

Act LXXXIV of 1998

on Family Support

Driven by responsibility for the welfare of families and children, and in order to enforce social rights laid down in the Constitution and international treaties, Parliament has passed the following Act.

Chapter I

GENERAL PROVISIONS

Objective of the Act

Article 1

The objective of this Act is to define the system and forms of family support services provided by the state, the eligibility conditions for the services, as well as the most important competence and procedural rules related to the establishment and disbursement of benefits in order to promote the social security of families and reduce the financial burden of raising children.

Scope of the Act

Article 2

Unless an international treaty provides otherwise, the scope of this Act extends to

- a) Hungarian citizens
- b) foreigners recognised as refugees by the Hungarian Refugee Agency, or possessing an immigration permit, living in the territory of the Republic of Hungary.

Basic Principles

Article 3

(1) One of the most important tasks of the state is to assist families, representing the basic units of the society in many ways, and improve the security of family life as well as conditions of undertaking children.

(2) The objective of benefits provided for care and education of children at home is to extend the healthy and harmonic development, physical, intellectual and moral gains of children.

(3) The benefits made available for families represent support offered by the state, given to parents raising children acknowledging the importance of families and children, irrespective of the income situation.

(4) In order to offset the burden on families with many children, single parents raising their children alone, and families with durably ill and severely disabled children, as well as to promote equal opportunities for them, certain elements of the family support system are differentiated.

Interpretation provisions

Article 4

For the purpose of this Act

a) *a single person* shall mean an individual who is a spinster, bachelor, widow (er), divorced, separated from the marital partner, and having no common-law partner,

b) *family support paying organisations* shall mean a social security paying unit established at an employer employing at least 100 persons eligible for social security benefits (Article 9 Section (1) of Act XXXIX of 1998),

c) *compulsory schooling* shall apply to children who are subject to compulsory schooling in accordance with the opinion of the director of the school pursuant to the provisions of Act LXXIX of 1993 on public education,

d) *earning activity* shall mean activities aiming at work in employment, public employment, public service, courts, prosecutor's office, justice service, armed forces, law enforcement agencies, civil national security services in the framework of an official and contractual service, as well as activities requiring personal involvement as a member of a co-operative, individual contractor or a member of a corporate enterprise,

e) *social institution* shall mean an in-house institution offering nursing and care, rehabilitation and temporary accommodation regulated in Act III of 1993 on social administration and social services (hereinafter Social Act),

f) *durably ill and severely disabled persons* shall mean

fa) children below the age of eighteen who require permanent or increased supervision and care due to their illness or disability specified in a different statutory regulation,

fb) persons over the age of eighteen who have lost at least 67% of their working ability before reaching eighteen years of age, and this situation has prevailed for 12 months, or is expected to prevail for at least another year,

g) *foster parent*, shall mean a person who cares for children taken for temporary or durable care and young adults receiving follow-up care in his/her own household, placed there with a legally effective resolution of the guardianship authority in the framework of a foster parent contract,

h) *official foster parent* shall mean a person who cares for children taken for temporary or durable care and young adults receiving follow-up care in his/her own household, placed there with a legally effective resolution of the guardianship authority in the framework of a special employment contract,

i) *income* shall mean the assets and revenues specified as taxable income in the Act on personal income tax, the monthly amount of which exceeds the amount of the currently prevailing lowest wages,

j) *regular income* shall mean income generated in at least three subsequent months,

k) *children raised and cared for in own household* shall mean children who habitually live together with parents, foster parents or a guardian and leaves their care regularly only during the day.

Types of family support

Article 5

The following types of family support are available:

a) family allowance (Article 6),

b) childcare benefit,

- ba) childcare allowance (Article 20),
- bb) child-raising support (Article 23).
- c) maternity allowance (Article 29).

Chapter II

FAMILY ALLOWANCE

Article 6

The state provides family allowance to contribute to child-raising and education expenses each month.

Article 7

(1) The following people are eligible for family allowance:

- a) birth parents, adoptive parents, marital partner of the parent (hereinafter: parents), foster parents, official foster parents and guardians with regard to children
 - aa) who have not reached the compulsory schooling age yet,
 - ab) who are subject to compulsory schooling until this obligation expires,
 - ac) who conduct their studies in a secondary school or specialised school (hereinafter together public education institution) and are of age specified in Section (2), raised in their household,
- b) guardians with the rights of trustees and public trustees with regard to children raised in a children's home, a correctional institute, or children (persons) subject to child protective care in a law enforcement institute providing that one of the conditions stated in subsections aa)-ac) prevails,
- c) manager of a social institution with regard to children (persons) placed in the institution providing that one of the conditions stated in subsections aa)-ac) prevails,
- d) durably ill and severely disabled persons over the age of eighteen providing that a higher amount of family allowance has been paid to them until they reach eighteen years of age.

(2) Family allowance is payable for children conducting their studies in a public education institution

- a) until they reach twenty years of age,
- b) between 1 January 2003 and 31 August 2003 to the end of the school year during which the child reaches 21 years of age,
- c) between 1 September 2003 and 31 August 2004 to the end of the school year during which the child reaches 22 years of age,
- d) from 1 September 2004 to the end of the school year during which the child reaches 23 years of age.

(3) The guardian or public trustee specified in Section (1) subsection b) shall put the family allowance in a deposit or a current account, kept for the guardianship authority. The manager of a social institution shall manage family allowance paid to eligible individuals separately from the budget of the institution, and shall make sure that it is used for the relevant person.

(4) For the purpose of Section (1) as well as Articles 20 and 23, those children (persons) should also be considered children raised in own household who

- a) are temporarily not part of the household as they continue their studies abroad or in the country, or are involved in medical treatment,
- b) who have been placed in a social institution for more than 30 days,

c) upon the parents' request, receive temporary care, or together with the parents, stay in a temporary family home (Articles 49-51 of Act XXXI of 1997 on the protection of children and guardianship administration, hereinafter Child Protection Act).

Article 8

(1)

(2) A higher amount of family allowance is payable to durably sick or severely disabled children or persons to the end of the month to which the term of the illness or severe disability is certified in accordance with the provisions of a separate statutory regulation.

(3) The following persons are eligible for family allowance on their own right:

a) individuals specified in Article 7 Section (1) subsection d),

b) individuals of age, specified in Article 7 Section (2), and individuals of major age conducting their studies in a public education institution,

ba) individuals whose both parents have died,

bb) individuals whose spinster, bachelor, divorced parent or parent separated from the marital partner, sharing the same household, has died,

bc) those who have been taken out from temporary or durable education,

bd) those whose guardianship has been terminated because they have reached major age.

(4) Regarding children to whom a higher amount of family allowance is paid until the age of 18, the monthly amount of benefit paid to them subsequently must be identical with the higher amount of family allowance.

Article 9

Article 10

(1) The family allowance payable for the same child (individual) can only be paid to one eligible person.

(2)

(3) If the child lives in a household shared by the parents, on the basis of a joint declaration of the parents, either parent may apply for the family allowance for each child in accordance with the declaration of the parents. Unless an agreement is reached between the parents, upon request the guardianship authority shall decide on which parent should apply for the allowance.

Article 11

(1) Monthly amount of the family allowance

a) for families with one child HUF 4,600

b) for a single parent raising one child HUF 5,400

c) for families with two children, for each child HUF 5,600

d) for a single parent raising two children, for each child HUF 6,500

e) for families with three or more children, for each child HUF 7,100

f) for a single parent raising three or more children, for each child HUF 7,600

g) for a durably ill or severely disabled child (individual) HUF 12,600

h) for a child living in an institution specified in Article 7 Section (1) subsections b)-c), a child placed with foster parents or official foster parents, and a child not falling under the scope of subsection g) HUF 6,500

(2) The amount of family allowance payable in July is twice the amount indicated in Section (1).

(3) Irrespective of the date of application or termination, the family allowance must be established and paid for the whole month.

(4) Parliament decides at least once a year on an increase in the amount of family allowance.

Article 12

For the purpose of establishing the amount of family allowance, the children by birth, adopted or foster children need to be taken into account who

a) share the same household with the applicant, and

aa) with regard to whom the parent, foster parent, official foster parent or guardian is eligible to family allowance,

ab) who study in a public education institution or a higher education institution in the first accredited higher education system, first university or high school type basic training without a regular income.

ac) who are eligible for the benefit on their own rights in accordance with the provisions of Article 8 Section (3),

b) who are disabled and receive social institutional care, providing that the guardianship agency did not take them for temporary or durable care, and they maintain contact with the individual applying for the allowance in accordance with the provisions of the Government Decree.

Article 13

For the purpose of establishing the amount of family allowance, parents and guardians should be considered single

a) whose husband or common-law partner performs a military service or civilian service,

b) whose themselves, or their marital partner or common-law partner is

ba) a student in a public education institution, or a higher education institution obtaining the first certificate, without a regular income,

bb) regularly receiving the personal benefit for blind people or disability support,

bc) is a disability pensioner, disability pensioner because of an accident, and the amount of the pension is lower than the lowest disability pension established for disability categories, and has no other income,

bd) is receiving a pension, except pensions specified in bc), temporary allowance and the amount of the pension or allowance is lower than the minimum amount of old-age pension, and has no other income,

be) who receives old-age allowance, regular social aid, regular social allowance, disability allowance, military care allowance, and has no other income,

bf) has reached the indicative retirement age and has no regular income.

Article 14

(1) If a child or individual who has reached 18 years has a regular income, the disbursement of the family allowance established for the individual must be stopped from the fourth month while the individual has a regular income.

(2) The interruption of the family allowance does not affect the calculation specified in Article 12 subsection a).

Article 15

Parents and guardians are not eligible for family allowance if their continuous turn of stay abroad exceeds 3 months.

Article 16

Article 17

Article 18

Chapter III

CHILDCARE SUPPORT

Article 19

In order to support their living, parents, foster parents and guardians raising children are eligible for monthly childcare allowance, child-raising support (hereinafter together childcare support). Grandparents can gain eligibility for childcare support on a parent's right.

Childcare allowance

Article 20

(1) Parents, foster parents and guardians are eligible for childcare allowance

- a) up to three years of age of the child,
- b) until the year when twin children become subject to compulsory schooling,
- c) until 10 years of age of ill or severely disabled children.

(2) If in the case of twin children the year of becoming subject to compulsory schooling is not identical, during the application of the provisions of Section (1) the child becoming subject to compulsory schooling the latest should be taken into account.

Article 20/A

(1) In addition to the eligible individuals specified in Article 20, but under the same terms and conditions, the birth or adopting parent of the child's parent and his/her marital partner sharing the same household (hereinafter together grandparents) is also eligible for childcare allowance if the child

- a) has reached its first year of age, and
- b) is cared for and raised in the parent's household, and
- c) the parents make a written declaration that they waive the childcare allowance and agree on the grandparent's application for the childcare allowance.

(2) The declaration of consent of a parent specified in Section (1) subsection c), not sharing the same household with the child, can be replaced by the guardianship authority upon request.

(3) If a parent withdraws his/her declaration of consent and the guardianship authority does not replace it on the basis of the provisions of Section (2), the withdrawal shall terminate the grandparent's eligibility for childcare allowance. The service must be terminated from the last day of the month following the submission of the declaration containing the withdrawal of consent to the agency assessing applications.

(4) If the conditions stated in Section (1) prevail, eligibility to childcare allowance can only be established for a grandparent if

- a) he/she satisfies the conditions of eligibility for the support, and

b) the eligibility conditions also apply to the parent, except the excluding condition of earning activities.

(5) The eligibility of a grandparent to childcare allowance must also be terminated if an excluding condition occurs, which would involve the loss of eligibility of the parent to childcare allowance in his/her own name.

(6) If a parent uses sickness benefit under the title of caring for a child, such a condition does not affect the grandparent's eligibility to childcare allowance.

Article 21

Individuals receiving childcare allowance, apart from grandparents,

- a) cannot have earning activities until the child reaches 18 months of age,
- b) can conduct earning activities for maximum 4 hours after the child has reached 18 months of age, or without any time limitations if work is performed at home.

Article 21/A

A grandparent receiving childcare allowance can pursue earnings activities after the child has reached three years of age under the terms and conditions specified in Article 21 subsection b).

Article 22

Exercising his equitable right, the Minister of Social and Family Affairs may, in view of the provisions of Article 27 of the Act, grant eligibility to childcare allowance

- a) to an individual raising a child if
 - aa) the parents of the child are hindered in raising the child for more than three months,
 - ab) with the lack of earning activities of the single parent the living of the family cannot be ensured,
- b) or eligibility can be granted or extended
 - ba) to the start of studies in a primary school by the child, but no longer than the time when the child reaches 8 years of age, if the child cannot be cared for in a childcare institution providing care during the day [Child Protection Act, Article 41, Section (3)],
 - bb) until an ill or severely disabled child reaches 14 years of age.

Child-raising support

Article 23

Those parents, foster parents and guardians are eligible for child-raising support who raise three or more children of minor age in their own households. The support is payable between the three and eight years of age of the youngest child.

Article 24

An individual receiving child raising support cannot pursue earning activities for more than four hours a day, or earning activities can be conducted without time limitations if work is performed at home.

Common rules for types of childcare support

Article 25

(1) Any parent sharing the same household with the child can apply for the childcare support. Unless the parents agree, the guardianship authority shall decide upon request on the identity of the parent applying for the support.

(2) If the parents were eligible for one or both types of childcare support for more children simultaneously, the support may only be granted under one title and only to one of the parents.

Article 26

(1) Irrespective of the number of children, the monthly amount of childcare support is identical with the lowest amount of old-age pension, while in the case of incomplete months, one thirtieth of the monthly amount is payable for one calendar day.

(2) In the case of twin children, the monthly amount of childcare support is identical with 200% of the lowest amount of old-age pension, irrespective of the number of children.

Article 27

(1) No childcare support can be paid to individuals who

a) receive any of the regular benefits specified in Article 4 Section (1) subsection i) of the Social Act, apart from

aa) childcare benefit or sickness benefit related to accident payable for earning activities pursued parallel with receiving childcare support,

ab) in the case of eligibility to childcare allowance, pension or other benefits considered as pensions on the basis of the Act on social security pensions,

b) apply for support for a child who has been placed temporarily, or put into temporary or durable care on the basis of the Child Protection Act, or has been placed in a social institution for more than 30 days on the basis of the provisions of the Social Act,

c) with the exceptions stated in a government decree, put a child to an institution providing daytime care [Child Protection Act, Article 41 Section (3)],

d) are subject to detention, or imprisonment.

(2) Parents, grandparents and guardians are not eligible for childcare support for the continuous term of their stay abroad exceeding three months.

Article 28

If an individual receiving childcare support loses eligibility to the support due to the death of the child raised by him/her, the disbursement of the support must be terminated three months from the first day of the month following the date of death.

Chapter IV

MATERNITY ALLOWANCE

Article 29

(1) After birth, the following women are eligible for maternity allowance:

a) women who attended prenatal care consultations at least on four occasions, or in the case of premature birth at least once, during the pregnancy,

b) adoptive parents, if adoption has been allowed in a legally effective decision within 18 days from the birth,

c) a guardian, if the child is put into his/her care on the basis of a legally effective resolution within 180 days from the birth.

(2) An individual eligible to maternity allowance on the basis of the provisions of Section (1) subsection a) is also eligible to the allowance if the child is born dead.

Article 30

If a woman eligible for maternity allowance dies prior to the collection of the allowance, the maternity allowance must be paid to the father sharing the same household with the mother or, if there is no such person, to the individual who will care for the child.

Article 31

The amount of maternity allowance for each child is identical with 225% or, in the case of twin children, 300%, of the lowest amount of the lowest amount of old-age pension effective at the time of birth of the child.

Article 32

An application for maternity allowance can be submitted within 180 days from the birth.

Article 33

(1) No maternity allowance can be granted if

a) the parents have given their consent to the adoption of the child prior to the birth of the child,
b) on the basis of a legally effective resolution of the guardianship authority, the born child is rendered to child protection care, due to which he/she is taken out of the family.

(2) If the application is filed within 180 days from the birth, the eligible individual can be granted maternity allowance if

a) the statement of consent to the adoption of the child has been withdrawn,
b) the child protection care as a result of which the child is taken out of the family is terminated and in future the mother cares for the child.

Chapter V

COMPETENCE AND PROCEDURAL RULES APPLICABLE TO FAMILY SUPPORT PROCEEDINGS

Rules of Application Assessment

Article 34

(1) Applications for family support (hereinafter support) must be submitted in writing. Simultaneously, all certified facts and data required for the assessment must be attached to the application.

(2) The date of submission of the application is the certified date of collection of the application or, if the application is submitted by post, the date when the application is posted.

Article 35

(1) The organisation assessing the application for support is

a) the Regional Public Finance Office (in Budapest: Pest County Public Finance Office), competent in the county according to the home or place of residence of the applicant and their representation offices (hereinafter together Hungarian abbreviation TÁH),

b) the paying organisation for family support, except Section (2), if a family support paying agency operates at the applicant's workplace (hereinafter TÁH and family support paying agencies together: application assessing agency).

(2) Applications for child-raising support and childcare allowance submitted by a grandparent are assessed by the TÁH specified in Section (1) subsection a).

Article 36

(1) If the application for support is satisfied, no formal resolution needs to be adopted except childcare allowance established on the basis of equity.

(2) A formal resolution is required, if

a) the application is rejected,

b) the support is interrupted,

c) the support is terminated,

d) the support needs to be refunded, and

e) the childcare allowance is established on the basis of equitable consideration.

Article 37

(1) The support shall be due from the date of submission of the application, providing that the eligibility conditions prevail at the time of submission. In case an application is submitted late, the support must be established retrospectively for maximum two months, from the first day of the second month preceding the date of the submission of the application, providing that the eligibility conditions have prevailed from that date.

(2) The application assessing agency shall make arrangements for the disbursement of the support.

(3) With the exception of Section (4), the support must be paid retrospectively, simultaneously with the wages payable for the relevant month, otherwise by the 15th day of the month following the relevant month.

(4) The application assessing agency shall assess the maternity allowance application at the time of submission of the application. If eligibility is established, the support is paid immediately, and it is entered on the back page of the birth certificate of the child.

Article 38

(1) If after the assessment of the application it is established that the application has been rejected and the rejection violates the law, or a lower amount of support has been granted or disbursed, the amount due within three years retrospectively from the establishment of the violation of law must be paid out.

(2) With the exception of maternity allowance, if the eligible individual dies, the due and uncollected benefit shall be paid to the individual who cares for the children, representing eligibility for the support, in his/her own household after the death.

(3) The due and uncollected support may be collected within one year from its due date with the exception of maternity allowance.

Article 39

The individual eligible for support must report to the application assessment agency all facts, and data which affect the eligibility for support or its amount within 15 days.

Article 40

All proceedings related to the enforcement of applications for support shall be free of duties or expenses.

Support Used without a Legal Basis

Article 41

(1) An individual uses support without a legal basis who

- a) is not eligible for it, or
- b) is eligible for a lower amount than the amount disbursed to him/her.

(2) Those who have collected support without a legal basis are obliged to repay it if they have been ordered so in writing within 30 days from the collection of support.

(3) After the period specified in Section (2) a support collected without a legal basis can be reclaimed from those who are at fault for collecting the support, providing that less than three years have passed from the collection of support or, in the case of continuous support, the termination of the support.

(4) An individual can be blamed for collecting the support, if

- a) the eligible individual knew that the support was not due to him/her, but he/she still collected it,
- b) the eligible individual did not know, because of his/her own negligence, that the support was not due to him/her, but the conditions indicate that he/she should have known it.

(5) The application assessing agency or other agency is obliged to refund a support collected without a legal basis if the establishment or disbursement of the support without a legal basis is the consequence of its negligence or supply of false data and the support cannot be reclaimed on the basis of Section (2).

(6) If several application assessing agencies or other agencies and the individual receiving support are liable for the establishment and collection of the support without a legal basis, they are obliged to reimburse and refund the support collected without a legal basis in proportion to their involvement. If the proportion of involvement cannot be established, the liable parties must be obliged for reimbursement and refund in equal proportions.

(7) If several application assessing agencies or other agencies are liable for the establishment or collection of the support without a legal basis, they shall have joint and several liability for reimbursing the support collected without a legal basis.

Article 42

(1) A resolution is required to order the repayment of a support collected without a legal basis, while a payment order must be issued to repay support to the application assessing agency or other agencies. A legally effective resolution or a payment order is a public administration resolution for execution.

(2) The application assessing agency may enforce its claims within three years from the last payment of any support collected without a legal basis. If in accordance with a legally effective judgement of the court the conduct representing the basis of the claim is a criminal act, the claim

can also be enforced over three years as long as the possible punishment for the crime is not limited in time.

Article 43

(1) The same agency shall adopt a resolution obliging the individual to repay a support collected without a legal basis which disbursed the support collected without a legal basis originally. If, in addition to the refunding obligation the refunding obligation of the family support paying organisation or another agency can also be established, the resolution shall be adopted by the application assessing agency or the TÁH competent in accordance with the registered office of the other agency.

(2) Any support collected without a legal basis must be deducted primarily from support which is still being disbursed. If the support collected without a legal basis is no longer disbursed, the amount of support collected without a legal basis can be deducted from the amount of any disbursed support. The deduction cannot exceed 33% of the disbursed support.

(3) Deduction can begin after the entry into force of the resolution obliging the individual to refund the support. Regarding amounts, not recovered with deduction, and excess payments, the amount of claims collected only in a longer period can also be deducted from the wages of the individual using the support.

(4) If the agency or individual obliged to make a repayment fails to meet his/her payment obligation within 15 days from the entry into force of the resolution or payment order, the TÁH adopting the resolution or issuing the payment order can collect the claim as if it were a tax.

Legal Remedy

Article 44

(1) If an individual applying for support does not agree with a measure or resolution of the application assessing agency, he/she may make an appeal within 15 days from the receipt of the resolution.

(2) An appeal may be made against a TÁH measure or resolution to the Public Finance Office, while appeals against measures or resolutions of a family support paying organisation can be submitted to the regionally competent TÁH.

(3)

(4) Those can turn to the court requesting the review of a resolution of second degree, violating the laws, within 30 days from the receipt of the resolution, whose rights or obligations are affected by the resolution. The petition must be submitted against the application assessing agency adopting the resolution of first instance or, in the case of a family support paying organisation, against the regionally competent TÁH.

(5) An agency obliged to make reimbursement can turn to court against the payment order issued to it. A petition submitted against the payment order by the deadline shall have a deferring impact up to the disputed amount.

Chapter VI

DATA PROTECTION

Article 45

(1) The application assessing agency, including the Minister of Social and Family Affairs in exercising his equitable right, shall report data on natural persons in order to establish, disburse and audit family support according to the TAJ number (social security identification number).

(2) For purposes specified in Section (1) the following personal data can be recorded:

a) personal data of the individual eligible for support, the child eligible for support, and marital partner and common-law partner of the eligible individual (name, maiden name, mother's name, place of birth, year, month, day),

b) data concerning the citizenship or immigrant or refugee status of the eligible party,

c) data concerning the family status or common-law partnership of the eligible party,

d) data related to the student's status of the child eligible for support,

e) data concerning the home address or place of residence of the eligible individual, the marital partner or common-law partner of the eligible individual, or the child eligible for the support,

f) data concerning the workplace of the eligible party,

g) data related to the income of the eligible individual, the marital partner, common-law partner of the eligible individual, and child of major age,

h) data concerning illness or severe disability of the child eligible for support.

(3) The application assessing agency can supply data specified in Section (2) to agencies entitled for data management on the basis of statutory regulations in a manner specified by law, indicating the purpose and legal basis of the use of data.

(4) Of the data specified in Section (2) the agency entitled for data management can only manage data required for the assessment of the support.

Article 46

Unless the law provides otherwise, the data concerning a given individual must be deleted from the database containing the data specified in Article 45 Section (2) five years from the termination of eligibility for family support, with the exception of support to be included in the officially acknowledged service period.

Article 47

On the basis of the authorisation of this Act, the agencies keeping records may use the data of the database for statistical purposes, without personal identification data, and can provide data from the database for statistical purposes.

Article 48

In a family support administration procedure, the application assessing agency may collect data from the agency recording the personal data and address of citizens in order to establish eligibility for family support.

Article 49

The technical and financial audit of the Public Finance Office extends to the completion of registration and data supply obligation related to support, the establishment and disbursement of support falling into the competence of application assessing agencies to eligible individuals, and the performance of related administration tasks. All related records, bookkeeping and other documents, as well as data must be made available for the audit.

TEMPORARY AND CLOSING PROVISIONS

Article 50

(1) This Act shall enter into force on 1 January 1999 with the proviso that the provisions of Articles 9 and 16-18 related to schooling support must be applied from 1 October 1999.

(2) Until 30 September 1999 a family allowance must be established and paid for a child too, with regard to whom schooling support should be established and paid in accordance with the provisions of this Act.

(3) Those who have received family allowance, childcare allowance or childcare support until 31 December 1998 must keep receiving the support on the basis of the regulations effective on 31 December 1998, but taking into account the amounts indicated in this Act, providing that they have not submitted a new application.

(4) In the case of applications submitted before 31 December 1998, and not assessed by the entry into force of the Act, providing that the satisfaction of the application also relates to a period before 1 January 1999, the support for that period shall be established and disbursed on the basis of the eligibility rules effective on 31 December 1998.

(5) After 31 December 1998, the notary no longer establishes eligibility for new child-raising support, but the local governments shall continue disbursing child-raising support granted before 1 January 1999 to 31 March 1999.

(6) The Pension Disbursement Directorate and MÁV Rt. Pension Directorate no longer establishes eligibility for family support in accordance with the provisions of this Act after 31 December 1998, but the support granted before 1 January 1999 shall be disbursed continuously until 31 March 1999.

(7) After 31 December 1998, employers not having a family support paying organisation no longer establish eligibility for family support in accordance with the provisions of this Act, but the support established before 1 January 1999 shall be paid continuously until 31 March 1999.

(8) From 1 April 1999, the support specified in Sections (5)-(7) shall be paid by MEP:

Article 51

Authorisation shall be given

a) to the Government to regulate the executing regulations related to the application, granting and disbursement of family support, the repayment and reimbursement of support collected without a legal basis, data processing by application assessing agencies and the transfer of competence in a decree,

c) the Minister of Health to regulate, in agreement with the Minister of Social and Family Affairs, the rate of illnesses giving eligibility to a higher amount of family allowance, and the procedures for issuing certificates on such illnesses in a decree,

d)

Article 52

Simultaneously with the entry into force of this Act, the following legal regulations shall lose their force:

a) Act XXV of 1990 on family allowance and family support,

b) Act I of 1991 amending Act XXV of 1990 on family allowance and family allowance,

c) Act III of 1991 amending Act XXV of 1992 on family allowance and family allowance,

d) Act V of 1993 amending Act XXV of 1990 on family allowance and family allowance,

e) the title of Chapter I and Articles 59-69 of Act XLVIII of 1995 on some legal amendments aimed at economic stabilisation,

f) Article 4 of Act VI of 1994 amending Act III of 1993 on social administration and social benefits,

g) Act CXXII of 1995 on entering certain provisions of Act XLVIII of 1995 amending Act XXV of 1990 on family allowance and family support, and amending certain statutory regulations aiming at economic stabilisation,

h) title of Chapter I and Articles 1-7, 10-11 and 36 Section (4) of Act XXII of 1996 amending laws and regulations on individual social benefits,

i) Article 71 of Act CXXIV of 1996 on the 1997 budget of the Republic of Hungary,

j) Article 68, Article 88 Section (1) subsection a) of Act CXLVI of 1997 on the 1998 budget of the Republic of Hungary,

k) in Act III of 1993 on social administration and social benefits, in Article 17, the text “child-raising support”; Article 25 Section (2); in Chapter II Title II the sub-titles “Normative financial benefit”, “Child-raising support”; Articles 27-31; in Article 42 Section (1) subsection (b) the text “apart from childcare benefit established in accordance with the provisions of a separate act; in Article 123 Section (1) the text “child-raising support and” and Article 123 Section (2); Article 124 Section 1; Article 130;

Article 53