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Adaptation of the Hellenic legislation to the Directive 2003/109/EE, dated 25 November 2003, in relation to the status of third-country nationals, who are long-term residents.

THE PRESIDENT

OF THE HELLENIC REPUBLIC

Considering:

1. The provisions of Article 69 of Law 3386/2005 “Entrance, residence and social integration of third-country nationals in the Hellenic Territory” (Official Gazette of the Hellenic Republic A’ 212);
2. Article 90 of the Legislation Code for the Government and government agencies (p.d. 63/2005, Official Gazette of the Hellenic Government A’ 98);
3. The joint decision under number 37930/DIOE1264/14.10.2005 of the Prime Minister and the Minister of Economy and Financial Affairs “Determination of the powers of the Deputy Ministers of Economy & Financial Affairs (Official Gazette of the Hellenic Republic 1432/B’/14.10.2005), the provisions of Article 7 in particular;

4. The fact that by the provisions of this present, the state budget incurs an expense for informing those interested on the conditions and the procedures of the status of long-term resident (Article 4);

In addition, expenses may be incurred due to:

- I. The petition on measures for the equal treatment of nationals, third-country nationals to who the status of long-term residents has been conferred;
- II. The deportation of long-term residents (Article 10).

The said expenses that depend on true facts and for which reason, it is impossible to be set forth accurately, shall be covered by the credits of the budget of the Ministry of Interior Affairs, Public Administration and Decentralization (Sp. T. 07-110), save for the expense sub (ii) that will be covered by the credits of the budget of the Ministry of Public Order (Sp. T. 43-110);

5. The opinion under number 173/2006 of the Council of State, upon the motion of the Ministers of Interior Affairs, Public Administration, Education Religious Affairs, Employment and Social Protection and Public Order, we decide:

CHAPTER A'

GENERAL PROVISIONS

Article 1

(Article 1 of the Directive)

Objective

The objective of this present is to harmonize the Greek legislation with Directive 2003/109/EE of the Council, dated 25 November 2003 “in relation to the status of third-country

nationals, who are long-term residents” (EU L 16/44/

23.1.2004), which sets forth:

- (a) The conditions of conferring and revoking the status of long-term resident by a member state to third-country nationals, living legally in its territory, as well as the relevant rights thereof, and;
- (b) The residence conditions of third-country nationals under a status of long-term resident, in member states, other than the one that conferred such status.

Article 2

(Article 2 of the Directive)

Definitions

For the purposes of this Presidential Decree, the following definitions will apply:

1. “Third-country national”: any person who is not a Greek national or a national of another Member State of the European Community in the meaning of par. 1 of Article 17 of the Convention of the EC;
2. “Long-term resident”: any third-country national enjoying the status of long-term resident, according to the provisions of this present;
3. “First Member State”: the Member State which granted long-term resident status for the first time to a third-country national;
4. “Second Member State” any Member State other than the one which granted long-term resident status for the first time to a third-country national and in which the said long-term resident exercises the right of residence thereof;

5. “Family members”: third-country nationals residing in Greece, according to the provisions of Presidential Decree number 131/2006 “Harmonization of the Greek legislation with Directive 2003/86/EC regarding the right to family reunion;
6. “Refugee”: any third-country national or any person without a nationality enjoying refugee status within the meaning of the Geneva Convention on the status of refugees, dated 28 July 1951, that was ratified by p.d.3989/1959 (Official Gazette of the Hellenic Republic A’ 201), as amended by the Protocol that was signed in New York on 31 January 1967 and ratified by e.l.389/1968 (Official Gazette of the Hellenic Republic A’ 125)”;
7. “Long-term residence permit”: any kind of certification issued by the Greek authorities for the acquiring long-term resident status and on the basis of which a third-country national is permitted to stay in the Greek Territory legally, according to the provisions sub a’ of paragraph 2, Article 1 of the Regulation (EC) number 1030/2002 of the Council, dated 13 June 2002 “On the establishment of uniform type of resident permits for third-country nationals (EE L 157/15.6.2002).

Article 3

(Article 3 of the Directive)

Scope of Petition

1. This present shall apply to third-country nationals residing in Greece legally;
2. This present shall not apply to third-country nationals, who:
 - (a) Have a residence permit for studies or vocational training according to the provisions of Articles 23, 28, 29, 30, 31, 32, 33, 34, 40 and 41 paragraph 1 of Law3386/2005, as well as to the, according to Article 4 of Presidential Decree under number 131/2006 “Harmonization of the Greek legislation with Directive 2003/86/EC in relation to the right to family reunion”, family members escorting them, as provided in the said law;
 - (b) Have been granted a residence permit in Greece in virtue of provisional protection or applied for permission to stay for the same reason and are waiting for the issue of a decision on their status;
 - (c) Have been granted a residence permit in Greece in virtue of auxiliary forms of protection, according to the international obligations, the national legislation or applied for permission to stay for the same reason and are awaiting for the decision on their status;
 - (d) Are refugees or have filed a petition for the acknowledgment of their status as refugee, for which no relevant decision has been issued yet;
 - (e) Have a provisional residence permit, according to the provisions of Articles 16, 18, 19, 20, par. 5, 21, 37, 42, 43, 45, 46 to 52 of Law3386/2005, as well as

to the, according to Article 4 of Presidential Decree “Harmonization of the Hellenic Legislation with Directive 2003/86/EC regarding the right to family reunion”, family members escorting them, wherever provided in the said law;

- (f) Are enjoying the legal status of a subject as in the Vienna convention of 1961 on diplomatic relations, which was ratified by p.d.503/1970 (Official Gazette A’ 108) or the Vienna convention of 1963 on consular relations, which was ratified by Law90/1975 (Official Gazette of the Hellenic Republic A’ 150);

3. This present shall apply subject to more favorable provisions to:

- (a) Bilateral and multilateral agreements among the Member States of the Community or the Community and the Member States thereof on the one hand and third countries on the other hand;
- (b) Bilateral and multilateral agreements between the Hellenic Republic and third countries, prior to the date this present was set into effect, on the condition of reciprocity;
- (c) The European Convention on the Institution, dated 13 December 1955, of the European Social Charter, dated 18 October 1961, that was ratified by Law1426/1984 (Official Gazette of the Hellenic Republic A’ 32), the Revised Social Charter, dated 3 May 1987 and the

European Convention on the legal status of immigrant workers, dated 24 November 1977.

CHAPTER B'

ACQUISITION AND MAINTENANCE OF THE STATUS OF LONG-TERM RESIDENT IN GREECE

Article 4

(Article 4, 5, 7 paragraph 2 of the Directive)

Conditions for acquiring the status of long-term resident

1. The status of long-term resident shall be conferred on the third-country national residing in Greece legally and continuously, during the five years immediately proceeding the date on which the relevant petition was filed, subject to paragraphs 2 and 3 of this Article, provided the following requirements are met in joinder:

- (a) S/he has an annual income sufficient for the needs of the same and the family thereof that does not originate from an appeal made to the social welfare system of the State. Such income may not be less than the annual earnings of an unskilled worker, increased by 15% for every member of the family thereof, that is dependent on the same. The contributions of the family members shall be taken into consideration in the calculation of the income. The regularity of the said income shall be evidenced in particular from the fulfillment of the insurance and tax obligations of the same;
- (b) S/he has full sickness insurance, regarding the total benefits that are covered for the respective

categories of insured nationals, which covers the family members of the same as well;

(c) S/he has sufficient knowledge of the Greek language and basic knowledge of the Greek history and the Greek culture;

2. The periods of residence mentioned in the cases sub e' and f' of paragraph 2, Article 3 of this present shall not be taken into consideration in the calculation of the five year period mentioned above.

In particular, the residence periods for studies or vocational training shall be taken into consideration only by half in the calculation of the same period;

3. Periods of absence, provided the same are less than six consecutive months and in total not more than ten months in the five year period, shall be added in the calculation of the five year period;

4. The Ministry of Interior Affairs, Public Administration and Decentralization and the competent agencies for the filing and the examination of the petition, as well as for the procurement of the residence permit of the long-term resident shall inform those interested on the conditions and the procedures for acquiring the status of long-term resident and the rights and obligations arising therefrom. Such informing is made particularly by means of brochures, information made available on the websites of the said agencies or any other means that are appropriate for such purpose. This information shall be updated on a regular basis.

Article 5

(Article 7, 8 par. 1 and 3 of the Directive)

Acquisition of the status and procurement of residence permit
of long-term residents.

- (1) Provided the conditions of the previous article are met in joinder, the third-country national shall file the petition for the procurement of a residence permit for long-term resident with the competent agency according to paragraph 2 of this present, which is accompanied by the following supporting evidence:
- (a) A true photocopy of the passport in effect or any other travel document acknowledged by our country and the residence permit in effect;
 - (b) A copy of the Tax Clearance Certificate of the two financial years proceeding the filing of the petition or any other official document from where it appears that s/he has an annual income in excess or equal to eight thousand five hundred euro (€8,500), increased by 15% for every family member thereof, that is dependent on the same;
 - (c) A certificate of the insurance agency with which s/he is insured for full cover of medical care expenses of the same and the family members thereof that are dependent on the same;
 - (d) A certified Deed of Purchase of house, or a rent agreement for a house, certified by a Public

Financial Service or any other certified document from where it appears that the third-country national has a home that is adequate to cover the needs thereof;

- (e) Evidence proving sufficient knowledge of the Greek language and the elements of Greek history and Greek civilization. The sufficient knowledge of Greek language for citizens 16 years of age and over, shall be evidenced by a graduation title of the minimum compulsory national Greek school education or by a certificate on the knowledge of Greek issued by Secretariat General for Adult Education of the Ministry of Education and Religious Affairs. The said certificate shall be conferred upon the compulsory attendance of minimum one hundred (100) hours of Greek language instruction and twenty five (25) hours of Greek history and Greek civilization instruction at the Sections of D' Level Learning of the Adult Education Centers and the successful completion of examinations conducted by the same agency for such purpose. More particular, issues related to learning the Greek language, as well as the elements of Greek history and Greek culture and every other relevant detail are set forth according to paragraph 2 of Article 68 of Law 3386/2005;
- (f) Three (3) color photos;

(2) The competent agency for conferring the residence permit of long-term residents is the one that issued the last residence permit before the requirements of this present were met;

(3) The competent agency, upon requesting for the opinion of the competent police authority, shall issue the relevant decision, the latest within six (6) months from the date on which all the required supporting documents were filed. The said term may be extended for three (3) months, only upon concurring reasoned special conditions. In the case of a positive decision, a uniform type of residence permit shall be conferred on the third-country national in application of Regulation (EC) number 1030/2002 of the Council, dated 13 June 2002, on the establishment of a uniform type of residence permit for third-country nationals, as in effect. In the title “Type of license” the words shall be given “long-term resident – EC”;

(5) The status of long-term resident is permanent, subject to Article 8 of this present.

Article 6

(Article 8 par. 2 of the Directive)

Duration and renewal of the residence permit of long-term residents

- (1) The residence permit of the long-term resident shall be valid for a period of five years, renewed for five years each time, without the need of meeting the requirements of article 4 of this present;
- (2) For the renewal of the residence permit, the long-term resident will be obliged to file a petition prior to the

expiry thereof, with the competent service for the receipt of the petition, according to the provisions of Law 3386/2005, accompanied by the following supporting evidence:

- (a) True copy of all the pages of the passport in effect or any other travel document acknowledged by our Country and the previous residence permit of the long-term resident;
- (b) Three (3) color photos;
- (3) The competent agency for receiving the petition shall control the completeness of the supporting evidence and forward the file to the competent Aliens Service of the District in which it operates in the prefecture of the place of residence, the latest within 15 days from the filing of the petition. The Aliens Service of the District examines the petition and if the grounds of article 8 of this present are not met, it will issue a decision, by which the residence permit of the long-term national will be renewed.

Article 7

(Article 6 of the Directive)

Rejection of petition for conferring a residence permit for a long-term resident on grounds of public order or public security

- (1) The petition for conferring the residence permit on a long-term resident may be rejected on grounds of public order or public security;

- (2) The examination of the grounds concerning the public order or public security of the Country forms a prerequisite for the examination of the petition for acquiring the status of long-term resident and the issue of a residence permit. The agency that is competent for conferring the residence permit is obliged to send at the end of each month to the local police directorates or directorates of security of the Hellenic Police Force, lists with the precise particulars of the third-country nationals, whose long-term residence permit was conferred or renewed;
- (3) When making the relevant decision, the severity or the kind of offense against public order or public security will be examined or the danger posed by the said person, assessing also the duration of residence and the existence of bonds with the Country. Refusal to confer the residence permit may not be based on an appeal to grounds of a more general fiscal policy.

Article 8

Article 9, paragraph 1, 3, 4, 6, 7 of the Directive)

Revocation or loss of the status of long-term resident

1. The long-term resident shall not be entitled to maintain the status, if:
 - (a) It is proven that s/he has collaborated fraudulently in the acquisition of the status;
 - (b) A deportation decision has been issued for the person thereof, according to the provisions of article 10 of this present;

- (c) S/he has been outside the territory of the Community for a period in excess of or equal to twelve (12) consecutive months;
 - (d) S/he poses a threat to public order, when jointly assessing the severity of the offenses committed by the same, even if such a threat forms no cause for deportation in the meaning of article 10 of this present;
 - (e) S/he has acquired the status of long-term resident in another Member State of the European Union in the context of exercising the right to residence in the other Member States, in virtue of Directive 2003/109/EC;
 - (f) It is proven, in any manner whatsoever, that s/he has been outside the Hellenic Territory for a period exceeding six (6) years;
2. The expiry of the residence permit of a long-term resident shall not constitute, separately, a cause for the revocation or loss of the status of long-term resident;
3. When the revocation or the loss of the status does not justify deportation as a measure taken in the meaning of paragraph 1 of article 10 of this present, the third-country national may file a petition on grounds, other than for acquiring the status of long-term resident, according to the provisions of Law 3386/2005, without the need to acquire a special entrance visa.

Article 9

(Article 9, paragraph 5 of the Directive)

Recovery of long-term resident status

1. The third-country national, who has lost the status of long-term resident may request for the recovery thereof in the following cases:

- (a) When s/he has lost the status due to the absence thereof from the territory of the Community for a period exceeding or equal to twelve (12) consecutive months or;
- (b) When s/he has lost the status in Greece, due to the granting of such status in another Member State of the European Union;

2. In order to recover the status, the third-country national must file a petition with the agency that initially granted the status of long-term resident, which is accompanied by the following supporting documents:

- (a) A certified copy of all the pages of the passport in effect or any other travel document acknowledged by our Country. In the case sub b' of the previous paragraph, a photocopy will be required of the residence permit of the long-term resident, with which s/he had been provided by the other Member State of the European Union, translated into Greek;
 - (b) Supporting evidence that s/he has sufficient own resources, in the amount of eight thousand five hundred euro (€8,500) minimum annually, of legal origin, in particular from an overseas bank account or pension;
 - (c) A certified copy of the petition with an insurance organization for the full cover of medical care expenses.
- The third-country national must inform the competent

agency within one month from the issue of the decision of the insurance agency on the said petition, by producing a certified copy of the health booklet or an official relevant document of the European Union;

- (d) A certified Deed of Purchase of house or a rent of house agreement, attested by the Public Financial Service;
- (e) Three (3) color photos;

3. For other matters, the procedure of articles 5 and 6 of this present shall apply.

Article 10

(article 12, paragraph 1, 2, 3 of the Directive)

Deportation – protection from deportation

1. The deportation of a third-country national under a status of long-term resident is permitted by the application of the provisions of articles 76 et seq. of Law3386/2005, when s/he forms a current and particularly reasoned threat against public order or public security;
2. The decision on deportation may not be grounded on the appeal to grounds of a more general fiscal policy;
3. Deportation shall be forbidden as a measure in the cases of article 79 of Law3386/2005;
4. During the examination of the grounds that justify the application of the measure of deportation to the person of the long-term resident, the following shall be co-assessed:
 - (a) The duration of residence in Greece;

- (b) The consequences on the same and the family members thereof;
- (c) The bonds with the country of residence or the absence of bonds with the country of origin;
- (d) The age of the person in question.

Article 11

(articles 10, 7 paragraph 2 and 12 paragraph 4, 5 of the Directive)

Right to Recourse

1. The decision to reject the petition for granting a residence permit to a long-term resident, on revocation of the residence permit or deportation must be substantiated. The decision will be served on the interested party, who is advised by a service document on the means of protection, according to this article, as well as the term for exercising the same;
2. For the decisions issued in virtue of this present, a petition for remedy shall be exercised according to article 24 of law 2690/1999 (Official Gazette of the Hellenic Republic A' 45), as in effect;
3. Recourse against the decision on deportation shall be exercised according to Article 77 of Law 3386/2005;
4. A petition for annulment against the decision on rejecting the petition for granting a residence permit to a long-term resident, the revocation or non renewal of the same, the loss of the status or the decision on deportation shall be exercised before the competent administrative court, in application of the provisions of Article 15 of Law 3068/2002

(Official Gazette of the Hellenic Republic A' 274), as in effect;

5. In order to exercise the legal remedy against the decision on deportation, the long-term resident who lacks sufficient resources for such purpose, shall be given the benefit of destitute, according to the provisions of the legislation in effect.

Article 12

(Article 11 of the Directive)

Rights and obligations of the long-term resident

1. The long-term resident shall enjoy equal treatment with the nationals for what concerns:
 - (a) Access to paid or unpaid activity and the conditions of employment and work, including the terms of dismissal and remuneration. Access to activities that involve the exercise of public power is forbidden;
 - (b) Education and vocational training, including study scholarships;
 - (c) Accreditation of professional diplomas, certificates and other titles;
 - (d) Social insurance and the basic benefits of social welfare and protection, as the same are defined in particular in the context of Law 4051/1960 "On the support of unprotected children" (Official Gazette of the Hellenic Republic A' 68) p.d.57/1973, "On taking measures on the social protection of the financially weak and repeal of the provisions governing the institution of destitution" (Official

Gazette of the Hellenic Republic A' 149),

Law 1302/1982 "On the ratification of the International Convention for children's rights" (Official Gazette of the Hellenic Republic A' 192),
Law 3454/2006 "Strengthening of family and other provisions" (Official Gazette A' 75);

- (e) Tax facilities;
 - (f) Access and provision of goods and services available to the public and access to the procedures for acquiring shelter;
 - (g) Freedom to associate and to register and participate in employee or employer organizations or in any organization, the members of which practice a specific profession, including the advantages provided by such kind of organization, subject to the provisions on public order and public security;
 - (h) Free movement and establishment in the entire Territory. Such right may be restricted according to the provisions of Article 74 of Law 3386/2005;
2. The right to equal treatment provided under b., d., e., f. and g. of paragraph 1 shall be exercised in the cases where the place of residence of the long-term resident or the family members thereof, for who the same is applying for the said rights, is situated in the territory of the Country;
3. The right to equal treatment shall be restricted as to:
- (a) Access to paid or unpaid activity, which, according to the provisions of the legislation in effect, is exercised exclusively by Greeks or citizens of the

European Union or the EES (European Economic Space);

- (b) Access to education or vocational training, for which the long-term resident may be required to prove language proficiency to such end;
- (c) Admission to Institutions of Tertiary Education of the University and Technological Sector of Higher Education, for which prior completion of the educational conditions of the legislation in effect is required.

CHAPTER C'

RIGHT TO RESIDENCE OF A THIRD-COUNTRY NATIONAL WITH STATUS OF A LONG-TERM RESIDENT IN ANOTHER MEMBER STATE OF THE EUROPEAN UNION

Article 13

(Articles 14, 15, 19 and 18 paragraph 4 of the Directive)

Right to residence and granting of a residence permit in Greece to a third-country national with a status of long-term resident in another member state of the European Union.

1. The long-term resident, who has acquired such status in another member state of the European Union, may reside, on conditions, in the Country, for a period not exceeding three months, for the following reasons:
 - (a) For exercising a paid activity. In such case, the long-term resident must have concluded a work agreement, from where it appears that the

remuneration thereof is equal, minimum, to the monthly earnings of an unskilled worker. The conditions and the procedure for granting the appropriate residence permit shall be set forth according to the respective provisions of Law3386/2005, as in effect;

- (b) For exercising an unpaid activity, as well as for persons who are financially independent. In such cases, for the terms and the conditions of granting the appropriate residence permits, the respective provisions of law3386/2005, as in effect, shall apply accordingly;
- (c) For studies. In such case, the long-term resident must be registered or admitted for registration to the appropriate educational institute, according to paragraph 1 of Article 28 of Law3386/2005, as in effect. The terms and the procedure for granting the appropriate residence permit shall be set forth, according to the respective provisions of Law3386/2005, as in effect;
- (d) For vocational training. In such case, the long-term resident must have admission by an Institute of Vocational Training (IEK) and be granted a relevant study approval by the Organization on Vocational Training (OEEK), according to the provisions of Article 30 of Law3386/2005, as in effect. The terms and the

procedure for granting the appropriate residence permit shall be set forth, according to the respective provisions of Law3386/2005, as in effect;

2. For granting a residence permit in the cases mentioned above, it must be evidenced that the petitioner possesses:

(a) Sufficient resources, at a level of steady income for covering living expenses, pursuant to the more specific provisions of Law3386/2005, as in effect;

(b) Sickness insurance that covers risks similar to those of nationals, according to the relevant provisions of Law3386/2005, as in effect;

3. In the cases given sub a and b of paragraph 1 of this article, priority shall be given to the citizens of the European Union, to third-country nationals, on condition it is provided by the legislation of the community and to third-country nationals residing in Greece, receiving an unemployment benefit;

4. For granting the respective residence permit, the persons of paragraph 1 of this article shall file a petition, the latest three months from the entrance thereof in the Country with the competent agency, provided the above conditions are met, which will be accompanied by the following supporting evidence:

- (a) A certified photocopy of the passport in effect or any other travel document acknowledged by our country;
- (b) A photocopy of the residence permit of the long-term resident conferred by the first member state, translated into Greek;
- (c) The, according to the case, supporting evidence required for proving the conditions of paragraph 1 on the basis of the respective provisions of Law 3386/2005;
- (d) A certificate that a petition has been filed with the competent insurance agency for covering medical care expenses. The third-country national shall be obliged to inform the competent Aliens and Immigration Agency of the District within one month from the issue of the decision of the insurance organization on the said petition, by filing a certified copy of the health booklet or an official relevant document of the European Union;
- (e) A health certificate granted by a Public Nursing Institution, a Health Center or a Hospital and Clinic of the Social Insurance Organization (IKA), by which it is certified that s/he suffers of no disease, that according to the International Epidemic Data and the Global Health Organization (GHO) may constitute a danger to public health;

5. The competent agency for receiving the petition according to the provisions of Law3386/2005, shall control the completeness of the supporting evidence and forward the file to the competent Aliens and Immigration Agency of the District that operates in the prefecture of the place of residence, the latest within 15 days from the filing of the petition. The Aliens and Immigration Agency of the District shall examine the petition and, if the said conditions are met and there are no issues concerning public order, public security or public health, according to the provisions of article 15 of this present, it shall issue a decision, by which it grants the respective residence permit. Such decision shall be served upon the point of contact, according to the provisions of article 19 of this present;
6. The procedure on the examination of the petition shall be completed the latest within four months from the filing of the petition with the supporting documents. If the petition is accompanied by incomplete supporting documents or the exceptional reasons are met, the said term may exceed the four (4) months up to three (3) additional months. The competent agency shall inform the petitioner on this;
7. The duration of validity of the said residence permit, as well as the procedure for the renewal thereof shall be set forth, for each case, according to the provisions of Law3386/2005, as in effect;

8. This chapter shall not apply to the following third-country nationals, who are long-term residents in another member state of the European Union:

- (a) Salaried employees, employed by an agency that renders services in the context of trans-border provision of services, according to the provisions of Article 18 of Law 3386/2005;
- (b) Agencies for the rendering of trans-border services;

9. Third-country nationals who are long-term residents in another member state of the European Union may enter the country for seasonal employment, according to the provisions of Article 16 of Law 3386/2005;

10. For issues that concern the social insurance of third-country nationals with a status of long-term resident in another member state and exercise their right to residence in Greece, in virtue of this chapter, the community law on the sector of social insurance shall apply.

Article 14

(Articles 16, 19, paragraph 3 of the Directive)

Family members of a third-country national exercising the right to residence in Greece as a long-term resident in another member state of the European Union.

1. The third-country national with a status of long-term resident in another member state of the European Union may be accompanied or reunited with the family members thereof, according to Article 2 of the

Presidential Decree under number 131/2006

“Harmonization of the Greek legislation with Directive 2003/86/EC regarding the right to family reunion”, provided that the family has already been established in another member state;

2. The above mentioned family members shall file a petition for the granting of a residence permit with the agency that is competent for receiving the petition, according to Law 3386/2005, the latest within three months from the entrance thereof in the Country, which will be accompanied by the following supporting documents:

- (a) A certified photocopy of the passport in effect or any other travel document acknowledged by our Country;
- (b) A photocopy of the residence permit of the long-term resident or the residence permit for family reunion or another residence permit that has been granted to them by the first member state in which they lived with the long-term resident;
- (c) A statutory declaration that the conditions of family status continue to apply, as the same were formed in the member state in which lived with the long-term resident;
- (d) Evidence that the members of the family or the long-term resident, exercising the right to residence in Greece that are accompanying or

reunited with the same, possess sufficient resources at a level of steady annual income, without the need to apply to the social welfare system of the Country for covering living expenses. The amount and the respective supporting documents that prove the sufficient resources are set forth in paragraph 4 sub d of Article 5 of the Presidential Decree under number 131/2006 “Harmonization of the Greek legislation with Directive 2003/86/EC regarding the right to family reunion”;

- (e) A certified copy of the petition with an insurance organization or a certified copy of the health booklet for covering the needs of medical care that also covers the members of the family that accompanies or will be reunited with the same. In case the said certificate is filed, the third-country national will be obliged to inform the competent Aliens and Immigration Agency of the District within one month from the issue of the decision of the insurance organization on the said petition, by filing a certified copy of the health booklet or an official relevant document of the European Union;

3. The agency that is competent for the filing of the petition, shall control the completeness of the supporting documents and forward the file to the

competent Alien and Immigration Agency of the District that operates in the prefecture of the place of residence, the latest within 15 days from the filing of the petition. The Aliens and Immigration Agency of the District shall examine the petition and if the requirements mentioned above are met and there are no concurring reasons concerning public order or public security or public health, according to the provisions of article 15 of this present, it shall issue a decision by which a residence permit shall be granted for family reunion. The residence permit of the family members shall follow the fate of the residence permit of the one supporting. Such decision shall be served upon the contact point, according to the provisions of article 19 of this present;

4. The procedure of examining the petition shall be completed the latest within four months from the filing of the petition with the supporting documents required. If the petition is accompanied by incomplete supporting documents or in the case of exceptional reasons, the said term may exceed the four (4) months up to three (3) additional months. The competent agency shall inform the petitioner accordingly;
5. In case the family was established after the exercise of the right to residence in Greece, the provisions shall apply of Presidential Decree under number 131/2006 “Harmonization of the Greek legislation with Directive 2003/86/EC regarding the right to family reunion”.

Article 15

(Articles 17, 20 and 18 paragraphs 1, 2 and 3 of the Directive)
Rejection of petition for the granting of a residence permit to a third-country national with status of long-term resident in another member state of the European Union and to the family members thereof, for reasons of public order, public security and public health

1. The petition for granting a residence permit to long-term residents or to the family members thereof in virtue of this chapter may be rejected on grounds of public order or public security. The examination of the grounds concerning public order or public security of the Country forms a prerequisite in the examination of the petition for granting the appropriate residence permit. The competent agency for granting the residence permit will be obliged to send at the end of each month to the local police directorates or security directorates of the Hellenic Police Force, lists with the exact particulars of third-country nationals to who a residence permit was granted in virtue of this chapter;
2. During the examination of issues that concern public order or public security, the severity or the kind of the offense or the danger that the person in question poses shall be assessed. Refusal to grant the residence permit in virtue of this chapter may not be grounded on an appeal to reasons of a more general fiscal policy;
3. The petition to grant a residence permit to a third-country national with a status of long-term resident on another member state of the European Union or to the family

members thereof may be rejected on grounds of public health. The only diseases that may justify refusal to entrance or the right to residence are those provided by the Global Health Organization as well as other infectious, contagious or parasitical diseases that impose the taking of measures for the protection of public health. The discovery, after the issue of the initial residence permit, that the third-country national suffers of a disease, that s/he contracted further to the entrance thereof in the Country, shall not constitute a ground for not renewing the residence permit or for the removal thereof from the Country;

4. Paragraphs 1, 2, 4 and 5 of article 11 of this present shall apply to the above residence permits as well.

Article 16

(Article 21 of the Directive)

Rights and obligations of third-country nationals with a status of long-term resident in another member state of the European Union, who are holders of a residence permit in Greece

1. The third-country nationals with a status of long-term resident in another member state of the European Union, who live in Greece in virtue of this chapter shall enjoy equal treatment with the nationals in the sectors and under the terms of article 12 of this present;
2. Third-country nationals with a long-term residence in another member state of the European Union living in Greece with the purpose of exercising a salaried activity, in virtue of this chapter, will not be allowed to work during the first twelve months, in any other specialty than the one

for which the initial residence permit was issued or to change their insurance organization;

3. The persons entering the Country in virtue of the provisions sub c' and d' of paragraph 1 of article 13 of this present shall be allowed to work only with part time employment on the conditions provided in Article 35 of Law 3386/2005;
4. The members of the family, who are holders of a residence permit in virtue of this chapter, will be subject to the rights and the obligations of Article 10 of Presidential Decree under number 131/2006 "Harmonization of the Greek legislation with Directive 2003/86/EC regarding the right to family reunion".

Article 17

(Article 22 of the Directive)

Revocation of residence permit and obligation to reentrance

1. Until the third-country national acquires a long-term residence status in Greece, the residence permit thereof shall not be renewed or revoked and the interested party and the family members thereof will be obliged to leave the territory of the country in the following cases:
 - (a) On grounds of public order or public security, according to article 15 of this present;
 - (b) When the terms and the conditions of articles 13 and 14 are no longer met;
 - (c) When the third-country national does not live in the Country legally;
2. If one of the measures mentioned in paragraph 1 is taken, the third-country national, who it concerns, must return

immediately to the first country that granted the same the long-term resident status;

3. In case one of the measures mentioned in paragraph 1 is taken by a second member state and it concerns a third-country national, who has been subject to the long-term resident status in Greece and exercises the right of residence in the second member state, the competent Greek authorities must immediately allow without further formalities, the reentrance of the same and the family members thereof in Greece;
4. Until the acquisition of the long-term resident status in Greece and subject to the obligation to reentrance provided in paragraph 2, the competent Greek authorities may deport the third-country national from the territory of the European Union, according to article 10 of this present and in virtue of the guarantees of such article, on severe grounds of public order or public security. In such cases, the competent Greek authorities shall proceed to consultations with the respective authorities of the first member state. The competent Greek authorities, in the context of the said consultation shall request from the first member state, the information necessary for the issue and the execution of the decision on deportation;
5. The decision on deportation, on the basis of the provisions sub b' and c' of paragraph 1 of this article shall not be accompanied by a permanent forbiddance of residence;
6. In case one of the measures mentioned in paragraph 1 is taken and the Greek authorities request for the reentrance

thereof in the member state that had conferred the status of long-term resident, according to paragraph 2 of this article, the third-country national and the family members thereof shall maintain the right to move to a third country member of the European Union.

Article 18

(Article 23 of the Directive)

Acquisition of long-term resident status in Greece in the context of exercising the right to residence as a long-term resident in another member state of the European Union

The third-country national to who the status of long-term resident was granted in another member state of the European Union and who lives in Greece legally in virtue of this Chapter, may file a petition for conferring the long-term residence status in Greece in virtue of this Chapter, according to the terms and the conditions of the regulations of Chapter B' of this present. Such decision will be served upon the first member state, according to article 13 of this present.

Article 19

(Articles 25, 19 paragraph 2, and 22 paragraph 3 of the Directive)

Contact point

1. The Directorate of Aliens and Immigration of the Ministry of Interior Affairs, Public Administration and Decentralization is set forth as the contact point with the respective competent agencies of the other member states of the European Union for the exchange of information set forth in this present;

2. The Aliens and Immigration Agencies of the Country's

Districts will be obliged to advise the Directorate of Aliens and Immigration of the Ministry of Interior Affairs, Public Administration and Decentralization on the petitions filed and the residence permits granted according to the regulations of articles 13, 17 and 18 of this present;

3. The Aliens and Immigration Agencies of the Country's

Districts will be obliged to advise the Directorate of Aliens and Immigration of the Ministry of Interior Affairs, Public Administration and Decentralization on the deportation decisions issued against third-country nationals, who have been granted a residence permit in Greece as long-term residents of another member state of the European Union.

Article 20

(Article 13 of the Directive)

Special Provisions

Third-country nationals, who have received a residence permit for indefinite time, on the basis of the provisions of laws 2910/2001 (Official Gazette of the Hellenic Republic A' 91) and 3386/2005 shall not enjoy the right to residence in the other member states, as such is provided in Chapter C' of this present.

Article 21

Provisions Annulled

From the date on which the validity of this present is put into effect, every general or special provision that is contrary to the regulations thereof or handles the issues that form the objective thereof in a different manner shall be annulled.

Article 22

Start of effect

This present shall be put into effect from the date of its publication in the Official Gazette of the Hellenic Republic. We assign to the Minister of Interior Affairs, Public Administration and Decentralization the publication and execution of this decree.

Argostoli, 29 July 2006.

THE PRESIDENT OF THE REPUBLIC
KAROLOS G. PAPOULIAS

THE MINISTERS

INTERIOR AFFAIRS, PUBLIC ADMINISTRATION AND
DECENTRALIZATION: **P. PAVLOPOULOS**

FOREIGN AFFAIRS: **T. BAKOGIANNI**

EMPLOYMENT AND SOCIAL PROTECTION:
S. TSITOURIDES

ECONOMY AND FINANCIAL AFFAIRS:
G. ALOGOSKOUFIS

EDUCATION AND RELIGIOUS AFFAIRS:
M. GIANNAKOU

PUBLIC ORDER: **V. POLYDORAS**

True translation of the attached herewith Greek document.

Athens 22 December 2006. Translator: Despina Karatza

