Establishment of an Asylum Service and a First Reception Service, adaptation of the Greek legislation to the provisions of Directive 2008/115/EC «with regard to the common rules and procedures in Member States for the return of illegally staying third-country nationals» and other provisions.

THE PRESIDENT
OF THE HELLENIC REPUBLIC
Issues the following law passed by the Parliament:

CHAPTER A
ESTABLISHMENT OF AN ASYLUM SERVICE

Article 1
Establishment - Mission - Composition

1. An independent Service, entitled «Asylum Service», is established at the Ministry of Citizen Protection, reporting directly to the Minister and having a local jurisdiction extending across the entire Greek territory. This Service operates at a Directorate level and is responsible for implementing the legislation on asylum and any other forms of international protection of foreign nationals and stateless persons, as well as for contributing to the planning and formulation of the national asylum policy.

2. The Asylum Service, as part of its mission, is responsible, in particular, for:
   a. supporting the planning and formulation of the country’s policy with regard to granting asylum or any other forms of international protection, as well as the monitoring and evaluation of this implementation,
   b. receiving and examining applications for international protection and ruling on them, at first level
   c. informing the persons applying for international protection on the application consideration procedure, as well as on their rights and obligations under it
d. collecting and assessing information on the economic, social and political situation prevailing in the countries of origin of the foreign nationals and continuously monitoring the developments in these countries, in cooperation with the competent, for this purpose, other Greek or foreign authorities, especially in accordance with the relevant international agreements,
e. providing the foreign nationals applying for international protection, as well as the beneficiaries of international protection with the legalizing and travel documents provided by the applicable law
f. processing applications for family reunification of refugees,
g. facilitating applicants with regard to material reception conditions, in collaboration with other competent bodies,
h. preparing legislative texts and administrative acts on issues of its competence and
i. cooperating with governmental bodies, independent authorities and non-governmental organizations, institutions and bodies of the European Union and international organizations for more effectively fulfilling its mission.

3. The Asylum Service is composed of the Central Service and the Regional Asylum Services. The Regional Asylum Services report to the Central Service. The Central Service plans, directs, monitors and controls the actions of the Regional Asylum Services and ensures that the necessary conditions for the exercise of their functions are in place. Upon entry into force of this Law, Regional Asylum Services are established in Athens, Thessaloniki, Alexandroupolis, Orestiada, Ioannina, Volos, Patras, Heraklion, Lesvos, Chios, Samos, Leros and Rhodes. The opening of Regional Asylum Services established by this provision is decided by the Minister of Citizen Protection. By a similar decision, the personnel provided in paragraph 4, article 2, is allocated to the local Regional Asylum Services and separate units of the Regional Asylum Services may be established, based and operating in facilities of First Reception Centres or participating in mobile or special First Reception Units.

4. The Central Asylum Service is composed of the following Departments:
a. Strategic Planning and Legislative Project Department, which studies, evaluates proposals, plans the asylum policy, submits proposals for the necessary changes and improvements, develops drafts of legislative and regulatory, in general, texts and circulars, and ensures the representation of the country at European and international levels.

b. Coordination Department, which coordinates the activities of the Regional Asylum Services, ensures the communication and cooperation with the Units of the First Reception Network and other competent governmental bodies and independent authorities, as well as with civil society bodies and businesses, maintain lists of certified bodies, interpreters and mediators, monitors the implementation of the country’s asylum policy by the individual bodies of the Asylum Service and the competent bodies and authorities and reports thereon to the Minister of Citizen Protection and the Interministerial Committee on Immigration Policy and Social Integration.

c. Human Resources and Quality Department, which handles personnel issues of the Asylum Service, organizes the education and continuous further training of the personnel of the Service and ensures the quality of the procedures and the asylum services provided.

d. International Cooperation and Documentation Department, which searches, collects, evaluates and maintains information on the political, social and economic situation in the countries of origin of the foreign nationals, in collaboration with other competent authorities or corresponding authorities of EU Member States, within the framework of relevant agreements, receives and transmits requests assuming responsibility, ensures the implementation of Regulation 343/2003 of the European Union Council (Law 50/25.2.2003) or other relevant legislation and cooperates with the First Reception Services and other competent governmental bodies, with regard to receiving, recording and keeping records of fingerprints of those applying for international protection.

e. Logistics Department, which undertakes the administrative support of the Central Asylum Service. It collects, processes and maintains statistical data
from the Regional Asylum Services, organizes and monitors the computer system of the Asylum Service and ensures its appropriate linkage with the records kept by other departments of the same or another Ministry or other relevant authorities of E.U. Member States, in accordance with the relevant agreements.

f. Finance Department, which draws up and implements the budget of the Asylum Service, investigates, prepares proposals and manages the European and other financing programs in the field of asylum and manages the logistics of the Asylum Service.

Article 2
Personnel
1. The position of a Director is established in the Central Asylum Service. The Director is appointed by decision of the Minister of Citizen Protection, following a public call for interest, for a term of three years, which can be renewed once only for another three years. The Director is a prestigious personality, with a university degree and managerial capacity. The Director is the Head of the Asylum Service and reports to the Minister of Citizen Protection, while he/she may be dismissed before the expiry of his term, or upon request or due to a failure to perform his/her duties or for another serious reason related to the exercise of his/her duties. The remuneration of the Director is determined by a joint decision of the Ministers of Finance and Citizen Protection. The Director is supported by a secretariat, in the framework of which an independent Public Relations and Mass Media Service operates, taking over and handling communication, public information and public relations issues.

2. The Asylum Service is staffed with public civil servants, who are transferred, assigned or detached from public services, the broader public sector (article 2 of law 3861/2010, State Gazette vol. no. 112 A) or public entities or by persons employed permanently or with an indefinite employment contract, in accordance with the applicable provisions.

3. For the staffing of the Central Asylum Service the following permanent
positions are established:

a. 25 higher education positions in Administration and Finance
b. 2 higher education positions in Informatics
c. 2 higher education positions in Communication and Mass Media
d. 3 technical education positions in Informatics
e. 10 secondary education positions in Administration and Accounting
f. 10 positions of special scientific personnel.

4. For the staffing of Regional Asylum Services the following permanent positions are established:

a. 90 positions of special scientific personnel. These positions are filled by transfers, assignments or detachments of civil servants, personnel of the broader government sector (article 2, Law 3861/2010, Government Gazette vol. 112 A) or public entities, as well as with personnel recruited by private contract of indefinite duration.
b. 90 secondary education positions in Administration - Accounting. These positions are filled by transfers, assignments or detachments of civil servants or personnel of public entities.

5. The skills of the specialized scientific personnel in the preceding paragraphs are those provided by article 2 of the Presidential Decree 50/2001 (Official Gazette Vol. 39 A). The field of studies of the positions of the preceding paragraph is covered by qualifications of humanitarian, legal and social sciences. The staffing of the positions of the preceding paragraphs with transfers, assignments and detachments of employees takes place following a public call by the Minister of Citizen Protection. Transfers and assignments of personnel to staff the Asylum Service are carried out in accordance with the applicable provisions. Detachments are carried out by a joint decision of the Minister of Citizen Protection and the competent Minister, notwithstanding any general or special provision, following a proposal submitted by the Director of the Asylum Service, who evaluates the qualifications and merits of the candidates. Transfers of personnel serving in abolished or merging public bodies and the broader public sector to the Asylum Service take priority.
Detached employees receive their salary and any additional regular salary, as well as all, without exception, allowances and other emoluments of their organic position. The salaries, other emoluments and benefits continue to be paid by the Service from which the employees are detached.

6. The Regional Asylum Services may enter into service contracts with interpreters who possess the necessary qualifications and are selected from a list compiled by the Central Service, according to its rules of procedure. Interpreters are compensated by a services rendered invoice or at an hourly rate.

7. If the Regional Service faces smooth operation problems, due to lack of adequate or appropriate personnel or due to an extremely large number of applications submitted, the processing of partial powers of the Service, with the exception of those constituting an exercise of public authority, such as issuing administrative documents, considering asylum applications, holding interviews and providing travel and legalising documents, may be delegated, for some time, under the provisions of government accounting, to bodies of the civil society meeting appropriate standards of quality and safety. The delegation of these powers is effected by the Director of the Central Asylum Service, following a special and justified proposal of the Head of the Regional Asylum Service. A joint decision of the Ministers of Interior, Public Administration and Decentralization, Finance and Citizen Protection determines the quality and safety standards to be met by the civil society bodies for the implementation of the preceding paragraph, as well as the individual responsibilities of the Regional Asylum Services which may be assigned to them. The Central Asylum Service keeps a Record of such bodies.

Article 3
Appeals Authority

1. An Appeals Authority is established at the Ministry of Citizen Protection, which reviews the appeals of persons applying for international protection against decisions of the Asylum Service, pursuant to paragraph 5, article 5.
2. The Appeals Authority reports directly to the Minister of Citizen Protection. The Authority has one or more three-member Appeals Committees, which are established, depending on the number of the appeals submitted, by decision of the Minister of Citizen Protection, for a term of two years, which is renewable. The same decision determines their local jurisdiction.

3. The Appeals Committees consist of a prestigious person, with expertise or experience in the refugee law or the human rights law or the international law, as chairman, a Greek national designated by the UN High Commissioner for Refugees and a university graduate with a degree in legal, political or social sciences, with expertise in issues of international protection and human rights, as members, with their deputies. The chairman and the third member of the Committee, as well as their deputies are selected by the Minister of Citizen Protection from a relevant list compiled by the National Committee on Human Rights, in accordance with its rules of procedure.

4. The members of the Committee, in the performance of their duties, enjoy personal independence. The chairman and the members of these Committees are paid as specified in the relevant contracts for the provision of services or work made for hire, concluded either with them or the body to which they belong. Lawyers who may be appointed as members of the above Committees do not undertake cases of third-country nationals on immigration matters or international protection, nor represent them before the authorities. Undertaking such an activity implies their automatic exclusion from the position of the member of the above Committee.

5. A secretariat and a position of Director are established at the Appeals Authority, with higher education qualifications in Administration and Finance. As a Director is appointed, by decision of the Minister of Citizen Protection, following a public call for proposals, a public servant, an employee of the broader public sector (article 2 of Law 3861/2010, Government Gazette vol. 112 A) or of public entities, preferably with an administrative experience. The Director is transferred, assigned or detached to the Appeals Authority in accordance with the applicable provisions. The Director heads the Secretariat.
of the Authority and ensures the facilitation of the work of the Committees.

6. To staff the Secretariat of the Appeals Authority are established:
   a. 8 positions of special scientific personnel, as experts-rapporteurs. The skills of the specialized scientific personnel are those provided by article 2 of the Presidential Decree 50/2001. The discipline is the one provided by article 2, paragraph 5.
   b. 5 secondary education positions in Administration-Accounting, as secretaries.

7. To fill the positions of paragraph 6, employees from governmental bodies, the broader public sector (article 2 of Law 3861/2010) or public entities may be transferred, assigned or detached. To fill out the positions, a public call of interest is carried out, and the selection is made by the respective official council, following an assessment of aptitude and skills of the employees.

8. The Appeals Authority is located at the main offices of the Central Asylum Service, which provides the necessary administrative support for its proper operation. The running costs of the Appeals Authority are covered by the budget of the Asylum Service.

Article 4
Budget - Financial Management
Supplies - Housing of Services

1. The Asylum Service has its own budget, as a special body of the Ministry of Citizen Protection, where the appropriations to meet the operational needs of its departments and personnel are recorded. In particular, appropriations are recorded related to costs for:
   a. the payment of lease for facilities housing Asylum Services and not owned by the State,
   b. the purchase, lease, repair and maintenance of any kind of logistical equipment,
   c. the salaries of personnel not paid by the services from which it has been detached, overtime payments, compensation of the members of the Appeals Committees, interpreting services fees, travel expenses and other related...
remuneration, as well as for the awarding of projects of the Regional Services to civil society bodies,
d. the operating costs, education and training costs of personnel and
e. the conduct of studies or research on matters of competence of the Service.

2. The budget of the Asylum Service records appropriations for any other costs beyond those referred to in paragraph 1, which are necessary for the operation of its Services, by a joint decision of the Ministers of Finance and Citizen Protection.

3. In the public investments budget appropriations are provided for the construction of buildings and the equipment of the Services of the Asylum Service, in the framework of the approved annual appropriations of the State Budget.

4. A fixed advance payment is provided for the Central Asylum Service, in accordance with the provisions of article 46 of Law 2362/1995 (State Gazette vol. 247 A).

5. The financial management of the Asylum Service is performed by its competent Services and the expenses are made, audited, settled and ordered in accordance with the provisions of government accounting.

6. A joint decision of the Ministers of Finance and Citizen Protection regulates special issues related to the management of materials, cash, and any other relevant matter.

7. Asylum Services are housed in buildings of the State or of the local authorities granted for this purpose or in private buildings leased by government expenditure.

8. Public property may be granted for free use by the Public Real Estate Corporation, in accordance with the applicable provisions, to address the housing needs of the Asylum Services. The repair, maintenance, expansion or layout of public buildings housing Departments of the Asylum Service, are made by the technical services of the local Decentralized Administrations, upon receipt of a letter sent by the Asylum Service.
Article 5
General and empowering provisions
1. The personnel of the Asylum Service and the Appeals Authority are offered the necessary training by the Ministry of Citizen Protection, in cooperation with the UN High Commissioner for Refugees and other relevant bodies, especially during the first application of the law.
2. A presidential decree, issued upon proposal of the Ministers of Interior, Public Administration and Decentralization, Finance and Protection of Citizens may, by amending the provisions of this Law, will regulate matters related to the organization, operation, main offices and individual responsibilities of the Central Service and the Regional Asylum Services, merge or abolish existing services and establish new ones, increase or reduce the organic positions of the personnel or establish new positions and regulate the duties of the personnel.
3. A presidential decree, issued upon proposal of the Ministers of Interior, Public Administration and Decentralization, Finance, Foreign Affairs, Labour and Social Security, Education, Lifelong Learning and Religion, Health and Social Welfare, Justice, Transparency and Human Rights and Citizen Protection, will regulate the procedures for the reception of the persons applying for international protection, the procedures for the submission and processing of applications for international protection and recognition of the refugee status or granting the status of beneficiary of subsidiary protection or humanitarian status, the content of these statuses, as well as the procedures for providing temporary protection in the event of a mass influx of displaced foreign nationals. A similar decree regulates the procedure for examining applications for international protection or appeals pending at the beginning of operation of the Asylum Service and the Appeals Authority.
4. By decision of the Minister of Citizen Protection the Rules and Regulations of the Asylum Service are issued, following a proposal submitted by its Director, as well as the Rules and Regulations of the Appeals Authority, after consultation with the Director and the Chairmen of the Committees, where
particular issues related with the internal structure and operation of the Asylum Service and the Appeals Authority are regulated respectively.

5. An administrative appeal may be lodged against asylum decisions rejecting applications for international protection or withdrawing this status, in accordance with the specific provisions of the Presidential Decree to be issued by delegation of paragraph 3.

6. Responsible for issues related to the personnel of Asylum Services and the Appeals Authority are the official councils competent for the civil employees of the Ministry of Citizen Protection.

7. A decision of the Minister of Citizen Protection sets the beginning of operation of the Asylum Service and the Appeals Authority, within 12 months from the effective date of this Law.

CHAPTER II
ESTABLISHMENT OF THE FIRST RECEPTION SERVICE

Article 6
Establishment - Mission
An independent Service is established at the Ministry of Citizen Protection titled «First Reception Service», which reports directly to the Minister of Citizen Protection and has a local jurisdiction throughout the Greek territory. This Service operates at a directorate level and its mission is to effectively handle third-country nationals illegally entering the country, in conditions of respect for their dignity, by subjecting them to first reception procedures.

Article 7
First Reception Procedures
1. All third-country nationals arrested entering the country without legal formalities are subject to first reception procedures. The first reception procedures for third-country nationals include:
   a. a verification of their identity and nationality,
   b. their recording,
   c. their medical check and the provision to them of any required care and psychosocial support

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Service de Traductions du Ministère des Affaires Etrangeres de la Republique Hellenique, Athenes
d. their update on their rights and obligations, in particular with regard to the conditions under which they may be placed under international protection status and

e. the care for those belonging to vulnerable groups, so that they are subject to the procedure laid down for such cases.

2. By decision of the competent police authorities, third-country nationals who are arrested illegally staying in the country and not proving their citizenship and identity by means of a document issued by a public authority, may be subject to the first reception procedures.

Article 8

Organization – Operation - Budget

1. The First Reception Service, as well as the First Reception Centres (FRCs), are established by the Central Service and the special or mobile First Reception Units, which constitute the Regional Services and report to the Central Service.

2. The Central Service plans, directs, monitors and controls the activities of the Regional Services and ensures the necessary conditions for the exercise of their functions, in cooperation with any other competent departments. For this purpose, the Central Service may expand international cooperation, particularly with competent foreign authorities and bodies of European Union Member States and may participate, independently or jointly with other governmental departments or civil society bodies, to projects and activities funded by the European Union or other bodies.

3. The program of medical checks, psychosocial diagnoses and referral of the beneficiaries to support and hospitality structures is specified by decision of the Minister of Health and Social Solidarity.

4. A joint decision of the Ministers of Finance and Citizen Protection establishes FRCs, in selected parts of the country, where there is a constant flow of illegally entering third-country nationals and determines their local jurisdiction. By a similar decision the personnel positions established for them are allocated among the regional First Reception services.
5. By decision of the Minister of Citizen Protection a special or mobile First Reception unit may be established in an area:
   a. not covered by the existing local jurisdiction of an existing FRC and where a considerable flow of illegally entering third-country nationals is noticed or
   b. the existing FRC is insufficient to meet the needs created by the increasing flow of illegally entering third-country nationals or
   c. there is need to offer First Reception services in the place of first entry of illegally entering third-country nationals.

6. The First Reception Service has the same budget, as a special body of the Ministry of Citizen Protection, in which appropriations to meet the needs of the services and their personnel are recorded. In particular, appropriations are recorded related with costs for:
   a. lease payments for facilities housing the First Reception Services and not owned by the State,
   b. purchase, lease, repair and maintenance of any kind of logistical equipment,
   c. salaries of personnel not paid by the services from which it has been detached, overtime pay, fees for interpretation services, travel expenses and other related remuneration, as well as those related to assigning projects of Regional Services to civil society bodies,
   d. operating costs, personnel education and further training costs and
   e. conducting studies or research on matters of competence of the Service.

7. A joint decision of the Ministers of Finance and Citizen Protection records in the budget of the First Reception Service appropriations for any other costs, beyond those referred to in paragraph 6, which are necessary for the operation of its Services.

8. The public investment budget provides for appropriations related to the construction of buildings and the equipment of the departments of the First Reception Service, within the framework of the approved annual appropriations of the State Budget.

9. A fixed advance payment is provided for the Central First Reception
Service, in accordance with the provisions of article 46 of Law 2362/1995.

10. The financial management of the First Reception Service is effected by its competent departments and the expenses incur, are audited, settled and ordered in accordance with the provisions on government accounting.

11. A joint decision of the Ministers of Finance and Citizen Protection regulates specific issues for the management of materials, cash, and any other relevant matter.

12. A presidential decree issued upon proposal of the Ministers of Interior, Public Administration and Decentralization, Finance, Health and Welfare and Protection Ombudsman may, even by modifying the provisions of this Chapter, regulate matters concerning the organization, operation, duties of personnel, individual responsibilities and may set up or abolish organic personnel positions in the Central Service and the Regional First Reception Services. A joint decision of the Ministers of Health and Welfare and Protection of the Citizen prescribes the General Rules and Regulations of the First Reception Centres and Units, specifying issues of internal structure and operation of said Centres and Units.

13. To meet the operational needs of FRCs, the conclusion of contracts for the provision of services or work is allowed, the cost of which may be covered by national or EU funds, in accordance with the provisions of government accounting. Paragraph 8 of article 4 has a similar application for the First Reception Services.

14. For the purposes of establishment of FRCs, camps no longer used by the Military Service and conferred in use by the Ministry of Defence to the Ministry of Citizen Protection may be used, notwithstanding the existing urban planning provisions, at all levels. The above areas and facilities may be used as places of detention, as provided in article 31. For any repairs, improvements and required additional facilities to them, undertaken by the Ministry of Citizen Protection, apply, mutatis mutandis, the provisions governing the performance of military works and facilities within camps. A joint decision of the Ministers of Finance, Defence, Environment, Energy and
Climate Change and Citizen Protection determines the conditions and modalities for the application of the above provisions.

Article 9

Staffing

1. A position of Director is established at the Central First Reception Service. The Director is appointed, following a public call for proposals, by decision of the Minister of Citizen Protection, for a term of three years, renewable once only, for another three years. The Director is a prestigious personality, with university qualifications and a managerial capacity. The Director heads the First Reception Service and reports to the Minister of Citizen Protection, while he/she may be dismissed before the end of his term, either upon his request or due to a failure to perform his duties or for any other serious reason related with the performance of his duties. The Director is supported by a secretariat. The remuneration of the Director is determined by a joint decision of the Ministers of Finance and Citizen Protection.

2. The positions of the Heads of the First Reception Centres and Units are held for a term of three years, which may be renewed, once only, for another three years, by employees of governmental or public entities, permanent or by private contract of indefinite duration. The Heads are selected by the official board of the Ministry of Citizen Protection, following a public call for proposals, preferably among those with university qualifications, on a discipline relevant to the responsibilities of the Service and administrative experience.

3. The First Reception Service is staffed by personnel which is transferred, assigned or detached from governmental bodies, the broader public sector (article 2 of Law 3861/2010, Government Gazette vol. 112 A) or public entities, following a public call for proposals or is engaged under a contract of indefinite duration, in accordance with the applicable provisions. The detachment of personnel to staff the First Reception Service is carried out and updated by joint decision of the Ministers of Citizen Protection and the competent Minister, following a proposal by the Director of the First Reception Service, notwithstanding any other general or special provisions. Transfers of
personnel, serving in abolished or merged governmental bodies and those of the broader public sector, to the First Reception Service have priority.

4. First Reception Centres and Units may enter into contracts for the provision of services with interpreters, who have the necessary qualifications and are selected from a list compiled by the Central Service, according to its Rules of Procedure. Interpreters are paid by means of a services rendered invoice or at an hourly rate.

5. If the efficient operation of the First Reception Centre or Unit is prevented due to lack of adequate or appropriate personnel, the conclusion of individual reception procedures, with the exception of those constituting the exercise of public authority, such as the issuance of administrative acts, may be entrusted for a certain time, according to the existing provisions on government accounting, to civil society bodies meeting appropriate standards of quality and safety. The assignment of these procedures is concluded by the Director of the Central First Reception Service, following a special and reasoned proposal of the Head of the First Reception Centre or Unit. A joint decision of the Ministers of Finance, Health and Welfare and Protection of Citizens specifies the specific quality and safety terms and standards to be met by the civil society bodies, for the purposes of application of the preceding paragraph. The Central Service establishes a Register of such bodies. The cost of assignments may be covered by national or co-financed resources.

6. To meet unforeseen and urgent needs created by a massive influx of immigrants, the recruitment of personnel, in accordance with the provisions of article 20 of Law 2190/1994, is allowed.

7. The personnel of the First Reception Centres is trained on the subject matter of their mission, care of the Central Service, in cooperation with the competent Ministries. In particular, doctors providing services to FRCs are trained to identify torture victims, care of the above Services, in cooperation with the UN High Commissioner for Refugees.

8. Responsible for personnel issues of the First Reception Services are the official boards competent for the civilian employees of the Ministry of Citizen
Protection.

Article 10

Management and structure of the First Reception Regional Services

1. The Head of the First Reception Centre or Units, whether mobile or special ones, coordinates, directs and controls the work of these services and ensures their proper operation, in cooperation with other authorities and bodies, as more specifically defined in this Law and the regulatory acts issued in accordance with it.

2. First Reception Centres and Units are structured in operationally distinct groups, as follows: logistics group, which is responsible for the administrative support of the Centre or Unit, verification group, which is responsible for verifying the identity and other information of third-country nationals, screening and psychosocial support group, ensuring the provision of such services and information group, which is responsible for providing information to third-country nationals on their rights and obligations. Groups have additional responsibilities, in accordance with specific provisions of this Law and the regulatory acts issued thereupon.

Article 11

Segregation and referral

1. First Reception Services update third-country nationals on their rights and obligations. Persons applying for international protection are referred to the local competent Regional Asylum Service, a group of which may be operating as First Reception Centre. At each stage of the First Reception procedures, the submission of an application to be subject an international protection status requires the segregation of the applicant and his/her referral to the local competent Regional Asylum Service. Receipt of applications and interviews of applicants may be carried out within the facilities of the First Reception, while they remain on site for as long as the procedure of consideration of their application lasts, subject to the time limits of paragraph 5. If, after those time limits have lapsed, the consideration of the application for international protection has not been completed, the relevant Regional Service grants the
person concerned an asylum seeker card and refers him/her to appropriate hosting structures, the operation of which is ensured by the Ministry of Health and Social Solidarity. If the application and appeal are dismissed, while third-country nationals remain in the First Reception Centre or Unit, they are referred to the appropriate authority to be subject to deportation, return or readmission procedures.

2. The Head of the Centre or Unit, on recommendation of the Head of screening and psychosocial support group, refers the persons belonging to vulnerable groups to the competent, as appropriate, body for social support or protection. In any case, the continuity of treatment, where needed, is ensured. As vulnerable groups are meant, for the purposes of this Law:
   a. unaccompanied minors,
   b. persons with disabilities or suffering from an incurable disease
   c. elderly persons,
   d. women in pregnancy or in a state of confinement,
   e. single parents with minor children,
   f. victims of torture, rape or other serious forms of psychological, physical or sexual violence or exploitation and
   g. victims of trafficking.

3. The remaining third-country nationals are referred to the authority legally empowered to decide their inclusion in the of readmission, expulsion or return procedures. The reference is decided by the Head of the Centre or Unit, on the recommendation of the group that carried out the examination during the first reception. These persons may remain in the First Reception facilities until their refoulement or until a decision for a return or expulsion is issued, in which case the procedure provided applies. When the authority being competent to decide the expulsion or forced return of the third-country national considers that these must be postponed or that the detention is not necessary, the third-country national is provided with a written affirmation and is allowed to leave the First Reception facilities, under the restrictive conditions that have been imposed to him/her, if any, in accordance with
article 22, paragraph 3.

4. If the recommendation for referral, in accordance with paragraphs 1 to 3, is not accepted by the Head of the First Reception Centre or Unit, the decision is taken by a committee composed by the Head of the First Reception Centre or Unit and the Heads of the groups of the Centre or Unit and the Central Service are advised accordingly.

5. In the case of paragraphs 2 and 3, the referral note to the competent authority, on a per case basis, is issued within fifteen (15) days, at the latest, from the inclusion of the third-country national to First Reception procedures. In exceptional circumstances, the time of inclusion to identification and segregation procedures may be justifiably extended for a maximum of ten (10) more days. If the delay in the identification is due to wrongful or improper conduct of the person subject to the first reception procedure, he/she is considered to have refused to cooperate for the preparation of his return and is referred for refoulement, deportation or return. The deadlines and procedures of this article shall only apply within the framework of operation of First Reception Centres.

Article 12

Regional Supervisory Committee

1. The supervision and evaluation of the operation of each First Reception Centre or Unit is assigned to a Regional Supervisory Committee. The Committee consists, by decision the Minister of Citizen Protection, of:
   a. the Head of the Foreign Nationals and Immigration Service of the Decentralised Administration, within the administrative limits of which the First Reception Centre or Unit is located, as its chairman, with his/her deputy,
   b. a representative of the respective Region, as a member, with his/her deputy, appointed by the relevant regional council,
   c. a representative of the civil society active in the local jurisdiction of the Centre or Unit, as a member, with his/her deputy, proposed by the Head of the Regional First Reception Service, and
   d. a representative of the relevant Regional Sanitary Services (RSS), with
his/her deputy, appointed by their Director, as members.

2. The Committee may, within the framework of its mission, seek the assistance of officials of other entities, public or private ones, where appropriate.

3. The Committee meets at regular intervals, as stipulated in the Rules of Procedure of the Centre or Unit and, in exceptional cases, when it is considered necessary or when invited by the Director of the Central Service.

4. The Rules of Procedure of the Centre or Unit specify the responsibilities of the Committees, which include, in particular:

   a. the monitoring and evaluation of the overall operation of the First Reception Centre or Unit and the submission of an annual report to the Minister of Citizen Protection, communicated to the Minister of Health and Welfare and the Director of the Central First Reception Service,
   
   b. the submission of proposals for regulating specific internal operational issues of the Centre or Unit
   
   c. the submission of proposals to address specific issues, in particular as it concerns issues of cooperation with the local community, and
   
   d. the expression of an opinion on any other issue raised by the Director.

Article 13
Residency status in First Reception facilities

1. Third-country nationals arrested illegally entering the country are directly transferred, on the responsibility of the authority that arrested them, to the First Reception Centre or Unit, in the boundaries of the local jurisdiction of which they were arrested.

2. For the purposes of verification and any other first reception procedures, those subject to it are under a status limiting their freedom. They compulsorily stay within the facilities of the First Reception Centre or within other suitable facilities, where they are kept and their stay there is governed by their Rules of Procedure, the content of which has been properly made known to them. Those subject to first reception procedures may get out only on specific written permission of the Head of the Centre or Unit.
3. In any event, throughout the course of the first reception procedures, the head and the personnel of the Centre or the Unit shall, as provided in each case, ensure that the third-country nationals:

a. are under decent living conditions,
b. maintain, as much as possible, their family unity,
c. have access to emergency health care and any necessary medical treatment or psychosocial support,
d. receive, if they belong to vulnerable groups, the appropriate, on a per case basis, treatment,
e. are adequately informed about their rights and obligations,
f. have access to guidance and legal advice on their situation and
g. maintain contact with social bodies and organizations.

Article 14
Security - Facilities

1. The responsibility for the external security of the Centre or Unit facilities lies with the competent police authority, which shall take appropriate detention measures in leased or ceded facilities. External security may, upon approval of the Minister of Citizen Protection, be assigned to a specialized private company providing security services, along with the competent police authority.

2. If there are no suitable facilities for carrying out the first reception procedures or the existing ones are insufficient, it is permitted, notwithstanding the provisions in force, to use other public facilities, following an appropriate arrangement, as well as to rent properties with an appropriate infrastructure or, in urgent cases, to hire tourist facilities.

Article 15
Transitional provisions

1. The existing places, temporarily housing third-country nationals, the existing records, and any other logistical infrastructure devolve in use to the Ministry of Citizen Protection, from the date the relevant Prefectures are abolished.
2. A decision of the Minister of Citizen Protection may define the use of the existing facilities, temporarily housing third-country nationals, either as Special Facilities for the Stay of Foreign Citizens (SFSFC), as provided by article 81 of Law 3386/2005 or as facilities of article 31 of this Law or as First Reception Centres provided by article 8 paragraph 1 of this Law and may regulate any issue related to their operation.

3. Any appropriations and grants recorded by national, European or other bodies, related to activities of SFSFC in progress, are carried out as usual, otherwise they are transferred for completion to the FRCs.

4. Until FRCs become operative for the detention of asylum seekers, the provisions of article 13 of Presidential Decree 114/2010 (State Gazette vol. 195 A) shall apply.

CHAPTER III
ADAPTATION OF THE GREEK LEGISLATION TO THE PROVISIONS OF DIRECTIVE 2008/115/EC

Article 16
Subject matter
(Article 1 of the Directive)
The purpose of this Chapter is to adapt the Greek legislation to Directive 2008/115/EC of the European Parliament and the Council of 16 December 2008 «on the common rules and procedures in Member States for returning illegally staying third-country nationals» (OJ L 348/24.12.2008), in accordance with the fundamental rights guaranteed by the EU laws, the international conventions binding the country and the generally accepted principles of international law, including the obligations for the protection of refugees.

Article 17
Scope
(Article 2 of the Directive)
1. The provisions of this Chapter apply to third-country nationals illegally staying in the Greek territory.
2. This Chapter does not apply to third-country nationals who:
a. Are subject to entry bans, according to article 13 of Regulation (EC) No. 562/2006 of the European Parliament and the Council of March 15, 2006, establishing the Schengen Borders Code on the status of movement of persons across borders (OJ L 105/13.4.2006) or are arrested or monitored by the competent authorities, in connection with illegal land, sea or air crossing of the external borders, within the meaning of article 2, paragraph 2 of the Schengen Borders Code, to whom a permit or right to stay in the country has not been subsequently granted.

b. Are subject to expulsion imposed by a court decision, as a security measure or an additional penalty or are subject to extradition procedures, in accordance with international convention provisions binding the country or the articles 436 - 456 of the Criminal Code or law 3251/2004 on the «European arrest warrant, amendment of law 2928/2001 on criminal organizations and other provisions» and

c. Enjoy the European Union right of freedom of movement, in accordance with article 2 paragraph 5 of the Schengen Borders Code and the Presidential Decree 106/2007 (State Gazette vol. 135 A).

Article 18
Definitions
(article 3 of the Directive)
For the application of the provisions of this Chapter the following shall apply:

a. «Third country national» means: any person who is not an EU citizen within the meaning of article 17 paragraph 1 of the Treaty and does not enjoy the Community’s right of free movement, as defined in article 2 paragraph 5 of the Schengen Borders Code.

b. «Illegal stay» means the presence in the Greek territory of a third-country national who does not meet or no longer meets the conditions of entry, as defined in article 5 of the Schengen Borders Code, or any other conditions for entry, stay or residence of the legislation in force.

c. «Return» means the procedure of forwarding a third-country national either voluntarily complying with an obligation to return or compulsorily to: a) the
country of his/her origin or b) a transit country, according to EU or bilateral readmission agreements or other arrangements or c) to another third country, to which he/she voluntarily decides to return and to which he/she is accepted.

d. «Return decision» means an administrative act, stating or declaring as illegal the stay of a third-country national and imposing him/her the obligation to return.

e. «Removal» means the execution of the return decision, by physically transferring a third-country national outside the Greek territory.

f. «Entry ban» means an administrative act, which accompanies the return decision and by which it is forbidden, for a certain period of time, the entry and stay in the Greek territory or in the territory of another Member State of the European Union.

g. «Risk of absconding» means the reasonable guess, based on a combination of objective criteria, that, in a particular case, the third-country national who is subject to a return procedure, may escape. Such objective criteria may indicatively be:

ga) the non-compliance with an obligation of voluntary departure

gb) the explicit expression of intent for non-compliance with the return decision,

gc) the possession of false documents

gd) the provision of false information to authorities

ge) the existence of convictions for criminal offenses, pending prosecutions or serious indications that a criminal offense has been committed or is about to be committed by a specific person,

gf) the lack of travel or other confirmatory identity documents

gg) the previous escape and

gh) the non-compliance with an existing entry ban.

h. «Voluntary departure» means compliance with the obligation to return within the time specified for that purpose in the return decision.

i. «Vulnerable persons»: means minors, unaccompanied minors, disabled persons, elderly persons, pregnant women, women in a state of confinement,
single-parent families with minor children and victims of torture, rape or other serious forms of psychological, physical or sexual violence or exploitation, including victims of trafficking.

Article 19

More favourable provisions (Article 4 of the Directive)

1. The provisions of this Chapter shall apply without prejudice to more favourable provisions:
   a. of bilateral or multilateral agreements between the European Union or the European Union and its Member States and one or more third countries,
   b. of bilateral or multilateral agreements between the Hellenic Republic and/or other Member States and one or more third countries and
   c. included, with regard to third-country nationals, in the European Union acquis on immigration and asylum.

2. For third-country nationals excluded from the scope of this Chapter, in accordance with article 17, paragraph 2, case a, the competent Greek authorities: a) ensure that their treatment and protection level are no less favourable than those provided in article 23, paragraphs 4 and 5 (restrictions on the use of coercive measures), article 24, paragraph 2, first case (postponement of removal for reasons related to the physical or mental condition of a third-country national), article 29, paragraph 1, on emergency health care, medical treatment and consideration of the needs of vulnerable persons and articles 30 and 31 (detention conditions) and b) respect the principle of non refoulement.

Article 20

Non-refoulement, best interests of children, family life and state of health (Article 5 of the Directive)

The competent authorities for the purposes of this Chapter shall take due account of: a) the best interests of the children, b) family life, c) the state of health of the specific third-country national and shall respect the principle of non refoulement.
Article 21
Return Decision
(Article 6 of the Directive)
1. In case an application to grant or renew a residence permit is rejected, as well as in case of revocation of a valid residence permit, the competent authority shall issue a return decision of the third-country national. The return decision is an integral part of the decision rejecting an application for stay or revoking a residence permit. In all other cases of third-country nationals illegally staying in the Greek territory, a return decision is issued by the competent, under article 76, paragraph 2, of Law 3386 / 2005, bodies. Return decisions are issued without prejudice to the exceptions provided in paragraphs 2 to 5.
2. Third country nationals staying illegally in the Greek territory and holding a valid residence permit or any other permit granting them a right to stay, issued by another Member State of the European Union, are obliged to immediately depart for the territory of that other State. In the event of non-compliance of the third-country national with this obligation or when the immediate departure of the third-country national is imposed for reasons of national security or public order, a return decision is issued by the competent police authorities.
3. The competent authorities may not issue a return decision for a third-country national illegally staying in the Greek territory, if another Member State accepts that national, in accordance with bilateral agreements or arrangements existing on the effective date of the Directive 2008/115 / EC (13/01/2009). If Greece accepts a third-country national, in accordance with agreements or arrangements of the preceding sub-paragraph, a return decision shall be issued by the competent police authorities.
4. The competent, on a per case basis, authorities may, at any time, issue a separate residence permit for compassionate, humanitarian or other reasons, to a third-country national illegally staying in the Greek territory, in accordance with the provisions of Chapter H of Law 3386/2005 or paragraph 4, article 15 of Law 1975/1991. In case of issuance of the said residence permit, no return
decision is issued. Where a return decision has already been issued, it is revoked or suspended for a period equal to the duration of the said permit.

5. A return decision cannot be issued for illegal stay reasons, against a third-country national who has submitted on time an application for the issuance or renewal of a residence permit, accompanied with all required documents, and has received the certificate provided for in article 11, paragraph 4 of Law 3386/2005 or any other similar special provision, until his/her application is finally considered. Similarly, a return decision cannot be issued for a third-country national, for whom a temporary order or a decision of the Administrative Court of First Instance is issued to suspend the execution of an administrative act related to the rejection of an application to issue or renew a residence permit or revoke a residence permit, in accordance with the provisions in force.

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Article 22
Voluntary Departure
(Article 7 of the Directive)

1. A return decision for a third-country national shall provide for an appropriate period for voluntary departure, of between seven (7) to thirty (30) days, without prejudice to the provisions of paragraphs 2 and 4. Such period shall be granted ex officio, without requiring the submission of an application by the third-country national concerned. The time period provided for the voluntary departure shall not exclude the possibility for the third-country nationals concerned to leave the greek territory earlier.

2. The authorities, which are competent for issuing such return decision, may, upon a justified decision, extend the period for voluntary departure, by an appropriate period, which shall not exceed one (1) year. In order for such decision to be taken, all specific circumstances shall be taken into account, such as the third-country national's length of stay in Greece, the existence of children attending greek school, the existence of family and social links.
3. The authorities, which are competent for issuing such return decision, may, throughout the duration of the period for voluntary departure, impose certain obligations to third-country nationals, in order to avoid the risk of absconding. Such obligations regular reporting to the authorities, deposit of an adequate financial guarantee, submission of documents or the obligation to stay at a certain place. The amount and the submission procedure regarding the financial guarantee shall be specified upon joint decision by the Minister of Finance and the Minister of Citizen Protection.

4. If there is a risk of absconding or if an application of the third-country national for permanent residence has been rejected as manifestly unfounded or fraudulent or if the third-country national poses a risk to public security, public order or national security, the relevant competent authorities shall refrain from granting a period for voluntary departure or shall grant a time period for voluntary departure less than seven (7) days.

5. The decision of return upon voluntary departure shall be handed to the third-country national and shall provide – for the time period granted – the temporary right of legal residence in Greece, as well as the right of access to the labor market provided that this was stipulated in his/her residence permit, if any, according to the respective provisions of labor and insurance legislation.

Article 23
Removal
(Article 8 of the Directive)

1. The competent police authorities shall take all necessary measures to enforce the return decision if: a) no period for voluntary departure has been granted, in accordance with article 22, par.4 and b) the obligation to return has
not been complied with by the third-country national within the period for voluntary departure granted.

2. The competent police authorities, in the event that a voluntary departure period has been provided, as stipulated in the provisions of article 22, shall enforce the return decision, only after such period has expired, unless a risk as referred to par. 4, article 22 arises during that period.

3. In cases of paragraph 1, no separate removal decision shall be issued. In the event that the return decision is immediately enforced, before termination of the defined period of time for voluntary departure for the grounds set forth in the article 22, par.4, the competent police authority shall issue a declaratory act which shall be delivered to the third-country national concerned.

4. The competent authorities may implement the provision of par. 4, article 80, Law 3386/2005 and the JMD no. 4000/4/46-a, dated 27/07/2009 (G.G. 1535 B) against any third-country national who opposes resists implementation of the return decision. In such case, the measures shall be taken with respect to the personality and the person’s fundamental rights, without exceeding the necessary extent, according to the principle of proportionality.

5. In carrying out removals by air, the Common Guidelines on security provisions for joint removals by air shall be taken into consideration, as annexed to Decision 2004/573/EC (EU L 261/6.8.2004).

6. The removal procedures shall be subject to an external-monitoring system, operating under the Ombudsman’s Independent Authority, which shall cooperate with international organizations and Non-Governmental Organizations. The operation and organization of the aforementioned monitoring system shall be regulated upon a joint decision of the Minister of
Article 24
Postponement of Removal
(Article 8 of the Directive)

1. The removal of a third-country national who is about to return shall be compulsorily postponed in the event that a) the principle of non-refoulement is violated or b) it has been suspended according to the article 28, par. 2.

2. The police authorities which are competent for the enforcement of the decision, may, upon a justifiable decision, postpone the return, for an appropriate period of time, taking into account the specific circumstances of the individual case, and in particular: a) the third country national’s physical state or mental capacity and b) technical reasons, such as lack of transport capacity or failure of the removal due to objective lack of identification.

3. If a removal is postponed as provided for above, the aforementioned authorities may impose to the third-country national the obligations set out in article 22, par.3.

4. The decision of postponement of the removal shall be delivered to the third-country national and consist a written certification that the return decision may not temporarily executed (postponement certificate of the removal). This certificate shall be valid for six (6) months and may be renewed upon a new judgment on whether the removal remains incapable of being implemented. Throughout the validity term of the written certification, its holder shall have the right to temporarily reside in Greece and shall, in any case, remain at the disposal of the authorities which are competent for the removal, and cooperate with them so that the removal is implemented, as soon as possible.
Article 25
Return and removal of unaccompanied minors
(Article 10 of the Directive)

1. Before deciding to issue a return decision in respect of an accompanied minor, assistance shall be provided by appropriate bodies other than the authorities enforcing return, as stipulated in the provisions of article 19, Presidential Decree 220/2007 (G.G. 251 A’), which apply accordingly, with due consideration given to the best interests of the child.

2. Before removing an unaccompanied minor from the Greek territory, the competent authorities shall be satisfied that he or she will be returned to a member of his or her family, a nominated guardian or adequate reception facilities in the State of return.

Article 26
Entry ban
(Article 11 of the Directive)

1. Entry ban to a third-country national in Greece is compulsorily issued with the return decision, if: a) no period for voluntary departure has been granted, or b) if the third-country national has not complied with the obligation to return. In addition, entry ban may be imposed in case that the third-country national concerned may jeopardize public order and security, national safety or public health.

2. The length of the entry ban shall be determined with due regard to all relevant circumstances of the individual case and shall not in principle exceed five (5) years from the removal date. It may however exceed five years if the third-country national represents a serious threat to public order, public security or national security. Each case shall be ex officio reviewed every three years.
3. The competent authorities shall consider withdrawing or suspending an entry ban where a third-country national, who is the subject of an entry ban issued in accordance with paragraph 1, point b, files an application and can demonstrate that he or she has left the Greek territory in full compliance with the return decision. Victims of trafficking in human beings, as well as the victims of illegal trafficking in immigrants, who have been granted a residence permit pursuant to articles 46-51, Law 3386/2005, shall not be subject to an entry ban provided that the third-country nationals concerned do not represent a threat to public order, public security or national security, provided that they fully comply with the return decision issued in case they are deprived of the right to reside in Greece –on any reason. The competent authorities may refrain from issuing, withdraw or suspend an entry ban in individual cases for humanitarian reasons or for public interest reasons, according to the provisions of par.2, article 8, Law 3386/2005 and the Joint Ministerial Decision no. 4000/4/32-I, dated 4.9.2006.

4. Where a Member State is considering issuing a residence permit or other authorisation offering a right to stay to a third-country national who is the subject of an entry ban issued by another E.U. Member State, the competent authority shall consult the Member State having issued the entry ban, through the national SIRENE office and shall take account of its interests in accordance with Article 25 of the Convention implementing the Schengen Agreement.

5. The provisions of the previous paragraphs shall apply without prejudice to the international protection right, as defined in article 2, point a, Presidential Decree 96/2008 (G.G. 152 A’).

Article 27
Form
(Article 12 of the Directive)

1. Return decisions and entry-ban decisions, issued by virtue of the provisions hereof, shall be in writing and give clear justification, according to the provisions of the Greek Administrative Procedure Code (Law 2690/1999, G.G. 45 A), as in force. The aforementioned decisions shall be communicated to the interested party and refer to legal and actual reasons for their issuance and information on legal remedies available. Such information on reasons of the return decision may be limited if it is necessary to safeguard national security, defence and public security, as well as in cases of prevention, investigation, certification and prosecution of criminal offences.

2. The authorities which are competent for dealing with foreigners’ issues may provide, upon the interested party’s request, a written or oral translation of the main points of the return decisions, as set forth in paragraph 1, including information on legal remedies available, in a language the third-country national understands or may reasonably be presumed to understand.

3. Paragraph 2 shall not apply to third-country nationals who have illegally entered the Greek territory and have not subsequently obtained an authorization or right to stay in Greece. In such case, the decisions related to the return, as stipulated in paragraph 1, shall be issued in printed form, according to the paragraph 2, article 1, Joint Ministerial Decision no. 4000/4-46-a, dated 22/07/2009. This form shall be translated into – at least – five languages which are most frequently used or understood by illegal migrants entering in the Greek territory.

Article 28
Remedies

(Article 13 of the Directive)
1. Third-country nationals may appeal against the return decisions issued by police authorities, as stipulated in article 77, Law 3386/2005. Third-country nationals may also appeal against return decisions incorporated in decisions rejecting provision or renewal of residence permit, as well as in decision revoking an already existing residence permit to a third-country national, according to article 24, Greek Administrative Procedure Code.

2. The administrative bodies which are competent to decide on appeals, as mentioned in paragraph 1, shall have the power to ex officio review legality and subject of the return decisions and temporarily suspend their enforcement. Temporary legal protection shall be provided according to the provisions of Law 3900/2010 (G.G. 213 A) and Presidential Decree 18/1989 (G.G. 8 A’).

3. The authorities which are competent for foreigners’ issues shall provide information and any possible assistance to third-country nationals who request legal consulting, legal representation and linguistic assistance, in order to exercise his/her rights expressed herein.

4. Required legal assistance and representation shall be provided free of charge, upon request, according to the provisions of Law 3226/2004 (G.G. 24 A’), if, as decided by the judge, the application for revocation is not manifestly inadmissible or unfounded, according to the article 15, paragraphs 3 to 6, Directive 2005/85/EC, as incorporated to the Greek Legislation by virtue of Presidential Decree 114/2010 (G.G. 195 A’). This paragraph shall enter into force on 24/12/2011.

5. A cancellation application against return decisions shall be filed under par.1, article 15 of Law 3068/2002 (G.G. 274 A’) as amended by article 49, Law 3900/2010.

Article 29

Μεταφραστική Υπηρεσία Υπουργείου Εξωτερικών, Αθήνα
Service de Traductions du Ministere des Affaires Etrangeres de la Republique Hellenique, Athenes

HELLENIC REPUBLIC, MINISTRY OF FOREIGN AFFAIRS Translations Service
Safeguards pending return  
(Article 14 of the Directive)

1. Throughout the period of third-country national’s voluntary return, as provided according to article 22 and within the period that the return is postponed, according to the article 24, the relevant competent authorities shall mind for taking the respective measures in order to: a) safeguard the third-country national’s family integrity within his/her family members established in Greece, b) safeguard minors’ access to compulsory education, accordingly to their term of stay, according to article 72, Law 3386/2005, c) provide emergency health care and essential treatment of illness, according to article 84, par. 1, Law 3386/2005 and d) take into consideration all special needs of vulnerable persons. Detained third-country nationals’ status shall be regulated by the special provisions of articles 31 and 32.

2. The third-country nationals, referred to in paragraph 1, shall be provided with the documents provided in paragraph 5, article 22 and paragraph 4, article 24.

Article 30
Detention  
(Article 15 of the Directive)

1. The third-country nationals who are subject to return procedures, according to par. 1, article 21, shall be detained for their return preparation and enforcement of the removal procedure, unless other sufficient but less coercive measures can be implemented in a specific case, such as those stipulated in par. 3, article 22. The detention measure shall apply when: a) there is risk of absconding or b) when the third-country national concerned avoids or hampers the preparation of return or the removal process or c) grounds of national security occur.
The detention shall be imposed and maintained for the shortest period possible, as long as removal arrangements are in progress and executed with due diligence. In any case, the availability of suitable detention facilities and the ability to guarantee decent living conditions for detainees shall be taken into consideration when imposing or pursuing the measure of detention.

2. The detention decision shall be actually and legally justified, issued in writing, according to the provisions of par.2, article 76, Law 3386/2005, and if no return decision has been issued, the detention decision shall be issued within three (3) days. The detained third-country national, in parallel to his rights provided by the Greek Administrative Procedure Code, may object against the detention decision or detention extension before the president or the local first instance judge of the competent administrative first instance court, appointed by the former. In relation to the objection application, all provisions of paragraphs 4 and 5, article 76, Law 3386/2005 (G.G. 212 A') shall apply, as replaced by article 55, Law 3900/2010 (G.G. 2113 A'). The decision on the objection application may be revoked, upon the interested party’s request, in the event that the revocation application is based on new evidence, according to article 205, par.5, Greek Administrative Procedure Code. The third-country national shall be immediately informed on his/her rights hereunder. The third-country national concerned shall be immediately released if found that his/her detention is illegal.

3. In any case, detention shall be ex officio reviewed, every three months, by the authority that issued the detention decision. In the case of prolonged detention period, the relevant decision shall be forwarded to the president or the local first instance judge of the competent first instance court appointed by the former, as mentioned above in paragraph 2, who shall decide on the legality of detention prolongation, and shall immediately issue his judgement, briefly expressed in the respective minutes, a copy of which shall be promptly submitted to the competent police authority.
4. When it appears that a reasonable prospect of removal no longer exists for legal or other considerations or the conditions laid down in paragraph 1 no longer exist, detention ceases to be justified and the person concerned shall be released immediately.

5. Detention shall be maintained for as long a period as the conditions laid down in paragraph 1 are fulfilled and it is necessary to ensure successful removal. Maximum period of detention may not exceed six months.

6. The period referred to in paragraph 5 may not be extended except for a limited period not exceeding a further twelve months in cases where, regardless of all their reasonable efforts, the removal operation is likely to last longer owing to: (a) lack of cooperation by the third-country national concerned, or (b) delays in obtaining the necessary documentation from third countries.

**Article 31**

*Conditions of Detention*  
*(Article 16 of the Directive)*

1. Detention shall take place as a rule in specialised detention facilities. In any case, the third-country nationals in detention shall be kept separated from ordinary prisoners.

2. Third-country nationals in detention shall be allowed - on request - to establish in due time contact with their legal representatives, family members and competent consular authorities.

3. Emergency health care and essential treatment of illness shall be provided to third-country nationals in detention. Particular attention shall be paid to the situation of vulnerable persons.
4. Relevant and competent national, international and non governmental organisations and bodies shall have the possibility to visit detention facilities, as referred to in paragraph 1, to the extent that they are being used for detaining third-country nationals in accordance with this Chapter. Such visits shall be subject to authorisation by the police authority which is competent for guarding the respective detention facility.

5. Third-country nationals kept in detention shall be systematically provided with information which explains the rules applied in the facility and sets out their rights and obligations. Such information shall include their entitlement to contact the organisations and bodies referred to in paragraph 4.

Article 32
Detention of Minors and Families
(Article 17 of the Directive)

1. Unaccompanied minors and families with minors shall only be detained as a measure of last resort, only if other sufficient but less coercive measures may not apply, and for the shortest appropriate period of time.

2. Families detained pending removal shall be provided with separate accommodation guaranteeing adequate privacy.

3. Minors in detention shall have the possibility to engage in leisure activities, including play and recreational activities appropriate to their age, and shall have, depending on the length of their stay, access to education, according to the article 72, Law 3386/2005.

4. Unaccompanied minors shall as far as possible be provided with accommodation in institutions recruited and equipped with personnel and facilities which take into account the needs of persons of their age.
5. The best interests of the child shall be a primary consideration in the context of the detention of minors pending removal.

**Article 33**

**Emergency Situations**

(Article 18 of the Directive)

1. In situations where an exceptionally large number of third-country nationals to be returned places an unforeseen heavy burden on the capacity of the detention facilities or on its administrative or judicial staff of the country, the relevant authorities may, as long as the exceptional situation persists, decide to allow for periods for judicial review longer than those provided for under the article 30, paragraph 2 and take urgent measures in respect of the conditions of detention derogating from those set out in the article 31, paragraph 1 and article 32, paragraph 2.

2. When resorting to such exceptional measures, the competent authorities shall inform the European Commission. They shall also inform the Commission as soon as the reasons for applying these exceptional measures have ceased to exist.

3. Nothing in this article shall be interpreted as allowing the competent authorities, as the case may be, to derogate from their general obligation to take all appropriate measures, whether general or particular, in order to ensure fulfilment of their obligations, as arise from this Chapter.

**CHAPTER D**

**REGULATION OF RETURN ISSUES**

**Article 34**

**Readmission**
In case of illegal transit by third-country nationals excluded from the application of the Chapter C, according to article 17, paragraph 2, point a, the readmission terms and provisions shall immediately apply, as they bind Greece directly or indirectly, through its participation in the European Union, or as they arise from international common law, as well as the applicable provisions of Law 3386/2005 (G.G, 212 Α').

Article 35

Regulation of Return Issues

1. Return decisions and any relative issue thereof, such as third-country nationals’ compliance with the obligation of voluntary departure, within the defined time limit and the execution of the removal, shall be promptly registered by the competent authorities into electronic records or files, as kept according to national law. In the event that several authorities participate in the return procedure, such files shall be fully interconnected.

2. The competent authorities may, in order to inform third-country nationals on the return decision, according to par. 2, article 27, address to and make use of other bodies and civil society organizations, and utilize the proper knowledge that several people may have, in order to sufficiently intermediate and communicate between services and interested persons.

3. The special facilities, where third-country nationals shall be detained, in implementation of article 31, shall be established under a Joint Decision of the Minister of Interior, Decentralization and e-Governance, the Minister of Finance, the Minister of Heath and Social Solidarity and the Minister of Citizen Protection and shall be subject to the competency of the Minister of Citizen Protection and the Hellenic Police Force. The same decision shall regulate the operational details for such facilities.
4. Non-Governmental Organizations and other competent bodies may, alternatively, provide care and remedy health services, as laid down in paragraph 3, article 31.

Article 36
Regulation of Voluntary Departure Issues

1. The time period for voluntary departure, according to paragraph 2, article 22, shall be extended upon the third-country national’s request, which shall be submitted before expiration of the initial time period and reviewed in priority within fifteen (15) days upon its submission. Throughout its term, the time period of the voluntary departure shall be implied as prolonged. In case of non-reply by the competent authority within the stipulated time frame, the prolongation shall continue to be in force, until the respective authority replies accordingly. Such time prolongation shall be granted only in order to take care of pending obligations, arising from such circumstances, with the prospect of departure. Throughout the aforementioned time period, the third-country national shall not have the right of access to social rehabilitation programs, while the aforementioned period of the third-country national’s stay, under the prolongation of his/her voluntary departure, may not be counted in case of applying the provisions of Law 3838/2010 (G.G. 49 A’) on access to greek nationality.

2. The time period of voluntary departure shall enter into force since the relevant decision is delivered or from the notification date of the interested party for delivery, in case he/she denies to act without delay or upon lapse of two months from the date the relevant decision was issued, in the event that the interested person is not found, despite several attempts were made based on the contact particulars provided by him/her. In the event that the third-country national fails to submit the renewal application of his/her residence permit on time, the competent authority shall issue a return decision for the
third-country national concerned, providing ex officio for a time period for his/her voluntary departure. The aforementioned return decision shall be issued by the competent office of the Ministry of Interior, Decentralization and e-Governance or the local competent Foreigners and Migration Authority. The provisions of paragraph 1 shall apply to the remainder. The competent authority – as the case may be – of the Ministry of Interior, Decentralization and e-Governance or the local competent authority, upon expiration of the time period for voluntary departure, as well as in cases of failure to notify the decision to the third-country national concerned, especially due to inaccurate address, shall notify, within three (3) days upon termination of the time limit, the competent police authority on the commence of return procedure through removal.

3. Return decisions, which grand a time period for voluntary departure, shall compulsory include the residence address of the third-country national, who shall be obligated to notify the issuing Authority, on any change of his/her residence address, throughout such period of time.

4. The Authority that issued the return decision shall be competent to confirm voluntary departure. To this end, such authority may cooperate with police or municipality authorities in the foreigner’s residence area, as well as any other authority or body which may provide relevant information, such as consular and diplomatic authorities, airport police authorities, natural and legal entities financially activated in the field of passenger transportation, international organizations and Non-Governmental Organizations activated in the field of migration and police liaison officers.

5. The competent authorities, under their broader programming cooperation with primary local government organizations, may assign to respective Municipal Police authorities the responsibility to deliver the aforementioned administrative acts to the third-country nationals concerned.
Article 37

Regulation of Removal Issues

1. In the event that during the time period for voluntary departure, any of the reasons under paragraph 4, article 22 arise, as well in the event that the third-country national infringes the obligations imposed to him/her during the term of his voluntary departure or its prolongation, by virtue of the provisions of article 22, par.3, the return decision shall be enforced immediately and the provision of time period for voluntary departure or its prolongation shall be ex officio considered as revoked.

2. In relation to coverage of removal expenses, the provisions of article 80, Law 3386/2005 and the Joint Ministerial Decision no. 4000/4/46-a, dated 27/07/2009 (G.G. 1535 B), shall apply by analogy.

3. The competent authority shall assess the attainability of removal, on a case by case, based on specific information claimed by the interested party, taking into consideration all information available related to the established procedure by each third country regarding its cooperation on readmission issues. To this end, the competent authority may request the assistance by the competent Department of the Asylum Office.

4. In case of the third-country national’s non-compliance to the obligations imposed to him/her, under article 22, par.3, the return decision shall be immediately enforced and the postponement of the removal decision shall be ex officio considered as revoked. If the removal is technically impossible, additional restricting terms shall by imposed by a new decision, as stipulated in article 22, par.3, while in case of recidivism, administrative detention may be imposed, without prejudice to the time limits provided for in article 30.

5. In the event that the competent authority fails to safeguard, through its own sources and means, that the third-country nationals, whose removal has
been postponed, receive during such postponement period, basic and decent temporary accommodation in public facilities or welfare services and that in general all their primary needs are covered, such third country nationals may, upon a respective permit, be employed in specific areas of the country. A Presidential Decree, issued upon a proposal of the Minister of Interior, Decentralization and e-Governance, the Minister of Labour and Social Security and the Minister of Citizen Protection, shall define the employment sectors and the areas of the country where the third-country nationals –whose removal has been postponed- may be appointed as salaried employees. Such decree shall also stipulate their social insurance status, terms and conditions, procedures and bodies competent for labour assignment, as well as any other relevant issue. In any case, throughout postponement term, the third-country national shall have no access right to social rehabilitation programs, while such period shall not be counted for the implementation of the provisions of Law 3838/2010 on access to greek nationality or of the provisions related to access in long-lasting residence status.

Article 38

Regulation of Entry Ban Issues

1. Entry ban under article 26 shall be enforced if a third-country national is recorded in the list of undesirable aliens, kept by the Minister of Citizen Protection, according to article 82, Law 3386/2005 and Chapter IV of Regulation (EC) no.1987/2006 on the establishment, operation and use of the Second Generation Schengen Information System (EE L 381/28.12.2006). Every case shall be ex officio reviewed every three years.

2. A third-country national’s voluntary departure, whose removal has been postponed, as well as a third-country national’s voluntary departure upon expiration of the respective time period, if such delay was caused to force majeure reasons, shall be considered as in full compliance with the return decision, for the reasons of applying paragraph 3, article 26. The revocation
application or the suspension of entry ban shall be submitted through greek consular authorities in the interested party’s residence.

Article 39
Enabling Provision
1. Any specific issue, referred to in the application of par. 1, article 21 and paragraphs 2 and 3, article 22, shall be regulated upon a decision to be issued by the Minister of Citizen Protection and the jointly competent Minister(s) as the case may be.

CHAPTER E
OTHER PROVISIONS

Article 40
Return of EU Member-State Nationals and Family Members as well as Greek Citizens’ Family Members

1. In relation to the return of persons who exercise the community right of free circulation, as stipulated in article 2, paragraph 5, Schengen Borders Code and the provisions of Presidential Decree 106/2007 (G.G. 135 A’), the provisions of Chapter C hereof shall apply, related to bodies, procedures, procedural guarantees and legal protection of foreigners who are about to return, without prejudice to the fact that articles 22 to 24, Presidential Decree 106/2007 do not include more favourable provisions.

2. In relation to the basic conditions and terms for the issuance of return decisions against persons referred to the previous paragraph, provisions of articles 22 to 24, Presidential Decree 106/2007 shall continue to apply (G.G. 135 A).
3. Regulations of paragraphs 1 and 2 hereof shall apply in case of Greek citizens’ family members.

Article 41
Protection from Return

1. A foreign national shall be banned from returning, if:
   a. He/she is a minor and his/her parents or custodians permanently reside in Greece.
   b. He/she is the parent of a national minor and is assigned with such minor’s custody or maintenance, which he/she performs.
   c. He/she has attained the age of 80.
   d. He/she is provided with international protection status or he/she has requested for the provision of such a status but his/her request has not been definitely settled, without prejudice to articles 32 and 33, Geneva Convention 1951.
   e. He/she is a minor who has been charged with penitentiary measures, under a Minors Court Judgment.
   f. His/her Greek origin is verified.

The return ban also includes pregnant women during pregnancy and six months after delivery.

2. Return is not banned in cases b, c and f of the previous paragraph, when the foreign national concerned may pose risk for public order or national security or public health.

3. In cases of unaccompanied minors the provisions of article 32 and 25 shall apply.

4. Protection provided under the articles hereof, shall also include persons who do not fall within the scope of Chapter C hereof.

Article 42
Amendments to provisions of Law 3386/2005
1. Article 44, Law 3386/2005 shall be replaced as follows:

Article 44

Provision and renewal of residence permits for humanitarian purposes

1. Upon a joint decision by the Minister of Interior, Decentralization and e-Governance and the Minister of Labour and Social Security, residence permits may be granted for humanitarian purposes to third-country nationals that fall within one of the following categories, as long as they do not pose a threat to public order and security:

a. Victims of trafficking in human beings who do not cooperate with prosecution authorities, subject to the existence of a related characterization deed executed by the competent First Instance Prosecutor, according to the provisions of paragraph 2, point a, article 1.

b. Victims of the criminal offences referred to in articles 1 and 2, Law 927/1979 (G.G. 139 A) and paragraph 1, article 16, Law 3304/2005 (G.G. 16 A), if the related criminal prosecution has been charged, until issuance of the court judgment. In the event that the aforementioned persons are under treatment, their residence permit shall continue to be granted throughout their treatment period.

c. Adults, victims of domestic violence or persons who are unable to take care of themselves due to health reasons or minors who justifiably need protective measures and are accommodated in institutions or other welfare entities, if their return to a safe environment is impossible.

d. Minors whose custody has been assigned to Greek families or third-country nationals’ families who legally reside in Greece, upon a decision by a greek or a foreign court, recognized by the greek authorities, or minors whose adoption procedure is still pending before greek authorities.
e. Victims of work accidents and other accidents covered by Greek legislation for the period of treatment or persons who receive pension for the same reason. A condition for the granting of a residence permit to persons of this category is the applicant’s holding of a valid residence permit, except for victims who have suffered extremely abusive working conditions and their stay in Greece is necessary in order to settle such employment obligations.

f. Persons who face serious health problems. Such serious health problems and the period of their treatment shall be certified by a recent medical certificate. In case of infectious disease, the issuance of the respective decision requires the consent of the Minister of Health and Social Solidarity that there is not any threat to public health. A condition for the granting of a residence permit to persons suffering from serious health problems is the applicant’s holding a valid residence permit.

g. Minors accommodated in guest houses, operating under the supervision of competent Ministries.

h. Adults born in Greece and those who attended at least six classes in Greek schools before attaining the age of 18, as long as they keep residing permanently in the country.

i. Spouses, national minors’ parents and protected family members of Greek citizens.

A condition for the provision of a residence permit to persons of the aforementioned categories is to hold a passport, even expired. A residence permit shall be provided in cases of objective difficulty for the interested person to acquire a passport, certified upon the interested party’s justified application and a recommendation by the competent Committee, according to the provisions of article 84, Law 3386/2005.

Validity of the initial residence permit of case a’ shall be one year and may be renewed for two (2) years, provided that respective criminal procedure is still
investigated. In the event that such procedure has been completed – by any means – or it has been filed, the residence permit may be renewed for one of the other reasons hereof, upon an opinion of the Committee, referred to in paragraph 1, article 89, only if it is considered expedient under the general circumstances and the file information that exceptional grounds exist.

The term of the initial residence permit of cases b, c, d and g is one year and may be renewed every two (2) years since all requirements are met. The term of the residence permit in cases e and f is two years and may be renewed every two years since all requirements are met. The term of the residence permit in cases h and i is one (1) year and may be renewed only for one of the other reasons stipulated herein.

No fees are paid for the review of a residence permit application hereunder, except for cases h and i, which require the payment of a 150€ deposit note.

Holders of residence permits under cases a, b and h, as well as those who acquire a residence permit as Greek citizens’ spouses, based on point i, shall have the right to work under dependent employment, to provide services or to be assigned with projects.

2. The Minister of Interior, Decentralization and e-Governance may, in exemption, provide, upon a consent of the Committee referred to in paragraph 1, article 89, residence permits of one (1) year to third-country nationals who reside in Greece and have proved that they have developed strong bonds with Greece, as long as no reasons of public order concur. In exceptional cases, the said residence permit shall be renewed only in case of one of the reasons hereof.

A residence permit application for exceptional purposes shall be considered only in the event that the interested third-country national submits: a) an entry
visa or residence permit, even if expired, b) a valid passport, c) fees of 300 euros, and d) documents certifying that he/she has developed strong bonds with Greece, which necessitate the interested national’s stay within the Greek territory.

By way of exclusion, it is not necessary to submit the documents referred to in point a, if the interested party proves through documents certified for their dating, his/her actual stay in Greece for – at least – twelve (12) successive years. The Minister of Interior, Decentralization and e-Governance, may, upon a decision, restrict such documents certified for their dating that prove the applicant’s twelve years of successive stay in Greece.

In the event that the interested party cannot be provided with any travel document, the possession of a valid passport shall not be a precondition, according to the provisions of article 84, Law 3386/2005.

In the event that the particular bond alleged by the interested party is linked to serious health issues of himself/herself or his/her minor child, he/she must prove that such issues emerged after his/her entrance in Greece and that they are related to his/her stay therein.

In order to attest such special bonds with Greece, the following should also be taken into consideration: a) very good command of the greek language, b) attendance in a greek school of primary or secondary education, c) his/her residence period in Greece, especially under legal regime, d) the term of insurance, if any, by a greek insurance fund and fulfillment of taxation obligations, e) relative bonds with a Greek citizen who lives in or out of Greece.

3. The Migration Policy Directorate of the Ministry of Interior, Decentralization and e-Governance shall be the competent authority for the
submission of the aforementioned applications. The submission of an application for a residence permit award for exceptional reasons does not mean that the applicant resides legally in the country throughout the period required for the consideration of his/her file. During the examination of his/her file, the provisions of the third point, paragraph 1, article 12 shall not apply.

4. In the cases of persons referred to in paragraph 1, whose family members are holders of residence permits, their residence permit may be renewed for reasons of family reunification, for a period equal to the one granted for residence permits for humanitarian purposes. Such decision shall be issued by the Secretary General of the Decentralized Administration. In the event that the requirement of case c, article 53 is not met, the residence permit may be granted by way of derogation from such provision.

5. The residence permit provided for in cases b, c, d, e and f, paragraph 1 hereof, may be renewed for one of the other reasons stipulated in this law, if the reasons that gave rise to the permit issuance cease to exist.

6. Residence permits of paragraph 2 hereof, shall provide the third-country national access right to salaried employment and the provision of services or the assignment of projects. The possibility of exercising an independent financial activity is provided exclusively in the event that the holder of such permit did previously hold a residence permit which allowed him/her to independently exercise financial activity and such activity has not ceased to exist. The preconditions for renewal of residence permits for independent financial activity shall be taken into consideration for the renewal of residence permits referred to in the previous intent.

2. The second and third point of paragraph 1, article 84, Law 3386/2005, as amended by par.1, law 15, Law 3536/2007, are replaced as follows:
“Especially in cases where the third-country national cannot submit a valid passport or other travel documents, a residence permit may be provided upon a decision of the Regional Secretary General, if the third-country national concerned claims a specific and justified objective inability due to special conditions or facts, upon a consent of the following Committee, unless there are threats for public order and security.

To this end, the Minister of Interior, Decentralization and e-Governance has established a special three-member Committee, which shall render its opinion on the existence of objective inability to submit a valid passport. The said Committee shall, upon the Minister's decision, consist of the following members:

a) An associate judge of the State Legal Service in the Ministry of Interior, Decentralization and e-Governance, as chairman,
b) The head of the competent Department of the Ministry of Interior, Decentralization and e-Governance and
c) An employee by the Asylum Office, who shall be proposes by his senior Director. Until such employee is appointed, an officer by the Migration Policy Division of the Hellenic Police Force shall participate as a member.

An employee of the competent Department of the Migration Policy Directorate, Ministry of Interior, Decentralization and e-Governance and his/her alternate shall be appointed to act as rapporteur of the Committee.”

3. Paragraph 1, article 89, Law 3386/2005 is replaced as follows:

“1. Three Migration Committees shall be established under the Ministry of Interior, Decentralization and e-Governance, which shall render their opinion on the provision of assistance to third-country nationals who have special social bonds in the country, in order to be awarded with residence permits.
They shall also render their opinion on cases addressed to them upon a decision of the Minister of Interior, Decentralization and e-Governance. These Committees shall be established upon a decision of the Minister of Interior, Decentralization and e-Governance, which shall also appoint their members and alternates, secretaries and deputy secretaries. Each Committee shall consist of:

a. One senior employee of the General Directorate of Migration Policy and Social Integration of the Ministry of Interior, Decentralization and e-Governance, as Chairman.

b. One officer of the Foreigners’ Division of the Hellenic Police Headquarters.

c. One representative of the Civil Society, designated by the National Committee for Human Rights.

Employees of the Migration Policy Directorate, Ministry of Interior, Decentralization and e-Governance, shall be appointed as rapporteurs of the Committee.”

4. Paragraph 4, article 73, Law 3386/2005 is abolished.

5. Paragraph 5, article 73, Law 3386/2005, as replaced by article 14, paragraph 3, Law 3536/2007, is replaced as follows:

“A third-country national, who does not comply with the time period for voluntary departure or, in any case, resides illegally in Greece for a period less than thirty (30) days, shall be obliged, at his departure, to pay four times the fees stipulated for the annual residence permit. In the event that the period of illegal stay is longer than thirty (30) days, the national concerned shall pay eight times the fees stipulated for the annual residence permit.
The procedure for certification and payment of the aforementioned fees shall be specified upon a decision of the Minister of Interior, Decentralization and e-Governance, the Minister of Finance and the Minister of Citizen Protection.

The following persons shall be exempted from fees: a) minors, b) persons who are expatriate Greeks, c) persons who are spouses or parents of a Greek national, an expatriate Greek or a community member, d) persons who undergo procedures and programs of voluntary repatriation, e) persons infringing their legal residence period within the greek territory for reasons of force majeure, as long as they depart within thirty (30) days from the termination of the force majeure event. In any case, the police authority executing the investigation on a foreigner’s departure shall decide on the concurrence of exemptions."


Article 43
Transitional Provision

Any pending applications submitted according to the provisions of article 44, par. 2, Law 3386/2005, as currently in force, shall be examined under the provisions of paragraph 1 of the same article, as amended by the provisions of article 42 hereof, since all respective requirements are met.

Article 44
Appeals Boards

1. Individuals participating under full-time employment in the Appeals Boards under article 26, Presidential Decree 114/2000 (G.G. 195 A) shall be paid according to the respective service provision contract or the assignment contract, entered into either by them either by the body they belong to.
2. Employees of the Ministry of Interior, Decentralization and e-Governance, the Ministry of Justice, Transparency and Human Rights or legal entities supervised thereby, including, Local Government Organizations, university degree holders in humanitarian, legal and social sciences shall be appointed as Chairmen (and alternates) to such Appeal Boards stipulated in article 26, Presidential Decree 114/2010, upon a decision of the competent Minister.

**Article 45**

1. Paragraph 1, article 68 of the Emergency Law 2545/1940 (G.G. 287 A) is replaced as follows:

   “1. An establishment permit for private tuition centers shall be awarded: a) to natural entities who are qualified as public tutors in primary and secondary education and have the right to teach, to or holders of respective academic qualifications or b) to legal entities that accumulatively meet the following requirements: aa) their registered office, according to their deed of incorporation or articles of association is seated in an EU Member-State, bb) their object, according to their deed of incorporation or articles of association, is related to the provision of education services and cc) they have not been declared bankrupt. All supporting documents required for the licensing of legal entities and any relative issue shall be defined and regulated upon a decision of the Minister of Education Lifelong Learning and Religious Affairs and shall be published in the Government Gazette.

**CHAPTER F**

**FINAL PROVISIONS**

**Article 46**

**Abolished Provisions**

As soon as this law enters into force, any general or special provision that is contrary to its provisions, shall be abolished.
**Article 47**

**Entry Into Force**

This law shall enter into force on the date of its publication with the Government Gazette, unless otherwise stipulated in its provisions.

Let this Law be published in the Government Gazette and be enforced as a Law of this State.

Athens, 21<sup>st</sup> January 2011

THE PRESIDENT OF THE HELLENIC REPUBLIC

Mr Karolos Gr. PAPOULIAS

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<th>Minister of Interior, Decentralization and e-Governance</th>
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Certified and sealed by the Official Seal of the Hellenic Republic
Athens, 21st January 2011

Ch. KASTANIDIS, Minister of Justice

True translation of the Greek original document. (Articles 1-21)
Athens, 17 March 2011                           The translator, Stefanos Tefos

Certified exact translation of the attached original in greek (Articles 22-47)
Athens, 10/03/2011
The translator
Elena Asimaki