

Article VIII

- (1) Everyone shall have the right to peaceful assembly.
- (2) Everyone shall have the right to form and join organisations.
- (3) Political parties may be formed and may operate freely on the basis of the right to association. Political parties shall participate in the formation and expression of the will of the people. Political parties shall not exercise public power directly.
- (4) The detailed rules for the operation and financial management of political parties shall be laid down in a cardinal Act.
- (5) Trade unions and other interest representation organisations may be formed and may operate freely on the basis of the right to association.

Article XXIII

- (1) Every adult Hungarian citizen shall have the right to vote and to stand as a candidate in elections of Members of Parliament, local government representatives and mayors, and of Members of the European Parliament.
- (2) Every adult citizen of another Member State of the European Union who is a resident of Hungary shall have the right to vote and to stand as a candidate in elections of local government representatives and mayors, and of Members of the European Parliament.
- (3) Every adult person recognized as a refugee, immigrant or resident in Hungary shall have the right to vote in elections of local government representatives and mayors.
- (4) A cardinal Act may subject the right to vote or its completeness to residence in Hungary, and it may prescribe additional criteria for eligibility to stand as a candidate in elections.
- (5) In elections of local government representatives and mayors voters may vote in the locality of their residence or their registered place of stay. Voters may exercise their right to vote in the locality of their residence or their registered place of stay.
- (6) Those disenfranchised by a court for a criminal offence or for limited mental capacity shall not have the right to vote and to stand as a candidate in elections. Citizens of other Member States of the European Union who are residing in the territory of Hungary shall not have the right to stand as a candidate in elections if – pursuant to a rule of law, judicial or other official decision of their State of citizenship – they have been excluded from the exercise of this right in their country.
- (7) Everyone who has the right to vote in elections of Members of Parliament shall have the right to participate in national referenda. Everyone who has the right to vote in elections of local government representatives and mayors shall have the right to participate in local referenda.
- (8) Every Hungarian citizen shall have the right to hold public office according their suitability, qualifications and professional competence. Public offices that shall not be held by members or officers of political parties shall be specified in an Act.

Article 2

- (1) Members of Parliament shall be elected by direct and secret ballot by citizens eligible to vote, on the basis of universal and equal suffrage, in elections which guarantee free expression of voters' will, in a manner laid down in a cardinal Act.

- (2) The participation in the work of Parliament of nationalities living in Hungary shall be regulated by a cardinal Act.
- (3) The general election of Members of Parliament shall be held in the month of April or May of the fourth year following election of the previous Parliament, except for elections resulting either from Parliament dissolving itself or from it being dissolved.

Article 8

- (1) Parliament shall order a national referendum at the initiative of at least two hundred thousand citizens with voting rights. Parliament may order a national referendum at the initiative of the President of the Republic, the Government, or one hundred thousand citizens with voting rights. The result of a valid and conclusive referendum shall be binding on Parliament.
- (2) National referenda may be held about any matter within the tasks and competences of Parliament.
- (3) No national referendum may be held on
- a) any matter aimed at the amendment of the Fundamental Law;
 - b) the central budget, the implementation of the central budget, central taxes, duties, contributions, customs duties, or the content of Acts determining the central conditions for local taxes;
 - c) the contents of Acts on the elections of Members of Parliament, local government representatives and mayors, and Members of the European Parliament;
 - d) any obligation arising from international treaties;
 - e) personal matters and questions concerning the establishment of organisations within the competence of Parliament;
 - f) the dissolution of Parliament;
 - g) the dissolution of a body of local government representatives;
 - h) the declaration of a state of war, state of national crisis and state of emergency, and on the declaration or extension of the state of preventive defence;
 - i) any matter related to participation in military operations;
 - j) the granting of general amnesty.
- (4) A national referendum shall be valid if more than half of all citizens with voting rights have cast valid votes, and it shall be conclusive if more than half of those voting validly have given the same answer to a question.

Article 9

- (1) The Head of State of Hungary shall be the President of the Republic, who shall embody the unity of the nation and be the guardian of the democratic operation of the state organisation.
- (2) The President of the Republic shall be the Commander in Chief of the Hungarian Defence Forces.
- (3) The President of the Republic
- a) shall represent Hungary;
 - b) may attend and take the floor at the sittings of Parliament;
 - c) may propose bills;
 - d) may initiate national referenda;

- e) shall set the date for general elections of Members of Parliament, local government representatives and mayors, and of Members of the European Parliament, and for national referenda;
- f) shall make decisions concerning a special legal order;
- g) shall convene the constitutive sitting of Parliament;
- h) may dissolve Parliament;
- i) may send the adopted Fundamental Law and any amendment thereof to the Constitutional Court for a review of conformity with the procedural requirements set in the Fundamental Law with respect to its adoption, and may send adopted Acts to the Constitutional Court for a review of conformity with the Fundamental Law or may return them to Parliament for reconsideration;
- j) shall propose persons for the offices of Prime Minister, the President of the Curia, the Prosecutor General and the Commissioner for Fundamental Rights;
- k) shall appoint professional judges and the President of the Budget Council;
- l) shall confirm the appointment of the President of the Hungarian Academy of Sciences; and
- m) shall determine the organisation of his or her office.

(4) The President of the Republic shall

- a) express consent to be bound by international treaties on the basis of authorisation by Parliament;
- b) accredit and receive ambassadors and envoys;
- c) appoint Ministers, the Governor and Deputy Governors of the National Bank of Hungary, the heads of autonomous regulatory organs and university professors;
- d) appoint university rectors;
- e) appoint and promote generals;
- f) award decorations, prizes and titles specified by an Act, and authorize the use of foreign state decorations;
- g) exercise the right to grant pardon to individuals;
- h) decide on matters of territorial organisation falling within his or her tasks and competences;
- i) decide on matters related to the acquisition and termination of citizenship;
- j) decide on all matters assigned to his or her competence in an Act.

(5) The counter-signature of a Government Member shall be required for all actions and decisions of the President of the Republic under paragraph (4). An Act may provide that a decision assigned by an Act to the competence of the President of the Republic need not be counter-signed.

(6) The President of the Republic shall refuse to comply with the obligations set out in points b) to e) of paragraph (4) if the conditions specified in rules of law have not been met or if he or she has well-grounded reasons to conclude that his or her compliance would lead to a serious disorder in the democratic operation of the state organisation.

(7) The President of the Republic shall refuse to comply with those set out in point f) of paragraph (4) if such compliance would violate the values enshrined in the Fundamental Law.

Article 10

(1) Parliament shall elect the President of the Republic for five years.

(2) Any Hungarian citizen who has reached the age of thirty-five may be elected President of the Republic.

- (3) The President of the Republic may be re-elected only once.

Article 11

(1) The President of the Republic shall be elected no sooner than sixty but no later than thirty days prior to the expiry of an incumbent president's mandate; should the incumbent President's mandate terminate prematurely, a new President of the Republic shall be elected within thirty days of such termination. The date for the election of the President of the Republic shall be set by the Speaker of Parliament. Parliament shall elect the President of the Republic by secret ballot.

(2) The election of the President of the Republic shall be preceded by nomination. For a nomination to be valid, the written recommendation of at least one-fifth of the Members of Parliament shall be required. Nominations shall be submitted to the Speaker of Parliament before the vote is ordered. Each Member of Parliament may recommend one candidate. If a Member of Parliament recommends more than one candidate, all recommendations of that Member shall be invalid.

(3) President of the Republic elected in the first round of voting shall be the person who receives a majority of two-thirds of the votes of all Members of Parliament.

(4) If the first round of voting is inconclusive, a second round shall be held. The two candidates receiving the highest and second highest number of votes in the first round may stand in the second round. If in the first round of voting there is a tie in the first place, those candidates may be voted for who have received the highest number of votes. In the event of a tied vote only for second place in the first round of voting, those candidates may be voted for who have received the highest and second highest numbers of votes. President of the Republic elected in the second round of voting shall be the candidate who – regardless of the number of those participating in the vote – receives the highest number of valid votes. Should the second round of voting also be inconclusive, a new election shall be held on the basis of new nominations.

(5) The voting procedure shall be completed within a period of no more than two consecutive days.

(6) The President-elect of the Republic shall enter office upon expiry of the previous President's mandate, or, should the previous President's mandate have ended prematurely, on the eighth day following the announcement of the result of the election; prior to taking office the President-elect of the Republic shall take an oath before Parliament.

Article 31

(1) In Hungary local governments shall function for the administration of local public affairs and the exercise of local public power.

(2) Local referenda may be held, as laid down in an Act, on any matter within the tasks and competences of the local government.

(3) The rules relating to local governments shall be laid down in a cardinal Act.

Article 35

(1) Local government representatives and mayors shall be elected by direct and secret ballot by citizens eligible to vote, on the basis of universal and equal suffrage, in elections which guarantee free expression of the will of the voters, in the manner laid down in a cardinal Act.

- (2) General elections of local representatives and mayors shall be held in October of the fifth year following the previous general election of local representatives and mayors.
- (3) The mandate of local representative bodies shall terminate on the day of the general elections for local government representatives and mayors. If elections cannot be held due to a lack of candidates, the mandate of the local representative body shall be extended until the day of the interim elections. The mandate of mayors shall last until the election of the new mayors.
- (4) Local representative bodies may declare their dissolution as laid down in a cardinal Act.
- (5) At the motion of the Government – submitted after obtaining the opinion of the Constitutional Court – Parliament shall dissolve the representative body whose operation is contrary to the Fundamental Law.
- (6) Upon a local representative body dissolving itself or upon it being dissolved, the mandate of the mayor shall also terminate.