

# Overview of national measures regarding employment and social security of displaced persons coming from Ukraine

***Country Fiche – Hungary***  
**August 2022**

© European Labour Authority, 2022

Reproduction is authorised provided the source is acknowledged.

For any use or reproduction of photos or other material that is not under the copyright of the European Labour Authority, permission must be sought directly from the copyright holders.

Neither the European Labour Authority nor any person acting on behalf of the European Labour Authority is responsible for the use which might be made of the following information.

The present document has been produced by Milieu Consulting SRL and EFTHEIA as author(s). This task has been carried out exclusively by the author(s) in the context of a contract between the European Labour Authority and the author(s), awarded following a tender procedure. The document has been prepared for the European Labour Authority, however, it reflects the views of the author(s) only. The information contained in this report does not reflect the views or the official position of the European Labour Authority.

Information provided in this fiche considers legal and policy developments up to 31 August 2022.

**Disclaimer:** The information in the present document is provided solely for general guidance purposes about the different national measures, including those, where relevant, implementing Council Directive 2001/55/EC activated by Council Implementing Decision (EU) 2022/382, adopted by the Member States as well as EEA countries in the field of access to labour market and social protection applicable/having impact on the situation of displaced persons from Ukraine. The country fiche has no legal value but is of informative nature only. The information is provided without any guarantees, conditions or warranties as to its completeness or accuracy. ELA accepts no responsibility or liability whatsoever with regard to the information contained in the fiche nor can ELA be held responsible for any use which may be made of the information contained therein.

This information is:

- a) of a general nature only and is not intended to address the specific circumstances of any particular individual or entity;
- b) not necessarily comprehensive, complete, accurate or up to date;
- c) sometimes linked to external sites over which ELA has no control and for which ELA assumes no responsibility;
- d) not professional or legal advice.

For further information please contact the competent national authorities.

# Contents

<b>1.0</b>	<b>Legal and institutional framework</b> .....	<b>4</b>
1.1	Legal framework .....	4
1.1.1	List of the legal framework .....	4
1.1.2	Beneficiaries (persons covered by temporary protection) .....	8
1.2	Institutional framework .....	9
<b>2.0</b>	<b>Possibility of changing the status</b> .....	<b>10</b>
<b>3.0</b>	<b>Access to labour market (Article 12 of the Temporary Protection Directive)</b> .....	<b>11</b>
<b>4.0</b>	<b>Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)</b> .....	<b>13</b>
<b>5.0</b>	<b>Public support instruments</b> .....	<b>15</b>

# 1.0 Legal and institutional framework

## 1.1 Legal framework

### 1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)<sup>1</sup> and Council Implementing Decision (EU) 2022/382<sup>2</sup>

[Act LXXX of 2007 on asylum](#) (2007. évi LXXX. törvény a menedékjogól) (Asylum Act) is the main transposing legislation of the Temporary Protection Directive in Hungary. Chapter V of the Asylum Act (Articles 19-25) provides for detailed rules on the conditions for obtaining temporary protection, the exclusion clauses relating to temporary protection, the legal status of persons enjoying temporary protection, the duration of temporary protection and on the cessation of temporary protection status. The Asylum Act entered into force on 1 January 2008.

[Government Decree no. 301/2007 on the execution of Act LXXX of 2007 on asylum](#) (301/2007. (Xi. 9.) Korm. rendelet a menedékjogról szóló 2007. évi LXXX. törvény végrehajtásáról) (Asylum Decree) provides for rules on the document issued to prove the temporary protection status (Articles 8-11), the care and services granted to those enjoying temporary protection in Hungary (Articles 12-36 and Articles 37-61/C). The Government Decree entered into force on 1 January 2008.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Article 22(1)(d) of the Asylum Act entitles those enjoying temporary protection to be employed under the general rules applicable to third-country nationals. These rules are outlined in [Government Decree no. 445/2013 on authorisation of third country nationals' employment, registration of their employment and reimbursement of the arrears of salaries](#) (445/2013. (XI. 28.) Korm. rendelet a harmadik országbeli állampolgárok magyarországi foglalkoztatásának nem összevont kérelmezési eljárás alapján történő engedélyezéséről, az engedélyezési kötelezettség alóli mentességről, a fővárosi és megyei kormányhivatal munkaügyi központjának az összevont kérelmezési eljárásban való szakhatósági közreműködéséről, valamint a Magyarországon engedélymentesen foglalkoztatható harmadik országbeli állampolgárok magyarországi foglalkoztatásának bejelentéséről, és a munkabér megtérítéséről) (Employment Decree). This Employment Decree requires future employers to obtain a work permit from the government office if they wish to employ third-country nationals (Article 3(1) of the Employment Decree). The Asylum Decree mentions that those enjoying temporary protection are entitled to healthcare (Article 44), access to education and vocational training (Article 45), travel discounts (Article 48), regular alimentation support (Article 53) that are considered social security, welfare benefits. The Decree entered into force on 1 January 2014.

<sup>1</sup> Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

<sup>2</sup> Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

[Act CXV of 2009 on private entrepreneurs and sole proprietorships](#) (2009. évi CXV. törvény az egyéni vállalkozóról és az egyéni cégről) entitles persons who are granted residence permit on humanitarian grounds (including those enjoying temporary protection) to become private entrepreneurs that is a form of self-employment in Hungary (Article 3(1)(d)). The Act entered into force on 1 December 2009.

On 24 February 2022, the Hungarian Government adopted [Government Decree no. 56/2022 on the derogation from the temporary rules on asylum as set in Act LVIII of 2020 on the temporary rules related to the end of the state of danger and on the epidemiological preparedness](#) (56/2022. (II. 24.) Korm. rendelet a veszélyhelyzet megszűnésével összefüggő átmeneti szabályokról és a járványügyi készületségről szóló 2020. évi LVIII. törvény menekültügyi eljárás átmeneti szabályainak eltérő alkalmazásáról). The Decree states that Ukrainian citizens or third-country nationals lawfully residing in Ukraine arriving from the territory of Ukraine must be recognised as persons entitled to temporary protection. The decree entered into force on the 25 February 2022.

On 7 March 2022, Government Decree no. 56/2022 was replaced by [Government Decree no. 86/2022 on the rules applicable to persons receiving temporary protection during the state of danger and on the different application of Act CVI of 2011 on the amendment of acts on public employment](#) (86/2022. (III. 7.) Korm. rendelet az ideiglenes védelemre jogosultként elismert személyekkel kapcsolatos veszélyhelyzeti szabályokról, továbbá a közfoglalkoztatásról és a közfoglalkoztatáshoz kapcsolódó, valamint egyéb törvények módosításáról szóló 2011. évi CVI. törvény szabályainak eltérő alkalmazásáról), that is still a valid law. Before this Government decree entered into force, everybody who arrived from Ukraine on and after 24 February 2022 was entitled to temporary protection. Under the new rules, people who are not Hungarian and/or Ukrainian nationals are no longer entitled to temporary protection. Instead, they receive a certificate that entitles them to stay in Hungary for a maximum of 30 days. The new government decree further mentions that Hungarian nationals arriving from Ukraine are entitled to all care and assistance as those receiving temporary protection. The Decree also contains rules on employment of third-country nationals and on medical care being granted to beneficiaries of temporary protection. This decree entered into force on 8 March 2022.

[Government decision no. 1179/2022 on providing funds for the education and training of students who are entitled to temporary protection](#) (1179/2022. (III. 23.) Korm. határozat az ideiglenes védelemre jogosult, tanköteles tanulók fejlesztésének, nevelése-oktatásának megvalósítása érdekében szükséges forrásbiztosításról) appointed the minister for finance (*pénzügyminiszter*) to rearrange funds provided in the State Budget 2022 for supporting the enrolment of people who are entitled to temporary protection in Hungary and who are of compulsory school age at public education institutions. The decision sets HUF 130 000 (approx. EUR 340) supplementary support per month to public schools and to institutions providing vocational training if the school/institution can prove they dedicated five hours/week to the individual training of the refugee students arriving from Ukraine beyond their primary educational duty (e.g. regular classes). The Decision was adopted on 23 March 2022 and came into force on 24 March 2022. On 9 August 2022, the Government adopted [Government Decree no. 299/2022 on the financing needed for education and vocational training institutions to educate and develop pupils entitled to temporary protection](#) (299/2022. (VIII. 9.) Korm. rendelet a köznevelési és szakképző intézményekben ideiglenes védelemre jogosult tanulók fejlesztésének, nevelésének-oktatásának megvalósítása érdekében szükséges finanszírozásról). The decree stipulates that all education institutions and vocational schools, including those operated and financed by local governments of the minorities, churches or private entities, are entitled to receive HUF 130 000 per person per month as supplementary support starting from 1 September 2022 in case they educate persons enjoying temporary protection in Hungary. The decree entered into force on 10 August 2022.

[Government Decree No. 121/2022 on provisions for the state of danger on employing health care workers who came from Ukraine in Hungary](#) (121/2022. (III. 28.) Korm. rendelet az Ukrajnából menekült egészségügyi dolgozók magyarországi foglalkoztatásának veszélyhelyzeti szabályairól) as of 29 March 2022, provides for special rules on the recognition of diplomas for those who are entitled to temporary protection in Hungary and

who had permanent residence in Ukraine and arrived in Hungary on or after 24 February 2022. The Government Decree entitles those holding a diploma in healthcare (e.g. medical doctors, dentists, pharmacists, nurses) that was issued in Ukraine to start working at Hungarian medical service providers even before the diploma naturalisation and recognition procedure is over. These people, however, can only work at the Hungarian medical service providers (both public and private) under supervision: the service provider must appoint a supervisor to them until the diploma recognition procedure is over. The Decree even grants these people access to the postgraduate training system of healthcare workers. The new law aims to help healthcare workers arriving from Ukraine find a job in Hungary as fast as they can.

On 28 March 2022, [Government decision no. 1186/2022 on providing funds necessary to introduce the Students at Risk subchapter in the Stipendium Hungaricum programme](#) (1186/2022. (III. 28.) Korm. határozat a Stipendium Hungaricum program keretében a "Students at Risk" alprogram bevezetéséről és az ehhez szükséges finanszírozás biztosításáról) established a new programme under the framework of Stipendium Hungaricum, a study programme that provides for stipend to third-country nationals to study in Hungarian higher education institutions, titled Students at Risk. The Decision orders the Minister of Foreign Trade and Foreign Affairs (*külgazdasági és külügyminiszter*) to allocate funds (in 2022, HUF 3.25 billion (approx. EUR 8.85 million EUR), in 2023, HUF 3.9 billion (approx. EUR 10.6 million EUR)) to support students arriving from Ukraine and having a nationality of a country that is a partner of Hungary in the Stipendium Hungaricum programme. The Decision aims to promote the continuation of university studies to those who are forced to leave Ukraine due to the war. This decision entered into force on 29 March 2022.

On 28 April 2022, the government adopted [Government Decree no. 170/2022 on the amendment of decrees issued with respect to humanitarian catastrophe in the neighbouring country during the state of danger](#) (170/2022. (IV. 28.) Korm. rendelet a veszélyhelyzet ideje alatt szomszédos országban fennálló humanitárius katasztrófára tekintettel kiadott egyes veszélyhelyzeti rendeletek módosításáról), which provides for special rules on the regular subsistence support granted to persons enjoying temporary protection from Ukraine (Articles 5-8). The Government Decree appoints the local offices of the government (*járásí hivatal*) to pay the regular subsistence support (*rendszeres létfenntartási támogatás*) (HUF 22 800, approx. EUR 60) to the person enjoying temporary protection in Hungary. Persons enjoying temporary protection, however, are only entitled to the amount of the support after they have performed their obligation to show up in person at the local offices of the government once a month, prior to the last day of the month. This decree entered into force on 28 April 2022.

[Government Decree no. 199/2022 on the amendment of Government Decree no. 106/2022 on the amendment of Government Decree no. 307/2007 on the implementation of Act LXXX of 2007 on asylum with respect to certain rules related to the employment and to the sup](#) (199/2022. (VI. 7.) Korm. rendelet a veszélyhelyzet ideje alatt szomszédos országban fennálló humanitárius katasztrófára tekintettel, az ideiglenes védelemre jogosultként elismert személyek foglalkoztatásával és juttatásaival kapcsolatos egyes szabályokról, valamint a menedékjogról szóló 2007. évi LXXX. törvény végrehajtásáról szóló 301/2007. (XI. 9.) Korm. rendelet módosításáról szóló 106/2022. (III. 12.) Korm. rendelet módosításáról) introduced amendments to the rules on the monthly subsistence support granted to the beneficiaries of temporary protection. The amendment concretised the obligation for those enjoying temporary protection in Hungary to show up in person at the local offices of the government by the end of each month to verify they are still in the country and, therefore, they are eligible for the monthly subsistence support to apply only to those who reached the age of six. Prior to the amendment entered into force on 8 June 2022, all persons enjoying temporary protection, irrespective of the age, had the obligation to show up in person at the authority every month. Another novelty in legislation introduced by Government Decree no. 199/2022 is that for those between 6-18 years of age, the obligation to show up at the authority may be performed by the legal guardian that makes it unnecessary for the children to be present at the authority. The amendment also sets a clear deadline to pay the monthly subsistence support that is the 15<sup>th</sup> day of each month following the month such persons verified their presence in Hungary. In case

persons enjoying temporary protection do not perform the obligation of showing up by the last day of the month or they do not accept the monthly subsistence support, they cannot claim the support for that month anymore. Also, as of 8 June 2022, the local offices of the government must inform, in an electronic format, by the 5<sup>th</sup> day of the following month, the National Directorate-General for Aliens Policing (*Országos Idegenrendészeti Főigazgatóság*) if persons enjoying temporary protection performed their obligation of showing up in person. This provision ensures the Directorate-General that the immigration authority in Hungary will receive updated information on the people who are still staying in the country. The amendments that set detailed rules on the monthly subsistence support entered into force on 8 June 2022.

[Government Decree no. 96/2022 on the promotion of employment of Ukrainian nationals arriving from the territory of Ukraine](#) (96/2022. (III. 10.) Korm. rendelet az Ukrajna területéről érkezett, ukrán állampolgársággal rendelkező személyek munkavállalásának támogatásáról), which entered into force on 11 March 2022, mentions that assistance points must be appointed in the country to provide information specifically to Ukrainian nationals fleeing Ukraine on the available jobs in Hungary.

[Government Decree no. 172/2022 on support related to the employment of Ukrainian nationals](#) (172/2022. (IV. 29.) Korm. rendelet az ukrán állampolgársággal rendelkező személyek foglalkoztatásának támogatásáról) provides for financial support to Hungarian employers that employ Ukrainian nationals. This financial support is available even to those employers that employ Ukrainian nationals who arrived in Hungary prior to 24 February 2022. Moreover, the employment of Hungarian nationals fleeing Ukraine is supported. The Decree entered into force on 9 May 2022.

On 8 July 2022, the [Government adopted Government decree no. 246/2022 on the simplification of certain social security services granted to Ukrainian national during the state of danger](#) (246/2022. (VII. 8.) Korm. rendelet a veszélyhelyzet alatt az uktán állampolgárok egyes társadalombiztosítási ellátásainak egyszerűsítéséről). The decree stipulates that the permanent address for Ukrainian nationals who do not have a permanent address in Hungary shall be the place of accommodation where the authority conducts a procedure on deciding on the claim for sick pay. The decree eliminates the uncertainty on what address should be used in the procedure and, therefore, makes the procedure related to sick pay faster and easier. The decree entered into force on 9 July 2022.

Other general acts having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine are also:

- ▶ [Act CXXV of 2003 on equal treatment and its improvement](#) (2003. évi CXXV. törvény az egyenlő bánásmódról és annak előmozdításáról) (Equal Treatment Act) in effect from 27 January 2004. The scope of the Equal Treatment Act is general and embraces all private individuals residing in the territory of Hungary including beneficiaries of temporary protection (Article 1). The Act does not distinguish between the rights granted to Hungarian/EU citizens and third-country nationals residing in Hungary. This non-discrimination also covers work conditions (Article 5(d));
- ▶ [Act C of 2001 on recognition of foreign certificates and diplomas](#) (2001. évi C. törvény a külföldi bizonyítványok és oklevelek elismeréséről) in effect from 1 January 2002. The Act applies to all private individuals who obtained certificates and diplomas at a foreign education institution, irrespective of their nationality;
- ▶ [Act IV of 1991 on supporting employment and unemployment benefits](#) (1991. évi IV. törvény a foglalkoztatás elősegítéséről és a munkanélküliek ellátásáról) in effect from 1 March 1991;

- ▶ The general rules on assistance for job seekers are found in [Economic Minister's Decree No. 30 on labour market services and benefits](#) (30/2000. (IX. 15.) GM rendelet a munkaerőpiaci szolgáltatásokról, valamint az azokhoz kapcsolódóan nyújtható támogatásokról) in effect from 15 October 2000;
- ▶ [Act CCIV of 2011 on national higher education](#) (2011. évi CCIV. törvény a nemzeti felsőoktatásról) in effect from 1 January 2012. Article 39(1)(h) of this act grants the right to tertiary and vocational educational opportunities to third-country nationals lawfully residing in the territory of Hungary under the same rules as to Hungarian nationals;
- ▶ [Act LXXX of 1997 on Mandatory Social Insurance, Private Pension and the Contributory System](#) (1997. évi LXXX. törvény a társadalombiztosítás ellátásaira és a magánnyugdíjra jogosultakról, valamint e szolgáltatások fedezetéről) in effect from 1 January 1998;
- ▶ [Act LXXXI of 1997 on Pension based on Mandatory Social Insurance](#) (1997. évi LXXXI. tv. a társadalombiztosítási nyugellátásról) in effect from 1 January 1998;
- ▶ [Act III of 1993 on Social Benefits and Social Administration](#) (1993. évi III. tv. a szociális igazgatásról és szociális ellátásokról) in effect from 26 February 1994.

### 1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals <ul style="list-style-type: none"> <li>▶ Residing in Ukraine</li> <li>▶ displaced from 24 February 2022</li> </ul>	Yes
Family members <ul style="list-style-type: none"> <li>▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022</li> <li>▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022</li> </ul>	Yes  Article 1(c) of Government Decree no. 86/2022 refers to Article 2(4) of Council Implementing Decision (EU) 2022/382 when defining family members.
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes



Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	No As explained above, pursuant to the new Government Decree no. 86/2022, people who are not Hungarian and/or Ukrainian nationals are no longer entitled to temporary protection. Instead, they receive a certificate that entitles them to stay in Hungary for a maximum of 30 days and can apply for the usual international protection. The new government decree further states that Hungarian nationals arriving from Ukraine are entitled to all care and assistance as those receiving temporary protection.
Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including <ul style="list-style-type: none"> <li>▶ stateless persons and</li> <li>▶ nationals of third countries other than Ukraine,</li> </ul> who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	No
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	No

## 1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
<b>General (including status change in question 2)</b>	National Directorate-General for Aliens Policing	Országos Idegenrendészeti Főigazgatóság	<a href="http://oif.gov.hu/index.php?option=com_k2&amp;view=item&amp;id=390:hivatal-bemutatasa&amp;Itemid=462&amp;lang=hu">http://oif.gov.hu/index.php?option=com_k2&amp;view=item&amp;id=390:hivatal-bemutatasa&amp;Itemid=462&amp;lang=hu</a>

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
Employment rights	Labour Authority of the Government Office	Kormányhivatalok Munkaügyi Központjai	<a href="https://www.kormanyhivatal.hu/hu/szakigazgatasi-szervek/munkaugyi-kozpont">https://www.kormanyhivatal.hu/hu/szakigazgatasi-szervek/munkaugyi-kozpont</a>
Social welfare and social security rights	Government Office	Kormányhivatal	<a href="https://www.kormanyhivatal.hu/hu">https://www.kormanyhivatal.hu/hu</a>

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Government Decree no. 178/2013 provides for rules on the National Humanitarian Coordinative Council, the body that coordinates the work of national authorities and civil society organisations. The Council consists of representatives of authorities and civil society organisations. The Council has regular meetings and monitors and coordinates the work of the various organisations, issues recommendations to the organisations involved in providing assistance to people fleeing Ukraine. Also, the Council coordinates the allocation of donations offered by businesses, private individuals, international organisations and other entities.

## 2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection<sup>3</sup> under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Hungary does not offer other forms of adequate protection to displaced persons from Ukraine.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

There is no possibility to file status change from temporary protection of any other forms of adequate protection.

<sup>3</sup> 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

N/A

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Article 25(2)(a) of the Asylum Act orders the withdrawal of the temporary protection if the person is granted temporary protection in another Member State/EEA-EFTA country. This results in an automatic loss of residence, employment and social security rights in Hungary.

### 3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Hungary did not establish special rules with respect to the Ukrainian crisis to provide equal treatment on the labour market as regards working conditions. Therefore, the Equal Treatment Act applies. The scope of the Equal Treatment Act is general and embraces all private individuals residing in the territory of Hungary including beneficiaries of temporary protection (Article 1). As the Act does not distinguish between the rights granted to Hungarian/EU citizens and third-country nationals residing in Hungary, the provisions of the Act provide for a unified scheme of equal protection in a non-discriminatory manner. This non-discrimination covers work conditions as well (Article 5(d)).

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

Government Decree no. 86/2022 provides that beneficiaries of temporary protection and those applying for temporary protection can be employed in any profession in Hungary without obtaining a work permit. It also embraces employment through placement of workers (Article 6(4)). This lenient policy was introduced on 30 April 2022 by Government Decree no. 175/2022, amending Government Decree no. 86/2022.

Hence, as of 30 April 2022, work permit is not a requirement for persons enjoying temporary protection or those applying for temporary protection.

Prior to 30 April 2022, beneficiaries of temporary protection and those applying for temporary protection could only be employed, without a work permit, in professions the Ministry for Foreign Trade and Foreign Affairs (Külgazdasági és Külügyminisztérium) listed in a communication as professions where there is a shortage of workforce in Hungary. These professions typically require high level skills and qualifications (e.g. architect, chemical engineer, mechanical engineer, telecommunication engineer). For all other professions, they needed a work permit issued by the labour authority (local government office).

## II. Recognition of qualifications/diplomas

Hungary did not establish special rules to those enjoying temporary protection with respect to the recognition of qualifications/diplomas. Therefore, Act C of 2001 on recognition of foreign certificates and diplomas applies to them too. The Act applies to all private individuals who obtained certificates and diplomas at a foreign education institution, irrespective of their nationality and, hence, in a non-discriminatory manner (Article 1(1)). The recognition happens through the naturalisation of the foreign diploma/certificate. The authority decides on the application for naturalisation in 45 days (Article 9(2)). In case the applicant cannot present the diploma/certificate, the authority may contact the issuing education institution abroad (Article 6(1)). This procedure relates to regulated professions. As for non-regulated professions, the employer usually decides whether it recognises the foreign qualification. Therefore, no procedural rules are laid down in legislation.

Government decree no. 121/2022 provides for special rules on the recognition of diplomas for those who are entitled to temporary protection in Hungary and who had permanent residence in Ukraine and arrived in Hungary on or after 24 February 2022. The Government Decree entitles those holding a diploma in healthcare (e.g. medical doctors, dentists, pharmacists, nurses) that was issued in Ukraine to start working at Hungarian medical service providers (both public and private) even before the diploma naturalisation and recognition procedure is over. These persons, however, can only work there under supervision: the service provider must appoint a supervisor until the diploma recognition procedure is over. The Decree even grants these persons access to the postgraduate training system of healthcare workers. The new law aims to help healthcare workers arriving from Ukraine to find a job in Hungary as soon as possible.

## III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

The general rules on assistance for job seekers are found in Act IV of 1991 on supporting employment and unemployment benefits and in Economic Minister's Decree no. 30 on labour market services and benefits. According to this, the labour authority assists the applicant to access to the labour market and to find a job, fulfilling a vacancy, using the proper information. The information service includes the data on available vacancies and jobs, training, labour demand and supply in the labour market in the country, region and district levels, as well as information on employment promotion, workers' rights, and the supplementary data on access to the job seeking and unemployment benefits and information on the employment related legislation. These general rules also apply to the beneficiaries of temporary protection.

Government Decree no. 96/2022 further mentions that assistance points must be appointed in the country to provide information specifically to Ukrainian nationals fleeing Ukraine on the available jobs in Hungary (Article 3(1)(a)).

## IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Hungary did not adopt specific provisions on providing vocational training, educational opportunities for adults with respect to the Ukrainian crisis. Therefore, the general rules granting access to such opportunities apply. Article 39(1)(h) of Act CCIV of 2011 on national higher education grants the right to tertiary and vocational educational opportunities to third-country nationals lawfully residing in the territory of Hungary, under the same rules as to Hungarian nationals.

- V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

## 4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

- I. Types of benefits with description and coverage

Social benefits are regulated by the umbrella legislation mentioned in Section 1.1.1.II, which does not make a distinction, in terms of eligibility, between Hungarian nationals and third-country nationals who lawfully reside in the territory of Hungary. Therefore, all social security benefits provided by the umbrella legislation (sickness allowance, unemployment allowance, job seeking support, industrial accident and disease compensation, family allowances, child allowances, old age pension) are applicable to displaced persons from Ukraine the same way as to Hungarian nationals.

The following social benefits are also provided to displaced persons from Ukraine:

- ▶ **Coverage of the costs of education in public schools until they reach the age of 16:** this covers nurseries, kindergartens, elementary schools and secondary/vocational schools where children can study free of charge (Article 45 of the Asylum Decree);
- ▶ **Accommodation:** the authorities provide for accommodation to the person in need of accommodation in Hungary in community shelters free of charge (Articles 41-42 of the Asylum Decree);
- ▶ **Travel discounts** to support travel to the site of public administration proceedings, medical care, involvement in social integration programmes, or for the purpose of looking for accommodation are available to persons enjoying temporary protection (Article 48 of the Asylum Decree);
- ▶ **Coverage of the costs of translating documents:** translating official documents issued prior to granting the person temporary protection (e.g. birth certificate, marriage certificate, diplomas, qualifications) into Hungarian is provided (Article 49 of the Asylum Decree);
- ▶ **Teaching Hungarian language for free:** for the duration of 24 months, the person may attend a 520 hour long Hungarian language education free of charge. It also covers the fee for a Hungarian language exam (Article 51 of the Asylum Decree);
- ▶ **Regular subsistence support** is granted to all persons enjoying temporary protection in Hungary through Article 53 of the Asylum Decree. The support is HUF 22 800 (approx. EUR 60) to adults and HUF 13 700 (approx. EUR 36) to children in a month.
- ▶ According to Article 6(2) of Government Decree no. 86/2022, people enjoying temporary protection and those applying for it are entitled to the following **medical care**:
  - ▷ basic medical care including services of a family doctor;

- ▷ examination, medical treatment and medication and bandage used in the course of the urgent need for outpatient care;
- ▷ for urgent inpatient medical care and the treatment of the physician, including surgical interventions, as well as the medicinal products and prosthetic tools used in it, for medicinal care, medication and dining;
- ▷ after outpatient specialist care or inpatient care, until healing from the disease or stabilising their condition
  - for the necessary examination and treatment;
  - a medicine that is not substituted for any other medicines, and the medical aid necessary for the administration of the medicine;
- ▷ for other medical care ordered by a physician;
- ▷ for emergency dental care and tooth retention;
- ▷ pregnancy and obstetric care and for the protection of the life of the foetus;
- ▷ transportation if it cannot be resolved otherwise due to the health condition;
- ▷ mandatory vaccination;
- ▷ oncology specialist care and other chronic patient care including examination and treatment.

## II. Eligibility conditions

Given the general nature of the social security benefit legislations in Hungary, people enjoying temporary protection in Hungary are eligible to social security the same way as Hungarian nationals.

Regarding social welfare, medical care, accommodation, coverage of the costs of education, travel discounts are also granted to those applying for temporary protection. All other social benefit services are granted to only those who already received temporary protection.

Only those to whom temporary protection is already granted are entitled to the regular (monthly) subsistence support. Persons enjoying temporary protection, however, are only entitled to the amount of the support after they have performed their obligation to show up in person at the local offices of the government once a month, prior to the last day of the month. The monthly support is then paid by the 15<sup>th</sup> day of the coming month. In case the person does not visit the local office by the last day of the month, they are not entitled to the support for that month. The office that is located in the territory where the person's place of accommodation or appointed place of accommodation is located has jurisdiction in alimentary support matters. This provision aims to ensure only those would receive the monthly subsistence support who are in fact staying in Hungary.

On 8 July 2022, the [Government adopted Government decree no. 246/2022 on the simplification of certain social security services granted to Ukrainian national during the state of danger](#) (246/2022. (VII. 8.) Korm. rendelet a veszélyhelyzet alatt az uktán állampolgárok egyes társadalombiztosítási ellátásainak egyszerűsítéséről). The decree stipulates that the permanent address for Ukrainian nationals who do not have a permanent address in Hungary shall be the place of accommodation where the authority conducts a procedure on deciding on the claim for sick pay. The decree eliminates the uncertainty on what address should be used in the procedure and, therefore, makes the procedure related to sick pay faster and easier. The decree entered into force on 9 July 2022.

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no specific issues or salient points identified for this question.

## 5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

Government Decree no. 172/2022 provides for financial support to Hungarian employers that employ Ukrainian nationals. This financial support is available even to those employers that employ Ukrainian nationals who arrived in Hungary prior to 24 February 2022. Moreover, the employment of Hungarian nationals fleeing Ukraine is supported.

The main conditions are as follow:

- ▶ the employer hires the Ukrainian citizen as an employee on or after 24 February 2022, within the framework of an employment relationship;
- ▶ the employment of the employee takes place in Hungary;
- ▶ the employment of the worker is contracted for a fixed or indefinite period of at least 20 hours per week;
- ▶ the worker has not been employed in Hungary for more than 90 days in the 365 days preceding the date of the application. In calculating the duration, the duration of each employment relationship must be added together;
- ▶ if both parents of a minor child are employees of the same employer, the employer is only entitled to the support for the minor child in the case of one employed parent.

The application for the support can be [submitted electronically](#) at the labour authority.

The amount of the support is 50 % of the monthly housing and travel costs incurred by the employer in respect of the employee, up to a maximum of HUF 60 000 (approx. EUR 157) per employee and HUF 12 000 (approx. EUR 31) per child for minor children living in the same household as the employee. The maximum amount of aid per employee may not exceed 150 % of the mandatory minimum wage per month, i.e. HUF 300 000 (approx. EUR 785) either.

The support may be established for the period following the conclusion of the employment contract with the employee, for the duration of the employee's contract, but for a maximum of twelve months. Once the duration of the support has expired, at the employer's request it may be extended once for a period of twelve months, but maximum up to the duration of the employment relationship. The aid is tax exempt. The allowance cannot be paid during the employee's unpaid leave.

Public transport companies offer free tickets. As of 27 February 2022, the Hungarian Railways (*MÁV*) offer solidarity tickets to ease transportation costs of those fleeing Ukraine. As mentioned on their [webpage](#), the solidarity tickets are provided free of charge and cover trips from the Ukrainian-Hungarian border crossing point, Záhony to other parts of Hungary. The Budapest Transportation Centre (*Budapesti Közlekedési Központ, BKK*) started to offer free transportation services in Budapest to those fleeing from Ukraine on 4 March 2022. Originally, the free tickets were available until 30 April 2022, however, BKK decided to continue this policy until

31 May 2022. On 31 May 2022, BKK [announced](#) they have extended the free travel opportunity available for displaced persons from Ukraine until 31 August 2022. On 29 August 2022, BKK [decided](#) to further extend the free travel opportunity for displaced persons from Ukraine until 31 December 2022. The extended policy covers all public transport routes operated by BKK in Budapest, excluding boats, nostalgia passages, the cable car and the direct airport bus. People may prove eligibility by showing either a Ukrainian passport, Ukrainian personal identification card, residence permit issued by the Ukrainian authorities or by the Hungarian authorities in case the permit shows the person is a Ukrainian national. For students in lack of any of the above listed documents, a Ukrainian student identification card is enough to take advantage of the free travel option in Budapest. BKK also encourages its Hungarian passengers to assist those fleeing Ukraine to find their way in the network of BKK. The Local Government of the Metropolitan City of Budapest (*Fővárosi Önkormányzat*) that is the owner of BKK decided on the extension of the free travel policy until the end of the summer.