

SHORT TERM STAY
(not exceeding the 90 days period)

Visa free entry:

Citizens of countries/entities listed in the 539/2001/EC council regulation Annex II. ("positive list") may travel to Hungary without visa:

- Albania (only holders of biometric passports)
- Andorra
- Antigua and Barbuda
- Argentina
- Australia
- Bahamas
- Barbados
- Bosnia and Herzegovina (only holders of biometric passports)
- Brazil
- British nationals (overseas)
- Brunei Darussalam
- Canada
- Chile
- Costa Rica
- Croatia, former Yugoslav Republic of Macedonia (holders of biometric passports)
- Guatemala
- Holy See
- Honduras
- Hong Kong (holders of a "Hong Kong Special Administrative Region" passport)
- Israel
- Japan
- Macao (holders of a "Regiao Administrativa Especial de Macau" passport)
- Malaysia
- Mauritius
- Mexico
- Moldova (only holders of biometric passports)
- Monaco
- Montenegro (holders of biometric passport)
- New Zealand
- Nicaragua
- Panama
- Paraguay
- Salvador
- San Marino
- Serbia (holders of biometric passports)
- Seychelles
- Singapore
- South Korea
- Saint Kitts and Nevis
- Taiwan (the exemption from the visa requirement applies only to holders of passports issued by Taiwan which include an identity card number)
- United States of America
- Uruguay
- Venezuela

Furthermore visa exemption is applied to:

- a) Nationals of countries under visa obligation, who are holders of a local border traffic card issued by the Member States pursuant to relevant EC regulation, when these holders exercise their right within the context of the Local Border Traffic regime (Hungary concluded Local Border Traffic agreement with Ukraine in 2007. For more information see Act CLIII of 2007.)

- b) The flight crew and attendants on emergency or rescue flights and other helpers in the event of disaster or accident.
- c) Persons recognized refugees and stateless persons and other persons who do not hold the nationality of any country who reside in a Member State for longer time and are holders of a travel document issued by that Member State can stay ninety days within 6 months period without possessing visa. Member States expression means the Schengen member states; the ten states joined the European Union on 1st May 2004, plus Romania, Bulgaria and Croatia.
- d) Third-country nationals who have been granted asylum or treatment as stateless persons and holding a travel document listed under Annex II of Council Regulation 539/2001/EC.
- e) Third-country nationals who are the flight crew and attendants on emergency or rescue flights another helpers in the event of disaster or accident.
- f) Third-country nationals whose travel document was issued by the UN, the Council of Europe, the International Criminal Court
- g) Civilian flight crew and attendants.
- h) Sea crew
- i) The civilian crew of ships navigating in international inland waters
- j) Third-country nationals, who have permission issued by Member States listed in the Annex II. of the Commission Decision (No.: C(2010)1620) *Establishing the Handbook for the processing of visa applications and the modification of issued visas*, in possession of the permission and valid travel document can stay ninety days within 6 months period without possessing visa in the Schengen area until the expiration date of the permission.
- k) Certain third-country nationals (according to bilateral partial visa waiver agreements listed in: <http://konzulizsolgalat.kormany.hu/visa-waiver-agreements>) in possession of diplomatic or service passport can enter the country without possessing a visa.
- l) Third-country nationals in possession of diplomatic passport can enter the country without possessing a visa according to visa facilitation agreements (<http://konzulizsolgalat.kormany.hu/eu-visa-facilitation-agreements>)
- m) According to the Regulation (EU) No 265/2010 of the European Parliament and of the Council of 25 March 2010 (*amending the Convention Implementing the Schengen Agreement and Regulation (EC) No 562/2006 as regards movement of persons with a long-stay visa*) a third-country national holding a long-stay visa (D) issued by a Member State should therefore be allowed to travel to other Member States for three months in any six-month period, under the same conditions as the holder of a residence permit.

Attention!

A visa is only a preliminary permission for entry, which does not authorize its bearer automatically to enter the country. The traveller may be requested to provide proof of the existence of the conditions of his entry and stay in Hungary and, if he is not able to fulfil this, he may be returned from the border.

Basic rules for the issuance of Schengen visas

Types of Schengen visas

1.) Airport transit visa (A):

Authorizes the bearer to enter the international zone of the airport and to remain there until the time of the departure of the flight to the destination country. Only nationals of the following states are obliged to apply for an airport transit visa: Afghanistan, Bangladesh, Democratic Republic of the Congo, Eritrea, Ethiopia, Ghana, Iran, Iraq, Nigeria, Pakistan, Somalia and Sri Lanka.

The following categories of persons shall be exempt from the requirement to hold an airport transit visa:

- a) Holders of a valid uniform visa, national long-stay visa or residence permit issued by a Member State;
- b) Third-country nationals holding a valid visa issued by

- Bulgaria, Cyprus, Romania, Croatia, Liechtenstein, Ireland, United Kingdom
- Canada, Japan, United States of America
- or when they return from the above mentioned countries after having used the visa;

The visa exemption for holders of valid visas issued by Bulgaria, Cyprus, Romania, Croatia, Ireland, United

Kingdom, Canada, Japan or the United States of America is independent of whether the holder is travelling to the visa issuing country or to another third country.

If the third-country citizen's visa issued by Bulgaria, Cyprus, Romania, Croatia, Ireland, United Kingdom, Canada, Japan or the United States of America has expired and the citizen wants to travel back from a country different from the visa issuing country, the citizen is not exempt from the requirements to hold an airport transit visa.

- c) Third-country nationals holding the valid residence permits issued by
 - Ireland, United Kingdom
 - Andorra, Canada, Japan, San Marino or the United States of America guaranteeing the holder's unconditional readmission;
- d) for family members of citizens of the Union effective under the 2004/38/EEC irrespectively whether travelling alone, in attendance upon the citizen of the Union or for joining the citizen of the Union;
- e) Holders of diplomatic passports;
- f) Flight crew members who are nationals of a contracting Party to the Chicago Convention on International Civil Aviation.

2.) Short stay uniform visa (C):

Authorizes the bearer to a single, double or multiple entries and, in case of an uninterrupted stay, to a stay of maximum 90 days, while in case of an interrupted stay, to a stay of altogether maximum 90 days within the 6 months counted from the date of the first entry.

Where to submit a visa application?

Uniform visa applications have to be submitted at the representation of the country which is the main destination of the visit (the main destination is either defined by the purpose of entry or – if the applicant plans to visit more Schengen countries with the same purpose – by the length of stay). If visiting several states with stays of the same duration the consulate responsible for issuing the visa is that of the country of the first entry into the Schengen area. Thus, according to the above described Schengen regulations applicants having Hungary as the main destination, or the country of first entry in case of a trip stretching through several Schengen Member States can submit their visa applications at the Hungarian representations. It is sometimes difficult to determine the main destination, for example where the traveller intends to make several consecutive short stays of approximately the same length in various Schengen States. In this case, you should go to the consulate of the first country you intend to visit.

According to the Schengen rules border posts do normally not issue visas, except for quite uncommon circumstances (e.g. entry with a purpose of attending the funeral service of a deceased family member, when it can be proved that there has not been any possibility to apply for a visa beforehand) and it may only happen, if the applicant can verify that he/she was unable to take the visa in advance, beside these conditions are collectively granted:

- a) the applicant must satisfy the conditions of entry and stay;
- b) the applicant have to verify that he/she was not in competence to apply for a visa in advance;
- c) the applicant's return to the country of origin or residence or transit via a non-Schengen state is certain.

Which of the Hungarian consulates is responsible for issuing a visa?

Once it has been established that a Hungarian consulate is responsible for issuing a Schengen visa, it has to be chosen which one of them. The general rule is that an application can be handed in to the consulate which is in the country

- a) where the applicant resides legally and has a habitual residence (the applicant holds a permit that makes a stay longer than 3 months possible – e.g. residence permit),
- b) the applicant does not have a habitual residence or right for long term stay, but at the moment stays legally there and gave reasons for applying at that consulate. This is not a personal right, it depends on the consulate's consideration and can only happen for an extremely good cause.

The stay is legal if, according to the third country's law, the applicant is entitled to stay within the consulate's authorized area for short stay (e.g. with visa) or for longer stay (e.g. with residence permit). If in a country a Member State represents Hungary regarding visa issuance, in terms of the rules of competence the representation must be handled like a Hungarian foreign representation.

If there is no Hungarian consulate in the country where the applicant has his/her habitual residence or no other Member State represents Hungary, the visa application can be handed in at any Hungarian consulate out of the Schengen Area.

Who can submit a visa application?

The application

- a) can be submitted personally;
- b) in case of organized tourist trips, an accredited travel agency may submit the visa application.

In case of joint visa application the family members' (spouse, child) application can be submitted by an adult family member.

If the applicant – in an extremely justified situation – is unable to show up personally, the visa application with an authorization certified by a notary can be submitted by the authorized person. To adopt this procedure, the consulate's previous approval is needed. In case of citizens included in the list of countries under obligation of consultation regarding the Article 22 of the Visa Code, publicized by the European Union's Commission, the personal appearance is compulsory.

Attention!

1. Despite of the above listed exceptions from the obligation to submit the application personally the consul, in case of need, may call the applicant to a personal interview.
2. The authorization is only valid for submitting the application and for collecting the issued visa, however the application form has to be signed by each applicant personally.
3. Applications shall be lodged no more than three months before the start of the intended visit.
4. The decision about the admissible applications as main rule must be made within 15 calendar days counted from the submission. Therefore it is advised to submit the application earlier than 15 calendar days before the planned departure. The consulate does not take any responsibility for delayed submission and for therefore failed travels.
5. That period may be extended up to a maximum of 30 calendar days, and exceptionally maximum of 60 calendar days in special cases.

The Visa application is admissible, if

- a) the application has been lodged no more than three months before the start of the intended visit;
- b) the visa applicant shall present a wholly and legibly completed, signed application form. The application form may be acquired free of charge at the consulates or downloaded from the website of the Hungarian Ministry of Foreign Affairs (<http://konzulizsolgalat.kormany.hu/visa-application-forms>).
- c) the applicant shall present a valid travel document satisfying the following criteria:
 - it shall contain at least two blank pages;
 - it shall have been issued within the previous 10 years;
 - its validity shall extend at least three months after the intended date of departure from the territory of the member States or, in the case of several visits, after the last intended date of departure from the territory of the Member States;
- d) the applicant shall present passport-size colour photo (not older than 6 months);
- e) biometric data have been collected (if applicable)
- f) visa fee has been collected.

Please be informed that the Tables on the recognition of travel documents by Hungary published on the website of DG HOME, under the link: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/index_en.htm.

When an application is admissible, the competent consulate shall stamp the applicant's travel document.
The stamp has no legal implications.

Further/The documents needed for visa applications

Certification of legal residing

If the applicants are not nationals of the country where they hands in their application certification of legal residing is needed.

Travel medical insurance

The insurance shall be valid for the territory of the Schengen Member States and cover the entire period of the person's intended stay or transit. The minimum coverage shall be EUR 30 000. The valid medical insurance has to cover also any expenses which might arise in connection with repatriation for medical reasons, urgent medical attention and/or emergency hospital treatment or death, during their stay(s) on the territory of the Member States.

Besides meeting the above general requirements, the applicant shall also supply a certificate of the financial coverage of his/her expenses, and a certificate of the purpose of the visit.

The financial coverage of the expenses can be certified with one of the following documents

- an original income certificate of the employer or
- a bank account statement on the account turnover during the last three months or
- a pension slip or
- a certificate of registration in the case of an individual entrepreneur or one-man firm or
- a valid ticket, a certificate of a reserved and prepaid journey, accommodation or
- in the case of minors, a declaration by the legal representative on the coverage of the costs and on the existence of the financial coverage or
- a letter of invitation issued and endorsed by the Office of Immigration and Nationality.

The purpose of the entry can be certified with the following documents:

When applying for a short stay uniform visa (Schengen C-type):

- In the case of a **tourist visit**: the certificate of the travel agency; or in the case of an **individual visit**: the prepaid reservation of accommodation.
- In the case of an entry with an **educational or other scientific or professional training purpose**: the certificate of the receiving institution, the certificate of the envisaged place of accommodation in Hungary
- In the case of **visiting friends, acquaintances**: a letter of invitation issued and endorsed by the Office of Immigration and Nationality or the letter of invitation in the form of a public notarial document and a photocopy of the personal identification document/passport of the inviting party in Hungary.
- For the purpose of **cultivation of family relations**: an invitation letter as described in the previous indent or a letter signed by the applicant in full awareness of his/her criminal liability describing the degree of the family relation, giving the name, address and phone number of the family member and the purpose of the entry and stay.
- In the case of an **entry for business purposes**: in case there already exists a business partner in Hungary: a letter of invitation from the business partner, proof of the existence of commercial business relations; or the certificate of the local chamber of commerce on the existence of business relations, and the certification of the address of the envisaged place of accommodation in Hungary.
- In the case of an entry with **the purpose of medical treatment**: the certificate of the receiving health institution, including reference to the fact that the expected coverage of the medical treatment is available, and other certification of the coverage of the medical treatment, as well as the certification of the address of the expected place of accommodation in Hungary.
- In the **case of carriers**: the certification or request of the carrier firm.
- For the **purpose of visiting the grave** of a deceased relative buried in Hungary: a document certifying the existence of the grave and the degree of relationship.
- For the **purpose of cultural activities**: accreditation proving the participation in the sports event or contract with the Hungarian sport club, or the certificate issued by the delegating sport club / Olympic committee / Ministry of Sport, etc.
- For the **purpose of sport**: agency contract with the Hungarian service provider, invitation letter issued by the host organization
- For the **purpose of attending a conference**: invitation letter issued by the host organization, confirmation on participation issued by the host organization, and/or a certification issued by the delegating organization; receipt on payment of the registration fee

- In the case of **other purposes of entry** not listed in any of the above categories: a declaration presenting the purpose of the entry and stay, made in full awareness of the person's criminal liability.

Attention! The above mentioned enumeration of supporting documents is a non-exhaustive list. The list of the supporting documents is defined by the consul following the local conditions and circumstances; it is changeable at any time.

In case, if the host country and the EU have signed a visa facilitation agreement further exceptions may be given on the basis of bilateral visa facilitation agreements concluded by the European Communities. Therefore in case of Russian Federation, Ukraine, Serbia, Albania, Bosnia and Herzegovina, Macedonia, Montenegro, Moldova and Georgia different certification may be asked. (<http://konzulizsolgalat.kormany.hu/eu-visa-facilitation-agreements>) For detailed information concerning these agreements please contact the competent Hungarian foreign representations in the respective countries.

Visa fees:

Airport transit visa (A)	60 EUR
Uniform visa short-term entry visa (C)	
Long stay visa for the purpose of seasonal work	40 EUR

The visa fee is EUR 35 for applicants belonging to one of the following categories:

- Children from the age of six and below the age of 12 years shall pay fee of EUR 35.
- The beneficiary of the visa facilitation bilateral agreement signed by the EU shall pay EUR 35 (Russian, Ukrainian, Moldavian, Albanian, Serbian, Macedonian, Montenegrin, Bosnian, Georgian, Armenian).
- Kosovian citizen shall pay EUR 35.

The visa fee shall be waived for applicants belonging to one of the following categories:

- children under the age of 6;
- school pupils, students, postgraduate students and accompanying teachers who undertake stays for the purpose of study or educational training;
- researchers from third countries travelling for the purpose of carrying out scientific research;
- representatives of non-profit organisations aged 25 years or less participating in seminars, conferences, sports, cultural or educational events organised by non-profit organisations;
- family members of EU/EEA nationals (European Economic Area);
- holders of diplomatic passports.

Attention!

The visa fee shall be paid when the application is submitted.

The consulate does not charge any further fees other than those mentioned above for issuing a visa.

If the application for a visa is refused, the fee will not be reimbursed.

Decision making upon visa applications

In order to check visa applications the consul:

- consults in every case the entry ban list (SIS)
- inspects former visas issued to the applicant
- is liable to consult with competent authorities of other Member States in particular cases
- may consult the Office of Immigration and Nationality and the Ministry of Foreign Affairs
- may consult with foreign representations of other Schengen States
- may request an interview with the applicant
- may request the presentation of further documents or certificates in addition to the ones already attached to the application.

According to law decision upon the visa application must not exceed 15 days. In individual cases the period may be extended up to a maximum of 30 calendar days, in specific cases up to 60 calendar days. In case of countries with a visa facilitation agreement with the EU this time period is 10 days.

The visa application will be refused, if

1. The applicant:
 - presents a false, counterfeit or forged travel document
 - does not prove the purpose and conditions of the intended stay
 - does not certify, that he has sufficient means of subsistence, both for the duration of the intended stay, and for the return to his country of origin or residence,
 - has exceeded the maximum duration of authorized stay within the same 6 months period in the territory of the Member States
 - is a person for whom an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry
 - is considered to be a threat to public policy, internal security or public health, international relations of any of the Member States, in particular where alert has been issued in Member States national databases for the purpose of refusing entry on the same grounds
 - is not in possession of adequate and valid travel medical insurance, where applicable.
2. Doubt arises concerning the validity and the content of the supporting documents, the reliability of the statements made by the applicant.

The reason for refusal is notified by the consul using the established refusal form. Notification on the reason for refusal can be obtained at the consulate only by the applicant in person. In case of refusal the consulate will not reimburse the visa fee.

Appeal procedure

If the visa is refused, or for the annulment, revocation of visas applicants have the right to appeal. Appeals can be submitted personally either by the applicant or by the person who has a power of attorney from the applicant at the Hungarian Consulate (that refused the visa application) 8 days within the date of receiving the decision on refusal and 3 days within the date of receiving the decision for the annulment or revocation of a visa. The Consular Department of the Ministry of Foreign Affairs decides on the appeals within 15 days and on the appeals against decision for the annulment or revocation of a visa within 5 days.

The appeal should be lodged in writing and it should be signed by the applicant or by the person who has a power of attorney.

The fee of the appeal procedure is 30 EUR which should be paid at the same time when submitting the appeal. The fee for the appeal procedure cannot be reimbursed, not even in case of a positive decision. There is no possibility for the reduction of the fee, that should be paid by that applicant also who could lodge his/her visa claim free of charge in the first instance procedure.

The appeal must be submitted in Hungarian or in any other official language of the European Union. If the applicant lodges the appeal in another language he/she must submit an official translation with the appeal.

The applicant or the person with the power of attorney can submit further supporting documents during the appeal procedure, and the client can be summoned to the consulate for a personal visa interview.

The appeal judgment may be subject to judicial review.

In case of refusal a new application may be submitted at any time but the visa fee has to be paid again.