



Hungary: implementation of the Representative Actions Directive

Act LXI of 2022 amending the Consumer Protection Act and the Code of Civil Procedure

Hungary implemented the RAD by revising existing statutes rather than enacting freestanding legislation. The principal amending instrument, Act LXI of 2022, achieved promulgation on 19 December 2022, with substantive provisions taking effect from 25 June 2023 and governing actions commenced thereafter. The amendments principally affected the Consumer Protection Act (Act CLV of 1997) and the Code of Civil Procedure (Act CXXX of 2016).

Prior law had established a general mechanism for safeguarding collective consumer interests, with accompanying procedural rules appearing in the Code of Civil Procedure's Chapter XLII. The 2022 reforms excised this general consumer protection mechanism from the Consumer Protection Act, substituting the new representative actions framework in its place. Sectoral statutes nonetheless retain certain public interest proceedings relying on Chapter XLII's procedural architecture. Additionally, the Civil Code authorises designated entities to pursue public interest litigation concerning unfair contract terms, whilst the Competition Act (Act LVII of 1996) provides similar authority for matters within the Consumer Protection Act's substantive scope.

From 25 June 2023, the representative action constitutes the primary vehicle for collective consumer redress against trader misconduct. Hungarian procedural law distinguishes two forms of collective litigation: public interest actions, typically prosecuted on an opt-out basis by designated public authorities (including the prosecutor, consumer protection authority, competition authority, central bank, and authorised organisations), and collective actions which require aggregation of at least ten claimants and operate on an opt-in model. Both mechanisms apply in specific sectors, namely consumer protection, competition, employment and certain environmental matters.

For official texts:

<https://njt.hu/jogszabaly/2022-61-00-00> (Act LXI of 2022); <https://njt.hu/jogszabaly/2016-130-00-00> (Code of Civil Procedure, Act CXXX of 2016); <https://njt.hu/jogszabaly/1997-155-00-00> (Consumer Protection Act, Act CLV of 1997)

Amy Adams

Maria José Azar-Baud

Un regard comparatiste et pluridisciplinaire

Founder: Maria José Azar-Baud

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