RoLM: Replies of Greece on the questionnaire

Justice System

I. Independence

1. Appointment of Judges and Prosecutors[1]

By virtue of a decision of the Greek Minister of Justice an open competition is procured with regards to the National School of Judges in Thessaloniki for the following directions: a) Administrative Justice, b) Civil and Criminal Justice and c) Public Prosecutors. The exams take place in Thessaloniki, Greece. In the competition are accepted individuals who: a. Have the status of Magistrate or have completed a twoyears' lawyer practice or hold a PhD of a law department accompanied by one-year lawyer practice, or are judicial clerks with a law school degree and a five-year employment at this position; and b. have reached the age of 28, but not the age of 45, on December 31st of the year in which the competition is procured.

The trainees of each direction are selected through three parallel but different competitions. The first concerns the direction of the Administrative, the second the Civil-Criminal Justice and the third the Public Prosecutors. The entry competition is conducted by a five-member panel, set up for each direction separately, and includes two stages: preliminary and final. The preliminary stage is held in the last ten days of May, and the final between September and November at the School's headquarters in Thessaloniki. At the preliminary stage, candidates from all three directions are required to take four written legal exams and a written test on one of the following foreign languages: English, French, German, Italian. At the final stage, in which only candidates who have succeeded in the preliminary stage participate, the candidates of each direction are examined orally and publicly on the same examination material as for the preliminary stage and on matters of EU law as well. They are also optionally examined on one or two of the following four foreign languages: English, French, German and Italian. The one on which they have been compulsory examined is excluded. Finally, candidates are included in the Final Succession Tables until the number of seats mentioned in the procurement is filled. In the event of a tie, to fill the last position, the candidates who have achieved equal grade shall be entered as redundant. The school attendance lasts sixteen (16) months [Greek Law 3689/2008 «National School of Judges and other provisions» (Government Gazette, Issue A, 164), as amended by Greek Law 3910/2011 (Government Gazette, Issue A, 11)]. Training is theoretical (Stages A and B) and practical (Stage C). Stage C of the training involves

[1] Specific issues relating to the appointment, promotions, transfers etc. of judges and prosecutors, as well as the establishment, organization and functioning of the courts, prosecutors' offices, and the councils of the Supreme Courts are regulated by the Code of Organization of Courts and Status of Judicial Officers (Law 1756/1988, Government Gazette, Issue A, 35).

internships in Courts and lasts from 1 January to 31 May of the year following the year of enrollment in the School. During Stages A and B, trainees are evaluated by the teachers on their scientific knowledge, ability to analyze and synthesize, their competency, ability to formulate reasoning, arguments and conclusions, their diligence, ethics and behavior, as these characteristics result from their general involvement in the educational process. After that, trainees who have received at least a mark of eight in the Stage C of the training shall be admitted before a three-member committee for the graduation exams, which include only a written test[1].

2. Irremovality of Judges

According to paragraphs 1-5 and paragraph 7 of Article 88 of the Greek Constitution (Σύνταγμα=Syntagma) "1. Judges shall be appointed by virtue of a presidential decree issued pursuant to a law specifying the qualifications and the procedure for their selection and are appointed for life. 2. The remuneration of the Judges shall be commensurate with their office. Matters concerning their rank, remuneration and their general status shall be regulated by special statutes. Notwithstanding [Greek Constitution] Articles 93 para 1, 94, 95, 96 and 98 [allocating the jurisdiction among the Civil Courts (Criminal Courts), the Administrative Courts, the Council of State and the Court of Audit], disputes concerning all kinds of remunerations and pensions of the Judges, shall be tried by the Special Court of [Greek Constitution] Article 99, provided that the resolution of the relevant legal issues may affect the salary, pension or fiscal status of a wider circle of persons. In such cases, the composition of the Special Court is formed by also the participation of one additional full time professor and one additional barrister, as specified by law. Matters relating to the continuation of pending trials before the Courts shall be specified by law. 3. By virtue of a law a training and trial period may be provided for Judges up to three years prior to their appointment as regular judges. During that period they may also act as regular judges, as specified by law. 4. Judges may be dismissed only pursuant to a court judgment as a result of criminal conviction or grave disciplinary breach or illness or disability or professional incompetence, certified as specified provided under law and in compliance with the provisions of [Greek Constitution] of paragraphs 2 and 3 of Article 93. 5. Retirement from the service of a Judge is compulsory upon attainment of the age of sixty five years for all Judges up to and including the rank of the Judge of the Court of Appeal or Deputy Prosecutor of the Court of Appeal, or a rank corresponding thereto. In the case of Judges of a rank higher than the one stated, or of a corresponding rank, retirement is compulsory upon attainment of the age of sixty seven years. For the application of this provision, the 30th of June of the year of retirement shall in all cases be considered as the date of attainment of the above age limit. 6 (...). 7. Courts or councils especially provided by the Constitution and composed of members of the Council of State and the Supreme Civil and Criminal Court shall be presided over by the senior in rank member. "**Interpretative clause:** In the true sense of [Greek Constitution] article 88, the unification of the first instance jurisdiction of the Civil

[1] Art. 74 seq. of Law 4689/27-5-2020 established a department for Magistrates to the National School for the Judiciary

Courts and the regulation of the service status of Judges of this instance is permitted, provided that a procedure for judgement and evaluation is provided for, as specified by law.”.

3. Promotion of Judges and prosecutors

According to Article 90 of the Greek Constitution “1. Promotions, assignments to posts, transfers, detachments and transfers to another branch of Judges shall be effected by virtue of a presidential decree, issued after a prior decision by a supreme judicial council. This council is composed of the President of the respective Supreme Court and of members of the same Court chosen by draw among those having served at it [the Supreme Court] for at least two years, as specified by law. The Prosecutor of the Supreme Civil and Criminal Court shall participate in the supreme judicial council of civil and criminal justice, as well as two Deputy Prosecutors of the Supreme Civil and Criminal Court who are chosen by draw among those having served for at least two years in the Public Prosecutor’s Office of the Supreme Civil and Criminal Court, as specified by law. In the supreme judicial council of the Council of State and of administrative justice the General Commissioner of State who serves at them also participates on issues relating to the Judges of ordinary administrative courts and of the General Commission. In the supreme judicial council of the Court of Audit shall also participate the General Commissioner of State who serves at it. In the supreme judicial council shall also participate, without the right to vote, two Judges of the branch concerned with regards to the changes in the service status, who must be at least of the rank of Judge of the Court of Appeal or of an equivalent rank, and are chosen by draw, as specified by law. 2. In the case of judgment concerning the promotion to the rank of the Councilor of State, or the Supreme Civil and Criminal Court Judges, or the Deputy Prosecutor of the Supreme Civil and Criminal Court, or the Councilor of the Court of Audit, President Judges of Appeals and Prosecutors of Appeals, as well as concerning the selection of the members of the General Commissions of administrative courts and of the Court of Audit, the council described in paragraph 1 shall be supplemented by additional members, as specified by law. As for the rest, the provisions of paragraph 1 shall also apply in this case.3. In the event that the Minister of Justice disagrees with the judgement of a supreme judicial council, he may refer the matter to the plenary session of the respective supreme court, as specified by law. The Judge concerned by the judgement has also the right to appeal [against it], under the conditions specified by the law. As regards the plenary session of the respective supreme court, acting as a supreme judicial council of second instance, the provisions of sections three to six of paragraph 1 shall apply. In the plenary session of the Supreme Civil and Criminal Court, with regards to the cases of the preceding section, the members of the Public Prosecutor’s office of the Supreme Civil and Criminal Court shall also participate with the right to vote. 4. The decisions of the plenary session, acting as a supreme judicial council of second instance, on a matter referred to it as well as the decisions of the supreme judicial council with which the Minister has not disagreed, shall be binding upon him. 5. Promotion to the rank of President or Vice-President of the Council of State, of the Supreme Civil and Criminal Court and of the Court of Audit shall be effected by virtue of a presidential decree issued on the proposal of the Cabinet, by way

of selection among the members of the respective Supreme Court, as specified by law. Promotion to the rank of Supreme Civil and Criminal Court Prosecutor shall be effected by virtue of a similar decree, by way of selection among the members of the Supreme Civil and Criminal Court and Deputy Public Prosecutors of this Court, as specified by law. Promotion to the rank of General Commissioner of the Court of Audit shall be effected by virtue of a similar decree, by way of selection among the members of the Court of Audit and of the respective General Commission, as specified by law. Promotion to the rank of General Commissioner of administrative courts shall also be effected by virtue of a similar decree, by way of selection among the members of the respective General Commission and the President Judges of Appeals of the administrative courts, as specified by law. The tenure of the President of the Council of State, of the Supreme Civil and Criminal Court and of the Court of Audit, as well as of the Public Prosecutor of the Supreme Civil and Criminal Court and of the General Commissioners of administrative courts and of the Court of Audit may not exceed four years, even if the Judge holding this office has not reached the retirement age. Any period of time which remains until completion of the retirement age, shall be calculated as actual pensionable service, as specified by law. 6. Decisions or acts in compliance with the provisions of the present article shall not be subject to remedies before the Council of State.".

4. Transfer of judges

According to Article 88 paragraph 6 of the Greek Constitution "6. Transfer of Judges to another branch is prohibited. Exceptionally, the transfer of associate judges to courts of first instance or of associate prosecutors to public prosecutors' offices, shall be permitted, upon request of the persons concerned, as specified by law. Judges of ordinary administrative courts shall be promoted to the rank of Councilor of the Council of State and to one fifth of the posts, as specified by law.".

5. Allocation of cases in courts

According to Article 93 of the Greek Constitution "1. Courts are distinguished into administrative and civil and criminal courts, and they are organized by special statutes. 2. The sittings of all courts shall be public, except when the court decides that publicity would be detrimental to the good usages or that special reasons call for the protection of the private or family life of the litigants. 3. Every court judgment must be specifically and thoroughly reasoned and must be pronounced in a public sitting. In case of violation of the preceding section, law shall specify the ensuing legal consequences as well as the imposed sanctions. Publication of the dissenting opinion shall be compulsory. Law shall specify matters concerning the entry of any dissenting opinion into the minutes as well as the conditions and prerequisites for the publicity thereof. 4. The courts shall be bound not to apply a statute whose content is contrary to the Constitution.".

According to Article 94 of the Greek Constitution "1. Council of State and ordinary administrative courts shall have jurisdiction on administrative disputes, as specified by law, without prejudice to the competence of the Court of Audit. 2. Civil courts shall have jurisdiction on private disputes, as well as on cases of non-contentious jurisdiction, as specified by law. 3. In special cases and in order to achieve unified application of the

same legislation, law may assign the hearing of categories of private disputes to administrative courts or the hearing of categories of substantive administrative disputes to civil courts. 4. Any other competence of an administrative nature may be assigned to civil or administrative courts, as specified by law. These competences include the adoption of measures for compliance of the Public Administration with judicial decisions. Judicial decisions are subject to compulsory enforcement also against the Public Sector, local government agencies and public law legal persons, as specified by law.".

According to Article 95 of the Greek Constitution "1. The jurisdiction of the Council of State pertains mainly to: a) The annulment upon petition of enforceable acts of the administrative authorities for excess of power or violation of the law. b) The reversal upon petition of final judgements of ordinary administrative courts, as specified by law. c) The trial of substantive administrative disputes submitted thereto as provided by the Constitution and the statutes. d) The elaboration of all decrees of a general regulatory nature. 2. The provisions of [Greek Constitution] paragraphs 2 and 3 of Article 93 shall not be applicable in the exercise of the competence specified under subparagraph (d) of the preceding paragraph. 3. The trial of categories of cases that fall under the Council of State's jurisdiction for annulment may by law be assigned to the jurisdiction of ordinary administrative courts, depending on their nature or importance. The Council of State has the second instance jurisdiction, as specified by law. 4. The jurisdiction of the Council of State shall be regulated and exercised as specifically provided by law. 5. The Public Administration shall be bound to comply with judicial decisions. The breach of this obligation shall render liable any competent agent, as specified by law. Law shall specify the measures necessary for ensuring the compliance of the Public Administration.".

According to Article 96 of the Greek Constitution "1. The punishment of crimes and the adoption of all measures provided by criminal laws belong to the jurisdiction of ordinary criminal courts. 2. Statutes may: (a) assign the trial of police offences punishable by fine to authorities exercising police duties; (b) assign the trial of petty offences related to agrarian property and private disputes arising there from, to agrarian security authorities. In both cases judgments shall be subject to appeal before the competent ordinary court; such appeal shall suspend the execution of the judgment. 3. Special statutes shall regulate matters pertaining to juvenile courts. The provisions of [Greek Constitution] articles 93 paragraph 2 and 97 need not apply in this case. The judgments of these courts may be pronounced in camera. 4. Special statutes provide for: a) Military, naval and air force courts which shall have no jurisdiction over civilians; b) Prize courts. 5. The courts specified under section (a) of the previous paragraph shall be composed in majority of members of the judicial branch of the armed forces, vested with the guaranties of functional and personal independence specified in article 87 paragraph 1 of the Constitution. The provisions of paragraphs 2 to 4 of article 93 [of the Greek Constitution] shall apply to the sittings and judgements of these courts. Matters pertaining to the application of provisions of this paragraph, as well as the time upon which they shall enter into force, shall be specified by law.".

According to Article 97 of the Greek Constitution "1. Felonies and political crimes shall be tried by mixed jury courts composed of ordinary judges and jurors, as specified by law. The judgments of these courts shall be subject to the legal remedies specified by law. 2. Felonies and political crimes which prior to the date of entry into force of this Constitution have, by constituent acts, parliamentary resolutions and special statutes, come under the jurisdiction of courts of appeal shall continue to be tried by the said courts, as long as statute does not transfer them to the jurisdiction of mixed jury courts. Other felonies may be transferred to the jurisdiction of the same courts of appeal by statute. 3. Crimes of any degree committed through the press shall be under the jurisdiction of ordinary criminal courts, as specified by law.".

According to Article 98 of the Greek Constitution "1. The jurisdiction of the Court of Audit pertains mainly to: a) The audit of the expenditures of the State as well as of local government agencies or other legal entities subject to this status by special provision of law. b) The audit of high financial value contracts in which contracting partner is the State or any other legal entity which in this respect is equated to the State, as specified by law. c) The audit of the accounts of accountable officials and of the local government agencies or other legal entities subject to the audit provided by section (a). d) Advisory opinions concerning Bills on pensions or on the recognition of service for granting of the right to a pension according to paragraph 2 of Article 73 [of the Greek Constitution], as well as on all other matters specified by law. e) The drawing up and submission to Parliament of a report on the financial statement and balance sheet of the State, according to paragraph 7 of Article 79 [of the Greek Constitution]. f) The trial of disputes concerning the granting of pensions as well as the audit of accounts under section (c). g) The trial of cases related to liability of civil or military servants of the State, as well as of civil servants of local government agencies and of the other public law legal persons, for any loss that through intent or negligence incurred upon the State, the local government agencies or other public law legal persons. 2. The jurisdiction of the Court of Audit shall be regulated and exercised as specified by law. The provisions of [Greek Constitution] paragraphs 2 and 3 of Article 93 shall not be applicable in the cases specified in (a) through (d) of the preceding paragraph. 3. The judgments of the Court of Audit in the cases specified in paragraph 1 shall not be subject to the control of the Council of State.".

According to Article 99 of the Greek Constitution " 1. Lawsuits against Judges for wrongful judgment shall be tried, as specified by law, by a special court composed of the President of the Council of State, as President, and one Councilor of the Council of State, one Supreme Civil and Criminal Court Judge, one Councilor of the Court of Audit, two law professors of the law schools of the country's universities and two barristers from among the members of the Supreme Disciplinary Council for barristers, as members, all of whom shall be chosen by draw. 2. Each time, that member of the special court shall be exempted who belongs to the judicial corps or branch, the actions or omissions of a Judge of which is called upon to be judged. In the case of a lawsuit against a member of the Council of State Council of State or a Judge of the ordinary administrative courts, the special court shall be presided over by the President of the

Supreme Civil and Criminal Court. 3. No permission shall be required to institute a lawsuit for wrongful judgement.".

According to Article 100 of the Greek Constitution "1. A Special Highest Court shall be established, the jurisdiction of which shall comprise: a) The trial of objections according to Article 58 [of the Greek Constitution]. b) Verification of the validity and returns of a referendum held according to paragraph 2 of Article 44 [of the Greek Constitution]. c) Judgment in cases involving the incompatibility or the forfeiture of office by a Member of Parliament, according to paragraph 2 of Article 55 and to Article 57 [of the Greek Constitution]. d) Settlement of any conflict between the courts and the administrative authorities, or between the Council of State and the ordinary administrative courts on one hand and the civil and criminal courts on the other, or between the Court of Audit and any other court. e) Settlement of controversies on whether the content of a statute enacted by Parliament is contrary to the Constitution, or on the interpretation of provisions of such statute when conflicting judgments have been pronounced by the Council of State, the Supreme Civil and Criminal Court or the Court of Audit. f) The settlement of controversies related to the designation of rules of international law as generally acknowledged according to paragraph 1 of Article 28 [of the Greek Constitution]. 2. The Court specified in paragraph 1 shall be composed of the President of the Council of State, the President of the Supreme Civil and Criminal Court and the President of the Court of Audit, four Councilors of the Council of State and four members of the Supreme Civil and Criminal Court chosen by draw for a twoyear term. The Court shall be presided over by the President of the Council of State or the President of the Supreme Civil and Criminal Court, according to seniority. In the cases specified under sections (d) and (e) of the preceding paragraph, the composition of the Court shall be expanded to include two law professors of the law schools of the country's Universities [of Athens, Thessaloniki and Komotini], chosen by draw. 3. The organization and functioning of the Court, the appointment, replacement of and assistance to its members, as well as the procedure to be followed shall be determined by special statute. 4. The judgments of this Court shall be irrevocable. Provisions of a statute declared unconstitutional shall be invalid as of the date of publication of the respective judgment, or as of the date specified by the ruling. 5. When a section of the Council of State or chamber of the Supreme Civil and Criminal Court or of the Court of Audit judges a provision of a statute to be contrary to the Constitution, it is bound to refer the question to the respective plenum, unless this has been judged by a previous decision of the plenum or of the Special Highest Court of this article. The plenum shall be assembled into judicial formation and shall decide definitively as specified by law. This regulation shall also apply accordingly to the elaboration of regulatory decrees by the Council of State.".

6. Independence of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the judiciary)

According to Article 87 of the Greek Constitution "1. Justice shall be administered by courts composed of ordinary judges, who shall enjoy functional and personal independence. 2. Judges shall, in the exercise of their functions, be subject only to the Constitution and the laws and shall in no case be bound by the provisions laid down in

violation of the Constitution. 3. The inspection of ordinary judges shall be carried out by senior judges as well as by the Prosecutor and the Prosecutors of the Supreme Court, and the prosecutors by Judges of the Supreme Civil and Criminal Court and senior prosecutors, in accordance with the law.".

7. Disciplinary procedures against judges and prosecutors

According to Article 91 of the Greek Constitution "1. Disciplinary authority over judges from and above the rank of member of the Supreme Civil and Criminal Court or Deputy Prosecutor of the Supreme Civil and Criminal Court, or a rank corresponding thereto, shall be exercised by a Supreme Disciplinary Council, as specified by law. Disciplinary action shall be initiated by the Minister of Justice. 2. The Supreme Disciplinary Council shall be composed of the President of the Council of State as Chairman, and of two Vice-Presidents or Councilors of the Council of State, two VicePresidents or members of the Supreme Civil and Criminal Court, two Vice-Presidents or Councilors of the Court of Audit and two law professors from the Law Schools of the country's Universities, as members. The members of the Council shall be chosen by draw among those having at least three years of service in the respective supreme court or law school. Members belonging to the supreme court of which the conduct of one of the judges, prosecutors or commissioners the Council has been called on to decide, shall be excluded. In cases involving disciplinary action against members of the Council of State, the Supreme Disciplinary Council shall be presided over by the President of the Supreme Civil and Criminal Court. 3. The disciplinary authority over all other judges shall be exercised, in the first and second instance by councils composed of regular judges chosen by draw, as specified by law. Disciplinary action may also be initiated by the Minister of Justice. 4. Disciplinary rulings in accordance with the provisions of this Article shall not be to remedies before the Council of State.".

8. Independence/autonomy of the prosecution service

Prosecutors enjoy the same constitutional guarantees as judges (Article 87 para. 1 of the Greek Constitution). They are independent of the executive power of the State. Prosecutors are institutions of justice, assisting the courts on their duty to award justice properly. When prosecuting, the Prosecutor is independent of any other authority, as well as of the court at which he/she serves [Article 27 para. 2 of the new Criminal Procedure Code (Greek Law 4620/2019, Government Gazette, Issue A, 96)]. Each Prosecutor's Office functions unitedly and indivisibly and is organized hierarchically. There is a close hierarchical dependence of the lower member of the Prosecutor's Office by the Chief Prosecutor [Article 24 paras. 2, 4 and Article 6 of the Code of Courts Organization and Status of Judges (Greek Law 1756/1988, Government Gazette, Issue A, 35)].

9. Independence of the Bar (chamber/association of lawyers)

According to Article 1 (The nature of practicing the office of lawyer) of Greek Law4194/2013 'Lawyers' Code' (Government Gazette, Issue A, 208) "1. A lawyer is a public official. His/her office is the foundation of the rule of law. 2. The content of

his/her office is retaining and defending his/her client in every case before a court, authority or service or out-of-court institution; providing legal advice and advice, such as and also his/her involvement in statutory bodies, Greek or international. According to Article 2 of the above Law (The position of the lawyer in the administration of Justice) "The lawyer is a co-official of justice. His/her position is fundamental, equitable and independent, necessary for the administration of justice". According to Article 3 of the above Law (The profession of lawyer) "1. A lawyer shall practice a freelance profession in which the element of trust of the client is paramount to him. 2. He/she shall be remunerated for his/her services by the principal either on a case by case basis or with a fixed fee or salary. 3. The exercise of the office of lawyer is not a commercial activity. According to Article 4 of the above Law (Acquisition of the function of lawyer) "The lawyer status acquires somebody: (a) who has sufficient knowledge to practice his/her office after its successful participation in national exams; (b) for whom a decision on appointment has been published by the Minister of Justice in the Government Gazette; (c) who oaths as provided in the herein Code before the Court of Appeal or the Court of First Instance of the district in which the Bar Association he/she has been registered belongs; and (d) who has been registered in one of the State Bar Associations. According to Article 5 of the above Law (Fundamental principles and values in practicing law) "The lawyer in the performance of his/her duties: a) Defends the Constitution, the European Convention on Human Rights and Add-ons Protocols thereto, the Charter of Fundamental Rights of the European Union, as well as all international and European conventions on human rights; b) Follows the traditions of the attorney and ethical rules as they have been historically shaped in the exercise of law and formulated in the Code; c) Preserves confidentiality, inviolable in favor of the Client of what he/she was trusted with or came to his/her knowledge while practicing the law field; d) is bound by the content of the mandate which he/she has accepted, unless specific action or omission under the mandate arises contrary to his/her duty; e) Maintains the freedom to handle the case, is not subject to instructions and commands that are contrary to the law and incompatible with the interests of his/her client.".

10. Significant developments capable of affecting the perception that the general public has on the independence of the Judiciary

N/A

11. Other

Quality of justice

12. Accessibility of courts (e.g. court fees, legal aid)

There is a fee for litigation before a court, the amount of which varies depending on the type of the procedure. Lawyers' fees for representation in a court proceeding are generally regulated by Articles 91 to 180 of Legislative Decree 3026/1954 as amended by Law 3919/2011. Accordingly, lawyers may now agree on fees with clients in writing, with no legally set minimum or maximum fee. In the absence of a written agreement, a

legally established system of fees (for appearing in court and based on the amount at issue) determines court costs, lawyers' fees for legal aid, etc.

Legal aid is provided for low-income citizens of an EU Member State, as well as lowincome third-country nationals and stateless persons, provided they are legally residents or habitually residents in the EU. Legal aid applies to representation before court, legal advice, ADR and other legal services, it includes the coverage of or the exemption from court fees, it can also be granted for the fees that are related to the enforcement of judicial decisions and other judicial costs, such as fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc. (Law 3226/2004, Government Gazette, Issue A, 21, Article 340 of the Greek Code of Criminal Proceedings).

13. Resources of the judiciary (human/financial)

Total number of professional judges (year 2019) 2,874

Annual net salary of a First Instance professional judge or a Public Prosecutor at the beginning of his/her career: 22,795 euros

Annual net salary of a Judge or Public Prosecutor of the Supreme Court or the Highest Appellate Court: 49,749 euros

Total number of non-judge staff working in courts (year 2019) 4,179

14. Use of assessment tools (e.g. ICT systems for case management, court statistics, monitoring, evaluation, surveys among court users or legal professionals)

The Integrated Judicial Case Management System for Civil and Criminal Cases manages the judicial cases and workflows, monitors the case activities, and generates statistics and administrative reports. There are currently 41 courts and public prosecutor offices of the appellate court districts of Athens, Thessaloniki, Piraeus and Evia that use the Integrated Judicial Case Management System for Civil and Criminal Cases and there is a plan to expand its use on the rest of the country (phase II).

List of the 41 Courts and Public Prosecutor Offices: Supreme

Court

Supreme Court’s Public Prosecution Office

4 Appeal Courts

4 Appeal Courts’ Public Prosecution Offices

4 First Instance Courts

4 First Instance Courts’ Public Prosecution Offices

19 District Civil Courts

4 District Penal Courts

The Ministry of Justice collects for information and processing purposes statistic data from courts from all over the country, concerning several criminal offences, such as:

Human Trafficking, Money Laundering, Racism.

The Ministry of Justice, has set up a system which evaluates regularly courts', judges' and prosecutors' performance based primarily on the following indicators:

-Number of resolved cases

-Length of proceedings

-Productivity of judges, prosecutors and court staff, based on their processing capability taking under consideration the number of files being charged.

15. Use of standards (e.g. on timeliness, on quality of judgments)

There are no evaluation standards. The timeliness and the quality of judgments are evaluated by a special Inspection Authority and the Supreme Court.

16. Other

According to Article 18 of Law 4640/2019 (Government Gazette, Issue A, 190) 'Mediation in civil and commercial matters - Further harmonization of Greek Legislation in line with the provisions of the Directive European Parliament 2008/52/EC and of the Council of 21 May 2008 and others provisions' "Ombudsman's fee 1. The mediator's remuneration is freely determined by way of a written agreement of the Ombudsman and the parties. 2. If there is no written agreement, its remuneration as mediator is defined as follows: (a) in cases of Article 6 hereof, the hastening party shall advance to the Ombudsman fifty (50.00) EUR as remuneration for the mandatory initial meeting. This amount shall be borne by the parties on an equal basis […].".

Efficiency of the justice system

17. Length of proceedings, clearance rate, pending cases

For year 2019 for First Instance Courts:

- **Civil Courts**

Pending cases on 1 Jan 2019: 252,811

Incoming cases: 213,468

Resolved cases: 184,131

Pending cases on 31 Dec 2019: 282,148

- **Administrative Courts:**

Pending cases on 1 Jan 2019: 200,803

Incoming cases: 60,320

Resolved cases: 98,633

Pending cases on 31 Dec 2019: 162,490

- **Penal Courts**

Pending cases on 1 Jan 2019: N/A

Incoming cases: 394,008

Resolved cases: 216,438

Pending cases on 31 Dec 2019: N/A

For year 2019 for Second Instance Courts:

- **Civil Courts**

Pending cases on 1 Jan 2019: 38,983

Incoming cases: 22,431

Resolved cases: 21,767 Pending cases on 31 Dec 2019: 39,492

- **Administrative Courts:**

Pending cases on 1 Jan 2019: 36,360

Incoming cases: 19,066

Resolved cases: 21,786

Pending cases on 31 Dec 2019: 33,640

- **Penal Courts**

Pending cases on 1 Jan 2019: N/A

Incoming cases: 56,796

Resolved cases: 33,082

Pending cases on 31 Dec 2019: N/A

For year 2019 for Supreme Courts:

- **Civil Courts**

Pending cases on 1 Jan 2019: 1,904

Incoming cases: 2,324

Resolved cases: 2,216 Pending cases on 31 Dec 2019: 2012

- **Administrative Courts:**

Pending cases on 1 Jan 2019: 13,693

Incoming cases: 3,645

Resolved cases: 3,886

Pending cases on 31 Dec 2019: 13,436

- **Penal Courts**

Pending cases on 1 Jan 2019: 481

Incoming cases: 1,612

Resolved cases: 2,237

Pending cases on 31 Dec 2019: 35

18. Enforcement of judgements

There are 1,916 bailiffs in total, working in a public constitution or practicing as private professionals under the control of the Greek Ministry of Justice. They can carry out the service of judicial or extrajudicial documents, the seizure of movable tangible or immovable properties or other goods, the seizure from a third party of the debtor claims regarding a sum of money etc.

19. Other

N/A

Anti-corruption framework

The institutional framework capacity to fight against corruption (prevention and investigation/prosecution)

20. Which authorities (e.g. national agencies, bodies) are in charge of prevention, including rules, guidelines and training?

Creating an institutional network to combat corruption

A. Newly Created Anti-Corruption Institutions

a) National Transparency Authority (established with Law 4622/2019, A΄133)

b) Hellenic Single Public Procurement Authority (H.S.P.P.A.)

c) Economic Police and Cyber Crime Subdivision

d) Prosecutors of Corruption Offenses

e) Financial Crimes Prosecutors

B. Strengthen existing Corruption Responsibilities institutions

a) National Transparency Authority (NTA)

b) General Directorate for Financial Control -Audit Coordination Committee (ESEL)

c) Financial Audit Committee (EDEL)

d) Special Secretariat for Financial and Economic Crime Unit (SDOE)

e) Anti-Money Laundering Authority of Activities and Financing of Terrorism and Control of Financial Statements (FIU) i) Court of Auditors

f) Ombudsman (Synigoros tou Politi)

21. Which authorities are in charge of investigating and prosecuting corruption?

a) Economic Police and Cyber Crime Subdivision

b) Prosecutors of Corruption Offenses

c) Financial Crimes Prosecutors

d) National Transparency Authority

e) General Directorate for Financial Control - Audit Coordination Committee (ESEL)

- Financial Audit Committee (EDEL)

k) Special Secretariat for Financial and Economic Crime Unit (SDOE)

l) Anti-Money Laundering Authority of Activities and Financing of Terrorism and Control of Financial Statements (FIU) m) Court of Auditors

The transparency, integrity and accountability of decision-making process, including legislation and government

22. Rules on integrity (such as declarations, lobbying and transparency for decision-makers

Regarding the control over the laws passed by the Greek Parliament, it is noted that the bills must also be accompanied by a report on the public consultation preceding their submission. A public consultation report is not required in those cited in law cases or if the bill has been declared urgent by the Government. Public consultation of laws and regulations is one of the key actions open, which can be found at www.opengov.gr. When the deadline for consultation expires, the Ministry responsible will publish a thank-you text including the first conclusions. At the same time, it processes citizens' comments drafting the above-mentioned report on public consultation.

By virtue of Greek Law 3023/2002 'State funding of political parties. Revenue and expenditure, promotion, publicity and control of the finances of the political parties and of the candidates' (Government Gazette, Issue A, 146), candidate Members of the Greek Parliament and of the European Parliament are required to state in detail their source of income. The Greek Parliament is responsible for the implementation of this law. The status of the asset declarations of the Parliament's candidate members is monitored by the (central) Audit Committee referred to in Article 21 of the above Law, which is responsible for the examination of the financial supports of the political parties and of the candidates for the Greek Parliament and the European Parliament. The Audit Committee shall afterwards make public the above information which shall remain on the Audit Committee's website for a period of ten (10) years. The Audit Committee should regularly update its official website, making the above information immediately accessible to the public. If the party or coalition of parties fails to submit the information provided for in this paragraph, the Audit Committee shall publish this omission on its website. Concerning the judicial review of the constitutionality of laws, it is noted that the competent courts often rule as unconstitutional laws proposed by the Government and voted by the Parliament.

Liable for stating in detail the source of income are Prime Ministers, Ministers, Deputy Ministers, Members of the Greek Parliament or the European Parliament, judges and prosecutors, etc., political entities, media owners, certain public officials, journalists, presidents and bank managers, as well as a host of other persons are required to submit an Asset Declaration each year, commonly referred to as "From-Where" statement of financial interests of Greek Law 3213/2003 (Government Gazette, Issue A, 309). From 2015 (according to Law 4281/2014, Government Gazette, Issue A, 160) shareholders, board members, directors, etc., Greek companies awarding public contracts for technical projects, if the project budget exceeds EUR 300,000, or public service/supply contracts, if they exceed EUR 150,000 per tender, have been added. Greek Law 4571/2018 (Government Gazette, Issue A, 186) added to the debtors, the Heads of Ministries, the publishers of online and print media, the legal deputies of the Heads of Forestry and Forestry, the regular and alternate members and the reporters of the Audit Committees etc. Law 3213/2002 specifically provides for the categories of persons that

are obliged to submit an annual declaration form as well as for the competent authorities that are responsible for monitoring the submission of asset declarations by specific categories of public officials.

Statements of Assets are submitted electronically. The statements by Members of the Greek Parliament posted on its website.

Greek Law 3861/2010, Government Gazette, Issue A, 112, which introduced the program "Transparency" (Διαύγεια=Diavgeia) , imposes for the first time in Greece the obligation for acts and decisions of the Government and public sector bodies to be posted online.

Preventive measures

23. Rules on conflict of interests, and revolving doors regulation

With regards to the prevention of conflicts of interest in the procurement process, Article 24 paragraph 1 of Directives 2014/24/EU and 2014/25/EU was transposed into Greek law by Article 24 paragraph 1 of Greek Law 4412/2016 (Government Gazette, Issue A, 147) as follows: "1. The contracting authorities shall take the appropriate measures in the following paragraphs for the: (a) effective prevention; b) detection; and c) resolution of conflict of interests arising out of the conduct of the award procedures, including planning and process preparation as well and drafting the contractual documents so as to avoid any distortions of competition and ensuring equal treatment for all economic operators. 2. A conflict of interest situation is particularly present when persons in the following paragraph shall have, directly or indirectly, financial, or other personal interest, as specifically provided for in paragraph 4, which could be construed as affecting impartiality and their independence as part of the contract award process.".

With regards to background checks, integrity testing and post-employment restrictions:

Law 4622/2019 on the Organization, Operation and Transparency of the Government, Government Institutions and Central Government Administration devotes an entire chapter (Part IV) on ineligibilities, incompatibilities and rules for the avoidance of conflicts of interest of Members of the Government, Deputy Ministers, General and Special Secretaries of governing bodies of the public sector and non-permanent staff, among others (see ***article 68*** below). The relative provisions aim at ensuring transparency and integrity in public administration through rules that govern the action of members of the government. In particular, these rules govern their appointment, the carrying out of their duties and the period after they leave service. The main goal of these provisions is to safeguard the principles of integrity and impartiality which are expected from any person who holds a public office. The primary legal basis for these provisions is article 81 of the Greek Constitution which provides for the suspension of any professional activity for the members of the Government, Deputy Ministers and the President of the Parliament during the performance of their duties. The law extends this suspension to additional persons who exercise public authority given the need for complete dedication to their mandate. The implementation of these provisions is ensured with the creation of the Ethics Committee established within the auspices of the National Transparency Authority. More analytically:

Article 68 refers to the specific categories of persons where the provisions apply, namely to: (a) members of the Government and Deputy Ministers, (b) General and Special Secretaries, and Coordinators of the Decentralised Administrations, (c) Presidents or Heads of Independent Authorities, and Presidents, Vice-Presidents, Governors, Deputy Governors, Directors or appointed advisors to legal persons governed by public law and private law, the selection of whom is reserved to the government, with the exception of bodies falling within the scope of Chapter B of Law 3429/2005 (Government Gazette A' 314).

Hence, ***article 69*** refers to various impediments to appointment, ***article 70*** to incompatibilities, ***article 71*** to obligations during the performance of duties and ***article 72*** to procedural obligations for the avoidance of conflicts of interest while ***article 73*** provides for the obligations after leaving service. More analytically:

As to impediments to appointment (article 69): Persons (a) who have been convicted or referred by a final order (of the judicial council) for a felony, (b) who have been deprived of their civil rights as a result of a conviction and for the period of time that the deprivation is issued, (c) who are subject to a prohibition of appointment, cannot be appointed to the positions of article 68.

As to incompatibilities (article 70): the exercise of any professional or business activity as well as the exercise of public office duties in any position in the public sector is automatically suspended for the persons mentioned in article 68. In addition, under ***para. 4***, these persons should not enter into any contract with the State or other legal persons of public law.

As to the obligations during the performance of duties (article 71): The persons appointed to the positions of article 68 have the obligation to exercise their duties with integrity, objectivity, impartiality, transparency and social responsibility and act exclusively for the public benefit (***para. 1***). They are required to refrain from the management of certain cases declaring a conflict where such conflict of interest exists. **A conflict of interest is defined as any situation that would objectively influence the impartial exercise of their duties** (***para. 2***). Such is the case where there is a benefit, financial or not, for themselves or their spouses and relatives, or a detriment financial or not for the persons with whom there is a special hostility (**para. 3**). Furthermore, the persons appointed to the positions of the article 68 must declare to the Presidency of the Government of any conflict interests that may later arise as soon as they become aware of it (see ***article 72, para.2***).

As to the procedural obligations in order to avoid a conflict of interest (article 72): A specific procedure needs to be followed for the avoidance of conflicts of interest with the filing of a declaration within one month from appointment. More specifically, the persons specified in article 68 are required to declare (a) their professional activities (including those of their spouses) during the last three years and (b) their participation (including that of their spouses) in the capital or management of enterprises. They must also (c) submit a copy of their asset declaration form for the last three years, (d) declare any other activity (including any activity of their spouses) and (e) submit a copy of their criminal record. According to para. 2, they have the obligation to declare to the Presidency of the Government any conflict of interest that may later arise.

As to the obligations after leaving service (article 73): *For one year after they leave their post, persons appointed in positions of article 68 have the obligation to obtain authorization for any professional or business activity that relates to the activity of the entity to which they were appointed, if it could raise any conflict of interest, as described in article 71. The authorization requires the submission of a petition to the Ethics Committee discussed below.***Ethics Committee:**

In accordance with ***article 74 of Law 4622/2019***, an Ethics Committee is established in the National Transparency Authority with the responsibility to (a) address any matter referred to it by the Prime Minister on ethical issues and avoidance of conflicts of interests of the persons appointed to the positions referred to in Article 68 of said Law, namely, members of the Government and Deputy Ministers, General and Special Secretaries, Coordinators of Decentralized Administrations, Presidents or Heads of Independent Authorities and to the Presidents, Vice-Presidents, Directors, Deputy Directors, Deputy Directors, Directors or appointed advisers to legal persons governed by public law and private law; (b) examine the requests submitted in the context of Article 73 (1) and (2) of said Law on obligations after leaving service. In addition, the Ethics Committee (c) may, ex officio, review the implementation of the provisions on ineligibility, incompatibilities and rules for the avoidance of conflicts of interest (see articles 69 to 73) and propose the imposition of the relevant sanctions (addressed in Article 75 discussed below, under question 7.2); and (d) to provide an advisory opinion on draft codes of conduct for persons appointed to the positions referred to in Article 68 or for other civil servants or officials of the public administration, referred to by the Prime Minister.

Penalties imposed by the Ethics Committee of the National Transparency Authority:

In cases of violation of the provisions regarding ineligibility, incompatibilities and rules for the avoidance of conflicts of interest, the Ethics Committee shall in accordance with ***article 75 para. 1 of Law 4622/2019*** draw up a finding on the matter with proposed sanctions and shall send it to the Governor of the National Transparency Authority in order for him/her to adopt an administrative act concerning: (a) the imposition of a fine of up to twice the total remuneration and all the allowances received by the person referred to in Article 68 during his/her term of office, which is certified and is directly collected as public revenue, in accordance with the provisions of the Public Revenue Collection Code; (b) the prohibition of appointment, to the positions mentioned in Article 68 of this Law, for a period of up to five (5) years from the finding of the infringement. The above penalties shall be imposed cumulatively or alternatively. In the event of failure to pay the fine referred to in point (a), the period referred to in point (b) shall be extended for as long as the fine is not paid. All the decisions shall be posted on the website of the National Transparency Authority (***para. 2***), in addition to the publicity obligations, as set forth. Nullity of the contracts entered into is also provided as an additional consequence (*para. 3*).

24. Whistle-blower protection

Greek Law 4254/2014 (Government Gazette, Issue A, 85), introduced Article 45B (new Article 47) for 'public interest witness' in the Greek Code of Criminal Proceedings which extends the protection afforded until recently only to witnesses of organized crime and terrorism offenses of Article 9 of Greek Law 2928/2001(Government Gazette, Issue A, 141) to persons who disclose crimes of corruption of political persons related to the public service. A public interest witness enjoys limited protection against criminal prosecution.

Protection of witnesses (Article 9 of Law 2928/2001)

Greek Law 2928/2001, issued for the protection of citizens from acts of criminal organizations and acts of terrorism, amended Articles 187, 187A and 187B (today unified in one, namely new Article 218) of the Greek Criminal Code and introduced for the first time a comprehensive framework of protective measures for key witnesses who help with revealing the above criminal activities. Article 9 of above Greek Law 2928/2001 stipulates that during the prosecution of these crimes all necessary measures must be taken to effectively protect the key witnesses, or their relatives, from potential acts of revenge or acts of intimidation against them. The list of measures includes extrajudicial protection, police protection and monitoring using electronic audio and visual broadcasting media in order to ensure the physical integrity of witnesses and of their relatives, until their relocation within or outside Greece, including the possibility of allocating public officers indefinitely to another service. It is also provided for the witness to not be named in the examination report. In that case during the Court hearing, the witness whose identity was not disclosed is called by the name chosen by him in his examination report. If the public prosecutor or a party requests the disclosure of his real name, the court shall give a reasoned decision whether or not to disclose. The revelation may also be ordered by the court at its own. The witness protection status is granted by virtue of a ministerial decision, upon recommendation of the Public Prosecutor, which must provide the necessary protective measures. The special regime protection shall be granted only with the consent of the witness and the relevant measures taken should not limit his individual freedom beyond what is strictly necessary measure, based on the circumstances of the case. Protective measures are discontinued if the witness request so in writing or if he does not cooperate effectively with the authorities.

As mentioned above, Greek Law 4254/2014 introduced Article 9 (7) into Law 2928/2001, thereby extending its scope to corruption cases. In accordance with Article 9 (7), in cases involving corruption offenses, nine witnesses of public interest under Article 45B (new Article 47) of the Greek Code of Criminal Proceedings, individuals pursuant to by Article 253B (new Article 255) of the Greek Code of Criminal Proceedings, and any other person who contributes substantially to the disclosure of such offenses or, where appropriate, if necessary, and their relatives may receive the same protection from potential acts of intimidation or retaliation, as if they were witnesses pursuant to Law 2928/2001.

After the introduction of Article 45B (new Article 47) in the Greek Code of Criminal Proceedings, the Greek Code of Conduct for Public Political Administrators and Law Enforcement Officials (Law 3528/2007- Ratification of the Public Policy Status Code

of public officers, Government Gazette Issue A', 26) has been amended to ensure that no disciplinary action is taken or any discrimination, directly or indirectly (in particular in matters of service development, movement or placement, etc.) to damage pubic officer because of the fact that it has complained of behaviors that are susceptible [Article 110 (6)]. The employees disclosing acts of corruption can also be allocated, upon request, to other service [Article 73 (6)]. During the preliminary examination, and under certain conditions at the end of it, the anonymity of the officials who contribute substantially is fully protected (Article 125).

Finally, according to paragraph 5 of Article 5 of Law 4624/2019 (Government Gazette, Issue A, 137) for the Protection of personal data "The data subject shall not be informed of the identity of the natural person from whom the personal data came from, where such information may endanger their life or physical integrity and their fundamental freedoms, as well as protected witnesses or whistleblowers.".

Finally, the Greek authorities are in the process of transposing the EU Directive (EU) 2019/1937 of the European Parliament and the Council on the protection of persons who report breaches of Union law (L 305/17). A respective legislative drafting committee has been established for this purpose.

25. Other measures to prevent corruption

Leniency for those who contribute to exposing corruption in the public administration system

Article 263B (new Article 263A) was introduced into the Greek Penal Code by virtue of Law 3849/2010 and provides for leniency of measures in favor of persons who disclose acts of corruption and corruption in the public administration system. The article defines four cases in which leniency measures are provided, depending on the degree of culpability and the person's office which contributes to the disclosure of the acts and the office of the person against who the disclosure was made: (a) individuals reporting pre-investigation conduct; (b) individuals cooperating with the authorities of law enforcement while investigating; (c) involved public officers, cooperating with law enforcement authorities while the investigation is in progress; and (d) key, accused, public officers working with law enforcement authorities while the investigation is ongoing. The main purpose of Article 263B (new Article 263A) is to provide leniency to persons contributing to the disclosure of corruption in the public administration system who are involved in acts of corruption. Article 263B (new Article 263A) therefore offers incentives to those involved in the acts to take the initiative and disclose their accomplices in return for leniency in criminal proceedings.

Preventive measures 26.

Criminalisation of corruption and related offences

"Convention on Criminal Law on Corruption" (Law 3560/2007), prepared by the Council of Europe, as well as "Convention against Corruption" (Law 3666/2008) drawn upon the framework of UN. Equally important is the incorporation of the "Convention for the Protection of the European Communities' financial interests" (Law 2803/2000), which concerns the protection of the Community budget from fraud, corruption, etc.

Law 3849/2010, which made the provisions relating to official services more stringent as crimes. These are crimes related to the public service, including passive crime bribery, infidelity and breach of duty.

Law 3961/2011 amending Law 3126/2003 on "Criminal responsibility of Ministers and Deputy Ministers", introduces the following key provisions:

- the formation of a three-member advisory board which, prior to the establishment of a pre-judgment committee, will carry out a legal review on the data and will provide its opinion, if applicable, on the possible criminal responsibility of a Minister, whereas the final decision will be of the Parliament;
- limitation period for the prosecution of Ministers' offenses is similar to common limitation period;
- as restrictive measure, a prohibition from leaving the country may be imposed;
- the Parliament's Committee conducting the preliminary examination will be able to order a confiscation of any illicit economic benefit;
- if the prosecution relates to a felony, it may be possible by virtue of a decision of an investigating judge to freeze any accounts, securities and financial products in general of the Minister.

Related corruptions' criminal offences according to the Greek Penal Code:

Article 159 (bribery of politicians)

Article 159A (bribes of politicians)

Article 235 (employee bribery)

Article 236 (**employee bribes)**

Article 237 (bribery and corruption of judges)

Article 237A (trading of influence-intermediaries)

Article 259 (breach of duty)

Article 375 (embezzlement)

Article 385 (extortion)

Article 386 (fraud)

Article 390 (infidelity)

Article 396 (active and passive corruption in the private sector)

27. Penalties for corruption offences (including for legal persons)[1]

Law 3560/2007: repealed by Law 4254/2014, Article 1t, para. 11, IE-20 indent

Law 3666/2008: repealed by Law 4254/2014, Article 1, para. 11, IE-20 indent **Law 2803/2000[2]:**

Article Four "Fraud against the European Communities' financial interests"

"1. Anyone using false, inaccurate or incomplete statements or documents or with the concealment or infringement of a specific obligation to intercept information or with the unauthorized use of the resources allocated to him or of the benefits legally obtained shall wrongly receive or withholds or unlawfully reduces the resources of the general budget of the European Communities or of the budgets managed by or on behalf of the Communities is punished with imprisonment. 2. If the damage in the previous provisions exceeds 25,000,000 drachmas=73,400 EUR, incarceration of up to ten years shall be imposed, and if the damage exceeds 50,000,000 drachmas =147,000 EUR, incarceration shall be imposed.".

Article Five '**EU OFFICIAL CRIMINAL OFFENSES '**Fraud of minor value to the detriment of the European Communities' financial interests´ «The offender of the offense provided for in paragraph 1 of Article 4 shall be punished by imprisonment of

[1] According to the Greek Penal Code, **Article 18 Categories of criminal offense:** 'Criminal offenses are distinguished as felonies and misdemeanors. Any act punishable by life imprisonment or temporary incarceration is a felony. Any act punishable by imprisonment or confinement in a special youth detention facility or solely by a fine or by the provision of public service is a misdemeanor." **Article 50 Types of penalties:** "The main penalties are: (a) deprivation of liberty; (b) the financial penalty; and (c) the provision of public service. **Article 52 Incarceration "**1. Incarceration shall be temporary and exceptional, provided that the law expressly stipulates it for life. 2. The duration of the temporary incarceration shall not exceed 15 years, nor shall it be less than five years. **Article 53 Imprisonment:** The term of imprisonment shall not exceed five years, nor shall it be less than ten days. **Article 57 Fines:** "The fine shall be determined in units of per day. 2. Unless otherwise specified in specific provisions, the fine may not be higher than: (a) ninety daily units when threatened as the sole main punishment; from three hundred and sixty daily units when summarily threatened with a sentence of deprivation of liberty.3. Unless otherwise specified in specific provisions, the amount of each daily unit may not be less than one euro nor more than one hundred euro. 4. With the death of the convicted person, the financial penalty shall be deleted. In no case shall it be executed against his heirs.".
It is also worth mentioning that under Greek criminal law legal persons have no criminal responsibility. Only individuals who manage or represent the legal entities have a criminal liability

[2] Art. 28 of recent Law 4689/27-5-2020 (A´ 103) repealed Law 2803/2000, while directive (EU) 2017/1371 on the fight against fraud to the Union's financial interests by means of criminal law was transposed by articles 21-27 of Law 4689/2020.

up to one year or by a fine if the damage caused does not exceed 2,000,000 drachmas= 5,900 EUR.».

Article Six '**EU OFFICIAL CRIMINAL OFFENSES'** 'Training or administration of counterfeits etc. statements or documents' "Anyone who compiles or sponsors counterfeits, inaccurate or incomplete statements or documents intended to be used to commit the offenses set forth in Articles Fourth and Fifth of this Law shall be punishable by imprisonment if the abovementioned documents or statements relate to acts of Article 4 and to imprisonment of up to one year; or by a money penalty, if they are related to the operation of the fifth article, if he is not more severely punished as an offender or a participant in those acts.".

Article Seven 'EU OFFICIAL CRIMINAL OFFENSES Criminal liability of business executives "If a person who carries out managerial functions or who has the power of decision or control over an undertaking for which one of the offenses referred to in Articles has been committed, the fourth, fifth, sixth, ninth and tenth offenses hereunder of the financial interests of the European Communities has not prevented this act in breach of its duties if sentenced to imprisonment unless it is more severely punishable by another criminal provision.".

Law 3849/2010 as it stands amended (see below Law 3213/2003):

Law 3126/2003: Article 1 'SCOPE OF THE LAW' "1. Misdemeanors or felonies committed by a Minister in the performance of his or her duties shall be dealt with in accordance with the provisions of that law by the Special Court under Article 86 of the Constitution, even if the Minister has ceased to have that capacity. 2. Any stakeholders shall be cited and prosecuted in accordance with the provisions of this Law. 3. The offenses referred to in paragraph 1 which have not been committed in the performance of the Minister's duties shall be tried by the competent courts in accordance with the provisions of the Criminal Code, the Special Criminal Laws and the Criminal Proceedings Code for criminal responsibility of Ministers."

Law 3213/2003 - DECLARATION OF PROPERTY-(POTHEN ESXES="FROMWHERE")

Article 6 « (..). "«2. A person who fails to file a statement after the expiration of sixty (60) days after the expiry of the period referred to in paragraph 2 of Article 1 or makes an incorrect or incomplete statement shall be punished with imprisonment and a fine of up to one hundred thousand (100,000) euros. The statement is also inaccurate when the assets declared or increased are not justified by any kind of lawfully obtained income of the debtor. If the debtor commits the offense of concealing an asset of more than thirty thousand (30,000) euros, he shall be punished by imprisonment of at least two (2) years and a fine of ten thousand (10,000) euros to five hundred thousand (500,000) euros. ».3. The "offender of the third subparagraph" of the preceding paragraph shall be punished by imprisonment of up to ten (10) years and a fine of from twenty thousand (20,000) euros to one million (1,000,000) euros if the total value of his or her concealed property himself and the other persons for whom he is required to file a declaration exceed a total of three hundred thousand (300,000) euros, whether the concealment is

attempted by failure to submit a statement or by incomplete or inaccurate declaration. 4. If the actions referred to in the first subparagraph of paragraph 2 have been committed negligently, a fine shall be imposed. The Judicial Council or the court, judging freely in all circumstances, may impose such actions on impunity. 5. A third party knowingly contributing to the filing of an inaccurate declaration, and in particular the failure to declare assets, shall be punished with imprisonment and a fine "unless punishable by another provision".

Article 6A "1. A spouse, estranged spouse or part of the cohabitation agreement that fails to declare his or her own assets or minor children after the ninety (90) days have elapsed since the call of the supervisor in the case referred to in Article 2 (1) (c), or declare them incorrect or incomplete, shall be punishable by imprisonment and a fine of up to one hundred thousand (100,000) euros. The statement is also inaccurate when the assets declared or increased are not justified by any kind of lawfully obtained income of the debtor. If the above-mentioned persons commit the offense of concealing an asset valued at more than thirty thousand (30,000) euros, they shall be punished by imprisonment of at least two (2) years and a fine of ten thousand (10,000) euros to five hundred thousand (500,000) euros. 2. The perpetrator of the third subparagraph of the preceding paragraph shall be punished by up to ten (10) years of imprisonment and a fine from twenty thousand (20,000) euros to one million (1,000,000) euros if the total value of the assets concealed in his own possession. and their minor children total more than three hundred thousand (300,000) euros, whether the concealment is attempted by non-submission or by incomplete or inaccurate reporting.3. If the acts referred to in the first subparagraph of paragraph 1 have been committed negligently, a fine shall be imposed. The Judicial Council or the court, judging freely in all circumstances, may impose those acts on impunity. 4. A third party who knowingly associates himself with the submission of an inaccurate declaration and in particular the failure to file a declaration of assets shall be punished with imprisonment and a fine, unless punishable by another provision.5. Natural persons and employees of the legal entities referred to in Article 5 of Law 3691/2008 who violate the obligation to disclose Article 5 (5) of this Law shall be punished by imprisonment of up to two (2) years.".

According to Article 45 of Law 3691/2008 (Money laundering Law) 'Incarceration of up to ten years and a fine from twenty thousand (20,000) euros to one million (1,000,000) euros shall be imposed for the offender of money laundering. b. The offender shall be punished by imprisonment and a fine from thirty thousand (30,000) euros to one hundred and five hundred thousand (1,500,000) euros, if he acted as an employee of a legal person or if the essential offense is included in the offense of Article 3 (c), (d) and (e), even if a prison sentence is imposed on them.

Article 159 (bribery of politicians):

Para. 1 provides incarceration (felony) and a fine up to 1,000 daily units

[…]

Para 4: "Paragraphs 1 and 2 shall also apply where the act is composed of: (a) members of parliamentary assemblies of international or supranational organizations of which

Greece is a member; (b) members of the European Parliament or of the European Commission. In these cases, Greek criminal laws apply when the act is committed abroad, even if it is not punishable under the law of the country where it was committed.".

Article 159A (bribery of politicians):

Para. 1 provides for incarceration (felony) and a fine up to 1,000 daily units

[…]

Para 4: "The preceding paragraphs (1-3) shall also apply where the act relates to: (a) members of parliamentary assemblies of international or supranational organizations of which Greece is a member; (b) Members of the European Parliament or of the European Commission; (c) Members of Parliament or any other local government council. In these cases the Greek criminal laws apply when the act is completed abroad by a national, even if it is not punishable under the laws of the country where it was committed.".

Article 235 (employee bribery):

Para 1 provides for imprisonment and a fine

Para 2 provides for incarceration (felony) up to ten years and a fine

[…]

Article 236 (**employee bribery):**

Para 1 provides for imprisonment of up to three years and a fine

Para 2 provides for imprisonment of at least three years and a fine

[…]

Article 237 (bribery and corruption of judges):

Para 1 provides for incarceration (felony) and a money penalty up to 1,000 daily units

Para 2 provides for incarceration (felony) up to ten years and a fine up to 1,000 daily units

[…]

Article 237A (trading of influence - intermediaries):

Para 1 provides for imprisonment and a fine

[…]

Article 259 (breach of duty):

Para 1 provides for imprisonment up to two years or a fine, if the offense is punishable by other criminal provisions

Article 375 (embezzlement):

Para 1 provides for imprisonment up to two years or a fine/or imprisonment up to two years and a fine/or imprisonment of at least one year and a fine

Para 2 provides for incarceration (felony) up to ten years and a fine, when the damage caused is in excess of 120,000 euros

Para 3 provides for incarceration (felony) of at least ten years and a fine up to 1,000 daily units, when the damage caused is in excess of 120,000 euros, when the embezzlement is directed against the State

Article 385 (extortion):

Para 1 provides for imprisonment of at least one year and a fine

Para 2 provides for incarceration and a fine/or life imprisonment/ or temporary incarceration of at least ten years and a fine

[…]

Article 386 (fraud):

Para 1 provides for imprisonment and a fine/ or provides incarceration (felony) up to ten years and a fine, when the damage caused is in excess of 120,000 euros

Para 2 provides for incarceration (felony) of at least ten years and a fine up to 1,000 daily units, when the damage caused is in excess of 120,000 euros, when the embezzlement is directed against the State

Article 386B (fraud related to grants):

Para 1 provides for imprisonment of at least one year and a money penalty/ or incarceration up to ten years and a fine, when the damage caused is in excess of 120,000 euros

[…]

Article 390 (infidelity):

Para 1 provides for imprisonment and money penalty/or provides for incarceration (felony) up to ten years and a fine, when the damage caused is in excess of 120,000 euros

Para 2 provides for incarceration (felony) of at least ten years and a fine up to 1,000 daily units, when the damage caused is in excess of 120,000 euros, when the embezzlement is directed against the State

Article 396 (active and passive corruption in the private sector):

Para 1 provides for imprisonment of at least one year and a fine.

[…]

28. Immunity regimes

According to Article 61 of the Greek Constitution "1. A Member of Parliament shall not be prosecuted or in any way interrogated for an opinion expressed or a vote cast by him in the discharge of his parliamentary duties. 2. A Member of Parliament may be prosecuted only for libel, according to the law, after leave has been granted by Parliament. The Court of Appeals shall be competent to hear the case. Such leave is deemed to be conclusively denied if Parliament does not decide within forty-five days from the date the charges have been submitted to the Speaker. In case of refusal to grant leave or if the time-limit lapses without action, no charge can be brought for the act committed by the Member of Parliament. This paragraph shall be applicable as of the next parliamentary session. 3. A Member of Parliament shall not be liable to testify on information given to him or supplied by him in the course of the discharge of his duties, or on the persons who entrusted the information to him or to whom he supplied such information. ".

According to Article 62 of the Greek Constitution "During the parliamentary term the Members of Parliament shall not be prosecuted, arrested, imprisoned or otherwise confined without prior leave granted by Parliament. Likewise, a member of a dissolved Parliament shall not be prosecuted for political crimes during the period between the dissolution of Parliament and the declaration of the election of the members of the new Parliament. Leave shall be deemed not granted if Parliament does not decide within three months of the date the request for prosecution by the public prosecutor was transmitted to the Speaker. The three month limit is suspended during the Parliament's recess. No leave is required when Members of Parliament are caught in the act of committing a felony.".

Law 3961/2011 amending Law 3126/2003 on "Criminal responsibility of Ministers and Deputy Ministers". The due to the changes the focus is mainly on:

- setting up a three-member advisory board, which, prior to the establishment of a prejudgment

-committee, will carry out legal review of the data and will give its opinion if any case of probing a possible criminal liability of the minister, while the final reason will be and again the House

- time-barring of ministers' offenses similar to common time-barring,

- the possibility of imposing a restrictive prohibition on leaving the country

- the House Committee conducting the preliminary examination may order it in www.diavgeia.gov.gr

-confiscation of the illicit economic benefit; if the prosecution relates to an offense, it may be decided by an investigator

-freezing of accounts, securities and financial products in general.

Corruption in high - risks areas

29. Measures to fight corruption in high-risk sectors (e.g. public procurement, healthcare)

National Anti-Corruption Strategic Plan Introduction to the National Strategic Plan Fighting Corruption (2018 - 2021)

By Law 4622/2019 (articles 82-103 and 118-119) on the Organization, Operation and Transparency of the Government, Government Institutions and Central Government Administration, Greece established the National Transparency Authority (NTA) as an Independent Authority with a robust anti-corruption mandate in order to a)Enhance integrity, transparency, and accountability in the action of public institutions, b)Prevent, detect, and respond to fraud and corruption in public and private bodies and organizations, c) Achieve measurable results in the fight against corruption, and d) Raise awareness against corruption. Law 4622/2019 seeks to consolidate overlapping competences, coordination impediments, and fragmentation of audit bodies, by merging pre-existing 6 key state entities (5 Inspectors- Controllers Bodies and General Secretariat Against Corruption). Thus, the NTA undertakes the entire range of the responsibilities, obligations, and rights previously exercised by them and becomes the competent authority for the preparation, monitoring and evaluation of National Anti-Corruption Action Plan (NACAP).

The National Anti-Corruption Action Plan (NACAP) is the first single framework for planning and monitoring the efforts for preventing and combating corruption and the national implementation tool of the European Semester priorities and the recommendations of the international organizations. Its implementation consists a national commitment, ensuring the continuity of the European Stability Mechanism reforms. Based on the evaluation reports of International Organizations (OECD, GRECO, UN) and the OECD's Technical Assistance, NACAP ensures the cooperation among the competent authorities and the active engagement of the private sector and the Civil Society in the implementation of the relative objectives and multilevel actions

The NACAP aims at contributing in a progressive and consistent way to the reduction of corruption, the strengthening of integrity and the increase of the citizen's trust in public institutions. In addition, the NACAP is envisaged to help the governance structures to change their institutional anti-corruption culture and attitude towards a more result-oriented approach to promote the pro-active engagement of public institutions, independent bodies, civil society and international community.

The NACAP is structured in 5 parts, 15 General Strategy Objectives, 49 Specific Action-Plan Objectives and 147 actions.

PART 1: SECTORAL PREVENTION OF CORRUPTION

The first group of specific strategy objectives (1.1-7.2) aims to reduce corruption risks in specific sectors of public administration such as health, tax and customs, public

finances, public procurements, defense, sports and environment, by the establishment, implementation and monitoring of specific anti-corruption strategies and plans.

In addition to specific sectoral strategies, the NACAP focuses on the strengthening of the asset recovery mechanism through a series of actions that follow the international best practices and standards.

The second group of objectives aims to reduce corruption risks in the private sector, by promoting the development of Anti- Corruption Public Private Partnerships (ACPPP), strengthening the institutional framework concerning the liability of legal persons on acts of corruption, rationalizing and simplifying of procedures for public and private investment programs and analyzing the constraints related to corruption as well as to illegal practices that undermine growth, competition, investments, productivity and trust.

The third group of strategy objectives aims to reduce corruption risks in the political sphere as another crucial priority of the revised NACAP. By these objectives NTA focuses on the more efficient monitoring of the declaration of assets and the code of conduct for the members of the Parliament. In parallel, it suggests specific actions for the development of an institutional framework concerning lobbying and conflict of interest, and the proposals for the revision of the Constitution, regarding the accountability of the members of the Government.

The last group in the first part of NACAP aims to reduce corruption risks in local government by strengthening the audits of Local Government related to corruption and establishing Internal Audit Units in Regional and Municipal Authorities.

PART 2: PUBLIC INTEGRITY ACROSS ADMINISTRATION AND JUDICIARY SYSTEM

The priority of 2nd part is the reinforcement of the public integrity across administration and judiciary system. There are many elements that compose a strong framework within which public officials can safely work and act with integrity. The establishment of an integrated National Public Integrity System and of an effective mechanism for whistleblower's protection will secure the advance of the integrity in the public sector and increase the public trust. Furthermore, by enhancing the integrity and efficiency of the judiciary system, by setting standards of professional conduct, integrity and accountability and other reforms for judges and prosecutors, the aims at strengthening the function of the judiciary system.

PART 3: STRENGTHENING COOPERATION, COORDINATION AND COLLABORATION ACROSS THE PUBLIC SECTOR

This part aspires to reinforce the current public structures and the effectiveness of their important work, by strengthening the institutional framework of inspection, investigation and prosecution regarding combating corruption and financial crimes.

PART 4: EDUCATION AND RAISING AWARENESS

In order both citizens and youth to engage in anti-corruption initiatives and to participate as stakeholders in the development and implementation of anti-corruption strategies, the NACAP applies a series of actions in communication and young's people awareness through the primary, secondary and high educational system. The underpinning work, such as to incorporate the relevant subjects into the school curriculum has been planned – and will be actively developed.

PART 5: ORGANISATIONAL TRANSFORMATION AND OPERATIONAL REFORM OF THE NATIONAL TRANSPARENCY AUTHORITY

This part was added by NTA during the last NACAP update and includes actions connected to organizational and operational reforms that NTA promotes in order to perform its duties in the most effective way.

As far as the special measures to fight corruption in high-risk sectors, the first part of NACAP includes actions for the development, implementation and evaluation of sectoral anti- corruption strategies in high- risk sectors of public administration.

The implementation of sectoral anti-corruption strategy in the field of public procurement is monitored through the annual reports of the Hellenic Public Procurement Authority (HPPA-ΕΑΑΔΗΣΥ). In compliance with the obligations arising from the provisions on "good governance" in the field of public procurement (Articles 340 et seq. of the Law 4412/2016), HPPA submitted to the EC the first Monitoring Report for the enhancement of transparency in the field of public procurements. In addition, Law 4601/2019, on the harmonization of the legislative framework with the provisions of the European Directive 2014/55, regulates the issue of the electronic invoices (NACAP action: 2.1.1)

The implementation of the sectoral anti-corruption strategy in the tax and customs administration is proceeding, as the Independent Authority for Public Revenue (I.A.P.R- Α.Α.Δ.Ε.) published the respective strategy for the period 2019-2021. Progress monitoring takes place through IAPR's annual reports that also include the presentation of the progress in the field of combating illicit trade (NACAP actions: 3.1.1-3.2.2).

Furthermore, NTA receives technical assistance to enhance integrity and raise public awareness in the areas of sports and environment. Launched in November 2019, the project is implemented in co-operation with the United Nations Office on Drugs and Crime (UNODC), in the framework of the SRSP2 program of DG Reform of the EC (NACAP actions 6.1.1-7.2.2).

30. Measures to fight high-level corruption

Law 4639/2019 (Government Gazette Issue Α΄, 185/22-11-2019) ratified the Council of Europe Convention signed in Magglingen/ Macolin on 18 September 2014 on the

manipulation of sports events, emergency measures to combat violence in sport, the transformation of the Greek Olympic Games.

It is worth mentioning that according to Article 69 of Law 2725/1999 it is forbidden for a shareholder of a Sports Société Anonyme to acquire shares of another Sports Société Anonyme. Disciplinary and criminal sanctions are provided for in the event of violation of the provisions of Article 69 above.

31. Other

Law 4622/2019 on the Organization, Operation and Transparency of the Government, Government Institutions and Central Government Administration adopted in August 8, 2019, established for the first time in Greece an Independent Authority with anti-corruption mandate, the National Transparency Authority (*hereinafter* NTA, or the Authority). The ***key tasks of the Authority are provided in article 82 para. 1*** of said Law, namely (a) to enhance transparency, integrity and accountability in the action of government bodies, administrative authorities, state institutions, and public organizations, (b) to prevent, deter, detect, and respond to fraud and corruption in public and private bodies and organizations. The Authority's institutional framework is addressed in articles 82-103 and 118-119 of said Law.

In accordance with ***article 82 paras. 4 and 6***, the establishment of the NTA aims at a complete restructuring of six pre-existing key state entities namely: i. General Secretariat Against Corruption; ii. Inspectors-Controllers for Public Administration; iii. General Inspector of Public Administration; iv. Inspectors Body for Health and Welfare Services; v. Inspectors Body for Public Works; vi. Inspectors-Controllers Body for Transport, which are abolished, with the Authority undertaking the entire range of responsibilities, obligations, and rights previously exercised by them, ensuring the institutional continuity of administration and the interests of Greek citizens. The establishment of the NTA gives an end to overlapping competences, coordination impediments, and fragmentation of audit bodies, while it aims at fostering integrity, developing integrated training and capacity building programs, standardizing audit methodologies, and restoring public trust.

The NTA operates in accordance with the principles of control, accountability, integrity, and transparency, and is structured into three key operational pillars which are the following: Detection by performing inspections and audits; Prevention by developing integrity and accountability standards; Awareness raising by promoting trust to public institutions, educating the youth, and engaging citizens in the fight against corruption.

Media Pluralism

Media authorities

32. Independence and effectiveness of media authorities

1) The Secretariat-General of Communication - General Secretariat of Information and the ESR are responsible for the supervision of the media. The ESR has been an independent authority since 2001 which has the authority to impose administrative penalties for infringement of the existing provisions on broadcasting. Among the competences of the ESR the main are the following: to award, renew and revoke operating media licenses, as well as to ensure diversity, pluralism, healthy competition and transparency in media. The operation of the ESR is subject to parliamentary monitoring and its decisions are challenged before the Council of the State (CoE). The ESR also cooperates with the Competition Commission and National Telecommunications and Post Committee.

2) The National Council for Radio and Television (NCRTV) is a Greek independent administrative authority that supervises and regulates the radio/television market, founded in 1989.

Its legal framework is defined in the Greek Constitution (Article 15, paragraph 2). The NCRTV was established further to Law no.1866/1989, amended by Law no.2863/2000 and Law no. 3051/2002, as it has been respectively amended by Law 4339/2015.

3) The Secretariat General for Communication and Media is a public service of the Presidency of the Government. Its main mission is to provide timely and accurate information to the public about the Government's business, to regulate and to exercise its supervisory responsibilities on relevant media issues. The Athens News Agency - Macedonian Press Agency (ANA-MPA) and the national TV broadcaster (ERT AE) are under the supervision of the Secretariat General for Communication and Media , while the latter is also charged with the competence of policy-making on media, taking into consideration the evolution of technology. It's responsible for the application of the law in the media market.

The Presidential Decree no. 82/2017 (Article 27) describes the legal framework of the state supervision on media. The recent Law no 4622/2019, transmits the regulatory and state supervisory responsibilities at the Presidency of the Government.

33. Rules on the appointment and dismissal of the chairman - board members of the media authorities

According to Article 15 of the Greek Constitution "1. The protective provisions for the press in the preceding Article shall not be applicable to films, sound recordings, radio, television or any other similar medium for the transmission of speech or images. 2. Radio and television shall be under the direct control of the State. The control and imposition of administrative sanctions belong to the exclusive competence of the National Radio and Television Council, which is an independent authority, as specified by law. The direct control of the State, which may also assume the form of a prior permission status, shall aim at the objective and on equal terms transmission of

information and news reports, as well as of works of literature and art, at ensuring the quality level of programs mandated by the social mission of radio and television and by the cultural development of the Country, as well as at the respect of the value of the human being and the protection of childhood and youth. Matters relating to the mandatory and free of charge transmission of the workings of the Parliament and of its committees, as well as of the electoral campaign messages of the political parties by radio and television, shall be specified by law.".

National Council for Radio and Television (NCRTV)

Institutional Framework

i)The National Council for Radio and Television (NCRTV) is a Greek constitutional, independent, administrative authority that supervises and regulates the radio/television market, founded in 1989. It is a ninemember body, consisting of a President, a Vice-President and seven members (Act N.2863/2000, as amended by Law 4357/2016), all appointed by the Plenary of the Presidents, a special body of theGreek Parliament, a special body of the Parliament in charge of the nomination of the independent authorities, and in which all political parties are represented. The nominees have to be elected by 3/5 of the members of the Presidency of the Presidents of the Parliament.

What is interesting is that the establishment of the NCRTV, which took place by virtue of Law 1866/1989, reflected the urgent need for the Greek regulator to establish a regulatory body for the uprising free broadcasting industry in the late 80s, whereas until then the broadcasting was a privilege only of the State. The abovementioned law was extensively revised by the Laws 2328/1995, 644/1998 (governing provisions of TV on demand) and 2863/2000, with the later establishing the key powers and duties of the Council, still in force. Nevertheless, it is the Articles 15 par.2 and 101A of the Greek Constitution that are considered as the cornerstone of "Media Law" in Greece.

From that perspective, Article 15 par. 2 (as revised by the parliamentary resolution of April 6th, 2001) declares that "Radio and television shall be under the direct control of the State. The control and imposition of administrative sanctions belong to the exclusive competence of the National Radio and Television Council, which is an independent authority, as specified by law. The direct control of the State, which may also assume the form of a prior permission status, shall aim at the objective and on-equal-terms transmission of information and news reports, as well as of works of literature and art, at ensuring the quality level of programs mandated by the social mission of radio and television and by the cultural development of the Country, as well as at the respect of the value of the human being and the protection of childhood and youth. Matters relating to the mandatory and free of charge transmission of the works of the Parliament and of its committees, as well as of the electoral campaign messages of the political parties by radio and television, shall be specified by law".

Furthermore, Article 101A (as revised by the parliamentary resolution of November 25th, 2019) states that "1. In cases where the establishment and functioning of an independent authority is provided by the Constitution, its members shall be appointed for a fixed tenure and shall enjoy personal and functional independence, as specified by

law. 2. Matters relating to the appointment and service status of the scientific and other staff of the service that is constituted for the support and functioning of every independent authority shall be specified by law. The members of the independent authorities must possess the corresponding qualifications, as specified by law. Their selection is made by decision of the Conference of Parliamentary Chairmen. The decision is made by the increased majority of three fifths of its members. The term of office of members of the independent authorities shall be extended until the appointment of new members. Matters relating to the selection procedure are specified by the Standing Orders of the Parliament. 3. Matters concerning the relation between the independent authorities and the Parliament, and the manner, in which parliamentary control is exercised, are specified by the Standing Orders of the Parliament.".

Both aforementioned Articles of the Greek Constitution provide for NCRTV that since 2001, among other regulatory bodies in Greece, is a constitutional, independent, administrative authority. In continuance, Greek regulator adopted Law 3051/2002 - executing the constitutional provisions for the Greek Regulatory Authorities - as the general legal framework regulating all the Greek Regulatory Authorities, which are considered to be constitutional, independent Authorities. Its provisions aim to boost the status of members of NCRTV, regarding their appointment, to guarantee their independence and to impede potential conflict of interest.

Furthermore, from another regulatory perspective, Law 3592/2007, in accordance with several EU Directives, ensures transparency and free competition in the broadcasting field, while Law 4339/2015 constitutes the key legal framework for broadcasting licenses to radio and television stations. Finally, Presidential Decrees (P.D.): 77/2003 (code on information programs) and 109/2010 (transposition of the AVMSD into national law) shall be mentioned.

Independence

The members of the NCRTV are appointed for a period of six years, not renewed, and enjoy absolute personal and operational independence during the performance of their duties, guaranteed by the Greek Constitution, as revised on 18 April 2001 (see Article 15 para 2), and executing-of-the-Constitution Law 3051/2002 (see Article 3). The NCRTV members are persons of high status, enjoy social approval and are distinguished for their scientific expertise and their professional ability in the legal, academic and media field.

The Greek Parliament, as the national legislator, has introduced several rules on incompatibilities, in order to enhance the independence of the Members of the NCRTV. According to these incompatibilities, the offices of Minister, Deputy Minister, Secretary General and Vice-Secretary are considered incompatible with the offices of President or member of the NCRTV. Additionally, the President of the NCRTV cannot be subject to supervision or control by governmental or administrative authorities. He/she serves in a full time status. Furthermore, he/she is bound not to disclose confidential information that comes to his/her knowledge during the exercise of his/her duties, unless ordered by a competent court or a special Parliamentary Committee. In addition, NCRTV board members cannot hold office in political parties. The President

of NCRTV cannot be a partner, a stock holder, a member of the board or occupy, with or without remuneration, any other position in a company or an enterprise, whose activities are subject, directly or indirectly, to NCRTV's supervision (see Art. 2 par. 1, 3 par. 5 Law 3051/2002, Art. 1 par. 1, 3 par. 4 & 7 Law 2863/2000). In addition, the NCRTV President and its Board Members must not hold any legal relationship with the media industry during their office term and for three years after. It must be noted that the obligation to disclose participations in companies is a general transparency rule during the office term that is applied also to the chairman and to the board members of the NCRTV and not a special rule to avoid conflicts of interests in the appointment process (see Art. 3 para 9 Law 2863/2000). Regarding the dismissal of the NCRTV President or the Board Members, according to Greek law, dismissal is permitted only under grounds of forfeiture from office in the event that the NCRTV President and Board members are condemned with final sentence for felony or for a series of criminal offences. On balance, they are subject to disciplinary control in case of mishandling in their performance of their duties (see Art. 3 para 6 Law 3051/2002).

ii) The Secretary General for Communication and Media is appointed with the decision of the Prime Minister and his term of office is the same as the elected Government.

Transparency of media ownership and government interference

34. The transparent allocation of state advertisement (including any rules regulating the matter)

The Secretariat General for Communication and Media supervises the implementation of the communication programs and actions of the public services and organizations. The categories of state advertising are thoroughly described in Law no 2328/1995 (Article 9).

Each public service and organization that runs communication programs with a budget exceeding 30.000 € is obliged to submit an application to be approved by the Secretariat General for Communication and Media In the submitted application the aims of the communication program, the content and timeline of the foreseen actions, the material and human resources required and the results expected, must be clearly presented (Cabinet Act 50/2015, article 3).

These programs obligatory include the allocation of each public service's and organization's budgeted state advertising cost among national and regional media (TV, radio, newspapers and magazines).

The percentage of the budgeted cost to be spend on the regional media is set at a minimum of 30% for each media category (presidential decree no. 261/1997, article 4, par. 2).In case the intended minimum rate of 30% in the participation of regional media allocation of total advertising expenditure is not met, a fine equal to the residual advertising expenditure remaining is imposed, so as to complete the intended participation rate (presidential decree no. 261/1997, article 4, par. 2).

For transparency in publicity in public sector through print and electronic media. Presidential Decree 261/1997 (Government Gazette, Issue A, 186).

Article 1-Subject of the Presidential Decree

"This decree specifies the terms and procedure for the assignment of advertising services to private or public bodies, by public bodies or bodies of the wider public sector, provided that the work assigned is not concluded directly by their staff."

Article 4-Obligation to schedule advertising

"1.Every October, the competent departments of the Ministries as well as each a body of the wider public sector is required to prepare a detailed, in type and estimated value, schedule for the promotion of services or goods provided to the public, as well as of their activities in general for the next year. 2. These programs must also include the distribution budget for each entity among the regional media (newspaper, radio, television). The participation of regional media in each media category is at least thirty percent (30%). If […] [this requirement] is not met, the Minister of Digital Policy, Telecommunications and Information may impose on the responsible public sector broadcaster an administrative fine equal to the advertising expenditure remaining to supplement the above rate of participation. […].".

Article 6 -Advertising and outsourcing process other public messages

"1. Awarding authorities appoint the television or radio companies to which they assign the transmission of relevant advertising or other related messages, as part of the annual advertising promotion program, as approved by […] the Decision of the Minister of the Press and Media and pursuant to the […] [aforementioned] participation fees of different categories of media. […]. 2. Within the participation fees of the different categories media, the appointment of the specific media that is assigned with the transmission is reached following the following considerations: (a) transmission costs, (b) the out-reach of the media to the general public as indicated by the amount of audience or audience rates that this station has in the last two months before the advertising message airs, (c) the appeal of the media to specific categories of the public in case of promotion of special activities. 3. Every September the interested television and radio companies submit to the competent departments of the Ministries a price list in which they state in detail the unit price of advertising time per television or audition zone which it intends to apply for broadcast advertising and other related messages of public authorities and authorities of the wider public sector for the next year. The submission of this price list is considered as invitation to tender on the basis of these prices and is required for the legal conclusion of any such contract. This price list is transmitted to all public entities supervised by the competent Minister. 4. Every two months the interested television or radio station companies submit to the relevant departments of the Ministries complete reports of the viewer or audience rates respectively for the past two months, based on the relative measurements that were conducted by broadcast market research companies that meet the conditions of article 11 of Law 2328/1995 and have been registered at the Registry of the Transparency Audit Department of NCRTV. These reports shall also be transmitted to any supervised

public legal entity. 5. Awarding authorities shall opt each time for the transmission of these advertising and other related messages by two media companies of the same category that gather to a greater extent the referred in paragraph 2 of this article data. Awarding authorities may conclude, in accordance with the procedure referred to in Article 5 hereof, contracts with companies which are registered with the State Advertisers Registry for the benefit of advice and the general assistance of the awarding authority at the selection of the appropriate transmission media, taking into account the referred to in paragraph 2 of this Article data."

Article 7 -Advertising registration assignment procedure and other public messages

"1. With regard to the assignment of registration of advertising or other related messages of the public and the wider public sector to businesses publishing of newspapers or magazines registered in the Registry of the Transparency Department of the NCRTV, the awarding authorities shall apply for them proportionately the award procedures provided by the previous article. 2. For the appointment of the specific media to which the registration of the advertising or other related message is entrusted, the data of paragraph 2 of the preceding article are taken into account. To assess the appeal of the newspaper to the general public the average monthly circulation of the newspaper is taken into account, as confirmed by the competent services of the Ministry of Press and Media. 3. Awarding authorities may conclude, in accordance with the provisions of Article 5 hereof, contracts with companies which are registered with the State Advertisers Registry for the benefit of advice and the general assistance of the awarding authority at the selection of the appropriate transmission media, taking into account the referred to in paragraph 2 of this Article data.".

35. Public information campaigns

Each decision concerning the approval of the communication programs described above is uploaded at the "Transparency Portal" of the Greek Government.

36. Rules governing transparency of media ownership

According to the Greek Constitution (Article 14 para 9), media must disclose their ownership status, financial situation and means of financing. Presidential Decree 310/1996 sets out in detail individual obligations of media to comply with the above constitutional check. The above provisions are not sufficient to achieve transparency in the field of media, whereas the latter are not subject to additional obligations, such as publishing their structure, their human resources, the policies they apply with regards to the choice of topics, their methods of cross-checking information and presenting news, etc., same as happens with foreign media.

The media abide by the law regarding the disclosure of their ownership status.

Law 2863/2000 stipulates that radio and television stations must conclude multi-party self-commitment and self-control contracts, by virtue of which the parties will set mutual ethics' rules and principles that will be applicable within the context of the existing media legislation. These contracts must be submitted and approved by the NCRTV in order to authorize the operation of such media.

Law no 3310/2005 (article 3) defines the incompatible properties between the owners of media and the owners of enterprises that sign public contracts. Apart from the owners, the same provision applies to partners, key shareholders, board members or executives in the media market. The incompatible properties are inspected by the National Council for Radio and Television (NCRTV).

Framework for journalists' protection

37. Rules and practices guaranteeing journalist's independence and protecting journalistic activity from interference by state authorities

Greece is significantly active in the area of protection of human rights, including journalists' rights, acknowledging the need for an integrated approach which involves actions from all public authorities that take into account the human rights dimension in the course of their operation.

Greek authorities have an excellent cooperation with the "Platform to promote the protection of journalism and safety of journalists" of the Council of Europe. The Greek State has provided information about all the alerts through the Permanent Representation of Greece to the Council of Europe.

Within its area of competence, the Secretariat General for Communication and Media places special focus on the upholding of human rights in the media environment by empowering people that work and support it, namely, media professionals and journalists.

Journalists are generally overseen by their professional unions, which are five and have local competence. The main ones are the Daily Editors' Union Newspapers (ESIEA) and the Association of Macedonian-Thrace Daily Newspapers (ESIEA). The meaning of 'media' herein includes broadcast media. Purpose of the unions is the protection of the freedom of the press, the protection of all kinds of interests and the disciplinary compliance of ESIEA members with the principles set out in its statutes and their code of conduct. These trade unions belong in the Panhellenic Federation of Greek Editors (POESY).

38. Law enforcement capacity to ensure journalists' safety and to investigate attacks on journalists

There is no specific provision in the law concerning the safety of journalists. In case of any attack on journalists, the law will protect them as any other Greek citizen.

The Presidential Decree 141/1991 stipulates - inter alia - that "security escorts are compulsory to the President of the Republic, to the Prime Minister, to the President of the House, to members of the Government and to party leaders, to heads and officials of foreign states when visiting the country, to the President and the Prosecutor of the Supreme Court, the President of the Council of State and the President of the Court of Auditors, to the prosecutors, investigators and judges handling special cases (following the relevant order of the competent Public Prosecutor), while such action ceases six months after completion of the case that the above persons are handling). Other persons (individuals) for whom there are particular security reasons are also provided with security escort. The security escort is provided by the ELAS leader [the Chief of the Hellenic Police], following the opinion of a committee responsible.". Journalists are therefore subject to the same conditions of protection as ordinary citizens for particular security reasons.

39. Access to information and public documents

According to Article 5A first sentence of the Greek Constitution "1. All persons have the right to information, as specified by law. Restrictions to this right may be imposed by law only insofar as they are absolutely necessary and justified for reasons of national security, of combating crime or of protecting rights and interests of third parties. (..).".

This right is also recognized in law no N. 2690/1999, completed with provisions of law. N. 2880/2001 (article 8) and replaced with provisions of law. 3230/2004 (article 11).There is a codification of these provisions in the Presidential decree N.28/2015. The law N.3861/2010 reinforces transparency in the public sector, as the majority of public documents are obligatory posted in a platform and every Greek citizen has access on it.

Pursuant to Article 5 of Law 2690/99 (Code of Administrative Procedure) every interested citizen has the right, upon written request, to access administrative documents. This is the right to knowledge, viewed as reasonable interest in administrative documents, and not as legitimate interest. The exercise of the citizen's right to come to the knowledge of administrative documents is based on the principle of transparency, impartiality and transparent operation of the public administration.

Special legal interest in knowing private documents: Pursuant to paragraph 2 of Article 5 of Law 2690/99 (Code of Administrative Procedure) any citizen having a special legal interest is entitled, upon written request, to access private documents who are held in public service and are related to a case pending or dealt with by them".

Which documents are administrative?: Administrative documents are those that are drafted by the public services, such as reports, studies, minutes, statistics, circular instructions, management responses, opinions and decisions. It is not an administrative document the one that comes from a private practitioner such as a notary public. In addition, documents relating to the internal service have been legally held not to be public.

Environment and documents: An example of public access to documents is access to documents related to the environment and its protection. Protecting the environment is everyone's right under Article 24 of the Greek Constitution. Ministerial Decision 11764/653/2006 (Government Gazette, Issue B΄, 327) implements the State's compliance with Directive 2003/4/EC on public access to environmental information and sets out the conditions for the exercise of this right. Copies of private documents incorporated into administrative documents (e.g. permission for construction of a building) are provided, subject to copyright law and under the condition that they are intended for judicial or administrative use.

How the citizen's right of access to documents is exercised ?: It is exercised before a staff member by studying the document (handwritten notes are allowed) unless a copy may be harmful to the original. The relevant cost of reproduction shall be borne by the applicant, unless otherwise provided by law. In the case of medical information, it shall be communicated to the applicant by the assistance of a doctor designated for that purpose.

What the administration should do if it is to deny citizen access to documents ?: If the administration denies the right to the person concerned to know, it must respond to the citizen in writing and give reasons for refusing his request. The time limit for the submission of documents or the reasoned rejection of the citizen's application is exclusive and is twenty (20) days after the citizen's application is filed. The administration's tacit refusal to respond to a request or issue a document past the deadline unreported is presumed to be a refusal and a failure to act.

According to the Presidential Decree 28/2015 "PUBLIC DOCUMENTS AND DATA ACCESS CODE" citizens have access to electronic public documents and to their issuance (http://www.data.gov.gr/).

In the national legal order, the European acquis on e-accessibility has been incorporated by Law 4591/2019 (Government Gazette Issue A', 19/12.02.2019), which introduces an integrated system for implementing and monitoring interventions to facilitate the interaction of persons with disabilities with websites and mobile applications of public sector organizations.

40. Other

It is a fact that freedom of information includes the protection of journalists' sources and content, with respect to copyright issues. In this context, the Secretariat General for Media and Communication launched as national operational measure the online media registry "e-media" (http://emedia.media.gov.gr/login), under Law 4339/29.10.2015 (Art.52-54). The "e-media" registry is addressed to all media owners with online presence (website), encouraging them to register their activities online, ensure thus a transparent, balanced and fair function of the media industry in non-linear environment. In this context, the online media registry is innovative as it acknowledges the new trends on journalism and active citizenry, aspires to map the media field in a clear and

transparent way, engaging all media players – online media included as well, for the first time – in order to increase their online news activity and take advantage of the state advertising and other benefits, such as advancing cooperation with the Secretariat and the respective supervised bodies (National Center for Audiovisual Media and Communication S.A. – N.C.A.M.C.). In addition, the new online media registry launches the Observatory for Plagiarism, a new software mechanism for plagiarism offered to all registry members that will secure the journalistic act and hence promote freedom of expression and media pluralism, at large. The entrepreneurial point of the Observatory is that all registrants will be able to check real-time whether their journalistic content is re-published elsewhere in the internet without their permission, offering them the right digital tools to report and act against it, securing copyrights. The new online media registry was officially launched on 7th June 2016.

Constitutional and other Issues

41. Stakeholders'/public consultations (particularly consultation of judiciary on judicial reforms), transparency of the legislative process and use of fast-track procedures or emergency ordinances (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions).

According to Article 70 of the Greek Constitution: "1. The Parliament shall conduct its legislative business in Plenum. 2. The Standing Orders of the Parliament shall provide for the exercise of the legislative work specified therein, to may also be conducted by the standing parliamentary committees which are established and function during the session, as specified by the Standing Orders and subject to the restrictions of article 72. 3. The Standing Orders of Parliament shall likewise determine the allocation of competences by Ministries among the standing parliamentary committees. 4. Unless otherwise stated, the provisions of the Constitution concerning the Parliament shall apply to its functioning in Plenum and in Section pursuant to article 71, as well as for the functioning of the parliamentary committees. 5. In order for the Section envisaged in article 71 and for the standing parliamentary committees to decide when exercising their legislative work in accordance with paragraph 2 of the present article, a majority of no less than two fifths of the number of their members is required. 6. Parliamentary control shall be exercised by the Plenum, as specified by the Standing Orders. The Standing Orders may provide the exercise of parliamentary control also by the Section envisaged in article 71, as well as by the standing parliamentary committees established and functioning during the session. 7. The Standing Orders shall specify the manner in which Members of Parliament who are on a Parliament or a Government mission abroad shall participate in voting. 8. The Standing Orders of Parliament shall specify the manner in which the Parliament is informed by the Government on issues being the object of regulation in the framework of the European Union, and debates on these.".

According to Article 74 of the Greek Constitution "1. Every Bill or law proposal must be accompanied by an explanatory report; before it is introduced to the Plenum or to a Section of Parliament, it may be referred for legislative elaboration to the scientific service defined in article 65 paragraph 5 as soon as this service is established, as

specified by the Standing Orders. 2. Bills or law proposals tabled in Parliament shall be referred to the appropriate parliamentary committee. When the report has been submitted or when the time-limit for its submittal has elapsed inactively, the Bill shall be introduced for debate to Parliament after three days, unless it has been designated as urgent by the competent Minister. The debate shall begin following an oral introduction by the competent Minister and the rapporteurs of the committee. 3. Amendments submitted by Members of Parliament to Bills or law proposals for which the Plenum or the Sections of Parliament are competent, shall not be introduced for debate if they have not been submitted up to and including the day prior to the commencement of the debate, unless the Government consents to such a debate. 4. A Bill or law proposal for the amendment of a provision of a statute shall not be introduced for debate if the accompanying explanatory report does not contain the full text of the provision to be amended and if the text of the Bill or law proposal does not contain the full text of the new provision as amended. 5. The provisions of paragraph 1 also apply for Bills or law proposals introduced for debate and vote in the competent standing parliamentary committee, as specified by the Standing Orders of the Parliament. A Bill or law proposal containing provisions not related to its main subject matter shall not be introduced for debate. No addition or amendment shall be introduced for debate if it is not related to the main subject matter of the Bill or law proposal. Additions or amendments by Ministers are debated only if they have been submitted at least three days prior to the commencement of the debate in the Plenum, to the Section specified in Article 71 or to the competent standing parliamentary committee, as specified by the Standing Orders. The provisions of the two preceding sections shall also apply for additions or amendments submitted by Members of Parliament. Parliament shall resolve in case of contestation. Members of Parliament not participating in the competent standing parliamentary committee or the Section specified in article 71, are entitled to take the floor during the debate in principle and in order to support law proposals and additions or amendments that they have submitted, as provided by the Standing Orders. 6. Once every month, on a day designated by the Standing Orders, pending law proposals shall be entered by priority in the order of the day and debated.".

According to Article 85 (Submission and content of bills and law proposals) of Standing Orders of the Greek Parliament "1. Bills and law proposals are introduced to the Parliament and enter a special book in a chronological order and according to each ministry. Bills and law proposals are submitted on Thursdays, at 20:00 the latest. 2. Bills and law proposals should not include provisions that are irrelevant to their subject-matter. 3. It is mandatory that bills and law proposals be accompanied by an explanatory report which must contain the reasons and the aims of the proposed provisions, as well as the entire text of those provisions that according to the bill or the law proposal are amended. It is also mandatory that bills are accompanied by an impact assessment report and by a public consultation report that has preceded their submission. An impact assessment report and a public consultation report are not necessary when the bill falls within the framework of implementing the special legislative procedures of Articles 111-112 and 114-123, or when the bill has been designated by the Government as urgent. In this last case the bill should be accompanied by a short evaluation report. 4. In the case of a partial amendment of a provision, the

text of the bill or the law proposal should contain the entire provision as it is formulated by its amendment, according to article 74 § 4 of the Constitution. 5. Following Article 75 § 1 of the Constitution, every bill that entails a burdening of the budget should be accompanied by a report of the State General Accounting Office. Depending on the bill's content, it should also be accompanied by: a) a special report of the competent Minister and the Minister of Finance as specified in Article 75 § 3 of the Constitution and b) the opinion provided by the Court of Audit in accordance to Article 73§2 of the Constitution. Bills, with which European directives are harmonized to national law, are introduced along with any necessary element for an efficient discussion. On bills whose content is concerned with labour relations, social security, taxation, the general socioeconomic policy and in particular with issues of regional development, investments, exports, consumer protection and competition, the Economic and Social Committee (O.K.E.) expresses a reasoned opinion according to the first subparagraph of paragraph 2 of Article 1 of law 2232/1994 (Government Gazette 140 A'). The opinion is submitted to the Speaker of Parliament, the latest until the beginning of the bills' discussion in the Plenum or in the Recess Section of the Parliament. 6. Every law proposal is communicated to the competent Ministers who are obliged to respond on whether the law proposal belongs to the limitations described in Article 73§3 of the Constitution. The law proposal is also submitted to the State General Accounting Office which prepares a relevant report as specified in Article 75 § 1 of the Constitution. The State General Accounting Office has an obligation to submit to Parliament a relevant report within fifteen days from the receipt of the proposal. Beyond this deadline, the law proposal is discussed without the report. 7. Bills, their explanatory report and the special report specified in Article 75 § 3 of the Constitution are undersigned by the competent Ministers. When the Minister is replaced, introduced bills must be adopted by the new Minister either through a written statement to the Speaker of Parliament, or through an oral declaration to Parliament. Law proposals are signed by the MPs or the MP who submits them. 8. The submission of a bill or a law proposal is operative for the entire parliamentary term without prejudice to the provisions of paragraphs 2 and 3 of the following Article.".

According to Article 14 of Law 1756/1988 "1. The plenary of the tribunal shall consist of all the judges and presidents of the courts serving in it. The plenary is chaired by the president of the three-member council or the judge who heads the court. "The public prosecutor shall attend the plenary sessions, participate in the debate and leave before the start of the vote. (…) 7. Plenary jurisdiction shall include: a. drafting, supplementing, amending, replacing or repealing provisions of the Rules of Court, b. taking decisions on matters of general interest, organization and functioning of the court and the administration of justice, c. the preparation of sections of the holiday; d. the decision or opinion on matters which fall within its remit by the Regulation or by special provisions.".

Bills 2019-2020
Summary Data

	2018	2019	Total
(9+103) standard procedure	**40**	**40**	**80**
(109) emergency procedure	**3**	**5**	**8**
(110) urgent procedure	**9**	**4**	**13**
(111) code voting procedure	**0**	**2**	**2**
(108) international conventions	**17**	**9**	**26**
(123) budget	**1**	**3**	**4**
Total	**70**	**63**	**133**

42. Constitutional review

According to Article 110 of the Greek Constitution "Revision of the Constitution " 1. The provisions of the Constitution shall be subject to revision with the exception of those which determine the form of government as a Parliamentary Republic and those of Articles 2 paragraph 1, 4 paragraphs 1, 4 and 7, 5 paragraphs 1 and 3, 13 paragraph 1, and 26. 2. The need for revision of the Constitution shall be ascertained by a resolution of Parliament adopted, on the proposal of not less than fifty Members of Parliament, by a three-fifths majority of the total number of its members in two ballots, held at least one month apart. This resolution shall define specifically the provisions to be revised. 3. Upon a resolution by Parliament on the revision of the Constitution, the next Parliament shall, in the course of its opening session, decide on the provisions to be revised by an absolute majority of the total number of its members. 4. Should a proposal for revision of the Constitution receive the majority of the votes of the total number of members but not the three fifths majority specified in paragraph 2, the next Parliament may, in its opening session, decide on the provisions to be revised by a three-fifths majority of the total number of its members. 5. Every duly voted revision of provisions of the Constitution shall be published in the Government Gazette within ten days of its adoption by Parliament and shall come into force through a special parliamentary resolution. 6. Revision of the Constitution is not permitted before the lapse of five years from the completion of a previous revision.".

Public administration

43. Independent authorities (including national human rights institutions)

I. THE INDEPENDENT AUTHORITIES IN GREECE:

1) HELLENIC AUTHORITY FOR COMMUNICATION SECURITY AND

PRIVACY ADAE (www.adae.gr) (it was established by Article 1 of Law 3115/2003, in accordance with paragraph 2 of Article 19 of the Greek Constitution),

2) The Greek Ombudsman (www.synigoros.gr) It was established by Law 24 77/97 and began its operation on October 1, 1998)

3) Hellenic Data Protection Authority (HDPA) (www.dpa.gr) (it was established by Law 2472/97 for data protection, already Law 4624/2019)

4) The National Council for Radio and Television (NCRTV) (it was founded by Law 1866/1989)

5) (ASEP) SUPREME COUNCIL FOR CIVIL PERSONELL SELECTION (it was established by Law 2190/1994)

6) EETT – HELLENIC TELECOMMUNICATIONS & POST COMMISSION (www.eett.gr) It was founded by Law 2075/1992)

7) Hellenic Capital Market Commission (www.hcmc.gr) (Its organizational structure is set out in Presidential Decree 25/2003)

8) HELLENIC COMPETITION COMMISSION (www.epant.gr) (By law 1996/95 the Committee, which until then functioned as a body of the Ministry of Commerce, acquired the form of an independent administrative authority with administrative autonomy. By Law 2837/00 the Commission gained financial independence.).

9) The National Transparency Authority (by Law 4622/2019 *on the Organization, Operation and Transparency of the Government, Government Institutions and Central Government Administration* adopted in August 8, 2019).

II. National human right institutions in Greece:

-GNCHR National Commission for Human Rights (GNCHR)

-The Hellenic League for Human Rights (HLHR)

-“EPANODOS” RELEASED PRISONER REINTEGRATION CENTRE

44. Accessibility of administrative decisions

According to Article 10 paragraphs 1 and 3 of the Greek Constitution “1. Each person, acting on his own or together with others, shall have the right, observing the laws of the State, to petition in writing public authorities, who shall be obliged to take prompt action in accordance with provisions in force, and to give a written and reasoned reply to the petitioner as provided by law. (…) 3. The competent service or authority is obliged to reply to requests for the provision of information and for the supply of documents, especially certificates, supporting documents and attestations, within a set deadline not exceeding 60 days, as specified by law. In case this deadline elapses without action or in case of unlawful refusal, in addition to any other sanctions and consequences at law, special monetary compensation is also paid to the applicant, as specified by law.”.

According to Article 22 para 2 of the “Code of Court Organization and Status of Judges” (Law 1756/1988 Government Gazette Issue A’, 35/16.09.1988) “2. The following shall have the right to obtain knowledge, copies or extracts of: (a) decisions and documents of any procedure other than criminal proceedings, as well as decisions, and opinions on administrative matters: the parties, and third parties, only if they have lawful interest, pursuant to the discretion of the judge administering the court; (b) documents, criminal proceedings, as provided for in Article 147 of the Code of Criminal Proceedings [i.e. litigants and any third party with interest pursuant to their application and approval by the president of the court or the magistrate on criminal cases]. On the same terms, certificates certifying the time of publication and operative part of the decisions of the civil and ordinary administrative courts.”.

The enabling framework for civil society

45. Measures regarding the framework for civil society organizations

The growth of Non-Governmental Organizations (NGOs) in Greece in recent years has been rapid. However, their legal and institutional framework is still embryonic, which as a result undermines their independence, transparency and integrity.

STRUCTURE & ORGANIZATION

The term "Non-Governmental Organization (NGO)" first appeared in Greek legislation in Law 2646/1998 on the development of the National Social Care System and then on Law 2731/1999 on development of economic assistance. However, Greek law does not provide a definition of the concept, which has been formulated only in practice, mainly through self-classification organizations as non-governmental organizations. In Greek literature, Civil Society is defined as also the space "from the threshold of households to the entrances of public services". Therefore, it is not possible to calculate the exact number of NGOs active in GREECE. The existing data show, however, that the most

numerous are sports associations, religious-church organizations, as well as educational-cultural organizations.

The right of association is expressly provided for by virtue of Article 14 of the Greek Constitution. However, the current legal Framework does not provide for specific provisions on the establishment and operation of NGOs. The vast majority of NGOs in Greece have the legal form of a union. The special tax treatment provided for unions, which makes up the vast majority of Greek civil society actors, includes, among other things, non-VAT, exception from holding taxation books. The institutions serving the public-good enjoy more privileges. NGOs must provide in their statutes their source of funding, which depends on their activity. The current legal framework ensures that unfair extraneous factors are not involved in the functioning of Civil Society.

In Greece, the only NGO dedicated exclusively to combating corruption is 'Transparency International-Greece' (1993) (*www.transparency.gr)*, which develops the most meaningful actions of major importance. However, other NGOs as well as bodies such as professional and scientific associations develop side-by-side actions in this field.

-Ministerial Decision 39487/16 (Government Gazette 2930/B/14-9-2016) OF DEPUTY MINISTER OF INTERNAL AFFAIRS AND ADMINISTRATIVE RECONSTRUCTION «Establishment of a National Register of Greek and Foreign Non-Governmental Organizations (NGOs) active in matters of international protection, migration and social inclusion.».

46. Other

Special reference should be made to Law 4622/2019 (Government Gazette, Issue A, 133/07.08.2019) "Executive State: organization, operation and transparency of the Government, government bodies and central public administration.".

Article 14 Responsibility of members of the Government and State Deputies

"1. The Prime Minister and Ministers shall have parliamentary responsibility for their acts or omissions, as well as for the acts or omissions of the Deputy Ministers of the Ministry to which they are responsible, even if these Ministers are assigned with parliamentary powers and legislative initiatives. 2. Members of the Government and State Deputies shall be liable for civil and criminal penalties in accordance with the Constitution.".

Article 61. Consultation "1. Consultation shall be effected by the publication, by appropriate means, of the intended arrangement, with a view to the timely informing and participation of any person concerned. The Presidency of the Government is responsible for initiating the consultation process, in co-operation with the relevant Department of the Ministry which has the legislative initiative. 2. Bills are also consulted through the website www.opengov.gr for two (2) weeks. During the

consultation phase, a draft of the bill's provisions and a preliminary Regulatory Impact Analysis are posted on the website, and article commentary is provided. 3. The consultation may be shortened to one (1) week or prolonged for one (1) more week, on the recommendation of the Minister concerned and with the approval of the Presidency of the Government, for sufficiently substantiated reasons stated in the report on the public consultation that comes with the setting**.** 4. The Ministry's Coordination Office shall draw up a public consultation report, which presents the comments and suggestions of those who have taken part in the consultation and whether or not they have been incorporated into the final provisions. The report is part of the final Regulatory Impact Analysis of Article 62 herein and accompanies the arrangement upon its submission to Parliament, is posted on the website where the consultation took place and is sent by e-mail to the e-mail addresses from which the comments were sent.

Article 63 Legislative Drafting of Draft Laws and Regulations "1. The law-making process starts with the initiative of the competent Minister within the framework of the annual regulatory planning of his Ministry, in accordance with Article 50 hereof. The Minister may submit to the General Secretariat for Legal and Parliamentary Affairs: (a) a draft law and a preliminary analysis of the consequences of regulation which include the elements of Article 62 which he deems necessary or (b) the guidelines of the draft law together with any elements he deems necessary to be included in the Regulatory Impact Analysis. 2. Any draft law or guidelines referred to in the preceding paragraph shall be submitted to the Ministry's Coordination Office for transmission to the General Secretariat for Legal and Parliamentary Affairs for the initiation of the legislative process. The said Office shall also submit any regulatory act in order that any of them of major economic or social importance, in the opinion of the Coordination Office, be submitted to the said General Secretariat. 3. The Presidency of the Government shall set up a Legislative Committee, which shall include officials of the relevant Ministry and officials of the Presidency of the Government. The law-making committee may also include advisers or associates of the competent Minister or Ministers with responsibility, private experts, as well as faculty members or members of the State Legal Council (NSC) specializing on the subject of regulation. 4. The legislative preparatory committee shall have the following powers: (a) to draw up the final draft law, in accordance with the principles of good-drafting-of-law and the guidelines of the competent Ministry; (b) carry out an assessment of the draft law and of the preliminary Regulatory Impact Analysis, in particular with regards to their compliance with the broader government policy and the objectives set by the Government, the preserving of constitutionality, legality and observance of law, as well as the correct and total completion of the preliminary analysis.5 . Should the law-making committee find the participation or opinion of competent State departments on matters related to the subject-matter of the arrangements useful or necessary, it may invite executives from these departments to be heard or send the draft law to them in order to express their views. The views of these services should be reflected in the Regulatory Impact Analysis. 6. When the drafting of the draft law and the Regulatory Impact Analysis are completed, they are posted on the opengov.gr website for the final consultation in accordance with Article 61 hereof.7. Within one (1) week from the end of the consultation referred to in paragraph 6, the competent law-making committee shall

prepare the final draft law and the Regulatory Impact Analysis with the conclusions of the consultation incorporated and submit it to the Secretary-General for Legal and Parliamentary Affairs. 8. The Secretary-General for Legal and Parliamentary Affairs shall submit the texts for evaluation to the Legislative Quality Assessment Committee. As long as the draft law and the analysis meet all of the criteria herein, the Quality Assessment Committee of the Legislative Process has a favorable opinion. In this case, and after the signature of the relevant Ministers, the draft law and the Analysis shall be submitted to the Parliament, by the Secretary-General for Legal and Parliamentary Affairs. Otherwise, the Commission shall return the draft Law and Analysis to the General Secretariat for Legal and Parliamentary Affairs, which shall incorporate the observations of the Commission's report within three (3) days from the signature by the competent Ministers and submission to the Parliament. The report is signed by all the members of the Commission who have voted in the majority, and there are also minority disagreements. 9. The procedure referred to in paragraphs 1 to 8 shall not apply, in the case of urgent or urgent bills, in accordance with the provisions of Rule 109 and 110 of the Rules of Procedure and in the case of bills passed without or with limited debate in the House of Representatives in accordance with Rule 108 of the Rules of Procedure of the House.".

Article 64 Legislative Process Quality Assessment Committee "1. A Quality Assessment Committee of the Legislative Process is hereby established as an independent, interdisciplinary, advisory body.2. The Commission shall evaluate and give an opinion to the Secretary-General on Legal and Parliamentary Affairs on the application and observance of the principles of good-drafting-of-law in draft laws, ministerial amendments, legislative acts, regulatory decrees, before sending them to the Council of State, Regulatory Ministerial Decisions as well as Regulatory Impact Assessments referred to it by the Secretary-General for Legal and Parliamentary Affairs. 3. In particular, in the context of the above evaluation the Commission shall: (a) investigate the constitutionality of the proposed arrangements and their compatibility with European Union law and international law, in particular with the rules of the European Convention on Human Rights; ((b) verify the completeness of the regulatory texts being processed, in particular with regard to the repealed or amended provisions, while examining their accompanying documents; (c) examine issues of duplication and conflict of provisions of the regulatory texts being processed with provisions of applicable law; (d) evaluates the quality of the Adjustment Impact Assessments in terms of their quantitative and qualitative dimensions and the realistic representation of the figures, quantitative or qualitative, included in them. 4. The Commission shall consist of a President, a Vice-President, and nine (9) full members, who shall be scientists of recognized prestige and who enjoy particular recognition from the scientific and professional community. 5. The President of the Commission shall be an honorary judge or councilor of the Legal Council of State or a member of the Faculty of Law of a State University. The Vice President shall be a well-known economist or a member of the Faculty of Economics of a State University. The President and VicePresident of the Commission shall be appointed by a decision of the Conference of Presidents of the Parliament by a three-fifths (3/5) majority of the total number of Members, in accordance with the provisions of the Rules of Procedure.6. The members

of the Commission shall be as follows:(a) two (2) legal scientists and two (2) economists are selected by the President and Vice-President respectively, (b) one (1) legal scientist and one (1) economist, respectively designated by the Secretary-General and (c) the Secretary-General for Legal and Parliamentary Affairs or an official of the same General Secretariat designated by the Secretary-General. 7. The Commission may, at its meetings, invite scientists of international prestige to advise on matters requiring specialized scientific advice. 8. By virtue of a decision of the Prime Minister, which shall be published in the Government Gazette, the members of the Commission shall be appointed and any other matter relating to the organization and functioning of the Commission shall be governed by a similar decision. The remuneration of the members of the Commission shall be determined by virtue of a decision of the Minister responsible for the budget.".

Article 74-Ethics Committee

"1. Within the National Transparency Authority […], an Ethics Committee is hereby set up having the following powers: (a) to deal with any matter referred to it by the Prime Minister with regards to ethics and prohibition of conflicts of interest by the persons designated in Article 68; (b) examine the requests made under Article 73 (1) and (2); (c) may, on its own initiative, monitor the application of the provisions of this Chapter and propose the imposition of Article 75; (d) advise on draft ethics' codes of persons appointed to the offices of Article 68 or for other public officers referred to it by the Prime Minister. 2. The Commission shall consist of five members: (a) the Chairman of the Board of Governors of the National Transparency Authority as Chairman, (b) two (2) members of the Legal Council of State as Vice-President or Advisor, (c) one (1) member of the Supreme Council of Personnel Selection as VicePresident or Counselor; and (d) the Ombudsman or an Assistant Ombudsman. The members of sections (b) and (c), with their alternates, shall be designated by the President of the respective body. The member of section (d) with his / her alternate is designated by the Ombudsman. The Commission shall be formed by virtue of a decision of the Governor of the National Transparency Authority, which shall be published in the Government Gazette for a term of four (4) years. 3. A decree proposed by the Prime Minister may provide for a procedure for the Ethics Committee to be consulted as to how to apply the provisions of this Chapter, more specific rules and procedural guarantees for the procedure to be followed, and regulate any details necessary for the application hereof.".

-Article 82 Recommendation of the National Transparency Authority - Purpose and Responsibilities

"1. An Independent Authority without legal personality is founded referred to as "National Transparency Authority, (hereinafter" the Authority "), hereinafter referred to as" the Authority ", with the following aim: (a) enhancing transparency, integrity and accountability in the operation of governmental bodies, authorities, governmental agencies, and public bodies; and (b) preventing, deterring, detecting and addressing fraud and corruption of public and private bodies and organizations. 2. The Authority shall enjoy operational independence, administrative and financial autonomy and shall

not be subject to control or supervision by governmental bodies, governmental agencies or other Administrative Authorities. The Authority shall be subject to parliamentary scrutiny, in accordance with the Rules of Procedure of the Parliament and the procedure set forth in Article 85 hereof. The appropriations for the operation of the Authority shall be entered under the same body in the budget of the Ministry responsible for public administration personnel matters.

3. The seat of the Authority shall be in Athens. Six (6) regional offices of the Authority shall operate in Thessaloniki, Larissa, Tripoli, Patras, Serres and Rethymnon. By virtue of a decision of the Governor, taken upon the recommendation of the Head of the Authority's Inspections and Audits Unit and with the assent of the Board of Directors, Regional Services may be set up or abolished or their headquarters and organizational structure may be changed. 4. With the entry into force of this Law, the following entities are abolished, the powers, rights and obligations of which are transferred, pursuant the specific provisions of this Law, to the Authority, which shall become their successor in general: (a) General Secretariat for the Fight against Corruption (GCAD) of the Ministry of Justice and the position of the Secretary-General in charge of it, (b) The Body of Auditors-Inspectors of Public Administration (SEED), which is part of the General Secretariat for Combating Corruption of the Ministry of Justice and the position of Special Secretary in charge thereof; (c) The Office of the General Inspector of Public Administration and the position of Inspector General in charge of this, (d) The Department of Health and Welfare Inspectorate, which is under the Ministry of Health, and the position of the Inspector General in charge of it; (e) the Public Works Inspectorate, which is part of the General Secretariat for the Fight against Corruption of the Ministry of Justice and its Supervisory Board, (f) the Transport Inspectorate, which is under the Ministry of Infrastructure and Transport and the position of the Inspector General in charge of it. 5. The Authority shall be designated as the Greek Anti-Fraud Coordination Office, in accordance with paragraph 4 of Article 3 of Regulation (EU, EURATOM) No. 883/2013 of the European Parliament and of the Council of 11 September 2013 (OJ L248), in co-operation with the Financial Crimes Chamber, as part of its powers. 6. All the responsibilities of all the bodies and authorities referred to in paragraph 4 hereof, as provided for in their respective constituent provisions or in any other provision of law or regulation, shall hereinafter be exercised by the Authority and its organs, in accordance the provisions hereof, unless otherwise specified.".

Article 83 Responsibilities of the Authority – "Scope 1. The Authority shall exercise its powers on all bodies and services of the General Government, including the Public Law and the Local Government Bodies, of first and second degree, their businesses and their supervised public entities and private entities, state-owned private legal entities and publicly-owned enterprises or undertakings whose management is directly or indirectly designated by the State through an administrative act or as a shareholder, even where such undertakings are expressly excluded by public sector rules, in accordance with their founding laws. The Authority's competence extends to private entities that enter into any contract with public sector entities as defined in Article 51 of Law 1892/1990 (A', 101), as applicable at any time. Under the Authority's

competence also fall private entities which deal with public sector bodies of the preceding subparagraph in any way, even non-contractually, or are financed by public funds at any rate. The Authority also has the responsibility of private entities that engage in any economic activity regulated in any way by the State that relates to the provision of services or goods to citizens or businesses, or are active in areas of public interest. The Authority's territorial competence extends throughout the State. The staff of the Authority may also travel abroad to carry out investigations and data collection in the exercise of its responsibilities and to cooperate with any public or private body. 2. The Authority shall, in particular, have the following responsibilities: (a) central planning and coordination of all actions necessary to enhance transparency and accountability in the operation of governmental and public bodies and authorities; (b) central planning and coordination of all necessary actions to prevent, deter, detect and suppress fraud and corruption, to raise awareness, to educate and change society standards of transparency, integrity and combating corruption; (c) drawing up, monitoring, evaluating and redesigning the National Anti-Corruption Strategic Plan; (d) conducting audits, re-audits, inspections and investigations with the bodies referred to in paragraph 1 of this Article; (e) ordering at its own, inspections, audits and investigations by the Special Competent Bodies, services and units of audits and investigations of the bodies referred to in paragraph 1 of this Article which are not part of the Authority; (f) designing and undertaking specific measures for better coordination, the removal of duplication of responsibilities and the exploitation of cooperation between all public bodies and services involved in the fight against fraud and corruption; (g) monitoring and evaluating the work and activity of the nonAuthority specific bodies and services for inspection and control, including Internal Audit Units and Internal Affairs Units, and submitting proposals to address any problems that may arise, as recorded during the evaluation process, (h) monitoring the progress of inspections by the bodies and services of the previous case, informing the Authority of their reports and findings as well as the progress of the implementation of their proposals, whenever it so requests, with the possibility of intervening to ensure their implementation by applying proportionally the provisions of Article 100 hereof; (i) the central design, development and monitoring of the implementation of the Public Governance Accountability Framework for public bodies and organizations; (ia) developing the institutional, organizational and operational framework for the National Internal Audit System, the Internal Audit function and the risk management function in cooperation with the ministries responsible for public administration and financial management; (ib) developing the National Integrity System; (ic) developing methodologies, standards and guidelines for the preparation of the relevant part of the Corruption Regulatory Assessment Report, of this Law, referring to corruption; (id) exploiting methods of Behavioral Science and of “Nudging” to enhance integrity and fight corruption; (if) enhancing transparency in the areas of entrepreneurship and competitiveness in support of the development and attraction of foreign direct investments; (ig) conducting preliminary examinations and pre-investigations upon request, and providing scientific support and specialized technical advice to other public authorities, (ih) receiving, processing, evaluating and investigating or filing complaints or reports, as appropriate, related to the competences of the Authority, specifically relating to omissions of due

acts or unlawful acts of public authorities, as well as cases of fraud and corruption in the public and private sector, and complaints or reports related to co-financed, transnational and other projects and programs; (j) the participation and representation of the country in international organizations and in the European Union, as well as bilateral cooperation with equivalent bodies in other countries in the development, undertaking and implementation of programs and projects, the exchange of best practices and the provision of technical assistance for enhancing accountability and combating fraud and corruption; (ja) overseeing and coordinating governmental agencies and agencies implementing anti-corruption programs and actions, discussing and controlling the results of their actions in relation to the achievement of the objectives set out in the Strategic Planning and Annual Operational Action Plans drawn up by the Authority; (jb) monitoring disciplinary procedures in the bodies referred to in paragraph 1 of this Article, with the exception of the Armed Forces military personnel. To this end, any act of disciplinary action and any disciplinary decision shall be notified to the Authority; (jc) the filing of appeals and complaints in favor of the administration or an official against all disciplinary decisions of the unilateral and collective disciplinary bodies of the bodies referred to in paragraph 1 of this Article, with the exception of the decisions of members of the Government and of the Deputies for any disciplinary action; (jd) auditing of: (aa) asset declarations ("From-Where") of the categories of persons liable for this purpose falling within the competence of the Authority, as these categories are specified each time by the applicable provisions; (ab) the assets ("From-Where") of officials, officers and bodies of the bodies referred to in paragraph 1 of this Article who are obliged to submit to another body or who are not obliged to submit to anybody, in accordance with the provisions in force, (je) designing and realizing actions on co-financed, transnational and other projects and programs in its areas of competence; (jf) designing and implementing training programs and seminars, and providing relevant training certifications on the areas of competence of the Authority; (jg) monitoring the implementation of national and EU public health and mental health legislation, as well as examining complaints on tobacco and alcohol protection, in co-operation with the competent authorities. […]." .

ANNEX

Law 4622/2019 on the Organization, Operation and Transparency of the Government, Government Institutions and Central Government Administration (Government Gazette A' 133/07.08.2019)

Selected Articles

Translation by the National Transparency Authority

PART A'

GOVERNMENT AND GOVERNMENT BODIES

(…)

CHAPTER C'

MINISTRIES

(…)

Article 39

Internal Audit Units

1. An Internal Audit Unit is set up within each Ministry, at the level of Directorate, and reports directly to the relevant Minister.

2. The Internal Audit Units are responsible for the Ministry and the bodies supervised by it which do not have their own Internal Audit Unit, and has the following operational objectives: (a) the control of systems of governance and operation and the provision of assurance on their adequacy, with a view to supporting the Ministry in achieving its strategic objectives and taking measures, where necessary, (b) the provision of advisory services to the Minister with a view to improving the effectiveness of the risk management processes and the internal control procedures, (c) ensuring the proper, efficient and safe management and use of the information systems, (d) assessing the Ministry's functioning of activities and programs on the basis of the principles of sound financial management, (e) identifying and immediately and effectively investigating and detecting cases of irregular behaviour, violations of

integrity and corruption, which take place with the involvement of officials of the Ministry or of officials of the supervised entities, in criminal and disciplinary offenses.

3. The Internal Audit Units are structured in two (2) offices, at Department level, as follows: (a) Office for Planning and Conduct of Internal Audits with the following responsibilities: (aa) to develop and continuously improve internal audit methodology and tools, in accordance with International Standards, (bb) to draft and revise the Internal Audit Operating Rules, (cc) to draft and revise the Internal Audit Manual, (dd) to draw up a six-month, annual, or longer duration internal audit program, taking into account the strategic and operational priorities of the Ministry, (ee) to provide advisory services to the Ministry for the implementation of a complete policy for the management of risks that threaten the achievement of its goals, (ff) to care for the education and training of Internal Auditors, (gg) to carry out scheduled internal audits to the Ministry's services as well as to the bodies supervised by it, (hh) to monitor the adequacy of the Ministry's internal control system (internal control) and to suggest relevant proposals for its improvement, (ii) to monitor the implementation and compliance with the external and the internal regulatory framework for the Ministry's operation, (jj) to evaluate the Ministry's operation on the basis of the principles of good financial management, (kk) to evaluate the procedures for the design, execution and assessment of the Ministry's services and programs, (ll) to monitor the proper implementation of the procedures for budget execution, the carrying out of expenses and management of the respective Ministry's property, for the detection of potential cases of maladministration and mismanagement, abuse, waste, or fraud and the development of prevention valves, (mm) to monitor the effective and safe management and use of information systems; (nn) to confirm the accuracy, reliability and timely preparation of financial (and other) reports), (oo) to monitor the adequacy of the system that manages the risks that threaten its policies and programs; (pp) to supervise and ensure the proper conduct of internal audits and to monitor the implementation of the internal audit program in accordance with the approved audit program of the Ministry, (qq) to draft temporary internal audit reports and to send them to the relevant departments of the Ministry so as to agree on corrective and improvement actions, (rr) to provide advisory services to the Ministry in accordance with the relevant international standards and methodologies, (ss) to monitor periodically, evaluate and confirm the corrective or preventive measures adopted by the Ministry's departments in compliance with the internal audit proposals until their final implementation, (tt) to submit a periodic report to the Minister on the compliance of the services as well as relevant proposals, (uu) to process the elements of the internal audit reports and to draft an Annual Report recoding the activities and the results of internal audit, the progress of the implementation of its proposals, and the residual risks that continue to threaten the departments of the Ministry due to the lack of corrective actions, (b) the Department of Internal Investigations and Investigation of Complaints with the following responsibilities: (aa) to detect and investigate cases of violation of integrity and corruption involving officials of the Ministry or of the supervised entity, (bb) to carry out of an administrative

investigation, a sworn administrative examination, a preliminary examination or a preliminary investigation, on the basis of a prosecutorial order or ex officio or following an order by a competent body or following an immediate arrest, either on the basis of complaints or information collected, processed and evaluated, for the investigation of criminal or administrative offenses, as well as for the referral of the perpetrators to the competent prosecutor or the competent disciplinary superior, (cc) to carry out procedures for the disciplinary referral or/and criminal prosecution, in accordance with the relevant provisions of disciplinary law, Criminal Code or other special criminal laws, (dd) to collect, investigate, process, compose, analyse, evaluate and exploit information, complaints and data that relate to the involvement of the officials of the Ministry or the supervised entity of the Authority in disciplinary and criminal offenses, (ee) to carry out a targeted financial and managerial audit of public officers and public management as well as the attribution of responsibility, (ff) to propose measures to address, prevent and combat corruption in the departments of the Ministry and its supervised bodies, (gg) to keep a record of the cases that are handled by the Department and to propose to the Head of the Internal Audit Unit to archive complaints that are considered unclear or insignificant, as well as to review old cases for the detection of elements that may be used for further investigation.

4. The Internal Audit Units carry out scheduled or emergency internal audits by an order of the Minister and on the basis of the approved audit mission program.

5. The provisions of paragraphs 5 and 6 of article 38 shall apply mutatis mutandis to the Internal Audit Units.

PART IV

TRANSPARENCY AND ACCOUNTABILITY

Chapter A’

IMPEDIMENTS, INELIGIBILITIES AND RULES TO AVOID CONFLICTS OF INTEREST FOR THE MEMBERS OF THE GOVERNMENT THE DEPUTY MINISTERS, GENERAL AND SPECIAL SECRETARIES, MANAGEMENT BODIES OF THE PUBLIC SECTOR AND NON-PERMANENT STAFF

Article 68

General Provisions

1. The provisions of this chapter apply to: (a) members of the Government and Deputy Ministers, (b) General and Special Secretaries, as well as to Coordinators of the Decentralised Administrations, (c) Presidents or Heads of Independent Authorities and Presidents, Vice-Presidents, Governors, Deputy Governors, Directors or appointed

advisors to legal persons governed by public law and private law, the selection of whom is reserved to the government, with the exception of bodies falling within the scope of Chapter B' of Law 3429/2005 (Government Gazette A' 314).

2. Where the provisions of this Chapter reference is made to the "public sector", the latter shall be understood, as defined in Article 14 (1) (a) of Law 4270/2014.

3. The provisions of this Chapter shall be applied subject to compliance with the provisions in force concerning the protection of personal data.

Article 69

Impediments to Appointment

Without prejudice to any more stringent provisions, persons (a) who have been convicted or referred by a final order (of the judicial council) for a felony, (b) who have been deprived of their civil rights as a result of a conviction and for the period of time that the deprivation is issued, (c) who are subject to a prohibition of appointment, shall not be appointed to the positions of article 68.

Article 70

Incompatibilities

1. For persons appointed to the positions referred to in Article 68 (a) and (b), the exercise of any professional or business activity, as well as public office or duties in any position in the public sector or in any public sector entity, shall be automatically suspended.

2. Persons appointed to the positions referred to in Article 68 (c) shall be prohibited from pursuing any professional or business activity related to the activity of the institution to which they are appointed, as well as public office or duties in any position in the public sector or in any legal person of the public sector.

3. By way of exception to paragraphs 1 and 2, it shall be possible to allocate to persons referred to in Article 68 (1) (b) and (c), together with public sector entities, without any remuneration or compensation, other than travel expenses.

4. The persons referred to in Article 68 shall not be permitted to enter into any form of contract with the State or any other public sector entity which gives any benefit to them or to third parties. Said prohibition shall also apply to spouses or partners within the meaning of Article 1 of Law 4356/2015, as well as to their dependent children, for contracts concluded with the entity to which the persons referred to in the previous subparagraph exercise duties, as well as with the bodies supervised by it. The prohibition set out in this paragraph shall also apply to any form of company or business in which those persons participate as the main shareholder or

as a partner, limited or limited liability partner, or who retain the status of a senior manager.

Article 71

Obligations during the Performance of Duties

1. The persons appointed to the positions of article 68 have the obligation to exercise their duties with integrity, objectivity, impartiality, transparency and social responsibility and act exclusively for the public benefit as well as to respect and obey the rules of discretion and confidentiality in respect of matters which have come to their knowledge in the performance of their duties.

2. Said persons in the performance of their duties shall be required to refrain from dealing with specific cases by declaring an impediment, where there is a conflict of interests. A conflict of interest is any situation where the impartial performance of their duties is objectively affected.

3. The non-discriminatory performance of duties is affected especially where there is: (a) benefit, whether financial or not, for themselves, for their spouses or partners within the meaning of article 1 of Law 4356/2015, for their relatives by blood or by marriage in the direct line unlimited, whereas not in the direct line, up to the second degree, as well as for any natural or legal person with whom they have a special bond or special relationship, and (b) damage, whether financial or not, for any natural or legal persons with whom there is a special hostility.

Article 72

Procedural Obligations in order to Avoid a Conflict of Interest

1. The persons referred to in article 68 shall submit to the Presidency of the Government within one (1) month of taking up their duties a statement with regards to: (aa) all the professional activities pursued by them and their spouses or partners over the last three years, (bb) any participation by them and their spouses or partners in the capital or management of enterprises, in any form, (cc) a copy of the statement of assets in the last three years where they are already obligated, or, in any other case, of the initial declaration, (dd) any other activity undertaken by them or by their spouses or partners, whether paid or not, which may, in their judgement, create a situation of conflict of interests in the performance of their duties, (ee) a copy of their criminal record, and (ff) a solemn declaration that they have been informed of the limitations and obligations of the present Chapter and of the competence of the Ethics Committee as well as a declaration of resignation from any right to challenge its decisions.

2. The persons appointed to the positions referred to in article 68 shall declare to the Presidency of the Government: (a) any later conflict of interests, within the meaning of paragraph 2 of article 71 of the present Law, as soon as they become aware thereof, (b) whether they are found in a situation of conflict of interests or not, whenever they are required to do so.

3. In the event of a conflict of interest, of the persons referred to in paragraph 1 of article 68 of the present Law, the competences for which the conflict exists, shall be exercised in accordance with the provisions in force concerning delegation.

4. A decision of the Prime Minister, issued on a recommendation of the Secretary General for Legal and Parliamentary Affairs and published in the Government Gazette, may lay down details for the implementation of this Article.

Article 73

Obligations after Leaving Service

1. Persons appointed to the positions referred to in article 68 of the present Law shall be required, for one (1) year after leaving their post for any reason, to obtain authorisation for any professional or business activity related to the activity of the entity to which they were appointed, in so far as this may give rise to a conflict of interest within the meaning of article 71. Such a situation exists, especially: (a) through the provision of services, by any legal relationship, to a natural or legal person governed by private law in Greece or abroad or (b) through their participation in the capital or management of the above legal persons, except for in the case of the acquisition of shares, or other rights by way of inheritance.

2. The persons referred to in article 68 intending to engage in any activity which may fall within the scope of paragraph 1, shall submit an application to the Ethics Committee referred to in article 74 of the present Law.

3. The above-mentioned Committee, taking into account the person’s application, shall issue, within the exclusive deadline of one (1) month, a reasoned decision. During the period referred to in the previous sentence, the person must refrain from exercising the activity to which the application relates. Where the Committee has not taken any decision within the deadline set, the authorization shall be deemed to have been granted. The Committee may ask the applicant for the additional information it deems necessary for its decision.

4. The Committee with its decision, which is published on the website of the National Transparency Authority, may: (a) authorize such an activity without any restriction or condition, (b) allow it with the necessary restrictions and conditions, (c) prohibit it completely. Cases (b) and (c) may not exceed the time limit laid down in paragraph 1. In the cases referred to under (b) and (c), the Committee may set a reasonable compensation for the person, that is covered by the State Budget.

5. The monitoring of the implementation of the provisions of the present article shall be carried out by the Ethics Committee which, to this end, shall be supported by a competent department of the National Transparency Authority of the following Chapter.

Article 74

Ethics Committee

1. An Ethics Committee is established in the National Transparency Authority of Chapter C' of the present Part with following competences: (a) to address any matter referred to it by the Prime Minister on ethical issues and avoidance of conflicts of interests of the persons appointed to the positions referred to in Article 68 of the present Law, (b) to examine the requests submitted in the context of paragraphs 1 and 2 of article 73, (c) to review ex officio the implementation of the provisions of the present Chapter and to propose the imposition of the relevant sanctions of article 75, (d) to provide advisory opinion on draft codes of conduct for the persons appointed to the positions referred to in article 68 or for other civil servants or officials of the public administration, referred to by the Prime Minister.

2. The Committee has five members and is composed of: (a) the President of the Management Board of the National Transparency Authority as President, (b) two (2) members of the State Legal Council at the level of Vice-President or of Counsel (c) one (1) member of the Supreme Council for Personnel Selection at the level of Vice-President or of Counsel, and (d) the Ombudsman or an Assistant Ombudsman. The members referred to in cases (b) and (c), with their alternates, shall be designated by the President of the respective institution. The member referred to in point (d) together with his/her alternate shall be indicated by the Ombudsman. The Committee shall be established by a decision of the Governor of the National Transparency Authority, which shall be published in the Government Gazette, for a four-year term.

3. By means of a decree proposed by the Prime Minister, a process may be provided for the submission of questions to the Ethics Committee on the application of the provisions of the present Chapter, as well as specific rules and procedural safeguards for the procedure to be followed, and the regulation of any necessary details for the implementation of the present Law.

Article 75

Penalties

1. If, following a respective check, it is found that the provisions of the present Chapter have been infringed, the Ethics Committee shall draw up a finding on the matter with the proposed sanctions and shall send it to the Governor of the National Transparency Authority so as to issue an administrative act in conformity with it regarding: (a) the imposition of a fine of up to twice the total remuneration and all the allowances received by the person referred to in article 68 during his/her term of office, which is certified and is directly collected as public revenue, in accordance with the provisions of the Public Revenue Collection Code, (b) the prohibition of appointment, to the positions of article 68 of the present Law, for a period of up to five (5) years from the finding of the infringement. The above penalties shall be imposed cumulatively or alternatively. In the event of failure to pay the fine referred to in point (a), the period referred to in point (b) shall be extended for as long as the fine is not paid.

2. All the decisions of paragraph 1 of the present article shall be posted on the website of the National Transparency Authority in addition to the publicity obligations, in accordance with the provisions of Law 3861/2010.

3. In particular, the infringement of the provisions of paragraph 4 of article shall, in addition to the penalties provided for in paragraph 1 hereof, entail the nullity of the contracts set out in those paragraphs.

CHAPTER C'

ESTABLISHMENT OF A NATIONAL TRANSPARENCY AUTHORITY

Article 82

Establishment of the National Transparency Authority —

Purpose and Competences

1. An Independent Authority, without legal personality, called "National Transparency Authority (N.R.D.)", hereinafter referred to as "the Authority", is hereby established with a view to: (a) enhance transparency, integrity and accountability of government bodies, administrative authorities, state bodies, and public institutions; and (b) prevent, deter, detect and respond to cases of fraud and corruption in public and private bodies and organisations.

2. The Authority shall enjoy operational independence, administrative and financial autonomy and shall not be subject to control or supervision by governmental bodies, state actors or other Administrative Authorities. The Authority shall be subject to parliamentary scrutiny, in accordance with the stipulations of the Parliament's Rules of Procedures and the provisions of Article 85 of this Law. The appropriations

for the operation of the Authority shall be entered, with the Authority's responsibility, in the budget of the Ministry responsible for Public Administration's personnel.

3. The Authority's headquarters will be in Athens. Six (6) Regional Services will be operating in Thessaloniki, Larissa, Tripoli, Patras, Serres and in Rethymnon. Regional Services may be established or dismantled, or their seat and organisational structure may be changed, with a decision of the Governor, after the recommendation of the Authority's Head of Inspections and Control Unit, with the consent of the Management Board.

4. From the Law's entry into force, the following entities shall be abolished, with their powers, rights and obligations transferred to the established Authority as their full successor, in accordance with the specific provisions of this Law: (a) The Secretariat-General for Combating Corruption (GSAC) of the Ministry of Justice and the position of the Secretary-General in charge, (b) the Body of Inspectors-Controllers of Public Administration (SEEDD), which is under the authority of the abolished GSAC, as well as the position of the Secretary-Special in charge, (c) The General Inspector of Public Administration (GEDD) and the position of the General Inspector, (d) The Body of Inspectors for Health and Welfare Services (SEYYP), which is under the authority of the Ministry of Health, as well as the Inspector General in charge, (e) the Body of Inspectors for Public Works (SEDE) falling within the Secretariat-General for Combating Corruption of the Ministry of Justice and its Management Board, (f) the Body of Inspectors-Controllers for Transports (SEEME) attached to the Ministry of Infrastructure and Transport, as well as the position of the General Inspector that chairs it.

5. The Authority shall be designated as the Hellenic Anti-Fraud Coordination Service (AFCOS), in accordance with paragraph 4 of Article 3 of the EU Regulation (EU, EURATOM) No 883/2013 of the European Parliament and of the Council of the 11th of September of 2013 (OJ L248), in cooperation with the Body responsible for the Prosecution of Economic Crimes, according to its competencies.

6. All powers of the actors and bodies mentioned in paragraph 4 of this Article, as laid down in the relevant provisions of the laws through which they were established, or any other relevant law or regulation in force, shall hereinafter be exercised by the Authority and its bodies, in accordance with the provisions set out in this Law, unless otherwise specified.

Article 83

Competences of the Authority — Scope of application

1. The Authority shall exercise its responsibilities, across the entire public sector, including bodies and services of the General Government, legal entities under public law, regional and local authorities as well as their enterprises and the legal entities governed by public or private law that they supervise, state legal entities under private

law and public enterprises and businesses whose management is directly or indirectly designated by the State, through an administrative act or by the State acting as a shareholder, even in cases where such undertakings are expressly exempted from public sector rules, according to their founding laws. The competence of the Authority is extended to private bodies which enter into any type of contract with public sector bodies, as the term public sector is being defined in Article 51 of Law 1892/1990 (GG I 101) as it is in force. Private entities that transact in any way with public sector bodies, as they are defined and mentioned in the previous sentence, even without having signed a contract, or are being funded by a public sector entity in any proportion fall also under the Authority's competence. Also, within the Authority's remit fall private bodies that are engaged in any economic activity which is in any way regulated by the State and which is relevant to the provision of services or goods to citizens or businesses, or which are active in areas related to the public interest. The Authority's jurisdiction is extended throughout the entire territory. The Authority's staff may travel abroad in order to conduct investigations and collect data within the framework of their responsibilities and to cooperate with all public and private entities.

2. In particular, the Authority shall have the following competences: (a) the central planning and coordination of all actions necessary to enhance transparency and accountability of government and public entities and bodies, (b) the central planning and coordination of all necessary actions for the prevention, the discouragement, the detection and suppression of acts and phenomena related to fraud and corruption, awareness raising, educating and change of role models across society in terms of transparency, integrity and fighting corruption, (c) the preparation, monitoring, evaluation and redesign of the National Anti-Corruption Plan, (d) the carrying out of audits, reassessments, inspections and investigations on the bodies mentioned in paragraph 1 of this Article, (e) the ex-officio order of inspections, investigations and audits by the competent bodies, authorities and units for inspection and investigations referred to in paragraph 1 of this Article which are not under the Authority's jurisdiction, (f) the design and undertaking of specific actions to better coordinate, remove overlaps of competencies and exploit synergies between all public bodies and agencies involved in the fight against fraud and corruption, (g) the monitoring and evaluation of the work and action of the particular bodies, services and inspection and control bodies, which do not fall under the Authority, including Internal Audit Units and Internal Affairs Units; and the submission of proposals for addressing any problems recorded during the evaluation process, (h) the monitoring of the progress of the audits being carried out by the bodies and services aforementioned, as well as information on their reports and findings, on the state of implementation of their proposals, at request, and the power to intervene if necessary to ensure the implementation of these by proportionately applying the provisions of Article 100 of this Law, (i) the central planning, development and monitoring of the implementation of the Public Governance Accountability Framework for public bodies and organisations, (j) the development of the institutional, organisational and operational framework for the National Internal Audit System, the operation of

internal audit and of risk management in cooperation with the relevant Ministries for public administration and financial management, (j.a) the design and development of the National Integrity System, (j.b) the development of the methodology, the standards and the guidelines for the preparation of the part of the Impact Assessment Report, of this Law, which refers to corruption, (j.c) the utilisation of Behavioural Science and 'Nudging' methods for the enhancement of integrity and of the fight against the corruption, (j.d) the reinforcement of transparency in the fields of entrepreneurship and competitiveness in order to support the development and attraction of foreign direct investment, (j.e) carrying out preliminary investigations under the commission of the Prosecutor's Office and offering scientific support and specific technical advice to other Public Authorities, (j.f) receiving, processing, evaluating, investigating on or filing complaints or reports that are relevant to the Authority's competencies, as well as relevant to cases of fraud and corruption in the public and private sector, or complaints and reports regarding co-funded, transnational and other projects or programs, (j.g) the country's participation and representation in international organisations and in the European Union, as well as its cooperation at a bilateral level with other States' counterparts in the preparation, undertaking and implementation of programmes and projects, the exchange of best practices and the reception of technical assistance for the reinforcement of accountability, and the fight against fraud and corruption, (j.h) the supervision and coordination of state entities and organisations that implement programs and actions against corruption, as well as the evaluation and inspection of their achieved results in comparison to the targets set, based on the Authority's strategic planning and annual business plans, (j.i) the monitoring of the disciplinary proceedings of the entities mentioned in paragraph 1 of this article, with the exception of the military personnel of the Armed Forces. To this end, every act imposing disciplinary prosecution and every disciplinary Decision shall be mandatorily disclosed to the Authority, (k) the lodging of appeals and objections in favour of the administration or the employee, against all disciplinary decisions of single member and collective disciplinary bodies of the entities referred to in paragraph 1 of this Article, with the exception of decisions by members of the Government and Deputy Ministers regarding disciplinary penalties, (k.a) the audit of: (aa) asset declarations ("pothen esxes") of employees subject to such a responsibility and under the power of the Authority, according to the professional categories that are defined by provisions in force, (bb) asset declarations of employees, officials and authorities of bodies referred to in paragraph 1 of this Article whether they are required to submit these declarations by law to another body or not, according to the provisions in force, (k.b) the design and implementation of actions for co-financed, transnational and other projects and programmes that fall under its areas of competence, (k.c) the design and implementation of training programmes and seminars, and the provision of related training certifications for matters falling within the competence of the Authority, (k.d) the monitoring of the implementation of national and Union law on public health and mental health matters, as well as the examination of complaints pertaining to the protection from tobacco and alcohol, in cooperation with the competent authorities.

3. The Authority shall not examine complaints or reports related to staff regulation of the employees serving in institutions mentioned in paragraph 1 of this Article, as well as acts and decisions made by judicial authorities and the State Legal Council on matters relating to independent authorities and religious legal entities governed by public law.

4. Through decisions of the competent Ministers, which shall be published in the Government Gazette, powers may be delegated or conferred on the Authority in respect of matters falling within its mandate and responsibilities.

5. By decision of the Governor, either his own or the Authority's competencies in general may be delegated to organisational units or to specific bodies.

Article 84

Personal and Operational independence

The Chairman, the members of the Management Board and the Governor are solely bound by the law and their conscience, when carrying out their duties and are not subject to any hierarchical control, nor to administrative supervision by government officials or other administrative authorities or other public or private bodies. The Chairman, the members of the Management Board, and the Governor shall enjoy personal and operational independence.

Article 85

Relations with Parliament, judicial, prosecutorial and administrative authorities — Transparency of actions

1. The Chairman and the members of the Management Board, as well as the Governor, after having been called by the Committee on Institutions and Transparency of the Parliament, testify on matters relating to the competencies of the Authority in accordance with the provisions of Article 138a in conjunction with those of Article 41a of the Rules of Procedure of the Parliament. In exceptional cases and upon request, the Authority is obliged to submit special reports in the course of a year on matters within its remit, to the Prime Minister and to the Speaker of the House of Assembly.

2. The Authority cooperates with the competent judicial and prosecutorial authorities as well as with all the administrative authorities and bodies responsible for financial auditing, accountability, transparency and the fight against fraud and corruption and shall, upon request, assist them within the scope of its powers. The Authority also undertakes horizontal actions in cooperation with the Independent Authority for Public Revenue to identify taxable material linked to corruption.

3. The Authority, through its Governor, directly recommends to the Minister responsible for matters concerning public administration's personnel, legislative

provisions and the adoption of regulatory acts in respect of matters falling within its remit.

4. The General Secretariat for Legal and Parliamentary Affairs shall notify the Authority on new legislative provisions on issues of integrity, transparency, accountability, auditing and fighting against corruption before their submission for adoption to Parliament. The Authority shall express an opinion within thirty (30) days from notification. The Authority's opinion is in no case binding for the competent governmental bodies. In the event that this deadline expires, and no opinion has been expressed, it shall be deemed that the Authority consents. In cases of emergency, the above deadline shall be lessened to ten (10) days, while in cases of extreme urgency it may be shortened to three (3) days.

5. The Authority composes a detailed annual report including the programming of its activities for the following year, in accordance with the specified provisions of its Rules of Procedures. The Authority's planning shall include both the planning of the long-term strategic direction as well as its annual operational plan. The annual report shall present the work done over the previous year and the outcomes in all critical areas of activity. The Authority's annual report shall be submitted by the 31st of March each year by the Governor, to the Speaker of House of Assembly and the Committee on Institutions and Transparency of the Hellenic Parliament, where it is discussed in accordance with the Parliament's Rules of Procedure. It shall be available on the Authority's website and also published in a relevant publication of the National Printing Office.

Article 86

Organisational Charter and Internal Regulations of the Authority

1. The organisation and structure of the Authority's services, the establishment, merger and abolition of organisational units, the establishment, conversion and abolition of workstations, the definition of responsibilities of the organisational units and staff, the specification of operational procedures and systems of governance and administration, the specified qualifications for appointment, for each branch and specialty, the branches in which the heads of organisational units must belong, the distribution of posts by category, branch and speciality, as well as any other detail necessary for the functioning of the Authority, shall be regulated by the Organizational Charter and its Rules of Procedure.

2. The Authority's operation shall be regulated by Internal Regulations, including: (a) the Rules of Procedures, through which special operational matters as well as matters related to the exercise of its powers will be defined, in accordance with the legislation in force; and (b) individual Regulations which will deal with more specific operational procedures, specific tasks and any other necessary matter.

3. The Organisational Charter, the Rules of Procedures and other Regulations shall be adopted through decisions of the Governor, with the consent of the Management Board, and will be published in the Government Gazette. In particular, until the appointment of the Chairman and the members of the Management Board, the adoption and publication of the Organisational Charter, the Rules of Procedures and the individual Regulations of the Authority shall be in effect with the issue of a relevant decision by the Governor.

Article 87

Management Bodies of the Authority

The Management Bodies of the Authority shall be the Management Board and the Governor.

Article 88

Selection — Appointment – Scope of Responsibilities of the Management Board

1. The Management Board sitting with five members, is composed of the Chairman and four (4) members. Only the Chairman of the Authority shall be employed on a full-time and exclusive basis. During the Management Board's meetings, the Governor shall participate purely ex officio, without the right to vote.

2. (a) The members of the Management Board shall be selected through an open competition. With a decision of the Council of Ministers, which shall be published in the Government Gazette, the procedure of the competition's announcement will be described, the secretarial support of the Committee mentioned in the following paragraph and any other matter related to the enforcement of this paragraph. (b) The selection of members of the Management Board shall be made by an independent Selection Committee consisted of: (aa) the President of the Supreme Council for Civil Personnel Selection (ASEP) or one (1) Vice-President, suggested by ASEP's President, as his deputy, to serve as the President of the Committee, (bb) two (2) Vice-Presidents or ASEP Advisors designated by its President, (cc) one (1) Vice-President of the State Legal Council, designated by the President of the State Legal Council, (dd) the Secretary-General for matters regarding the Personnel of Public Administration. (c) The Selection Committee draws up a shortlist of the prevailing candidates, based on predetermined and objective criteria, which shall be consisted of double the number of the positions to be filled and shall be submitted to the Council of Ministers. Should the number of candidates be less than the number of the available positions doubled, all candidates are to be included in this list. (d) The Council of Ministers shall choose

from the aforementioned list, a number of candidates equivalent to the number of positions to be filled, and will then submit for approval by the Committee on Institutions and Transparency of the Parliament, each candidacy separately, in accordance with the relevant provisions of the Parliament's Rules of Procedures. In case the Committee on Institutions and Transparency does not approve one or more of the proposed candidates, the Council of Ministers shall propose new candidates from the list of the prevailing candidates of the previous paragraph.

3. The Chairman and the members of the Management Board of the Authority shall be appointed with a decision of the Council of Ministers, which will be published in the Government Gazette.

4. The term of office of the Management Board members shall be five years and may be renewed only once. During the first application of this Law, two (2) out of the four (4) members will be drawn immediately after their selection decision is adopted and they will be appointed for a term of office of three (3) years, whereas the remaining two (2) shall be appointed for a term of office of five (5) years. This drawing does not include the Chairman, who will be appointed for a term of five (5) years. If the term of office of a member serving for a defined period, as determined previously is renewed, such a renewal will concern a full term of five (5) years.

5. The term of office of the members is extended automatically until the appointment of new ones. The extension of the term of office may not, in any case, exceed a six (6) months period. The Authority may continue to operate should any of its members leave for any reason, if the number of the remaining members is enough to form a quorum.

6. In the absence or unavailability of the Chairman, he shall be replaced by one (1) of the other regular members, who will have been designated for that purpose according to a relevant decision of the Chairman, which must be issued within three (3) months of the appointment of the Management Board of the Authority.

7. (a) While the Chairman and the members of the Management Board perform their duties, they are obliged to abide to the principles of objectivity, impartiality and integrity, to consistently serve the objectives of the Authority and to exercise the competencies assigned to them by this Law and by the relevant legislation in force, with the purpose of achieving the objectives and the effective and efficient operation and action of the Authority. (b) The Chairman and the members of the Management Board are obliged to declare their assets which will be also subsequent to auditing, according to the provisions in force, for both their term of office and two (2) more years after the end of their term of office, and with all such audits held in priority by the Unit C' for Audits and Assets Declarations of the Authority Against Money Laundering; (c) The Chairman and the members of the Management Board must provide guarantees for impartial judgement while performing their powers. In particular, it is important that they abstain from any act or procedure that constitutes participation in decision-making or formulation of opinions or proposals in which: (aa)

the satisfaction of a personal interest of theirs is linked to the outcome of the case; or (bb) they are spouses or relatives by blood or through marriage, either directly, or indirectly up to second degree, with any related party, or (cc) they share a particular connection, special relationship or hostility with the people involved. All members of the Management Board, the Chairman included, will have to sign a non-disclosure agreement and a declaration that they have no conflict of interests before they assume their duties. In case that a matter is brought before the Management Board, which is related to the interests of either the Chairman or of another member of the Board, that member is obliged to declare his nonparticipation at the beginning of the discussions, as well as the reason for his abstention, and shall not be included in the count for quorum. In the event of more than one (1) members not being able to participate as a result of a conflict of interest, the Management Board shall be quorate and shall act with the remaining members who are able to attend. In all other respects, the provisions of Article 7 of the Code of Administrative Procedure (Law 2690/1999, GG I 45) are applied. The Rules of Procedures of the Authority shall lay down more specific details concerning the application of this Article when conflict of interests arises for the Chairman and the members of the Management Board. A violation of the provisions of this article or of relevant provisions of the Operational Regulation of the Authority constitute a serious disciplinary offence.

8. In derogation from every provision in force, the remuneration of the Chairman, whether regular or additional, for the entire period of his or her term of office shall be equal to 60% of the total remuneration and allowances, benefits and allowances of the President of the State Legal Council, as laid down in Articles 32 and 33 of Law 3205/2003 (GG I 297), as in force. The remuneration and any additional payments for the Chairman whether he is an individual or a civil servant or an official or an employee with an employment relationship governed by public or private law in a public sector entity as defined in Article 51 of Law 1892/1990, are excluded from the salary ceiling laid down in Article 28 (1) of Law 4354/2015 (GG I 176). For the purpose of calculating the remuneration ceiling, Article 28 (3) (a) of Law 4354/2015 shall apply proportionately.

9. The remuneration of the Management Board members shall be fixed at three hundred and fifty euros (EUR 350.00) per meeting and in every case must not exceed the amount that equals to forty percent (40 %) of the remuneration of the Secretary-General of a Ministry. When the Chairman and members of the Management Board are called to travel abroad, their travel expenses by any means of transport, a daily allowance for travelling abroad and hotel accommodation expenses shall be covered under Article 5, paragraph 1, case b of Chapter I, of subparagraph D9, of Article 2 (D) of Law 4336/2015 (GG I 94). The Chairman and the members of the Management Board are excluded from the provision regarding the maximum number of days away from base mentioned in Article 3 of Chapter A, subparagraph D9 of paragraph D of Part B of Article 2 of Law 4336/2015. The aforementioned amounts may be adjusted by means of a decision of the Minister of Finance, issued following a recommendation from the Chairman of the Management Board.

10. The Chairman and the members of the Management Board are persons of recognised standing, superior scientific competence, and with professional expertise in areas related to the powers of the Authority or/and of the Management Board. Candidates must have a) a University Degree or Diploma in law or finances or business administration or exact sciences, or public administration or international studies or equivalent University Degrees and Diplomas, either from abroad or from domestic institutions. Postgraduate or Doctoral Degrees from Greek Universities or recognised, equivalent Degrees of foreign Universities, or a graduation from the National School of Public Administration and Local Government of E.K.D.D.A. (National School for Public Administration and Local Government), which demonstrate the scientific specialisation in domains that serve the Authority's purposes and/or the responsibilities of the Management Board will be considered as an added qualification during the selection process, (b) professional expertise in relevant fields, capable of serving the purposes of the Authority and/or the competencies of the Management Board, of at least ten (10) years, (c) an excellent knowledge of at least one foreign language, and English in particular. Knowing more than one foreign languages is an additional qualification.

11. Candidates must possess the qualifications for appointment both during the expiry date for the submission of applications and at the time of their appointment.

12. Candidates must also not have an impediment to appointment in accordance with the provisions of Articles 5 and 8 of the Civil Service Code, either at the expiry date for the submission of their applications, or at the time of appointment, and in addition: (a) They must not have been dismissed from a public service or from a regional or local authority or any other legal entity operating within the public sector, as a result of the disciplinary measure of permanent cessation of employment being imposed, or because of the termination of a contract of employment because of a misconduct on their behalf; (b) They must not have been excluded by a competent authority from performing their duties or restricted from pursuing a post of Head of Unit or even serving in any public entity, as a result of a serious disciplinary measure; (c) They must not be engaged in any kind of other professional relationship with the Authority; (d) Any person serving as a magistrate, is or has been a member of the Greek Parliament or of the European Parliament, the Government or of a managing body of a political party, during the current or previous parliamentary period or has been announced as a political candidate during the same periods, cannot be appointed as a Chairman or member of the Management Board. (e) The Chairman and the members of the Management Board cannot be spouses or related by blood or through marriage directly or indirectly to a second degree with the Governor or any other member of the Management Board, the Chairman included.

13. As far as the impediments, incompatibilities and the rules of avoidance of conflict of interest are concerned, the provisions of Articles 68 to 74 of this Law are applied respectively.

14. In case the Chairman is a civil servant or an officer in a public institution or a public body of the General Government, according to the Registry of the General Government Bodies held by the Hellenic Statistical Authority, at the end of his term of office, he shall return to the post held before his appointment. The time of his or her term of office shall be considered, regarding grade classification and salary progression, as time served in the post of Head of Directorate-General.

15. The members of the Management Board will be working part time, therefore the cessation of duties in their principal professional activities or the exercise of duties in any pubic post, independent authority, regional or local government offices as well as their public enterprises, legal entities under public or private law, public enterprises or enterprises whose management is directly or indirectly defined by the State, either through an administrative act, or under the capacity of a shareholder will not be needed. During their term of office, they are not permitted to exercise any paid or unpaid employment or any other professional activity that is incompatible with the capacity or their duties as a member of the Authority's Management Board. Notably, they are not permitted to provide their services or to have any legal relationship with a company or an enterprise, through which a conflict of interest may arise. Being a member of the Teaching and Research Staff in a University, either employed full time or part time, or being a member of the Legal Council of State does not constitute an incompatibility.

16. A member of the Management Board, including the Chairman, shall be removed from office by a reasoned decision of the Council of Ministers which will be published in the Government Gazette, for the following reasons: (a) Failure to perform his or her duties as a result of an impediment, of a disease or of a physical or mental handicap, lasting for more than three consecutive months or if he or she hasn't performed his or her duties for three (3) consecutive months for any other reason, without the permission of the Management Board, (b) For an overriding reason regarding the exercise of their duties. The revelation of confidential matters that came into their awareness during the exercise of their duties and the abuse of power for personal gain, both constitute such an overriding reason. (c) In case a member is brought to court irrevocably for an offence which entails an impediment for appointment in a public service or results in the loss of employment for a public servant, according to Articles 8 and 149 of the Civil Servants Code. (d) If the conditions for a proprio motu suspension of duties are satisfied, according to the provisions of article 103, paragraph 1 of the Civil Servants Code. (e) If he/she has not made the required disclosures of a conflict of interest, in accordance with the provisions of Article 103(1) of the Civil Servants Code. (e) If he or she has not proceeded in the compulsory disclosure of conflict of interest, in accordance with the relevant provisions of this article. (f) If he or she has been excluded or dismissed by a competent authority, from performing a profession or has been disqualified from attaining a post as a Head of a Department or as an executive of any legal entity under public law, due to a serious disciplinary offence. (g) Should he or she be elected as a representative of

the Greek Parliament, the European Parliament, the Government or the governing bodies of a political party, or if he or she is announced as a parliamentary candidate.

17. In case the Chairman or a member of the Management Board has been removed from office, he or she may appeal to the Council of State against the decision. The deadline and the lodging of the appeal do not postpone the contested decision.

18. A member of the Management Board, including the Chairman, that intends to resign from office, must inform the Council of Ministers and the Management Board, at least three months in advance. The resignation is accepted with a decision by the Council of Ministers, that's published in the Government Gazette.

19. In the case that the post of the Chairman or of a member of the Management Board becomes vacant, because of death, resignation or termination, a new Chairman or member is appointed, in accordance with the procedure mentioned in this Law, within two (2) months from the vacancy, for a full term of office. Until the appointment of a new Chairman or of a new member, the operation of the Management Board shall not be suspended. For the period leading up to the appointment of a new Chairman, his deputy or, in the absence of a deputy, another member of the Management Board decided by the Management Board assumes duties of Chairman.

20. The procedure for the appointment of a new Chairman or of a new member of the Management Board will begin at least three (3) months before the end of their mandate, according to the procedure described in this Law. If the procedure for the appointment of a new Chairman or member is not completed on time, the term of office of the outgoing Chairman or member shall be extended proprio motu until the new appointment, for a period of time no more than six (6) months.

Article 89

Competences of the Management Board

The Management Board has the following competences:

1. It approves the Authority's strategic and business plan, the Authority's annual and multiannual auditing action plan, the draft of the annual budget plan of the Authority, prior to its submission to the State General Accounting Office, and the Authority's annual report.

2. Ranks the two (2) strongest candidates for the Governor's post and submits a relevant proposal to the Prime Minister.

3. Selects and appoints the members of the Authority's Audit Committee.

4. Offer its opinion: (a) on the design of the Authority's personnel policy and monitors its implementation, (b) for the development and implementation of methodologies and more specific systems of qualitative and quantitative evaluation,

promotion, grade classification and advancement of the Authority's staff, (c) for the development and implementation of methodologies and of a more specified system for the salary regime and extra bonus of the Authority's staff, (d) for the establishment of more precise qualifications regarding the appointment to professional sectors and specialties as well as the criteria for recruiting staff, (e) for the establishment, conversion and abolition of posts of all sectors, specialties and categories, (f) for the distribution of all posts between the organisational units of all levels within the Authority, (g) for the inclusion of projects to the National Program for Public Investments and the Single Procurement Program, (h) for the feasibility and sustainability of co-funding actions through the Structural Funds of the European Commission, the Structural Reform Support Programme, the European Economic Area and any other funding source of except from the State budget, (i) for signing cooperation agreements with international organisations.

5. Gives its consent: (a) for drawing up the Authority's Organisational Charter, as well as for its amendment, in the event of significant organisational changes such as the creation, the merger, the conversion of the hierarchical level of an organisational unit, the abolition and suspension of operation of services from all the levels of Directorates-General, or Directorates, or Departments of the Central Office and of the Authority's Regional Services; (b) regarding the definition of the professional branches in which the Heads of the aforementioned organisational units must belong, (c) for the Authority's Rules of Procedures and the various Regulations of the Authority.

6. When the Management Board is requested to give its consent, it shall be presumed that it is given after the expiry of an exclusive period of thirty (30) days from the date of the request's submission.

7. The Management Board is not authorised to request and have access to files and information regarding specific cases of fraud and corruption or to intervene in any way in the investigation of these cases.

8. More specified issues related to the meetings of the Management Board, the operational and the decision-making framework are described in the Authority's Rules of Procedures.

Article 90

Selection — Appointment — Governor's Scope of Tasks

1. A Governor serves as the chief executive officer of the Authority and he is employed on a full-time and exclusive basis. The Governor's term of office shall be five years and may be renewed only once with the Prime Minister's decision and with the consent of the Management Board, with a 4/5 majority of all its members.

2. (a) The selection of the Governor occurs through an open competition. The procedure for the competition's announcement, the secretarial support of the

Committee mentioned in the following paragraph as well as any other matter related to the implementation of this paragraph will be described in a Ministerial Decision by the Minister responsible for Public Administration's staffing policy, which will be published in the Government's Gazette. (b) The selection of candidates is made by the independent Selection Committee cited in Article 88 of this Law. (c) The Selection Committee draws up a shortlist of the four (4) strongest candidates, according to predetermined and objective criteria, which shall be submitted to the Management Board. In case there are fewer than four (4) candidates, then they are all included in the shortlist. (d) The Management Board ranks the two (2) prevailing candidates in an order of priority and submits a relevant proposal to the Council of Ministers. The Council of Ministers then proposes the candidate for Governor, to the Committee on Institutions and Transparency of the Hellenic Parliament for approval, in accordance with the applicable provisions of the Parliament's Rules of Procedures. In case the Committee does not approve the proposed candidate, the procedure mentioned previously shall be repeated for the second candidate. The Governor is appointed by a Prime Minister's declaratory act and is published in the Government Gazette.

3. The Governor is a person of recognised standing, high scientific merit and of professional experience in areas related to the Authority's responsibilities and especially in the areas of prevention and fighting fraud and corruption, supervision of administrational and governance systems, transparency, integrity and accountability. The persons who are proposed must obtain: (a) a University Degree in law or economics or business administration or sciences or public administration, or an equivalent Degree from a Greek or foreign University of similar specialties, (b) a Masters or Doctoral degree from a Greek University, or a recognised foreign equivalent, which certifies the scientific specialisation in subjects relevant to the objectives of the Authority. Graduation from the National School of Public Administration and Local Government is considered an additional qualification. (c) Significant administrative experience gained while serving in positions of responsibility, human resources management, drawing of strategic plans, management of projects and activities, groups coordination and management by objectives procedures and monitoring of achievement. (d) Excellent knowledge of at least one foreign language, and especially English. Knowledge of additional languages shall be considered as an additional qualification. (e) Proven experience of at least ten (10) years in policies, projects and actions combating fraud and corruption, developing and enhancing mechanisms for the strengthening of integrity, transparency and accountability, developing internal auditing and risk management systems, organisational reforms and change management systems. Experience gained from similar projects within international organisations and other countries is evaluated as an addition qualification. (f) The possession of qualified professional certifications regarding matters relevant to the Authority's responsibilities is evaluated as an added candidate qualification.

4. Applicants must obtain the necessary appointment qualifications both during the expiry date for submitting their application and at the time of appointment.

5. As far as impediments, incompatibilities and rules regarding the avoidance of conflicts of interest are concerned, the same that apply for the members and the Chairman of the Management Board, apply for the candidates for the post of the Authority's Governor as well, as described in articles 68-74 of this Law.

6. In case the Governor is a civil servant or an officer of a public institution of the General Government, as the latter is defined in the Registry of General Government Bodies kept by the Hellenic Statistical Authority, after having concluded his or her term of office he or she shall return to the post occupied before the appointment. In this case, the time of his or her term of office shall be considered, for each grade classification and salary progression, as time of actual service in the post of Head of a Directorate-General.

7. (a) While performing his or her duties as a Governor one must abide by the principles of objectivity, impartiality and integrity, serve consistently the objectives of the Authority, and exercise the powers appointed to him or her through this Law and by the relevant legislation in force, in line with the objectives and an efficient and effective operation of the Authority; (b) The Governor is obliged to declare his or her assets and withstand relevant audits, in accordance with the provisions in force, both during his or her term of office and for the following two (2) years and shall be subject to auditing in priority by Unit C' for Control of Declarations of Assets of the Authority for the Prevention of Money Laundering, (c) The infringement of the provisions of this Article and of the relevant provisions of the Authority's Rules of Procedures a serious disciplinary offence.

8. By way of derogation from any other provision in force, the Governor's remuneration, whether regular or additional and for the entire duration of his or her term of office is determined in alignment with the content of the Ministerial Decision 2/50935/0022, 02.05.2007 (B' 1672) for determining the remuneration of the General Inspector for Public Administration, which remains in force. The remuneration and additional payments of the Governor, whether an individual, a civil servant, an official or an employee with an employment relationship governed by public or private law within a public sector body, as the public sector is defined in Article 51 of Law 1892/1990, are exempt from the remuneration ceiling laid down in Article 28 (1) of Law 4354/2015. For the purpose of calculating the remuneration ceiling, Article 28 (3) (a) of Law 4354/2015 is applied mutatis mutandis.

9. In case of indisputable real incidents occurring, which are indicative of the need for the termination of the Governor's term of office, the Management Board initiates the process by proposing, with a 4/5 majority of its members, the justified early termination to the Prime Minister, who then issues a relevant act, including the justified recommendation of the Management Board, that will also be published in the Government Gazette. The Prime Minister may at any time consult the Management Board on whether there are or not facts that could lead to the early termination of service of the Governor. The Governor is terminated early on the grounds of Article 88, paragraph 16.

10. The Governor who has been terminated may appeal against the decision before the Council of State. The submission of an appeal does not suspend the implementation of the disputed decision.

11. If the Governor intends on resigning from office, he or she must inform the Prime Minister and the Management Board, at least three (3) months beforehand. The resignation is accepted with a Prime Minister's decision, that is published in the Government Gazette.

12. Whenever the Governor's post becomes vacant, a new Governor shall be appointed, according to the procedure described in this Law, within two (2) months from the vacancy.

13. The procedure for the appointment of a new Governor begins three months at least before the end of the term of office, in accordance with the procedure provided for in paragraph 2 of this Article.

14. In the event of a delay in the selection of the new Governor or in the event of an early termination of a Governor's term of office or in the event of a temporary inability on the Governor's behalf to perform his or her duties, for the time remaining between the end of one's term of office until the appointment of his or her successor, or for as long as the Director is temporarily unable to perform his or her duties, in these cases the Governor is substituted by the Head of the Inspections and Auditing Unit of the Authority for all legal consequences arising. If the latter is absent or unable to perform his or her duties, or if for any reason he or she no longer performs his or her duties, one of the Heads of the Directorates-General of the Authority is temporarily appointed as a deputy with a Management Board's relevant decision, until the appointment of the new Governor or the re-assumption of duties from the existing Governor occurs.

Article 91

The Governor's Competences

1. All of the Authority's responsibilities defined within the provisions of this Law or in other provisions of legislation in force shall be exercised by its Governor, apart from those explicitly exercised by the Management Board.

2. The Governor, indicatively and not exclusively, is responsible for: (a) Shaping and updating the Authority's long-term strategic plan. (b) Designing and revising the Authority's annual business plan, and sets out the Authority's annual operational plan and sets the qualitative and quantitative objectives, the indicators for measuring results, the timetable for implementation, the evaluation criteria of the organisational units, of their directors and their staff, as well as any other relevant matter. (c) Recommending the necessary legislative arrangements on matters falling within the Authority's remit. (d) Submitting the Authority's replies to the competent government

bodies, in order to assist the exercise of parliamentary powers. (e) Taking measures for the safekeeping of transparency and the fight against corruption within the services subject to the Authority's, including the initiation of proceedings for disciplinary prosecution before the competent Disciplinary Boards. (f) Deciding on the participation of the Authority in Working Groups, European Union Committees and international organisations with a similar mandate. (g) Representing the Authority at a national and international level in respect of any matter relating to the purposes and responsibilities of the Authority.

3. (a) The Governor oversees the Authority's personnel according to all the relevant provisions and what is more specifically defined in the Organisational Charter and the Rules of Procedures. (b) Determines the more specified qualifications needed and the recruitment criteria for the staffing of the Authority and their submission to competent authorities and "ASEP" so they can be included in the respective requests embodied in the relevant invitations, in accordance with the provisions in force. (c) Sets out a specific system for promotions, grade classifications and career development within the Authority. (d) Defines a specified salary regime as well as a specified system for rewards (bonus) for the Authority's personnel. (e) Describes the process, the procedure and the bodies monitoring the achievement of objectives, the evaluation criteria for the performance of the Authority's employees, the process, the procedure, and their assessment bodies and any other necessary detail for the implementation of the entire process. (f) He or she is the disciplinary Head of all the Authority's employees, unless otherwise defined for particular executives, according to the provisions of this Law and can impose a reprimand or a fine up to a month's wages.

4. (a) With his or her Decisions, which are published in the Government Gazette, Service Councils and Disciplinary Boards within the Authority, as well as Working or Project Groups, Councils and Special Evaluation Committees can be set up or merged. (b) The Governor appoints the Chairman, the members, the rapporteur and the secretary of all the permanent and occasional collective bodies of the Authority, and defines the more specific matters relating their operation, in accordance with the provisions in force; (c) Indicates the Authority's representatives to collective bodies of other Ministries and entities; (d) Issues Decisions for the formation of working groups, with the participation of representatives of the entities specified in Article 83, paragraph 1, as well as from Independent Authorities to assist the Authority in a more efficient conduct of its work on matters requiring specified scientific excellence and expertise.

5. The Governor can delegate, by means of a relevant Decision which will be published in the Government Gazette, to the Directors of all the organisational units within the Authority, powers as well as the authorisation to sign 'By order of the Governor' Decisions, acts or other documents. Powers delegated and the authorisation of signature can be further transferred from those they were delegated to, to their subordinates if such a provision is included in the initial Decision made by

the Governor. In the event that such a further delegation derives from a body that: (aa) a power was delegated to, than the further delegated body signs by order of the body the authorisation was initially transferred to or (bb) the authority to sign had been granted, than the further authorised body shall sign 'By order of the Governor'. The decisions mentioned in this paragraph may be amended in whole or in part by the same body, irrespectively of a change of the person who issued them.

6. The Governor also exercises every other existing power, at the date of entry to force of the Authority, of the Secretary-General for the Fight against Corruption, the General Inspector of Public Administration, the General Inspector of the Body of Inspectors for Health and Welfare Services (SEYYP), the General Inspector of the Body of Inspectors-Controllers for Transports (SEEME), the Secretary-Special of the Body of Inspectors-Controllers of Public Administration (SEEDD), the Head and the Management Commission of the Body of Inspectors for Public Works (SEDE) with the exception of those powers explicitly assigned to the Management Board.

Article 92

Budget and financial management

1. Regarding the drawing up and execution of the Authority's budget including the provisions in the Medium-Term Fiscal Strategy Framework (MTFSF), as well as all financial management and public accounting, the provisions of Law 4270/2014 (GG I 143) shall apply, with the exception of those set out in the subsequent paragraphs of this Article.

2. The Authority, under the responsibility of its Head of Financial Services, shall submit its draft budget directly to the State General Accounting Office by the 31st of July every year. The draft budget submitted to the General Accounting Office of the State must comply with the figures included in the relevant MTFSF, as they were developed in accordance with the procedure laid down in Article 45 of Law 4270/2014 or by circulars of the General Accounting Office of the State issued in accordance with Article 54 (2) of Law 4270/2014.

3. For the operational expenditures of the Authority's regional services, appropriations may be entered in the budgets of separate specific entities at a Prefecture or Regional level.

4. The annual report of the Authority shall contain a summary of its budget implementation.

5. The Governor shall be responsible for authorizing the appropriations of its expenditure budget, in accordance with the provisions of Law 4270/2014 (GG I 143), as in force.

6. The operational costs of the Authority shall be included in the State Budget. The necessary appropriations shall be entered each year in a separate specific entity

or entities in the budget of the Ministry responsible for Public Administration human resources. The total amount of the budgetary appropriations of the Authority included in the draft State Budget, which is entered into Parliament by the Minister of Finance in accordance with the provisions of Chapter B of Part C of Law 4270/2014, may not be less than 100% of the average of the sum of the appropriations for the Secretariat-General for Finance, the SEEDD and the GEDD, on the basis of the annual public budgets adopted during the previous three (3) years. To this amount, the average of the sum of the amounts allocated/allotted by the budgets of the Ministry of Health, and the Ministry of Infrastructure and Transport for the operation of the SEYYP and the TMEDE shall be added respectively, according to the annual public budgets executed during the previous three (3) years.

7. Expenditure that will be included in the Public Investment Program may be also made by the Authority in accordance with the provisions of Chapter 3 of Chapter B of Part D of Law 4270/2014. The Authority may also be part of co-financed or funded projects from the EU or other international organizations.

8. By way of derogation from Article 77 (3) and Article 20 (l) of Law 4270/2014, as regards to the regulatory acts of the Authority, the agreement of the Minister of Finance shall not be required, if the expenditure incurred by these acts is within the expenditure ceilings of the budget of the relevant MTDE. In any other case, the Minister's agreement is obligatory. Failure to act accordingly, constitutes of an infringement of essential procedural requirements in the issuance of the act and grounds for nullity thereof.

9. A Directorate for Financial Services will be set up within the Authority, the Head of which shall have all the responsibilities and obligations of the Heads of Ministry Finance Departments in accordance with the provisions of Articles 24, 26 and 69c of Law 4270/2014. For all financial matters of the Authority which are not regulated differently in the relevant articles and transitional provisions of this Law, the Directorate-General responsible for financial and administration matters of the Ministry responsible for Public Administration's Human Resources shall be responsible.

10. State-owned properties may be ceded to the Authority to be used free of charge, by the Public Properties Company or other bodies of the State or Local Authorities, in accordance with the provisions in force.

11. The Authority may undertake, as a contractor or as a partner contractor, the implementation of projects providing technical assistance to third countries (blending projects), as provided for by Council Regulation (EC) No 1085/2006 and Regulation (EC) No 1638/2006 of the European Parliament and of the European Council. The implementation of these projects shall be carried out by active and separated employees of the Authority, who shall be paid for this operation in accordance with the provisions of the European Commission's Twinning Manual, as currently in force. The amounts made available by the European Union for the implementation of

technical assistance projects to other countries shall be deposited into a special account in the Bank of Greece, that will be set up for this purpose, and from which expenditure for the implementation of the programs referred to in the previous indent shall be withdrawn. The special account is managed exclusively by the Authority and its operation shall be determined by decision of the Minister for Finance, in accordance with Article 69a of Law 4270/2014 (GG I 143).

Article 93

Personnel remuneration

1. Staff under an employment relationship governed by a public or private law contract of indefinite period serving in the Authority in inspectors' and auditors' posts, as well as in organizational units, at the level of Directorate directly reporting to the Governor, shall be ranked to the end-off point of their salary category, multiplied by the corresponding basic salary referred to in Article 14 of Law 4354/2015 with a rate of 1,20, proportional to the rates provided for in Article 9 (4) of Law 4354/2015. Staff serving in the Directorate-General for Integrity and Accountability and in the Directorate General for Awareness Raising and Actions with Society shall receive the amount that corresponds to the final rank of their salary category. The aforementioned employees shall continue to receive: (a) any personal difference referred to in Article 27 of Law 4354/2015, at the rate determined on the date they resumed their duties in the Authority, without it being offset against the basic salary, as determined, where applicable, in the preceding subparagraphs and (b) the family allowance referred to in Article 15 of Law 4354/2015. The above amount shall be rounded to the nearest euro unit.

2. When the aforementioned staff that serves in the Authority leaves, they shall be automatically reinstated to a vacant position and if one does not exist, as stated, to their office of origin by the act of reintroduction. In these cases, the staff shall normally return to the ranks and salary scales of their category accordingly, with their service in the Authority taken into account.

3. For staff serving in the Authority, including inspectors and auditors and those holding positions of responsibility, and for matters relating to compensation for work in excess of mandatory time, as well as compensation for work to be completed, Article 20 of Law 4354/2015 shall apply, as in force, without prejudice to the following sections and paragraphs. The number of night working hours, working on Sundays, other than the five-day week and other exempted working days for the staff serving in the Authority shall be determined with a decision by the Governor, as an exception to the provisions of Article 20 (A2) (b) of Law 4354/2015, as part of the relevant appropriations authorized. By way of derogation from Article 20 (1) of Law 4354/2015, an increase in the Authority's overall initial budget appropriations for overtime work and work during night hours or on Sundays and public holidays is only possible by a Governor's decision, which is specifically justified. The hourly rates for overtime for all

those employees shall be determined in accordance with the provisions of Article 20 (A3) Law 4354/2015. The hourly rate for work in excess of the five hours is the same as that for overtime work during afternoon hours and up until 22:00 o' clock, increased by 25%.This paragraph also applies to the staff of the Directorate-General for Finance and Administration of the Ministry responsible for Public Administration's human resources.

4. Provisions of Article 22 of Law 4613/2019 (GG, A, 178) do not apply to the inspectors of bodies and services who are part of the Authority.

Article 94

Disciplinary Boards — Departmental Boards

1. (a) The Governor, the Chairman and the members of the Management Board who intentionally fail to carry out their duties and obligations under this Law, delegated acts and other general and specified provisions issued, are accountable irrespectively of their penal and disciplinary responsibility. (b) For the employees who serve in the Authority provisions of Articles 103 to 151 of the Civil Service Code shall be applied without prejudice to subparagraph (c) of this paragraph. (c) For the Head of the Unit for Inspections and Audits and General Directorates, disciplinary proceedings shall be brought by the Governor of the Authority. (d) The Chairman, the members of the Management Board and the Governor shall be the subject to the disciplinary action brought by the Council of Ministers.

2. (a) By decision of the Governor, which shall be published in the Government Gazette, the Disciplinary Board of the Authority shall be established and set up with a two-year term of office consisted of: (aa) the Head of the Inspection and Control Unit of the Authority, with his/her alternate, designated as such, with a decision of the Governor, (bb) two Associate Judges of the State Legal Council, with their deputies, designated by the President of the State Legal Council. The Disciplinary Board of the Authority shall have exclusive competence for the exercise of the disciplinary power over the Authority's employees, except for the Head of the Unit of Inspections and Audits and the Heads of the Directorates-General of the Authority for whom the competent disciplinary body at first and final degree is the Disciplinary Board of Appeal of Article 146a of the Civil Servants' Code. For the competence of the Disciplinary Board of the Authority, the provisions of Article 120 of the Civil Service Code shall apply accordingly. The Chairman, regular and alternate members and the secretary of the Disciplinary Board shall be appointed and replaced, under the conditions laid down in the provisions in force, by a decision of the Governor.

(b) The disciplinary body responsible to decide at second instance for the rest of the Authority's staff, under the responsibility of the Disciplinary Board, will be the Disciplinary Board of Appeal under Article 146a of the Civil Servants' Code. In case employees of the Authority are being judged, the Head of the Directorate-General of

the Authority responsible for matters relating to staff management will be a member of the Disciplinary Board of Appeal, instead of the member referred to in point (d) of Article 146a (1) (d). He or she shall be appointed as a member, with his/her alternate, by a decision of the Governor, before the Disciplinary Board of Appeal begins to operate.

3. (a) A Special Disciplinary Board shall be established within the Authority, responsible for the exercise of disciplinary authority in accordance with section a', paragraph 1 of this Article, to the Chairman and the members of the Management Board and to the Governor. The Council decides at first and last instance. It is composed of a member of the Council of State, of a member of the Supreme Court and a Legal Advisor from the State Legal Council. The duties of the Chairman shall be exercised by the judge who has served the longest. An employee of the Authority shall be appointed as the Board's Secretary, by decision of the Governor. Equal in number substitute members shall be appointed for the Chairman, the members and the Secretary of the Board. In particular, the members of the Council who are judicial functionaries are indicated by the decision of the Supreme Judicial Council and of the Legal Advisor by the President of the S.L.C. which will be issued within ninety (90) days from the moment this law will be in force. (b)The President and the members of the Special Disciplinary Board shall be appointed by a decision of the Council of Ministers, issued within ninety (90) days of this Law's entry into force. (c) The remuneration of the President, of the members and of the Registrar shall be determined by a joint decision of the competent Minister for Finance and the Governor.

4. A five-member staff council shall be established for all the staff serving in the Authority. The staff council shall be of a two-year term of office and will be consisted of: (a) The Head of the Directorate-General in charge of administrative, financial and electronic governance matters, with his/her substitute designated as such by a decision of the Governor, will be chairing the staff council. (b) The Head of Inspections and Audits Unit with his/her legal deputy, appointed by a decision of the Governor. (c) The Head of another General Directorate appointed together with his/her alternate, by lot and (d) two (2) elected representatives of all the Authority's staff, with their deputies in the order they were elected. Until elections for elected representatives are held, the Staff Council referred to in this paragraph shall operate legally with its three (3) members.

Article 95

Organizational Structure of the Authority

1. The Authority shall be composed of the Office of the Governor, the Central Agency and the Regional Services.

2. The Director's Office shall assist the Governor in the performance of his duties, will be responsible for his correspondence and for keeping records, for organizing his

communication with other services and with the public and, as far as the organization and operation of the Office are concerned, the Office shall be governed by the provisions in force for the offices of members of the Government and of Deputy Ministers, without prejudice to the provisions of this Law.

3. Within the premises of the Central Office the following departments shall be established: (a) the Inspections and Audits Unit, (b) the Directorate-General for Financial and Administrative Services and for e-Government, (c) the Directorate-General for Integrity and Accountability, (d) the Directorate General for Awareness Raising and Actions with Society, (e) the Directorate for Internal Audit and Investigations, (f) the Directorate for Strategic Planning and Behavioural Analysis, (g) the Office for Press and Public Relation and (h) the Data Protection Office.

4. The Inspection and Control Unit shall be composed of thematic objective sectors, defined as separate organizational units equivalent to the level of a Directorate.

5. The Regional Services are separate organizational units at the Directorate level under the Unit of Inspections and Audits.

6. The Authority shall set up an Audit Committee, which shall act as an independent and impartial body responsible for the review and assessment of the audit practices and performance of the Authority's internal and external auditors. The key mission of the Audit Committee is to assist the Management Board in carrying out its tasks, overseeing the Authority's financial management and information processes, policies and internal control system. The Audit Committee shall be consisted of at least three members with sufficient knowledge of the Authority's field of activity and appointed by the Management Board. The appointed members shall be independent from the Authority, proportionate to the provisions of Law 3016/2002 (GG I 110). The Chairman of the Audit Committee shall be appointed by its members. A joint decision of the Minister of Finance and the Governor shall set out the conditions and the amount of the compensation to be paid to the members of the Audit Committee of the Authority per meeting.

7. The internal structure of the Authority's organizational units and services shall be determined by the adoption of the Organizational Charter of the Authority.

Article 96

The Authority's personnel

1. Within the Authority, five hundred and three (503) posts shall be established, other than those covered by non-permanent employees and broken down as follows: a) four hundred and fifty-one (451) posts of a University education category (U.E.). (b) Five (5) posts of special scientific staff. (c) Twelve (12) of the educational category of Technical Education (T.E.). (d) Thirty (30) posts of the educational category of

Secondary Education (S.E.). (e) Three (3) posts of the educational category of Mandatory Education (M.E). (f) Two (2) stipendiary Lawyers.

2. By decision of the Governor, positions per educational category may be re-allocated in order for the needs of the Authority to be met. Of the posts of the educational categories U.E. and T.E. of paragraph 1 of this Article, three hundred and twenty (320) posts as a minimum will be mandatorily occupied by inspectors.

3. The qualifications required to fill the above posts are the ones laid down in the Presidential Decree 50/2001 (Government Gazette, Series I, No 39), as in force, unless otherwise specified in the Organizational Charter of the Authority.

4. The posts of auditors and inspectors shall be allocated exclusively to the Inspection and Control Unit and the Regional Services of the Authority.

5. Six (6) associates are constituted to assist the Governor. Two (2) associates are constituted to assist the Chairman and the Management Board. Such posts shall be subject, proportionately, to the provisions set out in the relevant provisions hereof for posts in the cabinet members of the Government and Deputy Ministers. The Office of the Governor shall set up a Directors' position, which shall be filled by one of the six associates. The Director shall exercise, accordingly, the powers provided for in the relevant provisions of this Law. The provisions of Law 4354/2015 concerning the remuneration of staff serving in cabinet members of the Government and Deputy Ministers, as in force, shall apply accordingly.

6. Two (2) posts for journalists are established in the Authority's Press Office, with their employment contract governed under private law. For these posts, either journalists can been recruited by the Governor or members of a recognised professional journalist organization who have experience of at least two years in a daily political or financial newspaper or a magazine with a wide circulation or on television, evidenced by the payment of the contributions to the relevant insurance body for journalists. The contract must be subject to the condition that it will be terminated automatically and without compensation, and the recruited person shall be dismissed by the termination of service for any reason whatsoever on behalf of the Governor who recruited him. The aforementioned posts may also be filled by officials on secondment from the Secretariat-General for Information and Communication, in accordance with the provisions on secondment under this Law.

7. The Authority shall be staffed by permanent civil servants and employees under an open-ended employment relationship governed by private law according to the provisions of the Civil Service Code and the applicable provisions on private law staff of indefinite duration and shall occupy equivalent permanent posts. Vacant posts shall be filled by appointment via ASEP, in accordance with the provisions in force for Independent Authorities. Filling of vacant posts of the Authority may also be effected by a decision of the Governor, following a relevant call of the Authority, by way of exception to any other general or specific provision, as applicable, by reassignment or secondment of staff serving in the public sector, as defined in Article 51 of the law

1892/1990, as in force, without the need for a decision or agreement of the competent staff councils of the service of origin and the management body thereof, with the same employment relationship. Regarding the remuneration of staff appointed, recruited, transferred or serving on secondment to the Authority the provisions of Article 93 of this Law are applied. The period of service served on secondment shall be deemed in respect of any consequence as a period of service in their post of origin. The period of secondment shall be set at three (3) years, with the possibility of renewal for up to four (4) times.

8. The permanent posts of auditors/inspectors referred to in paragraph 1 of this article shall be covered exclusively by secondment of staff members serving in the public sector, as defined in Article 51 of Law 1892/1990, as it is in force, by decision of the Governor, and following a call of the Authority, by way of exception to any other general or specific provision as applicable, without the need for a decision or agreement of the competent Staff Councils of the service of origin and of the administrative body thereof, with the same employment relationship. The call for staff may specify, for a certain number of posts of inspectors/auditors, specific sectors and disciplines. Officials from inspectors/auditors shall be seconded staff members, if they are no older than 55 years of age. The period of posting shall be set at three (3) years, with the possibility of renewal up to four (4) times.

9. The Authority may be seconded, by way of derogation from the current provisions, in addition to permanent staff, by employees serving with an open-ended employment relationship governed by private law, in the public sector as the latter is defined by in the provisions of Article 51 of Law 1892/1990, as it is in force, and by (a) uniformed from the armed forces, from security forces, from the Fire Service and the Hellenic Coast Guard, (b) judicial staff from courts and the public prosecutors' offices whose secondment is held according to the rules of the Code of Judicial Staff, Law 2812/2000 (A'67) and (c) doctors, dentists and pharmacists from the National Health Service, who belong to the medical professional branch as it is defined in accordance with the provisions of Article 25 (1) of Law 1397/1983 (GG I 143) as they are further defined by the provisions of paragraph 2 of Article 25 of Law 1397/1983 and Article 64 of Law 2071/1992 (Government Gazette, Series I, No 123), as well as professionals belonging to the National Health Service hospital pharmacy branches, hospital physicists, chemists, biochemists, biologists of hospital medical laboratories and hospitals which have been set up under the provisions of Articles 40, 41, 42 and 43 of Law 2519/1997 (GG I 165), as determined each time in accordance with the provisions of Article 44 of Law 2519/1997. In particular, the above-mentioned staff shall declare no later than three months after their secondment to the Authority if they wish to maintain the remuneration of their original post. The duration of their secondment shall be set to three (3) years, with the possibility of renewal up to four (4) times.

10. The number of officials seconded to the Authority by each body of origin, in accordance with the provisions of paragraphs 8 and 9 hereof, may not exceed 5% of the total number of posts of officials under an employment relationship governed by

public or private law of an indefinite duration. A decision of the Minister responsible for Public Administration matters shall determine the level of the organizational unit to which this ceiling applies and any other necessary detail for the application of this Law. For the remuneration of the above-mentioned staff, the provisions of Article 93 hereof shall apply. The period of their secondment service shall be deemed to be a period of service in respect of each legal consequence as a period of service in their organizational position.

11. (a) Within the Authority there shall be established: (aa) one (1) post of the Head of the Inspections and Audits Unit, (bb) two (2) posts of the Heads for the Directorate-General for Integrity and Accountability for the Directorate General for Awareness Raising and Actions with Society respectively, (cc) two (2) posts of the Heads for the Directorate for Strategic Planning and Behavioural Analysis and for the Directorate for Awareness and Education Policies; (b) The positions referred to in subparagraph (a) of this Decision shall be full-time and exclusive and the persons selected for them shall be appointed for a term of three years, by way of derogation from the provisions of the provisions of Law 33/2006, as they are in force. (c) These terms may be renewed up to three (3) times by decision of the Management Board, upon the recommendation of the Governor. (d) The terms of office of the chosen posts may be interrupted prior to their expiry for reasons connected with a weakness or improper performance of their duties, by means of a reasoned decision of the Management Board, issued following a recommendation from the Head of the Authority.

12. In order to fill the posts referred to in the previous paragraph, a notice shall be issued by the Governor, who shall specify the duties of the post, the qualifications required and the selection procedure. Candidates may be permanent civil servants or officials or employees with an open-ended employment relationship governed by private law serving in the public sector, as defined in Article 51 of Law 1892/1990, as in force. Candidates must, as a minimum, hold a university degree, have at least ten (10) years of experience in the positions of the previous subparagraph, with the exception of the positions of the Director for Strategic Planning and Conduct of Analysis and the Director of Awareness Actions and Education Policies for which at least five (5) years of relevant experience are required, as well as a thorough knowledge of English. The executives filling the above posts shall be chosen by a three-member selection panel set up by a decision of the Governor from: (a) a member of the Management Board, with his/her deputy, designated by the Management Board and acting as President of the Commission; (b) a member of the ASEP with his/her alternate, designated by its President; and (c) the Governor, with his/her legal alternate.

13. The positions referred to in point (a) of paragraph 11 of this Article shall be reserved exclusively for officials serving in the public sector, as defined in Article 51 of Law 1892/1990. In the above case, a secondment shall be carried out by the service of origin, solely with a decision of the Governor, by exception of every other general or

specific provision, as applicable, and without the need for a decision or for an agreement of the competent Staff Councils of the service of origin, and of the governing body of the service of origin, for a period of three (3) years, renewable equally up to three (3) times. In this case, the time of service as a Head of the Unit of the Inspections and Audits of the Authority and of the Heads of the Directorate-General for Integrity and Accountability and of the General Directorate for Awareness and Actions with Society shall be considered, for all legal consequences, as time of service in the position of Head of an organizational unit at the level of the Directorate-General, while the time of service at the post of Head of the Directorate for Strategic Planning and Conduct of Analysis as well as of the Directorate for Awareness Actions and Education Policies, shall be considered for all legal consequences as service in the Directorate level. In this case, the remuneration of those persons shall be subject to the provisions of the following paragraph.

14. The remuneration of the Head of the Inspection and Control Unit shall be those provided for in Article 9(5) (b) of Law 4354/2015. The allowance for holding a post of responsibility under Article 16(1) (a) (ab) and the family benefit referred to in Article 15 of the above Law shall also be paid to that effect. The remuneration of the Heads of the Directorate-General for Integrity and Accountability and the Directorate-General for Awareness Raising and Actions with Society are those provided for in Article 9(4) of Law 4354/2015. That allowance shall also be paid under the responsibility of the person referred to in Article 16(1) (a) (ad) and the family benefit referred to in Article 15 of the above Law. The remuneration of the Head of the Directorate for Strategic Planning and Behavioural Analysis shall be those provided for in Article 93 of this Law for staff serving in organizational units, at the level of Directorates. In that regard, Article 16(1) (a) (ea) and the family benefit referred to in Article 15 of the above Law shall be paid. The remuneration of the Director of the Directorate for Awareness Actions and Education Policies are those provided for in Article 93 of this Law for staff serving in the Directorate-General for Awareness Raising and Actions with Society. The allowance for the posts referred to in Article 16(1) (a) (ea) and the family benefit referred to in Article 15 of the above Law shall also be paid to that effect. To all mentioned above, any personal difference referred to in Article 27 of Law 4354/2015 shall continue to be paid throughout their term of office, to the amount determined when taking office in the Authority, without that amount being offset against the basic salary paid, as determined for every case of the preceding subparagraphs.

15. Upon leaving the aforementioned staff shall automatically return to a vacant post or, in the absence of one, to a formed ad personam post in their service of origin. In such cases, the staff shall normally return to their grades and the salary scales of their category, taking into account the time served in the Authority.

16. By decision of the Governor, after a relevant opinion by the Management Board, a special salary system may be set within the limits of the Authority’s budget and the relevant MTFSF, justified on the basis of job descriptions.

17. The Head of the Inspections and Audits Unit, Inspectors of Auditors, and the other staff serving at the Authority, irrespective of their legal employment status, shall be required to keep confidential any information and data which have come to their attention during the course of their duties and for a period of five years after their departure. The obligation and duty of confidentiality shall also apply to the staff of the Directorate-General for Administrative and Financial Services and e-Government.

18. Confidentiality breaches, as well as the fraudulent failure to weigh any evidence against the service being inspected or checked, and its employees, constitute a valid reason for the withdrawal of the secondment of the inspector/auditor.

19. By means of a reasoned decision of the Governor, having obtained the opinion of the Management Board, the secondment of auditors and inspectors and other servants serving in the Authority may be interrupted before it expires for a serious reason related to the improper exercise of their official functions or a change in the requirements of the service or at the request of the official, taking into account the needs of the service.

20. Inspectors attached to the Authority shall submit a declaration of assets, in accordance with the provisions laid down as in force, to inspectors who have been seconded to the Office of the Ministry of Merchant Shipping.

Article 97

Pre-trial powers and procedural arrangements

1. The inspectors/auditors serving in the Authority may, in accordance with the specific provisions of the following Article, carry out a preliminary investigation or an investigation following a prosecutor's order, for cases in which the Authority carries out or has carried out an inspection, as a special investigating officer. In this context, the representatives of the Authority for this purpose shall ensure in particular that the requisite evidence is collected with a view to forwarding, to the competent Public Prosecutor's Office the relevant reference for crimes committed by, or participating in, such officials of the bodies referred to in Article 83 (1) and provided for under the provisions of Articles 134, 159, 159A, 216, 217, 220, 221, 222, 226, 235, 236, 237, 237A, 252, 372, 386, 386A, 386B and 390 of the Criminal Code. The provisions of Article 263a of the Criminal Code shall also apply. In the preliminary examinations or investigations carried out by the Authority, U.E., T.E. or D.E. administrative staff who serve with any relationship in the Authority may act as investigating officials.

2. If, in accordance with the content of the reports drawn up by the inspection carried out by inspectors and auditors of the Authority, a criminal liability incurs, a copy of the report with the relevant data shall be communicated by the Governor to the appropriate Prosecutor of the Court of Appeal, as provided for in Article 98 of this Law.

3. The supervising Prosecutor of Appeal shall transmit the file to the locally competent Prosecutor of the Magistrates' Court. In exceptional cases, he may request from the Authority's inspectors, who in this case act as special investigators, to carry out a preliminary investigation. The relevant order, with a summary of the subject at hand, shall also be notified to the locally competent Prosecutor of First Instance. In this context, the supervising Prosecutor of Appeal shall be able to request the assistance or completion of the preliminary investigation by the Internal Security Service of Article 21 of Law 4613/2019 (Government Gazette, Series I, No 78) or the local investigative or police authorities. It may also initiate the procedure provided for in Article 6 of Law 2713/1999 (GG I 89). Once the preliminary examination or investigation has been completed, the case file will be forwarded to the locally competent Public Prosecutor of the Magistrates' Court.

4. a) Cases relating to offences covered by the provisions of Articles 134, 159, 159A, 216, 217, 220, 221, 222, 226, 235, 236, 237, 237A, 252, 372, 386, 386A, 386B and 390 of the Criminal Code, which are reimbursed to officials referred to in Article 13 of the Criminal Code, shall be judged preferably. (b) The preliminary inquiry into such cases is terminated within three (3) months, whereas the main inquiry within six (6) months. (c) In criminal cases concerning the previous paragraph of the present article as soon as the inquiry is terminated, the brief is submitted to the Judge of Appeal by the Public Prosecutor. If the Judge of Appeal considers that there are not serious indications of the referral of the accused person to the open court, with his proposal the case can be introduced to the Council of Court of Appeals Judges, who shall decide in accordance with the provisions of Articles 309 to 315 of the Code of Criminal Procedure. (d) If the Judge of Appeal considers there are indications and that the brief is not to be returned to be completed and if the Judge-of-Appeal Chairman agrees, he introduces the case to court with a direct invitation of all the accused for relevant offences as well. (e) The competed public prosecutor of the magistrate's court can introduce the case to court with a direct invitation on the nearest day of hearing after the termination of the preliminary inquiry into cases of offence or even without an inquiry.

5. In Athens, Piraeus and Thessaloniki the investigation into the offences referred to in paragraph 4a of this Article shall be conducted by investigators who are entrusted solely with investigating such offences. A pending disciplinary procedure, relevant to the case under consideration, is not a ground for a mandatory postponement.

6. (a) The Public Prosecutor of the Court of First Instance, when bringing criminal proceedings in cases referred to in paragraph 4a of this Article, shall disclose the criminal proceedings, with a summary of the matter to the Authority and the competent office in which the official is employed. (b) The court secretaries and the secretaries of judicial counsels must pass on to the Authority and the organizational service to which the employee belongs, bills of indictment or orders of dismissal of first and second degree jurisdiction, as well as first instance final and irreversible verdicts of guilt or innocence concerning these cases.

7. The Authority's Governor has the right to request from the State, the legal representation of which is by the Minister of Finance, or the bodies referred to in Article 83 (1) with the obligation of the latter to comply: (a) to be present at the pre-trial stage and at the main court hearing as civil party for the abovementioned criminal acts of an official, officer or their governing body, in accordance with the applicable provisions of the Code of Criminal Procedure, (b) to exercise all the judicial proceedings over verdicts and orders within their capacity as complainants, (c) ask the competent Public Prosecutor in his/her capacity as a civil party to make use of the legal remedies against verdicts and orders and to accelerate criminal proceedings and trial cases by preference.

Article 98

Judicial supervision

1. (a) The Public Prosecutor of Athens shall exercise the supervision of this Law's application for any regulations relating to matters of criminal liability of officials. (b) In addition to the responsibilities, in accordance with the provisions of Article 97 (3) and (4) of this Law and the following paragraphs, he/she shall provide the necessary instructions, in all cases where his or her assistance is sought by the Governor or the inspector/auditors, provided that a criminal liability arises during the inspection, control or investigation.

2. The locally competent Public Prosecutor of Appeal, or the Public Prosecutor of First Instance assigned by him/her shall supervise the preliminary investigations or preliminary inquiries carried out by the inspectors of the Authority. In particular, that supervision includes the power to order a preliminary examination or investigation, to become aware of cases of a criminal nature, to monitor their course, to provide instructions, to place orders with other investigative or police authorities of the State, to request their assistance or to complete the investigations made by the Authority, to be present during the investigation and to exercise the rights referred to in Article 6 of Law 2713/1999 (GG I 89).

3. Every six months, the Public Prosecutors at the Court of First Instance shall submit to the competent Public Prosecutor of Appeal a detailed statement of the pending cases referred to in Article 97 4a. Such situations must show compliance with the time-limits laid down in Article 97 4b.They also refer to the names of the accused, the services in which they serve or served, the crimes with which they are charged, the procedural stage of the case files as well as any other necessary information.

Article 99

Disciplinary powers

1. The Public Prosecutor of the Court of First Instance and the Secretary of the Tribunal or the Court of Justice shall be obliged to communicate to the Governor of the Authority. The Public Prosecutor should communicate the prosecution brought against any participation of an employee, official or governing body of the institutions referred to in Article 83 (1) hereof for offences relating to the service (Articles 235, 236 and 237 of the Criminal Code), on pleadings (Articles 216, 217, 220, 222 of the Criminal Code), against the property (Articles 372 and 375 of the Criminal Code) and property rights (Articles 386, 386A, 389, 390 and 394), which are directed against the State and the above bodies. The Secretary should communicate bills of indictment or acquittal, at any degree of jurisdiction, as well as the convictions or acquittals of these individuals, and of such offences.

2. After conducting an inspection or examination the Inspectors/Auditors of the Authority may find out disciplinary offences on behalf of the employees, officials or bodies of these institutions of the above-mention regulation. These findings are binding for the competent bodies of the institutions who will have to carry out a disciplinary prosecution. The Governor of the Authority shall observe the course of the disciplinary action conducted by the competent disciplinary body and may order other measures to be taken.

3. The Governor may appeal against any decision of the disciplinary bodies of the institutions and services according to Article 83 (1) referring: (a) To the immediate higher disciplinary body cases for which a decision of a lower disciplinary body has been issued, (b) to the relevant appeal disciplinary council cases for which decisions of a single disciplinary body have been issued, with the exception of the disciplinary decisions of the members of the Government and Deputy Ministers which cannot be challenged by an objection to the staff council of the body concerned. To the above two cases, provisions of the Civil Service Code, as appropriate, shall apply in accordance with the other provisions of the Civil Service Code.

4. The Governor may lodge a complaint in favour of the administration or of the official, against all disciplinary decisions of the single-member and collective disciplinary bodies of the institutions referred to in Article 83 (1), with the exception of the decisions of members of the government and of deputy ministers and of any disciplinary penalty. In all other respects, the disciplinary provisions of the Civil Service Code or the disciplinary provisions of the audited bodies, shall apply, as appropriate.

5. The Authority's Governor shall have the right to bring an action before the Council of State against the final decisions of the disciplinary councils of the services and the bodies referred to in Article 83 (1) for disciplinary offences punishable by the final dismissal or downgrading, and before the Administrative Court of Appeal against all other final decisions by one or more single-members or collective disciplinary bodies.

6. The time limit for complaints submission and appeals begins with the mandatory notification of disciplinary decisions to the Authority. The appeal shall be

signed either by the Governor or by the Head of the Unit of Inspections and Audits and during the hearing of the Head of Unit, either the Head of the Inspections and Audits Unit, or a representative of the Legal State Council or a representative serving in the Authority may be present. If the appeal is brought before the Council of State and the official has already brought an action challenging the decision challenged by the Authority with a final decision before the competent Administrative Court of Appeal or is exercising it pending the above appeal by the Authority, that court shall refer the case to the Council of State for the aforementioned hearing actions.

Article 100

Auditing procedures

1. The inspectors/auditors serving in the Authority: (a) while performing their duties and tasks, may visit without notice or with notice the controlled bodies, authorities and services, or any person, body, authority and department referred to in Article 83 (1), to examine the case in question, to carry out inspections and to examine persons, (b) may also examine any person who is able to contribute to the audit, to request information and evidence from the competent officials of the public and private bodies involved in the case under investigation; (c) they have the right to have access to records including those of confidential information excluding those regarding issues of foreign policy, national defence and State security; (d) they may request information on the case under investigation. The document shall state the provisions of the legislation in force, which shall give rise to the request, the purpose of the request, the time limit for providing the information which shall be no less than five days, and the penalties in the event of non-compliance with the obligation to provide information. The persons to whom the document is addressed shall be required to provide immediate, complete and accurate information as requested.

2. The Governor shall give a mandate for inspection, control or investigation to the inspectors — auditors in implementation of the annual audit action plan, or ex officio, or taking into account relevant requests from Ministers and heads of the bodies and services under the responsibility of the Authority, in accordance with Article 83 (1) of this Law.

3. (a) The Governor shall allocate the instructions to inspectors/auditors or to an audit team and shall monitor their timely execution. With the same mandate he/she shall state the period during which inspection is to be completed and the relevant report is to be delivered. (b) The Audit Inspectors' Group may also involve private technical experts, as well as inspectors or employees of internal audit units or other services of the bodies referred to in Article 83 (1) who, upon request by the Governor, are designated by the Head of Service and shall be made available to the Authority for the period of the audit.

4. (a) For the exercise of the powers of the Authority and the finding of infringements of the existing provisions relating to integrity, transparency, accountability and the fight against fraud and corruption, the inspectors/auditors of the Inspections and Audits Unit and the other officers of the Authority participating, on a case by case basis, in the inspection teams shall be responsible for: (aa) controlling any type and category of books, records and other documents as well as electronic business correspondence of operators, administrators, directors, managers and generally appointed persons, as well as the personnel irrespective of their storage format, and wherever they are stored and to obtain copies or extracts thereof, (bb) seizing books, records and other records, as well as electronic means of storage and transfer of data, which constitute professional information, (cc) to inspect and collect information and data on mobile terminals, portable devices, as well as servers in cooperation with the competent authorities regardless of whether they are within the premises of the auditee or not, (dd) investigating offices, other places and transport vehicles of the body being under examination, (ee) sealing any professional place, books or documents they think necessary during the period of investigation. (ff) carrying out investigations in the houses of businessmen, governors, managing directors, administrators and generally of the personnel of the audited bodies where there are reasonable grounds for believing that books, records or other documents related to the audited body are kept. (gg) subject to the provisions of Article 212 of the Code of Criminal Procedure, and requesting from any representative or member of staff of the audited bodies, explanations of facts or documents relating to the subject-matter and purpose of the inspection, and record the relevant replies. The procedure of seizure, collection, storage and processing of electronic records and correspondence collected for the purposes of this Law shall be determined by decision of the Governor. While exercising their powers, in accordance with subparagraphs (aa) to (gg), the officials of the Authority shall comply with the provisions of Article 9 of the Constitution for home asylum. (b) The relevant order shall be given in writing by the Governor and shall contain the subject matter of the investigation and the consequences of preventing or impairing the authority concerned from obstructing or blocking the requested books, records and other documents, or for supplying copies or extracts thereof. (c) The Governor may request, in writing, the assistance of the public authorities and agencies, first and second instance local authorities and legal persons governed by public law, to carry out the investigations referred to in points (aa) to (gg) of paragraph 4. (d) For the investigations and examinations carried out, a copy shall be drawn up by the person who carried out the investigations, which shall be notified to the concerned auditees. (e) The Management board of the Authority after the Governor's recommendation can decide on imposing fines of at least ten thousand (10,000.00) euro and up to a hundred thousand (100,000.00) euro on each person for each violation. Liable to fines are the investigated bodies or those who in any way prevent or impede the investigations of the present article, as well as bodies or individuals who deny being investigated, deny presenting the required books data and other documents and supplying copies or extracts. In determining the amount of the fine, the seriousness of the case in question, the value of the operations and their

impact on the outcome of the investigation will be taken into account. (f) In case the appointed officials of the Authority are denied or impended in the performance of their duties, they may seek the assistance of the Public Prosecutor's Office or of any other relevant body. Such assistance may be requested as a precautionary measure.

5. The implementation and realization of the recommendations and proposals included in inspection and audit reports shall be mandatory for the audited bodies. The authorities and services referred to in Article 83 (1) shall, within two months of notification of the inspection/examination report thereon, inform the Authority of the actions taken to implement the proposals in the report. It should be noted that a finding after an inspection or review of disciplinary offences is binding on the competent disciplinary bodies for the purpose of disciplinary action.

6. In particular the Inspection and Control Bodies and Services of the institutions referred to in Article 83 (1) that continue to operate without being included in the Authority are required to notify, (a) their findings and reports immediately after the relevant inspections and controls have been completed, (b) the annual programming of their action by the end of December of each year at the latest.

7. The withholding of the information or of the data referred to above, the concealment of data or information, as well as the obtaining of inaccurate information and, in general, the obstruction and misleading of the work of the auditors and inspectors of the Authority shall constitute an independent disciplinary offence for which one of the penalties provided for in points (c) to (f) of Article 109 (1) of the Civil Servants' Code may be imposed.

8. In the event of refusal, recalcitrance refusal or delay in supplying the information requested in the case of information, or where the information is inaccurate or incomplete, the Authority, in the case of private undertakings and other private entities and natural persons, shall impose a fine of EUR 10,000.00 (EUR) on each person or legal entity and for each infringement.

9. With an imprisonment of at least six (6) months the following shall be punished: (a) Any person who denies or makes it more difficult to conduct investigations for the enforcement of the provisions of this Law by the authority empowered to supervise the power of the Authority, in particular by interference with or withholding data; (b) Anyone denying or hindering the provision of information during the course of the inspection; (c) Any person who knowingly provides false information or conceals information in the course of the audit procedure. (d) Anyone who denies, although they have been called to give a sworn or not sworn deposition to the appointed auditor according to the present article, or anyone who gives false evidence, denies or hides true evidence during their testimony.

10. A decision of the Management Board of the Authority, based on a recommendation of the Governor by an increased majority of 4/5 and a specific reasoned decision, shall lay down the terms and conditions for the exemption or reduction of the fines imposed on the regulated entities referred to in paragraph 1 of

Article 83 or persons who contribute to the detection and investigation of infringements of the existing provisions relating to integrity, transparency, accountability and the fight against fraud and corruption (the leniency program). If a controlled entity or a person is subject to the leniency program, and subsequently fully exempted from the imposition of a fine, those responsible or participants shall be exempt from any penalty. The fact that the leniency program, on the basis of which a reduced fine has been imposed, is regarded as an attenuating circumstance under Article 84 of the Criminal Code and the perpetrators of those acts are subject to a penalty reduced pursuant to Article 83 of the Criminal Code.

11. The offender or participants in the illegal act will remain unpunished if they, at their own will and definitely before they are examined, announce the offence to the Public Prosecutor, the Authority or any other competent authority, together with supporting evidence. In any event, the essential contribution made by the above persons to the disclosure of participation in those acts, with the submission of information to the authorities, is regarded as a mitigating circumstance under Article 84 of the Criminal Code and the perpetrators of those acts are subject to a penalty reduced pursuant to Article 83 of the Criminal Code.

12. (a) If the audit reveals deficits, they shall be entered in the accounts by a reasoned decision of the auditors/inspectors against the responsible accounting officers, subject to the provisions of Articles 96 (2) and 152 (3) of Law 4270/2014, as in force. The inspectors/auditors may, by reasoned decision, save any public accounting officer unless, they: (aa) refuse to cooperate and to provide them all the necessary documents and information requested during the inspection and to sign in their presence the confiscation protocols and other audit documents. In the latter case, they shall be signed by the temporary alternate of the public accounting officer who has been held out of administration and two witnesses. (bb) The interests of the public service shall be endangered by the accounting officer's actions. (cc) irregularities giving rise to a reasonable suspicion of abuse are discovered; or (dd) if the performance of inspection is prevented. (b) By decision of the Governor, which is published in the Government Gazette and which forms an integral part of its Rules of Procedure, all necessary details relating to the allocation procedure shall be laid down, as well as the management of the responsible accounting officers, as long as these matters are not covered by the provisions of Law 4270/2014.

13. (a) In each case, the Governor of the Authority may cause a sworn administrative examination (DE) to be carried out, the conclusions of which shall be communicated without delay to the Authority. In such a case, if disciplinary liability arises, the exercise of disciplinary action shall be a captive administrative action for the competent institutions, which shall be expressed within a time-limit of ten days from the date of receipt. (b) The above sworn audits shall be carried out, by way of derogation from the provisions of the relevant provisions of the Civil Service Code, by inspectors/auditors of the Authority, appointed by the Governor and a permanent official of at least the grade A of the audited body, authority or agency, as proposed

by the body of origin respectively, within a deadline set out in the relevant invitation of the Governor. The Terms of Reference shall be issued by the Governor. If the above time-limit expires without any action being taken, the Governor of the Authority shall entrust the conduct of the Administrative Reviews to the inspectors of the Authority only. (c) The sworn administrative examination shall be carried out as to the remainder, in accordance with the provisions applicable to the institution concerned. If there is no specific provision to that effect, the corresponding provisions of the Civil Service Code shall apply mutatis mutandis. (d) The refusal of giving a testimony during a sworn deposition constitutes an offence and a fine equivalent to the salaries of six months can be imposed. (e) If during a sworn administrative examination, a disciplinary offence incurs, the Governor of the Authority initiates the prosecution of the offender and refers the case to the competent official council. Of course, the offence must be one of those of paragraph (2) article 109 of the Civil Service Code and one which imposes eventual dismissal. If the disciplinary offence is committed by an elected body of the local government, first and second degree, the case is referred to the competent disciplinary body who is to prosecute the offender within ten (10) days from the moment the case comes to the competent body. (f) The Inspectors/Auditors serving in the Authority can carry out a sworn administrative examination on the Governor's command. He can exert or order a disciplinary prosecution or other disciplinary measures. (g) A sworn administrative examination can also be carried out during an inspection on the recommendation of the inspectors/auditors and on the command of the Governor of the Authority.

14. When the Governor entrusts the carrying out of an audit, he or she must notify, by means of a summary of the matter, the competent inspector/auditor and the department to which the official to whom the case is assigned, serves.

15. In the context of the audits, inspections and investigations carried out by the services of the Authority, or on the instructions of the Governor and the inspection and control services of the bodies referred to in Article 83 (1) of this Law, the removal of bank, stock exchange and tax secrecy shall be possible, on written instructions from the Governor. In keeping with the provisions of Law 3213/2003 (GG I 309), as in force, in accordance with the provisions of Article 17 of the Code of Tax Procedure (Government Gazette, Series I, No 170), the services of the Authority shall not be subject to restrictions on bank, stock exchange, tax and professional secrecy provisions in accordance with the provisions of Law (Government Gazette, Series I, No), and the Code of Fiscal Procedure (Government Gazette, Series I, No).This secrecy shall also be waived, upon request of the Public Prosecutor in the course of an ongoing preliminary investigation or examination by the inspectors of the Authority.

16. The inspectors/auditors of the Authority, in the context of the audit procedure, shall have access to the information systems managed by the Independent Authority for Public Revenue (IAPR), notifying the latter, in accordance with the rules on traceability and access to the systems of the IAPR, and shall receive any information or data relating to or useful for the specific case under investigation. Access refers to

information or data of identified persons and legal entities and all types of legal entities with an identified tax register number. The access referred to above by the Inspectors and Auditors of the Authority is not subject to restrictions on tax secrecy, but they must comply with the confidentiality provisions of Article 26 of the Civil Service Code.

17. The inspectors/auditors of the Authority shall have access to the System of Registers of Bank Accounts and Payment Accounts in accordance with Articles 62 and 63 of Law 4170/2013 (GG I 163) and other information systems and databases managed by other public services, in accordance with the security specifications of each system, not subject to restrictions on banking and professional secrecy and confidentiality provisions, but must comply with the confidentiality provisions of Article 26 of the Civil Service Code.

18. During the inspections, revisory checks, inspections, investigations and administrative examinations carried out by the Authority or, on the instructions of the Governor, and the inspection and control services of the bodies referred to in Article 83 (1) may be appointed, by decision of the Governor, as experts or officials of the bodies referred to in Article 83 (1) hereof. The costs of each kind shall be borne, where applicable, by the budgets of the above bodies. In addition, the Governor may commission experts and individuals. In this case, the costs shall be borne by the budget of the Authority.

19. The standards, procedures and methodologies for the planning, conduct and preparation of inspection and audit findings, the procedure of the management of complaints and reports, the rights and obligations of inspectors and auditors associated with audit work, as well as the specific obligations of the audited authorities, bodies and services are specified in the Authority's Rules of Procedure.

Article 101

Legal representation— Court related fees

1. The Chairman, the members of the Management Board, the Head of the Inspection and Control Unit, the inspectors/auditors, and the other employees of the Authority, active and past, who carry out audit or investigative duties shall not be examined, prosecuted or subject to a reasoned opinion, recommendation, suggestion or omissions accomplished in the performance of their duties. This shall not apply in cases of wilful misconduct, breach of confidentiality of information and intelligence brought to their attention in the course of their duties and breach of the duty of confidentiality laid down in the provisions of this Law. The provisions of the first subparagraph shall apply to the above officials and when they exercise functions as members of Councils, Committees and Working Groups established and operated in the Authority, as well as for seconded staff in those services for acts or omissions of the latter during that period. The provisions of the previous sentences shall not apply

where the abovementioned officials have acted fraudulently or with a view to obtaining them or another unlawful advantage or damage the State or any other person in accordance with the applicable criminal law, or in the event of breach of the confidentiality of the information and information obtained in the course of their duties. Article 38 of the Civil Service Code applies to the civil liability of those officials.

2. The above-mentioned persons, if they are examined or prosecuted or sued for acts or omissions in the performance of their duties before the criminal or civil courts, shall attend and be represented by a member of the State Legal Counsel, following a decision of its President, a written request from the Governor to the State Legal Council, which shall be accepted. Such a request shall be submitted by the Head of the Inspections and Control Unit, provided that a written request has been made to an official or a defendant, accompanied by a positive recommendation by the Head of the Inspections and Control Unit. In the case of the latter, it shall be accompanied by a positive recommendation from the Head of the Internal Audit and Research Directorate of the Authority.

3. The representation of the above persons by a member of the State Legal Counsel shall not preclude their being represented by or after a proxy lawyer of their choice at any time. Representation by or after a lawyer shall exclude their representation at the same time as a member of the State Legal Counsel.

4. In the event of representation of the above individuals who need legal assistance, the Authority shall be required, by decision of the Governor, to cover the costs incurred in the preliminary procedure for the accused, the plaintiff or the civil party in judicial proceedings relating to acts or omissions in the performance of their duties and until the proceedings are finalized provided a request is submitted to that effect, accompanied by a positive recommendation. In the case of inspectors and other staff of the Authority, a positive recommendation by the Head of the Inspections and Audits Unit is required. And, in the case of the latter, by a positive recommendation by the Head of the Authority's Directorate for Internal Audit and Investigations. In the case of the Governor, the Chairman, the members of the Management Board, only the submission of a request to the Authority's Financial Services Directorate shall be sufficient for their representation.

5. In these proceedings, as well as those in which the above persons have the status of claimant and are relevant to the performance of their duties, the current provisions on duty-free allowances of the State Legal Counsel apply.

6. In the absence of a positive recommendation, these expenses will be paid ex post, since in criminal cases the above persons are declared innocent or are exempted from the indictment or final judgment of a court with which the criminal proceedings against them are definitively terminated or the case is closed. All those who have the status of a civil party must have a final judicial decision against them for offences committed in the performance of their duties or because of them. Civil cases require the issuing of a final judicial decision rejecting the action brought against them.

7. The costs shall be borne by the budget of the Authority in which the relevant appropriations are entered. The above costs shall be paid on presentation of the legal supporting documents. The requested amount may not exceed three times the reference amount of each procedural act or service, as specified in the tables of the Code of Lawyers and its annexes, as in force.

8. If the above individuals shall be irrevocably convicted or admitted to an action against them for actions or omissions in the performance of their duties, or a final action or civil action brought against them for offences and actions or omissions which have taken place against them in the performance of their duties and in connection with them, shall be liable to reimburse the above costs to the Authority. The same applies to the case of an irrevocable acquittal of a civil action.

9. The conditions and procedure for the provision of legal defence and for the coverage of the above costs shall be determined, the amount of the fees to be paid, the time limit for the submission of the claim for payment of the costs, the procedure for reimbursement of expenditure and any other matter necessary for the application of this Article shall be determined by the Head of the Authority.

10. The provisions of this Law shall take precedence over any other general or specific provision to the contrary.

11. The provisions of paragraphs 2 to 10 of this Article shall apply to the inspection and audit orders and any other act and action falling within the remit of the Authority from the entry of this Law into force.

Article 102

Representation of the Authority before courts

1. The Authority is judicially and extrajudicially represented by its Governor and can appear representing the State, in any kind of trials that have as their object its actions or omissions or the legal relationships that concern it. The procedural documents of such trials are issued to the Governor in accordance with the provisions in force.

2. a) The legal and judicial support in general of the Authority and the Advisory Project shall be carried out by the Legal State Council in accordance with the provisions of its Organization (Law 3086/2002, Government Gazette, Series I, No 324). For this reason, an Office of the Legal Advisor is established in which at least one Legal Advisor and an Associate Judge serve. This Office constitutes of an officious unit of the Legal State Council and operates within the Authority. (b) The Secretariat of the Office of the Legal Adviser shall be staffed by officials of the Authority, by a decision of secondment of the Head of Office, which shall determine its length of time, extension, interruption or revocation.

3. In the competence of the Office of the Legal Adviser lies in particular: (a) the general legal support of the Authority, by issuing opinions on questions submitted by its Governor. Without prejudice to the provisions of the third subparagraph of Article 6 (1) of the State Legal Council (Law 3086/2002, GG I 324), as in force, the acceptance or non-adoption of opinions and the approval or not of the minutes shall be carried out by an official act of the Governor, (b) legal support in the drafting of contracts to which the Authority is a party, (c) the legislative support of the Authority when drawing up proposals for bills and regulations, if they are duly referred by the Governor, (d) the recommendation to the Governor for the promotion of legislative measures necessary to remedy the problems encountered in the application of the legislation and in general for the defence of the rights and interests of the State and, more generally, the public interest (e) the immediate updating of the organizational units of the Authority, or directly of the Governor, for the case law of the supreme courts in the court cases where the Office has jurisdiction, (f) the participation in collective bodies established for issues falling within the Authority's j responsibilities and after the Governor's request, (g) as for the rest, the provisions regarding the operation of the Legal State Council shall apply.

Article 103

National Coordinating Body for Audit and Accountability (ESOEL)

1. The National Coordinating Body for Audit and Accountability (ESOEL), which replaces the Coordination Body for the Inspection and Control of Article 8 of Law 3074/2002, is set up within the Authority. ESOEL shall take over all the responsibilities of the previous Coordination Body for the Inspection and Control and shall assume all ongoing inspections, examinations, preliminary operations and preliminary investigations, as well as any other operation carried out within the framework of the Council's powers.

2. The main objectives of the ESOEL are: (a) the identification of synergies and possible overlaps between control actions and anti-corruption initiatives, (b) the design and implementation of joint actions in this area, (c) the systematic dialogue and exchange of views between all authorities, bodies and services involved in controlling the action of public bodies and the fight against corruption and (d) the dissemination of good practices and innovative methodological approaches and tools by developing common standards and tools.

3. ESOEL shall be established and certified by the Authority and shall be chaired by the Governor. Duties of the Vice-President and his or her deputy shall be exercised by the Head of one of the services participating in it, who shall be rotated on an annual basis. The Heads or the Directors, with their deputies of all inspection, control and anti-corruption bodies which are not part of the Authority, including the Head of the Financial Police, the Head of the Security Forces of the Internal Affairs Service of Article 21 of Law 4613/2019, the Heads of the Inspection and Control Services of the Ministry

of National Defence with their deputies, as well as the Head of the Directorate of Inspections of the Ministry of Foreign Affairs together with his/her alternate, shall participate in the plenary of the ESOEL. The Head of the Directorates of Internal Audit and of Internal Affairs of the Independent Authority for Public Revenue shall also participate in the ESOEL together with their deputies.

4. The ESOEL shall meet regularly at least once a month at the seat of the Authority and on special occasions, after the invitation of the President or of his or her Vice-President.

5. ESOEL may decide to carry out joint inspections, audits and investigations by joint groups of auditors/inspectors of the inspection, control and anti-corruption bodies involved in the inspection and control services. The members of the teams shall be nominated by the Heads or Directors in charge of these bodies and services, and the relevant audit order shall be signed by the President of the ESOEL. Inspectors, auditors and joint teams may be entrusted with the duties of special investigators, even if this is not provided for in the provisions ruling the service of origin.

6. The details of the establishment, the operation and the exercise of responsibilities by the ESOEL shall be laid down by the Authority's Rules of Procedure, which shall be adopted with a decision of the Governor.

7. Within three (3) months from the entry of this Law into force, by the Governor's decision, the audit authorities, bodies and services involved in the ESOEL shall be determined. It shall be possible, by the Governor's decision that may be issued during the last quarter of each year to reprioritize the audit authorities, bodies and services consisting ESOEL.

PART F'

SPECIAL TRANSITIONAL AND REPEALED PROVISIONS

(…)

CHAPTER C'

REPEALED PROVISIONS

(….)

Article 118

Transitional provisions of Section D'

The declaration referred to in Article 72 (1) shall be submitted to the Presidency of the Government by 31 December 2019 for persons already in service and for those appointed to the positions referred to in Article 68 by 30 November 2019.

1. (a) All staff serving, on secondment, at the time of this Law's publication at the Office of the General Inspector of Public Administration (GEDD), in the Body of Inspectors-Controllers of Public Administration (SEEDD), in the Body of Inspectors for Public Works (SEDE), in the Body of Inspectors-Controllers for Transports (SEEME), in the Body of Inspectors for Health and Welfare Services (SEYYP) and in the Secretariat-General for Anti-Corruption (GEGKAD) shall be automatically detached to the Authority established under this Law for the remainder of the period of secondment. (b) In particular, the Special Inspectors in the Office of GEDD, the Chief Inspectors and the inspectors and auditors of SEEDD, SEEME and SEYP shall be posted as inspector/auditors. Assistant inspectors/auditors of SEEDD and SEYYP shall be posted as inspectors/auditors for the rest of the period of secondment. (c) The provisions of the first subparagraph of Article 96 (10) of this Law do not apply to staff seconded to the Authority pursuant to this paragraph and until the of these secondments.

2. The total period of any kind of employment in the abolished entities and the time that elapses between the automatic secondment to the Authority and its first renewal shall not be taken into account for the calculation of the maximum period of twelve (12) years mentioned in the provisions of this Law as the maximum time limit of serving as an inspector/auditor. Article 3 (4) of Law 3074/2002, as in force, is repealed with effect from the entry of this Law into force.

3. Inspectors, Auditors and Assistant Inspectors in the Regional Offices of the in the Body of Inspectors-Controllers of Public Administration and of the Body of Inspectors for Health and Welfare Services, which shall cease to operate from the entry of this Law into force, shall be included in the inspectors/auditors referred to in paragraph 2a of this Article unless they submit an application to the Authority within one month of this Law's entry into force, expressing their unwillingness to continue their secondment.

4. By exception, during the first operation of the Authority, the Governor shall be appointed for a two-year term following a proposal by the Council of Ministers and a decision of the Committee on Institutions and Transparency of the Hellenic Parliament, in accordance with the Parliament's Rules of Procedure. For the appointment of the Governor according to the previous sentence, a confirmatory act shall be issued by the Prime Minister, which shall be published in the Government Gazette. Within the above two-year period, the procedure for selecting the Authority's Governor shall be completed, in accordance with Article 90 of this Law.

5. By way of exception, during the first operation of the Authority, the Head of the Inspections and Audits Unit, the Head of the General Directorate for Integrity and Accountability, the Head of the General Directorate for Raising Awareness and Actions with the Society, the Head of the Directorate for Strategic Planning and Behavioural Analysis and the Head of the Directorate for Raising Awareness Actions and Education Policies, shall be selected and appointed with a Governor's decision for a term of three (3) years, taking into account the professional qualifications, the quality of their professional activity, the knowledge of the subject of the organization and their

general administrative skills. This term of office may be further renewed for two (2) more years with the Governor's decision following the assent of the Management Board. In any event, after the renewal referred to in the previous sentence, the term of office of the officials of the Authority mentioned may be renewed by the procedure, by the conditions and for the duration described in the permanent provisions of Article 96 of this Law.

6. From the entry of this Law into force, all appointments in positions of responsibility of the abolished bodies shall be terminated both regarding administrative services and inspection and audit units. Until the entry into force of the Authority's Organizational Charter, any urgent procedural step required for the exercise of its powers, including matters relating to the transfer of staff to the Authority, shall be signed by the inspector who acted as the Head's deputy or in the absence of a deputy, by the most senior inspector/auditor at the time of this Law entry into force.

7. Until the selection and appointment of the Heads of the organizational units of the Unit of Inspections and Audits, in accordance with the relevant provisions in force and the specific provisions of the Authority's Rules of Procedure, in these posts Inspectors and Auditors will be appointed with the Governor's decision, by the pool of inspectors and auditors automatically seconded to the Authority.

8. Until the selection and assignment of the Heads of the other organizational units of the Authority, in accordance with the provisions in force and the specific provisions of the Rules of Procedure of the Authority, the provisions of Article 18 of Law 4492/2017 (GG I 156) shall apply mutatis mutandis. In particular, as regards to the selection and assignment of the Head of the Directorate-General for Financial and Administrative Services and e-Government, the provision of paragraph 6 of this Article is applied.

9. Officials serving on secondment during the publication of this Law in the Directorates, Departments or Offices of Administrative Support and Finance Offices of the GEDD, the SEEDD, the SEDE, the SEEME, the SEYYP and the GEGKAD shall be seconded by law to the Directorate-General for Financial and Administrative Services and e-Government of the Authority, in accordance with the provisions of paragraph 2 of this Article. This provision shall also apply to officials serving in the regional services of the abolished bodies concerned.

10. The Authority may, by decision of the Governor, either postpone or interfere with any stage of pending procedures for appointments and any kind of staff alterations of the bodies abolished according to in this Law, without the need to repeat them, without prejudice to any specific provisions.

11. Until the establishment of the Staff and Disciplinary Councils of the Authority, in accordance with the provisions of this Law, the staff of the abolished entities shall remain subject to the Staff and Disciplinary Boards to which they have been subject to

until the publication of this Law, provided that they are not abolished by relevant provisions.

12. Following the establishment of the Staff Council and the Disciplinary Boards of the Authority, cases pending during the early stages of the Authority's operation, before the Staff Councils and the Disciplinary Boards of the abolished bodies regarding the staff transferred to the Authority in accordance with the provisions hereof, shall be examined by the Staff Council and the Disciplinary Boards of the Authority. As to the remainder, matters regarding the operation and responsibilities of the Authority's Staff Council and Disciplinary Boards, fall under the standard provisions of the Civil Service Code.

13. (a) Lawyers employed through any form of employment and paid by the abolished entities are obliged to submit to the Authority's Governor, within one (1) month of his/her appointment: (a) A detailed statement of all the pending and concluded court cases that they have been handling, which has to be countersigned for its accuracy by the Head of the Body's Legal Service, should such a service exist. A detailed reference must be included regarding the procedural stage at which the case is at as well as the date of the next procedural step. (b) Complete files of the pending and closed cases with certified true copies of documents, explanatory reports, court decisions and documentary evidence, with the assistance of the competent administrative department of the Authority. (c) A detailed table of all the bills and regulatory acts drafted and underway, as well as all the legal advice and opinions drawn up or processed by them at any stage, together with relevant documents. The same obligation applies to lawyers who have not been employed and paid with a fixed remuneration, but have in any way been entrusted with the handling of cases of the abolished entities, as well as to lawyers serving in the abolished entities through secondment. Any failure to comply with the obligations referred to in the previous sentences constitutes of an autonomous disciplinary offence, in accordance with the Lawyers' Code.

14. Upon the entry of this Law into force, the Authority may terminate all contracts for the supply of goods or services signed by the abolished bodies.

15. During the initial application of Article 93 of this Law and until the full operation of the Authority's Financial Services Directorate, all wages, including the salary difference resulting from the application of the provisions of the aforementioned Article, shall be borne by the budgets of the entities and bodies of origin regarding Inspectors/Auditors as well as of the rest of the Authority's staff and shall be paid by them. With the approval of the first Authority's budget and the full operation of the Directorate for Financial Services, the entire salary costs, including the relevant salary difference for staff seconded and serving in the Authority, with the exception of seconded inspectors and auditors, shall be borne and paid by the Authority.

16. Especially with regards to the Authority's first budget, the total amount of the Authority's appropriations to be included in the State Budget for 2020 cannot be lesser than 100% of the total appropriations provided for in the current adopted State budget for 2019 for all the repealed entities and bodies: (a) GEGKAD, (b) GEDD, (c) SEEDD, (d) SEDE, (e) SEEME, and (f) SEYP.

17. The total appropriations for the Authority for years 2020-2021 that will be included in the relevant MTFSF and State Budget drafts may not be lesser than 100% of the total appropriations provided for during 2019 for these bodies and entities.

18. At this Law's first application and until the establishment and full operation of the Authority's Directorate for Financial Services, the expenditure necessary for the remuneration and operation of the Authority shall be covered by the appropriations entered in the special sector of the Ministry of Finance entitled "General State Expenditure", by derogation from any other general or specific provision, and only if they are not covered from the appropriations already entered in the State Budget for the repealed entities which are transferred from the entry of this Law into force to the Authority, or from the reserve. For the implementation of the aforementioned, priority shall be given to all the necessary actions amongst the Directorate-General for Financial and Administration matters of the Ministry responsible for Public Administration's human resources, which is hereof designated as the competent Directorate-General for Financial Services, and of the competent departments of the State General Accounting Office. For each of the following years, the necessary appropriations shall be entered in the annual budget of the Authority.

19. During the first implementation of this Law and until the full operation of the Authority's Directorate for Financial Services, the additional remuneration mentioned in Article 93 (3) shall be charged to the budget of the Ministry responsible for Public Administration's human resources and shall be paid by the competent Directorate-General for financial and administrative matters.

20. Ongoing procurement projects held by the abolished entities, as of this Law's entry into force, shall be continued by the Authority, which becomes the beneficiary of the projects. The Authority shall continue and complete the procedures required for the implementation of these projects, in accordance with the applicable provisions on procurement.

21. The Authority becomes the full successor of all stages of the actions, programs and projects which are entirely or partly financed by resources from the European Union, the EEA and international organizations.

22. After this Law's entry into force, the Authority may terminate without penalty the existing property leases of the entities abolished by this Law, by means of a written statement, which shall be served on the lessors and the effects of which will occur within three (3) months after having been served. The provisions of the Presidential Decree 715/1979 (Government Gazette, Series I, No 212) "On the ways of conducting supplies, leases, letting of property in general, acquisitions and transfer of real

property, divestments and the performance of contract work by legal entities governed by public law", as in force, shall apply with regards to the resettlement of all the entities absorbed by the Authority in one building. In every case where the collective body governing the legal entities under public law is mentioned in the provisions, the equivalent for the Authority will be the Governor. The Committees mentioned in the Presidential Decree and their composition shall be defined by the management bodies of the Authority.

23. The ownership, administration and management of tangible and intangible public assets, used in the service of the bodies eliminated at the time of this Law's application, shall hereafter be undertaken by the Authority.

24. Imprest accounts related to the abolished entities shall be paid to the Authority. The accountable administrators shall be appointed through a Governor's decision.

25. Until the establishment and full operation of the Directorate-General for Administrative and Financial Services of the Authority and for a period of no more than twelve (12) months from the entry of this Law into force, a period of time that may be renewed by a decision of the Authority's Governor, matters of administrative and financial nature regarding the Authority shall be carried out by the Directorate-General for financial and administrative matters of the Ministry responsible for Public Administration's human resources.

26. At any stage pending audits, inspections and inquiries of all sorts, auditing and preliminary, disciplinary procedures as well as procedural acts relevant to these cases, during the time of this Law entry into force shall be continued and executed in accordance with the relevant provisions ruling the entities abolished, on behalf of the Authority, and by the bodies to which they had been assigned to. The timeline for all necessary actions for the execution of the aforementioned cases shall be extended by thirty (30) days from the appointment of the Authority's Governor. For this purpose, appropriate protocols shall be drawn up within fifteen (15) days after the appointment of the Governor. The responsibility lies with the Inspector/Auditor acting as the deputy of the Head in charge, or, in the absence of an appointed deputy, from the longest serving Inspector of the relevant repealed entity until the entry of this Law into force. In the case of GEKGAD, the responsibility lies with the highest-ranking employee serving on secondment at GEKGAD up until the entry of this Law into force. Such protocols will be handed over to the Authority's Governor or to specified appointed bodies.

27. All files and records of GEGKAD, GEDD, SEEDD, SEDE, SEEME and SEYYP, whether kept in paper or in digital form, including those stored in transportable electronic means, as well as the files of cases pending in courts are automatically transferred to the Authority. All tangible and intangible public assets which have been used in the service of the aforementioned entities and services shall be transferred to the Authority, once it becomes operational, on the basis of a specific protocol issued

for that purpose under the responsibility of the persons referred to in the previous paragraph of this Article. This Protocol shall also include any documents related to the financial management, the ongoing supplies and projects being carried out by the bodies that are being abolished, as well as physical layer and electronic protocols for the management of documents and complaints. These steps must be completed within fifteen (15) days from the appointment of the Governor.

28. In every case where GEGKAD, the office of GEDD, SEEDD, SEDE, SEEME or SEYYP are being mentioned in all applicable legislation, including all the regulatory acts which have been appropriately and validly issued, such reference will regard the Authority, from the date of this Law entry into force.

29. In every case where the Secretary-General for the Fight against Corruption, the General Inspector for Public Administration, the Special Secretary of the SEEDD, the Head or the Management Board of SEDE, the General Inspector of SEEME and the General Inspector of SEYYP are mentioned, the reference will regard either the Governor or the Management Board of the Authority, in accordance with their competencies.

30. Competencies or shared competencies of any Minister with regards to matters of the abolished entities, mentioned in relevant legislation or regulatory acts, shall henceforth be exercised by the Prime Minister or from the delegated Minister.

31. By decision of the Governor, published in the Government Gazette and issued within one (1) year from the entry of this Law into force, regulations concerning matters of organization, operation and exercise of powers of the bodies and services subsumed within the exercise of the Authority, which are not repealed by this Law, may be repealed or amended.

32. For all issues not regulated by this Law, the provisions of Law 3051/2002 (Government Gazette, A', No 220) shall apply, mutatis mutandis, as applicable.

Article 119

Repealed provisions

From the entry of this Law into force, the following provisions are repealed:

1. Law 4048/2012 "Regulatory Governance: authorities, procedures and means of good Law-making" (Government Gazette, A', No 34).

2. Articles 1 to 13 of Law 4369/2016 "National Registry of Public Administration's executive staff, rank classification of posts, systems for the evaluation, promotion and selection of managers (transparency-meritocracy and effectiveness in Public Administration) and other provisions" (Government Gazette, A', No 33).

3. Articles 6 to 28 of Law 4320/2015 "Regulations for the introduction of immediate measures to resolve the humanitarian crisis, for the Government's

organization and for the organization of Government institutions and other provisions" (Government Gazette, A', No 29).

4. The 2nd paragraph of Article 12 of Law 4081/2012 on the discretionary tightening of public expenditure, the regulation of financial audits and other provisions (Government Gazette, A', No 184).

5. Articles 1 to 9 of Law 4606/2019 on the establishment and competencies of the Central Codification Committee and other provisions (Government Gazette, A', No 57).

6. Articles 14 to 25 of Law 4109/2013 on the abolition and merger of legal entities of public law and the establishment of the General Secretariat for the Coordination of Government Work and other provisions (Government Gazette, A', No 16).

7. Articles 25, 26 and 75 of Law 4375/2016 "Organisation and operation of the Asylum Service, the competent Authority for Appeals, the Reception and Identification Service, establishment of a General Secretariat for Receiving Refugees and the alignment of Greek legislation with the provisions of Directive 2013/32/EU of the European Parliament and of the European Council on common procedures for granting and withdrawing international protection status (recast) (L 180/29.06.2013), provisions on the work of beneficiaries of international protection and other provisions" (Government Gazette, A', No 51).

8. Articles 20 to 23 of Law 4440/2016 on a Single Mobility System of employees in Public Administration and Local Government, on the obligations of people appointed to posts mentioned in Articles 6 and 8 of Law 4369/2016, and on incompatibilities and the prevention of cases of conflicts of interest as well as other provisions (Government Gazette, A', No 224).

9. Articles 161, 169 and 170 of Law 4389/2016 "Urgent provisions on the implementation of the agreement on fiscal targets and structural reforms (Government Gazette, A', No 94).

10. Article 25 of Law 3448/2006 on the further use of Public Sector information and the regulation of matters falling within the remit of the Ministry of Interior, of Public Administration and of Decentralisation (Government Gazette, A', No 57).

11. Article 54 of Law 4178/2013 "Addressing arbitrary constructions - environmental balance and other provisions" (Government Gazette, A', No 174).

12. Provisions of paragraphs 1-3 of Article 67 of Law 1943/1991 on the modernisation of Public Administration's organisation and operation, upgrading of its staff and other related provisions (Government Gazette, A', No 50).

13. Articles 35 to 39 of the Presidential Decree 28/2015 on the codification of provisions regarding access to public documents and information (Government Gazette, A', No 34).

14. Paragraph 3 of Article 40 of Law 4369/2016 “National Registry of Public Administration’s executive staff, rank classification of posts, systems for the evaluation, promotion and selection of managers (transparency-meritocracy and effectiveness in Public Administration) and other provisions” (Government Gazette, A’, No 33).

15. Article 19 of Law 2671/1998, “Regulation of matters regarding the Greek Railways Station (OSE) and other provision”’ (Government Gazette, A’, No 289).

16. Article 6 of Law 4142/2013 on the Authority for Quality Assurance in Primary and Secondary Education (Government Gazette, A’, No 83) and its delegated acts.

17. Articles 1 to 10 of Law 2920/2001 “Body of Inspectors for Health and Welfare Services (SEYYP) and other provisions” (Government Gazette, A’, No 131).

18. Articles 1 to 9 of Law 3074/2002 regarding regulations for urgent measures to resolve the humanitarian crisis, as well as for the organisation of the Government and of Government institutions, and other provisions (Government Gazette, A’, No 296).

19. Paragraph 5 of Article 5 of Law 3448/2006 on the further use of Public Sector information and the regulation of matters falling within the remit of the Ministry of Interior, of Public Administration and of Decentralisation (Government Gazette, A’, No 57).

20. Paragraph 5 of Article 10 of Law 4305/2014 (GG, A’, 237), “Open access and reuse of Public Sector documents, information and data, amendment of Law 3448/2006 (GG, A’, 57), adaptation of national legislation to the provisions of Directive 2013/37/EU of the European Parliament and Council, further enhancement of transparency, regulations of matters regarding the National’s School for Public Administration and Local Government entry exams and other provisions” (Government Gazette, A’, No 237).

21. Article 179 of Law 4412/2016 (GG, A’, 147) on public works contracts, supply contracts and service contracts (adaptation to the 2014/24/EU and 2014/25/EU Directives) (Government Gazette, A’, No 147).

22. Presidential Decree 63/2005 “Codification of legislation on government and government bodies (Government Gazette, A’, No 98), along with all the relevant provisions being codified, with the exception of Article 90 of the aforementioned Presidential Decree.

23. Presidential Decree 32/2004 “Establishment and Organisational Charter of the General Secretariat of Government” (Government Gazette, A’, No 28), as currently in force.

24. Presidential Decree 2/2011 “Conversion of the Prime Minister’s Political Bureau into the Prime Minister’s General Secretariat” (Government Gazette, A’, No 5), as currently in force.

25. All acts of the Council of Ministers as well as any other regulatory acts through which non-permanent posts were established in the political offices of Government member, Deputy Ministers, General and Special Secretaries.

26. Decision No Y135/15.03.2016 of the Prime Minister entitled “Establishment of a Commission for combating corruption” (GG, B’, 711).

27. Paragraphs 7 and 16 of Article 2 and Article 21 of the Presidential Decree 96/2017 “Organisational Charter of the Ministry of Justice, Transparency and Human Rights (Government Gazette, A’, No 136).

28. Article 27 of Presidential Decree 121/2017 “Organisational Charter of the Ministry of Health” (Government Gazette, A’, No 148).

29. Paragraph 2(a) of Article 2 of Presidential Decree 133/2017 “Organisational Charter of the Ministry of Administrative Reconstruction” (Government Gazette, A’, No 161).

30. Paragraph 1(e) of Article 2 and Article 7 of Presidential Decree 123/2017 “Organisational Charter of the Ministry of Infrastructure and Transport (Government Gazette, A’, No 151).

31. The regulatory acts deriving from the aforementioned repealed provisions regarding the foundation and organisation of all the bodies abolished as well as any other provision contrary to the provisions of this Law.

32. Article 4 of Law 4590/2019 on the “Empowerment of the Supreme Council for Personnel Selection (ASEP), the enhancement and development of Public Administration and other provisions” (Government Gazette, A’, No 17).

33. Any other provision or regulation in contrast to the provisions of this Law.

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