



**MAGYARY ZOLTÁN  
PUBLIC ADMINISTRATION DEVELOPEMENT  
PROGRAMME**

**(MP 11.0)**

**FOR THE BENEFIT OF THE COUNTRY AND IN  
THE SERVICE OF THE PUBLIC**



**MINISTRY OF PUBLIC ADMINISTRATION AND JUSTICE**

**10 JUNE 2011**



**MAGYARY  
PROGRAMME**



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# Introduction

*“For the benefit of the country and in the service of the public”*

In the spring of 2010, we embarked upon the reorganisation of Hungary’s public administration and the Hungarian State. Whether we set out on the right path will be decided by posterity, as the effects of our planned and implemented measures are observed. At the same time, we are responsible for rendering a clear account, from time to time, to all colleagues participating in the formidable task of reorganisation and in general to our contemporaries, individuals, communities and businesses in this country and abroad, of the progress made in the implementation of this task, of the goals we seek to achieve and of the methods and tools that we use in the implementation of the wide spectrum of measures. This is the only way we may hope to achieve that they will take part in this great effort, not only because they are indispensable; we sincerely hope that they will become appreciative, and therefore tireless, active supporters in the process.

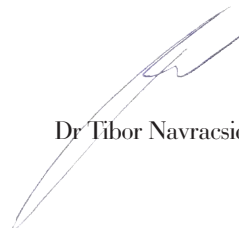
As the New Széchenyi Plan provides a strategy and funding for the development of Hungary and the Széll Kálmán Plan reshapes the irrational sectoral systems that multiply the country’s debts and are therefore unsustainable, so the Magyary Zoltán Public Administration Development Programme (hereinafter: Magyary Programme) provides a framework for the renewal of public administration, defines its goals and identifies the necessary areas of intervention and measures. For efficient implementation, it is extremely important to adjust the whole body of the Magyary Programme to the new Constitution. While Hungary’s new Constitution will only enter into force on 1 January 2012, the Government must, already at this point in time, define its objectives and aspirations in the spirit thereof. This also determines the date of the creation of the Magyary Programme; one year after the new Government took office, we now have in-depth knowledge of the actual state of public administration and the expectations laid down in the Constitution, and we are able to identify our tasks with precision.

The entire oeuvre of Zoltán Magyary, a renowned expert on public administration in Hungary in the 20th century, provides us with a model in a number of areas. He based his ideas on a wide range of domestic and foreign experience that he applied to practical governance. His key goal was to grasp and to present complicated matters and complex systems in a comprehensible manner. We may call him the founder of a school in the sense that he recognised that it was impossible to create a system of public administration that served the country with dedication without the consistent and diverse training of the the public servants of the present and the future.

This is why we decided to name this public administration development programme after Zoltán Magyary and to publish it for the first time on 10 June 2011, the anniversary of his birth.

Budapest, 10 June 2011

Dr Tibor Navracsics



*“People must be made to firmly believe that the State is, on the one hand, strong and, on the other, theirs.”*  
(Zoltán Magyary)

# 1. The concept of the Magyary Programme

## 1.1. The genre of the Magyary Programme

### 1.1.1. The place of the Magyary Programme

The goal of the Government is to create a Good State. Rather than providing a definition of good, our premise is that a state is good if it serves the needs of individuals, communities and businesses in the interest of the common good, in the best possible way. The concept of common good means, on the one hand, that the state creates a lawful and fair balance between the various interests and needs, allows the enforcement of claims and provides protection. Secondly, the good state proceeds with due care to protect and pass on inherited natural and cultural values. Thirdly, the only self-interest the good state has is in maintaining the ability to enforce the former two elements of common good efficiently under any circumstances, i.e. to create an efficient rule of law, including the functioning of institutions, respect for and the accountability of individual and collective rights.

The concept of the Good State also includes competitiveness as the State protects the values which promote competitiveness and development, and serves interests. It is a general rule that competitiveness rests on two pillars: economic policy and the functioning of the state.

Man is the constituent of every community. The Good State also provokes an emotional reaction in its citizens. We therefore wish to capitalise on the fact that the Good State does not constitute an impediment, does not pose as an enemy of law-abiding citizens but provides support and help. This requires an open-minded approach and close attention, which leads to a likeable state. This may be a key source of energy for government and public officials working in the state organisation. To this end, the goals and functioning of the State must be disclosed to the public. The clients of the State must be encouraged to view the State and its officials as they have viewed soldiers for millennia: they “belong to us” and will defend the country at the cost of their lives as they have sworn. Such a bond can only be created with commitment, authentic sacrifices and a high level of professional work, by recovering and preserving the confidence of citizens.

With a view to creating a Good State, the Government started three major administrative programmes in 2011, in line with the state’s constitutional organisation: judicial, local government reform and the Magyary Programme. Since June 2010, an unprecedented number of significant laws and measures have been passed and taken, partly in preparation for carrying out the programmes according to a well-founded strategy.

Starting from September 2011, the judicial reform will be implemented primarily through the effective cooperation of the three branches of power, in a number of instances, by virtue of the Cornerstone Acts to be passed in the wake of the new Constitution.

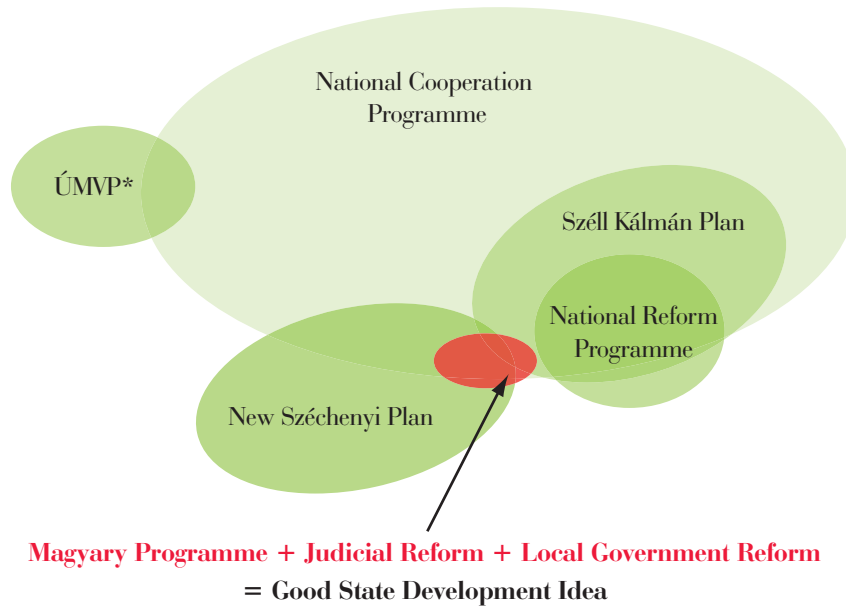
The local government reform is most closely linked to the territorial public administration segment of the Magyary Programme, as the organisation and procedures of the duties of state administration, which have to date been partly performed by local governments, will be reshaped. In this context, the system of local public affairs will also be reassessed. In addition, the local government reform will address service duties and the issue of the maintenance of institutions (health care, education, welfare, culture, environmental protection, etc.) as determined in the Széll Kálmán Plan. The local government development plans necessary for the implementation of reforms will be based primarily on the new Széchenyi Plan.

A similar adjustment characterises the Magyary Programme, as the trends and framework of development are greatly determined by the Széll Kálmán Plan, and development funds are primarily provided by the State Reform and Electronic Public Administration Operative Programmes, which form part of the New Széchenyi Plan. As regards these two plans, the public administration development programme is similar to other sectoral development plans (such as in health care: Semmelweis Plan) which must be duly harmonised in terms of goals, tools, timeframes and funding but are not fully integrated.



# 1. THE CONCEPT OF THE MAGYARY PROGRAMME

The following chart demonstrates the relationship of the large-scale reform plans with the Government Programme, the National Cooperation Programme, and with each other.

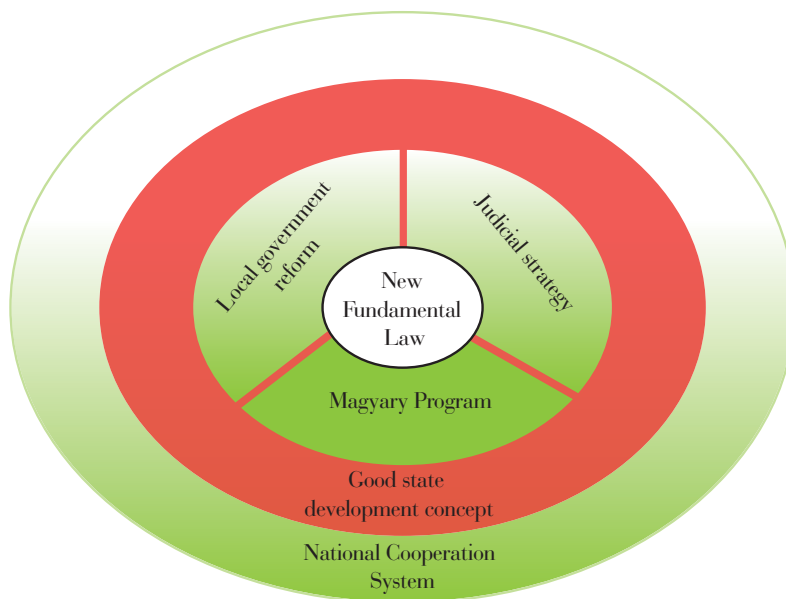


\*New Hungary Rural Development Plan

## Position and funding of the Magyary Programme in the fundamental programmes of reform

The Magyary Programme aims to develop public administration as a whole, with, however, particular focus on central public administration and state administration, while some of its measures naturally contribute to the development of the judicial and local government system and their human resources.

The National Cooperation System helps to achieve that the plans and strategies that necessarily respond to new challenges in a rapidly changing environment are continuously adjusted and incorporated into the ever-changing National Cooperation Programme which expands with the growth and intellectual recovery of the nation.



## Position of the Magyary Programme amidst tools with an impact of the implementation of the Good State

# 1. THE CONCEPT OF THE MAGYARY PROGRAMME

## 1.1.2. Characteristics of the Magyary Programme

The Magyary Programme is not a plan but a programme, a point of reference, which defines goals, intervention areas and successive measures.

To facilitate interpretation, its language and graphic design seek to be comprehensible. It is concise and clear while duly expressing the underlying values, as one of the main lessons of the recent past is that hard-to-understand and lengthy concepts, which avoid conflicts even on a theoretical level, are neither read, nor understood by public servants, let alone the public. Without a set of common concepts and goals, it is impossible to develop any organisation. The Magyary Programme sets out to eliminate this deficiency. An efficient development Programme improves the psychological endurance of officials and helps them overcome deadlocks within the organisation, eradicate bad habits and attitudes (arrogance, selfishness, self-pity). Finally, the mere fact that officials have a confident understanding of the surrounding administrative world (organisational chart) and that certain conceptual models are in place for applying laws (e.g. element of efficiency) greatly increases the efficiency of the implementation of tasks.

In the future, the proportions within the 2011 edition of the Magyary Programme (MP 11.0) will no doubt change as there will be no need to present the issues discussed in this chapter in such detail. Instead, more space will be devoted to the assessment of the measures and reforms completed.

The Magyary Programme obviously points far beyond the present paper as the development of public administration should manifest itself in legislation (e.g. procedural laws) and individual decisions (in-sourcing of tasks related to the processing of data assets). Consequently, we do not intend to take account of all measures, whether planned or completed, in public administration development.

One of the main novelties of the Magyary Programme, which will hopefully prove to be useful, is its ability to divide and to grasp the key points and to explore the complex system of public administration, thereby rendering it clear and comprehensible, something which has regrettably been unprecedented for 20 years.

The legal, economic and social environment which supplies public administration with tasks is changing continuously and ever faster. Therefore, the Magyary Programme adopts the working method of first assessing the situation, analysing the effects of the measures implemented, before cyclically re-planning interventions and measures every year. We wish to strike a healthy balance in order to make the Magyary Programme principled and non-contradictory, but not overly rigid, while truly realistic at all times. In other words, it is most likely that the annual editions of the Magyary Programme will change continuously but comprehensibly in terms of points of reference, goals and tools. Not only will this allow adaptation but also the correction of errors and the admission and incorporation of new proposals, including proposals via national consultations. There might even come a time when e-public administration generates self-development applications which will allow it to separate from "Procedures" and to become an independent fifth area. However, at this point in time, this is no more than science-fiction.

The very creation, evaluation and annual shaping of the Magyary Programme represents an effort in public administration development together with all its characteristics. This work of engineering seeks to find the most effective solution leading to the achievement of goals. As in engineering in general, in the development of public administration, too, we must identify the natural limits of (endurance, environmental effects) and the impediments to implementation (executive staff and customers understand and are able to follow the implementation of development). The simpler the solution (organisation, procedure, law), the less expensive the development, while the organisation generates extra momentum (mobilised mass, strength, reserve).

The shaping of the Magyary Programme is affected by the order of its implementation. On the one hand, due to the state of the central budget, not including the above-mentioned New Széchenyi Plan funds which are primarily sufficient to create new frameworks, changes have been and can be achieved against the background of diminished resources by relentlessly exploring the available reserves. On the other hand, with the spread of the new concept and mode of operation which defined a part of the Magyary Programme, convergent forces and measures exponentially multiply, while internal impediments proportionately decrease. Thirdly, public administration is not at a standstill; it is under repair and improvement while it continues to operate. In recent times, it has successfully completed significant public administration tasks such as simplified naturalisation, the EU Presidency, the observance of the 2010 budget and the implementation of the measures forming part of the first action plan announced in the summer of 2010.

## 1. THE CONCEPT OF THE MAGYARY PROGRAMME

Affected staff	Type of affairs	Estimated number of affairs/cases (2010)
Government officials	Total number of cases handled by government offices	6,350,000
Firefighters	Number of registered fires	50,000
Police	Number of registered crimes	394,000
Military	Number of cross-border military manoeuvres	100

Number of cases concerning some typical tasks performed by public administration

### 1.1.3. The institutional system developing the Magyary Programme

An important lesson of the past 20 years is the need for a management point in public administration that coordinates the implementation of the development programme. To make the task of implementation successful, the Ministry of Public Administration and Justice was granted the necessary central competencies after the new Government took office in 2010 by virtue of the so-called Statute Decree (a single decree describing the competencies and responsibilities of ministries in place of the previous thirteen decrees). Several ministries were also granted coordinating, centralised competencies which have a direct effect on the development of public administration. Special mention should be made of the reinforced competence of the Ministry of National Economy in planning and implementing the budget and the new competencies of the Ministry of National Development in resource allocation for development, the implementation of the asset policy and the establishment of the IT-infrastructure of public administration. The Magyary Programme has the following institutions at its disposal in its planning and monitoring processes, while no separate cabinet, inter-ministerial committee or Government Commissioner comes into being, as this would, at this point in time, entail the risk that the cause of development would, once again, become the concern of a small, alienated elite group rather than that of the whole staff.

- Office of the Deputy State Secretary for Public Administration Strategy,
- National Public Administration Institute,
- National Public Service University,
- ECOSTAT Government Impact Analysis Centre,
- Institute for Public Policy Research.

Finally, it is a priority to involve citizens directly in the process of creating customer-friendly and efficient procedures. To this end, the Ministry of Public Administration and Justice created a website at <http://nemzetikonzultacio.kormany.hu>. Here all visitors may make proposals for simplifying administration to the ministry responsible for the development of public administration across a wide spectrum, such as procedures related to seeking and providing employment; family and children; pensions, social benefits; housing, flats and construction; motor vehicles; taxes, duties and charges.

A good example is a British arrangement as an instance of best practice. The new British Government which took office in 2010 organised an Internet forum to gather proposals for budgetary cuts. The programme was carried out in two stages:

- a) for two weeks, civil servants were invited to present their proposals, and 63,000 of the 100,000 proposals in total were made by them;
- b) for the next two months, any citizen was free to make proposals via the Internet.

After eliminating multiple and non-feasible proposals, stakeholders were allowed to vote for 48,000 proposed measures and their significance for two weeks. They cast a total of 250,000 votes. Government experts studied the 2,000 measures that were regarded as the most important and forwarded them to the competent ministries. The British Government adopted 25 proposals last autumn. Every ministry must review in detail the rest of the proposals and report to the Government on those that they wish to implement.

## 1.2. The state of Hungary's public administration

### 1.2.1. Elements of crisis in public administration

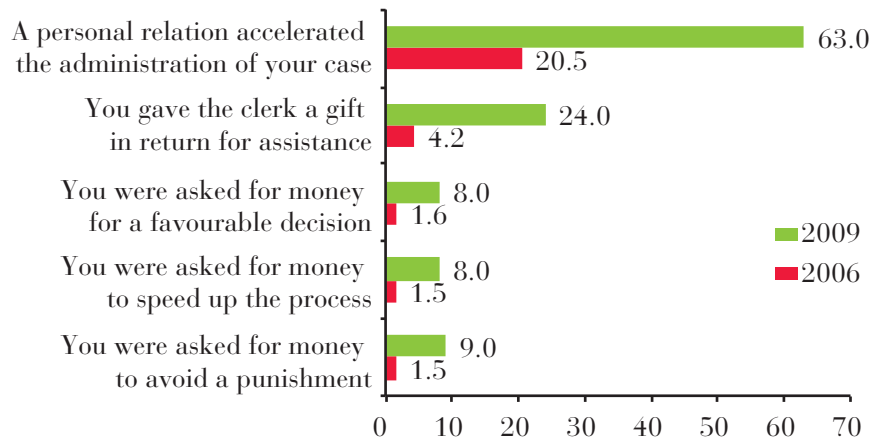
The Magyary Programme comes into being at a stage in the nation's history when pressure and opportunity are present simultaneously. Hungary's public administration has plumbed depths never experienced before and has reached a critical state, according to both citizens and reliable international surveys.

The opportunities are easier to describe. The will of citizens to witness substantial changes in the State's functioning is reflected in the two-third election result which allows the profound transformation of large and complex systems after due professional preparations, rather than the parliamentary adoption of proposals regarding formal renewal deprived of any real meaning.

This crisis affects the whole of public administration, including all its components, such as the identification of tasks, the planning and allocation of their effects, the organisational system ensuring their implementation, the various processes and procedures, officials and the staff of public administration. Rather than listing the characteristics and causes of the crisis, let us just mention some indicators and examples from which we may learn but which received less publicity than the scandalous corruption cases revealed.

The exuberant organisational system of the State and the non-transparent tangle of unclear responsibilities not only result in poor efficiency but are also a major cause of corruption.

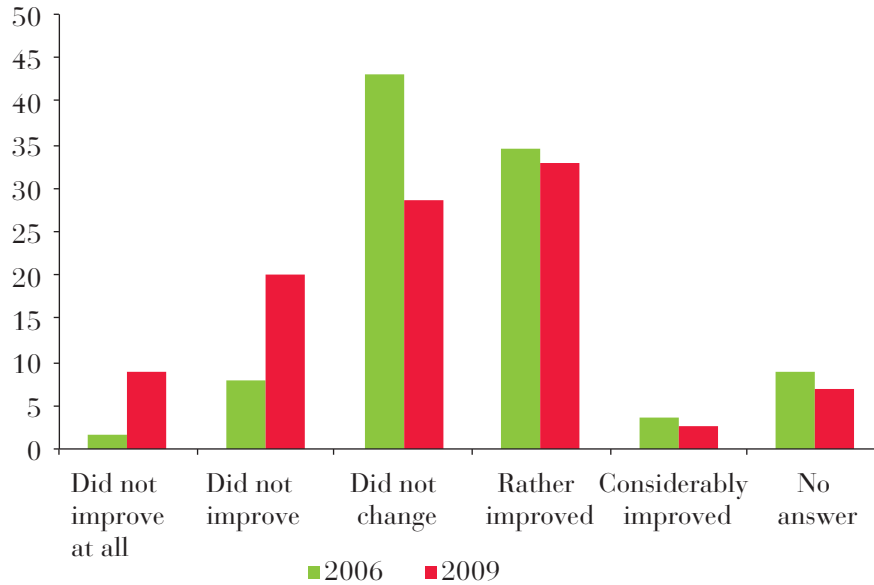
**Have you experienced any of the following about in public administration?  
(Percentage of affirmative answers)**



**Social perception of the level of corruption  
(Source: Survey of 2,000 citizens)**

Despite billions of forints spent on IT developments, there has hardly been any progress regarding up-to-date technologies, Internet administration and IT solutions. Hungary's position has deteriorated in this respect. The customer centres of some of the state agencies do not even meet the most basic requirements in terms of design, access and equipment. It comes as no surprise that surveys reveal a consistent deterioration in the public perception of administration.

# 1. THE CONCEPT OF THE MAGYARY PROGRAMME



**Common perception of public administration in 2006 and 2009**  
(Source: survey of 2,000 inhabitants)

The Data Asset Act serves as a good example regarding the causes of the crisis in public administration and the means by which they may be eliminated. With financially impracticable contract arrangements, practices in the past placed the State's own data records in an IT environment and work organisation, by virtue of which the State found itself exposed to external contractors who were potentially able to frustrate the performance of the basic tasks of the State for any contractual reason (such as a dispute over settlement), without leaving the Government any recourse for immediate defence. The new Act terminated the State's wasteful exposure by introducing the threat of criminal punishment and by identifying the range of data managers and data processors for strategic data records.

At the time of a global financial crisis, the tools and the means available to the State and public administration under the relevant, primarily EU, laws to improve individual sectoral and economic processes in a lawful manner and to generate useful development for the nation, are vital for a country like Hungary, which is exposed to external impacts for several reasons. In this respect, the State may primarily act as a regulator, authority and allocator of resources. The State's fourth potential but often indispensable role, when the State itself becomes involved in a sector through its businesses and organisations, has been eliminated recently. This greatly reduced the Government's room for manoeuvring and intervention at a time when, due to the crisis or the logic of the market, the State is the only entity that may be expected to enforce the interests of the public, which in turn makes the given systems sustainable.

With reference to debt reduction, due to an erroneous and false state image, the State completed a number of privatisation projects which disproportionately and harmfully curtailed the scope for manoeuvring and intervention in certain sectors and these sales themselves involved costs of an objectionable magnitude. From a different perspective, our national assets have been exhausted in exchange for a further 5% state debt generated through bad governance.

# 1. THE CONCEPT OF THE MAGYARY PROGRAMME

Privatisation costs accounted for nearly a third of revenues (HUF 1,524 billion). Public debt rose to HUF 23,523 billion in total, despite privatisation revenues, by late 2009. In the 2003-2007 periods, privatisation costs accounted for 28% of the relevant revenues. The majority of these costs were incurred through investments and the foundation of new companies related to privatisation, while reorganisation costs had dominated previously. The 2003-2009 periods generated a total of HUF 1,524 billion in privatisation revenue, including HUF 1,100 billion in net revenue, of which some HUF 949 billion would have been available for the reduction of public debt. It may be concluded that the privatisation revenues and their debt-reduction effects slightly reduced but were unable to prevent the dangerous increase in debt caused by an irresponsible government policy.

Date	Company's name	Transaction value in USD millions	Transaction value in HUF millions
19.05.2003	Postabank Rt.	457	96,868
20.10.2003	Hajógyári Sziget Vagyonkezelő	21	4,574
24.11.2003	FHB Bank Rt.	134	29,683
<b>Total (2003)</b>			<b>131,126</b>
19.01.2004	Égáz	55	11,482
05.02.2004	Dunaferr Dunai Vasmű Rt.	2	416
17.02.2004	MOL Rt.	360	74,817
01.03.2004	MOL Rt.	16	3,223
30.04.2004	Bólyi Mg. Rt.	25	5,281
30.04.2004	Hód-Mezőgazda Rt.	11	2,324
23.07.2004	Six agricultural companies	64	13,011
03.08.2004	Forrás Rt.	19	3,963
03.11.2004	MOL Rt. (gas business)	536	101,146
18.11.2004	Nemzeti Tankönyvkiadó Rt.	13	2,444
<b>Total (2004) Rt</b>			<b>218,106</b>
01.02.2005	Nemzeti Tankönyvkiadó Rt.	17	3,146
01.02.2005	Telit Rt.	3	511
05.05.2005	Hungexpo Rt.	39	7,745
21.07.2005	Antenna Hungária Rt.	238	48,724
14.12.2005	Budapest Airport	2150	464,800
<b>Total (2005)</b>			<b>524,926</b>
31.03.2006	MOL Földgáztároló Rt.	479	103,882
12.05.2006	MOL Rt.	1180	242,448
10.10.2006	Budapesti Szabadkikötő Logisztikai Rt.	23	4,912
21.11.2006	MOL Rt.	240	48,102
<b>Total (2006)</b>			<b>399,347</b>
27.04.2007	MALÉV Zrt,	173	31,558
30.08.2007	FHB Bank Nyrt,	357	66,878
27.11.2007	MÁV Cargo Zrt,	589	101,982
<b>Total (2007)</b>			<b>200,419</b>
11.01.2008	ELMŰ Rt.	111	19,378
14.01.2008	Alföld Concession Motorway	169	29,431
<b>Total (2008)</b>			<b>48,810</b>
31.07.2009	Raaberbahn AG	7	1,359
<b>Total (2009)</b>			<b>1,359</b>
<b>Sum total</b>			<b>1,524,093</b>

Companies privatised between 2003 and 2009 and value of privatisation

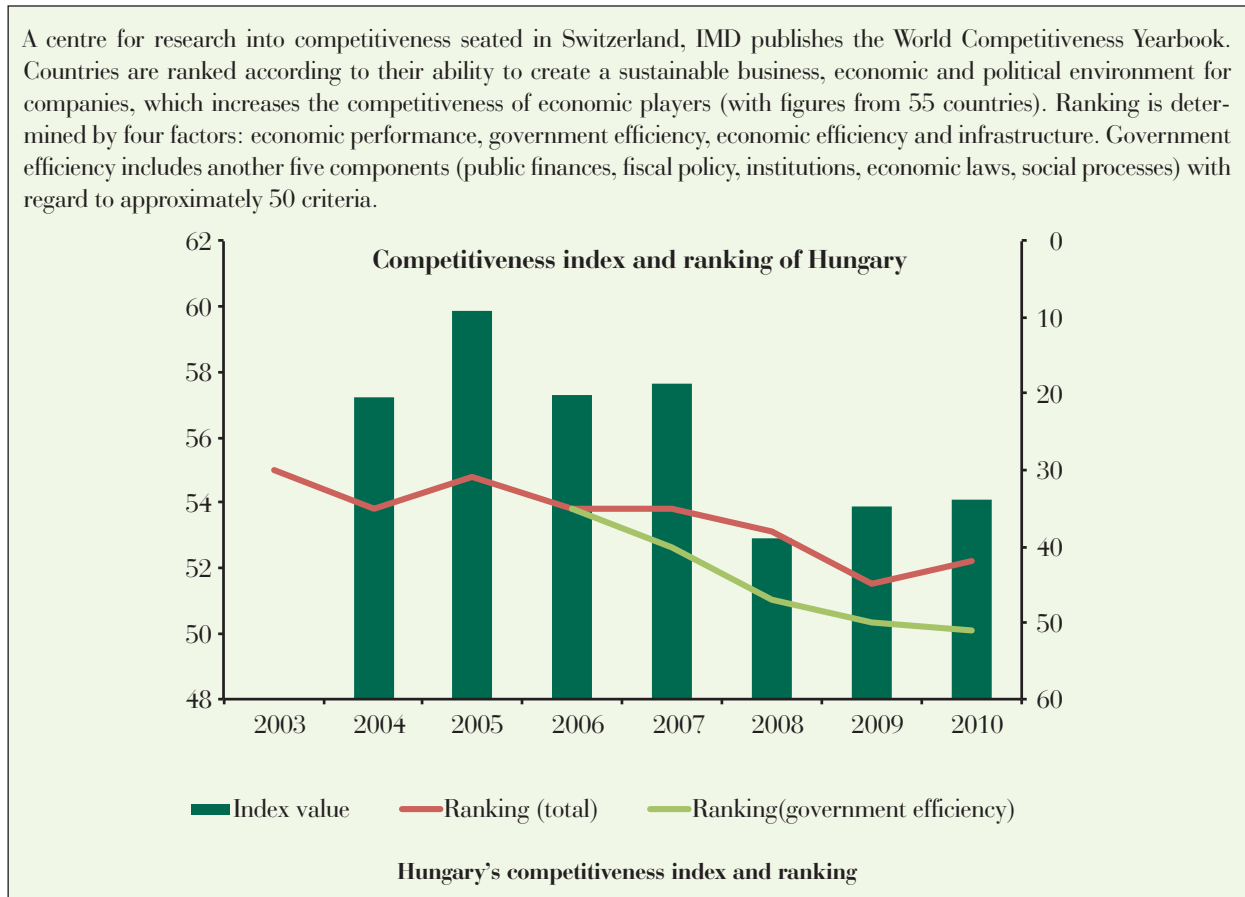
Source: ECOSTAT Government Impact Analysis Centre

# 1. THE CONCEPT OF THE MAGYARY PROGRAMME

## 1.2.2. International public administration surveys

International public administration as a science has yet to introduce a generally accepted indicator which reflects the efficiency of any state or government. We even lack indicators such as the GDP as an indicator of economic performance, which in itself is, of course, unable to demonstrate the quality of a country's economy.

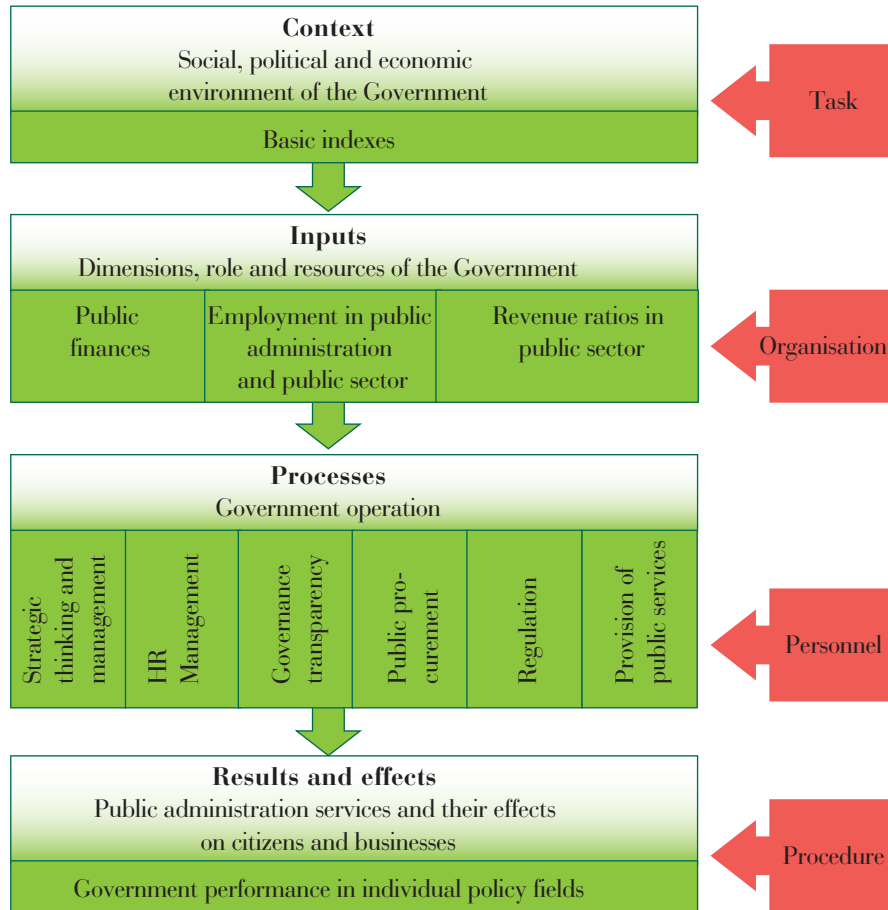
A number of international organisations carry out efficiency and competitiveness surveys regarding the public administration and performance of various countries. Surveys consistently demonstrate deterioration in governmental efficiency and performance in the case of Hungary.



From among the many available measurement techniques, we use Government at a Glance, an indicator system used by the OECD, an economic policy forum for developed countries, to measure the progress and achievements of the Magyary Programme. The OECD publishes data annually so that Member States may compare their respective measures and achievements, thereby contributing to the optimisation of fact-based decision-making and the performance of public administration.

We identified the goals and intervention areas of the Magyary Programme in a way which allows the direct measurement of its development results against the OECD criteria from an international perspective. The Government agreed with the OECD to improve, as part of the Magyary Programme, the measurement system which demonstrates the operation of the Government and the State, with a view to the specific features of the country concerned, in a scientifically valid and clear manner, excluding subjective elements. We intend to create a Good State Index within a year.

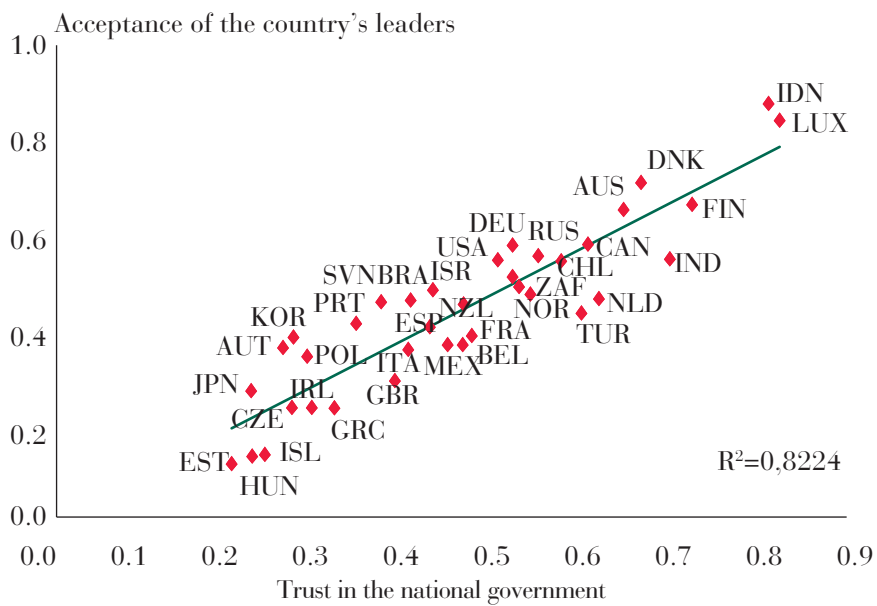
# 1. THE CONCEPT OF THE MAGYARY PROGRAMME



**Relationship between the OECD's GaaG indicator system and the Magyar Programme**

We identified herein below a selection of indicators for the areas that are key to Hungary's public administration and are in need of improvement by international standards.

According to the data of a 2009 public opinion poll, trust in the Government and the acceptance of the country's leaders were the lowest in Hungary.

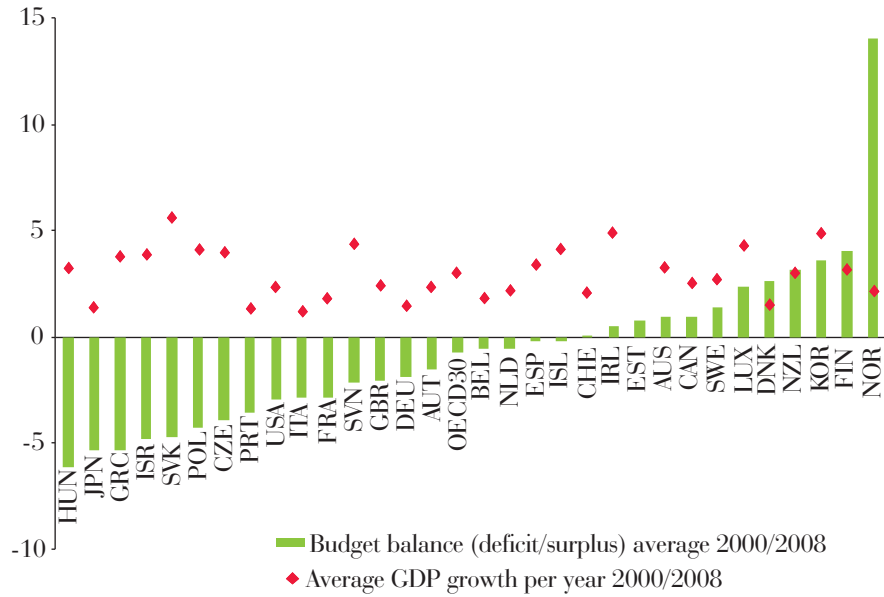


**Trust in the Government and acceptance of leaders in the OECD countries in 2009**



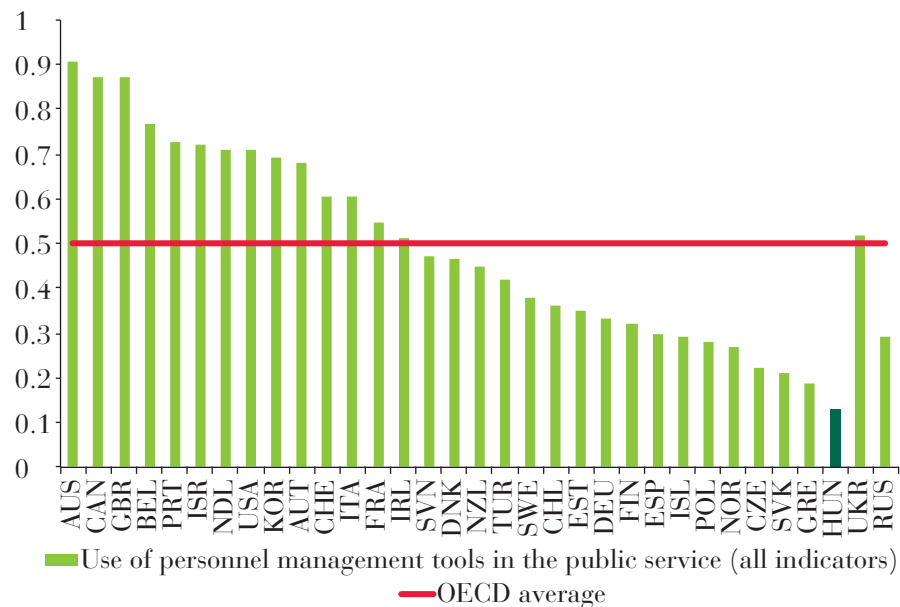
# 1. THE CONCEPT OF THE MAGYARY PROGRAMME

The figure below clearly shows that in the pre-crisis period, most countries in Europe had an increasing budget deficit despite a stable economic growth, which indicates a general need to reconsider government duties. At the beginning of the new millennium, Hungary sustained the greatest loss of fiscal balance in relation to the GDP on a continuous basis.



**Budgetary balance changes in relation to the GDP and GDP growth between 2000 and 2008**

What specifically necessitates an urgent reform in personnel policy and administration is that Hungary’s public service management resources scored lowest among all OECD members (for reasons which include the lack of rules of accountability, the establishment of senior executives’ performance goals, a continuous review of personnel management at an organisational level and competence-based personnel management).



**Public service personnel management practices in an OECD comparison**

# 1. THE CONCEPT OF THE MAGYARY PROGRAMME

## 1.2.3. Self-image of public administration (historical background)

Self-image which, before a critical task, is able to evoke the collective memory that we can solve a problem because we have done it before is a priority for all organisations, including public administration. An overview of the history of Hungary's public administration shows that one of the driving forces behind the renewal and reconstruction of the country was the transformation and successful launch of public administration in several instances. The development of Hungary's public administration exhibits a number of similarities between the 2010/11 period and the 1867 Compromise or the 1920 Consolidation, which may provide useful models, subject to due criticism, in a number of fields, with regard to the country's achievements during those periods. Therefore, not even the socio-psychological phenomenon of "battles won, wars lost" should necessarily arise. The common point is that it is key to understand the gist and for officials to have the ability to act "with a clear mind, a burning heart and in cold blood", in a professional and committed manner, and with fair consistency, in critical situations.

At the time of the change of regime, there was not enough time and in the economic situation that had developed, the government did not have the strength, to develop the part of public administration below the constitutional level in a way which would have prevented the infectious spread of the inherited bad practices. Since the change of regime, nearly 50 government regulations have been made to renew public administration. Despite a number of partial successes, the efficiency and social perception of Hungary's public administration, and even the evaluation of the politicians that set the tasks, have not improved, but have worsened on the whole. A succession of seeming reforms over the past 20 years has greatly devalued the importance of the development of public administration, primarily within public administration itself.

In 1990, the Antall Government laid down a framework for public administration within the boundaries of the Constitutional State and the foundations of a system of local governments, while Decision 1026/1992 (12 May) on the modernisation of public administration aimed to stabilise the system. Between 1994 and 1998, a public administration reform was placed on the agenda, and its programme was set out in Government Decision Regulation 1100/1996 (2 October). Government regulations 1052/1999 (21 May) and 1057/2001 (21 May) laid down two-year plans for the improvement of public administration.

The Government which took office in 2002 launched the IDEA Programme that served to rationalise local government duties and to implement a regional state reform, however, it fell victim to a typical error; it had a narrow scope and lacked a holistic view with which to tackle the whole system of public administration. Government Decisions regulations 2198/2003 (1 September) and 1113/2003 (11 November), which aimed to modernise public administration, did not even undergo the initial stages of implementation.

The Government which was established in September 2004 aimed to create a smaller and more efficient state. In 2004 and 2005, Government Commissioner Tamás Sárközy tabled some proposals to modernise the organisational system of the Government. However, this was as unsuccessful as the IDEA Programme since it treated public administration as a mere object, rather than an active subject of changes, and failed to cooperate with the constituent forces of public administration and to consider its inner laws.

In late 2010 and early 2011, the State Reform Operative Programme (ÁROP) adopted in 2007 underwent a profound re-evaluation and transformation in terms of goals and means, in order to produce cost-effective and real changes, rather than appealing, western-like formal changes. Another expectation was to achieve this not primarily by ready-made solutions offered by external market advisors, but via internal development, wherever possible, generating further resources for public administration. Public administration did not allow in market solutions which were alien to local conditions. The public administration reform of the 2007-2010 governance periods was based on a "new HR strategy" as a fundamental pillar, which lacked the very elements of strategy and concept. According to an external, EU evaluation of the reforms, virtually none of the original goals had been achieved by the 2010 change of Governments.

## 1.3. Foreign trends in the development of public administration

The past one or two decades have witnessed two clearly distinct trends in the attempts to reform public administration. Reform attempts which were primarily related to the so-called neo-liberal philosophy of state and the consequent New Public Management first emerged at the turn of the 1980s and 1990s. The most important realisation was that the state sector, which had grown unmanageably large due to previous welfare state systems, was unsustainable. Accordingly, the goals are to reduce the dimensions and costs of the state, to incorporate the regulatory solutions of the market sector into the public sector, to perform outsourcing and to incorporate the principle of performance and efficiency, etc.

# 1. THE CONCEPT OF THE MAGYARY PROGRAMME

By contrast, international public administration reform attempts took a new direction at the beginning of the millennium. This was caused by a series of emerging, mainly financial crises which culminated in the 2008 global crisis. A new approach was adopted because the new smaller and cheaper states were unable to offer efficient solutions to problems. In this case, small and cheap also meant weak. Accordingly, the so-called neo-Weberian philosophy of state advocated the reinforcement of the state's role, the requirement of the quality and the professional provision of services, the extension of citizen and public administration consultation and the dissemination of a result-based approach.

The plans for the development of public administration in the European Union's Member States attempted to achieve results in the following fields:

- increase the efficiency and effectiveness of public administration,
- cut public administration costs,
- enhance the performance of public administration,
- involve citizens,
- increase transparency,
- modernise and digitise administration,
- achieve citizen-friendly public administration and citizen charters.

In designing the Magyary Programme, we could not ignore the available international practices but any solution, whether originating from the market or from abroad, may only be adopted with due criticism, on the basis of impact analysis. The Magyary Programme does not aim to present individual international plans and practices but only the main trends. The ability to learn from international practices (e.g. e-public administration – Estonia, citizen consultation – UK, impact analysis – Netherlands) must be developed by civil servants by identifying a point of reference for organisational purposes. There is a lot of work to be done in this field; supporting language skills, developing and generally applying rapid analysis methods. At the same time, one of the added benefits of the EU Presidency is that Hungary's public administration has been successfully integrated into the EU's professional blood circulation in more areas than ever before, an achievement that must be preserved. In order to perform the above tasks, an organisational unit will be set up within the National Public Administration Institute which will monitor the processes of the development of public administration in countries that may serve as an example, will propose measures on the basis thereof and will present such processes as positive or negative developments based on a thorough analysis in preparation for any local developments.

*“The streamlining of our public administration is not only a one-time job; it calls for a permanent goal and a special method. It is not a simple empirical reform, the spectacular enforcement of a few bureaucratic experiences or ideas but a principled examination of the organisation of the Hungarian State and the classification of its operations with a view to academic findings.”*  
(Zoltán Magyary)

## 2. Goals of the Magyary Programme

### 2.1. For the benefit of the country and in the service of the public

We sincerely hope that the idea chosen as the motto of the Magyary Programme may become a symbol which reinforces the cohesion of the community and external appreciation and may provide a model of behaviour. As the soldiers of Prince Ferenc Rákóczi II went to war under their flags with the inscription “Cum Deo Pro Patria et Libertate” (With God for Country and Liberty) three centuries ago, so should this short sentence provide a true ideal and guidance for people in the service of the public interest. To avoid a lengthy explanation which could weaken its strength, the motto briefly conveys the following message: as servants of the public, we primarily owe responsibility to the Country for our actions in performing our day-to-day duties and beyond, which represents far more than the totality of our potential customers. Public administration is subject to the rule of law defined by the community. In other words, as people applying the law, we serve the public, the community, selflessly, without disdain, even when a particular measure is taken to enforce the power of the state against the customer.

*Passages from the new Constitution of Hungary:*

#### **LIBERTY AND RESPONSIBILITY**

##### Article XXIV

(1) Every person shall have the right to have his or her affairs administered by the authorities in an impartial, fair and reasonably timely manner. This right shall include the obligation of the authorities to justify their decisions as determined by law.

##### Article XXVI

The State shall strive to use the latest technological solutions and scientific achievements to make its operation efficient, raise the standard of public services, improve the transparency of public affairs and to promote equality of opportunity.

#### **THE STATE**

##### **The Government**

##### Article 15

(1) The Government shall be the general body of executive power, and its responsibilities and competences shall include all matters not expressly delegated by the Fundamental Law or other legislation to the responsibilities and competences of another body. The Government shall be answerable to Parliament.

(2) The Government shall be the supreme body of public administration and may establish public administration agencies as defined by law.

##### Article 17

(3) The Government’s regional administrative bodies with general competence shall be the metropolitan and county government offices.

(5) The legal status of government officials shall be regulated by law.

##### Article 18

(1) The Prime Minister shall determine the Government’s general policy.

(2) Ministers shall have autonomous control of the sectors of public administration and the subordinated agencies within their competence in line with the Government’s general policy, and shall perform the responsibilities determined by the Government or the Prime Minister.

## 2. GOALS OF THE MAGYARY PROGRAMME

### 2.2. Overall goal: efficient national public administration

The key strategic goal of the Magyary Programme is, according to Article XXVI of the new Constitution, which will enter into force on 1 January 2012, to improve the efficiency of the operation of the State and the quality of public services: to create an effective national public administration.

#### 2.2.1. The concept of efficiency

The concept of efficiency is an expectation which has multiple interpretations. Efficiency is a high-priority concept in the Magyary Programme as the primary indicator of not only the whole of public administration but also of individual rules or particular measures. In other words, the question is to what extent a particular task and the way it is performed meets the expectations of the Good State. Our concept of efficiency goes beyond the most commonly used price-value proportion, is extended to include the concepts of effectiveness and economy as applied by Zoltán Magyary and breaks them down into six elements that may be clearly construed.

- **Effective:** A task is performed effectively if the task set is completed to the expected degree. In this context, formal and actual performance must be looked into separately;
- **Economical:** Economy not only takes into consideration the result to be achieved but also the effort made. Accordingly, a task is performed economically if the results and efforts correspond to the plan, or are better;
- **Efficient:** Performance rarely affects merely the object of the task, and its effect may necessarily change in time. Accordingly, effectual performance does not make a change in time, space or the totality of circumstances that may destroy the task itself or a part thereof or the expected result (e.g. the acceptance or rejection of a measure by the public or disproportionate environmental damage);
- **Safe (flexible):** For a task to actually work efficiently, there is a need to plan implementation, including modelling, which may entail the consideration of several potential outcomes and the planning of the corresponding number of implementation methods. In the event of an impediment, further versions may be flexibly applied and performance may be ensured without keeping unnecessary extra resources available;
- **Verifiable:** The authorised person can monitor and may influence the process. This concept includes the requirements of the transparency, control and accountability of the activity;
- **Adaptive (developing):** In addition to planning, feedback is important in the process as the only way for continuous development and correction. The performance of a particular task becomes meaningful and valuable as part of a larger process, and therefore its benefits, together with the resulting useful and new solutions and experiences, must also be taken into account. This helps to further improve efficiency. It is further an expectation, for the purpose of competitiveness that a solution is truly effective if it is able to be developed and to be improved in the fastest and most efficient way. In most cases, this amounts to optimal adaption to new conditions, as the implementation of a task is a tool in itself.



**The deeper concept of efficiency**

#### 2.2.2. The national character

We understand that the adjective national has two meanings. This means, on the one hand, that public administration does not only have public administration customers as defined by law but the Hungarian Nation with all its members is also an underlying customer, in time and space without any limitation, whose interests must be considered fairly. In Europe the experience of belonging to a nation is able to convey and duly position, in harmony with the specific national interests, other community and human values and interests, including the criteria of international communities, of which Hungary is also a member, such as the UN, the EU and NATO.

The other meaning arises, in essence, from the temporal durability of national existence. The nation as a medium which passes down the community's ability to form a state of its own must embrace its existing knowledge, organisational values and constitutional traditions.

## 2. GOALS OF THE MAGYARY PROGRAMME

Hungary's public administration is not only a constituent part of and framework for the community living in the present but is also a system, as known today, of our ancestors' heritage that has been shaped a great deal over the centuries. At the same time, the current measures taken towards the development of public administration will exert a considerable effect on future generations of Hungarians. These considerations may guide us when we adopt foreign solutions, carry out green-field developments or eliminate previous practices.

### 2.2.3. The concept of public administration

Public administration is an activity pursued to assert the public interest, in possession of power. As Zoltán Magyary put it, "the administration of the state", i.e. "the organisation of the state for the successful implementation of public duties within the boundaries of the law with methods adjusted to the nature thereof".

Public administration, just like any administrative activity, is designed to coordinate all activities aimed at achieving the goals of a community (nation) and the State created by that community. The communities regulated and recognised by the State as groups with a right to self-governance may define local government tasks for themselves or their agencies established for the purpose. Due to state recognition and regulated delegation, local government tasks also qualify as public duties, and local government administration aimed to perform such duties forms part of public administration.

A considerable part of public duties is performed by organisations other than the organisational units of public administration and local governments. In our view, it is valuable if particular communities (academies, chambers, bodies, local governments) also take control of their own future by assuming and exercising some state competencies and public duties for their own organisations and members or by performing public duties on behalf of the State for the benefit of third parties. As is the case in general, there is no ultimate golden section in Organisation Theory. In this case, with special regard to traditions and international cooperation, we should examine the efficiency of the delegation of public duties (whether we talk about self-administration or the outsourcing of public administration). An additional benefit may be the cost effect of relieving the State of certain burdens. Self-administration may achieve enhanced cooperation, while the recipient's ability to manage interests and face conflicts may be another consideration (e.g. whether the head of a county defence committee is an elected county leader or an official appointed by the State).

The constitutional process, the implementation of the Good State Programme (in particular, the local government reform) and the new regulation of public bodies offer an opportunity to bring to a definitive end the minor practical confusion in terminology and the resulting confusion of competencies within the organisational system of public administration, as well as to ensure the correct use of the terms such as public administration, state administration, local government administration, central and territorial public administration, self-administration, delegated public administration, government administration, etc. After the entry into force of the relevant laws, the terminology used in this department, too, may rid itself of contradictions as of 1 January 2012.

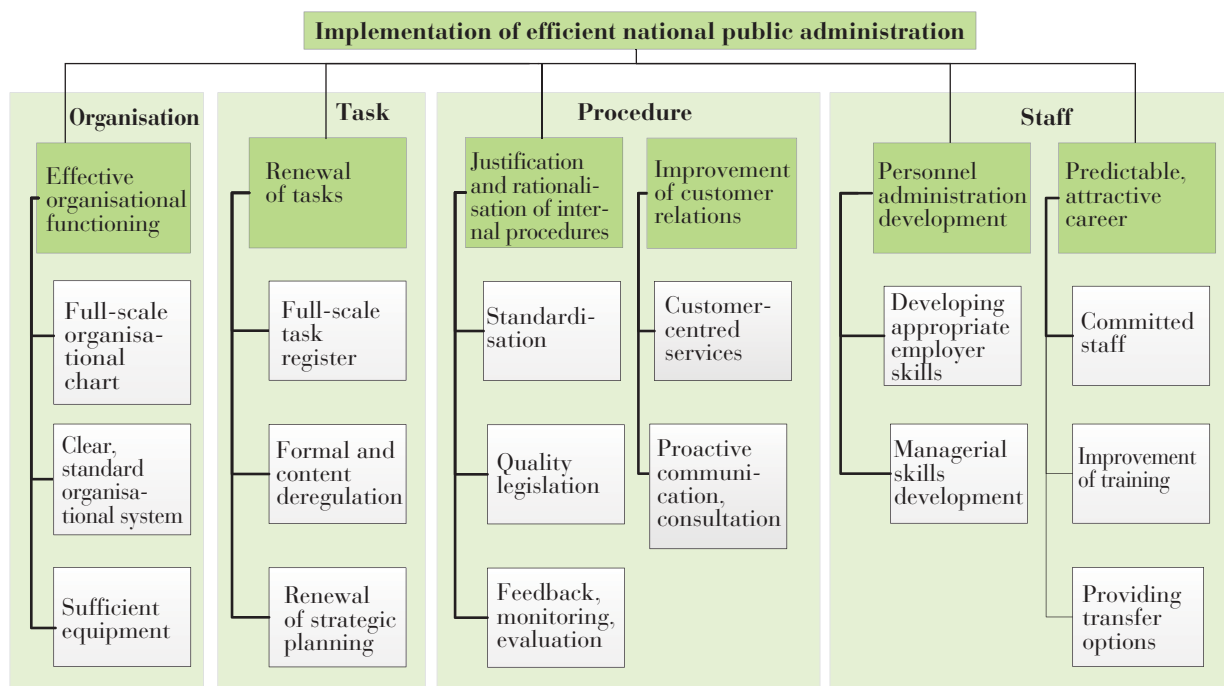
## 2. GOALS OF THE MAGYARY PROGRAMME

### 2.2.4. The hierarchy of goals

In order to achieve the overall goal of the Magyary Programme, i.e. efficient national public administration, we set goals in response to the challenges identified during our state survey in 2011.

A key enterprise of the Magyary Programme is to present the complex issues of public administration from four clear angles (organisation, task, procedure, staff) by incorporating all potential questions, measures, goals, etc. into this system. Despite our intention to implement this without any overlaps, we are naturally aware that some important series of measures will necessarily affect all four intervention areas (Government Window), however the measures on the basis of which they are classified serve as primary indicators (Government Window = procedures).

The essence of this system is that the above four-part system essentially qualifies as a so-called intervention area at the stage when we set the goals for the development of public administration. It is within these boundaries that we arranged the various goals and sub-goals, which are adjusted to the conceptual framework of ÁROP/EKOP in their terminology.



Goals of the Magyary Programme

# 3. Intervention areas of the Magyary Programme

*“If an office is poorly organised and managed, not even the best efforts and conscientious approach of subordinates will yield a full result.”  
(Zoltán Magyary)*

## 3.1. Organisation

### 3.1.1. The concept and simplification of the organisation of public administration

Public administration as an organisational system is concerned with the use of national resources to implement public goals, and is comprised of the totality of public administration agencies. The measures taken as part of the Magyary Programme to date have primarily covered the organisational system of central public administration and state administration but some of its proposals also concern local governments as organisations (county, local, minority and public body self-governance agencies).

One of the new elements of the Magyary Programme is that is not merely concerned with public administration organisations but it also extends the concept of background organisation to include state-founded public and other foundations and businesses owned in majority by the State which typically engage in the implementation of public administration and sectoral state duties.

As in administration of any other kind, the natural development trend of public administration is growth and proliferation, the most trivial cause being that organisational leaders are humans, and if for no other reason, due to the result of human evolution, they create and acquire new competencies and organisations or replace any lost ones.

Accordingly, efficient public administration cuts its organisational system from time to time and eliminates meaningless, parallel organisations. Upon the establishment of a new organisation, “why?” should be a permanent key question as opposed to “why not?”.

The main characteristic of the organisational system of efficient public administration is that it is well-kept which requires the observation of the following criteria:

1. There are as many organisations with the legal status required as are sufficient for the efficient performance of tasks (in this context, we must look into the issue of outsourced tasks, subject to the basic principle of “minimum necessary”),
2. The organisations’ internal operations, records and relationships with one another are clear and accepted,
3. The organisations are well-equipped, i.e. their physical and IT positioning and operation are appropriate, and the necessary material and human resources are available.

During the implementation of the Magyary Programme, organisational consolidation is top-down in terms of hierarchy (national, territorial and local) and outward in terms of tasks (offices, background institutions, self-administrators). The Magyary Programme follows up on the sectoral organisational reforms implemented primarily under the Széll Kálmán Plan.

The Magyary Programme as a strategic document of the Government will take effect vis-à-vis organisations that are fully or partly independent of the Government based on their relationship with the Government, with the understanding that in identifying its goals, it may serve as a point of reference.

Competence	National	Territorial	Local
General	Government	Metropolitan, County Government Office	Notary
Special	Ministry Government Office Central agency of central office	Territorial agencies of central office	



### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

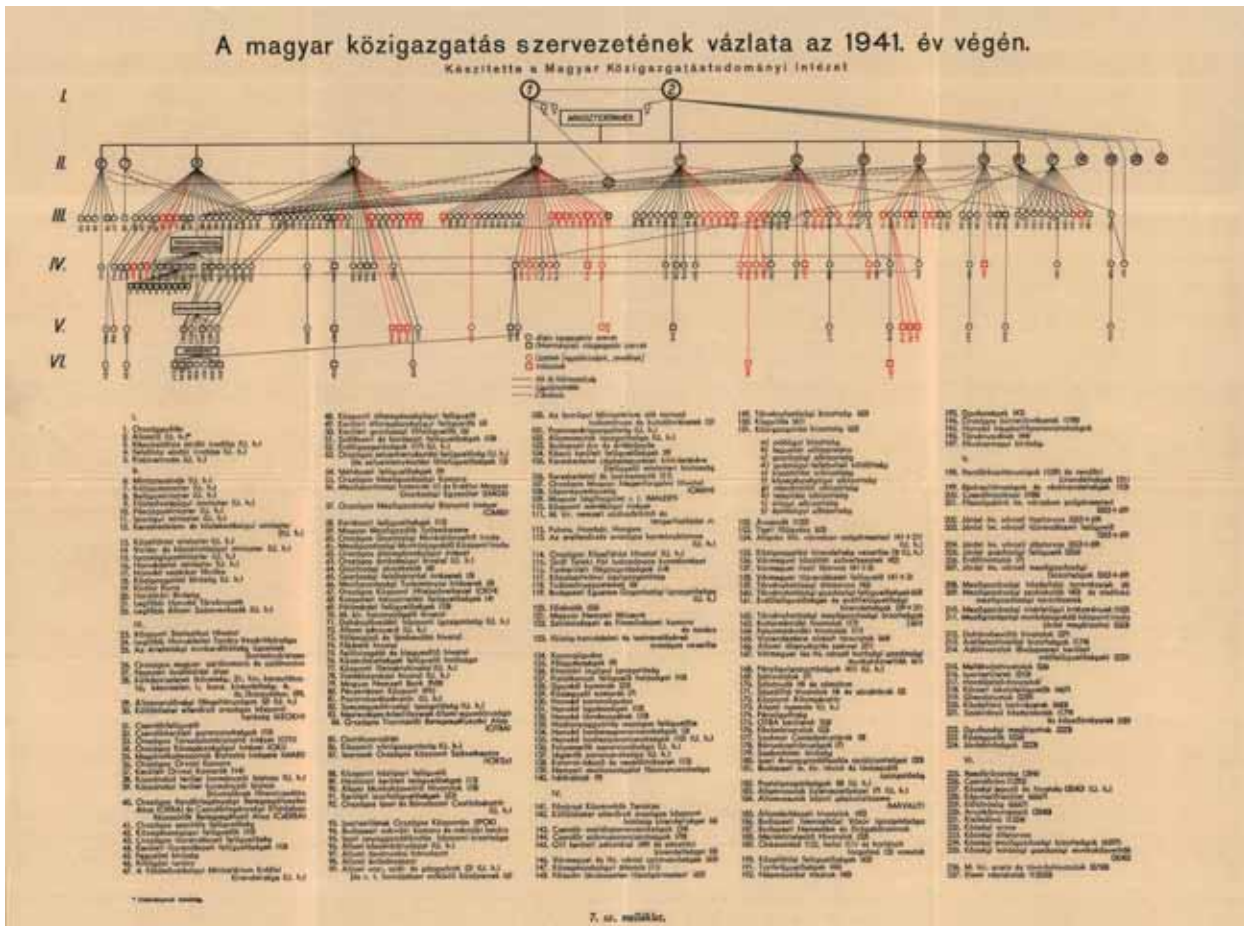
Type of agency	Type of agency	Example	Typical activities
<b>Types of agencies in central public administration</b>			
Central state administration agencies	ministries and Prime Minister's Office	Prime Minister's Office, Ministry of Public Administration and Justice, Ministry of the Interior, Ministry of National Economy, Ministry of National Development, Ministry of Rural Development, Ministry of National Resources, Ministry of Defence, Ministry of Foreign Affairs	develops sectoral strategies, coordinates, performs official activities, organises and provides public services
	autonomous state administration agency	Economic Competition Office, Public Procurement Council	develops sectoral strategies, coordinates, performs official activities, organises and provides public services
	government office	National Office for Intellectual Property, National Tax and Customs Office	performs official activities, organises and provides public services
	central office	National Consumer Protection Authority	performs official activities, organises and provides public services
	national headquarters of law and order agencies	National Police Department	performs official law and order activities
Central public administration territorial agencies	county government office	Veszprém County government office	coordinates, performs official activities, organises and provides public services
	central office's territorial agencies	Hungarian State Treasury Veszprém County Directorate	performs official activities, organises and provides public services
Sectoral agencies	national	Hungarian National Museum, Public Procurement and Supply Directorate General	organises and provides public services
<b>Organisations related to the organisational system of central public administration</b>			
Foundations, public foundations	organisations founded by the Government or a ministry	Hungarian Jewish Heritage Public Foundation, Public Foundation for War Victims	Typically organises and provides public services, organises professional public life
Businesses		Hungarian National Asset Management Ltd.	Typically organises and provides public services (performs entrepreneurial activities)

**Types of agencies in Hungary's public administration and related organisations**

### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

#### 3.1.2. State organisational chart and comprehensive organisational renewal

As Zoltán Magyary pointed out, a pre-requisite for the efficient operation of public administration is an appropriate organisational (office) structure. To this end, it is necessary to develop a more economical and transparent organisational system in line with the tasks identified. A pre-requisite of any reform is to precisely design the organisational system about to be changed. Accordingly, relying on the editing methods of Zoltán Magyary's 1941 organisational chart which holds valid also at present, we created the organisational chart of Hungary's public administration which will develop into an administration-management system that is capable of storing and dynamically using all organisational data (staff, financial management, positioning, etc.) by late 2011 and will expand and change parallel with the consolidation of the organisation.



The organisation of Hungary's public administration in 1941

The organisational chart under the Magyary Programme not only involves a full survey of organisations and a changeover to another organisational form or merger but also represents a proposal for internal organisational development, in particular:

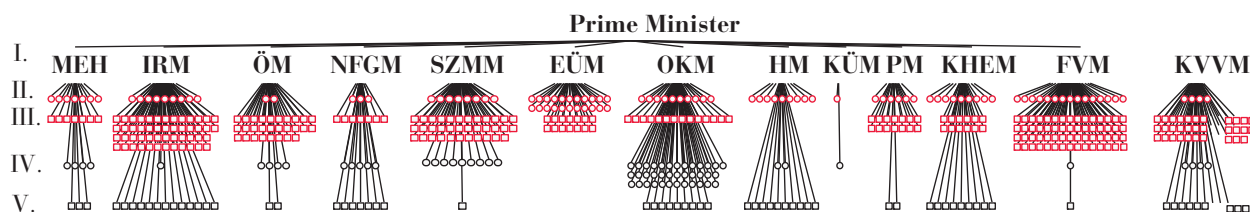
- a) addressing issues of competence and management,
- b) consistent enforcement of formal requirements (standardised, proportionate internal organisational division and modes of operation),
- c) an overview of outsourcing,
- d) physical and IT equipment.

As part of the Magyary Programme, immediately upon entry into office of the new Government, the 13 existing ministries merged into 8 based on the principles above which was followed by the establishment of the Prime Minister's Office. The Magyary Programme expects central public administration and the directly related background institutions to undergo external and internal consolidation by late 2011, at a pace that allows them to be taken into consideration in the new organisational framework and mode of operation upon the planning of the 2012 budget.

Parallel with the implementation of the Magyary Programme, the two separate systems of the organisational framework of public administration, which is often less than transparent, are currently being reviewed, the relevant technical and cost criteria of their operation are being evaluated and these systems are being simplified. On the one hand, as a result of the review,

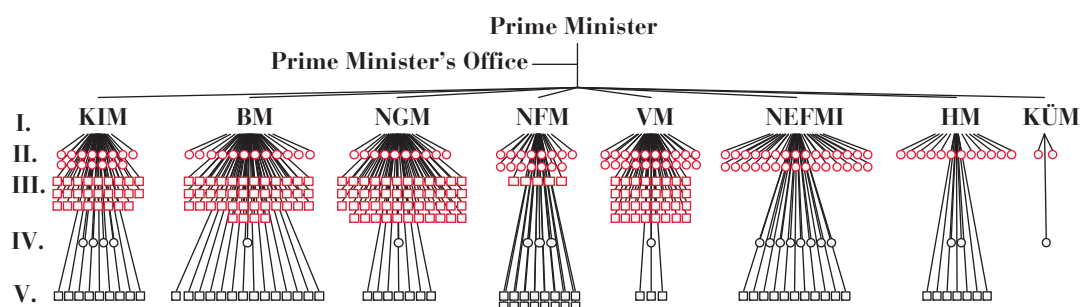
### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

the number of body types established by law or public-law regulatory tools has been reduced from 20 to 6, while formal standardisation has also begun. We have started to review and reduce the some 300 bodies in operation. On the other hand, the consolidation of the Government's participation in international organisations which totals HUF 25,888,814,040 in costs may result in a reduction of HUF 231,016,264 through the termination or suspension of memberships and the reduction of voluntary contributions already this year.



The structure of the organisational system of public administration in May 2010...

MEH: Prime Minister's Office; IRM: Ministry of Justice and Law Enforcement; OM: Ministry of Local Governments; NFGM: Ministry of National Development and Economy; SZMM: Ministry of Welfare and Labour; EUM: Ministry of Healthcare; OKM: Ministry of Education and Culture; HM: Ministry of Defence; KUM: Ministry of Foreign Affairs; PM: Ministry of Finance; KHEM: Ministry of Transport, Communications and Energy; FVM: Ministry of Agriculture and Rural Development; KVVM: Ministry of Environment and Water



...and in May 2011...

KIM: Ministry of Public Administration and Justice; BM: Ministry of the Interior; NGM: Ministry of National Economy; NFM: Ministry of National Development; VM: Ministry of Rural Development; NEFMI: Ministry of National Resources; HM: Ministry of Defence; KÜM: Ministry of Foreign Affairs

#### Legend

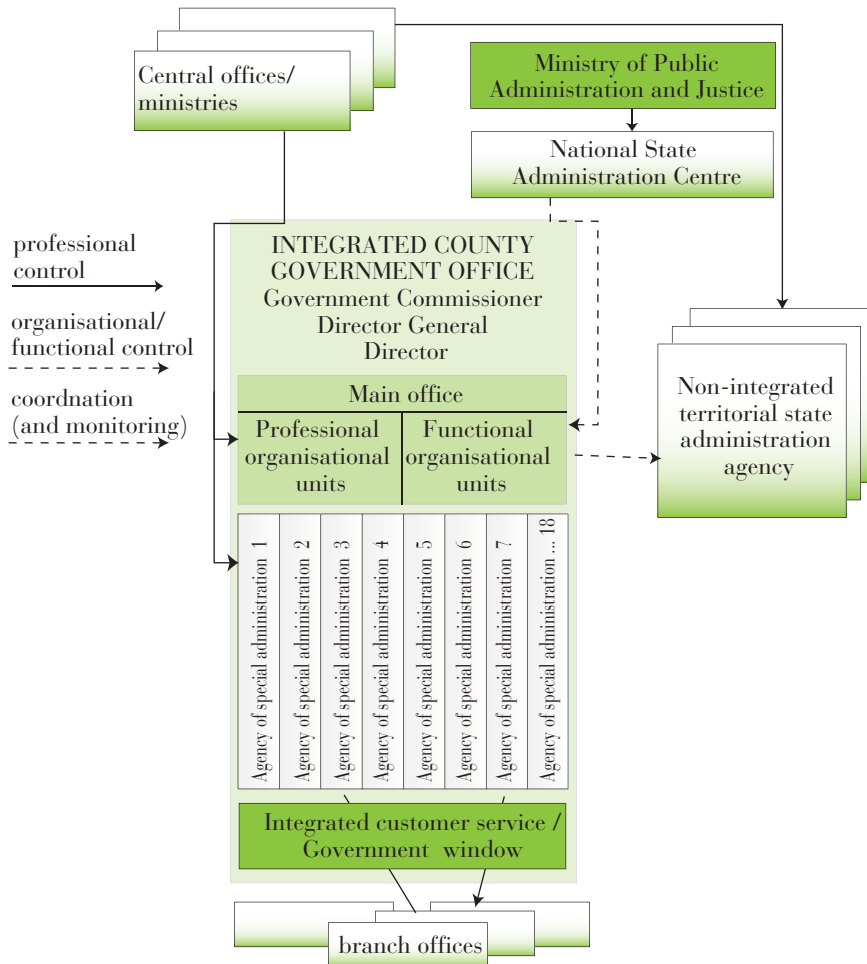
- I. Ministry
- II. Other agency with nation-wide competence
- III. Territorial state administration agency
- IV. Public foundation
- V. Business association

Agency type	Number 2010	Number 2011
Ministries	13	8
Agencies with nation-wide competence	45	47
Territorial state administration agencies	292	93
Centrally financed public service agencies	193	92
Foundations and public foundations established by the Government and ministries	68	21
Business associations	38	57
<b>Total</b>	<b>649</b>	<b>318</b>

Change in the structure of the organisational system of public administration

### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

The most important part of the organisational reform of public administration is the full organisational renewal of territorial public administration. As the first step, 1 September 2010 saw the re-inception of county (metropolitan) public administration offices, while 1 January 2011 saw the inception of county (metropolitan) government offices as the Government's territorial state administration agencies with general competence. Of the some 30 deconcentrated state administration agencies, 15 were integrated into government offices as agencies with technical duties, and 10 were delegated to the supervisory, coordinative and consultation powers of government offices. In the case of another 5 organisations, the government offices only exercise coordinative powers.



**The structure of government offices (as of 1 January 2011)**

In the years to come, the internal re-organisation and consolidation of the government offices and other agencies that will have come into being through merger will represent a major challenge.

We shall also start creating district-level state administration in the form of district government offices which will be subordinated to the county government offices. The district government offices will fundamentally come into being through the merger of the technical agencies of administration and the document offices present in the given district.

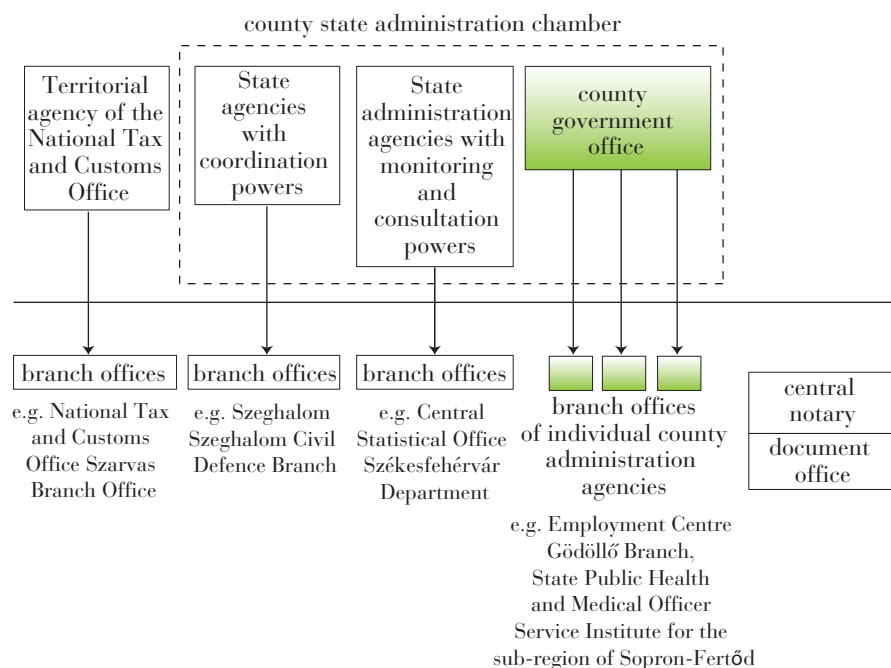
Closely linked is the local government reform, now in its preparatory phase, which will, together with the Magyar Programme, bring about the long overdue separation of local public affairs and state administration affairs between district government offices and local governments. We have reviewed the register of notarial competencies based on the following criteria:

- (professional) competencies within the scope of local public affairs (to become local government competencies);
- (professional) state administration competencies (to become government office competencies);
- administrative (functional) competencies will be retained by both agencies.

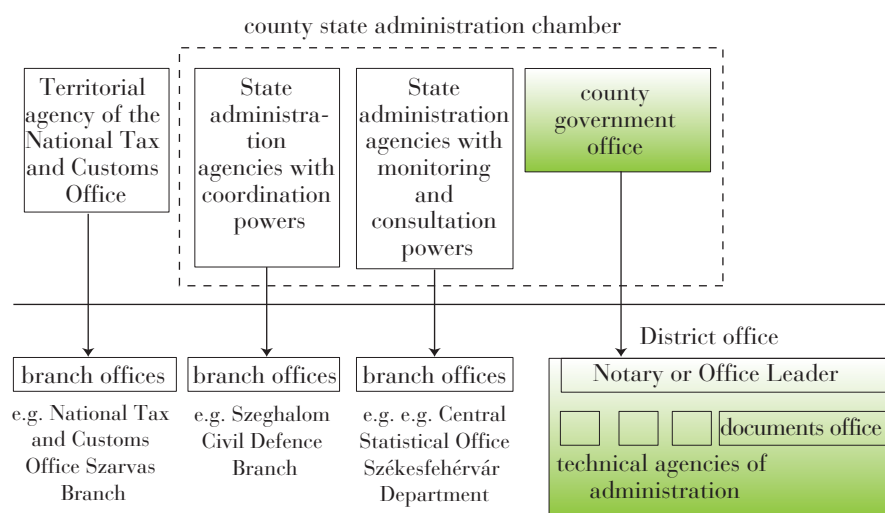
### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

This is where the Magyary Programme is particularly closely linked to the two other strategic plans, and it is therefore reasonable and necessary to coordinate its implementation with the implementation of the Széll Kálmán Plan for the maintenance of institutions and the New Széchenyi Plan for local development and industry-political issues.

A schedule for phasing in the district system	
Discussion of professional plans	July 2011
District-level adjustment of local government and state administration in legal rules as necessary	October 2011
District system, establishment of boundaries	First term of 2012
Organisational preparation	Second term of 2012
Launching of new district system	1 January 2013



The current structure of state administration in subregions



Planned structure of district state administration

### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME



The system of European Groupings for Territorial Cooperation (EGTC) related to France

The cross-border EGTC system, whose mission is to reinforce trans-national and regional cohesion and whose European legal framework was established upon a Hungarian-Polish initiative, is located at the outermost part on the horizon of public administration, in terms of both geography and competence (development powers and competence to maintain institutions).

EGTCs are legal entities with their own budget and staff, and are enabled to enter into contracts in their own right. They provide a framework for cross-border, inter-regional, twinning and trans-national cooperation.

EGTCs cover cooperation of all types.

#### 3.1.3. Sufficient equipment: the Ereký Plan

Similar to a soldier, an official's sufficient equipment is the generic term for the external, physical and IT conditions that ensure, in combination with the internal, intellectual conditions, that the official is able to perform the state organisation duties entrusted to him or her to the best of his or her abilities. The same applies to the functioning of an organisation. Specifically, the Magyary Programme wishes to break away from previous practices where the physical and IT operating (including both IT physical, and virtual, web-based) conditions of public administration (and its staff) primarily attracted public attention in the wake of individual abuses, even if the caretaker activities that form part of this duty are referred to as Facility Management these days.

As part of the Magyary Programme, the Ereký Plan will be launched to achieve the above goal; providing the most appropriate location and equipment for organisations and their staff based on the Government's available resources. The Plan is named after István Ereký (Esztergom, 26 December 1876 – Lipótfá, 21 May 1943), another outstanding researcher of public administration and financial law of the period. The Ereký Plan will be implemented by the Ministry of Public Administration and Justice in close cooperation with the Ministry of National Development and Magyar Nemzeti Vagyongazdálkodási Zrt., the state-owned company managing national assets. As part of this, accommodation, acquisition, caretaking and IT infrastructure issues will be decided upon jointly.

### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

Upon the implementation of the Ereky Plan, it is a general expectation that the location (e.g. physical proximity to the government centre), ownership status (primarily state properties) and layout designed to suit the given properties (mode of operation) and the application of energy-saving solutions should serve effective operations. The Ereky Plan also extends to the enforcement of state claims in cases where property suitable for the purposes of the Ereky Plan has been removed from the State's horizon and disposal for any reason.

Parts of the Ereky Plan and its initial stages:

Stage 1: Location and equipment of ministries and some priority background institutions;

Stage 2: Implementation of a comprehensive plan for accommodating the background institutions not involved in Stage 1 (including the establishment of jointly used facilities such as the central governmental archives);

Stage 3: Planning and implementation of a property development project related to staff welfare services, in particular, the establishment of a network of "swallow houses" which permit the improvement of living conditions for school leavers at the beginning of their career in public administration or government officials living outside Budapest; cheap kindergarten care for the children of government officials and establishment of holiday, catering and free-time facilities (e.g. refurbishment and re-opening of resort facilities presumably neglected and run down for the purpose of sale at less than market price);

Stage 4: Territorial public administration, consolidation of the buildings and IT infrastructure of government offices, integrated facility management. As part of this, renovation of the railway and coach stations of Magyar Államvasutak Zrt. and Volánbusz Zrt. and of the unused or derelict properties owned by other state-run companies (e.g. Magyar Posta Zrt.), establishment of new integrated customer services (Government Windows);

Stage 5: Assessment of the condition of the properties of the Hungarian State abroad used for public administration purposes and development of facility management, in close cooperation with the Ministry of Foreign Affairs.



Locations of key state institutions (Ereky Plan)

## 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

*“The duty of public administration is to act. In a constitutional state, this is regulated by rules of law.”  
(Zoltán Magyary)*

### 3.2. Task

#### 3.2.1. The concept of the task of public administration

The basic unit of the operation of the State is a single task. In the vast majority of cases, low-efficiency operation is the result of the poor allocation or construction of duties. It is the particular situation emerging in public administration, and in particular, the leader assigning task, that determines the levels of action in the course of the exploration of the task in hand (for instance, it may be necessary to explain the process to a newly-hired official). The Magyary Programme defines the obligatory and optional parts of a task as a basic unit, which should be viewed as the core component (same responsible person, subject, source, deadline/schedule):

- obligatory content parts of a task: responsible person, subject, deadline and source of particular task;
- optional content parts of a task which always determine the circumstances of the performance of the task and affect the efficiency of performance: contributors, stakeholders, funds, pre-requisites, method of performance and type of procedure. In the course of the assignment of duties, the identification of the goal as an optional element is a separate issue. An existing solution, that may be legitimate under the given circumstances, is for the assignor of the given task to set goals in departure from the rule of thumb.

In contrast to other organisational operations, a task in public administration always has and should have a legally identified source which makes implementation obligatory for the public administration staff. The source of the task, at the highest theoretical level, is the Constitution. One level down, the system branches off with multiple authorisations as required. At the second level, the sources of duties may be as follows:

1. legal rules, regulatory tools under public law (including international memberships);
2. strategic documents (e.g. Széll Kálmán Plan, Magyary Programme, action plans, international cooperation);
3. unexpected situations, acts of God (e.g. red sludge disaster, legal action lost).

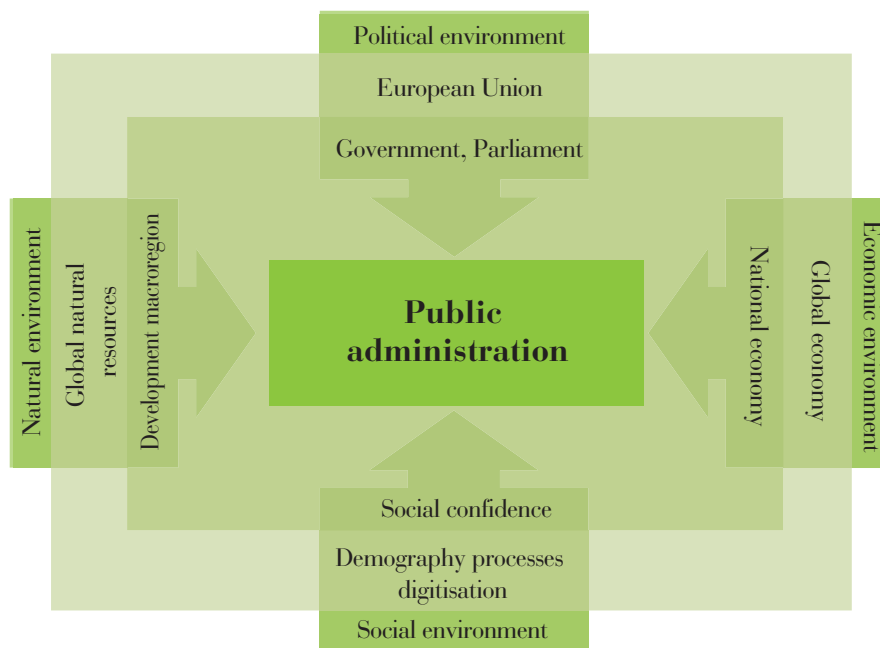
The third case should be discussed in particular because under Hungary’s Constitution, the State only performs duties identified by law. These are therefore duly incorporated into the system with respect to extraordinary situations as justified both in the strategic documents and by law (e.g. disasters). Yet, circumstances may arise, due to the poor definition of a term in legislation or for other reasons, where an organisation or an official must perform a task due to fundamental human considerations or under the laws of nature even in the absence of an itemised rule of law. By contrast, an official usually undertakes a task based on the instruction of his or her superior or by way of the application of a law or regulation on a routine basis.

The precise definition and adjustment of task sources is a priority as the only way to achieve the necessary harmony in implementation is by coordinating sources within public administration; elimination of parallel and contrary procedures, hierarchy and adjustment of duties.

In performing their duties, people working in public administration must strike a healthy balance between discipline and creativity. Naturally, certain jobs mainly call for the former, while others for the latter. Another expectation is to be professionally thorough, to grasp the gist and to be precise. The following chart presents the task source from the perspective of legal sociology which must be borne in mind, as an official who aims to excel in work should automatically check these criteria, especially for discretionary decisions.



### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME



Elements of the environment with an impact on public administration

#### 3.2.2. The state task register

The identification and systemisation of public duties has been long overdue. Already in his work entitled “The Mirror of Hungarian Public Administration” dating from 1932, Zoltán Magyary attempted to identify the duties of public administration. The collection contained 9,850 items, in which the author assigned a public administration unit and reference to the relevant legal rule to each task. Regrettably, no such comprehensive survey (register) has been made of public duties until 2011. In 2007, a pretty brochure and a website were organised, but these cannot be regarded as a real survey due to their content-based inconsistencies.

The purpose of the large-scale project launched as part of the Magyary Programme is to create an elementary public task register which serves as the basis for an information system that supports strategic decisions and legislation.

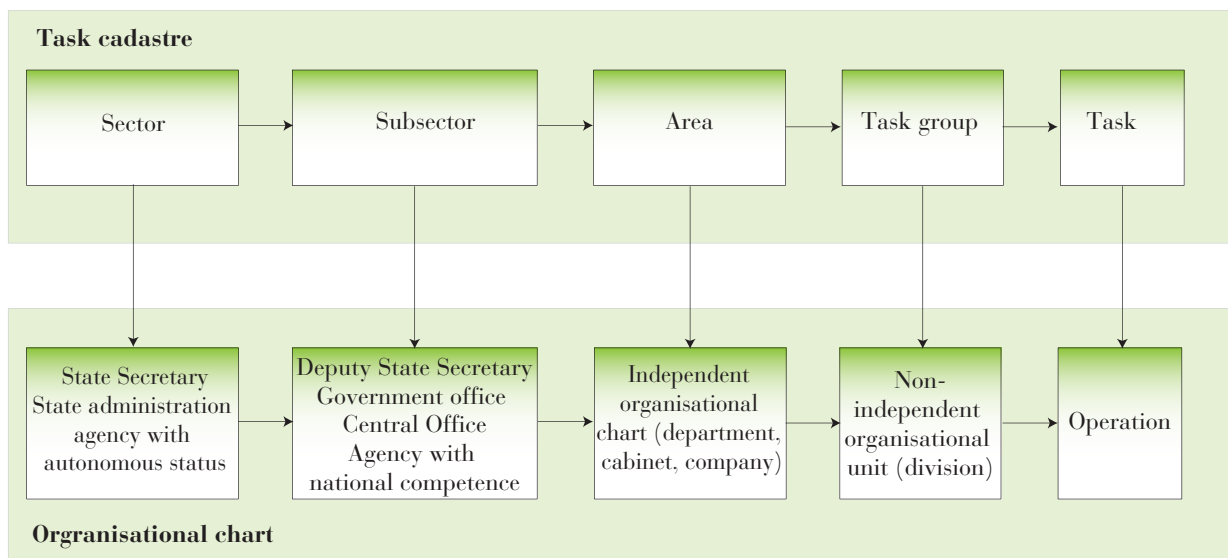
The public task register will serve deregulation and implementation-level legislation by late 2011, with a view to the provisions of the cornerstone laws.

### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

Sector	Subsector	Field	Task group	Task
Ministry of Public Administration and Justice				
Public duties				
1. Justice				
2. Duties related to development and organisation of public administration				
	2.2.1 Public administration organisation and operation			
		2.1.1 Duties related to territorial state administration agencies and coordination		
			2.1.1.1 Professional control	
				2.1.1.1.1 Supervision of notaries of locality and metropolitan district municipalities in charge of regional centre duties
			2.1.1.2 Monitoring of operation	
			2.1.1.3 Coordination of territorial performance of duties	
			2.1.1.4 Territorial coordination duties	
			2.1.1.5 Proposal regarding the transformation of the sub-regional and regional institutions of public administration	
			2.1.1.6 Coordination of the duties performed by mayors, notaries, clerks of boards of representatives in connection with the monitoring of state administration duties	
	2.2 Development of public administration			
		2.2.1 Development policy, public administration policy		
			2.2.1.1 Supervision and coordination of governmental duties and official duties related to development of public administration	
			2.2.1.2 Performance of official duties related to development of public administration	
				2.2.1.2.1 Development of action plan of State Reform Operative Programme
				2.2.1.2.2 Participation in drafting of action plan of Electronic Public Administration Operative Programme

Already on the level of abstraction, the register must be adjusted to the organisational system of public administration.

#### Fragment of the structure of the task register



Relationship of the task register and the organisational chart

## 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

### 3.2.3. Formal and content deregulation

Until the recent past, quality was less of a criterion in legislation, and, due to the lack of appropriate impact analysis system, there were a large number of amendments, a major risk from the respect of legal security and efficiency. Quality legislation must be based on a review of the central laws in force in certain legal fields which permits the reduction of the quantity of laws, the elimination of the existing contradictions, the reduction of administrative burdens and other content-based legal cleansing. This review will result in draft deregulation laws. In reviewing the laws and in the process of deregulation, special attention will be paid to the main procedural codes which have an impact on the simplification of administration and masses of clients:

- Act XXXVIII of 1992 on State Finances (hereinafter: Áht.),
- Act CXL of 2004 on the General Rules of the Official Procedures and Services of Public Administration (hereinafter: Ket.),
- Act CXXXIX of 2003 on Public Procurements (hereinafter: Kbt.),
- Act CXXX of 2010 on Legislation (hereinafter: Jat.),
- Act XCII of 2003 on Taxation.

In a particular age, the most marked footprint of public administration is its legislation. Legislation is by no means merely a matter of the legal profession but is also a matter of approach and self-knowledge on the part of the apparatus. In order to achieve substantial results, the Government will support the reform of legislator training. In 2011 the Corpus Juris Hungarici is, regrettably, overweight and top-heavy. Therefore, the Magyary Programme aims to make clear (not arrogant) and simply-structured (sincere) laws. We must feel free to use the opportunity to achieve that only that which is not obvious or where there is no underlying regulatory system (e.g. Criminal Code) should be regulated by norms. Also, individual officials or organisations should no longer choose enforcement rules to be enacted as a matter of prestige. In other words, Acts of Parliament should only include subjects of actual statutory regulation, to the extent necessary (including explanatory remarks and creative definitions) which will induce stakeholders to apply the rules of law correctly as a matter of course. Finally, the principle of “one sector – one Act” must be enforced within the self-regulatory range of public administration and the state, and sectoral rules may not be regulated outside the sectoral code on a long-term basis even for communication benefits.

### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

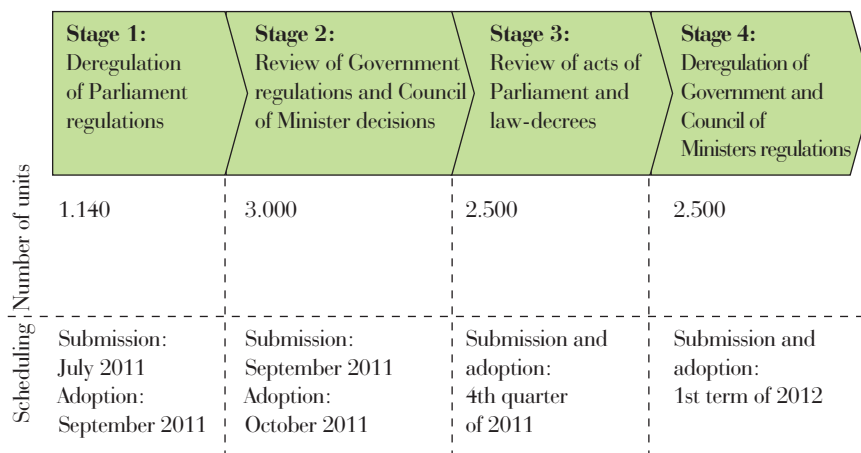
Area/Sector <sup>1</sup> (Ministry, State Secretary/ Deputy State Secretary)	Subject of regulation	Number of sectoral Acts	Underlying provision in Hungary's Constitution
Ministry of Public Administration and Justice, Deputy State Secretariat for EU and International Justice Cooperation	Patent, trademark, copyright	8	
Ministry of Public Administration and Justice, Deputy State Secretariat for Justice and Private Law Legislation	Laws on justice	53	The State, Articles 24, 25, 29 and 30
Ministry of Public Administration and Justice, Deputy State Secretariat for Territorial Public Administration and Elections	Laws on elections	7	Liberty and responsibility, Article XXIII, The State, Articles 2 and 8
Ministry of the Interior, Deputy State Secretariat for Regulation and Coordination	Laws on law and order	26	The State, Article 46
Ministry of the Interior, Deputy State Secretariat for Local Governments	Laws on local governments	22	The State, Article 31
Ministry of National Economy, Deputy State Secretariat for Employment	Laws on employment	19	Foundation, Article M), Liberty and responsibility, Articles XII and XVII
Ministry of National Economy, Deputy State Secretariat for Budget	Laws on public finances	86	The State, Articles 36 and 37
Ministry of National Economy, Deputy State Secretariat for Taxation	Laws on taxation	25	Liberty and responsibility, Article XXX, The State, Article 40
	Laws on financial policy	24	The State, Article 42
Ministry of National Economy, Deputy State Secretariat for External Economy	External economy	4	Foundation, Article M)
Ministry of National Development, Deputy State Secretariat for Transport	Laws on transport	11	Liberty and responsibility, Article XXVII
Ministry of National Development, Deputy State Secretariat for Energy Management	Laws on energy management	9	Liberty and responsibility, Article XXVII
Ministry of National Development, Deputy State Secretariat for Asset Management	Laws on asset management	9	The State, Articles 38 and 39
Ministry of Rural Development, Deputy State Secretariat for Law and Administration	Laws on land	7	Foundation, Article P)
Ministry of Rural Development, Deputy State Secretariat for Agricultural Management	Laws on gene technology	4	Liberty and responsibility, Article XX
	Laws on agricultural management	7	Liberty and responsibility, Article XX
Ministry of Rural Development, Deputy State Secretariat for Food Chain Supervision and Agricultural Administration	Laws on food chain supervision	12	Liberty and responsibility, Article XX
Ministry of Rural Development, Deputy State Secretariat for Environmental and Nature Protection	Environmental and nature protection	6	Foundation, Article P)
Ministry of Rural Development, Deputy State Secretariat for Water Management	Laws on water management	4	Foundation, Article P)
Ministry of National Resources, Deputy State Secretariat for Health Policy	Laws on health care	13	Liberty and responsibility, Article XX
Ministry of National Resources, Deputy State Secretariat for Social Policy	Laws on social, family and youth affairs	13	Liberty and responsibility, Articles XVIII, XIX and XXII
Ministry of National Resources, Deputy State Secretariat for Higher Education	Laws on higher education	5	Liberty and responsibility, Article X
Ministry of National Resources, Deputy State Secretariat for Cultural Policy	Laws on culture	9	Liberty and responsi-bility, Articles X and XI
Ministry of Defence, Deputy State Secretariat for Law and Administration	Laws on national defence	8	The State, Articles 45 and 47

<sup>1</sup> 1 The table does not include the laws amending the individual laws and the laws on the promulgation of international agreements.

### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

According to the principles above, a deregulation task force was set up as part of the Magyary Programme, which is at this point in time concerned with formal deregulation, that is, the task force is removing partially or wholly superfluous decisions that do not concern Parliament's own operation and any public decisions of the Government and the Council of Ministers that likewise prove to be partially or wholly superfluous. Given the tight schedule of legislation, the new regulation must achieve both formal and cabinet-based deregulation for Acts of Parliament. In the case of laws not affected by the different development plans and programmes, deregulation decisions may be made subject to the workload of Parliament.

Following this, the package of deregulation proposals will be submitted as Stage 4.



Scheduling of the deregulation process

#### 3.2.4. Renewal of identifying strategies in public administration

As part of the Magyary Programme, we assessed the dimensions and contents of the Government's Strategic scope. The Government approved 30 strategic documents in various areas in one year, each of which fundamentally met the expectations of this genre. At the same time, another 110 are currently being drafted or have been inherited. An overview of the documents showed that:

- based on the designations used by the ministries, there are 20 types of strategic documents,
- the current policy strategies are not properly harmonised with each other or with the contents of higher-level documents,
- the level of elaboration and detail is different in each strategic document,
- it is unclear in a number of instances how the strategies tie in with the given goals of the government programme,
- two-thirds of them do not have an estimated budget

We shall regulate the Government's strategic planning process by relying on the experiences of the assessment of the current situation. As part of this, we shall determine the Government's strategic scope which will contain the tools, mandatory format, contents and ranking of strategic documents.

### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME



#### System of strategic documents

(the designations provided during the January 2011 survey were classified into the types stated in the figure above by the Ministry of Public Administration and Justice based on numbers)

#### 3.2.5. Comprehensive tasks

In contrast to the root-like structure of public duties, tasks may necessarily arise which affect several, or almost all sectors but do not qualify as goals, and this is precisely what makes them ineffective based on previous experiences. Instead, they are described as means that encompass a wide range of tasks. Tasks of this nature usually change more frequently than the sectoral system, however, their presentation and the prompt and homogeneous implementation of these tasks enable public administration's system of tasks to operate well and to be immune to certain harmful effects.

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### 3.2.5.1. Extension of electronic public administration

Undoubtedly, one of the most important means of increasing the efficiency of public administration is the extension of the use of info-communication technologies. Therefore, the Magyary Programme places great importance on the extension of the scope of e-public administration services and the improvement of their quality, both to assist the customers and officials of public administration and to make procedures and organisational processes simpler, faster and more efficient.

Despite these clear theoretical sentences, there are few areas in Hungary's public administration where so many development projects have failed in spite of the funding made available. The Magyary Programme wishes to avoid previous dead-ends by enforcing the following fundamental principles:

- The order of operations is important also in this case: public administration IT serves the needs of public administration through the concept equivalence and concept design activities of the e-public administration area. Only one exception is allowed: the e-public administration environment should match the performance of new tasks in public administration, provided that the institutional environment itself is duly transposed;
- In developing e-public administration, infrastructure, application and the necessary HR developments must go hand in hand;
- IT development is not a matter of personal beliefs but a scheduled implementation of tasks, and in this case, too, the highest possible level of centralisation must be achieved as far as allowed by the secure operation of systems;
- The State needs its own, sworn-in IT professionals and any personal services may only be purchased on a supplementary basis in this field; the conditions of employment must be created within the new career system;
- IT applications may not disproportionately increase the risk of frustration of government duties (network security, data asset management).

A number of decisions were taken with a view to these principles as part of the Magyary Programme on the following issues, inter alia:

- consolidation of the IT network and the Government's major systems for the settlement of accounts,
- restoration of the Government's network security and defence capability,
- Standard National Card system,
- application of the Government's standard document and file management system,
- revival of the organisation of electronic public administration meetings,
- pan-governmental electronic identification.

### 3.2.5.2. Reduction of administrative burdens

As regards the various fields of public administration, it is important to eliminate all mechanisms that are a nuisance to both clients and public administration organisations and greatly complicate internal and external processes, and to simplify non-transparent procedures and processes. This will allow the reduction of administrative burdens upon both public administration customers (citizens, businesses) and public administration organisations and staff. According to the Magyary Programme, the concept of public burden includes any actual payment, the general payment of taxes arising from public administration, the time and cost spent on administration and also the lack of support, protection and assistance that may be expected under the rules of law.

### 3.2.5.3. Promotion of equal opportunities

The promotion of equal opportunities within the organisational system of public administration means that in planning and implementing various measures, operating the organisation, making decisions and administering affairs and in all other cases, one must take into consideration and promote the concept of equal opportunities for all customers disadvantaged for any rea-

### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

son. In enforcing equal opportunities, public administration must meet a social, partly moral, expectation and may obtain new human resources which may greatly promote the organisation's efficiency and may undoubtedly improve the human quality of officials. As with all procedures arising from a reasonable consideration of fairness, efforts must be made to ensure that the task is not detached from the goal and we must prevent the spawning of an "industry" that may harm those whom we seek to protect.

#### **3.2.5.4. Creating accountability and eliminating corruption**

Society at large agrees that corruption impedes development and undermines democratic and constitutional values and principles. Society is highly sensitive to corruption, while citizens are likewise eager for the State to eliminate this phenomenon. One of the main theses of the Magyary Programme is that accurate and proportionate communication is particularly important in this matter. In other words, corruption cannot be defeated primarily by press campaigns but only by actual measures. It is imperative to identify individual responsibility both upon the assignment of tasks and in procedures which should, for that very reason, be drastically simplified. In order to make reasonable decisions and to assess their consequences, it is indispensable to carry out a simple but thorough impact analysis. Finally, there is a need for cooperation on the part of the organisations concerned to uncover breaches and to mete out punishment. To this end, in June 2011 a body responsible for coordination will start work with the participation of the leaders of the Government agencies, parliamentary and justice organisations concerned at the initiative of the Minister of Public Administration and Justice.

#### **3.2.5.5. Creating proactive communication: consultation, partnership, inclusion**

Similar to information technology, public administration regularly articulates the idea that the acceptance of the operation of public administration and the necessary cooperation and communication could also be independent intervention areas. According to the Magyary Programme, communication is a set of tasks which increasingly determines efficiency. At the same time, it may integrate well into the operation of public administration if, upon the performance of every task the individual official bears in mind whether he/she had the opportunity to participate in the preparations to a justified extent. The same must also be considered upon communication and implementation. The question is how the highest level of cooperation may be achieved between customers and public administration. At the same time, public administration needs to acquire the ability to explain and to defend its views in all necessary forums at all times. The reason being that present-day public administration must perceive not only the reality experienced by customers and the community. The operation of public administration is, in fact, judged on the basis of a media reality that exists side by side with actual reality, as was the case with myths and legends in the past.

To regain the confidence of citizens and of social and economic organisations, it is not enough to develop well-functioning processes and to provide quality services. If these players are not involved in the planning of the services that they are entitled to and in the making of decisions that affect them, their trust in public administration will not increase. Based on foreign best practices, the Magyary Programme aims to engage public administration in proactive communication with the people, enabling and encouraging their active participation in the operation of the State. To this end, Hungary has also launched citizen consultations. We are improving customer information and creating a comprehensive public administration knowledge base available to all.



## 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

*“The State must be brought close to citizens; public administration must have a ‘human face’.”  
(Zoltán Magyary)*

### 3.3. Procedures

#### 3.3.1. The concept of procedure in public administration

Zoltán Magyary identified the expectation that public administration should have a “human face”, i.e. reliable and supportive towards external and internal customers (citizens and officials). And while it is another human trait, it can never be capricious.

Parallel with the deregulation process, a new set of concepts and types will be identified for public administration procedures. Therefore, until the completion of this process, there is no point in presenting one concept or another approved within the profession in the current edition of the Magyary Programme.

In essence, the performance of every task has a procedural part, and there is no organisational operation without internal procedures. What is especially important for the Magyary Programme is not to evaluate procedures which consist of one or two steps but to make more complex processes, as public administration procedures, more efficient.

#### 3.3.2. Standardisation and simplification of public administration procedures

The Magyary Programme intends to make progress already in 2011 in the following critical areas:

- government streamlining and standardisation,
- quality legislation, impact analysis and feedback,
- good customer relations, acceptance for processing – government window,
- expedient planning and implementation of budget (public procurement).

##### 3.3.2.1. Streamlining and standardisation of government operations

It is a key expectation with respect to both the internal procedures (within the individual organisations or organisational system) and external procedures (between office and customer) that characterise public administration that they should be reliable, predictable and plannable in every respect (processing time, cost, etc. of procedures). The best way to achieve this is by standardising the individual procedures and by setting up and observing standard norms and expectations. The establishment of service levels and procedural standards and the continuous monitoring of the observance of the established level will produce major benefits for the customer relations of public administration, in particular, in the improvement of the quality of administration at customer service offices.

In shaping the internal operation of ministries in June 2010, the main goal was to return to previous feasible solutions, in particular, to restore the standardised management of public administration by ministries (State Secretaries for Public Administration) and to re-introduce the trio of political, professional and administrative operations in the individual ministries.

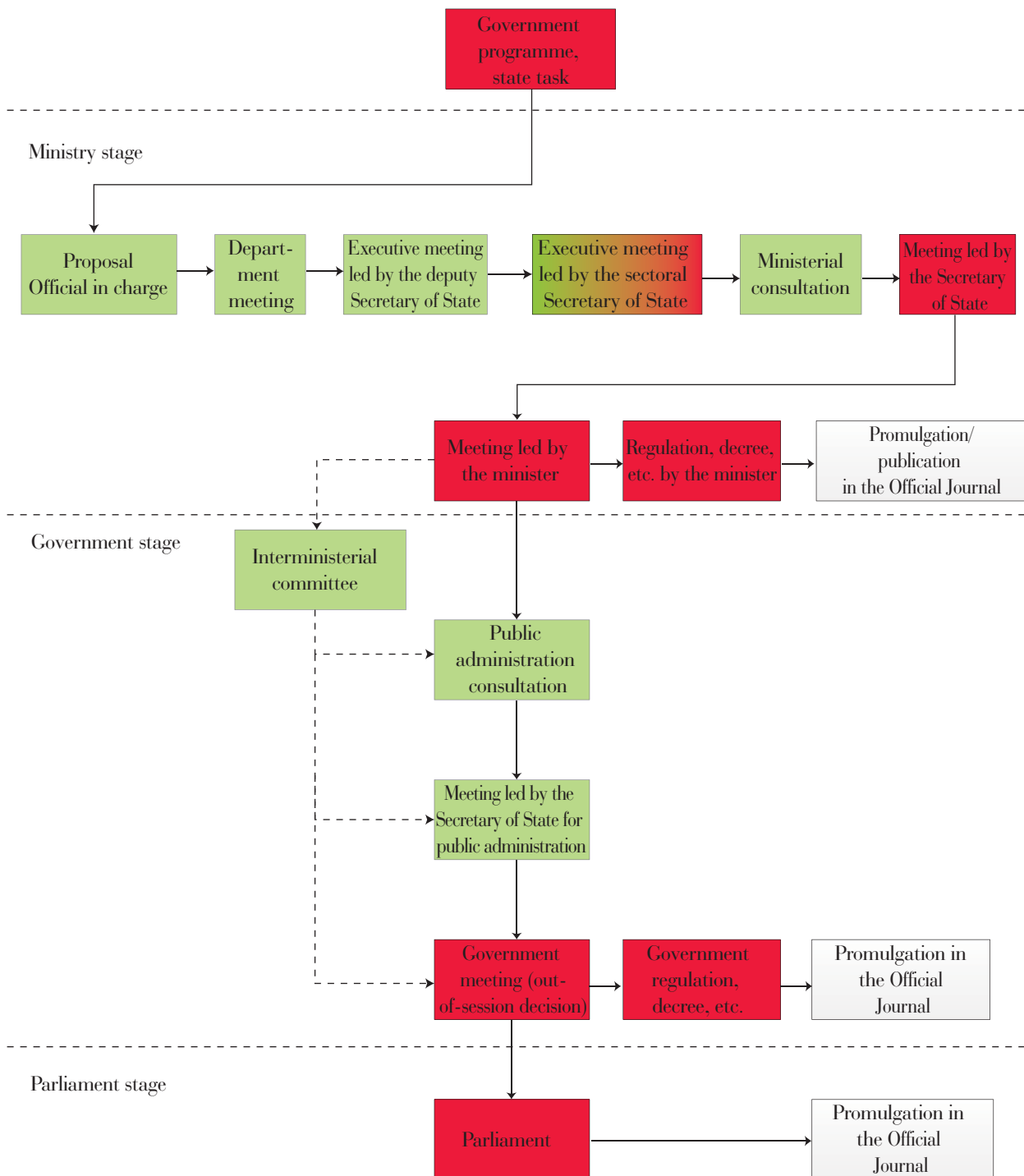
It was a key expectation to streamline administration in the government and in the ministries (central coordination with appropriate centralised competencies):

1. coordination (Ministry of Public Administration and Justice);
2. communication (Ministry of Public Administration and Justice);
3. staff (Ministry of Public Administration and Justice);
4. monitoring (Government Audit Office);

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5. asset management (Ministry of National Development);
6. public procurement (Ministry of National Development);
7. budget planning and implementation (Ministry of National Economy);
8. organisational standardisation and simplification (Ministry of Public Administration and Justice).

After May 2010, the internal consultation procedures of ministries were standardised in the rules of organisation and operation of the individual entities in such a way that they ensure at all times the involvement of professional (marked green below) and political (marked red below) elements in the process, in addition to administrative issues.



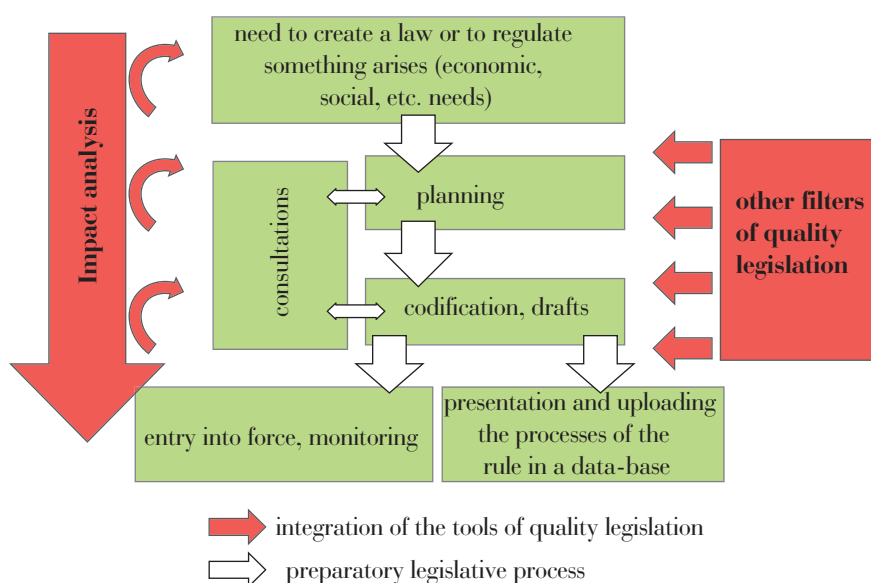
### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

#### 3.3.2.2. Quality legislation, impact analysis and feedback

Quality legislation has several components. In addition to preliminary and follow-up impact analyses, it includes excellence in the making of laws, the linguistic simplification of laws, the examination of alternatives to legal regulation and the reduction of administrative burdens.

The Hungarian regulation on legislation makes preliminary and follow-up impact analysis compulsory. A preliminary impact analysis looks at socio-economic circumstances, the enforcement of citizens' rights and duties and the expected effects of the law before it is passed. As regards follow-up impact analyses, an Act of Parliament requires the ministry concerned to monitor the effects of the application of laws and to ensure that the experiences so obtained will be used in future legislative work.

As part of the Magyary Programme, we shall create a new impact analysis system on the basis of reliable calculations and surveys which will provide even more valuable information for the evaluation of proposals. We shall review and simplify, within the boundaries of legal applicability, the language of laws, and shall make it easier for society and the individuals and businesses concerned to acquaint themselves with our laws.



#### Integration of the tools of quality legislation into the preparatory legislative process

Even procedures that are based on thorough and considerate planning and on quality legislation often produce social, economic and environmental effects that deviate from expectations. It is therefore indispensable to continuously monitor and evaluate laws and planning documents (strategies, action plans, etc.). If there is not a sufficient amount of objective and authentic information on the results and effects of measures, it is hard to plan interventions and to implement them by meeting all expectations in terms of effectiveness and efficiency.

It is primarily the responsibility of ministries, which play a key role in legislation and strategic planning, to regularly monitor and evaluate measures, the achievement of goals and the effects of legal rules. Data received from ministries are stored in a central system, which presents an opportunity to create government-level information data bases and to perform pre-decision making and strategic analyses. The Magyary Programme aims to achieve that the annual work plans, action plans and reports of ministries are prepared on the basis of a standard methodology, to develop and operate a central monitoring system of sectoral and institutional indicators and to assess and improve the system of data gathering and the data bases of ministries. Providing feedback to the organisations concerned will ensure more thorough, reliable and efficient public administration activities in the course of the future implementation of legislative and planning tasks.

#### 3.3.2.3. Good customer relations, acceptance for processing – Government Window

The relationship between the State and citizens is greatly influenced by the burdens that public administration procedures impose on clients. In the Hungarian practice, entering into and maintaining contact with the State is made difficult for customers by the fact that almost every office has its own procedures, forms, standards and image. This in itself makes it hard for customers to find their way and adds to the time and cost of the procedure, i.e. administrative burdens. The world of electronic

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solutions and web-based administration is known to many, however, the State has yet to create the necessary conditions in its own services. A major problem is the inadequacy of information provided for customers which makes people vulnerable. This is also owing to the fact that there were no established practices for the examination and management of citizens' initiatives in recent years.

The Magyary Programme aims to achieve customer-centred services which take into consideration the needs and interests customers, to simplify procedures, to reduce customer burdens and to provide services to consistently high standards available to all.

We seek to raise the level of services by creating a multi-channel (personal, electronic and phone-based) government customer service system which will enable customers to take care of their affairs in a one-stop-shop arrangement (in a single location). This high-level customer service system will offer facilities of electronic administration and will help customers see to their business in a high-standard environment, with the aid of highly-qualified customer service staff. The first 29 offices of the new customer service system were opened on 3 January 2011. Within a few years, government windows will await customers throughout the country, providing equal access to cutting edge one-stop-shop administration.

#### **3.3.2.4. Expedient budget planning and implementation (public procurement)**

There is a chance that, upon the drafting of the 2012 budget, public administration, now equipped with a fine-tuned system of organisations and duties, will not prepare its budgetary proposal on the basis of the earlier budgetary criteria but will support its budgetary proposal with cost/revenue-based, in a best-case scenario, elementary multiplicative, calculations. In other words, the budget should be planned in an expedient manner, according to the goals recognised by Parliament and the Government and the duties related thereto. It makes it easier to see the situation clearly that, due to additional tasks set and the strict budget policy pursued, public administration has mobilised all its internal reserves in the past 12 months, i.e. it has uncovered the areas where funds were unduly accumulated. At the same time, as the integration of government offices clearly showed, temporary costs arise not only from consolidation itself before savings are made but it is also necessary to manage the temporary shortages of funding due to the loss of cross-financing which is unacceptable in a budgetary system.

Public administration and the implementation of the budget are gaining momentum, i.e. they are increasingly capable of efficiently allocating funds. In this respect, the Magyary Programme aims to simplify processes all the way to the level of future accountability. Efficiency may be greatly improved by applying general terms and conditions, shortening deadlines, determining procedural assumptions and by setting up specialised central contract units with appropriate human resources. In this context, the relevant plan of action will be implemented later this year. As part of the task, the new Public Procurement Act, hopefully passed in the summer of 2011, will no longer constitute an impediment to the prompt and effective utilisation of funds and will ensure transparency and fair procedures.

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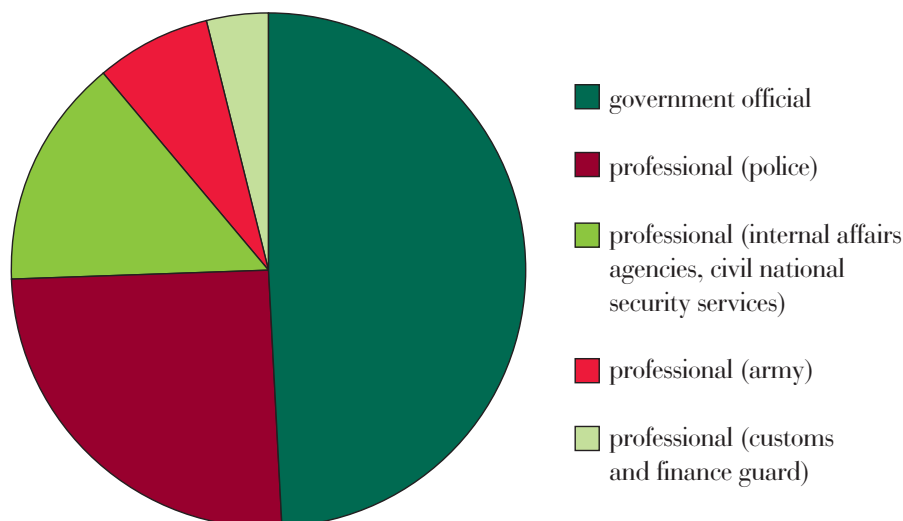
*“The worth of every organisational and procedural reform depends on the officials themselves.”  
(Zoltán Magyary)*

#### 3.4. Staff

##### 3.4.1. Personal scope of public administration

The Magyary Programme extends the concept of staff to include government officials working in public administration in a narrow sense, soldiers and police officers, i.e. members of the armed forces, and other professional service personnel. In addition, the concept of staff includes any person who regularly and personally works in public administration in any legal relationship. The reason being that the principle of the Good State is best served if careers, determined on the foundations of public law (and the underlying laws), are developed on the basis of common principles and values. Key to this may be the development of career options with crossing paths at multiple points. It is thereby possible to achieve full transferability in the entire organisation. Additionally, the expectation of close cooperation in Hungarian public administration requires local governments and autonomous agencies to apply standard and identical principles in personnel development also with respect to the legal status of their employees and civil servants, while career paths should only diverge to the extent and at the stage necessary.

The Magyary Programme affects a total of 138,976 staff members according to figures from the first quarter of 2011. This includes government officials (68,467 people), police officers (35,163), soldiers (10,000), professional customs and finance officers (5,291) and other staff members (e.g. national security services).



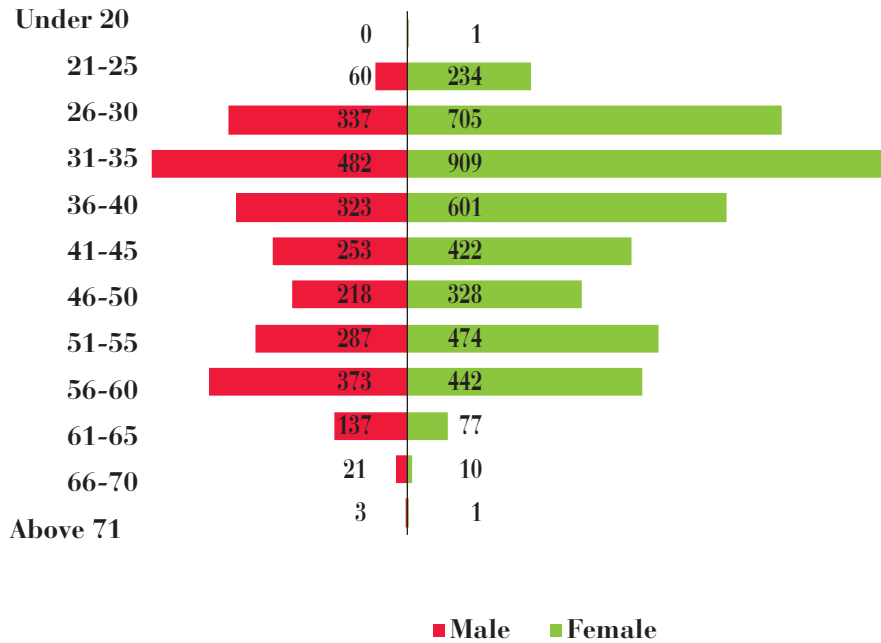
Staff coming under the public service career (2011 Q1)

In planning the Magyary Programme, that is, in modelling staff administration (staff planning) and career options, it is necessary to take into consideration more emphatically that the staff will change dynamically in respect of its composition and skills.

The level of education of graduate public administration staff has undergone a major change in the past 25 years. 29% of all graduates had law degrees in 1975, while this rate dropped to 13% by 2004. At the same time, the percentage of staff members with economics and finance degrees increased from 17% to 20%. We may observe the influx of certain qualifications. For instance, the percentage of health and welfare professionals increased from 3% to 10%.

Due to specialisation in public administration, it is important to promote the timely preparation of those who will take over from people expected to leave public service, retire or take maternity leave, while in the latter case, flexible arrangements should be made available, subject to stringent staff management.

### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME



Age chart of all government officials as at 1 October 2010

The staff chapter of the Magyary Programme is divided into two parts: one is a system-level administrative approach, i.e. personnel management. The other one discusses the system in career terms, from the individual official's perspective.

#### 3.4.2. Personnel management

The personnel policy of public administration is based on a medium-term personnel development strategy. Ideas about public service have focussed on legal reforms recently. This regulation-centred approach pushed strategic approaches and development to the background, and therefore the reform (standardisation) of the regulatory structure alone was expected to result in a more just and efficient system, without the evaluation and improvement of certain functions in human resources management.

Ktv. has been amended nearly eighty times since its entry into force, four or five a year amendments on average. 44 of these were minor, 26 medium in their extent and only 4 were comprehensive. A clear indication of a lack of strategic thinking is that there were only 18 independent amendments that solely concerned Ktv. and only four of those were comprehensive (showing some signs of a systemic approach). Another tell-tale fact is that 13 amendments were made in conjunction with the Budget Act and 27 as part of the closing provisions of other amendments.

A further requirement for an efficient personnel policy in public administration is to establish a central level of coordination. This is the level which must coordinate the personnel activities of ministries, local governments and other agencies and must determine statutory provisions for standard personnel policy principles. The central level must contain a system management centre ("an intellectual hub", as termed by Magyary) which identifies the directions and principles of personnel policy in public administration (HR strategy) and ensures implementation, as part of which it is able to place itself above sectoral interests and to coordinate the various components of personnel policy. If these conditions are not fulfilled, the multi-actor management of public service will result in a situation where sectoral interests will prevent the development of a standard public administration personnel policy.

In the past 12 months, standardised personnel management has achieved tight headcount management through the elimination of unlawful practices (e.g. mass employment over authorised headcount). In the selection of candidates for senior positions, general criteria of public administration suitability are cited increasingly as part of the exercise of the right of protest. Individual employer measures have been coordinated in the fields of remuneration (ad-hoc pay rises, target bonuses), work regime and leave. The new personnel register and administration system, rescued from the verge of complete failure and to be introduced on a general basis in late 2011, will make the personnel document system simpler and standardised. Additionally, the introduction of a new CV form will make staff skills more readily accessible.

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Appropriate employer skills and authorisation are key to personnel management; the standard of personnel policy pursued by the State and the affiliated employers. Staff deficiencies cannot be solved by a system of organisations and duties, no matter how efficiently developed. At the same time, public administration is able to solve any difficulty that may arise in organisation and operation with well-managed officials who perform their duties to high standards. On the other hand, public administration must acquire the ability to even out the workload by breaking down and consciously scheduling tasks, and in particular, by mobilising and regrouping resources for temporary tasks.

Organisational efficiency is not the totality of the individual performance of the officials employed. The work of officials greatly depends on the quality of organisation and management. In order for a successful leader fully authorised in the capacity of employer (legal options) to be able to take the necessary measures, his or her skills and competencies must be assessed and improved. At the same time, based on the existing statutory authorisation, detailed rules of implementation will be issued in September 2011 with respect to the employer system of government officials. This will include an employer matrix which will create a standard system for the management and supervision of personnel and the organisation of work.

#### 3.4.3. The public service career

Hungary's professional public service has been around for over two hundred years. By contrast, our contemporary public service has not even existed for two decades. Yet, the latter has been characterised by frequent changes, often contradicting one another, which greatly weakened the internal balance of the system.

Recently, regulation has reflected the image of a rigid public service system where the discretionary powers of senior officials are greatly reduced by the regulation of appointments, promotions and measures related to officials. In practice, there is no stability and predictability. Remuneration is not tied to actual performance or responsibility and therefore does not encourage officials to improve their performance, which, while not indispensable, is an important incentive. Similarly, most civil servants are keen to see a long-term professional career path.

The most important question is on what the proposed new public service career model should be based. We are of the opinion that a state which is strong but reasonable in size, is able to adapt to changes in a prompt and flexible fashion and favours national interests, should be based on ethical foundations which embody the values of efficiency and performance, in addition to the value of a career model.

The ultimate choice of values must therefore be a combination of the career principle representing stability and predictability and the values of efficiency and performance requiring flexible adaptation to changes. The two sets of values seemingly call for opposing solutions, and we therefore need a career model which preserves the benefits of the career system but also allows flexible adaptation to changes. Flexible adaptation can be achieved by gradually shifting the job itself into the centre of personnel policy. These are the basic elements of the public service career that we wish to create.

The conditions necessary for efficient work are, in general, easy to define:

- Professional knowledge (“knows”) – appropriate selection, continuous training, preparation, development of skills and competences.
- Commitment (“wants”) – actual familiarity with the goals and their principled application upon the implementation of duties.
- Trust (“is allowed”) – necessary room for manoeuvring and support in implementation (equipment and professional) are provided by superiors, colleagues and customers.

##### 3.4.3.1. The nature of the legal relationship

There are a number of false beliefs regarding career which have developed in the past 20 years and do a disservice to the establishment of an efficient and committed national public service. This manifests itself in an interesting duality following from the nature of the legal relationship.

- The legal relationship does not come into being on the basis of an employment contract but by appointment. This also indicates that the content of the legal relationship is determined by law rather than by the agreement of parties.

### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

- The regulation of the legal relationship must serve the operation of public administration in a value-based, efficient and hierarchical manner.
- The legal relationship supports both flexible exit and re-entry options, multiple as the case may be, or transfer within public administration, and long-term, fixed career plans, depending on the career path opted for.
- Officials join a corps, a body, which makes up Hungary's pool of government officials, by appointment. In the case of the other two professions, too, it would be reasonable to establish an organisation operating in the form of a public body which, as experience has shown, could work efficiently in two main areas: the enforcement of professional and ethical norms and the organisation of welfare services.

#### 3.4.3.2. Career elements

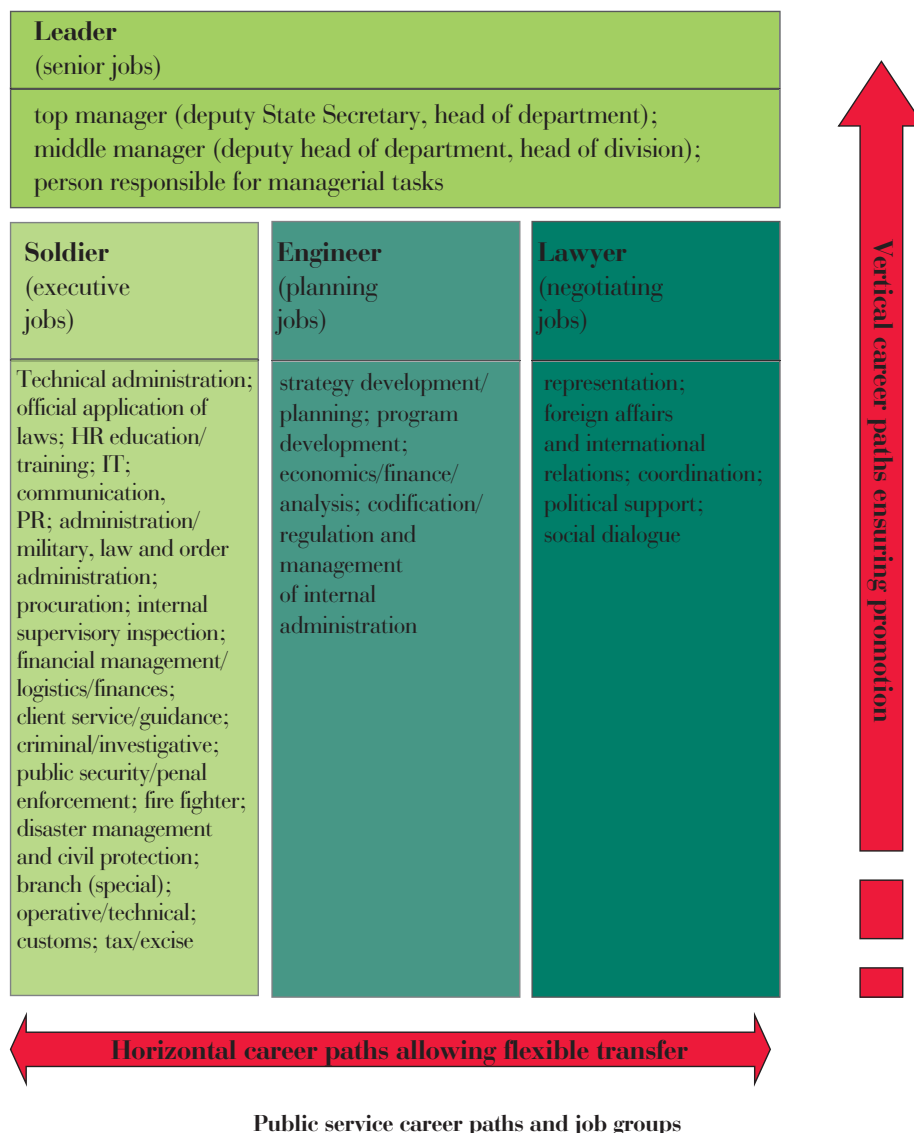
In the case of the above-mentioned three legal relationships (Kjv., Hjt., Hszt.), the development of a career programme is not a new objective. We shall, no doubt, surpass previous programmes in that careers will not run parallel or in isolation in the future but we must make points of connection so that one's career should not only represent one-way promotion but also movement and change between careers (horizontal mobility). A similar adjustment will be made in the civil servant career, however, we must bear in mind that the expectations and opportunities of the organisations that employ civil servants are widely different. To this end, career paths in the various legal relationships must be determined on the basis of the following criteria:

- Vocation-related ethical norms
- Job-based system
- Selection
- Evaluation
- Promotion and remuneration
- Training, further training and examination system
- State care/employer care
- System management

While it is the intention of the Magyary Programme to create standard and flexible careers for public and civil servants within the three governmental segments and in broader circles, we must understand that, due to the diverse backgrounds and expectations of members of staff, it is necessary to incorporate a further level of division between the general and job levels. Based on previous experience, without this, careers will be limited to meaningless generalities or will cause major disproportion, unfair and wasteful practices and, ultimately, a deterioration in efficiency.



### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME



In the following, we shall present the above-mentioned career connection points.

- Vocation-related ethical norms: The fundamental pillar of the operation of the State is the sense of vocation of public servants. In recognition of this, future laws must help public servants to adopt a dutiful attitude which is worthy of their office by defining the basic principles of public service as a vocation which is built on a strong awareness of nationhood and is rich in values. The ethical regulations that vary from organisation to organisation must be replaced with a yardstick ethical standard, with a view to legal unity and legal security in public service. These regulations must also make clear for citizens what professional and ethical expectations they may have towards Hungary’s public servants.
- Job-based system: Main steps towards the development of a job system:

After identifying and grouping current jobs, formulating job groups (e.g. professional, financial, legal, HR positions).

After creating a clear job system, defining goals, main responsibilities, requirements, necessary skills, experience and competences for each job.

Simultaneously with creating a job system, developing individual careers and career paths which may serve as the basis for a new career model.

- Selection: Recruitment and selection processes must simultaneously meet the criteria of quality, competitiveness, openness and prompt and flexible labour replacement, as prescribed in the amended law in force as of 1 June 2011. Accordingly, employers will be able to make responsible decisions on the methods of filling vacancies.

### 3. INTERVENTION AREAS OF THE MAGYARY PROGRAMME

- **Evaluation:** A job-based approach is also the cornerstone of the renewal of the performance evaluation system (PES). The accurate and individual definition of job responsibilities, duties, liability and competences will allow the creation of realistic and well-founded performance measurement tools. The previous PES, which offered bonuses, must be replaced with a development-centred and based system. The previous formal system will be replaced with a more frequently applied (not only annually) and simpler system.
- **Promotion and remuneration:** In order to create real career opportunities and a more just and efficient remuneration system, we must radically change the current promotion and remuneration system. We need a more just, differentiated and efficient remuneration system which has several pillars. To this end, the new system must take into consideration, on different grounds, the value of the given job as perceived by the organisation, the service time spent in the position, the results of the annual performance evaluation and the official's other activities related to public administration which may have an impact on his/her financial situation.
- **Training, further training and examination system:** In order to raise the professional standards of training and to ensure flexible transfer options, 2012 will witness the inception of the National Public Service University, the basic institution for public service education. The new further training system must be based on a strategic partnership with university training and research units. The training centre of county government offices must be based on the region's university knowledge base. We need a system of public administration executive training which fits in with the promotion system of government officials, has a credit system, is competence-based and has a modular structure which may prepare the ground for the organisation of a senior civil service. The basic examination in public administration must be re-introduced in such a way that its completion testifies to "maturity for a public administration career". Parallel with the comprehensive content-based and methodological renewal of the basic examination, the place of the public administration examination within the system must be more closely adjusted to promotion and senior career plans.
- **State care/employer care:** A key element of HR management is outplacement when a former employer supports dismissed employees in finding a new job in an organised manner, by also taking into consideration special individual needs; by sharing job-seeking skills and providing career guidance and legal advice. Employer care will include the government official card which will provide access to discounts and a system of other welfare services as determined by the Erekly Plan.

## 4. Planned measures of the Magyary Programme

We wish to implement the majority of the measures of the Magyary Programme by relying on internal resources and EU funds available as parts of the State Reform Operative Programme (ÁROP) and the Electronic Public Administration Operative Programme (EKOP), and, to a lesser degree, from national funds.

The following action plan presents the planned measures (some of them already in progress) broken down into the four main intervention areas and comprehensive tasks. We shall submit a detailed plan of action to the Government after the adoption of the ÁROP and EKOP action plans for the periods of 2009-2010 and 2011-2013. Accordingly, as with the other elements of the Magyary Programme, there may be changes within the boundaries of the theoretical system and the goals set.

Goal	No.	Measure	Responsible	Funding	Deadline
organisation	1	Completion of review and simplification of system of foundations and public foundations.	Ministry of Public Administration and Justice	internal resource	31 December 2011
	2	Review of the system of business associations	Ministry of Public Administration and Justice	ÁROP	31 December 2012
	3	Transformation of the organisational system of territorial state administration and integration of government offices.	Ministry of Public Administration and Justice	ÁROP, EKOP	31 December 2012
	4	Overview and improvement of efficiency of system of government offices, central offices and background institutions.	all ministries	EKOP	31 December 2013
	5	Improvement of organisational performance of public administration's organisations by way of quality management.	all ministries	ÁROP	31 December 2013
	6	Development of a modern IT infrastructure to promote organisational operation.	Ministry of National Development, Ministry of Public Administration and Justice, Ministry of Rural Development	EKOP	31 December 2013
task	7	Development of a detailed and comprehensive, continuously updated state task register which will be linked to all organisations featured in the organisational chart.	Ministry of Public Administration and Justice	internal resource, ÁROP	31 December 2011, continuous review
	8	Content and formal deregulation of legal system.	all ministries	internal resource, ÁROP	Parliament decisions 31 July 2011, Govt. decisions 31 July 2011, Acts of Parliament 31 December 2011, Government decrees 30 June 2012
	9	Development of a standard strategic planning and monitoring system.	all ministries	ÁROP, EKOP	30 June 2012
	10	Enhancement of efficiency of means and tools available to the State for supervision and law enforcement in the fight against malpractices.	Ministry of Public Administration and Justice	ÁROP	31 December 2012
	11	Development and operation of a new standard and transparent system for state information disclosure and data assets of public interest.	Ministry of Public Administration and Justice, Ministry of National Resources, Ministry of National Development	ÁROP	30 June 2012
	12	Improvement of the efficiency of ad-hoc, rather than system-level, tasks.	Ministry of Public Administration and Justice	internal resource	31 December 2011

#### 4. PLANNED MEASURES OF THE MAGYARY PROGRAMME

Goal	No.	Measure	Responsible	Funding	Deadline
<b>task</b>	13	Review of outsourcing in respect of the duties of public administration.	Ministry of Public Administration and Justice	internal resource	31 December 2012
	14	Adoption of a new e-public administration plan of action to digitise public administration at the appropriate level.	Ministry of Public Administration and Justice, Ministry of National Development	internal resource	30 September 2011
	15	As part of our Simplification Programme, reduction of administrative burdens on citizens.	Ministry of Public Administration and Justice	ÁROP	31 December 2012
	16	Further reduction of administrative burdens on entrepreneurs.	Ministry of National Economy	internal resource	31 December 2011
	17	In the interest of equal opportunities and social inclusion, adoption of measures with an impact on the organisational system of public administration.	Ministry of Public Administration and Justice	ÁROP	31 December 2013
	18	Adoption of a plan of accountability and anti-corruption measures.	Ministry of Public Administration and Justice	internal resource	30 September 2011
	19	Establishment of the National Standard Card System.	Ministry of Public Administration and Justice, Ministry of National Resources	EKOP	30 June 2012
	20	Enabling and encouraging citizens to share their opinions on public administration and the services of the State.	Ministry of Public Administration and Justice	ÁROP	31 July 2011
<b>procedure</b>	21	Standardisation of public administration procedures.	Ministry of Public Administration and Justice, Ministry of National Economy, Ministry of National Development	ÁROP	31 December 2012
	22	Establishment of an effective impact analysis system.	all ministries	ÁROP	31 December 2012
	23	Improvement of efficiency of procedures within the organisational system of public administration.	Ministry of the Interior, Ministry of Public Administration and Justice, Ministry of National Development, Ministry of National Economy	ÁROP, EKOP	31 December 2013
	24	Extension and further improvement of the network of government windows, implementing a multi-channel, integrated, one-stop-shop customer service system.	Ministry of Public Administration and Justice, Ministry of National Development	EKOP	30 June 2013
	25	Broadening of digitisation of public administration procedures affecting citizens, NGOs and businesses.	Ministry of the Interior, Ministry of Public Administration and Justice, Ministry of National Resources, Ministry of National Economy, Ministry of National Development, Ministry of Rural Development	ÁROP, EKOP	31 December 2013

#### 4. PLANNED MEASURES OF THE MAGYARY PROGRAMME

Goal	No.	Measure	Responsible	Funding	Deadline
staff	26	Introduction of the coordinated system of public service careers, career models and a new remuneration system.	all ministries	ÁROP	1 January 2012
	27	Establishment of a government HR centre within the Ministry of Public Administration and Justice to operate a standard personnel policy.	Ministry of Public Administration and Justice	ÁROP	31 December 2011
	28	Formulation of standard vocation ethical rules for public service.	all ministries	internal resource	31 August 2011
	29	Introduction of a job-based system in the public sector.	all ministries	ÁROP	1 January 2013
	30	Introduction of a standard and integrated performance management system for public servants	all ministries	ÁROP	31 December 2011
	31	Improvement of general level of knowledge in the public sector.	all ministries	ÁROP	31 December 2011
	32	Renewal of the training and further training system, manager training, the basic and special examinations. Establishment of the National Public Service University.	Ministry of the Interior, Ministry of Defence, Ministry of Public Administration and Justice, Ministry of Foreign Affairs, Ministry of National Economy	internal resource	1 January 2012
	33	Establishment of a framework for flexible work in the public sector.	Ministry of Public Administration and Justice, Ministry of National Development	ÁROP, EKOP	31 December 2012

## 5. Cornerstone acts affected

Cornerstone Acts	Primarily affected intervention area
<ul style="list-style-type: none"> <li>• Cornerstone Act on the amendment of Act CVI of 2007 on state assets</li> <li>• Cornerstone Act on the amendment of Act XVI of 1991 on concession</li> <li>• Act on local governments (and related laws),</li> <li>• Cornerstone Act on the amendment of Act CV of 2004 on national defence and the Hungarian Defence Forces</li> <li>• Cornerstone Act on the protection of families</li> <li>• Cornerstone Act on the freedom of conscience and religion</li> </ul>	Task     (also organisation)
<ul style="list-style-type: none"> <li>• temporary provisions related to the Constitution of Hungary (not a Cornerstone Act but to be passed with a two-third majority)</li> <li>• Cornerstone Act on Parliament</li> <li>• Bill on the use of national symbols</li> <li>• Cornerstone Act on certain legal amendments necessary for the passage of the Constitution</li> <li>• Cornerstone Act on the Constitutional Court</li> <li>• Cornerstone Act on the amendment of Act LXVI of 1997 on the organisation and administration of courts</li> <li>• Cornerstone Act on the amendment of Act V of 1972 on the prosecution services of the Republic of Hungary</li> <li>• Cornerstone Act on the amendment of Act XXXVIII of 1989 on the State Audit Office</li> <li>• Act on local governments (and related laws)</li> <li>• Cornerstone Act on the amendment of Act CV of 2004 on national defence and the Hungarian Defence Forces</li> </ul>	Organisation
<ul style="list-style-type: none"> <li>• Cornerstone Act on the legal status and remuneration of the President of the Republic</li> <li>• Cornerstone Act on the amendment of Act LV of 1990 on the legal status of Members of Parliament</li> <li>• Cornerstone Act on the amendment of Act L of 2010 on the election of local government representatives and mayors</li> <li>• Act on the amendment of Act XXXIX of 2000 on the remuneration and benefits of the President of the Republic, the Prime Minister, the Speaker of the House, the President of the Constitutional Court and the President of the Supreme Court</li> <li>• Cornerstone Act on the amendment of Act LXVII of 1997 on the legal status and remuneration of judges</li> <li>• Cornerstone Act on the amendment of Act LXXX of 1994 on the prosecution service status and prosecution data management</li> <li>• Cornerstone Act on the amendment of Act XXXI of 1991 on the decorations of the Republic of Hungary</li> </ul>	Personnel
<ul style="list-style-type: none"> <li>• Cornerstone Act on the amendment of Act C of 1997 on the election procedure</li> <li>• Cornerstone Act on the amendment of Act XXXIV of 1989 on the election of Members of Parliament</li> <li>• Cornerstone Act on the amendment of Act CXIII of 2003 on the election of the members of the European Parliament</li> <li>• Cornerstone Act on the amendment of Act LXXV of 2008 on the economical financial management of the State and budgetary responsibility</li> <li>• Cornerstone Act on the fundamental rules of the tax and pension systems</li> <li>• Cornerstone Act on the amendment of Act LXXIV of 1999 on the supervision and organisation of protection against disasters and protection against serious accidents involving hazardous substances</li> </ul>	Procedure

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