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Presidential Decree (P.D). 220

on the transposition into the Greek legislation of Council Directive 2003/9/EC from January 27, 2003 laying down minimum standards for the reception of asylum seekers (Official Journal of the European Communities L 31/6.2.2003).

The President of the Hellenic Republic

Having regard to:

1. The provisions of article 1 paragraph 1 and article 4 of law 1338/1983 “on the application of Community Law” (O.G. A'-34) as amended by article 6 paragraph 4 of law 1440/1984 (O.G. A'- 70), article 7 of law 1775/1988 (O.G. A' - 101) as well as article 48 of law 3427/2005 (O.G. A' - 312) and of article 3 of law 1338/1983 as replaced by article 65 of law 1892/1990 (O.G. A'- 101).

2. The provisions of article 24 paragraph 1 of law 1975/1991 (O.G. A'- 184), as replaced by article 1 of law 2452/1996 (O.G. A'- 283).

3. The provisions of Article 90 of the Code of Legislation concerning the government and government bodies {Presidential Decree 63/2005 (O.G. A'- 98)} as well as article 1 paragraph 4 of law 2469/1997 (O.G. A' - 38).

4. Article 1 of Presidential Decree 205/2007 on “Merger of ministries” (O.G. A'- 231).

5. The fact that the provisions of this Decree will place, on the State budget, the following charges:

A. On the State budget:

1. an annual expenditure for the implementation of articles 1 case (p) and 12 paragraph 5 the amount of which cannot be specified because it is dependent upon future events (number of third country nationals who are beneficiaries of the financial subsidy). The provisions of this Decree also place an annual expenditure for the implementation of the provisions of article 4 paragraph 1 of an amount of about 75.000 euros, which will be co-financed for the first two (2) years of application of the above mentioned Directives from the European Community EQUAL program,. This expenditure will be met from commitments entered in the budget of the Ministry of Health and Social Solidarity (Special Financial Envelope 15-220, expenditure post 5216), or the budget of the former Ministry for Public Order (Special Financial Envelope 43 -110, expenditure posts 1111, 0824, 0871 και 5143) accordingly.

2. Possibly, an annual expenditure concerning the implementation of the provisions of the following articles: 3 paragraph 3, 5 paragraphs 1, 2 and 3, 9 paragraph 1, 12 paragraphs 1 and 2 and 13 paragraphs 6 and 10, estimated at about 3.495.000 euros which will be met from commitments entered in the budget of the Ministry for Health and Social Solidarity (Special Financial Envelope 15-220, expenditure post 5216), in the budget of the Ministry for National Education and Religious Affairs (Special Financial Envelopes 19-210 and 19-220 expenditure posts 2426, 2436 and 2439), in the budget of the former Ministry for Interior, Public Administration and Decentralization (Special Financial Envelope 07-120, expenditure post 3213) and in the budget

of the former Ministry for Public Order ((Special Financial Envelope 43-110, expenditure post 1111, 0824, 0871 and 5143), accordingly. The part of the expenditure caused by the implementation of article 12 paragraph 1 and 9 paragraphs 1 will be covered by European Community funding (75% from the European Refugee Fund).

B. On the budget of the State hospitals:

An annual expenditure concerning the implementation of article 8 and 14 paragraphs 1 and 2, which cannot be specified because it is dependent upon future events (number of third country nationals examined at State hospitals and type of medical examinations performed) to be met from commitments entered in the budget of the respective hospital.

C. On the budget of the Greek Manpower Employment Organization (OAED):

An annual expenditure concerning the implementation of article 11 which cannot be specified because it is dependent upon future events (number of third country nationals attending the Organization's training programs) to be met from commitments entered in the budget of the Organization.

7. Opinion number 204/2007 of the Council of State, following a proposal by the Ministers for the Interior, of Economy and Finance, of Foreign Affairs, of National Education and Religious Affairs, of Labour and Social Protection and of Health and Social Solidarity:

HEREBY DECIDES

CHAPTER A GENERAL PROVISIONS

Article 1

(Article 2 of Directive 2003/9 EC)

Definitions

For the purposes of the present Presidential Decree:

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

b. "Application for asylum" or "application" is the application made by a third country national or a stateless person which can be considered as an application for international protection according to the Geneva Convention. Any application for international protection is deemed to be an asylum application, unless the applicant specifically requests another protection status which can be applied for separately.

c. "Applicant for asylum" or "applicant" is a third country national or a stateless person who has made an asylum application in respect of which a final decision has not yet been taken. Any third country national who is transferred to Greece in application of Council regulation (EC) 343/2003 of 18-2-2003. (O.J. 50/25.2.2003) is also considered as an "applicant".

d. "Family members" of the applicant for asylum insofar as the family already existed in the country of origin are considered the following persons:

i. the spouse of the applicant or his or her unmarried partner in a stable relationship,

ii. The minor, unmarried and dependent children of these latter regardless of whether they were born in or out of wedlock or adopted,

iii. The parents and adult children of the applicant, who are economically dependant on the latter, or suffer from a mental or physical disability and are unable to submit an application on their own.

e. "refugee" is a third country national or a stateless person who fulfils the requirements of Article 1 A of the Geneva Convention.

f. "unaccompanied minor" is a third country national or a stateless person below the age of 18 who arrives in the Greek territory unaccompanied by an adult responsible for him/her whether by law or by custom applying in the country of origin, and for as long as he/she is not effectively taken into the care of such a person, or a minor who is left unaccompanied after he/she has entered Greece.

g. "representative of an unaccompanied minor" is the person appointed by the territorially competent Public Prosecutor for Minors or, in the absence of this latter, by the First Instance Public Prosecutor.

h. "sponsor" means the refugee applying for family reunification,

i. "family reunification" means the entry into and residence in the country by family members of a recognized refugee in order to preserve the family unit, providing that the family relationship arose before the sponsor's entry;

j. "Detention" is the confinement of a person within a particular place, according to the law in force, resulting in depriving him/her freedom of movement.

k. "accommodation centre" is any place used, according to the legislation in force, for collective housing of asylum applicants, with the exception of the detention premises.

l. "authorities competent to receive and examine an application for asylum" means the Services of the Greek Police who are responsible to start the procedure and examine an application for asylum, that is: the Asylum Departments of the Aliens' Directorates of Athens and Thessaloniki, the Security Departments of State Airports and the Sub-Directorates and Departments of Security of the Police Directorates. These Services conduct the interviews with asylum applicants, refer to the Central Authority of the Greek Police Headquarters and are responsible for registering applicants and issuing their documentation.

m. "Central Authority" is the Aliens' Directorate of the Greek Police Headquarters.

n. "Authorities competent to receive and accommodate" are the services of the Ministry of Health and Social Solidarity entrusted with implementing the full set measures on the reception and accommodation of applicants.

o. "Reception conditions" mean the full set of measures granted to asylum applicants in accordance with the present Decree.

p. "Material reception conditions" mean the reception conditions that include housing, food and clothing, provided in kind, or as financial allowances or in vouchers, and a daily expenses allowance.

Article 2

(Article 3 of Directive 2003/9 EC)

Scope

1. The present P.D. applies to all third country nationals and stateless persons who lodge an application for asylum in the territory of Greece, including at the border or in transit zones, as well as to family members, if they are covered by that application.

2. The present P.D. does not apply:

- a. in cases of requests for diplomatic or territorial asylum submitted to Greek diplomatic authorities and permanent representations abroad,
- b. In cases of application of the provisions of Presidential Decree 80/2006 on “giving temporary protection in the event of a mass influx of displaced aliens” (O.G. 82/A’).

CHAPTER B RECEPTION CONDITIONS

Article 3

(Article 5 of Directive 2003/9 EC)

Information

1. The authorities competent to receive and examine an application for asylum shall inform the applicant immediately and in any case within 15 days, providing him/her with information material in a language that he/she understands. This material, published care of the Greek Police Headquarters, describes the procedure for the examination of the application, the rights and obligations of the applicant, with special mention to the applicant’s obligation to cooperate closely and to avail himself/herself to the competent authorities throughout the period of examination of the application for asylum, as well as the consequences of not complying with these obligations.

2. This material also shall provide information on the existing reception conditions, including health and medical care, as well as on the operation in Greece of the Representation of the U.N. High Commissioner for Refugees and information on the other organizations that provide assistance and legal counseling to asylum applicants.

3. If the applicant does not understand any of the languages in which the information material is published or if he/she is illiterate, the information shall be supplied orally, with the assistance of an interpreter. A relevant record shall, then, be drawn up and kept in the applicant’s file.

Article 4

Obligations of applicants for asylum

1. The applicants are obliged to cooperate with the competent authorities insofar as this obligation is necessary in order to process the application. In particular and in all cases:

- a. they must appear before the competent authorities in person swiftly or at the specified time;
- b. they must hand over the documents, such as their passports, they are in possession of and which are related to the examination of their application;
- c. they must inform the authorities competent to receive and examine the application about their present place of residence or their address when they reside outside an Accommodation Center.
- d. they must cooperate with the competent authorities in making any legal research on their application and
- e. they are fingerprinted if they are above the age of 14 (article 4 of Council Regulation 2725/2000/EC from the 11th of December 2000, O.J. 316/15.12.2000).

2. The fact that the applicants are informed of these obligations is certified by the completion of a relevant report thereupon. The said report shall also mention the documents, as the case may be, handed over by the applicant according to point (b) of the previous paragraph.

Article 5

(Article 6 of Directive 2003/9 EC)

Official documents

1. The authorities competent to receive and examine an application for asylum, immediately after the results of the fingerprinting, and in any case within three (3) days after the application is lodged, shall provide the applicant, free of charge, with a special identity card of a foreign national who applied for asylum; this card shall allow him/her to stay in the Greek territory while his/her application is being examined. This card shall also specify whether the holder is free to move within all or a part of the Greek territory. The card bears the picture of the applicant, is valid for 6 months and shall be renewed for further 6-month periods till a final decision on the application is issued. The alien must return this card to the competent service at the time of receiving the final decision on his/her asylum application; the card shall then be destroyed and a relevant report shall be drawn thereupon. The family members of the applicant shall also receive such a card.

2. This document is not issued when the applicant is in detention and during the examination of an application for asylum made at the border according to the provisions of the P.D. 61/99 (O.G. A' 63).

3. The card mentioned in the previous paragraphs does not confirm the applicant's identity.

4. Whenever serious humanitarian reasons arise that require the applicant's presence in another State, the Central Authority shall issue to the applicant a travel

document, following a request lodged by him/her before the authorities competent to receive and examine the application.

Article 6

(Article 7 of Directive 2003/9 EC)

Residence and freedom of movement

1. Without prejudice to paragraph 5, applicants may move freely within the territory or within the area assigned to them by the Central Authority and choose their place of residence. The assigned area cannot affect their private life and must allow them sufficient scope so as to enjoy access to all benefits under this Decree. In any case, applicants must immediately inform the authorities competent to receive and examine their application of any change in their address. No previous authorization is needed for changing the place of residence.

2. When an applicant is unable to find lodging or has not adequate financial means to cover the needs of his/her private accommodation, s/he shall be housed in an Accommodation Center and/or in another dwelling, as provided for in paragraph 3, following a relevant request before the authorities competent to receive and examine the application.

3. The Ministry for Health and Social Solidarity shall communicate to the Central Authority the available Accommodation Centers as well as other places of residence, deemed suitable for hosting applicants. The placement of each applicant in these Centers and other places of residence shall be made by the Central Authority, taking into account the need of keeping the family unity of applicants, the presence and operation there of organisms providing social benefits, the possibilities for harmonious relations between applicants and the possibility for applicants to move within their assigned place of residence.

4. The setting up, administrative dependency, staffing and operation of new Accommodation Centers are in accordance with the provisions of article 24 of law 1975/1991 (O.G. A' 184), as modified by article 1 of law 2452/1996 (O. G. A' 283).

5. The Central Authority, in cooperation with the competent Directorate of the Ministry for Health and Social Solidarity, may decide on the residence of the applicants at a set place for reasons of public interest, public order or when this is necessary for the swift processing and effective monitoring of the application.

6. The Central Authority may, in exceptional cases, allow applicants temporary permission to leave their place of residence or their assigned area. Negative decisions are duly reasoned. No permission is required when the applicant's appearance with authorities or courts is necessary.

Article 7

(Article 8 of Directive 2003/9 EC)

Keeping family unity

While providing accommodation to the applicant, the competent authorities shall take, to the extent of the possible, all adequate measures to keep the applicant's family which is inside Greek territory together, if the former consents.

Article 8

(Article 9 of Directive 2003/9 EC)

Medical screening

If there are serious grounds that make it necessary, the authorities competent to receive and examine the application for asylum and the authorities competent to receive and accommodate may require the medical screening of applicants. This screening shall be made, free of charge, by a public health care institution, in order to certify that they do not suffer from any disease that may create risks of epidemic outbreak, in accordance with the World Health Organization requirements, or of any other infectious diseases or of transmissible parasitical diseases, if these are the object of protection provisions applying to Greek citizens.

Article 9

(Article 10 of Directive 2003/9 EC)

Schooling and education of minors

1. The minor children of applicants and applicants who are minors have access to the education system under similar conditions as Greek nationals for so long as there is no pending enforceable removal measure against them or their parents.

2. Access to the education system shall not be postponed for more than three months from the date of reception of the application by the minor or the minor's parents. This period may be extended to one year where specific language education is provided in order to facilitate access to the education system. Where access to the education system is not possible due to the specific situation of the minor, appropriate measures, according to existing legislation, may be taken.

3. Access to secondary education shall not be withheld for the sole reason that the minor has reached the age of majority.

Article 10

(Article 11 of Directive 2003/9 EC)

Employment

1. Applicants may have immediate access to the labor market under the conditions set in article 4 paragraph 1 case (c) of the Presidential Decree 189/1998 (O.G. A' -140). Applicants who wish to be employed shall receive a temporary work permit according to the provisions of article 4 paragraphs 2 and 3 of the Presidential Decree 189/1998

2. In case applicants start being employed while they reside in Accommodation Centers, they must inform thereof the Director of the Center.

3. Access to the labor market shall not be withdrawn during the examination of an applicant's appeal stage, until such time as a negative decision on the appeal is notified.

Article 11

(Article 12 of Directive 2003/9 EC)

Vocational training

Applicants shall have access to vocational training programs implemented by public or private organisms under the same conditions and prerequisites as foreseen for Greek citizens.

Article 12

(Article 13 of Directive 2003/9 EC)

Material reception conditions and health care

1. The authorities competent to receive and accommodate shall take the adequate measures in order to ensure that material reception conditions are available to applicants for asylum. These conditions shall provide applicants with a standard of living adequate for their health, capable of ensuring their subsistence and to protect their fundamental rights. The above mentioned standard of living shall also be provided for the specific situation of persons who have special needs, as per article 17 of this Decree, as well as in relation to the situation of persons who are in detention.

2. In the case of persons with a disability level of over 67%, certified by an assessment of the relevant Health Committee, the Ministry for Health and Social Solidarity shall provide them with a disability benefit for the duration of the examination of their application and if the accommodation of these persons in Accommodation Centers is not feasible. This benefit shall be paid by the competent services of the Prefecture where the applicant resides.

3. The provision of all or some of the material reception conditions and health care is subject to the condition that applicants do not themselves have sufficient means, allowing them to maintain an adequate standard of living from a health point of view and making possible their subsistence. This condition shall be verified by the authorities competent to receive and accommodate. If it transpires that the applicant has sufficient means for the above, these authorities may discontinue these grants to the extent that the applicant's subsistence needs are covered by own sources.

4. Applicants shall cover, according to their resources, in full or in part, the cost of the material reception conditions and of their health care.

5. The criteria and evidence to be used for assessing whether the applicant has sufficient means and any other relevant necessary detail, as well as the amount of the financial assistance and the pocket money set in article 1 point (p) shall be in accordance with the provisions of legislative decree 57/73 (O. G. A'- 149) and the decisions issued on the basis of this authorisation.

Article 13

(Article 14 of Directive 2003/9 EC)

Reception conditions and modalities

1. Each Accommodation Center shall operate on the basis of its internal regulation.

2. Housing in Accommodation Centers cannot exceed one year. Following that, applicants shall be given all faculties to find an adequate private place of living.

3. When in Accommodation Centers, it shall be taken care that families be housed in the same place. Also the minor children of applicants or applicants who are minors shall be lodged with their parents or with the adult family member responsible for them with respect for their specific needs and aiming to their peaceful coexistence.

4. Housing in Accommodation Centers shall ensure the protection of private life and access to adequate medical and health services.

5. The authorities competent to receive and accommodate and the persons responsible for the management of Accommodation Centers shall ensure that the rights to family life and to personal security are protected within them. They also shall ensure that applicants have access to relatives, legal advisors, non-governmental organizations and representatives of the United Nations High Commissioner for Refugees.

6. Staff working in Accommodation Centers shall be adequately trained through seminars offered by the United Nations High Commissioner for Refugees, the Ministry for Health and Social Solidarity or other specialized organisms. Staff shall be bound by the confidentiality principle in relation to any personal information they obtain while in the course of, or on the occasion of, their work in the Accommodation Centers.

7. Legal advisors or lawyers and representatives of the United Nations High Commissioner for Refugees shall have unlimited access to Accommodation Centers and other housing facilities in order to assist applicants. The Director of the Center may extend access to other persons, too. Limits on such access may be imposed only on grounds relating to the security of the Accommodation Centers and housing facilities and of the applicants themselves.

8. The Central Authority shall take care that the transfer of asylum applicants from one accommodation premise to another takes place only when necessary. The authorities competent to receive and accommodate shall ensure that applicants are able to inform their legal counselors of the transfer and of their new address.

9. Applicants whose application is definitely rejected or who receive a deportation order shall be obliged to leave the Accommodation Centre within a time lapse that does not exceed 30 days.

10. The competent authorities may, exceptionally, when it is not possible to house an applicant in an Accommodation Center and this former in neither detained nor restricted in a border post, provide accommodation in a hotel or another suitable place. The basic needs of the applicant shall, in all cases, be covered.

Article 14

(Article 15 of Directive 2003/9 EC)

Health care

1. Applicants shall receive free of charge the necessary health, pharmaceutical and hospital care, on condition that they are uninsured and financially indigent. Such care shall include:

- a. Clinical and medical examinations in public hospitals, health centers or regional medical centers.

- b. Medicaments provided on prescription from a medical doctor serving in one of the above institutions and acknowledged by their director.
 - c. Hospital assistance in public hospitals, class C of hospitalization.
2. In all cases, emergency aid shall be provided to applicants free of charge.
3. Applicants who have special needs as per article 17 shall receive special medical assistance.

Article 15

(Article 16 of Directive 2003/9 EC)

Reduction or withdrawal of reception conditions

1. The Central Authority, in cooperation with the competent authorities to receive and accommodate may reduce or withdraw reception conditions as set in article 6 where an applicant:

- a. abandons the place of residence assigned to him/her by the Central Authority without informing it or without permission, if permission is required.
- b. does not comply with reporting duties or does not respond to requests to provide information or does not appear for personal interviews during the application examination procedure within the time lapse laid down for it, or
- c. has already lodged an application for asylum in our country or
- d. has concealed financial resources and has therefore unduly benefited from material reception conditions.

2. When the applicant, after having absconded, is traced or voluntarily reports to the competent authority, a duly motivated decision of the Central Authority, taking into account the reasons for the disappearance, shall be issued on the reinstatement of the grant of some or all of the reception conditions. This decision shall be notified to the applicant.

3. The Central Authority may refuse to grant reception conditions in cases where an applicant has failed to demonstrate that the application was made as soon as practically feasible after arrival in the country.

4. The internal regulation of each Accommodation Center shall clearly specify the sanctions imposed in cases of violation of the said regulation. In case an applicant who resides in an Accommodation Center violates its internal regulation, s/he shall be informed in writing by the Director of the Center of the consequences of these actions and in particular of the fact that s/he may be evicted from the Center, if its regulation provides so.

5. The applicant may lodge an appeal against the decision to evict him/her from the Accommodation Center within five days from the notification of the decision. The appeal shall be addressed to the Administrative Board of the organism which is in charge of the operation of the said Center. The decision on the appeal shall be issued within five days after it was lodged and is notified to the applicant.

6. The Manager of the Center may request the assistance of police force when the applicant, to whom a final eviction decision has been notified, refuses to abide.

7. The decisions on the reduction, withdrawal or refusal of reception conditions referred to in the above paragraphs, especially with regard to persons covered by Article 17, shall be duly motivated; material reception conditions shall not

be withdrawn or refused until such decisions are issued. These material reception conditions shall be withdrawn or refused only to the extent that this is explicitly provided for in the relevant decision. Under all circumstances access to emergency health and medical care shall be guaranteed.

Article 16

(Articles 22, 23 and 24 of Directive 2003/9 EC)

Staff, funding, cooperation, coordination and monitoring system

1. The Ministry for Health and Social Solidarity shall:
 - a. Ensure the presence of human resources in the regional health and welfare services so as to adequately cover the practical aspects of the accommodation needs of applicants, according to the provisions of the present Decree.
 - b. Ensure that, in all cases, the above mentioned persons receive the necessary basic training with respect to the needs of applicants (men and women).
 - c. Allocate the necessary resources to cover material reception conditions.
 - d. Cooperate with the competent authorities to receive and examine applications in the implementation of reception conditions.
2. The competent authorities shall review yearly and on the basis of their respective responsibilities, the application of the provisions of this Decree, and shall submit reports to this purpose.
3. The Central Authority shall inform yearly the European Commission and the U.N. High Commissioner for Refugees on the number of persons covered by reception conditions, with a breakdown by country of origin, sex and age, shall provide the relevant statistical data, as well as full data on the format, the name and the form of the documents mentioned in article 5.

CHAPTER C PROVISIONS FOR PERSONS WITH SPECIAL NEEDS

Article 17

(Article 17 of Directive 2003/9 EC)

General principle

While applying the provisions of chapter B on reception conditions, the competent authorities and local administrations shall take care to provide special treatment to applicants belonging to vulnerable groups such as minors, in particular unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence.

Article 18

(Article 18 of Directive 2003/9 EC)

Minors

1. The best interests of the child shall be a primary consideration for the competent authorities when implementing the provisions of this Decree that involve minor applicants.

2. The competent authorities to receive and accommodate shall ensure access to Social Care Services for minors who have been victims of any form of abuse, neglect, exploitation, torture or cruel, inhuman and degrading treatment, or who have suffered from armed conflicts, and, if necessary, shall ensure that they receive appropriate mental health care and qualified counseling.

Article 19

(Article 19 of Directive 2003/9 EC)

Unaccompanied minors

1. As far as unaccompanied minors are concerned, the competent authorities shall take the appropriate measures to ensure the minor's necessary representation. To this purpose, they shall inform the Public Prosecutor for Minors or, in the absence of this latter, the territorially competent First Instance Public Prosecutor, who shall act as a provisional guardian and shall take the necessary steps in view of the appointment of a guardian for the minor.

2. When an unaccompanied minor lodges an asylum application, the authorities competent to receive and examine it shall take immediately the following measures:

a. They shall ensure that the accommodation needs of the child are covered by placing him/her with adult relatives, with a foster-family, in Accommodation Centers with special provisions for minors, or in other accommodation suitable for minors and that this form of accommodation shall protect it from the risk of trafficking or exploitation.

b. They shall act so that siblings be kept together, taking into account their age and degree of maturity and, more generally, the best interests of each minor concerned.

c. They shall endeavor to trace the members of the minor's family as soon as possible.

d. Changes of residence of unaccompanied minors must be limited to a minimum.

e. In cases where there may be a threat to the life or to the integrity of the minor or his or her close relatives, particularly if they have remained in the country of origin, care shall be taken to ensure that the collection, processing and circulation of information concerning those persons is undertaken on a confidential basis, so as to avoid jeopardizing their safety.

3. Staff working with cases of unaccompanied minors must have had or receive appropriate training concerning their needs. This staff shall be bound by the

confidentiality principle in relation to any information they obtain in the course or on the occasion of their work.

Article 20

(Article 20 of Directive 2003/9 EC)

Victims of torture and violence

1. The competent authorities to receive and accommodate or to receive and examine an application for asylum shall ensure that persons who have been subjected to torture, rape or other serious acts of violence are referred to a specialized unit in order to receive support and the necessary treatment of damages and wounds caused by the aforementioned acts.

2. This referral should preferably take place before the interview connected with the examination on the asylum application.

CHAPTER D APPEALS

Article 21

(Article 21 of Directive 2003/9 EC)

Appeals

1. Applicants shall have the right to exercise a quasi-judicial appeal against decisions reducing or withdrawing reception conditions as per article 15 paragraphs 1, 2 and 3 and against decisions taken on the basis of article 6. The appeal shall be lodged before the Head of the Security and Order Branch of the Greek Police Headquarters within ten (10) days of the notification of the decision.

2. This appeal shall be lodged either in person or by an authorized lawyer to the competent authorities to receive and examine an application for asylum and shall suspend the decision of the Central Authority.

3. In case the appeal is rejected, the applicant may lodge an application to annul it, in accordance with the provisions of article 15 of law 3068/2002 (O.G. A'-274).

CHAPTER E

Article 22

Subsidiary protection

Chapters A, B, C and D of this Decree shall apply mutatis mutandis in the case of paragraph 4 of article 25 of law 1975/1991 (O.G. A'- 184), as replaced by article 2 of law 2452/1996 (O.G. A'- 283).

Article 23

Repealed provisions

The provisions of Article 1 paragraph 3 second part and paragraphs 4 and 6 of the same article as well as article 2 paragraph 7 of Presidential Decree 61/1999 (O.G. A' 63) and every other general or special provision which is contrary to the provisions of this Decree or which regulates matters which are the object of this Decree shall be repealed as of the entry into force of this Decree.

Article 24

Entry into force

The provisions of this Presidential Decree shall enter into force from 6.2.2005 with the exception of those provisions that provide for the imposition of sanctions which enter into force on the date of the Decree' s publication to the Official Gazette.

We assign the publication and execution of this Decree to the Minister for the Interior.

Athens, 6 November 2007

THE PRESIDENT OF THE REPUBLIC
KAROLOS PAPOULIAS