



CORRUPTION  
RESEARCH CENTER  
BUDAPEST

# **Hungarian Municipalities Abide by the Law?**

*Analysis of urban municipalities' websites  
in Hungary - 2013-2015*

*Budapest, July 2016*

The Corruption Research Center Budapest was created in November 2013 in response to the growing need for independent research on corruption and quality of government in Hungary. Hence, the Center was established as a non-partisan research institute independent of governments, political parties or special interest groups. The aims of the Center are to systematically explore the causes, characteristics, and consequences of low quality of government, corruption, and regulatory failure using an interdisciplinary approach. The Center also aims to help citizens to hold governments accountable through the use of empirical evidence.

**Hungarian municipalities abide by the law? Analysis of urban municipalities' websites in Hungary - 2013-2015/** *Törvénytisztelők-e a magyar önkormányzatok? Magyar városok önkormányzatai honlapjainak tartalomelemzése 2013-2015*

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*"Corruption is the enemy of development, and of good governance.  
It must be got rid of. Both the government and the people at large  
must come together to achieve this national objective."*

*Pratibha Patil*

## Abstract

### **Hungarian Municipalities Abide by the law?** *Analysis of urban municipalities' websites*

This report analyses information disclosure practices on 368 Hungarian municipalities' websites from 2015 and it compares the results with the ones from 2013 with the following focus points: transparency, accountability, and informing citizens. The analysis is based on the laws regulating information disclosure in Hungary. The report measures the degree to which municipalities' websites abide by the legal requirements.

Transparency and openness are among the most important indices that are capable of representing the integrity and law-abiding nature of municipalities. We noticed some improvements, where the Hungarian municipal websites had more statutory information in 2015 than in 2013. Nonetheless, it is common knowledge that the Hungarian local governments tend to fail to obey the laws regarding information disclosure. It is good news, however, that we can now reach more information about public procurement contracts than in 2013. In 2015, the cities achieved 45 points out of 100 at the Hungarian Municipality Openness Index (2013: 44 points) and 60 points out of 100 at the Obey the Law Index (2013: 54 points). The example of numerous municipalities demonstrates that it is possible to fully abide by the laws and achieve high level of transparency.

The public procurement law changed in 2013 and now it is not obligatory to publish the contracts. Because of this, we can expect that the local governments will publish them. However, the number of the capital districts and county towns that publish the contracts has increased by 3 and 17 percentage points. At other cities, the number has decreased by 10 percentage points. Thus, we can say that if there is no obligation for the disclosure then there is no incentive for the smaller towns to publish the procurement contracts.

It is possible that municipalities neglecting their transparency obligations are also subject to high corruption risks. It obviously creates a sort of fundamental problems on legal compliance, because not following legal requirements set by the state itself can deteriorate the respect for law among citizens and enterprises.

Keywords: transparency, corruption risks, local governments, website, content analysis

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## Introduction

Transparency reduces not only corruption, but also it is an important attribute for effective governance. Transparency reduces corruption risks because transactions, municipality decisions, where corruption happens, become more transparent and verifiable. It works as a tool of the modern state operation and open governance, so this way it helps the involvement of the citizens, and it enhances the public trust in the state institutions and municipalities too.

In the 21<sup>st</sup> century, the internet has become the most commonly used means of communication among individuals, particularly, as a means to search for information about politics. Most of the journals, newspapers, and studies are available through the internet. This growing role of the internet is visible and the internet indisputably has become a part of life. For this reason, what a transparent and well-functioning government puts on its website says a lot about its quality. If a government functions well – so they have nothing to hide- then every important piece of information will be on its website.

A government has an obligation to share some information (such as minutes of committee meetings). So, we can examine, measure and analyse the effectiveness and openness of local governments by checking the shared information on their websites. The internet is the tool to inform the citizens about institutions, and the websites of the institutions share relevant information about the operation of the institutions.

The Corruption Research Center's main objective for this study is to examine the Hungarian local governments and to determine whether the obligation for transparency has been fulfilled as well as whether the municipalities comply with the relevant laws. This project is similar to the one we conducted in 2013 and now our current results will be shown in comparison with those results. Complying with the law is the ground for modern democracies. It reduces the law-abiding nature of the citizens and corporations if the state institutions break the rules.

In this paper we use exclusively descriptive statistics. This is a first step in our research strategy, which will follow a causal analysis of legal compliance and transparency: which economic and social factors effect to the behaviour of local governments concerning legal compliance and transparency?

In the first part of the study, we explain the main attributes of our database. In the second part, we examine how the various areas of municipalities' everyday life are shown on their websites (city council meetings, procurement, competitions, and EU funds). In the third part, we present the concept of the indicators proposed by the CRCB (MOPI, OLI). In the appendix, we present the code instructions of the research and the relevant laws concerning transparency obligation requirements of the municipalities.

## 1. Data

In this part of the paper, we present the database used which we collected in August - September of August 2015. In constructing the coding instruction for the research (see Annex A), we followed the same approach used in the 2013 report<sup>1</sup>. Since this latter report already had a discussion of the city sample selection, therefore, it's not necessary to be discussed here. Accordingly, in this paper we analysed 368 websites of different Hungarian municipalities: from these 23 are capital's districts, 23 are county towns<sup>2</sup> and the other 322 are cities.

Since 2013, the laws regarding the required data publication for local governments have changed, which was already discussed in the introduction of this report; however, the goal for this research is to examine the transparency and information quality of local governments' website in the perspective of a Hungarian citizen, who is interested in public affairs, and to analyse how much information and what kind of topics could we reach from the municipal website. For this reason, we prepared a code instructions that are focusing mainly on three topics: representative body and committee meetings (i), public procurement and subsidies (ii), and technical characteristics of the site (iii). The relevant laws concerning transparency obligation requirements of the municipalities is provided in Annex B.

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<sup>1</sup> [http://www.crcb.eu/wp-content/uploads/2014/08/onk\\_honlapok\\_2013\\_riport\\_140808.pdf](http://www.crcb.eu/wp-content/uploads/2014/08/onk_honlapok_2013_riport_140808.pdf)

<sup>2</sup> We have to note what we call county town (in Hungarian: megyei jogú város). In this study we use this term to those cities that have special rights in Hungary. These rights are defined by the following law: 2011/CLXXXIX. Legislation about the Local Councils in Hungary.



## 2. Transparency of Hungarian Municipalities

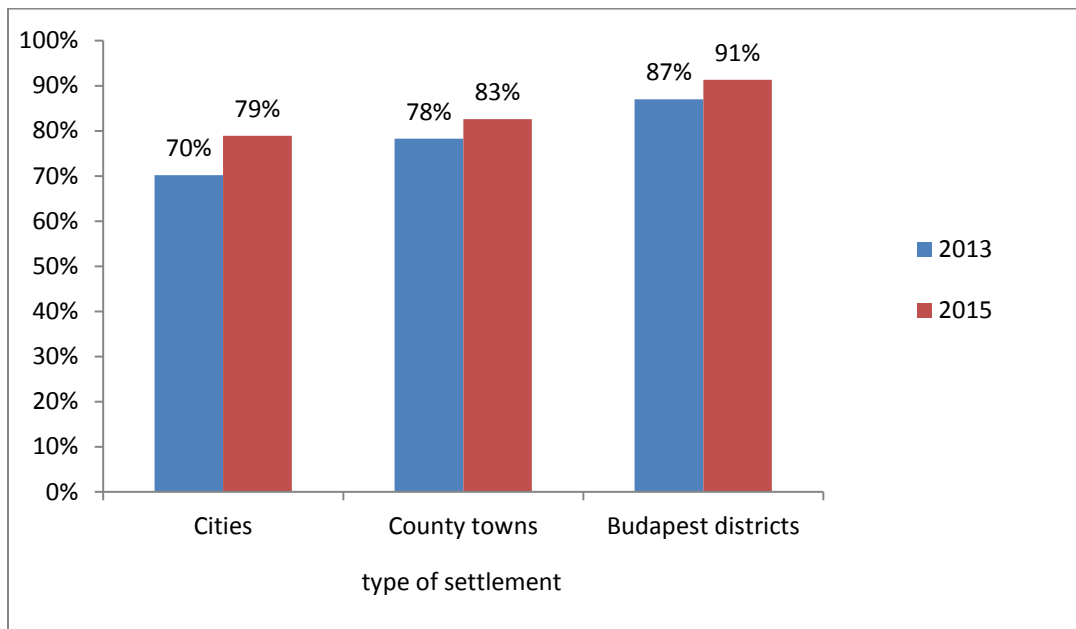
In this chapter we examine our results in details and we compare the results of 2015 with 2013. We analyse simple descriptive statistics of the data.

### 2.1. Representative Body and Committees

#### 2.1.1. Minutes of the Representative Body meetings

Citizens have the right to be informed about the activities of municipality, and the local government have to inform them about its own activities. The extent of information can be an indicator of transparency. If citizens cannot get enough information about the operation of the municipality, they are entitled to believe that fraudulent activities are pursued. The municipality can provide information by the minutes. For this reason, we looked at what the oldest and the most recent minutes are. We compute how many minutes are uploaded to the website between January 2012 and September 2015. The number of such documents is considered annually for this purpose. The publication of minutes is also required by the law (see Annex B). Consequently, those local governments who do not upload the minutes to own website, should be considered lawbreaker. The figure 2.1.1. shows the percentage ratio of the availability of minutes.

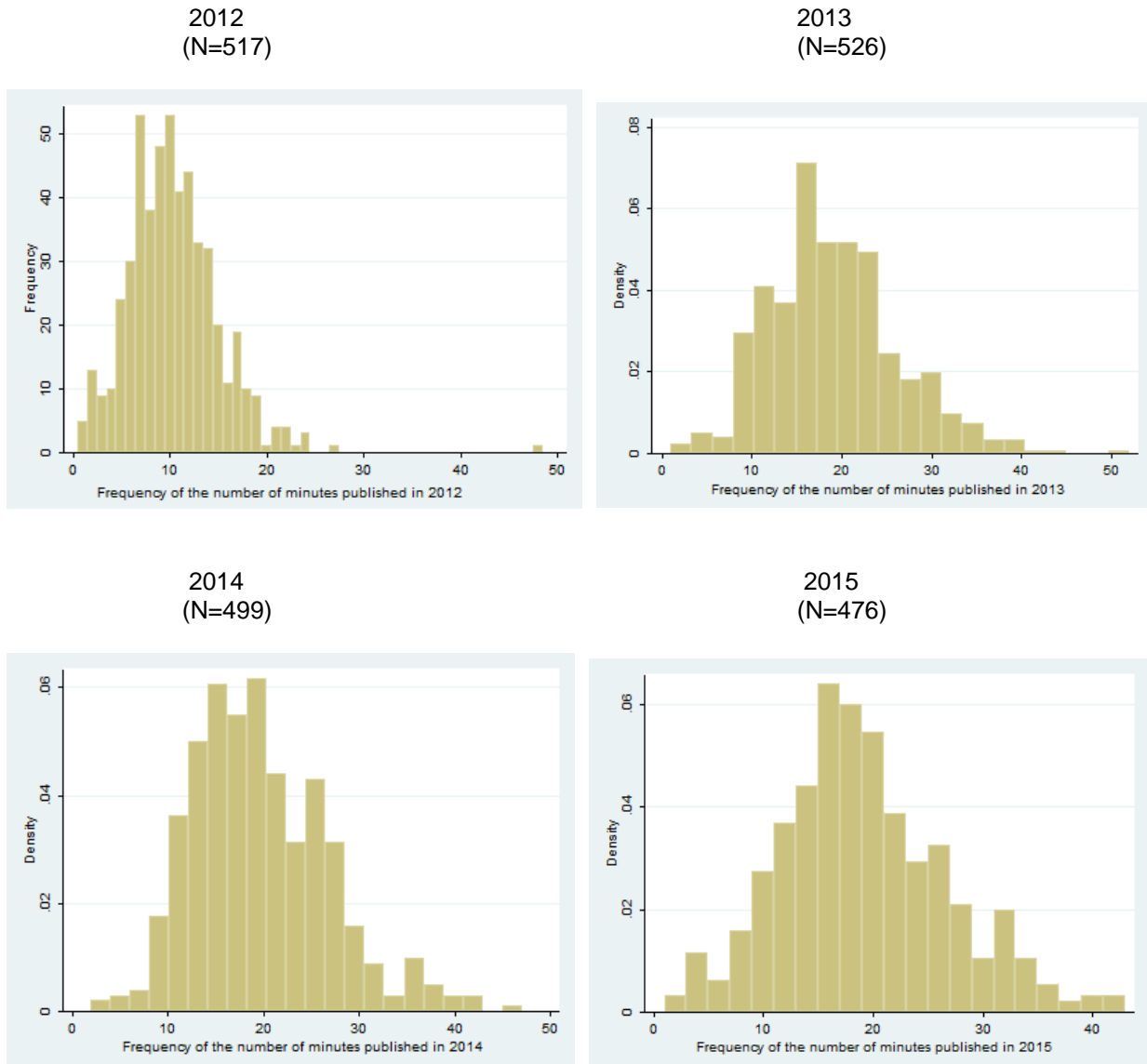
**Figure 2.1.1.: "Does the minutes of the Representative Body are available on the website?" (Q24)  
Available minutes of the Representative Body in percent**



Source: Corruption Research Center Budapest (N=368)

In figure 2.1.1., it clearly shows that the municipalities in the Budapest's districts in 2015 made public the minutes at the highest percentage at 91%, which means there are 21 districts where the minutes are available in 2015. This is followed by the county towns with 83%, and finally the other cities with 79%. It can be clearly seen that each of the three types have increased since 2013. The next figure (2.1.2.) shows the frequency of municipalities by the annual number of minutes from the period 2012-2015.

**Figure 2.1.2.: Frequency of Hungarian municipality by the number of minutes published between 2012 and 15**



Source: Corruption Research Center Budapest

Looking at these municipalities, where the minutes were available, we can see that on average 9 minutes were uploaded to the municipal websites in 2013 and in 2014, and it increased to 17 until September 2015, where it stayed at the same level (17). Therefore the results indicate that a slight improvement between 2012 and 2015 had occurred. When compared to 2012's low numbers, we can conclude that from this point of view the

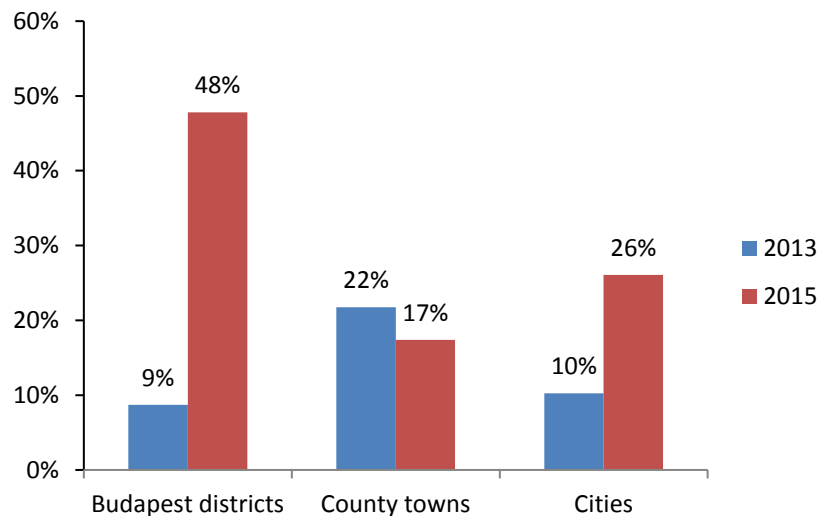
information publication activity of Hungarian municipalities has been improved: they provide more information to citizens on their activities.

### 2.1.2. A preliminary agenda of the Representative Board meetings

In Hungary, the municipality have to publish the agenda of the next meeting of the Representative Body, what is regulated by the law. Nevertheless, we can find the agenda at only 99 website out of 368. On the whole, it is only 27% of Hungarian municipality, which respect the law and more than two-thirds of municipality does not comply with the law.

But beyond the legal requirements, we consider this to be an important weakness of the governance of Hungarian municipalities, because when the citizens are informed about the next meetings' topics, than they can decide whether they want to attend the meetings or not.

**Figure 2.1.3.: "Are the agenda of the next Representative Body meeting available on the website?" (Q23), available agenda of next meeting in percent**



Source: Corruption Research Center Budapest, (N=368)

The figure 2.1.3. shows that in 2015, the lowest value was 17%, which belongs to the county towns, so only 17 % of county towns' municipality publish the next meeting's agenda. It is followed by other cities with 26%. What is surprising is that nearly half of the

districts of Budapest comply with the regulatory requirements. This is an important improvement from 2013 to 2015, since the percentage of 2013 in Budapest was only 9%.

From the results, it is clear that the Hungarian municipalities simply do not provide the possibility for citizens to get information about these agenda items, which are discussed in board meetings. Both the lack of information and transparency, deprive the possibility of freedom of citizens to be informed about the activity of their municipalities; in the absence of agendas, and so the Hungarian citizens cannot decide whether they want to participate in the next meeting or not.

### *2.1.3. Minutes of committee meetings and preliminary agendas*

Despite the fact that there is no legislation for committee meetings, we consider it to be important to examine them, as the committees discuss the questions in details and perform the practical job.

The 26% of the municipalities spent at least one minute of committee meetings on their website.

In terms of Representative Body meetings, we examined whether the next Committees' meetings' agenda can be viewed on the websites or not. As a result, it was found that only 11% of the cities upload the agenda before the meeting would start.

### *2.1.4. Closed meetings*

We were curious not only about which minutes are available, but also about any information on closed meetings. To find this information, we chose the year 2014 because it was the year of the general and local government elections, so 54% of the municipalities published at least one closed meeting (including the fully and partially enclosed meetings).

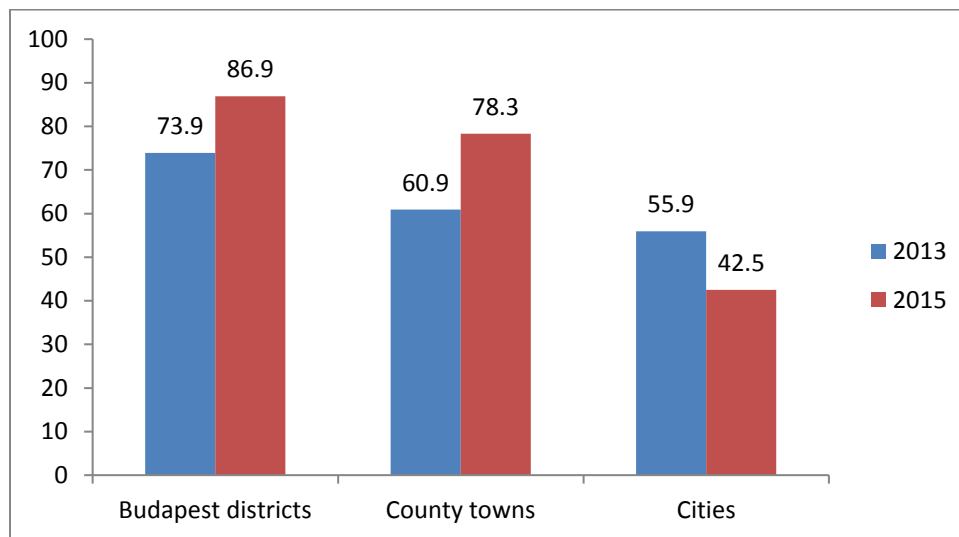
## 2.2. Public Procurements

### 2.2.1. Public Procurement Contracts

The contracts of public procurement procedures are sensitive data - although they are of public interest, municipalities are reluctant to upload them to their webpages: only 173 of 368 sites (47%) contain at least one public procurement contract. Despite the changes in legal circumstances, this proportion has remained similar since 2013 (175; 47.6%).

The distribution by types of settlement, however, shows some differences: the number of cities where at least one contract is available has increased among Budapest districts (73.9 to 86.9%) and county towns (60.9 to 78.3%), but has decreased among other cities (55.9 to 42.5%) (Refer to Fig. 2.2.1.).

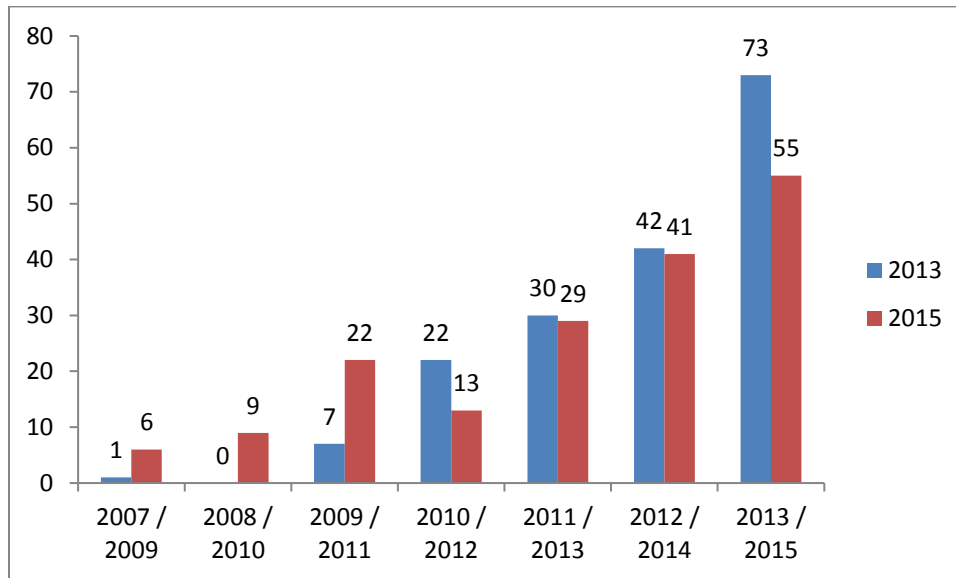
**Figure 2.2.1.: Procurement contract availability by types of settlement in percent (Q9)**



Source: Corruption Research Center Budapest, (N=368)

In figure 2.2.2., it refers only those municipalities where at least one contract was available: among those websites, the latest contract was from 2015 in 55 cases, from 2014 in 41 cases and from 2013 in 29 cases. Comparing the data with the 2013 status, it is clear that webpages have become less up-to-date concerning public procurement contracts.

Figure 2.2.2.: Date of last available procurement contract (counts) (Q11)

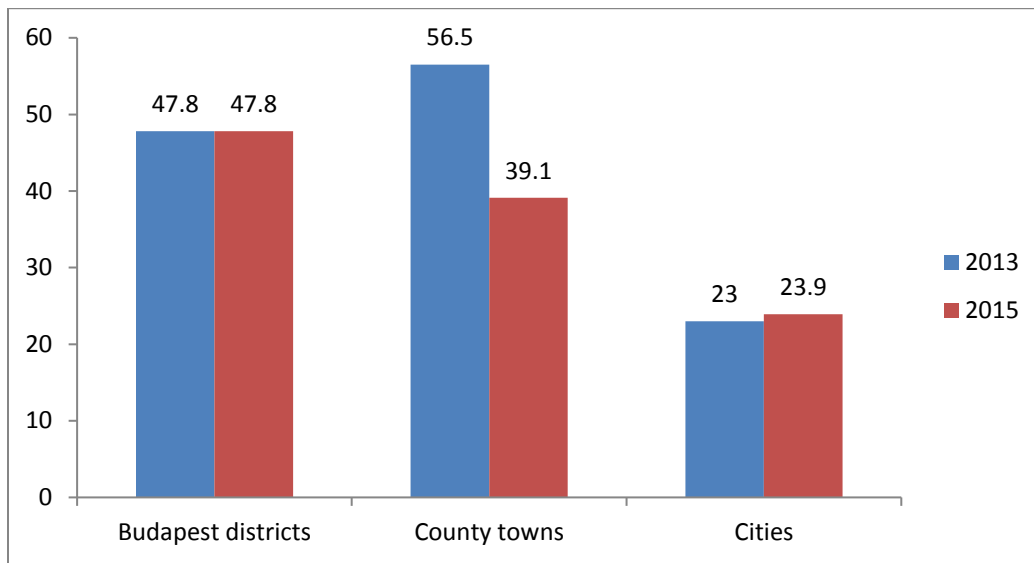


Source: Corruption Research Center Budapest, (N=368)

### 2.2.2. The Performance of Procurement Contract

The performance information of the procurement contracts is shown in 97 of 368 sites (26.4%) - this amount is the same as it was in 2013 (98; 26.6%). The pattern has changed slightly, however, in the distribution by types of settlement: there is less performance information among county towns and more among other cities in 2015 than it was in 2013; the proportion has remained the same in Budapest (Fig. 2.2.3.).

Figure 2.2.3.: Procurement contract fulfillment availability by types of settlement in percent (Q16)

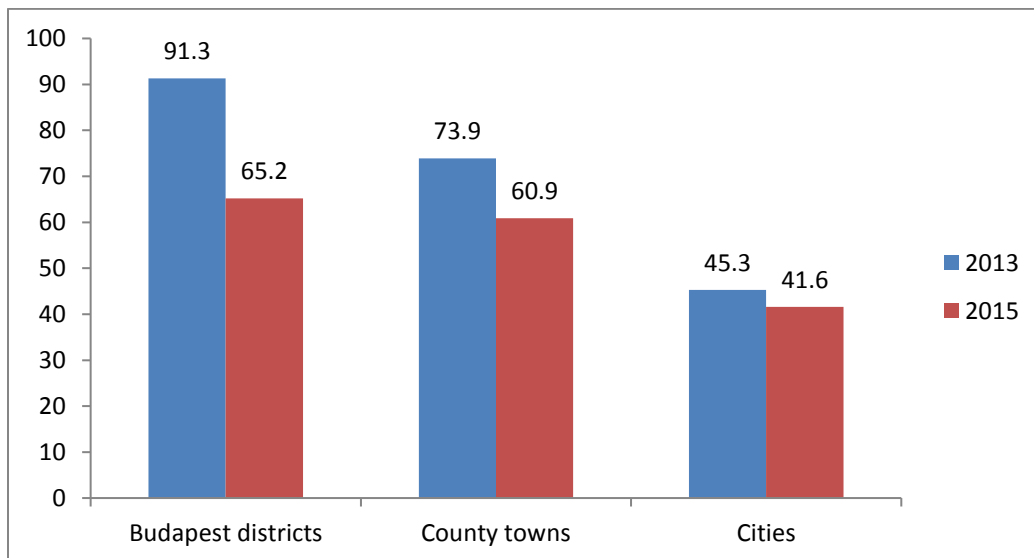


Source: Corruption Research Center Budapest, (N=368)

### 2.2.3. Procurement Plans and Summaries

The availability of current year's procurement plans has decreased significantly among all types of settlements from 2013 to 2015 (Fig. 2.2.4.) - the overall reduction is 184 (66.4%) to 163 (59%).

Figure 2.2.4.: Current year's procurement plan availability by types of settlement in percent (Q20a)

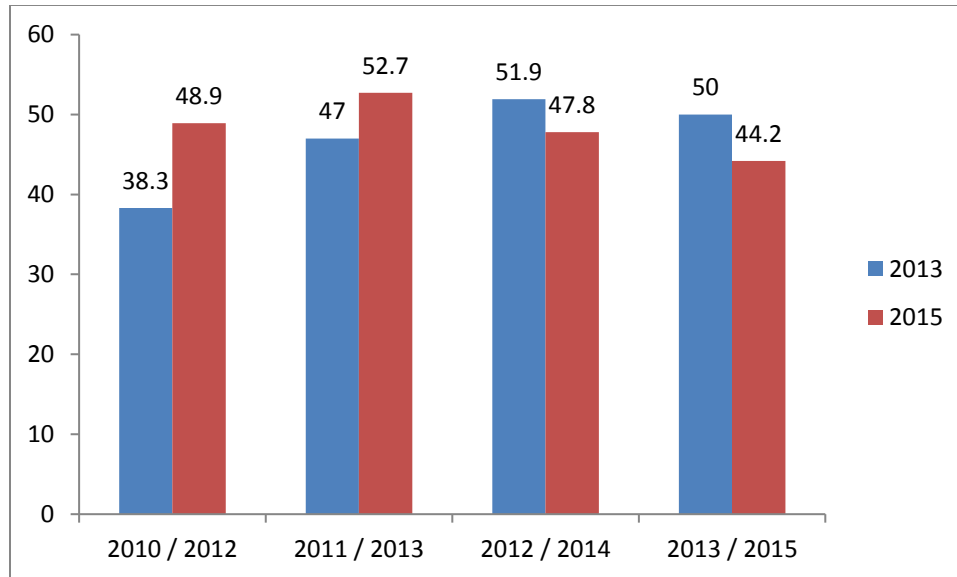


Source: Corruption Research Center Budapest, (N=368)



Figure 2.2.5. shows that the proportion of available procurement contracts by years: it is clear that less municipalities uploaded the latest plans in 2015 than they did in 2013. This might be due to the legal changes over the two years.

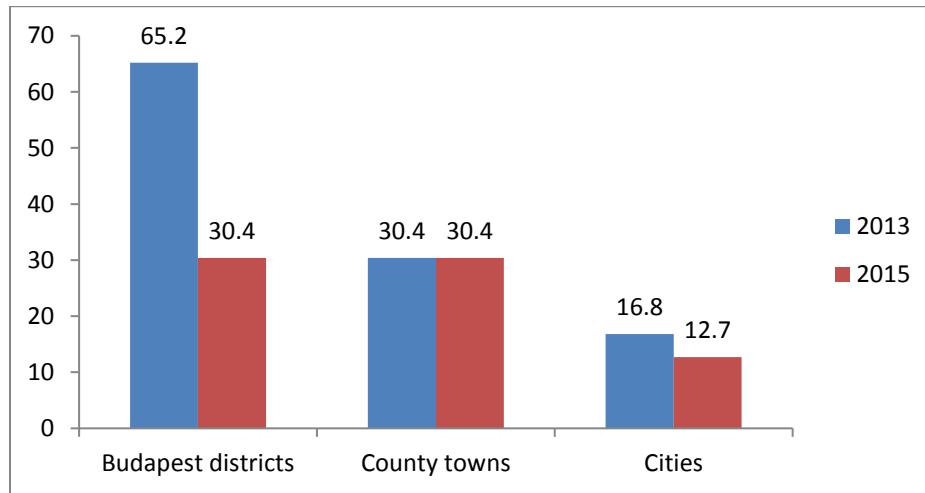
**Figure 2.2.5: Procurement plan availability by years in percent (Q20a)**



Source: Corruption Research Center Budapest, (N=368)

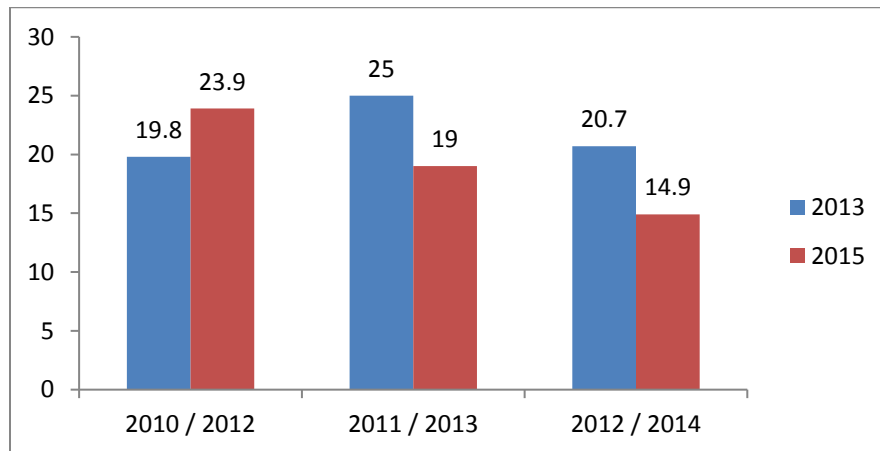
Municipalities are reluctant to upload statistical summaries of procurement procedures: only 55 of all 368 webpages (14.9%) contains the summary of year 2014 - this rate stood at 20.7% in year 2013 concerning the summary of year 2012. Figure 2.2.6. indicates the distribution by types of settlements. The most remarkable is the reduction of these information among the districts of Budapest. Figure 2.2.7., shows that the overall reduction in the availability of statistical summaries from previous three years of the data collections.

**Figure 2.2.6.: Last year's public procurement summary availability by types of settlement in percent (Q21a)**



Source: Corruption Research Center Budapest, (N=368)

**Figure 2.2.7 Public procurement summaries availability by years in percent (Q21a)**

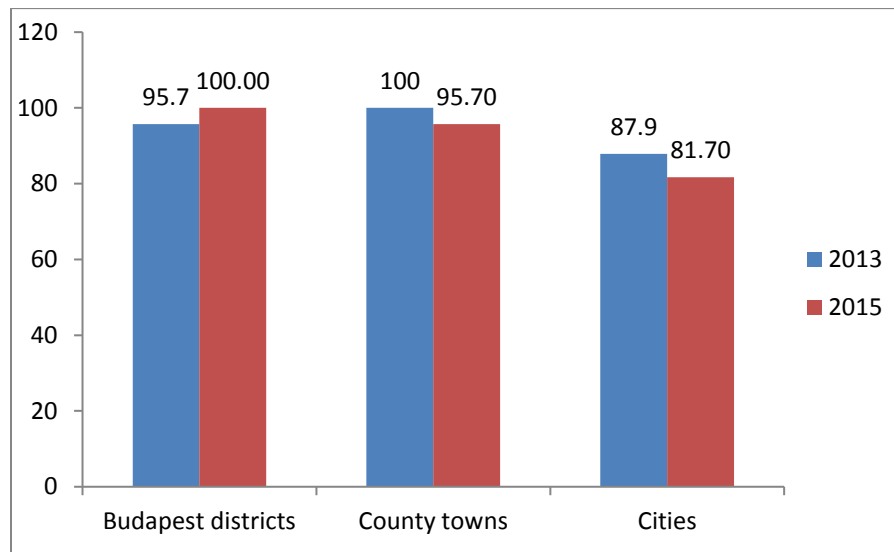


Source: Corruption Research Center Budapest, (N=368)

### 2.3. Information about the EU projects

In this part of the report, we examined if there are any information about the projects financed by the European Union. Since the laws require these information, we were interested not only about the main circumstances (e.g. financial conditions, location), but also about the exact contract too.

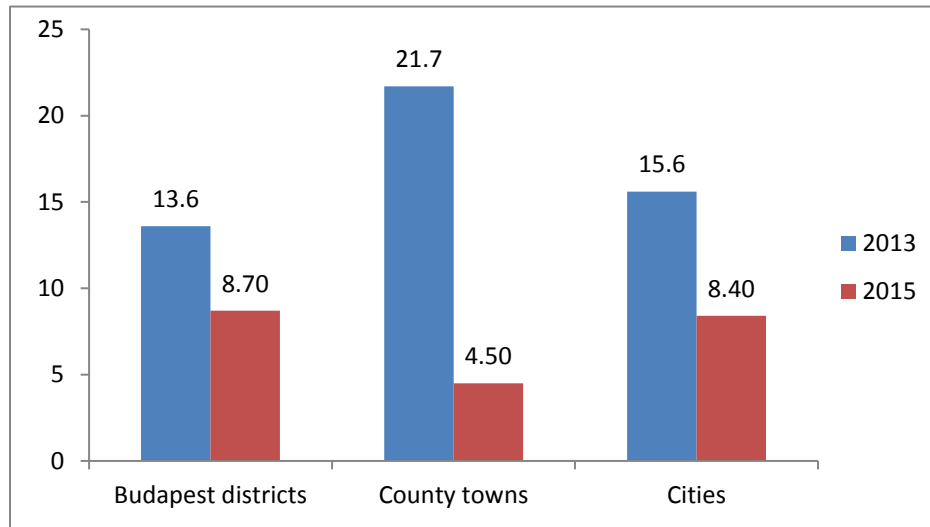
**Figure 2.3.1.: “Are there any information about the EU projects on the website?”(Q34)  
EU project information availability in percent**



Source: Corruption Research Center Budapest, (N=368)

In 2013, there were information about all of the county towns websites. In 2015, we found less EU specific information about sites of county towns and cities but there was improvement at the districts of the capital. In 2015, if we would like to get information about the development by the EU, we can reach them on 100% of Budapest districts, 95,7% of the county towns sites and 81,7% of the city sites.

**Figure 2.3.2.: “Are there any contracts about the EU projects on the website?”(Q34a)  
EU contract availability (in percent when there is information about the EU projects)**



Source: Corruption Research Center Budapest, (N=368)

In 2015, we found less sites with contract financed by EU than in 2013. From the 23 districts of Budapest, there were only 2 sites with these contracts (8,7%), from the 23 county towns 1 (4,5%), and from the 322 cities only in 22 (8,4%).

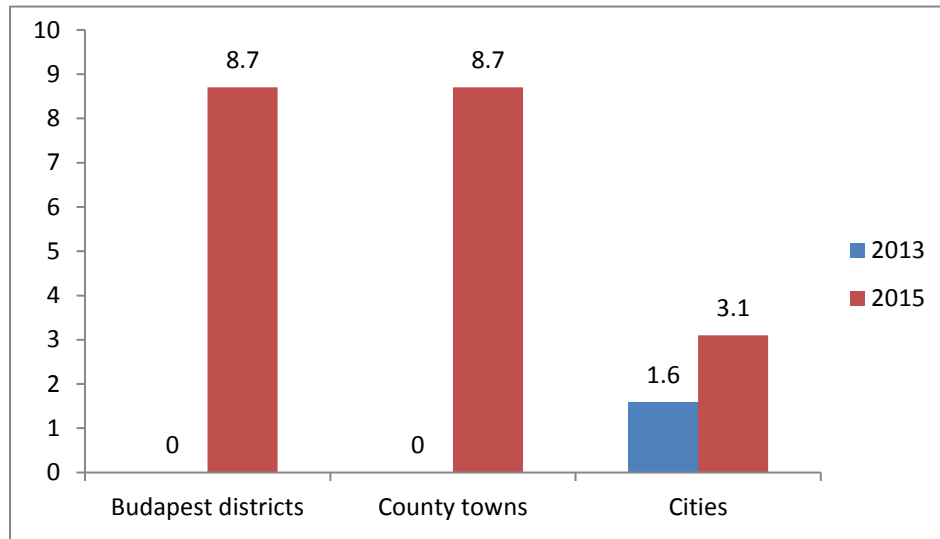
## 2.4. Subsidies

According to the legislation<sup>3</sup> the local government is required to announce some details (e.g. beneficiary, location of the execution, the aim and the amount of the subsidy) about the not normative subsidies. The municipalities can publish the information in aggregate tables or with the exact contracts too.

In 2013, there were just a few contracts on the websites, and the amount of them has increased between 2013 and 2015 (see Figure 2.4.1.). We found these information just in 2 websites from the 23 capital districts, in 2 from the 23 county towns and in 10 from the 322 other cities.

<sup>3</sup> See Legal background in Annex B.

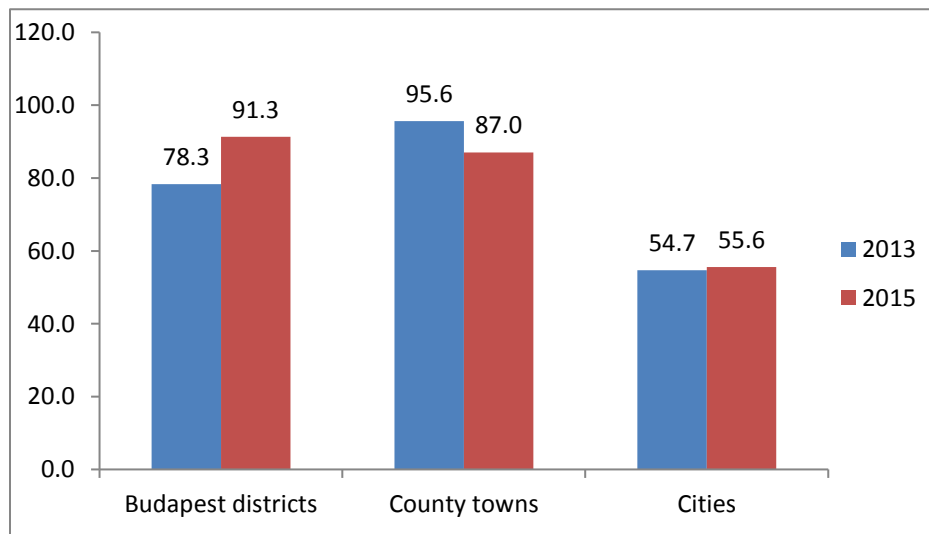
**Figure 2.4.1.: "Are there any contracts about the not normative subsidies?"(Q35)  
Availability of subsidy contract in percent**



Source: Corruption Research Center Budapest, (N=368)

This ratio is much higher when we talk about the aggregate form (see Figure 2.4.2.).

**Figure 2.4.2.: "Are there any aggregate tables about the not normative subsidies?" (Q39)  
Availability of subsidy aggregation in percent**



Source: Corruption Research Center Budapest, (N=368)

Regarding the subsidy information availability the figure 2.4.2. shows that Budapest and the other cities became slightly more transparent in 2015 compared in 2013, but the

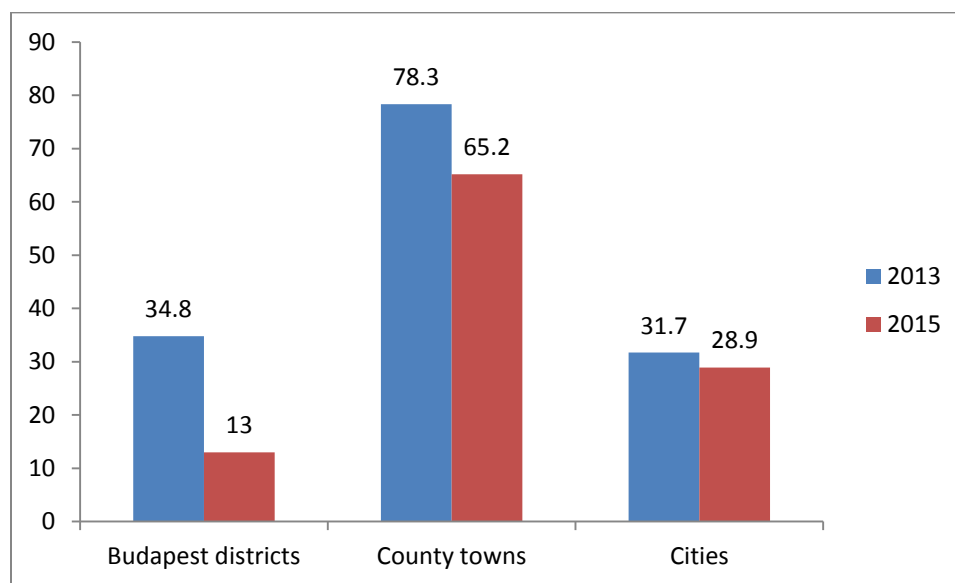
county towns did not. In 2015, from the 23 capital district there were 21 where we found aggregated information about the not normative subsidies.

## 2.5. General characteristics of the websites

### 2.5.1. Languages of the websites

From the analysed 368 cities we found foreign language on 111 websites. The most frequent languages were the English (93,7%) and the German (85,6%) similarly as in 2013. In addition, we can reach some sites in French (5,4%), and also there are a few in other languages, such as, Croatian, Slovak, Polish, Russian, Italian or Finnish.

**Figure 2.5.1.: “Can we reach the website in any other language than Hungarian?” (Q5)  
Availability of other language in percent**



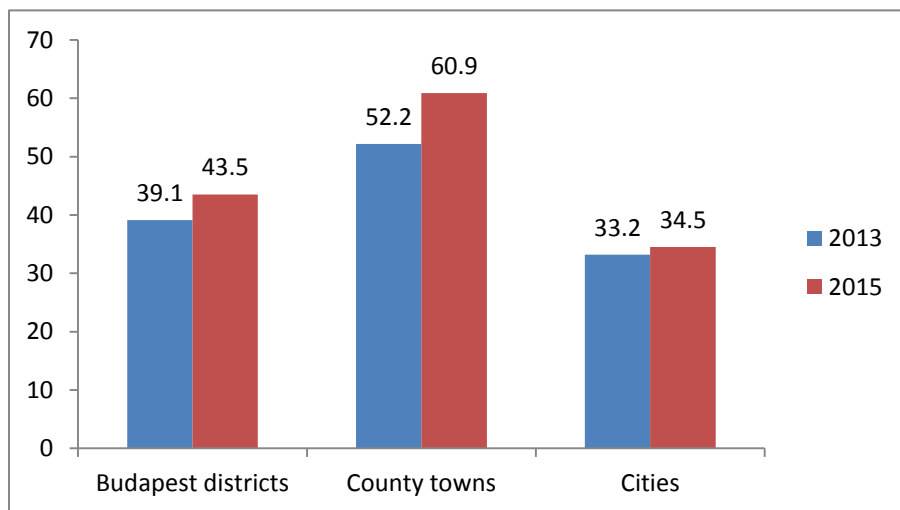
Source: Corruption Research Center Budapest, (N=368)

From 2013 to 2015, the availability of other languages has decreased (see Figure 2.5.1.). We found 11,8% decline at Budapest, 13,1% at the county towns and 2,8% at the other towns. The decrease was the biggest at the county towns.

### 2.5.2. Search engine and web map

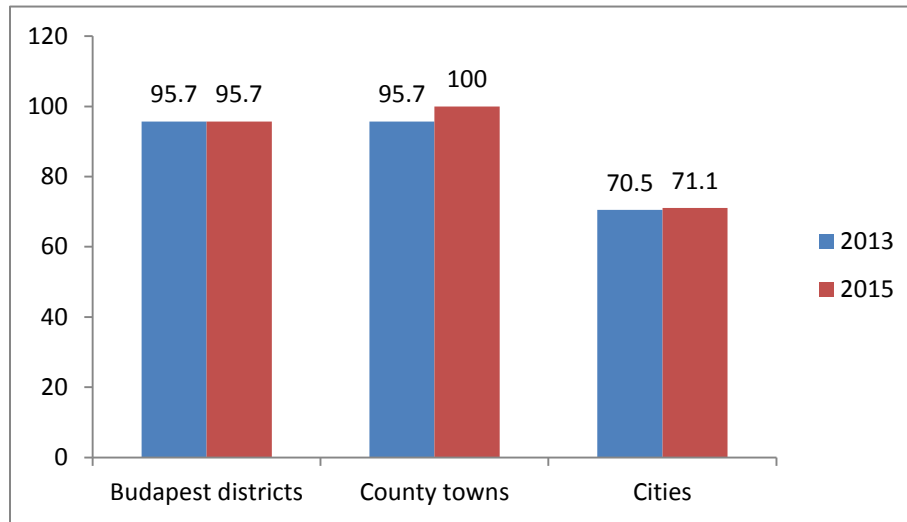
Compared to 2013 in 2015, it is easier to find something on websites of local government: the web map are more common than before (see Figure 2.5.2.). A good search engine or web map can help us to get a line on the operation of the municipalities. The search engines are more prevalent than the web map. We can search with key words on the 74,5% of the sites (see Figure 2.5.3.), but only 36,7% of the sites have web maps.

**Figure 2.5.2.: “Is there a web map on the website?” (Q7a)**  
Web map availability in percent



Source: Corruption Research Center Budapest, (N=368)

**Figure 2.5.3.: “Is there a search engine on the website?” (Q7b)  
Search engine availability in percent**



Source: Corruption Research Center Budapest, (N=368)

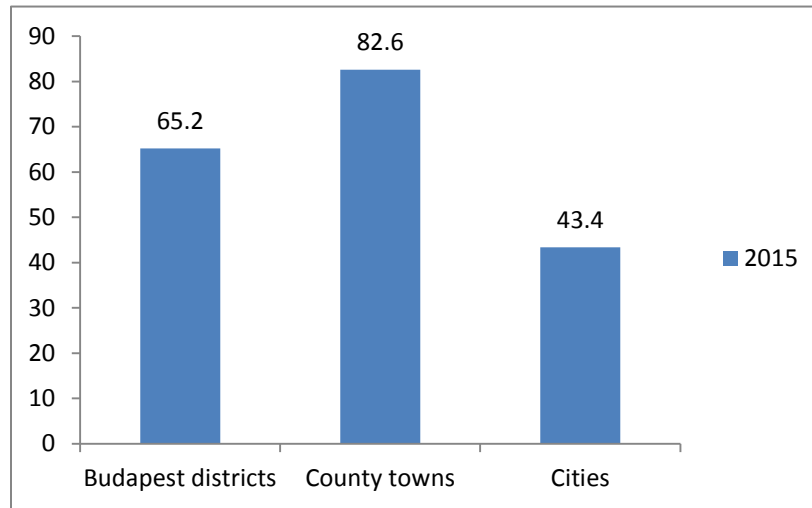
We can see on the graphs that the websites have developed in this two categories. For example, in 2015, we can use a search engine on all of the county towns sites and there is just one district of Budapest without search engine.

### 2.5.3. Websites for disabled

Also an important issue whether the websites provided any kind of help to individuals with disability, when they attempted to navigate the sites. We examined if the websites have a version for the blinds or colourblinds.



**Figure 2.5.4.: "Is there a special website version for the disabled?" (Q7c)  
Website for disabled in percent in 2015**



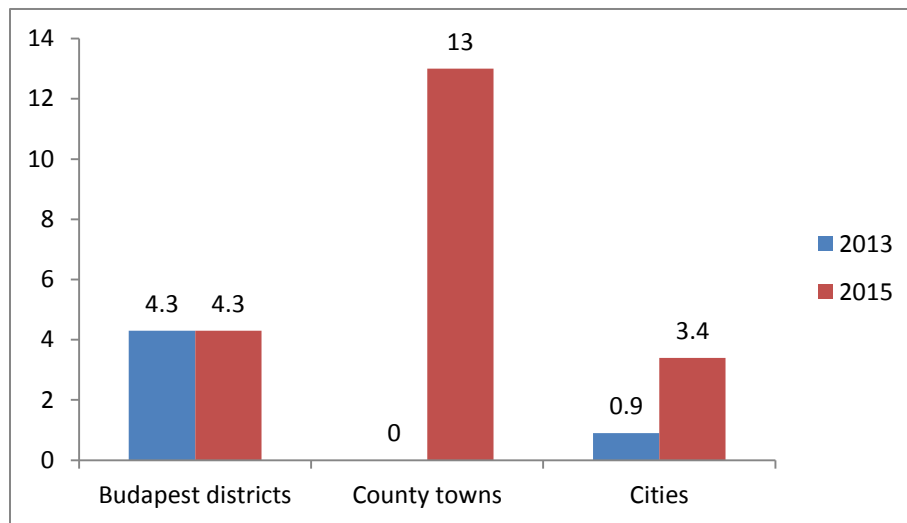
Source: Corruption Research Center Budapest, (N=368)

Because in 2013 there were no point for this in the questionnaire, we had no benchmark. The results show that almost half of the municipalities (47,3%) try to help individuals with disability.

### 2.5.4. Code of Ethics

It could be important for the citizens if they can reach some kind of self-regulation of the municipalities. From a code of ethics we can get some information about the expected behaviour of the officers and employees of the municipality.

**Figure 2.5.5.: “Is there any kind of code of ethics on the website?”(Q8)  
Code of ethics availability in percent**



Source: Corruption Research Center Budapest, (N=368)

In 2015, we found code of ethics on more websites than in 2013, but the frequency of it was very low (see Figure 2.5.5.): from the 368 cities, there are only 15 (4,1%) which have code of ethics on their website. At the county towns there is a bigger improvement from 2003 to 2015: in 2013 none of them had code of ethics, but in 2015 13 municipalities had already.

## 3. Transparency and Openness Indexes

### 3.1. Municipality Openness Index (MOPI<sup>4</sup>)

The Municipality Openness Index (MOPI) was made for the measurement of the transparency of the governmental websites. We focused on the citizens who want to obtain information about the work of the municipalities, their plans and decisions, and who intent to participate in the open meetings, so the following questions were taken into consideration:

- Can we reach the website in any other language than Hungarian? (Q5)
- Is there a web map on the website? (Q7a)
- Is there a search engine on the website? (Q7b)
- Are there any public procurement contracts on the web site? (Q9)
- Are there any information about the performance of the public procurement contracts? (Q16)
- Are there annual plans for the public procurement? (Q20)
- Are there annual summaries for the public procurement?(Q21)
- Can we reach the date of the next Representative Body meeting?(Q23)
- Can we reach the preliminary agenda of the next Representative Body meeting? (Q23)
- Can we reach the minutes of the Representative Body meetings? (Q24)
- Can we reach the preliminary agenda of the next Financial Body meeting? (Q28)
- Can we reach the minutes of the Financial Body meetings? (Q29)

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<sup>4</sup> In Hungarian “Magyar Önkormányzati Nyitottság Index” (MANYI)

- Are there any information about the closed Representative Body meetings on the web site?(Q33)
- Are there any information about project financed by the EU on the website?(Q34)
- Are there any aggregate tables about the not normative subsidies? (Q39)
- Are there any aggregate tables about public procurement, the investments, the service orders, the property sales, the transfer of property rights or about the concessions?(Q45)
- Are there any calls for tender for public procurement, service orders, rents or real estate sales? (Q46)
- Is there any information on the webpage on the regulation for the public procurement under the threshold? (Q50)

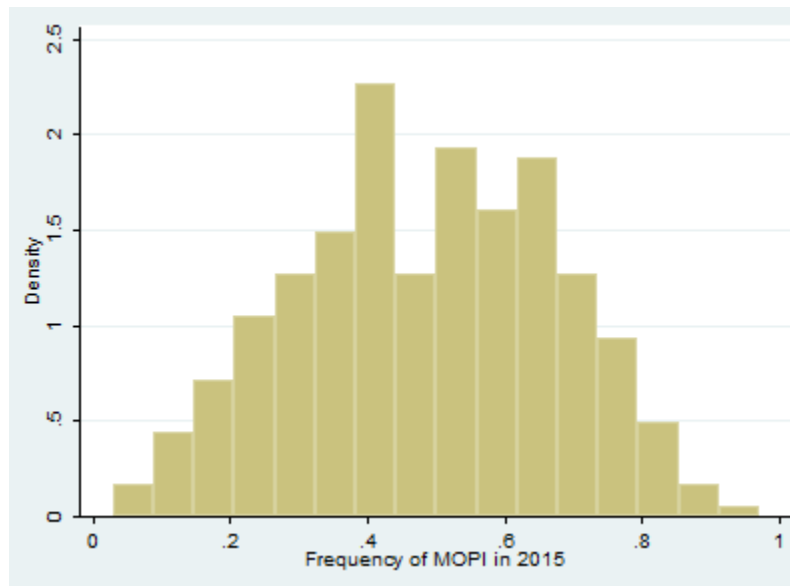
From these questions we created 18 elementary indicators,  $mopi_j$  where  $j$  stands for the number of considered questions. Each of the 18 indicators could take two values [0,1]. Zero, if the webpage did not give any information concerning the given question, and one, if the given information was available concerning the given question.

Following this, we created the Municipality Openness Index (MOPI), which is the average of the value of elementary indicators  $mopi_j$ , i.e. it can take a value between 0 and 1. It is 0 – if we could not find any information we had looked for with none of the questions examined, and 1 – if we could find all the information we needed with all the topics in the considered questions. Thus the definition of MOPI is the following:

$$MOPI = \sum_{j=1}^{18} \frac{mopi_j}{18}$$

The Figure 3.1.1, shows the results, the distribution of analysed municipalities by the value of MOPI.

**Figure 3.1.1: The distribution of Hungarian Municipalities by MOPI in 2015**

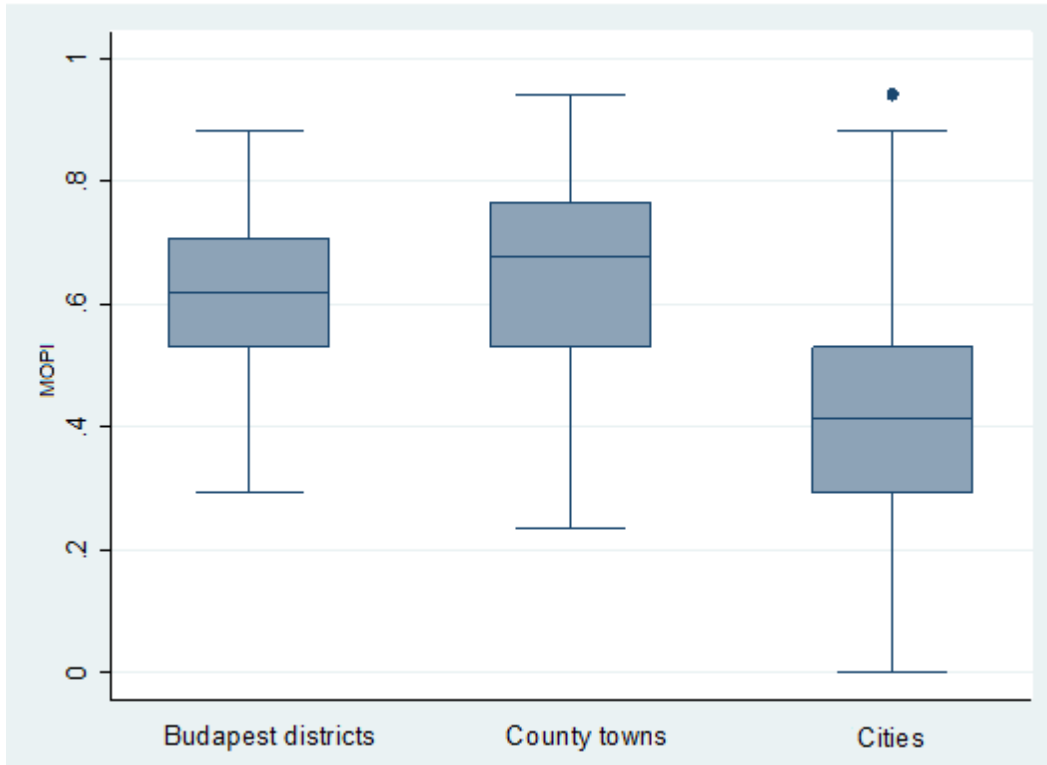


*Source: Corruption Research Center Budapest, (N=368)*

The average value of the MOPI was 0.45 in 2015 which is higher than in 2013, when the average was 0.44. The empirical minimum of the MOPI was 0 and the maximum was 0.94, which are the same as in 2013. The average values are quite different in the capital, the county towns and in the other towns. We got the highest one from the county towns data (0.65), the second highest at Budapest (0.65) and the lowest at the other towns (0.42). The next figure (Figure 3.1.2) shows this result.

We put to a separate file ([lg\\_sites\\_2015\\_rank\\_oli\\_mopi\\_160718.pdf](#)) the rank of Hungarian Municipalities by value of MOPI in 2015.

Figure 3.1.2: The boxplot of Hungarian Municipalities by MOPI in 2015



Source: Corruption Research Center Budapest, (N=368)

All in all, it can be said that there is no significant difference between the 2015 and 2013 years. The Hungarian local governments have not made any efforts to ensure that their work or/and their decisions can be reach on the Internet.

### 3.2. Obey the Law Index (OLI<sup>5</sup>)

In the Obey the Law Index we took into consideration the questions, which capture the legislation of the transparent operation. For the index the next questions were the base:

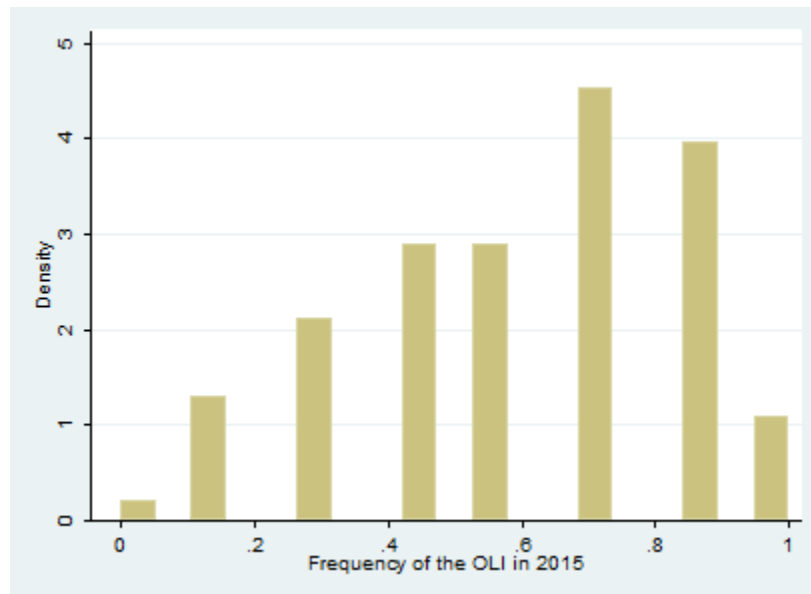
- Are there annual plans for the public procurement? (Q20)
- Are there annual summaries for the public procurement? (Q21)
- Can we reach the preliminary agenda of the next Representative Body meeting? (Q23)
- Can we reach the minutes of the Representative Body meetings? (Q24)
- Are there any information about project financed by the EU on the website? (Q34)
- Are there any aggregate tables about the not normative subsidies? (Q39)
- Are there any aggregate tables about the public procurement, the investments, the service orders, the property sales, the transfer of property rights or about the concessions? (Q40).

This index was made in the similar way than the MOPI: we made from the average question points. The average value of the OLI was 0.60, which is slightly higher than in 2013, when the average OLI was 0.54. The empirical minimum of the OLI was 0 and the maximum was 1 both in the examined year. The figure 3.2.1 shows the distribution of Hungarian municipalities by OLI.

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<sup>5</sup> In Hungarian “Önkormányzati Törvényisztelet Index” (ÖNTI)

**Figure 3.2.1.: The distribution of Hungarian Municipalities by OLI in 2015**



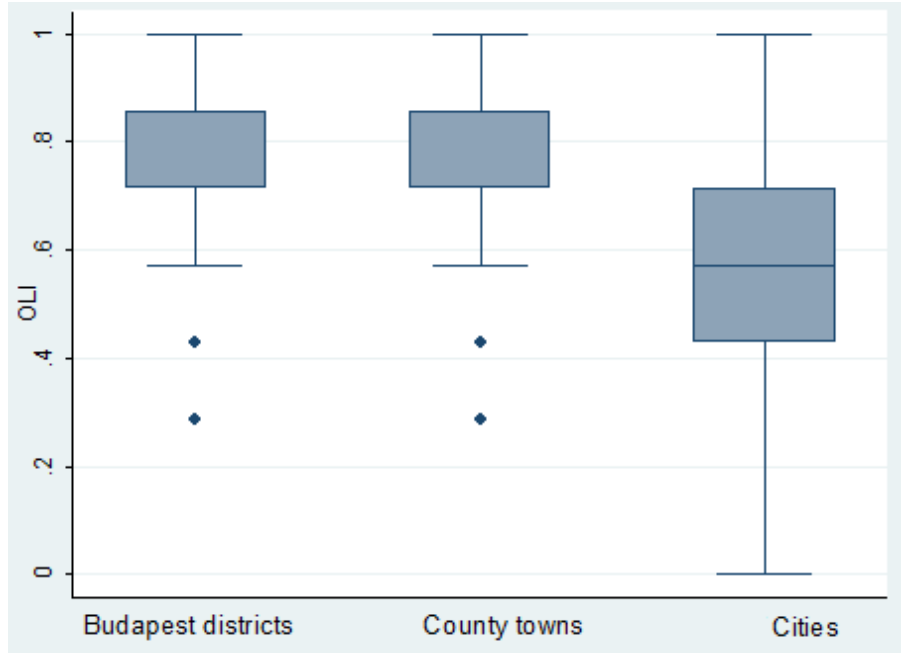
Source: Corruption Research Center Budapest, (N=368)

The OLI was also quite different in the different kind of settlements. OLI had the highest value in the capital (0.77), and it had value 0.76 in the 23 county towns, and it had the lowest value in the 322 other Hungarian cities (0.56). The figure 3.2.2. shows these results.

We put to a separate file ([lg\\_sites\\_2015\\_rank\\_oli\\_mopi\\_160718.pdf](#)) the rank of Hungarian Municipalities by value of OLI in 2015.



Figure 3.2.2: The boxplot of Hungarian Municipalities by OLI in 2015



Source: Corruption Research Center Budapest, (N=368)

## Annex

### Annex A. – The Code Book (in Hungarian)

SORSZÁM

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PIR KÓD

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# ÖNKORMÁNYZATI HONLAPOK VIZSGÁLATA

2015. július

Az adatfelvétel kezdete:

2015. ....hónap.....nap.....óra.....perc

1. A vizsgált település neve: \_\_\_\_\_

2. A vizsgált település KSH kódja

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3. A település típusa: 1 – főváros  
2 – megyei jogú város  
3 – egyéb város  
4 – község

4. A vizsgált honlap címe: \_\_\_\_\_

5. Elérhető-e a honlap valamilyen idegen nyelven is?

0 – nem

1 – igen

—————> 5.a. Milyen nyelven?

1 – angol

2 – német

3 – francia

4 – egyéb nyelven, éspedig: \_\_\_\_\_

TÖBB VÁLASZ LEHET!

6. A honlap utolsó frissítésének ideje:

0 – nem található rá adat, és a honlapon látszik, hogy ritkán frissítik

1 – nem található rá adat, de látszik, hogy rendszeresen frissítik

2 – szerepel a honlapon, ÉSPEDIG:        év        hó        nap

7. Van-e a honlapon?

	van	nincs
a. oldaltérkép	1	0
b. keresőmotor	1	0
c. akadálymentesítés	1	0

8. Található-e a honlapon valamiféle "etikai kódex"?

0 – nem

1 – igen

—————> 8.a. Mire vonatkozik ez?

1 – az önkormányzati működésre vonatkozik

2 – a választási kampányra vonatkozik

3 – egyéb témára vonatkozik, éspedig: \_\_\_\_\_

TÖBB VÁLASZ LEHET!

9. Elérhető-e a honlapon közbeszerzési eljárás alapján megkötött valamilyen szerződés?

0 – nem

1 – igen

—————> 16 - RA

**10.-15. HA ELÉRHETŐ KÖZBESZERZÉSI SZERZŐDÉS**

10. Mi a legrégebbi szerződés megkötésének dátuma?      év              hó              nap
11. Mi a legfrissebb szerződés megkötésének dátuma?      év              hó              nap
12. A 2012.01.01-től megkötött szerződésekből hány darab található meg a honlapon? \_\_\_\_\_  
db

12.a. A 2012.01.01 után kötött szerződések esetében van-e szerződésmódosítás is a honlapon?

0 – nincs              1 – van

13. A legrégebbi adat megfelel-e a törvényben előírt öt éves határidőnek?

0 – nem              1 – igen

14. Letölthetőek-e a közbeszerzési eljárás alapján megkötött szerződések?

0 – nem              1 – igen      → 14.a. Milyen formában tölthetők le?

1 – html

2 – pdf

3 – xls

4 – doc

5 – egyéb formátumban, éspedig: .....

TÖBB VÁLASZ LEHET!

15. Hány "kattintással" lehet a kezdőlapról eljutni a közbeszerzési eljárás alapján megkötött szerződésekhez?

\_\_\_\_\_ db

**MINDENHOL!**

16. Elérhetők-e a honlapon a közbeszerzési szerződés(ek) teljesítésére vonatkozó adatok?

0 – nem      → 20 - RA  
1 – igen

**17.-19. HA ELÉRHETŐ A TELJESÍTÉSRE VONATKOZÓ ADAT**

17. Mi a legrégebbi teljesítésre vonatkozó közlés dátuma?      év              hó              nap

18. Mi a legfrissebb teljesítésre vonatkozó közlés dátuma?      év              hó              nap

19. A legfrissebb közlés tartalmazza-e a törvényben előírt következő szempontokat?

igen      nem

a.) Hivatkozást a hirdetésre?	1	0
b.) A szerződő felek nevét?	1	0
c.) A teljesítés szerződésszerű volt-e?	1	0
d.) A teljesítés időpontját?	1	0
e.) Az ellenszolgáltatás teljesítésének időpontját?	1	0
f.) A kifizetett ellenszolgáltatás értékét?	1	0

**MINDENHOL!**

**20. Található-e a honlapon éves közbeszerzési terv?**

0 – nem

1 – igen

→ **20.a. Melyik évre vonatkozik?**

	Év	Kód: (0 – nem; 1 – igen)
1)	2015	
2)	2014	
3)	2013	
4)	2012	

**21. Található-e a honlapon éves statisztikai összegzés a közbeszerzésekről?**

0 – nem

1 – igen

→ **21.a. Melyik évre vonatkozóan?**

**21.b. Az összegzés formailag megfelel a törvényi**

**előírásnak?**

	Év	21.a. Kód: (0 – nem; 1 – igen)	21.b. Kód: (0 – nem; 1 – igen)
1)	2014		
2)	2013		
3)	2012		

**22. Található-e a honlapon közbeszerzési eljárás kapcsán indult jogorvoslati eljárásra vonatkozó dokumentum?**

0 – nem      1 – igen → 22.a. **A Közbeszerzési Döntőbizottság szerződés megkötését engedélyező végzése megtalálható-e a honlapon?**

0 – nem      1 – igen

**23. A következő képviselő-testületi ülés napirendje elérhető-e a honlapon?**

0 – nem      1 – igen

**23.a. 2015 májusában megtalálható volt-e legalább egy ülés napirendje előzetesen, az ülés időpontja előtt?**

0 – nem      1 – igen

**24. A képviselő-testületi ülések jegyzőkönyve elérhető-e a honlapon?**

0 – nem → 28- RA  
1 – igen

**25.-27. HA ELÉRHETŐ A KÉPVISELŐ-TESTÜLETI ÜLÉSEK JEGYZŐKÖNYVE**

**25. Mi a legrégebbi jegyzőkönyv dátuma?**      év      hó      nap

**26. Mi a legfrissebb jegyzőkönyv dátuma?**      év      hó      nap

**27. Az utóbbi évekből hány darab jegyzőkönyv található a honlapon?**

	Év	Darabszám
a)	2015	
b)	2014	
c)	2013	
d)	2012	

**MINDENHOL!**

**28. A következő pénzügyi/ vagyongazdálkodási/gazdasági bizottsági ülés napirendje elérhető-e?**

0 – nem      1 – igen

**29. A pénzügyi/ vagyongazdálkodási/gazdasági bizottsági ülések jegyzőkönyve elérhető-e?**

0 – nem → 33 - RA  
1 – igen

**30.-32. HA ELÉRHETŐ A PÉNZÜGYI/ VAGYONGAZDÁLKODÁSI/GAZDASÁGI  
BIZOTTSÁGI ÜLÉSEK JEGYZŐKÖNYVE**

30. Mi a legrégebbi jegyzőkönyv dátuma? év hó nap

31. Mi a legfrissebb jegyzőkönyv dátuma? év hó nap

32. Az utóbbi évekből hány darab jegyzőkönyv található a honlapon?

	Év	Darabszám
a)	2015	
b)	2014	
c)	2013	
d)	2012	

**MINDENHOL!**

33. Található-e a honlapon információ arra vonatkozóan, hogy mely ülések voltak zártak vagy részben zártak?

0 – nem

1 – igen

→ 33.a. Hány (teljesen) zárt volt 2014-ben?

ülés

\_\_\_\_\_ db

33.b. Hány részben zárt ülés volt 2014-ben?

\_\_\_\_\_ db

34. Megtalálható-e a honlapon az Európai Unió támogatásával megvalósuló fejlesztések leírása?

0 – nem

1 – igen

→ 34.a. Van-e erre vonatkozó szerződés is a honlapon?

0 – nincs

1 – van, ÉSPEDIG: \_\_\_\_\_ db

35. Található-e az önkormányzat által nyújtott (nem normatív) támogatásokról szóló szerződés a honlapon?

0 – nem

1 – igen

→ 39 - RE

**36.-38. HA VAN A HONLAPON NEM NORMATÍV TÁMOGATÁSRA VONATKOZÓ SZERZŐDÉS**

36. Mi a legrégebbi (nem normatív) támogatásról szóló szerződés dátuma? év hó nap

37. Mi a legfrissebb (nem normatív) támogatásról szóló szerződés dátuma? év hó nap

38. A legfrissebb (nem normatív) támogatásról szóló szerződés tartalmazza-e az üvegseb törvénynek megfelelően a következő adatokat?

	igen	nem
a.) A kedvezményezett nevét?	1	0

b.) A támogatás célját?	1	0
c.) A támogatás összegét?	1	0
d.) A támogatási program megvalósítási helyét?	1	0

**MINDENHOL!**

39. Aggregált, táblázatos formában elérhetőek-e a nem normatív támogatásokra vonatkozó szerződések adatai?

0 – nem      1 – igen →

39.b. A nem normatív támogatásokról szóló aggregált táblázat tartalmazza-e az üvegseb törvénynek megfelelően a következő adatokat?

	igen	nem
1.) A kedvezményezett nevét?	1	0
2.) A támogatás célját?	1	0
3.) A támogatás összegét?	1	0
4.) A támogatási program megvalósítási helyét?	1	0

40. Elérhető-e olyan szerződés, ami árubeszerzésre, építési beruházásra, szolgáltatás megrendelésre, vagyonértékesítésre, vagyonhasznosításra, vagyon vagy vagyoni értékű jog átadására, valamint koncesszióba adásra vonatkozik?

0 – nem → **45 - RE**  
1 – igen

**41.-44. HA ELÉRHETŐ ILYEN ÜZLETI SZERZŐDÉS**

41. Mi a legrégebbi ilyen szerződés dátuma?      év      hó      nap

42. Mi a legfrissebb ilyen szerződés dátuma?      év      hó      nap

43. 2012.01.01-től hány ilyen szerződés található a honlapon? \_\_\_\_\_ db

44. A legfrissebb ilyen szerződés tartalmazza-e az üvegseb törvénynek megfelelően a következő adatokat?

	igen	nem
a) A szerződés megnevezését (típusát)?	1	0
b) A szerződés tárgyát?	1	0
c) A szerződést kötő felek nevét?	1	0
d) A szerződés értékét		
e) A határozott időre kötött szerződés esetén a annak időtartamát?	1	0



**MINDENHOL!**

45. **Aggregált, táblázatos formában elérhetőek-e az árubeszerzésre, építési beruházásra, szolgáltatás megrendelésre, vagyonértékesítésre, vagyonhasznosításra, vagyon vagy vagyoni értékű jog átadására, valamint koncesszióba adásra vonatkozó szerződések?**

0 – nem      1 – igen ▶

- 45.b. **Az üzleti szerződésekről szóló aggregált táblázat tartalmazza-e az üvegzebb törvénynek megfelelően a következő adatokat?**

	igen	nem
a) A szerződés megnevezését (típusát)?	1	0
b) A szerződés tárgyát?	1	0
c) A szerződést kötő felek nevét?	1	0
d) A szerződés értékét	1	0
e) A határozott időre kötött szerződés esetén annak időtartamát?	1	0

46. **Elérhető-e a honlapon beszerzésekről, szolgáltatás vásárlásáról, bérbeadásról, ingatlan eladásról szóló ajánlati felhívás?**

0 – nem      1 – igen  
 —————> **50 RE**

**47.-49. HA VAN A HONLAPON AJÁNLATI FELHÍVÁS**

47. **Mi a legrégebbi ajánlati felhívás dátuma?**      év      hó      nap
48. **Mi a legfrissebb ajánlati felhívás dátuma?**      év      hó      nap
49. **2012.01.01-től hány ajánlati felhívás található a honlapon?** \_\_\_\_\_ db

**MINDENHOL!**

50. **Található-e a honlapon beszerzési szabályzat a közbeszerzési értékhatárt el nem érő beszerzések lebonyolítására?**

0 – nem      1 – igen

KÖSZÖNJÜK A MUNKÁDAT!

**Az adatfelvétel vége:** .....óra .....perc

**Az adatfelvevő neve:** \_\_\_\_\_

## Annex B. – Legal background

On the other hand, our study aims at define the general transparency and openness of Hungarian municipality webpages. Although, they are subjective factors, themany of the questions presented above refer to the specific acts in force. These acts have changed in some ways since our previous report - this subsection presents a review of the legal background.

The concept of our research basically rests on two Hungarian acts in force. They are as follows:

- Act CVIII of 2011 on Public Procurement (“Public Procurement Act”), and
- Act CXII of 2011 on the Right Informational Self-Determination and on Freedom of Information (“Freedom of Information Act”).

The Public Procurement Act has had an important amendment (tightly related to our report): since 2013 (enacted in 1<sup>st</sup> of July), contracting entities shall publish the data and documents in the Public Procurement Databank (*Közbeszerzési Adatbázis*) of the Public Procurement Authority (*Közbeszerzési Hatóság*), and only in case publication in the Databank is not possible for any reason shall they publish the data on their own websites (31.§). Before this amendment, the prime place to data publication had been the contracting entities’ own website.

The Freedom of Information Act, however, still contains a standard publication list (*Schedule No.1*) that requires municipalities to publish public procurement information (annual plan, summary of the evaluation of tenders, contract awarded) quarterly (*III.8.*). On this basis, consequently, still there is legal basis for our research to explore procurement information publications on municipalities’ own websites.

In the following, we enumerate those accurate sections of the two acts that are related in some definite questions of our research.

**Public Procurement Act, 31.§ (1)**

Contracting entities shall publish the following data, information and documents in the Közbeszerzési Adatbázis (*Public Procurement Databank*) of the Közbeszerzési Hatóság (*Procurement Authority*) or - if publication in the Databank is not possible for any reason - on its own website or on the website of its superior body:

- a) the procurement program, and any amendment (amendments) thereto without delay after the program or the amendment is adopted;
- b) the agreements concluded under Paragraph *k*) of Subsection (1) of Section 9 immediately after they are concluded;
- c) information related to the possibility to pursue pre-contractual remedies under Subsection (2) of Section 79 immediately upon receipt of the request for pre-contractual remedies;
- d) contracts awarded on the basis of public procurement procedures immediately after they are concluded;
- e) the following data and information relating to the performance of a contract: reference to the contract notice (invitation in the case of public procurement procedures launched without a contract notice), the names of the parties to the contract, an indication as to whether the contract was executed as agreed, the date of performance as accepted by the contracting entity, as well as the date of payment of the consideration and the amount of consideration paid within ten days from the date when the contract is executed by all parties, or when executed by the paying agency where any financial aid is received for the procurement;
- f) the annual statistical report obliged by specific other legislation at the time when sent to the Public Procurement Authority (Közbeszerzési Hatóság).

**Freedom of Information Act, Schedule No.1: Standard Publication List**

**II.8:** In respect of collegiate bodies, decision-making process, means of participation by the general public (opinionate), procedural rules, place and time of settings of the collegiate body, publicity, decisions, minutes or summaries of meetings; information on voting in the collegiate body, if this is not restricted by law

**II.9:** Legislative proposals and related documents to be published by virtue of law; motions and proposals submitted to public meetings of the councils of municipal governments from the time of submission

**III.3:** Information as to the names of beneficiaries to whom the body with public service functions provided any central subsidies, the purpose and the amount of the aid, showing also the place of implementation of the aid program, except if the central subsidies are withdrawn before the time of publication or if the beneficiary declined to accept

**III.4:** Description of contracts relating to the allocation of public funds, management of public assets concerning the purchases of supplies and services, and works contracts worth five million forints or more, or to the sale or utilization of assets, for the transfer of assets or rights, as well as concession contracts, including the type and subject matter of such contracts, names of the parties to the contract, the contract amounts, and the duration of fixed term contracts, including changes in the data abovementioned, with the exception of information on procurements directly related to and deemed necessary for reasons of national security or national defense, and with the exception of classified information

**III.7:** Description of developments implemented with financial aid from European Union resources, including the related contracts

**III.8:** Public procurement information (annual plan, summary of the evaluation of tenders, contracts awarded)