehabilitation of the Government Office of Tolna County
17. The Policy Administration Service for Rehabilitation of the Government Office of Vas County
18. The Policy Administration Service for Rehabilitation of the Government Office of Veszprém County
19. The Policy Administration Service for Rehabilitation of the Government Office of Zala County

4 Government Decree 132/2012. (28./VI.) shall enter into force with text under Section 4.

5 Repealed: under Section 12 of Act CXXX of 2010. Out of force: since 2 July 2012.

6 Repealed: under Section 12 of Act CXXX of 2010. Out of force: since 2 July 2012.