

# **GREECE**

(HELLINIC REPUBLIC, *Elliniki Dimokratia*)



## **BACKGROUND AND LEGAL SYSTEM**

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LEGAL SYSTEM	Based on German civil law; judiciary divided into civil, criminal, and administrative courts.
POLITICAL SYSTEM	Parliamentary Republic.
HEAD OF STATE	President, elected by Parliament for a 5 year term.
HEAD OF GOVERNMENT	Prime Minister, appointed by the President. The President is constitutionally required to appoint the leader of the parliamentary majority.
SUBNATIONAL ENTITIES	13 <i>Periferies</i> (Administrative Regions).
SUBLOCAL ENTITIES	51 Prefectures ( <i>nomoi</i> , singular- <i>nomos</i> ) and 1 autonomous region.
TRANSLITERATION SYSTEM	Greek.
LANGUAGES	Greek (99%), Turkish (spoken by the Turkish minority).

## CONSTITUTION

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OFFICIAL NAME	The Constitution of Greece.
ENACTMENT	The current constitution was enacted after the reinstatement of democracy in 1974 (the military junta fell in 1974, the constitution was enacted in 1975). In 1986, 11 articles were added and the text was transposed into <i>DEMOTIKI</i> , or “Modern Greek.” In the spring of 2001, 79 articles were amended, new individual rights were established, and Parliament was reorganized. No major issues concerning the operation of the form of government were altered.
CITATION FORMAT	SYNTAGMA [Constitution] art. <article number> (year).
<i>Example</i>	SYNTAGMA [Constitution] art. 28 II (1986).

## STATUTES

GOVERNMENT STRUCTURE	A unicameral parliament ( <i>Vouli ton Ellinon</i> ) containing 300 seats, which are directly elected.
LEGISLATIVE PROCESS	Parliament has the main responsibility for legislative duties. However, legislative initiative can be exercised either by the Cabinet (through bills) or by the Parliament itself (with law proposals). Ministers and Parliamentarians both can submit amendments or additions to bills and law proposals. Amendments must be submitted at the latest three days in advance. Every submitted bill and law proposal is referred to the appropriate standing parliamentary committee. The committee works out the submitted legislative Act and sends it to the Plenary Session for voting, in case it is the responsibility of the Plenary Session. If it is not, then the committee works it out and votes on it as well. In this case, the bill (or law proposal) is sent to the Plenary Session, which discusses it and passes it as a whole in a session. Once a bill is passed, it is submitted to the President.

REPORTER Statutory law is first published in the Official Gazette. Then it is also published in various private collections on a monthly or yearly basis. The most frequently used is the Code of the Law Tribune, published by the Athens Bar.

CITATION FORMAT <law number/year>, Official Gazette vol. <volume/year>.

*Example* Law 2335/1995, Official Gazette vol. A173/1995.

## ADMINISTRATIVE REGULATIONS

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ADMINISTRATIVE SOURCES Administrative law (*dioikitiko dikaion*) has only been developed in Greece relatively recently and is not codified. Public administration is headed by the President and the government (the Prime Minister and the ministers). The Constitution sets the general guidelines regarding the organization of the central and local government, and statutes provide for the specific requirements. The legal regime is one of special privileges and obligations under the guarantee of specific sanctions of administrative self-control besides judicial review of administrative acts.

REPORTER No singular reporter.

CITATION FORMAT Agency or Ministry name / Law No. <law number>.

*Example* Ministry of Agriculture / Law No. 2355.

## CODES

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Astikos Kodikas  
(CIVIL CODE) Came into force February 23, 1946.

Kodikas Politikis  
Dikonomias  
(CODE OF CIVIL  
PROCEDURE) Came into force September 16, 1968.

Kodikas Nomikon (CODE OF THE LAW TRIMUNE)	A private publication containing statutory law, but of little legal significance. Other codes are actual legislation containing unified parts of the law.
Kodikas Poinikis Dikonomias (CODE OF CRIMINAL PROCEDURE)	Came into force January 1, 1951.
Poinikos Kodikas (PENAL CODE)	Came into force January 1, 1951.

CITATION FORMAT    <number of article> <abbreviation of code>.

*Examples*                      914 AK. (This is an entry in the civil code).

Abbreviations:  
Civil Code: AK  
Code of Civil Procedure: CPoID  
Criminal Code: PK  
Code of Criminal Procedure: KPD

## **CASE LAW**

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JUDICIAL OVERVIEW	<p>The judicial system consists of a Supreme Court (<i>Areios Pagos</i>) and 13 Courts of Appeals in the 13 largest cities in Greece. The Supreme Court is composed of 56 judges that sit in panels of 5 to hear cases.</p> <p>Legal practitioners are eligible for judgeships upon 2 years of practice experience, taking an exam, and at least one year of advanced legal training. Judges are appointed by the President after consultation with the judicial council. Judges receive life tenure after a 2 year probationary period.</p> <p>Greek judges are not bound by precedent, but in practice most follow the rulings of the Supreme Court.</p> <p>There are three types of Greek courts: administrative,</p>
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criminal, and civil. They operate at three levels of jurisdiction. Criminal and civil cases are heard by the same judges. Administrative cases are decided by the Council of State and the Regular Administrative Courts.

REPORTER                      There is no official collection of judicial decisions in Greece. However, legal periodicals publish a large number of decisions of all the courts. *Archio Nomologias* is a collection of legal decisions from many different courts. Court decisions may also be found on-line at <http://lawdb.intrasoftnet.com/> OR <http://www.nomotelia.gr/>.

CITATION FORMAT        Name of the court, <serial number>/<year>.

*Example*                      Council of State 235/1985.

## SOURCES

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The CIA Factbook:  
<http://www.cia.gov/cia/publications/factbook/geos/gr.html>

The State Department Background Note: Greece  
<http://www.state.gov/r/pa/ei/bgn/3395.htm>

Hellenic Parliament Website:  
<http://www.parliament.gr/english/politeuma/default.asp>

Greek Constitution:  
<http://www.ceclc.gr/RigasNetwork/databank/Constitutions/Greece.html>

Jurist: World Law:  
<http://jurist.law.pitt.edu/world/greece.htm>

Introduction to Greek Law, K.D. Keraneus and Kozyris, eds. Klumer Law and Taxation Publishers 1988.

Panezi, Maria, Description of the Structure of the Hellenic Republic, the Greek Legal System, and Legal Research, April 2006.  
<http://www.nyulawglobal.org/globalex/Greece.htm>

**SPECIAL THANKS**

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