

# The legal and organizational basis of ensuring safety of sports activities in Hungary\*

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Manifestations of hooliganism, vandalism, extremism, and even terrorist acts during sports events are not a new phenomenon in Europe. The safety of sporting events is one of the priorities of any modern state. Moreover, the government is entrusted both with legislative and organizational tasks. Two reasons can be identified, why it is necessary to protect sporting events against violations of public order and attacks on public safety. On the one hand, even when law enforcement agencies professionally use all the legislative instruments at their disposal, an unlawful encroachment may be committed, which may threaten the holding of a sporting event, the safety of the person and property both of athletes and of spectators. On the other hand, the failure to criminalize these actions means that law enforcement agencies are not endowed with sufficient powers to take appropriate measures in such situations. Depending on the violation of public safety or public order, criminal, administrative or disciplinary laws will apply. The difference in the need to apply a law or regulation, as well as to impose sanctions and prohibitions on offenders, can be seen only in the level of protection corresponding to the danger of violations. The safety of sporting events is historically believed to be the primary task of law enforcement agencies, however, the responsibility of sports federations and clubs in ensuring safety in time, before and after the competition should not be overlooked.

*Keywords:* Sports Act, fans, video surveillance, responsibility, public safety, police, stewards, criminal law.

## 1. Introduction

In Hungary, sports fund had been known for their wrongful conduct even before the regime changed, but due to tight government control, the scale was small. Since the first half of the 1990s, clashes between radical groups that united around large football clubs, hostile to each other, as well as between fans of various sports clubs, have gradually become intense, and now it is obvious that ensuring law and order, and security of spectators and athletes are becoming increasingly important, while the authority of Hungarian sports organizations, especially when it is necessary to cope with extremist disorderly conduct of fan groups, is definitely inadequate.

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Today, as a party to the Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events<sup>1</sup>, Hungary pays serious attention to the legal and organizational issues of ensuring the safety of sports activities.

Since the 1990s, the legal framework of Hungarian sports has undergone radical changes. The first Sport Law was passed in 1996<sup>2</sup>. It provided the legal basis in the field of sports, but six years after the political and economic changes in the country over the years, in 2000, a new Law on Sports was adopted, to be amended in 2004<sup>3</sup>. In 2011, new amendments were made to the Law to make it the legal basis for the governing of relations in sports<sup>4</sup>. Considerable attention in the Law is paid to the legal security of sports events, which are also protected by criminal, administrative and disciplinary law.

An essential element of the Public Safety concept in sports is the personal safety of both participants during sports events, as well as of those who have nothing to do with them, since in addition to athletes, fans and other persons directly engaged, any bystander, passenger of public transport, etc. can be involved. That is why ensuring order and law in sports is a special and very specific part of sports management. The safety of sports events must be ensured in close cooperation of the police, private security agencies and sports organizations of various levels (Cserny, László 2020; Tóth 2020), the latter including sports federations, sports schools, and sports associations. Sports associations are entities established on a commercial basis for the purpose of organizing and holding sports events, playing one or more sports. Their activities are governed by Act V of 2006 on Public Company Information, Company Registration and Winding-up Proceedings<sup>5</sup>, and Act IV of 2006 on Business Associations<sup>6</sup>. In Hungary, there are: national sport federations by branch of sport; sport federations; leisure sports federations; sports federations of the disabled; school and university sports federations.

The task of the state is therefore not limited to the maintenance of public safety. It extends to enabling the operation of these pillars through legal regulation and to organizing and coordinating their activities in the interest of public safety. At the same time, it must also be acknowledged that the role of public bodies is paramount among these public security actors (Tóth 2019).

In another approach, in a slightly broader context, the creation of security is the result of state and social cooperation and collective work (Freyer 2004a). In addition to law enforcement agencies, local governments, private security companies, and non-governmental organizations also have an important role to play in this work (Freyer 2004b).

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<sup>1</sup> Council of Europe Convention on an integrated safety, security and service approach at football matches and other sports events (CETS No. 218. 2016). Accessed December 1, 2021. [https://www.fdfa.be/sites/default/files/atoms/files/1187\\_Agreement%20in%20English.pdf](https://www.fdfa.be/sites/default/files/atoms/files/1187_Agreement%20in%20English.pdf).

<sup>2</sup> 1996. évi LXIV. törvény a sportról [LXIV of 1996 Law about Sports]. Accessed April 4, 2022. <https://mkogy.jogtar.hu/jogszabaly?docid=99600064.TV>.

<sup>3</sup> Act I of 2004 on Sports. Accessed December 1, 2021. <http://www.aikido-szakszovetseg.hu/doc/lawonsport.pdf>.

<sup>4</sup> Analyses of labour market realities and challenges in the sport and physical activity sector. National Report. ESSA-Sport. 2016–2019. Accessed December 1, 2021. [https://www.essa-sport.eu/wp-content/uploads/2020/01/ESSA\\_Sport\\_National\\_Report\\_Hungary.pdf](https://www.essa-sport.eu/wp-content/uploads/2020/01/ESSA_Sport_National_Report_Hungary.pdf).

<sup>5</sup> Act V of 2006 on Public Company Information, Company Registration and Winding-up Proceedings. Promulgated on 4 January 2006. Accessed December 1, 2021. <https://net.jogtar.hu/getpdf?docid=A0600005.tv&targetdate=&printTitle=Act%20V%20of%20of%202006&dbnum=62&getdoc=1>.

<sup>6</sup> Act IV of 2006 on Business Association. Accessed December 1, 2021. <https://gss.unicreditgroup.eu/sites/default/files/markets/documents/Act%20on%20Business%20Associations.pdf>.

All this can be called complementary law enforcement activity, in which the activities of state law enforcement actors are complemented by market and non-governmental organizations (László 2018). Linguists for instance, may also contribute to the successful results of investigations, concerning public safety with the help of linguistic fingerprints (Ürmösné 2019). A complementary counterpart to the concept of public security is private security. Private security is the result of a market-based service provided by a licensed undertaking (or natural persons), which protects the principals' personal security and property, and enables them to exercise their rights as much as possible (Cserny, László 2020). More specifically, private security is an essential player in sports security, especially because sports law is partly a matter of private law. However, private security also has a close relationship with the state. That is why it is worth examining what kind of cooperation in sports safety has resulted from the state's role (Mitten et al. 2020; Mitten et al. 2021).

Our study is focused on the following areas: first of all, the legal provisions, and sanctions applicable against offenders of public law and order, and public safety during sports competitions; in addition, the organizational measures to ensure safety of sporting events in Hungary are discussed.

## 2. Basic research

### 2.1. *Legal framework for ensuring the safety in the field of sports*

In Hungary, sport is one of the strategic directions for social development.

The Sports Act established that the government is responsible for promoting in the public interest the practical exercise of the rights of citizens to physical education and sport<sup>7</sup>, as well as for helping to reduce the threats and negative trends associated with sports (e. g., doping), ensuring the safety of sporting events, protecting the privacy of athletes, and creating measures against sporting hooliganism. The Sports Act regulates the state responsibilities and organization system of fulfilling them, including provide for public security at sports events and contribute to the secure hosting of sports events (Act I of 2004 (§ 49)).

It institutionalizes the responsibility not only of the organizers, but also of the spectators, who must comply with the rules established by the organizer of the sporting event. Moreover, spectators should neither interfere with the holding of a sporting event, nor violate personal rights or encroach on the property of other participants. If the audience does not obey these rules, they can be prosecuted on the basis of general civil law. Spectators may also be prohibited from attending sporting events if a criminal offense was committed in connection with the sporting event.

The Act contains detailed provisions focused on preventing disorder during sports activities, e. g. the displacement or separation of the audience, use of police, or the classification of events in terms of safety and risk. In addition, Government Ordinance No. 54/2004 on the safety of sporting events<sup>8</sup>, which applies to the first division clubs

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<sup>7</sup> Act I of 2004 on Sports. Accessed December 1, 2021. <http://www.aikido-szakszovetseg.hu/doc/lawonsport.pdf>.

<sup>8</sup> 54/2004 (III. 31). Korm. rendelet a sportrendezvények biztonságáról. 54/2004 (III. 31) [Government decree on the safety of sports events]. Accessed April 4, 2022. <https://net.jogtar.hu/jogszabaly?docid=a0400054.kor>.

and national matches in football, handball, basketball, water polo and ice hockey, outlines specific rules for the prevention of disorder and cooperation of sponsors and the police. With some exceptions, the organizer pays for the costs of police involvement.

The Sports Act sets out in detail the requirements for sport federations to comply with. In particular, each sports federation must adopt specific rules, for example, on the organization and safety of sporting events, disciplinary proceedings and the fight against doping, etc.

Both the criminal and administrative legislation of Hungary (Gardiner et al. 2012), as well as Government Decree No. 52/2004 on the safety of sports events, have a key role to play in ensuring the safety of sporting events (Rippel-Szabó 2021).

It is important to point out that it is about two types of criminal conduct. One is illegal acts that disrupt public order at the stadium during an event, while the other one concerns acts that disrupt public order outside the stadium, like a fight between heated fans after a football match. The Hungarian legislator has recognized that since these two are closely interrelated, legal measures aimed at ensuring security both outside and inside stadiums should be taken in parallel.

The specific aspects of legal regulation in the field of safety in sports also derives from the dichotomy of legal protection against criminal actions of sports fans. Obviously, criminal and administrative law essentially protect the same legal object, but due to the seriousness of the threat or damage caused, illegal actions constitute either a misdemeanor, or a felony.

1 July 2012, Hungary enacted a new Criminal Code, which entered into force on 1 July 2013. It words the body of the crime “Disorderly Conduct” (Section 340)<sup>9</sup>. It should be noted that the Hungarian legal law, “criminal offences may be classified as felonies and misdemeanors. Felony is a crime committed intentionally which is punishable under this Act by imprisonment of two or more years. Every other criminal offense is a misdemeanor” (Section 5).

Pursuant to (1) of Section 340 of the Criminal Code of Hungary, “any conduct of violent or intimidating resistance against the actions of the keeper or security personnel to maintain order at a public event is guilty of a misdemeanor punishable by imprisonment not exceeding two years, insofar as the act did not result in a more serious criminal offense”.

In turn, Subsection (2) of Section 340, provides for criminal liability for “any person who in a sports event enters without authorization or breaches any restricted area where no visitors are allowed, or that is restricted for a specific group of visitors, or if throws any object into such an area and thereby jeopardizing the sport event or the physical integrity of others shall be punishable in accordance with Subsection (1), insofar as the act did not result in a more serious criminal offense”.

Section 340 provides that the penalty for a felony shall be imprisonment not exceeding three years if disorderly conduct is committed: in a gang; by displaying a deadly weapon; by carrying a deadly weapon; or by a habitual recidivist. Within the meaning of habitual recidivism, the following shall be construed as crimes of similar nature: battery; assault on a public official, assault on a person entrusted with public functions, assault on a person

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<sup>9</sup> Act C of 2012 on the Criminal Code. Promulgated on 13 July 2012. Accessed December 1, 2021. [https://www.legislationline.org/download/id/5619/file/HUngary\\_Criminal\\_Code\\_of\\_2012\\_en.pdf](https://www.legislationline.org/download/id/5619/file/HUngary_Criminal_Code_of_2012_en.pdf).

aiding a public official or a person entrusted with public functions; public nuisance; vandalism.

This *corpus delicti* is a novelty in law, since previously sporting events were not independently protected by criminal law.

Section 340 is a special to Section 339 “Public Nuisance”, which words a general concept of public order: Any person who displays an apparently anti-social and violent conduct aiming to incite indignation or alarm in other people.

The legislator defines disorder as a dispositive rule, and, accordingly, it can be established if a more severe punishable act is not committed. Parliamentary debates on the bill made clear the legislative goal, i. e. to support organizers of sporting events by criminalizing violent acts against them or security personnel.

Before the new Criminal Code was adopted, the life and physical integrity of officials ensuring the safety of sports events were legislatively protected against acts of violence by means of provisions that established responsibility for violations of human life and health, however, since 2012, not only physical integrity, but also the measures they take to ensure order during a sporting event have been protected by criminal law<sup>10</sup>.

A material element of the crime consists in the resistance of the perpetrator to the legal requirements established by organizers of sports events and other officials, necessary to maintain order, as well as in unauthorized entry or staying in the area where a public event is held, or in throwing objects into the area, which jeopardizes the holding of a sports event or physical integrity of any persons who are in this place. Moreover, the Sports Act provides for disciplinary and civil liability of the organizers for proper organization of sports events, which arises when the participants arrive at the venue and ceases when they leave it.

In other words, the offender uses violence or the threat of using violence to a person who is trying to legally obstruct the violation of public order. According to the Act, violence is committed against the organizer or other officials who enforce order, and to qualify the offence, the level of *vis compulsiva* or “necessary violence”, which can be established even if the victim has not been physically harmed, is sufficient. At the same time, in order to prosecute the offender, to establish the very fact of the threat of violence (Ürmösné 2020) is sufficient. The threat of violence must be real and fearful to the person being threatened, however, the offender must be able to identify the officials who ensure the safety of the sporting event, in other words, be aware of their status. Passive resistance to the demands of the organizer does not constitute a crime.

If a person breaking the rules, enters and is in the area of a public event without authorization, or throws objects into this area, to establish the violent nature of the act is not necessary.

The scene of the crime is the venue of a public event.

During the discussion of the draft Criminal Code of 2012, it was agreed that the criminalization of non-violent acts of disorderly conduct violated the principle of proportionality. Therefore, according to the bill, these acts could not be punishable (Nagy L. T. 2014). Finally, the Parliament passed a different form of the Act, with non-violent behavior also included in the scope of the crime.

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<sup>10</sup> Act IV of 1978 on the Penal Code. General debate on a bill to amend the law. Accessed December 15, 2021. [https://www.parlament.hu/naplo98/162/n162\\_026.htm](https://www.parlament.hu/naplo98/162/n162_026.htm).

In addition to prosecution and violent actions, criminal legislation establishes responsibility for the use of prohibited symbols of the dictatorship, violation of national symbols, violent acts against national, racial, ethnic groups, including those committed and used during sports events.

The Criminal Code of Hungary contains Section 58 “Ban from Visiting Sport Events”, providing that: 1) any person having committed a criminal offense during a sport event, or during the time of commute to or from the sport event, in connection with the sport event, may be banned by court order: a) from visiting any sport event held within the framework of competition organized by any sports association, or b) from entering any sports facility where a sport event held within the framework of competition organized by any sports association is held; 2) the minimum duration of the ban shall be one year; its maximum duration shall be five years; 3) the duration of the ban shall begin when the sentence becomes enforceable. Where a ban from visiting sport events is ordered in addition to a term of imprisonment, the period of time of imprisonment served, and the period of time during which the convict withdraws himself from the execution of the imprisonment shall not be included in its duration. If the parole is not withdrawn, the time spent on parole shall be included in the duration of the ban from visiting sport events.

As can be seen, the legislator took into account that both felonies and misdemeanors are committed while in the stadium or outside, during, before or after a sporting event. At the same time, since they pose different risk, the Hungarian legislator has provided for liability for administrative violations. The difference is primarily in the punishment awarded, namely, one to five years for criminal offence, and up to two years for administrative one<sup>11</sup>.

While a ban from visiting sports events is in addition to the term of imprisonment, the length of the prison sentence served and the period of time during which the convicted person refuses to execute the sentence shall not be included in the duration of detention. If the parole is not cancelled, the time spent on the parole shall be counted as time of the ban from visiting sporting events.

Another element of the Hungarian legal system against sports hooliganism is exclusion. It is similar to the ban from visiting the event in terms of legal consequences, but, unlike the previous ones, it can be applied not by a government authority, but by the organizer of a sports event.

If the organizer has suspended someone from a sporting event (because of not following the prescribed rules), the perpetrator will be entered on the Register of Offenders, without the right to buy tickets and attend the sporting event. The term varies from six months to two years for events held by an organizer or a guest team. The period of exclusion from visiting a sports facility can range from six months to four years. If there is a concern during a sporting event that the removal of a troublemaker will further exacerbate public order problems, the exception may be applied when the sports activity ends. The organizer may record the personal identifier and address of a banned individual in order to implement the ban and prevent further actions that have entailed the exclusion. The time of the record must coincide with the period of the ban, but cannot exceed two or four years. After the expiry of the ban period, the organizer must ensure that the recorded

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<sup>11</sup> § 19. 2012. évi II. Törvény a szabálysértésekről, a szabálysértési eljárásról és a szabálysértési nyilvántartási rendszerről [2012. II. Law on Infringements, the Infringement Procedure and the Infringement Registration System]. Accessed December 15, 2021. <https://net.jogtar.hu/jogszabaly?docid=A1200002.TV>.

personal data is destroyed within 24 hours (§ 73 of the Sports Act). Police, petty crime investigators, prosecutors, and others may request data from the Register, if necessary.

In turn, the fan / spectator has the right to appeal to the court against the decision of the organizer on the ban from visiting a sporting event.

## ***2.2. Organizational measures on ensuring public order during sports events***

Chapter X of the Sports Act regulates in sufficient detail the procedure for holding sports events, including the limits and types of public involvement, depending on the threat to the safety of a sports event. Special attention is paid to the responsibility of the organizers for the proper organization of a sports event. The responsibility of the organizer arises when the participants arrive at the venue and ceases when they leave it.

If the organizer fails to comply with the above provisions, the sports federation may take a number of legal measures such as fines or funding cuts. Any person who has suffered damage by contract or tort due to the conduct of the organizer may claim damages from the latter in accordance with general civil law.

If the organizer commits a criminal offense, the victim or ex officio authorities, depending on the nature of the crime, may initiate criminal proceedings to establish criminal liability. In certain cases, the police may impose administrative fines on the organizer.

The organizer of sports events must take the necessary measures to protect the personal safety of competitors and the safety of their property; he is jointly and severally responsible together with the security services for ensuring safety during sports activities that must comply with the requirements of the Sports Act, the rules of national and other sports federations (§ 66 (1) of the Sport Act).

The organizer is required to initiate and support any measures taken by the competent authorities that can contribute to the safety of spectators and prevent violations.

The sports federations cooperate closely with the police, which in turn should determine the severity of the threats and risks that may arise in connection with the sporting event. The Qualifications Committee led by the General Directorate of Police is entrusted with Analyzing, informing and assessing possible threats. The Qualification Committee includes representatives of the General Directorate of Police (five persons), the Emergency Management Department (one person), the state ambulance service (one person), the President of the State Legal Bureau (one person), the Office of the General Prosecutor's Office (one person), the Minister of Sports (one person) and experts representing sports associations and national sports federations (five persons). Sports associations include football, handball, basketball, water polo, and the ice hockey associations. Depending on the risk, the threat level can be classified as "ordinary", "increased" and "priority".

Different risks suggest different levels of responsibility for ensuring safety. With ordinary threat, ensuring safety is the responsibility of the organizer.

It should be noted that ticket sales and ticket control have a key role to play in sporting events. If matches pose ordinary threat, it is the organizer who decides on the procedure for ticket sales, ensures the entry to the venue of the sporting event and the placement of vehicles, constantly monitors fan sectors, and takes the necessary technical and security measures to separate fan groups.

By purchasing a ticket, a spectator enters into an agreement with the organizer of the sporting event. In accordance with the Sports Act, the organizer is required to post the rules for visiting sports facilities in a conspicuous place at the entrance to the sports facilities, which must also be summarized in the ticket as prerequisites. The organizer may decide at its discretion to implement a system identifying the viewer upon entering the venue, but in this case additional special rules apply.

The same applies to the increased threat level, with the only fundamental difference that the organizers must involve the police to ensure safety of the event, and on a paid basis.

If the threat level is recognized as “priority”, then ensuring order and security is a public task to be solved by government authorities free of charge. In this case, personalized tickets must be issued. According to the Hungarian Sports Act, the host organization is authorized to identify spectators upon entry and compare the data on the ticket with the personal data on the identity document. If the data is not identical, the individual must be denied entry.

To determine the risk and protection level, the organization holding the sporting event should send a written request to the police station that has jurisdiction over the venue. Police officers appointed by the General Directorate of Police within their competence and pursuant to Article 68 of the Sports Act must prepare a document expressing their opinion on the classification. Pursuant to the Act, according to the data obtained, the rating of the event should be determined based on the reasonable assumption that during the event the life, physical integrity or property of a large or indefinite number of the parties involved may be threatened or directly harmed (Sports Act § 68/A (5)).

This document is to be submitted to the Chairperson of the Qualification Committee for the event to be classified under the existing law. If the Chairperson fails to classify the sporting event, then the Qualification Committee will delegate an authorized representative to the Police.

The Committee should make a decision on the classification of the threat level by a simple majority of votes. If the votes are equally divided, the Chairperson’s vote shall be decisive. However, the final decision shall be made by the head of the General Directorate of Police.

During sporting events of ordinary and increased threat levels, responsibility for ensuring safety is as follows: the organizer shall be responsible for the safety within the sports facility, while the government represented by representatives of law enforcement agencies is responsible for the safety of public space outside.

The organizer of a sporting event of increased threat level (15 days before the date of holding) must request the local police department, depending on the venue of the sporting event, for assistance in maintaining order inside the sports facility on a paid basis; provide the police with information on the number of attendance certificates; increase the security personnel to the number indicated by the police; organize and provide parking for fans, as well as security for parked vehicles, and submit the list of organizers and personnel to the police in advance.

During sporting events of an ordinary threat level, the organizer can also use the police for a fee. The police remuneration is determined by agreement of the parties; however, it cannot be lower than the salary of the policemen. In exchange for contractual

remuneration, professional police officers can provide security services of their own free will in their spare time. In this case, this is about a special purpose relationship.

If a sports event of a priority threat level is to be held, the police shall ensure safe and secure activities, including within the sports facility, free of charge. During a sporting event, the police must resort to the repressive force of the State while protecting the basic interests of the customer. However, in this case, the customer does not have the right to give instructions either to the police officer acting within the scope of public services, or the police officer employed on a paid basis (Tóth 2019).

Under contractual obligations, a police officer must take or cause the necessary security actions to be taken if facts or circumstances that require police intervention are identified (Nagy Z. A. 2014). In case of emergency, this applies to police officers, including those off duty. In some cases, the obligation to act is incompatible with the fact that the contractor must perform on behalf of the customer (that is, if leaving the venue, the contractor must cease the activities ordered by the customer). In this case, contradictions may arise between the powers assigned to the contractor and the contractor's official powers arising from the status of a policeman, since it is clear that, above all, the police must fulfill the duties defined by the national Constitution. Accordingly, the contract should not interfere with the performance of basic police functions.

If the police officers determine that conditions for the safe holding of a sporting event are not being met, they have the right to prohibit the event from being held in the presence of fans.

A sporting event may also be interrupted at the initiative of the police if the conduct of the audience jeopardizes safety without the possibility to restore public order. In this case, the referee declares the competition (match) over.

Safety and security of sports activities also can be ensured by resorting to stewards, also known as club police officers (Tóth 2018).

As mentioned above, organizers are free to invite a private security agency or stewards to maintain public order. Stewards are members of private security agencies, employed as security officers at a sporting event to liaise with sporting organizations, perform and coordinate police activities, and to arrange for and maintain order at sporting events (Tóth 2018).

When stewards are employed, their local knowledge, communication skills and love of the sport should be taken into account. The main task of stewards is to find out the time of movement of and means of transport for fans, to track violators in order to be able to prevent riots in advance.

Hungarian laws and regulations governing the activities of stewards have gaps, however, given current practice, it can be said that a steward always attends football matches of ordinary and increased threat levels. The number of stewards depends on the number of fans, the threat, and the number of police officers involved. If the steward's team participates in an away match, the steward must accompany the event only if a large group of fans is expected to arrive.

Stewards perform openly in civilian clothes, but, if necessary, they participate in checking the audience as observers, cooperating with the police officers guarding the event before, during and after the match. During foreign matches, stewards support the local police, participate in the preparation and study of the terrain, and find out where the match will take place and where the fan meeting points are expected. During the match,

they are in the outer sector keeping in touch with the fans. The steward's task is also to cooperate with the National Football Information Center.

If during a match a crime is committed against the fans or if a fan needs to be assisted, the steward, as a representative of the security service, will take measures within its authority, which include first aid, and inform the relevant services about a crime. Stewards cannot participate in police actions against the fans, acting only as assistants and advisers, although, this does not mean that they have the responsibility of a legal adviser. Importantly, they are not allowed to attend international sporting events as translators.

According to Police Act XXXIV 1994 (§ 42), police officer is allowed to use video and audio recordings, including in the immediate vicinity of a sporting event (for example, around a stadium or in a stadium parking lot), or in some cases at the event itself to ensure public safety, crime prevention and law enforcement<sup>12</sup>. If no criminal offenses have occurred during the sporting event, the records are kept for up to 30 days, and deleted afterwards. If illegal actions took place, the police must keep records. The organizer of the visiting team must keep records for 120 hours from the end of the sporting event, as directed by the police, which can be extended up to 60 days. If the police do not require that the organizers or the guest team keep the records, these can be deleted 120 hours after the sporting event.

Article VI of the Hungarian Constitution reads as follows, "Every person shall have the right to the protection of his or her personal data, and to access and disseminate data of public interest"<sup>13</sup>. In essence, the method of storage of records is one of the most important and controversial issues. The Civil Code also regulates this area, as the rights to record sound and images are classified as personal rights<sup>14</sup>.

Personal data is legally protected, which gives rise to a dilemma. Which regulatory area should be prioritized: personal data protection or law enforcement? Undoubtedly, the importance or protection of personal data cannot be questioned. In the field of sports, when dozens of thousands of people attend events, the use of video surveillance systems is an indispensable measure. This is the only way to guarantee the safety of civilians.

When touching upon security cameras, the Sports Act I of 2004 (§ 74) states that organizers (sports clubs) must take records at the sporting venue to ensure the safety and security of persons and property during sporting events of ordinary and increased threat levels. In addition to the venue, the law also requires that fans' entering the public areas associated with the sporting event (e. g. audience parking lots) to be recorded in a quality high enough to be identified.

The fact of using the security cameras must be indicated on tickets, passes, etc.; cameras should be placed obvious to the fans (Ürmösné 2020). If this is about a foreign team, then the indication must also be made in English. Spectators are only admitted to a sporting event if they agree that they are subject to audio and video recording.

Combating violent fan behavior increasingly requires international cooperation. In a globalized world, it has become easier for fans to follow their teams to matches taking place

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<sup>12</sup> 1994. évi XXXIV. Törvény a Rendőrségről [Police Act XXXIV 1994]. Accessed December 12, 2021. <https://net.jogtar.hu/jogszabaly?docid=99400034.tv>.

<sup>13</sup> Hungary's Constitution of 2011. Accessed December 1, 2021. [https://www.constituteproject.org/constitution/Hungary\\_2011.pdf](https://www.constituteproject.org/constitution/Hungary_2011.pdf).

<sup>14</sup> Act V of 2013 on the Civil Code (as in force on 1 July 2021). Accessed December 12, 2021. [https://uj.njt.hu/translation/J2013T0005P\\_20210701\\_FIN.PDF](https://uj.njt.hu/translation/J2013T0005P_20210701_FIN.PDF).

abroad. Therefore, the need arose for close cooperation in the field of security. National football information centers of the participating countries form an important institutional framework for this cooperation, in which the Hungarian police also take part.

### 3. Conclusions

The Hungarian example shows that ensuring the safety and security of sporting events can be based on a participatory approach.

Police should not be the only partly responsible for the security of sports activities. Sports organizations should also participate. The priority task of the government is to create a legal framework. In this regard, the relevant amendments have been made to the Hungarian Criminal Code. Now, it contains *corpus delicti* (elements of crime), which are necessary to prevent disorder during sports events, as well as to determine the responsibility of the participants. In addition, the Sports Act provides for the obligation to cooperate between sports federations and associations with the police.

In Hungary, particular importance is attached to stewards, professional police officers or security personnel who act as mediators between the police, fans and sports associations and federations.

Also, audio and video recordings have an increasingly important role to play in ensuring safety and security during sporting events. In Hungary, this issue is governed by the Police Act and the Sports Act.

### References

- Cserny, Ákos, Christián László. 2020. "Gondolatok a (sport)rendezvények biztonságának fokozásához". *Belügyi Szemle*. Accessed December 12, 2021. <https://doi.org/10.38146/BSZ.2020.11.5>
- Freyer, Tamás. 2004a. "A rendvédelmi erők harca a futball-huliganizmus ellen Magyarországon". Dr. Sci. diss., Semmelweis Egyetem. Accessed December 18, 2021. <https://adoc.pub/queue/a-rendvedelmi-erok-harca-a-futball-huliganizmus-ellen-magyar.html>
- Freyer, Tamás. 2004b. "Rules in Hungary to stop football hooliganism". *Axiological dimensions of sport — practical aspects*, ed. by Jerzy Kosiewicz, Kazimierz Obodynski, 120–137. Rzeszów, Koraw.
- Gardiner, Simon, Roger Welch, Simon Boyes, Urvasi Naidoo. 2012. *Sports law*. 4<sup>th</sup> ed. London, New York, Routledge.
- László, Christián. 2018 "Rendészeti szervek". *Internetes Jogtudományi Enciklopédia (Alkotmányjog rovat, rovatszerkesztő)*, ed. by Jakab András, Fekete Balázs. Budapest, HVG-ORAC, a Társadalomtudományi Kutatóközpont Jogtudományi Intézete közös kiadásában jelenik meg. Accessed December 18, 2021. <http://ijoten.hu/szocikk/rendeszeti-szervek>.
- Mitten, Matthew J., Timothy Davis, Rodney K. Smith, Kenneth L. Shropshire. 2020. *Sports law and regulation. Cases, materials, and problems*. 5<sup>th</sup> ed. New York, Wolters Cluver.
- Mitten, Matthew J., Timothy Davis, Rodney K. Smith, Kenneth L. Shropshir. 2021. *Sports law governance and regulation*. 3<sup>rd</sup> ed. New York, Wolters Cluver.
- Nagy, László Tibor. 2014. "A sport huliganizmus elleni fellépés tapasztalati és lehetőségei". *Pusztai László emlékére*. Szerk. Petra Bárd, Péter Hack, Katalin Holé, 285–296. Budapest, OKRI.
- Nagy, Zoltán András. 2014. *Sport és büntetőjog*. Pécs, Kódex Nyomda Kft.
- Rippel-Szabó, Peter. 2021. "The Sport Law review: Hungary". *The Law Reviews*. Accessed December 11, 2021. <https://thelawreviews.co.uk/title/the-sports-law-review/hungary>.
- Tóth, Ágnes N. 2018. "Sports policing tools in a changing world". *Magyar Rendészet*. Accessed December 15, 2021. <https://doi.org/10.32577/mr.2018.3.15>.

- Tóth, Ágnes N. 2019. "Sport állami irányításának rendszere". *A magyar sport jogi szabályozása*, ed. by Tamás Sárközy, 155–170. Budapest, HVG-ORAC.
- Tóth, Ágnes N. 2020. "Thoughts on the current situation of sports policing". *Belügyi Szemle*. Accessed December 12, 2021. <https://doi.org/10.38146/BSZ.SPEC.2020.3.6>.
- Ürmösné, Simon G. 2019. "Miben segítik a nyelvi ujjnyomok a nyomozást?" *Magyar Rendészet* 1: 65–75. <https://doi.org/10.32577/mr.2019.1.4>.
- Ürmösné, Simon G. 2020. "The portrayal and the attributes of serial killers and some of the most notorious ones". *Internal Security* 12 (2): 261–273. <https://doi.org/10.5604/01.3001.0014.6699>.

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