

## **Update – Restrictions on the Entry into Hungary – New Rules on Business Trips**

In order to limit the spread of COVID-19, the Hungarian government has introduced restrictions on the entry into Hungary as of 1 September 2020. We published our summary of the main applicable rules earlier.

On 5 September 2020, new rules entered into force regarding – among others – the acceptance of SARS-CoV-2 PCR tests taken abroad (see points 1 and 2 below) and business trips (see point 4 below). You may find below our updated summary (modifications of the earlier version are written in ***bold italics***).

The restrictions do not apply to

- freight transport;
- border crossing with official passport;
- border crossing having an official purpose;
- persons who prove that they had the COVID-19 illness within 6 months before the border crossing and healed.

### **1. Hungarian nationals and persons treated in the same way**

When entering the country, (i) Hungarian nationals and their family members being foreign nationals, (ii) foreign nationals entitled to permanent residency in Hungary and their family members, (iii) foreign nationals holding a residence permit allowing to stay more than 90 days in Hungary and (iv) – in certain cases – persons participating at sport events abroad, sport competitors, sport professionals ***and persons employed by Hungarian cultural institutions***, may be subject to health inspection at the border. If, on the basis of the health inspection,

- there is a suspicion of contagion, the person concerned is obliged to stay for 14 days in quarantine at the place designated by the competent authority or – if it does not pose an epidemic risk – in home quarantine (*in case of a home quarantine, the place where the person must stay is designated by the competent authority and it may be a flat and the garden belonging thereto or another place which is not a medical institution*);
- there is no suspicion of contagion, the person concerned
  - is obliged to stay for 14 days in home quarantine or – in certain cases – in quarantine at the place designated by the competent authority and
  - may – subject to authorisation by the competent authority – take two SARS-CoV-2 PCR tests within a 5-day period where there is at least a 48-hour difference between the two tests. If both tests are negative, the competent authority exempts the person concerned from the quarantine.

***Hungarian authorities accept those SARS-CoV-2 PCR tests as first tests mentioned above, which were taken in a country belonging to the Schengen area, the United States of America or Canada if the person concerned presents a Hungarian or English document proving the said test's result. In such case, the above-mentioned 5-day and 48-hour rules also apply. This means that the second test must be taken in Hungary within 5 days after the first test was taken abroad and at least 48 hours must lapse between the first test taken abroad and the second (Hungarian) test.***

A special, more relaxed regime applies to the entry from the Czech Republic, Poland and Slovakia. It is not clear whether this applies only to Hungarian nationals and their family members or also to the other categories mentioned above under points (ii)-(iv).

## 2. **Foreign nationals**

In general, **foreign nationals** are not allowed to enter into Hungary.

### **Exceptions:**

#### a) **Exemption granted by the police**

Exemption may be granted by the Hungarian police upon request. The request must be (i) prepared in Hungarian or English, (ii) based on a reason set out in the relevant government decree (e.g. appearance before a Hungarian official body; university studies; funerals and weddings) or any other legitimate reason and (iii) supported with the relevant documents.

If the exemption is granted, the person concerned, when entering the country, must present the original of the supporting documents previously submitted. If the originals are not presented or their authenticity is questionable, the entry will be denied.

The exempted persons may be subject to health inspection at the border. If, on the basis of the health inspection,

- there is a suspicion of contagion, the person cannot enter into Hungary;
- there is no suspicion of contagion,
  - the person concerned is obliged to stay for 14 days in home quarantine or in quarantine at the place designated by the competent authority and
  - may – subject to authorisation by the competent authority – take two SARS-CoV-2 PCR tests within a 5-day period and where there is at least a 48-hour difference between the two tests. If both tests are negative, the competent authority exempts the person concerned from the quarantine.

*Hungarian authorities accept those SARS-CoV-2 PCR tests as first tests mentioned above, which were taken in a country belonging to the Schengen area, the United States of America or Canada if the person concerned presents a Hungarian or English document proving the said test's result. In such case, the above-mentioned 5-day and 48-hour rules also apply. This means that the second test must be taken in Hungary within 5 days after the first test was taken abroad and at least 48 hours must lapse between the first test taken abroad and the second (Hungarian) test.*

#### b) **Nationals of the Visegrád countries**

The nationals of the Czech Republic, Poland and Slovakia can enter into Hungary under specific conditions.

## 3. **Hungarian and foreign executive officers or employees of affiliated companies**

Hungarian and foreign nationals who are executive officers or employees of a Hungarian or foreign company which is an affiliate (as defined by the Act on corporate tax) of another foreign company, may enter into Hungary without any restriction. The person concerned must show the probability of the business-related nature of the trip.

*For further information (in Hungarian language), particularly in relation to the nature of the documents that one should present in individual cases, one can contact the Airport Police Directorate by phone at the following number: +36 1 290 3121.*

4. **Business trips of Hungarian and foreign nationals**

***Hungarian nationals***

*Hungarian nationals (as well as persons mentioned in points (ii)-(iv) of the first paragraph of point 1 above) who leave the country for the purpose of commercial or economic activity may return to Hungary without restriction provided that the person concerned is able to prove – when re-entering the country – the said commercial or economic activity.*

*If doubts arise about the credibility of the person's proving the said reason, the procedure described under point 1 above will apply.*

***Foreign nationals***

*Foreign nationals who come to Hungary for commercial or economic purposes may enter into Hungary without restriction provided that the person concerned is able to prove – when entering the country – the said commercial or economic purpose of his trip. (We note that the wording of the provision on this exception is a bit ambiguous as it can be interpreted in a way that the trip itself has to be a commercial or economic activity and not the purpose of the said trip.)*

*If doubts arise about the credibility of the person's proving the said reason, the procedure described under point 2 above will apply.*

*For further information (in Hungarian language), particularly in relation to the nature of the documents that one should present in individual cases, one can contact the Airport Police Directorate by phone at the following number: +36 1 290 3121.*

5. **Special cases**

Special rules apply to military convoys, cross-border commuters, sport competitors, sport professionals, persons participating at sport events, transfer traffic and ***cultural events***.