



Council of the  
European Union

Brussels, 19 September 2022  
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## **PROPOSAL**

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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	18 September 2022
To:	General Secretariat of the Council
No. Cion doc.:	COM(2022) 485 final/ANNEX
Subject:	Annexes to the Explanatory Memorandum of the Commission proposal for a Council implementing decision on measures for the protection of the Union budget against breaches of the principles of the rule of law in Hungary

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Delegations will find attached document COM(2022) 485 final/ANNEX.

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Encl.: COM(2022) 485 final/ANNEX



Brussels, 18.9.2022  
COM(2022) 485 final

ANNEX

**ANNEXES**

*to the Explanatory Memorandum of the Commission proposal for a*

**Council implementing decision**

**on measures for the protection of the Union budget against breaches of the principles of  
the rule of law in Hungary**

## Annex

**Table 1: Key implementation steps of the remedial measures until  
19 November 2022**

(as committed to by Hungary in the submitted remedial measures)

Remedial measure	Key implementation step	Implementation date
Integrity Authority	Adoption of a Government Decision providing for the tasking and the timeline for the establishment of the Integrity Authority	<b>by 5 September 2022</b>
	Submission to the National Assembly of a Draft Act on the establishment of the Authority	<b>by 30 September 2022</b>
	Appointment of the board of the Authority	<b>by 4 November 2022</b>
	Beginning of the activities of the Authority	<b>as of 19 November 2022</b>
Anticorruption Task Force	Adoption of the repealing of the Government Decision	<b>by 5 September 2022</b>
	Submission to the National Assembly of a Draft Act on the establishment of the Authority	<b>by 30 September 2022</b>
Strengthening the Anticorruption framework	Adoption of anti-fraud and anti-corruption strategies	<b>by 30 September 2022</b>
	Submission to the National Assembly draft legislation including on: Extension of the personal and material scope of asset declarations (including to relatives living in the same household with the person concerned)	<b>Effective from 1 November 2022</b>
Public Interest Management Foundations	Adoption of the amending acts (Act CXLIII of 2015 on public procurement and Act IX)	<b>by 30 September 2022</b>
Judicial Review of prosecutors' decisions	Finalisation of the draft text of implementing regulations (necessary for the application of the review procedure) and adoption immediately after the entry into force of the new law	<b>by 31 October 2022</b>
	Entry into force of the new law amending the Criminal Procedure Code following an ex ante review by the Constitutional Court initiated by the Government	<b>15 November 2022</b>

Strengthening audit and control mechanisms for the implementation of EU funds	Establishment of a Working Group	<b>by 31 August 2022</b>
	Establishment of the DIAI (Directorate of Internal Audit and Integrity) in the Prime Minister's Office	<b>by 30 September 2022</b>
	Adoption of amendments of the relevant Government Decrees (413/2021 and 256/2021)	<b>by 30 September 2022</b>
Reduction of single-bids in procurement procedures involving EU funds	Performance of the first audit by the EUTAF on the compliance with the Single Market Scoreboard methodology (and on individual data provision to the Commission and to the public if applicable)	<b>by 30 September 2022</b>
Single-bid reporting tool	Development of a new monitoring and reporting tool based on data sourced from the EPS	<b>by 30 September 2022</b>
	The Directorate General for Audit of European Funds (EUTAF) shall confirm through its audit that the single-bid reporting tool is fully functional and operational	<b>by 30 September 2022</b>
Electronic Public Procurement System (EPS)	Full operability of newly developed functions allowing for the structured search and export of data in the EPS also in a format processable by machine means	<b>by 30 September 2022</b>
Performance measurement framework	Development of a performance measurement framework, including the adoption of a Government Decision	<b>by 30 September 2022</b>
Extended use of Arachne	Application of the procedures for the systematic and effective use of ARACHNE	<b>by 30 September 2022</b>
Strengthening cooperation with OLAF	Adoption of an act on the amendment to Act CXXII of 2010 on Nemzeti Adó- és Vámhivatal, by which the National Tax and Customs Administration will be designated as the competent national authority to assist OLAF	<b>by 30 September 2022</b>
	Adoption of an act on the amendment to Act XXIX of 2004 to introduce a dissuasive financial type of sanction to be imposed in case an economic operator refuses to cooperate with OLAF	

Enhanced transparency of public spending	Send to the Commission an advanced draft of the legislative act setting out an obligation for all public bodies to proactively publish a pre-defined set of information on the use of public funds	<b>by 30 September 2022</b>
	Adoption of the above legislative act	<b>by 31 October 2022</b>

Table 2: Remedial measures that require a longer implementation period and no immediate key implementing steps:

(as committed to by Hungary in the submitted remedial measures)

Reducing the share of tender procedures with single bids financed from the national budget	To be implemented, gradually (in three steps) by 31 December 2024. No key immediate implementing step.
Adoption of an action plan to increase the level of competition in public procurement	The plan is to be adopted by 31 March 2023, taking into account inter alia the first results of the performance measurement framework to be operational by 31 December 2022. No key immediate implementing step.
Training to be provided for micro, small and medium-sized enterprises on public procurement practices	To be implemented progressively until June 2026. No key immediate implementing step.
Setting up a support scheme for compensating the costs associated with participating in public procurement of micro, small and medium-sized enterprises	To be implemented progressively until July 2026. No key immediate implementing step.