NATIONAL REPORT FOR HUNGARY ON CROSS-BORDER SERVICE OF DOCUMENTS

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Questionnaire for National Reports

On the Cross-border Service of Documents

This questionnaire addresses practical and theoretical aspects regarding the service in the Member States of judicial and extrajudicial documents in civil or commercial matters. Each partner should provide substantive answers for their respective Member State (or additional Member State, if specifically stipulated by the coordinator). Where the term "Regulation" is used below, it refers to Regulation (EU) 2020/1784 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters.

For useful information please refer (among other sources) to:

- Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (recast) (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32020R1784)
- Impact assessment of the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=SWD:2018:287:FIN)
- Opinion of the European Economic and Social Committee on a) Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (COM[2018] 378 final — 2018/203 [COD]) and on b) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) (COM[2018] 379 final — 2018/204 [COD]) (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.C_.2019.062.01.0056.01.ENG&toc=OJ%3AC%3A2019%3A062%3ATOC)
- The provided information in the European Judicial Atlas in civil matters on the service of documents (https://e-justice.europa.eu/38580/EN/serving_documents_recast)
- Briefing of the European Parliamentary Research Service (EPRS) on the reform of the service of documents regulation (2019) (https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/642240/EPRS_BRI(2019)642240_EN.pdf)
- Other *travaux preparatoires* of the Recast Taking of Evidence Regulation (see e.g. https://www.europeansources.info/record/proposal-for-a-regulation-amending-regulation-ec-no-1393-2007-on-the-service-in-the-member-states-of-judicial-and-extrajudicial-documents-in-civil-or-commercial-matters-service-of-documents/)

The structure of each individual report should follow, to the utmost extent possible, the list of questions enumerated below and the given structure. If authors choose to address certain issues elsewhere within the questionnaire, they are urgently requested to make cross-references and specify where they have provided an answer for the respective question (e.g. "the/an answer to this question is already provided in 1.6."). Following the structure of the questionnaire will enable and ease comparisons between the various jurisdictions.

The list of questions is not to be regarded conclusive. It might be that important issues in certain jurisdictions are not mentioned. Please address such issues on your own initiative where appropriate. On the other hand, questions that are of no relevance for your legal system can be left aside; in this case, you are requested to add a reference to the lack of relevance.

Please provide representative references to court decisions and literature. You are also asked to illustrate important issues by providing examples from court practice. If possible, please include empirical and statistical data. **Where the answer would be "no" or "not applicable", because something is not regulated in your national legal order, if possible please specify how you think it should be regulated**.

Please do not repeat the full questions in your text. There is no limitation as to the length of the reports.

Language of national reports: English.

Deadline: 31 March 2023.

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NATIONAL SERVICE OF DOCUMENTS

1. **What is the legal basis for service of documents in your Member State? Is there a special act regulating the service of documents within your national legal system.**

   The Hungarian Code of Civil Procedure (Polgári perrendtartás, hereafter: HCCP), - which is the Act No. 130 of 2016 (2016. évi CXXX.törvény), entered into force on the 1st of January 2018, - is the legal basis for service of documents in civil cases in Hungary. The so-called service ex officio is regulated in §§ 135-140, and the service of documents by the bailiff in § 141. As special act it is worth to mention the Act No. 159 of 2012 on the postal services (2012. évi CLIX. törvény a postai szolgáltatásokról) and the Act 222 of 2015 on the general rules of electronic administration and trust services (E-Administration Act, 2015. évi CCXXII. törvény az elektronikus ügyintézés és a bizalmi szolgáltatások általános szabályairól). Some technical rules related to the Regulation contains the Act 28 of 2017 on private international law (PIL) (2017. évi XXVIII. törvény a nemzetközi magánjogról).

2. **Explain the term "service" as used in your national legal system. If there is a legal definition, please quote it.**

   The Hungarian Code of Civil Procedure does not contain any definition. The Act on postal services explain the term of service (delivery) in its § 2 point 20 which seems to be technical definition not a legal one: "delivery: the activity during which the postal item is removed from the postal service provider's network or personal supervision by handing it over to the person authorized to receive it or by placing it in a mailbox or other device suitable for delivering the item".
   The legal definition was rather created by the legal literature. Regarding the concept of service, we find minor wording differences in the definitions in the legal literature. [1] *Some authors define the essence of service as the delivery of the document to the addressee or handing it over to the addressee.* [2] *Others refine this definition by making it part of the transfer in the form specified (by law).*[3] *There are authors who consider it important to highlight, that the handover takes place in a "documented form".*[4]

3. **How do you define "civil and commercial matters" in your national legal system? Does this definition differ from the term of the Regulation, and if so, in what way?**
   Hungary does not use this term in pure domestic cases.

4. **For what purpose does your legal system define the concept "civil and commercial matters"?**

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[1] Harsági, Viktória: Kézbesítés a polgári jogvitákban határok nélkül. HVG-Orac, Budapest 2010, pp. 67-68.
[2] Magyary, Géza / Nizsalovszky, Endre: *Magyar polgári perjog.* Franklin Társulat Kiadása, Budapest, 1924, p. 281.; Baranyi Albert: Egyéb általános szabályok. In: Szilbereky, Jenő / Névai, László (szerk.): *A polgári perrendtartás magyarázata.* Közgazdasági és Jogi Könyvkiadó, Budapest, 1976, p. 570.; Kengyel, Miklós: *Magyar polgári eljárásjog.* Osiris, Budapest, 2008, 202. p.

[3] Névai, László / Szilbereky, Jenő: *Polgári eljárásjog.* Tankönyvkiadó, Budapest, 1974, 258. p.; Eötvös, Oszkár: Egyéb általános szabályok. In Szilbereky, Jenő / Névai, László (szerk.): *A polgári perrendtartás magyarázata.* KJK, Budapest, 1967, 411. p.

[4] Szászy István: *Nemzetközi polgári eljárásjog.* Közgazdasági és Jogi Könyvkiadó, Budapest, 1963, 698. p.; Sallós István: Egyéb általános szabályok. In: Németh János / Kiss Daisy (szerk.): *A Polgári perrendtartás magyarázata.* 1. kötet. Complex, Budapest, 2007, 624. p.

As we [in Hungary] do no not us the term in your legal system, we only us the definition for the application of European Law.

5. **How is the concepts "judicial and extrajudicial documents" defined in your legal system? Does your national legal system distinguish between judicial and extrajudicial documents in the context of (official) service? If yes, please define these categories and give examples.**

I*n Hungary extrajudicial service is used for the service of a document outside of a court proceeding (e.g. for service of documents in notarial procedures). Making a definition for the "extrajudicial documents" is significantly more difficult than that of judicial documents. In contrast to the latter, extrajudicial documents do not directly belongs to a court proceeding. Extrajudicial documents means case files created in proceedings involving civil or commercial legal relations, the conduct of which does not fall under the jurisdiction of courts, but of other bodies (e.g. notary, public administrative authority).*[5] *This out-of-court documents are documents, the service of that (outside the framework of court proceedings) aims to protect, enforce, or resolve a civil or commercial legal claim. This does not include documents and communications of a private nature.*[6]

6. **What is the purpose of service of documents? Are there overarching principles of procedures that are intertwined with the service of documents in your Member State?**

Service of documents ensures that the recipient becomes aware of the document and its content. Service, especially of the initial document of the lawsuit, is not a mere formality. The right to a fair trial requires that the party be informed in due time of any proceedings that affect his interests and be given the opportunity to respond. Informing the defendant is therefore also a requirement arising from the principle of right to be heard. This presupposes at least that he or she can get to know what kind of document it is. All of this is of particular importance in the case of the initial document of the procedure, since by serving it, the defendant becomes aware of the procedure initiated against him or her, so he or she has the opportunity to prepare his or her defense and appear before the court. However, effective claim enforcement by the plaintiff can only be realized if the defendant is unable to exclude himself from valid service by referring to purely formal considerations. This not only means that an efficient service system must be available, but also that it must be possible to remedy a faulty service. The service of documents is therefore in the field of tension between the access to justice, the defense of the defendant and the effectiveness of litigation, these principles must be balanced with each other.

7. **Who is responsible for the service of documents?**

The court is responsible for service. Pursuant to § 135 of the HCCP, court documents must be delivered to the addressee via a postal service provider, in accordance with the legislation on the delivery of official documents, unless otherwise provided by law.
The addressee can pick up the document addressed to him - in addition to proof of identity - at the court office.

[5] Wallacher, Lajos: Nemzetközi polgári eljárásjogi szabályok az európai közösségi jogban. In Lomnici, Zoltán (szerk.): *Gyakorló jogászként az Európai Unióban*. HVG-ORAC, Budapest, 2004, 192. p.

[6] Brenn, Christoph: *Europäische Zustellungsverordnung.* Manz, Wien, 2002, 66−67. p.; Kengyel, Miklós / Harsági, Viktória: *Európai polgári eljárásjog.* Osiris, Budapest, 2006, 305. p.

7.1. If the court is responsible for service: What can be done if the court has failed to act? Can one sue the state and claim damage? Or can one sue the court to initiate the service?

Pursuant to § 549 of Book 6 of the Hungarian Civil Code, the rules of liability for damage caused by administrative jurisdiction must be properly applied to liability for damage caused by the court, with the requirement that the claim for damage caused under judicial jurisdiction must be asserted against the court. If the court that acted is not a legal entity, the claim must be asserted against the court whose president exercises the general employer's authority with respect to the judges of the non-legal entity court. The prerequisite for a claim for damages is the exhaustion of ordinary legal remedies.

7.2. If the parties are responsible for service: Within what time frame must service be affected?

7.3. If the responsibility of service is shared between the court and the parties: Under your Member State's law, how is it determined who is responsible for the service of documents?

7.4. What are the national requirements for a valid service of documents in your Member State?

According to § 135 of the HCCP, the general method of serving a court document is ex officio delivery by post, which is confirmed by a receipt. The delivery is not valid if it is not made to the addressee, but to another authorized recipient and the recipient is the opposing party or legal representative.

8. **What documents must be sent to the respondent? Who prepares the documents?**

The court serves the statement of claim (prepared by the plaintiff) to the defendant, and the submissions of the parties to the opposing parties. The court communicates a) the judgment and the court order to the parties by delivery, b) the order made at the hearing to the party who was not duly summoned to the hearing, c) the order closing the trial made at the hearing and the order that sets a new deadline refers to the setting of, or against which there is a separate appeal, with the party who missed the hearing, d) the order made outside the hearing with the interested party and e) all decisions made during the procedure with the person for whose benefit the prosecutor, and the person entitled to file a lawsuit initiated the procedure.

9. **What information or other aspects must be included in the documents?**

According to § 170 of the HCCP, the plaintiff is obliged to provide the names of the parties, their position in the lawsuit, the identification data of the plaintiff, and at least the place of residence or seat of the defendant's identification data in the statement of claim.

9.1. Please provide the definition of the term "address for service" under your national legal system.

According to § 5 of the Act 66 of 1992 on the registration of citizens' personal data and address (1992. évi LXVI. törvény a polgárok személyi adatainak és lakcímének nyilvántartásáról) the citizen's residential address data: the address of his/her registered place of residence or place of residence (hereinafter together: residential address). The citizen's place of residence: the address of the apartment or accommodation (hereafter together: apartment), which serves as basis of the official contact of the citizen with the state, as well as with natural and legal persons, organizations without legal personality, as well as the rights and obligations related to the place of residence. The citizen's place of residence: the address of the apartment where the citizen resides for more than three months - without the intention of changing the place of residence. These data can be obtained from the address register.
In the case of legal entities, the registered office (e.g. it can be found in the company register).

9.2. Provide definitions of other (mandatory) aspects mentioned in Question 9.

10. **How are documents <u>without a cross-border element</u> served in your national jurisdiction? What is the usual method of service? Please explain the different methods of service in detail.**
According to § 135 HCCP judicial documents must be delivered to the addressee via a postal service provider (in the practice by the Hungarian Postal Service), in accordance with the legislation on the service official documents, unless otherwise provided by law. The addressee can pick up the document addressed to him or her – in addition to proof of identity – at the court office. The service of a document is not valid if it is not made to the addressee, but to another authorized recipient and this recipient is the adverse party or his or her legal representative. This is the usual method of service.
In the lawsuit, in which a party is not obliged to maintain electronic contact or its representative who is not a legal representative, the choice of the statement of claim, as well as all other pleadings and their annexes, as well as documents can also be submitted electronically, in the manner specified in the E-Administration Act and its implementing regulations. (§ 605 HCCP)
According to §9 of the E-Administration Act if the law does not provide otherwise, electronic communication is required for those who
a) acting as a party, if it is a/an
aa) economic organization,
ab) state,
ac) municipality,
ad) budget body,
ae) prosecutor,
af) town clerk,
ag) public body (eg. the Hungarian Academy for Sciences or chambers),
ah) other public administrative authorities not covered by subsections ac)-ag), and
b) the party's legal representative.

10.1. Does the method of service differ from the cross-border service of documents within the scope of the Regulation?

No.

10.2. Are there several alternative methods of service in your Member State?

An alternative method of service is service by bailiff. This method of delivery is not a general method, but can only be used in case of undeliverability of the statement of claim or the substantive decision ending the procedure.
According to 141 HCCP if the statement of claim attempted to be served via the postal service provider to the specified address of the addressee with a domestic residence, place of residence or registered office, or the decision on the merits ending the procedure, cannot be delivered - this does not include cases of delivery fiction, as well as those cases where the reason for the undeliverability is the death or termination of the addressee - and the undeliverability did not occur due to a preventable cause that arose within the scope of the court or the postal service provider, at the request of the party interested in the completion of the service of document, the service of the document must be attempted in accordance with the provisions of the Act No. 53 of 1994 on Court Enforcement (1994. évi LIII. törvény abírósági végrehajtásról) on the service documents by the bailiff.

10.3. Does your national legal system provide for special means for the service of documents for professionals (e.g., lawyers, notaries etc.) or state authorities?How do the methods of service relate to each other?
Equal rank. But if the party is obliged to communicate electronically (see the answer to point 10.), there is no choice.

10.4. What considerations must the deciding court take into account when choosing the method of service?

Basically, whether the party is obliged to communicate electronically or has voluntarily chosen to communicate electronically.

10.5. Have the methods of service laid down in your national legal system been extended <u>for domestic service</u> after the entry into force of the Regulation?
No.

11. **How is service in third-party countries regulated?**

This issue is regulated by § 73 of the Act on Private International Law (PIL) (2017. évi XXVIII. törvény a nemzetközi magánjogról). According to it, a document to be served abroad by the authority of the requested state must be sent to the minister for action. If an international treaty allows the delivery of the document by post, the court may also send it directly to the addressee. The document can also be served via the competent Hungarian foreign mission authority according to the addressee's place of residence if the conditions specified in the international treaty are met. In such a case, it must be sent to the minister responsible for foreign policy for action. A service made abroad shall be considered lawful if it complies with either the Hungarian law or the law governing the place of the service. If the service of document took place directly via post, there is no place for the use of delivery fiction.

12. **Are there special methods of service for certain types of documents – regardless of whether they qualify as judicial or extrajudicial? Please provide examples.**
No.

13. **What is the usual time frame of the service of documents in your Member State?**
An electronic service of documents via the secure communication methods is considered immediate; postal service takes 3-5 days.

14. **At what moment is a document considered to be served according to the national law of your Member State?**

A document is generally served once it is handed over to the respondent who thereby takes notice of the service. If the recipient refused to accept it, then on that day it is considered to be served. If the shipment was not searched at the post office (based on the notice left in the mailbox), then based on the fictious service (5 days after the second delivery attempt).

14.1. If and if so, under what circumstances is a document considered to be served according to the national law of your Member State when the recipient is served at an address they either do not use or do not know of?
See point 14.2.

14.2. Please elaborate in this regard, how the national law of your Member State treats the following scenario: The claim contains the official, duly registered address of the respondent. However, when the postman (or responsible person of service) wishes to serve the document at that address, it is clear that the recipient does not live there any longer (i.e., the post-box has a different name, neighbours confirm that the person has moved or a new tenant opens the door and confirms that the recipient has moved there some months ago and he neither has any relation with the former tenant nor does he know where they live now).

If non-delivery occurs because the addressee has moved, the legal effects of delivery do not occur. In that case, the interested party must be notified of the fact of undeliverability, who must take further steps in order for the procedure to continue (e.g. notification of a new summons address, initiation of service by bailiff, submission of a request for service by publication.[7]

15. **With what electronic methods can a claim be filed in court?**

The electronic contact with the court is based on a closed data transfer system operating according to the procedure defined by law, which on the one hand excludes unauthorized persons from accessing the data, and on the other hand fully ensures the identification of the sender and proves the origin of the documents sent by the court. Based on the provisions of the law, the National Court Office (Országos Bírósági Hivatal) ensures that the courts can be continuously contacted through the delivery system by using the IT system for this purpose. The condition for electronic communication with the courts is that the client has an access to the system called "Ügyfélkapu" or "Cégkapu" or "Hivatali kapu". Registration can be done on the website www.magyarorszag.hu.[8]

16. **What is the procedure under the national law of your Member State if the exact whereabouts of the recipient are unknown?**

[7] Kapa Mátyás: Kézbesítés. In: Varga István (ed.): A Polgári perrendtartás és kapcsolódó jogszabályok kommentárja. Vol I. HVG-Orac, Budapest, 2018, pp. 542-543.
[8] https://birosag.hu/ugyfeleknek/elektronikus-ugyintezes/elektronikus-kapcsolattartas-birosagokkal/e-per

Service must be made by publication if
a) the location of the party is unknown and the court document cannot be served to the party electronically,
b) the party's place of residence is in a state that does not provide legal aid for service,
c) delivery encounters other insurmountable obstacles, or
d) the law so provides.
The court may order delivery by publication - unless it is ex officio - only at the request of the party and in case of probable cause. In the absence of the conditions specified above, the service by publication ordered and the subsequent procedure, if the person to whom the document was served by means of publication does not approve it, even tacitly, is invalid. This legal conclusion is pronounced by the court ex officio, after the hearing of the parties, before the decision ending the procedure becomes final, or on the basis of a judicial remedy. (§ 144 HCCP)
The announcement must be published for fifteen days on the central internet website of the courts, as well as posted for fifteen days on the notice board of the court and on the notice board of the mayor's or joint municipal office at the party's last known domestic residence. If the party's electronic mail address has been notified to the court, the announcement must also be sent to the party's electronic mail address.
In the case of service by publication, the document - unless otherwise ordered by the court - shall be considered delivered on the fifteenth day from the publication of the notice on the website. (§ 145 HCCP)

16.1. Is a substitute method of service available under the national law of your Member State? If so, what factors does the deciding court have to take into account when assessing the admissibility of such service?

See. point 16. a)

16.2. Is there a possibility of using fictitious methods of service in your Member State? Please elaborate.

See. point 16.

16.3. If yes: When does a fictitious method of service unfold its effects? Are these equivalent to the effects of service where the document is served directly to the recipient?

As to the first question see. point 16.
They are equivalent.

16.4. Service of publication frequently do not assure that the document was actually made known to the recipient. Does your system try to ensure that the document was actually made known?

Electronic publishing can perhaps facilitate this as well.

16.5. Does the system include special remedies if actual knowledge was not obtained by the defendant?

If the facts presented by the party in the application for service by delivery prove to be untrue, and the party knew about it or could have known about it with due diligence, the party is obliged to reimburse the costs incurred by the ordered delivery of the notice, regardless of the outcome of the lawsuit, and he in addition, he must be sentenced to a fine. (§ 144 HCCP)

Ultimately, there is room for a retrial against the final judgment if the statement of claim or other document was served to the party by publication in violation of the rules of service by publication. (§ 393 HCCP)

16.6. Please explain whether fictitious methods of service may in certain circumstances be in conflict with national procedural principles (e.g. right to a fair trial, right to be heard). If so, how is this issue dealt with?

The nature of the ultima ratio of this method of service and legal remedies try to eliminate these conflicts.

16.7. Are different actions taken if the person's whereabouts are presumed to be within the country or abroad?

See. point 16. b)

Otherwise not.

17. **What is the procedure in your national jurisdiction if the recipient is responsible for a failure to serve?**
The HCCP provides rules for cases in which the acceptance of the document to be served is refused without justification. Documents shall be deemed to have been delivered on the day of the attempted delivery if the addressee has refused to accept them.
If the service was unsuccessful because the addressee did not receive the document - in the case of service via a postal service provider, it was returned to the court with the mark "not searched for" - the document must be considered delivered on the fifth working day following the day of the second service attempt. [§ 137 HCCP]

18. **What language is to be used for domestic service?**

The language of court proceedings is Hungarian. In the absence of a different provision by law, a mandatory legal act of the European Union, or an international convention, pleadings addressed to the court must be submitted in Hungarian, and the court will send the pleadings and its decision in Hungarian. [§ 113 HCCP]

19. **Are there specific claim forms to be used for domestic service in your Member State? If so, explain their content and the information required.**
There are no claim forms to be used.

20. **How are the costs of service regulated in your Member State?**

Service by the court is free of charge. The fee for service by the bailiff is HUF 7,500, which must be transferred in advance, and the document confirming the transfer must be attached to the application.

LEGAL IMPLICATIONS OF SERVICE

21. **What are the legal (minimum) requirements of an effective service? Please list them.**

See point 7.4.

22. **What are the legal consequences (procedurally and, if applicable, materially) of the proper service of documents?**
Lis pendens. As long as the dispute is pending, none of the parties may bring the dispute before another or the same court. (Starting from the time when the defendant is served with the statement of claim.) The time period for appeals starts from the date of service of the document and is therefore necessary so that later res judicata and enforceability occurs.

23. **What are the consequences of the respondent's failure to appear in the proceedings under the national law of your Member State?**
A default judgment or a decision according to the state of the files. The condition for the issuance of the default judgment (before January 1, 2018) was the failure of the first hearing; after 2018 the failure to submit a substantive counterclaim (since the entry into force of the new HCCP).

23.1. What are the possibilities of legal remedy if the respondent claims incorrect service?

The addressee may submit an objection to the court under whose procedure the service of the document took place
a) - in the case of a document deemed to have been delivered on the basis of a fiction of service - on the establishment of the fiction of service,
b) - in the case of a document deemed to have been delivered without the application of a fiction of service - about the delivery
within fifteen days from the date of becoming aware of it.
There is no place to submit an objection after the fiction of service has begun or after three months have passed from the date of service.
If the fiction of delivery has been established or the service is related to the document that initiated the procedure, the objection may be presented during the existence of the procedure, in the case of a fiction of service, within fifteen days of learning of its establishment, or in the case of service, within fifteen days of becoming aware of it.
The court will accept the objection if the addressee could not receive the court document, as
A) the service was made in violation of the legislation on the service of official documents, or was irregular for other reasons, or
B) he had no way to receive the document due to other reasons not mentioned in point a), apart from his own fault.
For the reason stated in point B) the objection to the fiction of service may only be submitted by a natural person party or other interested natural person participating in the procedure. (§ 138 HCCP)

Pursuant to § 149 of the HCCP, the party may no longer perform the failed legal action - unless this law provides otherwise - effectively, the late performed legal action is invalid. The court shall notify the affected party of the invalidity of the delayed legal action, unless this law requires the rejection of the delayed legal action.
The consequences of failure - except for the cases specified in this law - will occur on their own without prior warning. If the consequences of the omission occur only in case of a prior warning or at the request of the opponent, the omitted action can be made up during the time specified in the

warning or until the request is presented, and if the request was presented at a hearing, until the relevant decision is made.
It cannot be considered an omission if the party was hindered by an insurmountable obstacle in the performance of the legal act.
The verification request can be submitted within fifteen days from the missed deadline or the last day of the missed deadline. If the omission becomes known to the party or its representative later, or the obstacle is removed later, the deadline for submitting the request for verification begins on the day after becoming aware of it or the obstacle is removed, however, it is not possible to submit a request for verification after three months have passed since the omission.
The request for certification must state the reason for the omission and the circumstances that make it probable that the omission was innocent.
In the case of failure to meet the deadline, together with the submission of the certification request, the missed act must be made up.

24. **What are the consequences of the claimant's failure to appear in the proceedings under the national law of your Member State? (e.g. due to the absence of a summons to the preparatory hearing)**
According to § 190 HCCP if the admission hearing a) failed by all parties, or b) one of the parties failed to do so, and the present party did not request that it be retained, the court terminates the proceedings ex officio.
If the admission hearing is held at the request of the party present, a) it shall be considered that the defaulting party does not dispute the facts, legal claims, or evidence presented by the appearing party before or during the hearing, and does not oppose the fulfillment of his request or motion, unless he previously made a statement to the contrary,
b) it shall be considered that the defaulting party does not wish or is unable to make any other statement of claim to substantiate its claim or counterclaim,
c) the statement of the party present at the hearing, the document attached or deliverable at the hearing shall be deemed to have been communicated to the defaulting party, and
d) the filing of the lawsuit may be closed, unless the hearing be postponed for a reason specified in this law.
According to § 139 of the HCCP, the objection has no suspensive effect on the continuation of the procedure or the execution. However, if the existence of the facts contained in the objection appears probable, the court may order the suspension of the procedure or the execution of the decision - without hearing the opponent - ex officio. The court may later change the decision regarding the suspension upon request. If the court upholds the objection, the legal consequences related to the service are void, and the service, as well as the measures and procedural actions already taken, must be repeated - to the extent necessary. If the party has duly performed the act previously considered as a failure at the same time as submitting the objection to service, this act shall be considered effective, and the related procedural acts shall not be repeated.

24.1. What are the possible legal remedies if the claimant claims incorrect service?

See point 23.1.

25. **What are the consequences of improper service in your national jurisdiction?**
The legal effects of service of document do not cease. And the remedies mentioned above can be used. See point 23.1.

25.1. What is the procedure if the recipient nevertheless had the opportunity to prepare and therefore the principle of equality of arms was not affected?

Not relevant.

25.2. Can a deficiency in service be cured in your national jurisdiction? If so, how?
See point 23.1.

25.3. Please explain whether such a cure may in certain circumstances be in conflict with national procedural principles (e.g. right to a fair trial, right to be heard). If so, how is this issue dealt with?

It does not appear to be in conflict.

25.4. Do the consequences of improper service differ within the scope of the Regulation due to the provisions in Art. 22 of the Regulation? If so, how?
No.

25.5. Has your Member State made use of the option in Art. 22 No. 2 of the Regulation?
Hungarian courts may may give judgment in certain cases, provided that all the conditions set out in Article 22(2) are met.

25.6. How is the possibility of reinstatement in Art. 22 No. 4 of the Regulation regulated in your Member State? What is the deadline for filing an application for *restitutio in integrum*?

In Hungary, the time limit under Art. 22 No. 4 of the Regulation for filing an application for relief is 1 year.

26. **Can a decision be revoked due to incorrect service in your Member State even after it has become *res judicata*?**
See. point 16.5

27. **How is the service of documents proven or documented? How is the date of service determined in the national law of your Member State?**
The proof of service is done through a separate certificate. The document is sent as a registered mail in accordance with the 335/2012. (XII. 4.) Government decree on the detailed rules for the provision of postal services and the postal service related to official documents, as well as on the general contractual conditions of postal service providers and items excluded from the postal service or items that can be conditionally delivered [335/2012. (XII. 4.) Korm. rendelet a postai szolgáltatások nyújtásának és a hivatalos iratokkal kapcsolatos postai szolgáltatás részletes szabályairól, valamint a postai szolgáltatók általános szerződési feltételeiről és a postai szolgáltatásból kizárt vagy feltételesen szállítható küldeményekről].

28. **Except for the mentioned respondent, are there other authorised recipients, i.e. (temporary) representatives or persons authorised? Please provide the corresponding regulations within your national legal system.**
Service on statutory representatives, service on authorised agents, service on legal representatives. According to § 136 of the HCCP, if the party has an attorney to conduct the lawsuit, the court documents must be served to the attorney instead of the party. If the natural person's legal representative or other person defined by law is entitled to act on behalf of and in place of the party, and the party does not have an attorney-in-fact to conduct the lawsuit, the court documents must be served to this person. If the non-natural person party does not have an attorney to conduct the lawsuit, the court documents must be served to the party's registered office or, in the absence of a registered office, to the party's legal representative. If service to the registered office of the non-natural person is unsuccessful, service to the legal representative must also be attempted. If the non-natural person party is an organization registered in the public register and delivery to both its registered office and its legal representative is unsuccessful, the court will notify the registration authority of the failure of service to the party and the reasons for this. This provisions do not extend to summons in which the court obliges the party or its legal representative to appear in person.

29. **What are the legal consequences of an improper service of documents?**
See points 23.1. and 25.

30. **What is considered a timely service of documents?**

Hungarian law does not specify any specified date within which the document must be served.

31. **Who bears the risk of an untimely service of documents?**
This question can have relevance in jurisdiction, where the parties are responsible for the service of documents.

CROSS-BORDER SERVICE WITHIN THE SCOPE OF THE REGULATION

32. **Which bodies are considered to be "transmitting agencies" according to Art. 3 No. 1 of the Regulation in your Member State? If there are several transmitting agencies in your Member State, please describe their local jurisdiction.**

In the case of judicial documents, the transmitting agency is the court in whose proceedings the document to be served was generated; in the case of documents generated in a notarial procedure, the transmitting agency is the notary under whose procedure the document was generated; in the case of other extrajudicial documents, the transmitting agency is the Minister for Justice. (§ 77 PIL)

33. **Which bodies are considered to be "receiving agencies" according to Art. 3 No. 2 of the Regulation in your Member State? If there are several receiving agencies in your Member State, please describe their local jurisdiction.**

The receiving agency is the district court with jurisdiction according to the addressee's address as indicated in the request for legal assistance (in Budapest, the Pest Central District Court) and the Hungarian Association of Court Bailiffs. (§ 77 PIL)

34. **What means of communication is accepted by the receiving agencies when receiving documents?**

Receiving agencies accept documents to be served by post, fax or electronically. (§ 77 PIL)

35. **Which public institution is the "central body" according to Art. 4 of the Regulation in your Member State?**

The tasks of the central body are performed by the Ministry of Justice.

36. **How is it decided which method of service will be used by the authorities in your Member State?**

Based on the provisions of the legislation and practical considerations.

37. **What are the costs of service under the Regulation if your Member State is the receiving State?**

The service of documents by the court is free of charge. The fee for service by the bailiff is HUF 7 500, which must be transferred in advance to a given bank account, and the application must be accompanied by documentary evidence of the transfer.

38. **How are incomplete or insufficient requests for service to be dealt with?**

No data available.

39. **In which languages can the standardised forms be completed (according to Art. 3 No. 4 lit. d of the Regulation) in your Member State?**

Hungarian, English, German and French are accepted. (§ 77 PIL)

40. **To what extent does your Member State support address tracing according to Art. 7 of the Regulation? Please describe the process in detail.**

The assistance referred to in Article 7(1)(a) is provided by the Ministry of Justice.

41. **Has your Member State lodged a national reservation concerning the service by consular or diplomatic agents provided for in Art. 17 of the Regulation?**

The method of service under Article 17 is only applicable within Hungary if the addressee is a citizen of the transmitting Member State. (§ 77 PIL)

42. **Is the direct service method provided for in Art. 20 of the Regulation compatible with the national law of your Member State?**

In Hungary, the method of service under Article 20 may be applied in accordance with the law on service by bailiff. (§ 77 PIL)

43. **Is there a bilateral or multilateral agreement within the meaning of Art. 29 of the Regulation between your Member State and one or more other Member States? If yes, please give reference to the agreement and elaborate. Please leave out the generally applicable agreement between the EU and the Kingdom of Denmark of 19 October 2005 on the service of judicial and extrajudicial documents in civil or commercial matters.**

Hungary has no such agreement with another Member State.

44. **Has your Member State exercised the option for early use of the decentralised IT system as defined in Art. 33 No. 2 of the Regulation?**

Not applicable.

RIGHT OF REFUSAL

45. **Is there a possibility under your national law to refuse to accept a document?**

No.

45.1. On what grounds can the acceptance of a document be refused?
No relevance.

45.2. How can the acceptance of documents served electronically be refused?
No relevance.

45.3. What factors does the deciding court have to take into account when assessing the admissibility of the refusal to accept?
No relevance.

45.4. What are the consequences of such a refusal? Please distinguish between justified and unjustified refusals when responding.
No relevance.

46. **How do the courts in your Member State review the admissibility of the refusal to accept a document under Art. 12 of the Regulation?**

See point 61.

ELECTRONIC METHODS OF SERVICE

47. **Does your Member State's national law allow documents to be served electronically? If so, how?**
Yes. On the details see the answers to questions 10, 15 and 16.
In addition to these: According to § 605 of the HCCP, a party who is not obliged to maintain electronic contact in a lawsuit or a representative who is not a legal representative may submit the statement of claim and all other submissions electronically, as specified in the E-Administration Act and its implementing regulations way.

The party or the representative can make a notification regarding electronic communication at any stage of the procedure at the court. Submitting the application electronically shall be considered as acceptance of the electronic method.

If the electronic method is chosen, during the procedure - including all stages of the procedure and the extraordinary legal remedy - the party or its representative must maintain contact with the court electronically, and the court will also serves all court documents electronically to the party, with the exception of those attached at the hearing or deliverable document or decision.

If the party or its representative who is not a legal representative does not accept electronic service, but electronic service is mandatory for the other party or has agreed to it, the court will digitize the submissions of the party or representative who submitted the paper-based document and serve it electronically to the other party .

The court serves the court document to the party on a paper basis - provided that he is not personally obliged or has not undertaken to maintain electronic contact, if the party acts through his legal representative or other representative who undertakes electronic contact in the proceedings and the document is not served by the representative, but must be served on the party or cannot be served on the representative. The court informs the party that they can also communicate with the court electronically.

Pursuant to § 614 of the HCCP, the submission of a pleading from an electronic mail address is not considered electronic submission, and the court may only forward a document to the party's electronic mail address in the cases specified in this law.

Pursuant to § 606 of the HCCP, if a party acting without a legal representative or its representative who is not a legal representative has agreed to maintain contact with the court electronically, it may later, simultaneously with the submission of the petition on paper, ask the court for permission to switch to a paper-based procedure. In the application, it must be made probable that there has been a change in the circumstances of the party, or of the representative who is not a legal representative, due to which the electronic procedure would in the future represent a disproportionate burden on him.

47.1. If dedicated internet portals are used for this purpose: Please describe the platform. Do users have to register beforehand?

Yes. On the details see the answers to questions 15.

47.2. How is the e-identification (and possibly e-signature) of electronically served documents executed in the national legal system of your Member State?

The use of the closed communication system requires prior registration. Legal representatives and the court also have electronic signatures.

47.3. How is it ensured that the right person receives the documents? How is the identity of the user verified?

The use of the closed communication system requires prior registration. This ensures that the document reaches the right person and that his identity can be verified.

47.4. How is the time of service determined?

If the service confirms to the court that the court document sent by the court has not been received despite the two times of electronic communication, the court document shall be considered served on the fifth working day following the date indicated in the second notification confirmation. If the presumption of service has been established, the court and the person communicating electronically will receive automatic information via the service system. Among the notifications sent by the Central System, this is the failure certificate.

48. **Is electronic service dependent on the consent of the person concerned in your Member State?**

Apart from the persons obliged to use electronic means (see point 10), the person's consent is required.

48.1. If consent is required, can it be given universally or must consent be obtained for each individual case?

Consent can only be given on a case-by-case basis.

48.2. If universal consent is permissible, can certain matters (e.g. family law disputes) be exempted from the consent?

The universal consent is not permissible.

49. **Is every citizen obliged to accept electronic service of documents in your Member State?**

The natural persons are not obliged to accept electronic service of documents. (See point 10.)

49.1. If yes: What provisions does your Member State's national law provide in case the recipient has no possibility to receive electronic deliveries? (e.g. for elderly people)

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50. **Is there a central body responsible for electronic service in your Member State?**

The National Court Office (Országos Bírósági Hivatal) shall, by using the IT system for this purpose, ensure that continuous contact with the court can be maintained through the service delivery system. The National Court Office and the court are entitled to process the data received by those who maintain electronic contact for the purpose of ensuring electronic contact. (HCCP § 615)

51. **What measures are taken in your Member State to ensure the security of electronic service?**

The court provides the court document it sends electronically with an electronic stamp according to Regulation 910/2014/EU, which complies with the conditions defined by law or government decree. A document prepared by a court and with an electronic stamp that complies with the conditions defined by law or government decree is a public document. (HCCP § 616)

52. **What measures are taken in your Member State to ensure the efficiency of electronic service?**

Many things could be listed, but e.g. frequently asked questions about electronic lawsuits published on the courts' central website are very useful.

53. **What are the consequences if electronic service is not possible? (e.g. disrupted internet access)**

See point 47.4.

In addition to this pursuant to § 614 of the HCCP, if the document cannot be delivered because the person communicating electronically has not concluded a service contract for the service of the

delivery system or has terminated the contract through which the court documents can be delivered to him, the person communicating electronically will be fined by the court and delivers the court document on paper.

54. **What are the costs of electronic service?**
Service by court is free of charge.

55. **What measures does your Member State take with regard to data protection in connection with electronic service?**
The E-Administration Act devotes a separate chapter to the regulation of data management

56. **How could the rules on service in your national law be improved in order to facilitate cross-border service and to avoid legal uncertainty?**

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57. **Please explain how the E-CODEX system operates if your Member State took part in the E-CODEX project concerning procedures in the case of European Small Claims and European Payment Order.**

No data available.

PROBLEMS RESULTING OUT OF CROSS-BORDER SERVICE

58. **What national issues arise out of the service of documents in your member state?**

Recently, these have arisen primarily in connection with new institutions, such as electronic service, e.g. if the party cannot open the document or has other technical problems, what can be done.

59. **What European issues arise out of the service in your member state?**

Most of the questions are related to denial of receipt and the need for translation. See point 61.

According to the 26th position of the National Council of Civilian College Leaders of April 15, 2019 (Civilisztikai Kollégiumvezetők 2019. április 15-i Országos Tanácskozásának 26. állásfoglalása), Article 8 (1) of Regulation 1393/2007/EC, the party may refuse to accept the document if a translation is not attached to it, but this does not mean that in all cases it is mandatory for the court to translate decisions before delivering them abroad. The party can be legally served with the document without translation if he receives it, in which case the translation and the related costs are obviously unnecessary. If the party refuses to accept the document by exercising its right contained in the referenced EC regulation, then the service is not legal, and after learning about this, the court must take measures to obtain a translation and then repeat the service.

60. **How could the provisions on service in your national legislation be improved in order to facilitate cross-border service and prevent legal uncertainty?**

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61. **Please list national cases in which problems occurred regarding the cross-border service of documents. If possible, please shortly summarise the respective issues and decision.**

In a case (Budapesti IV. és XV. Kerületi Bíróság, P.IV 22.789/2016), the court (according to the Reg. 1393/2007/EG) ordered service to the defendant living in the Netherlands through a court requested based on this, but after the information provided to the Dutch authorities was not adequate, he turned to the central body for further measures. The central body, contributes to the solution of problems arising in relation to the fulfillment of specific requests for legal aid, if direct communication between the courts and authorities has not led to results. The central body task of the Ministry of Justice is therefore rarely highlighted in connection with services, but at the same time, its use is indispensable in cases of otherwise ineffective cooperation.

There was a case (Gyulai Törvényszék G.20.070/2018) where the receiving agency did not classify the data carrier - containing evidence - forming the attachment of the statement of claim letter as a court document, and therefore returned that part of the consignment without service.

In one of the cases (Gyulai Törvényszék, G.40010/2015), the court asked the plaintiff for an advance on translation costs for the proper service of the statement of claim, and due to his failure, the statement of claim was rejected without issuing a summons. At the same time, it can be concluded that even in the absence of a translation or a translation in an inappropriate language, the service is considered valid, if the addressee does not exercise the right to refuse, despite the information provided via the form.

A question often arises as to whether, in the case of an unjustified - language-based - refusal, the court can apply a legal consequence regulated in its own national procedural law, namely the fiction of service. In one of the cases (Gyulai Törvényszék G.20.070/2018), the court rejected the objection to service by the Swedish-based defendant. Using a form, one of the defendants sent back the statement of claim and its annexes translated into English, as well as the order calling for a counterclaim, refusing to accept it. As part of the examination of the thoroughness of the exercise of the right of refusal set out in the Regulation, the court examined the recipient's language skills, based on the principles developed in the practice of the CJEU. Regarding the English translation, the court found that the document is in a language that the addressee understands. A global company that uses English in international economic relations understands the essence of the claim and the content of the court summons in English. A Swedish translation is therefore not necessary, and based on Section 137 (2) of the HCCP, court documents must be considered served on the day of the attempted service, if the addressee has refused to receive them.[9]

[9] Kúria joggyakorlat-elemző csoportjának véleménye a nemzetközi magánjogról szóló 2017. évi XXVIII. törvény bírói gyakorlata, points 177, 183, 186, 188.

Instructions for contributors

1. References

As a rule, specific references should be avoided in the main text and, preferably, should be placed in the footnotes. Footnote numbers are placed after the final punctuation mark when referring to the sentence and directly after a word when referring to that word only. We humbly invite our authors to examine carefully our sample references which are preceded by [-]. These sample references put the theory of our authors' guidelines into practice and we believe that they may serve to further clarify the preferred style of reference.

1.1. Reference to judicial decisions

When citing national judicial authorities, the national style of reference should be respected. References to decisions of European courts should present the following form:

[Court] [Date], [Case number], [Party 1] [v] [Party 2], [ECLI] (NB: the "v" is not italicised)

- ECJ 9 April 1989, Case C-34/89, Smith v EC Commission, ECLI:EU:C:1990:353.
- ECtHR 4 May 2000, Case No. 51 891/9, Naletilic v Croatia.

1.2. Reference to legislation and treaties

When first referring to legislation or treaties, please include the article to which reference is made as well as the (unabbreviated) official name of the document containing that article. The name of a piece of legislation in a language other than English, French or German should be followed by an italicised English translation between brackets. In combination with an article number, the abbreviations TEU, TFEU, ECHR and UN Charter may always be used instead of the full title of the document to which the abbreviation refers. If the title of a piece of legislation constitutes a noun phrase, it may, after proper introduction, be abbreviated by omission of its complement. Thus:

- Art. 2 Protocol on Environmental Protection to the Antarctic Treaty (henceforth: the Protocol).
- Art. 267 TFEU.
- Art. 5 Uitleveringswet [Extradition Act].

1.3. Reference to literature

1.3.1 First reference

Any first reference to a book should present the following form: [Initial(s) and surname(s) of the author(s)], [Title] [(Publisher Year)] [Page(s) referred to]

- J.E.S. Fawcett, The Law of Nations (Penguin Press 1968) p. 11.

If a book is written by two co-authors, the surname and initials of both authors are given. If a book has been written by three or more co-authors, 'et al.' will follow the name of the first author and the other

authors will be omitted. Book titles in a language other than English, French or German are to be followed by an italicised English translation between brackets. Thus:

- L. Erades and W.L. Gould, The Relation Between International Law and Municipal Law in the Netherlands and the United States (Sijthoff 1961) p. 10 – 13.
- D. Chalmers et al., European Union Law: cases and materials (Cambridge University Press 2010) p. 171.
- F.B. Verwayen, Recht en rechtvaardigheid in Japan [Law and Justice in Japan] (Amsterdam University Press 2004) p. 11.

1.3.2 Subsequent references

Any subsequent reference to a book should present the following form (NB: if more than one work by the same author is cited in the same footnote, the name of the author should be followed by the year in which each book was published):

[Surname of the author], [supra] [n.] [Footnote in which first reference is made], [Page(s) referred to] Fawcett, supra n. 16, p. 88.

- Fawcett 1968, supra n. 16, p. 127; Fawcett 1981, supra n. 24, p. 17 – 19.

1.4. Reference to contributions in edited collections

For references to contributions in edited collections please abide by the following form (NB: analogous to the style of reference for books, if a collection is edited by three or more co- editors only the name and initials of the first editor are given, followed by 'et al.'):

[Author's initial(s) and surname(s)], ['Title of contribution'], [in] [Editor's initial(s) and surname(s)] [(ed.) or (eds.)], [Title of the collection] [(Publisher Year)] [Starting page of the article] [at] [Page(s) referred to]

- M. Pollack, 'The Growth and Retreat of Federal Competence in the EU', in R. Howse and K. Nicolaidis (eds.), The Federal Vision (Oxford University Press 2001) p. 40 at p. 46.

Subsequent references follow the rules of 1.3.2 supra.

1.5. Reference to an article in a periodical

References to an article in a periodical should present the following form (NB: titles of well- known journals must be abbreviated according to each journal's preferred style of citation):

[Author's initial(s) and surname(s)], ['Title of article'], [Volume] [Title of periodical] [(Year)] [Starting page of the article] [at] [Page(s) referred to]

- R. Joseph, 'Re-Creating Legal Space for the First Law of Aotearoa-New Zealand', 17 Waikato Law Review (2009) p. 74 at p. 80 – 82.
- S. Hagemann and B. Høyland, 'Bicameral Politics in the European Union', 48 JCMS (2010) p. 811 at p. 822.

Subsequent references follow the rules of 1.3.2 supra.

1.6. Reference to an article in a newspaper

When referring to an article in a newspaper, please abide by the following form (NB: if the title of an article is not written in English, French or German, an italicised English translation should be provided between brackets):

- [Author's initial(s) and surname(s)], ['Title of article'], [Title of newspaper], [Date], [Page(s)]: T. Padoa-Schioppa, 'Il carattere dell' Europa' [The Character of Europe], Corriere della Serra, 22 June 2004, p. 1.

1.7. Reference to the internet

Reference to documents published on the internet should present the following form: [Author's initial(s) and surname(s)], ['Title of document'], [<www.example.com/[...]>], [Date of visit]

- M. Benlolo Carabot, 'Les Roms sont aussi des citoyens européens', <www.lemonde.fr/idees/article/2010/09/09/les-roms-sont-aussi-des-citoyens- europeens_1409065_3232.html>, visited 24 October 2010. (NB: 'http://' is always omitted when citing websites)

2. Spelling, style and quotation

In this section of the authors' guidelines sheet, we would like to set out some general principles of spelling, style and quotation. We would like to emphasise that all principles in this section are governed by another principle – the principle of consistency. Authors might, for instance, disagree as to whether a particular Latin abbreviation is to be considered as 'common' and, as a consequence, as to whether or not that abbreviation should be italicised. However, we do humbly ask our authors to apply the principle of consistency, so that the same expression is either always italicised or never italicised throughout the article.

2.1 General principles of spelling

- Aim for consistency in spelling and use of English throughout the article.
- Only the use of British English is allowed.
- If words such as member states, directives, regulations, etc., are used to refer to a concept in general, such words are to be spelled in lower case. If, however, the word is intended to designate a specific entity which is the manifestation of a general concept, the first letter of the word should be capitalised (NB: this rule does not apply to quotations). Thus:
- [...] the Court's case-law concerning direct effect of directives [...]
- The Court ruled on the applicability of Directive 2004/38. The Directive was to be implemented in the national law of the member states by 29 April 2006.
- There is no requirement that the spouse, in the words of the Court, 'has previously been lawfully resident in another Member State before arriving in the host Member State'.
- Avoid the use of contractions.
- Non-English words should be italicised, except for common Latin abbreviations.

2.2. General principles of style

- Subdivisions with headings are required, but these should not be numbered.
- Use abbreviations in footnotes, but avoid abbreviations in the main text as much as possible.
- If abbreviations in the main text improve its legibility, they may, nevertheless, be used. Acronyms are to be avoided as much as possible. Instead, noun phrases are to be reduced to the noun only (e.g., 'the Court' for 'the European Court of Human Rights'). If this should prove to be problematic, for instance because several courts are mentioned in the text (e.g., the Court of

Justice and the European Court of Human Rights), we ask our authors to use adjectives to complement the noun in order to render clear the distinction between the designated objects (e.g., the Luxembourg Court/the European Court and the Strasbourg Court/the Human Rights Court). As much will depend on context, we offer considerable liberty to our authors in their use of abbreviations, insofar as these are not confusing and ameliorate the legibility of the article.

- In English titles, use Title Case; in non-English titles, use the national style.

2.3. General principles of quotation

- Quotations are to be placed between single quotation marks, both in the main text and in the footnotes (thus: 'aaaaa').
- When a quotation forms part of another quotation, it is to be placed between double quotation marks (thus: 'aaaaa "bbbbb" aaaaa').
- Should a contributor wish to insert his own words into a quotation, such words are to be placed between square brackets.
- When a quotation includes italics supplied by the contributor, state: [emphasis added].