

## Specific Issues of the Administrative Judicial Review: Tools for the Rights Protection vis-à-vis Local Self-government's Normative Acts

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**Abstract:** Normative acts of local self-government may affect the rights and legitimate interests of the municipalities' citizens.

After the adoption of the Hungarian Fundamental Law (FL), in Hungary, a lack of legal remedy procedure may be identified concerning the judicial review of local self-government normative acts and the means of legal protection available to those affected: the locus standi is the cause of the identified problem.

The exploration of the legal context shows, that the person concerned may have recourse to the institution of constitutional complaint in the event of a local self-government decree conflicting with the FL, there is no directly applicable legal protection instrument available, if the local self-government decree conflicts with lower-level legal provision. The main question is, how comprehensive the available legal tools system is how the Hungarian Litigation Code deals with the normative acts of local self-governments, and whether the principle of absolute legal protection and the effective legal remedy apply. The discussion of the topic includes the practice of judicial review, based on data drawn from the reports of the Curia to the Parliament for the period 2012-2023.

The Supreme Court of Hungary (Curia) shall examine the unlawfulness of a decree at the request of the government office, the judge in the pending case, or the Commissioner for Fundamental Rights, so the activity is of decisive importance.

Summarizing, the person involved does not have an effective legal remedy tool if the unlawfulness originated from the local decree, and is against the lower-level rules. Because the scope of the petitioners is limited, the person is vulnerable to the petitions of the state organs, like the ombudsman, the court, and the government office.