

THE ORDER OF THE ZÁHONY ROAD  
BORDER CROSSING POINT

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Extract

### **Legal background:**

- Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code)
- Regulation (EU) 2017/458 of the European Parliament and of the Council of 15 March 2017 amending Regulation (EU) 2016/399 as regards the reinforcement of checks against relevant databases at external borders
- Commission Recommendation establishing a common “Practical Handbook for Border Guards (Schengen Handbook)” to be used by Member States’ competent authorities when carrying out the border control of persons
- Act XXXIV of 1994 on the Police (hereinafter Rtv)
- Act I of 2007 on the entry and residence of the persons enjoying the community right of free movement and residence (hereinafter Szmtv)
- Act II of 2007 on the entry and residence of the third-country nationals (hereinafter Harmtv)
- Act LXXXIX of 2007 on the State border
- Act II of 2012 on the Minor offences, the related procedures and the registry of offenders
- Regulation 30/2011 (IX. 22.) of the Ministry of Interior on the Service Regulation of the Police
- Decree 330/2007 (XII. 13.) on the frontier, as well as on the rules regarding the persons arriving at the border crossing point with no intention to cross the border
- Decree 332/2007 (XII. 13.) on the Opening and operation of the BCP and the temporarily opened BCP, as well as on the point of crossing the border
- Act CXXII of 2010. on the National Tax and Customs Administration (hereinafter NAVtv)
- Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code
- Act LXVIII of 2012 on the Publication of the Agreement between the Government of Hungary and the Cabinet of Ministers of Ukraine, on the control of the road and railway border traffic at the BCPs
- International treaties and agreements
- Internal regulations

### **The order of the road border crossing point (hereinafter BCP):**

1. The order of the BCP contains all the regulations which must equally be observed by the officials performing duties, by every individuals who are taking part in the passenger and cargo traffic or arriving at the BCP with no intention to cross the border.
2. The order of the BCP is part of the ordered conditions at the border.  
With the help of the regulations, restrictions and prohibitions concerning the border traffic and the stay at the BCP, the order of the BCP ensures:
  - a. the quick, efficient and smooth check of the passengers, vehicles and consignments.
  - b. the safety of the border traffic and road transport
  - c. the implementation of the tasks assigned by international treaties

- d. the continuous cooperation with other authorities taking part in the control of the border traffic
3. Any activities at the BCP which may obstruct the border traffic flow and the border checks are forbidden.
  4. Implementation method of the border checks: Autonomous
  5. Authorities performing border traffic control at the BCP:
    - Szabolcs-Szatmár-Bereg County Police Headquarters, Border Policing Office Záhony
    - National Tax- and Customs Administration (NTCA), Szabolcs-Szatmár-Bereg County NTCA Directorate, Border Office Department Záhony
    - Magyar Közút Nonprofit Zrt. (national company of road management)
    - Szabolcs-Szatmár-Bereg County Government Office, Food Chain Security and Veterinary Directorate, Veterinary Border Station Záhony
    - Szabolcs-Szatmár-Bereg County Government Office, Phytosanitary and Soil Conservation Directorate, Phytosanitary Border Station Záhony

Under cooperation agreement or special permission, other authorities may also perform checks or take actions at the BCP.

**6. Passenger categories may cross the border at Záhony BCP:**

- Individuals travelling with passports in international traffic, in accordance with the provisions of the visa agreements
- Based on international treaties, individuals who are crossing the border in international traffic with other documents
- Individuals and vehicles carrying international cargo.

In passenger traffic, the following vehicle types may cross the border at Záhony BCP: bicycle; motorbike; car; bus;

**7. The area of Záhony BCP:**

The BCP is a closed area, which is bounded by the road signs „Záhony határátkelőhely” and „Határátkelőhely vége”.

The „Záhony határátkelő” road sign is located on the incoming section of the highway 4 (E573), at the pedestrian crossing, the „Határátkelő vége” road sign is placed at the front of the road bridge.

**Ensuring the check and passage of the passengers and vehicles**

**1. The order of control:**

At the BCP, the check of the persons, vehicles and cargo happens in the order of arrival.

Exceptions:

- Persons entitled for priority crossing, based on international treaty, community or national law
- Vehicles transporting live animals, perishable goods, hazardous materials or urgent life-saving shipments, furthermore buses with a valid timetable, carrying passengers in international traffic.
- Military troops and their vehicles with movement order
- Protected persons

The priority check may be performed for the request of the entitled person, or upon the perception of the officials.

## **2. The order of the border checks:**

1. Check of the travel and other documents by the Police;
2. *Phytosanitary or veterinary check (if necessary)*;
3. *Spedition (if requested by the passenger)*;
4. Customs control carried out by the NTCA.

## **3. Regulations concerning the checks, rules of conduct, obligations:**

### **3.1. General provisions**

The open or closed state of the traffic lanes is indicated by green (means that lane is open) or red (lane is closed) traffic lights. The traffic lights are operated by the Police.

On the normal passenger (car) and bus lanes one-stop control method is applied by the controlling authorities

On the passenger (car) lanes the Police control booth is the first point of duty, followed by the NTCA's point of duty (Customs control booth).

Passengers intending to cross the border are obliged to hand over their travel documents and the other necessary documentation (vehicle and cargo documents) to the officers of the controlling authorities individually, without any calls to do so.

For the call of the police or customs officer, the vehicle operator, freighter or in their absence the driver is obliged to open the passenger cabin and the load compartments, to take out/put back items and open the luggage.

The passengers in the area of the BCP are obliged to stay in their vehicles until the passport control and the customs control are over, unless other instruction is given by the passport controller or the customs officer.

### **3.2. Individual rules of using the traffic lanes:**

- a) Passengers enjoying the community right of free movement and residence are entitled to use both „EU, EEA, CH” and „ALL PASSPORT” traffic lanes.

- b) All other passengers have to use the „ALL PASSPORT” traffic lanes.
- c) The lane designations are indicated on information signs above each lanes.
- d) In case if an unbalanced distribution emerging in the traffic flow, the Police may provisionally suspend the application of these rules.

### **Designated places for the checks:**

#### ***Entry-side freight traffic lanes:***

##### **Lane 8:**

The traffic lane extends between the axle weight check station and the passport control booth. The passport control of the persons, the scanning of the vehicles' driver cabin, cargo space (without opening the customs seal) and the other places are carried out by the Police at this place.

*The point of control is located between the passport control booth and the barrier which is used for sectioning the lorry traffic.*

*Also the passenger cars that transport trade volume of goods are checked on this lane.*

Following the police checks and weighing, drivers of the vehicles arriving at the terminal have to apply for administration at the spedition or at the NTCA with no delay.

The customs officer gives the final permission to leave the area of the BCP.

#### ***Entry-side passenger traffic lanes:***

##### **Lanes 1 – 3:**

Designated lanes for the thorough check of the **passengers not enjoying the community right of free movement and residence** and intending to cross the BCP **by bicycle, motorbike or car.**

(ALL PASSPORTS)

##### **Lanes 4 - 5:**

Designated lanes for minimum check of the **passengers enjoying the community right of free movement and residence** and intending to cross the BCP **by bicycle, motorbike or car.**

(EU, EEA, CH)

*At these lanes the point of control is indicated by painted road marks on the road paving, in line with the NTCA control booth and the barrier operated by the NTCA officer.*

Persons enjoying diplomatic or other, international law-based immunity, furthermore persons entitled for priority crossing may be checked on any of the traffic lanes.

##### **Lane 6:**

Designated lane for check of the **passengers not enjoying the community right of free movement and residence**, travelling by **passenger vehicles suitable for transporting up to 9 persons** (minibuses).

(ALL PASSPORT)

*At these lanes the point of control is indicated by painted road marks on the road paving, before the front of passport control booth.*

**Lane 7:**

Designated lanes for receiving **buses with passengers enjoying (EU-EEA-CH) and not enjoying (ALL PASSPORT) the community right of free movement and residence, including their relatives and family members, regardless their nationality.**

The controls happen in the dedicated bus terminal.

**Places designated for separated thorough check:**

For passenger cars, the covered parking places designated for this purpose, located next to the inspection pit for tightened customs control.

For the separated thorough check of the buses the service lane is designated, which is located on the right side of the inspection pit.

Persons subjected to a separated thorough check are required to stay in the premises designated for that purpose

During this type of inspection of the vehicle/cargo – for the request of the Police – the NTCA carries out the tightened customs control separately in the terminal, or in case of need in the inspection hall.

***Exit-side passenger traffic lanes:***

**Lanes 1 – 2:**

Designated lanes for minimum check of the **passengers enjoying the community right of free movement and residence** and intending to cross the BCP **by bicycle, motorbike or car.** (EU, EEA, CH)

*At these lanes the point of control is indicated by painted road marks on the road paving, in line with the passport control booth.*

**Lanes 3 – 4:**

Designated lanes for the thorough check of the **passengers not enjoying the community right of free movement and residence** and intending to cross the BCP **by bicycle, motorbike or car.** (ALL PASSPORTS)

*At these lanes the point of control is indicated by painted road marks on the road paving, in line with the passport control booth.*

Passenger cars and minibuses carrying goods in the quantity that is not reaching the trading value, furthermore the vehicles carrying goods with the intention of asking for VAT-refund have to use these lanes.

Persons enjoying diplomatic or other, international law-based immunity, furthermore persons entitled for priority crossing may be checked on any of the traffic lanes.

**Lane 5:**

Designated lane for minimum check of the **passengers enjoying the community right of free movement and residence** and intending to cross the BCP **by bus**.  
(EU, EEA, CH)

**Lane 6:**

Designated lanes for the thorough check of the **passengers not enjoying the community right of free movement and residence** and intending to cross the BCP **by bus**.  
(ALL PASSPORTS)

*At lanes 5 and 6. the point of control is indicated by painted road marks on the road paving, in line with the passport control booth, under the roof.*

***Exit-side freight traffic lanes:*****Lane 7:**

The passport control of the persons and the visual check of the vehicles – in case of need supplemented with checks made with special equipment – carried out at the passport control booth, located right before the axle weight check station.

*The point of control is indicated by painted road marks on the road paving, located in line with the passport control booth.*

*Passenger cars and minibuses carrying goods in the quantity that is reaching the trading value have to use this lane.*

Following the police checks and weighing, drivers of the vehicles arriving at the terminal have to apply for administration at the expedition or at the NTCA with no delay.

**Lane 8 (service lane):**

This lane is located between the exit-side freight traffic lane and the retaining wall that is installed at the boundary of the BCP.

This lane is not open for border traffic.

**Additional regulations for the checks:**

In order to prevent the increase in the waiting time and to ensure the passage of the congested traffic, the traffic lanes may be used for checking passenger and vehicle categories that differ from the lane designation

The police officers of Záhony Border Policing Office are entitled to check the travel documents, vehicles, equipment, consignments, the interior of the vehicles including the driver's cab, passengers' cab, the engine compartment and the trunk.

Switching from one traffic lane to another can only be executed with the assistance of a police or customs officer. It is forbidden to switch traffic lane right next to the passport control booth.

Persons enjoying diplomatic immunity are checked by the assistant duty officer (or another person assigned), together with the representative of the NTCA

Following the full implementation of the official control, the customs officer, who performed the customs control gives the permission to leave the BCP.

Persons and vehicles may leave the BCP only with the permission of the police or the customs officer.

**Places designated for the moving and staying of the vehicles:**

Only those persons can enter the area of the BCP, who arrive there with the intention of crossing the border, or having permission to enter, as defined by separate legislation.

Passengers can park their cars in the area of the BCP only for administrative reasons that are connected to border crossing, strictly only until the administration is finished.

On the exit-side, the parking lots are located after the passport control booths.

On the entry-side the parking lots can be found on the left side of the road that goes off the BCP.

**Regulations and prohibitions concerning the passengers:**

- In the area of the BCP, everyone have to observe the traffic regulations!
- Littering is forbidden!  
Getting off from the vehicle without the permission or call of the control authorities is forbidden!
- During the check of the vehicle and consignment, the vehicle operator, freighter or in their absence the driver is obliged to open the passenger cabin and the load compartments, to take out/put back items and open the luggage.
- Taking photos, filming, moreover using any other devices capable for recording pictures or voice are forbidden!
- Leaving the area of the BCP without the permission of the control authorities is forbidden!
- Smoking is allowed only at the designated places of the BCP!
- Parking (except for administration reasons), waiting, or spending the drivers' resting period at the BCP is forbidden!
- It is strictly forbidden to provide financial benefits to the officials serving at the BCP, in particular to give or offer them cash, not including here the cash handling of the NTCA employees in formal procedure.

**Other provisions:**

1. By the applicable law, the Police may apply sanctions against the persons violating the regulations set by the Order of the BCP.

**Záhony, 4. September 2019.**

**Col. Csernyi Sándor.  
police councillor  
Head of the BPO**



ZÁRADÉK

A dokumentum elektronikus aláírással hitelesített