Hungarian IT solutions in judicial enforcement and related fields

Digital signature, electronic communication, data processing and data protection

- ▶ TakarNet
  - ◦ National electronic real estate register

- ▶ JÜB: Data Supplying Network Strengthening the Security of Legal Transactions
  - ◦ Hungarian framework providing access to governmental registers for stakeholders of justice administration

- ▶ E–Cégeljárás: Electronic Registry of Business Entities
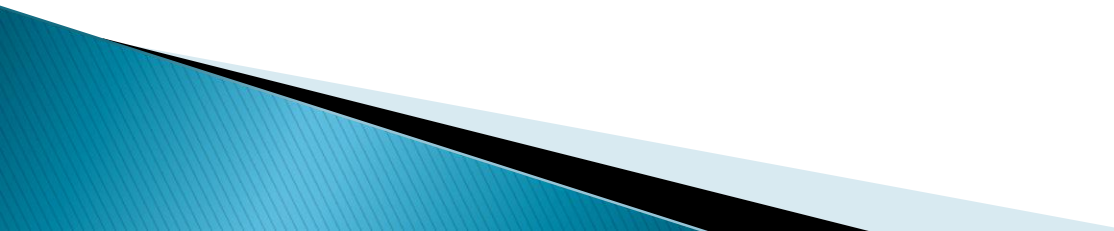 - • Electronic registration & deregistration of companies, e-attachment of business shares

Digital signature, electronic communication, data processing and data protection

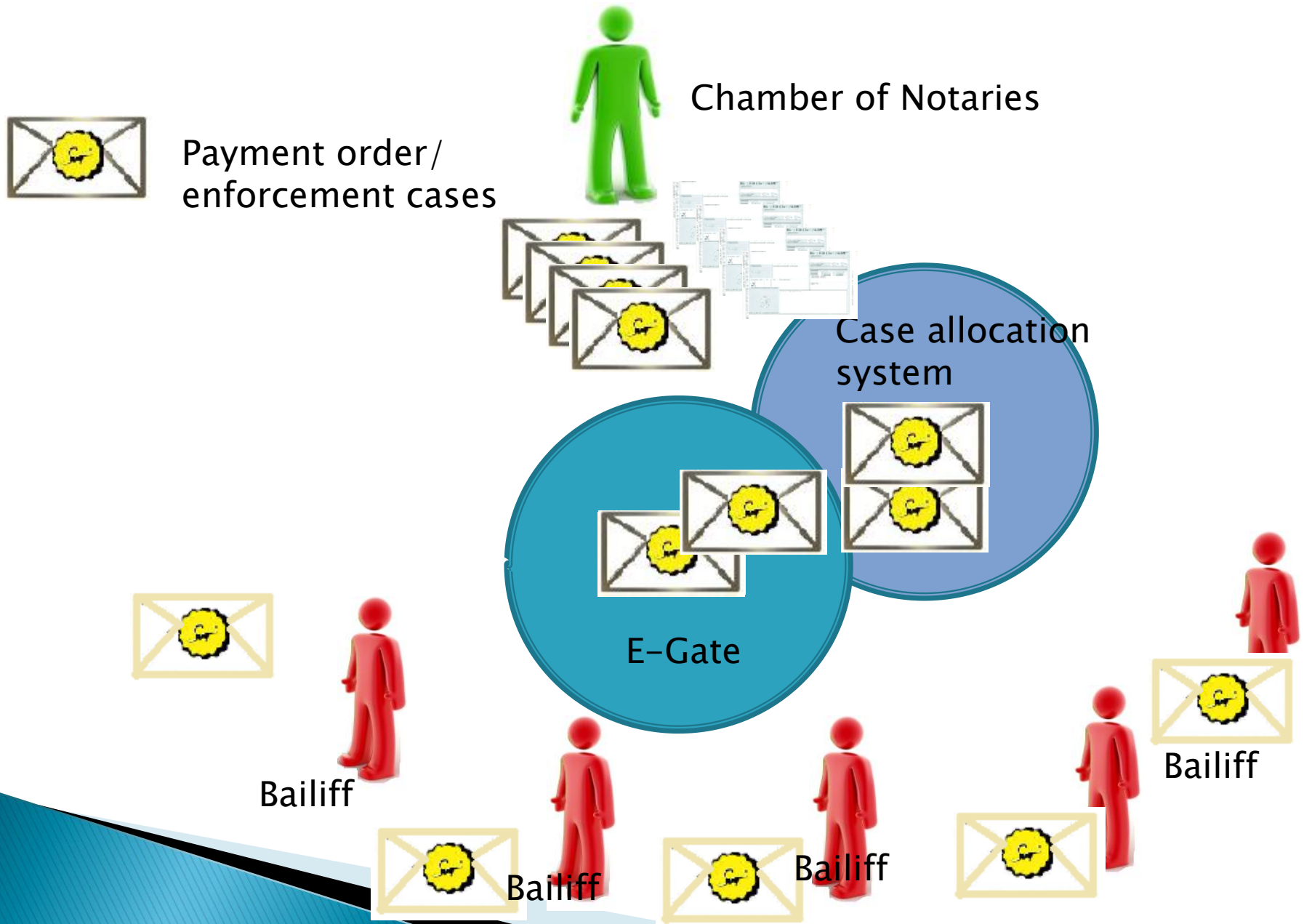**IT applications developed by the Hungarian Chamber of Court bailiffs:**

- Electronic Auction System (EÁR)
- Application for requesting financial institutions
- Electronic document management and allocation systems (e-Gate)
- Unified Enforcement Case Management System (EVÜR)
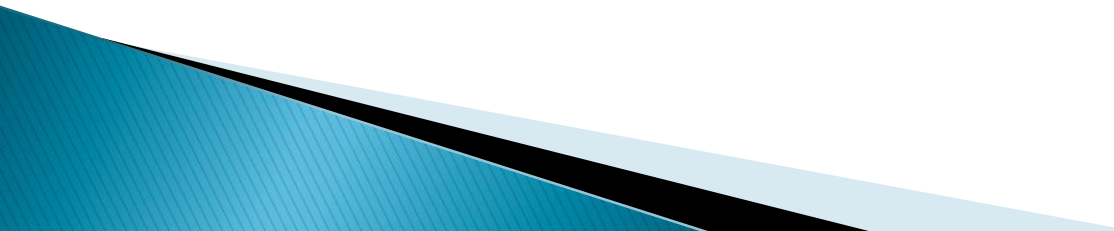- System for electronic service of enforcement documents (VIEKR)

Communication channels between the Chambers of Notaries and Court Bailiffs

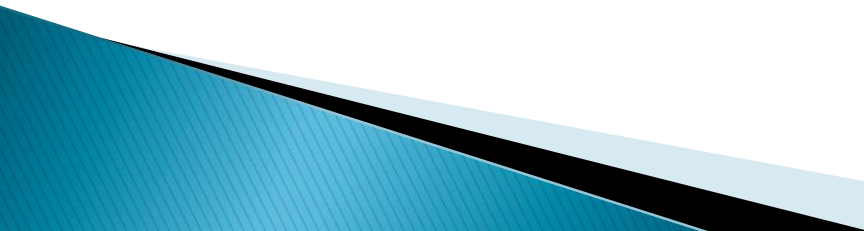- **Payment order procedures**

  - ✓ Enforceable documents of payment orders issued by notaries are sent from MOKK to MBVK case allocation system
  - ✓ The MBVK case allocation system forwards them to court bailiffs
  - ✓ It takes only 3 working days to issue a payment order and have it downloaded and filed by the competent court bailiff
  - ✓ The claim may be collected within 2 weeks
  - ✓ Cost-effective

Automated case allocation system

Payment order/
enforcement cases

Chamber of Notaries

Case allocation
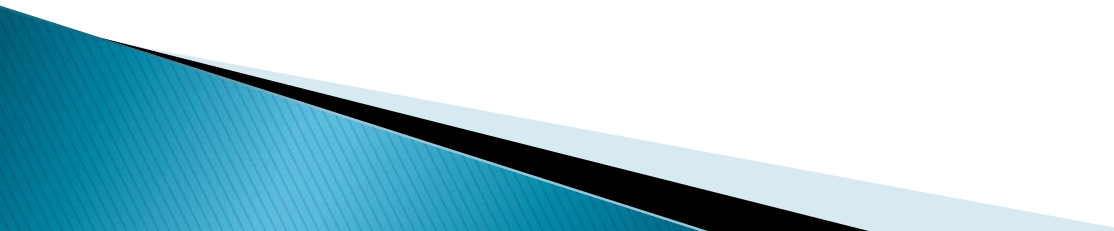system

E-Gate

Bailiff

Bailiff

Bailiff

Bailiff

- **IT applications developed by the Hungarian Chamber of Court Bailiffs**

  ✓ One package can contain an unlimited number of messages with an unlimited number of addressees
  ✓ Intelligent blank forms
  ✓ Certificate based digital signature, encryption and authentication
  ✓ Electronic communication, data processing
  ✓ Electronic service of documents proven by electronic return receipts

Mission, benefits

- To replace paper based communication in the enforcement procedure, to accelerate the procedure and cut back on certain administrative costs
- Electronic communication (cost and time effective procedure)
- Secure channel (encrypted)
- Indisputable (time stamped digital signature)
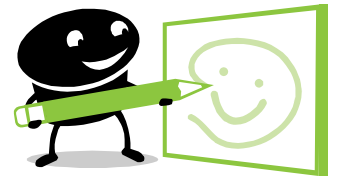- Possibility of automation (to minimize errors and ease administrative burden)

User groups

- The Hungarian Chamber of Court Bailiffs
- Court bailiffs
- Parties performing professional attorney services requesting electronic communication
- Other parties requesting electronic communication
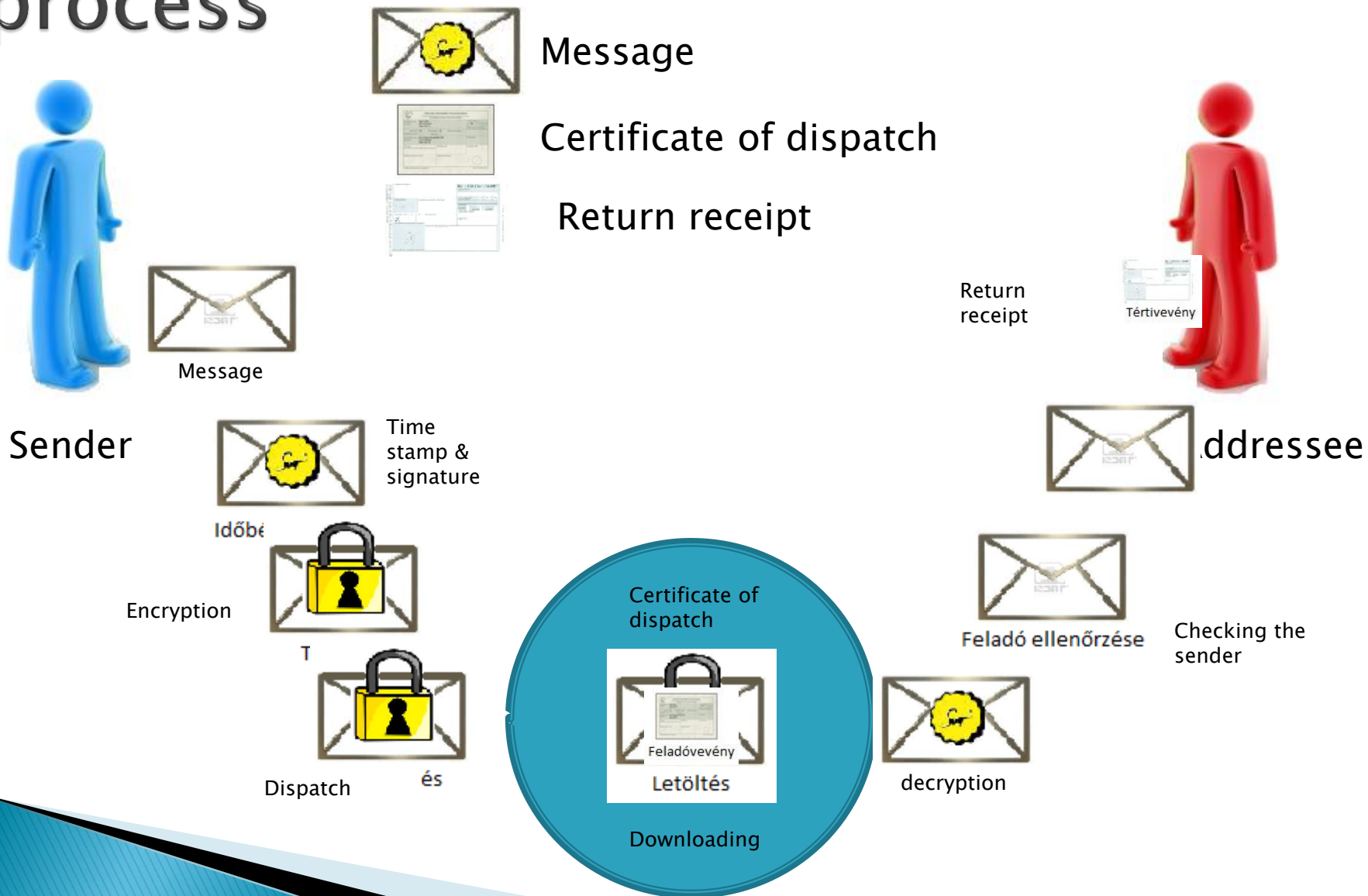- Parties obliged to maintain electronic communication

Secure transmission of messages

✓ Packages are delivered to the addressee through the central server.

✓ This is a trusted data transmitting unit, which accepts and stores the packages until delivery (or a defined period of time).

✓ Certificates of dispatch confirm that the package has been sent and received by the server, whereas their delivery and acceptance by the addressee is proven with return receipt.

✓ Electronic return receipts are accepted by law, to which the principle of deem of service also apply.

✓ The delivery status of the package can be checked at any time.

✓ Due to the encryption procedure applied, contents of messages sent through the system remain unknown to the server.

✓ Parties can verify the authenticity and date of messages by checking the digital signature and time stamp.

Details of the communication process

Message

Certificate of dispatch

Return receipt

Message

Sender

Return receipt

Tértivevény

Addressee

Time stamp & signature

Időbé

Encryption

T

Dispatch

és

Certificate of dispatch

Feladóvevény

Letöltés

Downloading

Feladó ellenőrzése

Checking the sender

decryption

Main findings

- The use of PKI and scheme-driven documents like XML provide a wider possibility for IT systems to
  - Easily standardize and process documents even in an multilingual environment
  - Handle signatures in a standardized way
  - Prove the identity of stakeholders
  - Safeguard the security of documents once encrypted for the parties
  - Guarantee secure and approved delivery
  - Ensure interoperability with EU projects like E-codex, EJE, EJS etc.

European IT projects

- EJE (EUROPEAN JUDICIAL ENFORCEMENT)
  - 9 participating countries
  - Fact sheets on their enforcement systems
  - E-directory of enforcement agents

- EJS (e-SERVICE OF ACTS)
  - 6 members
  - In partnership with e-CODEX
  - Aims to create an electronic platform to secure cross-border exchange of documents in Europe between enforcement agents