


POTAMITIS **VEKRIS**

6 APRIL 2020

COVID-19 Critical Legislation Matters

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LEGISLATIVE ACTS

25.02.2020, 11.03.2020, 14.03.2020, 20.03.2020 και 30.03.2020

[FEK A' 42/2020](#), [FEK A' 55/2020](#),

[FEK A' 64/2020](#), [FEK A' 68/2020](#),

[FEK A' 75/2020](#)

01

GENERAL PROVISIONS – MEASURES TO PREVENT AND LIMIT THE SPREAD OF COVID 19

These measures, pursuant to Article 1 of Legislative Act of 25.02.2020, potentially consist of:

1. Compulsory submission to clinical and laboratory medical examination, health surveillance, vaccination, medication and hospitalization of people who are reasonably suspected of transmitting the disease directly or indirectly,
2. imposition of clinical and laboratory medical examinations, as well as measures of preventive health surveillance, vaccination, medication and precautionary hospitalization for people coming from areas where high spread of the disease is observed.
3. imposition of sanitation preventive controls and clinical or laboratory controls in all or selected entry and exit points of the country via air, sea, rail or road with countries with high prevalence of the disease,
4. temporary restriction in whole or in part of air, sea, rail or road connections to countries with high prevalence of the disease,
5. temporary restriction of people in cases (a) and (b) under conditions that prevent contact with third parties, which could lead to the spread of the disease. The temporary restrictive measure may be implemented in an appropriate hospital, health facility, treatment institute, in appropriate public or private facilities for temporary accommodation, or at home, depending on the decision of the relevant competent authority.
6. temporary ban on the operation of school units and all kinds of educational structures, bodies and institutions, public or private, of all types and degrees, places of religious worship, and temporary ban and suspension of movement for any reason of teachers

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and other staff and students, of any of the above school units, educational structures, bodies, and institutions,

7. temporary ban on the operation of theaters, cinemas, sports and artistic venues, archaeological sites and museums, health-care shops, private undertakings, public services and organizations, and general meeting places,

8. temporary imposition of restrictive measures on the movement of means of transport within the territory

9. temporary imposition of home detention on groups of people to avoid actions that could cause the spread of the disease. The measure for the temporary restriction of wider groups of people may be specified via reference to geographical areas. The people in this case may also be subject to the measures under (a) and (b). Upon imposition of the measures, the most moderate thereof shall be chosen by the competent authorities to fulfill its purpose in light of the constitutional principle of proportionality.

- **Increase of limit on expenditures for the Budget of the Ministry of Finance, with an additional budget of 5,000,000 Euros - [Amendment to the Draft Law of the Ministry of Finance / April 2nd, 2020](#)**

[Article 9 of Legislative Act of 14.03.2020](#)

[Additional measures to prevent, monitor and limit the spread of the disease](#)

For the purpose of avoiding the risk of occurrence or spreading the COVID-19 coronavirus, which may severely affect public health, **a temporary ban on entry and exit from Greece may be imposed – in addition to the measures of the Legislative Act dated 25.2.2020 – to individuals, groups, organized or not, or missions of individuals coming from or moving to affected areas abroad. However, it is not possible to prohibit Greek citizens to enter the Greek territory.** Upon implementation of the present, areas affected by the COVID-19 coronavirus are identified on a case-by-case basis by decision of the Minister of Health, upon suggestion by the National Public Health Organization.

Important joint Ministerial Decisions: Issue B' [666/2020](#), [668/2020](#), [723/2020](#), [724/2020](#), [708/2020](#), [725/2020](#), [726/2020](#), [727/2020](#), [728/2020](#), [731/2020](#), [782/2020](#), [783/2020](#), [833/2020](#), [848/2020](#), [850/2020](#), [855/2020](#), [856/2020](#), [857/2020](#), [1082/2020](#), [1114/2020](#) of the

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Hellenic Government Gazette

Special reference on the following Joint Ministerial Decisions:

Joint Ministerial Decision no [Δ1α/ΓΠ.οικ. 19024/](#) (Issue B' [915/2020](#) of the Hellenic Government Gazette) and JMD no [Δ1α/ΓΠ.οικ. 21268](#)

Imposition of temporary ban on the operation of private undertakings engaged in retail trade, as defined in Art. 1 of JMD for the period from 18.3.2020 to 11.4.2020, to limit the spread of COVID-19 coronavirus.

Exceptions: Food retailing (eg supermarket), bakeries and pastry shops without desks, pharmacies, banks (with special instructions for up to 5 people in each branch / counter with protective measures, flexibility of extending working hours and payment of pensions within more days eg payment of loans on afternoon hours and recommendation for online transactions, call centers with specific distance guidance and hygiene measures for employees

Pursuant to Article 3 of the above JMD, private undertakings, whose operation is not prohibited herein, are required to ensure, upon appearance of consumers, that they provide 15 sq.m. per person and a minimum distance of two (2) meters between individuals.

Joint Ministerial Decision no [Δ1 α/Γ.Π οικ 20036/2020](#) /(Issue B' [986/2020](#) of the Hellenic Government Gazette) as amended by JMD [20797/26.3.2020/FEK B' 1040/2020](#)

Imposition of the measure of temporary restriction the movement of citizens to counter the risk of spreading COVID-19 coronavirus. The restriction applies for the period from 23.03.2020 at 06:00 am to 27.04.2020 at 06:00 am.

Exceptions: a) Transfer to and from work during business hours.

(b) Transit to a pharmacy, visiting a physician or transfer to a hospital or health center, upon recommendation prior to communication.

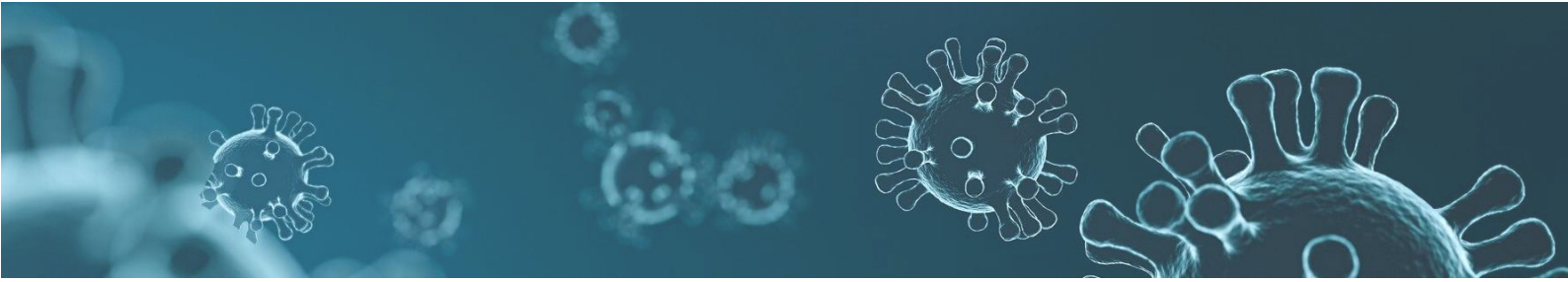
(c) Transit to shops supplying with necessities that cannot be shipped on time.

(d) Transit to a bank, to the extent that an electronic transaction is not possible.

(e) Transit to help people in need.

(f) Going to a ceremony (eg funeral) under the conditions provided by law or the transit of divorced or separated parents necessary to ensure the communication of

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parents and children, in accordance with the provisions in force.

(g) Exercise outdoors or walking a pet, individually or per two people, provided that the required distance of 1.5 meters in the latter case is kept.

(h) One-off transfer to the place of permanent residence.

(j) Transfer to a public administration facility, if electronic or telephone service is not possible and only for urgent needs, after setting an appointment for which the person/citizen is informed in writing or electronically and under the additional condition of showing the above information.

(k) Transfer from and to the place of work of a spouse or first degree relative, if there is a relevant need.

(l) Transfer for feeding stray animals, provided that the transfer takes place within the municipality of residence of the person/citizen.

The Hellenic Police, the Municipal Police, the Port Authorities in their area of responsibility and the National Transparency Authority, pursuant to Article 82 of Law 4622 /2019, are the component authorities responsible for ensuring the implementation of the JMD, detecting violations and enforcing the provisioned administrative penalties. A mere act of the above principles shall be imposed to those who breach the provisions of the JMD in accordance with Article 104 of the Road Traffic Code, as applicable, **with an administrative fine of one hundred and fifty (150) euros for each infringement, without prejudice to any provisioned criminal penalties.**

Joint Ministerial Decision Δ1α/ΓΠ.οικ. 20035 (Issue [987/22.03.2020](#) of the Hellenic Government Gazette)

Imposition of measure of temporary ban on the operation of tourist accommodations across the Territory for the period from 23.3.2020 or 26.3.2020, where applicable, to 30.4.2020. Exceptions: [MD no. 5248/March 27th, 2020](#) Continuation of operation of tourist accommodations, despite the imposed temporary prohibition of operation, and determination of their special operating conditions (see Table of Article 2 of the MD).

Notification of the provisions of Part A' "Regulations for the Support of Society and Entrepreneurship", Article 1 of the Legislative Act: "Urgent measures to address the consequences of the spread of COVID-19 coronavirus, to support the society and

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entrepreneurship, and to safeguard the smooth operation of the market and public administration."



OTHER RELATIVE JMD: FEK B' [649/2020](#), [648/2020](#), [666/2020](#), [668/2020](#), [723/2020](#), [724/2020](#), [708/2020](#), [725/2020](#), [726/2020](#), [727/2020](#), [728/2020](#), [731/2020](#), [782/2020](#), [783/2020](#), [833/2020](#), [848/2020](#), [850/2020](#), [855/2020](#), [856/2020](#), [857/2020](#), [858/2020](#), [859/2020](#), [860/2020](#), [861/2020](#), [862/2020](#), [863/2020](#), [864/2020](#), [915/2020](#), [928/2020](#)

Circular ΥΠΕΣ [ΔΙΔΑΔ Φ/69/108/οικ.7874](#)

[Right of Appeal \(article 1, paragraph 5 of Legislative Act of 25.02.2020\)](#)

Any person affected by the above measures is entitled to submit to the President of the Administrative Court of First Instance of the district where the measure is imposed objections against the measure. The objections are heard with or without the presence of the counterparty, provided that they are under restraint and may be represented by a lawyer or other person. The President shall rule irrevocably. Furthermore, the provisions of the Code of Administrative Procedure apply accordingly. Specific issues may be regulated upon decision of the Minister of Justice for the implementation of this paragraph.

[Penalties \(article 1, paragraph 6 of Legislative Act of 25.02.2020\) & article 285 of Criminal Code\)](#)

Failure to comply with the provisions of this Article shall result in punishment by imprisonment of up to two (2) years, unless it is provisioned a stricter punishment for this offense.

By virtue of a Circular issued by the Supreme Court's Prosecutor dated 12.3.2020, it was noted to the competent Public Prosecutors that they shall also pursue criminal prosecution against any punishable act under art. 285 of Criminal Code (violation of disease prevention measures), which carries stricter penalties

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USEFUL LINKS:

- For “18 useful Q&As for the ban on movement of citizen across Territory”» of General Secretariat of Civil Protection, press [here](#).
- For «MOVEMENT OF EMPLOYEE CONFIRMATION LETTER», press [here](#).
- For «EXCEPTIONAL MOVEMENT OF CITIZENS CONFIRMATION LETTER», press [here](#).

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02

MEASURES CONCERNING THE OPERATION OF THE JUDICIAL SYSTEM

The 27.03.2020 joint Ministerial Decision no Δ1α/ΓΠ.οικ.21159 (Issue B 1074/2020 of the Hellenic Government Gazette) extended the validity of the 15.03.2020 joint Ministerial Decision no. Δ1α/ΓΠ.οικ.18176 (Issue B 864/2020 of the Hellenic Government Gazette) and the 12.03.2020 joint Ministerial Decision no. Δ1α/ΓΠ.οικ.18176 (Issue B 833/2020 of the Hellenic Government Gazette), regarding the imposition of the temporary suspension measure for all Courts and Public Prosecutions throughout the Territory and the National School of Judicial Officers, for the period from 28.3.2020 to 10.04.2020 (entry into force on 16.03.2020).

In particular, it was decided:

- a)** trials before the Council of State, administrative, civil (including discussion of interim measures) and criminal courts are suspended
- b)** legal and judicial time-limits for proceedings (such as lodging of an action, indictment/complain, briefs, addendum in rebuttal etc.) and other actions before the courts' offices, as well as the limitation period of the relevant claims are suspended
- c)** enforcement procedures and auctions as applicable are suspended.

Notwithstanding the suspension, it is permitted:

- a) the grant or suspension of provisional injunctions, carried out without the summons of the party. The provisional injunctions that were issued prior to the suspension and are valid upon the hearing are extended by decision of the President of the Office of its own motion, b) the publication of decisions

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- The operation of the judicial services shall be limited to actions necessary to handle cases exempted from the suspension as well as cases that, at the discretion of the administration, are urgent and require immediate action.
- No copies of published decisions and certificates are issued, nor are any requests for voluntary jurisdiction submitted, except in exceptional cases at the discretion of the President of the Office.

Operation of Land Registries

By virtue of the joint Ministerial Decision no Δ1α/Γ.Π.οικ. 19738/19.03.2020 ([Issue B' 936/2020](#) of the Hellenic Government Gazette), the temporary partial prohibition on operation of Land Registries as well as Cadastral Offices of Rhodes, Ko-Leros, Piraeus, Thessaloniki as well as the land offices and branches of the Hellenic Cadastre Authority from 20.03.2020 and 20.04.2020 was decided.

In particular, it was decided:

- a)** suspension of all types of transactions and records searching;
- b)** suspension of any deadline related to title transfer, registration, registration of applications and transactions or receipt of certificates and copies;
- c)** suspension of the limitation of any related claims.
 - The administrative operations of Land Registries are excluded.

For the above measures see [Court of First Instance announcement \(23.03.2020\).pdf](#)

Regarding criminal cases:

They are suspended until 10.04.2020 (ar. 4 of the 27.03.2020 joint Ministerial Decision):

- a)** Trials before criminal courts;

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b) legal and judicial time-limits for proceedings and other actions before the courts and public prosecutors services and

c) the expiry of the relevant claims

- Trials before the Magistrate Court are withdrawn and are not being heard.
- Trials before the Court of Appeal:
 - If they have begun before the suspension and have been interrupted within the time of the suspension, the court will proceed to either continuance of the trial or adjourn thereof. The dates of the adjourn for the criminal trials of the Court of Appeal of Athens are posted online at the Athens Bar Association website (<https://www.dsa.gr/>).
 - If no substantive proceedings have been initiated, they are dismissed.

Exemptions:

Notwithstanding the suspension:

a) hearings of flagrante felictii;

b) hearings of misdemeanors whose limitation period expires within the period from the commencement of the suspension until 31.05.2020;

c) hearings of felonies whose limitation period expires within the period from the commencement of the suspension until 31.01.2021;

d) the filing of a criminal complaint / indictment for offences that reach the limitation statue within the following six months;

e) the carrying out criminal offenses investigations relating to flagrante delicto;

f) pre-trial urgent investigation (temporary imprisoned, imminent danger of limitation, nature of the offense);

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g) the processing of requests for carrying out special investigations, the lifting of telecommunications confidentiality, etc. of an urgent nature are permitted.

For all the above see [Supreme Court's Prosecutor announcement \(16.03.2020\).pdf](#), [Implementation of joint MD for imposition of measures to temporarily suspend the operation of Public Prosecutor's Office of the Supreme Court .pdf](#), [Court of First Instance announcement \(13.03.2020\).pdf](#), [Court of Appeal of Athens announcement.pdf](#), [Public Prosecutor's Office of Athens Court of First Instance announcementv.pdf](#), [Athens Court of First Instance announcement \(16.03.2020\).pdf](#), [Athens District Criminal Court announcement.pdf](#), [County Court of Marousi announcement.pdf](#), [Piraeus District Criminal Court announcement.pdf](#)

See joint Ministerial Decision no 124/28.03.2020 for the operation of the Legal Council of the State: Imposition of the temporary partial prohibition on operation of the Central Office of the Legal Council of the State and operating restrictions of its services until 10.04.2020 for the confrontation of the negative circumstances of corona-virus COVID-19 appearance.

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03

TAX MEASURES

Article 1 of Legislative Act of 11.03.2020

[Suspension of VAT payment under conditions](#)

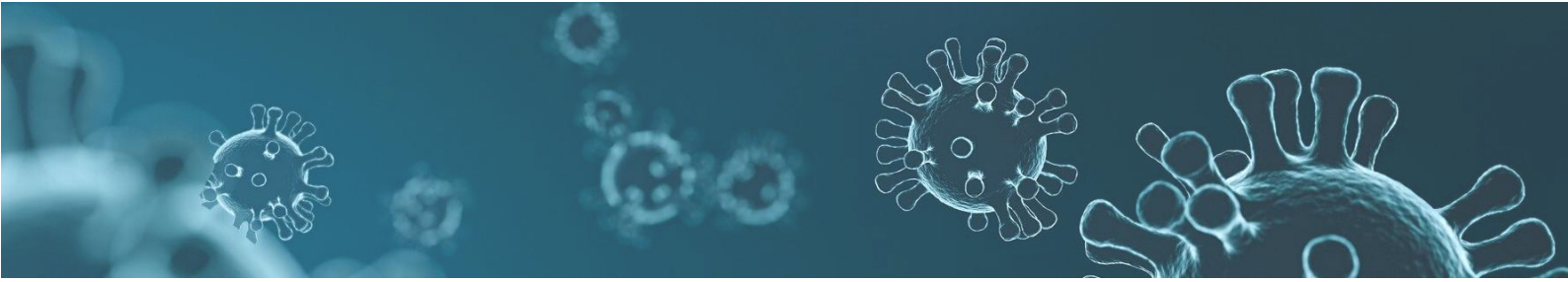
For undertakings affected financially by the occurrence and spread of COVID-19 coronavirus, the VAT payment deadline may be extended and the collection of debts assessed by VAT returns with payable tax amount (debit) may be suspended. During extension of payment and suspension of collection period no interest and surcharges shall be imposed on the amounts due. The undertakings affected per business sector and per region, the extension period of the VAT payment deadline and the period of suspension of the VAT collection as well as any other details necessary for the implementation of the present are specified By decision of the Minister of Finance, upon recommendation by the Chief of the Independent Public Revenue Authority (AADE).

Article 2 of Legislative Act of 11.03.2020

[Suspension of collection of assessed debts and extension of payment of installations deadline](#)

For undertakings affected financially by the occurrence and spread of COVID-19 coronavirus, the payment deadline may be extended and the collection of assessed debts to Tax Offices(DOY) or Audit Centers as well as the payment deadlines of installments based on arrangements/settlement schemes may be suspended. During deadline extension and suspension of payment of assessed debts and installments based on arrangements/settlement schemes no interest and surcharges shall be imposed on the amounts due. The undertakings affected per business sector and per region, the extension period of the payment deadline and the period of suspension of the collection of assessed debts and installments based on arrangements/settlement schemes as well as any other details necessary for the implementation of the present are specified by decision of the Minister of Finance, upon recommendation by the Chief of the Independent Public Revenue Authority (AADE).

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Article 9 of Legislative Act of 11.03.2020

[Extension of suspension of VAT payment for businesses affected that had transactions with "Thomas Cook Group PLC" company.](#)

The suspension as provided in paragraph 1 of article seven of 30.9.2019 Legislative Act "Urgent regulations under responsibility of the Ministries of Environment and Energy, Internal Affairs, Finance and Health" (A 145), ratified by Article 2 of Law no. 4638/2019 (A' 181) is extended until 30.6.2020.

For more details in relation to the Legislative Act of 11.03.2020 press [here](#)

- **A. 1054/2020**

[Determination of the details for implementation of the article 1 of Legislative Act of 11.03.2020](#)

The deadlines for the payment of assessed debts to the Tax Offices (DOY) / Audit Centers by VAT returns with payable tax amount (debit), that expire or have expired from 11/03/2020 until 30/04/2020, for undertakings that have an active primary Business Activity Code on 20/03/2020 one of those stated in the attached table of this decision are extended until 31/08/2020. Further, the collection of the above assessed and overdue on 11.03.2020 debts is suspended until 31/08/2020. Interests and surcharges shall not be calculated. In the event that the employees of the undertakings are suspended from their employment contract and the employer concerned terminates it, as well as, in the event that after completion of the measure, the undertakings do not maintain the same existing number of employees, the extension or suspension shall terminate automatically and interest and surcharges shall be imposed to the debts as of the date of their assessment.

For more details in relation to A. 1054/2020 press [here](#)

- **A. 1053/2020**

[Determination of the details for implementation of the article 2 of Legislative Act of 11.03.2020](#)

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The deadlines for the payment of assessed debts to the Tax Offices (DOY) / Audit Centers that expire or have expired from 11.03.2020 until 30.04.2020, for undertakings that have an active primary Business Activity Code on 20.03.2020 one of those stated in the attached table of this decision are extended until 31.08.2020. Similarly, until 31.08.2020 the collection of the assessed and overdue on 11.03.2020 debts of the aforementioned debtors is suspended. Interests and surcharges shall not be calculated. In the event that the employees of the undertakings are suspended from their employment contract and the employer concerned terminates it, as well as, in the event that after completion of the measure, the undertakings do not maintain the same existing number of employees, the extension or suspension shall terminate automatically and interest and surcharges shall be imposed to the debts as of the date of their assessment.

For more details in relation to A. 1053/2020 press [here](#)

- **Press Release from Ministry of Finance**

Updated list of Activity Codes affected by the spread of coronavirus

According to the Ministry of Finance's Press Release, an updated list with the Business Activity Codes affected by the spread of coronavirus is provided. Private businesses that have one of the main Business Activity Codes listed below are included in the support measures. In case of a four-digit Activity Code all subcategories of six-digit and eight-digit Codes are included. In case of a six-digit Activity Code, all categories of eight-digit Codes are included. It is noted that this list is dynamic and shall change according to the relevant Ministerial Decisions as the crisis progresses. It is estimated that approximately 600,000 private undertakings with 1,200,000 employees and a monthly turnover of about 8.3 billion euros, as well as 550,000 freelancers, self-employed and individual business owners are included.

For more details in relation to the Press Release press [here](#) for the updated list of Business Activity Codes [here](#)

- **A. 1050/2020**

[VAT exemption in goods and services under a donation contract with the State](#)

By virtue of Decision A. 1050/2020 the procedure for granting / applying the VAT exemption in deliveries of goods and services made by the taxpayer to a donor from

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14.2.2020, subject to donation tax under a donation contract concluded by the donor with a public sector body as defined in Article 14 of Law 4270/2014, or with legal entities governed by private law established by a special law in favor of the public interest or with other entities supervised by the above entities.

For more details in relation to A. 1050/2020 press [here](#) for the Press Release [here](#)

- **E. 2033/2020**

[Instructions for import and export of goods at customs](#)

By virtue of Circular E.2033/2020 digital facilities are provided to customs to accelerate clearance and facilitate trade. Specifically, complete online import and export procedures are introduced through the integrated ICISnet Information System, which supports the electronic submission of declarations and their supporting documents, as well as the monitoring and keeping the persons concerned updated at all stages of the process via messages. Printing of declarations therefore becomes reasonably unnecessary.

For more details in relation to E. 2033/2020 press [here](#) for Press Release [here](#)

Article 1 of Legislative Act of 20.03.2020

[Reduction of VAT in hygiene and protection articles](#)

In Chapter A "Goods" of Annex III to the VAT Code (Law 2859/2000, A 248) is added paragraph 50 as follows: "50. Protective masks and gloves for medicine (to protect against viruses and to prevent disease transmission - hospital and private use) (DK EX 3926, EX 4015, EX 4818 EX, EX 6307). Soap and other preparations for personal hygiene (DK EX 3401 and EX 3402). Antiseptic solutions, antiseptic wipes and other antiseptic preparations (DK 3307 EX, DK EX 3401, DK EX 2828, DK EX 3402, DK EX 3808 and EX 3824). Denatured ethyl alcohol (DK EX 2207), intended as a raw material for the production of antiseptics. Pure ethyl alcohol, non-denatured, of agricultural origin with an alcoholic strength of 95%, available for sale in retail, in accordance with par. 5 of article 8 of Law 2969/2001 (A '281) (DK EX 2207). The rate of tax on the goods in the said tariff lines is set at six percent (6%).

It is valid until 3^{1st} of December 2020.

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Article 2 of Legislative Act of 20.03.2020

[Reduction of the lease on commercial and primary residence leases](#)

The tenant on a commercial lease for the establishment of an undertaking, for which special and extraordinary measures of suspension or temporary prohibition of their operation have been taken related to the COVID-19 coronavirus, shall be exempt from the obligation to pay 40% of the total rent for the months of March and April 2020. Stamp duty and VAT as applicable are recalculated and imposed on the lease fee as resulted from the above partial payment. The same applies to lessees who have been granted the use of movable or immovable property, or both, exclusively for business purposes, in the context of a leasing agreement, and applies to undertakings that are in suspension or in temporary prohibition of their operation due to the COVID-19 coronavirus. The same applies to primary residence leases where the lessee is an employee in an undertaking of the same paragraph whose employment contract has been temporarily suspended because of the measures to prevent the spread of coronavirus COVID-19. The employee is required to be engaged in the undertaking with a relationship of employment at the time of the implementation of the special and emergency measures of suspension or temporary prohibition of the operation for preventive or repressive reasons related to the COVID-19 coronavirus.

Article 3 of Legislative Act of 20.03.2020

[Acceleration of Income Tax and VAT Refunds](#)

In pending cases, at the time of entry into force of this Law, cases of tax refund control of legal persons and legal entities or VAT refund of natural persons or legal persons and legal entities, provided that the total amount of pending applications amounts to thirty thousand (30,000) euros, per tax and per beneficiary, the refund shall be made immediately, subject to the provisions on limitation period. Pending cases mean control cases for which no temporary corrective assessment of tax has been issued. For the returns hereunder a sample audit may be performed in accordance with the provisions of article 26 of Law 4174/2013 (A1717).

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Article 5 of Legislative Act of 20.03.2020

[Extension of the payment deadline and suspension of collection](#)

Article 2 of Legislative Act of 11.3.2020 is amended as follows: 1. In paragraph 1, after the words "COVID-19", the words "as well as employees of such undertakings" are added. 2. The following sub-paragraph shall be added at the end of Article 2 paragraph (1): "The preceding subparagraphs also apply to natural persons who lease immovable property to undertakings affected financially by the occurrence and spread of the COVID-19 coronavirus". 3. In Article 2 paragraph (2) after the words "and by region", the words "and their employees" are added. 4. The following sub-paragraph shall be added at the end of Article 2 (2): 'By a similar decision, the implementation of the provisions of the present may be extended to other categories of natural persons affected financially by the occurrence and spread of the COVID-19 coronavirus.

For more details in relation to Legislative Act of 20.03.2020 press [here](#)

- **E. 2037/2020**

[Notification of the provisions of Article 3 of Legislative Act of 20.03.2020](#)

By virtue of Circular E. 2037/2020 the provisions of Article 3 of Legislative Act of 20.03.2020 on the acceleration of income tax and VAT refund are notified, to inform and apply their actions to all Tax Offices, KMEEP and KEFOMEF in a coordinated manner.

For more details in relation to E.2037/2020 press [here](#)

- **E. 2038/2020**

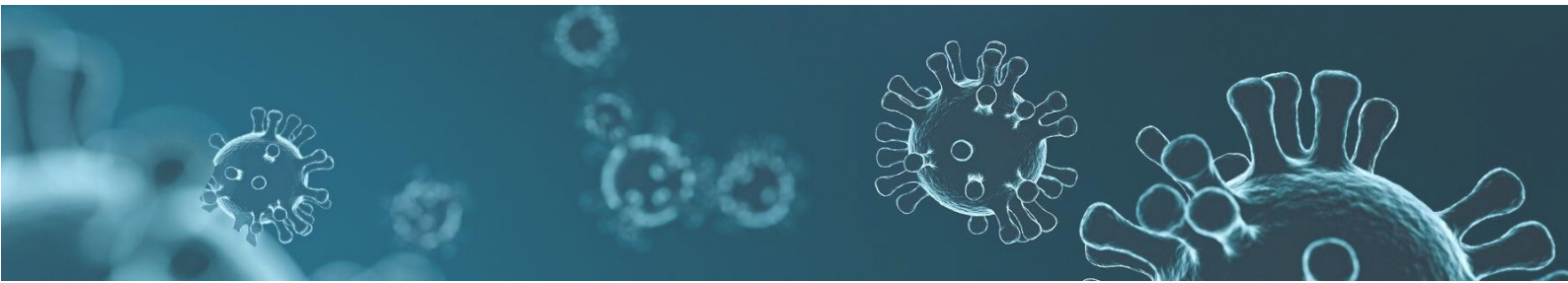
[Amendment of Annex III to the VAT Code - Notification of Article 1 of Legislative Act of 20.03.2020](#)

By virtue of Circular E.2038 / 2020 the provisions of Article 1 of Legislative Act of 20.03.2020 are notified and all the goods included in the tariff lines set out in paragraph 50 of Annex III to the VAT Code are detailed.

For more details in relation to E.2038/2020 press [here](#)

- **Commission's Proposal for dealing with the coronavirus pandemic**

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[Proposal to activate fiscal framework's general escape clause](#)

The Commission has called on the Council to approve its proposal to activate the general escape clause of Stability and Growth Pact (SGP) to tackle as quickly as possible the coronavirus pandemic. Once endorsed by the Council, this proposal will allow Member States to undertake measures to deal adequately with the crisis, while departing from the budgetary requirements that would normally apply under the European fiscal framework. The proposal represents an important step in fulfilling the Commission's commitment to use all economic policy tools at its disposal to support Member States' in protecting their citizens and mitigating the pandemic's severely negative socio-economic consequences.

For more details in relation to Commission's Proposal press [here](#)

A.1055/2020

[Free disposal of ethyl alcohol to the Ministry of Health](#)

By virtue of the Decision A.1055/2020, the Decision A.1048/2020 is amended. In particular, the new Decision replaces Article 1 paragraph 1 of A.1048 /2020 as follows: "For the purpose of producing antiseptic products in order to meet the urgent needs of public health, we dispose free of charge to the Ministry of Health, free from tax and any other charges, ethyl alcohol of an amount of one hundred twenty-two tons and six hundred kilos (122.6 tons) with an alcohol volume of 93,5% to 96.5%, which is under the management of the Customs Authorities of the Independent Public Revenue Authority and shall be gradually transferred to the 441st-ABYY facilities of the Greek Army, as well as to the facilities of the pharmaceutical production units of ELPEN SA, PHARMATHEN SA, IASIS Pharmaceuticals HELLAS SA, RAFARM SA, HELP SA, LAVIPHARM SA, UNI-PHARMA SA". All other provisions of Decision A.1048/2020 remain as in force.

For further information regarding the Decision A.1055/2020 click [here](#)

A.1056/2020

[Terms and conditions for the denaturation of ethyl alcohol and for the exemption from the Excise Duty](#)

By virtue of the Decision A.1056/2020, the Decision Φ.1554/811/2008 regarding the:

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"Terms and conditions for the denaturation and the exemption from the Excise Duty of ethyl alcohol, delivered to industries and crafts, pursuant to article 83 paragraph 1 b 'of of Law 2960/2001" is amended.

For further information regarding the Decision A.1056/2020 click [here](#)

Circular E.2039/2020

[Import of denatured ethyl alcohol](#)

By virtue of Circular No. E.2039/2020, the provisions of Article 23 of L.A./20.03.2020 are notified to the Tax Authorities, according to which article the Minister of Development and Investments may grant by a decision an import license of denatured ethyl alcohol from third countries during the period needed for preventing the risk of dispersing COVID-19 and in any case for a period which may not exceed four (4) months from the date of entry into force of the aforementioned L.A., i.e. from 20.03.2020. The aforementioned import is subject to customs legislation currently in force. Furthermore, it is noted that the requirements stipulated in Article 113 of Law 2960/2001 are not required to be met, as such requirements relate to the delivery of products subject to Excise Duty.

For further information regarding the Circular E.2039/2020 click [here](#)

IRS decision to extend FATCA deadlines due to Covid -19

[Deadline extension for filing FATCA declarations](#)

Due to the extreme conditions caused by the spread of the Covid -19, IRS has decided to extend the deadline for submitting the application for tax compliance with foreign accounts (FATCA), concerning foreign financial institutions. The deadline for submitting the FATCA declaration (form 8966) is extended from 31.03.2020 to 15.07.2020. Such deadline extensions and tax relief are automatically granted. Taxpayer is, therefore, not required to submit any additional forms (e.g. Form 8809-1 / Application for extension of FATCA report deadline) to IRS.

For further information regarding the IRS Decision click [here](#)

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A. 1061/2020

Supporting measures for businesses. Provisions for the implementation of Article 2/L.A. 11.3.2020, as amended by Article 5 of L.A./20.03.2020

The deadlines for the payment of certified tax obligations and installments in the context of a settlement scheme, being due as from 11.03.2020 to 30.04.2020, are suspended until 31.08.2020 for the individuals who lease their properties to businesses that on 20.03.2020 are primarily engaged in activities as per the Activity Code Numbers (ACN) which are included in the table annexed to the Decision A.1061/2020; or to businesses whose gross income as per their initial income tax return for tax year 2018 arising from secondary activities (as such activities are listed as per the Activity Code Numbers in the attached annex) in which they are engaged on 20.3.2020, is higher than the gross income arising from activities in which they are primarily engaged on 20.03.2020; or to employees whose employment contracts have been suspended either due to obligatory suspension of their employer's business from the Greek State, or as a result of the employer's decision (Article 11 sub-paragraph 2A α' of L.A. 20.03.2020). Furthermore, the collection of certified tax liabilities, being due on 11.03.2020, is suspended up to 31.08.2020, free of interest and surcharges, for the aforementioned persons.

For further information regarding the Decision A.1061/2020 click [here](#)

A. 1062/2020

Amendment of the Decision A.1053/2020 and the attached table with respect of Businesses' Activity Code Numbers

By virtue of Decision A.1062/2020, Decision A.1053/2020, as well as the attached table with respect of Businesses' Activity Code Numbers, are amended. More specifically, the following phrase is added in paragraph 1 after the word "table": "or to businesses whose gross income as per their initial income tax return for tax year 2018 arising from secondary activities (as such activities are listed as per the Activity Code Numbers in the attached annex) in which they are engaged on 20.3.2020, is higher than the gross income arising from activities in which they are primarily engaged on 20.03.2020". Furthermore, this decision lists the new updated table with the Activity Code Numbers of the affected businesses. This decision enters into force from 21.3.2020.

For further information regarding the Decision A.1062/2020 click [here](#)

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A. 1063/2020

[Amendment of the Decision A. 1054/2020 and the attached table with respect of Businesses' Activity Code Numbers](#)

By virtue of Decision A.1063/2020, Decision A.1054/2020, as well as the attached table with respect of Businesses' Activity Code Numbers, are amended. More specifically, the following phrase is added in paragraph 1 after the word "*table*": "or to businesses whose gross income as per their initial income tax return for tax year 2018 arising from secondary activities (as such activities are listed as per the Activity Code Numbers in the attached annex) in which they are engaged on 20.3.2020, is higher than the gross income arising from activities in which they are primarily engaged on 20.03.2020". Furthermore, this decision lists the new updated table with the Activity Code Numbers of the affected businesses. This decision enters into force from 21.3.2020.

For further information regarding the Decision A.1063/2020 click [here](#)

A. 1064/2020

[Extension of deadlines for submitting tax returns whose deadline expires within March and April 2020](#)

The deadlines for submitting capital duty and stamp duty tax returns, expiring within March and April 2020, are extended for a period of two months. Furthermore, the deadline for submitting the environmental levy for plastic bags return pertaining to the first quarter of 2020 and expiring on 30.04.2020, is suspended until 30.06.2020. The deadline for submitting lodging tax returns, pertaining to records issued within February, expiring on 31.03.2020, is suspended until 29.05.2020. The deadline for submitting lodging tax returns, pertaining to records issued within March, expiring on 30.04.2020, is suspended until 30.06.2020. The deadline for submitting inheritance and gambling profits tax returns are suspended until 29.05.2020. The aforementioned provisions also apply to donations and parental grants tax returns in cases a notarial document is not drawn up. In addition, no audit shall take place for capital tax returns submitted during this period, and such audit will be performed at a later time.

For further information regarding the Decision A.1064/2020 click [here](#)

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A.1052/2020

[Extension of the deadline for submitting declarations of lease and short-term property lease to TAXISnet](#)

By virtue of decision A.1052/2020, an extension of the deadline for submission of the above declarations is provided. In particular, the deadline for submitting the "Declarations with respect to Leased Property", concerning initial or amending lease agreements, with a starting date or amending date from 01.02.2020 to 30.04.2020, as well as the deadline for submitting the "Declarations with respect to Short-Term Property Lease", concerning leases with check- out date or with cancellation date from 01.02.2020 to 31.05.2020, are extended until 30.06.2020.

For further information regarding the Decision A.1052/2020 click [here](#)

Article 1 of L.A./30.03.2020

[25% discount on certified tax liabilities installments for businesses and individuals](#)

Businesses that have been financially affected and individuals, as stipulated pursuant to the relevant decisions, shall be granted with a deduction of 25% on certified tax liabilities installments being due as from 30.03.2020 to 30.05.2020, provided that such installments are paid in due time, with the exemption of VAT and withholding taxes. The 25% discount also applies on installments for tax liabilities (including VAT and withholding taxes) under a settlement scheme. The aforementioned discount shall apply to certified tax liabilities that shall be paid following 30.03.2020.

Article 6 of L.A./30.03.2020

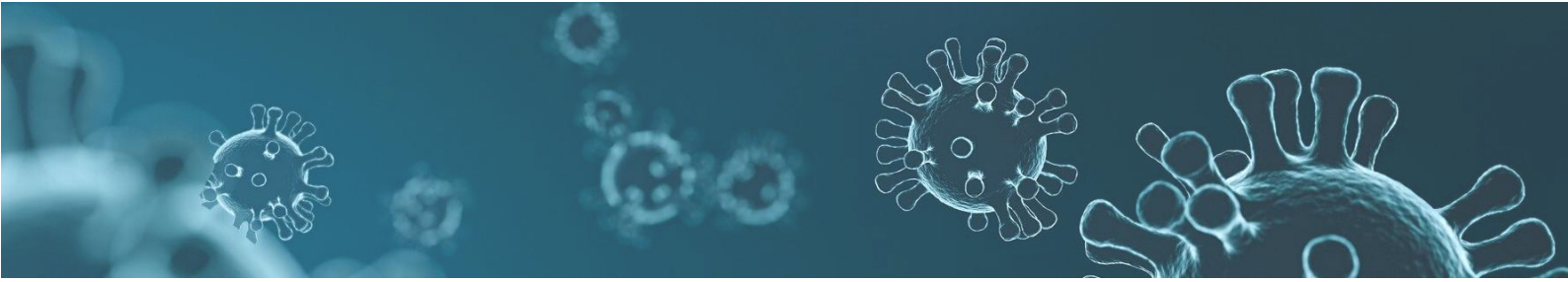
[Provisions regarding the extension of deadlines provided in the Tax Procedure Code](#)

The notification of initial temporary tax assessments or penalties, as well as final tax assessments or penalties is suspended until 30.04.2020.

The imposition of precautionary measures shall be suspended for as long as the measure of temporary, partial or total, suspension of courts is still in force.

The deadline for submission of observations or objections by taxpayers regarding the initial temporary tax assessments or penalties, as well as the deadline for the collection of

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information, copies of accounting books and records, etc. in the context of audits, is suspended until 31.05.2020. It is noted that the above suspension also covers the deadlines that had not expired on 11.03.2020.

The deadlines for filing an administrative appeal and a petition for suspension, which have expired or expire from 11.03.2020 to 31.05.2020, are suspended by sixty (60) days. In particular, the deadlines for the issuance of Directorate for Settlement of Disputes' decisions on petitions for the suspension of payment of 50% of the disputed amount, as well as on administrative appeals, which have not been completed from 20.03.2020 until 31.05.2020, and provided that the relevant decision has not been issued until 20.03.2020, are extended by sixty (60) days.

In addition, the period for the claims of tax assessment and penalties to be time-barred which expire from 30.03.2020 to 31.05.2020 are suspended until 31.07.2020.

Article 10 of L.A./30.03.2020

[Acceptance of donation agreements with respect to hospital - specific equipment](#)

In view of the ongoing public health emergency, acceptance of hospital - specific equipment donations is not required to be approved from the Minister of Finance but is only required to be notified. With respect to the procedure to be followed for the said acceptance, suppliers who are subject to VAT may be granted with a discount on input VAT. Furthermore, the issued invoice shall not bear a tax charge, while the relevant exemption provision, the date of signing the donation agreement and the contracting parties have to be indicated to the above issued invoice.

Article 11 of L.A./30.03.2020

[Partial rent payment](#)

According to Article 11 of L.A./30.3.2020, the following paragraph is added to Article 2 of L.A./20.03.2020: "3. Specific terms and conditions, as well as any other details for the implementation of L.A./30.03.2020 are to be determined by virtue of joint decision of the Ministers of Finance, Development and Investments and Labor and Social Affairs".

Article 12 of L.A./30.03.2020

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[Suspension of the Operation of the "Central Ultimate Beneficial Owners Register" information system](#)

The operation of the "Central Ultimate Beneficial Owners Register" information system provided in Article 20 paragraph 4 of Law 4557/2018 is suspended for a period of 3 months commencing from 30.03.2020. In addition, by a joint decision of the Ministers of Finance and Digital Governance, the above 3 month suspension may be extended for an equal period of time. During the aforementioned period, deadlines for filing information in said register are suspended accordingly.

Article 13 of L.A./30.03.2020

[Provisions for the Hellenic Aviation Industry SA](#)

In Article 55 of Law 4487/2017, a paragraph 3 is added as follows: "3. Subject to the European Union provisions on the certification of duties, for the cases provided in paragraphs 1 and 2, the clearance of which has not been possible for the above special custom procedure, the deadline for the certification of the due tax charges and fines pursuant to Law 2960/2001 is set to five years".

[For further information regarding the Law Act/ 30.03.2020 click here](#)

A. 1066/2020

[Extension of the deadline for the payment of certified tax liabilities](#)

The deadlines for the payment of the certified tax liabilities and installments under a settlement scheme, which are due up to 31.03.2020 are extended until 10.04.2020 for individuals a) over 70 years old or b) who have a disability of over 80%, as it occurs from the tax return submitted for tax year 2018 or from other data available to the Tax Authorities.

[For further information regarding the Decision A.1066/2020 click here](#)

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A. 1068/2020

[Extension of the deadline for the payment of certified tax liabilities](#)

The deadlines for the payment of the certified tax liabilities and installments under a settlement scheme, which expire on 30.03.2020 and 31.03.2020, are extended until 10.04.2020, for businesses and individuals entitled to the 25% discount on certified tax liabilities, according to article 1 of L.A./30.03.2020.

For further information regarding the Decision A.1068/2020 click [here](#)

A.1072/2020

[Provisions for the implementation of Article 2 of L.A./11.3.2020, as amended and currently in force](#)

Deadlines for the payment of certified tax liabilities and installments in the context of a settlement scheme, being due as from 01.04.2020 to 30.4.2020, are suspended up to 31.08.2020 for businesses that have been financially affected. Furthermore, collection of certified tax liabilities, being overdue on 01.04.2020, is suspended up to 31.08.2020, free of interest and surcharges, for businesses that have been financially affected. The aforementioned suspensions are automatically terminated and the aforementioned tax liabilities are burden with accrued interest and surcharges based on the initial date of certification, in case businesses terminate the employment contracts of (all or part of) their employees (which have been suspended due to current circumstances) and do not maintain the same number of employees, following completion of the aforementioned measures.

For further information regarding the Decision A.1072/2020 click [here](#)

A.1073/2020

[Provisions for the implementation of Article 1 of L.A./11.3.2020, as amended and currently in force](#)

Tax obligations for certified input VAT payment of businesses which have been financially affected, being currently due as from 01.04.2020 up to 30.04.2020, are suspended until 31.08.2020. Furthermore, the collection of certified input VAT payments of businesses

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which have been financially affected, being due on 01.04.2020, is suspended until 31.08.2020 free of interest and surcharges. The aforementioned suspensions are automatically terminated and the aforementioned tax liabilities are burden with accrued interest and surcharges based on the initial date of certification, in case businesses terminate the employment contracts of (all or part of) their employees (which have been suspended due to current circumstances) and do not maintain the same number of employees, following completion of the aforementioned measures.

For further information regarding the Decision A.1073/2020 click [here](#)

A.1074/2020

Provisions for the implementation of Article 2 of L.A./11.3.2020, as amended and currently in force

Deadlines for the payment of certified tax liabilities and installments in the context of a settlement scheme, being due as from 01.04.2020 to 30.4.2020, are suspended up to 31.08.2020 for individuals who lease their property to businesses that have been financially affected. Furthermore, collection of certified tax liabilities, being due on 01.04.2020, is suspended up to 31.08.2020, free of interest and surcharges, for individuals who lease their property to businesses that have been financially affected.

For further information regarding the Decision A.1074/2020 click [here](#)

A.1075/2020

Provisions for the implementation of Article 2 of L.A./11.3.2020, as amended and currently in force

Deadlines for the payment of certified tax liabilities and installments in the context of a settlement scheme, being due as from 01.04.2020 to 30.04.2020, are suspended up to 31.08.2020 for employees whose employment contracts have been suspended either due to obligatory suspension of their employer's business from the Greek State, or as a result of the employer's decision, running a business which is financially affected (Article 11 sub-paragraph 2A a' of L.A. /20.03.2020). Employees, who work remotely, are in leave or work as security personnel, as well as employees whose employment is not suspended due to obligatory suspension of their employer's business from the Greek State, are

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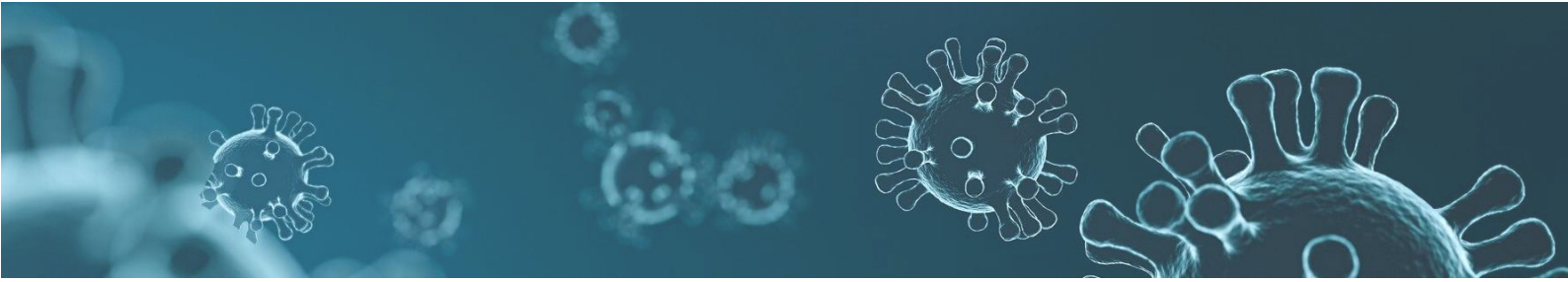


exempted. Furthermore, collection of certified tax liabilities, being due on 01.04.2020, is suspended up to 31.08.2020, free of interest and surcharges, for the aforementioned employees.

For further information regarding the Decision A.1075/2020 click [here](#)

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04 DATA PROTECTION

INTRODUCTION

The Hellenic Data Protection Authority (the “HDP A”) following the example of the European Data Protection Supervisory Board and of supervisory authorities of other European countries¹, issued recently guidelines in connection with the processing of personal data in the context of the coronavirus (COVID-19) outbreak (the “Guidelines”).

The HDP A clarifies that the right to protection of personal data is not absolute, but it must be weighed against other fundamental rights; it also stressed that the application of the legal framework for the protection of personal data does not hinder the implementation of the measures, necessary in the fight against coronavirus. According to the HDP A, the applicable legal framework [ie. the General Data Protection Regulation (“GDPR”) and Law 4624/2019 (the “Law”)] provides the legal grounds for the processing, which is necessary in that respect.

Thus, implementing measures, and the subsequent processing of personal data, is possible, on the condition that the basic principles and other substantive and procedural guarantees and conditions laid down in the applicable legal framework for the protection of personal data are observed.

In a nutshell, the key takeaways from the Guidelines have as follows:

- The legal framework on the protection of personal data does not automatically prohibit the implementation of measures, which are necessary in the fight against coronavirus;

¹ Guidelines in that respect have been issued by the competent supervisory authorities in Belgium ([Autorité de protection des données](#) (APD)) ; France ([CNIL](#)); Germany ([Datenschutzkonferenz](#) (DSK), [Datenschutzaufsichtsbehörde Baden-Württemberg](#)), Ireland ([Data Protection Commission](#)) as well as in other member states of the EU. Guidelines have also been issued by the competent authority in the UK ([Information Commission Officer](#)).

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- Implementing measures and the inevitable processing of personal data in the fight against coronavirus is possible, on the condition that the fundamental principles and the technical and substantive safeguards laid down by the applicable legal framework on the protection of personal data are observed;
- In turn, employers, on the condition that the requirements listed above are met, in the context of their obligations to ensure health and safety in the workplace and with a view to implementing the necessary measures against coronavirus, may process personal data of their employees,;
- The collection and processing of personal data must **be limited to such data, which are necessary and relevant for the purpose pursued**;
- An oral communication by the data subject on their health condition, which is not accompanied by recording and/or processing the relevant information by manual or automated means does not, in principle, fall within the scope of the data protection legal framework;
- A systematic, continuous, and general collection of personal data, which leads to creating and constantly updating the employees' health profile appears to be problematic.

On the basis of the Guidelines please find below answers to a number of frequently asked questions as well as a short analysis of the Guidelines.

FREQUENTLY ASKED QUESTIONS (FAQ)

- 1. Can the employer require their employees and visitors to fill in questionnaires requesting information on their health condition or on the health condition of their family members, such as symptoms of fever etc., as well as recent travel history concerning countries affected by coronavirus?***

Employers have a statutory obligation to ensure the employees' health and to safeguard a healthy work environment. In light of the extraordinary circumstances, employers may, in principle require such information by their employees and visitors.

The filling in and keeping of such forms entails processing of personal data. To the extent that such information concerns the data subjects' health condition, the relevant information is classified as special category of personal data.

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According to the Guidelines, in view of the extraordinary circumstances, the employer may, in principle, proceed to such processing. However, any such collection and processing of personal data should be carried out in compliance with the principles and the requirements laid down in the GDPR and the Law, including the accountability principle.

For instance, employers should make sure that the information collected is absolutely necessary in relation to the purposes, for which it is collected, and that such information is kept for the term which is absolutely necessary, again in relation to the processing purposes. In addition, the employers should implement appropriate technical and organizational measures to ensure that processing is secure, such as access levels. Last, the data subjects should be properly informed on the processing of their personal data, and a privacy impact assessment may also be required.

In any case, employers should avoid using the information collected, for the creation and constant update of a health profile for their employees.

2. Can the employer measure the temperature of the employees and visitors entering their premises?

According to the Guidelines preventive mandatory temperature measurement is a rather intrusive measure. This, does, not mean that employers are precluded from implementing such measures.

Thus, where the employees do not have any other less intrusive means to ensure compliance with their statutory obligations in connection with occupational health, they may proceed to such measures, on the condition that the other requirements listed above are also observed.

3. Assuming that the relevant information is not kept or otherwise processed manually or by automated means, do the data protection law constraints still apply?

Where the relevant information is neither recorded nor kept, either manually or by automated means, in principle there is no processing of personal data; thus, the constraints laid down by the relevant legislation do not apply.

4. Can the employers disclose to their employees that a particular individual – employee has been affected by coronavirus or has symptoms, suspected for coronavirus? Can the employers inform the competent authorities of coronavirus incidents or suspected coronavirus incidents?

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According to the Guidelines, disclosing to other employees that a particular individual has been affected of or has suspect symptoms is not permitted.

Employers could inform their employees that there has been a coronavirus incident or suspect incident, but in a general manner, which does not anyhow identify, directly or indirectly, the data subject concerned.

However, the employer, when lawfully requested by the competent authorities, may furnish to them information on incidents or suspected incidents of coronavirus within their organizations.

COMMENTARY ON THE GUIDELINES

The HDPA, at the outset, defines the scope of the legal framework for the protection of personal data in the context of measures to fight coronavirus, highlighting that the prerequisites for the application of data protection laws are that, (a) the relevant information is personal data and (b) that there is an act of processing on those personal data.

In that respect it is clarified that *"information on the health condition of a natural person is personal data concerning health, i.e. a special category of personal data, the processing of which is subject to a more stringent protection regime. Such information include, inter alia, the status of the identified or identifiable data subject as ill or not, his home stay due to illness, the detection of evidence of illness, possibly through his clinical appearance (cough, runny nose, temperature above normal, etc.)"*.

Other information concerning for instance *"whether a data subject has recently traveled to a foreign country with a wide spread of coronavirus, or whether members of their family or business partners are sick or infected by the coronavirus, does not concern the health of the aforementioned data subject and, therefore it not classified as a special category of personal data, but under certain circumstance, it may deemed to be simple personal data"*. Prerequisite in that respect is that such information concerns an identified or identifiable natural person.

Furthermore, it is clarified, that where the aforementioned information is provided orally, without being manually recorded in a file or subjected to processing by automated means, there is no action of processing and therefore the legislation on the protection of personal data does not apply.

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As regards the private sector, and in particular processing in the context of an employment relationship, HDPa clarifies the following:

In light of the employer's statutory obligation to ensure the health and safety of his employees and the obligation of the employees to apply the health and safety rules, employers may process the personal data of employees for the protection of health and safety², in accordance with the legal grounds of Articles 6 par. (1), namely, alt. (c), (d) and (e), 9 par. (2), namely, alt. (b), (e) and (i) GDPR³. However, this is without prejudice to the principles of Article 5 GDPR, such as the principle of purpose reduction, data minimization and storage time limitation, the principle of accountability should always be observed.

In any case, employers and generally speaking controllers, should ensure that only such data, which are necessary and relevant for the purpose pursued are collected and processed, as well as that the necessary technical and organizational security measures are applied.

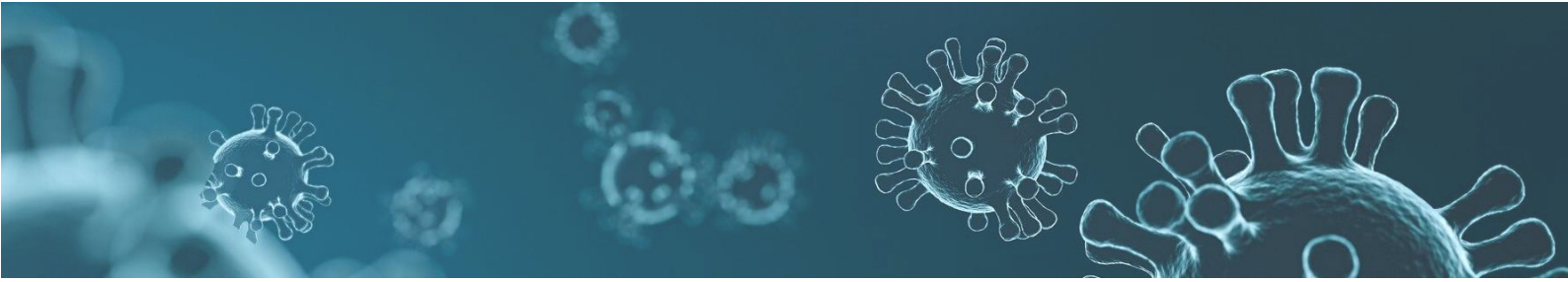
In addition, it should be ensured that data subjects are properly informed on the intended processing, in accordance with Articles 12 ff. GDPR.

As regards the application of more intrusive measures which entail restriction of individual rights, such as: the temperature measurement at the entrance of the premises, HDPa

² See indicative Articles 42, 45 and 49 of Law 3850/2010.

³ The legal bases referred to in Article 6 are as follows: processing which is necessary for the compliance with the legal obligation of the controller (Article 6 par. 1 ed. c'), for the safekeeping of the data subject or other natural person's vital interest (Article 6 par. 1 ed. d'), for the performance of a duty performed in the public interest or in the exercise of public authority assigned to the controller (Article 6 par. 1 ed. e'). With regard to the specific categories of data (health data), the legal bases referred to in Article 9 are as follows: processing is necessary to carry out the obligations and to exercise specific rights of the controller or data subject in the field of labor law, social security and social protection law (Article 9 par. 2 ed. b'); the processing concerns personal data which has been publicly disclosed by the data subject (Article 9 par. 2 ed. e'); and processing is necessary for reasons of public interest in the field of public health, such as protection against serious cross-border health threats or ensuring high standards of quality and safety in healthcare and medicines or medical products and devices, under Union law, or under the law of a Member State, which provides for appropriate and specific measures to protect the subject's data rights and freedoms, in particular professional secrecy (Article 9 par. 2 ed. i').

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notes, that it can take place, if the legal conditions are met and where any other less intrusive means are not available. HDPa notes, however, that *“a systematic, continuous and generalized collection of personal data leading to the creation and continuous updating of employee health profiles could hardly be described as in line with the principle of proportionality”*.

According to the Guidelines, disclosure of personal data to third parties, even where it complies with Articles 5, 6 and 9 of GDPR, is prohibited insofar as it may create a climate of prejudice and stigmatization, while, at the same time, it could also have a chilling effect as regards compliance with the measures announced by the competent authorities. In our view, however, this is not to be understood as precluding data controllers from providing information to the competent authorities in response to a lawful request by the authorities or in compliance with any other statutory obligation of the controller.

The Guidelines do not make any reference to protection of telecommunication data, including geolocation data. Likewise, no reference is made to issues concerning the handling of subjects' requests and possible failure by the controllers to comply with the time limits set by GDPR, due to the exceptional circumstances.

However, HDPa reserved itself to revert with more specific guidance, where necessary in the light of eventual factual or legal developments.

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Article 29 of Legislative Act of 30/03/2020

Establishment and operation of a National Patient Register for the COVID-19 coronavirus

By decision of the Minister of Health, a National Patient Register for the COVID-19 coronavirus is established and operated, with the aim of protecting the health of the population, in light of the great impact of the disease on the general population, the need to record epidemiological data, vigilance on pharmaceutical matters and supervision of health care providers in the private sector.

In this context, any public or private body of primary, secondary or tertiary health care services, throughout the Territory, any physician who provides services with any employment relationship with the Public sector, or local authorities, or legal persons governed by public or private law, as well as any freelance physician, is obliged, without delay, to inform the Registry and the N.P.H.O. for every case of the disease that comes to their attention.

Any failure to fulfill the obligation of the previous paragraph shall result in the administrative penalty of temporary suspension of the operating license of the health care private law legal entity for a period of 6 months and, in case of recurrence, even the penalty of final revocation of the operating license. A corresponding omission of a private sector physician, scientifically responsible for a doctor's office, constitutes the disciplinary misconduct of cases c and d of par. 1 of article 319 of law 4512/2018 (A' 5).

The Ministry of Health is responsible for processing the data and during such processing they shall take the necessary technical and organizational security measures.

People whose data is processed under the National Patient Register for COVID-19 coronavirus have the rights provided by the GCPD and any other regulation on the protection of personal data kept in medical records and apply to the Electronic Prescribing System.

Recipients of data from the National Patient Register for COVID-19 include the attending physician or any other health care professional during hospitalization or a visit to a public or private health care facility for health services, as well as public health professionals and public administration agencies, for the purpose of fulfilling a public interest in the field of public health.

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Recipients of pseudonymous and anonymous information⁴ may be the services of the Ministry of Health and institutions supervised by the Ministry of Health or, possibly, other public bodies or international organizations for purposes which make this transmission necessary for reasons of substantial public interest. European Patients Registers for the COVID-19 coronavirus may receive pseudonymous or anonymous information to conduct statistical or scientific studies on the COVID-19 coronavirus.

It is expressly prohibited to provide data by the Registry to insurance companies and banks. This prohibition cannot be waived by the data subject.

Finally, criminal penalties are provided in such case of illegal processing of personal data kept within the National Register of Patients for the COVID-19 coronavirus. In particular, it is provided that the unauthorized intervention in any way in the archiving system of the National Patient Register for the COVID-19 coronavirus, or the receipt of personal data kept in this Register, or the removal, alteration, damage, destruction, processing, transmission, announcement, notification to unauthorized persons or exploitation in any way, is punishable by imprisonment and a fine, and, in the case of sensitive data, by imprisonment of at least one (1) year and a fine of at least twenty thousand (20,000) euros, unless the act is more severely punished than other provisions.

If the perpetrator of the act intended to receive for himself or for any third party illegal benefit or to damage a third party, imprisonment of up to ten (10) years and a fine of at least fifty thousand (50,000) euros shall be imposed.

For more details on Article 29 of the Act of Legislative Content of 30/03/2020, click [here](#)

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⁴ Information from which the identity of the subjects cannot emerge directly or indirectly.



05

CORPORATE LAW ISSUES

Article 33 par. 2 of the Legislative Act of 20/03/2020

The General Meeting of Shareholders or Partners, of any legal person or legal entity, may be held by teleconference with respect to certain or all of its members. In this case, the invitation to the members of the General Assembly includes the necessary information and technical instructions for their participation in the meeting (valid until June 30, 2020).

From the above it can be concluded that the General Assembly can meet by teleconference even if there is no statutory provision.

Article 8 of the Legislative Act of 30/03/2020

Extension of the deadline for publication of annual financial reports

The deadline for the publication of the annual financial reports of entities with listed shares on the Athens Stock Exchange, which is provided in par. 1 of article 4 of law 3556/2007 for the fiscal year ending December 31, 2019, is extended until June 30, 2020.

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06

EMPLOYMENT AND SOCIAL SECURITY PROVISIONS

INTRODUCTION - SUMMARY OF POSSIBLE SOLUTIONS

1. A few thoughts for everyone:

The present conditions are unprecedented both nationally and globally. They have reasonably led to the issuing legislation of equally unprecedented size and scope, with a clear and often explicitly stated objective of protecting public health and rescuing employment positions (which, of course, requires the rescuing businesses). The following must be read in light of the above.

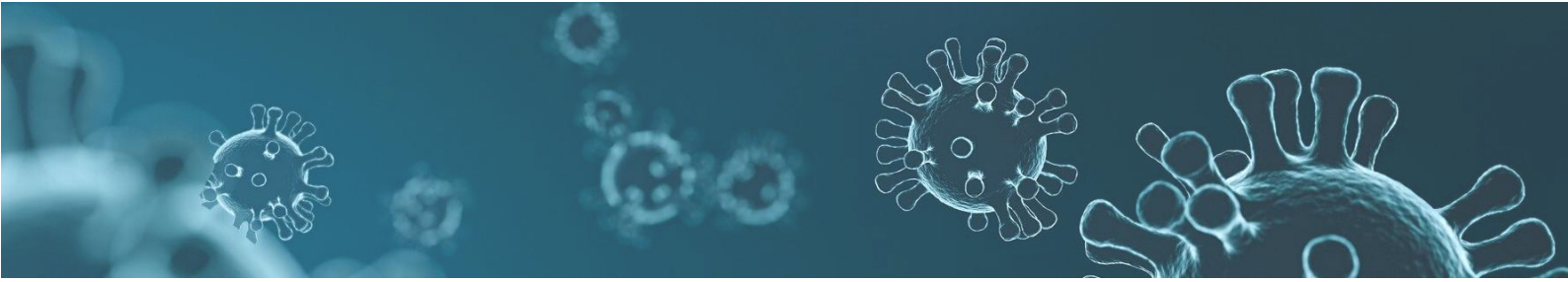
As it is well known, the sense of right abuse of Article 281 of the Greek Civil Code is widely applied in our labour law. You must have all heard about strikes or dismissals that have been judged to be abusive. The same thing may occur with the exercise of every right of the employer.

This applies in particular to all rights exercised *“in the context of exceptional and temporary measures in the labour market in order to counter and limit the spread of coronavirus”*, such as the right of the employer to unilaterally impose a teleworking or a security staff system with a reduction in working time and a corresponding reduction in remuneration, or to suspend the employees' employment agreements, etc. It also applies to all preceding employment legislation regarding the employers' options in the event of a breakdown in their activity and their profit, such as e.g. the unilateral entry into a rotating employment system, the unilateral suspension, the agreement to obtain some form of leave of absence.

Consequently, if you take any of the following steps, you should do so with the required caution and with sole purpose to protect public health and to rescue the business and the employment positions.

For your convenience, kindly find below the options available to you, depending on

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whether the operation of your business has been prohibited upon order of a Public Authority (point 2), or you have suspended your business' operation (point 3), or the business operation continues (point 4):

2. Businesses whose operation have been prohibited

- a. Indicatively: restaurants/cafeterias (except for delivery/take away services), entertainment centers, beauty centers, theaters, cinemas, gyms, museums, libraries, education providers, hotels, retail stores (except for e-shops) [q.v. indicatively Issue B' of Greek Government Gazette 855/2020 857/2020 915/2020 956/2020 987/2020].
- b. Impossibility / prohibition of provision of work: suspension of employment agreement
 - i. Employer's statement)
 - ii. Prohibition of dismissal (q.v. par. 1 Article 11, Legislative Act of the 20th/3/2020)
 - iii. Employee's statement
 - iv. Employee's remuneration: regular payroll for the period of provision of work. From 15/03/2020 until 30/04/2020 the employee is entitled to a special purpose compensation of 800,00 € (q.v. Article. 13, Legislative Act of the 14th/03/2020 and Article. 11 par. 2B, C, Legislative Act of the 20th/03/2020)
 - v. Social security contributions: full social security coverage covered by the state budget (q.v. Article. 13, Legislative Act of the 14th/03/2020 and Article 11 par. 2B, C, Legislative Act of the 20th/03/2020)
- c. Employees who provide work or are able to (even remotely)
 - i. If they provide work:
 - 1. Strict compliance with the hygiene and safety rules: q.v. Ministry of Labour and Social affairs and Hellenic Institute for Occupational Health and Safety Guidelines and Measures for the Protection of Public Health through prevention against the spread of coronavirus COVID-19 in the workplace.

At corporate level -> avoiding overcrowding, organizing meetings with the use of Information Technology, avoiding of travelling / seminars, provision antiseptic solutions, adequate

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ventilation and thorough cleaning of workplaces.

At an individual level → avoiding contact with eyes, nose, mouth, avoiding sharing personal items, avoiding close contact (<2m) with colleagues.]

2. Possibility of unilateral imposition of teleworking (q.v. Article 4 par. 2, Legislative Act of the 11th/03/2020)
3. They are entitled to:
 - a. Regular payroll
 - b. Leave of absence of a special purpose
4. If they agree:
 - a. Regular annual (paid) leave/ unpaid leave
 - b. Amendment/reducing of working hours
5. Without requiring the employees' agreement (in compliance with the legal obligations and combined or not with the aforementioned)
 1. Operation of business with security staff (q.v. Article 9, Legislative Act of the 20th/03/2020)
 2. Transfer of personnel to companies within the same group (q.v. Article 10, Legislative Act of the 20th/03/2020)

➤ Other options, alternatives of the above or in combination with the above, are the following. However, we do not suggest such options (in particular given the ability to operate with security staff (q.v. under **Error! Reference source not found.**) since they are practically difficult to implement (due to their legal requirements) and involve an increased risk to be claimed as an abuse of the employer's rights in a possible litigation

3. Rotating employment

Employment for fewer days per week or fewer weeks per month or fewer months per year or a combination of these, with a full-time working schedule. It can be

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imposed unilaterally by the employer on all or part of the staff, for a maximum of 9 months / year. The legal prerequisites of rotating employment are: Restriction of employer's financial activity, information and consultation with the employees' representatives, notification of the agreement / decision to the Labour Inspection within 8 days (Article 38 of Greek Law 1892/1990).

4. Suspension:

The employee does not provide work and receives $\frac{1}{2}$ of the average of the last two months' remuneration under full-time employment. Suspension can be unilaterally imposed by the employer on all or part of the staff, for a maximum of 3 months / year. The legal prerequisites of suspension are: Restriction of employer's financial activity and information and consultation with the employees' representatives (Article 10 of Greek Law 3198/1995)

ii. If they do not provide work upon decision of the employer (not of the Public Authorities):

1. Possibility of suspension of the employment agreement (q.v. Article 11, Legislative Act of the 20th/03/2020): as **Error! Reference source not found.** above.

2. If the employment agreement is not suspended payroll is due.

iii. If they do not provide work for a reason not concerning the employer:

1. Illness: ordinary provisions and procedure

2. Inability to provide work without the employee's fault: (e.g. quarantine due to contact with an infected person but without being ill): paid justified absence for up to 1 month (Articles 657 and 658 of the Greek Civil Code)

3. Unjustified absence: ordinary provisions and procedure

b. Other provisions regarding employers and employees

i. Reduction of rent for lease for business use and main residence (q.v. .Article 2, Legislative Act of the 20th/03/2020)

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- ii. Social security contributions – prolongation of deadline for payment of the social security contributions (q.v. Article 3, Legislative Act of the 11th/03/2020)
- iii. Tax provisions (q.v. under C)

3. Businesses who are allowed to temporally suspend their operation

- a. Businesses with Activity Code Numbers which are considered to be affected as defined by the Ministry of Finance (date 26/03/2020) Option of temporary suspension of the employment agreement (q.v. Article 11, Legislative Act of the 20th/03/2020) (q.v. above under a.i.1 and **Error! Reference source not found.**)
- b. Other options (q.v. c above)
- c. Other provisions: As these lines are written a Joint Ministerial Decision has not been yet issued. However, it seems that the suspension of the employment agreement is a prerequisite for the above under **Error! Reference source not found.** other provisions regarding employers and employees etc.

4. Businesses which have NOT been allowed to temporarily suspend their operation:

- a. as **Error! Reference source not found.** above
- b. **employees belonging to the vulnerable groups, pregnant and lactating women: they should remain necessarily at their houses according to** **Error! Reference source not found.** and **Error! Reference source not found.** above.

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EXTRAORDINARY PROVISIONS EMPLOYMENT AND SOCIAL SECURITY LAW AGAINST THE SPREAD OF CORONAVIRUS COVID-19

Regarding the Legislative Act of the 11th of March 2020 the following provisions require special attention:

Prolongation of deadline for the payment of social security contributions (Article 3)

Upon Joint Ministerial Decision of the Ministers of Finance and Labour and Social Affairs, the deadline for the payment of social security contributions may be extended, as well as the time limits for the payment of installments for debt settlement or partial payment installments for the social security contributions by businesses for their employees paid with salary or daily wage, with an employment agreement of indefinite or definite duration, with full-time or part-time or rotating employment. The extension of the deadline for the payment of social security contributions and the installments for debt settlement or partial payment installments for the social security contributions shall not be subject to any interest or surcharge.

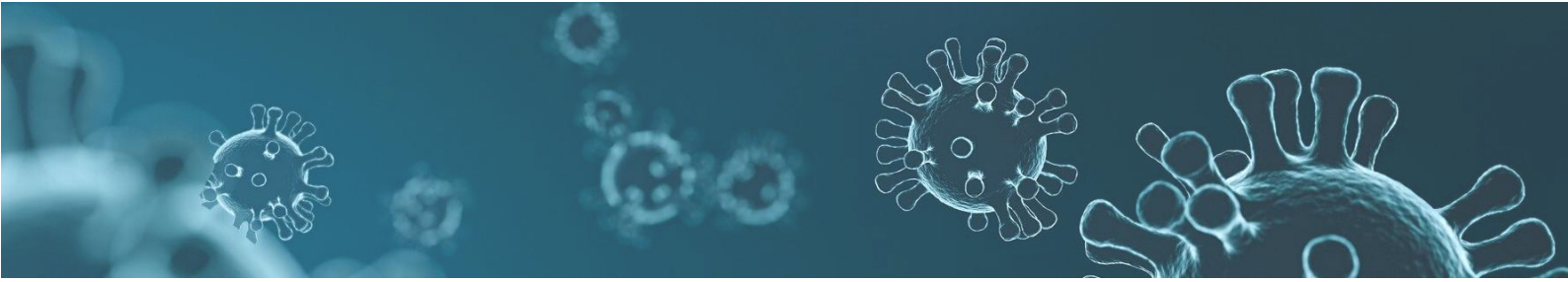
2. The Joint Ministerial Decision referred to in paragraph 1 shall specify the affected businesses by sector and by region, the financial criteria for the eligibility of businesses and generally of the employers, the deadline for the payment of social security contributions and of the installments for debt settlement or partial payment installments for the social security contributions, the period of validity and any other necessary detail for the application of this Act.

Relevant Joint Ministerial Decision: (Issue B' 855/2020, 1044/2020 of the Geek Government Gazette)

Relevant Ministerial Decision: (Issue B' 854/2020, 949/2020, 950/2020 of the Geek Government Gazette)

Extraordinary and temporary measures in the labour market in order to counter and limit the spread of coronavirus COVID-19 in terms of the organization of working time and

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place of work (Article 4)

From the entry into force of this Act until 10.4.2020, so that the parties can adapt to the special circumstances arising solely in order to counter and limit the spread of coronavirus COVID-19, the following extraordinary and temporary measures shall be adopted:

1. a) The obligation of the employer to register in the "ERGANI" Digital System of the Ministry of Labour and Social Affairs any amendment or modification of the working time or of the organization of working time of employees, as well as overwork and legal, in accordance with the legislation in force, overtime working is suspended. In any case, the provisions of the Presidential Decree 88/1999 (Issue A' 94 of the Greek Government Gazette) shall continue to apply. Upon Joint Ministerial Decisions of the Ministers of Finance, Labour and Social Affairs and Health the time of implementation of the above extraordinary and temporary measure may be extended, taking into consideration the evolution of the phenomenon.

b) For as long as the aforementioned measure is in force, the employer is obliged to notify to the "ERGANI" Digital System of the Ministry of Labour and Social Affairs, collectively, any amendments or modifications to the working hours or to the organization of working hours of the employees, as well as overwork and legal, in accordance with the legislation in force, overtime working, which took place within the preceding month in the first ten days of the following month from the provision of work. A Ministerial Decision of the Minister of Labour and Social Affairs shall determine each condition and detail for the implementation of this paragraph.

Relevant Ministerial Decision (Issue B' 854/2020 of the Greek Government Gazette)

2. The employer may determine upon his/her decision that the work provided by the employee at the place of work provided for in his/her individual employment agreement shall be carried out with the system of remote work (teleworking) Upon Joint Ministerial Decision of the Ministers of Finance, Labour and Social Affairs and Health, the period of application of the above extraordinary and temporary measure may be extended. A Ministerial Decision of the Minister of Labour and Social Affairs shall determine each condition and detail for the implementation of this paragraph.

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Relevant Circular: [MinLab. 12339/404](#)

3. a) Working parents, other than the aforementioned alternatives, may make use of the special purpose leave of absence as defined herein below. For the implementation of this Act the following shall be considered as working parents of children:

- i. who attend nursery and kindergarten schools
- ii. who attend mandatory education institutions
- iii. who attend special schools or institutions for special education and training, irrespective of the childrens' age as well as working parents of children with disabilities, who irrespective of their age, attend special care facilities for people with disabilities

In order to facilitate the working parents, in view of the suspension of the operation of the aforementioned educational institutions, the right to obtain a special purpose leave for as long as the above educational institution shall be closed is established, as a preventive measure to counter and limit the spread of coronavirus. The leave will be of at least three (3) days duration, provided that the employee uses one (1) day of his/her regular annual leave for every three (3) days of the special purpose leave, in the framework of the a tripartite participation in the this extraordinary and temporary measure.

The aforementioned leave may be taken from the entry into force of this Act until the 10th.04.2020, provided that at least one parent is employed in the private sector as a salaried employee, even if the other parent is a freelance professional.

b) In case that both parents are salaried employees, at the same or different employer, they shall notify their employer or employers upon common solemn declaration, regarding which one of them will make use of the aforementioned leave or, in case they divide the leave days, the particular periods of leave for each one of them.

c) In case that one parent is an employee in the private sector and the other in the public sector, in the sense of Article 5, the submission to the employer of a solemn declaration of the working parent at the public sector stating that he/she has not taken

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special purpose leave is required so that the employee in the private sector takes that leave.

d) In case that only one of the two parents are employed, he / she may not use the special purpose leave unless the non-working parent is hospitalized for any reason or is infected by coronavirus or is a person with a disability and receives a benefit from the Welfare and Social Solidarity Organization (OPECA).

e) In the case of divorced or separated parents, the special purpose leave shall be granted to the parent who has custody of the child, unless it is otherwise agreed, in accordance with their common solemn declaration as set forth above.

f) The employer shall declare to the “ERGANI” Digital System of the Ministry of Labour and Social Affairs, the employees who took the aforementioned leave, as well as its duration, after the 10th.4.2020. A Ministerial Decision of the Minister of Labour and Social Affairs shall determine each condition and detail for the implementation of this subparagraph.

g) In any case, in order for an employee to be entitled to the special purpose leave, he/she must meet the legal prerequisites for taking a six (6) or a five (5) - day regular annual leave for a six-day and a five-day employment program respectively. In case that the above prerequisite is not met, the employee is entitled to the special-purpose leave in proportion to the days of regular annual leave he/she is entitled to.

h) Two thirds (2/3) of the remuneration for the special purpose leave are covered by the employer, and one third (1/3) by the state budget, after cross-checking with the Ministry of Finance, Labour and Social Affairs and Internal Affairs, as defined in a Joint Ministerial Decision of the relevant Ministers. In particular for employees in the general public sector and employees in businesses of Chapter A' of Greek Law 3429/2005 (Issue A' 314 of the Greek Government Gazette), the three days of the special-purpose leave are covered by the employer.

i) Upon Joint Ministerial Decision of the Ministers of Finance, Labour and Social Affairs and Health the time of implementation of the above extraordinary and temporary measure may be extended, taking into consideration the evolution of the phenomenon.

Relevant Circular: [MinLab. 12339/404](#)

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Special purpose leave for public employees and further facilitations (Article 5)

1. Employees, who are employed at public services, decentralized administrations, OTA A' and B' class and their legal entities, public law legal entities and private law legal entities within the General Government with any kind of employment relationship and who have children attending kindergartens and school units, the operation of which is temporarily suspended, following ministerial decrees that are issued by delegation of the provisions of the Legislative Decree dated 25.2.2020 (Issue A' 42 of the Greek Government Gazette) "Extraordinary measures for the prevention and limitation of coronavirus expansion", and in particular children that attend up to the third class of Greek Gymnasium, may be absent from their service for the suspension time of the operation of the educational units which their children attend.

For every four (4) days of absence, in accordance with the preceding subparagraph, the three (3) days shall be considered by the competent service as a paid justified absence due to the temporary suspension of the operation of the kindergarten or the school unit that the child of the employee attends and the one (1) day of absence is considered as a regular annual leave. In case that the employee uses a shorter period of time, this is considered in total as a regular annual leave.

2. In order to justify the absence, in accordance with paragraph 1, employees shall promptly inform the relevant Human Resources Directorate for the temporary suspension of the operation of the kindergarten or the school unit that their child attends and submit a solemn declaration or certificate from which it is indicated that their child attends the specific unit, unless this is already apparent from the service records. In the event of inability to provide promptly the above supporting documents, the employees shall inform the competent Human Resources Directorate and submit, within reasonable time, the required supporting documents. The competent Personnel Directorate shall cross-examine the suspension of the operation of the unit, based on a relevant publication on the website of the Ministry of Education and Religious Affairs. The above are not required in the event of a universal suspension of the operation of the kindergartens and school units.

3. The special purpose leave of par. 1 is granted, on a case-by-case basis, as follows:

a) if both parents are employees of par. 1, by a joint solemn declaration that is submitted

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at their services, it is determined which one of them will make use of the special purpose leave, unless they point out, by the solemn declaration itself, the periods when they will make use of the special purpose leave alternately. The period of use of the leave cannot be shorter than four (4) days per parent.

b) If one of the two parents is employed in the private sector, in order to obtain the special purpose leave referred to in paragraph 1, the submission of a solemn declaration of the parent who is employed in the private sector which will state that he/she has not used a special purpose leave or that he/she is not working remotely as referred to in Article 4.

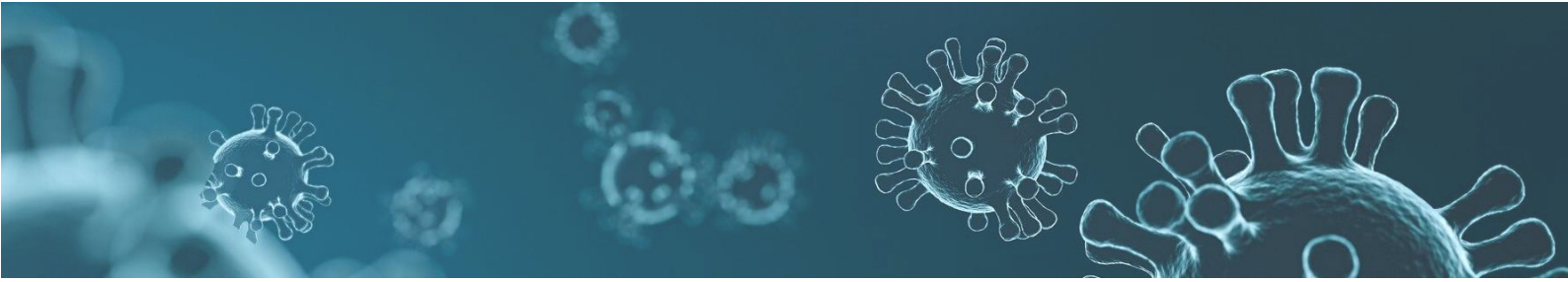
c) If the spouse of the employee of paragraph 1 who is employed by entities of paragraph 1 and is absent from working using any kind of leave, in particular childcare leave and service training leave, at the same time, with the exception of convalescence leave due to which childcare is not possible, the spouse is not entitled to use the special purpose leave of par. 1. If the spouse of the employee of paragraph 1 is not working, the spouse is not entitled to use the special purpose leave of paragraph 1, unless the parent who is not working is hospitalized for any reason or is infected coronavirus or is a person with a disability and receives a benefit from the Welfare and Social Solidarity Organization (OPECA). In this case the submission of the relevant solemn declaration is required.

d) The parent who has the exclusive custody of the child, is entitled to the special purpose leave of par. 1.

4. Instead of using the special purpose leave referred to in paragraph 1, the employees referred to in paragraph 1 may, upon their request, work part-time, up to 25% per day, without commensurate reductions in their salaries. Where the facilitation referred to in the previous segment is used, the employee shall, after the waiver of the temporary suspension of the operation of kindergartens or school units, work for the respective hours that have been reduced from his/her working hours, in accordance with segment 1, beyond his/her working hours without remuneration for overtime, and so this time is calculated as actual service. Where the fixed-term employment agreement under private law is terminated, the obligation to overtime working does not apply. In case that the employee makes use of the facilitation for the part-time working hours, he/she may also work beyond the statutory working hours of the public services.

If one of the two parents is employed in the private sector and makes use of the work facilitation, in accordance with Article 4, the employee that is employed in the public sector and selects to use the facilitating working hours, may work during the hours that

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the other parent, who is working in the private sector, does not work, even during hours beyond the statutory working hours for the public services.

5. For the implementation of the provisions of par. 1 to 4, for the employees that are employed, by any kind of employment relationship, at the Ministry of Health, health care providers, the Ministry of Migrations and Asylum and its services, as well as for the uniformed officers, a justified decision of the competent body of the service is required. The competent bodies shall decide whether the facilitations referred to in paragraphs 1 to 4 may be provided or, where both parents serve in the above services or are uniformed officers, to whom of the two parents the facilitations shall be provided, based on the department where they serve and their duties.

6. In case of an emergency due to the spread of coronavirus COVID-19, the number of staff required to attend the public service daily may be determined at the discretion of the Minister, with the possibility of rotating work or with the designation of security staff. In this case, the necessary measures shall be taken to ensure, depending on the nature of the object of the public service, the possibility of working remotely by electronic means.

7. By way of derogation from the provisions in force and exclusively within the context of preventive measures in order to protect public health against coronavirus, the hours of public access to public services may be reduced or extended upon Ministerial Decision of the competent Minister or of the competent management body of the public service. The public hours may be reduced or extended up to and by 50% for a specific period of time specified in that Ministerial Decision and even a complete suspension of provision of services to the public with a personal presence of the public may be decided, with the possibility of provision of services with a private meeting upon prior arrangement. The Decisions adopted hereunder are not published in the Greek Government Gazette, but are published in the "TRANSPARENCY" Program and must be notified to the General Secretariat for Human Resources of the Ministry of the Internal Affairs and to the Minister concerned.

8. The favorable provisions of par. 4, as well as exceptionally those of par. 1 if they are approved based on the operational needs by the competent body they are provided under the same conditions in the context of urgent measures also to the parents whose children of age up to four (4) years do not attend day care.

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Relevant Decisions: Issue B' of Greek Government Gazette [856/2020](#), [863/2020](#), [865/2020](#), [870/2020](#), [909/2020](#), [913/2020](#), [914/2020](#), [926/2020](#), [929/2020](#), [936/2020](#), [939/2020](#),

Relevant Circulars: [MinLab. 7874/2020](#), [MinInt. 8000/2020](#), [MinInt. 8189/2020](#), [MinLab. 12339/404](#)

Regarding the Legislative Act of the 14th of March 2020 the following provisions require special attention:

Implementation of the leave of special purpose in private health service providers (Article 11)

Article 5 of the Legislative Act of the 11th.3.2020 "Urgent measures in order to deal with the negative effects of the occurrence of coronavirus COVID-19 and the need to restrain its spread» applies also to the medical and nursing staff as well as to all employees of private health service providers, such as hospitals, clinics, healing facilities, primary health care units. Article 5 also applies mutatis mutandis regarding the issue of reasoned decision by the responsible member of administration or legal representation of the private health service provider with regard to the provision of facilities mentioned in par. 1 to 4 of the same Article.

Employee support mechanism (Article 13)

1. A special support mechanism is established for employees with a contractual employment relationship in businesses-employers, the operation of which has been temporarily prohibited due to the urgent measures in order to deal with coronavirus COVID-19, including measures of financial support, compensation of special purpose, social security coverage, exceptional monetary subsidies and training vouchers.

2. Businesses-employers to which the temporary prohibition of operation has been imposed or will be imposed, upon public authority mandate, are obliged to submit a solemn declaration at the "ERGANI" Digital System of the Ministry of Labour and Social Affairs, in which they declare that the operation of their enterprise has been temporarily prohibited. The necessary information of the employees is automatically drawn from the D.S. ERGANI.

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3. The employees who are employed based on a contractual employment relationship in businesses-employers of par. 1, submit individually a solemn declaration in a digital platform which exists for this purpose in the webpage of the Ministry of Labour and Social Affairs. The employees declare their personal and bank details (IBAN) as well as the details of the enterprise in which they are employed in order to be included in the employee support mechanism of par. 1.

4. For the implementation of the above, all necessary technical and organizational measures are taken to ensure the protection of personal data in all the processes set out herein.

5. The following categories are excluded from the above special support mechanism:

- a) the employees who work remotely (teleworking)
- b) the employees who have taken any type of leave of absence
- c) the employees who work as security staff
- d) the employees whose contractual employment relationship is not suspended due to the businesses' prohibition of operation.

6. The conditions and any necessary detail regarding the implementation of this Article are defined by Ministerial Decision of the Minister of Labour and Social Affairs.

7. The kind, the amount and the implementation procedure of the measures of the special mechanism of par. 1 are defined by a Joint Ministerial Decision of the Minister of Finance and the Minister of Labour and Social Affairs.

Relevant Ministerial Decisions: Issue B' of the Greek Government Gazette 993/2020 , 994/2020

Special procedure for the granting of the leave of special purpose in the sectors of energy, water and fuel supply, medicines and paramedical items. Exceptional coverage of the leave of special purpose from the regular state budget (Article 14)

1. In order to grant the leave of special purpose of par. 3, Article 4 of the Legislative Act of the 11th.3.2020 to parents who are employed to companies or businesses, which operate in the energy and water supply sector and are obliged to sustain the unobstructed provision of the country's electrical power, natural gas, liquid fuel and

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water supply, to businesses-employers that produce, transport and provide food, fuel, medicines and paramedical items for stores/businesses that sell relative items, a justified decision by the competent member of the enterprise administration is needed. The administration's competent member decides, based on the working position and duties of the employed parents, if the leave of special purpose can be granted to him/her or, in the case that both parents are employed to the above companies or businesses, which one of the parents can be take the leave.

2. In the end of par. 2, Article 4 of the Legislative Act of the 11th.3.2020 a subparagraph is added as follows: "By decision of Minister of Labour and Social Affairs every condition and detail for the implementation of this Legislative Act is defined".

3. In the end of (h') par.3, Article 4 of the Legislative Act of the 11th.3.2020, a subparagraph is added as follows: "Particularly regarding the employees in the wider public sector, as it has been specified by the legislative provisions of Greek Law 1256/1982 (Issue A'65 of the Greek Government Gazette), the three days of the leave of special purpose are financially covered by the employer".

Exceptional procedure for the businesses/employers which have reached the maximum permitted limit of overtime working of the employees (Article 15)

As long as an immediate risk of occurrence and spread of the coronavirus COVID-19 persists, the absence of which is declared with a decision by the Minister of Health, and in any case for a period of time that does not exceed six (6) months from the entry into force of this Legislative Act, businesses-employers which have reached the maximum permitted limit of overtime working of the employees can employ them overtime without the need of the relevant decision of approval by the Ministry of Labour and Social Affairs the issuing of which demands the opinion of The Supreme Council of Labour (SCE), in accordance with Article 1 Legislative Decree 264/1973 (Issue A' 342 of the Greek Government Gazette). The above overtime working cannot exceed the daily limits defined in the relevant legislative provisions.

Ability of exceptional and temporary derogation from the operation prohibition during Sundays and public holidays for certain businesses (Article 16)

As long as an immediate risk of occurrence and spread of the coronavirus COVID-19 persists, the absence of which is declared with a decision by the Minister of Health, and in any case for a period of time that does not exceed six (6) months from the entry into

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force of this Legislative Act, the operation of businesses that produce, transport, and supply food, fuels, medicines, and paramedical items to stores/businesses that sell relative items is permitted by derogation of legislative provisions of the Legislative Decree 748/1966 (Issue A' 179 of the Greek Government Gazette). In any case, the relevant protective employment legislative provisions have to be respected regarding the working time limits of the employees.

Regarding the Legislative Act of the 20th of March 2020 the following provisions require special attention:

[Support for the unemployed \(article 7\)](#)

1. The duration of the regular unemployment subsidy, the long-term unemployed benefit, the benefit for the unemployment of the self-employed and independently-employed insured in the Single Social Security Fund – former Social Security Organisation for the Self-Employed (EFKA-OAEE), Single Social Security Fund for Employees in the Mass Media Sector (ETAP-MME) and the unemployment benefit for the self-employed and independently-employed insured in the Single Social Security Fund – former Single Fund for the Independently Employed (EFKA-ETAA)[former Sector of Engineers and Public Contractors Pension Fund (TSMEDE), former sector of Pension and Self-Insurance of Health Workers Fund (TSAY), former sector of Jurists Insurance], for those beneficiaries for whom it has expired or will expire within the first trimester of 2020, it is extended until the 31st of May 2020.

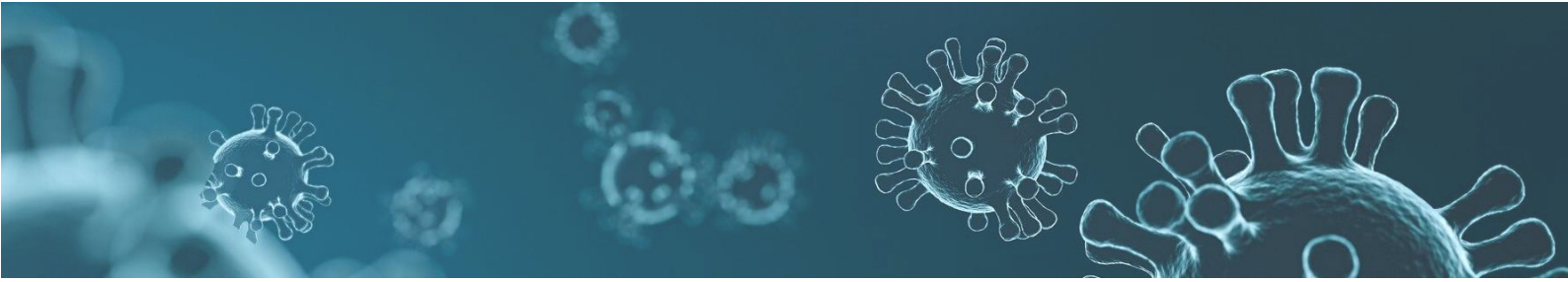
2. The days of subsidy during the period of the extension of par. 1 of the present article are excluded from the restriction of par. 8, article 6, Greek Law 1545/1985 (A' 91). Otherwise, the provisions of Legislative Decree 2961/1954 (A' 197) and article 44, Greek Law 4986/2011 (A' 152) are applied.

3. By Joint Ministerial Decision of the Ministers of Finance and Labour and Social Affairs the duration of the benefits of par. 1 can be further extended.

[Support measures for freelance professionals, self-employed and individual business owners \(article 8\)](#)

1. By Joint Ministerial Decision of the Ministers of Finance, Development and Investments and Labour and Social Affairs the terms, the conditions, and the procedure for the adoption of financial support measures for the freelance professionals and the self-

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employed, as they are defined in article 2, Greek Law 4387/2016 (Greek Government Gazette A' 85), as replaced by article 22, Greek Law 4670/2020 (Greek Government Gazette A' 43), and for the individual business owners.

2. By decision of the Minister of Labour and Social Affairs, measures are provided for regarding the freelance professionals and the self-employed, as they are defined in article 2, Greek Law 4387/2016, as replaced by article 22, Greek Law 4670/2020, and for the individual business owners, regarding suspension of the deadline for the payment of social security contributions, overdue debts to the social security institutions and the installments or facilitations of split payment of social security contributions.

RELEVANT MINISTERIAL DECISION: ISSUE B' OF THE GREEK GOVERNMENT GAZETTE [1077/2020](#)

Businesses operation with personnel of safe operation (article 9)

In the context of urgent and temporary measures in labour market in order to counter and limit the coronavirus COVID-19 spread, and in any case for a period time not exceeding six (6) months from the entry into force of the present Legislative Act, the employer, upon his own decision, can determine business's safe operation personnel as follows:

- a) Each employee can be employed at least two (2) weeks with reference period of a month, continuously or discontinuously.
- b) The above way of organising work is performed per week and at least 50% of the business' staff is included in it.
- c) Employer who will apply this way of organising work is obliged to maintain the same number of employees who were employed at the time when it started to be applied.

At the end of each month the employer is obliged to declare the application of the above way of organising work in a special form in the Ministry's of Labour and Social Affairs Digital System "ERGANI".

Transfer of personnel in businesses within the same group (article 10)

In the context of urgent and temporary measures in labour market in order to counter and limit the coronavirus COVID-19 spread, the employer whose business activity is

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significantly affected or prohibited by virtue of the existing regulations, can transfer personnel from one business of the group to another business within the same group by a relevant agreement between them.

The group's businesses which will apply the above are obliged to maintain, in total, the same number of employees who were employed before the transfer.

RELEVANT MINISTERIAL DECISION: GREEK GOVERNMENT GAZETTE ISSUE B' [1161/2020](#):

Invalidity of employment contract termination (article 11)

- Dismissal prohibition
Businesses-employers, whose business activity is suspended upon public authority's order, and as long as the measures in order to counter the coronavirus COVID-19, are obliged to not reduce personnel by termination of the employment contracts. In case they perform such terminations, they are null and void. The date for the entry into force of the present is the 18th of March 2020
- Employment contracts suspension in the businesses that are affected based on the Activity Code Number.

A

a) Business-Employers in the private sector, which are significantly affected due to the negative effects of the coronavirus COVID-19 phenomenon, can suspend the employment contracts of all or part of their personnel, in order to adopt their operational needs to the challenging environment that is being created. The employment contracts suspension can be applied within one (1) month from the publication of this Legislative Act, with the possibility of extension by joint decision of the Ministers of Finance and Labour and Social Affairs, taking under consideration the development of this phenomenon.

b) The businesses-employers in the private sector who use the above provision are explicitly prohibited from terminating the employment contracts of all personnel and in case they perform such termination it is null and void.

c) The businesses-employers in the private sector who use the above provision are obliged after the expiration of the employment contracts suspension period to maintain the same number of jobs for a time period equal to the time period of the suspension.

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d) The provision of case a), subpar. 2A applies only to the businesses-employers in the private sector, which have been determined by the Ministry of Finance, based on the Activity Code Number (K.A.D.) of primary activity, as sectors affected by the coronavirus COVID-19 spread.

B

a) The employees, whose employment contract is suspended, either due to the prohibition of the business operation upon public authority's order either due to the application of the measure of case a), subpar. 2A, are beneficiaries of the exceptional financial aid, as a compensation of special purpose.

b) Beneficiaries of the exceptional financial aid, as a compensation of special purpose are also the employees whose employment contract has been terminated since the 1st of May 2020 until the 20th of May 2020, either by unilateral termination from the employer or by voluntary leave of their own.

c) The compensation of special purpose is not eligible for seizure, is tax-free and is not to be set-off by any other debt.

d) The Detailed Periodic Statements of the employees whose employment contracts are suspended, are submitted by the employer. The cost of their full insurance coverage is calculated based on their nominal salaries.

e) The cost for the compensation of special purpose and the insurance coverage of employees is covered by the state's budget.

- Compensation of special purpose

a) In order for the employees to receive the compensation of special purpose, the employer is obliged to submit a solemn declaration in the Digital System "ERGANI" of the Ministry of Labour and Social Affairs, by which she declares the employees whose employment contracts are suspended either due to the prohibition of the business operation upon public authority's order, either due to the application of case a) subpar. 2A.

b) Businesses-employers in the private sector are obliged to include in the solemn declaration the employees whose employment contract has been terminated, from the 1st of May 2020 to the 20th of May 2020, either by unilateral termination or by voluntary leave of the employee.

c) In case that the businesses-employers in the private sector do not submit the solemn declaration of the previous cases, they are excluded from falling under the measures of suspension of debts installments or regulations or facilitation of split payment and any kind of established debts to the State.

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d) The businesses-employers are obliged to notify on the same day the employee of the above solemn declaration, in writing or electronically, declaring also their act's registration number in the Digital System "ERGANI"

IN THIS REGARD: [Ministerial decision no. 12997/231/23.3.2020](#): Application mechanism for the employees support measures in order to counter the effects of the coronavirus COVID-19

[Joint ministerial decision no.12998/232/28.3.2020](#): Support measures for employees of businesses-employers in the private sector who have employer's registration number (A.M.E.) in the e- Single Social Security Fund (e-E.F.K.A.) whose business operation has been suspended based on the Activity Code Numbers upon public authority's order or are significantly affected based on the Activity Code Numbers of primary or secondary activity based on the gross revenues of 2018, as defined by the Ministry of Finance, in order to counter the coronavirus COVID-19 effects.

[Ministerial decision no.13272/D1.4607/30.03.2020](#): Amendment of the 40331/D1.13521/13.9.2019 (Greek Government Gazette B' 3520/19.9.2019) "Redefinition of the terms of electronic submission of forms under the Greek Labour Inspectorate's (S.E.P.E.) and Manpower Employment Organization's (O.A.E.D.) competence" decision of the Minister of Labour and Social Affairs, as amended and applicable.

[Ministerial decision no.13564/D1.4770/30.3.2020](#): Amendment of the 40331/D1.13521/13.9.2019 decision of the Minister of Labour and Social Affairs (Greek Government Gazette B' 3520/19.9.2019) "Redefinition of the terms of electronic submission of forms under the competence of the Greek Labour Inspectorate and the Manpower Employment Organization", as amended and applicable.

[Circular no.13738/413/31.03.2020](#): Clarifications on the Joint Ministerial Decision no. 12998/232/23-3-2020 "Support measures for employees of businesses-employers in the private sector who have employer's registration number (A.M.E.) in the e- Single Social Security Fund whose business operation has been suspended based on the Activity Code Numbers upon public authority's order or are significantly affected based on the Activity Code Numbers of primary or secondary activity based on the gross revenues of 2018, as defined by the Ministry of Finance, in order to counter the coronavirus COVID-19 effects" (Greek Government Gazette 1078 B').

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[Circular no. 13867/416/1.4.2020](#): Provision of clarifications regarding the right of the employees with fixed-term employment contracts which were terminated prematurely within the time period from 1/3/2020 to 20/3/2020 to receive compensation of special purpose.

[Circular no.14012/246/2.4.2020](#): Clarifications on the Joint Ministerial Decision no. 12998/232/23-3-2020 (Greek Government Gazette 1078 B') regarding the exclusion from the measure of receiving special purpose compensation of the employees of general government bodies, legal entities governed by public law, legal entities governed by private law etc.

[Joint ministerial decision D.15/D'/13226/325/26.03.2020](#): Determination of the details for the application of article 3, Legislative Act of the 11th.03.2020 (Greek Government Gazette 55/A') by virtue of which urgent measures in order to counter the negative effects of coronavirus COVID-19 are adopted (prolongation of the deadline for the payment of social security contributions of February and March 2020-Prolongation for the payment of installments arrangement of employers).

[Ministerial decision no.D15/D'/13412/327/27.03.2020](#):

Determination of the details for the application of article eight, Legislative Act of the 20th.03.2020 (Greek Government Gazette A' 68) by virtue of which are adopted urgent measures in order to counter the effects of the coronavirus COVID-19 risk of spread, the society and entrepreneurship support and the safeguarding of the smooth functioning of the market and public administration (Prolongation of the deadline for the payment of social security contributions and installments - Arrangement of payments of current social security contributions).

[Ministerial decision no.12747/D1/4493 26.3.2020](#): Determination of the procedure for the exceptional hiring of auxiliary staff in order to counter the urgent needs from the occurrence and spread of the coronavirus COVID-19.

Regarding the Legislative Act of the 30th of March 2020 the following provisions require special attention:

Exceptional financial aid for personnel of hospitals, health centers and other structures of the Ministry of Health as well as of the General Secretariat for Civil Protection (article 4)

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1. To all kinds of personnel serving in hospitals, Health Units S.A. (A.E.M.Y.), National Organization of Public Health, "Institute of Pharmaceutical Research and Technology" S.A. (IFET SA), National Center of Emergency Care (E.K.A.B.), health centers, mental health centers and rural clinics, central agency of the Ministry of Health, Health Districts (Ype) and the central agency of Health Districts, as well as to all kinds of personnel serving in General Secretariat for Civil Protection exceptional financial aid for the year 2020 is paid equal to the half of the paid basic monthly salary. This provision shall be counted on the basic salary of the beneficiary according to the dates defined in par. 2.

2. The above financial aid is provided in full, if the beneficiary was salaried for the whole time period from the 16th of December 2019 to the 15th of April 2020 and is paid with the payroll of April 2020.

3. The financial aid is not paid when the employee or the personnel employed in the entities of par. 1 is absent with any kind of leave during the time period from the date of entry into force of the urgent measures to counter the risk of spread effects of the coronavirus COVID-19 and until the 15th of April 2020, with the exception of sick leave and leave of special purpose.

4. In the cases that the salary has been paid for a time period shorter than the one specified in par. 2, part of the exceptional financial aid shall be paid in proportion to that which corresponds to the time period of the beneficiary's payroll. .

5. The above provision is not eligible for seizure.

Reduction of social security contributions by twenty-five percent (25%) (Article 18)

1. The self-employed and freelance professionals, as defined in Article 2 of Greek Law 4387/2016 (Issue A' 85 of the Greek Government Gazette), which has been replaced by Article 22 of Greek Law 4670/2020 (Issue A' 43 of the Greek Government Gazette), if they pay the current social security contributions for the employment period of February and March of the year 2020 on time, it is possible to pay the contributions reduced by twenty-five percent (25%) on the amount corresponding to the social security category of their choice or classification. In this case, the amount of the monthly social security contribution that has actually been paid divided by 0.20 is defined as pensionable earnings for the calculation of the compensatory part of the main pension.

2. The reduction of the social security contributions, according to par. 1, does not apply

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in case of selection of the measure of extension of payment of the social security contributions according to par. 2 of Article 8 of the Legislative Act of the 20th.03.2020 (Issue A' 68 of the Greek Government Gazette).

3. By decision of the Minister of Labour and Social Affairs, the procedure, the manner and the time of selection, as well as more specific issues for the implementation of this Article may be determined.

Time of payment of the Easter allowance (Article 19)

1. Businesses - employers whose business activity has been suspended by public order, as well as businesses - employers belonging to the industries that are significantly affected, due to the negative consequences of the pandemic of the coronavirus COVID-19, according to the Legislative Act of the 20th.03.2020 (Issue A' 68 of the Greek Government Gazette) and the regulatory acts issued upon authorization thereto, may pay the Easter allowance at a time later than the one specified in the Joint Ministerial Decision under n. 19040 / 7.12.1981 (Issue B' 742 of the Greek Government Gazette) and in any case not beyond 30 June 2020.

2. In the event that the employment relationship of the employees of the aforementioned companies - employers is suspended and the duration of the employment relationship, until its suspension, does not cover the entire period from January 1 to April 30 of the current year, the Easter allowance is paid reduced, taking into account for its calculation, according to par. 3b of Article 1 of the Joint Ministerial Decision under n. 19040 / 7.12.1981, the duration of the employment relationship until its suspension.

3. In the event that the employment relationship of the employees of the aforementioned businesses - employers is suspended, the amount of the Easter allowance corresponding to the period of suspension of the employment relationship shall be paid from the state budget. As regards other relevant issues, the Joint Ministerial Decision under n. 19040 / 7.12.1981 is applicable.

4. In the cases of par. 2 and 3, the Easter allowance shall be calculated on the basis of the salary or daily wage paid on the day before the date of suspension of the employment relationship.

5. A Joint Ministerial Decision of the Ministers of Finance and of Labour and Social Affairs

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may determine the procedure and way of payment of the Easter allowance, as well as any other necessary details for the implementation of this Article.

Carrying out of audits of the Greek Manpower Employment Organization by electronic means (Article 20)

As long as there is still an immediate risk of the spread of coronavirus COVID-19, the lack of which is confirmed by a decision of the Minister of Health and in any case for a period not exceeding six (6) months from the entry into force of this Act, it is possible to carry out audits by employees of the Greek Manpower Employment Organization (OAED), according to the Joint Ministerial Decision under n. 2/82850/0022 / 259-2013, as supplemented by the Joint Ministerial Decision under n. 6965/222 / 29-5-2019 (Issue B' 2008 of the Greek Government Gazette), in the context of implemented programs and remote services by electronic means.

Salary of teachers of the Professional Schools of the Greek Manpower Employment Organization (OAED) paid with an hourly wage, apprenticeship allowances for the Professional Schools of Apprenticeship and the Vocational Training Institutes of the Greek Manpower Employment Organization (OAED) and allowance for disabled persons who attend vocational training programs. (Article 21)

1. The hourly wage salary is paid to the teachers of the educational institutions of the Greek Manpower Employment Organization (OAED) (Professional Schools and Vocational Training Institutes, Special Centers for Vocational Training of disabled persons of Thessaloniki and School for disabled persons of Athens), whose educational operation has been temporarily prohibited due to the extraordinary measures taken against the coronavirus COVID-19, for the number of hours specified in the employment agreement, and for the period of prohibition of operation.

2. The apprenticeship allowance within the framework of the apprenticeship agreement is paid to the students of Professional Schools of Apprenticeship and of the Vocational Training Institutes of the Greek Manpower Employment Organization (OAED) based on the daily wages set by the agreement and for the period during which the extraordinary measures will be in force. The amount corresponding to the apprenticeship allowance is fully covered by the Greek Manpower Employment Organization (OAED), from national or other resources, including the amount that the employer has to pay and the

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employer's social security contributions for the period during which the extraordinary measures will be in force.

3. The allowance provided for in the decision under n. 92100/2018 of the Director of the Greek Manpower Employment Organization (Issue B' 6107 of the Greek Government Gazette) is paid to the trainees School for disabled persons of Athens and of the Special Centers for Vocational Training of disabled persons of Thessaloniki, including the trainees of the Centers for Protected Employment for the period during which the extraordinary measures will be in force.

4. By Ministerial Decision of the Minister of Labour and Social Affairs, the procedure and any necessary details for the implementation of this Article may be determined.

Extension of the deadline for payment of the social security contributions (Article 23)

At the end of the first subparagraph of par. 1 of Article 3 of the Legislative Act of the 11th.03.2020 (Issue A' 55 of the Greek Government Gazette), the phrases "and the suspension of the collection of overdue debts. A similar decision shall determine the terms, conditions, manner and time of payment of the claims, the payment time limit of which is extended".

Measures to support freelancer professionals, self-employed and sole proprietors (Article 25)

In par. 2 of Article 8 of the Legislative Act of the 20th.03.2020 (Issue A' 68 of the Greek Government Gazette) the following modifications occur:

- a) The word "suspension" is replaced by the word "extension",
- b) After the phrase "of the social security contributions," the phrase "suspension of collection" shall be added.
- c) At the end of par. 2, subparagraphs are added as follows: "By decision of the Minister of Labour and Social Affairs, the terms, conditions, the manner and the time period for payment of the claims, whose payment deadline is extended, shall be determined. The provision applies only to professionals, self-employed and sole proprietors who have a main Activity Code Number number (KAD) on March 20, 2020, which is included in the Activity Code Numbers as defined each time by the Ministry of Finance, as branches affected financially due to occurrence and spread of the coronavirus COVID-19 and in

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all private businesses which are under temporary prohibition of operation, in accordance with Article 1 of the Legislative Act of the 25th.02.2020 (Issue A' 42 of the Greek Government Gazette)".

Special purpose leave for employees of Detention Centers (Article 48)

1. For the application of paragraphs 1 to 4 of Article 5 of the Legislative Act of the 11th.03.2020 (Issue A' 55 of the Greek Government Gazette), for employees of any category, branch or specialty who are employed with any kind of employment relationship at the Detention Centers of the State and at the Foundation for the Education of Adult Males of Volos, a reasoned decision of the Head of the Directorate of the Detention Center or his legal deputy is required. The Head of the Directorate of the Detention Center or his legal deputy decide whether it is possible to provide the facilities of par. 1 to 4 of Article 5 of the Legislative Act of the 11th.03.2020, or in case that both parents are employed on the same Detention Center, which one will be entitled to the facilitations, based on their employment position and their duties.

2. In cases of emergency and for the proper operation of the Detention Centers of the State, the Secretary General of Anti-Crime Policy may revoke any licenses issued by the Head of the Directorate of the Detention Center or his legal deputy pursuant to paragraph 1.

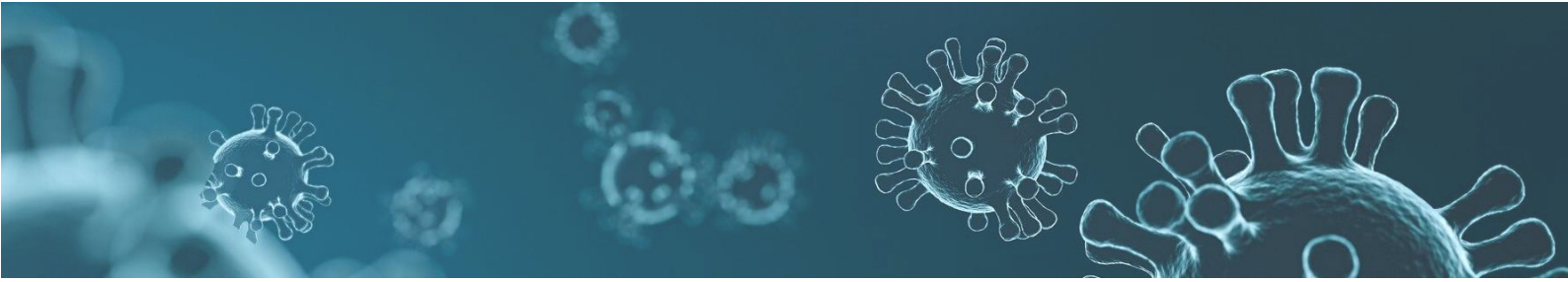
Maritime work support measures (Article 63)

1. a) The duration of the regular unemployment benefit of seafarers of the beneficiaries for whom it has expired or will expire within the first trimester of 2020, is extended for two (2) months from its expiration, in derogation of the conditions of the Presidential Decree under n. 228/1998 (Issue A' 176 of the Greek Government Gazette), unless the par. 1f of article 2 thereof applies.

b) The duration of the social security protection provided by the House of Sailors, concerning social security capacity and monetary benefits according to the Presidential Decree under n. 894/1981 (Issue A' 226 of the Greek Government Gazette), of the beneficiaries for whom it has expired or will expire within the first trimester of 2020, is extended by derogation from the relevant conditions until 31 May 2020.

c) By Joint Ministerial Decision of the Ministers of Finance and Shipping and Island Policy, the duration of the provision of the benefit of paragraphs (a) and (b) may be further

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extended.

2. a) Shipping companies and ship-owners, who are severely affected by the negative consequences of the coronavirus COVID-19 pandemic and have stopped from March 1st 2020 or will stop carrying out their voyages or have not started them due to voyage obligations of their vessels for the months of March and April 2020 and have issued a crew list may suspend the maritime registration agreements of seafarers, who are not required as security personnel on board. Agreements of seafarers of professional fishing vessels with a total length of twenty-four (24) meters and above that do not perform voyages and have ceased fishing activity may also be suspended. The suspension of maritime registration agreements may be applied for up to one (1) month from the entry into force of this Act, with the possibility of extension by Joint Ministerial Decision of the Ministers of Finance and Shipping and Island Policy, taking into account the expansion of the coronavirus COVID-19.

b) The registered seafarers whose agreement is suspended either due to the application of the provisions under (a) or due to the prohibition of execution of voyages by order of a public authority, especially in the case of professional tourist ships, are entitled to special financial aid, as a special purpose compensation.

c) Beneficiaries of the special financial aid, as a special purpose compensation, are also the registered seafarers of passenger and passenger-vehicle vessels, tourist vessels, maritime intakes, as well as of vessels of international voyages, whose maritime registration agreement was terminated until the entry into force of this, regardless of the reason, except in cases of guilt of the seafarer, illness or injury.

d) The special purpose compensation is unseizable, tax-free and cannot be offset with any debt.

e) Shipping companies and ship-owners falling under subparagraphs (a) and (b) thereof are explicitly prohibited from terminating the maritime registration agreements and in such event the termination is deemed to be void.

f) The Analytical Periodic Statement (APD) of seafarers, whose maritime registration agreements are suspended, is immediately submitted by the ship-owner to the Maritime Fund (N.A.T.) according to its more specific instructions. The cost of their full social security coverage is calculated on a monthly basis on the statutory salary which cannot be lower than the one provided for in the current or last applicable collective Labour agreement

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of the branch in addition to the benefits of Articles 84 and 85 of the Presidential Decree under n. 913/1978 (Issue A' 220 of the Greek Government Gazette).

g) Expenses for the special purpose compensation and the social security coverage of employees are covered by the state budget.

h) In order for the seafarers to receive the special purpose compensation, the ship-owner is obliged to submit a solemn declaration to the Maritime Fund (N.A.T.), stating that the seafarers whose maritime registration agreements are suspended or stopped, in the sense of subparagraphs (a) to (c) thereof, accompanied by the approval of the competent authority in the event that the non-execution of voyages has not been imposed. Following the above notification, the Maritime Fund (N.A.T.), following relevant instructions, draws up lists of beneficiary seafarers to receive the special purpose compensation and sends them to the House of Sailors.

i) The shipping companies and ship-owners are obliged to notify the above solemn declaration, in writing or electronically, on the same day to the seafarer and to the competent Port Authority where the ship which has stopped its voyages is located.

j) Following the aforementioned notification, a solemn declaration-application of the seafarer is submitted to the Port Authorities. The competent Port Authority shall register "suspension of maritime registration agreement from... to..." in the vessel crew lists and the seaman's books and keep a special archive with lists of the seafarers-applicants which it sends to the House of Sailors, which will pay the amounts.

k) If the shipping companies-ship-owners do not submit the relevant solemn declaration, they are excluded from their inclusion in the measures of suspension of installments debts or arrangements or facilitation regarding the partial payment of confirmed debts to the State of any kind.

l) By Joint Ministerial Decision of the Ministers of Labour and Social Affairs and Shipping and Island Policy, the terms, conditions and any other issue related to the implementation of this Article shall be determined.

3. The validity of Article 29 of Greek Law 4150/2013 (Issue A' 102 of the Greek Government Gazette), which determines the organic composition of personnel of general services of passenger and passenger / vehicle ferries that perform voyages between national ports of a total distance from the port of departure to the port of

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destination bigger than 30 nm, is extended for the current year until April 30, 2020.

RELEVANT JOINT MINISTERIAL DECISION: ISSUE B' [1128/2020](#) OF THE GREEK GOVERNMENTAL GAZETTE

Lastly, for a more detailed presentation of the employers' and employees' obligation in view of the coronavirus COVID-19 pandemic you can read the specialized newsletter in the following link: [POTAMITISVEKRIS-Employment-law-Newsletter_Issue-No-8.pdf](#)

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The current crisis underscored the need for expeditious procedures for the procurement of vital supplies and services. In particular:

Article 3 of the Legislative Act of 25.2.2020

For a time period of four (4) months from the date of entry into force of the present and in the event that there is an immediate risk of occurrence and spread of COVID-19 coronavirus, **the public limited company under the trade name "Pharmaceutical Research and Technology Institute SA" may, by way of derogation from all applicable national provisions on public procurement, invite third parties to directly purchase sanitary material, personal protective measures and pharmaceuticals for the purpose of meeting the public health emergency.** The invitation is uploaded on the Ministry's website for a period of three (3) days and may be addressed to any company selling and disposing of sanitary material and pharmaceuticals. **The contract is based solely on the lowest bid and the purchase of sufficient quantities to meet emergency health needs.**

For a time period of four (4) months from the date of entry into force of the present and in the event that there is an immediate risk of occurrence and spread of COVID-19 coronavirus, procedures for emergency procurement of any necessary sanitary material, all kinds of pharmaceuticals, any appropriate means of personal or collective protection against the spread of coronavirus may be carried out by any contracting authority under authority or supervision of the Ministry of Health or to be delegated from any competent authority or under authority or supervision of the Ministry of Health to the National Central Health Supply Authority (EKAPY) by way of derogation from all applicable national provisions on public procurement. EKAPY or any contracting party under the authority or supervision of the Ministry of Health invites to directly purchase sanitary, personal protective measures and pharmaceuticals for the purpose of meeting the above emergency. The invitation is uploaded on the Ministry's website for a period of three (3) days and may be addressed to any company selling and disposing of sanitary material and pharmaceuticals. The contract is based solely on the lowest bid and the purchase of sufficient quantities to meet emergency health needs.

Article 8 of Legislative Act of 11.03.2020

[Public Procurements Issues of the Ministry of Finance](#)

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For a time period of six (6) months from the date of entry into force of the present and in the event that there is an immediate risk of occurrence and spread of COVID-19 coronavirus, the emergency procurement procedures of any appropriate type of hygiene or means of collective protection against its spread, as well as the provision of services, in particular disinfection services, may be carried out by any contracting party under authority or supervision of the Ministry of Finance or AADE through direct award, by way of derogation from any relevant provision of applicable public procurement legislation.

Private law contracts for fixed-term staff serving at the time of entry into force hereunder pursuant to Article Eighth of Law 4506/2017 (A '191), for cleaning needs of the buildings of the Ministry of Finance and AADE are extended for public health reasons for two (2) additional months. The extension of the contracts referred to in the preceding subparagraph shall not alter the nature of the employment relationship by which those employed were engaged. b. The period of contracts referred to in the preceding case shall not be counted toward the maximum of twenty-four (24) months within the meaning of Articles 5, 6 and 7 of the Presidential Decree. 164/2004 (A '134).

Article 16 of Legislative Act of 11.03.2020

[Adoption of technical specifications for emergency supplies to cover public health emergencies](#)

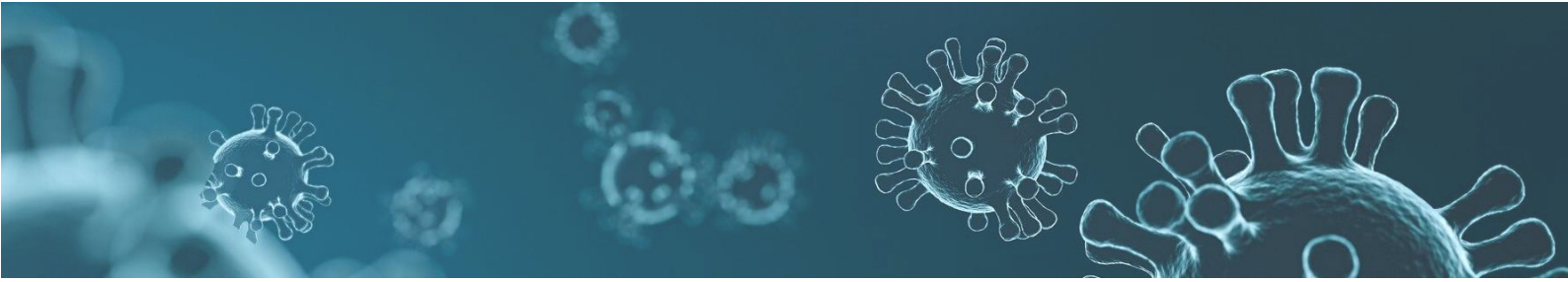
The technical specifications, the quantities required, as well as the determination of time of delivery of the products and services to be supplied, intended to cover the public health emergencies of public hospitals, and other legal entities under supervision of Public Health Regions due to the spread of COVID-19 coronavirus are approved by decision of the Central Council of Health Regions (KESYPE).

Article 3 of Legislative Act of 14.03.2020

[Public Procurements Issues of the Ministry of Development and Investment](#)

In the event that there is an immediate risk of occurrence and spread of COVID-19 coronavirus, the absence of which can be determined by decision of the Minister of

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Health, for a period not exceeding six (6) months from the date of entry into force of the present, by way of derogation from all applicable national provisions on public procurement, procurement procedures may be carried out in accordance with the direct award procedure of Law 4412/2016 (A '147), by the Ministry of Development and Investment concerning: (a) Support to logistics infrastructure, consumables, emergency staff and support services of call center of line 1520 (Consumer Line), (b) support to logistics infrastructure and consumables of services with subordinate control responsibilities

Article 12 of Legislative Act of 14.03.2020

[Assignment of services by EODY for examining samples at private providers](#)

In the event that there is an immediate risk of occurrence and spread of COVID-19 coronavirus, the absence of which can be determined by decision of the Minister of Health, for a period not exceeding four (4) months from the date of entry into force of the present, EODY may, by way of derogation from all applicable national provisions on public procurement, award contracts directly to private healthcare service providers (diagnostic laboratories). The invitation is uploaded to EODY's website for a period of three (3) days and may be addressed to any private healthcare service provider. The contracts are awarded based on the lowest price criterion among the services available immediately.

Article 34 of Legislative Act of 20.03.2020 ΦΕΚ Α'68/2020

For a time period of six (6) months from the date of entry into force of the present, due to the risk of further spread of the COVID-19 coronavirus and to ensure the proper and uninterrupted operation of the Ministry of Digital Governance and its supervised bodies, to prevent or minimize meetings of the collective and non-collective public sector bodies, to support remote work of civil servants and public officials and the remote provision of services to citizens and businesses, the Minister of Digital Governance and its supervised bodies may, by way of derogation from all national provisions on public procurement, utilize a direct award procedure for the procurement of goods and service contracts relating, indicatively, to the maintenance of existing crucial information systems in the public sector in general, within the meaning of Article 3 of Law 3979/2011

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(A '138), the development of new IT and ICT instruments, web site development and maintenance, IT services, IT projects, for the above purposes and in particular the continuation of the proper and uninterrupted operation of the Ministry of Digital Governance and its supervised bodies, the provision of security, cleaning and disinfection services for the buildings of the Ministry of Digital Governance and its supervised bodies and the supply of related materials, as well as the supply of laptops, related electronics and software system necessary to achieve remote working of employees and the provision of services for their installation and operation.

Article 60 of Legislative Act of 20.03.2020 ΦΕΚ Α'69/2020 Public Procurements Issues

In the event that there is an immediate risk of occurrence and spread of COVID-19, the absence of which can be determined by decision of the Minister of Health, for a period not exceeding six (6) months from the date of entry into force of the present, it is possible by virtue of a decision of the relevant competent Minister or authority: (a) to suspend the operation of public tenders, (b) extend the date for submission of tenders applications or bidding offers in cases where a notice has already been published upon the entry into force of hereof, c) suspend any time period relating to public procurements, regardless of the stage of award procedure or execution thereof, d) extend any contractual deadline for a period determined by the relevant decision.

The provisions of Legislative Act of 25.2.2020, 11.3.2020 και 14.3.2020, as well as the provisions of the present referring to contracting authorities may be applied accordingly by the contracting bodies, within the meaning of Article 224 of Law 4412/2016.

Article 34 of the Legislative Act of 30.3.2020

[Issues of public procurement for the National Blood Donation Center \(E.K.E.A.\)](#)

As long as there is still an immediate spreading risk for the COVID-19 coronavirus spreading, the lack of which can be confirmed by a decision of the Minister of Health, and only for a period not exceeding six (6) months from its entry into force of the Legislative Act of 30/3, the purpose of the National Blood Donation Center (E.K.E.A) shall also include performing laboratory tests to diagnose patients with the COVID-19 coronavirus. To fulfil the purpose of par. 1, the E.K.E.A. may, in derogation of all applicable national provisions, enter into direct procurement contracts for the supply of

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materials and reagents for testing for the COVID-19 coronavirus, by submitting a relevant invitation. The invitation is posted on the website of E.K.E.A. for a period of three (3) days and may be addressed to any company selling and distributing reagents. The contract is concluded with unique criteria the lowest offer and the provision of sufficient quantities to meet the needs of the emergency.

[Ministerial Decision 085/ΑΣ 1724/FEK 1112/2020](#)

Postponement, suspension, extension of deadlines in tender procedures of the Ministry of Foreign Affairs, for the period from 31.03.2020 to 11.05.2020, to limit the dispersion of the COVID-19 coronavirus.

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08

ESPECIALLY FOR THE HEALTHCARE PROVIDERS

ISSUES REGARDING THE ENFORCED DISPOSITION OF SPACES AND MEDICAL TECHNOLOGY EQUIPMENT, REQUISITION OF MOVABLE PROPERTY CONSUMABLE AND NON-CONSUMABLE, DONATIONS

Article 4 of the Legislative Act of the 25th.02.2020

[Issues regarding the enforced disposition of spaces](#)

For a period of four (4) months from the publication of this Act and as long as there is still an immediate risk of occurrence and spread of coronavirus, the enforced disposition of beds of private health clinics, intensive care unit (ICU) beds, hotels, private housing services, other public or private law entities to the State may be ordered upon joint Ministerial Decision of the Ministers of Finance and Health to cover the urgent public health regarding the combat against coronavirus, provided that they cannot be addressed differently. The aforementioned decision shall define the specific public health needs, the quantities of materials and facilities to be disposed, the duration, the way of compensation for the materials and / or facilities disposed for public health, and any other relevant detail for the implementation of this Article.

Article 18 of the Legislative Act of the 11th.03.2020

[Disposition of medical and technological equipment](#)

By decision of the Secretary-General of Health Services, medical equipment may be made available for use by a hospital or a health service provider in another hospital or health service provider falling within the competence of different Health Regions to address urgent needs regarding the occurrence and the spread of coronavirus COVID-

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19, for a maximum period of disposition of one semester, which can be optionally extended for another semester upon decision of the Secretary-General of Health Services.

By decision of the Health Region Director medical equipment may be made available for use by a hospital or health care provider in another hospital or health service provider under its authority to address urgent needs regarding the occurrence and the spread of coronavirus COVID-19, for a maximum period of disposition of one semester, which can be optionally extended for another semester upon decision of the Health Region Director.

Article 30 of the Legislative Act of 30.3.2020

[Conversion to use beds to combat the spread of COVID-19 coronavirus](#)

For a period of four (4) months from the entry into force of the present Act, and as long as there is still an immediate spreading for the COVID-19 coronavirus, all types of facilities for wards, hospital beds and increased care units (InCUs) of public hospitals, private clinics and all types of legally binding or disposable property may be converted, as per their use, into increased care units (InCUs) or intensive care units (ICUs), by decision of the president or coordinator of each hospital, treatment center or similar institution, provided that such needs cannot be met in any other way.

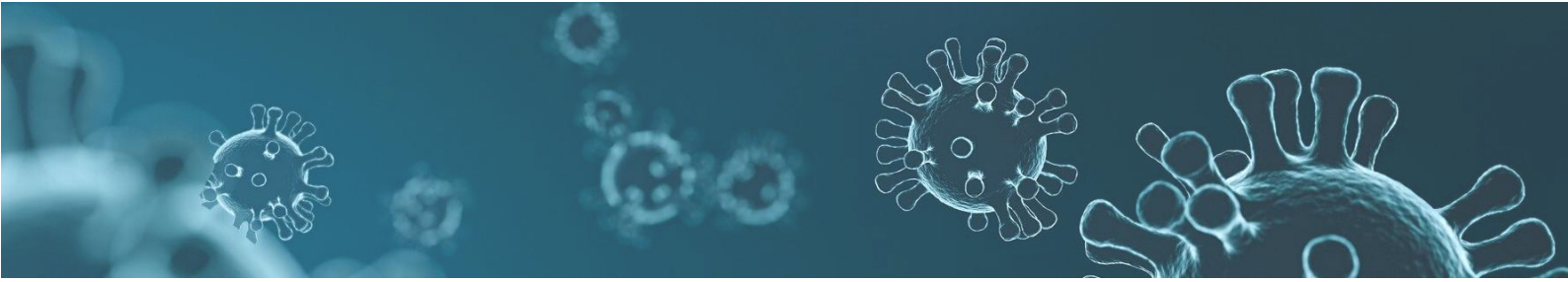
[See also JMD Δ1α/ΓΠ.οικ.21170/27.03.2020](#)

Concession of the facilities of all wards, hospital beds and increased care beds of the Nursing Institution of the Army Share Fund (N.I.M.T.S.) to cover public health needs, related to the treatment of the COVID-19 coronavirus.

[See and JMD Δ1α/ΓΠ.οικ.21888/ΦΕΚ 1115/2020](#)

Imposition of the measure of compulsory provision to the public of hotel accommodations to cover the need for extraordinary temporary accommodations for a group of people entering the State from countries with high prevalence of the disease, for the period from 22.3.2020 to 9.4.2020 for precautionary reasons related to public health addressing the COVID-19 coronavirus.

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Article 2 of the Legislative Act of the 14th.03.2020 and article 15/ Legislative Act of 30.3.2020

Emergency measures to ensure adequate personal protection and hygiene products

Undertakings with business activities in the chain of production, import, commerce, sale, brokerage, trading and distribution of pharmaceuticals and personal protection and hygiene products within the Greek territory shall submit to the competent authority, within two (2) days of the entry into force of this Act, information regarding their stock items in: a) surgical masks, b) antiseptic solutions and c) antiseptic wipes d) ethyl alcohol, either intended as a raw material for the production of antiseptic solutions, or available bottled in retail with an alcohol content of 95% and e) tests for the detection of COVID-19 coronavirus infection".

The undertakings referred to in paragraph 1 shall submit at least the following information:

(a) the quantity in stock (in pieces for surgical masks and antiseptic wipes and in liters for antiseptic solutions), (b) the location of storage and in particular the address and the postal code, (c) the contact details of the undertaking and, in particular, its trade name and distinctive title, registered office, telephone number, e-mail address, and the specific contact details of its legal representative. "The data of cases (a) up to (e) are updated with declarations submitted within three (3) days from the initial and each subsequent declaration, with the exception of supermarkets selling food that are obliged to submit declarations, in which they report daily the available quantities of the day, no later than the start of their operation".

The statement is submitted electronically via a special link located on the central website of the Ministry of Development and Investment. Access is granted through the General Electronic Commercial Registry passwords of the obliged undertakings.

Failure to submit or submission of an inaccurate statement in accordance with the provisions herein shall result to the cumulative penalties as follows: (a) confiscation of the mentioned items, insofar they have not been declared or have been inaccurately declared, and (b) an administrative fine of one thousand (1,000) up to one hundred thousand (100,000) Euros, depending on the gravity of the infringement.

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The General Secretariat of Commerce and Consumer Protection of the Ministry of Development and Investments is designated as the competent authority for the control of the compliance of the obliged undertakings referred to in paragraph 1 and for the collection and control of the data submitted by the obliged undertakings referred to in paragraph 2.

Upon joint Ministerial Decision of the Ministers of Development and Investments and Health the undertakings and types of products referred to in paragraph 1, the in-stock items referred to in paragraph 2, which are submitted with the statement of paragraph 3, the infringements' classification, and their gravity, as well as any other specific issues for the purposes of the application of this Article, shall be detailed. By a Ministerial Decision of the Minister of Development and Investment, upon recommendation by the competent authority, the sanctions referred to in paragraph 4 shall apply.

The obligations are valid for a period of two (2) months from the date of entry into force of this Act (14.03.2020). Upon Ministerial Decision of the Minister of Development and Investments the period of the previous subparagraph may be extended for an additional period of two (2) months at a time.

As long as there is still an immediate risk of occurrence and spread of coronavirus COVID-19, the absence of which can be determined by decision of the Minister of Health, and for a period not exceeding six (6) months from the date of entry into force of this Act, emergency procurement procedures of any appropriate item of personal hygiene or of collective protection may be carried out by any contracting authority, upon direct designation by way of derogation from any relevant provision of the national public procurement legislation in force.

Article 17 of the Legislative Act of 20.03.2020 - FEK A'68 / 2020 - and article 15 of the Legislative Act of 30.3.2020

[Maximum quantities of personal protective equipment and personal hygiene for consumers](#)

As long as there is still an immediate spreading risk for the COVID-19 coronavirus, the lack of which can be confirmed by a decision of the Minister of Health, and only for a period not exceeding six (6) months from the entry into force of the present Act, any kind of Retail business selling personal protective equipment or personal hygiene may

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provide consumers with a maximum of three (3) pieces per customer for any of the following types of personal protection and personal hygiene: a) Disinfective products. b) Ethyl alcohol products c) Antiseptic products. From the entry into force of the present Act, the above products are allowed to be available exclusively in individual packages. By decision of the Minister of Development and Investment, taking into account the development conditions of the spreading of the COVID-19 coronavirus, both the maximum quantity of pieces per customer and the types of the above products may be redefined."

Article 21 of the Legislative Act of 20th.03.2020 (Issue A'68 of the Hellenic Government Gazette)

[Restrictions regarding the sale of goods](#)

As long as there is still an immediate risk of spread of coronavirus COVID-19, the absence of which can be determined by decision of the Minister of Health, and for a period not exceeding six (6) months from the date of entry into force of this Act, it is prohibited to agree to receive or receive excessive benefits from the sale of any goods or services necessary for the health, nutrition, movement and safety of consumers, in particular pharmaceuticals, personal protection and hygiene products, such as surgical masks, antiseptic solutions and other disinfecting materials, so that such benefits exceed the value of the provision, with the gross profit margin being higher than the one prior to February 1st of 2020, for the aforementioned goods and services.

Article 6 of the Legislative Act of the 14th.03.2020

[Requisition of movable property, consumable and non-consumable to address the spread of coronavirus COVID-19](#)

As an urgent need during a period of peace requiring the requisition of movable property, in the sense of Article 18 par. 3 of the Greek Constitution, is defined, for the implementation of this Act, the need of protection of public health against coronavirus COVID-19 within the Greek Territory.

Upon decision of the Minister of Health published in the Greek Governmental Gazette, requisition is imposed for a period not exceeding six (6) months to movable property consumable and non-consumable, owned by individuals, natural or legal persons, and

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falling within the meaning of specialized hospital equipment, personal protective equipment and pharmaceuticals. As special hospital equipment that is subject to the process of requisition of this Article, in view of the current public health emergency, are considered: respirators, hospital beds, standard bed equipment, vital signs monitors, closed suction systems and necessary medical and technological equipment. Personal protective equipment is defined as: masks of all kinds, personal precaution equipment and sanitary clothing. The decision referred to in the first subparagraph specifies, in particular, the aforementioned movable property on which requisition will be imposed per kind and their use as well as the duration of the requisition.

Upon joint Ministerial Decision of the Ministers of Finance and Health the compensation for the use of equipment on which requisition will be imposed and the reasonable compensation of beneficiaries for consumable equipment are established.

Upon joint Ministerial Decision of the Ministers of Finance and Health, issued within two (2) months from the publication of the Ministerial Decision referred to in paragraph 2, a reasonable compensation shall be established for the beneficiaries, individuals or legal persons, upon the recommendation of a supervised legal person under public or private law of the Ministry of Health and after the beneficiaries have submitted a document for the purchase and supply of the items on which requisition was imposed. The same decision provides for the credits needed to cover the amount of compensation. In case that the aforementioned deadline lapses, the requisition shall be automatically revoked. Compensation is due for the period of requisition and is payable once, when the requisition is over or every two months, if the requisition is extended beyond two months. A substantive recourse may be brought before the ordinary administrative courts against the Joint Ministerial Decision of the present Article.

The requisition of the aforementioned products is implemented upon the Ministerial Decision of the Minister of Health referred to in paragraph 3, on the basis of which an individual administrative act of requisition is published by the Secretary General of Public Health and includes at least the kinds of products under requisition, consumable or products under requisition to be used, the minimum quantities per kind, as well as the natural or legal person on which the requisition of movable property was imposed. The Act of the preceding subparagraph shall be served by the customs, tax, police, port or fire service authorities concerned, as well as by the Municipal Police authorities, public servants and legal entities under public law. Each public authority shall provide all

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necessary assistance for the implementation of the requisition. The quantities under requisition of consumable and non-movable items are delivered and taken for distribution at the Ministry of Health. By decision of the Secretary-General of Health Services, they shall be distributed to any public or private entity for use or consumption, including all supervised bodies of the Ministry of Health, the Directorates of Health Regions and hospitals.

Article 20 of the Legislative Act of the 20th.03.2020

Supplying of stores and markets – Requisition of special hospital equipment, Personal protective equipment and pharmaceuticals

The Legislative Act of the 14th.03.2020 (Issue A' 64 of the Greek Governmental Gazette) is amended as follows: The first subparagraph of paragraph 1 of the First Article is replaced by the following: "The implementation of paragraph 8 of Article 52 of Greek Law 2696 / 1999 (Issue A' 57 of the Greek Government Gazette) and its delegated joint Ministerial Decisions on the hours of supply shall be suspended for a period of one (1) month from the date of entry into force of this Act, exclusively in the case of the supply of stores which trade food, super markets, outdoor markets, organized food markets, private pharmaceutical warehouses and supplying cooperatives of pharmacists." 2. The first subparagraph of paragraph 2 of the Sixth Article is replaced by the following: "Upon joint Ministerial Decision of the Ministers of Development and Investments and Health published in the Greek Government Gazette, in cases where it is deemed necessary due to public interest, requisition may be imposed for a period not exceeding six (6) months to movable property, consumable or non-consumable, owned by individuals, natural or legal persons, falling within the meaning of specialized hospital equipment, personal protective equipment and pharmaceuticals."

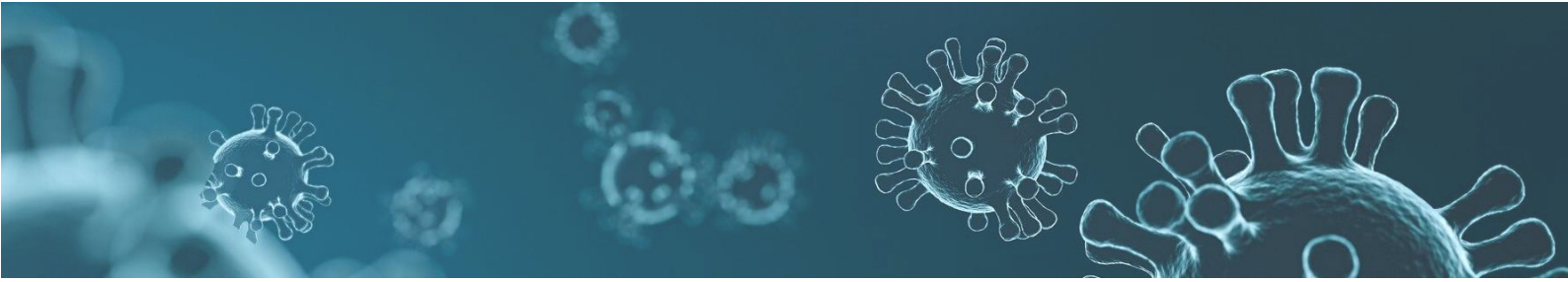
Relevant Joint Ministerial Decision: [FEK B' 848/2020](#)

Article 8 of the Legislative Act of the 14th.03.2020

Donation Acceptance Procedure

As long as there is an immediate public health risk from the spread of coronavirus COVID-19, the absence of which can be determined by decision of the Minister of Health and for a period not exceeding eight (8) months from the entry into force of this Act, the Minister of Health may accept any donation of special hospital equipment of any kind,

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personal protective equipment and pharmaceuticals of any nature by third parties, natural or legal persons. Acceptance of the aforementioned donations shall be effected without delay with a statement of acceptance of the Minister of Health regarding the donated movable property to their donor. The donated items and related equipment are delivered and taken for distribution by the Ministry of Health. Upon decision of the Secretary-General of Health Services, they shall be distributed and disposed to any public or private entity for use or consumption, including all supervised bodies of the Ministry of Health, Public Health Regions and hospitals, private and public, of all public health structures.

As special hospital equipment falling within the meaning of the donated items hereunder, in view of the current public health emergency, are considered: respirators, hospital beds, standard bed equipment, vital signs monitors, closed suction systems, and necessary medical and technological equipment required for the operation of respirators, all kinds of personal protective equipment, masks of all kinds, personal protective equipment and sanitary clothing.

Article 58 of the Legislative Act of the 20th.03.2020

[Monetary donation procedure for the direct supply of hospital equipment against the spread of coronavirus COVID-19.](#)

As long as an imminent risk for public health persists due to the coronavirus COVID-19 spread, the absence of which can be determined by decision of the the Minister of Health and, in any case, for a period of time that cannot exceed eight (8) months from the entry into force of the present Legislative Act, any individual or legal entity can make monetary donations for the sole purpose of purchasing specialized hospital equipment of any kind, means of personal protection and pharmaceuticals for use or consumption, by the supervised entities of the Ministry of Health, Public Health Districts, private and public hospitals as well as all public health structures designed to deal with coronavirus COVID-19 spread.

The aforementioned monetary donation is promptly approved by a statement of acceptance by the Minister of Health regarding the donated amount of money, explicitly mentioning the donation's purpose for purchasing items of the specialized equipment mentioned above. The statement of acceptance by the Minister of Health defines the legal entity that falls under the responsibility or supervision of the Ministry of

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Health to which the amount of money will be donated to conduct the supply of the equipment. All legal entities under private or public law of the Ministry of Health, the National Organization for Public Health, the Public Health Districts and the Institute for Pharmaceutical Research and Technology are explicitly included to the legal entities under the supervision of the Ministry of Health to which the donated amount of money can be given, all of which can conduct the supply of the equipment mentioned in par. 1 by virtue of the Legislative Act of 25.2.2020 and existing legislation for the restraint of the coronavirus spread. Every legal entity, recipient of the donation, that falls under the responsibility or supervision of the Ministry of Health as referred to in the previous subparagraph, is obliged to provide promptly any necessary cooperation through their administration for the collection of the donated monetary amount, the implementation of the supply of the equipment in par. 1 and to provide detailed information and accountability to the Minister of Health for the implementation of the relevant supplies. After the implementation of the supply, the supplied items are provided by the legal entity recipient of the donation to the supervised entities of the Ministry of Health by decision of the Secretary General of Health Services who allocates the supplied items to any of the legal entities supervised by the Ministry of Health, Regional Health Districts and hospitals, private and public, of all the structures of public health, including primary health care.

Article 28 of the Legislative Act of 30.3. 2020

[Establishment of a three-member Audit Committee for the Implementation of Financial Donations to the Special Account of COVID-19 coronavirus of IFET SA](#)

Pursuant to the announcement of E.O.F. from 01.04.2020, the donations of medicines continue to be made normally, with the mention that the owners of the marketing authorization for pharmaceutical products can proceed immediately with the donation, without waiting 15 days from the notification to the relevant department of E.O.F.

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08

ESPECIALLY FOR THE HEALTHCARE PROVIDERS

ISSUES CONCERNING MEDICAL PRESCRIPTIONS AND VALIDATION OF EXPENDITURES

Article 36 of the Legislative Act of 20.03.2020 Government Gazette A'68/2020

Digital operation of the electronic medical prescription system

For a period of two (2) months from the entry into force of the present Legislative Act, due to the risk of further spread of the coronavirus COVID-19 and for the reduction of physical contact between patients and physicians and the accommodation of patients, by derogation from the existing legislation regarding electronic medical prescription, the electronic medical prescription shall be carried out according to this article. The electronic medical prescription and the electronic medical referral are moved and executed exclusively electronically through the Primary Health Care System (<https://www.e-syntagografisi.gr/p-rv/p>) which is operating and managed by the Social Security Electronic Governance S.A..

The patient can connect to the Primary Health Care System (<https://www.e-syntagografisi.gr/p-rv/p>) either with the passwords for the Primary Health Care System, if it has such ("Entry via PHC"), or with the use of the passwords-credentials for the General Secretariat of Information Systems of Public Administration of the Ministry of e-Governance (taxisnet) and declares that it wishes to receive electronically the prescriptions for drugs that are prescribed to it. In that case, the patient also necessarily needs to declare how it will receive the above prescriptions, either via sms on its mobile phone, entering its mobile phone number in the system, or via e-mail to its e-mail address, entering its e-mail address in the system.

When the patient has declared that it wishes to receive electronically its medical prescriptions, once the physician has registered the medical prescription, the patient is informed regarding the issuance of the prescription via sms in its mobile phone, which

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includes the unique number of the prescription (prescription barcode) and the validity period or/and via e-mail with all the necessary information included in the prescription, namely unique number of prescription, pharmaceutical, diagnosis and validity period. The above procedure is performed in the Electronic Prescription System to which physicians are connected with their unique certification codes. For each electronic medical prescription, the details regarding the physician who registered it and the date of the registration are recorded.

When executing the electronic medical prescription the pharmacist is not provided with the physical form of the physician's prescription. The pharmacist recovers the electronic medical prescription by entering in the Electronic Prescription System the prescription unique number (barcode) or the patient's Social Security Number. In the case of executing the electronic medical prescription based on the prescription unique number, the pharmacist searches for and executes the electronic medical prescription based on its unique number (prescription barcode). Once the pharmacist executes the prescription, the patient receives information message in the mobile phone or / and the e-mail address that it has registered, including information on the execution of the prescription. In the case of executing the electronic medical prescription based on the patient's Social Security Number, the pharmacist enters in the Electronic Prescription System the Social Security Number of the patient who has declared that it wishes to utilize electronic medical prescriptions, to look for the patient's Electronic Prescriptions that are to be executed. The system sends a one-time-password to the patient via sms on its mobile phone or/and the e-mail address that it has registered to confirm its presence. The patient notifies the code to the pharmacist who puts it into the Electronic Prescription System and gains access to the patient's Electronic Prescriptions that are to be executed. Once the pharmacist executes the prescription, the patient receives an information message on its mobile phone or/and the e-mail address that it has registered including information on the execution of the prescription.

By joint ministerial decision by the Ministers of Health and e-Governance, the period of application of the above exceptional and temporary measure can be extended considering the course of the development of the coronavirus COVID-19 phenomenon.

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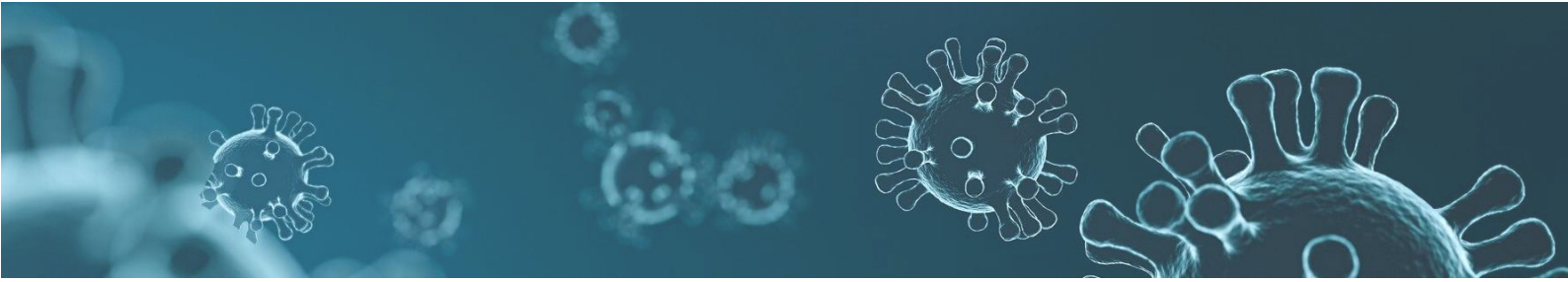
Article 49 of the Legislation Act of 20.03.2020, Government Gazette A'68/2020

Prescription reissue procedure in the Electronic Prescription System

As long as an imminent risk for public health persists due to the coronavirus COVID-19 spread, the absence of which can be determined by decision of the Minister of Health, and, in any case, no later than 30.6.2020, monthly or repeating prescriptions regarding stable medication that chronically ill patients receive and by the time of the entry into force of the present Legislative Act their validity has expired, are renewed for a period of up to three (3) months and are executed until 30.6.2020 as follows: Physicians can reissue the prescription, at the patients request by telephone, fax, e-mail or sms via mobile phone. These prescriptions do not require the physician to issue a prescription sheet and the accompanying forms. With the prescription issued by the physician, the prescription will be available electronically in pharmacies for execution only through the Electronic Prescription System. In case of pharmaceuticals available on individual order, after the reissue of the prescription, the order is made by the physician accompanied with the comments on the prescription that it is about "repeated treatment", which, until 30.6.2020, takes the place of the individual instructions document, by derogation of existing legislation. The beneficiaries of medical care, their first and second degree relatives or third parties authorized, can come with the necessary identification documents, namely ID and TIN, to the pharmacy of their choice with the code (barcode) of the prescription. The pharmaceuticals can also be received by third parties with the identification documents stated above and by filling out a solemn declaration that is drafted and delivered to the pharmacy. The identification documents are mentioned in the prescription execution sheet. By derogation of existing legislation, it is possible in the pharmacies of the National Organization for the Provision of Health Services to simultaneously execute three consecutive sheets of repeated prescriptions which are in force or to be issued from the date of entry into force of this Legislative Act.

As long as an imminent risk for public health persists due to the coronavirus COVID-19 spread, the absence of which is determined by decision of the Minister of Health, and, in any case, no later than 30.6.2020, the validity of monthly or repeating prescriptions concerning stable medication that chronically ill patients receive, which have either been issued in the Electronic Prescription System but their validity has not expired yet or are to be issued following a decision by the administrative council of National Organization for the Provision of Health Services, may be extended.

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Article 50 of the Legislative Act of 20.03.2020 Government Gazette A'68/2020 Procedure of the continuation of medication regarding pharmaceuticals of Electronic Pre-approval System

As long as an imminent risk for public health persists due to the coronavirus COVID-19 spread, the absence of which can be determined by decision of the Minister of Health, and, in any case, no later than 30.6.2020, regarding pharmaceuticals that are approved through the Electronic Pre-approval System (EPS), the continuation of medication for patients who already receive treatment by 30.6.2020 is possible, following the registration of a relative e-request by the physician on the EPS e-platform.

Article 51 of the Legislative Act of the 20th.03.2020 (Issue A' 68 Government Gazette)

[Delivery procedure for pharmaceuticals to vulnerable groups and to quarantined patients](#)

For a period of four (4) months from the entry into force of this Act and as long as there is still an immediate risk of spread of coronavirus COVID-19, to ensure the continued treatment of the vulnerable groups of the population as well as of the patients who are quarantined pursuant to the Legislative Act of the 25th.2.2020, pharmaceuticals can be delivered to the insured with same-day delivery from the pharmacies of the National Organization for the Provision of Health Services, through a certified courier company. By decision of the Board of Directors of the National Organization for the Provision of Health Services the details of implementation herein are set out.

For a period of four (4) months from the entry into force of this Act and as long as there is still an immediate risk of spread of coronavirus COVID-19, the emergency procurement procedures of any equipment necessary for the implementation of paragraph 1, as well as the provision of services, in particular courier or telecommunications services, may be carried out by the National Organization for the Provision of Health Services, by the direct designation and with sole criterion the lowest bid value, by way of derogation from any relevant provision of the national public procurement legislation in force.

Article 36/Legislative Act of 30.3.2020

[Approval of the administration of pharmaceuticals other than for the approved indications to patients with coronavirus COVID-19](#)

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As long as there is still an imminent risk to public health from the spread of COVID-19 coronavirus, and provided that there are no approved appropriate treatments for COVID-19 coronavirus, according to the pharmaceutical legislation, a decision may be provided for, by the Minister of Health, following the opinion of the National Commission for the Protection of Public Health against the coronavirus COVID-19 issued following a recommendation by the Commission for the Emergency Management of Public Health by Infectious Diseases, the issuance of licensed pharmaceuticals for another indication which are considered likely to be effective in combating COVID-19 coronavirus.

Article 37/Legislative Act of 30.3.2020

[Procedure for administration of pharmaceuticals other than for the approved indications to patients with coronavirus COVID-19 by treating physicians](#)

As long as there is still an imminent risk to public health from the spread of COVID-19 coronavirus, and provided that there are no approved appropriate treatments for COVID-19 according to pharmaceutical legislation, in any case, for a period not exceeding November 1, 2020, the procedure for administering pharmaceuticals to patients, following the issuance of the ministerial decision of the thirty-sixth article, shall be carried out by a decision of the treating physician and shall be carried out by the following procedure:

a) The treating physician notifies the "Electronic Pre-Approval System" (S.I.P.) of the National Organization for the Provision of Health Services (EOPYY) during the circumstance c of par. 1 of article 265 of law 4512/2018 the pharmaceutical administration or a combination of pharmaceuticals other than for the approved indications in a particular patient, including all the supporting documents required by the platform, as well as: (aa) written consent for the administration, after informing the patient or their relatives or their legal representatives, if they are unable to grant it, (ab) solemn declaration of the physician for the need of off-label administering of pharmaceuticals and (ac) approval of the Director of the hospital clinic where the pharmaceuticals are administered.

b) The National Organisation for Medicines (EOF) confirms that this is a pharmaceutical other than for the approved indications and EOPYY, after checking the completeness of the submitted documentation, validates the notification stating the indication "full

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notification for COVID-19", in which case the pharmaceutical can be administered by the treating physician.

Article 38/Legislative Act of 30.3.2020

[Administration of pharmaceuticals in the context of an emergency temporary permit for early access to unapproved pharmaceuticals for patients with coronavirus COVID-19](#)

As long as there is still an imminent risk to public health from the spread of COVID-19 coronavirus, and provided that the conditions of normal patient admission to an approved clinical trial in Greece do not meet the provisions, a special procedure is introduced for emergency temporary permit for early access (palliative use) in unapproved pharmaceuticals for patients with coronavirus COVID-19, by way of derogation from the existing provisions and in particular the provisions of no. ΔΥΓ3α Γ.Π.85037 / 10/2011 ministerial decision "Terms, conditions and procedure for granting temporary permit for early access to pharmaceuticals for human use ("consoling use")" under the following conditions:

- a) The pharmaceutical company implementing an early pharmaceutical (medicine) access program under clinical trial for patients with coronavirus COVID-19 ("program manager") submits to the EOF a request for the granting of an emergency temporary access permit for the said program with information of par. 2 of Article 3 of the above Ministerial Decision, except for those referred to in items (c) and (g).
- b) The EOF evaluates the request with the submitted information, including the treatment protocol, and, if it issues the emergency temporary access permit, the "program manager" posts on its website the necessary information about the program, the criteria for joining and excluding patients and a submission form of a specific request by the treating physician.
- c) In derogation from the provisions of paragraph 3 of Article 3 of the above Ministerial Decision and in general of the current legislation, the indication of early access for patients with coronavirus COVID-19 must be based on the available information, and its choice must be justified based on the unsatisfactory results of the available treatments (other than for the approved indications) or their depletion or the inadequacy of their administration to specific patients due to their state of health, must rely on the expected benefit from the new treatment and identify with the indication for which clinical trials

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are being conducted.

d) The inclusion of patients in the early access program takes place in accordance with the provisions of Article 4 of the above Ministerial Decision. By way of derogation from the provisions of par. 2 (b), the treating physician's declaration must justify their choice based on the unsatisfactory results of the available treatments (other than for the approved indications) or their depletion or the inadequacy of their administration to specific patients due to their health status and the expected benefit from new treatment.

e) For the administration of pharmaceutical, one-time notification of the program to the Scientific Council of the hospital is required with the consent of the Director of each clinic or unit where it is administered.

Article 39/30.3.2020

[Pharmaceutical Medication for patients with coronavirus COVID-19](#)

Any prescription made and administered regarding the administration of pharmaceuticals other than for the approved indications to patients with coronavirus COVID-19 by treating physicians shall be kept for two years and shall be reimbursed in accordance with the provisions in force, without the need for approval prior to receiving such treatment, except for cases of pharmaceuticals' administration in the context of an emergency temporary permit for early access to unapproved pharmaceuticals for patients with coronavirus COVID-19, in which the cost is covered by the "person in charge of early access".

In case of administration of pharmaceuticals other than for the approved indications to patients with coronavirus COVID-19 by treating physicians, for the prescription of which in their approved indication, according to their marketing authorization, a prescription is required, the competent pharmacy shall keep a copy of the prescription, which bears the patient's signature, for two years.

In any case where it is not possible to provide written consent of the patient, their relatives or their legal representatives, the treating physician may receive it by any other appropriate means, such as by e-mail, sms or even orally, confirming this in the declaration submitted for the administration of the pharmaceutical.

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VALIDATION OF EXPENDITURES ISSUES

Article 52 of Legislative Act 20.03.2020 Issue A'68/2020 of the Hellenic Government Gazette

Provisions for the payment and clearance of the accounts of private pharmacies and public health service structures

Until 31.5.2020, private pharmacy accounts may be cleared, by way of derogation from any specific or general provision, (a) by rough audit, (b) up to 80% of the invoiced amount, (c) without sending the invoice with the documentation of prescription to EOPYY, by only submitting electronically to the portal www.eopyykmes.gr the Invoice, the Submission Cover Letter and the Aggregate Payment Report. By decision of the Minister of Health, issued upon recommendation of the Governing Board(Issue A' 68/20/03/2020 of the Hellenic Government Gazette) any other details necessary for the implementation of the preceding subparagraph shall be specified and the validation period may be extended by way of derogation from the general and specific provisions, no later than 30.6.2020.

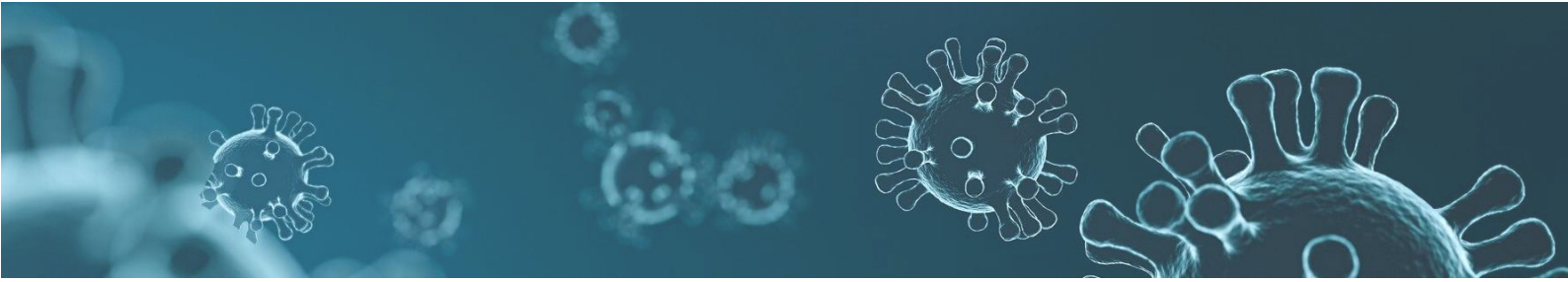
Until 31.5.2020, by way of derogation from the applicable legislation, NHS hospitals, military hospitals, hospitals under special regime, other legal entities governed by public law, other public health service structures, as well as private pharmacies are excluded from the validation procedure solely for the supply of pharmaceuticals to EOPYY insured persons. By decision of the Minister of Health, issued upon recommendation of the Board of Directors of EOPYY, any other details necessary for the implementation of the preceding subparagraph shall be specified and the validation period may be extended by way of derogation from general and specific provisions, no later than 30.06.2020.

Extension by EOPYY of the submission of February expenses by the contracted Health Providers until 31/03: <https://www.eopyy.gov.gr/article/87e05c9f-214c-4598-b2e1-2b5ddeaa5d57>

Article 53 of the Legislative Act of the 20th.03.2020 (Issue A' 68 Government Gazette)

Reissuance of medical opinions at the expenditure information system of the National Organization for the Provision of Health Services e-dapy

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As long as there is still an immediate risk of spread of coronavirus COVID-19 and no later than 30.6.2020 monthly or recurring medical opinions for chronically ill people, regarding periodically granted benefits referred to in par. 7 c and par. 8 of Article 2 of this Act, as well as in Article 53 of the Health Benefits Regulation are renewed upon expiry, according to the following procedure: Medical practitioners may issue electronic medical opinions regarding these benefits at the request of beneficiaries via telephone, fax, email or mobile text message. For these medical opinions the issuance and printing in hard copy and the approval of a medical auditor are not required. The medical practitioner shall state that the electronic medical opinion is issued pursuant to this Act and shall inform the recipient of the barcode by any possible means, such as via telephone, fax or e-mail. The beneficiaries can also view the barcodes of their medical opinions in their Health Record. Upon issuance of the medical opinion by the medical practitioner, the medical opinion is available electronically at the affiliated pharmacies and other health providers affiliated with the National Organization for the Provision of Health Services, through the indicated barcode by the expenditure execution and submission information system of the National Organization for the Provision of Health Services e-dapy. Medical opinions may be issued according to the aforementioned procedure until 30.6.2020, being executed until their expiration date, as specified on the electronic medical opinion issued. Healthcare beneficiaries, their first and second degree relatives or authorized third parties may come with the necessary identification documents, i.e. ID Card and TIN (Taxpayer Identification Number), to the affiliated pharmacies and other health providers of their choice affiliated with the National Organization for the Provision of Health Services with the barcode of the medical opinion. The recipient's identification details shall be indicated on the Medical Opinion Execution Sheet or the Receipt Form upon receiving the prescribed items.

Article 54 of Legislative Decree 20.03.2020 Government Gazette A'68/2020

Destitute and uninsured patients with chronic kidney failure

Where there is still a direct risk of COVID-19 expansion, and for a period of time that cannot exceed six (6) months from the entry into force of the present Legislative Decree, destitute and uninsured patients with chronic kidney failure of a final stage, for which replacement therapy of the kidney function is required with hemodialysis and which have not been placed in a permanent regular position at an Artificial Kidney Unit of a public hospital, referred to as wandering kidney patients, may be part of hemodialysis

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units of the private sector that have contracted with E.O.P.Y.Y., (Artificial Kidney Unit) of private clinics and of Chronic Hemodialysis Units, for regular hemodialysis in accordance with the therapeutic protocol. The integration of the previous passage shall be effected by decision of the President or the Vice-President of E.O.P.Y.Y., after the opinion given by the Coordination and Control Service of a programme of kidney failure at a final stage of the General Hospital of Athens "Georgios Gennimatas", by proportional distribution and based on the place of residence of the hemodialysis patients, at the closest Artificial Kidney Units and Chronic Hemodialysis Units of the private sector that have a contract. The procedure for the submission, control and compensation of the costs, as well as any relative details shall be determined by decision of the Minister of Health, which is issued following a recommendation by the Board of Directors of E.O.P.Y.Y. The expenditure of the preceding passage shall be covered by an exceptional grant from the exceptional financing of the Minister of Health, in accordance with Article 5 of the Legislative Decree dated 25.2.2020.

Article 56 of Legislative Decree 20.03.2020 Government Gazette A'68/2020

[Procedure for dealing with the inability to perform accounts clearance, completion or payment of private providers.](#)

In unforeseen cases that, due to the spread of COVID-19 coronavirus, it is impossible to carry out the process of accounts clearance, completion or payment of private providers by the services of the EOPYY Organization or part of it, which is established by the decision of the General Director of Financial Services of EOPYY, the expenses of the Organization payable from the date of entry into force until 31.5.2020 shall be reimbursed up to 80% of the requested amount, without final clearance by derogation from the existing legislation, after exclusively checking the invoices submitted to the electronic system of the Organization (e-dapy). Subsequently, systemic payment orders are issued, signed by the President or Vice President of the Organization and the General Director of the Financial Services of E.O.P.Y.Y., notwithstanding any limit, by derogation from the existing legislation. The above payment orders are submitted aggregated and are sent electronically through the DIAS system, to the bank for payment execution. These amounts are not confiscated, offset or withheld by the State or third parties.

The entire process of Paragraph 1 is performed electronically through the financial management system of EOPYY, by derogation from any other general or specific

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provision. In addition, the filing of the above does not require the submission of fiscal and insurance information or a debt certificate under Article 12 par. 6 of law 4174/2013 and its delegated decision, which will be submitted after the expiry of the measures, on final validation. The final clearance will take place no later than July 31st, 2020. The rate of the reimbursed amount may be re-determined by a joint decision of the Ministers of Finance and Health, following a reasoned proposal by the Board of Directors of E.O.P.Y.Y. The period of application of the exceptional procedure hereunder may be extended by similar decision but no later than 30 June 2020. Article 57 Extension of E.K.P.Y. deadlines. Since the entry into force of the present, the designated deadlines for the submission and validation of individual service requests under the Unified Health Services Regulation, as well as the deadlines for performing referral diagnostic examinations and service reports of the Unified Health Services Regulation, are extended until 30 June 2020.

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08

ESPECIALLY FOR THE HEALTHCARE PROVIDERS

OTHER ISSUES - SCIENTIFIC EVENTS – ANTISEPTIC PRODUCTION LICENSES

- Changes with E.O.F. Circular 37201/23.03.2020, which amends the current E.O.F. Circular 27810/20.03.2018 for scientific events, solely on conducting scientific events during the summer period exclusively for the year 2020, provided that the prevailing conditions allow it, due to the suspension of any conference event in Greece and the extremely urgent need to limit the spread of the COVID-19 coronavirus.

Listed below are the new regulations introduced under E.O.F. Circular 37201/23.03.2020:

- Scientific events organized in Greece exclusively by a foreign company, without any participation of a Greek healthcare professionals and/or the involvement of a Greek subsidiary, do not need notification/validation by E.O.F..
- Regarding scientific events that are organized in Greece exclusively by a foreign company that produces pharmaceuticals supervised by E.O.F., with the participation of Greek healthcare professionals in them, Greek subsidiaries that are interested in subsidizing the participation of healthcare professionals in these events, will submit electronically the corresponding participations of healthcare professionals, under the procedure "Application for healthcare professional participation" in foreign conferences by a foreign company in Greece.
- Sponsorships for scientific events lasting more than eight (> 8) hours amount to the amount of € 15,000.00 per company / sponsor.
- Scientific events are not allowed in tourist destinations during the winter season (15/12 to 15/01), while in exclusively ski destinations from 15/12 to 15/03.

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Observation:

The previous circular also referred to the summer season - Now scientific events in the summer are allowed only if the prevailing conditions allow.

- After the end of the Scientific Event, accounting data are submitted within the current year of the conference and until 01.06 of the following year.

Observation:

In the previous circular, the report was made within 6 months or 8 months, depending on the case.

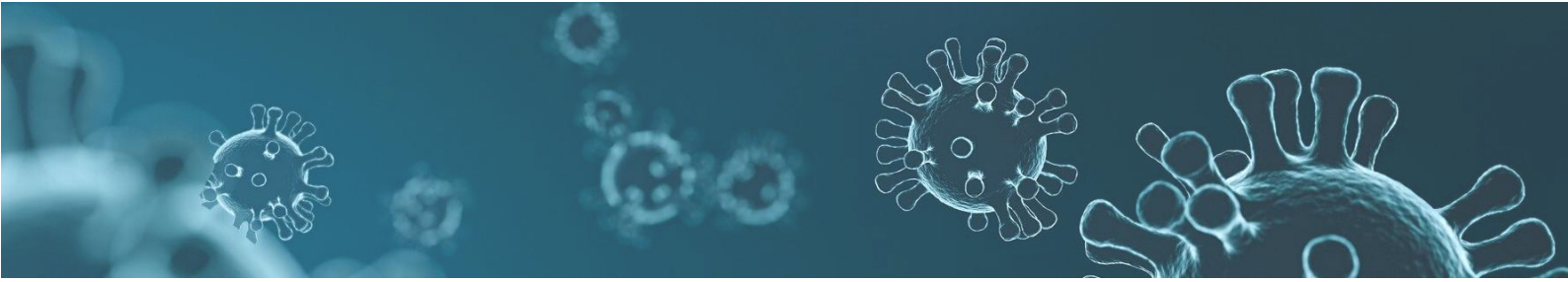
- *The cost of accommodation (accommodation - food) of Health Professionals in scientific events / committees abroad, is set at: 150 € the maximum cost of food with breakfast, including VAT and 400 € the maximum cost of accommodation, including VAT.*

Observation:

In the previous circular the amounts were € 100 and € 300 respectively.

- Participations of Health Professionals in scientific events and / or Committees of Experts (Domestic-Foreign), for which the participation costs of Greek healthcare professionals are covered exclusively by a foreign company, do not need notification / validation by E.O.F..
 - - Finally, we note that compared to the previous circular, the updated circular does not provide the ability to exceed the budget by 25%. In addition, the paragraph of the previous circular "All eligible scientific bodies / E.O.F. competent companies interested in organizing Scientific events, must submit their application to E.O.F. only ELECTRONICALLY, on the special platform, four (4) times a year, months: January, April, July and October, following the detailed instructions provided to them on the online platform "has been omitted in the updated circular.
- Circular 37201/23.03.2020 enters into force on 23.3.2020 and replaces all previous ones.

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- Finally, with regard to issues of extraordinary production of antiseptics for the purpose of limiting the spread of Covid-19 coronavirus, it is noted that according to Article 5 of Law 4681/2020 ([ΦΕΚ 74/Α/27.3.2020](#)) the following is defined:
- If still there is a direct spreading risk of the COVID-19 coronavirus, the lack of which can be determined by order of the Minister of Health, and in any case for a period not exceeding six (6) months after the entry into force of the present, a suspension takes place for provisions under case (d) of paragraph 1 and paragraph 2 of Article 3 of Law 1316/1983 (exclusively for companies that already hold a license for the production of pharmaceutical or cosmetic products, and only for the production of type 1 disinfectant products for human use either in liquid or gel form or wet wipes, the distribution and use of which is governed by EU Regulation 528/2012 of the European Parliament and of the Council. The above companies may produce the above products exclusively and only for their distribution in the Greek Territory and are obliged to comply with all safety rules of the products produced and to inform the public about their use and their characteristics. The obligation of exclusive distribution and circulation of the products of this paragraph in the Greek Territory and the prohibition of the export of these products outside the Greek Territory affects both the producers and their resellers. In case that the above production requires the observance of procedures based on the relevant articles of laws 3982/2011 (Α' 143) and 4442/2016 (Α' 230), the validity of the relevant provisions is also suspended exclusively in relation to the above production process, while the deadlines of paragraph 3 are met.
- The distribution of products of paragraph 1 is made after the issuance of a relevant marketing authorization by E.O.F., pursuant to Article 55 of EU Regulation 528/2012.
- Companies, which will produce the above products in accordance with paragraph 1, are obliged within three (3) months from the beginning of their production to submit an application to E.O.F. for a license to produce the above products in accordance to case (d) of paragraph 1 and paragraph 2 of article 3 of law 1316/1983.
- In such case that the application of paragraph 3 is not submitted in time with a complete file, the above companies are obliged to immediately stop the production and distribution of the above products and to withdraw these products

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from the market. In case of violation of the provision of the previous paragraph, the penalties of article 19 of n.d. 96/1973 shall apply.

Temporary ban on parallel exports and intra-Community distribution of pharmaceutical products

- With the E.O.F. decisions [33887/13.03.2020](#) and [35702/24.03.2020](#), parallel exports and intra-Community distribution of pharmaceutical products were temporarily banned.
- Relevant is the table of products from [24.03.2020](#) for which the above ban applies.

Risk of obtaining counterfeit drugs

With its announcement dated [27.03.2020](#), E.O.F. warns of the risks of obtaining counterfeit drugs from the internet or other unreliable sources.

Instructions for conducting Clinical Trials during the COVID-19 pandemic in Greece by E.O.F.

- Submitted for approval to the competent Department of Clinical Trials of E.O.F. and evaluated by emergency procedure in accordance with applicable law.
- The positive opinion of the National Ethics Committee is required for their approval.
- If the clinical trials are multinational according to the recommendation of the CTFG group, the VHP procedure is recommended.
- Clinical trials after their approval by the regulatory authorities (EOF-EED) and their posting in EudraCT are automatically displayed in the EU Clinical Trials Register where all interested parties have public access. (<https://www.clinicaltrialsregister.eu/>).
- In order to easily search for them, it is necessary to include in the title of the clinical trials the term COVID-19.
- Relevant [Instructions](#) and [Announcement](#) from the European Medicines Agency.

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Distribution of educational materials to Health Professionals

With its Announcement dated [26.05.2020](#), E.O.F. informed that for the period from 26.03.2020 to 30.04.2020, the Marketing Authorization Holders who request the approval of the educational materials to Health Professionals, will distribute the Educational Material via e-mail, with their commitment to distribute the educational material after 30.04.2020 via registered mail.

Distribution of Letters of Direct Communication with Health Professionals

With its Announcement dated [23.03.2020](#), E.O.F. informed that the Marketing Authorization Holders that will apply for the approval of the Letters of "Direct Communication with Health Professionals (DHPCs)", for the period from March 23, 2020, to April 30, 2020, will have the option not to distribute the Letter for this period with their commitment for the distribution of the "Direct Communication with Health Professionals (DHPCs)" after April 30, 2020. For the period from March 23, 2020 to April 30, 2020, the letter will be posted on the E.O.F. website after being sent by the Marketing Authorization Holders.

E.O.F. operation

Regarding the Operation of the Protocol, E.O.F. [informed](#) that all requests will be submitted via e-mail. Related instructions [here](#).

To find out more about our Life Sciences / Healthcare Practice, click [here](#)

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09

STATE AID RULES AND COVID-19

The outbreak of COVID-19 may have a significant economic impact. Several EU Member States are contemplating, or have already adopted, measures to support citizens or enterprises, some of which may qualify as State aid within the meaning of article 107(1) of the Treaty on the Functioning of the European Union (TFEU).

On 13 March 2020, the European Commission, which has sole competence to determine the compatibility of State aid measures with the internal market under article 108 TFEU, laid down a [coordinated response](#) to counter the economic consequences of COVID-19. In this context, the Commission pointed out that the main fiscal response with respect to COVID-19 will come from national budgets and that State aid rules enable Member States to take swift and effective action by designing ample support measures.

The different legal bases which may be used by Member States – either individually or on a complementary basis - are outlined below.

- [Aid for damage directly caused by exceptional occurrences](#) (article 107(2)(c) TFEU)

Article 107(2)(c) TFEU enables the Commission to approve State aid by Member States to compensate specific companies or specific sectors (in the form of schemes) for the **damage directly caused by exceptional occurrences**. The Commission has already accepted that the COVID-19 outbreak qualifies as an exceptional occurrence for the purposes of this provision.

Therefore, this provision allows the Member States to:

- design **schemes for companies active in sectors that have been particularly hard hit** (e.g. transport, tourism and hospitality);
 - grant **individual support** to specific companies;
 - **compensate organizers of events**, such as concerts, festivals, sport tournaments, cultural or commercial fairs, if such events are cancelled as a direct consequence of the COVID-19 outbreak.
- [Aid to remedy a serious disturbance in the economy of Member States](#) (article 107(3)(b) TFEU)

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Article 107(3)(b) TFEU empowers the Commission to declare compatible State aid measures to **remedy a serious disturbance in the economy of a Member State**. The disturbance must affect the whole or an important part of the economy of the Member State concerned, and not merely that of one of its regions or parts of its territory.

For the first time since the 2008 financial crisis, the Commission adopted a [Temporary Framework](#) under article 107(3)(b) TFEU (complementary to the other options already available to mitigate the socio-economic impact of the COVID-19 outbreak) in order to enable Member States to use the full flexibility of State aid rules to support the economy. The Temporary Framework provides for **five types of aid**:

Direct grants, selective tax advantages and advance payments	Member States will be able to set up schemes to grant up to €800,000 to a company to address its urgent liquidity needs.
State guarantees for loans taken by companies from banks	Member States will be able to provide State guarantees to ensure banks keep providing loans to the customers who need them.
Subsidised public loans to companies	Member States will be able to grant loans with favourable interest rates to companies, to help businesses cover immediate working capital and investment needs.
Safeguards for banks that channel State aid to the real economy	Some Member States plan to build on banks' existing lending capacities, and use them as a channel for support to businesses, in particular SMEs. Such aid is considered as direct aid to the banks' customers, not to the banks themselves.
Short-term export credit insurance	The Framework introduces additional flexibility on how to demonstrate that certain countries are not-marketable risks, thereby enabling short-term export credit insurance to be provided by the State where needed.

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By virtue of Commission Communication [C\(2020\) 2215 final](#), dated 03.04.2020, the Temporary Framework was amended in order to include, inter alia, five additional aid measures (some of which are deemed, as per the provisions of the Communication, compatible with article 107(3)(b) TFEU, while other are deemed compatible with article 107(3)(c) TFEU):

Support for coronavirus related research and development (R&D) (article 107(3)(c) TFEU)	Member States can grant aid in the form of direct grants, repayable advances or tax advantages for coronavirus and other relevant antiviral R&D. A bonus may be granted for cross-border cooperation projects between Member States.
Support for the construction and upscaling of testing facilities (article 107(3)(c) TFEU)	Member States can grant aid in the form of direct grants, tax advantages, repayable advances and no-loss guarantees to support investments enabling the construction or upscaling of infrastructures needed to develop and test products useful to tackle the coronavirus outbreak, up to first industrial deployment.
Support for the production of products relevant to tackle the coronavirus outbreak (article 107(3)(c) TFEU)	Member States can grant aid in the form of direct grants, tax advantages, repayable advances and no-loss guarantees to support investments enabling the rapid production of coronavirus-relevant products.
Targeted support in the form of deferral of tax payments and/or suspensions of social security contributions (article 107(3)(b) TFEU)	Member States can grant targeted deferrals of payment of taxes and of social security contributions in those sectors, regions or for types of companies that are hit the hardest by the outbreak. (<i>Note: Where such deferrals are of a general application and do not favour certain undertakings, or the production of certain goods, they fall outside the scope of EU State aid control</i>).
Targeted support in the form of wage subsidies for employees (article 107(3)(b) TFEU)	Member States can contribute to the wage costs of those companies in sectors or regions that have suffered most from the coronavirus outbreak, and would otherwise have had to lay off personnel. (<i>Note: Where such support schemes apply to the whole economy, they fall outside the scope of Union State aid control</i>).

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In accordance with the provisions of the Temporary Framework, the possibility of granting aid, repayable in whole or in part, in the form of a "repayable advance" was provided under Legislative Act dated 30.03.2020 (Government Gazette Issue [A' 75/30.03.2020](#)). By virtue of Decision 1076/2020 (Government Gazette Issue [B'/02.04.2020](#)), an online electronic platform, ("myBusinessSupport"), was set up, where an expression of interest for the granting of such aid may be submitted by private undertakings of any legal form and from any business sector, including sole proprietorships, provided they employ 1 - 500 employees, have their registered seat or a permanent establishment in Greece and have been financially hit due to the COVID-19 outbreak. The conditions for the granting of aid, the process for submitting the respective application and for the granting of aid, the way of calculating its amount, the conditions and process for its repayment, in whole or in part, as well as any other relevant detail will be determined by a new joint ministerial decision, to be issued upon expiry of the deadline for the submission of the expressions of interest (see article 2(9) of Decision 1076/2020).

Furthermore, on 03.04.2020, the European Commission approved, under the Temporary Framework, a €2 billion Greek aid scheme in the form of guarantees on loans (see relevant [Press Release](#)). Based on the measure notified, partial guarantees will be provided by the Hellenic Development Bank on eligible working capital loans originated by financial intermediaries. The scheme will be open to all Greek undertakings, with the exception of financial intermediaries, such as banks, undertakings active in aquaculture, in agriculture and in sectors non-eligible by the European Regional Development Fund. Further to the approval of the European Commission, the framework for the implementation of said support measure is expected to be issued.

- Aid for meeting acute liquidity shortages and supporting undertakings facing financial difficulties (article 107(3)(c) TFEU and Rescue and Restructuring State aid Guidelines)

Under the [Commission's Rescue and Restructuring Guidelines](#) based on Article 107(3)(c) TFEU, the Commission may approve **urgent and temporary assistance** in the form of loan guarantees or loans to all types of companies in difficulty. Such aid would cover companies' expected operating needs for a 6-month period. Companies that are **not (yet) in difficulty** can also receive such support, if they face acute liquidity needs due to exceptional and unforeseen circumstances such as the COVID-19 outbreak.

Furthermore, the Rescue and Restructuring Guidelines enable Member States to create **dedicated schemes for SMEs and smaller state-owned companies**, including to cover

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their acute liquidity needs for a period of up to 18 months.

- Measures not requiring the involvement of the Commission (Horizontal public support measures, de minimis & General Block Exemption Regulations)

In addition to the above, further options remain available to Member States which are **outside the scope of EU State aid control and do not require the involvement of the Commission**. These are the following:

- measures **applicable to all companies**, e.g. wage subsidies and suspension of payments of corporate and value added taxes or social contributions;
- financial support **granted directly to consumers**, e.g. for cancelled services or tickets that are not reimbursed by the operators concerned;
- measures under the [de minimis Regulation](#), which exempts from the notion of State aid, and from the ensuing notification requirement, **grants of up to €200,000 over a 3-year period** (with specific thresholds applying for the road freight transport sector, for agriculture and fisheries); and
- the [General Block Exemption Regulation](#), which also allows Member States to implement certain measures without prior Commission scrutiny, laying down the eligible beneficiaries, maximum aid intensities and eligible expenses.

- Practical-procedural issues

With respect to notifiable State aid measures, the Commission has put in place **procedural facilitations** to enable a swift approval process, while decisions are taken within days of receiving a complete State aid notification from Member States, where necessary.

Additional information may be found at the [dedicated COVID-19 section](#) of DG Competition's website.

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10

CONTRACTUAL RISK MANAGEMENT ISSUES - FORCE MAJEURE

Management of Contractual Risk is a major issue, especially for commercial cooperation and labor relationships, etc. in an environment of extraordinary and highly unpredictable socio-economic circumstances that trigger force majeure events. Force majeure is a condition that regulates the grid of contractual relationships when unforeseen exceptional circumstances exist, affecting the performance of the contract, and are impossible to be predicted, prevented or limited by actions of the contracting parties.

1. As a general principle of law [cf. Article 255 of Civil Code, Article 10 par. 6 Administrative Procedure Code, Article 27 par. 5 tou Presidential Decree 18/1989] a case of force majeure is any unintentional event of wholly exceptional nature, which has not been expected, nor was it possible to be anticipated or prevented, not even with extreme diligence and prudence measures, regardless of it being internal or not (see. E.A.A.ΔΗ.ΣΥ. Opinion Δ107/2018, Decision 261/2014, Document under protocol No 29/12.03.2020)

In particular, the issuance of the Legislative Decrees dated 25/02, 11/03 and 14/03, which are predominantly government acts, it can be argued that the socio-economic situation, as currently formed because of the measures restricting the expansion of Covid-19, both national and international, forms a group of events, which are impossible to be prevented by human force or, at least, harder than other events of chance, *i.e. in a strict sense speaking, the events that are closer to negligence, meaning events unpredictable and unpreventable even by "measures of extreme care and conscience of the trading party".* (see. Judgment ΑΠ 513/2016).

2. **In principle, force majeure, in the absence of a legislative provision (e.g. 656 Civil Code for the exemption of the employer), is a contractual term and, so, it is up to the intention of the parties to decide on its interpretation and consequences on the fulfillment of the contractual obligations.**

Conclusion: in principal, recourse is required to the content of the special contractual term regarding force majeure that regulates exhaustively the contractual relationships in

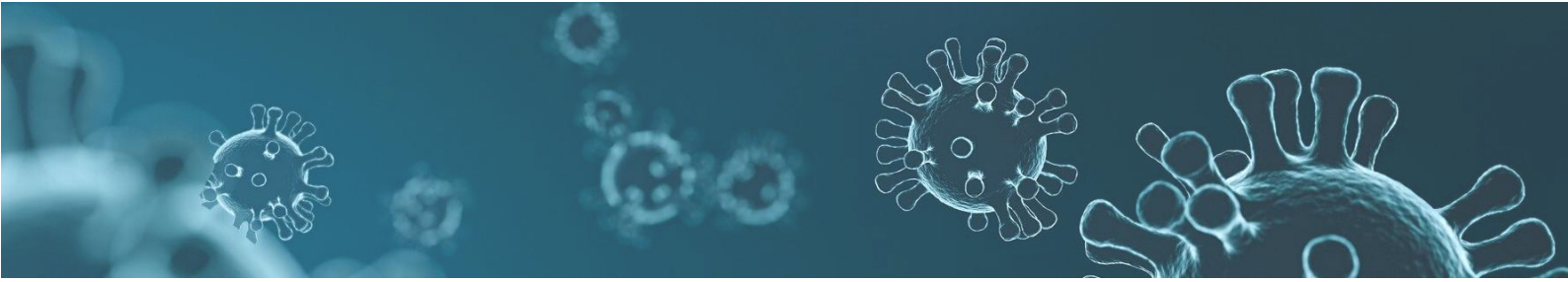
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this case.

3. However, in the absence of any of the above contractual clauses on force majeure, case law accepts that the debtor is not liable for non-fulfillment of obligations, unless they became overdue before the reasons for force majeure occurred, which in this case do not cover the delinquency. Pursuant to Article 336 of the Greek Civil Code, the debtor is then relieved of any obligation due to inability to fulfill the contract, if it proves that the inability is due to an event for which it is not responsible. However, as soon as it learns of the inability to fulfill the contract, it must notify the lender. According to a fundamental principle of contract law, intra-contractual liability constitutes a counterfeit absolute liability (νόθος αντικειμενική ευθύνη) and the debtor has the burden of invoking and proving that the reason it does not fulfill its obligation lies outside its sphere of responsibility. If the reason is in fact out of its sphere of responsibility, then this is a case of *'impossibility without fault by one of the parties to furnish the performance'* under Article 380 of the Greek Civil Code, according to which (if there is *'impossibility without fault by the debtor to furnish the performance'*) the counterparty lender is exempt from the obligation, and if it did provide such consideration it can claim it back under the provisions on unjust enrichment.
4. However, in the case of a monetary debt, rather than a payment in kind, it should be noted that the financial inability of the debtor to make a monetary payment is not necessarily a reason for its exemption from payment, provided that the counterparty lender has fulfilled its obligation (e.g. delivery of goods). In the extraordinary conditions of the pandemic, the general principle of good faith (GCC 288) can be used as a tool to shape temporarily the rights and obligations of the parties, so as not to make the debtor's position disproportionately burdensome, but also not to permanently overturn the lender's rights.
5. In the event of an extension of the period of time that force majeure applies, the counterparty is entitled to withdraw/terminate the contract, which shall be exercised within the framework of good faith and practice (see. ΑΠ 445/2019 and ΑΠ 3367/2010 recognize the right of withdrawal/termination of the contract by the counterparty in the context of a project agreement and a commercial agency contract respectively).

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6. **The regulation of the manner that the contract shall be performed under circumstances of force majeure, may also take place by a unilateral governmental intervention.** For instance, such regulations are:

(a) the provision of Article 2 of the Legislative Decree 20.03.2020/**Government Gazette A' 68/2020**, which provides that *"the tenant of a professional lease for the establishment of a business, for which special and extraordinary measures have been taken regarding the suspension or provisional prohibition of the operation for preventive or repressive reasons that are related to coronavirus COVID-19, is exempt from the obligation to pay 40% of the total rent for months April and May 2020, by way of derogation from the applicable lease provisions"*.

(b) the regulation of article 9 of the Legislative Act of 20.03.2020 / [FEK A '68/2020](#), on swift work and for in the case of a stand-by position of the employee, the payment of ½ of the average of regular salaries of the last 2 months under full time employment. (see thematic section on labor issues).

(c) the regulation of article 2 of the Legislative Act of 30.03.2020 / [FEK A '75/2020](#) for the extension of deadlines for the maturity, notification and payment of securities, which provides for the following:

Article two

[Extension of deadlines for the maturity, notification and payment of securities](#)

(a) From 30 March 2020 until 31 May 2020, for the Code of Activity Numbers (CAD) of companies that have either suspended their operations in accordance with Regulatory Acts, or have been severely affected by COVID-19 coronavirus epidemic, pursuant to the decisions issued under the authority of par. 2 of article 1, par. 2 of article 2 and par. 1 and 2 of article 3 of the Act of Legislative Content of 11.3.2020 (A' 55), as applicable, the deadlines for the maturity, notification and payment of securities are extended for seventy five (75) days from the indicated date on each security. The provisions set out in the preceding paragraph shall also apply to companies whose KADs are to be included in the above decisions in April 2020 of the year, effective following the date of publication of their inclusion in the affected companies.

(b) The provisions of paragraph (a) shall apply to all securities which must be transmitted

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electronically by anyone drawing a right or an obligation from them, such as by their issuers or recipients or bearers, to credit institutions operating in Greece in any form, including the branches of foreign credit institutions that fall within the scope of application of Law 4261/2014 (A' 107), the Deposits and Loans Fund, the payment institutions of Law 4537/2018 (A' 84), the electronic money institutions of Law 4021/2011 (A' 218), as well as the branches and representatives of payment institutions and electronic money institutions based in other member-states and operating legally in Greece, within three (3) working days from the entry into force of this for companies already included in the affected companies, or within three (3) working days from the day following the inclusion of the specific KAD in the affected companies in accordance with the second paragraph of sub-paragraph (a). The transfer of and notification for the securities, according to the previous paragraph, is carried out through a special relevant electronic application of the credit institutions through the payment system of DIAS SA or the company TEIRESIA SA, which operates according to the instructions of the credit institutions, in order to facilitate the implementation of this and in particular the transfer of securities to credit institutions, in order for the deadline provided for in the first instance to apply to them. For the purpose of implementation of this, the credit institutions may receive the required data from the Tax Administration.

(c) All the necessary details for the implementation of the present may be regulated by decision of the Minister of Finance.

2. The holders of securities, who at the time the issuance of the present are not actively using Code of Activity Numbers (KAD) for companies included in the decisions of par. 1, can be individually included in the affected companies and become subject to the provisions of Articles 1, 2 and 3 of the Act of Legislative Content 11.2020, from 1 April 2020 onwards, if the total value of the securities suspended, in accordance with the procedure of par. 1, is greater than twenty percent (20%) of the average monthly turnover of their transactions of the immediately preceding tax year, as calculated on the basis of the total outflows included in the initial and amended, timely or late submitted VAT returns. Excluded from the application hereof are operators belonging to KAD of companies that show a significant increase in their turnover during the crisis due to the COVID-19 coronavirus epidemic. By decision of the Minister of Finance, the KAD are defined, which show a significant increase in their turnover during the crisis due to the COVID-19 coronavirus epidemic. A similar decision, issued after a suggestion of the director of AADE, determines the required data and supporting documents for the implementation of the present, the procedures for sending or transmitting them to the

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Tax Administration by taxpayers or third parties, as well as any other necessary technical or procedural details.

7. **The present does not prevent the debtor and the beneficiary from agreeing that the securities will be paid directly from the debtor to the beneficiary on the originally stated maturity date."**

Especially in the sector of public procurement, the following are applicable:

- First, under Article 204 of Law 4412/2016, a contractor who invokes force majeure must, within twenty (20) days of the occurrence of the events constituting force majeure, report them in writing and submit to the contracting authority the necessary evidence.
- Under Article 203 of Law 4412/2016, where force majeure applies, the economic operator shall not be declared to have forfeited from the award or assignment or the agreement.
- Furthermore, under Article 206 of Law 4412/2016, where the contracting time for the delivery of goods is extended as a result of force majeure or other particularly serious reasons that render the timely delivery of the contracting goods objectively impossible, no sanctions shall be imposed.
- The occurrence of force majeure on the person concerned, shall, to the extent that it is possible, constitute a waiver of the negative effects, which have occurred by the non-performance or non-timely performance by its part of its obligations, which have been imposed to it by specific provisions of law, so as not to violate the principle of equality enshrined in Article 4 par. 1 of the Constitution (see. ΣΤΕ 367/2001, 334/2000, 2997/1999, ΑΕΠΠ 1460/2019, ΝΣΚ 366/2008).
- With the document of [29/12.03.2020](#), the Single Independent Public Procurement Authority (E.A.A.D.ISY.) gave clarifications regarding the concept of force majeure, stating that public contracts above the limits, assigned after recourse to the negotiation process (articles 32 par. 2 par. c 'and 269 par. d of law 4412/2016) and the subject of which is directly connected to the measures to stop the spread of the virus, may be agreed upon without consent of E.A.A.D.ISY.
- With the E.A.A.D.ISY. documents of [20.03.2020](#) and [01.04.2020](#), Special Announcements of the European Commission were communicated regarding the conclusion of public

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contracts related to the treatment of the virus through negotiated procedures without publication.

8. **Inclusion of the clause on current and future contracts with a special provision for Covid-19**

The provision and the precise wording of the clause of force majeure in contracts with procedural details concerning its invocation will have a positive effect on the performance of the agreements. Similarly, the reviewing and reformulation of vague and problematic clauses of force majeure at current contracts is advisable, as the expansion of coronavirus is in full development and its consequences are currently unknown as regards both its timeline and impact.

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