

## **PENAL RECORDS**

The penal records transcript is a supporting certificate required for the issuance of a great number of administrative acts (employment in the public sector, acquisition of the Greek nationality, alien's work permit, participation in public tenders, licence to practise a health or public welfare profession, game licence, permit to use arms and explosives, permit to enter airports, registration with the Register of Exporters, etc.).

Penal records transcripts are issued in two forms:

- a) Penal records transcript for general purposes
- b) Penal records transcript for judicial purposes

General purpose transcripts are issued for all lawful purposes.

Judicial purpose transcripts are issued and given solely in the following cases:

- to the prosecuting attorney, the examiner and the prosecuting attorney of the competent Military Court solely for judicial use;
- to the directors of detention facilities in order to complete the file of the convicted person, in the case of conviction under an irrevocable court judgment;
- to the public authorities for a specific lawful reason;
- to foreign diplomatic authorities for those citizens who are about to immigrate;
- to the foreign authorities having penal jurisdiction, when a judicial assistance agreement is in place;
- for employment in the public sector, if requested by the competent department and in all cases for the appointment of judicial functionaries (officials), teachers of all education levels, officers in the Public Security Forces and candidates for admission in the schools of the Armed Forces and the Public Security Forces.

The general purpose and judicial purpose penal records transcripts are issued in accordance with the provisions of articles 576 and 577 of the Penal Procedure Code as substituted by articles 9 and 10 of Law 1805/1988.

In particular:

Penal records transcripts intended for judicial purposes show all sentences imposed under irrevocable judgments of penal courts. General purpose penal transcripts do not show:

- pecuniary penalties or imprisonment sentences of up to six months, after three years have elapsed as of the time they were served
- imprisonment sentences in excess of six months or sentences of commission to a mental institution, after eight years have elapsed as of the time they were served
- sentences of incarceration, after twenty years have elapsed as of the time they were served.

### **Departments issuing Penal Records transcripts**

If you were born in Greece and wish to have a penal records transcript issued to you, you should apply to the Penal Records Department of the Prosecution Office

of the Court of First Instance of the place of your birth and file a relevant application.

If you were born abroad, whether you are a Greek or alien citizen, or your place of birth is unknown, you should file your application for the issuance of a penal records transcript at the Independent Penal Records Department of the Central Service of the Ministry of Justice.

Furthermore you may file your application, irrespective of the place of your birth, at any Penal Records Department, the Citizen Service Centers or by phone calling 1502. Your application shall then be transmitted to the competent Penal Records Department for the issuance of your certificate.

If you are a Greek citizen and live abroad, your application for the issuance of a penal records transcript may be submitted to the Greek embassy or the Greek consulate of the country of your residence, and through the Ministry of Foreign Affairs to the competent Penal Records Department of the Prosecution Office of the Court of First Instance or the Ministry of Justice.

The application form as well useful information contained therein on how to fill-in such form may be obtained from the Penal Records Departments or find it at the Ministry of Justice website.

Penal records transcript are issued free of charge within ten (10) working days maximum as of the date of submission of your application. Only if you choose to submit your application over the phone, you shall be charged with postage and telephone fees.

### **Conditions for receiving the Penal Records transcripts**

In order to receive your penal records transcript you are required:

- to go to the Penal Records Department or the Citizen Service Center or the Greek diplomatic authority where your application was submitted, carrying with you your identity card or another public identification document, or to authorize another person for this purpose;
- to produce your identity card to the ELTA (Hellenic Posts) officer, in the case in which your penal records transcript is sent by registered mail following the over-the-phone submission of your application.

### **Additional useful information**

- Penal records transcripts for judicial purposes are sent through the official channel, by care of the competent Penal Records Department, since the law does not permit that you receive them.
- Under the law on the protection of personal data (Law 2472/1997) any information concerning your penal status is confidential. For this purpose it is advised solely to you or your legal representative. Furthermore, its processing by public authorities must take place under the conditions set out by law for the processing of sensitive personal data.

If you are a foreign citizen and wish that a penal records transcript be issued to

you as a supporting document for the issuance of your work permit in Greece you must be aware that:

- your application for the issuance of a Penal Records transcript shall be submitted to the Prefectural Administration of your place of residence.
- along with such application you shall submit an affidavit under Law 1599/1986 to the effect that you have not been convicted for the commission of a punishable act during your stay in Greece.