

Law 4375

On the organization and operation of the Asylum Service, the Appeals Authority, the Reception and Identification Service, the establishment of the General Secretariat for Reception, the transposition into Greek legislation of the provisions of Directive 2013/32/EC “on common procedures for granting and withdrawing the status of international protection (recast) (L 180/29.6.2013), provisions on the employment of beneficiaries of international protection and other provisions

PART ONE

CHAPTER I

ESTABLISHMENT OF THE ASYLUM SERVICE AND APPEALS AUTHORITY

Article 1

Setting up – mission - composition

1. Within the Ministry of the Interior and Administrative Reconstruction operates an autonomous Service, entitled “Asylum Service”, as it is established by article 1 of law 3907/2011 (O.G. A’ 7), directly dependent on the Minister and with a territorial competence on the entire country. This Service operates as a Directorate and its mission is to apply the legislation on asylum and other forms of international protection for aliens and stateless persons, as well as to contribute to the development and the formulation of the national asylum policy. The Asylum Service is also competent for the application of the New York Convention of 28 September 1954 on the legal status of stateless persons.

2. The Asylum Service, in the context of its mission shall be, in particular, competent to:

a. Contribute to the drafting and formulating of the country’s policy regarding the granting of asylum or other forms of international protection and monitor and evaluate such implementation,

b. Receive, examine and adjudicate at first instance on applications for international protection,

c. Inform applicants for international protection of the examination procedure for their applications, including the rights and obligations under this,

- d. Collect and assess information on the economic, social and political situation of countries of origin of aliens and constantly monitor developments in these countries, in cooperation with other Greek or foreign authorities competent for this purpose, especially under relevant international agreements,
- e. Provide aliens who are applicants for international protection, as well as beneficiaries of international protection, with the stipulated legal and travel documents,
- f. Process the applications for family reunification of refugees,
- g. Facilitate applicants insofar as material reception conditions are concerned, in cooperation with the other competent services,
- h. Prepare draft legislative texts and administrative acts in matters of its competence,
- i. Cooperate with State institutions, independent authorities and non-governmental organizations, European Union bodies and institutions and international organizations in order to effectively fulfil its mission,
- j. Prepare and implement resettlement programs for refugees to third countries and
- k. Implement relocation programs for applicants for international protection

3. The Asylum Service shall be composed of the Central Service and the Regional Asylum Services. Regional Asylum Services include Regional Asylum Offices and the Autonomous Asylum Units and shall be dependent on the Central Service. The Central Service plans, directs, monitors and controls the action of Regional Services and ensures the presence of the necessary conditions for the exercise of their tasks.

It is hereby established Regional Asylum Offices in Attica, Thessaloniki, Thraki, Epirus, Thessaly, Western Greece, Crete, Lesvos, Chios, Samos, Leros and Rhodes. By decision of the Minister of Interior and Administrative Reconstruction, it is possible to set up more than one Regional Asylum Offices in the above areas, in order to cover the needs of the Asylum Service. By decision of the Director of the Asylum Service it is possible to set up Autonomous Asylum Units in order to cover increased needs of the Asylum Service; the same decision shall define the seat, territorial and material competence as well as all other relevant details. Furthermore, in order to cover very urgent needs of a temporary nature, it is possible to set up, with a similar decision, Mobile Asylum Units whose structure, mission, staffing and all other relevant details shall be determined in the said decision.

The date of entry into force of Regional Asylum Offices and the location of their headquarters shall be established by decision of the Director of the Asylum Service.

4. The Central Asylum Service shall have the following internal structure:

a. Department of International and European Cooperation: it shall follow and assess the developments in the field of asylum and other forms of international protection, and shall be entrusted with representing the country at European and international level on matters pertaining to the competences of the Service.

b. Legal Department: it shall prepare and draft the necessary legislative and more generally regulatory texts and circulars and provide legal support to the Service on matters pertaining to its competence.

c. Department of Coordination: it shall be competent to coordinate the activities of the Regional Asylum Offices and organize and supervise the Mobile Asylum Units. It shall be in charge of liaising and cooperating with the Regional Services of the Reception and Identification Service and with other competent State services and independent authorities as well as with other civil society institutions and legal entities, shall maintain rosters of accredited institutions, interpreters and lawyers providing legal aid to applicants for international protection.

d. Department of the Dublin National Unit: it shall ensure the implementation of Regulation 604/2013 of the European Parliament and Council from 26.6.2013 and any other relevant legislation and shall collaborate with the other concerned government agencies.

e. Department of Human Resources: it shall be competent to deal with matters of appointment, secondment, transfer, movement, availability to the service, skills, evaluation, promotion, leave of absence, disciplinary actions and other Asylum Service's personnel issues and to issue the relevant administrative acts.

f. Department of Training, Quality Assurance and Documentation: it shall organize the initial and continuous training of the Service's personnel in order to ensure quality for the asylum services provided by Regional Asylum Services and shall evaluate the quality of international protection decisions at first instance. It shall search, collect, evaluate and keep information on the political, social and economic situation of the countries of origin of applicants for international protection and, to this end, in shall cooperate with other concerned national authorities, relevant foreigner, European or

international organizations, in particular in the context of international agreements, other competent EU Member State authorities as well as the European Asylum Support Service. It shall ensure the quality of international protection decisions issued during the administrative procedure of the examination of the application for international protection and shall keep statistical and other records of the international protection decisions.

g. Department of Finance: it shall draw up and implement the budget of the Asylum Service. It is competent to draft and authorize supplies for the Asylum Service and deal with matters pertaining to salaries, indemnities and other form of payments to the staff, appointment of public accounting officials, the division, reapportioning and control of the movement of the permanent advance and all other relevant matter.

h. Department of Program Management and Implementation: It shall implement actions funded by European, institutional or other funds and be in charge of the programming, management, evaluation and implementation of these programs. The Department of Program Management and Implementation shall be composed of aa) the Office of Management, Programming, Evaluation and Support and bb) the Office of Program Implementation.

i. Department of Administrative and Technical Support: it shall be competent to deal with the smooth operation of the Asylum Service buildings, including to find premises, to adapt them appropriately, to supervise their maintenance, manage supplies and keep records. It shall provide secretarial support to the Central Asylum Service and shall handle its correspondence. It shall be competent to supervise the safe entry and management of persons arriving at the Service, supervise the relevant personnel and take care of the security of the buildings and premises of the Service.

j. Department of Informatics: It shall support the information system of the Asylum Service, shall be responsible for its appropriate connection with data records kept by other public services or other relevant authorities of EU Member States, within the framework of relevant agreements, and to collect, process and maintain statistical data provided by the Regional Asylum Offices and the Appeals Authority.

5. The Asylum Service shall be designated as the competent authority to issue authorization orders for material nationally considered as confidential for staff of the Asylum Service; it shall also be designated as the competent directorate on security matters within the context of the National Security

Regulation for issues pertaining to the Asylum Service. The Asylum Service shall include a resident lieutenancy, as per the provisions of the National Security Regulation, in charge of which shall be the Head of the Department of Coordination of the Asylum Service.

Article 2

Staffing

1. It is hereby established, within the Asylum Service, the post of the Director. The Director shall be appointed by decision of the Minister of the Interior and Administrative Reconstruction, following a public call of interest, for a three-year term, which may be renewed, once, for a further period of three years. The Director shall be a person of recognized standing, with a university degree, with competence in management and specialization and/or experience in the fields of international protection, human rights or international law. The Director shall be in charge of the Asylum Service and shall be controlled by the Minister of the Interior and Administrative Reconstruction who may dismiss him/her before the end of his/her mandate either because s/he resigns or in case s/he is unable to perform his/her tasks or for any other serious reason related to the exercise of his/her duties. The remuneration of the Director shall be determined by joint decision of the Minister of Finance and the Minister of the Interior and Administrative Reconstruction. If the person appointed as Director is an attorney-at-law, s/he must obligatorily suspend the exercise of his/her legal profession throughout his/her mandate. The exercise of any other public office by the Director during his/her term of office shall be suspended; s/he shall not carry out any other professional activity, shall not take up other remunerated tasks in the public or the private sector, nor take up any other non-remunerated task in a field related to his/her duties as Director. The Director shall be assisted by a secretariat, operating at the level of a unit; within it, a Public Relations and Public Information Office shall operate, entrusted with communication, public information and public relations matters.

2. a) The Asylum Service shall be staffed by public civil servants who are transferred, moved or seconded from other services of the State, or of the wider public sector (Article 2 of Law 3861/2010 - O. G. A' 112) or of state legal entities or of the local government or who are recruited as permanent staff or under an employment contract of indeterminate duration, in

accordance with the provisions in force. Exceptionally, the Departments of Coordination and the Dublin National Unit of the Asylum Service may be staffed by personnel seconded there by the Hellenic Police. For the purposes of filling the posts, the Director of the Service shall carry out a public call of interest. The transfers, movements and secondments shall be made in derogation of existing provisions in order to meet the staffing needs of the Asylum Service. Priority shall be given to transfer to the Asylum Service staff from services of the State, the wider public sector (Article 2 of Law 3861/2010), public entities, or local government authorities, which are to be abolished or merged. The transfers shall be made to vacant posts; if there is no vacancy, the post of the employee transferred shall also be transferred by a joint decision of the competent Ministers, upon proposal of the Director of the Service. The public call from the Director of the Service shall specify the general and specific qualifications, the criteria and the selection process for those to be transferred; it shall not be required to apply the provisions of paragraph 1 of article 68 of law 4002/2011 (O.G. A' 180). The Service shall inform thereof, failing which the relevant act shall be null and void, the Commission set by the Act of the Government number 33/2006 (A' 280) as amended, as well as the relevant departments of the Ministry of the Interior and Administrative Reconstruction on the number and grades of the posts to be covered by the transfers. The transfer shall be made at the grade and salary step held by the person to be transferred who shall also retain the social security and pension insurance schemes held prior to transfer. The transfer shall be carried out by a joint decision of the competent ministers, according to paragraph 1 of article 68 of law 4002/2011 (O.G. A' 180), notwithstanding any other general or special provision. Seconding of staff shall be carried out by a joint decision of the competent ministers, notwithstanding any other general or special provision, on a proposal from the Director of the Service, who shall assess the formal and substantial qualifications of the candidates; the same process shall take place when prolonging seconding such staff. Employees who are seconded to the Asylum Service, the Appeals Authority and the Reception and Identification Service may, upon request, be transferred to these Services under the same employment relationship and with the simultaneous transfer of their post if there is no vacant post and upon a recommendation of the competent Director. Secondment can take also place following a request by the person concerned without a public call of interest. Seconded employees shall

receive the regular salary of their post. Such salary shall be borne by the budget of the Ministry, Office or Agency where the seconded employee belongs. If the seconded employee is entitled to a position allowance, because s/he has taken up the position of a head of unit or department, the Asylum Service shall pay it.

b. The Asylum Service may be staffed with personnel from the respective branch and category included in the final roster of persons to be recruited established by the Supreme Council for Civil Personnel Selection or by bodies whose rosters have been controlled by the Supreme Council for Civil Personnel Selection, published between 1.1.2009 and 31.12.2012, on condition that such personnel has not been recruited by the closing date for submission of applications to the public call of interest by the Supreme Council for Civil Personnel Selection. In his/her application, the applicant shall indicate, in order of preference, the positions s/he wants to take up; the application shall include a copy of the issue number of the Official Gazette which has published the final roster of appointees which includes his/her name; s/he shall also attach a solemn declaration that s/he has not been appointed or recruited on the basis of that roster. The filling shall be carried out following a public call for applications to the persons concerned by the Supreme Council for Civil Personnel Selection at the request of the Interior and Administrative Reconstruction Minister. The Supreme Council for Civil Personnel Selection shall make the selection from among the persons included in the older rosters and final recruitment results will be based on the candidates' ranking in them. The process will be completed upon issuance of the allocation decision by the Interior and Administrative Reconstruction Minister, provided for in article 11 of law 3833/2010 (O.G. A'40), as in force. For the purposes of the above paragraph, the posts of specialized scientific personnel may, in case filling them with such staff is not possible, be covered with personnel recruited from the university level category with a degree in law, political, social, technological studies or humanities in accordance with the relevant call of interest, for the State, public entities or local authorities or other entities of the wider public sector (Article 2 of law 3861/2010) included in a final roster for recruitment by the Supreme Council for Civil Personnel Selection or by bodies whose rosters have been controlled by the said Council if this personnel has not been appointed by the closing date for submission of applications to the public call of interest by the Supreme Council for Civil Personnel Selection. In case a

roster from a written competition coincides in date with other final recruitment rosters, priority shall be given to the candidates included in the written competition rosters. The roster of persons selected by the Supreme Council for Civil Personnel Selection shall be sent for publication in the Official Gazette and, at the same time, shall be notified directly to the Minister of Interior and Administrative Reconstruction for appointment or recruitment.

Successful candidates who accepted their appointment and entered service at the Asylum Service, in accordance with the provisions of article 18, paragraph 3 of law 4058/2012 (O.G. A' 63), shall be deleted from the final recruitment roster they invoked in order to participate in the procedure to fill the specific post and the obligation to appoint resulting from it shall cease to be considered as pending. Persons who were appointed at the Asylum Service in accordance with the provisions of article 18 paragraph 3 of law 4058/2012, resigned and then were re-appointed in their original institution of appointment may opt either to stay with the original institution of appointment or be recruited again at the Asylum Service, or be recruited again at the Reception and Identification Service, after lodging a relevant request within a maximum of one (1) month from the publication of this law. The provisions of the preceding indent shall also apply to the cases of persons who have been appointed to the Asylum Service or the First Reception Service in accordance with the provisions of article 18 paragraph 3 of law 4058/2012, resigned and then were re-appointed in their original institution of appointment but their appointment has been revoked by an administrative act, in order to be reinstated in the Asylum or First Reception Services.

3. The permanent posts of the Asylum Service staff, by category and grade shall be as follows:

- a. 235 posts for the grade of specialized scientific personnel or university degree in category Administration with a degree in law, political, social, technological sciences or humanities.
- b. 74 posts in category Administration-Finance for university degree grade
- c. 1 post in category Communication and Media for university degree grade
- d. 4 posts in category IT for university degree grade
- e. 20 posts in category Administration – Accounting for technical university degree grade
- f. 4 posts in category IT for technical university degree grade

g. 182 posts in category Administration – Accounting for secondary education degree grade.

The qualifications for the specialized scientific staff shall be as stipulated in Article 2 of presidential decree 50/2001 (O.G. A' 39). The Director of the Asylum Service shall, with a decision, place the staff within the Central Asylum Service and the Regional Asylum Services, taking into account the call or invitation, the provisions in force as well as the needs of the Service.

4. In order to meet unforeseen and urgent needs caused by a massive influx of third-country nationals or stateless persons, it is allowed to recruit staff in accordance with the provisions of article 20 of law 2190/1994 (O.G. A' 28).

5. The Asylum Service may, in order to deal with exceptional and urgent needs and after decision of the Minister of Interior and Administrative Reconstruction, operate around the clock, every day of the week, including Sundays, holidays and days that are set as exempt from work, as well as in a shift rotation system, except when such a change in the work schedule causes additional expenditure; in such a case, it shall require a joint decision by the Ministers of Finance and Interior and Administrative Reconstruction. The above-mentioned decision shall also determine the specific duties and obligations of the personnel of the Asylum Service, their employment status, conditions and working hours, the regulation of overtime and other particular issues.

6. In order to cover the needs of the Regional Asylum Offices, the Asylum Service may undertake independent services contracts or fixed-duration works contracts, according to the provisions in force, with interpreters who have the necessary qualifications and are selected from a roster drawn up by the Central Service in accordance with its Internal Regulation. The interpreters shall be paid in accordance with the conditions set in the relevant contract for the provision of independent services or fixed-duration works contract, according to the provisions in force. Their remuneration, the procedure and the documents necessary for payment in the execution of those contracts shall be defined by a joint decision by the Minister of the Interior and Administrative Reconstruction and the Minister of Finance.

7. If a Regional Asylum Office faces problems in operating smoothly due to the lack of adequate or qualified staff or due to an extremely large number of applications for international protection submitted, the processing of some of the Office's tasks, with the exception of those involving the exercise of public authority - such as the issuance of administrative acts, the

examination of applications for international protection, the conduct of interviews and the provision of applicants with travel or identity documents- may be entrusted for a set period of time to civil society actors that meet appropriate standards of quality and safety. The decision on entrusting such tasks shall be taken by the Director of the Asylum Service, following a specific and reasoned proposal by the Head of the relevant Regional Asylum Office. A joint decision of the Ministers for Interior and Administrative Reconstruction and of Finance shall determine the quality and safety standards to be met by civil society actors for the application of the previous subparagraph as well as the individual tasks of the Regional Asylum Offices that may be entrusted to them. The Coordination Department of the Asylum Service shall keep a Roster of certified civil society actors. Should the need defined in the first indent arise, the United Nations High Commissioner for Refugees and the European Asylum Support Office may provide any relevant assistance, such as handling specific procedures, depending on the mandate and the responsibilities of each institution. Details of this cooperation shall be regulated by memoranda to be concluded between the Asylum Service and the aforementioned institutions.

8. Employees of Regional Services of the Asylum Service shall be paid the allowance set in article 15, paragraph 1 of law 4024/2011 (O.G. A' 226), as it continues to be paid in accordance with article 18 of law 4354/2015 (O.G. A' 176), without prejudice to the upcoming alignment of the scheme with the relevant European legislation by the 31.12.2017. The amount of this allowance shall be fixed at one hundred fifty (150) euros per month.

9. The Asylum Service's staff may wear special clothing suitable for protection against the weather. A decision of the Director of the Service shall define the terms, conditions, specifications and categories of staff wearing this clothing and any other relevant matter thereupon.

Article 3

Budget - Financial Management - Procurement -Premises of the Service

1. The Asylum Service shall have its own budget as a separate entity within the Ministry for Interior and Administrative Reconstruction; this budget shall contain the appropriations for: a) salaries to its staff; b) insurance, social security and welfare of its staff; c) operating and other expenses.

2. The budget of the Asylum Service shall also include appropriations for any other expenditure, beyond those listed in paragraph 1, necessary for the operation of its services, by joint decision of the Ministers of Finance and Interior and Administrative Reconstruction.
3. The Public Investments Program of the State Budget shall provide appropriations for the construction of buildings and their equipment for the Services of the Asylum Service, in the context of the adopted annual appropriations of the State's Budget.
4. The Asylum Service shall receive a permanent advance of upfront funds to deal with its regular expenses, according to the provisions of article 108 of law 4270/2014 (OG A' 143).
5. Expenditure, without prejudice to article 74 below, shall be controlled, settled, ordered and paid, depending on their nature, by the relevant State Audit Office or the General Directorate of Finance of the Ministry of Interior and Administrative Reconstruction, in accordance with the applicable provisions
- 6.. A joint decision of the Ministers of Finance and of the Interior and Administrative Reconstruction shall specifically regulate the management of equipment, money issues, and any other relevant matter.
7. The Asylum Service and its Regional Services shall be housed in government buildings, buildings belonging to the local government authorities or to other entities, granted free of charge, or in private buildings leased at the State's expenses. Exceptionally for the installation needs of the Regional Asylum Services, the provision of article 16, paragraph 3 below shall apply accordingly.
8. The Public Properties Company may grant to the Asylum Service state-owned buildings by free use, in accordance with the applicable provisions and in order to address the housing needs of the Asylum Service. The repair, maintenance, expansion or adaptation of premises belonging to the State which house the Asylum Service services shall fall under the responsibility of the Administrative Support Department following a specific study where necessary, in accordance with the legislation in force.

Article 4

Appeals Authority – Establishment and mission

1. It is hereby established an autonomous Service within the Ministry of Interior and Administrative Reconstruction, entitled “Appeals Authority”, directly dependent on the Minister. The Appeals Authority shall be composed of the Central Administrative Service and the Appeals Committees. The Appeals Committees shall be competent to examine, decide upon and issue decisions on quasi-judicial appeals against decisions by the Asylum Service, in accordance with article 7, paragraph 5 of this law; they shall be supported in the fulfilment of their tasks by the Central Administrative Service.

2. The headquarters of the Appeals Authority shall be fixed by decision of the Minister of Interior and Administrative Reconstruction. Its territorial competence shall include the entire country. A decision of the Minister of Interior and Administrative Reconstruction may establish Annexes of the Appeals Authority in other parts of the country and fix their territorial competence. Each such Annex must include at least one Appeals Committee with the necessary administrative support.

3. The Appeals Authority shall draw up, every three months, a report of activities for its work during the preceding reference period. This report shall include numerical and statistical data concerning its operation, the number of appeals lodged, the procedures followed, the percentage of cases examined through the oral or written procedures, the time to complete the examination of each appeal, the recognition rates for refugee and subsidiary protection status, the cases against which an application for annulment before a competent court of law has been lodged and the number of cases where the appellant appeared with a legal assistant as well as the number of appellants who requested and were granted free legal aid. The reports by the Appeals Authority shall be submitted to the Greek Ombudsman during the first fortnight of the months of January, April, July and October of each year. The Greek Ombudsman shall control, based on its judgment, the procedures followed in the exercise of its competences by law 3094/2003 (O.G. A’ 10), as in force, as well as all other specific provisions. These reports of activities shall be made public at the Appeals Authority’ site, immediately after they have been submitted to the Greek Ombudsman.

Article 5

Appeals Authority – Composition, staffing and operation

1. It is hereby established, within the Appeals Authority, the post of the Administrative Director of the Central Administrative Service. The Administrative Director shall be appointed by decision of the Minister of the Interior and Administrative Reconstruction, following a public call of interest, after the assent of the Selection Committee set in paragraph 10 of this article and according to the selection procedure established in paragraph 11 of this article. The Administrative Director shall be appointed for a three-year term, which may be renewed once for a further period of three years, following the procedure established in the previous indent. The Administrative Director shall be a person of recognized standing, with a university degree, with competence in management and specialization and/or experience in the fields of international protection, human rights or international or administrative law. The Administrative Director shall:

- a. Be in charge of the Central Administrative Service of the Appeals Authority and of the administrative services of the Annexes.
- b. Be responsible for the smooth and efficient operation and support of the Appeals Committees, the drawing up and execution of the budget and for keeping and publishing the reports and statistical data, according to the Authority's Internal Regulation.
- c. Report to the Minister of the Interior and Administrative Reconstruction concerning the implementation of the contracts with the members of the Appeals Committees.

The Administrative Director shall be controlled by the Minister of the Interior and Administrative Reconstruction who may dismiss him/her before the end of his/her mandate either because s/he resigns or in case s/he is unable to perform his/her tasks or for any other serious reason related to the exercise of his/her duties. The Administrative Director shall be a Greek citizen. The exercise of any other public office by the Administrative Director during his/her term of office shall be suspended; s/he shall not carry out any other professional activity, not take up other remunerated tasks in the public or the private sector, in a field related to his/her duties as Administrative Director. If the person appointed as Administrative Director is an attorney-at-law, s/he must obligatorily suspend the exercise of his/her legal profession throughout his/her mandate. The remuneration of the Director shall be determined by a joint decision of the Minister of Finance and the Minister of the Interior and Administrative Reconstruction.

2. A decision of the Minister of the Interior and Administrative Reconstruction shall establish, within the Appeals Authority, three-member Appeals Committees and shall determine their number. The members of the Appeals Committees shall hold a university degree in Law, Political or Social Sciences or Humanities with specialization and experience in the fields of international protection, human rights or international or administrative law and shall be chosen according to the selection procedure set in this article.

3. The Selection Committee set in paragraph 10 of this article shall select, following a public call of interest, the members of the Appeals Committees in accordance with the procedure set in paragraph 12 of this article; these shall then be appointed by the Minister of Interior and Administrative Reconstruction. The term of the members of the Committees shall be five years and may be renewed in accordance with the procedure of the previous indent. The members of the Committees, in the exercise of their functions, shall enjoy personal independence. The members of the Committees shall be contracted by the Greek State, represented by the Minister of Interior and Administrative Reconstruction, with a private law contract of employment for a fixed duration. A joint decision by the Ministers of Finance and of Interior and Administrative Reconstruction shall determine the amount of the special additional remuneration paid to the members of the Committees. The working conditions of the Committee members as well as any other matter relating to the performance of their duties shall be determined by the above contracts and by the Internal Regulation of the Authority. The members of the Committees shall be subject to the disciplinary provisions of the Code for the Status of Public and Civil Servants and Officials of the public legal entities, as applicable.

4. The Minister of Interior and Administrative Reconstruction Committee may dismiss members of the Appeals Authority before the expiry of their term, after termination of the contract for the reasons set out therein and in the Internal Regulation of the Authority. During their term of office, members of Appeals Committees shall suspend the exercise of any other public office they hold and shall not exercise any other professional activity, they shall not take up any other remunerated duty in the public or private sector, nor take up any other, even non- remunerated, position in a field related to their duties. If the persons nominated as members of the Committees are attorneys-at-law, they are required to suspend the exercise

of their professional activity. The members of the Committees shall be Greek citizens.

5. The Internal Regulation of the Appeals Authority shall specify how to select through drawing in order to establish the different three-member Appeals Committees and to appoint the chair of each one of them. Each member of the Committee shall alternate, on a yearly basis, as the chair of the Committee, in accordance with the Internal Regulation. If possible, each Committee shall include, at least, one (1) member with a law degree.

6. Within the Appeals Authority there shall be a three-member non-remunerated committee with a term of one year, which shall consist of Committee members and shall be elected by all their members. This committee shall be competent to represent the Appeals Authority in matters exclusively relating to its decision-making powers before other authorities or institutions, to participate, in cooperation with the Department for Legal Support, Training and Documentation, in ensuring the quality in the procedures and decisions of Committees and to actively contribute to the preparation of reports and statistics published by the Authority. The three-member committee may submit proposals for the preparation and drawing-up of the necessary draft legislative and, in general, regulatory texts and for the drafting of circulars and internal instructions of the Appeals Authority. The Internal Regulation of the Authority shall provide the specific details for the establishment of the committee and the exercise of those powers.

7. The Central Administrative Service of the Appeals Authority shall be structured in the following departments:

a) Department for Legal Support, Training and Documentation, entrusted with:

- aa) providing legal support to the Appeals Authority on matters of its competence, such as drafting opinions on judicial remedies or applications brought against decisions of the Appeals Committees, contributing in the preparation and drawing-up of the necessary draft legislative and regulatory texts in general, and drafting circulars and internal instructions
- bb) organizing training and continuing education to the staff of the Appeals Authority staff and the members of the Committees,
- cc) searching, collecting, evaluating and recording information on the political, social and economic situation in countries of origin or former habitual residence of the appellants, in cooperation with the competent department of the Asylum Office and other authorities of the country or of other countries,
- dd)

participating in the processing and analysis of statistical data, in cooperation with the Administrative Support Department.

b) the Administrative Support Department entrusted with: aa) the secretarial support of the Administrative Director of the Central Administrative Service, b) the secretarial support of the Appeals Committees, c) the coordination and ensuring of the smooth and efficient operation of the Appeals Committees, d) the collection, processing and keeping of statistical data, in cooperation with the Department for Legal Support, Training and Documentation, ee) the organization and monitoring of the Appeals Authority IT system, ff) maintaining the protocol and the filing system of the Appeals Authority, the responsibility for the contacts and the cooperation of the Appeals Authority, in particular with other concerned government agencies and independent authorities, as well as actors of the civil society, gg) matters of communication and information to the public and to public entities, hh) the management of staff matters in the Authority.

c) The Department of Finance entrusted with: aa) the preparation and execution of the Appeals Authority's budget, bb) the responsibility for the preparation and approval of the Authority's supplies and for matters relating to salaries, allowances and any kind of remuneration to the staff, appointment of public accounting officers, the division, reapportioning and control of the movement of the permanent advance and all other relevant matter, cc) the implementation of actions financed by European or other resources, investigation, the drafting of proposals and the submission to the competent managing authorities of funding programs in the area of competence of the Appeals Authority and the management of supplies of material, the security of the premises, their maintenance and repair.

8. The Central Administrative Service of the Authority shall be staffed by public civil servants who are transferred, moved or seconded from other services of the State, or of the public sector (Article 2 of Law 3861/2010 O. G. A' 112) or of state legal entities or of the local administration or are recruited as permanent staff or under an employment contract of indeterminate duration, in accordance with the provisions in force. For the purposes of filling the posts, the Administrative Director of the Authority shall carry out a public call of interest. The transfers, movement and postings shall be made in derogation of existing provisions in order to meet the staffing needs of the Appeals Authority. Priority shall be given to transfer to the Appeals Authority staff from services of the State, the wider public sector

(Article 2 of Law 3861/2010 OG A' 112), public entities, or local government authorities, which are to be abolished or merged. The transfers shall be made to vacant posts; if there is no vacancy, the post of the employee transferred shall also be transferred by a joint decision of competent Ministers, upon proposal of the Administrative Director of the Authority. The transfer shall be effected after a public call addressed by the Administrative Director of the Office, which shall specify the general and specific qualifications, the criteria and the selection process for those to be transferred; it shall not be required to apply the provisions of paragraph 1 of article 68 of Law 4002/2011 (O.G. A'. 180). The Authority shall inform the Commission set by the Act of the Government number 33/2006 (A' 280) as amended, as well as the relevant departments of the Ministry of Interior and Administrative Reconstruction on the number and grades of the posts to be covered by the transfers. The transfer shall be made at the grade and salary step held by the person to be transferred who shall also retain the social security and pension insurance scheme held prior to transfer. The transfer shall be carried out by a joint decision of the competent ministers, according to paragraph 1 of article 68 of law 4002/2011 (O.G. A' 180), notwithstanding any other general or special provision. Seconding of staff shall be carried out by a joint decision of the competent ministers, notwithstanding any other general or special provision, on a proposal from the Administrative Director of the Appeals Authority, who shall assess the formal and substantial qualifications of the candidates; the same process shall take place when prolonging the seconding of such staff. Seconded employees shall receive the regular salary of their post. Such salary shall be borne by the budget of the Ministry, Office or Agency where the seconded employee belongs. If the seconded employee is entitled to a position allowance, because s/he has taken up the position of a head of unit or department, the Appeals Authority shall pay this. The Appeals Authority may employ staff under fixed-term private law contracts under the conditions and the procedure laid down in law 2190/94 (O.G. A' 28), as amended and supplemented by law 2527/1997 (O.G. A' 206) and presidential decree 164/2004 (O.G. A' 134). The following posts shall be established for the staffing of the Central Administrative Office of the Appeals Authority:

a) 10 posts in category Administration and Finance, for the grades of specialized scientific personnel or university graduates with a degree in Law, Political or Social Sciences and Humanities, and 5 posts in category

Administration and Accounting, for grades secondary school graduates who shall staff the Department of Legal Support, Training and Documentation.

b) 4 posts in category Administration and Finance, for the grade of university graduates, 5 posts in category Administration and Accounting, for grades secondary school graduates, one post in category IT for the grade of university graduates and 2 posts in category IT for the grade of technical university graduates.

c) 4 posts in category Administration and Finance, for the grade of university graduates, 3 posts in category Administration and Accounting, for grades secondary school graduates, 1 post in category Administration and Accounting for the grade of technical university graduates and 1 post in category IT for the grade of technical university graduates.

The qualifications of the specialized scientific staff shall be those stipulated in Article 2 of presidential decree 50/2001. The Administrative Director of the Appeals Authority shall place the staff in the Authority on the basis of the call or invitation, the provisions in force and the existing needs of the Authority.

9. The filling of positions shall be carried out following a public call of interest from the Minister of the Interior and Administrative Reconstruction. The seconding shall be carried out by a joint decision by the competent Minister of Interior and Administrative Reconstruction and the other competent minister, notwithstanding any general or special provision, on a proposal from the Administrative Director of the Appeals Authority, who shall assess the candidates' formal and substantial qualifications. The same process shall take place when prolonging secondments. The Appeals Authority may, in order to cover its needs, undertake service contracts, according to the provisions in force, with interpreters who have the necessary qualifications and are selected from a roster drawn up by the Central Administrative Service in accordance with the Internal Regulation of the Authority. The interpreters shall be paid in accordance with the conditions set in the relevant contract for the provision of independent services. Their remuneration, the procedure and the documents necessary for payment in the execution of those contracts shall be defined by a joint decision by the Minister of the Interior and Administrative Reconstruction and the Minister of Finance.

10. A joint decision by the Minister of the Interior and Administrative Reconstruction and the Minister of Finance shall establish a three-member

Selection Committee, entrusted with the examination of applications and the selection of the Administrative Director of the Central Service of the Appeals Authority as well as the examination of applications and the selection of members of the Appeals Committees. The Selection Committee shall be composed of:

- a) a Deputy Ombudsman and his deputy as president, appointed by decision of the Ombudsman,
- b) a Councillor of the Supreme Council for Civil Personnel Selection and his deputy as a member,
- c) an academic, member of the teaching staff of a Greek university in the fields of law, political, social sciences or humanities as a member and his substitute with similar qualifications to be indicated by the United Nations High Commissioner for Refugees.

11. The joint ministerial decision in paragraph 10 above shall also determine the formal and substantial qualifications as well as formal impediments for candidates to the position of Administrative Director, the required documentation, the reception, control of whether the applications meet the formal qualifications (pre-selection) and shall regulate the procedural aspects for the public interview by the Selection Committee of the candidates; during the interview, the Selection Committee shall assess the competence and qualifications, the skills and the personality of the candidates. The same decision shall assign the National Centre for Public Administration and Local Government with the organization and conduct of this procedure.

12. The joint ministerial decision in paragraph 10 above shall also regulate the procedures for organizing and conducting the examination of the applications and the selection of the members of the Appeals Committees, it shall establish the formal and substantive qualifications as well as formal impediments for candidates, the required documentation, the conditions for maintaining the confidentiality, integrity and transparency of the written examination procedure, as well as the grading scale, the details and stages of the examination process; this process shall include: a) the reception control of whether the applications meet the formal qualifications (pre-selection) b) a written examination on the modules "International Protection" and "Applications of Administrative Law", which shall be carried out under the responsibility of the Selection Committee in collaboration with the National Centre for Public Administration and Local Government c) a

public interview by the Selection Committee, which shall assess the competence and the qualifications, the skills and personality of the candidates. The public interview shall be the third stage of the procedure; participation to it shall be open to candidates, ranked in order of their performance, and to a limit of thrice the number of the predetermined number of members of the Appeals Committees to be selected and only for candidates having received the lowest passing grade; candidates with a grade identical to that of the last successful candidate, shall be invitation in addition, if the case be. The Selection Committee shall prepare the topics and the answers to the written examination. The examination call, its conduct and the grading of the written examination shall be conferred, with the aforementioned joint ministerial decision, to the National Centre Public Administration and Local Government.

13. The cost of the selection process of the Director and the members of the Appeals Committees, including the examination processes, shall be borne by the Appeals Authority's budget.

Article 6

Budget - Financial Management - Procurement -Premises of the Authority

1. The Appeals Authority shall have its own budget as a separate entity within the Ministry of Interior and Administrative Reconstruction; this budget shall contain the appropriations for its operating needs and its staff. Specifically, it shall include appropriations for expenditure on:

a) salaries of staff members not paid by the services from where they have been seconded, any overtime pay, remuneration and compensation of the members of Appeals Committees, fees for interpretation services if not covered by other resources, travel expenses and other related allowances, b) purchasing, leasing, repairing and maintenance costs of buildings and all kinds of material equipment, c) operating expenses, and training and education costs for staff and members of the Appeals Committees.

2. The budget of the Appeals Authority shall also include appropriations for any other expenditure, beyond those listed in paragraph 1, necessary for the operation of its services, by joint decision of the Ministers of Finance and Interior and Administrative Reconstruction.

3. The Appeals Authority shall receive a permanent advance of upfront funds to deal with its regular expenses, according to the provisions of article 108 of law 4270/2014 (OG A' 143).
4. The financial management of the Appeals Authority shall be exercised by its competent services and the costs incurred shall be controlled, cleared, ordered and paid in accordance with the regulations for public accounting.
5. A joint decision by the Ministers of Finance and Interior and Administrative Reconstruction shall specifically regulate the management of equipment, money issues, and any other related matter, if necessary.
6. The Appeals Authority may be housed in buildings of the State, of State entities or of local government or of other bodies provided free of charge or in privately owned buildings leased at the expense of the State.
7. The Appeals Authority shall be designated as the competent authority to issue an order authorizing access to nationally classified material for its staff and members of the Committees; it shall also be designated as the responsible directorate for security matters, in application of the National Security Regulation (NRA) as far as the Authority is concerned. The Authority shall include a resident lieutenancy, as per the provisions of the National Security Regulation, in charge of which shall be the Administrative Director of the Appeals Authority.

Article 7

General and enabling provisions

1. The staff of the Asylum Service and the Appeals Authority shall be provided the necessary training by the Ministry of Interior and Administrative Reconstruction, in cooperation with the UNHCR and other relevant bodies.
2. A presidential decree, issued upon proposal of the Ministers of Interior and Administrative Reconstruction and Finance may, even by modifying the provisions of this law, regulate matters concerning the organization, operation, headquarters and specific functions of the Central Asylum Service and Regional Asylum Services, merge or abolish existing services and establish new ones, increase or decrease the number of permanent staff posts or create new ones and regulate staff duties.
3. Presidential decrees issued upon proposals by the Ministers of Interior and Administrative Reconstruction, Finance, Foreign Affairs, Labour, Social Security and Social Welfare, Education, Research and Religious Affairs,

Health and Justice, Transparency and Human Rights shall regulate the procedures for receiving applicants for international protection, the procedures for the submission and examination of applications for international protection, the procedures for the recognition of refugee status or granting subsidiary protection status or humanitarian status and the content thereof. A similar decree shall regulate the procedure for examining applications for international protection or appeals pending at the moment of the entry into force of the Asylum Service and the Appeals Authority. A presidential decree, issued on recommendation of the Ministers of Labour, Social Security and Welfare and of the Interior and Administrative Reconstruction shall regulate matters pertaining to the access to the labour market, and more specific conditions for the employment of beneficiaries of international protection, applicants for international protection and holders of residence permits on humanitarian grounds in accordance with the provisions of Article 28 of Presidential Decree 114/2010 (O.G. A'195), paragraph 1 of Article 8 of Presidential Decree 61/1999 (O.G. A'63) or paragraph 4 of article 25 of law 1975/1991 (O.G. A' 184).

4. The Minister of Interior and Administrative Reconstruction shall issue, with a decision, the Internal Regulation of the Asylum Service, on a proposal by its Director; it shall regulate specific matters of internal structure and operation of the Asylum Service. A similar decision shall issue the Internal Regulation of the Appeals Authority regulating specific matters of internal structure and operation of the Authority. The decision of the previous sentence shall be issued following a relevant proposal by a committee consisting of the Administrative Director, the members of the three-member non-remunerated committee of article 5, paragraph 6 above and the Head of the Legal Support Department of the Appeals Authority.

5. Decisions rejecting an application for international protection or withdrawing that status may be challenged under the provisions for the quasi-judicial appeal referred to in articles 61 and 62 below.

6. The responsibility for issues pertaining to the personnel of the Asylum Service and the Appeals Authority shall belong to the Staff Administrative Councils, which are competent for the civilian staff in the Ministry of Interior and Administrative Reconstruction. When these Councils examine issues related to the personnel of the above services, representatives elected by the personnel of the Asylum Service and the Appeals Authority shall attend as staff elected members of these councils. The process and generally all

matters relating to the election of these representatives shall be governed by the provisions of articles 159-162 of Law 3528/2007 (O.G. A' 26), as amended and in force, referring to civilian civil servants.

7. A presidential decree, issued upon proposal of the Ministers of the Interior and Administrative Reconstruction, Finance, Culture and Sport, Education, Research and Religious Affairs, Labour, Social Security and Welfare, Health, Foreign Affairs and Justice, Transparency and Human Rights shall regulate the procedures for determining the status of a stateless person, the content thereof, and any other relevant issue.

8. A decision of the Minister of Interior and Administrative Reconstruction and the competent on each case Minister, where required, shall regulate matters relating to the procedure and conditions for providing aliens and stateless persons with temporary protection, the procedure and conditions for providing legal aid to applicants for international protection, the procedure and conditions for determining whether an applicant for international protection is a minor, and issues relating to the application of the provisions of the presidential decrees to be issued pursuant to this article.

9. A joint decision of the Ministers of Finance, Economy, Development and Tourism and the Interior and Administrative Reconstruction shall specify the type, content and specifications of residence permits, which will be granted to beneficiaries of international protection, under the provisions of article 25, paragraph 2 of the Geneva Convention signed on 28/4/1951, which was ratified by Decree 3989/1959 (O.G. A' 201) and amended by the relevant New York Protocol of January 31, 1967; of article 1 paragraph 2, case e of law 3907/2011 (O.G. A' 7), as amended and in force; of EC Regulation 1030/2002 of June 13, 2002 on the "uniform format for residence permits for third country nationals» (O.J. L' 157, 15.6.2002) and its Annex, as amended by Council Regulation 380/2008 of 29.4.2008.

10. A decision of the Minister of Interior and Administrative Reconstruction shall define the type, content and requirements of the applicant for international protection's card, which shall be a temporary title and which shall be provided to applicants for international protection in accordance with article 41, paragraph 1 (d).

11. A joint decision of the Ministers of Interior and Administrative Reconstruction and Foreign Affairs, issued on the recommendation of the Director of the Asylum Service, shall establish the countries designated as

safe countries of origin for the purposes of examining applications for international protection in accordance with article 57.

12. A joint decision of the Ministers for Interior and Administrative Reconstruction, Foreign Affairs and Finance shall determine the terms and conditions specified for the resettlement of refugees from third countries, in application of the recommendations, decisions or any other relevant act by the EU institutions and other international organizations.

CHAPTER B

Reception and identification Service

Article 8

Establishment -Mission- Structure

1. It is hereby established, within the Ministry of Interior and Administrative Reconstruction, an autonomous service entitled “Reception and Identification Service” (RIS) which shall depend from the General Secretariat for Reception, as this is set up in article 26 of this law.

2. The Reception and Identification Service shall operate at a level of a Directorate and its main mission shall be the efficient conduct of the procedures for receiving and identifying third country nationals or stateless persons entering the country without complying with the legal formalities.

To this end, the Reception and Identification Service shall be responsible for:

A. The registration, identification and data verification procedures, medical screening, identification of vulnerable persons, the provision of information, especially for international or another form of protection and return procedures, as well as the temporary stay of third-country nationals or stateless persons entering the country without complying with the legal formalities and their further referral to the appropriate reception or temporary accommodation structures.

B. The establishment, operation and supervision of centres and structures for the purposes of those procedures.

C. The establishment, operation and supervision of Open Temporary Reception facilities for third-country nationals or stateless persons who have requested international protection.

D. The establishment, operation and supervision of Open Temporary Accommodation Structures for third-country nationals or stateless persons who are under a return, removal or readmission procedure in accordance with article 22 of law 3907/2011 (O.G. A' 7) or with paragraph 3 of this article in conjunction with article 30 of law 3907/2011 or whose removal has been postponed in accordance with Article 24 of law 3907/2011 or who fall under the provisions of Article 76 para. 5 or 78 or 78a of Law 3386/2005 (O.G. A' 212).

3. The Reception and identification Service shall consist of the Central Office and the Regional Services. The Central Office shall be structured in the following departments:

a. Department of Information and International and European Cooperation which shall support the Director and shall be divided into: aa) the Information Office, entrusted with communication and public information issues, bb) the Office for International and European Cooperation which shall follow and assess the developments in the field of asylum and other forms of international protection, shall submit proposals for the necessary modifications and improvements and shall be entrusted with representing the country at European and international level on matters pertaining to the competences of the Service. The Department shall have a Secretariat supporting the Director.

b. Department of Coordination: it shall be competent to coordinate the activities of the Regional Reception and identification and shall organize, coordinate and supervise the Mobile Reception and identification Units. It shall submit proposals for the necessary modifications and improvements, shall be in charge of liaising and cooperating with the Asylum Service and with other competent State services and independent authorities as well as with other civil society organizations and legal entities, and shall maintain rosters of accredited civil society organizations and interpreters.

c. Department of Finance: it shall draw up and implement the budget of the Reception and identification Service. It shall be competent to draft and authorize supplies for the Service and deal with matters pertaining to salaries, indemnities and other form of emoluments to staff, appointment of

public accounting officials, the division, reapportioning and control of the movement of the permanent advance and all other relevant matter.

d. Department of Planning, Program Management and Implementation: It shall draft proposals, submit them and implement actions funded by European, institutional or other funds and shall be in charge of the programming, management, evaluation and implementation of these programs.

e. Department of Informatics: It shall support the information system of the Service, shall be responsible for its appropriate connection with data records kept by other public services or other relevant authorities of EU Member States, within the framework of relevant agreements and shall be responsible to collect, process and maintain statistical data provided by the Regional Reception and identification Services.

f. Department of Human Resources and Administrative Support which shall be divided into: aa) the Human Resources Office, assigned with matters of appointment, secondment, transfer, movement, availability to the service, skills, evaluation, promotion, leave of absence, disciplinary actions and any other matter related to the Service's personnel and competent to issue the relevant administrative acts. It shall also organize training, further training and continuous training of the Service's personnel and shall ensure quality for the services provided by Regional Reception and identification Services; and bb) Administrative Support Office, assigned with the secretarial support to the Central Reception and identification Service and with handling its correspondence; it shall also be competent to deal with the smooth operation of the Reception and identification Service premises, manage its supplies and to keep records.

g. Legal Department: it shall be competent to prepare and draft the necessary legislative and more generally regulatory texts and circulars and provide legal support to the Service and the Regional Services on matters pertaining to its operation and exercise of their competences. It shall also be competent to draft advice on questions relating to the Service's mission when preparing official documents in reply to parliamentary questions and to apply correctly the existing legislation.

h. Department of Technical Support: it shall be competent to deal with, plan and supervise the maintenance, repair, adaptation and extension of the buildings and premises of the Reception and identification Services so as to ensure their smooth operation, to organize the necessary connections

between the Regional Services premises and the required services and organisms and to monitor the relevant consuming bills.

4. The Regional Services of the Reception and identification Service shall be:

- a. The Reception and Identification Centres (RIC)
- b. Mobile Reception and Identification Units (MRIU)
- c. The Open Temporary Reception Structures for third-country nationals or stateless persons who have applied for international protection,
- d. The Open Temporary Accommodation Structures for third-country nationals or stateless persons:

who are under a return procedure in accordance with article 22 of law 3907/2011, or with paragraph 3 of this article in conjunction with article 30 of law 3907/2011 or whose removal has been postponed in accordance with Article 24 of law 3907/2011 or who fall under the provisions of article 76 para. 5 or article 78 or article 78a of law 3386/2005.

5. The Central Service shall plan, direct, monitor and supervise the activities of the Regional Services and shall ensure the necessary conditions for the exercise of their functions in cooperation with other competent services. To this end, the Central Service may develop international cooperation, in particular with the competent foreign authorities, international organizations, bodies and agencies of the European Union or its Member States, and participate alone or together with other public services or civil society organizations in programs and actions funded by the European Union or other bodies.

Article 9

Reception and identification procedures

1. All third-country nationals and stateless persons who enter without complying with the legal formalities in the country shall be submitted to reception and identification procedures. Reception and identification procedures shall include: a) the registration of their personal data and the taking and registering of fingerprints for those who have reached the age of 14, b) the verification of their identity and nationality, c) their medical screening and the provision of any necessary care and psycho-social support, d) informing them about their rights and obligations, in particular the procedure for international protection or the procedure for entering a voluntary return program, e) attention to those belonging to vulnerable

groups, in order to guide them to the appropriate, in each case, procedure and to provide them with specialized care and protection, f) referring those who wish to submit an application for international protection to start the procedure for such an application, g) referring those who do not submit an application for international protection or whose application is rejected while they remain in the RIC to the competent authorities for readmission, removal or return procedures.

2. Third-country nationals or stateless persons residing in Greece without complying with the legal formalities, and whose nationality or identity cannot be certified by a public authority document shall also be submitted to reception and identification procedures.

Article 10

Structures

1. A joint decision by the Minister of Finance and the Minister of the Interior and Administrative Reconstruction shall establish Reception and identification Centres in border areas of Greece, where this is deemed necessary, taking into account the number of persons entering without complying with the legal formalities. Within these Reception and identification Centres, the operation of a Regional Asylum Office, or an Autonomous Asylum Unit or a Mobile Asylum Unit of the Asylum Service shall be possible.

2. Reception and identification Centres shall also be established by joint decision of the Minister of Finance and the Minister of the Interior and Administrative Reconstruction in inland areas, for the purposes of the reception and identification procedures.

3. The Director of the Service may, by decision, set up Mobile Reception and identification Units in parts of the territory where the provision of reception and identification services is deemed necessary, in particular where a large number of persons enter without complying with legal formalities, and their referral to a Reception and identification Centre is not immediately feasible or appropriate.

4. A joint decision by the Minister of Finance and the Minister of the Interior and Administrative Reconstruction shall set up Open Temporary Reception Structures for the reception of applicants for international protection.

5. A joint decision by the Minister of Finance and the Minister of the Interior and Administrative Reconstruction, shall set up Open Temporary Accommodation Structures for third-country nationals or stateless persons who enter, or reside in, the country without complying with the legal formalities, who are: a) under a return procedure in accordance with article 22 of law 3907/2011 or with paragraph 3 of this article in conjunction with article 30 of law 3907/2011; or b) whose removal has been postponed in accordance with Article 24 of law 3907/2011; or c) who fall under the provisions of article 76 paragraph 5 or article 78 or article 78a of law 3386/2005.

6. Within Reception and Identification Centres, Open Temporary Reception Structures and Open Temporary Accommodation Structures separate areas shall be set up for third-country nationals or stateless persons belonging to vulnerable groups as per article 14, paragraph 8 below.

Article 11

Staffing

1. It is hereby established, within the Reception and Identification Service, the post of the Director. The Director shall be appointed by decision of the Minister of the Interior and Administrative Reconstruction, following a public call of interest, for a three-year term, which may be renewed once. The Director shall be a person of recognized standing, with a university degree, with competence in management and specialization and/or experience in the field of international protection, human rights or international law. The Director shall be in charge of the Reception and Identification Service, that is the Central Service and the Regional Services and shall be controlled by the Minister of the Interior and Administrative Reconstruction who may dismiss him/her before the end of his/her mandate either because s/he resigns or in case s/he is unable to perform his/her tasks or for any other serious reason related to the exercise of his/her duties. The Director shall be a Greek citizen. The exercise of any other public office by the Director during his/her term of office shall be suspended; s/he shall not carry out any other professional activity, shall not take up other remunerated tasks in the public or the private sector, nor any other non-remunerated task in a field related to his/her duties. The remuneration of the Director shall be determined by joint

decision of the Minister of Finance and the Minister of the Interior and Administrative Reconstruction.

2. Each Reception and Identification Centre shall be headed by a Manager. The Manager shall have a university degree with capacity and experience in management and/or specialization in the field of human rights. S/he shall be appointed by decision of the General Secretary for Reception, following a recommendation of the Director of the Service for a term of one year, renewable for a further two years and his/her term may be further prolonged or renewed depending on the service needs, following an open call of interest by the Minister of Interior and Administrative Reconstruction. The Manager shall be in charge of the Reception and Identification Centre and shall be controlled by the Director of the Service. The General Secretary for Reception may dismiss the Manager before the end of his/her mandate at his/her own request, or in case s/he is unable to perform his/her tasks or for any other serious reason related to the exercise of his/her duties. The remuneration of the Manager shall be established by a joint decision by the Minister of Interior and Administrative Reconstruction and the Minister of Finance. In case the Manager is a civil servant, s/he shall receive a responsibility allowance at the level of Head of Directorate and his/her term of office shall be considered as a period of exercise of Head of Directorate tasks.

3. The function of the Heads of the identification and nationality verification unit and of the unit of external guard and security, as per article 13, paragraph 1, points (b) and (e) below, shall be exercised by an official of the Hellenic Police of a level of at least Police Captain grade A' who shall cooperate with the Manager for the performance of the duties related to the above units and shall have the responsibility to work together with officials of the European Agency for the Management of Operational Cooperation at the External Borders of the EU made available to support the functions of the Reception and Identification Centre.

4. Each Mobile Reception and Identification Unit shall have a Head of Unit, following a relevant decision by the Director of the Service. The Head of the Unit shall receive the allowance for heads of unit, paid for as long as s/he shall perform these functions and his/her term of office shall be considered as a period of exercise of Head of unit tasks. Police staff, made available by the Hellenic Police, and having as their Chief Officer a police officer of a level

of at least Police Lieutenant grade A' shall participate in each Mobile Reception and Identification Unit; their tasks shall be similar to those of the identification and nationality verification and of external guard and security units of the RICs.

5. The Open Temporary Reception Structures for applicants for international protection and the Open Temporary Accommodation Structures shall operate at the level of a unit. They shall be headed by a civil servant or private person who shall hold a university degree with capacity and experience in management and/or specialization in the field of human rights; s/he shall be appointed by decision of the Director of the Reception and Identification Service or shall be employed by the State by a fixed-duration works contract for one year, following an open call of interest by the Director. In the case of Open Temporary Reception Structures for applicants for international protection, the appointment of their Head shall take place following a recommendation by the Director of the Reception Directorate of the General Secretariat for Reception.

6. The Reception and Identification Service shall be staffed by public civil servants transferred, moved or seconded from other services of the State, or of the wider public sector (Article 2 of Law 3861/2010 - O. G. A' 112) or of state legal entities or of the local government or who are recruited as permanent staff or under an employment contract of indeterminate duration, in accordance with the provisions in force. For the purposes of filling of the posts, the Administrative Director of the Service shall carry out a public call of interest. The transfers, movements and postings shall be made in derogation of existing provisions in order to meet the staffing needs of the Reception and Identification Service. Priority shall be given to transfer to the Reception and Identification Service staff from services of the state, the wider public sector (Article 2 of Law 3861/2010), public entities, or local government authorities, which are to be abolished or merged. The transfers shall be made to vacant posts; if there is no vacancy, the post of the employee transferred shall also be transferred by a joint decision of the competent Ministers, upon proposal of the Director of the Service. The transfer shall be made following a public call of interest from the Director of the Service which shall identify the general and specific qualifications, the criteria and the selection process for those to be transferred; it shall not be required to apply the provisions of paragraph 1 of article 68 of Law 4002/2011 (O.G. A'. 180). The Service shall inform, failing which the relevant

act shall be null and void, thereof the Commission set by the Act of the Government number 33/2006 (A' 280) as amended, as well as the relevant departments of the Ministry of Interior and Administrative Reconstruction on the number and grades of the posts to be covered by the transfers. The transfer shall be made at the grade and salary step held by the person to be transferred who shall also retain the social security and pension insurance schemes held prior to transfer. Seconding of staff shall be carried out by a joint decision of the competent ministers, notwithstanding any other general or special provision, on a proposal from the Director of the Reception and Identification Service, who shall assess the formal and substantial qualifications of the candidates; the same process shall take place for the prolongation of the seconding of such staff. The transfer shall be carried out by a joint decision of the competent ministers, according to paragraph 1 of article 68 of law 4002/2011 (O.G. A' 180), notwithstanding any other general or special provision. Seconded employees shall receive the regular salary of their post. Such salary shall be borne by the budget of the Ministry, Office or Agency where the seconded employee belongs. If the seconded employee is entitled to a position allowance, because s/he has taken up the position of a head of unit or department, the Reception and Identification Service shall pay it. The Reception and Identification Service may hire staff under fixed-term private law contracts under the conditions and the procedure laid down in law 2190/94 (O.G. A' 28), as amended and supplemented by law 2527/1997 (O.G. A' 206) and presidential decree 164/2004 (O.G. A' 134).

7. The following posts shall be established for the staff of the Reception and Identification Service by category and grade:

- a. 70 posts in category Administration and Finance, for the grade of university graduates
- b. 4 posts in category IT for the grade of university graduates
- c. 2 posts in category Communications and Media for the grade of university graduates
- d. 70 posts in category Administration and Accounting for the grade of technical university graduates
- e. 10 posts in category IT for the grade of technical university graduates
- f. 160 posts in category Administration and Accounting, for the grades of secondary school graduates
- g. 60 posts in category Medical Doctors for the grade of university graduates
- h. 85 posts in category Nurses for the grade of technical university graduates

- l. 20 posts in category Sociologists for the grade of university graduates
- j. 60 posts in category Social Workers for the grade of university graduates
- k. 85 posts in category Social Workers for the grade of technical university graduates
- l. 60 posts in category Psychology for the grade of university graduates
- m. 5 posts in category Law for the grade of university graduates
- n. 2 posts in category European and International Studies for the grade of university graduates
- o. 15 posts for special scientific personnel
- p. 3 posts in category Mechanical Engineering for the grade of university graduates
- q. 3 posts in category Architects for the grade of university graduates
- r. 3 posts in category Civil Engineering for the grade of university graduates
- s. 3 posts in category Electrical Engineering for the grade of university graduates
- n. 2 posts in category Surveying Engineering for the grade of university graduates
- u. 2 posts in category Structural Work for the grade of technical university graduates
- w. 2 posts in category Electrical Engineering for the grade of technical university graduates
- v. 2 posts in category Mechanical Engineering for the grade of technical university graduates
- x. 25 posts in category Various Technical Specialties for the grade of secondary education graduates

The Director of the Reception and Identification Service shall, with a decision, place the staff within the Central Reception and Identification Service as well as the Regional Services taking into account the call or invitation, the provisions in force as well as the needs of the Service.

8. In order to cover its needs, the Reception and Identification Service may undertake independent services contracts or fixed-duration works contracts, according to the provisions in force, with interpreters who have the necessary qualifications and are selected from a roster drawn up by the Central Service and kept in accordance with its Internal Regulation. The interpreters shall be paid in accordance with the conditions set in the relevant contract for the provision of independent services or fixed-duration works contract, according to the provisions in force. Their remuneration, the

procedure and the documents necessary for payment in the execution of those contracts shall be defined by a joint decision by the Minister of the Interior and Administrative Reconstruction and the Minister of Finance.

9. To ensure the effective operation of a Reception and Identification Centre, of a Temporary Reception Structure or of a Temporary Accommodation Structure the processing of some of these Structures' tasks, with the exception of those involving the exercise of public authority, such as the issuance of administrative acts or the processing of specific competences of this service, may be entrusted for a set period of time to civil society actors that meet appropriate standards of quality and safety, or to public bodies such as supervised private law public entities. The above assignment shall be made through the conclusion of programming agreements between the Reception and Identification Service and the organisms concerned. The procedure, criteria, specific terms, content and all other related details for selecting the implementing body shall be determined in the relevant call for expression of interest which shall be issued by the Director of the Reception and Identification Service. The implementing body shall be selected by a committee designated by the Director of the Reception and Identification Service. The contract shall specify at least: a) the object of the contract, the plan for the study or service and the pre-estimated total cost, b) the duties of the contractor, c) the modalities to be followed in order to fulfil the necessary expenditure of the contractor and details of their payment, d) the penalties and other consequences against the contractor in the case of culpable defective fulfilment of the contract, e) the terms for fulfilling the duties of the contractor and the end of the contract, f) the modalities and conditions for the financing of the contract awarded by the contracting authority g) the conditions governing the performance of the technical, financial and audit duties by the contracting authority during the implementation stage and h) the acts and actions of the contractor which require the prior approval of the project owner. A joint decision of the Ministers of the Interior and Administrative Reconstruction, of Labour, Social Security and Welfare and of Finance shall determine the specific terms and quality and safety requirements civil society organizations must meet in order to qualify for the provisions of this article. The cost of the contract may be covered by national or co-financed funds, by own resources of these bodies or by other resources, in application of the provision of article 28, paragraph 8 of law 4033/2011, as in force. The Reception Directorate of the

General Secretariat for Reception shall establish and keep a Registry of accredited organizations for that purpose.

10. The staff of the Reception and Identification Service shall receive training on the object of their mission, by the Central Service, in collaboration with the competent ministries and/or international institutions and organizations. The medical personnel, who provide services to the structures of the Reception and Identification Service, shall be trained by the Service, in order to assess victims of torture, in cooperation with international organizations and agencies, such as the UN Committee against Torture, the United Nations High Commissioner for Refugees, and the European Asylum Support Office.

11. The responsibility for issues pertaining to the personnel of the Reception and Identification Service shall belong to the Staff Administrative Councils of the Ministry of Interior and Administrative Reconstruction. When these Councils examine issues related to the personnel of the above services, representatives elected by the personnel of the Reception and Identification Service shall attend as staff elected members in these Councils. The process and generally all matters relating to the election of these representatives shall be governed by the provisions of articles 159-162 of Law 3528/2007 (O.G. A' 26), as amended and in force

12. If a person appointed as a Manager in a Reception and Identification Centre, or as a Head in a Temporary Reception Structure or a Temporary Accommodation Structure is an attorney-at-law, s/he must obligatorily suspend the exercise of his/her legal profession throughout his/her mandate in the above post.

13. The posts of specialized scientific personnel of the Reception and Identification Service can be covered by transfers, movements or secondments from State civil servants or staff from public entities or local government. In case filling them with such staff is not possible, they may be covered with personnel recruited at the university level grade with a degree in law, political, social, technological studies or humanities from other services of the State, public entities or local authorities or other entities of the wider public sector. These transfers of permanent civil servants in posts of specialized scientific personnel of the Reception and Identification Service shall be made with the *ad personam* creation of such posts by the same act as that of the transfer (which shall commit a corresponding number of vacant posts of specialized scientific personnel hired under private law and

indefinite-duration employment contracts, which shall not be covered as long as the aforementioned officials remain in those individual posts).

14. The regional services of the Reception and Identification Service shall operate around the clock, every day of the week including Sundays and holidays, and staff shall work with a shift rotation system, as specified in the internal Regulation of the Reception and Identification Service. The presidential decree provided for in article 18, paragraph 1, shall determine the specific duties and obligations for the staff of the Reception and Identification Service, the employment status, conditions and working hours, the regulation of overtime and specific issues concerning the provision of this service.

15. As concerns the travel and work of the personnel of the Reception and Identification Service within or away of their location, the provisions of subparagraph D9 of article 2 of law 4336/2015 (O.G. A' 94) shall apply. Exceeding the number of days of work away of the location of the employment shall be allowed, in accordance with article 3, paragraph 2, subparagraph D9 of law.4336/2015, up to a total of 180 days per year.

16. In cases of emergency, following a relevant decision by the Director of the Service, a Regional Reception and Identification Service may temporarily be reinforced with staff serving in the Central Office or in another Regional Reception and Identification Service.

17. Employees of Regional Services of the Reception and Identification Service shall be paid the allowance set in article 15, paragraph 1 of law 4024/2011 (O.G. A' 226), as it continues to be paid in accordance with article 18 of law 4354/2015 (O.G. A' 176. The amount of this allowance shall be fixed at one hundred fifty (150) euros per month.

18. The Reception and Identification Service shall be designated as the competent authority to issue an order authorizing access to nationally classified material for its staff and members of the Committees; it shall also be designated as the responsible directorate for security matters, in application of the National Security Regulation (NRA) as far as the Reception and Identification Service is concerned. The Reception and Identification Service shall include a resident lieutenancy, as per the provisions of the National Security Regulation, whose in charge shall be the Head of the Coordination Department of the Reception and Identification Service.

19. Staff at the Reception and Identification Service may wear special clothing suitable for protection against the weather. By decision of the

Director of the Service shall define the terms, conditions, specifications, categories of staff wearing this clothing and any other relevant matter.

Article 12

Budget — Financial management

1. The Reception and Identification Service shall have its own budget as a separate entity within the Ministry of Interior and staff Reconstruction; its budget shall include the necessary appropriations for the operation of the Service, as well as any other expenditure in line with the fulfilment of its purposes. In particular, appropriations shall relate to: a) salaries for seconded staff not paid from the service where they have been seconded from, overtime pay, interpreting service fees, travel costs and other related allowances, b) lease payments for buildings or premises housing the RIS' services which are not State property, c) purchase, lease, repair and maintenance of all kinds of technical equipment, d) assigning civil society actors with the implementation of Regional Services projects, e) operating costs, such as providing food for persons residing in its structures and cleaning costs, training costs for the staff and costs for studies or research in fields of study pertaining to the competences of the Service.

2. The budget of the Reception and Identification Service may also include appropriations for any other expenditure, beyond those listed in paragraph 1, necessary for the operation of its services, by a joint decision of the Ministers of Finance and Interior and Administrative Reconstruction.

3. The Public Investments' Program of the State's budget shall provide appropriations for the payment of projects implemented, in fulfilment of the objectives of the Reception and Identification Service, funded either from EU or national resources which shall refer, but shall not be limited to: a) administrative costs, b) the purchase or expropriation of land or buildings, c) supply and hire of vehicles, d) construction works, e) maintenance works, f) machinery and other capital equipment, g) studies and research, h) financial assistance and subsidies; i) other costs.

4. The Central Reception and Identification Service shall receive a permanent advance of upfront funds to deal with its regular expenses, according to the provisions of article 108 of law 4270/2014 (OG A' 143).

5. The financial management of the Reception and Identification Service shall be exercised by its competent services and the costs incurred shall be

controlled, cleared, ordered and paid in accordance with the regulations for public accounting; they may be financed by programs from the European Union or other European or international bodies, including civil society organizations or from any other resources.

6. To meet its operational needs, the Reception and Identification Service may conclude contracts of service provision or of works, the cost of which may be covered by national or any other kind of resources in accordance with the provisions for Public Accounting.

7. The operating costs of the Reception and Identification Centres may be covered from the approved regular budget in heading 07-450 "First Reception Service", in addition to the budget from the Public Investments Program. The term operating costs of the Reception and Identification Centres shall also cover any costs relating to the accommodation of third country nationals staying in their premises.

8. Supplies for programs whose budget has been approved and which relate to the management of migration and refugee flows and form part of emergency actions (Emergency Measures of the European Funds) or which are qualified as emergency programs, by a decision of the Minister of the Interior and Administrative Reconstruction, may exceptionally and by derogation to any general or special provision, be tendered on the basis of the maximum limits for specific activities and up to the amount of their budget, without requiring to be integrated together with other similar supplies for the regular budget or other funded actions.

Article 13

Administration and structure of regional services

1. Reception and Identification Centres and Mobile Reception and Identification Units shall be structured in functionally distinct units, as follows: a) logistics unit, competent for the administrative support of the Centre or Unit, for the accommodation and food of persons residing within their premises and for the cleaning of these areas, b) identification and nationality verification unit, competent for recording the personal data of third-country nationals and the taking and recording of fingerprints of those who have completed 14 years of age as well as the verification of their identity and nationality, c) medical screening and psychosocial support unit, d) information unit, competent for providing information to third-country

nationals and stateless persons on their rights and obligations, e) external guard and security unit. The General Operating Regulation of the Reception and Identification Centres shall provide for cases when the staff of the external guard and security unit may enter the centre on public order grounds.

2. The Manager of the Reception and Identification Centre shall supervise the logistics unit, the medical screening and psychosocial support unit and the information unit; s/he shall coordinate, provide guidance and monitor the work of the staff employed in the Centre and shall ensure the proper functioning of the Centre in cooperation with the other competent authorities and bodies. As part of his duties, the Manager of the Reception and Identification Centre shall cooperate with the Head of the identification and nationality verification unit and the external guard and security unit, who shall be responsible for the police functions. S/he shall provide guidelines to staff available from the European Agency for the Management of Operational Cooperation at the External Borders of the European Union (EU) operating within the Centre.

3. For the operation of the medical screening and psychosocial support unit, the Reception and Identification Centres and Units may possess ambulances; their license for circulation shall be provided by the competent services of the Ministry of Health.

4. The Open Temporary Reception Structures and the Open Temporary Accommodation Structures shall be structured in functionally distinct units, as follows: a) logistics unit, competent for the administrative support of the Structure, for the accommodation and board of persons residing within them and for cleaning these areas, b) medical screening and psychosocial support unit, c) information unit, competent for providing information to third country nationals and stateless persons on their rights and obligations, d) external guard and security unit. The General Operating Regulation of the Temporary Reception Structures and the General Operating Regulation of the Temporary Accommodation Structures shall provide for cases when the staff of the external guard and security unit may enter the Structure on public order grounds.

5. The competences of the Regional Service units shall be described in detail in regulatory acts to be issued by delegation of this law.

Article 14

Status of residence and procedures in the Reception and Identification Centres and in Mobile Units

1. Third-country nationals or stateless persons entering without complying with the legal formalities in the country shall be directly led, under the responsibility of the police or port authorities dealing in accordance with the relevant provisions, to a Reception and identification Centre. The transfer may also be made under the responsibility of the Reception and identification Service, in case the police or port authorities are unable to provide for it, or in order to carry out, speedily and properly, the transfer of persons belonging to vulnerable groups, as per paragraph 8 below.

2. Third-country nationals or stateless persons entering the Reception and identification Centre, are subject to the procedures set out in Article 9; they shall be placed under a status of restriction of liberty by decision of the Manager of the Centre, to be issued within three (3) days of their arrival. If, upon expiry of the three days, the above procedures have not been completed, the Manager of the Centre may, without prejudice to article 46 below which shall apply accordingly, decide to extend the restriction of the freedom of the abovementioned persons until the completion of these procedures and for a period not exceeding twenty-five (25) days from their entry into the Centre. Alternatively, the Manager of the Reception and identification Centre at the border, may, by a decision, due to urgent needs caused by an increase in arrivals or in order to adequately complete these procedures, in particular in the case of persons belonging to vulnerable groups, refer the third-country national or stateless person to a Reception and identification Centre located inland or to other appropriate structures in order to continue and complete the reception and identification procedure. The said decision shall also provide for the details of the transfer of these third-country nationals or stateless persons between various regional services of the Reception and identification Service. In the context of such procedures, special care shall be given to the provisions of paragraph 8, concerning persons belonging to vulnerable groups, in particular unaccompanied minors.

3. Restriction of liberty shall entail the prohibition to leave the Centre and the obligation to remain in it, in accordance with the provisions and conditions laid down in its Rules of Procedure; residents shall be informed of the content thereof in a language they understand. By way of exception, such

as for reasons of health of a resident in the Centre or of a relative of his/her, the Manager may grant temporary permission to leave these facilities.

4. The decision to extend the restriction of liberty in order to complete the reception and identification procedures shall contain the reasoning, in fact and in law, and shall be in writing. The third country national or stateless person who is under restriction of liberty may, in addition to the rights provided in accordance with the Code of Administrative Procedure, raise objections against the decision to extend his/her restriction of liberty before the President, or a judge designated by the President, of the Administrative Court of First Instance having territorial jurisdiction over the Reception and Identification Centre. Moreover, as far as the objection procedure is concerned, the provisions of paragraphs 4 and 5 of Article 76 of Law 3386/2005 (GG I 212), as in force, shall apply accordingly. The decision on the objections may be revoked at the request of the claimant, if the request to revoke is based on new information, pursuant to Article 205, paragraph 5 of the Code of Administrative Procedure. The third country national or stateless person shall be informed of his rights in accordance with this paragraph. If it is found that the restriction of liberty is unlawful, the judge shall, with the same decision, order the appropriate alternative measures to that of the restriction of liberty.

5. In any event, throughout the reception and identification procedures, the Manager and the staff of the Centre shall, in accordance with the procedure laid down on each case, ensure that that the third-country nationals or stateless persons: a) live under decent living conditions, b) maintain their family unity, c) have access to emergency health care and essential treatment of illness or psychosocial support, d) receive, if they belong to vulnerable groups, the appropriate treatment for each case, e) are adequately informed of their rights and obligations; f) have access to guidance and legal advice and assistance on their situation, g) keep contact with civil society groups and organizations active in the area of migration and human rights and providing legal or social assistance, and h) have the right to contact their family and close persons.

6. European Union agencies, such as the European Asylum Support Office and the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union may provide assistance in the reception and identification procedures, in the context of their competences and in accordance with the General Operating

Regulation. The United Nations High Commissioner for Refugees and the International Organization for Migration may monitor the above procedures, provide information to persons falling under reception and identification procedures and provide any other form of assistance, in accordance with the mandate and the competences of each agency. The modalities of cooperation of the preceding indents shall be governed by Memoranda of Understanding to be concluded between the Reception and identification Service and the aforementioned bodies.

7. The information unit of the Reception and identification Centre shall inform third country nationals or stateless persons of their rights and obligations as well as of the procedures to receive international protection status and the procedures for voluntary repatriation. Applicants for international protection shall be referred to the competent Regional Asylum Office, a unit of which may operate inside the Centre. At any stage of the proceedings, the request for international protection shall entail the separation of the applicant from the remaining persons in the Centre, if this is feasible, and his/her referral to the appropriate procedures and/or reception facilities. Receipt of applications and interviews of applicants may be carried out within the premises of the Centre, in a place that ensures confidentiality. Applicants for international protection may remain in the premises for the duration of the application examination procedure, up to a period of twenty-five days from their arrival at the centre. If, after the expiry of that period, the examination of the application is not completed, the competent Regional Asylum Office shall issue the applicant the relevant International Protection Applicant Card, in application of the provisions in part C of this law. Subsequently, the applicant shall be referred by the Reception and identification Centre to the appropriate reception structures. If the application and any appeal lodged are rejected while the applicant remains in the Reception and Identification Centre, s/he shall be referred to the competent authority in view of his/her return, readmission or removal procedures.

8. The Manager of the Centre or the Unit, acting on a proposal of the Head of the medical screening and psychosocial support unit shall refer persons belonging to vulnerable groups to the competent social support and protection institution. A copy of the medical screening and psychosocial support file shall be sent to the Head of the Open Temporary Reception or Accommodation Structure or competent social support and protection

institution, as per case, where the person is being referred to. In all cases the continuity of the medical treatment followed shall be ensured, where necessary. As vulnerable groups shall be considered for the purposes of this law: a) Unaccompanied minors, b) Persons who have a disability or suffering from an incurable or serious illness, c) The elderly, d) Women in pregnancy or having recently given birth, e) Single parents with minor children, f) Victims of torture, rape or other serious forms of psychological, physical or sexual violence or exploitation, persons with a post-traumatic disorder, in particularly survivors and relatives of victims of ship-wrecks, g) Victims of trafficking in human beings.

Persons belonging to vulnerable groups can remain in Reception and identification Centres in special areas until completion of the procedures laid down in article 9, without prejudice to the deadlines set out in paragraph 2 above. Reception and Identification Services shall take special care to cater for the particular needs and the referral of families with children under the age of 14, especially infants and babies.

9. Whenever, at any stage of the procedure, doubts arise as to whether a third-country national or stateless person is a minor or not, the Manager of the Centre shall, by decision, refer him/her to the age assessment procedures as per the provisions in force. In any case and until the age assessment ruling is issued, the person shall be considered to be a minor and shall receive the relevant treatment.

10. Upon the completion of the reception and identification procedures, third-country nationals or stateless persons who do not fall under the provisions of international protection or other forms of protection and who possess no legal residence title in Greece, shall be referred, by decision of the Manager of the Centre, to the competent police authority for the return, readmission or expulsion procedures, in accordance with the relevant provisions.

11. The provisions of this article shall apply, mutatis mutandis, to Reception and Identification Mobile Units.

Article 15

Management and status of residence in the Open Temporary Reception and Temporary Accommodation Structures

1. The Head of the Open Temporary Reception or Temporary Accommodation Structure shall coordinate, provide guidance and monitor the work of the staff working in it and ensure its proper functioning in cooperation with other authorities and bodies, in accordance with the specific provisions in its Internal Regulation.
2. Persons residing in these structures shall be able to enter and leave them freely, on condition that they comply with their obligations, as reflected in their Internal Regulation, subject to possible restrictive measures in accordance with Article 22, paragraph 3 of law 3907/2011.

Article 16

Security — Premises

1. The Hellenic Police shall be responsible for the security of the premises of the Regional services of the Reception and Identification Service. Guarding the open Temporary Reception and Temporary Accommodation Structures may be assigned to appropriately trained personnel of private companies providing security services. A decision of the Minister of Interior and Administrative Reconstruction shall specify the kind, the content and the duration of the training received by the personnel of such companies and the Hellenic Police services which shall provide it.
2. If there are no suitable facilities for carrying out the procedures foreseen or if those existing are not sufficient, it is authorized to use, by derogation of existing provisions, other public premises, after their appropriate rearrangement as well as leasing properties with the appropriate infrastructure or, in very urgent cases, leasing tourist installations. The use of such facilities shall be determined by decision of the Director of the Reception and Identification Service.
3. Exceptionally for the housing needs of the Reception and Identification Centres, of the Open Temporary Reception Structures and of Open Temporary Accommodation Structures, it shall be authorized to change the use of existing buildings outside City Planning areas, by derogation of the allowed land use. In the case of leased private properties, the derogation shall apply for the duration of the new use. For the same, as above, housing needs it shall be permitted, in exceptional cases of extreme and compelling urgency or national interest, to erect or construct prefabricated installations

in State-owned plots outside City Planning areas or inside the above leased private properties, if there is enough space, by derogation from the current provisions. The minimum surface area of such plots for the establishment of the above facilities shall be 4.000 square meters. The overall coverage rate of the plot shall not exceed thirty per cent (30 %) while the build-up density rate shall not be higher than 0,5. In any case the total built surface shall not exceed 15.000 square meters. In this case, too, the derogation shall apply for the duration of the new use; the installations shall be of a temporary nature, they shall be removed, and cannot be used for any other purpose. The change of use and the constructions shall not be subject to a construction authorization; an approval for small-scale works shall suffice. A joint ministerial decision of the Ministers of Finance, Environment and Energy and of Interior and Administrative Reconstruction shall establish, for each specific case of construction of new facilities, the building conditions and restrictions and any specific conditions for these installations, as well as all other necessary details for the implementation of this paragraph. This decision shall act in lieu of an approval for small-scale works. It shall also act in lieu of an approval of environmental conditions for the operation of these installations, where these are served by an existing networks infrastructure. The same decision shall approve the environmental conditions where these installations are not served by existing networks infrastructure.

4. For the purposes of housing the services of the Reception and Identification Service, it shall be allowed to use camps granted for use by the Ministry of National Defence or bodies supervised by the Ministry of Interior and Administrative Reconstruction either for rent in the context of co-financed programs or free of charge and by derogation to any urban planning provisions of any level. In case any repairs, improvements and additional installations to these premises are necessary, the Ministry of Interior and Administrative Reconstruction shall apply *mutatis mutandis* the provisions governing the implementation of works and military installations inside camps. A joint decision of the Minister of Finance, the Minister of Defence, the Minister of Energy and Environment and the Minister of Interior and Administrative Reconstruction shall lay down the conditions and details for the application of the above provisions. Buildings that are State property may also be offered free of charge by the State Properties Company, in accordance with the provisions in force, in order to address the housing needs of the Reception and Identification Service.

5. In order to construct, establish and operate the structures mentioned in the preceding paragraphs, it shall be authorized to change the use of existing buildings inside and outside City Planning areas, and to undertake the necessary internal re-adaptations by issuing an approval for small-scale works. In such cases, the provisions of article 28, paragraph 8 of law 4033/2011 (O.G. A' 254), as in force, shall apply accordingly.

6. The repair, maintenance, extension and arrangement of State buildings housing services of the Reception and Identification Service, shall be made care of the Technical Support Department following a specific study thereof, according to the legislation in force.

Article 17

Enabling provisions

1. A presidential decree, issued upon proposal of the Ministers of Interior and Administrative Reconstruction and Finance may, even by modifying the provisions of this law, regulate matters concerning the organization, operation, staff duties, specific functions and increase or decrease the number of permanent posts for staff in the Central Service and the Regional Services of the Reception and Identification Service.

2. A joint decision of the Ministers of Interior and Administrative Reconstruction and of Health, shall establish the General Operating Regulation of the Reception and Identification Centres and Units; The Regulation shall determine specific matters of internal structure and operation of the Centres and Units and regulate details of the procedures to be followed in each case and other related issues. A similar decision shall establish the General Operating Regulations of Temporary Reception and Temporary Accommodation Structures.

3. The Regional Services of the Reception and Identification Service shall be governed by their Internal Regulation. In particular, the Internal Regulation of the Reception and Identification centres and of the Temporary Accommodation Structures shall be issued by the Director of the Service after consulting the Managers of the Centres or the Heads of the Structures. The Internal Regulation of the Temporary Accommodation Structures shall be issued by the Director of the Service, following an opinion by the competent Directorate for Reception of the General Secretariat for Reception of the Ministry of the Interior and Administrative Reconstruction.

4.A decision of the Minister of the Interior and Administrative Reconstruction shall allocate the staff posts among the various Regional Services of the Reception and Identification Service.

5. A joint decision of the Minister of Finance and the Minister of the Interior and Administrative Reconstruction shall specifically regulate the management of equipment, money issues, and any other related matter, if necessary.

6. A joint decision of the Minister of Finance and the Minister of the Interior and Administrative Reconstruction shall also allow entering in the budget of the Reception and Identification Service appropriations for any other expenditure, beyond those listed in article 12, necessary for the operation of its services.

7. The program for medical screening, psychosocial diagnosis, age assessment and referral to support and accommodation structures shall be established by decision of the Minister of Health.

8. Staff of the Hellenic Police who have been seconded as ordered, in accordance with the provisions of article 19 of Presidential Decree 100/2003 (O.G. A' 94) to the border of the country or to guard Reception and Identification Centres, Temporary Reception Structures and Temporary Accommodation Structures or facilities where third-country nationals or stateless persons are detained shall receive travel costs and per diem throughout the duration of their secondment and for a period of up to six months per calendar year.

9. In the case that the existing installations of the Regional Services of the Reception and Identification Service are not sufficient, the Minister of the Interior and Administrative Reconstruction may allow by a decision, by way of derogation from the existing planning regulations, to use any appropriate installation for this purpose or to build temporary premises. The same decision shall also regulate any specific matter concerning in particular the duration of the use of these facilities, their purpose, the internal regulation of the installation, as well as the possibility of entrusting to, or cooperating with, other bodies, whether public or private, in which case the competent minister shall also be involved, in the setting up, management, staffing or support of these installations and their supervision and monitoring.

10. The Director of the Reception and Identification Service may, upon recommendation of the Head of the competent Regional Office, decide that, when the existing Regional Services are not sufficient, applicants for

international protection or persons in return, expulsion or readmission procedures, particularly those belonging to vulnerable groups, can be referred to structures which are operated by other public agencies or civil society organizations.

11. 11. A presidential decree issued on a proposal of the Ministers of Justice, Transparency and Human Rights and the Interior and Administrative Reconstruction shall regulate the process of appointing a guardian or representative of unaccompanied minors, as that term is defined in the applicable provisions, the duties, competences, responsibilities and monitoring of guardians, the conditions and the accreditation process and any other relevant matter. A decision of the aforementioned Ministers shall regulate further details for the implementation of the presidential decree of the previous section.

CHAPTER C

Article 18

Modification of Law 4018/2011 (O.G. A' 215)

1. The sixth indent of paragraph 4 of article 2 of Law 4018/2011 (O.G. A' 215) shall be amended and replaced by the following:

“75% of the revenue entered in the budget line for expenditure of case c) of this paragraph, shall be entered in the budget of the central service of the Ministry of Interior and Administrative Reconstruction and shall be allocated, by decision of the Minister of Interior and Administrative Reconstruction, to other ministries, decentralized government, public legal entities and local government authorities of first and second level which deal with matters related to migration policy, reception and social integration of migrants and beneficiaries of international protection”.

2. The penultimate and last indents of paragraph 4 of article 2 of law 4018/2011 (O. G. A' 215), where article 14, paragraph 9 of law 4332/2015 had been added, shall be amended as follows:

"With similar decisions, it shall be allowed to allocate funds from the same percentage to ministries, decentralized government, public legal entities and local government authorities of first and second level to deal with the emergencies arising from the entry and reception of third-country nationals. These appropriations may be made available to cover any related expenditure to address these needs”.

Article 19

Modification of law 4332/2015 (O. G. A'76) and other provisions

Paragraph 10 of article 14 of law 4332/2015 (O. G. A'76) shall be replaced as follows:

"The public legal entities, local government authorities of first and second level, within the administrative boundaries of which operate First Reception Centres (FRCs), Reception and Identification Centres (RICs) and Open Temporary Reception and Accommodation Structures for refugees or migrants, or have areas which are used to cover the emergency housing needs of refugees and migrants, as well as other legal bodies of these local authorities, may, in order to deal these emergency and urgent needs and by derogation of any provision to the contrary, take all necessary steps and conclude with third parties works contracts, provision of services contracts, contracts of purchasing supplies or goods or contracts leasing movable and immovable property for the reception and accommodation of newly-arrived third-country nationals exclusively in order to cover their temporary housing needs, the operation of these facilities, the transportation from the points of arrival or stay to or from the places of temporary or permanent accommodation facilities, which are located inside and outside their boundaries, to provide food, immediate medical care, burial costs, the managing of humanitarian aid and any other offer in cash or kind, management, transport, storage and distribution thereof, and any other absolutely necessary expense for the purposes of the above objectives.

In order to store and distribute the above-mentioned essentials, the Regions may establish storage and distribution centres, in cooperation with other public bodies, following a relevant decision by the Regional governor or a joint decision with the competent managing agent of the other public body; such decision shall define the conditions of the centres' operation. These Centres may be staffed with personnel from the above bodies.

The procedure for the award of contracts set in the previous indent as well as the award of the similar contracts by the Ministries and decentralized government administrations may, for reasons of emergency and unforeseeable needs and taking also into account public order grounds to be specifically justified, be conducted in a negotiated procedure without publication of a call for tender, by derogation to any other national provision,

with the exception of the European Union legislation concerning public tenders.

These contracts shall be considered, until 31/12/2016, to meet the requirements of the relevant provisions on contingency and emergency needs, brought about by unforeseeable by the contracting authorities events, which did not arise because of their own responsibility, by derogation to the provisions of article 2, paragraph 2 case c) subcase dd) of law 4013/2011.

These costs shall be paid from the budget appropriations of the above, as appropriate, relevant bodies following a decision of the competent organ. By relevant decisions by the Ministers of the Interior and Administrative Reconstruction, Economy and Finance, Development and Tourism, it shall be allowed to allocate funds to the above bodies from appropriations either under the regular budget, the Public Investments Program or from any other source of funding in order for them to deal with the refugee crisis, and exclusively to cover expenses for the actions undertaken in the context of this paragraph alone. In applying this provision, the provisions of articles 26 and 30 of law 4251/2014 shall not apply."

2. By decision from the competent authorizing officer, it shall be allowed to exempt from the procedure set in article 35 of law 4129/2013, as in force, the conclusion of public contracts for the supply of goods, the execution of works or the provision of services which are co-funded from the EU Asylum, Migration and Integration Fund or the Internal Security Fund.

3. The Department of Finance of the Asylum Service of the Ministry for Interior and Administrative Reconstruction may exercise the duties of the competent Financial Service set in article 79, paragraph 3 of law 4270/2014, as in force for the payment of projects funded by the Asylum, Migration and Integration Fund, the Internal Security Fund or other European or international funding and which are entered in the Public Investments Program. The Director, by a decision, shall determine the actions (projects) and the account managers who shall make the payments.

Article 20

Modification of presidential decree 104/2012

1. Paragraph 3 of article 1 of Presidential Decree 104/2012, as in force, is hereby repealed.

2. Point (e) of Article 3 of Presidential Decree 104/2012, as in force, is hereby repealed.

3. Article 4 of PD 104/2012, as in force, shall be replaced as follows:

"Article 4

Structure of the Central Asylum Service

The Central Asylum Service shall be a single Service and shall be structured in the following departments:

- a) Director's Secretariat - Public Relations and Media Office
- b) Department of International and European Cooperation
- c) Legal Department
- d) Coordination Department
- e) Dublin National Unit Department
- f) Human Resources department
- g) Department of Training, Quality Assurance and Documentation
- h) Department of Finance
- i) Program Management and Implementation Department
- j) Department of Administrative and Technical Support
- k) IT Department "

4. Articles 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 18 and 22 of Presidential Decree 104/2012, as in force, are hereby repealed.

5. Articles 13, 14, 17, 19, 20, 21, 23 and 24 of Presidential Decree 104/2012, as in force, shall be renumbered 5, 6, 7, 8, 9, 10, 11 and 12 respectively.

6. Article 5 of Presidential Decree 104/2012, as in force and renumbered under paragraph 5 above, shall be replaced as follows:

"Article 5

Mission of the Regional Asylum Services

Regional Asylum Services and Autonomous Asylum Units shall be under the Central Asylum Service and shall aim, within their territorial jurisdiction, to apply the legislation on international protection, and in particular to:

- a) take the fingerprints of applicants for international protection within the scope of Council Regulation 2725/2000 of 11 December 2000 concerning the establishment of "EURODAC" and to issue identity and travel documents, b)
- receive and examine applications for international protection c) receive the quasi-judicial appeals set in article 5, paragraph 5 of law 3907/2011 and to transmit them to the Appeals Authority, d) inform applicants for international protection on the procedure for examining their applications, as well as their rights and obligations, e) supply applicants for international

protection as well as beneficiaries of international protection with the stipulated identity and travel documents, f) facilitate applicants in terms of reception conditions, in cooperation with other competent bodies, g) exercise any other competence conferred upon them by the provisions in force. "

7. Article 6, paragraph 1 of Presidential Decree 104/2012, as in force and renumbered under paragraph 5 above, shall be replaced as follows:

'1. The Regional Asylum Offices and their territorial jurisdiction shall be as follows:

a) Regional Office Asylum of Attica with territorial jurisdiction over the region of Attica, Central Greece and the regional units of Naxos (municipalities of Naxos and Small Cyclades and Amorgos), of Paros (municipalities of Paros and Antiparos), of Milos (municipalities of Milos, Kimolos, Serifos and Sifnos), of Syros (municipality of Syros - Ermoupolis), of Kea - Kythnos (municipalities of Kea and Kythnos), of Tinos (municipality of Tinos), of Mykonos (municipality of Mykonos), of Andros (municipality of Andros) and of Thira (municipalities of Thira, Ios, Sikinos, Folegandros and Anafi) of the South Aegean region,

b) Regional Asylum Office of Thessaloniki with territorial jurisdiction over the regions of Central and Western Macedonia,

c) Regional Asylum Office of Thrace with territorial jurisdiction over the region of Eastern Macedonia and Thrace,

d) Regional Asylum Office of Epirus with territorial jurisdiction over Epirus region and the regional unit of Corfu of the Ionian Islands Region

e) Regional Asylum Office of Thessaly with territorial jurisdiction over the region of Thessaly,

f) Regional Asylum Office of Western Greece with territorial jurisdiction over the region of Western Greece, Peloponnese and the Ionian Islands except the regional unit of Corfu,

g) Regional Asylum Office of Crete with territorial jurisdiction over the region of Crete,

h) Regional Asylum Office of Lesvos with territorial jurisdiction over the regional unit of Lesvos (Lesbos municipality) and Limnos (municipalities of Lemnos and Agios Efstratios) of the North Aegean region,

i) Regional Asylum Office of Chios with territorial jurisdiction over the regional unit of Chios (municipalities of Chios, Psara and Oinousses) of the Region of Northern Aegean,

j) Regional Asylum Office of Samos with territorial jurisdiction over the regional units of Samos (Samos municipality) and Ikaria (municipalities of Ikaria and Fournoi) of the Region of Northern Aegean,

k) Regional Asylum Office of Leros with territorial jurisdiction over the regional units of Kos (municipalities of Kos and Nisyros) and Kalymnos (municipalities of Astypalaia Kalymnos, Lipsi, Leros, Patmos and Agathonisi) of the South Aegean region and

l) Regional Asylum Office of Rhodes with territorial jurisdiction over the regional units of Rhodes (municipalities of Rhodes, Symi, Halki, Tilos and Megisti) and Karpathos (municipalities of Karpathos and Kasos) of the South Aegean region.

8. Paragraph 4 of article 6 of Presidential Decree 104/2012, as in force and renumbered under paragraph 5 above, shall be repealed.

9. Paragraph 2 of article 7 of Presidential Decree 104/2012, as in force and renumbered under paragraph 5 above, shall be replaced as follows:

"2. Regional Asylum Offices and Autonomous Asylum Units shall operate at level of units and shall be equal to each other. "

10. Article 8 of Presidential Decree 104/2012, as in force and renumbered under paragraph 5 above, shall have the following points (j), (k) (l) and (m) added, as follows:

'j. executes and manages the Asylum Service budget, k. signs any decision, communication and contract, which involves the recruitment of staff under fixed-term private law contracts or under works contracts, in accordance with the applicable provisions other than those relating to the recruitment of staff under fixed-term private law contracts or under works contracts for the purposes of implementing the European Asylum, Immigration and Integration Fund, the Internal Security Fund or programs funded by European or international funds or private funds, which are signed by the Head of the Human Resources Department l. sign, on behalf of the Asylum Service, loan contracts relating to real estate for housing its services or concern mobile equipment to meet the needs of the Asylum Service and m. authorizes a subordinate hierarchically organ to sign, by his/her order, acts or other documents of his/her competence in accordance with the relevant provisions. "

11. Point (a) of paragraph 1 of article 9 of Presidential Decree 104/2012, as in force and renumbered under paragraph 5 above, shall be replaced as follows:

"A) The Department of International and European Cooperation shall be headed by a civil servant of the category Special Scientific Personnel or university graduate in grade Administration-Finance, or a university graduate in grade Administration, with relevant experience and excellent knowledge of English and, failing that, a university graduate in grade Administration-Finance, or in grade Administration, or in grade Finance with managerial skills and very good knowledge of English".

12. Point (e) of paragraph 1 of article 9 of Presidential Decree 104/2012, as in force and renumbered under paragraph 5 above, shall be amended as follows:

"E) The Department of Administrative and Technical Support shall be headed by a civil servant of the category Special Scientific Personnel or university graduate in grade Administration-Finance, or a university graduate in grade Administration, with relevant experience and, failing that, a university graduate in grade Administration-Finance or in grade Administration, or in grade Finance with managerial skills".

13. In paragraph 1 of Article 9 of Presidential Decree 104/12, as amended and renumbered under paragraph 5 above points (g), (h), (i), (j) and (k) shall be added, as follows:

"G) The Department of Management and Programs shall be headed by a civil servant of the category Special Scientific Personnel or university graduate in grade Administration-Finance, or a university graduate in grade Administration, with relevant experience and excellent knowledge of English and, failing that, a university graduate in grade Administration-Finance or in grade Administration, or in grade Finance with managerial skills and very good knowledge of English.

h) The Legal Department shall be headed by a civil servant of the category Special Scientific Personnel or university graduate in grade Administration-Finance, or a university graduate in grade Administration with a law degree, with relevant experience and excellent knowledge of English and, failing that, a university graduate in grade Administration-Finance or in grade Administration, or in grade Finance with a law degree, managerial skills and very good knowledge of English.

i) The Department of National Dublin Unit Offices

j) The Information Technology Department shall be headed by a civil servant of the category Special Scientific Personnel or university graduate in grade IT, with relevant experience and excellent knowledge of English and, failing

that, a university graduate in grade IT with managerial skills and very good knowledge of English.

k) The Secretariat of the Director and the Public Relations Office shall be headed by a civil servant of the category Special Scientific Personnel or university graduate in grade Administration-Finance, or a university graduate in grade Administration, or a university graduate in grade Communication and Media, with relevant experience and excellent knowledge of English and, failing that, a university graduate in grade Administration-Finance or in grade Administration, or in grade Finance with managerial skills and very good knowledge of English, and, failing that, a secondary education graduate in grade Administration-Accounting with managerial skills and very good knowledge of English ".

14. Article 10 of Presidential Decree 104/2012, as force and renumbered under paragraph 5 above, shall be replaced as follows:

"Article 10 - Heads of Regional Asylum Service

1. The Regional Asylum Offices and Autonomous Asylum Units shall be headed by a civil servant of the category Special Scientific Personnel or university graduate in grade Administration-Finance, or a university graduate in grade Administration with relevant experience and very good knowledge of English and, failing that, a university graduate in grade Administration-Finance or in grade Administration, or in grade Finance with managerial skills, and, failing that, a secondary education graduate in grade Administration-Accounting with managerial skills. Additional qualifications may be specified in the calling notice. The duties of a Head can also be assigned to persons seconded from other services.

2. The Heads of the Regional Asylum Offices and of the Autonomous Asylum Units shall be in charge of them and shall be responsible for the effective performance of their mission. Specifically: a. they shall be responsible for monitoring, controlling and evaluating their staff, as well as for the distribution of their tasks, b. they shall establish the structure and office organization of the Regional Asylum Offices and the Autonomous Asylum Units respectively, c. a subordinate hierarchically organ to sign, by his/her order, acts or other documents of his/her competence in accordance with the relevant provisions, and d. exercise any other competence conferred upon them by the Director or stipulated in the Internal Regulation of the Asylum Service. "

Article 21

Modification of presidential decree 141/2013 (O.G. A' 226)

1. Point (b) of paragraph 1 of Article 17 of Presidential Decree 141/2013 (O.G. A' 226) shall be replaced as follows:

"B) has committed a serious crime before entering the country. As a serious crime may be considered any felony or misdemeanour punishable by imprisonment of at least three years, and the offenses of grievous bodily injury (Criminal Code 310), child abduction (CC 324), involuntary abduction (CC 327), violation of sexual dignity (CC 337 para. 2-5), molestation of children (CC 339), abuse of minors in lechery (CC 342), child pornography (CC 348A), enticement of children to sexual purposes (CC 348B), pimping (CC 349), exploitation of prostitutes (CC 350), abuse of minors for payment (CC 351A) and extortion (CC 385), "

2. Article 23 of Presidential Decree 141/2013 shall be replaced by the following:

Article 23

(Article 23 of the Directive)

Maintaining family unity

1. The competent authorities shall ensure that all necessary measures allowing for maintaining family unity are taken.

2. Family members of the beneficiary of international protection who do not individually qualify for international protection shall receive, at their request and with the same procedures, the rights referred to in Articles 24 to 36, if this is compatible with any other status that these members may enjoy. These rights should ensure a satisfactory standard of living for the beneficiary and once granted, shall be maintained individually even after the coming of age of the child or the termination of the marital relationship by divorce, separation or death of the beneficiary of international protection.

3. These rights shall not be granted or withdrawn when the family member is or would be excluded from international protection pursuant to Chapters C and E.

4. The Head of the Regional Asylum Office with a decision may deny, restrict, or withdraw the benefits referred therein for reasons of national security or public order.

5. This article shall also be applicable to the parents of the beneficiary of international protection, if they lived with the family as part of it at the time of departure from the country of origin, and who were dependent on him, wholly or mainly, if they are in the country and do not meet individually the conditions for the recognition of international protection status. "

3. Article 24 of Presidential Decree 141/2013 shall be replaced by the following:

Article 24

(Article 24 of the Directive)

Residence permits

1. An alien or stateless person who is recognized as a beneficiary of international protection shall receive by the competent receiving authority, subject to paragraph 3 of Article 21, a residence permit for three years. The permit is renewed by decision of the Head of the Regional Asylum Office at the request of the person concerned to be submitted to the competent receiving authority, not later than thirty calendar days before the expiry date. The belated unjustified application for renewal cannot by itself lead to its rejection.

2. The residence permits referred to in paragraph 1 shall not be granted or renewed by decision of the Head of the Regional Asylum Office when the withdrawal of international protection status is under consideration, when reasons of public order or national security are invoked.

3. In the case of Article 23 paragraph 2, family members of beneficiaries of international protection shall be granted residence permits with the duration of the validity of the permit of the beneficiary. If a beneficiary of international protection has a child within the family which already existed before entering the country, that child shall be granted a residence permit in accordance with the preceding subparagraph, at the request of the holder, which must be accompanied by the birth certificate of the child.

4. Family members of beneficiaries of international protection, where the family has been created after entering the country, and who are within the country, shall receive a residence permit in accordance with paragraph 3, at the request of the beneficiary and the production, for the spouses, of the relevant marriage certificate with a holder of a residence permit in force, and for parents and children, the birth certificate or the child recognition act. The

permit shall be refused if it is incompatible with another status that family members already enjoy.

5. The above residence permit, which shall prove the identification of the beneficiaries of international protection, shall be printed by the Passport Division of the Hellenic Police. "

Article 22

Residence permit for humanitarian reasons to applicants for international protection

1. (a) Notwithstanding the provisions of paragraphs 1 and 2 of Article 28 of Presidential Decree 114/2010, as amended and in force, the General Secretary of Public Order of the Ministry of Interior and Administrative Reconstruction shall grant residence status on humanitarian grounds to applicants for international protection who are holders of an asylum seeker's card in force and whose application had been lodged up to five (5) years before the entry into force of the present law and its examination is pending in second instance, unless there is a risk to national security or to the country's society, in particular because of a final conviction of the applicant for committing a serious crime.

(b) as a serious crime may be defined any felony or misdemeanour punishable by imprisonment of at least three years, and the offenses of grievous bodily injury (Criminal Code 310), child abduction (CC 324), involuntary abduction (CC 327), violation of sexual dignity (CC 337 para. 2-5), molestation of children (CC 339), abuse of minors in lechery (CC 342), child pornography (CC 348A), enticement of children to sexual purposes (CC 348B), pimping (CC 349), exploitation of prostitutes (CC 350), abuse of minors for payment (CC 351A) and extortion (CC 385), "

2. The residence permit of paragraph 1 above, shall be granted for two years and may be renewed by application submitted to the Minister of Interior and Administrative Reconstruction if the conditions of Article 19A par. 1 case (f) of law 4251/2014 are met, without prior referral to the Appeals Committees of presidential decree 114/2010, as amended and in force, or for one of the reasons mentioned in law 4251/2014.

3. In the cases of paragraph 1 above, the pending appeals shall not be examined as provided in presidential decree 114/2010 and the administrative procedure shall be cancelled unless the applicant submits to

the competent receiving authorities as per Article 2 para. (n) of Presidential Decree 114/2010, an application before the Appeals Committees to have his application examined in view of fulfilling the requirements international protection, within two months after service of the decision to grant him/her humanitarian residence status. Where an application in accordance with the preceding paragraph is lodged to the Appeals Committees, in order for them to examine the appeal, the applicant shall receive an asylum seeker's card and the process continues in accordance with the provisions of PRESIDENTIAL DECREE 114/2010.

Article 23

Modification of presidential decree 114/2010 (O.G. A' 195)

1. Paragraph 1 of Article 25 of presidential decree 114/2010, as amended by article 2 of Presidential Decree 167/2014 (O.G. A' 252), shall be replaced by the following:

“Appeals submitted after the expiration of the time limits set in paragraph 1 shall be examined in priority by the Appeals Committee which shall decide on their admissibility. When the Committee finds the appeal to be admissible, it shall issue a relevant decision, which shall be notified to the appellant, according to the provisions of article 7, who shall also receive again the applicant's card. The examination in substance shall take place at a later stage, in accordance with the provisions of article 26, paragraph 6. In the contrary case, the appeal shall be rejected. When an appeal is submitted against a decision withdrawing international protection status, the appellant shall receive back his/her residence permit.

2. After paragraph 5 of Article 26 of presidential decree 114/2010 the following indent shall be added:

“in all cases, a hearing with the appellant shall take place, if s/he makes a relevant request at least two (2) days before the examination of the appeal”.

3. Case (a) in paragraph 1 of Article 26 of presidential decree 114/2010, as amended by article 3 of Presidential Decree 167/2014 (O.G. A' 252), shall be replaced by the following:

“a. an official of a Ministry or of a legal entity supervised by a Ministry, including local government, of a university level, graduate in Humanities, , Law or Social Sciences, as Chairman appointed, together with his/her deputy, by the competent Minister”.

4. The competent Alternate Minister of Interior and Administrative Reconstruction, may, by a decision, appoint as presidents of the Appeals Committees set by articles 26 and 32 of Presidential Decree 114/2010, persons with expertise or experience in the fields of international protection, human rights or international law, from a roster drawn up for this purpose by the UN High Commissioner for Refugees.

Article 24

Modification of Presidential Decree 167/2014 (O. G. A' 252)

Paragraph 1a of article 7 of Presidential Decree 167/2014, shall be replaced by the following:

"1.a. Notwithstanding the provisions of paragraphs 2 and 3 of Article 14 of Presidential Decree 114/2010, the Determining Authority of Article 2 point (s) of Presidential Decree 114/2010 shall interrupt, on the grounds of implicit withdrawal, the procedure for examining international protection applications which, at the entry into force of this law, have been rejected at first instance and are pending at second instance, if the applicant has not appeared to renew the special asylum seeker's card until 31 August, 2015. The determining authority shall issue a relevant act on this interruption, which shall be served to the applicant in accordance with the provisions of Articles 47 and following of the Administrative Procedure Code (law 2717/1999, O.G. A'97). "

PART 2

CHAPTER A

Renaming of the General Secretariat for Population and Social Cohesion – establishment of the General Secretariat for Reception— transfer of responsibilities and other provisions

Article 25

Renaming of the General Secretariat for Population and Social Cohesion

1. The General Secretariat for Population and Social Cohesion of the Ministry of the Interior and Administrative Reconstruction established by Presidential Decree 11/2010 (O.G. A' 15), as renamed by case (c) sub-case aa) of

paragraph 1 of article 2 of Presidential Decree 96/2010 (O.G. A' 170) is hereby renamed as General Secretariat for Immigration Policy.

Article 26

Establishment of the General Secretariat for Reception

1. It is hereby established a General Secretariat for Reception under the Ministry of the Interior and Administrative Reconstruction.
2. The Reception and Identification Service established by article 8 of this law and the Directorate for Reception established by the following article shall be dependent on the General Secretariat for Reception.
3. It is hereby established the post of a revocable General Secretary, at the level of grade 1 Special Posts. The staffing of the Office of the General Secretary shall be made in accordance with article 55 of law 63/2005, as in force.

Article 27

Establishment and staffing of the Directorate for Reception

1. It is hereby established within the General Secretariat for Reception of the Ministry for the Interior and Administrative Reconstruction a Directorate for Reception with the aim to study, design and implement the policy for receiving applicants for international protection and unaccompanied minors.
2. The Directorate for Reception shall consist of the following departments:
 - a. Accommodation Department, which shall be competent:
 - aa) to study, design and monitor the implementation of the policy to meet the accommodation needs of applicants for international protection and of unaccompanied minors,
 - bb) In cooperation with other ministries, the European Commission's Directorate General of Home Affairs, the United Nations High Commissioner for Refugees, civil society actors and others competent, as appropriate, bodies, to formulate and implement that policy,
 - cc) To study, develop and process the institutional framework for the standards regarding the establishment and operation of reception centres and accommodation facilities for applicants for international protection and unaccompanied minors,

dd) to establish, operate and supervise reception centres and accommodation facilities for applicants for international protection and unaccompanied minors,

ee) to develop cooperation with the department for the protection of vulnerable groups of the directorate for social welfare and solidarity so as to ensure the completeness and adequacy of the standards in the procedures followed, and the effective supervision of the system managing the accommodation requests of asylum seekers and unaccompanied minors.

b. The Reception Services Department, which shall be competent:

aa) to study, plan and monitor the implementation of the policy to receive applicants for international protection, within the meaning of the European legislation, as applicable, on minimum standards for the reception of applicants for international protection. The reception policy shall consist in offering a comprehensive set of measures for the reception of applicants, including material reception conditions, and the adoption of the necessary procedures, protocols and criteria for granting these reception conditions.

bb) In cooperation with other ministries, the European Commission's Directorate General of Home Affairs, the United Nations High Commissioner for Refugees, civil society actors and others competent, as appropriate, bodies, to formulate and implement such policies.

cc) To study, develop and process the institutional framework requirements regarding the provision of reception services to applicants for international protection which shall include psychosocial support, legal assistance and adequate access to health and education systems as well as to the labour market. It shall place particular emphasis on developing and refining the institutional framework for standards concerning the accreditation procedures, rehabilitation and proper management of vulnerable persons included in the above groups, such as persons with disabilities or serious illness, addicted drug users, the elderly, pregnant women, single parents or single-parent families with minor children, women in pregnancy or childbirth, persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence and exploitation, as well as victims of trafficking in human beings,

c. Department for the protection of unaccompanied minors, which shall be competent:

aa) To study, design and monitor the implementation of policy for the reception and social protection of unaccompanied minors, providing the

required guarantees, with special concern for the institutional confirmation of their legal stay in the country, their legal representation and the development of additional protection on the basis of the recorded needs on the ground. These shall include, inter alia, institutional guarantees of their adequate representation, appropriate living conditions, as well as family unity and the possibility of family reunification within the meaning of Directive 2013/32/EU on the standards for the qualification and status of aliens or stateless persons as beneficiaries of international protection, as transposed into national legislation by this,

bb) In cooperation with other ministries, the European Commission's Directorate General of Home Affairs, the United Nations High Commissioner for Refugees, civil society actors and others competent, as appropriate, bodies, to formulate and implement that policy,

cc) to develop cooperation with the department for the protection of vulnerable groups of the directorate for social care and solidarity so as to ensure the completeness and adequacy of the standards in the procedures followed, and the effective supervision of the system managing the accommodation requests of unaccompanied minors,

d. The Department for the Implementation of Reception Programs, which shall be competent:

aa. To plan, design, monitor the material aspects and/or implement the material aspects of programs to receive unaccompanied minors,

bb. to ensure consistency and complementarity between co-financing from national and European programs and those provided under other national, EU and private funding instruments

e. The Operational Coordination Department, which shall be competent:

aa) to coordinate Reception actions throughout the country,

bb) to make proposals for the necessary modifications and improvements of processes and the organization and operation thereof,

cc) to contact and cooperate with the Ministry of Labour, the Ministry of Defence, the General Secretariat for Welfare, the General Secretariat for Civil Protection and any other competent public body or service, with Independent Authorities, international organizations, with NGOs, other actors of civil society and legal persons for the purpose of managing humanitarian aid,

dd) keeping a roster of accredited actors of civil society and interpreters.

3. The competences of the Department for the Protection of Vulnerable Groups, Refugees - Asylum Seekers, of the Directorate for Social Welfare and Solidarity, in the General Directorate for Welfare of the Ministry of Labour, referred to in article 38, paragraph 3 cases a (ii-v) of presidential decree 113/2014 (O.G. A' 180) for the part concerning programs for the social protection of applicants for international protection and beneficiaries thereof, with the exception of those concerning unaccompanied minors shall be exercised by the competent departments of the Directorate for Reception, General Secretariat for Reception of the Ministry for Interior and Administrative Reconstruction, as provided for in this article.

Article 28

Establishment of a Directorate for Financial Services of the Immigration Policy

1. It is hereby established, within the Ministry of Interior and Administrative Reconstruction, as defined by the provisions of presidential decree 105/2014 (O.G. A' 172), an autonomous Directorate for Financial Services of the Immigration Policy, which shall be under the Minister of Interior and Administrative Reconstruction, competent for matters of immigration policy.

2. The Directorate for the Financial Services of the Immigration Policy shall have its own budget as a separate entity within the Ministry for Interior and Administrative Reconstruction; the budget shall record appropriations so as to meet the requirements for the implementation of the immigration policy. The authorizing officer for the appropriations shall be the Minister of Interior and Administrative Reconstruction.

3. The Directorate for the Financial Services of the Immigration Policy shall be responsible for establishing and implementing the budget, monitoring and supervising financial data, procurement of supplies and logistics for the services responsible for the implementation of the Immigration Policy.

4. The Head of the Directorate for the Financial Services of the Immigration Policy shall carry out the duties and responsibilities of paragraphs 4 and 5 of article 24 of law 4270/2014 (O.G. A' 143), as replaced by paragraph 6 of article 10 of law 4337/2015 (O.G. A' 129).

5. The Directorate for the Financial Services of the Immigration Policy shall consist of the following departments:

a. Budget Department,

- b. Procurement and Logistics Department and
 - c. Department for Management and Payments for the PIP and Other Actions.
6. The responsibilities of the departments under the Directorate for the Financial Services of the Immigration Policy shall be as follows:
- a. The Budget Department shall be competent for:
 - aa. The collection and processing of data necessary for the establishment or modification of the regular budget.
 - bb. Drafting and monitoring of the Mid-Term Fiscal Strategy Framework, by reason of competence.
 - cc. Fixing the expenditure limits for the monthly payments appropriations approval, withdrawal and recognition of the budgetary expenditure, especially in regard to:
 - a. Increasing and decreasing appropriations and credit availability rate.
 - b. Monitoring of the payment credit limits.
 - c. Issuing decisions to draw appropriations
 - dd. Training and monitoring of the monthly implementation program of the regular budget and the quarterly maximum payment limits
 - ee payment of grants and contributions to the International Organization for Migration.
 - ff. transfer of funds for the implementation of the immigration policy.
 - gg. Keeping a system for the electronic reporting and storage of accounting events through the Registry for commitments and payments and sending these data to the General Accounting Office.
 - hh. Collecting, monitoring and processing of financial data relating to the immigration policy, by reason of competence.
 - ii. Collecting, monitoring and processing of financial data related to the costs of migration and refugee flows.
 - b. The Procurement and Logistics Department shall be competent for:
 - aa. Managing the necessary procedures for the conclusion and implementation of contracts for the procurement of goods and services.
 - bb. Keeping an electronic archive with all data on tenders, bids and suppliers and the use, simultaneously, of the Electronic National Procurement System.
 - cc. The costing, in view of procurement thereof, of goods and services following a market research and data collection, in order to find the optimal economic valuation thereof.
 - dd. Issuing cash order for advance payments.

- ee. dealing with the costs for housing, cleaning, maintenance, guarding and security and safety of buildings and installations, relating to immigration policy competences.
 - ff. Clearing the payment of costs for supplies in goods and services, for operating expenses, and for expenses in public relations as well as any other payments to third parties.
 - gg. Meeting the travel costs for the representation and support for the immigration policy.
 - hh. The smooth operation of all facilities and infrastructure, inventory, utilization and maintenance of all equipment and office machines, the management of equipment, machinery, supplies or other assets, and the removal of those identified as unusable or unsuitable, with the exception of computer and communications equipment.
 - ii. Monitoring and controlling the management of all perishable and non-perishable material and paying attention to receiving, storing, handling and disposing thereof, monitoring and updating on the needs of renewal of stocks and the removal of disposable stock.
- c. The Department for Management and Payments for the PIP and Other Actions shall be competent for:
- aa. Drafting the public investment program for projects, studies and other actions funded by European, international and other programs for the implementation of the Immigration Policy and any modifications thereto.
 - bb. Ensuring the funding of the above as well as monitoring the progress of such implementation.
 - cc. issuing payment orders for the allocation of PIP and of other actions so as to credit the project accounts held in the relevant Bank.
 - dd. Drafting the entire budget of the PIP and of other actions, defining credit limits, and re-allocating credits from the PIP and other actions.
 - ee. Ensuring the execution of the Public Investment Budget and other actions within the available credit.
 - ff. Attention to the collection and entry of the Information Payment Monitoring System and Public Investment Liabilities for all projects under its responsibility.
 - gg. The payment of the national part contribution of the PIP and other actions in co-financed expenditure for Immigration Policy matters, as well as any other act related to the execution of those expenses.

- gg. Keeping an electronic reporting system and saving accounting events on the commitments and payments Registry and sending this information to the General Accounting Office.
- hh. Preparing and promoting projects related to the management or provision of state funds, which contain elements of state aid within the meaning of article 107.1 of the Treaty on the Functioning of the European Union, and the submission of such plans for opinion thereon or for approval to the Central State Aid Unit of the Ministry of Finance.
- ii. Supervising and supporting bodies under its jurisdiction in regard to compliance with the rules on state aid in the implementation of measures and/or programs which contain elements of state aid.
- jj. Drafting and monitoring the Medium-Term Fiscal Strategy.
- kk. Assessing the financial impact of any policy, program or action and advising on any policy, program or action on immigration policy matters with financial implications.
- ll. Collecting, monitoring and processing of financial data relating to immigration policy by reason of competence.

Article 29

Heads of Permanent Units - permanent posts

1. The Reception Directorate of the General Secretariat for Reception and its Departments shall be headed by officials of the categories/grade Administrative-Finance, university grade, or Sociologists, university grade, or Psychologists, university grade.
2. The following posts shall be established for the operational needs of the Reception Directorate, as per article 27 of this law, within the Ministry of Interior and Administrative Reconstruction, as applicable:
 - a. Six (6) posts in category Administrative-Finance, university grade
 - b. Four (4) posts in category Sociologists, Psychologists or Social Workers, university grade
 - b. Two (2) posts in category IT university grade
 - c. Four (4) posts in category Administration – Accounting, technical university grade
 - e. Two (2) posts in category Administration – Accounting, secondary education grade
 - f. Two (2) posts in category Engineering university grade.

3. The posts of the previous paragraph may be filled by secondment or transfer from the public sector, to be effectuated notwithstanding any other provision and without the deliberation by the competent Staff Administrative Councils.

4. The Directorate for the Financial Services of the Immigration Policy and its Departments shall be headed by officials of the categories/grade Administrative-Finance, university grade, or Administration – Accounting, technical university grade.

5. The following posts shall be established for the operational needs of the Directorate, as per article 28 of this law, within the Ministry of Interior and Administrative Reconstruction:

- a. Eight (8) posts in category Administrative-Finance, university grade
- b. Two (2) posts in category IT university grade
- c. Five (5) posts in category Administration – Accounting, technical university grade
- d. Two (2) positions in the industry TE administrative - accounting
- e. Four (4) posts in category Administration – Accounting, secondary education grade.

6. The permanent posts of the previous paragraph may be filled by secondment or transfer from the public sector, to be effectuated notwithstanding any other provision and without the deliberation by the competent Staff Administrative Councils.

Article 30

Establishment of an Information Systems Department for Citizenship and Immigration

1. The case (bc) of paragraph 3 of article 14 of Presidential Decree 105/2014 (O. G. A' 172), as amended and in force in accordance with subparagraph (g) of paragraph 5 of article 27 of law 4325/2015 (O.G. A' 47) shall be replaced by the following:

"bc. The planning, operation, management and support of Information Systems of the electoral lists, the national population register, the national registry and other national registers which are supported centrally and fall within the competence of the Central Service of the Ministry for Interior and Administrative Reconstruction. "

2. In paragraph 2 of article 18 of Presidential Decree 105/2014 case (d) shall be added as follows:

"d. The Information Systems Department for Citizenship and Immigration. "

3. Article 21A shall be added to Presidential Decree 105/2014 as follows:

"Article 21A

Information Systems Department for Citizenship and Immigration

1. The Information Systems Department for Citizenship and Immigration shall be responsible for:

a. The design, operation and management of the Information Systems for Citizenship and Immigration under the competence of the General Secretariat for Immigration Policy.

b. the support of the proper reception and transmission of biometric data and maintenance of the software for their collection. Monitoring the safe storage of fingerprints and other biometric data and making proposals for taking respective measures. The quality control, comparison and verification of the coincidence of biometric data characteristics.

c. The maintenance of the public key infrastructure for the stand-alone document of the electronic residence permit for third-country nationals.

d. The processing and quality control of the face photograph in the electronic residence permit. Recording the test results of the photo and information to competent services thereof.

e. The electronic authentication of users of the Information System for Citizenship and Immigration.

f. Monitoring the progress of the electronic administration fees procedures of the Information Systems for Citizenship and Immigration.

g. Ensuring secure communication and data transmission to the print carrier of residence permits and taking care of the interconnection between the Secretariat General for Immigration Policy with other services for data exchange.

h. The design, operation and organization of the information system for managing access controls and the confirmation of stand-alone documents of the electronic residence permit for third-country nationals. The confirmation of access controls to stand-alone documents of the electronic residence permit for third-country nationals.

i. The processing and management of statistical data for the needs of the services of the General Secretariat for Immigration Policy. "

4. Article 35 of Presidential Decree 105/2014 shall have a paragraph 15 added as follows:

"15. The Information Systems Department for Citizenship and Immigration shall be headed by an official of category IT, university or technical university graduate. "

5. For the operation needs of the Information Systems Department for Citizenship and Immigration as defined by the presidential decree 105/2014 (O.G. A' 172), as applicable, the following posts shall be established within the Ministry of Interior and Administrative Reconstruction:

- a. Eight (8) posts of category IT, university graduate,
- b. One (1) posts of category IT, technical university graduate
- c. Eight (8) posts of category Computer Personnel, secondary education graduate.

Article 31

Establishment of a Directorate for Social Integration

1 Within the General Directorate for Citizenship and Immigration Policy of the Ministry of Interior and Administrative Reconstruction it is hereby established a Directorate for Social Integration, which shall study, design and implement the policy for the integration of beneficiaries of international protection and migrants in Greece.

2. The Directorate for Social Integration shall consist of the following departments:

- a. Department for Planning and Implementation of Social Integration policies and programs
- b. Department of Information, Sensitization and Social Cohesion
- c. Department of the Registry for Non-Governmental Organizations and Cooperation with Civil Society Actors.

3. The Departments set in paragraph 2 shall be attributed competences as follows:

- a. Department for Planning and Implementation of Social Integration policies and programs shall be competent for:
 - aa. Making recommendations for the formulation of strategies and policies for the integration of beneficiaries of international protection, humanitarian status holders, unaccompanied minors and migrants and vulnerable groups of migrants and refugees with a view of their integration,

bb. Making proposals concerning the institutional framework for cooperation with ministries and local government, and for a dialogue with the actors of civil society and associations of international protection beneficiaries and of migrants.

cc. Making proposals for the participation in European and international projects in the areas of integration and strengthening social cohesion.

dd. Coordinating the Decentralized Government and Local Government at first and second level in order to submit proposals and develop comprehensive integration programs for international protection beneficiaries and migrants, including vulnerable groups of third-country nationals, and to implement them in collaboration with other public and private entities and the civil society.

ee. Representing the Ministry in European and international organizations dealing with the integration of international protection beneficiaries and migrants and the formulation of relevant positions on these issues.

ff. Cooperating with other States in planning and implementing activities in the field of integration and strengthening of social cohesion, as well as exchanging good practices.

gg. Designing, supervising and monitoring the structures and services for the integration of beneficiaries of international protection and of migrants and strengthening social cohesion

hh. planning, designing and monitoring the material aspects and/or implementing the material aspects of social protection and social integration programs for applicants for international protection and unaccompanied minors, as well as of programs for social integration programs for applicants for international protection beneficiaries and migrants through national, European or other funding, with the exception of programs under the Asylum, Migration and Integration Fund and the Internal Security Fund to be implemented by the competent Managing Authority and the Delegated Authorities

b. the Department of Information, Sensitization and Social Cohesion shall be competent to:

aa. Organize communication and educational actions, aiming to provide the public with information and to raise awareness in the areas of integration and greater social cohesion

bb. provide information and raise awareness among the personnel of public bodies and of the Local Government at first and second level in matters

relating to integration and providing them with intercultural education in this field.

cc. register trained cultural mediators and keep and constantly update a roster for Cultural Mediators

dd. Promote actions for cultural mediation

ee. Promote measures to increase the participation of third-country nationals residing in the country in collective actions as well as measures to enhance their representation among collective actors

ff. cooperate with other competent Ministries, other competent institutions and civil society actors in designing and implementing actions of Inter-faith Dialogue.

gg. Create and support the operation of an electronic platform for the Inter-faith Dialogue aiming to avoid radicalization and intolerance

hh. Sensitize public opinion on issues of difference through exchanges, seminars and cultural events in cooperation with migrants and refugees associations, embassies, museums and cultural institutions

c. The Department of the Roster for Non-Governmental Organizations and Cooperation with Civil Society Actors shall be competent to:

aa. Record and update the data of Greek and foreign Non-Governmental Organizations acting in the Greek territory in the field of international protection, immigration and social integration, in cooperation with other ministries, the Decentralized Government and Local Government at first and second level

bb. Accredite the Greek Non-Governmental Organizations in cooperation with other ministries and agencies

cc. record the existing migrant communities and associations of other vulnerable citizens falling under the jurisdiction of the Ministry.

4. Staff who have been placed at the Social Integration Department of the Immigration Policy Directorate of the Ministry for Interior and Social Reconstruction shall be transferred or moved to the Directorate for Social Integration, by decision of the Minister of Interior and Social Reconstruction, notwithstanding any other provision; simultaneously, their posts shall also move to the Directorate for Social Integration.

5. For the operational needs of the Directorate, as defined by the presidential decree 105/2014 (O.G. A' 172), as applicable, the following posts shall be established within the Ministry of Interior and Administrative Reconstruction:

- a. Five (5) posts in category Administrative-Finance, university grade
- b. Five (5) posts in category Sociologists, university grade
- c. Five (5) posts in category Psychologists, university grade
- d. Two (2) positions in the category Administrative – Accounting, technical university grade
- e. Five (5) posts in category Administration – Accounting, secondary education grade.

Article 32

Delegation of powers

1. A presidential decree to be issued within six (6) months from the entry into force of this law shall create, merge or modify the Directorates and Departments of the General Secretariats set up in articles 25 and 26 of this law, shall determine additional permanent posts and shall re-allocate them among the services of these Secretariats.

2. A ministerial decision shall regulate matters pertaining to the competence of the Directorates and Departments of the General Secretariats set up in articles 25 and 26 of this law.

PART C

PROCEDURES FOR GRANTING AND WITHDRAWING INTERNATIONAL PROTECTION STATUS AND TRANSPOSITION INTO GREEK LEGISLATION OF THE DIRECTIVE 2013/32/EU OF THE EUROPEAN PARLIAMENT AND THE COUNCIL ON" common procedures for granting and withdrawing international protection (recast)" (L 180/29.6.2013)

CHAPTER A

GENERAL PROVISIONS

Article 33

(Article 1 of the Directive)

Purpose

The purpose of this part is to transpose into Greek legislation Council Directive 2013/32/EU of the European Parliament and the Council (recast)

“on common procedures for granting and withdrawing international protection status” (L 180/29.6.2013).

Article 34

(Articles 2 and 4 of the Directive)

Definitions

a. “Geneva Convention” is the Convention relating to the Status of Refugees, signed in Geneva on 28 July 1951 and ratified by the Legislative Decree 3989/1959 (O.G. A 201), as amended by the relating New York Protocol of 31 January 1967, which was ratified by the Obligatory Law 389/1968 (O.G. A’ 125).

b. “Application for international protection” or “asylum application” or “application” is the application for protection by the Greek state submitted by an alien or a stateless person whereby he/she requests to be recognized as a refugee or as a beneficiary of subsidiary protection under the Geneva Convention and Article 2 point (b) and point (c) of presidential decree 141/2013 (O.G. A’226). The application for international protection may also be submitted by family members of the applicant, who are in the territory of Greece.

c. “Family members” of the applicant for international protection, provided that the family already existed before the entry in the country, are considered:

- i. the spouse or unmarried partner in a long-term stable relationship, duly proven,
- ii. the minor, unmarried and dependent children, regardless of whether they were born in or out of wedlock or they are adopted,
- iii. the adult children of the applicant who suffer from a mental or physical disability and are unable to submit an application separately.

d. “Applicant for international protection” or “applicant for asylum” or “applicant” is the alien or stateless person, who declares orally or in writing before any Greek authority, at entry points of the Greek State or inland, that s/he is asking for asylum or subsidiary protection, or asks, in any form, not to be expelled to a country for fear of prosecution due to race, religion, nationality, political opinion or membership to a particular social group, in accordance with the Geneva Convention, or because he is at risk of suffering serious harm in accordance with Article 15 of Presidential Decree 141/2013

(A' 226) and on whose application no final decision has yet been reached. Additionally, "applicant for international protection" is also the alien who applied for international protection in another EU Member State, pursuant to Council Regulation (EU) 604/2013 of the European Parliament and the Council from 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast), or to another state which is bound by and applies the above Regulation and who is transferred to Greece in accordance with its provisions.

e. "Final decision" is the decision, which determines whether an alien or a stateless person is recognized or not as a refugee or beneficiary of subsidiary protection, which is no longer subject to the legal remedy stipulated in Article 64.

f. "Refugee" is an alien or a stateless person, who fulfils the requirements of Article 1A of the Geneva Convention and of article 2 point (e) of Presidential Decree 141/2013.

g. "Refugee status" is the status granted following the recognition by the competent Greek authority of an alien or stateless person as a refugee according to the provisions of Presidential Decree 141/2013.

h. "Beneficiary of subsidiary protection" is the alien or stateless person who fulfils the conditions of article 2 point (f) of Presidential Decree 141/2013

i. "Subsidiary protection status" is the status granted following the recognition by the competent Greek authority of an alien or a stateless person as a beneficiary of subsidiary protection according to the provisions of Presidential Decree 141/2013.

j. «International protection» is the status of refugee and of subsidiary protection as defined in points (g) and (i) above.

k. "Unaccompanied minor" is a person below the age of 18, who arrives in Greece unaccompanied by an adult who exercises parental care on him/her according to Greek legislation and for as long as such parental care has not been assigned by law and exercised in practice, or a minor who is left unaccompanied after he/she has entered Greece.

l. "Representative of an unaccompanied minor" is the temporary or permanent guardian of the minor or the person appointed by the competent Public Prosecutor for Minors or, in the absence of the latter, by the First Instance Public Prosecutor to ensure the minor's best interests. The task of

the representative, as defined in the previous sentence, can be assigned to the legal representation of a non-profit making legal entity. In the latter case, the representative of that legal entity may authorize another person to represent the minor, in accordance with the provisions of the present law.

m. “Detention” is the confinement of a person within a particular place, resulting in depriving the person’s freedom.

n. “Competent receiving authorities”, “competent examination authorities” or «Competent receiving and examination authorities» are the Regional Asylum Offices, the autonomous units of the Asylum Service, as well as the Mobile Asylum Units.

o. “Central Authority” is the Central Asylum Service of the Ministry of Interior and Administrative Reconstruction.

p. “Country of origin” is the country of nationality or, for stateless persons, the country of former habitual residence.

q. “Residence permit” is any permit issued by the Greek Authorities, in the form provided for under the Greek legislation, allowing an alien or a stateless person to reside on Greek territory.

r. “Determining Authority” is the member of the staff of the competent Receiving Authority appointed as a case-handler to examine the application for international protection, unless otherwise specified in specific provisions of this law. In the case of Article 63, the Determining Authority is the head of the Regional Asylum Office or the autonomous unit of the Asylum Service. In the case of Article 54 (b), the Determining Authority issues also the relevant act of transfer in application of Regulation 604/2013.

s. “Competent Decision Authorities” are the Determining Authority and the Appeals’ Committees under the Appeals’ Authority.

t. “Subsequent application” is the application for international protection submitted after a final negative decision or a decision to interrupt the examination of the application pursuant to article 47 paragraph 2. Any new application for international protection submitted after the withdrawal of an application under the provisions of Article 47 shall also be considered as a subsequent application.

u. “Withdrawal of the international protection status” is the decision of the Determining Authority to withdraw the refugee or subsidiary protection status in accordance with the provisions of Presidential Decree 141/2013. In case of rejection of renewal of the resident permit of a refugee or beneficiary

of international protection, the provisions and safeguards regarding withdrawal shall apply.

v. “Remain in the country” means to remain in the territory of Greece, including borders and transit zones.

w. “Counsellor of the applicant” is the jurist, medical doctor, psychologist or social worker who assists the applicant during the examination of his/her application.

x. “International Protection Applicant Card” or “Card” is the special personal card, which is issued for the applicant during the administrative procedure of the examination of his/her application by the competent authorities and allows the applicant to remain in the Greek territory until such examination is concluded.

y. “Applicants in need of special procedural guarantees” are applicants whose ability to benefit from the rights and comply with the obligations provided for in this Part is limited due to individual circumstances related to their personal situation, such as their health condition.

Article 35

(Article 3 of the Directive)

Scope

1. The provisions of this part shall apply to all applications for international protection submitted on the Greek territory, including the borders, or in transit zones of the country, as well as to the procedures withdrawing international protection status.

2. The provisions of this part shall not apply in cases of applications for diplomatic or territorial asylum submitted to Greek diplomatic authorities and permanent delegations abroad.

3. The interpretation and application of this part shall always be performed in accordance with the Geneva Convention and the international law for the protection of human rights as well as the relevant international, European and domestic legislation and jurisprudence.

CHAPTER B

GENERAL PRINCIPLES AND GUARANTEES APPLICABLE THROUGHOUT THE DURATION OF THE PROCEDURE

Article 36

(Articles 6 and 7 of the Directive)

Access to the procedure

a. Any alien or stateless person has the right to apply for international protection. The application is submitted before the competent receiving authorities, which shall immediately proceed to register it fully. Full registration shall include at least the applicant's identity, his/her country of origin, the names of his/her father, mother, spouse and children, as well as biometric identification data and a brief reference to the reasons for which the applicant requests international protection.

b. When, for any reason, it is not possible to proceed to the full registration as per point (a) above, the Receiving Authorities may, following a decision by the Director of the Asylum Service, proceed, no later than three (3) working days after the application is made, to a simple registration of the minimum necessary elements and proceed to the full registration, as per point (a) above, as soon as this is rendered possible and by priority.

c. The application for international protection shall be deemed lodged as of the date of its full registration as per point (a) above; from that date shall count the relevant time limits for its examination as per article 51 below. In case the alien or stateless person who has lodged an application for international protection does not appear for registration, although duly invited for according to the provisions of this Part, the case shall be filed by decision of the Head of the competent Regional Asylum Office.

2. The competent receiving authorities shall ensure the exercise of the right to lodge an application for international protection on condition that the applicant appears in person before them, without prejudice to article 42, paragraph 1 case (a) below.

3. If an alien or stateless person is subject to detention or is in a Reception and Identification procedure according to the legislation in force and declares his intention to submit an application for international protection, the competent authorities shall ensure the immediate recording and submission of a relevant written statement. Following this, the application for international protection shall be registered by the detention authority or by the Reception and Identification Service according to the provisions of paragraph 1 (b) of this article (simple registration) through an electronic network connected with the Receiving Authority no later than six (6) working

days afterwards. The detention authorities or the Regional Reception and Identification Services shall ensure, in cooperation with the Receiving Authority, the transfer of the detainee before the Receiving Authority so as to complete the full registration of the application for international protection as per paragraph 1 point (a) above. In case the applicant is released before the completion of the full registration, he/she must appear within 10 days before the competent Receiving Authority in order to schedule the full registration of the application for international protection. In case the applicant does not appear for registration, the case shall be filed to the archive by decision of the Head of the competent Regional Asylum Office. The person who expresses his/her intention to submit an application for international protection is an asylum applicant, in accordance with the provisions of Article 34 point (d) of the present law.

4. If the application for international protection is submitted before a non-competent authority, that authority is obliged to notify promptly the competent Receiving Authority using the most appropriate way and to refer the applicant to it. The Central Asylum Service shall ensure that the authorities which are likely to be approached by any person who wishes to apply for international protection (especially the Hellenic Police, the Coast Guard and the Reception and Identification Service), are informed and trained about the competent services and the procedure for submitting an application, according to the provisions of paragraph 1 of this article, in a way that persons interested be informed of the place and means for submitting an application for international protection.

5. Where simultaneous applications for international protection by a large number of third country nationals or stateless persons make the registration, as provided in paragraph 1 or in paragraph 3, very difficult, the registration of an application may take place within 10 working days.

6. The applicant may submit an application on behalf of his/her family members. In such cases, the adult members having legal capacity must consent in writing to the lodging of the application on their behalf, or otherwise have the opportunity to submit an application on their own. Before consent is requested, dependent adult members shall be informed in private of the relevant procedural consequences of lodging an application on their own and on their right to lodge an individual application for international protection. The consent shall be requested at the time the

application is lodged or, at the latest, during the personal interview with the said member.

7. An applicant, who bears a child after his/her entry in the country, may submit an application on behalf of the child; the application must be accompanied by the child's birth certificate. This application is consolidated with the application of the parent applicant at any stage and instance of the procedure this may be.

8. A minor above 15 years of age, can lodge an application, independently and in person. In case he/she is unaccompanied, the provisions of Article 45 of the present law shall apply.

9. An unaccompanied minor, under 15 years of age, lodges an application through a representative, as defined in Article 45 of the present law.

10. The representative of the minor, as well as the representative of the accommodation centre that hosts the minor, in accordance with Article 19 of the Presidential Decree 220/2007, may submit an application for international protection on the minor's behalf, as long as, on the basis of a individual assessment of the personal circumstances, they consider that the minor might have the need of international protection. The minor must be present during the lodging of the application, unless this is not possible due to force majeure.

Article 37

(Article 9 of the Directive)

Right of the applicants to remain – Exceptions

1. Applicants shall be allowed to remain in the country until the conclusion of the administrative procedure for the examination of their application and they shall not be removed in any way.

2. The previous paragraph shall not apply in cases where the authorities either surrender the applicant to another EU Member State, in application of a European Arrest Warrant according to the provisions of Law 3251/2004 (O.G. A 127), or extradite the applicant to a third country, with the exception of the applicant's country of origin, or to international criminal courts, in accordance with the country's international obligations. This surrender or extradition must not lead to the direct or indirect refoulement of the applicant in breach of Article 33 par. 1 of the Geneva Convention, or to risk of persecution or serious harm in accordance with the relevant provisions of

Presidential Decree 141/2013, article 7 of the International Covenant on Civil and Political Rights, article 3 of the New York international convention against torture, article 3 of the European Convention on Human Rights, articles 4 and 19 of the Charter of Fundamental Rights of the European Union, as well as article 5 of the Constitution. No applicant shall be extradited before a final decision on his/her application is issued, as long as the applicant claims fear of persecution in the requesting State.

3. The right of the applicant to remain in the country, according to par. 1, shall not constitute an entitlement to be issued a residence permit.

Article 38

(Article 8 of the Directive)

Information and counselling in detention facilities and at Greek border entry points

Aliens or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, shall receive information on the possibility to submit an application for international protection. The Asylum Service, in cooperation with the authorities operating in these places, and/or civil society organisations shall ensure the provision of information on the possibility to submit an application for international protection. In those detention facilities and crossing points, interpretation services shall be provided to the extent that this is necessary for the facilitation of access to the asylum procedure.

2. Organisations and persons providing advice and counselling to aliens or stateless persons, as per paragraph 1 above, shall have effective access to border crossing points, including transit zones, at external borders, unless there are reasons related to national security, or public order or reasons that are determined by the administrative management of the crossing point concerned and impose the limitation of such access. Such limitations must not result in access being rendered impossible to these points for the above-mentioned organisations or persons.

Article 39

(Article 10 of the Directive)

Requirements for the examination of the application

1. Applications shall not be rejected on the sole ground that they were not submitted as soon as possible.
2. All applications for international protection are initially examined regarding the recognition of refugee status, and in case these are not fulfilled, they are examined for the recognition of subsidiary protection status.
3. Decisions on applications shall be taken on an individual basis, following a comprehensive, objective and impartial examination. To that end the Central Asylum Service:
 - a. Shall search, collect, assess and maintain precise and accurate information on the political, social, economic and general situation which prevails in the applicants' countries of provenance (countries of origin, countries of previous habitual residence, countries of transit, etc.) in collaboration with other competent authorities or respective authorities of EU Member States in the context of relevant agreements or through reliable sources, such as the European Asylum Support Office and the United Nations High Commissioner for Refugees. This information shall be communicated to the competent Decision Authorities.
 - b. Shall ensure that the personnel, which examines the applications and decides upon them or makes recommendations for decisions, has knowledge of the national and international legislation and case law on international protection. To this end, it shall organize training and provide for the on-going in-service training of the personnel. It shall also ensure that the personnel have the possibility to seek advice, whenever necessary, from experts on particular issues, such as medical, cultural, religious, linguistic, child-related or gender issues. Furthermore, the Asylum Service shall organize training seminars independently, as well as in cooperation with the United Nations High Commissioner for Refugees and the European Asylum Support Office (EASO). It may also organize training seminars in cooperation with civil society organizations. It shall communicate to the competent Decision Authorities the guidelines and information sheets on international protection issues made available by the United Nations High Commissioner for Refugees.

Article 40

(Article 11 of the Directive)

Reasoning and notification of decisions and other procedural documents

1. The decisions on the application for international protection, including decisions to transfer a person in accordance with Regulation (EU) 604/2013, shall be notified to the applicant in due diligence of the competent Receiving Authority.
2. A notification shall be performed as soon as possible after the issuance of the decision and after notice to the applicant to appear for receiving the decision at a specific date.
3. The notification shall be made on the basis of the most recent contact data as declared responsibly by the applicant, via mail, telefax, electronic mail or phone call. Reference of this action shall be made by the competent officer to the applicant's file or to a special ledger, which should bear the date and time the action took place, the name and signature of the officer who made the notice, and the type of means used. Any invitation or communication must be made to the most recent address declared by the applicant for international protection.
4. If the applicant is detained or remains in a Regional Reception and Identification Service, and if it is impossible, on objective grounds duly explained in writing to the competent Receiving Authorities, to transfer the applicant before the Receiving Authorities for the notification, the decision shall be delivered to the Head of the relevant establishment or facility, who ensures the prompt notification of the decision to the detainee according to the provisions in force, with the assistance of an interpreter in a language understood by the detainee; reference to this is made on the notification report. Following this, the Head of the relevant establishment, detention centre or Regional Reception and Identification Service shall inform accordingly the competent Receiving Authorities to which s/he shall send the notification report.
5. If the applicant fails to comply or s/he is not to be found through the means referred to in paragraph 3, the notification shall be made, at the latest, the next time the applicant appears before the competent authorities for renewing his/her Card.
6. When the notification is made, the applicant is informed by an interpreter in a language he/she understands, and reference is made in the relevant notification report. In cases falling under paragraph 4, a document in a language that the applicant understands is also attached; it explains the

content of the notification document, its effects on him/her and the actions he/she may undertake.

7. The decision rejecting the application for international protection shall state the reasons in fact and in law for rejection. The negative decision shall mention the time limit for lodging an appeal, the body before which such appeal may be lodged, the consequences of letting this time limit expire without taking action as well as the possibility and conditions for receiving free legal aid in the procedures before the Appeals' Authority under the provisions set in the Ministerial decision referred to in Article 7, paragraph 8 above.

8. The invitations by the competent Receiving Authority to the applicant to the interview under Article 52 and by the Appeals Authority to the hearing under Article 62, shall be made through any appropriate means, from among those stated in paragraph 3, which ensures that the applicant is aware of the invitation. No invitation is required if the date for a specific interview or oral hearing has been set for the applicant at an earlier stage of the procedure and the meaning and scope of such procedures have been explained to him/her. Any other invitation or summons of the applicant must be made with the means referred to in para. 3.

9. Decisions on applications for international protection, decisions to interrupt the examination of an application and decisions to withdraw an international protection status are communicated to the Aliens' and Borders' Protection Branch of the Aliens' Directorate of the Hellenic Police. The decisions of the Appeals Committees are communicated to the Minister of Interior and Administrative Reconstruction is impossible on objective grounds, explained in writing to the competent Receiving Authorities.

10. If the application is lodged on behalf of the family members of the applicant, who claim the same grounds, the competent decision authority may issue one single decision concerning all family members, unless to do so would lead to the disclosure of particular circumstances of an applicant which could jeopardise his or her interests, in particular in cases involving gender, sexual orientation, gender identity and/or age-based persecution. In such cases, a separate decision shall be issued for the person concerned.

Article 41

(Article 12 of the Directive)

Guarantees for applicants

1. Applicants, when the provisions of chapters C and D below apply, have the following rights:

a. They shall be informed, in a language which they understand, on the procedure to be followed, their rights and obligations, the authorities' obligation to confidentiality and the fact that the information they provide to the authorities during the examination of their application shall not be revealed to the alleged actors of persecution or of serious harm, the consequences of not complying with their obligations and not cooperating with the authorities, as well as the consequences of the explicit or implicit withdrawal of their application. They shall also be informed of the time limits as well as the means at their disposal for fulfilling the obligation to submit the necessary data for substantiating their claims. The information shall be given in time to enable them to exercise the rights and to comply with the obligations as described in Article 42. This information may be provided by telephone or in an automated manner.

b. They shall be provided the services of an interpreter in order to submit their application and present their case to the competent Receiving Authorities, for the conduct of the interview or oral hearing at all stages of the procedure, at first and second instance, if the necessary communication cannot be ensured without such services. The interpretation costs are borne by the State. Interpretation services, where required during the international protection procedure, may be also provided remotely with the use of appropriate technical means of communication, in cases where the physical presence of an interpreter is not feasible. The competent Decision Authorities shall make sure that they are aware of the content of documents in other languages submitted to them, even if not in official translation.

c. They may communicate with the United Nations High Commissioner for Refugees or any other organization providing legal, medical and psychological assistance.

d. i) immediately after the completion of the registration procedures as per article 36 paragraph 1 above, they shall be provided, free of charge, by the competent Receiving Authority, with the International Protection Applicant Card, which shall bear their photograph.

ii) The International Protection Applicant Card forms a temporary title, it does not constitute an entitlement to issue a residence permit, it ensures the enjoyment of the applicants' rights, where these are foreseen by applicable

provisions, it assures the necessary transactions during its validity period and allows them the residence in the Greek territory.

iii) The Card may restrict the applicant's movement to a part of the Greek territory after a decision by the Director of the Asylum Service.

iv) The Card shall be valid for up to one year and shall be renewed until the conclusion of the administrative procedure of the examination of the application for international protection. In case a Card is issued following a simple registration as per article 36 paragraph 1 (b), the Card shall be valid until the date set for the full registration according to paragraph 1 (a) of the same article.

v) The Director of the Asylum Service may, by a decision, set a different duration of the Card's validity for applicants from a particular country of origin, taking into consideration the expected time lapse for issuing the decision at first instance and if the official EU statistics demonstrate that the percentage for granting international protection to applicants from this particular country during the past two trimesters, is lower than twenty-five per cent (25%).

vi) The Head of the competent Receiving Authority may, with a decision, restrict the validity period of the Card of a particular applicant, especially in case the scheduled personal interview is postponed, the Card is lost, when the decision is to be issued soon, or when a transfer within the scope of Regulation (EU) No. 604/2013 is pending.

vii) The applicant for international protection must obligatorily hand the Card to the competent Receiving Authority when he/she is notified the negative decision on his application, whereby the Card shall cease to be valid. Where the applicant is detained or remains in a Reception and Identification Centre or if the application for international protection is submitted according to the provisions of Article 60, the aforementioned Card is provided following the applicant's release from detention or after the termination of his/her stay in the Reception and Identification Centre, or after an authorization to enter to the country in accordance with Article 60 point (2). If, having been released from detention, the applicant is not provided with this Card, he/she shall be referred, in writing, to the competent Receiving Authority before which he/she must appear within ten (10) days to declare his/her contact details and be handed the Card. The referral document shall include the applicant's data and photograph. The authorities competent for the detention of the applicant or the competent Reception and Identification

Service authorities shall provide the applicant with the relevant document referring him/her to the competent Receiving Authority. This notification shall take place by an interpreter, in a language the applicant understands, and reference of this fact shall be made in the relevant notification report.

e. They shall be informed of the result of the decision on their application for international protection in a language, which they understand, as well as on the possibility to challenge the negative decision and the relevant time limits. The decision on the application for international protection is issued and notified to the applicant, as promptly as possible, in accordance with the provisions of Article 40 above. In case the applicant is recognized as a refugee, data from the administrative record shall be communicated and copies shall be issued, only on the condition that the applicant demonstrates special lawful interest to that end.

f. They shall have access, either directly or through their advisers, to the information provided from experts on particular issues, such as medical, cultural, religious, linguistic, child-related or their own gender issues.

2. Throughout the examination of an application for international protection, the competent, pursuant to the law, authorities shall recognize and validate the authenticity of applicants' signatures upon demonstration of the Card. In cases of detention or residence in Regional Reception and Identification Services or during the procedure of Article 60, the competent authorities, pursuant to the law, shall recognize and validate the signature of applicants based on the data they have declared.

Article 42

(Article 13 of the Directive)

Obligations of the applicants

1. Applicants are obliged to cooperate with the competent authorities to the extent that this is necessary in order to process their application, including the ascertainment of their identity data. In particular and in all cases applicants shall:

a. appear before the Receiving Authorities in person, without delay, to submit their request for international protection as well as whenever they are summoned, according to the provisions of the present part, before the competent authorities. An application for international protection, a withdrawal of such application, an appeal against a negative decision, a

subsequent application and an application to renew the International Protection Applicant Card are submitted in person, unless in cases of force majeure, such as serious illness or serious physical disability which must be proven by a relevant certificate or statement by a public authority. In the cases of force majeure aforementioned, the application shall contain a declaration by the applicant or his/her guardian, legal representative or person entrusted with the applicant's judicial support that he/she is aware of the conditions set in this paragraph. In any case, the continuation of the examination procedure for an application of international protection is subject to the condition of ascertainment of the existence of the above grounds, as well as the personal appearance of the applicant before the competent receiving authority, in case it is concluded that the above force majeure grounds are of a temporary nature.

b. hand over their travel document and any other document in their possession related to the examination of the application and to data that certify theirs and their family members' identity, their country of provenance and place of origin, as well as their family status. In cases such documents are delivered- a delivery and receipt note is drafted and a copy thereof is given to the applicant. The submission and the examination of an application for international protection as well as granting international protection status shall not necessarily require the submission of documentary evidence.

c. Promptly inform the competent Receiving Authorities of their address or residence and other contact details, as well as of any changes thereof.

d. Cooperate with the competent authorities in view of every legal research in relation to their application.

e. Accept body search and search of the objects in their possession, and shall be photographed and fingerprinted if they are above the age of 14, according to the provisions in force. A body search of the applicant's person shall be carried out by a person of the same sex in full respect of the principles of human dignity and physical and psychological integrity.

2. For these obligations and rights provided, according to Article 41, applicants shall be specifically informed in a language they understand; to this end a relevant document shall be drawn thereupon, indicating the language of communication.

Article 43

Applicants' identity data

1. The applicants' identity data shall be established by means of their passport, their identity card or their birth certificate if they are born in Greece. Other documents may also be accepted, following a relevant decision by the Director of the Asylum Service.
2. In the absence of such documents, the applicants' data are registered on the basis of their own declaration during the registration of the application for international protection.
3. Identity data may be modified by a decision of the Head of the competent Receiving Authority following a relevant request of the applicant for international protection. The request must be accompanied by the original documents stated in paragraph 1, unless the modification refers to blatant clerical errors or errors in the transliteration from other scriptures into the Latin alphabet, in which case a mere request by the interested person suffices.
4. Exceptionally, data relating to the nationality and place of birth of the applicant can be modified by decision of the Head of the Receiving Authority, following a recommendation by the case-handler, if, during the interview under Article 52, the applicant makes a relevant declaration and it is ascertained that these data have been registered erroneously. Exceptionally, also, identity data can be modified if the applicant, during the interview, provides serious and well-founded reasons as to why s/he initially failed to declare his/her genuine identity. The date of birth can be modified after the age determination procedure under Article 45, unless during the interview it appears that the applicant who is registered as an adult is manifestly a minor; in such cases, a decision of the Head of the competent Receiving Authority, following a recommendation by the case-handler, shall suffice.
5. Whenever the need to modify the data, pursuant to paragraph 4 arises during the examination of an appeal, under Articles 61 and 62 below, the modification shall be made care of the Head of the Coordination Department of the Asylum Service, following a decision of the Appeals' Committee before which the appeal is pending.

Article 44

(Articles 19 and 23 of the Directive)

Provision of information - Legal representation and assistance

1. Applicants have the right to consult, at their own expenses, a lawyer or other counsellor on matters relating to their applications. Unless otherwise specifically provided for, for specific actions, the applicant's authorization to a lawyer to represent him/her before the authorities in this part may be given by a simple private document, without the requirement of confirmation of the authenticity of the signature. Authorization by the applicant to other persons requires the confirmation of the signature authenticity.

2. Applicants, following a relevant request, and in the context of the procedures in Chapter C, shall be provided with legal and procedural information free of charge on the procedure concerning their case. Besides the provision of information set in the previous sentence, in the event of a negative decision on an application at first instance, applicants, following a relevant request, shall be provided with a specific updating on the reasons for such decision and the possibility to appeal against it. The information and updating of the previous sentences may be provided by organisations of the civil society.

3. In procedures before the Appeals Authority, applicants shall be provided with free legal assistance under the terms and conditions set in the ministerial decision provided for in article 7, paragraph 8 above. In the cases of an application before a court, applicants may receive free legal assistance under the terms and conditions set in law 3226/2004 (OG' A' 24), which shall apply accordingly.

4. Lawyers who represent applicants shall have access to the information of their file, on the basis of which the decision is being taken or will be taken, without prejudice to Article 41 par. (1) case (e), third sentence of this part. Other counsellors, who provide assistance to applicants, shall have access to their files' data, if these are relevant to the assistance provided. The Head of the competent Receiving Authority may, with a reasoned decision, prohibit the disclosure of information or its sources, if he/she considers that their disclosure may compromise national security, the safety of organizations who provide this information, or the safety of the persons whom this information concern or the country's international relations. The aforementioned prohibition must not disproportionately restrict the right of the applicant to representation, legal support and defence. Access to this confidential information or sources is, in any case, permitted to the Appeals' Authority, in the context of the examination of an appeal, and to Courts of

law competent for the examination of applications for annulment, as provided in Article 64.

5. Lawyers who represent and counsellors who assist applicants shall have access to the Regional Reception and Identification services under the special conditions of the General Operation Regulation of the Reception and Identification Service. Furthermore, they shall have access to detention facilities and transit zones, in order to communicate with the applicants in a specially arranged area. The access of the aforementioned persons in these areas shall be limited, when this is deemed objectively necessary by the competent authorities for the security, public order or administrative management of the area or the safety of the applicants, provided that the applicant's right to representation and legal assistance is not restricted or impeded, in particular when lawyers' and counsellors' access is excessively restricted or rendered impossible.

6. Lawyers or other counsellors shall have the right to provide legal assistance to the applicant at all stages of the procedure. Applicants are entitled to attend the personal interview with their lawyer who represents them or the counsellor who provides them with assistance. The absence of a lawyer or other counsellor shall not prevent the conduct of the personal interview, as long as this absence is not considered an important reason to suspend.

Article 45

(Article 25 of the Directive)

Applications of unaccompanied minors

1. When an unaccompanied minor lodges an application, the competent authorities shall take action according to par. 1 of Article 19 of presidential decree 220/2007 in order to appoint a guardian for the minor. The minor is immediately informed about the identity of the guardian. The guardian represents the minor, ensures that his/her rights are safeguarded during the asylum procedure and that he/she receives adequate legal assistance and representation before the competent authorities. The guardian or the person exercising a particular guardianship act shall ensure that the unaccompanied minor is duly informed in a timely and adequate manner especially of the meaning and possible consequences of the personal interview, as well as how to be prepared for it. The guardian or the person

exercising a particular guardianship act is invited and may attend the minor's interview and may submit questions or make observations to facilitate the procedure. During the personal interview, the presence of the unaccompanied minor may be considered necessary, despite the presence of the guardian or the person exercising a particular guardianship act.

2. The case-handlers who conduct interviews with unaccompanied minors and take relevant decisions shall have the necessary knowledge regarding the special needs of the minors and must conduct the interview in such a way as to make it fully understandable by the applicant, taking in particular account of his/her age.

3. If the guardian or the person exercising a particular guardianship act is a lawyer, the applicant cannot be the beneficiary of free legal assistance, pursuant to Article 44 paragraph 3, first indent.

4. The competent Receiving Authorities may, when in doubt, refer unaccompanied minors for age determination examinations according to the provisions of the Joint Ministerial Decision 1982/16.2.2016 (O.G. B' 335). When such a referral for age determination examinations is considered necessary and throughout this procedure, attention shall be given to the respect of gender-related special characteristics and of cultural particularities. Attention shall also be given so as:

a. a guardian for the minor is appointed who shall undertake all necessary action in order to protect the rights and the best interest of the minor, throughout the age determination procedure;

b. unaccompanied minors are informed prior to the examination of their application and in a language which they understand, of the possibility and the procedures to determine their age, of the methods used therefore, the possible consequences of the results of the above mentioned age determination procedures for the examination of the application for international protection, as well as the consequences of their refusal to undergo this examination;

c. the unaccompanied minors or their guardians consent to carry out the procedure for the determination of the age of the minors concerned;

d. the decision to reject an application of an unaccompanied minor who refused to undergo this age determination procedure shall not be based solely on that refusal and

e. until the completion of the age determination procedure, the person who claims to be a minor shall be treated as such.

5. If after the age determination procedure, it does not transpire with certainty that the applicant is an adult, he/she shall be treated as a minor.
6. The fact that an unaccompanied minor has refused to undergo a medical examination shall not prevent the Decision Authorities from taking a decision on his/her application.
7. Applications for international protection of unaccompanied minors shall always be examined under the regular procedure.
8. Ensuring the child's best interest shall be a primary obligation when implementing the provisions of this article.

Article 46

(Article 26 of Directive 2013/32 (EU) and 8-11 of Directive 2013/33 (EU)) Detention of applicants

1. An alien or stateless person who applies for international protection shall not be held in detention for the sole reason that he/she has submitted an application for international protection, and that he/she entered irregularly and/or stays in the country without a legal residence permit.
2. An alien or a stateless person who submits an application for international protection while in detention according to the relevant provisions of Laws 3386/2005 (O.G. A' 212) and 3907/2011 (O.G. A' 7) as in force shall remain in detention, exceptionally and if this is considered necessary after an individual assessment under the condition that no alternative measures, such as those referred to in article 22 paragraph 3 of Law 3907/2011 can be applied, for one of the following reasons:
 - a. in order to determine his /her identity or nationality, or
 - b. in order to determine those elements on which the application for international protection is based which could not be obtained otherwise, in particular when there is a risk of absconding of the applicant, as defined in article 18 point (f) of Law 3907/2011, or
 - c. when it is ascertained on the basis of objective criteria, including that he/she already had the opportunity to access the asylum procedure, that there are reasonable grounds to believe that the applicant is making the application for international protection merely in order to delay or frustrate the enforcement of a return decision, if it is probable that the enforcement of such a measure can be effected;

d. when he/she constitutes a danger for national security or public order, according to the reasoned judgment of the competent authority of point 3 of this Article, or

e. when there is a serious risk of absconding of the applicant, pursuant to Article 2 point (n) of Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 according to the criteria of Article 18 point (f) of law 3907/2011 which apply respectively and in order to ensure the enforcement of a transfer decision according to the above Regulation.

3. The detention order shall be taken by the respective Police Director and, in the cases of the General Police Directorates of Attica and Thessaloniki, by the competent Police Director for Aliens matters and shall include a complete and comprehensive reasoning. In cases (a), (b) (c) and (e) of paragraph 2 of this Article the detention order is taken upon a recommendation of the Head of the competent Receiving Authority.

4. a. The detention of applicants for international protection shall be imposed for the minimum necessary period of time. Delays in administrative procedures that cannot be attributed to the applicant shall not justify a continuation of detention.

b. The detention of applicants on the grounds mentioned in points (a), (b) and (c) shall, initially, not exceed 45 days and can later be prolonged by a further 45 days, as long as the recommendation of paragraph 3 is not recalled.

c. The detention of applicants for international protection on the grounds of points (d) and (e) shall not exceed three (3) months.

d. In any case, and independently of whether the time limits for points (d) and (e) above have been completed or not, the total detention period may not exceed in any case the maximum time limits for detention, as they are foreseen in Article 30 of Law 3907/2011.

5. The initial detention order and the order for the prolongation of detention shall be transmitted to the President of the Administrative Court of First Instance, or the judge appointed by this former, who is territorially competent for the applicant's place of detention and who decides on the legality of the detention measure and issues immediately his decision, in a brief record, a copy of which he/she immediately delivers to the competent police authority. In case this is requested, the applicant or his/her legal representative must mandatorily be heard in court by the judge. This can also

be ordered, in all cases, by the judge. In this case, the provisions of paragraph 3 and subsequent paragraphs of Article 76 of Law 3386/2005 shall apply respectively. The aforementioned procedure shall not restrict the possibility of the applicant to raise objections against the detention order or the order to prolong the detention period, pursuant to the provisions of the following Article.

6. Applicants in detention, according to the above paragraphs, have the rights to appeal and submit objections as foreseen in paragraphs 3 and subsequent of Article 76 of Law 3386/2005, as in force.

7. Detainees who are applicants for international protection shall be entitled to free legal assistance and representation to challenge the detention order according to the provisions valid for third country nationals in detention, according to the provisions set in law 3226/2004 (O.G. A' 24) which apply accordingly.

8. The detention of an applicant constitutes a reason for the acceleration of the asylum procedure, taking into account possible shortages in adequate premises and the difficulties in ensuring decent living conditions for detainees. These difficulties, as well as the vulnerability of applicants, as per Article 14 paragraph 8 above shall be taken into account when deciding to detain or to prolong detention. When an alien or stateless person applies for international protection while in detention, the Head of the competent Receiving Authority and/or the Administrative Director of the Appeals Authority shall be immediately informed and shall ensure the prioritized examination of the application or the appeal.

9. Applicants are detained in detention areas as provided in Article 31 of Law 3907/2011.

10. In cases of detention of applicants, the competent authorities, without prejudice to the international and national legal rules on detention, shall apply the following as per case:

a. They shall ensure that women are detained in an area separately from men as well as the due respect for the privacy of families in detention.

b. They shall avoid the detention of minors. Minors who have been separated from their families and unaccompanied minors shall not be detained, as a rule. Only in very exceptional cases, unaccompanied minors who applied for international protection while in detention according to the relevant provisions of Law 3386/2005 and Law 3907/2011, may remain in detention, as a last resort solution, only to ensure that they are safely referred to

appropriate accommodation facilities for minors. This detention is exclusively imposed for the necessary time for the safe referral to appropriate accommodation facilities and cannot exceed twenty-five (25) days. When, due to exceptional circumstances, such as the significant increase in arrivals of unaccompanied minors, and despite the reasonable efforts by competent authorities, it is not possible to provide for their safe referral to appropriate accommodation facilities, detention may be prolonged for a further twenty (20) days. Minors who have been separated from their families and unaccompanied minors shall be detained separately from adult detainees. When minors are detained, they shall be given the possibility to occupy themselves with activities, including games and recreational activities appropriate for their age.

c. They shall avoid detaining women during pregnancy and for three (3) months after labour.

d. They shall provide detainees with the appropriate medical care.

e. They shall ensure the right of detainees to legal representation.

f. They shall ensure that detainees are informed in a language they understand of the reasons and the duration of their detention, their right and means to challenge the detention decision and their right to free legal assistance.

11. When the reasons set out in paragraph 2 justifying detention of the applicant cease to exist, the authorities which ordered the detention, with a reasoned decision, shall release the applicant and inform without delay the Receiving Authorities or the Appeals Authority, if the application is pending before the second instance.

Article 47

(Articles 27 and 28 of the Directive)

Withdrawal of the application

1. The applicant may withdraw his/her application throughout the duration of the procedure, if he/she submits a written statement before the competent Receiving Authorities and hands over the International Protection Applicant Card. For the confirmation of the withdrawal, a relevant record shall be drafted in the presence of an interpreter, who shall confirm the accuracy of its content, while the applicant is informed of the consequences of the withdrawal and the fact that he/she has to leave the

country if he/she is not holding a residence permit, he/she receives a copy of the withdrawal record and the case shall be filed by the competent Receiving Authority. The same procedure shall also apply when an applicant who has only had a simple registration as per article 36, paragraph 1 (b) above declares that s/he does not wish to have a full registration of his/her application for international protection.

2. When there is reasonable cause to consider that an applicant has implicitly withdrawn his/her application, the Decision Authorities shall discontinue the examination of the application with a relevant act and file the case. The abovementioned acts shall be notified to the applicant, by post to the most recent address declared by him/her. If no such address has been declared, the above decisions shall not be notified.

3. An implicit withdrawal shall be considered to exist, when it is concluded that the applicant, without justifying that this is caused by circumstances independent of his/her will:

a. did not respond to calls for the provision of information of significant importance for his/her application as per Article 4 of Presidential Decree 141/2013 (O.G. A'226) or

b. was not present in the personal interview or hearing before the Appeals Authority, as foreseen by Articles 52 and 62, despite the fact that s/he was lawfully summoned and without indicating plausible reasons for his/her absence or

c. Escaped from the location where s/he was detained or did not comply with the alternative measures imposed or

d. departed from the location where he/she was residing, without asking for permission or informing the competent authorities, as long as he/she has an obligation in that regard, or left the country without receiving the permission of the competent Receiving Authority or

e. did not comply with his/her obligations under Article 42 point (1) cases (b) and (c) , or any other obligation to communicate, or obligation to deliver a document that s/he evidently possesses or should have at his/her possession and can deliver or

f. did not appear to renew his/her Card, at the latest the next working day after its expiration.

4. Applicants against whom a discontinuation act or a decision to file the application has been issued following a withdrawal have the right, within 9 (nine) months from the date of the discontinuation act or submission of the

withdrawal to request from the authority which took the decision, to continue the examination of his/her case. Until the final decision on the above application, the applicant shall not be deported from the country nor shall a return decision be executed. The applicant may ask only once for the continuation of the examination of his/her case.

5. An application for international protection submitted after 9 (nine) months from the date of publication of the discontinuation act or the submission of the withdrawal shall be treated in accordance with the provisions on subsequent applications referred to in Article 59.

6. In cases of transfer of applicants in the country, within the scope of Council Regulation 604/2013 of the European Parliament and of the Council, any interruption decisions issued pursuant to paragraph 2 shall be automatically revoked and the examination procedure of the application shall continue.

Article 48

(Article 29 of the Directive)

The role of the United Nations High Commissioner for Refugees

1. The decisions taken on applications for international protection at first and second instance, as well as all decisions withdrawing or annulling the refugee or subsidiary protection beneficiary status, shall be notified to the Office of the United Nations High Commissioner for Refugees in Greece, if the applicant or beneficiary of international protection consents to this.

2. The United Nations High Commissioner for Refugees:

a. May present its views or provide supplementary information to the competent Receiving Authorities.

b. Shall have access to information on individual applications for international protection, on the progress of the procedure and the decisions taken, if the applicant consents to this.

c. Shall have access, through its representatives, to the Regional Services of the Reception and Identification Service, to detention areas and correctional institutions, and also to transit zones of airports or ports, where applicants or persons in need of international protection are detained or reside. To ensure confidentiality of the communication between the applicants and the aforementioned representatives, an appropriate area shall be made available by the competent receiving or detention authority. The aforementioned right of access shall also be provided to organisations which

act, based on a specific agreement, on behalf of the Office of the United Nations High Commissioner for Refugees in Greece.

d. Shall present its views, in the exercise of its activities, under Article 35 of the Geneva Convention, before the competent authorities, regarding applications for international protection at any stage of the procedure.

3. The United Nations High Commissioner for Refugees shall be provided with statistical data that allow effective completion of its tasks, as foreseen in Article 35, paragraph 2 of the Geneva Convention.

4. In the framework of the operation of the Asylum Service, the United Nations High Commissioner for Refugees may attend the interviews of applicants for international protection, submit advisory opinions so as to assist the Asylum Service in the exercise of its competence and monitor the quality of the asylum procedure at first and second instance of administrative examination. The details of the above cooperation and assistance shall be regulated in relevant Memoranda of Cooperation concluded between the Director of the Asylum Service and the United Nations High Commissioner for Refugees.

Article 49

(Article 30 of the Directive)

Confidentiality

For the purposes of examining international protection applications, all competent authorities are required to:

a. Not disclose information regarding individual applications or the fact that an application has been submitted, to the alleged actors of persecution or of serious harm of the applicant.

b. Not to request information by the alleged actors of persecution or of serious harm of the applicant in a manner that would result in direct or indirect disclosure of the fact that the applicants has submitted a claim and would jeopardize the physical integrity of the applicant and his/her dependents or the liberty and security of his/her family members still living in the country of origin.

Article 50

(Article 24 of the Directive)

Applicants in need of special procedural guarantees

1. The Receiving Authorities shall assess within a reasonable period of time after an application for international protection is made, or at any point of the procedure the relevant need arises, whether the applicant is in need of special procedural guarantees, especially when there are indications or claims that he/she is a victim of torture, rape or other serious forms of psychological, physical or sexual violence.

2. When it is assessed that applicants have been identified as in need of special procedural guarantees, they are provided with adequate support in order to allow them to benefit from the rights and comply with the obligations of this part throughout the duration of the procedure. Applications for international protection from persons in need of special procedural guarantees shall always be examined under the regular procedure.

CHAPTER C

PROCEDURES AT FIRST INSTANCE

Article 51

(Article 31 of the Directive)

Examination procedure

1. The Determining authority shall examine the applications for international protection in accordance with the basic principles and guarantees set in Chapter B under the regular or the accelerated procedure. The decision to examine a case with the accelerated procedure is specifically justified by the case handler, according to the provisions of paragraph 7 and shall not influence the assessment on the merits of the application for international protection. The accelerated procedure shall have as a sole effect to reduce the time limits according to what is specifically stipulated in the provisions of this Part.

2. The examination of the applications shall be concluded the soonest possible and, in any case, within six (6) months, where the regular procedure is applied, or three (3) in the cases of an accelerated procedure. Where an application is subject to the procedure laid down in Regulation (EU) No 604/2013, the time limit shall count from the moment Greece is determined as the state responsible for its examination in accordance with that

Regulation, the applicant is on the territory of the country and his/her application for international protection has been taken up by the Asylum Service.

3. The above time limits may be extended for a period not exceeding a further 9 (nine) months, where:

- a. Complex issues of fact and/or law are involved
- b. A large number of aliens or stateless persons simultaneously apply for international protection, making it very difficult in practice to conclude the procedure within the six-month (6) time limit;
- c. The delay can clearly be attributed to the failure of the applicant to comply with his/her obligations under Article 42 above.

4. By way of exception, the above time limits may be extended for a further period not exceeding three (3) months, where necessary due to exceptional circumstances and in order to ensure an adequate and complete examination of the application for international protection.

5. In cases where the examination exceeds the maximum time limit set in each case, the applicant has the right to request information by the competent Receiving Authorities concerning the timeframe within which the decision on the application is to be expected. Such provision of information shall not constitute an obligation for the above authorities to make a decision within a specific timeframe.

6. The competent Receiving Authorities may register and examine by priority applications for international protection which concern:

- a. Individuals belonging to vulnerable groups in the meaning of article 14, paragraph 8 of this law or are in need of special procedural guarantees, or
- b. Individuals who apply while in detention, who submit an application under Article 60, while staying at ports or airports transit zones of the country or remain within Regional Services of the Reception and Identification Service, or
- c. Individuals who may be subject to the procedures of Regulation 604/2013 of the European Parliament and of the Council, or
- d. Individuals whose applications are reasonably assumed as well founded, or
- e. Individuals whose applications may be considered as manifestly unfounded,

f. Individuals for whom the Hellenic Police, with a reasoned document, reports that they constitute a danger to national security or public order of the country,

g. individuals who submit subsequent applications for international protection, at the admissibility stage.

7. The Determining authority shall examine an application under the accelerated procedure when:

a. the applicant comes from a safe country of origin according to Article 57,

b. the application is manifestly unfounded. An application is characterized as manifestly unfounded where the applicant during the submission of the application and the conduction of the personal interview, invokes reasons that manifestly do not comply with the status of refugee or of subsidiary protection beneficiary, or where he/she has presented manifestly inconsistent or contradictory information, manifest lies or manifestly improbable information, or information which is contrary to adequately substantiated information to his/her country of origin, which render his/her statement of being a victim of persecution under Presidential Decree 141/2013 as clearly unconvincing or

c. the applicant misled the authorities by presenting false information or documents or by withholding relevant information or documents regarding his/her identity and/or nationality which could adversely affect the decision

d. the applicant is likely that he/she has destroyed or disposed in bad faith documents of identity or travel which would help determine his/her identity or nationality, or

e. the applicant has submitted the application only to delay or impede the enforcement of an earlier or imminent deportation decision or removal by other means, or

f. the applicant refuses to comply with the obligation to have his/her fingerprints taken in accordance with relevant legislation.

Article 52

(Articles 14 to 17 and 34 of the Directive)

Personal interview

1. Before a decision is taken, the Determining Authority shall conduct a personal interview with the applicant, who is invited to it in accordance with the provisions of Article 40. Without prejudice to the provisions of Regulation

(EU) No 604/2013 of the European Parliament and of the Council and to article 59 of this law, when there are indications in the administrative file of the case that the application for international protection may fall under the case of inadmissible applications as per article 54 below, the interview may be limited to the confirmation of the concurrence of these conditions and the applicant will be given the opportunity to react to this. Where, after the interview, the Determining Authority considers necessary to enter into the merits of the application for international protection, a supplementary interview shall take place.

2. The interview shall be conducted by the competent member of the staff of the Receiving Authority (case-handler) who shall have the necessary skills and shall take and issue the decision on the application for international protection. The Internal Regulation of the Asylum Service shall determine the process for the designation of the competent member of the staff (case-handler) by the head of each Regional Asylum Office or autonomous Asylum Unit.

3. The interview shall be conducted with the assistance of an interpreter, as defined in Article 41, paragraph 1b above, capable to ensure the necessary communication, in order for the applicant to confirm the facts stated in the application and to be able to fully explain the reasons which forced him/her to leave his/her country of origin, or, in the case of a stateless person, the country of previous habitual residence seeking protection, as well as the reasons why he/she does not want or cannot return and to provide explanations particularly regarding his/her personal history, including the history of his close relatives, identity, nationality, country and place of former residence, former applications for international protection, the routes he/she followed to enter the Greek territory and his/her travel documents.

4. During the interview, the Determining Authority shall give the applicant an adequate opportunity to present the elements needed to substantiate the application as completely as possible. This includes the opportunity to provide an explanation regarding elements, which may be missing and/or any inconsistencies or contradictions in the applicant's statements.

5. Before the interview, the applicant, if he/she so wishes, is given a reasonable amount of time in order to sufficiently prepare and to consult a legal or other counsellor who shall assist him/her during the procedure. Such reasonable amount of time shall be set by the competent Receiving

Authority and can be no more than seven (7) days or three (3) days when an interview takes place in accordance with Article 60, paragraphs 1-3 or when it concerns an applicant who is in a Reception and Identification procedure.

6. When the interview concerns a female applicant, special attention is taken so that the interview is conducted by a specialised female case handler, in the presence of a woman interpreter, if so requested. In any case, if the applicant has expressed a preference as to the gender of the case handler or the interpreter at a previous stage of the procedure, special attention to this objective shall be given. If this is not possible, the relevant reasons are stated in interview report or minutes.

7. A separate personal interview shall be conducted for every adult family member. When minors are concerned, the personal interview shall be conducted taking into consideration their maturity and psychological consequences of their traumatic experiences.

8. The personal interview may be omitted if the Determining Authority considers that, on the basis of evidence available, it is able to recognise the applicant as a refugee or if the interview is not possible due to objective reasons, in particular if the applicant is unfit or unable to be interviewed due to his young age or because of circumstances of a permanent nature beyond his/her will. This latter incapacity must be certified by a relevant certificate from a physician of relevant specialisation.

9. When the applicant or the family member is not provided with the opportunity of a personal interview, the Determining Authority shall endeavour to provide them with the possibility to submit supplementary information.

10. The omission of the personal interview in accordance with the previous paragraphs shall not adversely affect the decision by the Determining Authority nor shall it prevent the Determining Authority from making a decision on the application. In case the personal interview is omitted, the Determining Authority, in its decision, shall include the reasons justifying this omission.

11. The personal interview shall take place without the presence of the applicant's family members, unless the case-handler deems their presence necessary.

12. The personal interview shall take place under conditions, which ensure appropriate confidentiality.

13. During the interview, the appropriate measures shall be taken to ensure that it is conducted under conditions, which allow the applicant to present comprehensively the grounds of the application. To that end:

a. Each case-handler must be sufficiently qualified to take into account the personal or general circumstances regarding the application, including the applicant's cultural origin. In particular, case-handler shall be trained especially concerning the special needs of women, children and victims of violence and torture.

b. The selected interpreter must be able to ensure appropriate communication in a language understood by the applicant.

14. The interview shall be audio recorded while a report shall be drawn for every personal interview, which shall include the main claims of the applicant for international protection and all its essential elements. If the audio recording of the interview is not possible, a full report shall be taken. The applicant shall be invited, at the end of the interview, to confirm that he/she has nothing else to add and he/she shall not sign the report. The audio recording accompanies the report and is stored by the Determining Authority. Interviews conducted by teleconferencing shall obligatorily be audio recorded.

15. When an audio recording is not possible, the report shall include a full transcript of the interview. The applicant shall be invited to confirm the accuracy of the content of the report by signing it, with the assistance of the interpreter who also signs it, where present. In case an applicant refuses to confirm the content of the report, the reasons for this refusal shall be included in the report. The refusal of an applicant to approve the content of the report shall not prevent the Determining Authority from taking a decision on his/her application.

16. The applicant shall have the right to receive, at any time, copy of the transcript or the report drafted and the audio recording.

17. The above-mentioned guarantees shall also apply during the procedure for the examination of appeals, as well as during any supplementary examination or hearing.

18. The internal regulation of the Asylum Service may provide more details as to technical processes for conducting and audio recording interviews and teleconferences.

Article 53

(Article 18 of the Directive)
Medical examination

On condition that the applicant consents to it, the Receiving Authority or the Decision Authorities may refer him/her for a medical and/or psychosocial diagnosis where there are signs or claims, which might indicate past persecution or serious harm. These examinations shall be free of charge and shall be conducted by specialized scientific personnel of the respective specialisation and their results shall be submitted to the competent authorities as soon as possible. In any other case, applicants are informed that they may, on their own initiative and at their own costs, arrange for a medical examination and diagnosis concerning signs that might indicate past persecution or serious harm. The results of the above medical examinations/diagnosis shall be assessed by the competent Decision Authorities along with the other elements of the application.

Article 54
(Article 33 of the Directive)
Inadmissible applications

1. The Decision Authorities shall reject as inadmissible, with a relevant act, an application for international protection if:
 - a. another EU member state has granted the applicant international protection status or
 - b. another EU member state or a state bound by Council Regulation 604/2013 of the European Parliament and of the Council has taken the responsibility to examine the relevant application, pursuant to this Regulation or
 - c. the applicant enjoys adequate protection by a country which is considered as a first country of asylum for him in the meaning of article 55 or
 - d. They deem that a country is considered a safe third country for the applicant, according to Article 56 or,
 - e. The application forms a subsequent application of the applicant and the preliminary examination, in accordance with Article 59 par. 2 below, has not revealed new substantial elements or

f. A member of the applicant's family lodges a separate application, although the member has, in accordance with Article 36, already consented to include his/her case as part of an application made on his/her behalf and there are no facts, which justify a separate application.

2. In the cases of paragraph 1 point (b) above, the Determining Authority shall also issue the relevant transfer decision according to Regulation 604/2013 (EU) of the European Parliament and of the Council.

Article 54

(Article 35 of the Directive)

First country of asylum

1. A country shall be considered to be a first country of asylum for an applicant provided that he/she will be re-admitted to that country, if the applicant has been recognised as a refugee in that country and can still enjoy of that protection or enjoys other effective protection in that country, including benefiting from the principle of non- refoulement.

Article 56

(Article 38 of the Directive)

Safe third countries

1. A country shall be considered as a safe third country for a specific applicant when all the following criteria are fulfilled:

a. the applicant's life and liberty are not threatened for reasons of race, religion, nationality, membership of a particular social group or political opinion,

b. this country respects the principle of non- refoulement, in accordance with the Geneva Convention,

c. the applicant is in no risk of suffering serious harm according to Article 15 of Presidential Decree 141/2013,

d. the country prohibits the removal of an applicant to a country where he/she risks to be subject to torture or cruel, inhuman or degrading treatment or punishment, as defined in international law,

e. the possibility to apply for refugee status exists and, if the applicant is recognized as a refugee, to receive protection in accordance with the Geneva Convention and

f. the applicant has a connection with that country, under which it would be reasonable for the applicant to move to it.

2. The fulfilment of the above criteria shall be examined for each individual case and applicant separately. When issuing a decision, which is based solely on this article, the competent Receiving Authorities shall inform the applicant accordingly and shall provide him/her with a document informing the third country's authorities that the application has not been examined on the merits.

3. Where the third country does not permit the applicant to enter its territory, the competent Decision Authorities shall examine the application on the merits.

4. The European Commission shall be informed, on an annual basis, by the competent bodies of the Ministry of Foreign Affairs, about the countries deemed safe according to this Article.

Article 57

(Articles 36 and 37 of the Directive)

Safe countries of origin

1. Safe countries of origin are:

a. Those included in the common list of safe countries of origin by the Council of the EU.

b. Third countries, in addition to those of case (a), which are included in the national list of safe countries of origin and which shall be established and apply for the examination of applications for international protection and published in accordance with Article 7 paragraph 11 above, issued by a joint Ministerial Decision by the Ministers of Interior and Administrative Reconstruction and Foreign Affairs. The JMD on the national list of safe countries of origin is issued following a recommendation by the Director of the Asylum Service, after an assessment by the Department of Training, Quality Assessment and Documentation and after an evaluation, according to the provisions set in paragraphs 3 and 4 below. This evaluation takes into account related information by other states and international organisations, such as the United Nations High Commissioner for Refugees, the European Asylum Support Office and the Council of Europe shall be taken into account for such evaluation. This evaluation shall be repeated periodically, taking into account changes occurring in each country. The national list of countries of

origin shall be communicated to the European Commission by the Ministry for Foreign Affairs.

2. A country may be designated as a safe country of origin for a particular applicant only if, after an individual examination of the application, it is demonstrated that the applicant:

a. has the nationality of that country or is a stateless person and was previously a habitual resident of that country and

b. has not submitted any serious grounds for considering the country not to be a safe country of origin in his or her particular circumstances and in terms of his or her qualification as a beneficiary of international protection in accordance with the applicable provisions.

3. A country shall be considered as a safe country of origin if, on the basis of legislation in force and of its application within the framework of a democratic system and the general political circumstances, it can be clearly demonstrated that persons in these countries do not suffer persecution, generally and permanently, as defined in Article 9 of Presidential Decree 141/2013, nor torture or inhuman or degrading treatment or punishment, nor threat resulting from the use of generalized violence in situations of international or internal armed conflict.

4. In applying the previous paragraph, account shall be taken, inter alia, of the extent to which protection is provided against persecution or ill-treatment through:

a. the relevant legal and regulatory provisions of the country and the manner of their application;

b. observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR – I.d. 53/74, O.G A' 256), the International Covenant for Civil and Political Rights (Law 2462/1997, O.G. A' 25), in particular the rights from which derogation cannot be made under Article 15 par. 2 of the ECHR and the Convention against Torture and other cruel, inhuman or degrading treatment or punishment (Law 1782/1988 O.G. A' 116) and the International Convention on the Rights of the Child (law 2101/1992 O.G. A' 192);

c. respect of the non-refoulement principle according to the Geneva Convention;

d. provision of a system of effective remedies against the violation of these rights and freedoms.

Article 58
(Article 32 of the Directive)
Unfounded applications

1. The competent Decision Authority shall reject an application as unfounded, if it has established that the applicant does not qualify for refugee or subsidiary protection status, according to the current provisions.

Article 59
(Articles 40 to 42 of the Directive)
Subsequent applications

1. In case of a subsequent application the competent Decision Authorities shall examine the details of the subsequent application in conjunction with the elements in the file of the initial application.

2. A subsequent application shall be initially examined at a preliminary stage during which it shall be examined whether new, substantial elements have arisen or are submitted by the applicant. During this stage the applicant shall submit in writing to the competent Receiving Authorities any new elements he/she provides without the realization of an interview. Exceptionally, the applicant may be invited, according to the provisions of this Part, to a hearing in order to clarify elements of the subsequent application, when the Determining Authority considers this necessary.

3. The competent Receiving Authorities shall ensure that applicants, whose application is being examined according to the provisions of the previous paragraph, enjoy the guarantees provided in Article 41 paragraph 1(a), (b), (c), (e) and (f). Until the conclusion of the administrative procedure for the examination of the application on the preliminary stage, all measures of deportation, return or other form of removal against the applicants shall be suspended. Similarly, during this stage, an extradition decision shall not be enforced, if the applicant claims fear of prosecution at the requesting state.

4. If, during the preliminary examination mentioned in paragraph 2, new substantial elements arise or are submitted by the applicant, which influence the judgement on the application for international protection, the application shall be deemed admissible and shall be further examined in conformity with the provisions of this Part; the applicant shall receive an

International Protection Applicant Card. In the opposite case, the application shall be rejected as inadmissible

5. The procedure of this article may also apply if a family member of the applicant lodges an application after having consented, according to Article 36 par. 6, that his/her case shall be part of an application made on his/her behalf. In this case the preliminary examination, stated in paragraph 2 of this Article shall regard the eventual existence of evidence that justify the submission of a separate application by the depending person. In this case, an interview shall be conducted at the preliminary stage.

6. When an application for international protection is lodged before a final decision on a previous application by the same applicant has been issued, it shall be considered as a complementary element to the initial one and shall not be subject to the provisions of this Article.

7. Any new identical, subsequent application shall be filed by the Head of the competent Regional Asylum Office or autonomous Asylum Unit, in accordance with the provisions of Article 4 of the Code of Administrative Procedure.

8. Where an applicant with regard to whom a transfer decision has to be enforced pursuant to Regulation (EU) No 604/2013 of the European Parliament and of the Council, makes a subsequent application, it shall be examined by the responsible Member State, as defined in that Regulation.

Article 60

(Article 47 of the Directive)

Border procedures

1. Where applications for international protection are submitted in transit zones of ports or airports in the country, the applicants shall enjoy the rights and guarantees of the provisions of Articles 41, 44, 45 and 46 of this Part.

2. If a decision on the application is not taken within twenty eight (28) days from the date it was submitted, the applicant shall be allowed to enter and stay in the country and his/her application shall be examined in accordance with the other provisions of this law.

3. Without prejudice to the provisions of Article 46 above, in the cases of this article where an application for international protection is rejected and an order for deportation, return or readmission is issued the execution of which

is suspended, by a decision of a court of law the applicant shall be allowed a stay in the country until the decision on the legal remedy is taken.

4. In case of third country nationals or stateless persons arriving in large numbers and applying for international protection at the border or at airport/ port transit zones or while they remain in Reception and Identification Centres, the following procedures shall exceptionally apply, following a relevant Joint Decision by the Minister of Interior and Administrative Reconstruction and the Minister of National Defence:

- (a) The registration of applications for international protection, the notification of decisions and other procedure-related documents as well as the receiving of appeals may be conducted by staff of the Hellenic Police or the Armed Forces.
- (b) In the implementation of procedures under (a) above, the Asylum Service may be assisted, in the conduct of interviews with applicants for international protection as well as any other procedure, by staff and interpreters deployed by the European Asylum Support Office.
- (c) The time limit provided for in article 52, paragraph 5, shall be one (1) day. The time limit provided for in article 62, paragraph 2(c), shall be two (2) days. The time limits provided for in article 62, paragraph 3, regarding the invitation of the applicant to an oral hearing as well for the submission of a memorandum after the examination of an appeal, shall be one (1) day.
- (d) Decisions on applications for international protection shall be issued, at the latest, the day following the day the interview is conducted and shall be notified to the individuals concerned, at the latest, the day following the day of issuance.
- (e) Appeals shall be examined within three (3) days from their submission. Decisions on appeals shall be issued, at the latest, two (2) days following the day of the appeal examination or the submission of a memorandum and shall be notified to the individuals concerned, at the latest, the day following the day of their issuance. When the appellant requests to be granted an oral hearing, as per article 62, paragraph 1 (e) below, the Appeals Committee may, based on its judgement, invite him/her to a hearing.
- (f) Individuals falling under Articles 8 to 11 of EU Regulation 604/2013 of the Parliament and the Council as well as vulnerable persons under Article 14 paragraph 8 of this law shall be exempted from the procedures described above.

5. The joint Decision by the Minister of Interior and Administrative Reconstruction and the Minister of National Defence referred to in the previous paragraph may regulate the details for the implementation of this.

CHAPTER D

PROCEDURES AT SECOND INSTANCE

Article 61

The right to lodge an appeal (Article 46 of the Directive)

1. The applicant has the right to lodge a quasi-judicial appeal provided for in article 7, paragraph 5 above before the Appeals' Authority set of Article 4:
 - a. Against the decision rejecting the application for international protection as unfounded under the regular procedure or withdrawing this status, as well as against the part of the decision that grants subsidiary protection for the part rejecting refugee status, within thirty (30) days from the notification of this decision.
 - b. Against the decision rejecting the application for international protection under the accelerated procedure, or as inadmissible, according to Articles 51 paragraph 7 and 54 respectively, as well as in cases where the appeal is submitted while the applicant is in detention, within fifteen (15) days from the notification of this decision. The appeal against the decision rejecting an application for international protection as inadmissible pursuant to Article 54 paragraph 1(b) shall also be deemed to be against the relevant transfer decision, pursuant to the relevant provisions of Council Regulation 604/2013 of the European Parliament and of the Council.
 - c. Against the decision rejecting the application for the continuation of the examination procedure after an interruption decision has been made, pursuant to Article 47 paragraph 4, within fifteen (15) days from the notification of this decision.
 - d. Against the decision rejecting an application for international protection in cases of article 60 or when the appeal is submitted in a Reception and Identification procedure, within five (5) days from the notification of this decision.
2. Without prejudice to the application of the procedure of Article 59 of the present law, the International Protection Applicant Card shall be re- issued

in case an appeal is lodged; its period of validity shall be determined by the provisions of Article 41 paragraph 1(d) respectively. In case an appeal is lodged after the aforementioned time limits, the duration of the Card of the applicant for international protection may be restricted by a decision, pursuant to paragraph 1(d)(vi vi) of Article 41, depending on the estimated time of issuing the decision over the appeal.

3. In case of an appeal against a decision withdrawing the status of international protection, pursuant to Article 63, the residence permit shall be given back to the appellant.

4. During the time limit provided for an appeal and until the notification of the decision on the appeal, all measures of deportation, readmission, or return of the appellant shall be suspended.

5. The appeals shall be submitted before the Receiving Authorities and shall be forwarded, immediately, to the Appeals Authority.

6. If the decision at first instance is not notified, for any reason, the time limit for appeal is sixty (60) days counting from the expiration date of the International Protection Applicant Card, or, in case the validity of the Card expires before the issuing of the decision, sixty (60) days from the date of issuing of the decision. In case the applicant is a detainee who has been released and a Card has not been issued to him/her, the aforementioned time limit shall count after the time limit for his/her appearance before the receiving authority, pursuant to Article 41 paragraph (1)(d)(vii), third indent.

Article 62

Examination procedure of the appeals

1. The procedure before the Appeals Committee shall be, as a rule, in writing and the examination of the appeals shall be performed based on the elements from the case file, without the presence of the appellant. The Appeals Committee shall invite the appellant to an oral hearing when:

- a. the appeal is lodged against a decision which withdraws the international protection status,
- b. issues or doubts are raised relating to the thoroughness of the appellant's interview at first instance,
- c. The appellant has submitted new serious evidence relating to posterior claims,
- d. the case is particularly complicated,

e. the appellant submits a relevant request at least two (2) days before the examination of the appeal.

2. When an appeal is lodged, the competent Receiving Authority shall inform, on the same day, the appellant on the date the appeal will be examined. The examination of the appeal shall be carried out:

a. at the earliest twenty (20) days after the submission of an appeal against a decision rejecting an application for international protection under the regular procedure as unfounded or withdrawing the international protection status.

b. at the earliest ten (10) days after the submission of the appeal lodged against a decision rejecting an application for international protection through the accelerated procedure or as inadmissible according to the provisions in articles 16 paragraph 4 and 18 respectively.

c. at the earliest five (5) days after the submission of the appeal lodged against a decision rejecting an application for international protection through the procedure set in Article 60 or submitted when the appellant is in a Reception and Identification Centre.

The appellant may submit any supplementary evidence or a written memorandum up till the day before the examination date of his/her appeal.

3. When the appeal is examined through the oral hearing procedure, the Appeals Authority shall invite the appellant before the competent Committee. The appellant shall be informed at least five (5) working days before the date of the examination of his/her appeal in a language which he/she understands of the place and date of examination of the appeal, as well as his/her right to attend in person and/or with a lawyer or other counsellor, in order to explain before the Committee orally, with the assistance of an appropriate interpreter, his/her arguments and provide any clarifications. The appellant's absence shall not obstruct the examination of the appeal provided that the appellant has been invited according to the provisions of article 40 above. After the conclusion of the oral hearing, the appellant may be given, following a relevant request, reasonable time, which cannot be shorter than three (3) days and longer than fifteen days (15), to submit supplementary evidence or a written submission.

4. Appeals submitted after the expiration of the time limits set in Article 61 paragraph (1), shall always be examined in priority and at the latest thirty (30) days after the submission of the appeal. Similarly, appeals against cases under Article 51 paragraph (6) above may be examined as a priority.

5. The Administrative Director of the Appeals Authority shall ensure the adequate secretarial support to the Committees, the provision of appropriate interpretation services and shall sign the agenda as provided by the law and the internal regulation of the Appeals Authority. The agenda, together with the relevant administrative files, shall be communicated to the members of the Appeals Committees five (5) days before the day of the examination of the appeals.

6. The examination of the appeals shall be concluded the soonest possible after their submission and, under all circumstances, no later than six (6) months when the regular procedure is applied or three (3) months under the accelerated procedure.

7. During the examination procedure of the appeal, the Committee shall examine both the legality of the act under appeal and the merits of the case, shall accept or reject the appeal and issue a relevant decision. The decision on the appeal shall be notified to the appellant according to the provisions of Article 40 of this law.

CHAPTER E

FINAL PROVISIONS

Article 63

(Articles 44 and 45 of the Directive)

Withdrawal of the international protection status

1. When new elements arise which constitute a reason to reconsider the international protection status, the competent Receiving Authorities shall examine also whether there is a case for withdrawal of this status based on relevant provisions of Presidential Decree 141/2013. A revocation decision shall be made by the Head of the territorially competent Receiving Authority, following a recommendation of the competent member of the personnel (case-handler) and shall be specifically reasoned.

2. In cases where paragraph 1 is applied, the person concerned:

a. shall be informed in writing by the competent Receiving Authority at least fifteen (15) working days before the reconsideration of the fulfilment in his/her person of necessary conditions for international protection, as well as of the reasons for such reconsideration.

b. be given the opportunity to submit, in a personal interview and in a written statement to the competent Receiving Authority, reasons as to why his or

her international protection should not be withdrawn. The interview procedure shall be conducted according to Article 52 by the a member of the personnel (case-handler) of the Receiving Authority, specially appointed to this end.

3. In the framework of this procedure, the Determining Authority:

a. shall be informed in writing by the Division of Training, Quality Assessment and Documentation of the Asylum Service with regard to the overall political, social and economic situation prevailing in countries of origin of the persons concerned and

b. may, if deemed necessary, collect further information on the specific case in order to reconsider the status. This information shall not be obtained from actors of persecution or serious harm in a manner that would result in directly informing them that the person concerned is a refugee or a beneficiary of subsidiary protection, or in endangering the physical integrity of the person concerned and his/her dependants and the liberty or security of his/her family members who might still reside in the country of origin.

4. The decision to withdraw the status shall be notified in accordance with the provisions of Article 40. The decision shall state the reasons in fact and in law for withdrawing the status and provide information on the possibilities to appeal before the Appeals Authority.

5. The provisions of Article 44 and Article 48 shall also apply to status withdrawal.

6. In derogation from the provisions of the previous paragraphs, the international protection status of a beneficiary shall automatically lapse if the beneficiary explicitly withdraws it, by a written statement, which is submitted in person to the competent Receiving Authorities under the procedure of Article 47 paragraph 1 or if the beneficiary receives Greek nationality.

Article 64

(Article 47 of the Directive)

Applications for annulment

1. The applicants for international protection have the right to apply for the annulment of decisions taken in application of the provisions of this Part, before the competent court, in accordance with the provisions of Article 15 paragraph (3) of Law 3068/2002 (O.G. A' 274), as amended by Article 49 of

Law 3900/2010 (O.G. A' 13) as in force. This possibility, the relevant time limit and the competent court shall be explicitly referred to in the decision.

2. The Minister of Interior and Administrative Reconstruction has the right to lodge an application for annulment against the decisions of the Appeals Committees according to the above provisions, as well.

Article 65

(Article 48 of the Directive)

Obligation of Confidentiality

The personnel of the competent Services which implement the provisions of this Part, as well as any other person involved in its implementation, must keep in confidence any information and personal data, which come to their knowledge when they are performing their duties or in connection with these.

Article 66

(Article 50 of the Directive)

Submission of Reports

The Central Asylum Service shall send to the European Commission all information that is necessary for drawing up the report, regarding the application of this Part.

Article 67

Right to remain on humanitarian grounds

In case the application for international protection of an alien or stateless person is rejected by a final decision and the competent Decision Authorities of this Part consider that he/she may fulfil the conditions for being granted a residence permit on humanitarian grounds, they shall refer his/her case to the competent authorities, pursuant to Article 19A(f) of Law 4251/2015 (O. G. A' 80), as in force, which shall decide on the granting of this permit. In this case, the competent Decision Authorities shall administer a relevant certificate to the person concerned.

PART D

Conditions for the access to employment of persons recognized by the Greek state as beneficiaries of international protection, of applicants for international protection and persons who have been granted residence status on humanitarian grounds in Greece in accordance with article 28 of Presidential Decree 114/2010 (O.G. A' 195), article 8 paragraph 1 of Presidential Decree 61/1999 (O.G. A' 63) or article 25 paragraph 4 of law 1975/1991 (O.G. A' 184) and of the beneficiaries of article 19A paragraph 1 point (f) of law 4251/2014 as applicable.

Article 68

Definitions

1. "Beneficiaries of international protection", for the purposes of this Part, shall be aliens or stateless persons who have been recognized as refugees or beneficiaries of subsidiary protection status, under the provisions of Presidential Decree 141/2013 (O.G. A' 226), of Presidential Decree 113/2013 (O.G. A' 146), of Presidential Decree 114/2010 (O.G. A' 195), of Presidential Decree 90/2008 (O.G. A' 152), of Presidential Decree 61/1999 (O.G. A' 63), or of Law 1975/1991 (O.G. A' 184) and all other current and previously existing provisions on the recognition and content of international protection.
2. "Applicants for international protection", for the purposes hereof, shall be aliens or stateless persons who have filed before the competent authority, an application requesting to be recognized as beneficiaries of international protection, in accordance with the provisions of Presidential Decrees 113/2013 and 114/2010.
3. "Persons who have been granted residence on humanitarian grounds" for the purposes of this Part, shall be aliens or stateless persons who have been granted residence status for humanitarian reasons, according to the provisions of Art. 28 of Presidential Decree 114/2010 (O.G. A' 195), article 8 paragraph 1 of Presidential Decree 61/1999 (O.G. A' 63) or article 25 paragraph 4 of law 1975/1991 (O.G. A' 184) or of article 22 of this law.
4. "Members of the family" of the beneficiary of international protection, provided that they are in the Greek territory and that the family already existed before the entry in the country, shall be:

- a. The spouse or unmarried partner with whom s/he is in a stable relationship under Greek law as applicable,
- b. The minor, unmarried and dependent children, whether born in wedlock or out of wedlock of the parents or are adopted,
- c. The adult children suffering from mental or physical disability who are unable to submit an application on their own,
- d. The father or mother or another adult responsible for the care of the beneficiary of international protection, according to the Greek legislation or practice, if the beneficiary of international protection is a minor and unmarried.

Article 69

Employment of beneficiaries of international protection and persons who hold a residence permit on humanitarian grounds, and the families thereof

1. Beneficiaries of international protection who hold a residence permit, as prescribed by the relevant provisions, which is in validity shall have access to salaried employment, the provision of services or works or to the exercise of an independent economic activity, under the same conditions as nationals.
2. Persons who have been granted residence status on humanitarian grounds within the meaning of Article 68, paragraph 3 of this law shall have access to salaried employment and to the provision of services or works under the same conditions as nationals.
3. Family members of beneficiaries of international protection, who hold a valid residence permit in accordance with article 23, paragraph 2(b) of Presidential Decree 141/2013, or with article 24 paragraph 4 of Presidential Decree 96/2008 shall also have access to salaried employment, the provision of services or works or to the exercise of an independent economic activity, under the same conditions as nationals. The same rights shall be available to family members of beneficiaries of international protection who arrive in Greece in the context of family reunification, in accordance with the applicable provisions and hold a relevant residence permit in force, as well as aliens who, while residing legally in the country, married a beneficiary of international protection and for as long as the marriage is still valid.
4. Family members of holders of a residence permit on humanitarian grounds who hold a residence permit in force according to the provisions of Art. 28, paragraph 4 of Presidential Decree 114/2010 (O.G. A' 195), article 8

paragraph 1 of Presidential Decree 61/1999 (O.G. A' 63) or article 25 paragraph 4 of law 1975/1991 (O.G. A' 184), as well as aliens who while residing legally in the country, married a person who has been granted residence status on humanitarian grounds within the meaning of paragraph 3 of Article 68 of this law shall have access to salaried employment and to the provision of services or work, for as long as the marriage is still valid. Access to employment shall be under the same conditions as nationals,

5. The only condition for the access of beneficiaries to employment in accordance with the preceding paragraphs shall be the possession of the required, where appropriate, residence permits by the persons concerned.

Article 70

Vocational training of beneficiaries of international protection

Beneficiaries of international protection and persons who have been granted a residence permit on humanitarian grounds, as well as their family members, on condition that they who hold a valid residence permit, as prescribed by the relevant provisions, shall be enrolled in employment-related educational programs for adults and in vocational training, under the same terms and conditions as nationals. If these persons cannot provide the required supporting documents because they are objectively unable to do so, they shall submit a relevant declaration according to law 1599/1986 (O.G. A' 75).

Article 71

Work and employment of applicants for international protection

Applicants for international protection after completing the procedure for lodging the application for international protection, in accordance with the relevant provisions, and if they are in possession of the "international protection applicant card" or "asylum seeker's card", issued in accordance with the provisions of article 2, point (24) of presidential decree 113/2013 (O.G. A' 146), of article 41, paragraph 1 (d) of this law and of article 8, paragraph 1 point (f) of presidential decree 114/2010 respectively, shall have access to salaried employment or to the provision of services or works.

PART E

OTHER PROVISIONS

Article 72

Other provisions concerning the management needs due to refugee and migration flows

1. The following subparagraph shall be added at the end of paragraph 3 of article 39 of law 4369/2016:

" Personnel who were appointed in the Ministry of Interior and Administrative Reconstruction and in services under the competence of the Alternate Minister of Interior and Administrative Reconstruction competent for the immigration policy, shall be excluded."

2. Notwithstanding the provision of article 4 of the Chapter A, sub-paragraph D, "Expenditure for staff travelling within Greece or abroad" of law 4336/2015, decisions allowing the travel of personnel in services under the competence of the Alternate Minister of Interior and Administrative Reconstruction competent for the immigration policy which shall take place between March 1, 2016 and December 31, 2016, may be issued, requiring only the attestation, by the Director of the Asylum Service or the Director of Reception and Identification Service, that there exists a relevant appropriation in the budget of the service concerned and in order to cater for exceptional and urgent service needs; these needs shall be fully and adequately motivated in the relevant decisions. The commitment of the relevant appropriation, in conformity with the provisions for Public Accounting, shall be certified by the competent Audit Office within fifteen (15) days from the date the travel decision was issued.

3. In order to cover for emergency and urgent needs arising due to the increased refugee and migration flows, the services of the Asylum Service, the Reception and Identification Service and the General Secretariat for Reception, shall be allowed to receive seconded staff from the State and the wider public sector for up to two (2) years, or to recruit staff with fixed-term private law contracts of up to eight (8) months, notwithstanding any other general or special provision of the legislation. These fixed-term contracts of the previous paragraph may be renewed, if there is still an urgent need, as referred to in the preceding indent; in any case, the total duration of such employment may not exceed sixteen (16) months. In any case, it shall be prohibited to convert these contracts to indefinite-time ones.

4. The relevant Department of the Services mentioned in the previous paragraph shall issue a notice to be published on the website of the Ministry of Interior and Administrative Reconstruction on the said recruitment; the notice shall state, obligatorily the number of posts to be filled, their location, category, education level and specialization, the required qualifications and documentation, as well as the Service to which the candidates must submit their applications. Candidates shall submit their applications and the required documentation within five (5) working days from the day the notice was posted on the website; they shall be hired upon the recommendation of the relevant Directorate of the Ministry of Interior and Administrative Reconstruction.

5. In order to cover for emergency and urgent needs, as set in paragraph 3 of this article, it shall hereby be allowed to take as available or to recruit, with fixed-term private law contracts, notwithstanding any other general or special provision of the legislation, persons who are citizens of European Union Member-States, as well as citizens working in international or European organizations. The tasks to be entrusted to staff of the previous indent shall not include the exercise of public authority, such as issuing administrative acts. In any case, the staff of this paragraph shall be obliged to execute the instructions of the competent service.

6. The Minister of Interior and of Administrative Reconstruction and, where appropriate, other competent ministers may, by a decision, where necessary, regulate specific matters of implementation of the provisions of paragraphs 3-5 of this article.

7. The above provisions of paragraphs 3-6 shall apply until 31.12.2016.

Article 73

VAT issues

1. The following indent shall be added at the end of case (b) of paragraph 2 of article 7 of the VAT Code (law 2859/2000, O.G. A' 248):

"As gifts to be exempt shall also be considered the goods delivered to the State Services, the Local Government, public legal entities (as defined in Article 14 of law 4270/2014), the church legal entities and to private law legal entities or entities supervised of the above, to be allocated to cover the needs of refugees, irrespective of their value and fabrication standards".

2. Par. 4 of article 7 of the VAT Code (law 2859/2000, O.G. A' 248) shall be replaced as follows:

"4. Decisions of the Finance Minister shall regulate, as appropriate, the procedure and any necessary detail for the implementation of the provisions of this article".

3. Article 9 of the VAT Code (law 2859/2000, O.G. A' 248) shall be replaced as follows:

"Article 9

Actions considered as a provision of service

1. The following shall be considered as a provision of service within the meaning of Article 2, and shall be subject to tax:

a) The use of assets of one's business, to meet his/her own needs, the needs of staff or the business or for purposes other than the business, provided that at the moment of the acquisition of these assets, a right to deduct was established,

b) The provision of own services to cover the needs of the subject who may deduct the tax or to cover the needs of his/her staff or for purposes other than those of his business,

c) The use of own services for an activity of the subject who may deduct the tax, as well as use of own services to cover the needs of his/her business, in the case of services provided by the provisions of paragraph 4 of Article 30, for which there is no right to deduct the tax in the event of receiving similar services from another subject to tax.

2. The provision of services by a taxable person for humanitarian reasons shall not be treated as supply of services for payment. Decisions of the Finance Minister shall specify, as appropriate, the conditions and necessary details for the implementation of this provision".

4. The following cases (l) and (m) shall be added at the end of article 27 of the VAT Code (law 2859/2000, O.G. A' 248):

"l) the supply of goods and services to a taxable person, who intends to further allocate them free of charge to the entities described in the last indent of case (b) of paragraph 2 of article 7 of the said law, to cover refugee needs.

m) The supply of goods to vessels and other sea-faring vehicles of the Greek State and warships of member-states of the European Union and NATO, to meet the needs of refugees they save".

5. The provisions of this article shall apply as of 12/01/2015.

Article 74

Transportation of refugees and migrants

1. Expenditure undertaken in order to transfer refugees and migrants, carried out within the Greek territory from 1 December 2015 and up to the publication of this by the Suburban Buses (KTEL) and the Suburban Buses Ltd (KTEL AE) in the various regions of the country or by travel agencies, for reasons of emergency nature, shall be considered to be lawful and shall be settled notwithstanding any contrary general or special provision of the law:

a. For the Ministry of Infrastructures, Transports and Networks for the period between December 1, 2015 and until March 9, 2016,

b. For the Ministry of Defence for the period between March 10, 2016 and up to the publication of this, in excess of the appropriations recorded in the budget; they shall be covered by funds from the State Budget.

2. For a six-month period from the entry into force of the present law, and notwithstanding any other general or special provision and regulatory instrument governing, on the one hand, the transport providers as per law 2963/2001 (O.G. A' 268), and on the other the special tourist buses providers as per law 711/1977 (O.G. A' 284), as in force, it shall be allowed to transport refugees and migrants by public use buses of the Suburban Buses (KTEL) and the Suburban Buses Ltd (KTEL AE) or by special tourist tics public use buses between ports, border posts, open temporary accommodation and reception structures for refugees and other points they are amassed within the Greek territory. Moreover, all provisions prescribed by the law governing the safe transport of passengers by bus shall apply.

The duration of this provision may be prolonged by a decision of the Minister of Infrastructures, Transports and Networks.

PART SIX

PRINCIPLES FOR THE COORDINATION, MANAGEMENT AND IMPLEMENTATION OF PROJECTS UNDER THE ASYLUM, IMMIGRATION AND INTEGRATION FUND, THE INTERNAL SECURITY FUND, OTHER FUNDS, AND RELEVANT PROVISIONS FOR THE IMPLEMENTATION THEREOF

Article 75

Establishment of the Special Secretariat for the Coordination and Management of Programs under the Asylum, Immigration and Integration Fund, the Internal Security Fund and other funds

1. It is hereby established within the Ministry of Economy, Development and Tourism a single administrative sector entitled " Special Secretariat for the Coordination and Management of Programs under the Asylum, Immigration and Integration Fund, the Internal Security Fund and other funds" (henceforth SS AMIFISFOF), with the purpose to effectively coordinate, supervise, and accelerate actions of the Ministry and of other involved stakeholders, to manage the funds relating to the common European asylum system, the integration of third-country nationals and the legal migration, the return, the management of external borders and the common visa policy as well as to conduct political dialogue on these fields. The Special Secretariat shall also, aim to use other resources, including emergency assistance for managing migration flows and other migration issues.

2. It is hereby established within the Ministry of Economy, Development and Tourism the post of a revocable Special Secretary for the Asylum, Immigration and Integration Fund, the Internal Security Fund and other funds" (henceforth SS AMIFISFOF), in 2nd grade, category of special positions, who shall head the above Special Secretariat.

3. The SS AMIFISFOF may be supported from an administrative and financial aspect by the services of the Ministry of Economy, Development and Tourism.

Article 76

Establishment of the Special Service for the Coordination and Management of Programs under the Asylum, Immigration and Integration Fund, the Internal Security Fund and other funds

1. It is hereby established within the Ministry of Economy, Development and Tourism a service entitled " Special Service for the Coordination and Management of Programs under the Asylum, Immigration and Integration Fund, the Internal Security Fund and other funds" (hereinafter SSCM AMIFISFOF) under the Special Secretary AMIFISFOF; it shall be designated as the Responsible Authority for the period 2014-2020 for the management,

implementation and monitoring of national programs, in accordance with the provisions of Regulation (EU) 514/2014 of the European Parliament and of the Council laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management. The national programs shall be drawn up in accordance with the detailed regulations (EU) 513/2014, 515/2014 and 516/2014 of the European Parliament and of the Council laying down the instrument for financial support for police cooperation, preventing and combatting criminality and crisis management, establishing, as part of the Internal Security Fund, the instrument for financial support in the field of external borders, visa and the establishment of the Asylum, Immigration and Integration Fund.

2. The SSCM AMIFISFOF shall exercise all competences set out in the above Regulations for Responsible Authorities. The competences of the Service for the Management of European Programs on Asylum, Reception and Integration (SMEPARI) set up by article 9, paragraph 6 of law 4332/2015 (O.G. A' 76) and of the Unit A2 Special Service - Executive Structure of the National Strategic Development Plan of the Ministry of Interior and Administrative Reconstruction (Interior sector) established under article 5, paragraph 5 (b) of Law 3614/2007 (O.G. A' 267) and the Joint Ministerial Decision 131/18.4.2008 (O.G. B' 887), as renamed by virtue of article 18, paragraph 4 of law 4314/2014 (O.G. A' 265) shall be transferred and exercised by the SSCM AMIFISFOF from the moment of the publication of this law.

3. The SSCM AMIFISFOF shall operate as a Directorate and shall be structured, for its responsibilities, to service units at departmental level. The SSCM AMIFISFOF shall also support from a functional, administrative and financial aspect and SSt AMIFISFOF. A decision of the Minister of Economy, Development and Tourism, upon recommendation of the Special Secretary AMIFISFOF shall determine specific matters related to its competences and their application, its service structure, organization and operation, the number of staff posts required, the qualifications for covering these posts, the cooperation among competent Ministries, as well as any other relevant detail. A decision of the Minister of Economy, Development and Tourism, upon recommendation of the Special Secretary AMIFISFOF, the SSCM AMIFISFOF may be assigned additional competences for the management

and implementation of financial assistance in order to address in general the immigration issue.

4. a. The SSCM AMIFISFOF shall be staffed by personnel moved from within the Ministry or by seconded staff, whether permanent or under an indefinite-duration private law contract from the State or the wider public sector as defined in article 14, paragraph 1 of law 2190/1994 (O.G. A' 28), as applicable, including the OAU SA.

b. The secondment or moving of staff to the SSCM AMIFISFOF shall take place by a single decision of the Minister of Economy, Development and Tourism notwithstanding any other general or special provisions; it shall be notified to the service where the official concerned belongs and to the competent Department on secondment and movements of the Ministry of Interior and Administrative Reconstruction. The secondment shall be made for four (4) years with possibility of extension for one or more times for an equal period.

c. The secondment or movement of personnel shall be made either by request of the officials concerned following a public call of interest after asserting the relevant service need.

d. Exceptionally, the staff who, at the date of publication of this law, serves to the SMEPARI or to the Unit A2 Special Service - Executive Structure of the National Strategic Development Plan of the Ministry of Interior and Administrative Reconstruction as restructured by the joint ministerial decision 85334/717/08.13.2015 (O.G. B' 1825), may be seconded simply after the relevant request of the applicant to the SSCM AMIFISFOF within an exclusive period of thirty (30) working days from the publication of this law ; a relevant establishment act by the Minister of Economy, Development and Tourism shall be issued thereupon. The secondment shall be made for four (4) years with possibility of extension for one or more times for an equal period.

e. Personnel who participated in the call dated 22.10.2015 by SMEPARI to staff this service and who, at the date of the publication of this law, had been positively evaluated, pursuant to the relevant procedure may be seconded to the in SSCM AMIFISFOF, if they apply to this aim within a period of thirty (30) working days from the publication of this law, if the request is related to covering a post in the SSCM AMIFISFOF of the same grade and the same formal and substantial qualifications as those for which for which they have been evaluated for SMEPARI. The secondment shall be made by declaratory act of the Minister of Economy, Development and Tourism. The secondment

shall be made for four (4) years with possibility of extension for one or more times for an equal period.

f. It is hereby established, within the SSCM AMIFISFOF, a post of Head at the level of a Directorate and posts of heads of units at the level of Department. These posts shall be established for a term of four (4) years, with possibility of extension for one or more times for an equal period. The assignment of duties to the Head of the SSCM AMIFISFOF and to the heads of the units shall be made by a decision of the Minister of Economy, Development and Tourism following a relevant request and evaluation by the evaluation committee of the set in article 18, point (a) second indent of law 3614/2007 as in force, only as to whether they applicants meet the minimum qualifications.

g. The service time of personnel from the State or the wider public sector seconded or moved shall be considered as effective service time. The service time of the Head of the SSCM AMIFISFOF shall count as a time of exercise of responsibilities at directorate level. The service time of the heads of units of the SSCM AMIFISFOF shall count shall count as a time of exercise of responsibilities at departmental level.

5. a. The cost of salaries for staff seconded or moved to the SSCM AMIFISFOF borne shall be borne by the entities from where they have been seconded or moved; the remuneration shall equal the total sum of all forms of salaries, benefits and allowances of their permanent post.

b. Any payments linked to the exercise of duties in positions of responsibility shall be borne by the entities from where they have been seconded or moved. If these entities belong to the General Government other than the Central Government, the totality of the expenses of their allowances shall be covered by funding from the Public Investment Program of the Ministry of Economy, Development and Tourism. A decision of the Minister of Economy, Development and Tourism may set the details for the application of this provision.

6. Activities for the technical assistance and support of the SSCM AMIFISFOF shall take place in accordance to presidential decree 4/2000 (O.G. A' 3), as in force.

Article 77

Appointment of competent authorities for the implementation of EU Regulation 514/2014 and EU Special Regulations 513, 515 and 516/2014

1. The Authorities Competent for the implementation of Regulation (EU) 514/2014 of the European Parliament and of the Council laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management within the meaning of article 25 thereof, and of the detailed regulations (EU) 513/2014, 515/2014 and 516/2014 of the European Parliament and of the Council laying down the instrument for financial support for police cooperation, preventing and combatting criminality and crisis management, establishing, as part of the Internal Security Fund, the instrument for financial support in the field of external borders, visa and the establishment of the Asylum, Immigration and Integration Fund and for the provisions set in article 5 of the delegated Commission Regulation (EU) 1042/2014 shall be the following:

a. The SSCM AMIFISFOF of the Ministry of Economy, Development and Tourism, shall be the Responsible Authority as per above, and defined in Article 2 hereof.

b. The Committee for Budgetary Control) of the General Directorate for Financial Audit of the General Secretariat for Fiscal Policy of the Ministry of Finance shall be the Auditing Authority for the period 2014-2020. The responsibilities of the Auditing Authority shall be exercised in accordance with the provisions of Regulation (EU) 514/2014, and the provisions of law 4314/2014, article 9, paragraph 11b of law 4332/2015 and presidential decree 111/2014.

c. The Special Service Authority for the Certification and Verification of Co-Financed Programs (henceforth the Certification Authority) of the General Secretariat for Public Investments – NSFD- shall be the Designated Authority, and shall take over the responsibility for managing part of the Asylum, Immigration and Integration Fund program and Internal Security Fund program for the period 2014-2020.

d. The Service for the Management of European and Development Programs (SMEDP) of the Ministry of Interior and Administrative Reconstruction shall be the Designated Authority and shall undertake the management responsibilities for part of the Asylum, Immigration and Integration Fund program and Internal Security Fund program for the period 2014-2020.

e. The Asylum Service of the Ministry of the Interior and Administrative Reconstruction shall be the Designated Authority and shall undertake the

management responsibilities for part of the Asylum, Immigration and Integration Fund program and Internal Security Fund program for the period 2014-2020.

Article 78

Arrangements for the financing of programs of the multiannual National Program

1. The financing and payments of projects within the National Multiannual Program shall be made correspondingly with the provisions in paragraphs 1, 2, 4, 5, 6 and 7 of article 27 of law 4314/2014.
2. Payments from the Funds financing the Financial Framework 2014-2020 as well as from other extraordinary resources, in implementation of the respective multiannual national program, shall constitute revenue of the Public Investment Budget and shall be transferred, under the responsibility of the Accounts Department of the General Accounting Office of the State to the respective accounts held at the Bank of Greece.

Article 79

Enabling provisions

1. A decision of the Minister of Economy, Development and Tourism and the respective Ministers shall determine specific implementation issues concerning the organization and functioning of SSCM AMIFISFOF and of the Designated Authorities (with the exception of the Certification Authority), their competence, the number of posts required, the skills required for these posts and the cooperation between competent Ministries and any other relevant details.
2. A decision of the Minister of Economy, Development and Tourism shall assign to the Certification Authority, the exercise of the competences of the Responsible Authority relating to the preparation of the payment request in accordance with Article 44 of Regulation 514/2014 and the verification of expenses for the national programs of the Asylum, Immigration and Integration Fund and the Internal Security Fund for the period 2014-2020.
3. A decision of the Minister of Economy, Development and Tourism, shall determine specific issues for the management and control of the

multiannual national program funded by the Financial Framework 2014-2020 for the Asylum, Immigration and Integration Fund and the Internal Security Fund in application of the provisions of the EU Regulations for the Funds.

Article 80

Transitory provisions

1. By decision of the Minister of Interior and Administrative Reconstruction responsible for immigration policy, to be issued within six (6) months from the publication of this law, the Appeals Authority, as provided for in Article 4 above, shall start operating.

2. Until the Appeals Authority starts operating, as per the previous paragraph and as provided for in Article 4 of this law, the relevant provisions of law 3907/2011, as in force at the moment of the publication of this law, shall continue to apply only for the purposes of paragraphs 2-9 of this Article. A decision of the Ministers of Interior and Administrative Reconstruction and of Finance, and in order to allow for the examination of pending appeals, and in particular of those to be examined in priority according to the legislation in force, the Appeals Committees set in article 3 of law 3907/2011 (O.G. A' 7) as in force at the moment of the publication of this law, shall be established with the composition they had until September 25, 2015, on the basis of decision number 9541 (O.G. B' 2692/09.10.2014) by the Ministers of Finance and Public Order and Citizen Protection, subject to the availability of their Presidents and members. If a President or a member of the Appeals Committees of the previous indent fails to be available for any reason, s/he shall automatically be replaced by his/her first alternate member. If, for whatever reason, the alternate person of a president or of a member fails to be available, s/he may be replaced by an alternate president or member from another Committee or, alternatively, the number of Committees shall be reduced accordingly; the remaining presidents or members available shall remain as alternate presidents or members. If, for any reason, it is not possible to establish all the Committees provided for in the above decision, there may be established as many Committees as possible, and at least three Committees.

3. If it is not even possible to establish three Committees as referred to in paragraph 2 from among the presidents and members of the Committees

and their alternates, on the basis of decision number 9541 (O.G. B' 2692/09.10.2014) by the Ministers of Finance and Public Order and Citizen Protection, who have declared their availability, a draw shall be conducted for the establishment of three-member Committees and the election of their presidents; the Committees shall be established thereby. The draw shall be carried out under the responsibility of the Director and in the presence of all members who declared their availability.

4. The term of office of the presidents and members of the Committees as per the preceding paragraphs shall last till 31.12.2016 and may be renewed once by decision of the Minister of Interior and Administrative Reconstruction. The Committee members' remuneration and employment conditions shall be provided in a relevant works contract to be concluded with the Minister of Interior and Administrative Reconstruction. If the Appeals Authority starts operating in accordance with article 86, paragraph 1 of the present law, the above works contracts shall be automatically terminated. The Committees shall be competent for, and the duties of presidents and members shall consist in, the examination of appeals pending at the moment of the publication of this law. The headquarters of the Committees and of the Secretariat shall be determined by decision of the Minister of Interior and Administrative Reconstruction.

5. The permanent staff posts of the Appeals Authority provided by law 3907/2011, as in force at the moment of the publication of this law, shall be automatically transferred to the Appeals Authority as this service is established and organized in accordance with the provisions of this law, from the moment it starts operating. Equally, the staff serving in the Appeals Authority at the moment of the publication of this law, with any status, whether transferred or seconded from other services of the State, of the wider public sector (Article 2 of Law 3861/2010) or of a public entity, shall be transferred automatically to the Appeals Authority from the moment it starts operating in accordance with the provisions of this law.

6. For the transitional period set in paragraph 2 of this article, the Minister of Interior and Administrative Reconstruction, shall, by a decision, appoint, a staff member of the Appeals Authority or another official of the State, of the wider public sector (article 2 of Law 3861/2010 O.G. A' 112) or of a public entity, preferably with a management experience, as the Director of the Appeals Authority, notwithstanding any other general or special provision.

7. Until the Appeals Authority starts its operation, the Asylum Service shall provide the necessary interpretation services for the procedures before the Appeals Authority. Likewise, the Asylum Service shall provide the authorizations to the staff of the Appeals Authority and the members of the Committees to access the system «Police on Line» of the Hellenic Police for the purpose of completing the procedures before the Appeals Authority. To this end, the Asylum Service shall be designated as the competent authority to issue an order authorizing access to nationally classified material for the staff of the Appeals Authority and as the responsible directorate for security matters, in application of the National Security Regulation (NRA) as far as the Authority is concerned.

8. The budget of the year 2016 of the Appeals Authority shall record the amount of 833.300 euros to be transferred from the respective budget codes of the Asylum Service.

9. During the first time article 5 of this law will be used for the selection of the Director of the Appeals Authority and the members of the Appeals Committee, the cost of the procedure, including the competition process shall be borne by the budget of the Asylum Service.

10. The Minister of Interior and Administrative Reconstruction may, by a decision, designate the use of existing premises for the temporary accommodation of third-country nationals either as Special Areas for Hosting Aliens in the meaning of article 81 of law 3386/2005 or as facilities in the meaning of article 31 of law 3907/2011 or as installations of the regional services of the Reception and Identification Service and regulate any matter concerning their operation.

1. The totality of the facilities of the First Reception Service shall be automatically transferred to the Reception and Identification Service established under this law, from the moment of its entry in operation, according to paragraph 16.

12. The Reception and Identification Service shall automatically assume all the pending contracts concluded by the First Reception Service, in lieu of this latter, and it shall succeed this latter in all its rights and obligations, from the moment of its entry in operation according to paragraph 16.

13. Any outstanding funding program or procurement financed by domestic, European or international resources, or by any other resources, whose beneficiary and executor is the First Reception Service, shall be operated by

the Reception and Identification Service from the moment of its entry in operation in accordance with paragraph 17.

14. Wherever in the legislation in force reference is being made to the First Reception Service or First Reception Centres or Mobile Units, it shall be understood that it means the Reception and Identification Service and its respective regional services, as by this law from the moment of its entry in operation in accordance with paragraph 16.

15. The totality of permanent staff posts of the First Reception Service shall be automatically transferred to the Reception and Identification Service, from the moment it starts operating in accordance with paragraph 16. Equally, all the staff serving in the First Reception Service at the moment of the publication of this law, with any status, whether transferred or seconded from other services of the State, of the wider public sector (Article 2 of Law 3861/2010) or of a public entity, shall be transferred automatically to the Reception and Identification Service.

16. A decision of the Minister of Interior and Administrative Reconstruction, to be issued within one month from the entry into force of this law, shall establish the start of operation of the Reception and Identification Service. The same decision shall abolish the First Reception Service.

17. All decisions of a regulatory nature and all presidential decrees issued pursuant to the provisions of law 3907/2011, which regulate the operation of the First Reception Service shall apply accordingly to the operation of the Reception and Identification Service, until the adoption of the relevant decisions and decrees issued pursuant to the present law.

18. Applications for international protection submitted before June 7, 2013 shall be examined by the authorities and in accordance with the provisions referred to in presidential decree 114/2010, as in force. Applications for international protection submitted to the competent authorities of Part C of this law, without a final decision on a previous application pending before the competent authorities of presidential decree 114/2010 shall be considered as complementary elements of the initial application and shall be examined by the authorities and the procedures set in presidential decree 114/2010.

19. Subsequent applications, which have been submitted after June 7, 2013 shall be examined by the authorities set out in Part C of this law and in accordance with the procedure therein.

20. Applications for renewal of residence permits, for issuing identity or other travel documents, for maintaining family unity and for the family reunification of beneficiaries of international protection, whose status has been recognized by the authorities referred to in presidential decree 114/2010 shall be examined and processed by these authorities.

21. From the moment of the entry into force of Part C of this law, the competent services of the Hellenic Police shall immediately hand over to the competent Decision Authorities, set in Part C above, the files of the applicants who submit subsequent applications in accordance with paragraph 19 above.

22. As of 01.09.2016 the competences of the Department for the Protection of Vulnerable Groups, Refugees - Asylum Seekers of the Directorate for Social Care and Solidarity in the General Directorate of Welfare within the Ministry of Labour, Social Security and Social Solidarity, stipulated in article 38, paragraph 3 and cases a (ii) till a (v) of presidential decree 113/2014 (O.G. A' 180) shall cease for the parts concerning social protection programs for asylum seekers, beneficiaries of international protection and unaccompanied minors; they shall henceforth be exercised by the competent departments of the Reception Directorate of the General Secretariat for Reception of the Ministry for Interior and Administrative Reconstruction, as provided for in article 27, paragraph 3 of this law.

23. The implementation of the programming contracts undertaken by the Department for the Protection of Vulnerable Groups, Refugees - Asylum Seekers relating to matters of its competence which have been transferred, in accordance with the provisions of article 27, paragraph 3 of this law, and in conjunction with the previous paragraph, shall be concluded by the competent services of the Ministry of Labour, Social Security and Social Solidarity. A decision of the Ministers of Labour, Social Security and Social Solidarity, of the Interior and Administrative Reconstruction and of Finance shall regulate the transfer and recording of the appropriations, the revision of the Ministries' budget and any other matter pertaining to the application of article 27, paragraph 3 or any other transitory arrangement of this law.

24. The staff serving in the Department for the Protection of Vulnerable Groups, Refugees - Asylum Seekers of the Directorate for Social Care and Solidarity in the General Directorate of Welfare within the Ministry of Labour, Social Security and Social Solidarity, whose main responsibilities are those described in paragraph 1 shall obligatorily be seconded, as of

01.09.2016 and for two (2) years, notwithstanding any other provision and without a deliberation from the Civil Service Boards to the Reception Directorate, General Secretariat for Reception of the Ministry for Interior and Administrative Reconstruction, by a joint decision by the Ministers of Labour, Social Security and Welfare and of the Interior and Administrative Reconstruction; the grade they had in their previous position shall be maintained.

25. As of 01.01.2017, the Head of Directorate of Finance of the immigration policy, shall take over the duties and responsibilities set in article 28, paragraph 4 of this law, for the Asylum Service, the Appeals Authority and the Reception and Identification Service.

(26) The procedural derogation introduced by Article 60 paragraph 4 of the present shall be applicable as of the date of publication of this law. Its validity shall not exceed six (6) months and may be prolonged for a further 3-month period by a decision issued by the Minister of Interior and Administrative Reconstruction.

(27) Until such time as the Appeals Authority foreseen in paragraph 1 above becomes operational, appeals against decisions rejecting applications for international protection submitted after the date of publication of this law shall exceptionally be examined by the Appeals Committees established by virtue of Article 26 of Presidential Decree 114/2010 (O.G. A' 195) as currently in force, in accordance with the procedures set out in this law. In this case, the staff of the Appeals Authority shall be made available to the previously mentioned Appeals Committees in order to offer secretarial support.

(28) Until such time as the full digitalisation of procedures foreseen in Article 60 paragraph 4 of this law is completed, the protocol number of documents drafted under the said procedures and in relation to the processing of applications for international protection shall be the same as the file number of each individual applicant for international protection as assigned by the Asylum Service.

29. Until December 31, 2016, the functions of the general economic directorate for the regular budget of the special agency "Asylum Service", of the Appeals Authority and of the Reception and Identification Service shall be exercised by the General Directorate for Finance and Planning of the former Ministry for Public Order and Citizen Protection.

30. Article 96 of law 4386 (O.G. A' 21) and the funding procedures for expenditure undertaken by the Ministry of Defence shall continue to be in force.

Article 81

Repealed and amended provisions

1. From the entry into force of this law the provisions of Chapters A and B of law 3907/2011, presidential decree 189/1998 (O.G. A' 140), and any other general or special provision contrary to the provisions of this or regulating in a different manner matters which are its subject. With the entry into force of Part C of this law, in accordance with Article 89 above, Part A of presidential decree 113/2013 (O.G. A' 146) shall also be repealed.

2. Articles 33 and 34 of Presidential Decree 113/2013 (O.G. A'146) shall be repealed two months from the publication of this law.

3. Subparagraphs 6, 7, 8, 9, 10, 11, with the exception of subcase e bb), 12, 13 and 14 of Article 9 of law 4332 /2015 shall be repealed.

4. The joint decision of the Ministers of Finance and the Alternate Minister of Interior and the Administrative Reconstruction competent for immigration policy 1493/08.20.2015 (O.G. B' 1856) shall be repealed.

5. The joint decision of the Ministers of Interior and Administrative Reconstruction and Economy, Infrastructures, Shipping and Tourism 85334/717 /08.13.2015 (O.G. B' 1825) shall be amended as follows:

a. The third paragraph of Article 2 "Unit A2" shall be repealed.

b. The section "II. Unit A2 'in Article 3 shall be repealed.

c. xiv paragraph of section "V. Unit C: organization-logistics" in Article 3 shall be repealed

d. In Article 5, entitled "Staffing for the Strategic Structure" the first and second paragraphs shall be amended as follows:

'1. The staff of the Strategic Structure shall consist of 36 persons and shall be divided as follows:

A. University Education category - 32 people. "

6. Upon the entry into force of this law, any general or special provision contrary to the provisions hereof or otherwise regulating matters forming part of it shall be repealed.

Article 82

Final provisions

1. The Joint Ministerial Decision 8000/20/45/119-S (O.G. B'1880) on the structure of the Service for the Management of European and Development Programs (SMEDP) and the Joint Ministerial Decision 12 118/30.10.2015 ((O.G. B 2338) on the structure of the Asylum Service in the Ministry for Interior and Administrative Reconstruction shall remain valid.

2. The following allocation decisions:

a. fin. 2694/03.11.2015 (O.G. B'2356 ')

b. fin. 2952/11.23.2015 (O.G. B'2521)

c. fin. 3562/31.12.2015 (O.G. B'2915)

d. fin. 26/01.12.2015 (O.G. B'93)

e. fin. 183/02.17.2016 (O.G. B'385)

f. fin. 182/02.17.2016 (O.G. B'385)

g. fin. 235/02.22.2016 (O.G. B'544), shall remain in force.

Article 83

Entry into force

This law shall come into force on the date of its publication in the Official Gazette, except for the provisions in Part C, which shall come into force two months after the publication of this law. Paragraph 4 of Article 60 shall take effect from the publication of the law.

We order the publication hereof in the Official Gazette and its execution as Law of the State.

The President of the Republic

The competent ministers