

KÁROLI GÁSPÁR REFORMÁTUS EGYETEM
Állam- és Jogtudományi Kar

**KÁROLI GÁSPÁR UNIVERSITY OF THE REFORMED CHURCH IN
HUNGARY**

Faculty of Law And Political Sciences

ENGLISH COURSE FOR LAW STUDENTS

**INTRODUCTION TO THE HUNGARIAN LEGAL SYTEM IN
ENGLISH**

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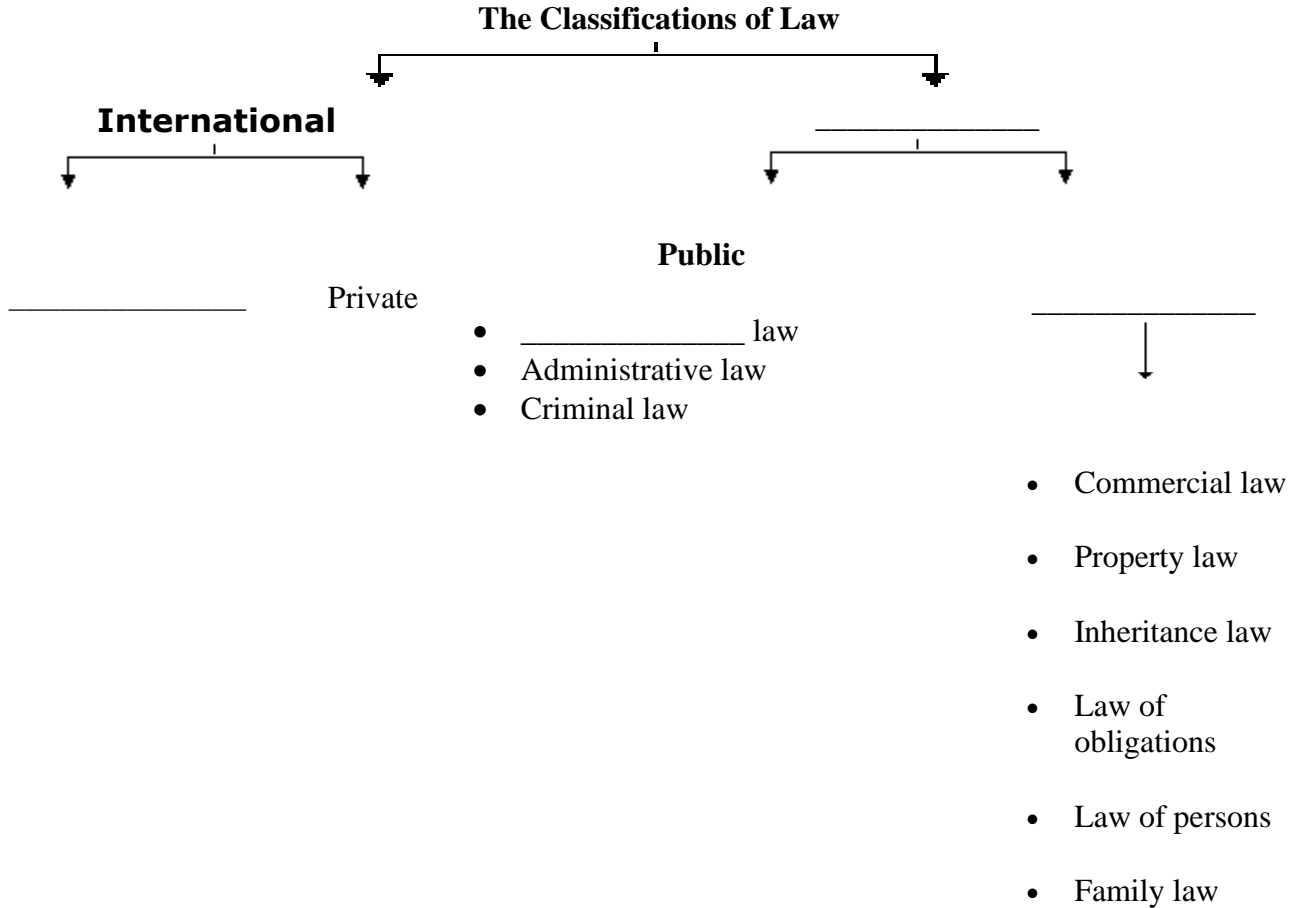
Students may be absent from three lessons.

They will be evaluated on the basis of their participation and contribution in the lessons and their test results.

Lesson I.

BRANCHES OF LAW

I. Complete the diagram



II. Which branch of law is the text definition about?

1. It is part of public law. On the one hand, it includes the law which specifies the structure and the organization of the state as well as of its highest organs and their functions. On the other hand, it includes those rules which specify the relationship of humans to the state (Basic Rights). _____

2. It is the law that deals with crime and the legal punishment of criminal offenses. (also known as **penal law**) _____

3. It is the body of laws which addresses the legal rights of, and restrictions on, workers and their organisations. As such, it concerns many aspects of the relationship between trade unions, employers and employees.

4. Laws relating to an agreement between two or more parties that creates in each party a duty to do or not do something and a right to performance of the other's duty or a remedy for the breach of the other's duty. _____

5. It is the area of law relating to the organisation of the family and the legal relations of its members. _____

6. A body of laws, rules, or legal principles that are based on custom, treaties, or legislation and that control or affect the rights and duties of nations in relation to each other.

III. Which branch of law do the following words/expressions belong? Why?

Administrative law:	
Criminal law:	
Constitutional law:	
Contract law:	
Family law:	
International law:	

1. government 2. punishment 3. divorce 4. agreement 5. imprisonment 6. process of legislation
 7. breach of contract 8. adoption 9. the legislative, the executive and the judiciary branch
 10. child custody 11. freedom of assembly 12. peace-keeping forces of the United Nations
 13. to plead guilty 14. peace treaty 15. local governments

IV. Complete the table

Verb	Noun	Adjective
	agreement	–
	performance	–
		criminal (act)
to relate		
–	law	
	punishment	
	procedure	
		penal

to govern		
	violation	
	employment	

V. Watch the video “What is tort law?” at

https://www.youtube.com/watch?v=_ds1fruLg3c

Complete the sentences with suitable words from the video.

1. Tort law protects people from other people’s n..... actions.
2. Some examples of Tort Law are c..... accidents, c..... accidents, m..... malpractice and slip and f.....s.
3. Other examples are civil assault or civil b....., wrongful death claims, trespassing, product’s liability and dangerous pr..... and i.....infliction of emotional stress.
4. A shop owner owes a duty of c..... to the customer.
5. The 3 types of tort are: i..... tort, un..... tort and s.....liability cases.
6. B.....is an example of intentional tort.
7. S.....is considered an example of unintentional tort.
7. There are r..... available in a tort case. If you are a victim of tort, you may be e.....for monetary d..... awards for your economic losses.
8. An injunction ordered by the court forces the wrongdoer to r..... the situation.

Vocabulary

administrative law	közigazgatási jog
agreement	megállapodás
branch of law	jogág
child custody	gyermekelhelyezés
civil law	polgárjog
commercial law	kereskedelmi jog
constitutional law	alkotmányjog
crime, act of crime, criminal offence	bűncselekmény
criminal/penal law	büntetőjog
domestic/national law	hazai/nemzeti jog
employee	munkavállaló
employer	munkáltató
family law	családjog
freedom of assembly	gyülekezési jog
function	működés
inheritance law	öröklési jog
international law	nemzetközi jog
law of obligations	kötelmi jog
law of persons	személyek joga
legal principle	jogelv

legal relation	jogviszony
legal system	jogrendszer
local (self)government	helyi önkormányzat
organ, body	szerv
party, parties to e.g. a contract	fél, felek
peace keeping forces	békefenntartó erő
peace treaty	békeszerződés
penalty	büntetés
private law	magánjog
procedure	eljárás
process of legislation/legislative process	jogalkotási folyamat
property law	tulajdonjog
public law	közjog
punishment	büntetés
remedy (legal remedy)	jogorvoslat
rights and obligations	jogok és kötelezettségek
the judiciary branch	igazságszolgáltatás
to address	ITT: foglalkozik vmivel
to adopt, adoption	1.örökbefogad 2. elfogad
to breach, a breach	megszeg
to create a duty	kötelezettséget keletkeztet
to execute, execution, executive	végrehajt
to govern	kormányoz, irányít, igazgat
to have a/the right to sg	joga van vmihez/vmire
to head, to chair	vezet
to imprison, imprisonment	bebörtönöz, szabadságvesztés
to legislate, legislation, legislative	törvényeket hoz/alkot
to perform, performance	teljesít, ellát
to plead guilty	beismeri bűnösségét, bűnösnek vallja magát
to regulate	szabályoz
to specify	előír, kiköt
to violate, violation	megsért
trade union	szakszervezet
treaty	(államközi) szerződés, nemzetközi egyezmény
unlawful, illegal	jogellenes

Lesson II.

THE PARLIAMENT

I. The following sentences are taken from the Fundamental Law of Hungary. You'll read about the Parliament and its sphere of authority. Fill in the gaps with the words given.

1. central budget 2. adopt 3. Commissioner 4. state of war 5. exercise
6. implementation 7. perform 8. acts 9. contrary 10. treaties 11. related
12. supreme 13. authorization 14. peace 15. Chief Public Prosecutor

Article 1

(1) HUNGARY's body of popular representation is the Parliament.

(2) The Parliament shall:

a) the Fundamental Law of Hungary;

b) adopt other

c) adopt the and approve its

d) give to recognize the binding force of international falling within its powers and competence;

e) elect the President of the Republic, the members and the President of the Constitutional Court, the President of the Kúria (Curia), the, the for Fundamental Rights and his deputies, and the President of the State Audit Office;

f) elect the Prime Minister, decide upon questions of confidence relating to the Government;

g) dissolve representative councils which operate in a way that is to the Fundamental Law;

h) decide upon the declaration of, and on entering into a treaty;

i) make decisions to a special legal order and to military operations;

j) general amnesty;

k) other tasks and exercise other competencies laid down in the Fundamental Law or in other acts of Parliament.

* In legal documents the auxiliary ***shall*** is used to indicate obligation. to express a promise or to make a declaration to which the parties involved are legally bound.

In legal texts ***shall*** usually expresses the meaning of 'must' (obligation).

Another auxiliary commonly found in legal documents is ***may***, which generally expresses permission, in the sense of 'can'.

Could you list five things/duties now that the Parliament shall do in Hungary?

- 1)
- 2)

- 3)
- 4)
- 5)

II. Find synonyms to the words/expressions that are underlined in the following texts. The synonyms you can chose from are given below.

* In legal documents the auxiliary *should* is used to indicate the meaning of *if*.

E.g. Should the Parliament be obstructed in reaching such decisions ... = If the Parliament is obstructed in reaching such decisions ...

Chapter II. Article 19 A

(1) Should the Parliament be obstructed in reaching such decisions, the President of the Republic shall have the right to declare a state of war, a state of national crisis ... or to declare a state of emergency.

(2) The Parliament shall be considered to be obstructed in reaching such decisions, if it is not in session and convening it is impossible due to lack of time or due to the events responsible for the declaration of the state of war, state of national crisis or state of emergency .

Article 4

(1) The rights and obligations of Members of Parliament shall be equal, they shall carry out their duties in the public interest, and they may not be given instructions in that regard.

(2) Members of Parliament shall be entitled to immunity and shall be adequately remunerated to ensure their independence. An implementing act shall define the public offices which may not be held by Members of Parliament, and may specify other cases of incompatibility.

1. being opposed, inconsistent
2. in respect of, concerning
3. opposite of private
4. to pay sy for work or service
5. to be given the right to do sg:

6. to come to a decision:
7. caused by sg, because of sg
8. to be blocked or prevented:
9. exemption from sg:
10. to summon, to come together:
11. to be assembled, not on vacation:

- **When is the Parliament considered to be obstructed in reaching decisions?**
- **For how many years are the MPs elected?**
- **Mention three things an MP has right to.**

Article 4

(3) The mandate of a Member of Parliament shall terminate:

- a) *upon the termination of the mandate of the Parliament;*
- b) *upon death;*
- c) *upon declaration of incompatibility; (conflict of interest)*
- d) *upon resignation;*
- e) if the requirements for his or her election are no longer satisfied; (disfranchisement)

f) if he or she has not participated in the work of Parliament for a year.

(4) The Parliament shall decide upon the declaration of non-compliance with the requirements for election, upon the declaration of incompatibility, and on the absence of a Member of Parliament from the work of Parliament for a period of one year with a majority of two-thirds of the votes of the Members of Parliament present.

(5) The detailed rules on the legal status and the remuneration of Members of Parliament shall be laid down in an implementing act.

III. Paraphrase the above sentences in italics starting with “when”. Follow the example:

upon death= when he dies

Article 5

(1) Sessions of Parliament shall be open to the public. At the request of the Government or any Member of Parliament, and with the votes of two-thirds of all Members of Parliament, it may decide to hold a closed session.

(2) Parliament shall elect the Speaker of Parliament, Deputy Speakers and registrars from among its members.

(3) Parliament shall set up standing committees from among its members.

(4) In order to coordinate their activities, Members of Parliament shall have the right to establish parliamentary groups in accordance with the conditions laid down in the House Rules.

(5) The Parliament shall have a quorum if more than half of its Members are present.

(2) The Parliament shall pass decisions with a majority of one-half of the votes of the Members of Parliament present.

(3) A majority of two-thirds of the votes of the Members of Parliament is required to *amend* the Constitution and for certain decision specified therein.

(4) The Parliament shall establish its *rules of procedure* and *speaking order* in the *House Rules*. A majority of two-thirds of the votes of the Members of Parliament present is required to pass the House Rules.

- **When does the mandate of an MP end?**
- **Who has the right to convene the inaugural sitting of the Parliament?**
- **When does the Parliament have a quorum?**
- **How many MPs are needed for the amendment of the Constitution?**

IV. Paraphrase the following sentences. Use another expression instead of the ones that are underlined.

1. It is the Parliament's duty to pass legislation and approve the State Budget.

2. If the Parliament happens to be obstructed in reaching its decisions, the President of the Republic shall have the right to declare a state of war.

3. A majority of two-thirds of the votes of the Members of Parliament is demanded for this decision.

4. Members of Parliament have a right to compensation adequate to ensure their independence.
5. Members of Parliament are granted parliamentary immunity in agreement with the regulations of the law defining the legal status of MPs.
6. The mandate of a Member of Parliament shall end when the term of Parliament finishes.
7. The Parliament shall set up standing committees from among its members.

V. Complete the gaps with suitable words.

- | | |
|---------------------|-----------------------------|
| 1. to pass _____ | 7. conflict of _____ |
| 2. to adopt _____ | 8. _____ sitting |
| 3. to approve _____ | 9. _____ committees |
| 4. state of _____ | 10. _____ their mandate |
| 5. sphere of _____ | 11. _____ of their expenses |
| 6. _____ referendum | 12. _____ of procedure |
| | 13. State _____ Office |

VI. Watch the video “An Introduction to Parliament” at <https://www.youtube.com/watch?v=RAMbIz3Y2JA> about the British Parliament then answer the questions.

1. How has the role of the monarch changed over the centuries?
2. What are the 2 houses called and how many members does each one consist of?
3. What responsibilities does the monarch have nowadays?
4. Can you describe the legislative process briefly? (green/white paper, Bill, etc.)
5. Who has the right to form a government? Explain the term of hung Parliament.

Vocabulary

act (of Parliament)	törvény
article	cikk
body of popular representation	népképviselői szerv
central budget	központi költségvetés
Chief Public Prosecutor	legfőbb ügyész
Commissioner for Fundamental Rights	alapvető jogok biztosa
competence, sphere of authority	hatáskör
contrary to	ellentétes
disfranchisement	szavazati jog megvonása
due to	miatt
House Rules	hárszabály
immunity	mentelmi jog
implementing act	sarkalatos törvény

incompatibility, incompatible	összeférhetetlenség, összeférhetetlen
is/are required	szükséges
lack of time	idő hiánya
legal status	jogállás
majority of two-thirds of the votes of the Members of Parliament present	a jelen lévő országgyűlési képviselők kétharmadának szavazata
non-compliance with	hiánya, nem teljesítése
open/closed session	nyílt/zárt ülés
power(s)	hatáskör
questions of confidence	bizalmi kérdés
registrar	jegyző
rules of procedure	ITT: működési szabály
Speaker of Parliament	OGY elnöke
speaking order	ITT: tárgyalási rend
State Audit Office	Állami Számvevőszék
state of emergency	szükségállapot
state of national crisis	rendkívüli állapot
state of war	hadiállapot
supreme	legfelső
to amend, amendment	módosít, kiegészít
to approve, approval	jóváhagy
to be entitled to	megillet, joga van
to be in session	ülésezik
to be obstructed in -ing	akadályoztatva van
to convene	összehív
to declare, declaration	kihirdet
to dissolve, dissolution	feloszlát, felbont
to enter into	(meg)köt
to exercise general amnesty	közkegyelmet gyakorol
to give authorization	felhatalmazást ad
to give instructions	utasítást ad, utasít
to have a binding force	kötelező hatállyal bír
to have a quorum	határozatképes
to implement, implementation	végrehajt
to pass/to adopt a law	törvényt elfogad
to pass /to reach a decision	döntést hoz
to perform/fulfil/carry out duties/tasks	feladatot ellát, tevékenységet végez
to reach decisions	döntést hoz
to remunerate	javadalmaz
to resign, resignation	lemond
to satisfy/to meet/to fulfil requirements	követelményeknek eleget tesz
to set up/establish standing committees	állandó bizottságokat hoz létre
to terminate, termination	véget ér, befejeződik, megszüntet

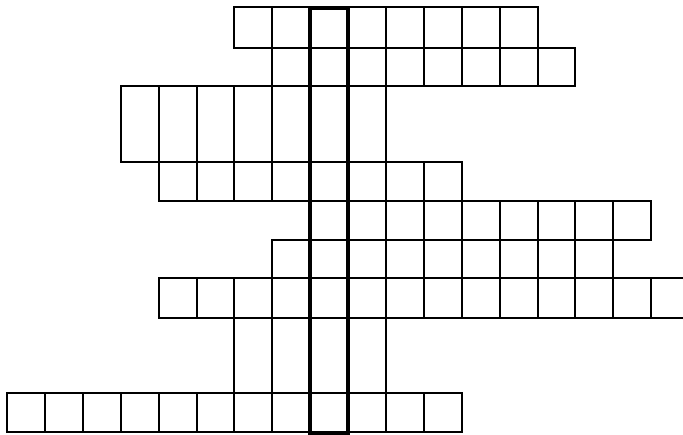
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<http://www.kormany.hu/download/e/2a/d0000/THE%20FUNDAMENTAL%20LAW%20OF%20HUNGARY.pdf>

Lesson III.

THE HUNGARIAN ELECTORAL SYSTEM

I. Complete the crossword puzzle with the words given



1. the right to vote
2. suggestion
3. the MPs are voted in the . . . election in Hungary
4. formally propose somebody for a position
5. before his/her election an MP is only a . . .
6. the limit you can't go below
7. on the day of the election you vote here
8. when you elect a candidate you . . . your vote for him
9. the districts in the election are called this

1. constituency 2. cast 3. suffrage 4. candidate 5. general 6. polling station 7. nominate 8. proposal 9. threshold

II. a) Can you mention some conditions that are required for franchise in Hungary?

b) Explain what the four pre-conditions are about.

The positive pre-conditions of suffrage formerly required in Hungary were as follows:

- Hungarian citizenship
- age of consent
- residence in the territory of Hungary

Which of the above pre-conditions is not valid anymore? Give an example!

III. Could you mention persons or groups of people who are not granted the right to vote in Hungary?

Reasons for exclusion under the Hungarian electoral law

Pursuant to the Fundamental Law of the Republic of Hungary, no suffrage shall be granted to persons:

- under guardianship limiting or excluding the ability to act;
- under the effect of a final verdict of injunction from public affairs;
- under imprisonment;
- under forced treatment ordered, in effect, in a criminal procedure.

IV. Finish the sentences.

1. In Hungary you can vote if ...
2. In Hungary you aren't granted suffrage if ...
3. In Hungary there are ... constituencies and ...
4. The parliamentary election system is ...

5. Candidates are proposed on ...

- a. you are under imprisonment; are under guardianship and don't have the ability to act; under the effect of a final verdict which says that you cannot participate in public affairs
- b. party-based
- c. single-member, district ... and the national list
- d. proposal coupons/nomination tickets
- e. you are a Hungarian citizen of legal age/you are over 18; have residence in Hungary

V. Read the text about the structure of the Hungarian parliamentary system and decide whether the statements are true or false.

The structure of the Hungarian parliamentary election system

The parliamentary electoral system determines which Members of Parliament and political Parties are elected to the Hungarian Parliament, and in what distribution. The basis of the electoral system applied in Hungary is regulated – besides the Fundamental Law and the text of the norm regulating the electoral process – by the **Act CCIII on the election of Members of the Parliament**, which was adopted by the National Assembly on 23 December 2011. The provisions of Act XXXIV of 1989 on the election of Members of Parliament must continue to be applied until the date of the next general election following the coming into force of the new act has been decided.

In Hungary, **parliamentary elections are held every four years**, in April or May of the fourth year after the election of the current Parliament, except for elections held due to the voluntary or mandatory dissolution of Parliament.

Members of Parliament are elected by voters **on the basis of a universal and equal right to vote, by direct and secret ballot** and in elections that assure the free expression of the will of the voters, as defined by a cardinal Act.

The election law sets the **number of Members of Parliament at 199**. **106** representatives may be elected via **single-seat local constituencies**, **93** representatives may be elected via the **national party list**.

The election of Members of Parliament takes place in **one round of voting**.

Voters who are **residents of Hungary** may **vote for one candidate** in the voter's single-seat local constituency, and **for one from the party list**. Residents of Hungary who are included in the voting registry as **ethnic constituents** may cast one vote in a single-seat local constituency and another for a candidate on his or her ethnic list (if the latter does not exist, the second vote may be cast for a party's list). Constituents who are **not resident in Hungary** may cast **one vote for a party's list**.

In the one round-election system, the **winning candidate is the one who receives the most valid votes**, regardless of the number of voters who took part in the election.

A new element is that **the mandate-winning candidate's party shall also receive fragment votes**. These votes are based on single-seat local constituency winning results; **the number of received fragment votes is equal to the difference in votes which are received by the winning candidate and the second placed candidate**.

The **regional lists are abolished**, and therefore fragment votes are generated exclusively in single-seat local constituencies. These fragment votes will be added to the number of votes which were received by parties on the national list.

93 mandates are **allocated from the national list, using** the so-called **d'Hondt method**. The essence of this method is that the total number of votes which were cast per party on the party list are added to the **fragment votes and summarised in a table**. Then the received number

is divided by 2, then by 3, by 4, etc. The acquired column of numbers determines the distribution of mandates: **the party with the highest number in its column receives the first mandate**, then the next, and so on until there are mandates available for distribution. **The threshold remains 5 %.**

1. The Hungarian Electoral Act has institutionalised a one-vote/one round, mixed electoral system.	
2. The single-member constituencies are to elect one MP.	
3. The threshold has been raised to 10 %.	
4. The 19 counties and Budapest make up the regional list.	
5. The national list is based on the left-over votes the various parties obtain.	
6. Ethnic constituents who are not resident in Hungary have two votes to cast.	
7. In Hungary the voters vote for both individual candidates and party lists.	
8. Candidates are proposed by voters with place of residence in the particular constituency.	

VI. The endings are missing from the text. Find where they belong.

A shall forward the official reports	D due to the mixed nature of the electoral system
B the surplus votes	E shall summarize the votes
C the 5-percent threshold	F by mail or at the embassies

Voting (in brief)

The period of voting shall be from 6:00 a.m. to 7:00 p.m. on election day. Voters shall vote in person and – except for the cases of voting with a certificate – at the polling station at the voter’s place of residence. No votes may be cast _____ of the Republic of Hungary.

_____, voters vote for individual candidates and lists. The national list is an indirect list of a compensatory nature, from which seats are allocated in the proportion of surplus votes; voters may not directly vote for the national list.

The establishment of result

The polling station committee shall count the votes and make official reports, separately on single-member and list votes. It _____ to the single-member constituency electoral committee and the regional electoral committee. The parliamentary single-member constituency electoral committee _____ on the basis of the official reports of the polling station committees and establish the constituency election result, which it shall record in official reports and forward to the National Electoral Committee. On the basis of the official reports of the regional electoral committees, the National Electoral Committee shall establish _____ and the regional lists to obtain a seat. It shall immediately inform the regional electoral committees thereof, which establish the regional election results and record it in official reports. On the basis of the official reports of the single-member constituency and regional electoral committees, the National Electoral Committee shall summarize _____ and establish the candidates on the national lists to obtain a seat.

VII. Watch the video: How do UK elections work? at <https://www.youtube.com/watch?v=Bc78rgUfsFw>

Complete the sentences with suitable words/numbers from the video.

1. In a general election the UK is divided intolocal areas called parliamentary constituencies each having between and voters.
2. Each constituency is represented by an MP in the, in the Parliament.
3. Suffrage (the right to vote) is granted to someone in the UK who.....
4. The party with the most MPs is invited by the King to form a
5. If no party secures a majority, the election may result in a parliament.
6. Most countries around the world use avoting system whereas the voting system used in Westminster is known as, a term used in
7. The same voting system is used in countries, e.g.
8. Smaller parties argue that they do not gainas a result of the voting system.

Vocabulary

age of consent, legal age	nagykorúság
available	ITT: megszerezhető
by-election	időközi választás
candidate	jelölt
constituency	szavazókerület
criminal procedure	büntetőeljárás
election day	választás napja
electoral committee	választási bizottság
equal to	egyenlő, megegyezik vmivel
ethnic constituent	nemzetiségi választópolgár
exclusively	kizárólag
final verdict	jogerős ítélet
following	vmi követően
fragment/surplus vote	töredékszavazat
in effect	hatályos
injunction from public affairs	közügyektől való eltiltás
mandate	mandátum, megbízás
mandatory/obligatory/compulsory	kötelező
National Assembly	Országgyűlés
National Electoral Committee	Országos Választási Bizottság
national party list	országos pártlista
parliamentary election system	parlamenti választási rendszer
polling station	szavazóhelyiség
provisions of an/the Act	a törvény rendelkezése
pursuant to	vmi értelmében, vminek megfelelően
reason for exclusion	kizáróok
regardless of	tekintet nélkül vmire, függetlenül vmitől

regional list	területi lista
representative	képviselő
resident	(állandó) lakos
round of voting	választási forduló
single-seat local constituency	egyéni választókerület
suffrage, franchise, the right to vote	választójog
threshold	küszöb
to abolish	megszüntet, eltöröl
to allocate	kioszt, összesít
to apply	alkalmaz
to be under forced treatment	kényszergyógykezelés alatt áll
to be under guardianship limiting or excluding the ability to act	cselekvőképességet korlátozó vagy kizáró gondnokság alatt áll
to cast vote for/on	szavazatot lead
to come into force/effect	hatályba lép
to distribute, distribution of mandates	eloszt
to elect, election, electoral	választ
to establish the result	az eredményt megállapítja
to hold elections	választásokat tart
to make an official report	hivatalos jelentést készít
to nominate/put up a candidate	jelöltet állít
to obtain/gain/win a vote	megszerezni a szavazatot
to propose, proposal, proposal coupon/nomination ticket	ajánl vkit/vmit, ajánlószelvény
to summarise	összesít
valid vote	érvényes szavazat
via	keresztül, át
voluntary	önkéntes
voter	választó
voting registry	névjegyzék

Source: <http://www.kormany.hu/en/hungary/the-electoral-system-parliamentary-changes>

<http://www.kormany.hu/hu/mo/a-valasztasi-rendszer/az-orzaggyulesi-valasztasok>

Lesson IV.

THE LEGISLATIVE PROCESS IN HUNGARY

From the Fundamental Law: Article 6

(1) Laws may be adopted at the initiative of the President of the Republic, the Government, any parliamentary committee, or any Member of Parliament.

(2) At the motion submitted by the initiator of an act, the Government or the Speaker of Parliament before the final vote, Parliament may send the adopted act to the Constitutional Court to examine it for conformity with the Fundamental Law. Parliament shall decide upon the motion after the final vote. If the motion is approved by Parliament, the Speaker of Parliament shall immediately send the adopted act to the Constitutional Court to examine its conformity with the Fundamental Law.

(3) The Speaker of Parliament shall sign the adopted act within five days and forward it to the President of the Republic. The President of the Republic shall sign the act within five days and order its promulgation. If Parliament has sent the act to the Constitutional Court to examine its conformity with the Fundamental Law pursuant to Paragraph (2), the Speaker of Parliament may sign it and forward it to the President of the Republic only if the Constitutional Court did not find it contrary to the Fundamental Law.

(4) If the President of the Republic considers an act or any of its provisions to be contrary to the Fundamental Law, and its conformity has not been examined pursuant to Paragraph (2), he shall send the act to the Constitutional Court to examine it for conformity with the Fundamental Law.

(5) If the President of the Republic disagrees with the act or any of its provisions and has not exercised his authority referred to in Paragraph (4), prior to signing the act he may return it, together with comments, to the Parliament for reconsideration on one occasion. Parliament shall deliberate over the act once more and decide upon passing it once again. The President of the Republic may exercise this right also if in the course of the deliberations according to the resolution of the Parliament the Constitutional Court did not find the act to be contrary to the Fundamental Law.

(6) The Constitutional Court shall decide upon the motion pursuant to Paragraphs (2) or (4) in priority, in any case within thirty days at the latest. If the Constitutional Court found the act unconstitutional, Parliament shall renew deliberation of the act in order to terminate the infringement.

(7) If the Constitutional Court did not find the act unconstitutional when examining it at the initiative of the President of the Republic, the President of the Republic shall sign the act without delay and shall order its promulgation.

(8) The Constitutional Court may be requested to conduct another examination, pursuant to Paragraphs (2) and (4), concerning the conformity of the act - which was debated and adopted by Parliament pursuant to Paragraph (6) - with the Fundamental Law. The Constitutional Court shall decide upon the second request in priority, in any case within ten days at the latest.

(9) If Parliament amends the act that has been returned by the President of the Republic for reconsideration, examination for conformity with the Fundamental Law may be requested under Paragraph (2) or (4) solely in respect of the amended provisions, or alleging non-compliance with the formalities and procedures laid down by the Fundamental Law relating to passing the act in question. If Parliament passes the act that has been returned by the President of the Republic for reconsideration once again without any changes, the President of the Republic may initiate examination for conformity with the Fundamental Law alleging non-compliance with the formalities and procedures laid down by the Fundamental Law relating to passing the act in question

* In legal texts *may* expresses permission, in the sense of 'can'.

I. Answer the questions.

1. Who may initiate legislation in Hungary?
2. List the Speaker of the Parliament's duties.
3. What are the responsibilities of the President of the Republic?
4. What happens if the President of the Republic does not agree with a law or any provision of law?
5. When is a law sent for review to the Constitutional Court?
6. Where are laws promulgated?

II. How laws are made in Hungary. Put the steps of 'law-making' into order.

1. The Speaker of the Parliament sends the law to the President of the Republic.
2. The President of the Republic ratifies the law sent for promulgation.
3. The law is promulgated in the Official Gazette.
4. The President of the Republic, the Government, a Parliamentary Committee, or a Member of Parliament initiates legislation.
5. The Speaker of the Parliament signs the law.
6. The Parliament debates the law.

III. Fill in the table with suitable words.

verb	noun
to promulgate	
	signature
to require	
	legislation
to ratify	
to initiate	

IV. Put the following sentences into the passive.

1. The Parliament has passed the laws.
2. The Speaker of the Parliament sends the laws to the President of the Republic.
3. The President of the Republic may refer laws to the Constitutional Court for review.
4. Any MP will direct a question to the Ombudsmen.
5. The Parliament debated the law again.

V. How are the words connected? Make sentences using the given words.

1. to submit; bill; MPs; discuss;
2. Speaker of Parliament; to sign; the President of the Republic; to ratify; to promulgate; Official Gazette
3. the President of the Republic; to disagree; to send back/to refer law; to reconsider; to hold another vote
4. the President of the Republic; unconstitutional; to send; Constitutional Court

VI. Find the formal equivalents of the following words and expressions.

informal	formal
according to	
after	
at once, immediately	
before	
once	
only	
to ask for	
to say	
to send	
while, during	

VII. Watch the video “How do laws get passed in the UK “ at <https://www.youtube.com/watch?v=g5CJNLRqZXs&t=67s>

and write down the major stages of the legislative process in the UK.

Vocabulary

at the initiative	vki kezdeményezésére
at the latest	legkésőbb
bill	törvényjavaslat
comment	észrevétel, megjegyzés
concerning sg	Vmire vonatkozólag, vmit illetően
final vote	zárószavazás
formality	ITT: eljárási követelmény
in priority	sonon kívül
in respect of	vmire vonatkozóan, vmi tekintetében
in the course of	vmi során, közben
infringement	jogsértés, szabályszegés, szabálysértés

initiator	kezdeményező
Member of Parliament, MP/representative	országgyűlési képviselő
on one occasion	egy alkalommal, egy esetben, egyszer
paragraph	bekezdés
parliamentary committee	országgyűlési bizottság
prior to	megelőzően
promulgation	kihirdetés
provision	rendelet
pursuant to	vmi szerint, vminek megfelelően
resolution	határozat
solely	kizárólag
the act in question	a kérdéses törvény
to allege	állít
to conduct another examination	ismételten megvizsgál, vizsgálatot folytat
to consider/determine/find	vminek, vmilyenek tart, vél
to debate	(meg)tárgyal, (meg)vitat
to decide upon/on	határoz, dönt
to deliberate, deliberation	megfontol, mérlegel
to disagree with a law	törvénnyel nem ért egyet
to examine sg for conformity with the Fundamental Law	megvizsgálja hogy összhangban van-e az Alaptörvénnyel
to exercise a right	jogot gyakorol, jogával él
to exercise one's authority	jogával él
to find the act unconstitutional	Alkotmányellenesnek találja a törvényt alaptörvény-ellenességet állapít meg
to forward	továbbít, küld
to lay down	vmibe foglal, lefektet
to order	elrendel
to promulgate	kihirdet
to ratify	ITT: törvényt aláír
to refer, -red/assign	utal
to renew deliberation, to redebate	újratárgyal
to request	(meg)kér
to return/send sg for reconsideration	megfontolásra visszaküld
to sign, signature	aláír
to submit a motion	indítványt tesz, kérelmet betérjeszt
under	vmi szerint, vmi értelmében, vminek megfelelően
without delay	haladéktalanul, késedelem nélkül

Source: http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100425.ATV

<http://www.kormany.hu/download/e/2a/d0000/THE%20FUNDAMENTAL%20LAW%20OF%20HUNGARY.pdf>

Lesson V.

THE PRESIDENT OF THE REPUBLIC

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

From the Fundamental Law: Article 9

(1) The Head of State of Hungary shall be the President of the Republic, who embodies the unity of the nation and is the guardian of the democratic functioning of the State.

(2) The President of the Republic shall be the Commander in Chief of the Hungarian Armed Forces.

(3) The President of the Republic shall:

- a) represent Hungary;
- b) have the right to participate in and take the floor at the sessions of Parliament;
- c) have powers to initiate an act of Parliament;
- d) have powers to initiate national referenda;
- e) set the date for general parliamentary elections, and municipal elections of council members and mayors, as well as the dates for the elections to the European Parliament and for national referenda;
- f) make decisions concerning a special legal order;
- g) convene the inaugural session of Parliament;
- h) have powers to dissolve the Parliament;
- i) have the right to send an act adopted by Parliament to the Constitutional Court to examine it for conformity with the Fundamental Law, or send it back to Parliament for reconsideration;
- j) put forward nominations for the posts of the Prime Minister, the President of the Curia, the Chief Public Prosecutor and the Commissioner for Fundamental Rights;
- k) appoint professional judges and the Chair of the Budget Council;
- l) confirm the appointment of the President of the Magyar Tudományos Akadémia (*Hungarian Academy of Sciences*);
- m) decide upon how he will structure the office of the President.

(4) The President of the Republic shall:

- a) recognize the binding force of international treaties under authorization by the Parliament;
- b) appoint and accredit ambassadors and envoys;
- c) appoint ministers, the Governor and deputy governors of the Magyar Nemzeti Bank, the heads of autonomous regulatory agencies and university professors;
- d) appoint university rectors;
- e) appoint and promote generals;
- f) award titles, medals of merit and decorations specified by an act of Parliament, and authorize the wearing of foreign state medals;
- g) exercise the right to grant presidential pardons;
- h) decide upon land and territorial issues falling under his authority and competence;
- i) decide upon cases related to the granting and termination of citizenship;
- j) decide in all other matters conferred under his competence by law.

(5) The actions and decisions of the President of the Republic referred to in Paragraph (4) shall be signed off by a Member of the Government. An act of Parliament may prescribe that the signature of a Member of the Government is not required for a decision conferred by law under the competence of the President of the Republic.

Article 10

- (1) Parliament shall elect the President of the Republic for a period of five years.
- (2) Any Hungarian citizen who has reached the age of thirty-five is eligible to stand for election as President of the Republic.
- (3) The President of the Republic may be re-elected to this office on one occasion only.

Article 11

- (1) The Parliament shall elect the President of the Republic by secret ballot.
- (2) The election of the President of the Republic shall be preceded by a nomination procedure. Each Member of Parliament may nominate one candidate.
- (3) In the first round of voting two-thirds of the votes of Members of Parliament is required for the President of the Republic to be elected.
- (4) If the first round of voting is unsuccessful, a second round shall be held. The two nominees receiving the highest and second highest number of votes in the first round may stand in the second round. In the second round, the nominee receiving the highest number of valid votes - regardless of the number of voters - shall be elected President of the Republic. If the second round of voting is declared unsuccessful as well, a new election shall be held on the basis of new nominations.
- (5) The election procedure shall be completed within a period of no more than two consecutive days.
- (6) Prior to taking office the President of the Republic shall take an oath before Parliament.

Article 12

- (1) The person of the President of the Republic shall be inviolable.
- (2) The office of President of the Republic shall be incompatible with all other state, social, economic or political offices or mandates.
- (3) The mandate of the President of the Republic shall terminate:
 - a) upon completion of his term of office;
 - b) upon death;
 - c) if unable to fulfil his duties for a period of more than ninety days;
 - d) if the requirements for his election are no longer satisfied;
 - e) upon declaration of incompatibility;
 - f) upon resignation;
 - g) upon removal from the office of President of the Republic.

Article 13

- (1) Criminal proceedings against the President of the Republic may be initiated only after the expiry of his term in office.
- (2) Impeachment proceedings against a President of the Republic for any willful infringement of the Fundamental Law, or violating any other law while in office, or for committing an intentional criminal offense may be initiated by one-fifth of all Members of Parliament.

I. Answer the questions.

- Who can be the President of Hungary? How many times can he be re-elected?
- Who elects the President of Republic? How is he elected?
- The office and mandate of the President is a special one. Why?

I. Match the following words to form expressions. Explain their meaning in English.

1. enfranchized	A) from office
2. secret	B) an oath
3. to be re-elected to	C) proceeding
4. to take	D) citizen
5. to be incompatible	E) with something
6. impeachment	F) ballot
7. to remove	G) office

II. How much do you know about the President of the Republic? Decide if the statements are true or false.

1. The President is the Commander in Chief of the armed forces.
2. The Parliament shall elect the President for a term of four years.
3. Any enfranchised citizen who has reached the age of twenty-one prior to the date of election may be elected to the office of President of the Republic.
4. The President may be elected to such office no more than twice.
5. No Member of Parliament may nominate more than one candidate.
6. The Parliament shall not elect the President of the Republic by secret ballot.
7. A candidate has to receive a majority of two-thirds of the votes of the MPs in the first and also in second round – if a second round is held – to get elected as the President of Republic.
8. Before he enters office, the President of the Republic shall take an oath before the Prime Minister.
9. The person of the President is inviolable; he shall be granted protection from criminal prosecution.
10. The President may be removed from office on the basis of an intentional violation of the Constitution or any other law committed while in office.
11. The President is part of the executive branch in Hungary.

IV. Whose scope of authority is it?

Parliament President Government National Bank Parliamentary Ombudsman

1. accredits and receives ambassadors and envoys	9. shall ensure that the legal operation of local governments is monitored, in co-operation with the Ministry of the Interior
2. ensures the implementation of laws	10. exercises general amnesty
3. maintain the stable value of national currency	11. issues rulings in cases of citizenship
4. defines the State system of social welfare and health care services, and ensure sufficient funds for such services	12. takes measures necessary to limit and alleviate the consequences of natural disasters that endanger the lives and property of citizens
5. directs and co-ordinate the work of Ministries	13. is responsible for issuing the legal tender
6. exercises the right to give individual pardons	14. shall approve the state budget and its implementation
7. investigates or initiates the investigation of	15. announces general parliamentary or local

cases involving the infringement of the rights of national and ethnic minorities	government elections, and the date of the national referendum
8. shall pass legislation	

V. Watch the video “Vice President Kamala takes oath of office” at <https://www.youtube.com/watch?v=aQnHKPn12Co>

VI. Find the 4 cases of impeachment proceedings in the US?

When did each one take place?

Who were the presidents involved?

What offenses were they impeached for?

What was the outcome of the impeachment proceedings?

Vocabulary

a period/term of five years	öt év
autonomous regulatory agencies	önálló szabályozó szerv
candidate	jelölt
Chair of the Budget Council	Költségvetési Tanács elnöke
citizenship	állampolgárság
Commander in Chief of the Hungarian Armed Forces	A Magyar Fegyveres Erők Főparancsnoka
consecutive days	egymást követő napok
criminal proceedings	büntetőeljárás
elections to the European Parliament	Európa Parlamenti választások
first round of voting	az első szavazás
general parliamentary elections	általános parlamenti választások
Governor and deputy governors of the Magyar Nemzeti Bank	Magyar Nemzeti Bank elnöke, alelnökei
guardian	őr(ző), gyám, oltalmazó
Head of State	államfő
impeachment proceedings	felelősségrevonási eljárás
inaugural session	alakuló ülés
incompatible with	összeférhetetlen
intentional, wilful, deliberate	szándékos
inviolable	sérthetetlen
legal order	jogrend
mandate	mandátum, megbízás
mayor	polgármester
municipal elections	helyhatósági választások
nomination procedure	jelölés, jelölési eljárás
office	hivatal
post	hely, hivatal

to accredit ambassadors and envoys	megbíz nagyköveteket és követeket
to appoint	kinevez
to award titles, medals of merit and decorations	kitüntetések, díjakat és címeket adományoz
to be eligible for	jogosult vmire
to re-elect	újraavaszt
to call/order national referendum (referenda)	népszavazást rendel el
to commit intentional crime	szándékos bűncselekményt követ el
to complete, completion	befejez
to confer, red under one's competence by law	törvény a hatáskörébe utal
to confirm	megerősít
to embody the unity of the nation	kifejezi/megtestesíti a nemzet egységét
to exercise the right to grant presidential pardons	gyakorolja az egyéni kegyelmezés jogát
to expire, expiry	végez, megszűnik
to fall under/within one's authority	a feladat- és hatáskörébe tartozik
to function, functioning	működés
to hold a vote on sg	szavazást tart
to infringe, infringement of rights	megsérti a jogokat
to initiate an act	törvényt kezdeményez
to precede	megelőz
to prescribe	előír, elrendel
to promote	előléptet
to put forward nomination	javaslatot tesz
to recognize, recognition	elismer
to refer, red to	ITT: meghatároz
to remove, removal from office	hivatalából elmozdít, ITT: tisztségétől megfoszt
to represent	képvisel
to set the date for	kitűzi vminek az időpontját
to sign off	ellenjegyez
to stand for election	indul a választáson
to structure	szervez
to take an oath	esküt tesz
to take the floor	felszólal
unable to do sg/incapable of doing sg	képtelen

Source: http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100425.ATV

<http://www.kormany.hu/download/e/2a/d0000/THE%20FUNDAMENTAL%20LAW%20OF%20HUNGARY.pdf>

Lesson VI.

THE JUDICIARY SYSTEM

I. Put the words into the gaps.

referred to tried damages sat evidence for
appeal case

1. The _____ was heard.
2. The judge who _____ in the case of Smith v. Jones was Lord Dunning.
3. You can _____ against sentences to the higher court.
4. The case was _____ in the County Court.
5. During the hearing, George Faversham managed to prove with false _____ that the paintings were his own.
6. George's evidence was found to be false and he was later tried _____ a crime.
7. The case was _____ to a higher court.
8. Mr. White received 30, 000 pounds in _____.
9. The man was sentenced _____ two years in prison.

II. Find the English phrases/sentences for the following ones in Hungarian in the text entitled "The Hungarian Judicial System".

1. ... bíróságok tárgyalják a járásbíróságok ítéletei ellen benyújtott legtöbb fellebbezést
2. az eljárási törvényekben meghatározott esetekben
3. ... hogy az eljárásba bevont személyek számára legkönnyebben elérhetőek legyenek
4. elvi útmutatást ad az alsóbb szintű bíróságoknak
5. eljár a törvény által hatáskörébe utalt egyéb ügyekben

Read the text and put the words into the gaps.

The Hungarian Judicial System

Constitutional Court Curia general courts Regional Court of Appeal

district courts

In the Republic of Hungary, the judicial system includes the Curia, general courts, Regional Courts of Appeal and district courts.

General courts are courts of first instance or second instances with general jurisdiction over cases that the law does not specifically assign to the (It used to be the other way round).

The..... (in Budapest the Metropolitan General Court) hear all the appeals submitted against the decisions of the district courts. Furthermore, general courts have general jurisdiction and may act as courts of first instance in cases specified by the laws of procedure. The territorial competence of general courts is identical with the competence of the public administration. (The basic principle of the organization and the territorial competence of the courts is that the overwhelming part of the cases shall be settled at local court level, within the easiest reach of the persons involved. (However, it does not work in practice anymore.)

On the top of the judicial system is It decides on the petitions for review submitted with regard to final court decisions acting as a second instance court. (It doesn't hear ordinary appeals) . It also carries out the task of conceptually guiding the lower courts.

As a result of the reform as from January 1, 2003 and 2005 (as it was a long process) the has been "inserted" between the general courts and the Curia. It shall hear the appeals in cases defined by law, submitted against the decisions of the general courts (not district courts), and will act in other matters referred to its authority by law.

The administration of courts is the responsibility of the National Judicial Office (Országos Bírósági Hivatal) controlled by the President of the National Judicial Council. (Országos Bírői Tanács).

In the judiciary, the state's punitive power is represented by the public prosecution. The Prosecutor General has been Dr. Péter Polt since 2010.

Theserves as the main body for the protection of the Constitution. Its tasks are: the review of the constitutionality of the statutes, the protection of the constitutional order and fundamental rights guaranteed by the Constitution. The Constitutional Court performs its task independently. It has fifteen members and from among their members they elect a President and a Vice-President for a term of three years. The decisions of the Constitutional Court are binding for all and no appeal may be lodged against them.

III. Put the names of the courts into the right place.

District court	administrative and labour court	general court
regional court of appeal	The Curia	

COURT SYSTEM OF HUNGARY

<https://www.youtube.com/watch?v=WeNDacwO5NA&t=187s> The Magistrates' Court
(clerk of the court, usher, magistrate (chair), prosecuting solicitor, defense solicitor)

https://www.youtube.com/watch?v=tZYvv_s5R-s&t=216s The Crown Court

Vocabulary

administration of courts	bíróságok igazgatása
administrative and labour court	közigazgatási és munkaügyi bíróság
authority	ITT: hatáskör
binding for	kötelező vkire/vmire nézve
cases defined by law	törvény által meghatározott esetek
competence	ITT: illetékesség
conceptual/theoretical guiding/guidance	elvi útmutatás
Constitutional Court	Alkotmánybíróság
court of first instance	elsőfokú bíróság
damages	kártérítés
district court	járásbíróság
(false) evidence	hamis bizonyíték
final court decision	jogerős döntés
furthermore	továbbá
general court	törvényszék
general jurisdiction	általános hatáskör
identical with	azonos, megegyező
judge	bíró
judicial/judiciary/court system	igazságszolgáltatás
Kúria/ Curia (formerly: The Supreme Court of Hungary)	Kúria
laws of procedure	eljárási törvények
National Judicial Office	Országos Bírói Hivatal
ordinary appeal	rendes fellebbezés
petition for review	felülvizsgálati kérelem
Prosecutor General	legfőbb ügyész
public administration	közigazgatás
public prosecution	ügyészség
punitive power	büntető hatalom
regional court of appeal	ítélőtábla
specifically	kifejezetten
statute	törvény
territorial competence	területi illetékesség
the involved person/persons	érintett/eljárásba bevont személy(ek)
the main body for/guardian of the protection	az alkotmány legfőbb őre

of the Constitution	
to act/proceed	eljár
to appeal, an appeal	fellebbez
to file/lodge/submit an appeal against the decision	fellebbez a döntés ellen
to guarantee	biztosít
to hear/try a case	ügyet tárgyal
to review	felülvizsgál
to settle	elrendez
to sit in a case	ítélkezik
to assign to	utal/kijelöl

Source:

http://www.magyarország.hu/angol/orszaginfo/allam/igazsagszolgalatas/biroi_testulet_a.html
<http://www.birosag.hu/en/information/hungarian-judicial-system>

Lesson VII.

THE CONSTITUTIONAL COURT

I. Match the responsibilities and the definitions.

- | | |
|--|--|
| 1. Preventive review of unconstitutionality of statutes | a) When the contested statute violates an international treaty, the Act of the Constitutional Court (CC) allows special proceedings. This can be traced back to a provision of the Constitution, according to which Hungary accepts the generally recognized rules of international law and ensures that domestic law be in conformity with the obligations assumed under international law. |
| 2. Review of statutes for conformity with international treaties | b) Those aggrieved in their rights guaranteed by the Constitution may lodge a constitutional complaint with the CC if their grievance has been due to the application of a statute contrary to the Constitution and provided that they have already exhausted all other means of legal remedy. The procedure in connection with the constitutional complaints may also be conceived as posterior review of legal norms only in individual cases. |
| 3. Determining unconstitutional omission to legislate | c) The CC may pass judgement in questions related to conflicts of competence among different state organs or local government authorities, as well as in those between a local authority and a state organ. |
| 4. Passing judgement on constitutional complaints | d) This right is exercised by the President of the Republic. This right is also called the “constitutional veto” and applies to the review of the constitutionality of Acts passed by the Parliament but not yet promulgated. |
| 5. resolution of certain conflicts of competence | e) The Constitutional Court may also establish that a legislative organ has created an unconstitutional situation by failing to perform its task to legislate. The legislative organ in question has the obligation to comply with its task to legislate as indicated by the CC in its appeal. |

II. Read Article 24 of the Fundamental Law and answer the questions.

Article 24

(1) The Constitutional Court shall be the supreme organ for the protection of the Fundamental Law.

(2) The competence of the Constitutional Court includes:

- a) the *ex ante* examination of the constitutionality of acts of Parliament adopted but not yet promulgated;
- b) review, upon judicial initiative, of laws to be applied in a specific case with regard to their conformity with the Fundamental Law;
- c) review, on the basis of a constitutional complaint, of laws to be applied in a specific case or of a judicial decision with regard to their conformity with the Fundamental Law;
- d) review, on the basis of a constitutional complaint, of court decisions for conformity with the Fundamental Law;
- e) review laws with regard to their conformity with the Fundamental Law at the initiative of the Government, one-fourth of all Members of Parliament or the Commissioner of Fundamental Rights;
- f) examine the conformity of national legislation with international treaties;
- g) perform other tasks and exercise other competencies laid down in the Fundamental Law and in an implementing act.

(3) The Constitutional Court shall:

- a) within its competence under Points b), c) and e) of Paragraph (2), annul any law or statutory provision that is contrary to the Fundamental Law;
 - b) within its competence under Point d) of Paragraph (2), annul any court decision that is contrary to the Fundamental Law;
 - c) may, within its competence under Point f) of Paragraph (2), annul any law or statutory provision that is contrary to an international treaty;
- and/or may apply other consequences as laid down in an implementing act.

(4) The Constitutional Court shall be composed of fifteen members elected for twelve-year terms by Parliament based on a majority of two-thirds of the votes of all Members of Parliament. Parliament shall elect a president from among the members of the Constitutional Court with a majority of two-thirds of the votes of the Members of Parliament, whose mandate shall last as long as he or she is a judge of the Constitutional Court. Members of the Constitutional Court may not be members of a political party or engage in any political activities.

- **Could you list some tasks which fall within the competence of the Constitutional Court?**
- **Who can be Members of the CC?**
- **How are they elected?**
- **Mention some of the requirements of the Members of the CC!**

Vocabulary

preventive review of unconstitutionality of statutes	törvények alkotmányellenességének megelőző felülvizsgálata
conflicts of competence	illetékességi vita
constitutional complaint	alkotmányossági panasz
constitutional veto	alkotmányos vétó

determining unconstitutional omission to legislate	mulasztásban megnyilvánuló alkotmányellenesség megállapítása
grievance	sérelem, panasz
implementing act	sarkalatos törvény
individual case	egyedi eset
is subject to	függ vmitől
posterior review	utólagos felülvizsgálat
provided	ha, feltéve
resolution of certain conflicts of competence	illetékességi vita eldöntése
statutory provision	jogszabályi rendelkezés
to contest	megtámad
to annul, annulment	megsemmisít, érvénytelenít
to assume/undertake obligations	kötelezettséget vállal
to be aggrieved in their rights	jogaiban megsértett
to be composed of	áll vmiből
to be conceived/understood as	értelmez, felfog
to be in conformity with	vmivel összhangban
to comply with	eleget tesz
to engage in/to pursue political activity	politikai tevékenységet folytat
to establish/declare	megállapít
to exhaust all means of legal remedy.	minden jogorvoslati eszközt kimerít
to fail to, failure	elmulaszt
to omit, omission	elmulaszt, mulasztás
to pass judgement	ítéletet mond
to resolve, resolution	meg-/felold
to review, review of statutes for conformity with international treaties	nemzetközi egyezménybe ütközés vizsgálata
to trace back	visszavezet

Source: http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1100425.ATV

<http://www.kormany.hu/download/e/2a/d0000/THE%20FUNDAMENTAL%20LAW%20OF%20HUNGARY.pdf>

Lesson VIII.

FUNDAMENTAL RIGHTS

I. Match the synonyms.

1. competent tribunal	A act of crime
2. penalty	B to be forced to undergo something
3. just and favourable conditions	C he is believed not to be guilty
4. penal offence	D competent court
5. he is presumed innocent	E fair and suitable conditions
6. impartial tribunal	F punishment for breaking the law
7. to be subjected to something	G neutral court

II. Tell me what the following rights guarantee and ensure you.

dignity:	fair trial:
work (2):	legal capacity:
equality:	criminal justice (3):
appeal:	no discrimination:

III. The following passages are taken from the Universal Declaration of Human Rights and the Constitution of the Republic of Hungary. Which rights are they about?

- a) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and protection against unemployment.
- b) Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
- c) Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental human rights granted him by the constitution or by law.
- d) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.
- e) Everyone has the right to recognition everywhere as a person before the law.
- f) No one shall be subjected to torture or to cruel, inhuman or humiliating treatment or punishment.

g) All are equal before the law and are entitled without any discrimination to equal protection of the law.

h) Everyone has the right to equal pay for equal work.

i) Everyone is entitled in full equality to a fair trial and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

j) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all guarantees necessary for his defence.

k) *In the Republic of Hungary everyone has the right to present, individually or together with others, written petitions or complaints to the relevant public authority.

IV. Which rights are violated in the following cases?

1. Your name is Maria. You are a journalist. You wrote a story in your newspaper that made someone in a high position angry. The next day unidentified people broke into your home and took you away. You were beaten and put in a room alone. No one knows where you are. No one has offered to do anything. You have been there for months. Maria has been deprived of a number of her basic rights.
2. A female sales clerk complained that a male boss sexually harassed her verbally. He made comments about parts of her body and suggested they could „have a lot of fun in bed”.
3. A Métis man claimed his co-workers made offensive comments about „Natives”. He was called a racist name every time he went into the social room. He also became the target of crude jokes and remarks about Natives.

V. Fill in the gaps with a suitable word.

public _____ offence to be _____ guilty
fair _____ charge to impose a heavier

humiliating _____ tribunal to presume _____

VI. Fill in the text with the words given.

offences detainees application to convict trafficking inflicted
legitimate acquitted landmines

1. During 2002, India and Pakistan have been laying _____ along their disputed border in Kashmir. Antipersonnel landmines kill or maim thousands of people each year. Most are civilians. Many are children.

2. Although slavery is illegal everywhere, it continues to exist in some parts of the world. Its existence is rarely acknowledged by citizens of advanced industrialised countries, despite the

fact that it is a part of the global economy. The term 'slavery' is rarely used anymore. Instead, slavery is usually referred to as 'bonded labour' or 'human _____.'

3. Sharia law, the traditional Islamic law, is a far-reaching moral code that prescribes how Muslims should best conduct their lives. Within Sharia law, there is a category of crimes known as the hudud (Koranic) _____, for which there are specific penalties for particular crimes. For example, fornication is punished by stoning, the consumption of alcohol by lashing, and theft by the amputation of limbs. The _____ of Sharia law does not offer equal protection for men and women. Critics say it favours men.

4. According to the UN Convention against Torture, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally _____ on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed ...

5. None of the foreign nationals in US custody in Afghanistan or Guantanamo has been granted access to legal counsel. In choosing military tribunals, the Bush administration dismissed the idea of trying the Guantanamo _____ in front of international tribunals, US federal courts, or even traditional American military courts. The President will decide who will be sent before them, as well as which evidence can be withheld from the commission and defendant. Military tribunals have the power _____ based on hearsay, authorise indefinite detention without trial, and hand down death sentences without the right to appeal to a more independent and impartial court. Even if defendants are _____ by the military tribunal, the executive reserves the right to continue to detain them indefinitely.

6. New technology poses new challenges and offers criminals new opportunities. In the past, post office "snoopers" developed techniques to open and secretly resealed envelopes. These days an email can be read or copied without the sender or recipient knowing. Police and security services feel they have a _____ interest in collecting information that may lead them to detect serious crime.

VII. Watch the video about Guantanamo at https://www.youtube.com/watch?v=YozKFwQKq_0

What rights were violated according to the prisoner's diary?

Vocabulary

to acquit (-ted;-ted)	felment
applicable	alkalmazandó
to be charged with a penal offence	bűncselekmény elkövetésével vádolni
to be deprived of sth	megfosztani vkit vmitől
to be proved guilty	bűnösnek bizonyul
to be subjected to sth	alávetni vminek,
to commit a penal offence (-ted; -ted)	bűncselekményt követ el
conditions of work	munkakörülmények
to constitute a penal offence	bűncselekménynek minősül
criminal charge against sb	vki ellen felhozott vád

cruel	kegyetlen
custody	őrizet
determination of one's rights and obligations	vkinek a jogait és kötelességeit elbírálni
dignity	méltóság
equal, equality	egyenlő
equal pay	egyenlő bér
fair trial	ITT: tisztességes eljárás
favourable	ITT: megfelelő
fornication*	ITT: paráználkodás
free choice of employment	a munka szabad megválasztása
freedom of expression	szólásszabadság
freedom of opinion	szabad véleménynyilvánítás
to hold sb guilty of a penal offence (held; held)	bűnösnek nyilvánít vkit
human trafficking	emberkereskedelem
humiliating	megalázó
impartial tribunal	pártatlan bíróság
to impose a penalty	büntetést kiszab
to inflict (punishment)	kiszab (büntetést)
inhuman	embertelen
lashing*	korbácsolás
limb*	végtag
motion	indítvány
national or social origin	nemzetiségi vagy társadalmi származás
penal offence	bűncselekmény
to present a written petition or complaint	írásos kérelmet vagy panaszt betérjeszteni
to presume sb innocent	vkit ártatlannak vélelmez
property	vagyon
property status	vagyoni helyzet
protection against sg	védelem vmi ellen
public hearing	nyilvános tárgyalás
race	faj
relevant public authority	illetékes állami szerv
right to freedom of assembly	szabad gyülekezés joga
to set forth (set; set)	lefektet, rögzít
severe pain*	nagy, súlyos fájdalom
sex	nem
to stone sy*	megkövez
to suspect	gyanúsít
to torture, torture	kínozni, kínzás
treatment	elbánás
without distinction	megkülönböztetés nélkül

Source:

<http://www.kormany.hu/download/e/2a/d0000/THE%20FUNDAMENTAL%20LAW%20OF%20HUNGARY.pdf>

Lesson IX.

CRIMINAL LAW I.

I. Match the words with their definition.

1. perpetration	a) starting to commit the intentional crime, but not finishing it
2. attempt	b) an illegal act involving violation of law and causing harm to public in general or any particular member of the public.
3. intentional	c) when you do something illegal you may receive this
4. act of crime	d) the act of committing a crime
5. punishment	e) done or made or performed with purpose and intent; when you want to do it

II. Fill in the table with the right forms of the given words.

Verb	Noun	Adjective
		intentional
to punish		
to perpetrate		
to violate		
	injury	
–		negligent
to assist		–
–		grave
to cumulate		
to omit		
–	crime	

III. Match the synonyms. More than one solution can be given.

a) to perpetrate	d) to impose a penalty
b) penalty	e) severe
c) intentional	f) to inflict a punishment on sb

1. deliberate:
2. punishment
3. to punish:
4. grave
5. to commit

IV. Read the text and fill in the gaps with the missing words.

An act of crime is an act *perpetrated intentionally* or – if the law punishes negligent perpetration – *by negligence*, which is dangerous for society and for which the law orders the *infliction of punishment*. That activity or omission shall be an act dangerous for society, which violates or endangers the state, social or economic order of the Republic of Hungary, the person or rights of the citizens.

misdemeanour felony attempt intentionally negligence (×2) cumulation

An act of crime is either *felony* or a *misdemeanour*. _____ is an act of crime perpetrated intentionally, for which the law orders the infliction of a punishment *graver* than imprisonment of two years. Any other act of crime is _____.

_____ of crime is, if one or more act of the perpetrator realizes more than one act of crime and they are adjudged in the same proceedings.

An act of crime is perpetrated _____ by the person who wishes the consequences of his conduct or acquiesces to these consequences.

An act of crime is committed by _____ by the person who foresees the possible consequences of his conduct, but carelessly trusts in their non-occurrence. Moreover an act of crime is committed by _____ by a person who fails to foresee the possibility of the consequences, because he omits to pay attention or fails to *exercise the circumspection* that may be expected of him.

The person who commences the perpetration of an intentional crime, but does not finish it shall be punishable for _____ .

A person shall be punishable for the preparation of perpetration of a crime if:

- he provides for the conditions that are required for or that facilitate the perpetration of crime
- he invites, offers for or undertakes the perpetration of a crime
- he agrees on joint perpetration

abettor coprincipal perpetrator accomplice

_____ is who intentionally grants assistance for the perpetration of a crime.

_____ are the persons who jointly realize the legal facts of an intentional crime, in awareness of each other's activities.

_____ is a person who realizes the legal facts of a crime.

_____ is a person who intentionally persuades another person to perpetrate a crime.

Source: The Hungarian Penal Code

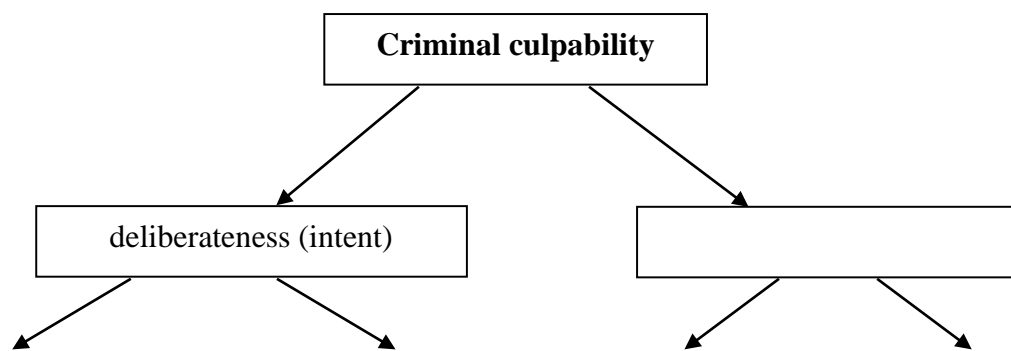
V. Who is who in the following text?

X had information that on 16 September \$15 million would be delivered to the Big Bank to complete the reserves of the bank. In exchange for \$10 million, he shared this information with Y and his gang who prepared and finally carried out the bank robbery. The members of the gang were also assisted by Z who was working at the time of the bank robbery as a security guard.

Source: Pásztor– Moor–Ormai: **English for Law Students**. Bornus Kft., Pécs

VI. Complete the chart. With the help of the text above define each term.

conscious negligence (luxuria) direct deliberateness (direct intention, dolus directus)
eventual deliberateness (dolus eventualis) reckless disregard (negligentia)



VII. Match the crime types with their definition.

homicide:
bribery:
fraud:
arson:
blackmail:
burglary:

battery:
theft:
robbery:
manslaughter:
murder:

a) a deception deliberately practiced to secure unfair or unlawful gain.

b) The person who kills another person, commits a felony, and shall be punishable with imprisonment from five years to fifteen years.

c) the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

d) the offense of giving or receiving a gift or reward intended to influence a person in the exercise of a judicial or public duty

e) A person who injures the bodily integrity or health of another person, if the injury or illness heals within eight days, commits the misdemeanor of simple ... and shall be punishable with imprisonment of up to two years, labor in the public interest, or a fine.

f) The person who with violence or threat, for unlawful gain, forces another person to do, not to do or to endure something, and thereby causes damage.

g) the intentional damaging or destruction or attempted damaging or destruction, by means of fire or explosion of the property of another without the consent of the owner, or of one's own property or that of another with intent to defraud.

h) It is a felony; it is the taking of someone else's property with the intention of permanently depriving that person of it.

i) It is the unlawful entry into a structure with the intent to commit a felony. The Penal Code has redefined the crime of ... from the old "dwelling place" definition to include any fixed structure, vehicle or vessel, at any time of day or night, if there was an "unlawful entry."

j) It is the intentional killing of a human being. It is a felony under the common law. Generally, it carries a term of imprisonment between 10 years and life. It may also include causing serious physical injury leading to a death. For example, if a person attacks another person with a chain saw, hoping only to cut off their arm, the person can be prosecuted for this if the attack results in death. The unlawful killing of a human being, carried out with malice or planned in advance.

k) It is the killing of a human being, but without the intent required for murder. Sometimes what was charged as a murder can be reduced to ... if the crime was committed "in the heat of passion." Basically, this means that the person who caused a death was provoked, and provoked to such a degree that the law recognizes the provocation as a mitigating factor. But the level of provocation must be so severe as to overcome the person's reason. It also includes outright recklessness which causes death. It carries a term of imprisonment between five and 10 years. Malice and premeditation are lacking here.

Source:www. answers.com; www.leclaw.com

VIII. Some more people and crimes.

1. to take control of an airplane, train, etc. by force H _ _ _ _ _
2. to take a person away by force and keeping them K _ _ _ _ _
prisoner, usually to demand money for their safe return
3. to print or publish something which is untrue and L _ _ _ _ _
damages another person's reputation
4. a person who takes goods from shops without paying S _ _ _ _ _ R
for them
5. a young person who has broken the law J _ _ _ _ _ D _ _ _ _ _

_ _ _

6. sy who is repeatedly arrested for criminal behaviour R_____ (especially for the same criminal behaviour)

IX. Fill in the missing crimes and offences in the sentences below.

1. She sued the newspaper for _____ when it printed a story about her in which it claimed she had once been arrested for taking drugs.
2. The supermarket decided to install closed-circuit television in order to combat the problem of _____ .
3. This is the sixth fire in the area in the past month. The police suspect _____.
4. He pleaded not guilty to murder but guilty to _____, saying that the gun had gone off and killed his wife by accident.
5. The customs officer found nearly £20,000 worth of cut diamonds hidden in the man's guitar case. He was arrested and charged with _____.
6. There have been so many cases of _____ in the street recently that the police are advising residents to install alarms and to notify neighbours when they go out.
7. It looked like a real £20 note but on closer examination you could see that it was a very clever _____.

Source: www.answers.com; www.leclaw.com

Vocabulary

	abettor	felbujtó
	accomplice	bűnsegéd
to	acquiesce (-d;-d) to sg	belenyugszik vmibe
	act of crime, crime, criminal offence	bűncselekmény
to	adjudge -d;-d	elbírál
	aggravated	súlyosbított, minősített
	arson	gyújtogatás
	attempt	kísérlet
	in awareness of	vminek a tudatában
	battery	testi sértés
	blackmail	zsarolás
	bribery	vesztegetés
	burglary	betörés
	by force	erőszakkal
	carelessly	könnyelműen
to	commence -d;-d	megkezd
	conduct	magatartás
	consequence	következmény
	coprincipal	társtettes
	cumulation of a crime	bűnhalmazat
to	defraud	megkárosít/beccsap/sikkaszt
to	deceit, deception	megettéveszt, megettévesztés

to	deprive sy of sth	megfoszt vkit vmitől
to	endanger –ed;-ed	veszélyeztet
to	expect (-ed;-ed) sg of sb	elvár vmit vkitől
to	exercise circumspection	a tőle elvárható körütekintéssel jár el
to	facilitate –d;-d	itt: könnyít; elősegít
	felony	büntett
to	foresee foresaw foreseen	előre lát
to	forge sth (forgery)	hamisít vmit (hamisítvány)
to	grant/provide assistance	segíteget nyújt
	grave, severe	súlyos
	homicide	emberölés
	Hungarian Penal Code	magyar büntető törvénykönyv (Btk)
to	inflict –ed;-ed	1. kiszab (büntetést) 2. okoz (pl. sérülést)
	infliction	1. kiszabás (büntetésé) 2. okozás (sérülése)
to	order the infliction of punishment	büntetés kiszabását elrendeli
	intentionally	szándékosan
to	intimidate, intimidation	megfélemlít
	joint perpetration	közös elkövetés
	juvenile delinquent	fiataikorú elkövető
	legal facts of crime	bűncselekmény tényállása
	libel	rágalmazás (írásbeli)
	malice	gyilkos szándék
	manslaughter	gondatlan emberölés
	misdemeanour	vétség
	mitigating factor	enyhítő körülmény
	murder	szándékos emberölés
	negligent perpetration	gondatlan elkövetés
	non-occurrence	elmaradása, meg nem valósulása vminek
to	omit –ted;-ted	elmulaszt
to	pay (paid; paid) attention to sg	figyelmet szentel vminek
to	perpetrate –ed;-ed	elkövet
	perpetration	elkövetés
	perpetrator	elkövető
	physical injury	testi sértés
	premeditation	előre megfontolt szándék
	preparation	előkészület
	proceedings	eljárás
to	provide (-d;-d) for the conditions	feltételeket biztosít
	punishable for sg	büntetendő
to	realize –d;-d the legal facts	itt: megvalósítja a tényállást
	recidivist	visszaeső
to	result –ed;-ed in sg	eredményez, vezet vmihez, végződikvmiben
	robbery	rablás
	slander	rágalmazás (szóbeli)
to	undertake undertook undertaken	vállal
	unlawful gain	jogtalan előny
to	violate –d;-d	sért
	(criminal) culpability	bűnösség
	conscious negligence (luxuria)	tudatos gondatlanság
	eventual deliberateness (dolus eventualis)	eshetőleges szándék(osság)
	direct deliberateness (direct intention, dolus directus)	egyenes szándék(osság)

reckless disregard (negligentia)	hanyagság
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Lesson X.

CRIMINAL LAW II.

I. The following crimes have been taken from the Hungarian Penal Code. Match the crimes with the definitions.

- | | |
|--|--|
| <p>1. Trespassing:</p> <p>3. Embezzlement:</p> <p>5. Violence Against an Official Person:</p> | <p>2. Defamation:</p> <p>4. Causing Danger on the Highways:</p> <p>6. Causing a Public Road Accident:</p> |
|--|--|

A The person who states or rumours a fact suitable for impairing honour, or uses an expression directly referring to such a fact, about somebody, before somebody else

B The person who unlawfully appropriates or disposes of as its own over an alien thing entrusted to him, commits ...

C The person who exposes to direct danger the life or limb of another person or persons by the violation of the rules of public road traffic, commits ...

D A person who enters into or remains in, the home, other premises or fenced off place belonging to such places, of another person, by force, menace, or pretending official action

E The person who causes grievous bodily harm to another person or persons by the violation of the rules of public road traffic, by negligence, commits ...

F The person who impedes an official person in his lawful proceedings with violence or menace, forces him to take a measure, or assaults him during or because of his proceedings, commits ...

II. Match the punishments/asures with their definitions.

1) death penalty	a) you could ban the person from driving (decide how long) or endorse his/her license, which means that you mark in it that the person has broken the law
2) to put on probation	b) taking/seizing the property of another by a person or persons of authority
3) banishment	c) when a perpetrator who is not a Hungarian citizen is expelled from the territory of the country
4) expulsion	d) you could sentence the person to this (by hanging, electric chair/electrocution, lethal injection)
5) confiscation of property	e) when the perpetrator is not allowed to enter one or more localities or a definite part of the country
6) driving ban	f) You can put the person on this e.g. for three years (This means he/she doesn't go to prison. Instead, he/she has to keep out of trouble and report to a probation officer every week during the period of the sentence.)

Source: Penguin English Guides, Nick Brieger: Test Your Professional English Law, Pearson Education Ltd

III. Give your definition of the following punishment types.

- imprisonment** **life imprisonment** **labour in public interest/do community service**
- fine** **prohibition from public affairs** **prohibition from profession**

IV. Complete the chart on the basis of the Hungarian criminal law. Try to give a definition of the punishments/measures in italics.

- A) banishment; B) confiscation; C) confiscation of property; D) expulsion; E) fine;
 F) *fine as supplementary punishment*; G) *forced medical treatment*; H) *forced cure of alcoholics*; I) imprisonment; J) labour in the public interest; K) *measures against juridical persons*;
 L) probation prohibition from driving vehicles/driving ban; M) prohibition from public affairs ;
 N) prohibition from profession; O) *reprimand*; P) *supervision by probation officer*

Principal punishments	Supplementary punishments	(Criminal) Measures
1.	1.	1.
2.	2.	2.
3.	3.	3.
	4.	4.
	5.	5.
	6.	6.
		7.
		8.

V. The verdict is yours. You are going to be judges. Read through list of crimes below and decide the type of punishment you would inflict.

1. A well-off housewife takes a bottle of perfume from a department store.
2. A husband kills his wife after finding she has been unfaithful.
3. A group of men kill five customers in a pub by leaving a bomb there.
4. A group of schoolboys break all the windows in a telephone box and damage the telephone.
5. A motorist kills a pedestrian after an evening's drinking.
6. A motorist parks in a no-parking area and obstructs the traffic so that an ambulance can't get past.
7. Two groups of rival football supporters start a battle and are all arrested.
8. A person robs a shop and wounds the owner with a knife.
9. A person sets fire to his/her own flat for the insurance money.

10. A person murders a policeman in cold blood.
11. A person buys a camera with a false cheque.
12. A person has been caught selling cocaine and heroine.
13. A person steals a car, then crashes into another one, seriously injuring the driver.

Source: Pásztor– Moor–Ormai: **English for Law Students**. Bornus Kft., Pécs

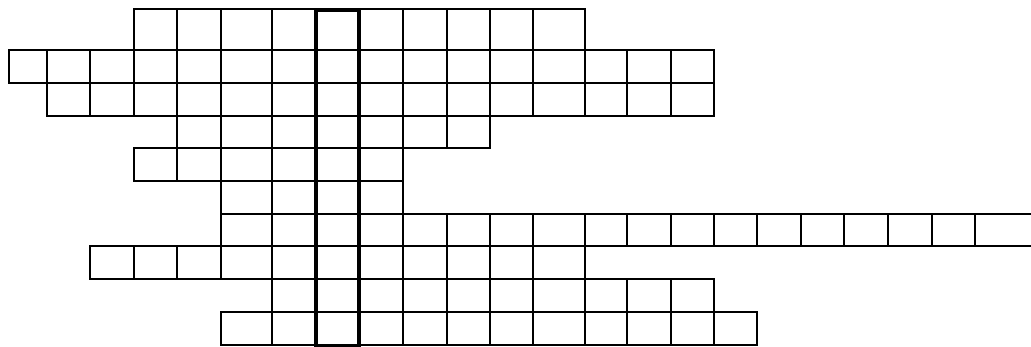
VI. Put the words into the gaps.

prison high-security prison detention centre

The imprisonment shall be executed in an institution for the execution of punishments, in the degrees of high security prison, prison, or detention centre. Life imprisonment shall be executed in a _____ . Imprisonment of the duration of three years or of a longer period shall be executed in a _____ if it has been inflicted, for example, for a crime against the state or against humanity, an act of terrorism, seizing an aircraft, cases of homicide, kidnapping, rape etc. Imprisonment of the duration of two years or longer shall be executed in a _____ if the convict is a multiple recidivist. The imprisonment shall be executed in a _____ (except for some cases!) if it has been inflicted for a felony, or it has been inflicted for a misdemeanour and the convict is a recidivist. The imprisonment for a misdemeanour shall be executed in a _____ except for the case if the convict is a recidivist.

Source: The Hungarian Penal Code

VII. Crossword puzzle.



- | | |
|--------------|---------------------------------------|
| 1. visszaeső | 2. életfogytig tartó szabadságvesztés |
| 3. fogház | 4. elítélt |
| 5. megrovás | 6. pénzbüntetés |
| 7. fegyház | 8. eltiltás |
| 9. kitiltás | 10. elkobzás |

VIII. Explain each step of criminal proceedings and put them into the correct order.

The defendant is acquitted.
 The police investigate the crime.
 A warrant of arrest or summons are issued.
 The defendant pleads guilty.
 The accused attends the court.
 The court tries/hears the case.
 The jury is sworn in.
 The police apprehend the suspect.
 The court's verdict is not guilty.
 The witnesses are summoned and questioned.

IX. Criminal Proceedings in the UK

1. Explain the meaning of the following expressions:

1. to apprehend suspects
2. to detain in custody
3. the serving of a summons
4. the accused/defendant
5. a warrant of arrest
6. Crown Prosecution Service (CPS)
7. summary offences/indictable offences (see task 3)
8. an indictment
9. to be granted bail
10. to plead guilty

2. Complete the sentences with suitable word(s)/expression(s.)

warrant of arrest, doubt, CPS, summons, indictment, acquitted and released, prosecution, life imprisonment, evidence, indictable offences, flee/escape/hide

- a) A formal order to attend court is called
- b) Anis a written statement with details of the crimes someone is charged with.
- c) A.....is a court document authorising the police to detain someone.
- d) In sentencing serious crimes , courts can impose
- e) The Crown Court always hears offences such as manslaughter.
- f) There should be no conviction without proof beyond reasonable
- g) If the police decide an offender should be prosecuted, a file on the case is sent to the
- h) Bail may be refused if there are grounds for believing that the accused would.....
- i) If, at the end of the trial, the court's verdict is not guilty, the defendant is
- j) In a criminal trial, the burden of proof is on the
- k) The CPS must consider whether there is enoughfor the realistic prospect of conviction.

Source: Gillian D. Brown-Sally Rice: Professional English in Use-Law Cambridge University Press, 2007, 2012

3. Explain the difference between the summary and indictable offences.

The first hearing is sometimes used to decide whether a case should stay in the Magistrates' court or should be sent to the Crown Court.

This decision is usually based on the seriousness of the offence.

Less serious offences such as motoring offences or public order offences can usually only be tried in the magistrates' court. These are called '**summary only**' offences.

The most serious offences such as rape or murder can only be tried in the Crown Court. These are called '**indictable only**' offences.

Offences which fall somewhere in between are called '**either way**' offences and the District Judge or magistrates will decide whether the case should stay in the magistrates' court or be sent to the Crown Court.

They will do this by reviewing the case and deciding whether they would have the power to appropriately sentence the case if the defendant was convicted.

If a defendant is convicted in a Magistrates' court they can be sentenced to a maximum of 12 months in prison. So if the defendant would get a higher sentence than that if they were convicted then the case will be sent to the Crown Court.

Sentencing guidelines are set by the Sentencing Council in line with UK law.

In 'either way' offences the defendant also has the option to choose for their case to be heard in the Crown Court, in front of a jury.

<https://www.cps.gov.uk/victims-guide/victims-guide-after-defendant-charged-first-hearing-magistrates-court>

4. Check the videos about the two Magistrates' Court and the Crown Court. What are **the major differences** between the two types of courts in terms of the officials present and the main steps of the procedure, etc. ?

<https://www.youtube.com/watch?v=WeNDacwO5NA>

https://www.youtube.com/watch?v=tZYvv_s5R-s

5. Check the website of the Hungarian Prosecution Service at <https://ugyeszseg.hu/en/about-us/faq/>

What is the difference between the work of a prosecutor and an attorney?

6. Study the criminal procedure flowchart and explain the major steps.

<https://www.ons.gov.uk/visualisations/dvc443/index.html>

Vocabulary

to	acquit –ted; -ted, acquittal	felment; ITT: megrovás
	aggravated battery	súlyos testi sértés
	alien thing	idegen dolog
to	appropriate	ITT: eltulajdonít
	banishment	kitiltás
	causing a public road accident	közúti baleset okozása
	causing danger on the highways	közúti veszélyeztetés
to	confiscate	elkoboz
	confiscation of property	vagyonekbobzás
	conscious negligence	tudatos gondatlanság
	convict	elítél
to	convict –ed; -ed	elítél
	death penalty	halálbüntetés
	defamation	rágalmazás
	detention centre	fogház
to	dispose of sg	rendelkezik vmi felett
to	do community work	közérdekű munka
	driving ban	járművezetéstől eltiltás
to	embezzle, embezzlement	sikkaszt
to	entrust	rábíz
to	expel –led; -led	kiutasít
to	expose sg to direct danger	közvetlen veszélynek tesz ki vmit
	expulsion	kiutasítás
	fenced off place/premises	körülkerített hely
	fine	pénzbüntetés
	forced medical treatment	kényszergyógykezelés
	forced cure of alcoholics	kényszer alkohol elvonókúra
to	impair honour	becsületét megsérti
to	impede sy in	akadályoz vkit
	life imprisonment	éltfogytig tartó szabadságvesztés
	limb	végtag, ITT: testi épség
	measures	intézkedések
	punishment	büntetés
	principal punishment	főbüntetés
	supplementary punishment	mellékbüntetés
	reprimand	megrovás
to	rumour	híresztel
	supervision by probation officer	pártfogói felügylet
to	take a measure/measures	intézkedik, intézkedést tesz/foganatosít
to	trespass, trespassing	birtokháborítás
	violence against an official person	hivatalos személy elleni erőszak