Technical Report on Asset Declarations in Greece
This document is published under the responsibility of the Secretary-General of the OECD. The opinions expressed and arguments employed herein do not necessarily reflect the official views of OECD member countries.

This document and any map included herein are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

About the OECD

The OECD is a forum in which governments compare and exchange policy experiences, identify good practices in light of emerging challenges, and promote decisions and recommendation to produce better policies for better lives. The OECD’s mission is to promote policies that improve economic and social well-being of people around the world. For further information, please see www.oecd.org.

About the Greece-OECD Project

The Greek government is prioritising the fight against corruption and bribery and, with the assistance of the European institutions, is committed to taking immediate action. Under the responsibility of the General Secretariat against Corruption, Greece’s National Anti-Corruption Action Plan (NACAP) identifies key areas of reform and provides for a detailed action plan towards strengthening integrity and fighting corruption and bribery. The OECD, together with Greece and the European Commission, has developed support activities for implementing the NACAP. This project is scheduled for completion in January 2018 and is co-funded by the European Commission and Greece. For further information, please see the project webpage.
Acknowledgements

This report was prepared by the Public Sector Integrity Division of the OECD Directorate for Public Governance as part of the Greece-OECD Project on Technical Support for Anti-Corruption. Under the supervision of Sarah Dix, the work was led by Tilman Hoppe, with Pelagia Patsoule. Laura McDonald managed communications and editing, and Meral Gedik formatted the report. Voula Akrivaki and Alpha Zambou provided key administrative support.

The OECD would like to thank the General Secretariat Against Corruption (GSAC) for their openness and initiative throughout the process. The OECD is also grateful to experts for sharing their experiences and knowledge. The Report was discussed at and amended following in-country meetings with representatives of the five oversight bodies and the General Secretariat of Information Systems on 2 and 3 October 2017.

This report is based on a desk review of relevant laws and annual reports by Greek oversight bodies conducted in May and June 2017, complemented with input from oversight bodies obtained between July and September 2017. It analyses Asset Declarations in Greece with reference to the following international standards:

- Organisation for Economic Co-operation and Development (OECD), Recommendation of the Council on OECD Guidelines for Managing Conflict of Interest in the Public Service (2003; hereafter: OECD Guidelines);¹

- Organisation of American States (OAS), “Model law on the declaration of interests, income, assets and liabilities of persons performing public functions” (2013, developed with input from the World Bank; hereafter: OAS Model Law on Declarations);²

- Recommendations provided by Council of Europe’s Group of States against Corruption (GRECO) with regards to asset declarations, in particular during its Fourth Round Evaluations;³

- United Nations Convention against Corruption (UNCAC), Article 8, paragraph 5 (conflict of interest and incompatibilities), and Article 52, paragraph 5 (financial disclosure);⁴

- Western Balkans Recommendation on Disclosure of Finances and Interests by Public Officials (2014; hereafter: Western Balkans Recommendation).⁵

² OAS Model Law.
³ GRECO webpage evaluations.
⁵ ReSPA, Recommendation.
# Table of contents

**Executive summary**................................................................................................................. 7

**Overview: Asset declarations in Greece** .................................................................................. 13
  - GRECO .................................................................................................................................. 14
  - European Commission ............................................................................................................ 15
  - EU Anti-Corruption Report, Annex Greece, 2014: ................................................................. 15
  - UNCAC .................................................................................................................................. 15
  - Transparency International Greece ......................................................................................... 16

**Assessment** .......................................................................................................................... 17
  - Legal basis .............................................................................................................................. 17
  - Purpose .................................................................................................................................. 18
  - Coverage ............................................................................................................................... 18
  - Declaration content ............................................................................................................... 21
  - Submission ............................................................................................................................. 30
  - Oversight bodies .................................................................................................................... 31
  - Verification ............................................................................................................................. 37
  - Public access .......................................................................................................................... 41
  - Sanctions ............................................................................................................................... 46

**Annex. Relevant legislation, code and sample declaration forms** .............................................. 50
Executive summary

This Technical Report is based on a desk review of relevant laws and annual reports by Greek oversight bodies and information obtained through interviews and written feedback from June to October 2017, as well as an in-country workshop with representatives of oversight bodies in Athens on 2 October 2017. Amendments to legislation and jurisprudence are taken into account until 31 October 2017, unless otherwise indicated.

The asset declaration system in Greece has undergone substantial reforms since 2003, last time by two laws in 2016. In particular the following are strong features of the asset declaration system:

- Online submission of declarations.
- Online publication of declarations submitted by parliamentarians.
- Dual usability of declarations for the purpose of detecting conflict of interest as well as hidden wealth.
- In some cases wide-ranging powers of oversight bodies, such as access to banking data.
- Use of the Financial Intelligence Unit (FIU)’s financial expertise and powers for the verification of a significant share of declarations.
- A wide range of public officials from all three branches of powers are obliged to declare.
- A wide range of sanctions for violation of declaration obligations.

In particular utilizing the FIU for verifications as well as the access to banking data are outstanding examples of best practices by international comparison.

The asset declaration system, modified as of 2016, is just beginning to be implemented. However, one can already make the following observations regarding the implementation:

- Oversight bodies need to work with a fixed formula for calculating hidden wealth. This formula will be a compilation of all possible positions an asset declaration, balancing all incoming and outgoing financial flows of a public official. Such a formula will ensure unified financial analysis within an oversight body and across the various bodies. It will also allow for automated arithmetic control of the declarations.
- For conducting in-depth audits of a sample of public officials, all oversight bodies need online access to all state databases; ideally, this access should not (only)
take place by manual log-in, but fully automated by the IT-system of the oversight body.

- Oversight bodies need a methodology for detecting conflict of interest situations that public officials did not declare.
- Oversight bodies need to define standard procedures/guidelines for audits, including the following:
  - A list of risk criteria and red flags for selecting declarations for in-depths audits.
  - A standard range of public databases to be consulted for each audit of a declaration.
  - A standard time frame for which the data is checked, including not only data from the current period, but also from past years.
  - The sample of public officials that is checked each year (in addition to public officials on whom a complaint is filed).
- In order to allow civil society to monitor and analyse declarations, declared data should be machine readable and downloadable for free.

In addition, the asset declaration system would benefit from a number of improvements which would require legislative changes. The following are recommended:

**Coverage**

Recommendation 1: Consider expanding the electronic database to declarations submitted by newly employed civil servants under the Civil Servants Code. At the same time, review to what extent the obligation under Article 28 of the Code of Civil Servants leads to double declaration obligations that could be simplified.

Recommendation 2: Possible ambiguities and overlaps in the categories of declarants should be reviewed and the need for clarification should be evaluated.

Recommendation 3: Consider including other high risk categories of public officials in the asset declaration regime such as doctors of public hospitals and health centres.

Recommendation 4: The current limitation to spouses and minor children may be reconsidered and possibly replaced by a term that covers unmarried life-partners, adult children, and parents.

Recommendation 5: New declaration obligations should ensure that new spouses make fully transparent the financial source of assets they bring into the marriage; equally, divorcees should be under a separate declaration obligation following the divorce.
Declaration content

Recommendation 6: Review to what extent the obligation to declare precious movables can be reinstated, with lower thresholds, and in line with the recent jurisprudence of the Council of State.

Recommendation 7: Define a cumulative threshold for all movables acquired within one year (e.g. double the newly reduced threshold for one movable).

Recommendation 8: Consider clarifying that public officials can provide estimates if they receive movables not by purchase and ensure that these estimates do not entail the sanction of false declaration in case the estimate deviates from the real market value.

Recommendation 9: Consider explicitly including and defining “beneficial ownership” as one of the forms of possession of assets.

Recommendation 10: Consider including in the declaration large non-asset expenditures above a certain threshold (e.g. € 1,000 per year and creditor).

Recommendation 11: Consider introducing an obligation for all declarants to declare loans they granted above a certain threshold to third parties.

Recommendation 12: Amend Law 3213/2003 in order to include digital currencies.

Recommendation 13: The Law 3213/2003 or a similarly binding regulation should define a formula for calculating a misbalance of income and lifestyle.

Recommendation 14: Data in the initial declaration should be as of the day of coming into office (or the day prior to this).

Recommendation 15: Oversight bodies should adopt a methodology for detecting real conflict of interest cases.

Submission

Recommendation 16: Consider coinciding the start of the deadline for submitting corrections with the end of the deadline for submitting declarations.

Recommendation 17: The e-declaration system should be complemented with an easy-to-understand guidance for declarants.

Recommendation 18: Consider publishing catalogues listing declarant’s names in order to allow for scrutiny of these lists by a wider audience.
Oversight bodies

Recommendation 19: Experiences with a multitude of oversight bodies should be evaluated from time to time and alternatives such as consolidation within a lesser number or one institution should be considered.

Recommendation 20: All oversight bodies should have access to the same range of databases (in particular banking and tax data).

Recommendation 21: Ensure that Greek law contains a clear legal basis for oversight bodies accessing online databases abroad.

Recommendation 22: Join the agreement on international data exchange in order to access foreign data which is not openly available or not available in a possible working language of staff of Greek oversight bodies (such as English, French, German).

Verification

Recommendation 23: All oversight bodies should establish risk criteria and IT-systems that prioritise declarations which are subject to audits. The risk criteria should be confidential.

Recommendation 24: The verification of all asset declarations should make use of banking, tax, and similar secret data.

Recommendation 25: All oversight bodies should have online access to all databases.

Recommendation 26: Oversight should adopt standard procedures for rolling out audits.

Public access

Recommendation 27: Review options in line with constitutional principles on data protection to publish a larger circle of declarations online.

Recommendation 28: To the extent that Recommendation 27 is not (yet) implemented, review options in line with constitutional principles on data protection to make selected declarations available to stakeholders with a legitimate interest (e.g. journalists, civil society organisations) upon individual requests under freedom of information legislation.

Recommendation 29: Review options in line with constitutional principles on data protection to ensure that declared data is machine readable and downloadable for free.

Recommendation 30: Review options in line with constitutional principles to reconsider the media prohibition in Article 2(3) of Law 3213/2003.
Sanctions

Recommendation 31: Adopt the ministerial decision necessary for the application of administrative fines for late submission of declarations.

Recommendation 32: Review as to what extent legislation could be changed in order to apply confiscation and/or attribution (or a similar mechanism) without having to establish a link between the inexplicable wealth and the declarant’s official position.

Recommendation 33: Review the feasibility and options for raising awareness among tax authorities on the need to notify asset declaration bodies in defined cases, such as expenditures not being covered by (declared) income.

Recommendation 34: Review the feasibility and options of prosecutorial/judicial authorities being obliged or committing to providing feedback on the outcome of cases referred to them by asset declaration oversight bodies.
Figure 1. Flow chart

Declarations
Legal basis: see chapter 5.1
Purpose: see chapter 5.2
Coverage: see chapter 5.3
Content: see chapter 5.4

Oversight bodies

Submission
see chapter 5.5

Verification
see chapter 5.7

Sanctions
see chapter 5.9

Public access
see chapter 5.8
Overview: Asset declarations in Greece

Greece considered introducing asset declarations for the first time in 1927, when two Parliamentarians submitted a draft proposal to the Parliament. Almost 40 years later, in July 1964, Parliament voted this draft into law (Law 4351/1964). The annual submission of an asset declaration became obligatory for the Prime Minister, Ministers, Deputy Ministers, Parliamentarians, leaders and spokespersons of political parties represented in the Parliament, and close relatives of all these officials. Declarations had to be submitted to Parliament by April of each year. They contained details in particular on immovable assets, vehicles, deposits in Greek and foreign banks, businesses, and securities.

Law 1738/1987 provided details on the verification procedure and introduced new categories of declarants. Law 2429/1996 further expanded the categories of declarants.

On 31 December 2003, Greece enacted the Law 3213/2003 on “Declaration and verification of assets for members of parliament, public officials and employees, media owners and other groups of persons”. The declaration under this Law focuses mainly on detecting and preventing inexplicable wealth (financial aspect). The Law has undergone several amendments, in particular:

- Law 4281/2014, Articles 222-229, introducing a second, separate declaration of financial interests (focusing on the conflict of interest aspect);
- Law 4389/2016, 172-183, inter alia introducing thresholds for movables of a certain value, and regulating the FIU’s and General Inspector of Public Administration’s role in processing declarations, introducing the obligation of banks to provide certificates of deposits, and introducing administrative fines;
- Law 4396/2016, Article 4(5): clarifying the definition of offshore companies.

The amendments of 2016 brought about the following main changes:

6 National School of Public Administration, Alexopoulos Panagiotis/Pantazi Anna, Final Paper: The audit of asset declarations as an institution for transparency, Athens, 2015, pages 11, 13, 17-22 (in Greek only).

7 Law 4389/2016 on 27 May 2016 and law 4396/2016 on 8 June 2016.
- **Banks** and similar institutions must provide the balance of deposits free of charge upon request of declarants;
- The **content** of the declarations was broadened (adding: hiring of safe deposits, high value movables, loans and any type of monetary sanctions or fines for specific categories of declarants);
- **Public access** to some categories of declarations is defined;
- The **oversight** bodies responsible for the verification of the declarations are redefined;
- Establishing **fines** for declarants that do not respond to supervisory bodies during verification procedures;
- Administrative fines in case of **late submission**;
- Prohibition for certain declarants (politicians and relatives) to be shareholder/partner of **foreign companies**; criminal liability in case of infringement;
- **Central electronic submission** of declarations.

The following monitoring reports review the asset declaration system after the adoption of the main Law 3213/2003. However, asset declarations are only one part in these reports that cover a broad range of anti-corruption measures. GRECO (the Council of Europe’s Group of States against Corruption) has reviewed the amendments as of August 2014, while none of the reports could yet take into account the amendments of 2016.

**GRECO**

Evaluation report Greece: Fourth Evaluation Round, Corruption prevention in respect of members of parliament, judges and prosecutors states, 22 October 2015.9

“**GRECO recommends that the system of declaration of assets, income and interests is reviewed so that all pertinent information is adequately reflected, including on debts and liabilities, and to ensure that declarations are accessible to the public conveniently and for an adequate period of time.**”

“**GRECO recommends that the newly established Committee for the Investigation of Declarations of Assets becomes operational as soon as possible and is provided with all the means necessary to perform its tasks effectively and pro-actively, and that it reports periodically and publicly about the results of its activity.**”10

---

8 The in-country mission took place from 1-5 December 2014.
10 Ibid, at No 57-58.
European Commission


“The implementation of the National Strategic Plan against Corruption is continuing. Following the adoption of the framework law for anti-corruption and the code of conduct for members of Government in 2014, the amendment of the legislation on the declaration of assets adopted as a prior action of the first review is expected to significantly strengthen the framework for the monitoring of asset declarations of politically exposed persons in a timely, effective and independent manner bringing Greece in line with best practices.”

EU Anti-Corruption Report, Annex Greece, 2014:12

“Elected and appointed officials are subject to a strict asset disclosure system which has led to criminal prosecution in some cases. The declarations of ministers and MPs are publicly available and usually reported in the media. However, verification is not systematic and the cooperation between internal control mechanisms and law enforcement bodies to identify breaches of asset disclosure obligations is carried out by the Control Committee within Parliament, which is composed predominantly of MPs and three representatives of the judiciary. Therefore, this verification system alone cannot fully guarantee impartiality.”

UNCAC

The Country Review Report of Greece dates from 2015 and is based on a country visit in November 2014.13

“An offence with some similarities to the one contained in Article 20 of the Convention (establishing, under the heading ‘illicit enrichment’, the criminal liability of ‘any person obligated to file an assets declaration who, taking advantage of his/her capacity acquires or procures to a third party an illicit financial benefit’) was found until very recently in Article 4 of Law 3213/2003. Although this offence existed (in various versions) in the Greek legislation relevant to the filing of assets declarations since 1964, it remained obscure, had never been applied in practice and was reviewed as running against fundamental constitutional principles (nullum crimen sine lege certa). Therefore, during the recent legislative overhaul of the anti-corruption legislation that culminated in Law 4254/2014, it was decided to abolish it.

11 EC Compliance Report (9 June 2016), page 12.
12 EU Anti-Corruption Report, Annex 8, Greece (3 February 2014), page 10.
At the same time, Article 20 of the Convention was considered, and it was decided that its goals are sufficiently served by the provisions of the aforementioned Law 3213/2003 that establish a system of asset declaration obligations for public officials and include an offence of ‘failing to submit or submitting a false asset declaration’. Indeed, the goal of preventing and suppressing corruption in the public sector is closely related to transparency as to the possession of assets by public officials. Asset transparency also acts as a negative incentive in the context of preventive measures against corruption, by increasing the risks or chances of persons who cannot justify a substantial increase in their assets (invisible resources) to incur unwanted legal consequences (criminal and disciplinary sanctions).

[...] Observations on the implementation of the article: The reviewers note that Greece has not made illicit enrichment a criminal offence. However, its legislation criminalizes the non-declaration by any official or person with respect to the obligation to declare assets, incomes and revenues. [...] Greek authorities have explained that they closely considered but rejected the criminalization of illicit enrichment.”

Transparency International Greece

National Integrity System Assessment Greece (12 February 2013).15

“Serious criticism has been made regarding the way the asset declarations of MPs are being drafted and audited. In particular, the current way of depicting their assets does not allow for safe conclusions as far as the source of their income is concerned, while there are also serious doubts about the audit of these asset declarations. Furthermore, there is partial broadcasting regarding the statements of certain MPs during the period of submission of asset declarations, whereas a declaration as a whole are not accessible at all times.”

There are no further reports on asset declarations, such as by the International Monetary Fund or the OECD.

14 Ibid, page 36, at No 75 (emphasis by author).
Assessment

Legal basis

A myriad of separate Laws and regulations relate to the declaration system:

<table>
<thead>
<tr>
<th>Law/regulation</th>
<th>Declarant or oversight body</th>
<th>Main areas of regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law 3213/2003</td>
<td>All</td>
<td>Asset declaration: contents, submission, verification, sanctions</td>
</tr>
<tr>
<td>Law 4281/2014, Article 229</td>
<td>All</td>
<td>Declaration of financial and non-financial interest: contents</td>
</tr>
<tr>
<td>Law 4389/2016</td>
<td>All</td>
<td>Unified, electronic submission</td>
</tr>
<tr>
<td>Law 3691/2008, Article 7B</td>
<td>Financial Intelligence Unit, and respective declarants</td>
<td>Jurisdiction for verification</td>
</tr>
<tr>
<td>Law 3345/2005, Article 14(4)</td>
<td>General Inspector of Public Administration, and respective declarants</td>
<td>Possibility to lift bank or tax secrecy</td>
</tr>
<tr>
<td>Decision 16327/2016 (President of Parliament)</td>
<td>3A Committee and respective declarants</td>
<td>Declaration forms, submission</td>
</tr>
<tr>
<td>Decision 11536/2016 (Plenary of Parliament)</td>
<td>3A Committee</td>
<td>Functioning of the Committee</td>
</tr>
<tr>
<td>Common Ministerial Decision 1068/2017(^16)</td>
<td>All oversight bodies, except 3A Committee and the Inspectors Controllers Body; respective declarants</td>
<td>Declaration forms, submission</td>
</tr>
</tbody>
</table>

Purpose

Asset declarations can serve the purpose of preventing and detecting violations of conflict of interest provisions, or illicit enrichment, or both. Ideally, an asset declaration system should serve both, as is the case of the Greek system. While Law 3213/2003 focuses on the illicit enrichment aspect of a declaration system, Law 4281/2014 focuses on the personal interests related to financial and non-financial items in a public official’s life.

Coverage

The asset declaration system covers a very broad range of public officials from all three branches of power. This includes among others Ministers, Parliamentarians (Greek Parliament and European Parliament), judges, and prosecutors.

The declaration obligation extends also to civil servants and public employees from the larger central and local administration (above lower-level), senior level officials at independent bodies, senior level officials in the defence sector, management of state owned enterprises (share ≥ 50%) including at the local level, and to managers of public hospitals (Directors or Coordinating Directors serving at hospitals and health centres of the National Health System “ESY”). Thus, in the public sector as such, only public employees from a lower hierarchical level are exempt from having to submit declarations as are non-management level employees at state owned enterprises.

However, it should be mentioned in this context that Article 28 of the Code of Civil Servants (Law 2683/1999) requires every newly employed civil servant to submit an asset declaration at the beginning of their term. After that initial declaration, civil servants have to declare any “substantial changes” every two years. However, the necessary ministerial decision determining the form of this declaration was never issued. Thus, very few civil servants are aware of this obligation. Until now – insofar that civil servants comply with this provision – declarations are submitted in writing to the Human Resources Department of each public agency or service.

Recommendation 1: Consider expanding the electronic database to declarations submitted by newly employed civil servants under the Civil Servants Code. At the same time, review to what extent the obligation under Article 28 of the Code of Civil Servants leads to double declaration obligations that could be simplified.

As a remarkable feature, the declaration system extends to the leadership of political parties represented in the Greek or European Parliament, owners and managers of media enterprises, and professional journalists. All in all, the Greek asset declaration

---

17 Western Balkan Recommendation, ibid, at A.

18 Obliging journalists to declare apparently works well in Greece, a country with well-established rule of law, but would likely be problematic in many other countries, in particular outside European Union.
Representatives interviewed for this report have by and large all pointed out the need for redefining more precisely the categories of declarants. In some cases, the criteria appear to be vague, in some cases there are overlaps (one declarant having to declare to two oversight bodies) – in such cases it should be clear that only one oversight body is in charge of verifications.

Recommendation 2: Possible ambiguities and overlaps in the categories of declarants should be reviewed and the need for clarification be evaluated.

The exclusion of non-management level doctors in public hospitals does not tally with the risk of their illicit enrichment. The European Union Anti-Corruption Report 2014 notes:

“The healthcare sector is among the sectors in which Greece faces considerable challenges with regard to corruption. It accounts for 10% of GDP. Both informal payments and the procurement of equipment and drugs are affected by corruption. In the 2013 Special Eurobarometer, 11% of the Greek respondents who visited public medical facilities in the past year admitted to having made an extra payment (EU average: 5%) and of these 24% felt they had to make the extra payment or offer a gift before care was given. Transparency International’s 2011 survey on petty bribes in Greece estimated the bribe expected for surgery in public hospitals at EUR 100 to 30,000, for faster treatment from EUR 30 to 20,000, and for medical tests from EUR 30 to 500. Informal payments appear to be made most frequently to obtain access to healthcare, bypass waiting lists or secure treatment by a particular specialist.”

Preventive and investigative measures introduced as recently as April 2017 shall address this problem. However, this means that illicit enrichment of doctors and their financial disclosure is probably more essential than several or many of the declarants already obliged under current law. The Greek authorities have pointed out that in practice, significant bribes would mostly flow to the hospital directors, not to the “lower-level” doctors.

Recommendation 3: Consider including other high risk categories of functionnaires in the asset declaration regime such as doctors of public hospitals and health centres.

---

19 Euractiv (14 April 2017), Greece creates e-platform to tackle corruption in healthcare; Keep Talking Greece (13 April 2017), Greece to probe corruption in health sector worth €85billion; “Greece’s parliament on Wednesday voted to open an investigation into alleged health scandals and corruption going back two decades, involving bribes and inflated prices for medical equipment and medicine. A broad majority of 187 lawmakers in the 300-seat parliament approved a government proposal to look into suspected mismanagement between 1997 and 2014.”
All above categories need to declare all information for “their spouses and minor children” (Article 1(1) Law 3213/2003). This is a rather limited approach. Assets are typically hidden and shifted among members of the same household. At the same time, it is difficult to discern who in one household lives from which source of income. Thus, a common and useful approach is the inclusion of “household members”, disregarding of the marital status and or of the age. This would include in particular parents as well adult children, who are currently missing in the definition of family members (even though in practice they are a frequently used opportunity for hiding assets). Including “household-members” would extend the declaration to non-spouse partners. This seems fair: In essence declarations of unmarried partners should not be treated differently than married partners. If a couple is married only two months (which usually entails sharing a household), the public official would have to declare for his/her partner. The same should be true for unmarried couples, as they could have been living together for several years or even much longer.

There are two concerns in this regard. First, one could argue that it is hard to prove whether somebody shares the same household. However, there are many countries who follow the “household”-approach and who manage to conduct verifications. For example, the oversight body could use information from the registration of residence (civil registry). In addition, it is often insiders who provide information on wrong declarations and who know about the household situation. Second, same-sex couples might share a common household. Including them into the declaration regime would expose them publicly. This could be problematic given the rather low ranking of Greece in terms of same-sex discrimination. Inserting an exception for same-sex couples could be considered as a possible solution.

Recommendation 4: The current limitation to spouses and minor children may be reconsidered and possibly replaced by a term that covers unmarried life-partners, adult children, and parents.

A common pattern of hiding assets is as follows: The public official acquires assets from illicit sources. He/she covers this up by marrying during the fiscal year and pretending in the next annual declaration that the spouse brought these assets into the marriage (and

---

20 See for example the definition in the Slovenian Integrity and Prevention of Corruption Act, Article 4 (7): “’Family members’ means spouses, children, adopted children, parents, adoptive parents, brothers, sisters, or any other persons living with an individual in the same household or in a common-law partnership.”

21 Western Balkan Recommendation, ibid, at. B.3. See for example the reviews by the Eastern Partnership Project on the asset declaration systems in Armenia and Ukraine; see also Article 4 subsection a) of the Georgian Law on Conflict of Interest, and ReSPA/Tilman Hoppe, “Asset declarations in practice – A regional study of Western Balkan countries”, 2013.

22 See e.g. Slovenia, Fn. 20.

has in fact owned them already “forever”/before the relevant fiscal year). The mirror-image problem exists with divorces, where divorced spouses hide all the assets, while in fact the couple is still enjoying the fruits of illicit income together. Separate declaration obligations of the divorcee following the divorce are one possible solution.

**Recommendation 5:** New declaration obligations should ensure that new spouses make fully transparent the financial source of assets they bring into the marriage; equally, divorcees should be under a separate declaration obligation following the divorce.

In this context it should be mentioned that oversight bodies in Greece face a problem they share with all other oversight bodies in other countries: How can one *oblige family* members to cooperate in declaring? Possible solutions are: providing separate sanctions targeting family members; subjecting declarations to an audit where family members refuse to provide information. International guidance is weak at best regarding this question. Greek authorities will have to review the aforementioned or other options in light of what is possible within the Greek legal framework.

**Declaration content**

**Financial aspect**

**Movables: threshold**

The threshold for movables is outstandingly high (€ 30,000). It equals about an annual gross salary of a Deputy General Secretary at a ministry (€ 2,800/month). It seems inappropriate, if a high level civil servant could spend his/her entire gross annual salary on one precious item without having to declare this. The World Bank has recently suggested a “monetary value for jewellery, art, and antiques to be declared—such as € 5,000 or US$ 6,000, depending on the local context.” The Council of Europe has recommended a threshold of around € 2,000 for movables for Ukraine. The respective threshold for Albania is US$ 5,000, € 4,000 for Croatia, and € 5,000 for Kosovo.* This

---


25 The most recent publication is silent on this question: World Bank (2017), *Getting the Full Picture on Public Officials – A How-To Guide for Effective Financial Disclosure*.

26 Ekathimerini (20 January 2016), *New salaries for high-ranking civil service officials decided*.


29 ReSPA/Tilman Hoppe, ibid, page 19 and 50.
Aside, the declaration of precious movables is a uniform feature of all disclosure systems focusing on inexplicable wealth.\textsuperscript{30}

Some stakeholders voiced concerns that even the threshold of € 30,000 is not feasible: The Unions of Judges and Prosecutors appealed to the Council of the State to declare this provision unconstitutional. They argued inter alia that the obligation to declare movables was not appropriate: The ownership could only be verified by an on-site control at the home of the public official in question. This would raise issues of the sanctity of the private home. The appeal also argued that the provision is vague, since declarants could not estimate the value of the movables on their own. In response, the Council of State has declared Article 2(1)(a)(vi) unconstitutional for violating Articles 5(1) (free development of personality), 9(1) (inviolability of home and private life), 9A (protection of personal data) and 25(1) (principle of proportionality) of the Constitution (Decision No. 2649/2017 of 18 October 2017).\textsuperscript{31}

Nonetheless, it seems important for the Greek legislator to review, to what extent the obligation to declare precious valuables could be upheld, possibly in a new format: The declaration of precious movables is a uniform feature of all disclosure systems focusing on inexplicable wealth.\textsuperscript{32} In this context, one should keep in mind that – apart from a few exceptions – no value estimates are required under the Greek system. Regarding the transactional values (purchase price etc.), see below at “Movables: estimates”. It should also be noted, that according to the interviews, tax legislation in Greece requires tax subjects to declare any purchase of a movable above the value of € 10,000. This raises the question, why this provision is (apparently) constitutional while the much higher threshold is not. Furthermore, it appears as if the purchase of movables could be proven without having to enter an official’s home, (which is not foreseen under Greek asset declaration legislation) based on credit card receipts, bank statements or witness testimony (e.g. from estranged family members, or past sellers or future buyers of these movables). Lastly, an asset declaration system works without the oversight body having to prove that a public official owns movables he/she did not declare: The pure obligation puts the official under the risk of sanctions in case he/she does not declare such movables. The obligation thus serves the purpose of declarations to make it harder for (corrupt) public officials to enjoy the proceeds of their offences.

Recommendation 6: Review to what extent the obligation to declare precious movables can be reinstated, with lower thresholds, and in line with the recent jurisprudence of the Council of State.

Decision No. 2649/2017 of the Council of the State also states that the obligation to declare such assets would disproportionally limit the right of the declarants to freely develop their personality, as well as their right to private and family life. (One should


\textsuperscript{31} An official English translation of this Decision was not available to the author of this report; conclusions from this Decision are thus based on secondary sources.

keep in mind, though, that declarations of judges and prosecutors are not subject to online publication (yet)). To the extent that these declarations should be or become subject to freedom of information laws, information on valuables could be redacted. This option of redacting information should be kept in mind when considering above Recommendation 6 (even though in most, if not all countries where declarations are published online, information on precious movables is included in the public version).

Movables: accumulation

In addition, there appears to be only a threshold for each movable, but not an overall threshold for all movables bought within one year. This is problematic from two angles:

- First, a public official could buy within one year for example 10 or more movables worth € 29,000 each, thus € 290,000 in total, without having to declare this. This would include movables that can easily be hidden such as coins or bars from precious metals.

- Second, the public official could use this threshold as a cover up for illegal income: A public official might be asked how he/she was able to buy a car worth € 200,000 (with an annual salary of € 8,000). He/she could claim he/she had a multitude of movables just below the declaration value (e.g. 10 pieces of gold bars each worth around € 20,000), which he/she sold for a total of € 200,000. Each of the selling transactions would not have to be declared as they are below the threshold value: Article 2 IX B I “If an asset is sold, the amount received shall be declared.”

It should be noted in this context, that the World Bank suggested the threshold of € 5,000 even as “a cumulative monetary value”. The Council of Europe has recently recommended to another country to introduce such a cumulative threshold as follows: “Therefore, it is recommended to include an alternative threshold [alternative to single movables] for all movables bought within one year, for example double the current threshold (€ 9,000), where each is above minimal value (e.g. € 50).”

Recommendation 7: Define a cumulative threshold for all movables acquired within one year (e.g. double the newly reduced threshold for one movable).

All thresholds were introduced for the first time with the introduction of the declarations of financial interests with Law 4281/2014. As far as Law 3213/2003 is concerned, the first thresholds were introduced in May 2016, with the amendments of Article 173(1) of Law 4389/2016. Before that there were no thresholds regarding the content of the declarations and the description of the assets to be declared (incoming and outgoing cash flows) appear rather generic in phrasing.

---

33 Ibid (emphasis by author).
Movables: estimates

A good feature of Law 3213/2003 is that it does not require declarants to provide estimates of values. It bases the values on clear cut transactional amounts, such as the purchase amount, on official estimates by tax authorities, or on estimates by insurances (Article 2(1)(vi)). There might be instances left, where public officials do not have such fixed price and/or documentation. These can only be cases, where the public official receives the movable “for free” (gifts and similar). In this case, the movables are irrelevant for the balancing of income and expenditures (see below at “Calculation of illicit wealth”). For the few cases, where there are no purchase values, it should be clarified that public officials are allowed to provide “good faith” estimates. These estimates should be indicated in the declaration and should not entail the sanction of false declaration – this might already follow from an interpretation of the law but should be reviewed to be sure. For example how should a declarant know that a painting that he bought for €900, is now estimated at a value of €5,000? The Council of State has declared Article 2(1)(a)(vi) unconstitutional through Decision No. 2649/2017 of 18 October 2017. The following recommendation might be taken into account when reformulating Article 2(1)(vi) in a way that it complies with the recent Council of State decision.

Recommendation 8: Consider clarifying that public officials can provide estimates if they receive movables not by purchase and ensure that these estimates do not entail the sanction of false declaration in case the estimate deviates from the real market value.

De facto control

Article 17 of the OAS Model Law on Declarations refers to the necessity to also review the beneficial ownership of assets (de facto control):

“The [verification] procedure may include the verification of undeclared properties which the competent authority has sufficient grounds to believe are under the de facto control of the obligated person.”

This would refer, for example, to the following set of circumstances: A public official owns 30% of shares in a company, which he/she declares. However, the company owns a luxury car which the public official uses most of the time. This is due to the fact that the public official in fact bought the car for the company by using undeclared income. The indirect ownership or de facto possession of the car through the company makes it possible for the public official to buy and use a valuable asset without having to declare it (even though he/she theoretically would have to declare it as taxable income, and the use of the car would formally violate company law provisions against “hidden profit

35 Of 22 March 2013, SG/MESICIC/doc.344/12 rev. 2.
distribution” or “illegal retransfer of capital contributions”. Another problematic situation would be where a nominal owner has issued the power of attorney to a beneficial owner (a public official) and with this, ceded all power over the company to the beneficial owner. As the World Bank states:

“The vast majority of financial disclosure systems require filers to provide information only on assets that they or their family members own directly (that is, to which they hold legal title). This means, for example, that filers must declare the shares that they own directly but do not need to disclose shares owned by a legal entity or arrangement (for example, a trust, a foundation, or a company) that they ultimately control. As a result, relevant information may be omitted from the disclosure form without the filer’s having made a misrepresentation [...]. Such a situation is not just a theoretical example but a reality often cited by practitioners, which makes the concept of beneficial ownership particularly relevant. Not including information on assets whose ultimate owners are public officials represents an important gap in the vast majority of financial disclosure systems, and it allows corrupt public officials to hide their assets from scrutiny. [...] Including beneficial ownership in the declaration form makes it harder for public officials to distance themselves from what they truly own.”

Recommendation 9: Consider explicitly including and defining “beneficial ownership” as one of the forms of possession of assets.

Large expenditures

There is no declaration requirement for expenditures on non-assets, such as luxury vacations or fees for private education, etc. It would seem recommendable to include such a position, as it would make it harder for corrupt public officials to a certain extent, to enjoy the proceeds of their illegal activity. Such a declaration requirement would be in line with international standards. Georgia for example requires public officials to declare “any expenditure” of the person and his/her family members within a reporting period, amounting to more than € 540 in each case, if not covered by any of the other declaration categories (such as movables etc.). It is true that it is often hard to detect such expenditures; however, there have been cases where expenditures for education of children abroad were detected for example through social media. In these cases it is useful to balance such expenditures with declared data.

Recommendation 10: Consider including in the declaration large non-asset expenditures above a certain threshold (e.g. € 1,000 per year and creditor).

38 Western Balkan Recommendation, ibid, C.2: “other expenses”.
39 Article 15 para. m Law of Georgia on the Conflict of Interests and Corruption in Public Service (as amended on 11 November 2015).
Increase in market values

Article 2(1)(b)(i) of Law 3213/2003 states: “If [...] an existing asset increases in value, the declaration shall include the amount of related expenditure and a detailed description of the source of funds.” Experts explained that this provision does not target virtual increases of value on the market (e.g. stocks soaring in value). This is commendable since virtual increases of value are irrelevant to balancing income and expenditures. The provision only covers expenditures that lead to an increase in value, such as adding a swimming pool to a house, or expanding a building.

Machine readable data

The online interface for submitting registers incoming and outgoing cash flows into one and the same fields. This is fine from a legal point of view. However, in practice, incoming and outgoing cash flows should be separate in the declaration form. Otherwise it will not be possible to automatically calculate the plausibility of the declaration within a given period (e.g. the past year) or over time (e.g. since assuming office), as shown by the below mentioned formula (see below under “Balancing income and expenditures”).

Loans received by declarant

Law 3213/2003 requires declaration of loans received (= credit commitments by the declarants) for “3A-declarants”. For all other declarants, loans received are declared in the field “income from any source”. This position is utterly important for the following reason: Public officials often explain their lifestyle by alleged loans they received from “a friend” (and thus cover up for the same amount earned through bribes). It is one of the most frequent problems oversight bodies face. The Council of Europe Practitioner Manual even considers loans as a red flag for audits. However, if public officials are required to declare loans, they cannot allege loans dating back more than the current year, and thus cannot justify from hindsight, a lifestyle which occurred before the current year.

Loans granted by declarant

For all declarants, this position does not require declaration. Where loans are above a certain threshold, it would seem appropriate to declare them: They are a lifestyle – disbursing large amounts of money to a third party as loan raises the question as to “where the money came from”.

Recommendation 11: Consider introducing an obligation for all declarants to declare loans they granted above a certain threshold to third parties.

**Bitcoins and similar**

Article 2(1)(a)(v) and (vi) of Law 3213/2003 “only” cover traditional financial means (cash, bank deposits, etc.). There is an increasing relevance of digital currencies or digitally stored money (“prepaid cards”). A possible amendment of the Law could be for example: “Sums of money that have been pre-deposited to electronic or other means of payment with the prospect of obtaining transactional value in the future are included to deposits”.

*Recommendation 12:* Amend Law 3213/2003 in order to include digital currencies.

**Descriptive information**

Declarations need to show not only numerical data, but also need to contain descriptive information so that they can be associated with concrete assets. Otherwise, public officials could declare one foreign bank account (while having in fact three); should the oversight body detect one of the three, the public officials could claim that this detected one was the one declared. The Greek system provides such descriptive information.

**Balancing income and expenditures**

The laws and regulations do not contain a formula for calculating illicit wealth. This absence is problematic in many countries for the following reasons: It seems easy at first sight to calculate illicit wealth. However, in practice, there are often intentional or unintentional deviations in the method and financial understanding. Therefore, the oversight body might regard a case as illicit wealth, but the prosecution office and the courts might each come to a different result. With numbers, though, there can only be one result. Disagreements among oversight and law enforcement bodies are therefore often the result of a lack of a clear, structured financial methodology. The following chart shows a formula based on the financial flows as defined in Article 2 of Law 3213/2003:

<table>
<thead>
<tr>
<th>Incoming financial flow during fiscal year</th>
<th>Outgoing financial flow during fiscal year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash &gt; € 15,000 at end of previous declaration period</td>
<td>Real estate &gt; € 0</td>
</tr>
<tr>
<td>Banks and similar savings balance at end of previous declaration period</td>
<td>Movables &gt; € 30,000</td>
</tr>
<tr>
<td>Income of all sources &gt; € 0</td>
<td>Waterborne and airborne vessels and land vehicles &gt; € 0</td>
</tr>
</tbody>
</table>

---

41 See for example: FATF (2013), *FATF Guidance for a Risk-Based Approach to Prepaid Cards, Mobile Payments and Internet-Based Payment Services*.

42 Western Balkan Recommendation, ibid, C.3.
<table>
<thead>
<tr>
<th>Proceeds from selling assets &gt; € 0 (as part of “income of all sources”)</th>
<th>Loans paid back &gt; € 0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loans received &gt; € 0 (as part of “income of all sources”)</td>
<td>Safe deposits and similar</td>
</tr>
<tr>
<td>Minimum subsistence expenditures</td>
<td></td>
</tr>
<tr>
<td>Cash &gt; € 15,000 at end of (current) declaration period</td>
<td></td>
</tr>
<tr>
<td>Banks and similar savings balance at end of (current) declaration period</td>
<td></td>
</tr>
</tbody>
</table>

= Subtotal incoming = Subtotal outgoing

* This position is not declared, but needs to be added as all declarants have to spend money on this.

**Recommendation 13:** The Law 3213/2003 or a similarly binding regulation should define a formula for calculating a misbalance of income and lifestyle.

Illicit enrichment is not an offence in Greece (anymore) – see below at section 0 “Sanctions”. However, balancing incoming and outgoing financial flows is nonetheless relevant. A declaration where there are more expenditures than income cannot be right. This entails questions as to what items were not declared and to what extent the public official evaded taxes. The formula is also important for determining the amount of assets or value of money confiscated from the declarant or for which he/she is liable under “attribution” (see below section 0 “Sanctions”). Furthermore, internal audit units of employers need to know about inexplicable wealth of public officials, so they can conduct a special audit to identify possible sources of the illicit income at the workplace, or to transfer the public official to another workplace under risk considerations.

**Periods**

In principle, all information declared relates to the fiscal year. Thus all incoming and outgoing financial flows occur within the same period. This is important for any formula of illicit wealth to work (e.g., one can only juxtapose income and expenditures from the same period, not from different months/years).

There are some deviations, though: The initial declaration is due within 90 days after entering office. The declared values relate to the date of submission. Thus, the values vary according to when the declarant submits the declaration. This creates a gap of financial accountability between coming into office and the submission of the declaration. In other words, the question remains unanswered what income the public official had aside from the official salary between coming into office and the time of...
submission of the declaration. Furthermore, the 90-day deadline for submitting initial declarations could be after the calendar year. For example, a declarant obtaining his/her status on 15 November 2015 must submit the initial declaration before 15 February 2016. Assuming that he/she submits the initial declaration on 14 February 2016, the reference date for his/her assets under this declaration would be 14 February 2016. The reference for his/her next annual declaration (for 2015) would be 31 December 2015. This would be a date before his initial declaration – an obvious contradiction.

**Recommendation 14:** Data in the initial declaration should be as of the day of coming into office (or the day prior to this).

**Conflict of interest aspect**

Most financial data of the declaration under Law 3213/2003 relates also to aspects of conflict of interest (for example, shares in a company – they indicate money spent as well as an interest in the company). In addition, Article 229(1) of Law 4281/2014 targets information on financial and non-financial interests of public officials. This concerns in particular any income and any membership related to influencing public policy. This covers the two main sources of non-financial interests\(^{43}\) and is thus commendable.

The online system registers the information under both laws separately. This leads to a large overlap of information in particular regarding income.

Oversight bodies do not yet have a methodology (guidelines) for actively detecting hidden conflict of interest. Usually, oversight bodies only verify the accuracy of data in a declaration, but do not go beyond. As a consequence, they usually detect only “passive” (or potential) conflict of interest (incompatibilities such as an undeclared business owned by the declarant), but not “active” (real) conflict of interest (for example a declared business owned by a public official’s family member being involved in a public procurement).

**Recommendation 15:** Oversight bodies should adopt a methodology for detecting real conflict of interest cases.

\(^{43}\) World Bank (2013), *Conflicts of Interest, A Background Primer*.  

TECHNICAL REPORT ON ASSET DECLARATIONS IN GREECE
Submission

Declarations of assets are submitted upon entering office ("initial declaration"), annually during office, and after leaving office (Article 1(2) of Law 3213/2003). Politicians continue to have to submit the declaration up until 3 years after leaving office. The declarations of financial interests are submitted annually (Article 229(1) Law 4281/2014). This provides a comprehensive picture in line with international standards.44

The deadlines are as follows:

**Initial** declaration: 90 days after entering office.

**Annual** declaration: 3 months after deadline for submission of tax income declarations.

**Leaving** declaration: as annual declaration for the tax year of leaving and for the tax year after.

The submission for both types of declarations electronically through a unified online application (POTHEN, using the TAXISNET service system) which complies with good international practice.45 The electronic submission started in 2016 for declaring data from the fiscal year 2015 (with an extraordinary submission period from October-December 2016).

Under Article 173(4) of Law 4389/2016, declarants may spontaneously rectify any deficiencies or inaccuracies in their declarations within one month after the submission of the declaration. This provision is ambiguous, as it allows declarants who submitted late to again extend the deadline by one month. One possible way of remedying the situation is through an amendment as follows: “Omissions or inaccuracies in a declaration may be completed spontaneously by the declarant within one month from the expiry of the deadline for the submission of declarations”.

**Recommendation 16:** Consider coinciding the start of the deadline for submitting corrections with the end of the deadline for submitting declarations.

---

44 Western Balkan Recommendation, ibid, D.1.


46 Article 2 Decision of the President of the Hellenic Parliament No 16327, National Gazette B’ 3301/13-10-2016; the same applies to all other declarants according to Article 2 (1) of Common Ministerial Decision 1846/2016, as replaced by Common Ministerial Decision 1069/2017.

47 Western Balkan Recommendation, ibid, D.2.
There appears to be a need for easy-to-understand guidance on the use of the asset declaration system, with a comprehensive Q&A chapter. As some interviewees put it – “Half of the declarants do not know how to declare properly”. This is a common problem in all jurisdictions where asset declarations are new, or declaration obligations have changed.

Recommendation 17: The e-declaration system should be complemented with an easy-to-understand guidance for declarants.

The lack of clarity of categories also creates some problems as to whether the rosters of declarants (“catalogues”) are complete. Under Law 3213/2003, the oversight body is the final instance deciding over who should be on this list in case of disagreement. However, only the employers know the real tasks and job positions of declarants. In addition, there is the risk that not all declarants are included in the rosters for the simple reason of negligence or even intentional omission. If one takes only the number of catalogues the FIU has to deal with (3,500), it is obvious, that oversight bodies could verify the completeness of these lists, only for a very small sample. In addition, there are no “checks and balances” on this by the public at large, since declarations of most declarants are not published online. However, it seems feasible to publish the data from the catalogues online. This would enable the public to notify oversight bodies on any missing public official.

Recommendation 18: Consider publishing catalogues listing declarant’s names in order to allow for scrutiny of these lists by a wider audience.

Oversight bodies

Jurisdiction

There are five main oversight bodies for the verification of declarations (as of end of 2017: four). Each oversight body verifies both, the asset declarations as well as the financial interest declaration, of the respective category of officials.

<table>
<thead>
<tr>
<th>Declarant</th>
<th>Oversight Body</th>
</tr>
</thead>
<tbody>
<tr>
<td>49</td>
<td>50</td>
</tr>
</tbody>
</table>

48 As of end of 2017, declarants submitting to the Internal Affairs Service of the Hellenic Coastguard are submitting declarations to the FIU, which is now in charge of verifying them (Law 4504/2017).

49 As described in Article 1(1) of law 3213/2003.

50 As described in Article 3 of law 3213/2003.
The high number of oversight bodies is unusual. Most, if not all countries have one or two different bodies at the most. The Western Balkan Recommendation summarises the problem of such a multitude of bodies:

“For a similar reason, the financial audits should not be subject of different fragmented entities, such as various human resource departments: this would require a multiple set-up of financial expertise in different bodies. Furthermore, the sectored approach regularly entails the risk of the oversight body being too close to peers and thus lacking independent oversight. In this context there is also no need to subject judges and parliamentarians to specific oversight by self-administrative bodies: They are all subject to oversight by one tax administration, so similar is possible for financial oversight on asset declarations.”

In addition, each oversight body would acquire different financial expertise on patterns of hiding inexplicable wealth, on collecting evidence, and on solving difficult situations with declarants. Such expertise is usually only instantly and fully shared if the respective staff works within one organisation. Furthermore, the multitude of bodies complicates the work of state bodies that provide data for the verification of declarations, needed to establish and maintain communication links with five different oversight bodies, and each oversight body has its own particular procedures.

---

51 At E.3.
**Recommendation 19:** Experiences with the multitude of oversight bodies should be evaluated from time to time and alternatives such as consolidation within a lesser number or one institution should be considered.

It should be noted that apart from the above five main oversight bodies, other oversight bodies can verify an asset declaration on an *ad hoc* base, in particular when they receive a complaint or if some internal procedure raises questions in which an asset declaration is relevant. These bodies are in particular the following: Inspectors Controllers Body of Public Administration, the Internal Affairs Directorate of the Ministry of Finance, and the Internal Affairs Directorate of the Independent Authority of Public Revenues.

**Legal powers**

The following is a list of legal provisions based on which the oversight bodies could obtain data for verifying declarations:

<table>
<thead>
<tr>
<th>Oversight Body</th>
<th>Code and Text</th>
</tr>
</thead>
</table>
| **Independent Committee of Article 3A of Law 3213/2003**                       | Article 3b(1) of Law 3213/2003: “The Commission shall have access to the files and archives of public authorities, service or Agency that keep and process data, as well as to” and “Tiresias system may request, in the context of checks, audits and investigations, cooperation and reporting all kinds by natural persons, preliminary judicial or investigating authorities, public services, legal persons under public or private law and institutions required in any form in the direct supply of all these elements [...]”.
|                                                                                | Article 3(4) of Law 3213/2003: “When carrying out its checks, the supervisory body may invite declarants to provide explanations or submit additional documents within an explicit time-limit not exceeding twenty (20) days, which may be extended by a maximum of ten (10) days.” |
| **Financial Intelligence Unit (FIU): Unit C**                                 | Article 7b of Law 3691/2008:                                                                                   |
|                                                                                | The FIU shall have access to the files and archives of public authorities, services or bodies that maintain and process data, as well as to the “Tiresias” system.                                                                 |
|                                                                                | During audits and investigations, the Units of the FIU can request information and data from any person, judicial and investigative authorities, legal entities governed by public or private law and any other organisation.” |
| **General Inspector of Public Administration**                                | Article 6(11) of Law 3491/2011: refusal to provide information to and non-cooperation with the General Inspector of Public Administration during an audit, an investigation or an inspection, is a disciplinary offence. |
| **Directorate of Internal Affairs of the Hellenic**                           | Article 3(4)(a) of Presidential Decree 148/2005: “The Internal Affairs Directorate can request information and data from any authority, natural person or legal entity, if those are obliged to provide this |
The “3A Committee” and the FIU are the only two bodies which have access to information protected by bank, tax, stock exchange and professional secrecy. However, the 3A-Committee fully depends on the support of other authorities in order to implement these powers (it has no genuine powers, unlike for example the FIU or the Hellenic Police). The General Inspector of Public Administration has the possibility to lift these secrecies by written order (Article 14(4) of Law 3345/2005). This raises the question as to why the other oversight bodies do not have this privilege. This also relates to earlier reflections about consolidating oversight under the roof of one oversight body (with privileged access to secret information).

**Recommendation 20:**

*All oversight bodies should have access to the same range of databases (in particular banking and tax data).*

It should be emphasised that Greece is one of the few countries, which mandates its FIU with the task of asset declaration. By international comparison, this clearly constitutes a feature of excellence for the following reasons: FIUs have experts who are well trained in tracing assets and financial flows; they are well accustomed to using the channels of domestic and international cooperation with tax and law enforcement authorities as well as FIUs abroad; once there is intelligence on possible money

---

laundering, they have easy access to further financial intelligence corroborating cases (in line with internationally recognized standards such as by the FATF).\textsuperscript{53} Greek authorities as well as international organisations should keep in mind to continuously promote this example on the international level and share this experience for the benefit of other countries.

**Foreign data**

Many corrupt public officials spend their actual wealth abroad: They buy real estate, own businesses, or deposit money on foreign bank accounts. They also further their private interests by using foreign companies as intermediaries. For example, public officials may apply for a tender at their own ministry through a company they own abroad. Therefore, the Greek declaration forms ask for foreign income and assets of public officials as well.

This stands in contradiction to the verification process and legislation, which only relates to domestic databases. Greek oversight bodies can access data in foreign countries in three ways:

**Cooperating** with foreign bodies: This concerns mainly data which is not openly available. Such cooperation might require a legal basis in Greek law, as well as some agreement, if only ad hoc, with the foreign body concerned.

**Accessing online** databases abroad: This concerns databases which are available online to the general public in a language, which staff of Greek oversight bodies understands.

**Using channels for mutual legal assistance in criminal matters** or channels of international anti-money-laundering institutions (Financial Intelligence Units or FIUs): There are two major impediments with this tool. First, it can take very long (up to a couple of months or even years). Second, one needs to have a criminal suspicion in order to justify the initiation of this procedure. However, the purpose of verifying an asset declaration is to identify suspicious cases – a clear “catch 22” situation. This channel is thus simply not of much use in most cases.

Integrity bodies from 9 countries in the Balkans have negotiated a draft **agreement** that would allow the international exchange of data among integrity bodies such as data from land registries, business registries, etc. It would also allow monitoring bodies to directly access foreign databases that are online.\textsuperscript{54} The draft agreement is open to any country, hence including Greece. The draft agreement is supported by the Austrian Government, the European Union, and the World Bank among others. The wording of this Draft Treaty is by and large based on the Convention on Mutual Administrative Assistance in Tax Matters,\textsuperscript{55} developed jointly by the Council of Europe and the OECD.

\textsuperscript{53} [www.fatf-gafi.org/](http://www.fatf-gafi.org/)
\textsuperscript{55} [Convention website](http://www.eurocrat.org/).
The text of the Convention was slightly adapted to fit the context of asset declarations. The European Union Trieste Summit of 12 July 2017, in its final declaration, encouraged governments “to endorse and adopt Regional Anti-Corruption Initiative’s International Treaty on Data Exchange on Asset Disclosure and Conflict of Interest.”

International cooperation in the realm of verifying asset declarations is still in its infancy. Practitioners from oversight bodies frequently complain of not being able to access foreign databases. However, national legislators start recognising this issue. The Ukrainian Law on Prevention of Corruption contains a provision that entitles the oversight body to “get information from foreign authorities, including that with restricted access, concerning questions of prevention and combating corruption”. The provision appears to be not well-formulated. However, a by-law approved by the Ministry of Justice makes the procedure more clear:

“The National Agency [verifying asset declarations] has the right to send requests to public authorities and other bodies of foreign states in order to receive information required for the detailed audit of a declaration.

To verify information about the declarants referred to in the declaration, the National Agency has the right to receive information from public databases, registers of foreign states, including upon paying a fee for particular information under the Law, if such fee is required to get an access to information.”

The National Agency has already made use of this provision and for example consulted company registers abroad that provide an optional English language interface.

Recommendation 21: Ensure that Greek law contains a clear legal basis for oversight bodies accessing online databases abroad.

Recommendation 22: Join the agreement on international data exchange in order to access foreign data which is not openly available or not available in a possible working language of staff of Greek oversight bodies (such as English, French, German).

Domestic cooperation

56 Italian Foreign Ministry website.
58 Article 11 of part III of Decision 56 of 10 February 2017 on the “Procedure for conducting control and detailed audit of declarations of persons authorized to discharge functions of the state or local self-government bodies”, registered with the Ministry of Justice of Ukraine on 13 February 2017 under file No. 201/30069.
Oversight bodies cooperate in general under the Coordinating Body for Inspection and Audit (SOEE). In addition, informal cooperation takes place on a daily basis among auditors and other practitioners. This informal cooperation includes the General Secretariat of Information Systems (GSIS), which operates the electronic declaration system. In the framework of this cooperation, all oversight bodies set up a help desk, where declarants can address their questions. The idea of a memorandum of cooperation is on the table to install a more formal framework.

**Staffing**

Some oversight bodies appear to be rather understaffed. For example, the FIU has 10 staff tasked with the verification and audit of declarations, with an additional 5 staff contributing assistance in addition to their other tasks. The 10 staff have to conduct 2,000 – 3,000 mandatory audits per year (out of a total of about 120,000 declarations). This equals about 1 audit per working day per staff (based on 220 working days per year).

For comparison: The oversight body competent for the Coast guard until end of 2017 had 6 staff working to some extent part time on asset declarations (auditing a sample out of a total of 7,500 declarations). The oversight body competent for the Hellenic Police also has about 6 staff working to some extent on about 200 audits per year (out of a total of 75,000 declarations). It should be kept in mind that audits are only one part of the work tasks — much if not most time is allocated to advising declarants, dealing with non- or late submission of declarations, working on the transition from paper to electronic system, etc.

The “Independent Committee of Article 3A” would appear to be the only body that is supported with sufficient staff (some hired as external accountant experts), with a total of 14 accountants audits of about 940 declarations per year. This allows each accountant to spend three days on one declaration (based on 220 working days/year). However, it should be kept in mind that the Committee receives a high number of notifications from citizens on alleged false declarations since the declarations of declarants under the 3A-Committee are published online.

**Verification**

**Steps**

Law 3213/2003 foresees the verification by the following four **steps**:

**Timeliness** of submission: Did the declarant comply with the deadlines?
Accuracy and completeness (formal control): Did the declarant fill out the minimum necessary information and in the correct form?

Logical and arithmetic control (plausibility check): Is the acquisition of new assets covered by the declared income?

Full audit: Is the declared data correct and complete?

Steps 1, 2, and 4 apply to both declarations (assets and financial interests); step 3 is only relevant for the asset declarations. The combination of these four steps is in line with international standards.59

For Step 1, the oversight bodies need to know how many and which declarants fall under the obligation (roster of officials). To this end, Article 1(3) of Law 3213/2003 obliges the various employers and heads of institutions to submit by February each year a list of all declarants.

For Step 3, the oversight bodies need instructions on how to analyse the data contained in the declarations and how to put them together into a formula balancing income and lifestyle. These instructions are not yet in place, but will be provided for by the Project.

Prioritisation of audits

According to the interviews, declarations are currently mostly prioritised based on notifications (media, citizens, prosecutorial orders, etc.). The “Independent Committee of Article 3A” is the only body that by law has to verify all declarations, and manages to do so in practice (total of about 935 declarations for 2015, and 939 for 2016). For the other four oversight bodies, the high volume of notifications so far leaves hardly any room for prioritising declarations based on other criteria.

Law 3231/2003 foresees that oversight bodies prioritise declarations subject to audits (Step 4) through IT-supported risk analysis (Article 3(3)). Most oversight bodies do not have a list of red flags and risk criteria yet which trigger an audit (such as suspicious lottery or casino winnings, private loans, etc.). One exception is the General Inspector of Public Administration (GIPA). Red flags used for prioritisation include:

Inconsistencies between income and bank balance
Bank deposits changes
Money transfers abroad
Acquiring and transferring assets within the same year
Inconsistencies in the bank deposits due to capital consumption

59 Western Balkan Recommendation, ibid, at E.
Declarant’s position: service, project position, responsibilities, time period in a position of responsibility

Serving in the same agency as the spouse

Profession of spouse and first degree relatives: accountant

International guidance also suggests the following risk criteria: unusual loans from private persons, windfalls (casino winnings, lottery, cash gifts, etc.), asset deals with family members, unusual profit from asset deals, assets acquired below market conditions, etc. This Project drafted a comprehensive list of suggested risk criteria as a separate output/technical paper. The list of risk criteria was discussed with representatives from all oversight bodies at a workshop on 3 October 2017.

If the risk criteria were open information, it would be easy for declarants to cheat the system: They would know which checks to expect. Therefore, at tax authorities, the risk criteria for selecting audits is usually confidential information.

Recommendation 23: All oversight bodies should establish risk criteria and IT-systems prioritising declarations subject to audits. The risk criteria should be confidential.

Access to data

The oversight bodies have varying levels of access to databases. This concerns the range of access as well as the degree of automatisation (online or paper-based on individual request). For example, the FIU has direct access to all electronic databases (including the Bank Accounts Registry) with only one exception, the General Commercial Registry. The FIU also has the power to lift any legally protected secrecy, such as banking secrecy. The oversight body competent for the staff of the Hellenic Police also has access to all national databases (to the extent that the police has such access for all its other tasks). By comparison most other oversight bodies have much less access and powers. The only online access they have is pothen.gr (the e-declaration database) which again is connected to TAXISNET services (the e-platform for taxation). However, two caveats apply: First, the tax data on TAXISNET is declared by the declarant himself/herself. Second, auditors can have access to TAXISNET only with permission from the declarant (he or she needs to tick a box before finally submitting the declaration). The only oversight body apart from the FIU with the power to lift legally protected seccreies is the General Inspector of Public Administration – it can lift the seccreies related to taxes, bank accounts and stock-holding.

This variety of powers is **contradictory** – why should one oversight body have powers which another oversight body does not have? Why, for example, should the declaration of a prosecutor be conducted using the effective access to banking data (FIU), while the declaration of a senior police officer cannot profit from this data (Directorate of Internal Affairs of the Hellenic Police)? In other words: Why should a senior police officer have a significant lesser risk of his/her undeclared wealth being detected? If at all, the reverse logic applies: a police officer is less exposed to the public and the media than a mayor, and thus should face more intense scrutiny by oversight bodies. This aside, it is inconsistent that most oversight bodies have no access to tax data, even though the categories of data declared via asset declarations generally overlap with data declared to tax authorities.

It should be noted that the access to **banking** data is a remarkably positive feature of the Greek system: The FIU and the General Inspector of Public Administration can access the following data through the central registry of bank accounts:  

- **IBAN**;
- **Balance** as of end of year;
- **Name(s)** of holder(s);
- **Credits/debits** as of any day.

**Recommendation 24:** The verification of all asset declarations should make use of banking, tax, and similar secret data.

**Recommendation 25:** All oversight bodies should have online access to all databases.

The quality of data differs among the different databases; some are not yet online. Experts from the General Secretariat of Information Systems have pointed out that it could be an intermediary solution to at least download/extract the available set of data from databases (without direct online access) and subsequently use it within the e-declaration system for automatic verification.

As a positive feature all declarations are tagged to the declarant’s tax number as well as the declarant’s ID number. This allows matching data using unique identifiers.

---

Roll-out of audits
For each oversight body, standard procedures need to be defined regarding the following points:

A standard range of public databases to be consulted for each audit of a declaration.

A standard time frame for which the data is checked, including not only data from the current period, but also from past years.

What sample of public officials is checked each year in addition to public officials on whom a complaint is filed?

Which of the five authorities will data-mine the declaration database for patterns of names, companies and similar recurrent features that could indicate illicit schemes (for example one and the same legal entity used by more than one public official as a pretext for legal income)?

Which authorities are informed at the end of an audit in case there are any findings (tax authorities, FIU, prosecutors, employers, etc.)?

Recommendation 26: Oversight should adopt standard procedures for rolling out audits.

Calculation of inexplicable wealth
As noted above under 0, the laws and regulations do not contain a formula for calculating illicit wealth. Oversight bodies have planned to develop such a fixed and uniform formula for calculating inexplicable wealth internally. Some of the oversight bodies already have developed such a formula for themselves, in some instances having integrated it into an excel sheet (Hellenic Police, Coast Guard).

Transition of laws
It is a shortcoming of some new asset declaration laws that they intentionally or inadvertently invalidate declarations submitted under previous laws or do not allow for older declarations to be verified. It is thus a commendable feature that Article 15 of Law 3213/2003 explicitly ensures that declarations can be checked going “back to 1990”.

Public access

Online
The centralised online transparency of the declarations of senior politicians is a commendable feature of the Greek system. As GRECO noted recently regarding Turkey: “Moreover, the asset declarations are not subject to any form of public scrutiny as they will remain confidential documents in the personal files of each MP [Member of Parliament]. This weakens the system even more.” Article 47 part 1 paragraph 3 is also in line with the advanced standard of public access set out in a legislative toolkit by the Council of Europe PCF Project: “Declarations are published online and are freely accessible, with data in searchable, machine-readable format.” The Western Balkan Recommendation states (H.1): “As monitoring by the public at large is one of the most effective tools, income and asset declarations should be available online. Ideally, declarations submitted online are published in real time.” A comparative study conducted in several countries found that many successful audits of declarations were triggered by citizens studying declarations online.

However, out of all declarations, only those by Senior Politicians (Prime Minister, Leaders of political parties, Ministers, Deputy Ministers and Alternate Ministers, Parliamentarians, Governors, Mayors and the financial managers of political parties are available online. This is a tiny fraction of all declarations. It should be noted that not only highly industrialised countries such as France, but even developing countries with low GDP managed to install full online systems (inter alia Armenia, Georgia, Ukraine).

According to the World Bank, a significant percentage of the countries that have introduced asset disclosure requirements for their public officials have also provided public access to declarations. This facilitates public scrutiny, as civil society and journalists often play a crucial role in detecting irregularities, on which the state’s oversight bodies can follow up.

European human rights standards allow for the online publication of asset declarations. The European Court of Human Rights (ECtHR) decided in 2005 to be in favour of publishing declarations online:

> “With regard to public access to the declarations, which are [...] accessible to all interested parties via the Internet, the Court considers that this is a safeguard to ensure that the obligation to make declarations available is subject to public scrutiny. The general public has a legitimate interest in ascertaining that local politics are transparent

63 Council of Europe PCF-Project (2015), Legislative Toolkit on Conflict of Interest, Article 15 para. 2.
64 ReSPA/Tilman Hoppe (2013), Asset declarations in practice – A regional study of Western Balkan countries, p. 132.
65 ECtHR, Wypych v. Poland (Judgement 25 October 2005, application no. 2428/05).
and Internet access to the declarations makes access to such information effective and easy. Without such access, the obligation would have no practical importance or genuine incidence on the degree to which the public is informed [...]”

The jurisprudence by the ECtHR is part of the European Union’s Fundamental Rights (Art. 52 para. 3 sentence 1 Charter of Fundamental Rights of the European Union). One should keep in mind that there are various options when providing online access, such as providing a summary of the disclosed information, redacting some information, giving access to the full content but placing conditions for access, or even providing full online access to all the information contained in the declaration.66

Recommendation 27: Review options in line with constitutional principles on data protection to publish a larger circle of declarations online.

The declarations are available online for the duration of the declarants’ term of office and for three years after the end of their term. This limitation is somewhat unusual but probably still acceptable as it allows for scrutiny of the official even three years after office.

Core personal details such as number plates or bank account numbers can be redacted. This is in line with international standards.67

Individual requests/freedom of information

Article 16 of Law 1599/1986 on State-Citizen Relationships introduced the right of all citizens to read most administrative documents. The Administrative Procedural Code (Law 2690/1999) codified in Article 5 the right of citizens have to know the content of “administrative documents”. However, the asset declarations are not considered to be “administrative documents”. This is rather unfortunate as citizens, the media or NGOs cannot review declarations upon individual request. As far as can be seen, no other European country withholds (the majority of) declarations from public scrutiny, while in most countries all declarations are even available online. As stated above core personal details such as number plates or bank account numbers can be redacted in line with international standards.

67 Western Balkan Recommendation, ibid, H.1.
Recommendation 28: To the extent that Recommendation 27 is not (yet) implemented, review options in line with constitutional principles on data protection to make selected declarations available to stakeholders with a legitimate interest (e.g. journalists, civil society organisations) upon individual requests under freedom of information legislation.

Decisions binding the Greek legislator, in particular possible jurisprudence by the Constitutional Court, will define how far-reaching these options can be. On a European level, the European Court of Justice decided under freedom of information rules that the public should have access to information regarding the income of members of the European Parliament.68

Machine readable data

Declarations submitted up until 2016 are only available online as scans of handwritten data (Parliamentarians only). This makes it difficult, if not impossible, for journalists and civil society to monitor a large volume of declarations. It is important that journalists and civil society are able to migrate the data contained in the declarations into their own systems for further analysis, something which image files do not allow. Therefore, number H.1 of the “Western Balkan Recommendation” states: “A useful public database of declarations requires in particular electronic and free access, and data in searchable, machine-readable format.”69 With the introduction of online submission of data, this problem will probably no longer exist.

Recommendation 29: Review options in line with constitutional principles on data protection to ensure that declared data is machine readable and downloadable for free.

Media prohibition

Article 2(3) of Law 3213/2003 contains a remarkable provision:

“The publication of disclosures in the media shall be permitted provided that the content is published in full. Under no circumstances may personal data be disclosed selectively.


Ibid.
Any infringement of this provision shall be punishable, beyond that provided by Article 7(2) imprisonment, and by a fine of five thousand (5,000) to one hundred thousand euro (EUR 100,000).”

The rationale of the provision is obvious: It shall prevent the media from sensationalising facts. Under the provision the following correct statement of facts would be a crime: “Minister XY has not declared any real estate.” This statement could be fully correct; yet, since it does not reproduce the entire declaration, it is prohibited. Similarly, the following statement would be a criminal offence, even if true: “Minister XY has declared three cars.” Furthermore, obliging journalists to publish the full declaration seems unsuitable to achieve the intended objective of preventing distorted images on the financial situation: The income declared in a certain declaration will usually not match the value of assets owned as contained in the same declaration. Only the full series of past declarations can explain (if declarations are based on a coherent system) how the lifestyle of a public official was financed.

It is probable that the European Court of Human Rights would find this Article 2(3) to be in violation of Article 10 (Freedom of expression) of the European Convention of Human Rights. Article 2(3) would clearly be unconstitutional for example in Germany. The ECtHR has even protected the publication of untrue facts; it is thus unthinkable that it would be in favour of criminalising the publication of true facts (as being declared by the person concerned): “Where a journalist or a publication has a legitimate purpose, the matter is of public concern, and reasonable efforts have been made to verify the facts, the press shall not be liable even if the respective facts prove untrue.” The Court at several occasions accepted that value judgments by the media, allegations or statements only had “a slim factual basis” or that it was sufficient that there was “no proof the description of events given in the articles was totally untrue,” or that the “opinions were based on facts which have not been shown to be untrue.”

Discussion of declarations in the media is an important component of awareness raising, of directing attention to wrong declarations, and of making office holders publicly accountable. Article 2(3) of Law 3213/2003 is thus not only an issue of unconstitutionality, but also an issue relevant to the effectiveness of the system. The offence of defamation provides the necessary protection for declarants against intentional distortion of facts, with any stricter criminalisation being questionable.

---

70 Council of Europe, A guide to the implementation of Article 10 of the European Convention on Human Rights, page 10

**Recommendation 30**: Review options in line with constitutional principles to reconsider the media prohibition in Article 2(3) of Law 3213/2003.

**Sanctions**

The following sanctions of Law 3213/2003 support the submission of truthful declarations:

<table>
<thead>
<tr>
<th>Act</th>
<th>Administrative</th>
<th>Criminal</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Obstruction</strong> of the verification procedure including refusal to provide information</td>
<td>---</td>
<td>Imprisonment ≥ 6 months</td>
</tr>
<tr>
<td><strong>Late</strong> submission of declaration</td>
<td>Fine: € 150 - 400*</td>
<td>---</td>
</tr>
<tr>
<td><strong>Non</strong> submission of declaration, inaccurate or incomplete declaration</td>
<td>---</td>
<td>Imprisonment, fine ≤ € 100,000</td>
</tr>
<tr>
<td>In case the offender <strong>conceals</strong> assets acquired through his/her status</td>
<td>---</td>
<td>Imprisonment ≥ 2 years, fine € 10,000 - 500,000</td>
</tr>
<tr>
<td>If the total value of the declarable concealed assets amounts to more than € 300,000 (due to inaccurate, incomplete or non-submission of declaration)</td>
<td>---</td>
<td>Imprisonment ≤ 10 years, fine € 20,000 - 1,000,000</td>
</tr>
<tr>
<td><strong>Negligent omission</strong> to submit the declaration</td>
<td>---</td>
<td>Fine is optional</td>
</tr>
<tr>
<td><strong>Third person</strong> knowingly involved in non-submission or an inaccurate declaration</td>
<td>---</td>
<td>Imprisonment, fine</td>
</tr>
<tr>
<td>Failure to report <strong>violations</strong> of Law 3213/2003</td>
<td>---</td>
<td>Imprisonment ≤ 2 years</td>
</tr>
<tr>
<td><strong>Third person</strong> refusing to provide information or obstructing the verification</td>
<td>---</td>
<td>Imprisonment ≥ 6 months</td>
</tr>
</tbody>
</table>
### Technical Report on Asset Declarations in Greece

<table>
<thead>
<tr>
<th>Act</th>
<th>Administrative</th>
<th>Criminal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Person omitting the obligation of drafting/forwarding the <strong>list of declarants</strong></td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Participation</strong> in companies resident abroad, in States uncooperative in tax matters and States with beneficial tax regimes</td>
<td>---</td>
<td><strong>Imprisonment ≥ 2 years, fine € 10,000 - 500,000,</strong></td>
</tr>
<tr>
<td><strong>In rem confiscation</strong></td>
<td>---</td>
<td><strong>Confiscation of assets constituting inexplicable wealth</strong></td>
</tr>
<tr>
<td><strong>In value confiscation</strong></td>
<td>---</td>
<td><strong>Confiscation of value of inexplicable wealth</strong></td>
</tr>
<tr>
<td><strong>Attribution</strong> (alternative to confiscation)</td>
<td>---</td>
<td><strong>Liability to pay to the State value of inexplicable wealth</strong></td>
</tr>
</tbody>
</table>

* The implementation of administrative fines for late submission depends on the adoption of a **ministerial decision.**

**Recommendation 31:** Adopt the ministerial decision necessary for the application of administrative fines for late submission of declarations.

The above list of sanctions is **very comprehensive**, focused on criminal penalties including confiscation, and thus in line with international standards. The serious sanctions for high-value cases of up to ten years of imprisonment are a commendable feature. The effectiveness in practice will depend on to what extent oversight bodies detect and corroborate cases, prosecutors follow-up, and courts make use of the bandwidth of penalties. Oversight bodies have identified several cases of false declarations concerning significant amounts. The cases are still pending in court.

Due to the lack of an offence of **illicit enrichment**, the following case would lack a sanction: A public official truthfully declares all his/her assets with the result that there are more expenditures than income. None of the above sanctions would apply. Interviewees pointed out that **confiscation** applies only if prosecutors can prove that the enrichment is connected to the workplace. This makes it rather difficult to apply this

---

*Western Balkan Recommendation, ibid, G.*
provision in practice. However, oversight bodies could apply “attribution” (see above table), i.e. having the Court of Auditors decide that the declarant needs to pay the financial value of inexplicable wealth to the State. It seems, as if this provision has not been applied so far in practice. Furthermore, there was no consensus among interviewees as to whether this provision could be applied without having to show a link of the inexplicable wealth to the declarant’s workplace.

**Recommendation 32:** Review as to what extent legislation could be changed in order to apply confiscation and/or attribution (or a similar mechanism) without having to establish a link between the inexplicable wealth and the declarant’s official position.

In addition, in such cases **tax authorities** should tax the declarant, possibly including a penalty tax; even a procedure for tax evasion would appear to be a possible option. To what extent the tax system reacts appropriately to cases goes beyond the scope of this assessment.

Representatives from all oversight bodies confirmed that they are **notifying** tax authorities in such cases. Furthermore, tax authorities would usually detect such cases on their own initiative, as the lack of income supporting expenditures is a standard pattern tax authorities deal with.

On the **reverse** case, regarding tax authorities notifying asset declaration bodies, it can be said that the cooperation appears to be less active: The representatives interviewed from the five oversight bodies stated that they have rarely or never received a notification from tax authorities on cases where tax declarations appeared to be incongruous.

**Recommendation 33:** Review the feasibility and options of raising awareness among tax authorities on the need of notifying asset declaration bodies in defined cases such as expenditures not being covered by (declared) income.

**Judicial authorities** in Greece – as in many other countries – are rather passive in providing feedback to asset declaration bodies on what the outcome of criminal procedures was. This leaves oversight bodies without valuable information they can use to constantly evaluate the efficiency of their audits and to tailor their work to the judiciary’s need.
Recommendation 34: Review the feasibility and options of prosecutorial/judicial authorities being obliged or committing to providing feedback on the outcome of cases referred to them by asset declaration oversight bodies.

As for disciplinary sanctions applying to civil servants, human resource departments of employers are responsible for conducting disciplinary procedures under the Code of Civil Servants. Representatives of oversight bodies stated that it is standard procedure to notify employers (human resource offices) on any significant violation (false declaration etc.).
Annex. Relevant legislation, code and sample declaration forms

Law 3213/2003

[Unofficial translation for the purpose of this assessment.]

LAW NO 3213 (GOVERNMENT GAZETTE 309/31.12.2003)

Declaration and verification of assets for members of parliament, public officials and employees, media owners and other groups of persons

THE PRESIDENT OF THE HELLENIC REPUBLIC

Hereby adopts the following Law, which has been approved by Parliament:

Article 1 — Declarants

1. The following persons shall declare their assets and those of their spouses and minor children:

   A. The Prime Minister.

   B. The leaders of political parties represented in the Greek Parliament or the European Parliament and of any party which receives State funding;

   C. Ministers, Secretaries of State and Deputy Ministers;


   “E. Governors, mayors and those managing the finances of political parties as described in (ii) above.”
F. General and special secretaries of the Parliament and the Government, officials and experts holding special or temporary posts and officials who are assigned by an authorised government official or body;

G. The Governor and Deputy Directors of the National Intelligence Service and the Civil Aviation Authority (CAA).

"H. The Secretaries-General of Decentralised Administrations and, when appointed, the Coordinators of Decentralised Administrations (Article. 28 of law 4325/2015), the Deputy Governors, Presidents and members of regional councils, as well as the Heads of the General Directorates and Directorates of the Regions”.

"I. The Deputy mayors, Presidents and full and alternate members of municipal committees, chairmen and members of municipal councils, chairmen, directors and members of Boards of Directors and General Directors of the municipal legal persons governed by public law, pure or mixed municipal enterprises owned by the above local government entities and municipal associations, as well as Heads of General Directorates and Directorates of the Municipalities.”

J. Presidents, vice-presidents, directors, deputy directors, executive members, managers or directors and Directors-General of legal persons governed by public law, public enterprises, public organisations, as well as of private legal entities belonging to the state or funded regularly by the State resources at a rate of at least 50 % of their annual budget or private legal entities, whose management is directly determined by an administrative act of the State or is directly determined by the State, under its capacity as shareholder.

K. Presidents, members and alternate members of all committees by government departments for procurement competitions on supplies and services, including the armed forces, public legal entities, private legal entities belonging to the state or funded regularly by the State resources at a rate of at least 50 % of their annual budget or private legal entities, whose management is directly determined by an administrative act of the State or is directly determined by the State, under its capacity as shareholder., public enterprises and public organisations, in so far as they exceed the amount of one hundred and fifty thousand (150.000) euro per competition, as well as the Director-
General and Directors of the Directorate-General for Public Procurement and persons holding a Head's position of any organisational level at organisational procurement units in the public sector and (at) the above legal persons governed by public and private law, public enterprises and public organisations. The same obligation is incumbent on the President and members of all competition committees for works contracts related to the above-mentioned entities. These competitions are governed by the provisions of Law 1418/1984 (National Gazette A' 23) and Presidential Decree 609/1985 (National Gazette A' 223), if the project budget amounts to more than three hundred thousand (300,000) euros.

L. Judges, Public Prosecutors and members of the State Legal Council.

M. The Governor, Deputy Governors, Executive Directors and Directors of the Bank of Greece.

N. Presidents, vice-presidents, managing directors, directors, deputy directors, executive board members and directors-general of credit and financial institutions and firms providing investment services.

O. The President and executive board members of the Hellenic Exchanges SA (HELEX SA) and persons holding a management position in HELEX SA according to its current regulation or by decision of its board;

P. The President and executive board members of all companies (SAs) controlled by HELEX SA and persons holding a management position in such companies under the current regulation or by decision of their board.

Q. The President and executive board members of all other entities of the organised market legally operating in Greece and persons holding a management position in such entities, under the current regulation or by decision of their board.

R. Owners, shareholders, partners, chairmen, managing directors and executive board members, administrators, as well as the directors-general and directors of news and information, in all forms of companies or firms, licensed or generally exploiting television broadcasters providing free- or any type of subscription/cable television services; and radio stations, as well as their main shareholders.

S. Owners, shareholders, partners, chairmen, managing directors and executive board members, administrators, as well as the directors-general and directors of all forms of
news and information businesses or companies, operating online or publishing national or local daily news or magazines, as well as their main shareholders.

T. Reporters belonging to a recognized journalists’ association press, as well as journalists providing journalist services to publishing enterprises and to television or radio broadcasters or online media on an employment or a works contract;

U. Doctors that hold a Director’s or a Coordinating Director’s position at hospitals and health centres of the National Health System, military hospitals, university hospitals, clinics and laboratories, as well as the primary national health network (PEDY).

V. Presidents, members and heads of departments at Directorates-General and Directorates of all independent authorities, including independent administrative and regulatory authorities, the Competition Commission, the Securities and Exchange Commission and the General Inspector of Public Administration, “as well as Special Inspectors working on secondment to his (the General Inspector’s) office”.

* * * The words “and assistants” of clause V. has been deleted and replaced by the words “Special Inspectors working on secondment to his office” with Article 66 N.4409/2016, National Gazette A 136/28.07.2016.

W. Heads, deputy heads and managers of departments of the National Defence General Staff and the General Staffs of the Army, Navy and Air Force, armed forces judges, as well as the Director-General and Deputy Director-General of the Directorate-General for Defence Equipment and Investment at the Ministry of National Defence.

X. Heads and deputy heads of the Police, Coast Guard and Fire Brigade.

Y. Police, border guards, special guards and civilian staff serving in the Police and Fire Brigade;

Z. The staff of the Hellenic Coast Guard [and the civilian staff at the Ministry of Shipping and the Aegean].
"and the civilian staff of the former Ministry of Mercantile Maritime Affairs and the Aegean of the Ministry of Economy, Infrastructure, Maritime Affairs and Tourism”.

* * * The sentence within the […] was deleted by Article 51 of law 4331/2015, National Gazette A 69/2.7.2015.
* * * The sentence within "..." of clause BB. was added by paragraph 2' of Article 2 of Law 4336/2015, National Gazette A 94/14.8.2015. Entry into force pursuant to Article 4 of this Law, as from 19 August 2015 (date of signing of the Financial Assistance Facility Agreement referred to in Article 3).

AA. Staff at the Internal Affairs Service of the Hellenic Police and the Hellenic Coast Guard;

BB. Prison staff and guards at detention centres;

CC. The heads of the Forest Authorities and Forestry Services;

"DD. Members of all state inspection and audit bodies, heads of organisational units of any department of inspection, internal audit or internal affairs of the State, legal persons governed by public law and local authorities of first and second degree, as well as the staff of such units who carry out any auditing tasks."

* * * Clause FF. was replaced as above by Article 172 of law 4389/2016, National Gazette A 94/27.5.2016. 4).

EE. 1) The Directors-General of:
the Ministry of Finance,
the Chief Directorates of the Public Financial Services (Tax Offices - DOY),
the Interregional Auditing Centres of the Audit Centre for High Net Worth Taxpayers (KEFOMEP),
the Audit Centre for Large Enterprises (KEMEEP),
2) Heads of departments and all officials serving in the Control and Audit Departments of the above services, and all employees of the above services engaged in control and audit functions,
3) the Head of the Directorate of the Operational Collection Unit,
4) Heads of Customs Offices,
5) Heads of the Customs General Issues Departments and the Customs Procedures Departments, all Customs officials carrying out auditing tasks, Heads of Directorates and Departments, as well as officials of the Customs Inspection Services (ELYT) and the Directorate for the Monitoring and Control of Suspension Arrangements (DIPEAK) and the Heads of the organisational units of the Public Real Estate Services.
ANNEX. RELEVANT LEGISLATION, CODE AND SAMPLE DECLARATION FORMS

55

TECHNICAL REPORT ON ASSET DECLARATIONS IN GREECE

FF. Heads of the Operational Directorates for Special Cases at the Financial and Economic Crime Unit (SDOE), Heads of the Regional Audit and Action Directorates and Departments of the above mentioned services; as well as employees serving as inspectors there;

GG. Department Heads and employees at any organisational level of urban planning units of Local Government Entities;

HH. Staff of the Special Secretariat for Public-and Private Sector Partnerships and the Presidents, Directors or Chief Executive Officers of private companies involved in such partnerships;

II. Presidents and board members of sports federations and persons who are executive members of Anonymous Sports Companies (AAE) or Professional Athletes’ Associations (TAA) or persons who have been appointed to manage such TAAAs or are shareholders of AAEs with a total of more than 1 % of the share capital. If such shares are held by a private entity or enterprise, the obligation to declare shall apply to the chairman and members of the board;

JJ. Certified referees, assistant referees and referee observers for professional sports championships and persons involved in referee boards or panels, as well as the President and Members of the Professional Sports Committee and their alternates.

KK. Presidents, Chief Executive Officers, Appointed Counsellors and General Directors of the legal entities of governed by private law listed in clauses (e) and (f) of Article 14 (1) of law 2190/1994 (National Gazette A 280) as in force, if these legal entities are the awarding and execution authorities for public works contracts or studies contracts for public works.

LL. Heads of directorates-general, directorates and departments of the General Secretariat for Public Works of the Ministry of Infrastructure, Transport and Networks and the - pursuant to Articles 28 of Presidential Decree 609/1985 (National Gazette A 223) and 15 of Law 716/1977 (National Gazette A 205) - supervising engineers for public works and studies for public works. The holders of other corresponding posts in the public sector, legal persons governed by public law and legal persons governed by private law, if according to the law or the statutes of the relevant Ministry or the legal person, these persons have responsibilities related to the award of public works contracts or studies for public works or act as supervising engineers for public works or studies.
MM. The Owner, partners, shareholders, the executive members and officers of Greek undertakings which conclude procurement contracts, as well as natural persons having their permanent residence in Greece and bearing any of the above capacities in foreign companies that conclude public procurement contracts, as long as their subject exceeds the amounts mentioned in clause K.

NN. Members and rapporteurs of advisory committees, members of audit bodies, members of institutions responsible for disbursing (state) aid, members of bodies responsible for evaluating and examining investment plans, members of bodies the Ministry of Development and Competitiveness responsible for auditing investments and disbursing state aid.

OO. The Heads of Immigration Services in Decentralised Administrations.

PP. Members of driving examination boards.

QQ. The Chair and the members of the Board of Directors of the Information Society, the Directors and the Deputy Directors of its Operational Units. The members of the Assessors Registry for Actions related to State-Aid and other external persons who have participated in evaluations, advisory committees and Committees for the Appeals against State Aid Actions, the Presidents and Members Committees for evaluating bids in every degree, as well as the Appeals Committee for Public Sector Works, the Presidents and the members of Public Sector Monitoring and Delivery Committees, the persons responsible for Public Sector Works and state Aid Actions. The Heads, Deputy Heads and Heads of Units of all Special Services and other agencies with management, implementation, coordination and audit competences in the scope of the co-funded actions of the 2007-2013 and 2014-2020 programming period.

* * * NOTE: In accordance with paragraph 4 of Article 38 of Law 44314/2014 (National Gazette, A 265/23.12.2014) the following shall apply:

"4. The staff serving in the National Strategic Reference Framework (NSRF) Special Services of this Law, the Central Office of the Management Organisation Unit (MOU) S.A. and at the Intermediate Bodies engaged in activities relating to the assessment, verification and payments, are subject to the provisions of paragraph 1 point SS of Article 1 of Law 3213/2003 (National Gazette A 309), as amended by the Law 4281/2014 (National Gazette A 160) as regards the declaration of assets."

RR. Heads at the Services of the Commissioner’s Offices at the Court of Auditors.

TT. The President, the members and the employees of the Financial Intelligence Unit.

UU. The President and the administrators of Non-Governmental Organisations (NGOs) that are funded by the State.

VV. The employees of the National Organisation for Medicines (EOF), the Hellenic Food Authority (EFET), the Greek Tourism organisation (EOT) and the Payment and Control Agency for Guidance and Guarantee Community Aid (OPEKEPE) that are exercising activities related to control and audit or to the granting of permits, as well as the Heads of the above services.

WW. Any person obliged to a declaration by a special legal provision.

2. The declaration of paragraph 1 is submitted by the declarants within ninety (90) days after obtaining their capacity (initial declaration). In the following years, the declaration is submitted annually as long as the declarants remain in office, exercise the activity or maintain their capacity and for one (1) year, especially for the declarants od clauses A-E of paragraph 1 for three (3) years, after loss of capacity or end of tenure, and no later than three (3) months after the end of the deadline for the submission of the tax income declarations.

"Exceptionally and especially for the declarations of 2015 (financial year of 2014), the deadline expires on 31 December 2015."

* * * The final subparagraph of paragraph 2 was added under Article 16 of Law 4346/2015 (National Gazette A 152/20.11.2015.).

* * * NOTE: Article 66 (6) of law 4409/2016 (National Gazette A136/28.07.2016).

“Exceptionally and specifically for the submission of declarations of assets of the year 2016 (financial year of 2015) of law 3213/2003 and the declarations of financial interests of Article 229 of Law 4281/2014 the deadline begins on 1 October 2016 and expires on 31 December 2016”.

NOTE: Article 66 (6) of law 4409/2016 (National Gazette A136/28.07.2016), as amended by article 20 of law 4425/2016 (National Gazette A 185/30.9.2016), states that:

“6. Exceptionally and specifically for the submission of declarations of assets of the year 2016 (financial year of 2015) of law 3213/2003 and the declarations of financial
interests of Article 229 of Law 4281/2014 the deadline begins on **15 October 2016** and expires on **15 January 2017**.

3. Each February, a list of the controlled declarants shall be forwarded to the competent supervisory authorities. The list is drafted by the President of the Parliament for the persons referred to in clauses A to E of paragraph 1 of this article and by the competent Minister, the General Secretary of Decentralized Administration or the administration body of the relevant legal entity, for the persons that are subject to this agency or by whom they are supervised and in any case by the administration bodies of the relevant agency. The supervisory authority may ask any service, body or legal or natural person who has information on persons listed in paragraph 1 for a list of those persons.

4. Disputes as to the capacity of the declarant are resolved by the competent supervisory authority, which shall issue a decision within one (1) month after a request form the interested party or body, that is competent to submit a declarants’ list according to the previous paragraph”

*** Article 1, as amended and supplemented on several occasions (see previous versions), was replaced as above by Article 222 Ν. 4281/2014, National Gazette Α 160/8.8.2014. IMPORTANT: Entry into force, in accordance with Article 253 of that Law, by 1 January 2015.

*** NOTE: See also Article 229 of Law No Ν. 4281/2014, National Gazette Α 160/8.8.2014, about the obligation to declare financial interests.

"5. Banking and all types of credit institutions shall be required, within three (3) working days of receiving the relevant request from the declarant, to provide that person — free of charge — with certificates on the balance of their deposits at 31 December of the previous year. Specifically, for declarants of clauses A to E of Article 1(1) of this Law, banking and all types of credit institutions shall be required, also free of charge and within the same time limit, to issue a detailed statement of debts of the declarants as of 31 December of the previous year.”

*** Paragraph 5 was added by Article 172 of Law Ν. 4389/2016 (National Gazette 94/27.5.2016.)

"Article 2 Declaration Content

1. "a. The declaration of assets shall detail all assets owned in Greece or abroad as of 31 December of the previous year. “without prejudice to paragraphs 1 and 2 of Article 8 of this Law."
Specifically, the initial declaration shall include all existing assets at the time of submission.

Assets include:

i. Income from all sources;

ii. Immovable property and rights in rem to such property (itemised);

“iii. Shares in Greek and foreign companies (without prejudice to the prohibition set out in paragraphs 1 and 2 of Article 8 of this Law) and bonds and debentures of any kind, investment fund shares of any kind and financial derivatives of any kind.”

iv. All deposits in banks and other savings and credit institutions, and all financial market or insurance products and holdings in business or investment funds or trusts;

v. The hiring of safe deposits in banks and savings and other credit institutions in Greece or abroad. Also, all cash not included in the case(iv) of this subparagraph exceeding a total amount of fifteen thousand euro (EUR 15,000). The above amounts concern the debtor, their spouse and minor children.

vi. Movable property of high value, if the amount exceeds thirty thousand (30,000) euros, including VAT. If the movable items constitute a single set from a trade point of view, for calculating the value taken into account the value of all the assets. The declared value shall be taken either from the relevant proof of purchase or from an act from the tax authority imposing tax because of a death, gift, parental provision or dowry at the time of their acquisition. If the movable property is insured against theft, fire and other risks, the estimated value cannot be less than that indicated in the relevant contract.

vii. Waterborne and airborne vessels and land vehicles.

“viii. Participation in any company or business (without prejudice to the prohibition set out in paragraphs 1 and 2 of Article 8 of this Act).”

ix. In particular, the declaration by those referred to in cases (A) and (E) of Article 1(1), shall include their loan commitments to domestic and foreign credit and banking institutions, other legal persons governed by public and private law and natural persons. The declaration submitted by the above persons shall also include any debt arising from administrative fines, penalty payments, taxes and fees to the State and to Local Government Organisations, fees to legal persons governed by public law and contributions to social security funds exceeding EUR 5,000 as at 31 December of the previous year’.

* * * Subparagraph (a) was replaced as above by Article 173 of Law N.4389/2016, GG 94/27.5.2016.

* * * The words between inverted commas in (a) of the first subparagraph have been added and points iii) and viii) were replaced as above by paragraph fourth (1-3) of Law N.4396/2016 (GG 111/8.6.2016.).
b. i. If a new asset is acquired or an existing asset increases in value, the declaration shall include the amount of related expenditure and a detailed description of the source of funds. If an asset is sold, the amount received shall be declared.

ii. The declaration shall include the declarant’s personal, professional and tax details. Persons declaring assets shall provide the competent supervisory authority with copies of any documents requested.

c. Subsequent annual declarations of assets shall refer only to changes in the financial situation during the period covered by the return.

The declaration shall be submitted and signed by the declarant with respect to the declarant’s own assets, by the spouse with respect to the spouse’s assets, and by both with respect to assets owned by their minor children. The declaration shall be accompanied by a copy of the declarant’s tax return for the previous year and a copy of the last Form E9 submitted to the relevant tax office.

“d. Notaries are obliged to submit to the President of Unit C of the Hellenic FIU, copies of all notarial documents prepared by them, according to which an obligation is assumed or any property, movable or immovable is transferred from or to a judge or prosecutor, his spouse or child, if those officials are in active employment and up to two years after the cessation of the status. The same shall apply to the acceptance of an inheritance.”

*** Subparagraph (d) was replaced as above by Article 173 of Law N.4389/2016 (GG 94/27.5.2016., 2)

Declarations of assets shall be drawn up in a special form, the content of which shall be determined by a decision of the President of Parliament for the persons listed in Article 3(1) (a) and for the rest of the declarants, by joint decision of the Minister for Finance and the Minister for Justice, Transparency and Human Rights. Similar decisions may provide for declarations to be submitted using a special online application, in which case the relevant case manager shall be determined, along with details necessary for online submission, safeguards for persons concerned, conditions of access to data and transitional arrangements. Declarations shall be processed electronically from a special database, allowing for a clear indication of total assets, value per asset class and dates of acquisition. Declarations shall be processed taking into account acquisition values, where available.

*** “The decision of the President of Parliament and the joint decision of the Minister for Finance and the Minister for Justice, Transparency and Human Rights referred to in the second subparagraph of paragraph Article 2 (2) of law 3213/2003 concerning the electronic submission of declarations of assets shall be issued within two months of
"3. Declarations of assets by persons listed in points (A) to (E) of Article 1(1) shall be published on the Parliament website by the President of the Committee referred to in Article 3a. The disclosure shall take place after the audit and in any case no later than three months after the expiry of the period referred to in paragraph 2 of Article 1. The disclosure of declarations shall apply for the duration of the declarants' term of office and for three years after the end of their term of office. The subject-matter of the disclosure, and in particular the form, the type, the aggregated data for publication or not defined by joint decision of the Ministers for Finance and Justice, Transparency and Human Rights, which shall be issued at the latest "four (4) months", "after the publication of this Law. In any event, information liable to compromise the life or property of the declarant and the family (such as their address, motor vehicle plate numbers, tax identification number, etc.). The publication of disclosures in the media shall be permitted provided that the content is published in full text. Under no circumstances may personal data be disclosed selectively. Any infringement of this provision shall be punishable, beyond the penalty of imprisonment provided by Article 7(2), by a fine of five thousand (5,000) to one hundred thousand euro (EUR 100,000) as well."

** * Paragraph 3 was replaced as above by Article 173 N.4389/2016, Greek Official Gazette A 94/27.5.2016.**

** * The words “two months” of the fourth clause of paragraph 3 was replaced by the words “four (4) months” as above by Article 66 N.4409/2016, Greek Official Gazette A 136/28.07.2016.**

"4. Omissions or inaccuracies in a declaration may be completed spontaneously by the declarant within one month after the submission of the declaration."

** * Paragraph 4 was replaced as above by Article 173 N.4389/2016, Greek Official Gazette A 94/27.5.2016.**

** * Article 2, as successively amended and supplemented (see previous versions), was replaced as above by Article 223 N.4281/2014, Greek Official Gazette A 160/8.8.2014. IMPORTANT: Entry into force, in accordance with Article 253 of that Law, by 1 January 2015.**

“Article 3 Instruments and procedure for verification of declarations of wealth
1. Declarations of assets by persons listed in Article 1 (1) shall be submitted to and checked by:

“(a) persons referred to in cases (A) to (E) of paragraph 1 of Article 1 of this Law, to the Committee referred to in Article 3a,”

“(aa) the persons referred to in subparagraphs (F) to (X), (AA), (EE) to (RR) and (UU) to (WW) of paragraph 1 of Article 1 of this Law, to Audit Unit C of the Authority for the Prevention of Money Laundering and the Financing of Terrorism and for Control of Declarations of Assets (Hellenic FIU). For the control of the declarations of asset of the persons in question are those defined in points (c) and (d) of paragraph 3 of Article 7a of Law 3691/2008 (GG A 166), as added by paragraph Article 2 (2) of law 3932/2011 (GG A 49). Specifically, on the case of, any specific provisions shall continue to apply.”

** * * * Subparagraph (a) was replaced as above and point (aa) was inserted by Article 174 paragraph 1 and 2 respectively N.4389/2016, Government Gazette 94/27.5.2016.

b) the persons referred to in cases “(DD), (SS) and (TT)” to the General Inspector of Public Administration.

** * * * The words “(DD) and (SS)” of point b) were replaced as above by Article 174 N.4389/2016, Greek Official Gazette A 94/27.5.2016.

** * * * NOTE: According to Article 7 of the Ministerial Decision ΑΥΤ. ΤΜ. ΣΤΡ. 0000910 ΕΞ 2015/24.11.2015 (GG, Series B, No 2579/30.11.2015) the following shall apply:

“Without prejudice to the provisions of paragraph 2, Article 1 of Law 3213/2003, the electronic submission of declarations shall start from 1 January 2016, except for persons exempted under paragraph 1 (b) of Article 3 of Law 3213/2003, as replaced by Article 224 of Law 4281/2014, for which the obligation to electronically submit an asset declaration a declaration of financial interests is starting from the publication of this Decision in the Government Gazette.”

c) the persons referred to in cases (Y), (BB) and (CC) supervising to the Prosecutor from the Athens Prosecutor’s Office supervising the Internal Affairs Service of the Greek Police, who shall be assisted to that end by the service concerned,

(d) the persons referred to in case (Z) to the Prosecutor from the Piraeus Prosecutor’s Office, who shall be assisted in this by the Internal Affairs Service of the Hellenic Coast Guard.
2. Initial declarations shall be checked to ensure that they accurately reflect assets at the time of submission. Subsequent declarations shall be checked for accuracy, as well as to verify that any acquisition of new assets or increase in the value of existing assets is reasonable given the declarant’s income and living expenses. A declaration shall not be regarded as inaccurate or incomplete if it contains only a minor error or omission, or if the source of an incorrectly declared asset questioned by the supervisory authority is subsequently shown to be legitimate.

3. In random or targeted audits, the audit body shall also carry out risk analysis using IT systems. The supervisory authority may draw up a plan of summary or specific - theme audits, which may be extended to regular audits (according to paragraph 2 clause (a) and (b), only where appropriate).

“4. When carrying out its audits, the audit body may invite declarants to provide explanations or submit additional documents within an explicit time-limit not exceeding twenty (20) days, which may be extended by a maximum of ten (10) days. In exceptional cases in which declarants are unable to collect evidence in time, the audit body may exceptionally extend the deadline by a special justified decision. For those who are invited by the audit body and do not comply with the summons either in person or through a legal representative, the audit body imposes a fine of fifty (50) to three hundred (300) euros, which shall be collected in accordance with the Public Revenue Collection Code. A joint decision of the Ministers for Justice, Transparency and Human Rights and the Minister for Finance issued “within five (5) months from the publication of this law in the Government Gazette details regarding the competent institutions for the imposition of the fine and the procedure for imposing and collecting it.”

* * * Paragraph 4 was replaced as above by Article 174 N.4389/2016, Greek Official Gazette A 94/27.5.2016.

* * * The words “within three (3) months” of clause 4 of paragraph 4 was replaced by the phrase “within five (5) months” as above by Article 66 N.4409/2016, Greek Official Gazette A 136/28.07.2016.

5. As referred to in Article 5 of Law 3691/2008 persons have an obligation to inform without delay the competent audit bodies referred to in paragraph 1, when they are aware or have serious indications or suspicions of the commission, or the attempt of any infringement of obligations arising from this Law or the Ministerial decisions published in execution of this law.

* * * Article 3, as amended by Articles 4 N.3327/2005, 9 N.3932/2011, 1 N.3849/2010, 5, 6 N.4065/2012, 143 N.4251/2014, was replaced as above by Article 224 N.4281/2014, Greek Official Gazette A 160/8.8.2014.
IMPORTANT: Entry into force, in accordance with Article 253 of that Law, by 1 January 2015 and the inclusion of new categories of persons referred to in Article 3(1) (a), as replaced by Article 224 of Law 4281/2014 in the competence of the Article 3a Committee, shall begin on 1 July 2015.

**Article 3a — Committee for the Verification of Declarations of Assets**

“1. Responsible for the verification of the assets referred to in cases (a) to (e) of paragraph 1 of Article 3 conferred are the members of an Audit Committee, which shall act as a special body. The Committee shall be independent, shall have administrative and financial autonomy and is composed of nine members and nine (9) alternate members. Its headquarters shall be determined by decision of the Speaker of Parliament.

2. The Committee shall consist of:
   a) the President of the Special Permanent Committee on Institutions and Transparency, as Chairman, with an alternate member appointed by the President of Parliament;
   b) a judge of the Supreme Court, as member, with an alternate,
   c) a Counsellor of the Court of Auditors, as member, with an alternate; and
   d) a Counsellor of State, as member, with an alternate, appointed by decision of the Supreme Judicial Councils of the relevant courts upon a request from the Minister of Justice, Transparency and Human Rights
   e) the Deputy Governor of the Bank of Greece, as member, with an alternate, appointed by decision of the Governor of the Bank upon a request from the Speaker of Parliament;
   f) the President of the Authority for the Prevention of Money Laundering and the Financing of Terrorism and for Verification of Declarations of Assets (Hellenic FIU), as member, with an alternate.
   (g) the Ombudsman, as member, with an alternate.
   h) a Member of the greater in force parliamentary group that is not involved in the Government, with an alternate appointed by a statement signed by the Leader of the opposition.

* * * The phrases in point h), were added with article fourth paragraph of law 4396/2016, Government Gazette 111/8.6.2016.

Members of the Committee who are judges shall be employed full-time and exclusively and, like other members, in the exercise of their duties, they shall enjoy personal and
operational independence. The Secretary of the Committee shall be an official from the department referred to in paragraph 4, by decision of the Chairman of the Committee.

A decision of the President of Parliament, published in the Government Gazette, determines the remuneration of members who are not employed full-time and exclusively, and of the Secretary of the Committee; their remuneration may not exceed the limit provided for by Article 21 of Law 4354/2015. Appropriations for the functioning of the Committee and the service referred to in paragraph 4 shall be entered in the corresponding section of Parliament's budget and will be covered by the registered appropriations within the limits of the current Medium-Term Fiscal Framework. The Chairman of the Committee shall be the authorising officer for relevant expenditure. Questions pertaining to financial management shall be settled by specific rules established by the Committee and approved by the President of Parliament.”

* * * Paragraphs 1 and 2 were replaced as above by Article 175 of Law 4389/2016 GG 94/27.5.2016.

2. The Committee shall be established by decision of the President of Parliament. Judges that are members of the Committee shall be appointed for a term of office of two (2) years, which may be renewed up to two (2) years.

[For the first implementation, the member who is a judge of the Supreme Court and his/her alternate shall be appointed for a term of three (3) years].

The Deputy Governor of the Bank of Greece shall be appointed for a period of four (4) years. In case of general elections, the Committee shall re-appoint its parliamentarian members within one month after the President of the new Parliament is elected. Judges’ membership shall not be affected if they are promoted. If a full member’s position becomes vacant, his or her alternate shall take his place until a new member is appointed.

* * The third subparagraph of paragraph 3 is REPEALED by Article 175 (3) of law 4389/2016, Government Gazette 94/27.5.2016.

The Committee shall be supported by a special service at directory level reporting to the Chairman of the Committee. A decision of the President of Parliament determines the structure of the scientific, administrative and auxiliary staff who support the positions, number and responsibilities. Their positions are also filled on secondment from the public sector, legal entities governed by public law and the Bank of Greece. The secondments shall be carried out in accordance with Article 25 of the Law 4024/2011, by decision of the President of Parliament upon a proposal from the Chairman of the
Commission and, in the latter case, the Governor of the Bank. Staff shall be seconded for three years; this period may be extended by three years at a time and shall be honoured by the services from which staff were seconded. Members shall receive full pay and benefits corresponding to their original position, even if those benefits are not directly linked to the execution of their duties.

“5. Until the thirty-first of March of each year, the Commission shall submit a report on its activities of the previous year to the Committee on Institutions and Transparency of the Greek Parliament and to the Minister for Finance and the Minister for Justice, Transparency and Human Rights. This annual report shall include at least the number of the declarants, the number of people who submitted a declaration, the measures taken for those that did not submit a declaration and the results of the audits carried out during the execution of the duties of the Committee, with statistical representation thereof. The report shall be posted on the Parliament’s official website no later than one (1) week after its submission, and shall remain on the website for seven (7) years. The same obligations to submit a report, with the same content and the same deadline for submission and posting applies to all relevant bodies receiving and processing declarations of assets.”

* * * The above new paragraph 5 was added by Article 175 of Law 4389/2016 GG A 94/27.5.2016)

* * * Article 3a was added by Article 225 of Law N.4281/2014, Government Gazette A 160/8.8.2014.

IMPORTANT: Entry into force, in accordance with Article 253 of that Law, by 1 January 2015.

“6. All matters relating to the organisation and functioning of the Verification Committee and the special service are governed by rules of procedure issued by the Committee and approved by the Parliament meeting in plenary.”

* * * The original paragraph 5 was renumbered as paragraph 6 and was amended as above by paragraphs 2 and 4 respectively of article 175 of law 4389/2016, Government Gazette A 94/27.5.2016.

“Article 3b — Functioning of the Committee”

1. In the context of the verification of declarations of assets, the Article 3a Committee may ask the declarants to provide all information necessary for the fulfilment of its
tasks, including information relating to certain categories of transactions or activities of natural or legal persons or entities in Greece or abroad, public funding, private and all kinds of contributions or tenders. The Committee shall assess and investigate information provided or otherwise acquired on whether declarations are inaccurate or incomplete. The Commission shall have access to the files and archives of public authorities, service or Agency that keep and process data, as well as to the “Tiresias” system and it may request, in the context of checks, audits and investigations, cooperation and reports of all kinds from natural persons, preliminary judicial or investigating authorities, public services, legal persons under public or private law and institutions of any type, who in turn are obliged to directly provide all this data and inform the competent authorities about situations of lack of cooperation or of non-compliance with their obligations in accordance to this law. The bank, tax, stock exchange or professional secrecy does not apply vis-à-vis the Commission, during audits and investigations of, without prejudice to Articles 212, 261 and 262 of the Code of Criminal Procedure. In any case, and if necessary, the Commission is assisted in its work by an Assistant Public Prosecutor for Corruption (Law 4139/2013), to be proposed by the Public Prosecutor for Corruption upon request from the Committee.

“2. The Committee shall audit all the declarations under its responsibility.”

* * * Paragraph 2 was replaced as above by Article 17 of law 4389/2016, Greek Official Gazette A 94/27.5.2016.

3. For the performance of its tasks, the Committee may commission an accounting or financial expert or other audit documents from statutory auditors and experts, who shall scrutinise information in declarations and supporting documents and draw up a detailed report to assist the Committee. To this end, the Committee may request the specific assistance of any public audit authority to its purpose.

4. After checking each declaration, the Committee shall decide whether to close the case or to send a reasoned, detailed report to the relevant public prosecutor if there is well-founded, sufficient grounds for doing so. Where appropriate, the report shall be sent to the General Prosecutor of the State at the Court of Auditors; if there is need for clarification on matters involving a tax or other authority or service, the report shall be sent there as well. If the case is closed, it may only be reopened, if substantial new evidence is cited that would justify a re-examination or if the case needs to be linked to another case investigated by the Commission.

5. The verification procedure is confidential. In the performance of their duties, the President, Members, Commission staff and the persons referred to in paragraph 3 have the obligation to observe the principles of objectivity and impartiality and to refrain from investigating cases, where a potential conflict of interest arises or involving any of their relatives or familiars. They have a duty to respect the confidentiality of any
information they obtain in the course of their duties. They shall continue to do so after leaving the Committee or the execution of their duties as regards the persons referred to in paragraph 3. Infringement of the above duty of confidentiality shall be punishable by imprisonment of at least three (3) months.

6. Obstruction of the verification procedure, particularly refusal to provide information to the Committee or its inspectors, shall be punishable by imprisonment of at least six (6) months.

7. A decision of the President of Parliament, published in the Government Gazette, shall regulate more specific matters relating to the object the audit procedure, as well as the organisation and functioning of the Commission for the verification of the declarations of assets of the persons mentioned above.”

** * * * Article 3b was added by Article 226 of Law 4281/2014, Government Gazette A 160/8.8.2014.**

** IMPORTANT: Entry into force, in accordance with Article 253 of that Law, by 1 January 2015**

** * * * Articles 4 and 5 of this Article REPEALED by article 1 subparagraph.1E.20 clause.10 of law 4254/2014, Government Gazette A 85/7.4.2014.**

“Article 4 — Illicit enrichment”

1. A declarant benefitting himself or a third party illicitly, exploiting his or her status, shall be punished by imprisonment of at least three (3) years and a fine of twenty thousand (20.000) to one million (1.000.000) euros.

2. Such a person shall be subject to imprisonment of up to ten (10) years and a fine of thirty thousand (30.000) to one million five hundred thousand euro (EUR 1.500.000): (a) if the illicit benefit amounts to more than seventy-three thousand (73.000) euro or (b) the person acts under a commercial capacity or is a repeat offender.

3. The penalties laid down in paragraphs 1 and 2 shall also apply to anyone who receives an illicit benefit arising from the offences described in paragraphs 1 and 2 knowing that these offences where committed by a person required to declare assets.
4. The above provisions shall apply if the offence of securing or receiving an illicit benefit is not subject to greater punishment under another provision.”

** * * * The original Article 4 was repealed and the new Article 4 above was added by Articles 1 paragraph 5 and 2 respectively of law 3849/2010, Government Gazette A 80/26.5.2010.

** * * * Articles 4 and 5 of this Article REPEALED according to article 1 subparagraph ΙΕ.20 case10 of law 4254/2014, Government Gazette A 85/7.4.2014.

“Article 5 — Offer of influence”

1. Anyone who demands, receives or accepts a promise of financial exchange for himself or a third person, so that he himself/she herself or another party influences a person required to declare assets to take a decision within his or her official remit, shall be punished by imprisonment of at least two (2) years and a fine from fifteen thousand (15.000) to fifty thousand seven hundred euro (EUR 750.000). The same penalty shall apply to anyone who promises or offers financial exchanges to another party, in order for the recipient or the other party to influence a person required to declare assets to take a decision within his or her official remit. In any event, it is immaterial whether such influence is actually exerted or leads to the desired result.

2. If the exchanges amount to more than EUR 73.000 or the offender acts under a commercial capacity or is a repeat offender, imprisonment of up to ten (10) years and a fine of thirty thousand (30.000) and one million five hundred thousand (1.500.000) euro”

** * * * The original Article 5 was repealed and the new Article 5 above was added by Articles 1 paragraph 5 and 3 respectively of law 3849/2010, Government Gazette A 80/26.5.2010.

‘Article 6 — Failure to declare or submission of an inaccurate declaration

1. Administrative fine of one hundred and fifty (150) to four hundred (400) euros, which shall be collected in accordance with the provisions of the Public Revenue Collection Code, shall be imposed on a person on expiry of the time-limit laid down in paragraph 2 of Article 1 of this Law. The details concerning the bodies responsible for imposing the fine and the procedure for imposing and collecting the fine are defined by a joint
decision of the Ministers for Justice, Transparency and Human Rights and the Minister for Finance issued “within five (5) months” from the publication of this Law.

* * * The words “within three (3) months in the second subparagraph of paragraph 1 was replaced by the phrase “within five (5) months” as above by Article 66 N.4409/2016, Greek Official Gazette A 136/28.07.2016.

2. A declarant who fails to submit a declaration after thirty (30) days of the expiry of the period provided for in paragraph 2 of Article 1 of this Law, or submits an inaccurate or incomplete declaration, shall be liable to imprisonment and a fine of up to one hundred thousand (100.000) euros. In case the declarant commits the offence in order to conceal assets acquired through his status, he or she shall be punished by imprisonment of at least two (2) years and a fine of ten thousand (10.000) to five hundred thousand (500.000) euros.

3. An offence such as described in the second subparagraph of the previous paragraph shall be punishable by imprisonment of up to ten (10) years and a fine of twenty thousand (20.000) to one million (1.000.000) euros, if the total value of the concealed asset owned by the declarant and other persons for whom he or she is obliged to submit a declaration exceeds the amount of three hundred thousand (300.000) euros, irrespective of whether the assets have been concealed by failure to submit a declaration or by submission of an incomplete or inaccurate declaration.

4. Offences listed in the first sentence of paragraph 2 and committed by negligence shall be punishable by a fine. A judicial council or court, freely assessing all circumstances, may decide that such an offence is not punishable.

5. A third party knowingly involved in the submission of a false declaration, and in particular failing to declare assets, shall be subject to imprisonment and a fine.

6. Natural persons and staff at legal entities mentioned in Article 5 of Law 3691/2008 who fail to provide the information required in paragraph 5 of Article 3 shall be subject to imprisonment of up to two years.

7. The court may order appropriate measures to be taken to disseminate information on a conviction for crimes under this Law, including posting the judgment on the internet or publishing it in full or in part in the media.”

* * * Article 6, as replaced by Article 227 of Law N.4281/2014 (GG I 160), was replaced as above by Article 177 of law 4389/2016, Greek Official Gazette A 94/27.5.2016.
“Article 7 — Obstruction of verification and unlawful publication of declaration

1. Any third party who refuses to provide information or in any way obstructs the verification of the assets of a declarant, shall be punished by imprisonment of at least six (6) months.

* * * The phrase “carried out in accordance with the provisions of this Law” in paragraph 1 has been replaced with “assets of a declarant”, as above, with Article 11 (1) of law 3932/2011, Government Gazette A 49/10.3.2011.

2. The same penalty shall apply to anyone who publishes a declaration of assets, in violation of Article 2 (3).’

* * * The original Article 7 was repealed and the new Article 7 above was added by Articles 1 paragraph 5 and 5 respectively of law 3849/2010, Government Gazette A 80/26.5.2010.

“3. The same punishment shall be imposed on anyone who, although responsible, in accordance with the provisions of article 1 par. 3, for the preparation and further sharing of the list of declarants as described in clauses G, H, L, M, N, O of paragraph 1 of the same article., omits to prepare and further share and forward this list.”

* * * Paragraph 3 was added by Article 11 of Law 3932/2011 (GG 49/10.3.2011.

“Article 8 Prohibition of politicians to participate in companies resident abroad, prohibitions on participation in companies resident in States uncooperative in tax matters and States with preferential tax regimes

1. The Prime Minister, the Leaders of political parties represented in the Greek Parliament or the European Parliament, as well as leaders of political parties receiving public funding, Ministers, Alternate Ministers and Deputy Ministers, Members of the National Parliament and Members of the European Parliament and those managing the finances of political parties as above, the General and Special Secretaries of the Parliament and the Government, the Heads of Regions and Mayors, shall be prohibited from participating, either themselves or through intermediaries, in the capital or management of companies, with real or registered offices broad.

2. The Coordinators of the decentralised administrations, judges and prosecutors, the Presidents, Directors, Deputy Directors and Directors General of credit institutions controlled by the State, and also the persons referred to in clauses I and J of paragraph 1 of Article 1 of this Law, as well as the persons referred to in paragraph 1 of this Article
shall be prohibited from participating, either themselves or through intermediaries, in the
capital or management of companies, with real or registered office in States uncooperative in tax matters or States with preferential tax regimes within the meaning of Article 65 of Law 4172/2013 (Income Tax Code, GG I 167) and the ministerial decisions issued based on the above provisions and apply each time.

3. Infringement of paragraph 1 through direct or intermediate participation to a company that is resident abroad shall be punishable by imprisonment of at least two (2) years and a fine of ten thousand (10,000) to five hundred thousand (500,000) euros. In infringement of paragraph 2, the direct or intermediate participation to a company based in: a non-cooperative in tax matters State as defined in the Ministerial Decision issued in accordance with paragraphs 1 to 5 of Article 65 of Law 4172/2013, or a State with a preferential tax regime within the meaning of the ministerial decision issued in accordance with paragraphs 1, 6 and 7 of Article 65 of Law 4172/2013, shall be punished by the same penalty.

4. For the purposes of this Article, intermediaries of persons referred to in paragraphs 1 and 2 of this Article are:
   a) spouses and separated spouses and persons with which they have concluded a civil partnership;
   b) first-degree relatives
   c) a natural or legal person who is acting, for any reason, on behalf of or designation or by another person who holds one of the properties referred to in paragraphs 1 and 2 of this Article.

5. a. within a strict period of sixty days following publication of this Law, the persons referred to in paragraph 1 of this Article must transfer the assets referred to in the provision.
   b. The transfer shall not affect and shall not preclude the criminal liability for the already committed infringements of the provisions relating to companies with actual or registered office in states non-cooperative in tax matters or a state that has a preferential tax regime within the meaning of Article 65 of Law 4172/2013 (Income Tax Code, GG A 167) and the ministerial decisions issued by invoking these provisions, as in force.

6. Article 2 of the Criminal Code shall not apply to those infringements.

7. Article 178 of Law 4389/2016 (GGA 97) is repealed from the time it entered into force. * * * The above new Article 8, which was added by Article 6 of Law 3849/2010, GG A80) and replaced by Article 178 of Law 4389/2016 (GG A 94), was replaced as above by paragraph 5 under Article Four of Law.4396/2016, GG A 111/8.6.2016.
**The original Articles 8-12 of this Law were renumbered 14 to 18 Article 1 (5) of Law 3849/2010 (GG A 80/26.5.2010.).**

**Article 9 — General criminal provisions**

1. Where the provisions of the previous articles provide for a cumulative penalty of imprisonment as well as a monetary fine, Article 83 ca. (e) of the Criminal Code shall not apply.

   “2. The offender of the offenses referred to in Articles [4, 5, ] 6, paragraph 2 and 8 paragraph 2 shall be charged and deprived of civil rights for one (1) to five (5) years, if the penalty is imprisonment, and two (2) to ten (10) years, if the penalty is incarceration. The deprivation of the elective public office or public, municipal or borough position or of his political rights, is imposed once their conviction becomes final and cannot be excluded by the application of Article 64 of the Criminal Code.”

**Paragraph 2 was replaced as above by par. 4a. Article 143 of law 4251/2014, Greek Official Gazette A 80/1.4.2014.**

3. [a. Assets which are the direct or indirect proceeds of one of the offences described in articles 4 and 5 or were directly or indirectly acquired from the proceeds of such an offence shall be confiscated upon conviction. If such assets are mixed with lawfully gained assets, they shall be confiscated up to the amount determined to be involved in the offence. Any income or other benefits from use of the proceeds of any of the offences described in Articles 4 and 5, of assets acquired through such offence or of other assets mixed with them may also be confiscated up to the amount involved in the offence].

**Subparagraph (a) 3 IS REPEALED by Article 180 (2) of law 4389/2016 (Government Gazette A 94/27.5.2016).**

   “b. The assets not reported in the case of one of the offences described in paragraphs 1 and 2 of Article 6, [and if paragraph 5 of Article 2 has not been applied] shall be confiscated upon conviction, unless the offender can demonstrate that they have been lawfully acquired.”

**Clause b, as replaced by Article 8 of Law4065/2012 (GG A77), was replaced as above by article 4 (b) Article 143 of Law.4251/2014, GG A 80/1.4.2014, the phrase “if ... Article 2 has not been applied” was deleted by Article 180 (2)of law 4389/2016 (Government Gazette A 94/27.5.2016.).**
c. The share directly or indirectly owned by a person who commits an offence referred to in paragraph 2 of Article 8, and any proceeds, income or other benefits acquired from such a share or from participation in the management of an offshore company shall be confiscated upon conviction.

d. If the assets subject to confiscation, in accordance with the above provisions no longer exist, has not been found, cannot be confiscated or is owned by a third party against whom it is not possible to enforce confiscation, assets of equal value to those at the time of conviction, as determined by the court, shall be confiscated. The court may also impose a fine of up to the value of the assets, if it considers that there are no additional assets to be confiscated or that the total value of existing assets is less than the amount to be confiscated.

4. Article 263b of the Criminal Code shall also apply to crimes of Articles [4, 5] and 8 2 of this Law.”

* * * NOTE: “In paragraphs 2 and 4 of Article 9 of Law 3213/2003 and in paragraph 1 of Article 11 of the same Law, as well as any other provision, referring to Articles 4 and 5 thereof, the respective words are deleted “(Article 180 para. 1 clause a of law 4389/2016, Government Gazette, A, 94/27.5.2016).

5. Case (a) of paragraph Article 9 (3) of law 3213/2003 is hereby repealed. In point (b) of paragraph 3 of Article 9 of the same Law, as in force following its replacement by paragraph 4 (b) Article 143 of Law 4251/2014 (GG A 80), deleted the words ‘, and has been applied in paragraph 5 of Article 2”

* * * The original Article 9 was renumbered 15 and the new Article 9 above was added by Articles 1 paragraph 5 and 7 respectively of Law 3849/2010 (GG A 80/26.5.2010.).

“Article 10” Article 10 Criminal proceedings

1. For the offences referred to “in Articles 6 to 8” committed by declarants referred to in cases (A) to (F) and (K) of paragraph 1 of Article 1, without prejudice to the provisions of Articles 62, 85 and 86 par. 1 and 2 of the Constitution, the Rules of Procedure of Parliament and the Law on criminal liability for ministers, criminal prosecution is brought by the competent public prosecutor of appeal, questioning and following a request by the prosecutor and appointment of an investigative judge by the full bench of the relevant district court. For a major offence, the charge shall be decided by the council of a court of appeal in the first and final instance.

2. For the offences referred to in “Articles 6 to 8” committed by the rest of the declarants, referred to in paragraph 1 of Article 1, in Article 14 and in other special laws,
criminal prosecution is brought by the competent public prosecutor who shall request for preliminary investigation or main judicial investigation, depending on the seriousness of the act. In the cases of major offences (felonies), the council of the misdemeanours court decides on the accusation.

* * * The words “Articles 4 to 8: in paragraphs 1 and 2 shall be replaced by the words “Articles 6 to 8” with Article 180 (1) of law 4389/2016, GG A 94/27.5.2016.

“3. The managing public prosecutors for appeals and misdemeanours courts in Athens and Thessaloniki respectively shall appoint at least one Deputy Public Prosecutor of Appeal and one Deputy Public Prosecutor for Misdemeanours to their offices. The appointed public prosecutors shall handle the respective case files for the offences under this Law.’

* * * The above new paragraph 3 added and paragraphs 3 and 4 were renumbered paragraphs 4 and 5 under Article 179 of Law 4389/2016, Government Gazette A 94/27.5.2016.

4 3. Three-member courts of appeal shall have jurisdiction for acts punishable as major offences, and three-member magistrates’ courts shall have jurisdiction for minor offences.

5 4. In other respects, the provisions of the Code of Criminal Procedure shall apply.”

* * * Article 10, which was added by Article 8 of Law3849/2010 (Government Gazette A80) and amended by Article 75 3 of law 3994/2011 (A 165), was replaced as above by Article 36 of law 4055/2012, Greek Official Gazette A 51/12.3.2012. Article 110 (7) and (8) of that law state:

“7. Offences such as described in Article 36 which have not been referred to the competent court of the time of publication of this Law, with a summons or subpoena served to the defendant, shall immediately be brought by a public prosecutor of territorial jurisdiction under the new provisions to the court with jurisdiction.

8. Cases involving offences such as described in Article 36 which are under investigation or pending at any stage and level shall continue to be handled under the new provisions. Preliminary criminal proceedings carried out under the provisions amended by Article 36 shall remain valid.’
“Article 11 — Confiscation and prohibition of sale of assets”

1. When the investigation concerns an offence that Articles [4,5] 6, paragraphs 1 and 2 and Article 8, the examining magistrate may, with the consent of the public prosecutor, prohibit the movement of any accounts, securities or financial products held with a credit or financial institution, as well as the opening of bank deposit boxes owned by the accused, even common species with any other person, provided there are reasonable grounds to believe that the accounts, securities, financial products or boxes contain assets which may be subject to confiscation as provided for in paragraph 3 of Article 9. For a preliminary investigation, the judicial council may issue an order freezing the defendant’s accounts, securities and financial products or preventing the defendant’s bank deposit boxes from being opened. The examining magistrate’s order or the order of the council shall be equivalent to a confiscation order, without a summons of the defendant and the legal representative of the credit or financial institution or the director of the branch where the examining magistrate or public prosecutor is based. If the accounts, securities, financial products or safe deposit boxes are shared, the order must be served on the other holder or holders as well.

* * * NOTE: “In paragraphs 2 and 4 of Article 9 of Law 3213/2003 and in paragraph 1 of Article 11 of the same Law, which refers to Articles 4 and 5 thereof, the respective words are deleted. In paragraphs 1 and 2 of Article 10 of Law 3213/2003, as in force, the words “Articles 4 to 8” are replaced by the words “Articles 6 to 8” (Article 180 paragraph 1 of Law No N.4389/2016 (GG 94/27.5.2016).

2. The prohibition provided for in the previous paragraph shall apply as of the time when the credit or financial institution is served with the order of the examining magistrate or judicial council. The opening of the bank deposit box shall be prohibited as of the same time and any disbursement deriving from the defendant’s accounts or divestment of securities or other financial products shall be invalid vis-à-vis the State. Any executive or employee of a credit or financial institution who knowingly infringes the provisions of this paragraph shall be subject to imprisonment of up to two (2) years and a fine.

3. If the conditions in paragraph 1 are met, the investigative judge or judicial council may prevent the sale of certain immovable property held by the defendant. The investigative judge’s warrant or the decision is equivalent to a confiscation order, without a summons of the defendant and shall be served on the defendant and the head of the relevant land registry office or the Land Registry, who is required to note the confiscation in the records on the same day and archive the respective document. Any transaction, mortgage, confiscation or other act recorded by the land registry office after the above note has been recorded shall be officially void. A decision of the Minister for Justice, Transparency and Human Rights shall determine the details for the implementation of this paragraph.
4. The defendant involved in an ongoing preliminary examination and the third party shall be entitled to request an end to the investigative judge’s warrant or order the withdrawal of the respective decision, by a written request addressed to the judicial council and submitted to the investigative judge or public prosecutor, within twenty (20) days from the service of the order. Such a request shall not suspend the execution of the order or the decision. The order or the decision may be revoked at any time, if new evidence comes to light.

** * * The original Article 11 was renumbered 17 and the new Article 11 above was added by Articles 1 para. 5 and 9 respectively of Law 3849/2010 (GG A 80/26.5.2010.).

“Article 12 Attribution”

A person who is the subject of an asset audit may be held liable for a pecuniary amount up to the value of assets acquired by the person and by his or her spouse and minor children, if the source of the asset benefit cannot be proved. Such a person may be declared liable to the State by the relevant department of the Court of Auditors, in line with the applicable provisions. The attribution is excluded if the asset in question has been confiscated in accordance with Article 9 paragraph 3.”

** * * The original Article 12 was renumbered 18 and the new Article 12 above was added by Articles 1 paragraph 5 and 10 respectively of Law 3849/2010, GG 80/26.5.2010, then replaced as above by Article 228 Ν.4281/2014, Greek Official Gazette A 160/8.8.2014. ΠΡΟΣΟΧΗ: entry into force, in accordance with Article 253 of that Law, by 1 January 2015.

“Article 13 — Restrictions on transactions in securities”

1. The restrictions in paragraphs 1 and 2 of Article 32 of Law 2843/2000 (GG A 219) shall be extended to Members and MEPs, to the Secretary-General of the Council of Ministers, general secretaries of regions, presidents of prefectural authorities, prefects and mayors to those persons, as well as cases of I, J, K of paragraph 1 of this Law. The same restrictions shall apply to presidents, directors, deputy directors and managers of state-controlled credit institutions acting individually or on behalf of their spouses or minor children.

“2. As the Commission in par. Article 32 (2) of law 2843/2000 shall be regarded the same Commission of paragraph 1 Article 3 of this Law or Unit C of the Authority referred to in Article 7 of Law 3691/2008.”

** * * Paragraph 2 was replaced as above by Article 12 of law 3932/2011, Greek Official Gazette A 49/10.3.2011.
Article 13 was added by Article 11 of Law N.3849/2010 (GG A 80/26.5.2010.).

Article (8) 14 — Special arrangements for the Inspectors Controllers Body of Public Administration and other groups of persons subject to asset audits

1. The Inspectors Controllers Body of Public Administration is still responsible for auditing the assets of the employees of government, local government first and second level and of their businesses, public law legal persons, state-owned private law legal entities or public enterprises whose management is directly appointed by the State through an administrative act as a shareholder or in the specific provision of Article 2 par. 4 of Law 3074/2002 (GG 296 A '), except those whose staff are included in paragraph 1 of Article 1 of this Law.

2. a. Asset declarations of police staff working for the Ministry of Public Order, border guards and special guards, as well as their spouses and children, shall be submitted to and audited by the Internal Affairs Service of the Greek Police.

b. A presidential decree issued on a proposal by the Ministers for Economy and Finance, Interior, Public Administration and Decentralisation and Public Order determines the persons required to submit a declaration of assets, the procedure, the type and manner of submission of relevant declarations, the monitoring procedure and any other relevant details.

c. A decision of the Minister for Public Order shall determine when declarations of assets of the above persons are to be submitted.

3. “a. Declarations of assets by staff working for the Coast Guard, as well as their spouses and children, shall be submitted to and audited by the Internal Affairs Service at the Headquarters. Declarations of assets by staff actively working for the Internal Affairs Service (Assets) during its term of office to the Internal Affairs Service are submitted to Unit C of Control of Declarations of the Authority for the Prevention of Money Laundering and the Financing of Terrorism and for Control of Declarations of Assets of Law 3932/2011 (FIU) (A 49)

* * * Clause (a) was replaced as above by paragraph 8 under Article 21 of Law 4058/2012 (Government Gazette A 63/22/03/2012).
b. Declarations of assets by civilian staff working for the Ministry of Merchant Shipping and public legal entities reporting to it shall be submitted to and audited by the Inspectors Controllers Body of Public Administration.

“c. A presidential decree issued on a proposal by the Minister for Finance, the Minister for the Interior, Decentralisation and e-Governance and the Minister for Citizen Protection, determines the staff of the Hellenic Coast Guard for the submission of asset declarations, the procedure and method for submitting declarations and their audit, as well as any other relevant details.”

* * * Clause c was replaced as above by paragraph 8 under Article 21 of Law 4058/2012 (GOVERNMENT GAZETTE A 63/22/03/2012)

“d. A decision of the Minister for Citizen Protection shall determine when declarations of assets are to be submitted by the persons mentioned in clauses (a) and (c).”

* * * Subparagraph (d) was replaced as above by paragraph 8 under Article 21 of Law 4058/2012 (GOVERNMENT GAZETTE A 63/22/03/2012)

“4. During the verification, inspection and investigation procedures performed by the Inspectors Controllers Body of Public Administration, it is possible to lift the bank, trading and tax secrecy of persons concerned by a decision of the Special Secretary of the Body.”

* * * Paragraph 4 was replaced as above by paragraph 7 article 5 of law 3613/2007, GG A 263/23.11.2007.

“5. The Minister for Citizen Protection may ask the relevant departments to audit specific Police and Coastguard staff that are obliged to submit an asset declaration, when there is a signed complaint against them, submitted directly to the Minister by any natural or legal person or independent authorities or by control bodies of the public administration or other evidence against them that was otherwise disclosed. If such an audit is based on a complaint, the complainant shall remain anonymous.”

* * * Paragraph 5 was added by Article 1 (6) of law 3849/2010, GG A 80/26.5.2010.

* * * Articles 8 to 12 were renumbered as 14 to 18 by Article 1 (5) of law 3849/2010, GG A 80/26.5.2010.

“Article (9) 15 — Transitional provisions”
1. On the first application of this Law, paragraph 3 Article 1 shall be forwarded within two (2) months from the entry into force.

2. Those belonging to categories of persons for which there is, for the first time, an obligation to submit an asset declaration, they submit their declaration within ninety (90) days from publication of this Law.

3. a. Declaration of assets by persons under points (A) to (E) Article 1 paragraph 1 of this law shall be audited back to 1990.

b. For other categories of declarants, the declarations may be audited as far back as the year 1990, at the discretion of the five-member Committee.

4. The sale of shares in foreign or Greek companies, listed on the stock exchange or not, does not fall under the constraints of Article 7 par. 1 of this Law, if those shares were acquired before the entry into force.

“5. Until the adoption and publication of the ministerial decisions provided for in this Law, the provisions of Articles 25 to 29 inclusive of Law 2429/1996 (GREEK OFFICIAL GAZETTE 155 A) continue to apply. The period referred to in the first subparagraph of paragraph 2 Article 1 shall apply for the purposes of this paragraph.”

** Paragraph 5 was added by Article 13 (4b) of Law 3242/2004, GG A 102/24.5.2004.

** Articles 8 to 12 were renumbered as 14 to 18 by Article 1 (5) of law 3849/2010, GG A 80/26.5.2010.

** Article (10)16

The first subparagraph of paragraph 2 of Article 21 of Law 3023/2002 (GG A 146) is replaced as follows:

‘The Committee shall consist of one representative of each party or coalition of parties represented in the Parliament and one member of the Council of State, one member of the Supreme Court and one member of the Court of Auditors, who shall be appointed together with their alternates by lot by the plenary of the respective courts.’

** Articles 8 to 12 were renumbered as 14 to 18 by Article 1 (5) of law3849/2010, GG A 80/26.5.2010.
Article (11) 17

Article 22 (8) Article 4 of Law 3115/2003 is replaced as follows:

“3. Members of the Authority for Information and Communications Security and Privacy (ADAE) are, during their term of office, suspended from exercising any public function or profession and may not undertake other duties, paid or otherwise, in the public or private sector. ADAE members other than the president who is employed full-time and exclusively, are allowed to undertake duties as members of the teaching staff at Universities either full-time or part-time.”

** ** Articles 8 to 12 were renumbered as 14 to 18 by Article 1 (5) of law 3849/2010, GG A 80/26.5.2010.

Article (12) 18 Final provisions

1. From the entry into force of this Law Articles 24 and 29 of Law 2429/1996 (Government Gazette A 155), 7 of Law 2622/1998 (Government Gazette A 138) and 54 of Law 2935/2001 (GREEK OFFICIAL GAZETTE 162 A).

2. This law is set into force since its publication in the National Gazette.

THE PRESIDENT OF THE HELLENIC REPUBLIC

Hereby adopts the following Law, which has been approved by Parliament:

Code of Civil Servants

[Unofficial translation for the purpose of this assessment.]

Article 28

Financial Status

1. A civil servant is required to state in writing, at the time of his appointment, his financial status, that of his spouse and children, provided they live with him, as well as any subsequent significant modification thereof. Civil servants are required to state the financial status of their spouses, within three (3) months from the date of their
marriage. Any acquisition of moveable assets of a significant value or real assets, by the civil servant or the persons of the first section, must be reasoned in the statement submitted. If the civil servant invokes the financial support of persons other than the ones set forth in the first section in regard with such an acquisition, he must also state the financial status of those persons.

2. Every two (2) years the competent personnel service is required to request from civil servants a solemn declaration in regard with any significant modification of their financial status or not. The information contained in these statements must become the object of processing.

3. If the modification of the civil servant's financial status is disproportionate to his income and his general financial status, the competent service is required to conduct an investigation regarding the origin of the civil servant’s funds. If this investigation should result to serious indications that the civil servant acquired said funds in a manner consisting a criminal or disciplinary offence, the competent minister will proceed to the necessary actions towards the institution of criminal or disciplinary proceedings against that civil servant. In the case of civil servants working for legal persons of public law, these proceedings may also be instituted by the bodies responsible for the committal of civil servants to the civil service council.

4. The provisions of the present Article will also apply to civil servants coming under the present Code and governed by special provisions.
Declaration forms

[The following are forms for the asset declaration and the declaration of financial interests. Both were used before the introduction of the e-submission system. The interface for submitting data on the e-system cannot be displayed here in a feasible way. However, by and large, the paper forms compare to what is required to declare under the e-system. The only mayor difference is the absence of the category of “movables” in the paper form. This category was not subject to declaration when the paper forms applied. Hence, the paper forms are shown here as unofficial translations in order to illustrate how declaration of data works in practice. The number of empty lines in the charts to be filled in have been reduced in below version for the purpose of saving page space.]


Asset declaration
Protocol Number: Tax Registry Number:
Date:

DECLARATION of Assets for the year 20....
according to law 3213 / 2003
As replaced by article 223 of law 4281/2014
Recipient of the Declaration: Committee for the Control of Asset Declarations of article 3A of law 3213/2003 as added with article 225 of law 4281/2014 (National Gazette A 160/08.08.2014)

1. Data of the Declarant
Last name...................................................First name...............................................Name of father........................................
Tax Registry Number..............................................................Competent Public Financial Services..............................................................ID Number........................................
Status under which the declaration is submitted..............................................................Profession.................................................Professional Address.............................................Tel.: ......................................
Home Address.................................................................................................Tel.: ......................................
Time of first entry at the office..............................................................................................

2. Data of the declarant's spouse
Last name...................................................First name...............................................Name of father........................................
Tax Registry Number..............................................................Competent Directorate of Financial Services..............................................................ID Number........................................
Capacity under which the declaration is submitted..............................................................Profession.................................................Professional Address.............................................Tel.: ......................................
Data of underage children

3.1 Last name.................................................First name. .................................................................Birth year............

3.2 Last name.................................................First name. .................................................................Birth year............

3.3 Last name.................................................First name. .................................................................Birth year............

3.4 Last name.................................................First name. .................................................................Birth year............

A. State of Assets.

A.1.1 Income from any source during the past year.

<table>
<thead>
<tr>
<th>NO</th>
<th>CODE OF THE DECLARANT</th>
<th>FISCAL YEAR.......</th>
<th>OTHER TYPES OF INCOME (FINANCIAL AID, LOANS, GIFTS, ETC.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Income subject to taxation</td>
<td>Tax free income</td>
</tr>
</tbody>
</table>
A.1.2 Immovables and in rem rights to immovables

<table>
<thead>
<tr>
<th>NO</th>
<th>CODE OF THE DECLARANT</th>
<th>STATE OR CHANGE</th>
<th>PREFECTURE</th>
<th>MUNICIPALITY OR COMMUNITY</th>
<th>LOCATION</th>
<th>TYPE OF IMMOVABLE</th>
<th>GROUND AREA IN M²</th>
<th>BUILDING AREA IN M²</th>
<th>YEAR OF ACQUISITION</th>
<th>IN REM RIGHT</th>
<th>RIGHT IN %</th>
<th>MANNER OF ACQUISITION</th>
<th>PAID OR RECEIVED PRICE (IN €)</th>
<th>SOURCE OF MONEY</th>
<th>NUMBER OF CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A.1.3 Shares to Greek and foreign companies, bonds and any type of debentures: mutual funds, derivative financial products.

<table>
<thead>
<tr>
<th>NO</th>
<th>CODE OF THE DECLARANT</th>
<th>STATE OR CHANGE</th>
<th>STOCK EXCHANGE – INVESTMENTS BROKER</th>
<th>TYPE OF DEBT SECURITY</th>
<th>TITLE OF DEBT SECURITY</th>
<th>QUANTITY</th>
<th>MANNER OF ACQUISITION</th>
<th>VALUES OF ACQUISITION OR DELETION (IN €)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A.1.4 Bank, saving bank and other credit institutions deposits in Greece or abroad.

<table>
<thead>
<tr>
<th>NO</th>
<th>CODE OF THE DECLARANT</th>
<th>ACCOUNT NUMBER</th>
<th>AMOUNT OF THE DEPOSIT</th>
<th>TYPE OF DEPOSIT</th>
<th>CURRENCY OF THE DEPOSIT</th>
<th>CREDIT INSTITUTION</th>
<th>COUNTRY OF FOREIGN ACCOUNT DEPOSIT</th>
<th>SOURCE OF DEPOSITED MONEY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
A.1.5 Floating and airborne means of transport and other types of vehicles.

<table>
<thead>
<tr>
<th>NO</th>
<th>CODE OF THE DECLARANT</th>
<th>STATE OR CHANGE</th>
<th>TYPE OF VEHICLE</th>
<th>VESSEL – VEHICLE REGISTRY NUMBER</th>
<th>CAPACITY</th>
<th>PORT OF REGISTRATION</th>
<th>% OF OWNERSHIP</th>
<th>YEAR OF ACQUISITION</th>
<th>MANNER OF ACQUISITION</th>
<th>PAID OR RECEIVED PRICE (IN €)</th>
<th>SOURCE OF MONEY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A.1.6 Holdings in any type of enterprises.

<table>
<thead>
<tr>
<th>NO</th>
<th>CODE OF THE DECLARANT</th>
<th>STATE OR CHANGE</th>
<th>TYPE OF HOLDING</th>
<th>TYPE OF ENTERPRISE</th>
<th>YEAR OF ENTRY</th>
<th>CAPITAL CONTRIBUTION (IN €)</th>
<th>% OF OWNERSHIP</th>
<th>SOURCE OF MONEY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
THE DECLARATION IS ACCOMPANIED BY

1. A copy of the declarant’s tax income declaration (E1) of the year of control
2. A copy of the last E9 (Declaration of Immovable Assets)

DOCUMENTS

The declarants shall submit copies of all necessary documents to the competent authorities, as requested.

DEADLINE OF SUBMISSION

The declaration is submitted by the declarants within 90 days after obtaining their capacity (initial declaration). In the following years, the declaration is submitted annually during their tenure, the exercise of the activity or the maintaining of their capacity, and for one (1) year after the loss or the end of this capacity. Especially the declarants of clauses a-e of article 1(1) of law 3213/2003 shall declare their assets for three (3) years after the loss or the end of their capacity, and at least three (3) months after the end of the deadline for the submission of their tax income declaration.

The Asset Declaration includes, in detail, the existing assets in Greece and abroad, up until 31 December of the previous year. Especially, the initial statement includes the existing at the time of the submission assets. After the initial declaration, the annual declaration only declares the changes occurred during the time related to the submission.

Athens, …………………………….20…..

THE DECLARANT

THE SPOUSE

(signature)                                      (signature)

(each of them is signing separately for their personal data and together with regard to the assets of underage children)
GENERAL GUIDELINES ON HOW TO FILL OUT THE DECLARATION FORM

Please note that in case some board(s) do not suffice, additional ones should be filled out.

A) In Chart A1.1 the declarant fills out income from any sources, during the previous year, as they were declared in the tax income declarations (form E1).

MORE SPECIFICALLY:
1. Position 1 is filled out with 0 for the declarant, 1 for the spouse and 2 for the underage children.
2. Position 2 is filled out with the income subject to taxation, as well as the income subject to separate or special taxation.
3. Position 3 is filled out according to the above, with the tax-free income.
4. Position 4 is filled out with the total amount of the rest of the income from any source (financial aid, loans (except of those that were spent to acquire assets that are mentioned in relevant charts).

B) Chart A1.2 is filled out with the immovable assets, as well as in rem rights with regard to those (article 2 of law 3213/2003).

MORE SPECIFICALLY:
1. Position 1 is filled out with 0 for the owner, with 1 for his/her spouse and 2 for his/her underage children.
2. Position 2 is filled out with the state or the type of change that occurred with regard to the immovable: 0 for the immovable pre-existing the period related to the declaration and still exists at the time relevant to the declaration, 1 for the immovable acquired at the time relevant to the declaration, 2 for the immovable that was sold out,3 for the owned immovable that is under construction during the period relevant to the declaration.
3. Position 3 is filled out with the Prefecture, where the immovable is located.
4. Position 4 is filled out with the Municipality or the Community, where the immovable is located.
5. Position 5 is filled out with the Street or the Location of the immovable.
6. Position 6 is filled out with the type of the immovable. (see CHART I)
7. Position 7 is filled out with the ground area of the immovable in (m²).
8. Position 8 is filled out with the ground area of the buildings in (m²).
9. Position 9 is filled out with the year the immovable was acquired.
10. Position 10 is filled out with the in rem right on the immovable. (see CHART VIII)
11. Position 11 is filled out with the ownership percentage of the declarant relative to the immovable.
12. Position 12 is filled out with the manner of acquiring the immovable. (see CHART VII)
13. **Position 13** is filled out with the price paid for acquiring the immovable or the price received for deleting the immovable.

14. **Position 14** is filled out with the source of the money, in case the immovable was acquired. *(see CHART II)*.

15. **Position 15** is filled out with the title of the change of the immovable (e.g. purchase contract number, building permit number, parental provision contract number, etc.).

*Note*: For immovables that in **position 2** were categorized as a 0, the declarant shall not fill out positions 12 and 13, given that these positions were filled out during the year of acquisition.

C) Chart A1.3 is filled out with shares of national and foreign companies, listed or non-listed, any types of bonds, hedge funds, financial derivatives.

**MORE SPECIFICALLY:**

1. **Position 1** is filled out with 0 for the declarant, 1 for his/her spouse and 2 for underage children.

2. **Position 2** refers to the state or change that occurred to the titles and is filled out with 0 for titles pre-existing the time of reference of the declaration and are still existing at the time of the declaration, with 1 for titles acquired during the time of reference of the declaration and 2 for the titles that were sold.

3. **Position 3** refers to the stock exchange and investments broker, namely the Investment Services company, the Mutual Funds Managing Company or any other organization that facilitated the acquisition of the title.

4. **Position 4** refers to the type of the title *(see CHART III)*.

5. **Position 5** refers to the publisher of the title.

6. **Position 6** refers to the quantity of the title.

7. **Position 7** refers to the manner of acquisition of the title *(see CHART VII)*

8. **Positions 8a and 8b** refer to the price paid for the acquisition of the title or the price received in case of the title was sold.

D) Chart A1.4 is filled out with national or foreign bank deposit and other credit institutions account.

**MORE SPECIFICALLY:**

1. **Position 1** is filled out with 0 for the declarant, 1 for their spouse and 2 for their underage children. Declarants must also declare any accounts they hold as co-beneficiaries with third parties.

2. **Position 2** is filled out with the account number.

3. **Position 3** is filled with the amount of the deposit in the account.

4. **Position 4** is filled out with the type of the account (Time Deposits, Savings Accounts, etc.)

5. **Position 5** is filled out with the currency of the account.
6. **Position 6** is filled out with the Credit Institute where the account is held.

7. **Position 7** is filled out with the country of the respective credit institute, in case it is a foreign one.

8. **Position 8** is filled out with the source of the capital deposited. (see CHART II)

E) **Chart A1.5** is filled out with the floating and airborne means of transportation, as well as vehicles of any use.

**MORE SPECIFICALLY:**

**Position 1** refers to the owner of the transportation means and is filled out with 0 for the declarant, 1 for their spouse and 2 for their underage children.

**Position 2** refers to the state or the change occurred to the transport means and is filled out with 0 for the transport means that is pre-existing the time of reference of the declaration and is still existing at the time of the declaration, 1 for the means of transportation acquired during the time of reference of the declaration and 2 for the transport means that was sold.

**Position 3** is filled out with the type of the transport means (see CHART IV)

**Position 4** is filled out with the number of the vessel or vehicle registry number.

**Position 5** is filled out with the capacity or the cubism of the vessel/vehicle.

**Position 6** is filled out with the port of registration, in case of floating vessels.

**Position 7** is filled out with percentage of ownership.

**Position 8** is filled out with the year the transport means was acquired.

**Position 9** is filled out with the manner of acquisition.

**Position 10** is filled out with the price paid for the acquisition of the transport means or the price received, in case the transport means was sold.

**Position 11** is filled out with the source of the money that was spent on the acquisition of the transport means (see CHART II)

**NOTE I** For transport means that in Position 2 were filled out with 0, Positions 9, 10 and 11 should not be filled out.

**NOTE II** Chart A1.5 does not include leasing of transport means.

F) **Chart A1.6** is filled out with holdings in any kind of enterprises.

**MORE SPECIFICALLY:**

**Position 1** refers to the shareholder and is filled out with 0 for the declarant, 1 for their spouse and 2 for their underage children.

**Position 2** refers to the state or the change occurred to shares and is filled out with 0 for shares that are pre-existing the time of reference of the declaration and still exist at the time of the declaration, 1 for shares acquired during the time of reference of the declaration and 2 for shares that were sold.

**Position 3** is filled out with the type of shares. (see CHART V)

**Position 4** is filled out with type of the enterprise (see CHART VI).
Position 5 is filled out with the year of acquisition.
Position 6 is filled out with share capital.
Position 7 is filled out with the source of the money that was paid to acquire additional shares of the same enterprise, or new ones. (see CHART II)

**Note:** For holdings that in position 2 were filled out with 0, position 7 should not be filled out.

<table>
<thead>
<tr>
<th>CHART I</th>
<th>TYPE OF IMMOVEABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>APARTMENT</td>
</tr>
<tr>
<td>2</td>
<td>LAND PARCEL (for agriculture)</td>
</tr>
<tr>
<td>3</td>
<td>PARCEL</td>
</tr>
<tr>
<td>4</td>
<td>PASTURE</td>
</tr>
<tr>
<td>5</td>
<td>MANUFACTURING PLANT</td>
</tr>
<tr>
<td>6</td>
<td>RESIDENCE</td>
</tr>
<tr>
<td>7</td>
<td>FOREST</td>
</tr>
<tr>
<td>8</td>
<td>STORAGE PREMISES</td>
</tr>
<tr>
<td>9</td>
<td>PARKING SPACE</td>
</tr>
<tr>
<td>10</td>
<td>BUSINESS PREMISES</td>
</tr>
<tr>
<td>11</td>
<td>OFFICE PREMISES</td>
</tr>
<tr>
<td>12</td>
<td>OTHER</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CHART</th>
<th>TYPE OF TRANSPORT MEANS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PASSENGER</td>
</tr>
<tr>
<td>2</td>
<td>CARGO</td>
</tr>
<tr>
<td>3</td>
<td>MOTORCYCLE</td>
</tr>
<tr>
<td>4</td>
<td>MOTORBike</td>
</tr>
<tr>
<td>5</td>
<td>RECREATIONAL CRAFT</td>
</tr>
<tr>
<td>6</td>
<td>SAILING BOAT</td>
</tr>
<tr>
<td>7</td>
<td>SMALL BOAT</td>
</tr>
<tr>
<td>8</td>
<td>HELICOPTER</td>
</tr>
<tr>
<td>9</td>
<td>AIRPLANE</td>
</tr>
<tr>
<td>10</td>
<td>OTHER</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CHART VI</th>
<th>TYPE OF ENTERPRISE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>COMMERCIAL</td>
</tr>
<tr>
<td>2</td>
<td>INDUSTRIAL</td>
</tr>
<tr>
<td>3</td>
<td>SERVICE PROVIDER</td>
</tr>
<tr>
<td>4</td>
<td>CONTRACTING</td>
</tr>
<tr>
<td>5</td>
<td>INDIVIDUAL</td>
</tr>
<tr>
<td>6</td>
<td>AGRICULTURAL</td>
</tr>
<tr>
<td>7</td>
<td>STOCK-FARMING</td>
</tr>
<tr>
<td>8</td>
<td>CRAFT INDUSTRY</td>
</tr>
<tr>
<td>9</td>
<td>OTHER</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CHART VIII</th>
<th>IN REM RIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>FULL OWNERSHIP</td>
</tr>
<tr>
<td>2</td>
<td>JOINT OWNERSHIP</td>
</tr>
<tr>
<td>3</td>
<td>BARE OWNERSHIP</td>
</tr>
</tbody>
</table>
### CHART II
**SOURCE OF INCOME**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ANNUAL INCOME</td>
</tr>
<tr>
<td>2</td>
<td>SOLD ASSET</td>
</tr>
<tr>
<td>3</td>
<td>INCOME OF PREVIOUS YEAR</td>
</tr>
<tr>
<td>4</td>
<td>GIFT</td>
</tr>
<tr>
<td>5</td>
<td>LOAN</td>
</tr>
<tr>
<td>6</td>
<td>PARENTAL PROVISION</td>
</tr>
<tr>
<td>7</td>
<td>COMBINATION OF MORE OF THE ABOVE</td>
</tr>
<tr>
<td>8</td>
<td>OTHER</td>
</tr>
</tbody>
</table>

### CHART III
**TYPE OF TITLE**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>SHARES TO NATIONAL NON-LISTED COMPANIES</td>
</tr>
<tr>
<td>2</td>
<td>SHARES TO NATIONAL LISTED COMPANIES</td>
</tr>
<tr>
<td>3</td>
<td>SHARES TO FOREIGN NON-LISTED COMPANIES</td>
</tr>
<tr>
<td>4</td>
<td>SHARES TO FOREIGN LISTED COMPANIES</td>
</tr>
<tr>
<td>5</td>
<td>BONDS</td>
</tr>
<tr>
<td>6</td>
<td>DEBENTURES</td>
</tr>
<tr>
<td>7</td>
<td>MUTUAL CAPITAL SHARES</td>
</tr>
<tr>
<td>8</td>
<td>FINANCIAL DERIVATIVES</td>
</tr>
<tr>
<td>9</td>
<td>SHARES IN FOREIGN CURRENCY</td>
</tr>
<tr>
<td>10</td>
<td>OTHER</td>
</tr>
</tbody>
</table>

### CHART V
**TYPE OF HOLDING**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>S.A. SHAREHOLDER</td>
</tr>
<tr>
<td>2</td>
<td>LIMITED LIABILITY COMPANY SHAREHOLDER</td>
</tr>
<tr>
<td>3</td>
<td>GENERAL PARTNERSHIP</td>
</tr>
<tr>
<td>4</td>
<td>LIMITED PARTNERSHIP</td>
</tr>
<tr>
<td>5</td>
<td>INDIVIDUAL ENTERPRISE</td>
</tr>
<tr>
<td>6</td>
<td>SILENT PARTNERSHIP</td>
</tr>
<tr>
<td>7</td>
<td>OTHER</td>
</tr>
</tbody>
</table>

### CHART VII
**ASSET ACQUISITION**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PURCHASE</td>
</tr>
<tr>
<td>2</td>
<td>INHERITANCE</td>
</tr>
<tr>
<td>3</td>
<td>PARENTAL PROVISION</td>
</tr>
<tr>
<td>4</td>
<td>GIFT</td>
</tr>
<tr>
<td>5</td>
<td>DOWRY AGREEMENT FOR ACQUISITIONS BEFORE 1983</td>
</tr>
<tr>
<td>6</td>
<td>OTHER</td>
</tr>
</tbody>
</table>
Financial interest declaration

FINANCIAL INTERESTS DECLARATION

Submitted by the same persons subject to the submission of asset declarations and within the same deadlines, according to article 229 of law 4281/2014 to the Committee for the Control of Asset Declarations (Article 3A of law 3213/2003 as added by article 225 of law 4281/2014). The declaration includes the interests and activities with the regard to the financial year previous to the submission. The declaration is signed separately by the declarant or his/her spouse for each of their data.

Declarant

Last Name: .................................................................
First Name: .................................................................
Spouse: .................................................................
Last Name: .................................................................
First Name: .................................................................

I, the undersigned, declare responsibly and with full knowledge of the provisions of article 229 of law 4281/2014 that:

(A) According to article 229(a) of law 4281/2014, I declare my professional activities

<table>
<thead>
<tr>
<th>No</th>
<th>Code of the Declarant</th>
<th>Professional Activity or Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TECHNICAL REPORT ON ASSET DECLARATIONS IN GREECE
(B) According to article 229 (b) of law 4281/2014, I declare my participation to the management of any type of legal entities and companies, associations of persons and nongovernmental organisations.

<table>
<thead>
<tr>
<th>No</th>
<th>Code of the Declarant</th>
<th>Participation or activity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(C) According to article 229(c) of law 4281/2014, I declare any type of paid regular activity that I undertake in parallel with my civil servant or self-employed duties:

<table>
<thead>
<tr>
<th>No</th>
<th>Code of the Declarant</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(D) According to article 229 (d) of law 4281/2014, I declare any kind of paid occasional activity (including writing, teaching and consulting activities) that I undertake in parallel with the execution of my duties, in case the total reward for these activities exceeds 5,000 EUR per year:

<table>
<thead>
<tr>
<th>NO</th>
<th>Code of Declarant</th>
<th>Occasional Activity in case the total reward exceeds 5,000 EUR per year 5000 ευρώ σε ένα ημερολογιακό έτος</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(E) According to article 229 (e) of law 4281/2014 I declare any type of shares held to companies or a consortium of companies, in case these shareholdings could affect public policies or enables me to substantially influence issues related to this company or consortium of companies:

<table>
<thead>
<tr>
<th>NO</th>
<th>Code of Declarant</th>
<th>Shareholdings to company or consortium that could affect public policies</th>
<th>Shareholdings that enable influence</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(F) (To be filled out only by elected public officials).

According to article 229 (f) of law 4281/2014 I declare any financial support by third parties, in human or material resources, that is granted to me because of my public activities, if the total value exceeds 3,000 EUR:

<table>
<thead>
<tr>
<th>NO</th>
<th>Code of Declarant</th>
<th>Financial Support</th>
<th>(*) Granted by</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NO</th>
<th>Code of Declarant</th>
<th>Support in human resources</th>
<th>(*) Granted by</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(*) Identity of the involved third party(/parties).
(G) According to article 229 (g) of law 4281/2014, I declare any other financial interests that may affect the execution of my duties:

<table>
<thead>
<tr>
<th>NO</th>
<th>Code of Declarant</th>
<th>Financial Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Athens, 20.....

THE DECLARANT  THE SPOUSE

(signature)  (signature)