

ADMINISTRATION AND ADMINISTRATIVE LAW – IN THE TIME OF CORONA

COVID-19: Biomedical, Social and Legal Aspects
(Webinar)

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COVID-19 pandemic and the administrative law

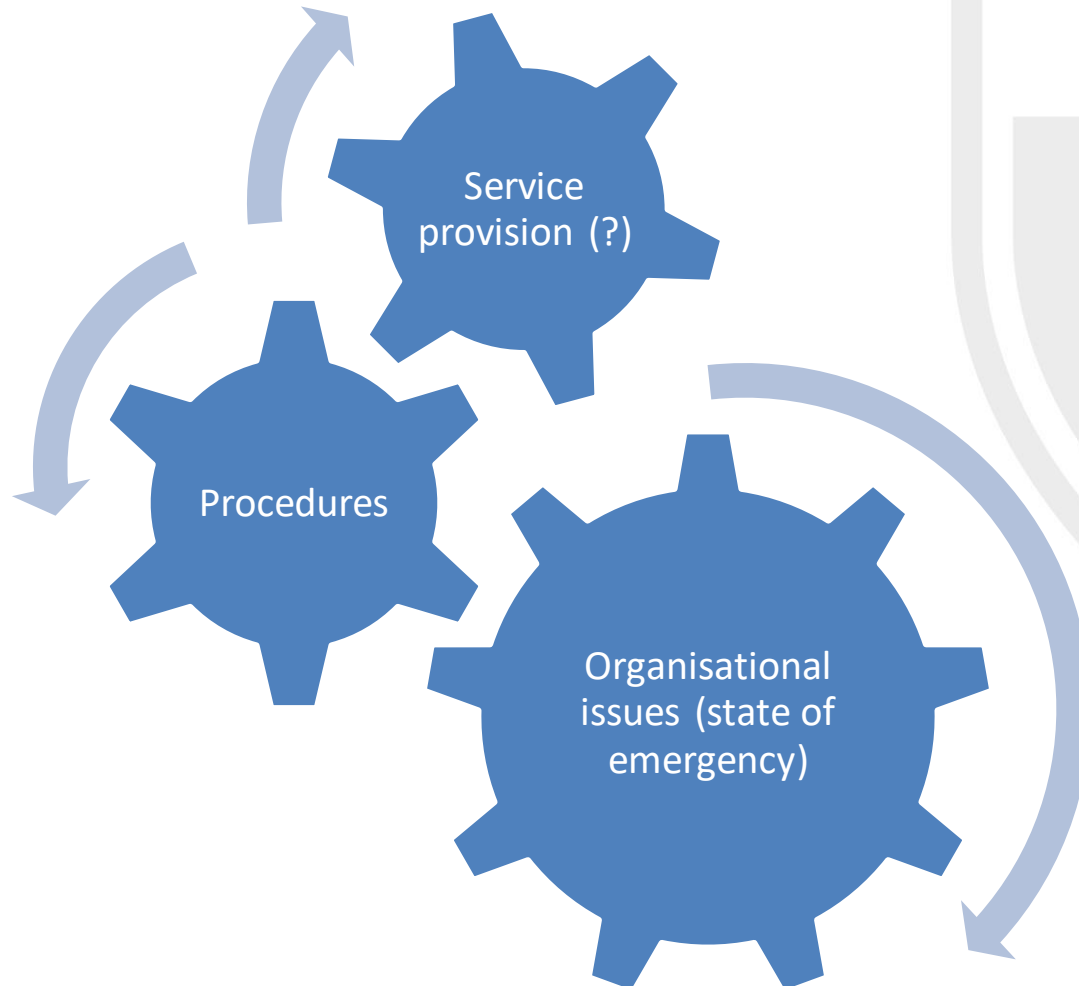
INTRODUCTION



Siena Cathedral and its unfinished nave



Pandemic and administrative law – main issues of the presentation



Research questions and hypotheses

Were we prepared?

Focus of the legislation and the health issues

Legislative background noise and silent reforms



In the Light of the Hungarian legislation

ADMINISTRATION IN TIME OF CORONA



Were we prepared?

- Not really
- State of emergencies in the different European countries
- In Hungary: 'state of danger' (article 53 of Fundamental Law) → modeled industrial and natural disasters
 - Former practice
 - Pandemic: only in the Act on Disaster Recovery
 - Special government decrees: effective for 15 days
- Act on Health Affairs: health crisis → originally focused on the special issues of health care service provision



Challenges and responses

- Dysfunctional response: the normative (?) decision of the national chief medical officer
- Extension of the special government decrees
- After the first wave: a new 'quasi state of emergency': the epidemiological emergency
 - Fast response to the challenges
 - or
 - A prolonged state of danger by an Act of Parliament



Major focus of the legislation in Europe

- Procedural rules → simplification: public services / economic issues
- Temporary regulation for the health care
- Temporary regulation for the education
- Responses to the socio-economic crises caused by the pandemic (unemployment and social benefits, restart of the economies)
- Centralisation and concentration of the competences in the multilayer systems



Focus of the legislation in Hungary

- 153 government decrees based on the state of danger
- Partly remained after the end of the state of danger
 - Temporary regulations (till 31st August or 31st december 2020)
 - Regulations based on ,epidemic emergency'
- Very wide range of the legislation:
 - Organisation questions
 - Temporary rules on public services during the time of pandemic
 - Temporary rules of procedures
 - Temporary rules on labour law
 - Special regulation on public procurement
 - Etc...



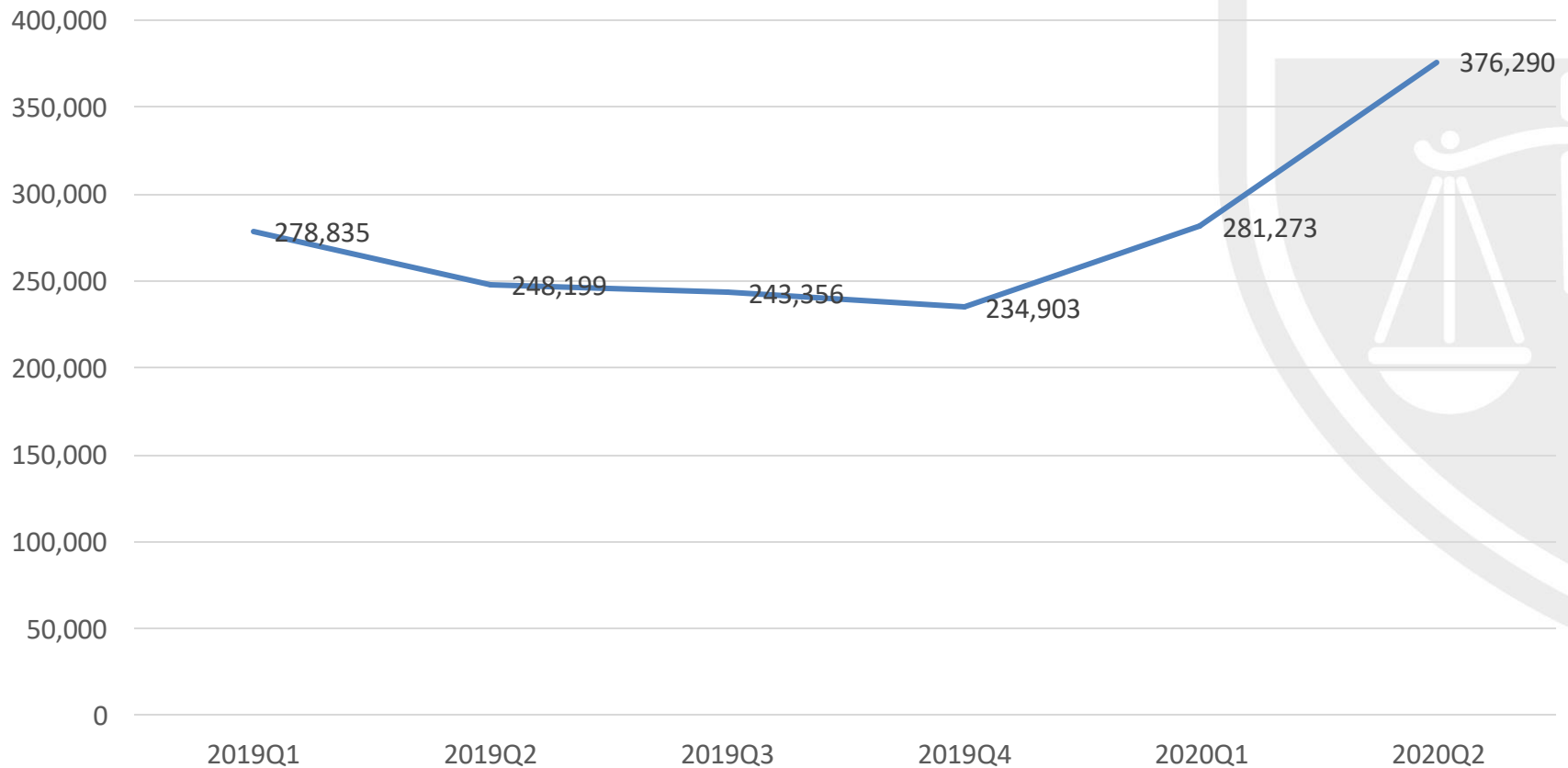
Transformation of the administrative procedure

- Several regulation on the reduction of the contacts at the administrative bodies
- Less regulation on the acceleration to the access of welfare benefits
- New regulations on the simplification of the permission / authorisation of the economic activities
 - Remained after the state of danger → new act
 - The right of the counter-interested clients and the reduction of the accessibility to administrative protection

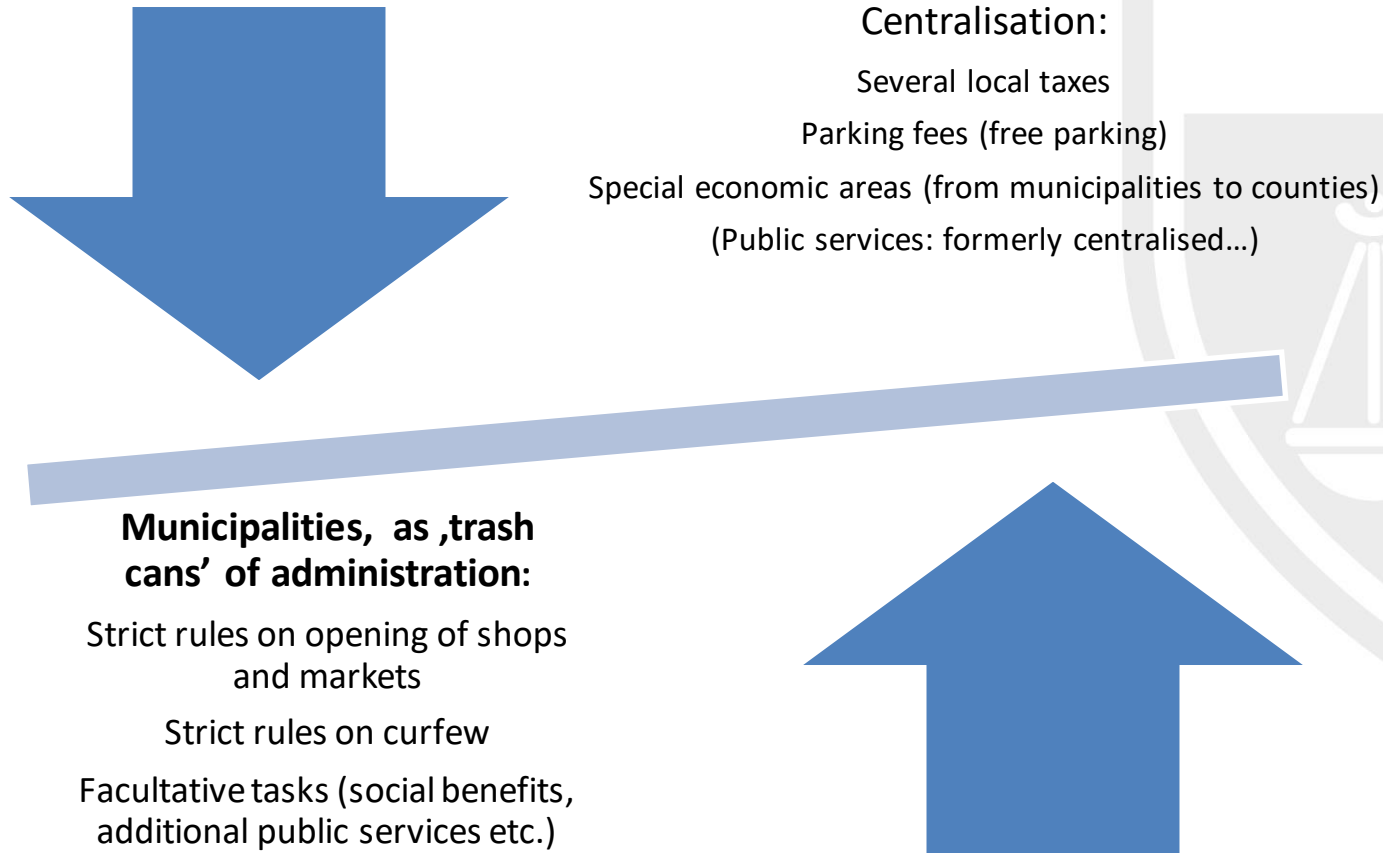


Number of registered jobseekers (unemployed people)(source: STADAT)

Number of registered jobseekes (2019 – 2020Q2)



Centralisation, centralisation in Hungary



Quo vadis ... ?

CONCLUSIONS AND CLOSING REMARKS

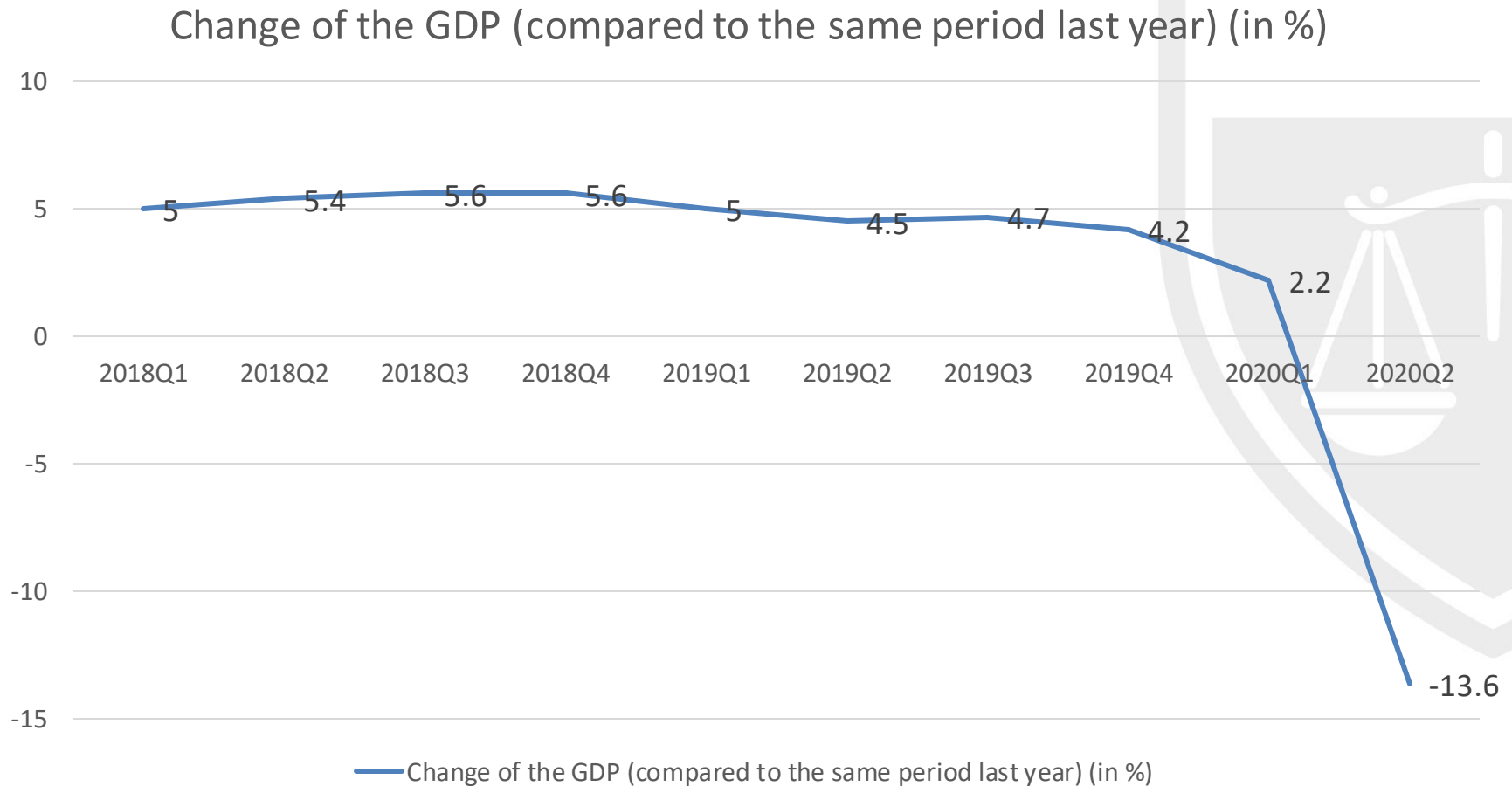


European trends and ,unorthodox' Hungarian solutions

- Major issues in Europe:
 - Health crisis and the limitation of the impact of the epidemic
 - Restart of the economy, reduction of the impacts of socio-economic crisis
- Hungary:
 - Partly follows the European pattern:
 - Health services
 - Restart of the economy
 - Unorthodox solutions:
 - Legislative background noise: reforms in the time of corona (latest: health care – October 6th 2020)
 - Centralisation and concentration (special economic areas)
 - Major focus of the legislation: restart of the economy



Change of the Hungarian GDP 2018 – 2020 Q2 (Source: KSH data)



Thank you for your attention!

