

LEGISLATIVE WORK

Under the Constitution, the institutional role of the Ministry of Justice is consisted of the following:

To modernize Justice administration functions and mechanisms implementing reformative action in the jurisdictional function, for smooth and expedient justice administration;

To exercise a correct, progressive and efficient correctional policy;

To protect human rights, establishing all prerequisites to this effect.

The above described mission of the Ministry of Justice is fulfilled by undertaking related legislative initiatives for the institution of domestic law rules or for the approximation of domestic legislation to the rules of international law.

1) What is the procedure for drawing up and passing a draft bill?

When a need arises for amending or supplementing the existing legislation or for instituting new rules of law or for incorporating international law rules in domestic legislation:

- The competent Minister assigns to a special legislative committee the drawing up of a draft bill.
- The draft is sent to the Central Legislative Committee within the General Secretariat of Cabinet; such Committee has the authority to formulate remarks on the content of the draft, mainly of a legal-technical nature.
- Then the draft bill is introduced to Parliament accompanied by a relevant explanatory report containing the reasons and the objectives of the recommended provisions, the Special Report (article 75 § 3 of the Constitution) on how costs shall be covered and the Report of the General Accounts Office (article 75 § 1 of the Constitution) defining the relevant cost, if any, created by the passing of the bill under consideration.
- The Chairman of the Parliament refers the draft bill for debate either to the Plenary Session or to the recess divisions of the Parliament or the standing committees (article 72 of the Constitution).
- If the draft bill is referred to the Standing Committee, it is passed by such committee and then introduced to the Plenary Session, where following debate it is passed in one sole session, uniformly on its principle, article by article and on its entirety.

2) What is the procedure for passing an amendment?

The amendment is signed by the members of parliament or the Ministers who submit it and is presented to the competent Parliamentary division. It must be presented at least three days before the respective bill is introduced to the Parliament Plenary Session, recess Division or the competent standing committee, accompanied by a brief explanatory report. If a cost is created for the state budget, the amendment is transmitted to the General Accounts Office so that the special cost report be drawn. Then, following debate, the amendment is passed and incorporated in the final text of the bill.

No amendment shall be introduced if unrelated to the main object of the draft bill.

3) Do International Conventions, when ratified under a law, prevail over any other conflicting provision of law?

Yes. Under article 28 of the Constitution, international conventions as of their ratification under a law and their date of effect are an integral part of domestic greek law and prevail over any other provision to the contrary, provided they constitute a later law, with the exception of the provisions of the Constitution.

4) How are European Union regulations and directives incorporated into domestic law?

European Union regulations have universal validity in all Member-States, they are binding and directly effective in each Member-State.

Directives are binding upon Member-States, however National Governments may select how these shall be incorporated.

In Greece, incorporation is made by virtue of a bill, Presidential Decree or Ministerial decision.

5) What follows the passing of a bill by Parliament?

After the bill is signed by all competent ministers, the President of the Republic issues and promulgates the bill within one month as of its passing by Parliament.

6) What is the role of the Ministry of Justice in the process of promoting the bills for publication by the National Printing House?

Under Decree 261/3.9.1843, the Ministry of Justice is entrusted with the keeping of the Great Seal of the State.

The original bills, after being signed by the President of the Republic, are sent to the Ministry of Justice where a number is assigned to them and, after they are attested by the Minister of Justice, the Great Seal of the State is affixed thereon. A true copy thereof is sent to the National Printing House for publication. The originals and explanatory reports of all bills issued by the Greek State are kept at the Ministry of Justice.

7) When does a bill enter into effect?

The bill itself specifies the time when the bill shall enter into effect. Otherwise, the date of commencement of the validity of a bill is determined in article 103 of the Introductory Act of the Civil Code to 10 days as of the bill publication in the Official Gazette.

8) When does a Convention enter into effect?

The validity of a bill which ratifies a Convention starts, on principle, as of the publication of the bill in the Official Gazette, and the legal effects of the Convention start as of the date specified in the text of the Convention.

9) Where can you find a bill, an explanatory report or the No. of the Official Gazette where such bill was published?

You may apply to the Department of Legislative Coordination of the Ministry of Justice, 96 Messogion Avenue, tel. No. 210 7752617.

At the Parliament website, www.parliament.gr, under «Proceedings» (Εργασίες) you may search for the text of bills and explanatory reports passed from late 1999 henceforth. Furthermore, at the National Printing House website, www.et.gr, under «Index» (Ευρετήριο) you may search for annual lists, from 1994 henceforth, of the bills passed and the Presidential Decrees, the subject thereof and the details of the Official Gazette in which they were published.

10) Where can you obtain the Official Gazette issue containing a particular bill or decree or ministerial decision?

The Official Gazette is printed and sold only by the National Printing House located in Athens, at 334 Kapodistriou Street, tel. No. 210 5279000 or 1464 and at the regional selling offices. The price for Official Gazette issues from 1 to 40 pages is 1 Euro, for issues from 40 pages and more the price is increased by 0.05 Euro for each additional page.

11) Where can you obtain information on the applicable laws of the Ministry of Justice and recent amendments thereof?

You may apply to the Department of Legislative Coordination of the Ministry of Justice, 96 Messogion Avenue, tel. No. 210 7752617.

12) Are you of the opinion that a certain law needs to be amended?

You may indicate so to the competent ministry. Competent is the ministry that wrote up and introduced the bill to the Parliament.