



MINISTRY OF PUBLIC ADMINISTRATION AND JUSTICE OF  
HUNGARY  
DEPARTMENT OF PRIVATE INTERNATIONAL LAW

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REPUBLIKA SLOVENIJA MINISTRSTVO ZA PRAVOSODJE IN JAVNO UPRAVO LJUBLJANA 03	
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Republika Slovenija  
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Budapest, 28 June 2012

**Subject:** Convention between the People's Republic of Hungary and Socialist Federal Republic of Yugoslavia on the mutual legal assistance, concluded in Beograd on 7<sup>th</sup> March 1968 – Request for legal assistance – information on foreign law

The Ministry of Public Administration and Justice of Hungary presents its compliments to the Ministry of Justice of Slovenia and in response to your request dated 10 June 2011 has the honour to inform you about the following:

First of all we apologize for the long delay in responding.

The above-mentioned Treaty, as it is specified in the Preamble concerns civil, family and criminal cases. Article 71 figures in Part Two of the Treaty which deals with legal assistance in civil and family matters and in our view the place of this Article determines its scope as well. Regarding this fact the exemption from legalization primarily concerns only documents drafted by the courts (or other authorities) acting in civil and family cases. Nevertheless the rule of the exemption from legalization may be applied more flexibly in our view therefore we consider a document that has been drafted or issued by another authority but is used in a civil or family case to be falling under the scope of the exemption.


However educational institutions do not fall in the category of authorities acting in civil and family matters. Therefore the rule of the exemption of legalization cannot be, as a general rule, applied to documents drafted by them. Nevertheless in case of civil proceedings pending before a court or other authority where the presentation of a school certificate issued in the other Contracting Party is needed, the obligation of legalization may be disregarded in our view. In other cases, like in proceedings for naturalisation and recognition of foreign degrees and certificates, Article 71 of the Treaty cannot be applied for institutes of education.

At the same time it should also be noted that according to the Hungarian law, in principle, legalization of foreign school certificates is not required in recognition proceedings with the exception of cases when the authenticity of the document is doubtful.

We do hope that our answer is of help and let us apologize again for the delay.

The Ministry of Public Administration and Justice of Hungary avails itself the opportunity to express the assurance of its highest consideration.



  
dr. Zoltán NÉMETH  
Head of Department