Dear Partner!

With regard to the amendment of Government Decree 261/2011 (XII.7.), the following new obligations have appeared in respect of international road transit and freight transport as of 01.01.2021:

from 01.01.2021, cargo vehicles driving in the territory of Hungary and
(a) carrying out international road transit for a fee with a maximum authorised mass exceeding 3.5 tonnes,
(b) carrying out international road freight transport on own account with a maximum authorised mass exceeding 7.5 tonnes,
(c) engaged in cabotage transport within the territory of Hungary (=transport, haulage activity between two points in the territory of a given country, carried out by economic operators not established in that country)
may only participate in road traffic if using electronic transport registration valid for the given transport task. Running empty is also considered a transport task in this respect.

The operator of a cargo vehicle as defined in paragraphs (a), (b) and (c) above**, or the carrier**, **shall record** the following data of the relevant business undertaking (registration by operator) in the publicly available IT system operated by the transport authority (= **BIREG system**) prior to the commencement of the transport operation on the territory of Hungary or before entering the territory of Hungary:
- company name, registered office,
- details of the activity or Community permit, and
- details and authorisations of users authorised to record the transport activities of the specific undertaking in the BIREG system.

In addition, **the driver or operator of a cargo vehicle** as defined in paragraphs (a) to (c) above, shall
(a) before entering and leaving the territory of Hungary,
(b) in the case of unloading or loading in Hungary, by the time unloading or loading is completed in Hungary
record and upload the following data of the given transport in the BIREG system:
- the data identifying the country of loading and unloading, and
- the documents necessary thereof.

A new obligation related to the above is that in addition to the **CEMT permit** for international transit and freight transport (= permit issued by the International Transport Forum) or **a permit issued on the basis of an international convention**, **the confirmation** of the completion of the above transport registration previously sent by the BIREG system **shall now also be presented** by the provider of international road transit services for a fee.

The "presentation" shall be made to the consignor at the place of loading in Hungary, and to the consignee at the place of unloading in Hungary.

In addition to the two permits referenced above, the consignor at the place of loading in Hungary and the consignee at the place of unloading in Hungary **will also examine the validity of the transport registration.**

If the above mentioned authorisation is missing, is invalid, or does not comply with the requirements for the relevant transit task, **or (as a new element from 2021) the transport registration has not been carried out by the driver or operator of the cargo vehicle**, the consignor and the consignee shall immediately notify the transport authority or customs or the police.
The authority receiving the notification shall have the right to visit the place of loading and unloading and take measures pursuant to Act I of 1988 on Road Transport and to initiate other (e.g. criminal) proceedings deemed justified in the specific case.
If the consignor learns during the loading that the authorisation is missing, invalid, incomplete, or (as a new element from 2021) **the transport has not been registered** or the registration incomplete, **the consignor shall be entitled to refuse to load the goods**.

The obligations of the consignor and the consignee have been clarified as follows:
At the place of loading in Hungary the consignor and at the place of unloading in Hungary the consignee shall record on the transport log forming part of the CEMT permit or on the permit issued under the international convention, the place and time of loading and unloading, as well as the mileage of the cargo vehicle performing the transit task, and affix the stamp of the loading or unloading place. Thereafter, the consignor or the consignee shall make a photocopy of the transport log or the permit and retain it for one year at the place of loading or unloading in Hungary or at the consignee's premises attached to the consignment note and present it at the request of the authority (permit management).

ACTION ITEMS based on the above:

- the operator shall register in the BIREG system (this is a prerequisite for the registration of individual transports).
- Once the BIREG system becomes available (there are still issues with the system),
    - the driver or the operator of the cargo vehicle will have to upload the data of each transport and the necessary documents to the electronic system in advance.
    - consignors and consignees will also be responsible for verifying the existence and accuracy of the transport registration by checking the confirmation sent to the registrant by the BIREG system.
- From 1 July 2021, consignors and consignees will also have to record specific data and documents in the BIREG system.

Consequences in case of failure to comply with the regulations:

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If the registration is not completed by 31.01.2021, the operators (carrier) can expect a significant fine!

If transport registrations related to shipments are not made from 01.02.2021, you can expect a significant fine!

If consignors and consignees fail to fulfil their obligations set out above, they may also be penalised!

Furthermore, as of 01.07.2021, consignors and consignees will also be obliged to record specific data and documents in the BIREG system as planned.

Yours sincerely,

The staff of Bergmann Iroda