

HUNGARIAN GUINETE ( 20 February 1999)

Decree No. 9/1999 of 20 February 1999 concerning the settlement of some debts resulting from the liquidation of producer co-operatives and the withdrawal of members following the counter-revolution.

Article 1

(1) The collection of debts of a former member of a producer co-operative, dissolved between 26 October 1956 and 1 April 1957, must be suspended if he rejoins a producer co-operative. The same is applicable in the case of a former member who resigned his membership in a producer co-operative which was insolvent owing to lack of assets, provided that he rejoins a co-operative.

(2) If a member of a producer co-operative obtained admission to the co-operative as a result of a reallocation of leading functionaries and experts, the debt resulting from lack of assets must be written off. The debt must be written off also in the case of a worker who did not rejoin the producer co-operative.

(3) The above suspension or cancellation respectively does not apply to the collection of debts falling under another title (for instance, in connexion with the withdrawal of assets); those debts must be recovered from the persons participating in the above-mentioned benefits.

Article 2

(1) Permission may be granted for the repayment of debts incurred owing to lack of assets, by instalments, to a person who has not rejoined the producer co-operative and whose membership in the producer co-operative ceased between 26 October 1956 and 1 April 1957 as a result of the liquidation of the co-operative or his resignation from it, if the repayment in one sum could jeopardize his own or his family's existence.

(2) Permission for repayment by instalments should be granted in the first place to the aged, to invalids, to widows, to persons with large families and to workers living exclusively on their salaries or wages.

(3) The duration of the repayment period for the debt should be determined by the number of persons dependent on the debtor as well as by the debtor's income and his financial and social standing.

(4) The period of amortisation cannot exceed 5 years.

#### Article 3

A debt of a former member of a producer co-operative due to lack of assets cannot be recovered from the wife of the former member.

#### Article 4

(1) The collection of debts (see Art. 1(1)) can only be suspended after the applicant has already been accepted by the membership meeting of the producer co-operative.

(2) The board of the producer co-operative must prepare a list of those members whose debts have been suspended. This list must contain the name and address of the debtor, the date of liquidation of the co-operative, the date of his resignation as well as the date of his rejoining the co-operative, and, finally, the amount of his debt. This list containing the names of persons who rejoined the co-operative must be sent in 8 days from the day of promulgation of this Decree, to the proper administrative authorities. The names of persons who will join in the future must be sent in each case separately.

#### Article 5

(1) An application for cancellation of a debt or the permission for the repayment by instalments should be submitted to the administrative committee of the municipal or town council.

(2) (procedural)

#### Article 6

(procedural)

#### Article 7

(1) A debt can be suspended if a weak producer co-operative merges with an economically strong one, or if two weak producer co-operatives merge, and if a strengthening of the co-operative can be anticipated by this merger. If a member of a merging producer co-operative resigns from his membership, he remains responsible for the part of the debt corresponding to his share in the co-operative.