

Information on the tasks, activities of the National Tax and Customs Administration

The powers vested upon the NAV apply to:

- a)* mandatory payments which are due - in part or whole - to the central budget, the Pension Insurance Fund, the Health Insurance Fund or any extra-budgetary fund;
- b)* subsidies paid from the central budget or from extra-budgetary funds, tax refunds or tax repayment;
- c)* mandatory payments falling within the scope of the Act on the Implementation of Union Customs Law; in terms of assessment, collection, keeping records, enforcement, refunds, disbursement and control, unless otherwise prescribed by an act or government decree.

The NAV shall:

- a)* discharge the duties conferred upon it by legislation adopted for the implementation of the Act on Public Finances relating to cash supply;
- b)* compile and process tax, customs and cash flow data, analyse and process the findings of inspections, and supply the relevant information concerning them to the government bodies with a role in shaping the government's economic policies;
- c)* process the data necessary and available for the public finance system to function, and supply it to the minister in charge of tax policy;
- d)* gather and archive - through the Central Management and its territorial branches vested with powers and competence - data and information in connection with the duties and responsibilities described in the above section, such as payment obligations and the related proceedings, of which the NAV shall provide data processing and data disclosure services for economic analyses to the competent government agencies;
- e)* be involved, through its tax or customs branch, in criminal proceedings initiated on the suspicion of a crime against public finances in the capacity of other relevant party;
- f)* exercise central control in accordance with the Government Decree on the Detailed Rules of Tax Administration Proceedings;
- g)* provide health promotion, healthcare, social and cultural services to its government officials, government administrators, professional staff members and employees;
- h)* arrange and conduct training and further education for its government officials, government administrators, professional staff members;
- i)* set up and operate a business association for the development and improvement of computer

systems and electronic administration, where the head of the state tax and customs authority shall exercise owner's rights;

j) oversee compliance with the provisions of the Act on the Prevention and Combating of Money Laundering and Terrorist Financing, and carry out the regulatory control duties and the duties related to official supervision falling within its competence;

k) cooperate with the Magyar Szénhidrogén Készletező Szövetség (*Hungarian Association for the Stockpiling of Hydrocarbons*) in discharging its functions relating to monitoring compliance with the use of fiscal markers for fuels marketed in retail and end-user service stations prescribed in Subsection (1) of Section 46 of Act XXIII of 2013 on the Safety Reserves of Imported Crude Oil and Petroleum Products at retail petrol stations;

l) carry out the tasks provided for in the Act on the Implementation of Restrictive Measures Imposed by the European Union Relating to Liquid Assets and Other Financial Interests.

The NAV shall:

- a) carry out the duties conferred upon Member States in cases falling within its sphere of responsibility according to European Union legislation and specific other legislation, stemming from the operation and use of IT systems;
- b) carry out the duties stemming from international cooperation under European Union and national legislation - including mutual assistance between the administrative authorities - and participate in the preparation of additional bilateral and/or multilateral agreements, and in accordance with statutory authorisation shall represent Hungary in various European Union and international organizations concerned with cases falling within the competence of the NAV;
- c) arrange, supervise and conduct projects falling within the competence of the NAV, financed from European Union and other international funds;
- d) execute the duties set out in specific other legislation relating to cooperation and coordination with the European Anti-Fraud Office (OLAF).

Having regard to the powers of the NAV relating to taxes:

- a) the competent branches shall - when discharging their duties - cooperate with the municipal governments and local nationality self-governments in their area of jurisdiction;
- b) the NAV shall supply information through its branches having powers and competence concerning revenues on a yearly basis and to the extent necessary to municipal governments which affect the budgets of municipal governments and local nationality self-governments; where the minister in charge of tax policy shall determine the content requirements for data disclosures in agreement with the minister in charge of local governments;
- c) the NAV shall be responsible to discharge the duties conferred upon the state tax and customs

authority in connection with outstanding public dues enforced as taxes and other mandatory payments;

- d)* the NAV shall be responsible to discharge the duties conferred upon the state tax and customs authority in connection with granting and reclaiming government guarantees (surety facilities), and in connection with monitoring the redemption of government guarantees;
- e)* the NAV shall conduct the procedure necessary for establishing fair market value, maintain the relevant records and shall collect and refund the fees for these procedures as appropriate, send a copy of the definitive resolutions adopted in conclusion of the proceedings for establishing the fair market value to the minister in charge of tax policy, and shall prepare a report for the minister in charge of tax policy each year regarding the fees collected for proceedings conducted for establishing the fair market value, including the conclusion drawn upon such proceedings;
- f)* the NAV shall be responsible to discharge the duties conferred by law upon the state tax and customs authority in connection with the register of insured workers employed by employers and payers, and with the disclosure of such data to the register of the health insurance on insured persons and to the employment authority;
- g)* the NAV shall carry out the final accounting of levies by the procedure laid down in the relevant legislation and shall disclose the related data and information to the minister in charge of tax policy;
- i)* the NAV shall proceed in the capacity of creditor in bankruptcy, liquidation, winding-up and involuntary de-registration proceedings, in property distribution proceedings and debt consolidation proceedings as regards the claims falling within its competence, and shall function as a credit representative of other creditors in cases and in the manner defined by law; and shall be responsible to discharge the duties conferred by law upon it in connection with judicial enforcement proceedings.

Having regard to the powers of the NAV relating to customs:

- a)* the NAV shall be responsible for placing goods under the customs procedure under European Union customs law;
- b)* the NAV shall carry out the inspection of goods and passengers passing through the customs frontier, and shall levy and collect customs debts and other charges connected to customs procedures;
- c)* the NAV shall, directly or indirectly, check the particulars necessary for identifying the goods (classification for tax purposes and compliance with other requirements specified by law) for verification purposes, or shall monitor compliance with the requirement for inspection;
- d)* the NAV shall carry out the inspection of data contained in customs documents and customs procedures for customs and statistical purposes, including any corrections made on these documents, their records, aggregation, processing and delivery;

- e) the NAV shall perform post-clearance inspections and follow-up audits prescribed in customs, tax and other regulations;
- f) the NAV shall carry out posterior control procedures relating to transactions forming part of the system of financing by the European Agricultural Guarantee Fund.

Having regard to the powers of the NAV relating to excise:

- a) the NAV shall carry out duties relating to excise taxation and control according to excise regulations;
- b) the NAV shall perform duties relating to excise matters as specified by excise regulations.

Within the framework of crime prevention and law enforcement, the NAV:

- a) shall carry out operations in relation to the criminal offenses conferred within its field of competence by the Code of Criminal Procedure
 - aa) for the prevention of criminal activities, where it shall monitor crime situations and criminal trends in Hungary, assess the risk of offenses being committed and attempts to commit the offense of conspiracy to commit crimes, and shall obtain, analyze, evaluate, verify and transmit information related to criminal activities, which are considered essential for the prevention and deterrence of criminal offenses,
 - ab) conduct investigations, take measures for the detection of criminal activities in accordance with the Act on Criminal Proceedings, and also for the recovery of criminal assets,
 - b) shall carry out the functions conferred upon it by the Act on the Prevention and Combating of Money Laundering and Terrorist Financing in cooperating with investigating authorities, the national security service, the prosecution service, the courts, and the organisational unit that carries out tasks related to internal crime prevention and crime investigation as well as terrorism response as defined by the Act on the Police in fulfilling its responsibilities conferred upon it by law.

Having regard to its public security and regulatory powers the NAV shall:

- a) engage in the detection and judgment of misdemeanour violations that were referred to its jurisdiction by a special legislation;
- b) provide for the protection of persons where so ordered by the investigating arm of the NAV, within the framework of the relevant legislation;
- c) provide for the safeguarding and escorting of specific material assets and valuables;
- d) provide for the safeguarding and escorting of persons apprehended, placed in custody, arrested or detained;

e) set up mobile units for conducting in-depth inspections inside the territory of the Hungary - with the exception of frontier stations at the external borders of the Union - providing a means for discharging its control obligations and entitlements prescribed by the relevant legislation,

f) carry out the duties prescribed by specific other legislation relating to public security and regulatory functions.

Furthermore, the NAV shall:

a) monitor the trading of goods and technologies which are subject to international control, as governed by specific other legislation;

b) monitor trading in precious metals and carry out inspections relating to hallmarking;

c) process data originating from customs, excise, misdemeanour and other proceedings, falling within its sphere of powers and competence;

d) execute regulatory powers relating trading in metal;

e) carry out the duties concerning taxation and control relating to environmental product charges and motor vehicle registration duties.

Moreover, the NAV shall perform other tasks conferred under its jurisdiction by law.