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THE ANALYSIS OF THE PROCESS OF REHABILITATION FOLLOWING DISASTERS

Abstract

Throughout history, the system and direction of disaster management, consciously organized and regulated by the state, has evolved in an ever-changing way in different eras and societies. The possible prevention of disasters, rescue and recovery, and the synthesis of rehabilitation tasks into a tripartite unity have an impact on the development of several scientific disciplines and on the evolution of professional disaster management bodies. Following the most widespread natural disasters, the Government has often provided ad hoc voluntary financial support to municipalities to assist the affected local populations. The mode of mitigation and the subsidy system were previously regulated by individual government decisions and later by individual government decrees, which have now been replaced by uniform regulations on rehabilitation and reconstruction of buildings. The authors of this paper aimed to analyze the practice of rehabilitation of private and municipality owned buildings and structures in Hungary.

Keywords: disaster, disaster management, compensation, residential property

Absztrakt

A történelem folyamán időszakonként és társadalmanként eltérő módon alakult ki a katasztrófák elleni védekezés az állam által tudatosan szervezett és szabályozott rendszere, irányítási rendje. A katasztrófák lehetséges megelőzése, a mentés, következmények felszámolása, a helyreállítási feladatok hármas egységgé szintetizálása visszahat több tudományterület, illetve a hivatásos katasztrófavédelmi szervek fejlődésére is. A Kormány a



legkiterjedtebb természeti csapásokat követően sokszor nyújtott eseti, önkéntes támogatást az önkormányzatoknak, a kárt szenvedett helyi lakosok megsegítése érdekében. A kárenyhítés módját, a támogatás rendszerét korábban egyedi kormányhatározatok, később egyedi kormányrendeletek szabályozták, melyeket az épületek vonatkozásában mára felváltott a helyreállításra és újjáépítésre vonatkozó egységes szabályozás. A tanulmány készítőinek az volt célja, hogy elemzés alá vonják a magán és önkormányzati tulajdonban lévő épületek illetve építmények helyreállításának hazai gyakorlatát.

Kulcsszavak: katasztrófa, katasztrófavédelem, kárenyhítés, lakóingatlan

1. INTRODUCTION

1.1. Antecedents and resources

Due to the geographical location and characteristics of Hungary, climate change is also an increasing threat to society and to the national economy and compels us to take action. [1]

According to multifaceted analyses, significant changes in the temperature and precipitation conditions in the coming decades, the intensification of certain extreme weather phenomena and their increasing frequency will endanger our natural values, the yields, our buildings, the health and quality of life of the population. [2]

It goes without saying that preparation should include the elimination of the consequences of natural disasters, the normalization of living conditions, the uniform regulation on rehabilitation that can be tracked in the long term, and the consistent enforcement of the regulations. Safety and security must also play an increasingly important role in shaping the built environment. [3]

Looking back over the last one and a half decades, the homes of thousands of families in Hungary were destroyed or damaged as a result of repeated natural disasters - primarily floods, inland waters, windstorms, heavy rainfalls. Creating and restoring basic housing



conditions often exceeded the financial means of those affected. Following the most widespread natural disasters, the Government repeatedly provided ad hoc voluntary subsidy to local governments to help the affected local population. The mode of mitigation and the system of subsidy and support were previously regulated by individual government decisions and later by individual government decrees. A significant progress was made in establishing a general legal framework for rehabilitation and reconstruction a few years ago. Rules relating to rehabilitation and reconstruction in Chapter XI of Gov. Decree 234/2011 on the implementation of Act CXXVIII of 2011 on Disaster Management and on the Amendments of Certain Acts in Relation (hereinafter: Act on Disaster Management) have established a procedural order and a regulated directional system bound to case-by-case decision-making. [4] [5]

Natural disasters, widespread damages and consequences thereof can be found in all known periods of history. Closely related to them there are written memories and records of the circumstances of imputability, responsibility and immunity, or forms of support and assistance, the latter, often found in the sources, linked to the person or persons representing the state power dependent on the social system. Some sources have also mentioned examples that can be found in the following case studies; its elements and lessons have been adopted. It is considered important that some of the examples examined in this paper, related to the expressions vis: force, violence; vis maior (literally greater force), in English Act of God or using the French expression “force majeure”: an irresistible incident, provide a basis for explaining the circumstances following natural disasters. [6] [7]

Even in ancient times, in the Babylonian law one can find in the early records and in the Hammurabi Code, known as the collection of common law and acts, which referred to the consequences of natural or divine disasters, and offered the possibility of exemption from liability, for example, from repaying debt. As agricultural farming was typical in the Mesopotamian areas, agricultural law is naturally widely dealt with.

"If a person is liable to pay interest and his cultivated field is flooded by god Ramman or the flood destroys it or in the absence of water no grain grows, he is not obliged to reimburse the



grain in the given year or pay interest of the year in question." The law dealt with the compensation or indemnification of damages caused by animals or those caused by herdsmen in the livestock. [8]

From the beginnings of Hungary, one of the first laws of our statehood already contained examples of replacing destroyed or perished goods. Chapter 7 of the First Book of the Decrees of King Saint László (Ladislaus) already provided for the construction of churches destroyed in war times: "Churches perished or burnt in wartime shall be rebuilt by the believers at the command of the king; to buy chalets and dressing gowns at the king's expense; books should be provided by the bishop."

1.2. Earthquake in Komárom

On 28 June 1763, the largest known earthquake in Hungary occurred (following pre-shocks witnessed in several places). As a result of the quake, 63 people died, 102 were injured in Komárom, 7 churches and 279 buildings collapsed. Another 353 buildings partially collapsed, leaving 54% of the city's buildings seriously damaged, while only 9% remained intact. [9]

The earthquake took death tolls and caused serious damages in Győr as well. Houses were also damaged in remote settlements. As far as urban damage is concerned, houses made of stone, brick, wooden ceilings, multi-storey, presumably arched, turned out to be more earthquake-prone than small, simple buildings. The types of buildings inhabited by the peasant population, compared with those of the churches and the houses of the wealthier nobles, were relatively earthquake-resistant. This is the explanation for the relatively small damage per taxpayer recorded in the villages. [10]

1.3. The great flood in Szeged

In the 1800s, due to the regulation of the Tisza River, the water levels of the floods in the Tisza River continually increased. In the 1870s there were successive years with floods and ever-increasing peaks. Organized forms of flood protection were created by necessity: water protection was almost a part of the spring activities of the largely agricultural population. At the turn of the years 1878 and 1879, the water level of the Tisza rose higher than usual, and



the floods of the tributaries joined it. Much snow fell in the river basins, and the Szeged railway bridge also caused ice congestion. However, even after the ice began to drift, the water levels did not drop significantly, and in January, the river peaked at 658 cm.

The situation did not ease in February either and another dangerous flood wave started. The rising flood wave of the river reached 806 cm in Szeged on 5 March, and on that day the Tisza River breached the dyke over Szeged (on the border of today's Dóc village) at the width of about 255 cm, and the flood wave flowed south. The immediate inundation of the city was only prevented by the embankment of the Great Plain Railway. On 8 March, however, the water poured over the embankment of the main railway line.

At 01:30 on 12 March the levee breached along 100 meters and the water inundated the town of Szeged.

The flood claimed one hundred and fifty dead, 95% of the houses were completely destroyed, and seventy thousand people became homeless. The reconstruction of Szeged began in 1880. In the place of the former streets there were just 300 houses found. The task was extraordinary. It was not a matter of rebuilding houses, but creating a whole new town. Lajos Tisza was appointed royal commissioner for organizing and managing the reconstruction; his work was assisted by a 12-member council. [11]

The government assisted the reconstruction with soft loans and supply of building materials. New surveys, city maps, land registers were set up and made, and iron triangulation points can still indirectly be seen today in several parts of the city as a flood memorial. To prevent future flood damages, the city was expected to be refilled with 16.1 million cubic meters of soil. The height was identified, also the types and building materials of the houses to be built, they tried to preserve the atmosphere of the former parts of the town and the constructors could choose from 10 to 20 designs in each neighborhood.

In several European countries, relief efforts were organized for the reconstruction of Szeged, and the names of the capitals of the donor countries are still preserved on the sections of Szeged Boulevard. In the first five years, 9,300 houses were built with fifteen years of tax exemption. The poorest constructors received an interest-free loan and had to repay the entire



amount in equal installments over a period of ten years. Between 1880 and 1883, in just four years, the reconstruction converted Szeged to a modern new city with public utilities, parks, public institutions, and flood control structures, with the help of Europe and the goodwill of the sovereign,

1.4. Rehabilitation in Bereg

On 6 March 2001, the dyke of the Upper Tisza breached at Tarpa. In order to drain the accumulated water, main road number 41 had to be intersected at two places. About 140 million cubic meters of water flowed into the Bereg estuary. Significant damages were caused to the agriculture, municipal and state-owned roads, bridges, and flood protection structures. The preliminary damage assessment covered nearly three thousand buildings and registered damages to 2,714 properties: 181 buildings were destroyed during the flood, 870 properties were severely damaged, and 1,663 buildings were thought to be recoverable. In spite of the difficulties, before the winter of 2001, the housing of virtually all victims was resolved. Most of the citizens returned to their rehabilitated, reconstructed or purchased properties. [12] [13]

1.5. The consequences of the damages caused by the floods and inland waters in 2006

At the end of 2005, in the spring of 2006, an inland flooding occurred on approximately two hundred and fifty thousand hectares due to rainy weather. Nearly four hundred people were forced to leave their life-threatening homes. From the end of March, floods occurred on the largest Hungarian rivers, and the protection along the Danube and the Tisza Rivers had to be organized almost simultaneously. The flood threatened and damaged other buildings and structures owned by the state, municipalities and private entities and businesses.

The Government adopted an Action Program to address the situation, appointed a government commissioner, and set up an Inter-ministerial Commission on Reconstruction to prepare and coordinate reconstruction work. At its initiative, county reconstruction committees were set up in the counties concerned.

The established Gov. Decree 155/2006. (VII. 26.) on the mitigation of the damages caused by the extraordinary floods on the rivers of Hungary in spring 2006 and by the significant inland



waters in certain areas of the country in the first months of that year covered the rehabilitation of private residential and municipal properties in a differentiated way. [14]

In the case of private property, the subsidy enabled both the rehabilitation of damaged residential property, the purchase of used residential property or the construction of new residential property. The purpose of the subsidy was to provide housing for the damaged proprietors or beneficiaries living in the damaged residential buildings at the time of the incident, damaged due to the flood or inland waters and assessed. The subsidy took into account the valid insurance of the property.

Given that floods and inland waters also caused significant damages to residential properties, for which rehabilitation subsidies had already been provided by the state following natural disasters in previous years, the Regulation obliged the proprietors to conclude an indefinite term home insurance contract for the rehabilitated (purchased or rebuilt) residential property (if previously uninsured). In order to prevent or avoid dual compensation, the decree required the registration of a mortgage or a prohibition on alienation and encumbrance of the rehabilitated, rebuilt or purchased property for the benefit of the state for a period of 10 years up to the grant amount. Local governments, individuals and business entities had access to preferential credit from credit institutions.

2. LESSONS LEARNT FROM REHABILITATION ACTIVITIES IN HUNGARY

Based on former Government Decisions and Government Decrees and such activities organized by the Ministry of the Interior, the concept of rehabilitation and reconstruction now means the elimination of the consequences of natural disasters and serious accidents. [15]

Residential housing for people who were left without shelter or with homes seriously damaged due to natural disasters, serious accidents – the rehabilitation of privately owned



residential buildings, the construction of new buildings, purchase of homes, granting the rent of municipal housing, placement in homes for the elderly, etc. - with the exception of the elimination of the damages caused by the flood on the Tisza River (Bereg) in 2001, and then by the red sludge disaster in 2010 – were organized by the local governments. Within this framework, the level and the method of support or subsidy for each victim was decided.

The government provided budget subsidy for this municipal activity. The relevant Government Decisions basically reflected the fact, purpose, amount and numerical amount of the subsidy, but they did not stipulate any tasks or request to the local governments, but only gratitude for the protection efforts, or perhaps requesting them to use their own resources to support the victims. Following the flood on the Tisza River (Bereg) in 2001, the mitigation took place in the form of service providing, centrally organized. The role of local governments in rehabilitation and reconstruction was superficial, and was not reflected in the relevant Government Decisions.

3. THE METHODOLOGICAL ANALYSIS OF THE SPECIFICS OF THE LEGAL REGULATION

In order to understand the process of mitigation following natural disasters, it is essential to define the concepts of damage, compensation for damages and claims. As a general rule, the person who caused the damage unlawfully and imputably, that is, the person who causes damage to another, is liable for the damage compensation. In view of the nature of the natural disasters, there is no accountable damaging entity in this case.

The legal basis for modern compensation was laid down by nature lawyers (Hugo Grotius and Christian Thomasius), the general clause first defined by them and was included in most civil codes since the Napoleonic Code Civil. Compensation thus followed the principle of the rehabilitation of the original state, that is, the victim must be put in a position as if the damage had not occurred. One of the basic ways of compensating for damages was that the damaging



entity repaired or returned the damaged item, that is, compensated it in kind, or, in the absence thereof, provided monetary compensation. If cash compensation did not appear to be appropriate, different types of compensation in kind may have occurred. [16]

Damage, in its most general form, was a reduction in wealth, of which two types were distinguished, first, when the decrease in wealth was due to the destruction of certain assets, or the loss of a benefit or profit that they could legitimately and thoroughly expect. The obligation to mitigate was already present in Roman law, which meant that the damaged entity was also obliged to participate in the prevention or reduction of the damage and, if he did not do so, had to bear the additional damage himself.

There is no generally accepted technical term for force majeure (*vis maior* in Latin) in Hungarian. No one shall be liable for force majeure, unless a person assumed the occurrence of an incident in a contract, or if a person is imputable that thing (item) was exposed to force majeure. In addition, a late debtor, a thief, a certain specific individual service-provider, a debtor in debt with an unusual business contract or a generic service, and the interested debtor who gave priority to their own things in a disaster during rescue activity are liable for force majeure. In the case of force majeure, the general rule of bearing damage by a proprietor prevailed. It should be noted here that the insurer, guarantor, etc. bears an unconditional liability for force majeure, the insurer is not liable for force majeure, not even for the indemnification of the insurance, because it pays it; it is not a liability issue. Liability is established where delinquency can be ascertained, e.g., the insurer does not pay. In modern legal literature, force majeure is addressed outside liability, in the framework of hazard-bearing. [17]

Liability is usually based on imputability, while hazard-bearing is subject to special regulations. The proprietor is entitled to use the thing and reap the benefits of the thing. The proprietor is obliged to bear the hazards of damages, to indemnify which no-one can be obliged. If the damage was unlawfully and imputably caused by a third party, it will be obliged to fully compensate the proprietor. If the damages were lawfully caused by a third



party, full indemnification shall be borne, and if the proprietor has concluded insurance policy for the thing, the loss incurred shall be reimbursed by the insurer.

The proprietor, in a state of emergency, is obliged to tolerate the use or utilization of a thing or the damage thereto to the extent necessary to eliminate the state of emergency. State of emergency is a situation when the life or property of another is in imminent danger and this danger cannot otherwise be prevented. If only their property is threatened, the proprietor shall only be obliged to tolerate the damage if the threatening damage is foreseeable to be significantly greater than the damage, to which the proprietor would be exposed as a result. If the conditions for the state of emergency are met, the damage is legitimate, if not (that is, if any condition of a state of emergency is missing), it is unlawful.

In a state of emergency, causing damage is not unlawful though, however, the proprietor may claim indemnification from a person falling into a state of emergency – and not from the person causing the damage; and from the person who caused an unjustifiably high damages to a property during the elimination of a state of emergency, compensation may be claimed by the proprietor.

The prohibition of dual compensation for damages can be set against the prohibition of abuse of rights. The forms of appearance of the prohibition of dual compensation for damages are the remnant, the value replacing it, and the domain of negligence of the imputable mitigation and damage prevention obligations of the damaged entity. If the property still has a market value, damaged as a result of the conduct of the damaging entity, full compensation for the damage can only be claimed from the person responsible for the damage if the damaged entity concurrently surrenders the remnant to the person liable for the damage. In other words, the amount of compensation is reduced by the value of the remnant. By neglecting the resulting damage, mitigation and damage prevention obligation may not be calculated in the amount of the compensation either, since, by this, the damaged entity would gain benefits due to their imputable conduct. [18]

The basic measure of the distinction between compensation and indemnification is unlawfulness. Indemnification is a means of redressing lawfully caused damages, while the



prerequisite for awarding compensation is the unlawfulness of the conduct of the damaging entity. The function of compensation is rehabilitation, the elimination of detriments already occurred, while indemnification protects against some detriments. Indemnification is not an automatic form of redressing, opposite to compensation. The extent of indemnification does not necessarily cover the total damage suffered by the damaged entity. The claim for compensation always precedes the claim for indemnification. Compensation already granted excludes indemnification claims because of the prohibition of dual compensation for damages. Indemnification may be claimed for activities in the public interest and therefore, it is not compensation.

The damaged party is required to act in a manner that would normally be expected in a given situation in the prevention and mitigation of damages. It is significant that only the conduct of or the negligence by the damaged entity that is actually causal in relation to the damage that occurred and may have contributed to the occurrence of the damage is relevant. There is no need to compensate for the part of the damage that resulted from the damaged entity's failure to fulfill this obligation of theirs. In any case, the influence of the damaged entity shall be imputable, only in this case can it be regarded as a mitigating factor on the part of the damaging entity.

4. THE INTERPRETATION OF FORCE MAJEURE AT PRESENT

For an incident to be force majeure, three conditions must be met. One is the combination of irreversibility, the other is the combination of unpredictability and, ultimately, imputability. It may be noted here that in the sources the term force majeure is unclear and its interpretation is controversial in the literature. The Hungarian legislation provides a more precise definition within the framework of government decrees on the detailed rules for the use of force majeure subsidies, due to the general conditions of force majeure subsidies for local governments and the force majeure subsidy of justified and necessary protection-related expenditures.



The relevant legislation applies the cases of threat of danger from both natural and non-natural forces for the purpose of recovering, in whole or in part, buildings owned by local governments, national minorities or municipalities, support of the rehabilitation of damages caused by force majeure incidents and the partial reimbursement of costs related to the extermination of mosquitoes by the disaster management and the procedure for applying for the assistance. Previous regulations even included the concept of force majeure as an independent concept, according to which an incident caused by natural forces, the occurrence of which, on the one hand, is unpredictable and, on the other, human intervention, is insufficient to prevent it. At the same time as the law changes, the definition of the term can be found not as interpretation, but as the name on which the subsidy is based.

5. THE PRACTICE OF MITIGATION

In the Act on Disaster Management, the Government is authorized to issue a decree on the rules relating to the area affected by the damaging effects of a disaster, as well as rehabilitation and reconstruction, as natural disasters are expected to continue in the future. Starting from the extraordinary Danube flood wave in 2013, with ever-increasing impacts, and in the foreseeable future mass damages may occur, which require and may justify state involvement in the creation of basic housing conditions for the masses who are left without shelter

Gov. Decree 234/2011. (XI.10) on the implementation of the Act on Disaster Management, by establishing its rehabilitation regulation, took into account the traditional functions of the state in the narrower sense, as well as its social functions in the broader sense. It did not indicate a specific financial source, the reason for this is undeniable, since, according to the practice so far it has earmarked the coverage of the decision according to the given damage incidents from the budget law of the given year, primarily from the decentralized fund. Rehabilitation activities, by assuming a decision, may incur a guarantor's obligation. [19]



An essential element of the regulation is that it is applied to proprietors of properties damaged not only by natural disasters but also by other man-made disasters. However, the relevant regulation does not regulate the amount of the subsidy and the mortgage or the duration of the prohibition on alienation and encumbrance. This is because, for the reasons already explained, state mitigation is outside the scope of civil law, so, its extent depends on the Government's ad hoc decision and the capacity of the budget. Consequently, it would not have been appropriate to lay down in the Regulation a cogent set of rules on the level of the subsidy. At the same time when defining the amount of mitigation assistance provided by the state, it is justified to establish a value-based mortgage and a prohibition on alienation and encumbrance.

6. THE STUDY OF THE ELEMENTS OF REHABILITATION

The definition of rehabilitation subsidy for private individuals presupposes a benchmark that quantifies, on the one hand, the amount of the extent of subsidy and the extent of subsidy is compared to the damage value, established and paid by the insurer, and it takes into account the numerical value of the damaged entity's social situation and own funds.

There are several ways of calculating subsidy in connection with rehabilitation carried out so far. One way of doing this is to determine the percentages of municipal allocations, such as the value of damage to the property of individual victims in the case of the 1999 or 2006 mitigations, and other conditional municipal allocations, which may be modified by the municipal social decree. The other method of calculation is the sum of the damage value per square meter damaged, which may be the difference between the damage value and the actual rehabilitation value.

The use of calculation methods is made more difficult by the fact that proprietors' subsidies for privately owned residential properties can be provided by means of social and housing subsidies, in accordance with local regulations of the municipalities. The calculation may also



be complicated by the differences between the construction characteristics of the rehabilitation work, the disorderly ownership, the property registered and the actual conditions.

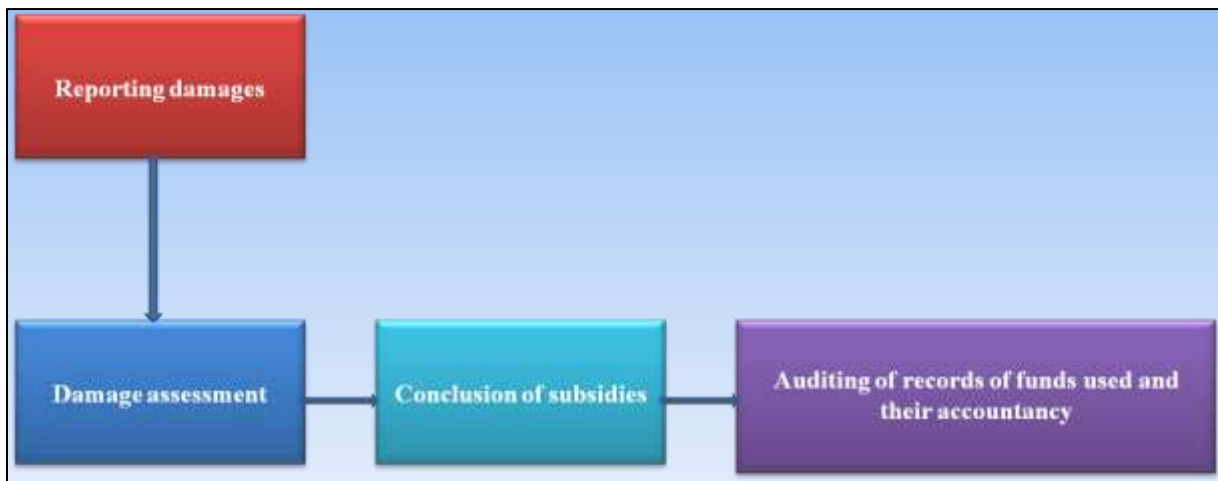


Figure 1: Elements of the process of rehabilitation (done by the Authors)

The basic aim of rehabilitation of damages caused by natural or other hazards is to normalize daily life, at least to reach the pre-disaster conditions. The purpose of the rehabilitation of damage to municipal-owned buildings follows the principle of self-governance, to achieve the ability to re-perform mandatory municipal duties. The purpose of rehabilitation of damages to privately owned residential properties is to provide basic housing for the persons in need.

Taking into account the mitigation practices so far, the main purpose of the subsidies remained to provide the living conditions of the persons in need, whose properties were classified as residential property at the time of the accident, in terms of ownership. Non-residential buildings, residential but other properties, rented properties, non-residential premises' rehabilitation, privately owned but not habitable residential properties are still excluded.



7. SUBSIDY OF THE REHABILITATION MUNICIPAL PROPERTIES

A different approach is needed for the procedural order stipulated by Gov. Decree 9/2011. (II.15) on the detailed regulation of the use of force majeure subsidies. The subsidy fund is designed to deal with damages caused by extreme weather, and currently provides subsidy for the rehabilitation of damages caused to municipal property.

The force majeure subsidy covers, in whole or in part, the costs of protection justified and necessary in the event of a natural disaster, in case of buildings, structures, cellars or embankment owned by the local government or a public service-providing building owned by the state. Partial subsidy is allocated for the rehabilitation of damages caused by force majeure and for covering the costs of mosquito extermination by the disaster management. The EBR42 system, developed specifically for this purpose, supports the notification and submission of claims and the transmission of the results of on-site inspections electronically.

The EBR42 Municipal Information System is a web-based process tracking system developed and operated by the Ministry of the Interior to support the operation of municipalities, support tenders and applications, and performs financial-controlling-accounting tasks. In most cases, force majeure subsidies of municipalities were needed to eliminate the consequences of floods and inland waters. An important consequence of excess water is the development of mosquito larvae in general and the mass proliferation of mosquitoes that threaten the well-being and public health of the population.

8. SUMMARY

There is no responsible entity for the occurrence of natural disasters or for the elimination of their consequences. Taking into account the nature, the members and the functions of the



definition of the State, laid down in the Fundamental Law, it can be ascertained that the State is not liable for natural disasters. According to the ownership rules contained in the Fundamental Law, the property of local governments is public property, which serves to fulfill their duties. The property of the State and local governments is national property, the proprietor may act for the benefit of their own property.

The need for predictability and forecastability of hazard factors and disasters, as well as for the transmission of data as fast and accurately as possible, is present in all periods of history. The technical tools for forecasting and their subsystems, the analysis of data, the definition of the content of information in relation to natural phenomena are indispensable in today's integrated organizations and the system of disaster management; its social necessity is indisputable, since all citizens and persons have the right to learn about the applicable rules of protection, and have the right and duty to contribute to disaster management.

The procedural rules set out in the relevant regulations in force serve well the aim, in case of private housing and municipal buildings, to create the basic housing conditions for people without shelter or living in damaged properties, the remediation of problems arising on the basis of past practical experience in the rehabilitation of municipal-owned public buildings. At the same time, the regulatory area is completed by defining guidelines on the possible prevention.

In the case of natural disasters, taking into account decisions on mitigation to date, the concept of mitigation can be defined as a contribution made through budget subsidy, based on the Government's welfare service function and its ad-hoc equity decision-making power. The purpose of the subsidy is to provide housing for proprietors living in the damaged residential buildings at the time of the incident, and to ensure the continuous operation of public utilities in their facilities.

Rehabilitation tasks can and must be prepared for. Although the guidelines for rehabilitation in Hungary are in separate legal sources, but they can be found. Significant progress has been made in establishing a general legislative framework for rehabilitation and reconstruction.
[20]



Rules on rehabilitation and reconstruction related to private property, stipulated in Chapter XI of Gov. Decree 234/2011. on the implementation of the Act on Disaster Management, established a procedural order and a controlled management system bound to decisions that do not exclude individual liability and the need for self-care (insurance, own and other resources). Gov. Decree 9/2011. (II. 15.) on the detailed rules for the use of force majeure subsidies may be available as a fund to support and subsidize the rehabilitation of municipally owned buildings to facilitate continued institutional operation. Placing the Act on Disaster Management on a new foundation provided an opportunity for exercising of preventive authoritative duties, and for exercising control and supervision powers, and for enforcing and complying with the guidelines of the regulation.

For this, the possibility of establishing a separate National Rehabilitation Financial Fund and a coordinating organization may be envisaged, in coordination with spatial planning, construction and heritage protection policies, for further research. The present paper took into account the Hungarian guidelines, based on which the statutory guidelines and procedures for rehabilitation were developed. An important step forward concerning further research is the mapping of international practice, especially for individual EU Member States. It is particularly important to further develop tertiary education in this field, which can be acquired at the Institute of Disaster Management, Faculty of Law Enforcement, National University of Public Service. [21] [22]

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