

SOME QUESTION MARKS OF PRIVATE LAW ON THE STATE-OWNED COMPANIES IN HUNGARY

Tekla PAPP*

ABSTRACT: *The state can be an actor in Hungarian private law in several ways: on the one hand, by its organs (e.g. the Office of the National Assembly, ministries), on the other hand, by the organs of public law the state creates (e.g. budgetary organs), thirdly, through business associations operating with the participation of the state, fourthly, exceptionally, the state itself can also act as a subject of private law² (AUER, 2017). In this study we call the attention to that the terminology used in case of business associations operating with state/local government participation is not sustainable and we focus on some issues where the private and public law discrepancy can be found in Hungary.*

KEY WORDS: *state/local government membership in companies; terminological and legal anomalies*

JEL CODE: *K14*

*Professor, Head of the Institute of Civilistics, Faculty of Science of Public Governance and Administration, National University of Public Service, Budapest, HUNGARY.

²Act V of 2013 on the Hungarian Civil Code 3:405. para. (1)

³Act v of 2006 on public company information, firm registration and winding-up proceedings

⁴Act cxxii of 2009 on the efficient operation of the state-owned companies; 3009/2012. National tax and customs administration of hungary directive