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Cross-border placement of a child including foster family

 Hungary

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1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?

The guardianship authority competent for the place of residence of the prospective guardian in Hungary decides whether, on the basis of a preliminary examination, consent can be given for the appointment of the person in question as guardian.

2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

For the placement of a child habitually resident abroad with a guardian in Hungary, the guardianship authority competent for the place of residence of the prospective guardian examines, at the request of the Ministry for the Interior (*Belügyminisztérium*) following an enquiry from the central guardianship authority of the requesting foreign state, whether consent can be given for the appointment of the person in question as guardian.

At the request of the Ministry of the Interior as the Hungarian central authority, the guardianship authority takes the measures specified in the law to assess the suitability of the prospective guardian. It performs or obtains a background check on the residence of the prospective guardian. It examines whether the person in question is legally entitled to act as a guardian. On the basis of an assessment of the prospective guardian's income, it determines whether the care of the child in Hungary imposes a heavy burden on social services. If necessary, it requests information from the family and child welfare services on any feature of the parenting skills of the person in question which would make it inadvisable to appoint them as guardian. The guardianship authority interviews the guardian regarding their future plans and, where appropriate, assesses whether the child will have access to kindergarten and school education. If the child is being placed with relatives, it is also recommended to assess their relationship with the child, and whether that relative has cared for the child previously. The guardianship authority uses the information above to determine whether consent can be granted. Once the decision to grant consent has been taken, it is forwarded to the foreign central authority with the assistance of the Hungarian central authority.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be

placed with certain categories of close relatives? If yes, what are the categories of close relatives?

As Hungary has not made a declaration under Article 82(2) of the Regulation, consent to the placement of a child in Hungary is always required where the child is not placed with the parent.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

No, it does not.

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