Abuses in Public Administration and Their Perception

ERIKA SZILÁGYINÉ FÜLÖP
ASSOCIATE PROFESSOR

FACULTY OF ECONOMICS, UNIVERSITY OF MISKOLC
e-mail: erika.szilagynine.fulop@uni-miskolc.hu
https://orcid.org/0009-0001-5782-9974

SUMMARY

Corruption not only hinders economic growth, but also undermines trust in public institutions, increases public spending and threatens the functioning of democracy. In addition to the financial damage, corruption in public administration has a serious social impact: it determines the trust of members of society in public governance and the civil service, it has a close impact on the fair and efficient use of public funds, and it affects the international image of the country. We aim to provide an overview of how corruption is present in public administration, how it differs from corruption in the private sector and how it can be intertwined with the public and private sectors. To identify methods to prevent corruption in public administration and to find out how public officials experience the functioning and effectiveness of these methods in practice.

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INTRODUCTION

Corruption is a word of Latin origin, which means to corrupt, to corrupt, to bribe and to corruptible. There are many definitions that attempt to give a general meaning to corruption. Although corruption is one of the most visible problems in the developing world and is an integral part of everyday life (within Europe, the level of corruption poses an especially large challenge in Hungary, and in the Central and Eastern European region – Bartha & Tóthné Szita, 2015a, 2015b), there is no single agreed definition. The concepts are the same in that corruption is an act against the law or public morality, committed in order to obtain an unjustified advantage.

DEFINITION OF CORRUPTION

The concept of corruption, like the phenomenon itself, is difficult to define, vague and unclear. Although there has been and is still a large amount of research on the subject, there are many conceptual definitions and typologies, but no uniform and comprehensive definition has been found. Defining a definition is a fundamental problem in studies of corruption. Most scholars on the subject agree that corruption requires the presence of at least two actors, a conscious decision by the actors to engage in corrupt activity, the pursuit of private interest as opposed to the pursuit of others or the public interest, and of course there is agreement that corrupt transactions are all considered illegal activities.

Corruption is defined by Daniel Kaufmann (1997) as the abuse of official power for private gain. In Kaufmann's view, the more the state regulates economic life, the greater the potential for corruption, and the more discretionary these rules are (i.e. they depend on the goodwill of the person in authority to apply them). According to Balázs Hámori (2003), however, it can be extended beyond the state bureaucracy to all principal-agent type relationships. He justifies this by arguing that the agent is able to outwit his principal because he is able to represent the interests of others. The many different definitions can be grouped into three categories according to their main elements (Figure 1):
Types of corruption

The most common types of corruption are bribery, extortion, misappropriation, and fraud. These can best be analysed using the principal-agent-client model: we can understand the motivations of the parties, the individual and peer effects of actions and the relationships between actors. The model incorporates public interest/private interest and enhancing the effectiveness of incentive and punishment systems. In the model, the principal gives the agent the power to perform a task, then sets the rules for performing the task, in return for which the agent receives some form of remuneration, and the agent is therefore loyal to the principal and performs the task within a set framework, following formal rules. Corruption occurs when one party (typically the principal) breaks the rules for its own benefit, thereby harming the interests of the other parties. The problem is caused by the fact that the actors have different levels of information, and this situation is used to exploit private information to achieve individual interests (Varga, 2017).

Another important question is what are the motivational factors that encourage the stakeholders to take the risk of corruption. The risk may differ depending on the type of corruption: in bribery and extortion, both parties (principal and client), while in misappropriation and fraud, all risks are borne by the principal (Szántó et al., 2011).

However, corruption can also be typified in other ways:

- **Rights-based definition**: rule-breaking, i.e. that a formal, binding rule is violated in the corrupt action.
- **Public interest based definition**: the public interest is affected (which may be material, such as the level of public debt, or abstract concepts such as freedom or justice).
- **Definition based on public opinion**: an act is considered corrupt if it is perceived as such by the public.

Source: own editing based on Gulyás, (2004)

**Figure 1. Classification of the definition of corruption**
There are many types of corruption, which can take many forms. The variety of types also shows how widespread corruption is and how many different ways it can manifest itself, whether we are talking about private individuals, economic actors or institutional workers.

**Areas of corruption**

Corruption is felt to varying degrees in different segments of society and the economy, especially in areas where the number and scale of financial flows are significant. Some of this corruption is linked to the public sector, but it is also observed in the economic sphere. Corruption in the public sector is more significant because of the scale of the damage caused and its greater social impact. According to various studies and surveys, public administrations and political parties are the most corrupt. Therefore, the success of the fight against corruption depends largely on cleaning up the political system. From a social point of view, political corruption is more significant because political parties and politicians are elected to carry out their duties in the public interest and are thus given the right to exercise power and use public funds to influence the lives of citizens. Corruption risks depend significantly on the degree of interconnectedness between parties and their supporters (Takács et al., 2011).

Transparency International conducted the Global Corruption Barometer survey in 2022. It shows that the sectors most affected by corruption are public procurement, construction, oil and gas, heavy industry, mining, real estate and property development. These are followed by the moderately affected sectors, which include health, energy, defence, utilities, pharmaceuticals, transport, telecommunications, warehousing and hospitality, while the least affected sectors are agriculture, fisheries, light industry, information technology and finance.

International experience shows that privatisation and public procurement are particularly vulnerable to corruption. As roughly 70 percent of government spending is spent in the form of some form of contract, decision-makers have considerable power and influence, and the winners of contracts also have considerable influence. Corruption in public procurement is also particularly harmful to society because it distorts competition, i.e. it prevents basic human needs from being met and wastes scarce resources. The cost of public procurement procedures is estimated to increase by 20-25% as a result of corruption, and inferior or unnecessary procurement is also common. Experts believe that the fight against corruption should focus on transparency, making contracts public and curbing patronage (Takács et al., 2011).

In addition to the public sector, corruption can also be found in the corporate sector. In 2014, the MKIK Institute of Economic and Business Research conducted a survey on the means companies use to combat abuse and corrupt behaviour, the prevalence of corruption and the views of Hungarian business leaders. According to the managers of the companies surveyed, personal relationships play an important role in dealing with public authorities, obtaining various permits or winning public contracts, among other things. According to the business leaders surveyed, personal relationships play the most important role when bidding for public and municipal contracts, while they are less important when dealing with tax authorities and settling disputes (GV1, 2016).

In business-to-business transactions, corruption can manifest itself in non-written agreements that are not accountable because of their informal nature but are still very much present in the economy and can cause serious damage, up to billions of forints. These types of agreements can take several forms (Barna et al., 2018):

- **Perfect collusion**: firms agree among themselves on market allocation or on the same price. One of the most typical forms of this is the arm's length agreement. This agreement can also take place at the organisational level, for example by setting up management bodies that coordinate the activities of the individual firms, thereby creating a monopoly on the market and eliminating competition altogether.
- **Perfect collusion**: in such a case, there are leading and follower firms, and the decisions of the leading firms determine the behaviour of the follower firms. In such a case, the firms aim to limit competition in the market for similar products or services in a way that leads to an advantage for themselves or to higher profits.
- **"Independent action model"**: In this case, there is no collusion between firms, and they make their decisions independently, thereby creating efficient market mechanisms, but firms may also gather information or use existing information about competing firms to gain an advantage.

According to the findings of the Hungarian Competition Authority, cartels in Hungary are mainly created for some purpose related to public procurement, which hinders the efficient and economic use of public funds and can also be considered as misappropriation of public funds, ultimately harming consumers. Specific action against public procurement cartels is therefore particularly important.

There is also serious corruption in export relations between companies. A Transparency International study (Exporting Corruption 2020) looked at how companies that used corruption to get ahead abroad were sanctioned in each country between 2016 and 2019. The research
found that the US, the UK and Switzerland were the most active in enforcing the law when it came to monitoring corruption cases abroad. Firms that have a presence in more than one country have different business cultures and control systems, as well as different operating principles in different countries.

Hungary was a particular case in point, as the previous minimum level of activity has completely dropped during the period under review. Some of the commitments made in the legislation have not been implemented in reality, nor do they provide real protection for whistleblowers in principle, and therefore the number of abuse reports is low. The lack of a system of checks and balances in the Hungarian prosecution service was seen as a problem, with a two-year time limit for investigations, which in practice is not sufficient time to identify international business relationships (Szalai, 2020).

**Measuring corruption**

Detection of corruption is a key prerequisite for taking action against corruption, but corruption cannot be measured directly, nor can the political structure that gives rise to corruption. Corruption is essentially a hidden, hidden phenomenon and its extent can therefore only be estimated indirectly. The accuracy of the measurement also depends to a large extent on the method of measurement. The most commonly used method to measure corruption is the Corruption Perceptions Index (CPI), but other methods are also available to examine and statistically analyse the corruption exposure of countries and within countries in different areas.

The index defines corruption as the personal gain from the abuse of public office, i.e. it focuses on corruption in the public sector. The surveys include questions that form the basis for the calculation of the index, which examines the abuse of public power and the strength of anti-corruption policies. The methodology relies on the opinions and experiences of professionals who are directly confronted with corruption in a given country, as they believe they can provide a more accurate picture than trying to compare different data. The Corruption Perceptions Index is a so-called composite index, i.e. it is based on the aggregation of the results of other surveys of corruption rather than on a stand-alone data set. Looking at the value of bribes, the number of prosecutions or the number of court cases in a country would not reveal the true level of corruption, but rather the work of the courts and judiciary (Ligeti, 2016).

An analysis of the number of corruption offences does not give a true, complete picture of corruption because, as we have seen in the discussion of types of corruption, certain types, such as misappropriation or fraud, do not formally fall into the category of corruption offences. Furthermore, it does not include cases that are not formally considered criminal offences (Ligeti, 2016). One criticism of the method is that those involved in corruption - who provide the data for the survey - may have an interest in underestimating corruption (Golden & Picci, 2005)

Several new methods are being experimented with in order to develop a more accurate measure of corruption, even complementing the CPI. One of these is the Bribe Payers’ Index (BPI), which literally means the number of people who pay bribes. The BPI measures corruption on the supply side by country and by sector. Another survey based on public opinion polls is the Global Corruption Barometer (GCB), which measures and compares corruption as perceived and experienced by ordinary people in 60 countries (Takács et al., 2011)

In addition to the CPI, the World Bank's Perception Indicator, published since 1996, is also widely used to measure corruption, and is compiled for more than 200 countries. The Control of Corruption Index is based on questionnaires to companies and individuals, as well as on assessments by commercial and economic experts, NGOs and public institutions. Similar to the Corruption Perceptions Index, this index is not able to provide a fully comprehensive and realistic picture of the extent of corruption (Kaufmann et al., 2011).

In addition to the indicators mentioned above, questionnaire-based attitudinal surveys, such as the Eurobarometer, the World Values Survey or the European Social Survey, are also very helpful in providing information on corruption. The extent of corruption can also be inferred by observing objective data, such as the survey of parking violations by diplomats enjoying immunity. A new way to analyse corruption risks is to look at circumstances that may facilitate corrupt transactions, assuming an intention to defraud. However, favourable conditions do not clearly mean that corruption has occurred (Tóth & Hajdu, 2018).

These methods are therefore largely based on estimates, with little quantifiable, definitive data. At the same time, corruption cannot be measured by purely statistical methods, as there are many undetected cases, and even in those that are detected, the full extent of corruption is not quantified.

**ANTI-CORRUPTION MEASURES IN HUNGARY**

Anti-corruption measures are aimed at preventing corruption situations and bringing to justice the perpetrators of detected corruption. With Hungary's accession to the EU, it was necessary to transpose the requirements of international anti-corruption conventions into the domestic legal system and to commit to strengthening the transparency of public operations. To this end, the government's anti-corruption
policy and the first anti-corruption government resolution were adopted.

In the National Anti-Corruption Programme (2018), the Hungarian government formulated the principles and directions of government action against corruption, laid down the methodological foundations, objectives and the issues of connection and delimitation. The programme aims to make the management of public funds more transparent, to establish regulations to promote clean business, to improve official procedures, to expand education and training, to shape attitudes and to create the human and material conditions for an effective fight against corruption. It stresses that the fight against corruption requires not only punitive measures, but also the introduction of effective preventive measures, so that effective action against corruption requires a balance between repressive (punitive) and preventive (preventive) measures.

As regards the prevention of corruption, it is important to note that, although corruption is overall a harmful social phenomenon, its complete elimination is not the optimal level, as the economic and social costs of fighting corruption are significant. The optimal level is therefore achieved when the costs of fighting corruption do not exceed the damage it causes. Tools for anti-corruption efforts (Dávid & Hollán, 2017):

- Protection of organisational and personal integrity, as corruption is usually aimed at influencing some individual or group decision, so one of the tools to avoid corruption is to regulate the filling of positions, to pay officials appropriately and fairly, to regulate conflicts of interest, and to develop codes of ethics.
- Developing rules on decision-making and customer relations, including reducing state interference, eliminating decision monopolies, simplifying procedures, providing adequate information to customers, automating decision-making, sharing responsibilities, involving more people in decisions and rotation, and reducing corrupt customer relations.
- To strengthen detection, control and sanctioning through: integrity checks, mass data collection, documentation of procedural processes and decisions, public involvement in decisions and reasoning, incentives (rewards) for whistleblowers and preventive remedies.

On this basis, corruption prevention should therefore focus on the imperfections of the institutional system, the misbehaviour of officials and bad social practices that make corruption acceptable. In order to prevent and reduce corruption, ensuring ethical behaviour of the individual plays a key role, which is served by the (amended) Code of Ethics of the Hungarian Faculty of Government Officials in force from 18 December 2020. In addition, two new laws help to detect and avoid corruption: Act XXVII of 2022, which established the Integrity Authority, the Anti-Corruption Working Group and made it responsible for the investigation of existing anti-corruption measures and the development of recommendations on corrupt practices, and Act XXV of 2023, which provides for procedural rules for state and local government officials on reporting misconduct.

**Professional ethics as a tool to prevent corruption**

Professional ethics is the set of principles and values that define the written and unwritten rules of conduct for those who serve the public (Kiss, 2021). The state employs public officials to serve the public and to create the public good, and their task is to represent and promote the public interest in their work, so professional ethics is particularly important. The work of officials is of moral importance, as their work has an impact on the use of public funds, and the ethical standards expected of them are therefore particularly high. Civil servants must conduct their work in accordance with the rules of professional ethics.

In the ever-changing external economic, political, and social environment of the public sector, there are many forms of conflicts of interest for individuals and communities which are at the centre of public attention. A conflict of interest is a situation in life where a public servant, in the course of his or her work, is concerned with the public interest, but in certain situations or events, the public interest is overridden by private interests. Such conflicts of interest can give rise to situations of corruption when individual interests cross a line in the official's official activities. It is therefore important to recognise these conflicts of interest and to develop a common methodology for dealing with them (Dávid & Lóczy, 2013).

The existence of a conflict of interest situation does not automatically mean that corruption has occurred, but there is a risk that a situation may arise which may require certain sanctions. At the organisational level, the following methods are available to reduce the risk of conflict of interest (Hazafi, 2006): mandatory reporting based on the principles of impartiality and integrity, restriction of access to information e.g. databases, transfers within or between organisations, transfer of job with change of appointment, temporary withdrawal of authority, resignation from employment, performance appraisal and monitoring.

In addition to the various measures and organisations involved in the fight against corruption, an ethical approach in public administration also plays an important role. The ethics of the civil service convey democratic, professional, moral, and human values, requiring officials to be prepared, impartial, efficient, to serve the public interest, to behave in an exemplary manner and to show respect and fairness to citizens. It includes organizational integrity (transparency and accountability), individual integrity, the fight against corruption, the sanctioning of misconduct, continuous training, and the avoidance and elimination of conflicts.
of interest and conflicts of interest. Codes of ethics set out the conduct expected of civil servants (Kiss, 2021).

In 2013, the Code of Ethics for Government Officials came into force, which, in addition to containing rules on ethical procedure, sets out principles on reporting misconduct, maintaining impartiality, conflicts of interest, accepting gifts, taking undue advantage, high liability of managers, ethically dishonourable behaviour, among others (Vargha, 2020).

**Integrity as a modern tool for corruption prevention**

The word integrity is of Latin origin, meaning incorruptibility, purity, uniformity. The concept of integrity and the way it works were introduced to the public administration profession in 2009 through the Integrity Project launched by the State Audit Office of Hungary (SAO) and later introduced into government decision-making. Integrity is defined by Government Decree No 50/2013 (25.II.) as "the proper functioning of a public administration body in accordance with the objectives, values and principles set by the head of the public administration body and the governing body". The concept of integrity also includes organisational, personal, relational and professional integrity, i.e. it implies following the rules and behaving ethically and fairly, in accordance with the professional ethics of public officials (Báger, 2015).

There are two types of approaches to anti-corruption strategies: a compliance-based approach and a value-based (preventive) approach. The rule-following approach focuses on norms and rules, uses hard management methods, is based on the assumption that individuals are prone to commit crime, aims to combat integrity-related offences, and relies on the practice of repression (reaction). In contrast, a values-based approach is based on principles and values rather than rules (honesty), uses soft management methods, assumes that individuals are honest, aims to encourage good behaviour, relies on the practice of prevention.

Effective anti-corruption requires the development of a balanced approach in which both approaches are applied in appropriate proportions. The concept of integrity, in addition to these two approaches, also draws attention to another dimension of anti-corruption action, which is constituted by the vulnerability to corruption and human behaviour, on the basis of which the two approaches are complementary depending on whether we are talking about the system or people type (Báger, 2015)

Integrity in terms of organisational governance means that the organisation has a positive set of values that are aligned with societal expectations and operates accordingly (Domokos et al., 2016). Key elements of an integrity approach (Barna et. al, 2018):

- At the organisational level: prevention and risk management: public administrations seek to mitigate risks through detailed internal regulations and operational specifications, based on prior risk assessments. Incidents that have already occurred are investigated and proposals are made for their management and prevention, and high-risk areas are identified.
- At the individual level: strengthening the integrity of public administration employees: the efficient and effective functioning of public administration depends on public servants sworn to serve the public good and public interest, and therefore the main means of promoting integrity is to strengthen the ethics of public service and the related legal measures and training.
- Responsibility: according to the new approach, the fight against corruption is not only the responsibility of law enforcement and law enforcement, but a shared responsibility of other organisations and their members (Dargay, 2015).

Integrity is thus closely related to ethics and morality, and the difference between the three concepts is illustrated in Figure 3 below. Morality clarifies the concepts of right and wrong, ethics clarifies the behaviour associated with the concepts of right and wrong, and integrity refers to the practice of good behaviour as defined by morality and ethics (Domokos et al., 2016).

![Figure 3. The relationship between morality, ethics and integrity](image-url)
Integrity management ensures that the organisation operates with integrity, has the resources to do so, and that management is committed to the values set out. Its four main pillars are transparency and accountability, professional ethics, professionalism, and the exclusion of corruption. Developing integrity requires a range of competencies in the organisation: a commitment to serving the public interest, putting the public interest before the individual interest, compatible individual organisational goals, professionalism, openness to innovation, continuous learning, seeking new solutions, risk analysis, and organisational intelligence, i.e. the ability to understand the context and change in the way the organisation works (Vargha, 2020).

Ensuring integrity is important in the organisation, and the means to achieve this can be in the internal control system (Klotz & Sántha, 2013):

- General controls: integrity policy, risk analysis, recruitment/selection of staff, management of integrity violations, accountability, control and audits.
- Hard controls: assignment of responsibilities, legislation, integrity policy, internal control group, security.
- Soft controls: setting values, principles and norms, professional standards, awareness, attitude of managers, organisational culture.

Integrity can also be violated, and the following types of integrity violations are distinguished: fraud, bribery, corruption, conflict of interest, nepotism, overstepping authority, discrimination, threats, misuse of information, waste of resources, and conduct that is detrimental to the public interest beyond working hours (Kohthoff et al., 2009).

There is also a need to focus on developing integrity, which aims to prevent corruption and to ensure that public administrations operate effectively and efficiently, and that they operate in a way that enables them to use the resources entrusted to them effectively and fairly. Integrity development must strike a balance between rulemaking (to correct institutional failures) and building values and norms (to change individual drives and societal perceptions) (Pallai, 2015).

**CORRUPTION IN PUBLIC ADMINISTRATION BASED ON PRIMARY RESEARCH**

First, what is meant by public administration. In the literature, we can find definitions from many different perspectives, but one of the most prominent scholars of Hungarian public administration, Zoltán Magyary (1942), in his still current definition, stated that public administration is nothing more than the administration of the state, i.e. the organisation of the state which performs public tasks in accordance with the methods defined by law. Modern public administration can be defined as a state activity which, first and foremost, performs executive functions, prepares and implements legislative decisions, and, in addition, exercises administrative functions in the public interest, making decisions which are binding on all, providing and organising public services. It carries out its activities in subordination to legitimate politics, law and public authorities, and its tasks are carried out by administrative bodies operating on the basis of specific principles, employing professional, dedicated, loyal and impartial civil servants (Veszprémi, 2012).

Public administrations thus perform an activity in the public interest, which in most cases is accompanied by public authority. Corruption, which is the abuse of power to favour an individual interest, is therefore particularly relevant in the public administration, where the public interest is represented, and public funds are used. In the following research, we looked at public administration employees’ own experiences of corruption.

**Research findings**

We conducted an online questionnaire survey to assess the experiences of public officials regarding corruption in public administration, to find out how corruption is perceived by public officials, how effective they consider measures to prevent it to be, and what the general perception of corruption is according to public officials based on their own experiences and opinions. The questionnaire was completed by staff from 4 public administrations, 97% of whom were senior managers, 21% middle managers and 72% junior staff.

93% of the respondents have more than 11 years of experience in public administration, so they have the insight to judge the answers to the following questions. Based on their assessment of corruption activities, a significant majority of them consider the listed corruption activities to be very serious. Misappropriation and fraud are considered the most serious, followed by extortion and accepting bribes, and the least serious is considered by respondents to be influence peddling. One of the respondents considered that influence peddling is not a crime at all, the respondent with the least experience in public service (less than 5 years). Only 7% of respondents considered accepting bribes, influence peddling and extortion as less serious or not a crime at all: both respondents had experienced corruption in their immediate environment.

Respondents’ attitudes towards the different corruption situations yielded the following results (Figure 4).
With one exception, they agreed with the statement that they would never accept money, or accept money or rewards even if it meant no harm to anyone. The next statement asked whether they would condemn others for accepting money from clients if they themselves did not. Only one respondent would not judge, the rest of the respondents did not think this was correct. As long as others can be paid off, I would not object if given the opportunity statement was abstained by one person, while the other respondents disagreed. As to whether they have ever accepted money or gifts from customers, 21% declined to answer, while 79% stated that they have not accepted anything from customers.

Regarding the punishment of corrupt activities, 7% of respondents think that there should be no punishment, half of the respondents think that the current punishments are adequate and half of the respondents think that they are inadequate, and 64% think that there should be more severe punishments than the current ones.

The factors influencing involvement in corruption were then examined, i.e. the extent to which the given factors - personal characteristics (law-abiding, sense of duty) or behaviours (fear of being caught, ethical behaviour in the immediate environment, unethical behaviour of managers, financial problems, managerial direction) - influence the likelihood of a public administrator being involved in corruption (Figure 5)
According to the responses, fear of being caught and the participant's own financial problems are the most decisive factors, followed by respect for the law, ethical behaviour in the environment, professional ethics, management instructions and least decisive is the unethical behaviour of managers. These responses are closely related to our hypothesis that public officials agree that the extent of corruption is significantly determined by the individual moral values and sense of vocation of public officials, but this can be overridden by financial worries or fear of being caught. However, this also means that if civil servants are adequately remunerated and corruption is properly monitored and punished, this, combined with an ethical attitude among civil servants, can go a long way to curbing corruption.

The final question of the questionnaire is the extent to which public administrators consider integrity to be effective in the fight against corruption. Half of the respondents consider it an effective tool, while 35% do not find it effective and 14% are not familiar with the concept of integrity. These individuals work in different fields, but both have more than ten years of experience in the public sector, so they must have encountered the concept of integrity in their work. Their lack of familiarity with the concept suggests that perhaps there is a lack of awareness among civil servants and that more training is needed within organisations to familiarise staff with tools and methods to help them reduce corruption.

Conclusions

Anti-corruption measures in Hungary are aimed at preventing corruption situations and bringing to justice the perpetrators of detected corruption. To assist in this task, an Integrity Authority, the Anti-Corruption Task Force, was set up in 2022 to review existing anti-corruption measures and develop recommendations on corrupt practices. The ethical behaviour and professional awareness of individuals, as confirmed by the results of the questionnaire, also play a key role in detecting and reducing corruption, and are reinforced by the revised Code of Ethics of the Hungarian Government Officials.

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Erika Szilágyiné Fülöp


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