

Secretariat General of the Prime Minister / Secretariat General for Legal and Parliamentary Affairs
Rule of Law Mechanism - Answers to targeted questions (Country- visits 17-20 March 2025)

- 1. The written input indicates several actions taken in relation to codes of conduct. Do you have any updates on the compliance and enforcement of the following (and can you confirm that all are adopted, published, and 'in force') [Code of Conduct for Members of Government].**

The Code of Conduct for Members of the Government (also including Deputy Ministers, General and Special Secretaries) has been updated and is publicly available since May 2024 on the website of the Secretariat General for Legal and Parliamentary Affairs (SGLPA) [<https://gslegal.gov.gr/kyvernisi/nomothetiko-plaisio/>]; the Code will be updated on an annual basis, starting in November 2025.

Regarding compliance with the Code, it should be noted that the responsibility for its enforcement lies with multiple bodies, depending on the specific sector that the Code regulates. Thus, the SGLPA regularly provides information on the Code requirements and answers questions on its implementation. The Presidency of the Government maintains a publicly accessible register, where gifts received by the members of the Government are recorded on an annual basis [govpresidency.gov.gr]. The Ethics Committee of the National Transparency Authority (NTA) is responsible for granting permission to engage in specific professional activities after the end of public duties of the monitored individuals [see, e.g., most recently, decision 20/2025 (prohibiting a former Deputy Minister from establishing a private capital company to provide business consulting services due to the relevance to the public office previously held)].

- 2. As reported in the 2024 Rule of Law Report, 59% of the respondent companies in Greece stated that the quality of law-making and frequent changes in legislation remain a significant reason for concern among companies about the effectiveness of investment protection. Civil Society Organisations also refer to frequent legislative changes, including the criminal code and the new judicial map. Can you provide your views on this?**

We recognize that frequent changes in legislation can pose a significant problem for citizens and businesses. For this reason, the SGLPA closely monitors amendments to provisions enacted in the last two years, asking for compelling justification for introducing such legislation.

That having said, based on the Greek Constitution, public administration in Greece operates on the basis of the legality principle, which means that any action taken by the public administration must be grounded in law; otherwise, it is not permitted. In contrast, for private individuals, the opposite holds true: whatever is not expressly prohibited is allowed. In addition, according to Article 43 of the Constitution, secondary legislation is allowed only on the basis of special delegation and within its limits (presidential decrees) or to regulate more specific matters or matters of local interest or of a technical and detailed nature (ministerial decisions or other pieces of secondary legislation). As a result, according to the current constitutional structure, due to the limited leeway left for secondary legislation, changes in primary legislation are partly inevitable to meet the complex and constantly evolving needs of modern social and economic realities.

In any case, however, under any understanding of the existing constitutional caveats, important areas such as legislation concerning the administration of justice (such as the judicial map) and, in particular, the enactment of criminal provisions, require a formal law. Referring now to the specific examples mentioned in the question, we should say the following: The Criminal Code (Law 4619/2019, A' 95) has been amended during the current parliamentary term (since June 2023) by the following laws:

a) Law 5023/2023 (A' 34), b) Law 5039/2023 (A' 83), c) Law 5090/2024 (A' 30), d) Law 5108/2024 (A' 65), e) Law 5151/2024 (A' 173), f) Law 5172/2025 (A' 10) and g) Law 5187/2025 (A' 48).

These seven (7) amendments concerned sixty-eight (68) articles, all of which were amended only once, except for nineteen (19), which were amended twice. The number of amendments should be considered reasonable, as the Criminal Code inherently consolidates all fundamental criminal legislation, making any necessary modifications due to changing circumstances appear as changes to this law.

The Law concerning the unification of the first level of jurisdiction and the spatial reorganization of civil and criminal justice courts (commonly referred to as the new judicial map, Law 5108/2024, A' 65)) has been amended by the following laws:

a) Law 5111/2024 (A' 76), b) Law 5119/2024 (A' 103), c) Law 5130/2024 (A' 127), d) Law 5131/2024 (A' 128), e) Law 5134/2024 (A' 146), f) Law 5140/2024 (A' 154), g) Law 5143/2024 (A' 161), h) Law 5151/2024 (A' 173), i) Law 5167/2024 (A' 207), and j) Law 5172/2025 (A' 10).

Indeed, the case of the new judicial map stands out as an exception to the usual practice, which is the absence of frequent amendments. However, the creation of the new judicial map represents a fundamental reform in the administration of justice in the country, a reform that had been pending for over one hundred (100) years. Moreover, these amendments were limited in scope, as only thirteen (13) articles were modified, with one (1) of them being amended twice.

In any event, the mentioned statistic that 59% of the respondent companies in Greece stated that the quality of law-making and frequent changes in legislation remain a significant reason for concern among companies about the effectiveness of investment protection is of limited value to the extent that it lacks the necessary comparative dimension on the evolution of these statistics over time; it reasonably reflects the overall assessment of the existing Greek legal system as currently in force, not necessarily amendments in recent years or within the reference period of the current rule-of-law report.

3. According to this year's input, no late amendment has been submitted during the reporting period. Civil society Organisations state that for 2024 last minute amendments accounted for nearly 57% of all tabled amendments. Could you please share your views on this discrepancy, also taking into account the following two indicative cases:

(i) amendments to the draft Law 5134/2024 were submitted on 9 September 2024 at 21:53, while the draft was discussed and voted in the Plenary on 10 September 2024;

(ii) amendments to draft Law 5172/2025 were submitted on 22 January 2025 at 22:30, while the draft was discussed and voted in the Plenary on 24 January 2025.

As already noted in our written contribution, in a development of fundamental importance, whereas a usual bad practice in Greece had been the submission of overdue amendments during the debate in the Parliament's plenary session, hours or literally minutes, before its completion, such amendments are not submitted anymore. In fact, since May 2021 one single amendment has been submitted to Parliament by

the Government on the day of debate in the Parliament's plenary session. Based on the same methodology over the years, amendments submitted after the parliamentary deadlines accounted for the bulk of parliamentary amendments in previous years (74% in 2017, 70% in 2018, 82% in 2019, 56% in 2020); in contrast, they accounted for 11% of amendments in 2021 and 0,69% in 2022. For the first time in 2023 not a single last-minute amendment was submitted by the Government to Parliament. This practice continued in 2024 (and in 2025 up to this date).

Importantly, the question has now been reformulated and concerns the submission of "last-minute" amendments, instead of "overdue" amendments.

At this point, it is necessary to understand how the parliamentary practice of late-submitted amendments has evolved over the last 30 years.

Pursuant to article 87 of the Standing Orders of Parliament, "1. Additions and amendments are signed by the MPs and Ministers who submit them to the relevant office of the Parliament. Additions and law proposals enter a special book of continuous numbering according to the dates of their submission. On Fridays, additions and amendments are submitted on 13.00 p.m. the latest. A certification of the submission of amendments and additions is provided by the office of the Parliament which prepares at the end of the text a relative act stating the number, the date and the time of the submission. 2. Additions or amendments are introduced to the Plenary, to the Recess Section or to the competent standing committee at least three days before the commencement of the relevant debate. In case of a dispute, the Speaker addresses the Parliament, which takes a final decision by standing or raising hands and without a debate".

Thus, it has now become a prevailing practice that the threshold of a timely submission of an amendment is that of the adoption of the Order of the Day. The allocated period is reasonable and it is linked to the date on which the last sitting of the competent Standing Committee is held. It may vary from one to three days before the opening of the debate in the Plenary, depending on a decision by the Conference of Presidents in order to better facilitate legislative planning.

The submission of amendments even on the day before the opening of the debate in the Plenary may be considered as a sufficient processing time, given that a factor of vital importance for the debate, is the Report of the Scientific Service, which must take into account the amendment/s and is submitted on the day before the opening of the debate. The Report is accordingly taken into account by the rapporteurs of Bills and Law Proposals at the beginning of the Plenary sitting.

In agreement to the above, there can be no doubt as to the classification of an amendment as being late or timely, given that each amendment is recorded with its number, date and time of submission, and bears the stamp of the service.

In conclusion, no late-submitted ministerial amendments have been voted on since 2022, only one late-submitted parliamentary amendment by the opposition has been voted in 2024 (establishing the 1st of February as National Sports Fan Day), while 721 late-submitted amendments were voted during the 2015-2019 parliamentary term.

Regarding the indicative cases referred, based on publicly accessible information available on the Parliament's website, it is established that the agenda was issued:

- a) for the discussion of Law 5134/2024, [on September 9, 2024](#), and
- b) for the discussion of Law 5172/2025, [on January 22, 2025](#).

Therefore, the mentioned amendments were submitted on time.

4. What is the state of play of the National Codification Portal?

The National Codification Portal has been described in detail in our previous answer on the targeted questions for the Rule of Law report in May 2024. Regarding the current state of play:

- a) The Legal Provisions Processor, the modern legal informatics tool aimed at upgrading the process of drafting bills and regulatory texts of secondary legislation has already been implemented as part of milestone number 97 of the Recovery and Resilience Fund.
- b) The legal database, which will be made available to the public for free, giving access to the latest version of each law, codified with all relevant amendments is currently under implementation, with completion expected by the end of 2025.

5. Could you provide more information on the role the Economic and Social Council. At what point in the law-making process are they consulted?

In addition to public consultation, in implementation of the findings included in the 2024 European Commission's 2024 Rule of Law country report for Greece, starting in January 2025, all draft bills are submitted to the Economic and Social Council (*Οικονομική και Κοινωνική Επιτροπή* - ΟΚΕ) for consultation, in order to strengthen the participation of civil society in law-making.

The Economic and Social Council is a consultative body, organized in the example of the European Economic and Social Committee, functioning as an independent legal entity, founded by Law 2232/1994 and is also constitutionally protected through article 82 of the Constitution since 2001. Draft bills are sent to the Economic and Social Council of Greece after being posted for public consultation. This allows the council to convene in time, decide whether to take a position on each respective draft bill and submit a report to the General Secretariat for Legal and Parliamentary Affairs, providing comments both in principle and on specific articles of the draft bill.

The report is then reviewed by the competent ministry, which accepts and incorporates the suggestions considered valid, while providing justified rejections for others. This report, along with the ministry's reasoned response, is included in the Regulatory Impact Assessment (RIA) submitted to the Parliament. Examples of recent bills where the report of the Economic and Social Council of Greece is referenced in the Regulatory Impact Assessment include the bills titled:

- a) "Measures for the Balanced Representation of Genders in Executive Positions of Listed Companies, Non-Listed Public Limited Companies, and Public Enterprises – Transposition of Directive (EU) 2022/2381 of the European Parliament and of the Council of 23 November 2022 – Provisions for Strengthening Pilot Programs for Social Cohesion".
- b) "Interprofessional organizations, strengthening of the agricultural sector, organization of the services and supervised entities of the Ministry of Rural Development and Food, relaunch of the rural economy, and other provisions".
- c) "Reorganization of the Structure of the Hellenic Police and Upgrade of the Training of Uniformed Personnel – Modernization of the Electronic Monitoring System for Defendants, Convicts, and Prisoners on Leave – Regulation of Issues Concerning Inmates in Correctional Facilities and Other Provisions".
- d) "Implementation measures for Regulation (EU) 2022/868 (Data Governance Act) – Designation of the competent authority for the implementation of Regulation (EU) 2024/903 (Interoperable Europe Act) –

Electronic application "my street" – Provisions for the promotion of digital transformation and other measures".

Overall, the Economic and Social Council of Greece has issued opinions on nine (9) draft bills, but three (3) of them have not yet been submitted to Parliament.

Following the submission of its report, the Economic and Social Council of Greece is also usually invited to participate in hearings before Parliament during the legislative review process in the relevant standing committees. For example, the Council was invited for the bill titled "Measures for the Balanced Representation of Genders in Executive Positions of Listed Companies, Non-Listed Public Limited Companies, and Public Enterprises – Transposition of Directive (EU) 2022/2381 of the European Parliament and of the Council of 23 November 2022 – Provisions for Strengthening Pilot Programs for Social Cohesion" (Law 5178/2025, A' 22), as documented [in the report of the responsible committee](#).

6. Are the reports on public consultation regularly posted on the dedicated website? Do participants receive any feedback?

According to point (e) of paragraph 2 of Article 62 of Law 4622/2019 (A' 133), all bills submitted to Parliament are accompanied by a consultation report, as part of the Regulatory Impact Assessment. This report details the total number of comments submitted—both in principle and on individual articles—how many were accepted, how many were rejected, and the reasons for their rejection.

This report is accessible through the Regulatory Impact Assessment submitted to Parliament along with the corresponding bill, on the official website of the [Parliament](#).

By way of illustration, links are provided to the following examples:

a) [Law 5178/2025](#) (A' 22) "Measures for the Balanced Representation of Genders in Executive Positions of Listed Companies, Non-Listed Public Limited Companies, and Public Enterprises – Transposition of Directive (EU) 2022/2381 of the European Parliament and of the Council of 23 November 2022 – Provisions for Strengthening Pilot Programs for Social Cohesion".

b) [Law 5184/2025](#) (A' 34) "Interprofessional organizations, strengthening of the agricultural sector, organization of the services and supervised entities of the Ministry of Rural Development and Food, relaunch of the rural economy, and other provisions".

7. Are there any plans to propose legislation on the Citizens' Legislative Initiative (article 73 para. 6 of the Constitution)?

The Greek constitutional tradition has long placed paramount importance on the principles of representative democracy. Legislative initiative has been traditionally entrusted exclusively to members of Parliament and the Government. The introduction of a mechanism enabling citizens to propose legislation represents a significant constitutional innovation, one that necessitates the creation of a detailed and robust procedural framework to ensure the initiative's proper functioning without undermining parliamentary procedures or constitutional safeguards.

It must be underscored that the abovementioned constitutional provision was introduced for the first time in 2019 in Greek constitutional history with broad parliamentary support. The risk of legislative fragmentation, the proliferation of proposals lacking sufficient legal scrutiny, and the possible instrumentalization of citizen initiatives have all been serious factors weighing against a rapid implementation without adequate preparatory work, which includes: a) an extensive comparative study

to align the Greek mechanism with international best practices, as well as, b) ensuring the necessary compatibility with the Constitution, since the legal provisions that may be enacted are only ordinary laws and not the Constitution itself. Designing such a legal framework has proven to be an intricate and demanding endeavor.

The cornerstone, however, for such an initiative is a reliable mechanism for verifying the authenticity of citizen support. Without such a mechanism, the process risks being undermined by fraudulent or untraceable signatures, thereby jeopardizing both the legitimacy of proposals and public trust. In this context, the implementation of a unique personal identification number in May 2025, serving as the ultimate point of identity verification, is not only a technical prerequisite, but also an essential condition for the legal design of the legislative framework itself.

Following this development, the Greek Government is committed to accelerate the process of finalizing the relevant draft law, with a view to introducing it to Parliament within the current legislative period.

8. Are there any plans to reform the immunities regime for members of the Government, also in light of concerns expressed by the EPPO?

The special regime concerning the criminal liability of members of the Government has deep constitutional roots not only in Greece, but also in other European countries, which have established similar procedures. In Greece it was established in its current form with the promulgation of the 1975 Constitution (article 86) in the aftermath of the restoration of democracy. The intent was to ensure that members of the Government could exercise their duties without undue fear of politically motivated prosecutions, thereby safeguarding the stability of executive governance.

However, the Government acknowledges the concerns raised from such provisions; in their implementation, experience has demonstrated that political rather than legal considerations tend to prevail. Following the 2019 constitutional revision, the special statute of limitations for offences committed by members of the Government and Deputy Ministers was abolished. Since then, such offences are subject to the ordinary statute of limitations provided by Penal Code. Besides this, the current parliamentary majority announced its intent to further propose an amendment to Article 86 in the upcoming constitutional revision, with the objective to depoliticize the relevant process and safeguard the rule of law, while maintaining appropriate safeguards against politically motivated prosecutions.

9. Are there any plans to propose legislation on the liability of members of government (article 86 of the Constitution), given that under article 3 para. 2 of law 3126/2003, as currently in force, the shorter prescription period for criminal offences committed by them still applies?

With the 2019 constitutional revision, Article 86 of the Constitution was amended by a broad parliamentary majority in order to abolish the second sentence of paragraph 3 («Parliament may exercise the competence referred to in paragraph 1 until the end of the second regular session of the parliamentary term following the commission of the offence»). Since then, the provision of paragraph 2 of Article 3 of the implementing law on ministerial responsibility (Law 3126/2003, Government Gazette A' 66) was also effectively repealed.

As noted in the explanatory report of Law 3126/2003, paragraph 2 of Article 3 «repeats the extinguishing time limit, set out in the fifth sentence of paragraph 3 of Article 86 of the Constitution, for Parliament's

right to prosecute Ministers». Therefore, regarding the issue of this limitation period, both Article 86 of the Constitution and Article 3 of Law 3126/2003 contained identical provisions. The repeal of the relevant constitutional rule logically and legally entails the repeal of its repetition in Law 3126/2003 - both because of the Constitution's superior normative status over ordinary legislation, as well as, because of the direct applicability of the pertinent constitutional provision in the Greek legal system.

Nonetheless, in order to remove any residual doubt, a declaratory provision has already been submitted to the Parliament (to be voted by the Parliament's plenum on May 14, 2025), which will confirm, for reasons of legal certainty, that paragraph 2 of Article 3 of Law 3126/2003 has been repealed as of the entry into force of the 2019 constitutional revision.