LAW 4700/2020

Uniform procedural document for the Court of Audit, a comprehensive legislative framework for pre-contractual audit, amendments to the Code of Laws on the Court of Audit, orders for effective enforcement and other provisions.

FIRST SECTION
ARRANGEMENTS FOR THE COURT OF AUDITORS

SECTION ONE
ESTABLISHMENT OF A SINGLE TEXT OF PROCEDURE

Article 1
Uniform procedural document

The provisions contained in this Section incorporate into a single text, amend and supplement the rules applicable to the adjudication of disputes within the jurisdiction of the Court of Auditors.

PART I
THE COURT,

CHAPTER 1
JURISDICTION

Article 2
Scope of jurisdiction

The Court of Auditors is a full and autonomous judicial body. It shall have jurisdiction over disputes assigned to it on the basis of the provisions in force.

Article 3
Jurisdiction of judicial panels

1. The jurisdiction of the Court of Auditors shall be exercised by the Plenary Assembly and its Chambers. Any provision of this Section which refers without further specification to a "Court of Justice" shall mean the formation of the Court of Auditors governed by the provision to which the reference is made and where reference is made to the "President of the Court", the President of that formation.
2. The full court shall hear appeals in cassation against final decisions of the Departments, as well as pre-trial transmission points to resolve issues of general importance.
3. The Chambers shall have the presumption of competence to hear any application for judicial protection submitted to the Court of Auditors.
4. The division of responsibilities between their Departments shall be determined by decision of the Plenary Assembly, which shall be published in the Government Gazette.
5. If a dispute has been brought before a department which is not competent, it shall be forwarded to the competent department. The order for reference may be made to a council if the case has not been debated. Its adjudication by the chamber to which it was introduced shall not give rise to a ground of appeal.

Article 4
Incidental questions

In the settlement of disputes, unless the law governing the relationship provides otherwise, it is permissible to:

(a) without prejudice to the provisions on res judicata, to rule incidentally on matters relating to the conduct of civil or administrative courts, if those questions depend on the outcome of the dispute; or

(b) to stay the proceedings in so far as there is no imminent danger to the interests of the parties if incidental questions are to be determined with the force of res judicata in proceedings pending before the court having jurisdiction.

Article 5
Freezing from decisions of other courts

The Court shall be bound by the judgments of the Special Court referred to in Article 88 (2) of the Regulation on the point of law resolved in its judgment, as well as by the decisions of the Council of State and other administrative courts, in so far as they have the force of res judicata, in accordance with the relevant provisions.

1. The Court shall be bound by the decisions of the civil courts, which according to the provisions in force apply to everyone. It is also bound by final convictions handed down by criminal courts with regard to the findings of concurrent facts on which the assessment of the guilt of the accused is based, by final acquittal decisions and by the will definitively disposing of the accusation, unless the acquittal or acquittal was based on a lack of objective or subjective elements which are not a condition for the application of the law to the dispute before the Court of Auditors.
2. Paragraph 2 shall apply mutatis mutandis to decisions of foreign civil courts, provided that the conditions laid down in Article 323 of the Code of Civil Procedure are met.
3. The Court shall also take account of the principle of res judicata of its own motion where that is apparent from the documents in the file.

Article 6
Lack of jurisdiction

Applications for judicial protection under the jurisdiction of the civil courts and submitted to the Court of Auditors shall be dismissed as inadmissible.

1. Disputes falling within the jurisdiction of administrative justice shall be referred, by decision of any formation seised, to the Council of State or to the competent administrative court.
2. Disputes falling within the exceptional jurisdiction of the Special Court referred to in Article 88 (2) of the Constitution shall be referred to it, unless the legal question raised has already been resolved by an earlier decision.

Article 7
Examination of jurisdiction

1. The Court shall also examine of its own motion whether it has done so.
2. A decision of a Chamber of the Court of Auditors rejecting an application for judicial protection as falling within the jurisdiction of the civil courts or referring a case to the administrative court shall be notified without delay by the secretary of the formation which issued it to the General Commissioner of State of the Court of Auditors, who may appeal against it by means of an application to set it aside. That decision may also be challenged by the parties.

Article 8
Dismissal of an appeal from others

1. If an appeal is finally dismissed by the court before which it was lodged for lack of procedural - requirements, the corresponding appeal to the Court of Auditors, as provided for by law, may be brought before it within a time-limit of two (2) months from the service of the final rejection decision on the person concerned or after the judgment served at first instance has become final. In that case, it is assumed, for all legal consequences, that it was exercised at the time when the person who was refused was brought.
2. The court stamp duty paid for the action dismissed shall also be taken into account for the action brought before the Court of Auditors.

Article 9
Assignment of procedural acts to other authorities

1. If a procedural act is not to be carried out at its seat, the Court may request that it be carried out by a civil or administrative court which has its seat in the place where it must be conducted.
2. The Court may request a procedural act to be carried out by a Greek consular authority or by a foreign authority through the appropriate ministers, provided that this does not infringe a rule of international law. In that case, the act is valid even if it complies only with the provisions of the law of the country in which it was carried out.
3. The Court may, for the purpose of carrying out its procedure and conduct, entrust the carrying out of the procedural acts referred to in this Section to trivial authorities.

Article 10
Detection of unlawful acts
administrative bodies

1. fit emerges from the course of the proceedings that an administrative offence is being prosecuted on the ground that the latter knowingly adopted an act or committed a material act which was manifestly unlawful, or with his knowledge and in manifest breach of the law, the Court shall, in a special decision delivered in a council, refer the matter to the competent authority for the purpose of determining the conduct of the institution for the purpose of disciplinary proceedings.

2. Paragraph 1 shall also apply in the event of disciplinary proceedings against representatives of the State or of a local authority or other legal person governed by public law for infringement of Article 20 (1).

3. If there are serious grounds for suspecting an illegal act or omission of an administrative body, which may legally result in its personal commitment, the file shall be sent on the initiative of the Judge-Rapporteur, with a copy of the decision showing the relevant action, omission or irregularity, with a special mention of it in the relevant living document, to the General Commissioner of State of the Court of Auditors.

CHAPTER 2
FUNDAMENTAL PROCEDURAL PRINCIPLES

Article 11
Principle of equality between the parties

1. Before the Court, the parties are equal.

2. The parties shall have the right to be present and to be heard during the conduct of the procedural acts.

Article 12
Taking care of the progress of the proceedings

The Court shall ensure of its own motion that proceedings generally take place by ordering the procedural act required by law to verify the truth and to bring the trial to a closer conclusion.

Article 13
Review of procedural requirements

The Court shall also review of its own motion whether the procedural requirements of the proceedings have not been complied with.

Article 14

Consequences of default

The Court shall also examine and rule on cases brought before it in the absence of the parties to the proceedings, without there being any presumption of their absence.

Article 15

Interpretation of procedural rules

The Court of Justice deals with questions of interpretation arising from the application of procedural rules on the basis of the principles of a fair trial in such a way that, taking into account each time the seriousness of the proceedings, it can rule in the spirit of a fair balance.

Article 16

Principle of mandatory written pre-trial procedure

The hearing is based on the pre-trial procedure. No main or incidental application for judicial protection may be brought before the Court without observing a pre-trial procedure, unless the law provides otherwise. An application introduced without a pre-trial procedure shall be rejected as inadmissible and ex officio.

Article 17
Use of electronic means to conduct
of the Court of Justice

1. Judicial decisions and acts, reports, documents and any other documents addressed to, or issued by, the Court of Auditors maybe filed, served and handled using Information and Communication Technologies

(ICT), in accordance with the provisions in force.

2. It may also be possible, using ICT, to:

(a) at the request of the parties or at the request of the parties, witnesses, experts and parties shall be heard without them attending the Chamber of the Court;

(b) the records provided for in the provisions in force are kept for the performance of its work; and

(c) fees, court stamps and any fees shall be paid in favour of the State, local authorities or other legal persons governed by ordinary law.

Article 18

Publicity

1. The Court shall sit in public at the hearing and the proceedings before it shall take place orally.

2. The Court shall not sit in public if it decides by decision that the conditions of Article 93 (2) of the Constitution are met.

3. Pre-trial and out-of-court proceedings are not public.

4. Article 40 of Law 3659/2008 (Government Gazette, Series I, No 77) shall apply to proceedings before the Court of Auditors which raise questions concerning personal data.

Article 19
Conference secrecy and duty
confidentiality

1. The deliberations of the Court of Justice to be adopted in the cases discussed are secret.

2. Those taking part in them shall absolutely observe the duty of confidentiality in respect of what has been retained.

Article 20

Conduct of proceedings in good faith

1. The parties, legal representatives, representatives and legal representatives must act in accordance with the rules of good faith and morality, respect the duty of truth and avoid actions which manifestly detract from the trial.

2. If the obligation under paragraph 1 is breached, the Court shall impose a fine of up to one thousand five hundred euros (EUR 1.500) on the person holding it liable for the offence by means of its final decision. Before it is imposed, the President of the Court shall, following a decision of the Court recorded in the minutes of the deliberation, invite the person alleged to be responsible to present his views in writing to the Court within a reasonable time. An extract from the minutes of the conference shall also be communicated in the act of the Prefecture.

CHAPTER 3
ENSURING ITS INTEGRITY
COURT OF JUSTICE

Article 21

Grounds for exclusion and exemption

1. A judge shall be barred from exercising his or her office in a trial if:

(a) it has a direct or indirect personal interest in the outcome of the proceedings or where the party to the proceedings is the spouse of, or is legally assimilated to, a spouse, a matrix or a person with whom he or she is associated with a relationship of blood or affinity up to the third degree, or a person with whom he or she is associated with adoption or foster care;

(b) the trial relates to a case in which it has been involved as a proxy, representative, representative, arbitrator, witness, expert, disciplinary judge or member of a disciplinary board, or when it has given an opinion on it;

(c) the trial relates to an administrative act or a judicial decision in which he or she participated in extradition.

2. The ground for exclusion of a judicial officer referred to in paragraph 1 (c) shall not apply to the trial by the judicial officer: (a) an application for a visa, unless the ground referred to in Article 183 (2) is invoked; (b) an application for rectification or interpretation; (c) an application for default judgment; (d) an application for fair satisfaction.

3. The Registry of the Court must investigate and inform the President of the Court and the judicial officer of the grounds for exclusion referred to in paragraph 1 (c).

4. A judge who believes that there are serious reasons of good repute requiring him to abstain from a particular trial has the right to obtain immunity from participation in the trial.

Article 22

Exclusion and discharge procedure

1. As soon as he becomes aware of the ground for exclusion, the judge must notify the President of the Court of Justice. If the ground for exclusion applies to the person of the President, the ground for exclusion shall be applied to the most senior judicial officer immediately following him.
2. The Court shall sit in a council composed of its three most senior judges and, after hearing the opinion of the General Commissioner of State of the Court of Auditors, shall decide whether there is a ground for exclusion or whether the person who submitted the application for discharge is entitled to be relieved of his duties. The decision shall be entered in a special register.

Article 23

Request for exclusion

An application for the recusal of a judicial officer may be submitted by a party to a judicial officer for whom there is a ground for exclusion or where there are specific reasons for doubting the impartial performance of his/her duties.

Article 24

Examination of a request for exemption

1. The request for recusal shall be submitted in writing to the Registry of the Court of Justice or orally to the Supreme Court by the end of the hearing of the case.
2. If the exclusion of the court as a whole is requested, the application shall be filed eight (8) days before the request is made. In this case, as many members of the Court of Auditors or of the General State Commission of the Court of Auditors may not be excluded, so that with the remaining number it is not possible to set them up.
3. If the ground for exclusion is proposed before the hearing of the case, the three most senior judges of the Tribunal shall decide on it, without the participation of the member whose recusal is sought.
4. If the plea is put forward at the hearing, the Court shall rule on the merits of the hearing immediately, being one of the three most senior judges of the Court present at the Court's premises on the day of the hearing without the participation of the member whose objection is sought.
5. Pre-proof is mandatory for the applicant.

Article 25

Decision on exemption

1. If the ground for exclusion or recusal is found to be valid, the acts in which the judge whose recusal has been decided shall be declared null and void.
2. If the exclusion or exclusion ground is deemed unfounded, the application shall be rejected. If the ground for exclusion is deemed manifestly unfounded, the penalties provided for in Article 20 (2) may be imposed on the person who submitted the request for exemption.

Article 26

Exclusion of court staff

The provisions on the exclusion and exclusion of a judicial officer shall also apply to clerks of the registry. Decisions shall be taken by the President of the Court of Justice.

PART TWO
PARTIES

CHAPTER 4
CAPACITY OF LITIGANT

Article 27
Capacity to bring legal proceedings, both natural and legal persons

1. Natural and native persons shall have the capacity to be a party to legal proceedings.
2. The person who is pregnant shall also be a party to the proceedings if he is considered to be a natural person.

Article 28
Parties without legal personality

Associations of persons which pursue a specific purpose but are not associations, companies or firms which do not have legal personality and groups of assets shall have the capacity to be parties to proceedings relating to the purpose or subject matter of their business.

CHAPTER 5
CAPACITY

Article 29
Forensic capacity of natural persons

1. The natural person has the capacity to decide on the conduct of legal proceedings with:
(a) full legal capacity; or
(b) limited legal capacity for acts relating to the settlement of relationships for which it is considered capable.
2. A foreign national has forensic capacity if he is legally competent either under the law of his nationality or under Greek law.
3. If the person does not have forensic capacity, his or her legal representative shall decide to carry out procedural acts.
4. Exceptionally, in order to prevent an imminent risk, it is also permitted in an incapacitated legal order to decide on the conduct of procedural acts with the permission of the President of the Court, before whom the case is to be brought or pending.

Article 30

Legal capacity of legal persons

1. The State shall be represented in the trial by the Minister of Finance. In proceedings on objection of enforcement, the State shall be represented by the head of the single department who is seeking enforcement.
2. Legal persons governed by public and private law are represented by their legal representatives.
3. The representation of foreign legal representatives, unless otherwise provided, shall be governed by the law of their registered office.

Article 31
Representation of parties without legal personality

Associations of persons seeking a particular purpose but not forming an association, companies which do not have legal personality and groups of persons shall be represented by the persons entrusted with the management of their affairs.

Article 32
General and special authorisation to conduct a trial

1. If the legal representative of the incapacitated party or the legal representative of the legal person requires prior authorisation or authorisation, the unrestricted authorisation or authorisation shall include all legal acts and actions up to the final date of the judgment.
2. Conciliation, recognition, waiver and arbitration agreement shall be invalid without specific

permission or authorisation to act.

Article 33
Standing of legal representatives and representatives

The evidence of the legal standing of the parties and representatives of the parties shall be submitted to the Court until the first hearing. If there are deficiencies which may be remedied as to the capacity of the parties and the legal conduct of the parties or to the authorisation or authorisation required to conduct the proceedings, Article 232 shall apply.

CHAPTER 6

Capacity

Article 34

Conduct of procedural acts

1. The parties, their legal representatives and their deceased persons shall carry out the procedural acts and shall attend the hearing with court representatives.
2. By way of exception, private parties or legal representatives and their representatives may conduct procedural acts and be present at the hearing without a power of attorney during the issuing and filing of actions for arrears of pensions, where the total amount of the dispute does not exceed EUR 1.500 in total.
3. In the case referred to in paragraph 2, the President of the Court may, in the light of the particular circumstances, require the party to recruit a court attorney.

Article 35
Legal representatives of the State and of public entities

The provisions applicable to members of the judiciary who are members of the State, local authorities and other legal persons governed by public law shall also apply to proceedings governed by this Law.

Article 36
Legal representatives of the other parties

1. Legal representatives of parties other than the State and all other legal persons governed by public law shall be appointed lawyers in accordance with the Lawyers' Code (Law 4194/2013, Government Gazette, Series I, No 208).By way of exception, in the cases referred to in Article 34 (2), their legal representatives may also be appointed as their spouse, spouse or persons treated as such in accordance with the law, as well as the person who is related to these parties by a relationship of blood or affinity up to the second degree or on their own.
2. The appointment of a proxy holder shall be made by means of a document or oral statement before the Court at the hearing of the case, which shall be recorded in the minutes.
3. The document giving the power of attorney may be public or even private. The signature of the principal must be authenticated on the private document by a notary or a local or local authority.
4. If the party cannot sign, the private document shall be signed by two (2) witnesses and the silence of their signature shall be certified in accordance with paragraph 3.
5. If the act conferring the power of attorney has been drawn up by a foreign authority, that act shall be governed by the law of the place where it is drawn up.
6. Proxy documents shall be filed at the Court.

Article 37
Extent, duration and termination of power of attorney

1. The length and scope of the power of attorney shall be specified in the Full Document. Unless otherwise specified, the general power of attorney shall confer power of attorney to carry out legal acts, to exercise legal remedies and remedies and to appoint other judicial representatives.
2. By way of exception, a special power of attorney is required: (a) for court settlement;
(b) to waive any legal remedy or remedy brought;
(c) to challenge a document as a forgery;
(d) where this is expressly provided for elsewhere by special provisions.
3. Unless otherwise specified in the general power of attorney, the power of attorney shall expire five years after the date on which the relevant document was drawn up. However, if the trial has begun before the expiry of the five-year period or the time limit set, the general power of attorney shall apply until the

final judgment is served.

4. The agent must also be authorised to accept service of his client in communications relating to the trial in which he is present, including the final decision.

Article 38

Termination of power of attorney

1. The power of attorney shall cease with:

(a) there is no need to adjudicate or the conclusion of the act in respect of which it was given;

(b) the death of the proxy holder or the loss of his capacity to act as a proxy holder;

The revocation of the power of attorney or the presence of the power of attorney by the power of attorney;

(d) the resignation, cessation, expulsion, or other analogous situation, of a lawyer acting as a lawyer.

2. The power of attorney shall be revoked and the power of attorney waived either by an oral statement at the court recorded in the minutes and valid for everyone, or by a written declaration, which shall be notified by a court bailiff to the agent or principal, as the case may be, and to all parties, and shall then be lodged at the Registry of the Court together with the evidence of the notifications, and shall apply from that time to all.

3. The court attorney must, after the resignation referred to in paragraph 2, if no other person has been appointed, carry out, for a period of thirty (30) days, the procedural steps necessary to prevent imminent danger to the interests of his client. This time limit shall be extended for a further thirty (30) days if the imminent risk that occurred within the time limit has not disappeared.

4. The power of attorney shall not cease with the death or change in the personal circumstances of the person who gave it or his legal representative, but shall cease only when the trial is interrupted for one of these reasons.

Article 39

Standing of legal representatives

1. For preparatory acts and invitations at the hearing, the power of attorney shall be deemed to exist.

2. If, by the first discussion, the elements of standing have not been submitted, Article 229 shall apply.

3. If the court attorney is ultimately not in legal tender, the procedural acts carried out by him and the summons to him for a hearing shall be declared null and void and the appeal or appeal shall be rejected.

CHAPTER 7

INTERVENTION

Article 40

Main intervention

1. If a third-party claim in whole or in part the subject matter of the proceedings pending in the Chamber after an action has been brought, he may lodge a main statement in intervention.

2. The bringing of the main intervention shall have the legal effect of bringing an action.

Article 41

Additional intervention

1. In proceedings pending in the Chamber following an appeal or an action, a third party may intervene in support of the party in whose favor it has a legitimate interest in the trial.

2. The intervener shall undertake all procedural steps provided by law, provided that they do not conflict with the interests and acts of the party in support of which he is intervening, and shall have the right to exercise all legal remedies.

Article 42

Intervention exercise

1. Persons entitled to intervene in accordance with Articles 40 and 41 shall be notified of the proceedings by any party, by notification of the application initiating proceedings and notification of the hearing, at least twenty (20) days in advance.

2. The intervention shall be filed by a separate document, which shall be lodged in accordance with Article 55 (3) at the Registry of the Court and shall be served, under the penalty of inadmissibility, on the parties with a certified copy of at least six (6) days before the hearing. The removal of such service shall be covered if the person with whom it was required to attend the court does not object.

3. The provisions on joinder, connection and separation of procedural documents shall apply mutatis

mutandis to the intervention.

4. Decisions, documents and documents to be served on the parties after the intervention has been lodged shall also be served on the interveners.

Article 43

Intervention in proceedings before the Plenary Assembly

Intervention in proceedings before the Plenary Assembly is permitted only in the cases referred to in Articles 161 (referral of a question of unconstitutionality of a formal law), 162 (reference for a preliminary ruling), 163 (standard proceedings) and 178 (special intervention).

Article 44

Intervention in proceedings on opposition to enforcement

In proceedings pending in the Chamber following an objection to enforcement, the intervention shall be exercised in accordance with Article 149. In all other respects, Article 41 (2) and Article 42 (3) and (4) shall apply.

CHAPTER 8

GROUP

Article 45

Coercive matrimonial

1. More than one shall be cognisant if:

(a) the dispute by its nature is open only to a single dispute;
an arrangement, or

(b) the validity of the decision to be issued extends by law to all joint litigants, or

(c) by law, a specific action may be brought jointly by or against them, or

(d) given the circumstances of this dispute, there can be no opposing decisions.

2. The procedural acts of any necessarily co-litigant, unless the law governing the relationship provides otherwise, shall be binding on the other parties who are necessarily co-litigants. However, for the validity of acts of symbiosis, recognition, resignation and agreement on request, the unanimity of all necessarily like-minded parties is required.

3. The Court is free to assess the contradictory assertions of the parties who are necessarily the same.

Article 46

Invocation of co-litigants necessarily

1. If some of the conditions for compulsory joinder are not received in the joint pleading, they shall be invited to the proceedings, by notification of the application initiating proceedings and notification of the hearing by any co-litigant, at least fifteen (15) days before the hearing.

2. It shall be for the Court of its own motion to hear and determine, by decision of the court of its own motion, who is to be suitably joined by a third party and the time at which the third party is to be sued.

Article 47

Participation in the trial of necessarily co-litigants

The person summoned pursuant to Article 46 shall participate in the proceedings by means of a special document lodged at the competent Registry of the Court and served with a certified copy, at his or her own care, on the other parties until the date of the hearing.

Article 48

Consequences of not necessarily participating in the proceedings by co-litigants

A co-respondent who, although invited to appear in accordance with Article 46, was not a party to the proceedings shall be deemed to be represented in the course of the proceedings jointly by all the other parties to the proceedings. If he had not been summoned and did not appear at the hearing of the case, he shall have the right to lodge an objection to the judgment by default.

Article 49

Appeals in the event of coercive matrimonial proceedings

1. If an appeal is lodged by one or one of the parties who are necessarily joint litigants, Articles 46 to 48 shall apply again. Joint appeals may be lodged with the Chamber without there being any need to present common grounds.

2. In particular, the lodging of an appeal on a point of law by one of the parties who are necessarily joint

litigants also has an effect on others.

3. If there is compulsory joinder in the Chamber, the appeal on a point of law by the opposing party must be directed against all the joint litigants, otherwise it shall be rejected as inadmissible.

Article 50

Potential co-litigations

1. Several persons may, in the same application, lodge a joint application for judicial protection against the same act or omission, provided that the pleas in law relied on the same essential elements of law and fact or, in the case of an action, where they relate to a common right or their rights are based on the same essential elements of law and fact.

2. A joint application may be brought against several legal persons governed by public law before a stay of proceedings, provided that the act or omission of one of them has been incorporated in the act or omission of the other or a joint action, provided that those persons are linked to a joint obligation or that their obligations stem from the same legal and factual cause.

3. For pension claims, even if they are based on unlawful acts, paragraphs 1 and 2shall also apply where the subject matter of the dispute is similar, even if not equal, claims or obligations based on identical, essential elements, legal basis. Matrimonial proceedings also apply where applicants for judicial protection have been given an act with separate chapters or several separate acts for each of them. In such a case, the conditions for connection are not also required.

4. Potential co-litigations shall not affect the substantive legal relationships of the co-litigants. One's procedural actions do not benefit or harm others.

5. Each co-litigant shall have the right, by separating the procedural code until the first hearing, to lodge a new remedy, in which case the date on which it was lodged shall be deemed to be that of the joint pleading.

Article 51

Separation

1. If the conditions for joinder in accordance with Articles 45 or 50 are not met, the action shall be lodged with regard to the first party and the joint litigants and shall be separated in respect of the matrimonial property. Separation shall be affected by lodging a separate application within the time limit set by the Court. The judgment ordering separate cases shall preferably specify the cases to be heard at a particular hearing.

2. In the cases referred to in Article 50 (1) and (3), the Court may order the separation of the proceedings on a joint application for judicial protection on any procedural or substantive grounds on which the separation is based. Separation shall be carried out in accordance with paragraph 1.

3. In the event of a conversation under Article50 (3), if the number of joint litigants in each application exceeds ten (10), the President of the Tribunal during the pre-trial procedure or the Court after the hearing shall order their total or partial separation if he or she considers that this will serve the administration of justice within a reasonable time. Otherwise, separation shall be carried out in accordance with paragraph 1.

CHAPTER 9

CHANGES IN THE PERSON OF LITIGANTS

Article 52

Adjournment of trial

1. The proceedings shall be discontinued if, before the end of the oral procedure, the party or his legal representative dies, and if there is another change in the person who affects their ability to carry out procedural acts. In the case of coercive matrimonial proceedings, the reason for interruption in respect of one of the joint litigants shall result in the termination of the proceedings for the others. If the joint action is not compulsory, the interruption shall take place only in respect of the party to whose person or his legal representative the change occurred.

2. If the changes provided for in paragraph 1 are made to representatives of legal persons governed by municipal or private law or to legal representatives, the trial shall not be interrupted.

Article 53

Occurrence and discontinuation of proceedings

1. The interruption shall take place from the time when the Court becomes aware of the reason for the interruption.

2. Anyone who is entitled to resume the proceedings or the counsel of the person whose reason for the interruption occurred shall inform the Court of the reason for the interruption, either by lodging an application, by an oral statement at the court or outside the hearing during the proceedings. The notification shall be accompanied by evidence of the existence of the reason for the interruption.

3. A procedural act carried out after the trial has been heard and before it is resumed shall be void if, in the opinion of the Court of Justice, damage has been caused to one of the parties and cannot be remedied otherwise than by declaring the act to be void.

4. If the reason for the interruption is notified when a procedural act is carried out, the action does not proceed and the case is brought to court for a declaration that the trial is interrupted.

5. The finding by the Court that the proceedings have been stayed shall be communicated to the parties who were not present at that hearing by sending an extract from the relevant minutes of the hearing.

Article 54 Reopening of the trial

1. The resumption of the adjourned trial may result in a statement by the person entitled to request that the trial be resumed. If there are several persons entitled, it is sufficient to declare one of them. The declaration shall be accompanied by a list of the names and addresses of the persons who are also entitled to repetition and confirmation to the Court of Justice of the person making the declaration as to the completeness of the complaint in accordance with the knowledge available to it.

2. If the trial is resumed following a statement submitted orally in court in accordance with paragraph 1, the Court may, at the same hearing, proceed to a hearing of the case if all those entitled to resume the trial are present. Otherwise, the hearing shall be adjourned so that those persons may also be summoned.

3. If a declaration that the proceedings are resumed is not made within two months of the date on which the Court became aware of the fact which led to the discontinuance of the proceedings, the Court shall set a hearing date for the proceedings to be continued. All parties and persons entitled to a retrial shall be summoned to the hearing, whose address is known to the Court. In any event, the summons shall also be attached to the last place of residence of the party to whom the interruption occurred.

4. The heir, legatee or trustee may not be called upon to resume proceedings before the expiry of the renunciation period or the loss of the right of renunciation by any other means.

5. If no valid declaration of retrial is submitted until the end of the new hearing:

(a) there shall be no need to adjudicate if it has been interrupted as a result of a change in the person who has brought the action or of his legal counterpart;

(b) the trial shall proceed normally if it was interrupted as a result of a change made to the person who was at any time by the other litigants or to his or her lawful person.

6. There is no need to adjudicate in accordance with point. Paragraph 5 (a) may be resumed if, in an exclusive period of three (3) years from its abolition, the person who had the right to retrial and had not been summoned to the hearing in accordance with paragraph 3 declares to the Court that he wishes the trial to continue.

PART THREE
OPERATIONS

CHAPTER 10
USE OF LEGAL AID AND INSTRUMENTS

Article 55
Exercise mode

1. Appeals shall be lodged by means of a document, which together with three (3) copies shall be lodged at the competent Registry of the Court of Justice. Appeals may also be lodged with any public or municipal authority, which must forward them to the Court without undue delay.

2. Appeals shall be lodged by means of a document, which together with three (3) copies shall be lodged at the competent Registry of the Court of Justice.

3. For the deposit referred to in paragraphs 1 and 2, a report shall be drawn up on the document lodged, which shall receive the date of filing, the name of the official who received it and the person who lodged it, as well as the registration number in the relevant register or special deposit register, as the case may be, and shall be signed by the official receiving it and by the person who lodges it.

4. The registry with which the appeal is lodged shall record it in the register kept for that purpose and form a file, which it shall forward to the formation to which it is addressed.

5. If there is a difference in the date on which the appeal is lodged between the filing report and the

register or register, the date of the report shall be retained.

6. The Registry shall, at the request of the person concerned, issue him with a certified copy of the application or appeal lodged with him.

7. Remedies may also be available using ICT if they bear a qualified electronic signature as defined in Article 3 of Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic concerts in the internal market and repealing Directive 1999/93/EC (L 257/73).An action or remedy brought by electronic means shall be deemed to have been lodged if an electronic receipt is returned to the sender of the document by the Court, in which the authenticity of the document and the identity of the signatory are ensured. The technical provisions and details of the procedure for issuing and sending the electronic receipt and any details necessary for the implementation of this Decision shall be laid down by joint decision of the Minister for Justice and the Minister for Logistics.

Article 56

Relevance

1. With the same application, a joint action may be brought by the same party or by the General Commissioner of State of the Court of Auditors for related acts, omissions or material actions.

2. Acts and omissions are relevant where:

(a) shall be based on the same law and on the same basis, in accordance with material elements, factual basis, or

(b) the legality of one affects the identity of the other.

3. Material acts are related where they are substantially linked to each other and the claims arising from them are based on the same legal basis.

4. If, for all acts, the conditions of paragraphs1 to 3, as the case may be, are not met, the first sentence of Article 51 (1) shall apply mutatis mutandis.

5. Article 50 (5) and Article 51 shall apply mutatis mutandis to the method of separating the application.

Article 57

Objective cumulation

1. Several remedies may be combined, principally or in the alternative, in the same document instituting the proceedings if the conditions laid down in Article 56 are met in respect of them, which shall apply mutatis mutandis.

2. The provisions on joint litigations shall also apply mutatis mutandis in this case.

Article 58

Proof of notification

1. The proof of notification to the competent authority or individual of the remedies and remedies referred to herein, with the exception of applications for prior judicial protection and an objection to enforcement, must be submitted to the court at least four (4) months before the hearing of the case.

2. The late submission to the Court of the proof of notification referred to in paragraph 1 shall result in the inadmissibility of the hearing of the remedy or remedy, unless the person to be notified appears without being contradicted.

CHAPTER 11

PROCEDURAL DOCUMENTS

Article 59

Reference to procedural documents

1. Applications lodged with the Court must state:

(a) the Plenary Assembly or the Chamber to which they are addressed;

(b) the type of document,

(c) the first name, surname, maiden name, tax registration number, e-mail address, domicile of the party and its legal representatives, specifying street name and number, and for legal persons, companies without legal personality, and of persons and groups of assets, their name and registered office;

(d) in the case of the State, the person legally represented in the proceedings;

The subject-matter of the application, in a clear, precise and concise manner; and

Where and when they are drawn up.

The pleadings must still bear at the end the signature of the litigant or his/her legal person, provided that it is permitted to enter an appearance without a lawyer in accordance with Article 34 (2) or of his/her attorney.

2. If the statement of claim is signed by a lawyer, his/her email address shall be indicated. The letter shall also contain a summary report on the legal issues in question, which shall not exceed two hundred (200) words. The obligation to summarise does not concern the request for suspension. The Court may order a party who has failed to comply with the above obligation and has been unsuccessful to pay the costs of the proceedings up to twice the amount specified in each case.

3. A document which does not contain all the elements referred to in paragraph 1 shall be null and void if, in the opinion of the Court of Justice, the deficiencies render it inconclusive.

4. The documents submitted by the General Commissioner of State of the Court of Auditors, without prejudice to the specific provisions for each of them, must in principle contain the provisions of paragraph 1 (a) and (e) and be signed by him.

Article 60

Change of address

Any change of address declared by the persons referred to in Article59 shall be notified either by the documents or pleadings lodged or by means of a separate document lodged at the Registry of the Court and placed in the case-file. Those documents shall also be served on the other parties.

Article 61

Correct drafting of procedural documents

The Court may, at the request of the judge or of its own motion, order the removal of offensive or other inappropriate phrases from the pleadings.

Article 62

Memoranda

1. Submissions of the parties to the proceedings shall be lodged at the Registry no less than five (5) working days after the hearing. Within three (3) working days of the expiry of the above period, the opposing party of the person who lodged the statement may, in his own memorandum, refute the views set out in the statement of the opposing party, without putting forward any new arguments.

2. The President of the Court may grant an additional period for lodging a pleading if he considers this to be serious.

3. The Registry shall confirm to the body of the application the date on which it is lodged.

Article 63

Communication of pleadings to the General Court Commissioner of State of the Court of Audit Of Audit

The General Commissioner of State of the Court of Auditors shall take note of all procedural documents instituting the proceedings, additional grounds, applications for suspension of enforcement, statements, documents and memoranda and other elements of the case file, by keeping the secretariat of the competent formation no later than three (3) full days before the hearing. In the event of failure to notify the case in good time, the Court shall postpone the hearing of the case at the reasoned request of the General Commissioner of the Hellenic Court of State.

CHAPTER 12

REPORTS

Article 64

Drafting reports

1. A report shall be drawn up on each procedural act carried out by the competent judge or judicial officer or by another body.

2. The report must be drawn up in the presence of all those who participated in or appeared during the act. It must also be drawn up at the same time as carrying out the act identified in the report.

Article 65

Necessary elements of the reports

1. The report shall indicate the place and time of the dispute, the name and position of the partner acting body, associate and all other persons legally present. It must also be signed by the above, after consulting them by anyone who drew it up.

2. If a person is unable or refused to sign the report, reference shall be made to this in the statement.

3. The report may also be drawn up using ICT and a qualified electronic signature.

4. If the place or time when the report is drawn up by the person responsible for carrying out the act is indicated in the report.

CHAPTER 13

PERFORMANCE

Article 66

Service at the address indicated

1. Service of a document relating to a pending trial, including final judgment, at the address indicated in accordance with Articles 59 and 60 shall be valid even if the addressee of the service was not or is no longer domiciled there.

2. If no address for service is given or no change is given, nor is there an authorised representative, but his address is unknown, all service may be affected at the Registry of the formation of the Court concerned.

Article 67

Performance instruments

1. Service by a private party shall be effected by a bailiff, unless otherwise specified in specific provisions hereof.

2. Service by the State, regional or local authorities and other legal persons governed by ordinary law and effected by the Registry of the Court shall be effected by a bailiff or any other public body, as well as by an organ of a local authority or other legal person governed by public law.

3. Service shall be effected on request given in writing by the person responsible for service.

4. Service may be effected electronically in accordance with Article 17 (1).

Article 68

On whom service is to be effected

1. Service shall be made:

(a) the person to whom the document is addressed or his power of attorney or his authorised representative;

(b) for persons who do not have the capacity to appear in court, to their legal representative or to the plenipotentiary or representative;

(c) for legal persons, their legal representative or their legal representative or organisation;

(d) for the State, its local authorities and other legal persons governed by public law, their representative in accordance with Article 30 and, where the natural person representing the legal person is the same as the person of the opposing party, service shall be effected on the State supervising authority.

2. If there are several legal representatives or representatives, service on one of them is sufficient, even where the law, statutes or instrument of appointment provides that they shall act jointly.

Article 69 Place of service

1. Service on the State, local authorities and other legal persons governed by public law and any other authority shall be effected on the premises of the department of the authority to which the delivery is made during working hours.

2. In any other case, service may be effected wherever the person to whom the document is addressed is located, with the exception of the places referred to in paragraph 5.

3. If the person to whom the document is addressed has a known place of residence or business establishment in the place where service is to be effected or works as an employee, worker or other capacity, effected outside his home or establishment or work, it may not be effected without his or her consent.

4. The person to whom the document to be served is addressed may not refuse to accept the document if the action to be served takes place at the Court's premises or at the premises of the authority which issued the document or has failed to issue the document contrary to the law. In the event of refusal, a

report shall be drawn up by the person effecting the service confirming the refusal and the document to be served shall be sent by post. Service shall be deemed to have been effected from the date of the report.

5. At the time of the meeting, service may not be effected in a room two hours. Similarly, performance in places of worship, at the time of ceremonies or other religious services or guests, is not permitted.

Article 70 Time of service

1. Service, without the consent of the addressee, may not take place at night or on a day when the public services are not operational by law.

2. The night is assumed to last from 7 in the evening to 7 hours in the morning.

Article 71 Method of service

1. If the person served takes part or acts as the legal representative of several in capacitated persons, it is sufficient that only one copy or original of the document to be served be delivered to him.

2. Service of a single copy or original shall also be sufficient on a common procedural representative or judicial representative.

Article 72

Service at home

1. If the person to whom service is addressed is not at home, the document shall be handed over to any of his relatives, relatives or officials and, in the absence or absence of such persons, to one of the other attendants, provided that, in the opinion of the person serving the document, he is aware of his acts.

2. The dwelling is the home or apartment which is intended for two days or overnight accommodation of the defaulting party, even if it is temporarily not used for that purpose.

3. To gatherer family members living in the same apartment, large dwellers and their family members living with them, hotel and boarding managers, and their staff. Occupants of another apartment in the same apartment block shall not be considered together.

4. If none of the persons referred to in paragraphs 1 to 3 is located at the home, the document shall be stamped. The affixing of the document to the door of the home consists of the affixing of the document to the door of the home in a sealed and opaque skeleton containing only the details of the person ordering the service and of the person to whom the disclosure is addressed, in front of a witness, with a reference to the affixing of the notice to the relevant report.

Article 73

Workplace performance

1. If the person to whom the document to be served is addressed is not in the establishment, office or laboratory in which he exercises his profession alone or otherwise or works there as an employee or employee of the establishment or office or laboratory, the document shall be served on the head of the establishment or office or laboratory or on one of the partners, associates, employees or employees who, in the opinion of the person serving the service, is aware of his actions.

2. If none of the abovementioned persons are located in the shop or office or laboratory, affixing the document to be served shall be carried out in accordance with the procedure laid down in Article 72 (4).

Article 74

Specific cases of service

1. For officers, non-officers, soldiers or other personnel of the country's Armed Forces and Security Forces, service may also be effected on the commander of the unit or the head of the department to which they belong, who shall be obliged to hand over or transmit the document without undue delay to the person to whom he is addressed. Such extradition shall not be permitted for senior officers or commanders or managers of units and services and for those on leave, availability or public holidays.

2. For those belonging to the lighthouse and VAT service, service may be effected on the harbor master of the region in which they carry out their duties.

3. If the person to whom the document to be served is addressed is hospitalised or detained in a prison and it is not possible to contact him, according to a certificate from the address of the hospital or prison mentioned in the certificate of service, service shall be effected on the head of the hospital or prison, who shall be obliged to deliver the document to the person to whom it is addressed.

4. If the person to be served is serving on a merchant ship at berth in a Greek port, service shall be effected, in the event of his absence or refusal to receive the document or his refusal or inability to sign the report, to the master or to the person replacing him, and, in the event of his absence or refusal, to receive the document, the port master shall be notified of the letter to whom he is addressed.

5. If the person to be served serves on a merchant vessel which is not at berth in a Greek port, service

shall be effected at his home and, if he has no domicile, service shall be effected in accordance with Article 77. In any case, service shall also be effected at the offices of the shipowner or manager in Greece or otherwise on the ship's agent in the Greek port, if any.

Article 75
Obligation to deliver the service of document

The persons to whom the document to be served is delivered in accordance with Article 74 must deliver it without undue delay to the person to whom service is to be effected by means of written evidence, which they shall be obliged to send to the Registry of the Court of Justice.

Article 76
Service on persons with known address abroad

Without prejudice to service falling within the scope of international conventions, if the person to whom the document to be served is addressed resides in the other party and the place and address of his domicile are known, service shall, in the absence of an authorised representative, be effected on the Minister for Foreign Affairs or the official authorised by him in order to obtain access to the document to whom he is addressed.

Article 77
Service on persons of unknown residence

1. If the person to whom the document to be served is addressed is of unknown residence at the time of delivery, if no authorised representative has been appointed, service shall be effected on the mayor of the municipality of his last known place of residence or stay and, in the absence of any known address or residence, on the mayor of the authority which issued the contested document.
2. The document to be served on the mayor and the persons referred to in Articles 73, 74 and 76 shall be served in a sealed and opaque slice containing only the details of the authority or person requesting the notification and the person to whom the notification is addressed.

Article 78
Refusal by the consignee

1. If the person to whom the document to be served is addressed or the persons referred to in Articles 72 and 73 refuse to accept the document or to sign the certificate of service, the document to be served shall be affixed to the home, office or laboratory establishment in the manner laid down in Article 72 (4).
2. If, in the cases referred to in Articles 74, 76 and 77, the persons referred to therein refuse to accept the document or to sign the report, the document to be served shall be appended to the document in the manner laid down in Article 72 (4) and a copy shall be sent by registered post to the address at which service was to be effected.
3. If, in the cases referred to in Article 69 (1), the authority's representative or the authorised official refuses to accept the document or to sign the report, the refusal shall be confirmed to it and the document to be served shall be affixed in the manner laid down in Article 72 (4).
4. In the cases referred to in paragraphs 1 to 3, service shall be deemed to have taken place from the date of the report.

Article 79
Performance report

1. A report shall be drawn up by the instrument of service in respect of each service which, in addition to the information provided for in Article 65, shall contain:
(a) the order for service;
(b) the name and function of the instrument of service;
(c) a clear identification of the document served and the persons to whom it relates;
(d) an indication of the place, time, day and time of service;
An indication of the person to whom the document has been delivered and of the method of service in the absence or refusal of the person to whom the document to be served is addressed or of the persons referred to in Articles 72 and 73.
2. The report shall be signed by the service body and by the person who received the document, in the event of refusal or inability of the latter and by the witness recruited for that purpose.
3. On the document served, the instrument of service shall record the date and time of service and sign.

That note constitutes proof in favour of the person to whom the document to be served is addressed. If there is a difference between the performance report and the note, the performance statement shall prevail.

Article 80
Procedural representative

1. All parties to proceedings before the Court, with the exception of the State, regional or local authorities and other legal persons governed by public law, shall be obliged, in the first application addressed to the Court, to appoint a person authorised to accept service who is domiciled at the seat of the Court. Instead of being summoned to do so, the lawyer signing it shall be automatically appointed to the Court of First Instance of Athens.

2. The appointment must contain the full name, maiden name, profession and exact name of the address of the person authorised to accept service and the professional establishment of the authorised representative. Article 60 shall also apply in this case.

3. The person responsible for service, even where there is an authorised representative, shall first seek the party or his or her legal representative to deliver the document to be served, without the latter being allowed to effect service by affixing the document. Under no circumstances may service be claimed to be invalid on the ground that it was effected on the person authorised to accept service, unless a specific provision requires the document to be handed over to the party itself or his legal representative.

4. Service on the person authorised to accept service shall be effected in the same way as on the party, applying on the same basis as Articles 72 and 73 and Article 78 (1).

5. The status of authorised representative shall cease with:

(a) death or loss of capacity to carry out procedural acts;

(b) the conclusion of the trial by a final judgment;

(c) resignation or revocation of the appointment.

Article 38 shall apply mutatis mutandis to the person summoned instead. The litigant shall immediately replace the procedural representative who has died, lost his or her ability to carry out procedural acts, resigned or the appointment was revoked by a written declaration that meets the conditions of paragraph 2 of this Article and shall be posted to the Registry of the Court.

CHAPTER 14
RESIGNATION

Article 81
Submission of resignation

1. Renunciation of the right or application by way of assistance or medium may take place until the end of the last hearing.

2. The resignation shall be effected by:

(a) an oral statement in court by the litigant or his legal representative or representative or counsel;

(b) a written declaration by the party's attorney, lodged at the Registry of the Court;

(c) a written declaration by the party himself or by his or her legal representative or representative lodged at the Registry of the Court, contained either in a notarial or in a separate instrument, provided that in the latter case the signature of the declarant is authenticated by any public or municipal authority.

3. A statement by the General Commissioner of State of the Court of Auditors that it withdraws the appeal lodged with the Court of Justice and notified to the holder of the appeal shall have the consequences of waiving the application. The declaration, submitted and notified to the person in whose favour the appeal or appeal was lodged before the hearing was set, shall be accepted by act of the President of the Tribunal, unless the person in whose favour the appeal or appeal was lodged declares within sixty (60) days of the notification of the statement that he wishes the trial to continue. If the declaration of the General Commissioner of State of the Court of Auditors is made after a hearing has been set, the declaration of continuation shall be submitted by the first hearing.

Article 82
Renunciation validity

1. A waiver made subject to a condition or condition shall be invalid.

2. Withdrawal of resignation shall not be permitted.

Article 83

Renunciation effects

1. A declaration of waiver shall entail that there is no need to adjudicate. The legal effects of the waiver shall take effect once the declaration has been made.

2. If the withdrawal is submitted after the first hearing, the Court may charge the costs of the proceedings to the party who has withdrawn.

3. Any resignation by the State, a local authority or another legal person governed by public law shall comply with the specific provisions applicable to them.

CHAPTER 15

PROCEDURAL TIME LIMITS

Article 84

Initiation and calculation of time limits

1. The statutory time-limits and the time-limits laid down by the Court shall begin on the day following the day on which the document was served or on which the event which gave rise to the time-limit occurred, and shall expire at 7 on the evening of the last day, and, if it is legally due, at the same time on the next working day.

2. Time limits shall be calculated in accordance with the Civil Code.

3. Remedies may also be lodged before service of the contested act or decision.

4. Time limits commencing with service of a person shall also run against the person who was served with an order.

5. Unless otherwise specified, time limits are mandatory and must be observed by the Court of its own motion.

Article 85

Interruption and suspension of time limits

1. If, in the course of a period, the proceedings are brought to an end, the period shall be interrupted and the proceedings shall begin to run afresh.

2. If a party dies during the year in question, it shall be interrupted and shall start to run again from the service of the contested act or decision on those who succeeded the deceased in accordance with the law, or from the time when they were proven to have knowledge of the act or decision. If the regularisation of the latter is linked to the exercise of an inheritance right, the new time limit starts to run from the acceptance of the inheritance. The first subparagraph shall apply mutatis mutandis where the legal person ceases to exist.

3. During court holidays, as defined by the Code on the Organisation of Courts and the Status of Judicial Officers (Law 1756/1988, GG I 35), the time limits shall be suspended.

4. During judicial vacations, the time limits set for taking evidence shall be sent. Suspension shall not apply in the case of conservative evidence.

CHAPTER 16

PROCEDURAL CLAIMANTS

Article 86

Definition of procedural nullity and powers of the Court

1. Infringement of a provision governing the procedure and in particular the form of the procedural act shall be null and void.

2. Declared null and void by the Court of Justice:

(a) ex officio or at the request of the Commissioner General of State of the Court of Auditors, if this is expressly provided for by law or if the act taken by a court is emanating from a non-competent body or if it was done in breach of an essential procedural requirement;

(b) at the request of the party in any other case and if it is found that the infringement has caused him damage, which can be remedied otherwise than by a declaration of invalidity.

Article 87

Proposal and procedural consequences of nipple

1. The party’s application under Article 86 (2) (b) shall be inadmissible if:

(a) no hearing of the case shall be submitted at the first hearing of the case after the infringement has been committed;

(b) it is submitted by a party who has caused or contributed to the infringement or has expressly or implicitly waived the submission of an application after the procedural act has been carried out.

2. When the Court declares the act invalid, it shall order the repetition of the act, unless the right has been lost or repetition is otherwise precluded.

PART FOUR
PRELIMINARY RULING

CHAPTER 17
DILIGENCE TO KEEP THE LOGBOOK
TIME FOR TRIAL

Article 88
Monitoring the flow of cases

The President of the Tribunal monitors the flow of cases brought and pending before it in order to ensure that they are dealt with at a reasonable time.

Article 89
Appointment and duties of Judge-Rapporteur

1. If the President of the Court determines the trial date of the case in accordance with Article 109 (1), he may at the same time appoint the leading judge in the case.

2. The Judge-Rapporteur in cases under the jurisdiction of the Chamber shall ensure that, before the hearing, the administrative file of the case is complete and shall draw up a summary report setting out the background to the dispute, the information confirmed by the documents and the issues raised.

3. In cases falling within the jurisdiction of the Department, the authorities to which the rapporteur is addressed in order to obtain data and information relevant to the investigation of the case shall be obliged to send the information and information requested by the rapporteur within thirty (30) days of dispatch of the relevant document.

4. If he considers that the case falls within the scope of Article 91 (1) and (2), the Judge-Rapporteur shall inform the President accordingly.

5. The rapporteur, five (5) days before the trial appointed by the relevant act of the President, must declare to the Registry of the Tribunal whether the case is ready for hearing. Failure to make such a declaration shall entail the automatic postponement of the case to a later date.

Article 90
Measures to ensure trial within reasonable time

If the President of the Court considers, in the light of all the circumstances, that the applications pending before the Court cannot be disposed of and concluded within a reasonable time, he may take one or a combination of the following measures:

(a)It shall classify pending cases, for which a hearing has not yet been determined by thematic category, on the basis of the identity or similarity of the legal issues raised therein and for those of those cases where there is a decision of the Plenary Assembly or settled case-law of a Chamber which resolve the main question raised by them, shall adopt a consolidation act and shall bring them to judgment in accordance with the special procedure provided for in Article 91.

(b)If it has identified a category of similar thematic cases involving a large number of cases in which the main question is raised which, if resolved by the Plenary Assembly, will make it possible to introduce them for trial in the procedure provided for in Article 91, it shall initiate the procedure for referral of a serious question to the Plenary Assembly in accordance with Article 162 (1) and (1).

(c)Appoint a judge to examine whether a case or category of cases pending before the Court fall within the cases referred to in Article 91 (1).

(d)In the case of actions falling under (a), he requests that, before they are brought for trial, the competent administrative authority provide information in order to avoid a preliminary ruling.

(e)It shall enter a case directly to the seven-member panel, where applicable, as provided for in Article 296.

Article 91
Procedure in a Council

1. Manifestly inadmissible or manifestly unfounded applications and apparently well-founded applications for judicial proceedings may be rejected or, respectively, accepted by unanimous decision of a panel of judges, which shall be composed of the President of the Court and composed of his/her own or his/her legal deputy, the first seniority Counsellor serving at the Court or his/her legal alternate, and the judge appointed by the President as rapporteur of the opinion in question. In cases pending in a Chamber, members of the panel may also be appointed as Judges who take part by a casting vote.

2. Applications for judicial protection which are manifestly inadmissible or unfounded may be rejected even if the signatory lawyer has not been authorised, by applying the procedure laid down in Article 237 by analogy.

3. The judgment shall be notified to the parties, who may, by means of an application lodged in the line of the Court within four (4) months of notification, request that the case be heard in court, filling in formal deficiencies and paying an additional fee, if they are obliged to do so, three times more than the one provided for in each case. In such a case, the decision taken in a council shall cease to have effect and the President shall enter the case for discussion at the tip. The case may also be brought before the court by the General Commissioner of State of the Court of Auditors within the same time limit. In any case, the case shall be brought to court if, in the course of the execution of the decision taken under the procedure herein, it is found that the decision contains deficiencies which make it impossible to enforce it.

4. The Registrar of the Court shall declare by act that the time limits referred to in paragraph 3 have not expired. From the date on which the act is drawn up, it shall produce the result of the decision. If he believes that the notification is defective, it shall order a new notification to be carried out.

5. An appeal on a point of law may not be lodged against a judgment given in a council.

Article 92
Joinder or splitting of procedural documents

In order to expedite the hearing of cases, the Court, by an act of its President, may order that a number of legal remedies, remedies or applications for recovery be joined, provided that similar issues are raised. For the same reason, it may order the separation of procedural documents in which several applications for judicial protection have been joined.

Article 93
Special adjudication of claims to a council

1. If the President of the Tribunal considers, after having assessed all the circumstances, that an action pending before the Court cannot be disposed of within a reasonable time, he shall inform the parties in writing of any delay and know that, unless they raise an objection within one (1) month of service of his or her letter, the case will be brought before the council referred to in Article 91.

2. If the objection referred to in paragraph 1 is not raised, the President of the Tribunal shall invite the parties to submit to the Court a statement setting out their specific pleas in law and any information which, in their opinion, facilitates the earliest hearing of the claim. The Court shall hear the application to a council and rule on the merits of the action on the basis of the principles governing the allocation of the burden of proof and the evidence in the file, without ordering further evidence.

3. The judgment shall be notified to the parties, who may, by an application lodged in the line of the Court within four (4) months of notification, request that the case be heard in court. In such a case, the decision taken in the Council shall lapse and the Chairman shall enter the case for discussion at the tip. The case may also be brought before the court by the General Commissioner of State of the Court of Auditors within the same time limit. In any case, the case shall be brought to court if, in the course of the execution of the decision taken under the procedure herein, it is found that the decision contains shortcomings which make it impossible to enforce it.

4. An appeal on a point of law may not be lodged against a judgment given in a council.

CHAPTER 18
PROVISIONAL ADMINISTRATION OF JUSTICE
MECHANISM

Article 94

Suspension of implementation of administrative acts

1. The time limit and the lodging of an appeal before the Court against an act of the administration shall not be suspended, unless otherwise provided for by law.

2. The suspension, in whole or in part, of the implementation of the contested act may be ordered, at the request of the appellant or the General Commissioner of State of the Court of Auditors, by means of a brief reasoned decision of the Court of Justice issued before it decides on the appeal.

Article 95

Responsibility

The Chamber in which the appeal is pending shall be responsible for granting the stay, provided that this is the sole responsibility for hearing the main case. In the event of lack of competence, the application for suspension shall be referred to the competent department, together with the appeal, in accordance with the procedure laid down in Article 91. In such a case, and in order to avoid an immediate risk of irreparable damage to the applicant, an interim suspension order may be issued in accordance with Article 99 by the President or the judge of the Chamber appointed by him, in which the application for suspension has been lodged without competence.

Article 96

Conditions for suspension

1. The application for suspension shall be granted if itis probable that the immediate enforcement of the contested act will result in the applicant being hardly penalised if the appeal is successful. If the damage suffered by the applicant as a result of the immediate adoption of the contested act is unlikely to be difficult to remedy, the Court shall grant the suspension if it considers that the appeal is manifestly well founded. In disputes arising from charges, the Department shall, in its decision, stipulate that the suspensive effect does not extend to the adoption of enforced recovery measures or administrative measures to evade or ensure the recovery of the debt on specific assets of the applicant referred to in the decision.

2. In any event, the request for suspension shall be dismissed if:

(a) the appeal is manifestly inadmissible or unfounded, even if the damage caused to the applicant by the immediate execution of the contested act is difficult to repair;

In balancing the harm to the applicant, the interests of third parties and the public interest, it is considered that the negative consequences of granting the request for suspension would be more serious than the benefit of the applicant.

3. Suspension is excluded in so far as the contested act has already been implemented. The cash-flow assessment of the amount charged does not constitute execution of the assessment act within the meaning of this Decision.

Article 97

Preliminary procedure for the application for suspension

1. The request for suspension shall, in addition to the elements set out in Article 59, state the specific reasons justifying the suspension.

2. The application for suspension shall be lodged at the registry of the court where the appeal is pending, and must be accompanied by two (2) simple copies as well as a certified copy of the appeal.

3. Differences in charges:

(a) if the applicant for suspension is a natural person, the worldwide income from all sources, as well as the financial situation anywhere in Greece and abroad, or his spouse and minor children, shall also be declared;

(b) if the applicant is a legal person, the worldwide income from all sources, as well as the material situation anywhere in Greece and abroad of a related legal person to them, as well as natural persons who are individually responsible for the obligations of the legal person, shall be declared.

An associated legal person for the purposes of subparagraph (b) shall mean a legal person with a relationship of genuine administrative or economic dependence or control by the applicant legal person

or by reason of a substantial violation of both by the same or the same persons.

4. The property situation referred to in paragraph 3 shall include, in particular, rights in rem and in person in immovable property, deposits of any kind and related banking products, investments in transferable securities, motor vehicles, loans and gifts, shares, voting rights or shareholdings in a legal entity, as well as rights in rem and obligations in movable property of high value. If the declaration referred to in paragraph 3 is not submitted or is incomplete, the application may, taking into account the grounds for suspension invoked, be rejected.

5. By means of a document drawn up on the application for suspension, the President of the Chamber shall instruct the applicant to serve the administration and the third party, who shall have the right to lodge an additional intervention in the trial of the corresponding appeal, contrary to the application for suspension and the appeal. The administration is obliged to send to the Department a copy of the document or decision whose suspension of enforcement is requested, together with the relevant file with its views. For that purpose, the same act shall set a time limit which shall not be less than five (5) days. By the expiry of the same deadline, the applicant must provide the evidence on which his claims are based, as well as the evidence of service ordered by the above act of the President of the Chamber.

Article 98
Main procedure

1. The Chamber shall decide on the suspension in a contract at which the parties may also be summoned to appear.

2. If the act also concerns a third party who is entitled to lodge an additional statement in intervention at the trial instead of an appeal, the third party may, by means of a statement lodged at the latest within the time limit laid down in Article 97 (5), set out his views, even if he has not intervened.

Article 99
Temporary suspension order

1. The President of the Chamber or the judge appointed by the court may, if a request is made in the application for suspension or independently after it is presented, issue an interim suspension order, which shall be registered under the application. It shall take a decision as soon as possible after receipt of the proof of service on the administration, with the care of the applicant, of the application for suspension contained in the relevant application or of the application for suspension and of the separate application, as well as of the appeal. The Administration may express its views within two (2) working days of service.

2. In cases of extreme urgency, it shall rule without the above service, which, if issued prior to a provisional order, shall be made by the applicant immediately. Otherwise, the interim order shall be revoked in accordance with paragraph 3.

3. An interlocutory injunction shall apply until the decision on the application for suspension is issued and may be summoned, at the request of a party or a third party with a legitimate interest or of its own motion, by the appointed President or Judge and by the Chamber responsible for the suspension.

4. An application for revocation of an interim order shall be based on the applicant, who may express his views within two (2) working days of service. Service on the applicant shall be omitted in cases of extreme urgency.

Article 100
Judgment

1. If the application is upheld in whole or in part, the enforcement of the act to which the appeal relates shall be suspended in whole or in part.

2. The stay, unless otherwise specified in the relevant judgment, shall apply until the publication of a final stage on the appeal or the discontinuance of the trial on the latter.

3. In the decision ordering enforcement, the Department may, even if no such request has been made, order any measure necessary to safeguard the public interest, such as:

(a) the lodging with the defendant, within a specified time limit, of a letter of guarantee of a recognised foot for an amount specified in that decision, or

(b) the defendant's registration of a mortgage on the applicant's immovable property for an amount determined by the same decision; or

(c) the observance of any other appropriate condition that the Chamber considers necessary for the protection of the interests of the respondent from suspension.

4. The decision issued on the application for removal shall be notified to the parties by the Registry, in

accordance with Article 297 (5).

5. Decisions taken on the application for enforcement may be revoked, in whole or in part, at the request of a party or a third party having a legitimate interest, if the application for revocation is based on new evidence. Paragraphs 1 to 4 hereof and Articles 95 to 99 shall apply mutatis mutandis to the hearing of this application.

6. If the application is waived, a report shall be drawn up to that effect and the fee shall be paid to the applicant.

Article 101

Suspension of enforcement in disputes arising from administrative enforcement

1. The time limit and the lodging of an objection to enforcement shall not suspend the enforcement of the contested act, with the exception of Article 142 (2) (e), according to which the act shall be suspended, in respect of creditors whose classification is contested, until a final decision has been issued by the Department on the objection to the ranking list.

2. In Article 142 (2) (a) (b) and (d), and as long as the objection is pending, an application may be submitted by the opposing party or the General Commissioner of the State of the Court of Auditors for suspension of the implementation of the contested acts. The Department in which the objection is pending shall be responsible for granting the suspension, which shall otherwise apply Articles 94 to 100 inclusive.

Article 102

Suspension of enforcement of judgments

1. The time limit and the lodging of the appeals on a point of law, application for review, application for default judgment, third party proceedings and application for reopening of proceedings against a decision of the Court of Auditors shall not suspend the execution of this judgment.

2. The suspension, in whole or in part, of the execution of the contested decision may be ordered, at the request of the person who lodged the appeal or of the General Commissioner of State of the Court of Auditors, by means of a brief reasoned decision of the Court of Justice, before the Court decides on the appeal.

3. For the suspension of the contested decision with an application for revision, an application to set aside a default judgment, a third-party application and an application for the reopening of the judgment proceedings, the department in which the appeal is pending is the same. Articles 95 to 100 shall apply mutatis mutandis.

4. The competent Committee shall be responsible for suspending the contested decision on appeal, consisting of the President of the Court of Justice, seven Counsellors, one from each Chamber, appointed by the Plenary at the beginning of each judicial year, and the rapporteur for the case. In all other respects, Articles 96, 97, Article 98 (1) and Articles 99 and 100 shall apply mutatis mutandis.

Article 103

Stay of the compulsory procedure timestamp

The competent Chamber shall, in accordance with the procedure laid down in Article 95 (1), (2) and (5) of Article 97 and Article 98 (1), (2), and, suspend the procedure for the enforcement of a judgment of the Court against the State or another legal person governed by public law.

Article 104

Interim measures

1. In disputes from the pension regulation, if an appeal is lodged, the appellant may request that measures be taken to regularise the situation provisionally. If the application is upheld in whole or in part, the Court may, for that purpose, order any measure which it considers appropriate without being bound by the submissions of the parties.

2. The Department, where the appeal is pending, is responsible for the provisional settlement of the list.

3. An application for interim relief shall be granted only where the Court of Justice finds, on probable grounds, that:

(a) there is a legitimate expectation of a right expressed in objective evidence to confer on the applicant the right claimed in the appeal; and

(b) by not temporarily regulating the situation, the applicant risks being placed in a situation prohibited by Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

4. If the application for provisional disposition is accepted, the case shall be determined by the President of the Court, if it has not already been determined, at the earliest possible date.

5. For the rest, Articles 95 and 97 to 100 shall apply mutatis mutandis to the hearing of the application prior to the present arrangement.

Article 105

Measures to safeguard the public claim

1. If an application for imputation is lodged by the General Commissioner of State of the Court of Auditors or any other body competent by law, the person who lodged the application may, in an independent application, apply for interim measures to safeguard the claim of the State or local authority or other legal person governed by public law for which the imputation is sought.

2. The Department, where the application for attribution is pending, is responsible for taking interim measures and the first two subparagraphs of Article95, paragraphs 1, 2 and 5 of Article 97 and Article 98 (1) and shall apply mutatis mutandis to the application for precautionary measures.

3. An application for interim measures shall be made, if both the success of the imputation claim and the risk such as the satisfaction of the claim of the State or local authority or other legal person governed by public law in favour of which the charge is being prosecuted become impossible or particularly difficult if measures are not taken. Before taking its decision, the Chamber may order the respondent to submit to the Court a statement of the property in his or her situation, in accordance with Article 97 (3) and (4).

4. If the application for interim measures does not take place, the Department may, taking into account the interest of the State or local authority or legal person governed by public law in the insurance of their claim, the detriment of the defendant and the interests of third parties, order, at its discretion and without being bound by the submissions of the parties, one or more of the following measures:

(a) the deposit, within a specified time limit, of a letter of guarantee from a recognised bank for an amount determined by the decision of the Department, with the sole or local authority or the legal person governed by public law in favour of whom the application for recovery has been lodged;

(b) the registration by the State or local authority or legal person governed by public law in favour of an application for attribution of a mortgage on immovable property of the defendant, for an amount determined by the decision of the Chamber;

(c) seizure, in accordance with Article 707 et seq. of the Code of Civil Procedure, of movable, immovable, rights in rem in respect of those rights in remand, in general, of all his assets, whether they are in his possession or in the hands of a third party, for an amount determined by the decision of the Chamber.

5. Interim measures, unless otherwise specified in the relevant decision, shall apply until the publication of the final decision on the application for attribution or the discontinuance of the proceedings on the latter.

6. The decision issued on the application for precautionary measures shall be notified to the person who lodged the application for attribution and to the defendant, with the care of the registry, in accordance with Article 297 (5).

7. The decision on the application for interim measures may be revoked in whole or in part, at the request of the person who made the application for attribution or of the defendant or third party having a legitimate interest, if the request for revocation is based on new facts. Paragraph 2 shall apply to the hearing of this application.

CHAPTER 19

PREPARATION OF THE COURT

Article 106

Access to the case-file

1. The General Commissioner of State of the Court of Auditors and the parties have the right to acquaint themselves with all the elements of the case file.

Parties shall be entitled to receive, at their own expense: (a) simple or certified copies of documents drawn up in connection with the trial and found in the case-file; and

(b) with the approval of the President of the Court, simple copies of documents drawn up by bodies of a public body which are also in the case-file.

2. Similar rights shall also apply to third parties who are entitled to intervene or have a legitimate interest in acquainting themselves with the documents in the case file, provided that they prove that to do so.

3. When exercising the rights referred to in paragraph 2, Article 5 of the Code of Administrative Procedure (Law 2690/1999, GG I 45) shall apply.

Article 107
Formal defects in the file

Before the President of the Court fixes a hearing, the Court Registry identifies formal deficiencies in the case file which may cause the case to be adjourned. Together with the summons to court, the party is also informed of the formal deficiencies identified by the Registry in the file, which it is up to him to complete.

Article 108
Registration of cases on the list

Once the hearing has been set, the cases determined for each trial date shall be recorded on a list kept by the Registrar, who shall then, under the supervision of the competent President, arrange for the parties to be summoned to the Court to hear the cases and to prepare for each trial item discussed.

Article 109

Expedited procedure

1. A hearing date shorter than that set by the President of the Court of Justice of its own motion or at the request of a party may be fixed at the latest.
2. The General Commissioner of State of the Court of Auditors and any litigant shall have the right to ask the President of the Court to expedite the hearing of the case. After the hearing of the opinion in question, an application may be made to expedite the adoption of the decision.
3. Such requests must in any event be specifically reasoned and sufficiently substantiated.
4. At the request of the party concerned, the President of the Court shall grant the application for expedited proceedings only if he suspects that, in view of the circumstances of the case at stake and the applicant's personal circumstances, the delay in hearing the case entails the risk of serious harm to the party's interests. In deciding on the application, the President shall take into account the overall burden on the Court, and in particular the time spent on the other cases with regard to the length of time pending and the nature of the case for which preference is requested for adjudication.
5. If the request concerns the speeding up of publication of the decision, the President shall communicate it to the rapporteur with his/her comments.

Article 110

Summons to the parties

1. The summons for a hearing shall be served on the parties at least thirty (30) full days before the hearing. This period may be shortened to eight (8) full days by act of the President of the Court.
2. A summons is also an oral announcement of the hearing by the Registry, provided that it is confirmed by a document signed by the official responsible and the person to whom the oral statement is addressed.
3. The summons for a hearing may also be drawn up using ICT and a qualified electronic signature. Service of the call referred to in the previous subparagraph shall be effected using ICT, provided that an electronic acknowledgement of receipt is returned to the sender of the document by the addressee. A joint decision of the Ministers for Justice and Digital Governance shall determine the technical matters and details of the electronic service procedure, as well as any detailed information necessary for the implementation of this Law.

PART FIVE
TRIALS

CHAPTER 20
LEGAL AID TO APPEAL

Article 111
Contested acts

1. The appeal to a department subject to appeal shall include:
(a) acts adopted by the Court of Justice in the exercise of the power of review of its bodies;
(b) enforceable individual administrative acts or delays, issued or carried out in the context of (i) auditing the accounts of public accounting officers and those subject to public accountability;

(ii) the award of pensions within the meaning of Article 98 (1) (f) of the Constitution and the execution of the relevant pension acts or decisions or the payment of pensions in general, including those relating to the calculation of a pension unduly received; and
(iii) civil liability of civil or military officials and employees of local authorities and other legal persons governed by public law.

2. Failure to act occurs where the administrative authority, while required by law, does not adopt an enforceable partial administrative act in order to regulate a legal relationship. Failure to act shall take place without due cause within the time limit laid down by law for the adoption, either of its own motion or at the request of the person concerned, of that act. If no such time limit is laid down by law, the failure to act shall take place within three months of the submission of the relevant application to the administration. The failure to act is also caused by the adoption of a positive administrative act implicit in the administration's intention not to regulate a legal relationship.

3. In the cases provided for by law in an administrative appeal against the act or omission to be brought within a certain time limit before the same or hierarchical superior or other body specifically established and involving the review of the act or omission in accordance with the law and the substance (administrative appeal), the appeal shall be admissible only against the act issued on that appeal. If more than one successive administrative appeal is brought against the act or omission provided for by law, the appeal shall be admissible only against the act adopted on the last of those appeals. The inadmissibility of the appeal in accordance with the preceding paragraphs shall not apply if the competent administrative authority has failed to inform the interested party in any way fully about the debt and the conditions for lodging the administrative appeal.

4. If the time limit specifically set by the Ministry for the adoption of a decision on the administrative complaint has expired or, if no such time limit is laid down, if no action has been taken within three months of the lodging of the appeal, the appeal shall be lodged against the presumed dismissal of the administrative appeal from the expiry of the time-limit.

5. The appeal shall also be admissible before the failure to act or the presumed receipt of the administrative appeal has been committed, provided that this has occurred at the time of the first hearing of the appeal.

6. An express act issued after the failure to act or the presumed rejection of the present appeal was committed and until the first hearing of the appeal shall be deemed to be jointly contested. However, it can also be challenged independently.

7. The appeal shall also be deemed to include all subsequent acts or omissions related to the contested decision, provided that they were adopted or took place at the time of the first cohabitation respectively. In this case, postponing the discussion to submit additional reasons, if requested, is mandatory. Such acts or omissions may also be challenged independently.

8. The administrative authority must, in any event, issue a certificate free of charge to the person concerned on the date of submission of the application referred to in paragraph 2 or on the date on which the appeal referred to in paragraph 4is lodged.

Article 112
Legalisation

1. The appeal shall be lodged by any person having a legitimate interest or by the person to whom such a right is recognised by a special provision of law, as well as by the General Commissioner of State of the Court of Auditors.

2. Where an appeal is directed against acts of the Court of Auditors, in accordance with Article 111 (1) (a), the State, as well as the local authority or the legal person in favour of which the contested act was issued, shall have the capacity to be sued. Where an appeal challenges enforce able individual administrative acts or omissions, in accordance with the provisions of Article 111 (1) (b), the State, as well as the local authority or other legal person governed by public law, to which the body which issued the contested act belongs or which has failed to adopt it and the future on whose behalf the contested act was issued, may be sued.

3. If the administrative act or omission to be enforced pursuant to paragraph 2 has been incorporated in a subsequent act or omission of the State, local authority or other public legal person, in the proceedings instituted, following an appeal against the latter act or omission, the legal person whose body adopted or failed to adopt the act incorporated is also entitled to be sued.

Article 113
Time limit

1. The appeal shall be lodged within sixty (60) hours, starting for the State of local authorities, other legal persons governed by public law and those of legal persons governed by private law which are financed by national or EU funds, upon receipt of the contested act. The same applies to the General Commissioner of State of the Court of Auditors. For any person having a legitimate interest, that period shall begin to run on the date on which he has been served, or by any means, acquainted with him or her in full knowledge of the facts of the document infringed. If the person with a legitimate interest in lodging an appeal resides abroad, the corresponding time limit shall be ninety (90) days. In the event of failure to do so, the time limit shall begin to run from its contribution.

2. The time limit for lodging an appeal against an administrative act or omission shall be interrupted only once by the lodging of any administrative procedure, other than that provided for in Article 111 (par. 3). The result referred to in the first subparagraph shall be achieved even if the administrative appeal has been lodged with a non-competent administrative body. The period of time interrupted in accordance with the second subparagraph shall start to run from the outset either from the service of the reply for the simple or special administrative appeal or from the expiry of the time limit laid down by law for a reply, failing which no action has been taken within three (30) days of the submission of the relevant request.

Article 114
Reference to a writ of summons

1. The notice of appeal must contain, in addition to the particulars of each application, the following information:

(a) the number and date of the contested act or decision;

The authority which adopted the act or failed to adopt it;

(c) the grounds for appeal, in a clear and specific manner;

(d) a clear and specific request; and

(e) appointment of a person authorised to accept service where the appeal is brought by a private party.

2. An appeal may be requested by:

(a) the annulment, in whole or in part, of the contested act or omission; or

(b) the amendment or reform of the act concerned.

3. If the contested act or omission concerns third parties, the application must clearly state the addresses of the residence and place of work or of the seat of third parties.

4. The vague statement in the application that it is being challenged and any related act or omission shall not oblige the Court, in the absence of Article 111 (7), to investigate the case.

5. A copy of the contested act or decision must also be annexed to the notice of appeal.

Article 115
Additional grounds

1. Additional grounds of appeal may be submitted by means of a separate document lodged at the Registry of the Court of Justice fifteen (15) full days before the hearing, with a note thereon.

2. A copy of the pleading of the additional pleas shall be served, on pain of inadmissibility, fifteen (15) days before the hearing, by the appellant, on the respondent and on the person who has already intervened.

Article 116
Powers of the Court

1. The Court shall review the contested act or omission in accordance with the law and the substance, within the limits of the appeal and the additional grounds. By way of exception, the legal review of the contested act or omission may also be carried out of its own motion, extending in its entirety, in order to ascertain whether:

(a) the grounds referred to in paragraph 3 (a) and (c) exist, or (b) the act has no legal basis, or (c) there is a violation of the force of res judicata.

2. If the appeal is directed against an express act, the Court of First Instance either upholds the appeal in whole or in part and annuls the act or amendment in whole or in substance, or dismisses the appeal.

3. The Court shall annul the act and refer the case back to the administration for legal action if:

(a) the act is adopted by a non-competent body, or (b) the collegiate body which adopted the act is not

legally constituted or constituted, or (c) there is an infringement of essential procedural requirements laid down for the adoption of the act, or (d) the administration has not exercised its discretionary power.

4. If the appeal is directed against failure to act legally due, the Court shall either annul or partially annul the appeal in whole or in part and refer the case back to the administration for the action to be taken, or reject the appeal.

5. In its judgment, the Court cannot make the appellant's position worse.

6. The Court shall apply the law in force at the time of the adoption of the contested act or of the failure to act.

7. In disputes arising from imputations, as well as from the regulation for the first time, the appeal may also seek the award of a pecuniary claim in order to make good the damage suffered by the party concerned by the contested act or omission. In addition to the fee for the appeal, a court stamp duty shall be paid in accordance with Article313 when the amount of the claim is requested to be rejected.

Article 117

Inadmissibility of second appeal

1. A second appeal by the same party against the same act in respect of the same or another head of claim, or against the same failure to act, shall be inadmissible.

2. By way of exception, a second period maybe exercised if the former has been rejected for any formal reason other than the late exercise. Such an appeal shall be lodged within sixty (60) days of notification of the rejection decision and the effects of the appeal shall be lodged with effect from the time when the first decision is lodged. A second appeal may not be lodged if three (3) years have elapsed since the rejection decision was issued.

3. An appeal against the application which the appellant withdrew shall be deemed not to have been lodged.

CHAPTER 21

APPLICATION FOR CLASSIFICATION

Article 118

Active and Passive Legitimation

The application for imputation shall be made by the General Commissioner of State of the Court of Auditors or, in the special cases provided for by law, by the competent administrative body, in accordance with:

(a) a civil or military official of the State, as well as an employee of a local authority or other legal person governed by public law, for any damage caused to them by the official through intent or gross negligence, as well as for compensation paid by the State, local authority or other legal person governed by public law to any third party for an unlawful act or omission committed intentionally or through gross negligence by an official of that State in the performance of his or her duties, and (b) by the competent authority of the Court of Auditors.

Article 119

Attribution request details

The application for attribution must contain the following information:

(a) the full name, father's name and tax number or identity card number of the person against whom the application is made;

(b) the amount for which the charge is requested;

(c) the status of the person against whom the application is directed, establishing the competence of the General Commissioner of State of the Court of Auditors to request that it be charged;

(d) the harmful act or omission attributable to him;(e) the causal link between the act and the harmful effect.

Article 120

Request to the Commissioner General of State of the Court of Audit for application for attribution

1. The submission of an application for imputation by the General Commissioner of State of the Court of Audit shall request him, by means of a special request, to:

(a) the competent minister;

(b) the mayor or regional governor for local authorities;

(c) the body legally managing or representing the legal person governed by public law.

2. If the body applying for an application under paragraph 1 does not send together with its request the information provided for in Article 119, the administrative file shall be returned and may be re-submitted after it has been completed.

3. If the mandatory information referred to in Article 119 has been sent, the General Commissioner of State of the Court of Auditors shall be entitled to ask the body requesting the attribution of any other item of expenditure at its discretion on the merits of the application for assessment. The request of the General Commissioner of State of the Court of Auditors shall be executed without delay by the body requesting the imputation.

Article 121

Damage identified in the context judicial proceedings

If the damage caused to the State, a local authority or other legal person of a kind governed by ordinary law is raised in criminal or other judicial proceedings and there is no question of time-barring of the claim, the request to the General Commissioner of State of the Court of Auditors to submit an application for attribution shall not be submitted and the relevant information in the file shall not be sent before a final court decision has been delivered, by which the Court shall rule on the damage, the natural person who caused it and the actions which have contributed to its challenge.

Article 122

Interruption of limitation periods

The lodging of the application for attribution interrupts the limitation period of the claim.

Article 123

Second application for attribution

A second application for liability is admissible if the former has been definitively rejected on procedural grounds. If the application is lodged within sixty (60) days of the date on which the final hearing has passed to the General Commissioner of State of the Hellenic Court of State, the results of its exercise date back to the first.

Article 124

Submission of an application for attribution

The application for entry in the accounts shall be lodged with the appropriate registry of the Court of Justice in accordance with Article 55. The application for assessment shall then be notified, by the General Commission of State of the Court of Auditors, to the person against whom the application is directed and to the administrative body that requested the assessment. The local services of the Court of Auditors and the legal authorities shall in any event be required to ensure that it is notified in advance, in compliance with the mandate and the relevant instructions of the Commissioner General of State of the Court of Auditors.

Article 125

Administrative file

1. Following the submission of the application for entry in the accounts, the allowance containing the information on which the application for attribution is based shall be transferred to the Chamber before which the application is pending.

2. The person against whom the application for attribution is made shall be provided by the secretariat of the Court of First Instance, at his request approved by its President, with copies of the documents in the file necessary for his defense, ensuring that the personal situation data of third parties not related to the case are not communicated to him.

Article 126

Speeding up a trial

The person against whom the application for attribution is made may ask the President of the competent division to expedite the hearing of his/her case. The same request may be made by the General Commissioner of State of the Court of Auditors, if it considers that there are reasons to protect the general interest which he represents.

Article 127

Objections

1. The person against whom the application for recovery is directed shall submit his written objections to the Registry of the Tribunal within ten (10) days before the hearing.

2. The person against whom the application for assessment is made shall communicate the objections to the General Commissioner of State of the Court of Auditors on the same day of their submission to the secretariat of the Court of Audit.

Article 128

Completion of receipts

Where the Court presumes the basis of the application but is not in a position to reach a full judicial conviction, it shall order evidence of the relevant facts by requesting information from the applicant or any public authority or third parties, or by inviting natural persons as witnesses and generally failing to take all appropriate steps to establish the truth.

Article 129

Application of provisions

1. Article 81 (3) shall also apply to the imputation.
2. In all other respects, the provisions of the same paragraph shall apply to the appeal.

CHAPTER 22

ACTION

Article 130

Legal standing

1. An action may be brought by a person who has a claim under a legal relationship governed by public law against the State or a local authority or other legal person governed by public law, in the context of:

(a) auditing the accounts of public officers and those responsible for public accountability;

(b) the award of pensions within the meaning of Article 98 (1) (f) of the Constitution and the execution of the relevant pension acts or decisions or the payment of pensions in general; (c) civil liability of civil or military civil servants, as well as employees of local authorities and other legal persons governed by public law.

2. In order to bring the action provided for in paragraph 1, the universal or special assignees shall also be entitled to bring an action.

3. Creditors of the beneficiaries referred to in paragraphs 1 and 2 may also bring an action, provided that they do not bring it (ancillary action), except in the case of personal claims.

Article 131

Passive Legitimation

An action shall be brought against the State or the local government body or other legal entity governed by public law which is liable to satisfy the claim provided for in Article 130 (1).

Article 132

Reference to the application

1. In addition to the information specified in Article 59, the application must contain:

(a) determination of the legal relationship from which the claim derives;

(b) a clear statement of the facts, including the grounds on which the claim is based in law and justifying the action brought by the claimant against the defendant;

(c) a clearly defined request.

2. The form of order sought may be:

(a) voting against the benefit claimed, or (b) recognising the corresponding claim.

Article 133

Prohibition of conditions Exercise of conditional actions is not allowed.

Article 134

Main and subsidiary bases the action may have, in addition to the principal, one or more subsidiary factual or legal bases.

Article 135

Consequences of deposit and service

1. Lis pendens commences when the action is filed and ends when the final judgment is published or the trial is discontinued.
2. The substantive legal effects of the bringing of the action in respect of the defendant arise from service on him by the applicant. The limitation period, which according to the previous paragraph has been interrupted, shall begin to run again only when the judgment has become final or the proceedings are discontinued.

Article 136

Change request

1. A change in the historical basis of the action is inadmissible. In a pleading lodged in accordance with Article 62, the claimant may supplement, clarify or correct his claims, provided that the historical basis of the action is not altered.

2. A change in the form of order sought in the application is inadmissible. By way of exception, the claimant may, until the end of the first hearing, limit the claim for the claim or convert it from one against to a declarant or from a declarant to a judgment.

Article 137

Additional grounds

1. Without prejudice to Article 136, additional grounds for action may be submitted by means of a separate document, which shall be lodged at the Court Registry fifteen (15) full days before the hearing with a note on it.
2. A copy of the pleading of the additional bodies shall be served with the penalty of inadmissibility fifteen (15) full days before the hearing, with the care of the applicant on the defendant and on the person, who has already lodged an intervention.

Article 138

Interlocutory claim

1. In an interlocutory action, the following may besought:
(a) the accessory to the main subject matter of the proceedings, or (b) additional to the original obligation if the original claim of the claimant has been extended in any way after the action was brought.
2. With regard to the lodging of an interlocutory action, the provisions governing the lodging of an intervention shall apply mutatis mutandis.

Article 139

Self-sufficiency of treatment

With the exception of cases under Article116 (7), an action for a claim based on the enforcement of an administrative act or omission shall not be inadmissible if no appeal has been lodged against the act or its omission.

Article 140

Power of the Court of Justice

1. In deciding the dispute, the Court shall either accede to the action, in whole or in part, and, depending on the request, award the service or merely recognise the claim, or dismiss the action.
2. Without prejudice to the provisions laid down in special orders, if the object of a dispute between the parties is the unlawful enforceability of an administrative act or omission, the Court shall, in the absence

of the force of res judicata, rule indirectly on the legality of that act or omission.

Article 141

Prohibition of second action

1. A second action concerning the same subject-matter by the same applicant is inadmissible.
2. By way of exception, a second action may be brought where the former has been definitively dismissed on formal grounds. Such an action shall be brought within sixty (60) days from the notification of the final judgment, and the effects of its filing date back to the time when the first decision was brought. A second action may not be brought if three (3) years have elapsed since the publication of the negative decision.
3. An action from the application which the applicant withdrew shall be deemed not to have been brought.

CHAPTER 23

OBJECTION OF ENFORCEMENT

Article 142

Contested acts

1. Enforcement shall be contested before the Court of Audit if the administrative enforcement procedure relates to claims relating to (a) auditing of the accounts of public accounting officers and those subject to public accountability, (b) the award of pensions within the meaning of Article 98 (1) (f) of the Constitution and the execution of the relevant pension acts or decisions or the payment of pensions in general, including those relating to the attribution of a pension received unduly and (c) the civil liability of civil and military employees;
2. In particular, an objection to enforcement shall be lodged against:
(a) the certificate of payment of revenue; (b) the certificate of seizure;
(c) the auction schedule;
(d) the auction report;
(e) the ranking list.
3. An objection to enforcement may also be made against:
(a) a negative declaration by a legal person under public law as a third party, in accordance with Article 34 of the Public Revenue Collection Code (Legislative Decree 356/1974, GG I 90), provided that the obligation of the third party is a public law instrument;
(b) the declaration by the head of the competent household of the legal service on the existence of a claim under public law or a privilege of the State, in accordance with Article 62 (1) of the same Code.
4. The application for an opposition to enforcement shall not consider subsequent actions or omissions related to the contested acts or omissions to be joined, even if they were adopted or took place at the time of the first hearing of the opposition.
5. An objection to the annulment of an auction or reauction of immovable property shall be inadmissible if it is not entered in the register of claims of the land in which the property is located within thirty (30) days of its filing. In such a case, a new opposition shall be allowed within the time limit laid down in Article 144.

Article 143

Active and passive legalisation

1. A person who has a direct, personal and present interest in bringing an action or who is recognised as such by a specific provision of law is entitled to object to enforcement.
2. An objection to enforcement shall be lodged where:
(a) enforcement shall be sought by the competent financial service of the State, against the State;
(b) enforcement shall be enforced by the competent financial department of the State, but in order to satisfy the claim of another legal person, against the Public Administration and against the legal person entitled to the claim;
(c) enforcement shall be effected by the financial control of a local authority or other body governed by public law to whom the provisions of the Money Revenue Collection Code apply, against the local authority seeking enforcement or the other legal person governed by public law;
(d) there is an appeal against the ranking list, against the applicant for enforcement and against the creditor whose ranking is being challenged;

The negative declaration of a legal person governed by public law as a third party shall be challenged in accordance with Article 34 of the Public Revenue Collection Code, if the obligation of the third party is a public court, against the third party in whose possession the attachment is imposed. The statement of the head of the competent financial service on the existence of fraud under public law or a privilege of the State against the State is challenged.

3. The objection, when directed against the auction report, shall be notified, on pain of inadmissibility, to the competent auctioneer and the successful bidder. When directed against the list, it shall be notified, on pain of inadmissibility, to the announced creditors and to the competent auctioneer.

Article 144 Time limit

1. An objection to enforcement shall be lodged within thirty (30) days starting from:

(a) in Article 142 (2) (a) (b) and (d), from service, otherwise from full knowledge of the treasury certificate, of the certificate of seizure and of the auction report, respectively;

(b) in Article 142 (2) (e), upon service of the written invitation of the auctioneer to the creditors to acquaint themselves with the ranking list;

(c) in Article 142 (3) (a), from the service of the third party's declaration or receipt of the relevant report of the small claims court judge, to the head of the financial department seeking enforcement; (d) in Article 142 (3) (b), from the transfer to the syndic of the list of debts of the debtor established in favour of the State;

(e) in all other cases where notice of appeal is filed, by service, otherwise than in full knowledge of the contested act.

2. In Article 142 (2) (c), the objection shall be filed within a period of ten (10) days, starting from the service of the majority program.

3. Under no circumstances may enforcement be enforced if six (6) months have elapsed since the auction was held.

Article 145 Content

The statement of opposition to enforcement, in addition to the particulars of each procedural document, must indicate precisely the contested act and its author. It must also contain clear and specific reasons and a request for it.

Article 146 Additional grounds

1. Additional grounds for objecting to enforcement may be submitted by separate document lodged at the Registry of the Court of Justice fifteen (15) full days before the hearing, with a note on it.

2. A copy of the pleading of the additional grounds shall be served, on pain of inadmissibility, fifteen (15)days before the hearing, at the care of the opposing party, to those against whom the objection to enforcement is directed.

Article 147

Joinder, association, cumulation and joinder

1. Articles 45 to 51, 56, 57 and92 shall apply mutatis mutandis to joinder, related actions and joinder.

2. Several remedies against acts adopted in the same administrative appeal, or appeals against the relevant decisions, may be combined, principally or in the alternative, in the same application initiating proceedings.

3. An objection to enforcement against the treasury certificate may be combined, principally or in the alternative, in the same application initiating proceedings with the appeal under Article 111 against the instrument constituting the instrument on the basis of which the certificate was issued. In that case, provided that the appeal is lodged within the prescribed period, the opposition shall always be deemed to have been brought within the prescribed period.

Article 148

Debate

1. An objection to enforcement shall be heard by the competent department.

2. In the event of opposition to a program, the President of the Court, or the judge appointed by him, shall immediately set a trial date, which must be at least two (2) full days away from the auction. A copy of the application filed, together with the order appointing a hearing, shall be served by the opposing party on the persons against whom the objection is made within a time limit set by the Court, which may not be less than one (1) full day from the date of the hearing. In this case there are no additional reasons.

Article 149

Intervention

1. Those notified of the objection in accordance with Article 143 (3) may lodge an additional statement in support of the party in whose favour they have a legitimate interest in the trial.

2. The intervention is made by an oral statement in court.

Article 150

Power of the Court of Justice

1. The Court shall review the contested act in accordance with the law and the substance of the opposition to enforcement, which are determined by the grounds and the request for enforcement.

2. By way of exception, the legal review of the act at issue may also be carried out of its own motion, extending in its entirety, in order to ascertain whether:

(a) the act has been adopted by a non-competent institution, or

(b) there is a violation of the force of res judicata.

3. An incidental review of the legality of earlier enforcement measures is not permissible when reviewing the validity of the contested enforcement measures.

4. In the event of an objection to a tax assessment, an incidental review, in accordance with the law and the substance, of the instrument on the basis of which the certificate was drawn up may be reviewed, provided that there is no legal remedy available against it, in accordance with the law and the substance, or there is no authority of res judicata in that regard.

5. Claims relating to the extinction of the fraud for which enforcement is sought may be made when an enforcement objection is lodged against the treasury certificate or any act of enforcement, and must be proved immediately.

Article 151

Judgment

If the Court finds that there has been an infringement of a law or a substantive defect in the contested act, it shall annul, in whole or in part, the act in question. Otherwise, it shall reject the objection to enforcement.

Article 152 Remedies

1. Judgments given on an objection may be appealed on a point of law, application for revision, application for rectification or interpretation, objection to default of appearance and third party proceedings, where Chapters 26 to 31 apply mutatis mutandis.

2. The time limit for appeals is thirty (30) days, except in the case of a decision issued following an objection to an auction program, in which case the time limit shall be ten (10) days.

3. The General Commissioner of State of the Court of Audit shall, in any event, also have the right to appeal against the decision on the enforcement objection.

Article 153 Adoption of measures

1. The competent department, following a prior response, shall rule on any dispute concerning:

(a) the appointment or replacement of an escrow or guard and, in general, the sequestration or safekeeping of movable or immovable property; or

(b) settling or determining the costs and rights of enforcement.

2. The person entitled to submit the application, the State, the legal person seeking enforcement and any third party having a legitimate interest in doing so shall be entitled to submit the application.

3. Chapter 18 shall apply mutatis mutandis to the pre-trial and main proceedings.

4. During the hearing of the application, as regards the merits of the pleas in law relied on, it is sufficient to state the reasons for the application.

5. In particular, in paragraph 1 (b), the application shall be submitted, together with a relevant table drawn up by the tenderer, to the head of the competent financial service who is expediting implementation. The latter shall make written observations on the legality and accuracy of the funds and shall, without undue delay, submit the relevant document to the Court and shall at the same time forward it together with a copy of the list to the debtor.

CHAPTER 24
FAIR SATISFACTION

Article 154
Active and passive legitimation

1. Any of the parties to the proceedings, other than governmental organisations within the meaning of Article 34 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which took part in proceedings before the Court of Justice, may, at the request of the Court of Justice, request satisfaction, arguing that the proceedings for the hearing of the case have lasted beyond the reasonable time necessary to establish the factual and legal issues raised in the proceedings.
2. The application is directed against the State, legally represented by the Minister for Finance.

Article 155
Deadline

The application shall be filed by instance within six (6) months in advance. This period begins to run from the publication of the final judgment of the Court of Justice delivered after the proceedings in respect of which the applicant is alleged to have exceeded its reasonable duration.

Article 156
Exercise

1. The application shall be lodged at the appropriate Registry of the Court of Justice.
2. For the deposit, a report shall be drawn up, stating the date of filing, the name of the official who received the application and the name of the person who lodged it, as well as the number of its division in the relevant register or special deposit register, as the case may be, and signed by the official receiving it and by the person lodging it.
3. The application shall be signed by a lawyer.

Article 157
Content

1. In his application, the applicant refers to the Court before which he claims that there has been an undue delay, indicates the deferrals granted at the initiative of the parties or of the Court, briefly describes the legal or relevant issues raised and takes a position on their multitude.
2. The applicant is not entitled to an application for failure to adjudicate within a reasonable time before the Plenary Assembly to claim fair satisfaction and for the failure to adjudicate within a reasonable time before the Chamber.
3. The application shall contain the name and address of the person making the application, date, signature, and the e-mail address or spoken number of the applicant or his lawyer.

Article 158
Preliminary proceedings

1. The President of the Court who issued the decision on the case for which fair satisfaction is sought for exceeding the reasonable time limit shall appoint by an act of the Adviser or Registrar to hear it.
2. The act referred to in paragraph 1, which shall be notified to the lawyer signing the application, and, together with a copy of the application, to the Minister for Finance, shall also specify the date of the hearing of the application at public office, which may not be more than five (5) months from the submission of the application. This notification shall be made at least thirty (30) days before the date of the hearing.
3. The Registry of the Court that issued the judgment in question is required to submit to the competent judge a detailed report on the progress and the details of the case at least fifteen (15) months before the hearing of the application. The report and the same information shall be made available to the parties. The application shall be heard even if the above report is not submitted.
4. If an appeal on a point of law has been lodged against the above decision and the file has been forwarded to the Deputy-Registrar, the competent registry shall forward copies of the procedural documents to the Chamber before which the application is pending.
5. At the beginning of each judicial year, the President of the Court of Justice shall set the hearings for applications for payment, and the advisers and members of the Court of Auditors who shall sit in each case.

Article 159
Discussion

1. The application shall be heard by a consultant or representative of the Court of Auditors.
2. At the hearing of the application, the parties shall be summoned by the Registry of the Court.
3. The State shall take a position on the procedural conduct of the parties and the competent authorities in the course of the proceedings, as well as on the complexity of the case, and shall invoke any other information it deems necessary for the purpose of its discovery.

Article 160
Decision

1. The Court shall decide whether the reasonable time for adjudicating on the matter within a reasonable time is exceeded, taking into account in particular:
Abusive or dilatory conduct on the part of the parties in the course of the proceedings;
(b) the complexity of the issues of fact and law raised;
(c) the attitude of the competent State authorities; and
(d) the importance of the case for the applicant.
2. Where it is established that there has been a breach of the obligation to adjudicate within a reasonable time, the Court shall decide whether a sum of money must be paid for fair satisfaction. If so, the Court shall determine the amount of the amount, taking into account, in particular, the period during which the reasonable time taken to hear the case, taking into account the criteria referred to in paragraph 1, is exceeded and the applicant's satisfaction with other measures provided for in the legislation in force to compensate for the damage suffered. Such measures include the payment by the debtor of interest for late payment throughout the period of the delay or the award in favour of the applicant of increased court costs, in accordance with Article 59 (2).
3. If the application is accepted, the costs incurred by the applicant for the preparation of the application and the representation of the authorised lawyer shall be charged to the State, which may not exceed the amount set for the submission and discussion of the intervention before the Council of State. If the application is rejected, an estimate of the circumstances may give rise to expenditure in favour of the State.
4. The decision shall be published within two (2) months of the hearing of the application and shall not be open to appeal.

CHAPTER 25
LAW ON PLENARY REFERRALS

Article 161
Referral of a question of unconstitutionality
formal Law

1. Where a Chamber of the Court finds that a provision of a formal law is unconstitutional, it shall refer the matter to the full Court, unless this has been decided by a prior decision of the Court or of the Supreme Special Court. The General Commissioner of State of the Court of Auditors shall give an opinion on the referral matter before the relevant plenary sitting.
2. The special intervention provided for in Article 178 may be made in the proceedings before the Plenary Assembly.

Article 162
Question

1. A Chamber of the Court where it is seised in a case which raises a question of a more general nature, however, which has implications for a wider circle of persons or considers that a provision of a formal law is contrary to a provision of superior status, without this matter having been decided by a prior decision of the Plenary Assembly, it may, by a decision which is not under appeal, refer a question to the Plenary Assembly for a preliminary ruling. Article 163 (4) and (6) shall also apply in this case. The General Commissioner of State of the Court of Auditors shall give an opinion on the question referred for a preliminary ruling before the relevant plenary sitting.
2. The decision of the Plenary Assembly is mandatory for the Chamber which submitted the question and binds the interveners before the Plenary Assembly.

Article 163
Standard trial

1. Any appeal or remedy before any Chamber may, at the request of one of the parties or the Commissioner General of the State of the Court of Auditors, be brought before the Plenary by an act of a three-member committee where this raises a question of general interest affecting a wider circle of persons. The three-member panel shall consist of the President of the Court, the most senior Vice-President and the President of the Chamber, in which the appeal or appeal is pending. Where the appeal or appeal is pending in the Chamber chaired by the oldest Vice-Chair, the second Vice-Chair shall participate in the Committee as a member of the Committee.

2. If the request is submitted by a party, it shall be signed by a lawyer, failing which it shall be inadmissible, and shall be accompanied by a fee of one hundred (100) euros, which shall be forfeited to the State if the application results. The amount of the fee may be adjusted by joint decision of the Minister for Finance and the Minister for Justice.

3. The request shall be notified to the other parties or to the General Commissioner of the State of the Court of Auditors, as the case may be, depending on who submitted the request in accordance with paragraph 1. The latter may submit submissions to the three-member committee.

4. The act of the three-member committee issued on the request shall be published in two Athens newspapers and shall have the effect of suspending the hearing of pending cases, in which the same issue is raised, both those that have not been heard and those that have not been heard. The suspension shall not affect provisional judicial protection.

5. After the adoption of the act of the three-member commissioner bringing the case in plenary, the request shall not be waived.

6. Any party to a pending trial shall have the right to intervene in the proceedings in which that question is raised. No court costs shall be charged for the intervention of this Decision and failure to do so shall not give rise to the right to object to default of appearance or third-party proceedings.

7. Once the matter has been resolved, the Plenary may refer the appeal to the competent Chamber for further consideration.

8. The decision of the Plenary Assembly shall be binding on the parties to the proceedings, including the interveners.

Article 164
Plenary decision

In the cases provided for in this Chapter, the Plenary Assembly shall be constituted by a judicial body, shall meet in a major composition and shall give final judgment.

CHAPTER 26
APPLICATION FOR ANNULMENT

Article 165
Contested decisions

Appeals on a point of law may be lodged only against final decisions of the Chambers of the Court of Justice.

Article 166
Who brings an appeal on a point of law

1. The appeal on a point of law is brought by anyone who participated in the proceedings before the Chamber and has been unsuccessful. The successful party has the right to lodge an appeal on a point of law, if he has a legitimate interest, as well as the Commissioner General of State of the Hellenic Court of State.

2. The appeal is brought against the parties to the proceedings, which gave rise to the contested judgment.

Article 167
Deadline

1. An appeal on a point of law shall be lodged within sixty (60) days, which shall be initiated for the State, local authorities and other legal persons governed by public law, as well as for those legal persons governed

by private law which are financed by national or EU funds from the content of the contested decision. The same applies to the General Commissioner of State of the Court of Auditors. In the case of the private party, it shall be based on service or receipt by any means on him or on his proven full knowledge of the contested stage. If the person having a legitimate interest in bringing an appeal on a point of law resides abroad, you shall be set at ninety (90) days.

2. If the judgment has not been served, the time limit for bringing an appeal on a point of law is three (3) years, starting from the publication of the judgment under appeal.

Article 168

Second appeal

A second appeal on a point of law brought by the same party against the same judgment in respect of the same or another part of the judgment under appeal shall not be admissible unless the first appeal has been dismissed on formal grounds, except in the case of late filing.

Article 169

Content of the application

1. The notice of appeal must contain, in addition to the particulars of each application, the following:

(a) the number and date of the judgment under appeal;

(b) the grounds of appeal in a clear and clear manner;

(c) the appointment of a person authorised to accept service, where the application is made by a private party;

(d) a clear and specific request.

2. When the application for recovery is filed, two (2) copies of the annulled decision shall be filed on paper or as a spot document bearing a qualified electronic signature or a qualified electronic seal confirming the decision.

Article 170

Grounds of appeal

On a point of law:

Exceeding the jurisdiction of the Court of Justice in the contested decision;

(b) unlawful formation or poor composition;

(c) infringement of an essential procedural requirement;

Misinterpretation or incorrect application of the law;

(e) breach of the principle of res judicata;

Lack of legal basis or unjustified justification;

Distortion of the content of a documentary evidence.

Article 171

Additional grounds

1. The additional grounds of appeal relating to the parts of the contested judgment that have already been challenged in the appeal and those which necessarily continue with them shall be submitted by means of written pleadings lodged at the Registry of the Court of Justice, fifteen (15) full days before the hearing of the appeal, for which a report shall be drawn up.

2. A copy of the application of the additional pleas shall be served on the respondent fifteen (15) full days before the hearing, on pain of inadmissibility.

Article 172

Grounds of appeal inadmissible

1. A ground of appeal based on a plea which was not lawfully proposed to the Department shall be inadmissible, except in the case of an infringement which cannot be raised in the Chamber or an error resulting from the judgment itself or concerning an issue raised by the Chamber of its own motion.

2. A ground of appeal which attributes to the contested decision an error caused by the conduct of the appellant or of persons acting in his own name is inadmissible.

3. A ground of appeal against a decision of the Court of Justice of the European Union is inadmissible in so far as it challenges the judgment to the extent that it complied with the judgment on appeal.

Article 173

Reasons ex officio examined

The Court shall examine of its own motion grounds relating to public policy. Such reasons are in particular those relating to the separation of jurisdictions and the invalidity of the applicable statutory provision because of unconstitutionality.

Article 174

Limits of appeal

1. The assessment of the evidence and facts by the Chamber is not subject to review by the appellate court. On a preliminary question to the Court of Justice of the European Union or a request for an opinion to the European Court of Human Rights, the appeal court may, for the completeness of that question, also take into account elements of the facts of the case which are not mentioned in the judgment under appeal but which appear in the file of the case as constituted at the time of the judgment under appeal.
2. No new evidence may be adduced in the appeal on a point of law.
3. The assessment of the content of procedural documents relating to the same or other proceedings, in particular actions, intervening in proceedings, appeals, motions or judgments, shall be reviewed by the Court of Justice.

Article 175

Replacement of justifications

If the grounds of the judgment under appeal are held to be incorrect but the operative part of the judgment is correct, the Court shall dismiss the appeal unless there is an interest in obtaining the force of res judicata, in which case the judgment shall be set aside only in so far as it fails to state the reasons on which it is based.

Article 176

Proceedings following an appeal on a point of law

1. If the appeal on a point of law is upheld, the Court of Justice is no longer seised of the case.
2. If the appeal on a point of law is upheld for misinterpretation and incorrect application of the law, the Plenary shall decide further on the case, unless the case needs to be investigated in its actual part, in which case it shall refer the case back to the competent department.
3. If the judgment is set aside for any other reason, the full Court shall refer the case back to the competent Chamber for reconsideration of the case in a different composition, in so far as the judgment has been set aside.
4. If the judgment is set aside, the parties shall revert to the situation existing before it.
5. The Chamber hearing the case shall not depart from the decision of the Plenary Assembly with regard to the matters decided by it.

Article 177

Appeal in cassation in support of the law

1. The General Commissioner of State of the Court of Auditors may, by way of exception and after the expiry of the relevant time-limit, lodge an appeal on a point of law in favour of the law.
2. In such a case, if the application is granted, the judgment under appeal remains unchanged.

Article 178

A specific measure

1. In an appeal on a point of law in which, having regard to the assertions of the parties, the question arises as to whether a provision of a formal law is in conformity with the Constitution, they have the right to intervene, whether natural or legal, or associations of persons, which have a legitimate interest in the assessment of that question, provided that the same question is pending before another formation of the Court of Auditors to which they are parties. The Minister for Justice has the right to intervene in any event.
2. Under paragraph 1, the intervener is entitled to put forward views and arguments referring exclusively to constitutional issues raised. The decision adopted does not produce legal effects for that intervener.
3. Such intervention before the Plenary shall be made in accordance with Article 42 (2).
4. The provisions of Chapters 6, 34, 49, 50 and 51 apply mutatis mutandis to the representation of the interveners on the basis of this document, the standing of their authorised lawyer, the required fees and

fees, as well as for court fees.

5. Failure to intervene in accordance with paragraph 1, for any reason and due, shall not give rise to a right to object to default of appearance or third-party proceedings.

CHAPTER 27

REQUEST REVISION

Article 179

Contested decisions

Final decisions of the Departments shall be subject to review.

Article 180

Competent court

The application for review shall be lodged with the department which issued the decision.

Article 181

Active and passive legitimation

1. The parties to the proceedings in which the contested decision was issued and the General Commissioner of State of the Court of Auditors are entitled to submit an application for review.

2. Those who acted in opposition to the appeal in the proceedings in which the contested decision was adopted have locus standi.

Article 182

New request

The same person may lodge a new application for a visa only on a subsequent ground, even if it relates to the same chapter of the decision.

Article 183

Reasons for Revision

1. A revision may be made for the following reasons:

(a) if the contested decision is based on the testimony of a witness or a statement made by one of the parties, a false expert's report or false or falsified documents, and those facts are the result of an unsolicited decision of a criminal court, or

(b) if after the last hearing the case came to the knowledge and in the possession of the party requesting revision of relevant documents which existed prior to the trial but were unaware of their existence or were prevented from producing them, or

(c) if the contested decision is based on the appearance of a civil, criminal or administrative court, which has been irrevocably overturned after the last hearing.

2. A review may also be made where the court which issued the contested decision manifestly erred in fact, in particular if it did not identify a serious error in the figures on which it based its assessment, or if it considered it to be an actual or non-existent fact and the opposite is clear.

Article 184

Deadline

1. If a ground for revision is raised by those referred to in Article 183 (1), the time limit for lodging the application for review shall be sixty (60) days and shall begin to run:

(a) in Article 183 (1) (a) and (c), the relevant court decision shall become final;

(b) in Article 183 (1) (b), after the documents in question came into the possession of the person requesting the revision.

2. If the events referred to in paragraph 1 occurred before the contested decision was served, any application for review shall begin to run from the date of service of the judgment.

3. If the reason for revision is one of those referred to in Article 183 (2), the deadline for the lodging of the application for revision shall be sixty (60) days, starting from the service of the contested decision.

Article 185

Proportional application of provisions

For the hearing of the application for revision, the provisions of this Law on appeal shall apply accordingly.

Article 186

Consequences of revision

1. If a ground for revision is accepted, the contested decision shall be set aside and the case shall be re-examined within the limits of that ground.
2. The decision granting the application for revision shall be subject to the same legal remedies as the revised decision.

CHAPTER 28

CORRECTION OF DECISION

Article 187

Permissibility of rectification of a decision

1. If clerical or accounting errors or obvious inaccuracies were made during the drafting and delivery of a judgment, or if the operative part of the judgment was incorrectly or incorrectly stated, the court which issued it shall correct it.
2. If the errors are grammatical or manifestly synthesised their correction does not alter the meaning of the phrase in which they appear, the correction shall be effected by an act of the President of the Court which issued the decision, which shall be endorsed by the rapporteur of the case, provided that he retains the status of judge.
3. In any other case, the Court may rectify a decision of its own motion, either at the request of its President or at the request of one of the parties.

Article 188

Exercise of rectification request

When the application for rectification is made by the President of the Court which delivered the judgment, it shall be entered as an act of the President in the relevant register of the Court of Justice and a copy thereof shall be communicated to the parties. Where the application for rectification is made by a party, it shall be lodged at the competent Registry of the Court in accordance with Article 55 hereof.

Article 189

Content of request for correction

1. The request for correction must contain, in addition to the particulars of each application, a reference to the contested decision and a clear reference to the errors whose correction is sought.
2. Additional grounds may be submitted by a separate document lodged at the Court Registry fifteen (15) full days before the hearing, with a note on it.
3. A copy of the application of the additional pleas shall be served on the other parties, on pain of inadmissibility, fifteen (15) days before the hearing, at the care of the applicant.

Article 190

Preliminary proceedings

1. The provisions of this Law relating to the pre-litigation procedure for the corresponding appeal or appeal which gave rise to the judgment shall be applied accordingly.
2. If the President of the Court considers that the error in the judgment prevents it from being delivered, he shall set the shortest available date for the hearing of the application for rectification.

Article 191

Discussion

1. The application is heard in court and the parties are summoned by the court registry to the court.
2. The court ruling on the application for rectification shall, if possible, take part in the composition of the court who was the rapporteur in the decision whose correction is sought.
3. If the President of the Court and the party concerned have lodged an application for correction of the

same error, the Court may decide to hear one of the two. If they do not differ in the same mistake, the applications shall be debited.

Article 192
Decision

1. The number of the decision or act by which the correction was made shall be entered in the original of the decision which is corrected.
2. In copies or extracts of the rectified decision, reference must be made to the act of the President or to the court decision on payment, indicating the number and date of their adoption.

Article 193
Remedies

Appeals against decisions issued may be lodged against the decision which has been corrected. If exercised, the exercise shall be limited to those parts of the decision that have been corrected.

Article 194
Correction of minutes

1. If, after publication of the judgment, it is established that errors, graphic or editorial errors, or obvious inaccuracies have occurred during the drafting of the minutes of the hearing or an extract thereof, they may be corrected ex officio.
2. The rectification shall be made by an act of the President of the Court before which the hearing was held, which shall be endorsed by the Registrar of the seat. The President's decision shall be notified to the parties for the lodging by them of the legal remedies against the decision based on the minutes or extract rectified.

CHAPTER 29
REQUEST FOR INTERPRETATION OF JUDGMENT

Article 195
Interpretation of a decision

1. If the wording of a judgment is unclear and gives rise to doubts, the court which issued it may, at the request of one of the parties, interpret it.
2. The judgment on interpretation cannot alter the operative part of the judgment which is interpreted.

Article 196
Content of request for interpretation

1. The request for interpretation, in addition to the particulars of each application, must also contain a reference to the judgment which has been challenged and to the points or ambiguities in that judgment the interpretation of which is sought.
2. Additional grounds may be submitted by separate document lodged at the Court Registry fifteen (15) full days before the hearing, with a note on it.
3. Fifteen (15) full days prior to the hearing shall be served by the applicant on the other parties, on pain of inadmissibility.

Article 197
Preliminary procedure

1. The request for interpretation shall be submitted to the competent offices of the Court of Justice in accordance with Article 55.
2. The provisions of this Law relating to the pre-litigation procedure for the corresponding appeal or appeal which gave rise to the judgment shall be applied accordingly.
3. The President of the Court shall prescribe its own expediency if he considers that the alleged ambiguity prevents the execution of the judgment.

Article 198
Debate

1. The application is debated in court. The parties shall be summoned to the hearing by the Registry of the Court.

2. In the composition of the Court, if possible, with the judges who took the decision.

Article 199

Application of provisions

In all other respects, the provisions of the paragraph relating to the request for rectification shall apply.

CHAPTER 30

APPLICATION FOR DEFAULT JUDGMENT TO BE SET ASIDE

Article 200

Contested decisions

1. Decisions of the Chambers shall be subject to default judgment if one of the parties has not been defended during the hearing of an appeal or appeal, because he has not been summoned or duly summoned, or because, although duly summoned, he was unable to appear as a result of force majeure.

2. A second objection to the same decision shall not be admissible.

3. No further opposition shall be withheld against the decision rejecting the opposition, unless the opposing party was not summoned at all or was not duly summoned or, although duly summoned, he was prevented by force majeure from entering an appearance.

Article 201

Legal standing

Only a party who has not appeared at the hearing of the appeal or appeal because he has not been duly summoned or summoned, or because, although duly summoned, he was prevented from attending by force majeure shall be entitled to object.

Article 202

Deadline

The period for lodging an objection shall be sixty (60) days and shall start to run for the State, local authorities and other legal persons governed by public law from the date on which the contested decision reaches them. For the private party, the above time limit starts to run from the service of the contested decision on him or his full knowledge of the decision. If the person with a legitimate interest in lodging the opposition resides abroad, the time limit shall be set at ninety (90) days.

Article 203

Content of the application

The opposition must contain the particulars of each procedural document and also an indication of the contested decision, the grounds for the opposition and the request.

Article 204

Additional grounds

1. Additional grounds of opposition may be submitted by means of a separate document lodged at the Registry of the Court of Justice fifteen (15) full days before the hearing, with a note thereon.

2. A copy of the pleading of the additional pleas shall be served by the opponent on those against whom the opposition is directed fifteen (15) full days before the hearing, with the penalty of deception.

Article 205

Application of provisions

The provisions of this Law relating to the hearing, hearing and adoption of the judgment contested by setting aside a default judgment shall apply mutatis mutandis.

Article 206

Debate

1. The objection shall be lodged with the department which issued the contested decision.

2. The objection shall be heard in court by summons of the parties by the Registry of the Court.

Article 207

Decision

If the ground for opposition proves to be well founded, the decision shall be set aside and the Court shall immediately re-examine the case.

CHAPTER 31

THIRD-PARTY ACTION

Article 208

Active and passive legitimation

1. A third party, who is harmed by a final decision of a Chamber, inter alia, who has not intervened, may, if there is a legitimate interest which would have justified its appeal in those proceedings, set aside the decision in question.

2. A third party to whom the application initiating proceedings has been served, in accordance with Article42, by notice of the hearing shall be deprived of the right to bring third-party proceedings.

3. The third-party action is directed against all the litigants between which the judgment was handed down.

Article 209

Deadline

Third party proceedings shall be filed within sixty (60) days, commencing for the State, local authorities and other legal persons governed by public law, as well as for those legal persons governed by private law that are financed from national or EU funds from the receipt of the contested decision. For the same party, the above time limit shall start to run from service on him of the contested decision or full knowledge thereof by him. If the person with a legitimate interest in lodging the opposition resides abroad, the time limit shall be ninety (90) days.

Article 210
Content

The application for third-party proceedings must contain the particulars of each application, including a reference to the contested decision, the grounds of the opposition and the form of order sought.

Article 211
Additional grounds

1. Additional grounds for third party proceedings may be submitted by means of a separate document lodged at the Registry of the Court of Justice fifteen (15) full days before the hearing, with a note thereon.

2. A copy of the application of the additional pleas shall be served by the third party on the persons against whom the third-party application is directed, ten (15) full days before the hearing, on pain of inadmissibility.

Article 212
Application of provisions

The provisions of this Law concerning the pre-trial hearing, the hearing and the adoption of the decision contested in the third-party proceedings shall apply mutatis mutandis.

Article 213
Discussion

1. The third-party proceedings are brought before the Chamber which issued the contested decision.

2. The third-party proceedings shall be heard in court by summons of the parties by the Registry of the Court.

Article 214
Judgment

If the third party’s plea is well founded, the Court of First Instance shall set aside the judgment and proceed to adjudicate on the dispute.

CHAPTER 32

REQUEST FOR RESUMPTION OF PROCEDURE

Article 215

Contested decisions

A decision by a chamber or a full court, which was found by a judgment of the European Court of Human Rights to have been delivered in breach of aright relating to the fairness of the procedure followed or of any other rules of civil law laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms, may be subject to a request for reopening of the proceedings before the formation which issued it.

Article 216

Legalisation

The parties to the proceedings shall have the right to lodge an application for reopening of the proceedings. before the European Court of Human Rights or their universal or special persons, provided they have a legitimate interest, as well as the Commissioner General of State of the Court of Auditors.

Article 217

Time limit

1. The application shall be submitted within ninety (90) days from the publication of the final judgment of the European Court of Human Rights, in accordance with the discrimination provided for in Article 44 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

2. If, during the above period, the person who was a party to the proceedings before the European Court of Rights is succeeded, the period for the successor shall begin to run from the time when the succession took place. In particular in the case of succession, the time limit for the heir starts to run from the expiry of the period for renunciation of the succession.

Article 218

Exercise

The provisions of this Law applicable to the issue and appeal of the decision contested in the application shall apply mutatis mutandis.

Article 219

Content

The application must contain the particulars of each case, including a reference to the contested decision, specific reasons and a request.

Article 220

Preliminary proceedings

The provisions of this Law relating to the hearing of the case, in respect of which the decision contested in the application was given, shall apply mutatis mutandis.

Article 221

Discussion

The procedure applicable to the formation of the Court shall apply to the application for retrial.

Article 222

Judgment

1. If the application is well founded, the decision of the Court of Justice shall be annulled in so far as it established the infringement and the case shall be re-examined at a new hearing.

2. If the Court considers that the state of the proceedings is mature, it may discuss the case at the same date.

PART VI
DISCUSSION

CHAPTER 33
PRINCIPLES GOVERNING THE DEBATE

Article 223
Public session

1. Public meetings of the Court of Auditors to discuss the cases shall be held in the hearings of the Court of Audit in the presence of the Registrar.

2. The General Commissioner of State of the Court of Auditors is present at the public meetings of the Court of Auditors, who shall give his opinion. By decision of the competent body of the General Commission of State of the Court of Auditors, in accordance with Article 32Aff. of the Code on the Organisation of Courts and the Status of Judicial Officers, the only meetings at which it will not attend, as well as procedures in which the General Commissioner of State of the Court of Auditors will not participate, may be appointed.

Article 224
Oral nature of the proceedings

The hearing shall be held orally and shall be based on the pre-trial procedure provided for in this Law.

Article 225
Ex officio examination of the summons of the parties

1. Where one of the parties does not appear during the hearing, the Court shall examine of its own motion whether he has been summoned lawfully and in due time. If it has not been summoned or summoned legally and in advance, the Court, after declaring the hearing inadmissible, shall set a new ordinary hearing with a simple note on the list and order the registration of the case and the lawful summons of the parties.

2. The absence of a lawful summons shall be remedied if the person appears before the Court during the pronouncement and requests that his case be heard.

3. If the parties have been summoned and they are deemed to be lawful and in due time, the proceedings shall also take place if they do not appear.

Article 226
No appearance or withdrawal of the parties

1. A party who did not appear at the hearing or at the hearing of the case may attend the further hearing.

2. The voluntary departure of a party after the commencement of the hearing of the case does not affect the progress of the proceedings. A party to the proceedings shall also be deemed to be voluntarily expelled when his removal is ordered in order to maintain order.

3. The voluntary withdrawal of the party after receipt of an application for deferment shall not prevent the hearing of the case, unless the party has not been duly summoned, in which case Article 225 shall apply.

4. A party who does not appear at the hearing or who has left the hearing shall be entitled to attend and participate in any subsequent hearing of the case, provided that the parties are represented.

5. Paragraphs 1-4 shall apply mutatis mutandis to acts carried out outside the acronym.

Article 227
Principle of pre-proof

The hearing shall take place solely on the basis of written pleadings and documents produced by way of example. Documents may also be produced at the hearing, or even after the hearing, if authorised by the Court. In such a case, the rights of defence of the opposing party must be safeguarded. In accordance with Chapter 39, the Judge may also order any additional evidence and may order any public authority to provide documents or information relevant to the case being tried.

CHAPTER 34
APPEARANCE OF THE PARTIES

Article 228
Appearance of the parties before the Plenary Assembly

The State and the legal persons represented by the Legal Council of State shall appear before the Plenary in accordance with the provisions in force on their legal representation. The other parties shall appear before the plenary session after or through a lawyer appointed to the Supreme Court.

Article 229
Deadline for regularisation

The Court may, at the request of the person appearing as an attorney and who does not prove the authority to act, once consider the circumstances, defer a brief adjournment of the hearing or allow him to participate temporarily in the proceedings, setting a reasonable time limit for its locus standi. In this case, the elements of regularisation may also be later than the date of the discussion. If the power of attorney is not produced within the prescribed period, the Court shall, by means of a judgment, declare null and void the acts authorised in accordance with Article 14, as the case may be.

Article 230
Request for redebate

If, as a result of force majeure, the authorised lawyer was prevented from acting, a request for rehearing of the case may be submitted to the competent Registrar before the judgment is delivered and within a time-limit of ten (10) days from the removal of the force majeure. The application, which must clearly state the grounds on which it is based, shall be heard by the panel concerned. Both parties shall be summoned to demand twenty (20) days in advance. If the application is accepted, the case is heard by the same panel.

Article 231
Representation with declaration

1. The attorney may declare that he will not appear in court, but will attend with a statement signed by him. The statement shall be delivered by the authorised lawyer to the Registrar of the Court no later than the day before the hearing and shall be recorded immediately on the list. The same declaration, when made by a representative of the State, a local authority or another legal person governed by public law, shall have no procedural consequence if the administrative file has not been forwarded to the Court within the time limit.
2. If the hearing is adjourned at the request of a party, the party who submitted a declaration shall not be summoned at the new hearing.

Article 232
Missing elements of forensic capacity

1. If there are deficiencies in the parties' capacity and legal representation or in the authorisation or authorisation required for the conduct of the proceedings, the Court may, at the request of the party concerned and after an assessment of the circumstances, postpone the progress of the proceedings, which may prescribe a reasonable period within which to remedy the deficiencies. In this case, the additional elements may be after the date of the discussion.
2. If the postponement threatens the interests of the party concerned, the Court may authorise him or his representative to continue the proceedings or to take the procedural steps necessary to avoid the risk, but shall not have the power to give a final decision before the deficiencies have been remedied or the time limit set for that purpose has expired. The validity of the acts authorised depends on the timely completion of the deficiencies.
3. When the deadline has expired, the Court shall proceed to the hearing of the case.

Article 233
Angelos

In the absence of the litigant or the party who has completed his or her exile, an unsolicited appearance in front of the full legal capacity shall be permitted before the sitting Court if that person declares that he is acting as an angel of one of the above. Angelos shall only bring to the attention of the Judge facts known to him directly or by a third party concerning the absence of the party or his representative, or shall forward to the Court orally requests which they have asked him to submit to the Court because of exceptional

circumstances.

CHAPTER 35
CONDUCT OF THE DEBATE

Article 234
Hearing in court

1. The presiding judge shall direct the hearing, open the sitting, prepare and deliver the cases in the prescribed order, give the floor to the parties, their legal representatives and representatives, remove the floor in cases of infringement of the terms of the relevant or oral hearing, examine the parties, their legal representatives and other persons summoned and declare the hearing closed, provided that the case has been adequately investigated at his or her discretion.

2. Itis for the presiding officer, who is entitled to remove from the audience anyone who is worried or behaved in an emotional manner, and if he is a lawyer, he/she is entitled to apply Article 155 of the Lawyers' Code. The above decisions are subject to revocation by the person who issued them.

3. If a criminal offence is committed during the hearing or during the commission of a judicial act, the procedure laid down in Article 39 of the Code of Criminal Procedure shall apply. In any event, however, the Court may order the arrest of the offender and his or her relinquishment in accordance with Article 279 of the Code of Criminal Procedure to the competent public prosecutor.

Article 235
Debate

1. The hearing shall begin with the presentation of the cases from the list, in the order in which the cases are referred to it. During the announcement, it shall be investigated, in particular, whether there is a reason to remove the case from the register due to resignation or discontinuation of the trial, and whether there are sufficient grounds for postponing the case or changing the order of the case on the list. If all the persons present state that they intend to refer to the application or to a pleading which they will lodge without oral argument, then the case may be dealt with as a matter of priority after the statement has been made.

2. Advance announcement shall be followed by the calling and hearing of the cases.

3. The presiding judge shall give the person who brought the action the right to set out the pleas in law in his application and his pleadings and then to the person against whom he is directed.
The General Commissioner of the State of the State of the Court of Auditors shall be heard last if he does not lodge an appeal or appeal. If a report has been drawn up by the designated Judge-Rapporteur for the case, the request begins with the reading of the report by the Judge-Rapporteur.

4. The members of the Court of Justice and the General Commissioner of State of the Court of Auditors shall be entitled, with the permission of the Chair-in-Office, to address questions to the parties, their legal representatives, witnesses and experts and to request that documents be read.

Article 236
Interpreters

1. If a party, witness or expert is unaware of the Greek language, an interpreter shall be recruited, who shall take an oath before the Court to give exactly what will be dealt with. The reasons for the closure and the acquittal of witnesses also apply to the interpreter.

2. If the persons referred to in paragraph 1 are deaf, salty or ballast, they shall be consulted in writing. Their answers shall be signed by the judge presiding over at the sitting and included, together with the corresponding questions, in the minutes of the hearing. If these persons are unable to reply in writing, a suitable interpreter shall be recruited in accordance with paragraph 1.

Article 237
Fill in formal shortcomings

During the hearing, the litigant or his legal representative shall be informed of the formal deficiencies identified by the Registrar of the Court in the file and shall be invited by the President, with a reference to the minutes of the hearing, to complete them within a reasonable time.

Article 238
Postponement

1. If there is good reason, the hearing maybe postponed by the Court of Justice of its own motion or at the request of the General Commissioner of State of the Court of Auditors.

2. At the request of the party, the hearing of the case may also be adjourned if, in the opinion of the Court, there is good reason to do so.

3. A request to adjourn the hearing, even if challenged by all the parties, is not binding on the Court.

4. If the hearing of a case is postponed or if for any reason the hearing is cancelled or it is not possible to hear all or some of the cases on the billboard, the Court shall set the hearing at another set trial date, ordinary or extraordinary, without the need for a new summons for the hearing under Article 110, if the litigant or legal representative appeared at the hearing and thus became aware of the date of the new hearing.

Article 239
Decisions on the conduct of the debate

Decisions concerning the conduct of demand, save as otherwise provided herein, shall be taken at the headquarters, summarised in the minutes and published by the head office at the same meeting.

CHAPTER 36

MINUTES OF DISCUSSION

Article 240
Content

1. During the debate, the secretary of the chair shall keep minutes. The minutes shall state:

(a) the composition of the Court stating whether the Commissioner General of State of the Court of Auditors appeared in person or through his or her legal payer;

(b) the time of the hearing and the billboard number of each case, and that it was held in open court;

(c) the names of the parties, their legal representatives or their representatives, the names of their judicial representatives and the manner in which they are appointed;

(d) the type of remedy or remedy lodged;

Requests made by or through persons acting as angels;

Recording the incidents during the hearing, the offences committed during its inadequacy and the decisions concerning the conduct of the hearing;

(g) a statement that the Commissioner General of the State of the Court of Audit has been heard and of his requests for registration;

The name of the registrar of the registered office, stating that he has complied with the minutes.

2. If the hearing is adjourned, it shall be indicated in the minutes if it was decided by the Court of Justice of its own motion or at the request of the Commissioner General of State of the Court of Auditors or of a party to the proceedings and who.

3. For the proper drafting of the minutes, the secretary is supervised by the judge who presided over the hearing.

Article 241
Proof of probative value

1. On the basis of the minutes of the request and the notes on the list of the judge presided over at the hearing, the Registrar draws up an extract from the minutes for each case, which is included in the file. In the event of a discrepancy between the minutes and the corresponding decision, the minutes shall take precedence over those set out in the minutes.

2. In the event that the Commissioner-General of the County Court of the Court of Audit requested during the trial that a special comment be made in the minutes, he shall be entitled to develop its contents in a memorandum addressed to the Court, which shall be annexed to the minutes.

PART SEVEN
PROOF

CHAPTER 37
BASIC RULES FOR PROOF

Article 242
Subject of proof

1. The subject of proof is disputed facts which have a material impact on the outcome of the proceedings.
2. Facts which are commonly known, so that there is no reasonable doubt that they are true, and those known to the Court by an earlier judicial action shall be taken into account, in particular, without proof.
3. The lessons of common experience are taken into account by the Court of its own motion.4. Foreign law, customs and commercial practices shall be taken into account ex officio if they are known to the Court. If they are not known, proof shall be ordered in accordance with Article 251.

Article 243
Burden of proof

1. Each party is required to prove the facts on which it relies in support of its arguments, unless the law governing the relationship at issue provides otherwise.
2. The parties shall have the right to produce evidence in rebuttal.
3. The party against whom a legal rebuttable presumption is relied on shall have the burden of rebutting it.
4. If an individual party who, in principle, bears the burden of proof in accordance with paragraphs 1 and 3, cannot prove in whole or in part the facts invoked, because the evidence is in the possession of a public body other than the party to the proceedings, the Court may, at the request of the private party or of its own motion, determine that the public body is obliged to provide the evidence.

Article 244
Evidence and means of proof

1. For the purpose of establishing the facts necessary for a diagnosis of the case, the Court shall rely on any evidence which it considers appropriate, provided that it is not expressly precluded by law.
2. The evidence is contained in the administrative file of the case or is apparent from the taking of evidence before the Court.
3. Means of proof are:
(a) documents;
(b) inspection,
(c) the expert's report,
(d) the witnesses,
(e) hearings of service actors, explanations of the parties and acceptance of the truth off acts by a party;
Legal presumptions.
4. The evidence adduced by one party becomes common to the others.

Article 245
Legal presumptions

The Court may draw conclusions on facts from other facts which have already been established.

Article 246
Use and assessment of evidence

1. The Court shall use the evidence as it sees fit and assess it freely, independently or in conjunction with each other, unless a specific provision of law provides otherwise. It shall also take into account and assess freely and imperfect evidence that does not meet the requirements of the law, in accordance with Article 247 (3).
2. The Court is required to reach a full judicial conviction by deliberately deciding on the truth of the facts relevant to the proceedings. The decision must state the reasons which led the judge to form his conviction.

3. Where probability is sufficient, the Court is not obliged to apply the provisions applicable to the taking of evidence, the evidence and their strength, but takes into account any means which it considers appropriate to establish a probability of the facts. The second sentence of paragraph 2 shall apply mutatis mutandis in this case.

Article 247
Means of proof which do not comply with the terms of the law

1. The Court does not take unlawful evidence into account.
2. Unless specifically provided otherwise, the Court may take into account and dispose of avenues produced by the parties which do not fall within the scope of the measures of inquiry referred to in Article 244 if it considers that failure to assess such means would undermine the principles of a fair trial.
3. Exceptionally, the Court may take formal defects in evidence, provided that the procedural act giving rise to them is not invalid or has not been annulled by the Court of Justice on the ground of procedural damage to the party concerned and the imperfections they contain do not undermine their credibility.

CHAPTER 38
ADMINISTRATIVE FILE

Article 248
Administrative file reference

1. The administration must forward to the Judge, no later than one (1) month before the hearing set, the administrative file of the case with all the relevant facts and views on the case.
2. If the information referred to in paragraph 1 is not available in the administrative file because it has been proven to have been lost, the Court shall order their production per year. If this is impossible, proof of their content shall be ordered by any legal means of evidence.
3. The administrative file, by the letter of the Court of Justice, shall be returned to the administration as soon as the final judgment is published or the trial is otherwise closed.

Article 249
Consequences of failure to transmit an administrative file

1. If the administrative file is not forwarded to the Court of Justice, the case may be postponed ex officio or at the request of the General Commissioner of State of the Court of Auditors or the stairs. This postponement shall be specifically mentioned in the minutes.
2. If the competent authority fails to forward the administrative file at the hearing set after the first hearing, the Court shall discuss the case and, if the information in the file is such as to form the judicial conviction required for the factual arguments of the parties to be well founded, it shall rule on the dispute by way of a final judgment. Otherwise, it shall issue a decision to supplement the evidence in accordance with Article 251.

CHAPTER 39
EVIDENTIARY PROCEDURE

Article 250
Pre-proof

1. The documents and testimonies referred to in Article290 shall be submitted to the Court of Justice and to the General State Commission of the Court of Audit, the registry of which shall confirm that they have been received, until the day before the first hearing of the case. They may be produced at a later hearing only if, in the opinion of the Court, they were not produced in goodtime.
2. The Court Registry shall confirm to the body of evidence referred to in paragraph 1 the date on which it is produced.

Article 251
Accompanying proof

1. If the Court considers it necessary to establish a full judicial conviction, in accordance with Article 246 (2), it shall order the completion of the evidence either of its own motion or at the request of a party.
2. The decision to carry out the additional proof shall specify:

(a) the issue of proof;
(b) the party bearing its responsibility;
(c) the means of proof;
(d) the place, the time when it is to be carried out and its location.

3. If the additional evidence is carried out outside the hearing, the member of the Court shall also be appointed to the court before whom, in the presence of a Registrar, such a hearing will take place. A judicial officer of the General State Commission of the Court of Auditors shall be present during the procedure, to whom the decision on the additional proof shall be notified in good time.

4. The place or time of completion of the supplementary proof may be changed by reasoned decision of the Court taken in a council, at the request of the party or of its own motion.

Article 252

Debate after receipt

After the supplementary evidence has been carried out, if it has been held in court, the hearing of the case shall continue at the same hearing, unless the Court considers that there is a need for the hearing after the receipt to be heard. If the additional evidence was taken outside the hearing, a new hearing shall be set for the further hearing of the case. That new hearing shall be fixed either by the decision ordering the taking of evidence or by an act of the President of the Court.

Article 253

Securing of evidence

1. The President of the Court in which the case is pending may, at the request of a party, and before the hearing of the case, order the taking of evidence if he considers that there is a risk that evidence would be lost, difficult to use or difficult to establish.

2. The application shall be lodged at the Registry and shall, in addition to the particulars referred to in Article 59, state the matter of proof, the means of proof and the reasons for the measure. It is sufficient for the reasons to be substantiated on the basis of the information provided in the application.

3. The hearing of the precautionary evidence and the conduct of precautionary evidence shall be fixed at short notice, depending on the risk, and the parties shall be summoned ten (10) days before the hearing or the hearing, unless there are special reasons, in which case the time limit may be shortened. Such summons shall be served by the party who applied for the taking of evidence. Articles 251 and 252 shall apply mutatis mutandis.

Article 254

Search for information and re-audit order

1. By decision of the Court of Justice and the General Commission of State at the Court of Auditors of the Court of Audit, by act, the Court of Justice may request from any public authority or body of local self-government, as well as from any other legal or natural person, information and data useful for the knowledge of the case. All of them are required to provide the Court of Justice and the General Commissioner of State of the Court of Audit with the information and information requested by them within the time limit laid down in the judgment or act. In the event of non-compliance, Article 20 (2) shall apply accordingly.

2. The Court may also, in a decision, where it considers it necessary for the purpose of a diagnosis of the case, order the administration to carry out a re-inspection on the grounds of justification, specifying the subject matter and purpose of the re-examination. The relevant report on the re-examination must be submitted to the Court within the time limit set in the judgment.

3. The Court may, by means of an act of its President, preliminary evidence or decision, require the administration to carry out complex arithmetical calculations or arithmetical calculations based on data from multiple data kept by the administration. The relevant administrative report must be submitted to the Court at least twenty (20) days before the trial date set or fixed.

CHAPTER 40
DOCUMENTS

Article 255
Public and private documents

1. Public documents are those drawn up either in paper form or in electronic form in the legal form of a civil servant or official in the exercise of their public service or function.

2. Private is all documents, which are not public. Private documents must bear the signature of the author or, if it is declared impossible to sign, another item to be affixed by him. In the latter case, the instrument must be authenticated by a notary or other public authority, who at the same time certify that the issuer has declared it impossible to sign. Handwritten signature also means an electronic signature or a qualified electronic seal as defined in Article 3 of Regulation (EU) No 910/2014 of the European Communities. Council and Council of 23 July 2014 on electronic identification and trust pollution for electronic transactions in the internal market and repealing Directive 1999/93/EC (L 257/73).

3. The following shall also be regarded as documents, according to the distinctions set out in paragraphs 1 and 2:

(a) the records the keeping of which is required by the provisions in force;

Photographic or cinematographic representations and any other mechanical imagery, as well as phonograms.

4. Mechanical display, within the meaning of paragraph 3, includes any medium used by an infant or peripheral computer memory, by electronic, magnetic or other means, for recording, storing, producing or reproducing elements, which cannot be directly read, as well as any magnetic, electronic or other material in which any information, image, symbol or sound is recorded separately or in combination, provided that such means and materials are legally defined or capable of proving facts. An electronic document bearing a simple or advanced electronic signature or a leading electronic seal of the publisher is a mechanical display.

Article 256
Type of documents

Public and private documents produced to the Court must be drawn up in the prescribed form in accordance with the general provisions or, if the law governing the relationship requires a special form, in that form.

Article 257
Evidence

1. Public documents, drawn up by the competent body either in paper form or in electronic form and in accordance with the legal formalities, shall constitute full proof of what they confirm to them that their author acted or that they were made before it, in respect of which evidence may be rebutted, if the document in question is challenged as a forgery.

2. Documents drawn up by a foreign civil servant or official or a person who carries out, Inter alia, a local or local authority, which are considered to be public documents in the place where they were issued, shall have the evidentiary value laid down in paragraph 1.

3. The date of the private documents becomes certain for third parties only if they are authenticated by a notary or by another official authorised by law. Otherwise, a certain date of private document shall be deemed to be the date of the death of one of its signatories or the date of the authentic instrument in which the private document essentially refers to its content or that of the occurrence of an event rendering its date irrefutable in a similar manner. The chronology of electronic private documents becomes certain if they bear a qualified electronic time stamp, as defined in Article 3 of Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic changes in the internal market and repealing Directive 1999/93/EC (L 257/73).Documents drawn up through the Single Digital Portal of Public Administration are documents of certain dates, in accordance with the relevant provisions.

4. In all other respects, the content of public papers and all the content of private documents shall be assessed in accordance with Article 246 (1).

5. The audit reports drawn up by the competent bodies shall have, in addition to the findings of fact or law or the information or confessions of the auditee referred to therein, the probative value provided for in paragraph 1.

6. Private documents shall not have any evidentiary effects in favour of the person who drew them up unless they are produced by the opposing party or the records referred to in Article 255 (3) are concerned.

7. Paragraphs 1 to 6 shall apply only in so far as the law governing the relationship does not provide otherwise.

Article 258
Translations

Documents drawn up in a foreign language shall be submitted together with a translation, which must be certified by the Ministry of Foreign Affairs or the embassy or consulate of that country in Greece or by a legal body. The Court may in any event order a translation by a special translator.

Article 259
Copies

1. A copy of the document shall bear the burden of proof other than the original if its accuracy is confirmed by an official responsible for that purpose. The Court may, however, request production of the original.
2. A copy which has not been certified in accordance with paragraph 1 shall be taken into account if the Court is convinced of its accuracy by other information.

Article 260 Demonstration of documents

1. The Court may order the production of a document held by a party, a third party or any authority.
2. If, for any important reason, the production of a document cannot be made in court, the Court may order that the document be presented on the spot to the Judge-Rapporteur designated by it, who shall draw up a report on it, in which he shall receive the content of the document or attach a copy thereof.
3. The presentation referred to in paragraph 1 shall not be compulsory in the case of a private document if the holder is exempt, in accordance with Article 285, from the obligation to examine the matter against the document as a witness, or if he is entitled to refuse to demonstrate it on the basis of scientific or professional secrecy.
4. In the event of refusal or obstruction of a document, Article 20 (2) shall apply mutatis mutandis. If the person refusing or obstructing the production is the party whose submission has been ordered, his plea shall, if not proved by other means of proof, be rejected as unproven and, if he is the opposite, that claim shall be deemed to have been established.

Article 261

Confidential documents

1. If an authentic instrument, according to the relevant certificate issued by the authority in its possession, concerns the confidentiality of the State with regard to its security and international relations or other State secrecy, the Court shall examine, in consultation with a council, the facts and arguments of the administration. If the Court considers that the classification of the document as secret is justified by its nature, having regard also to the reasons for the public interest relied on by the administration, it will proceed to examine the case in the light of the facts of the case, without bringing it to the attention of the applicant and without setting out its content in the decision. If the Court considers that there is no justification for classifying the document as secret, it shall defer the proceedings in order to enable the parties to take cognisance of the document and to present their views.
2. The General Commissioner of State of the Court of Auditors shall have the right to take note of each document and to express an opinion if its classification as secret is justified by its nature as referred to in paragraph 1. In any event, however, it is bound by confidentiality and is bound in that regard by the Court of Justice.

Article 262

Loss of document

If a document is lost or its reading becomes blurred, its existence and content may be proved by any lawful means of proof.

Article 263

Authenticity of a document

1. If the authenticity of the signature and the content of a private document are contested, the Court shall rule on an incidental basis on the basis of information and explanations which it may request from the purported author of the document. It may also, if it considers it necessary, order proof of the authenticity of the document by any legal means of proof.
2. In the case of a foreign authentic instrument, the Judge may consider it authentic and without proof,

on the basis of concurrent circumstances. To this end, it may confine itself to ratification by the Ministry of Foreign Affairs or by a Greek embassy or consulate.

Article 264

Challenge of a document as a forgery

1. A person who challenges a document as a forgery must at the same time produce and rely on the evidence on which he bases his claim.
2. The Court of Justice shall give an incidental ruling on counterfeiting. If the document is essential for the conduct of the case and the forgery is named, and unless it is a case in which criminal prosecution is excluded for any legitimate reason, proceedings may be suspended until the end of the criminal proceedings, unless the interests of a party are immediately jeopardised by the stay.
3. The suspension decision and the decision accepting the forgery shall be forwarded to the competent proponent by letter from the President of the Court of Justice.

CHAPTER 41

INSPECTION

Article 265

Decision to conduct an inspection

1. The Court shall order that an inspection be carried out if it considers that it is necessary to establish a direct understanding of the subject matter of the evidence, specifying at the same time the matters to be demonstrated by it.
2. The Court may decide to carry out an inspection and at the same time order an expert's report or examination of witnesses. If an expert's report has been ordered in parallel with the inspection, the oath of the experts may also be made during the inspection by the person carrying out the inspection.
3. During an inspection, a judicial officer of the General State Commission of the Court of Auditors shall be present, to whom the decision to carry out the inspection shall be notified immediately after its adoption.

Article 266

Conduct an inspection

1. The inspection shall be carried out by the court itself which ordered it or by a member instructed by it. Where there is an exceptional need, an inspection may be carried out by another court, in accordance with Article 9 (1).
2. The President of the Court of Justice, if the inspection is conducted by the Court of Justice as a whole or the Judge-Rapporteur specially appointed by the Court, shall fix the date and time of the inspection. If they consider that it is impossible or difficult to transfer the subject matter of the inspection to the place where the meetings are held, they shall designate a place to which the persons carrying out the inspection shall travel.
3. The party or third party who holds the subject matter of the inspection or who is the subject of the inspection must be invited to attend the inspection at least three (3) days before the inspection is carried out.
4. Photographs or other illustrations may be taken during the inspection, and diagrams maybe inferred.

Article 267

Cooperation during an inspection

1. The litigants must assist with the inspection and do whatever is needed for that purpose.
2. If the inspection is carried out with a party or a third party, he or she may tolerate the inspection unless there is a good reason and in particular if his health or dignity is impaired. The person who carries out the inspection must take all measures to ensure the full health and dignity of the person as long as an inspection is carried out.
3. If the object of the inspection is a movable property held by a party or a third party, he must do so and present it to the person carrying out the inspection. If the subject of the inspection is immovable property held by a party or a third party, he shall be obliged to allow the property to be visited in order to carry out the inspection.

4. A party or a third party who, in his absence, the concealment of the property which is the subject of the inspection or in any other way prevents or impedes its conduct, shall be ordered to pay the costs of the proceedings. If that party is the party whose inspection has been ordered, his claim shall be rejected as unproven if he fails to respond by other means of proof. If it is the opposite, this claim shall be deemed to have been established.

5. The Court or the judge specifically appointed by it may release the persons referred to in paragraph 4 from their obligations if there are serious grounds for doing so in writing and prove before the inspection is carried out. In the case of a decision of the Judge-Rapporteur, the Court of Justice may set it aside — again ordering an inspection.

Article 268

Content of inspection report

1. If the inspection is carried out in court, it shall be mentioned in the minutes and, if it is carried out outside the hearing, a report shall be made. The report or report shall state the subject matter of the inspection and the perception of the Court or the judge.

2. The minutes or report must include whether witnesses have been heard, their testimonies and, if experts have been appointed, their opinion. The designs, photographs or other illustrations received are also attached.

Article 269

Submission of inspection report

If the inspection is carried out in court, the case is debated immediately afterwards. If it is carried out outside the court, the inspection report shall be lodged or sent together with its attachments to the Registry of the Court of Justice in the trial court.

CHAPTER 42

EXPERT REPORT

Article 270

Expert work

The Court shall order that an expert's report be carried out if it considers that questions arise for the diagnosis of which specialist knowledge of science or art is required.

Article 271

Appointment of experts

1. The Court shall appoint one or more experts to carry out the expert's report.

2. Experts shall be appointed by a suitably qualified expert in accordance with Article 371 of the Code of Civil Procedure. In the absence of a list or of persons with specific knowledge of the specific text of the expert's report, the Court shall designate other persons qualified for inclusion on a list of experts which it considers appropriate.

3. The appointment decision shall indicate the issue of the proof, the party bearing the burden of proof and the time when the expert's report was completed. The same decision shall state the surname, first name, residence or profession, e-mail address and the capacity of the experts appointed.

Article 272

Exclusion, Exclusion, Exemption and replacement of an expert

1. The grounds for exclusion and recusal of judges shall apply mutatis mutandis to experts.

2. Experts may apply for exemption for the same reasons and for any important reason preventing them from carrying out the expert's report. If the expert is an employee of a body belonging to the public sector, his superior may also request the exemption.

3. The grounds provided for in paragraphs 1 and 2 must be invoked before the oath is taken.

4. The merits of the grounds for exclusion or exclusion shall be examined by the Court in a council. If the reasons are found to be well founded, the replacement shall be appointed at the same time.

5. The Court may replace the concept if any of the grounds referred to in paragraph 1 arise after the oath, as well as for public service delegation in the performance of its duties.

Article 273

Sworn expert

Experts shall take an oath before the court appointing them or the judge appointed by it to perform their duties in a conscientious, objective and confidential manner. Otherwise, the type of oath of the marble shall be respected.

Article 274

Expert's duties

1. The experts shall give an opinion on the questions referred to them by the Court of Justice. The Court of Justice may give them instructions or guidance on how to carry out their duties.
2. The performance of the duties of an expert shall be compulsory.
3. Experts must, whenever requested by the Court, be present during the proceedings and other procedural acts, as well as during the subsequent hearing of the case in order to provide explanations or information.
4. An expert who does not perform his or her duties, has no right to remuneration or compensation and is subject to the penalties provided for in Article 20 (2).

Article 275

Carrying out an expert's report

1. In order to carry out the expert's report, if there is more than one expert, they shall be appointed at the invitation of either of them. Otherwise, they shall be convened by the Court of Justice or by the Judge-Rapporteur designated by it.
2. Experts may:

(a) to acquaint themselves with the information contained in the file and to take simple copies of the documents which they consider necessary for the purpose of obtaining the expert's report;

(b) to request information from the parties or bodies belonging to the public sector, to take photographs, images or images, to take diagrams and to take any necessary action;

(c) when attending hearings, with the permission of the President of the Court, to put questions to the parties, their legal representatives and witnesses and to request that documents be read.

3. The parties may submit statements of case to the parties setting out their views on the subject matter of the expert's report, as well as any other information relating to it, and may be present at the examination or examination of the subject-matter of the report.

Article 276

Expert report

1. In order to carry out and conclude the expert's report, the experts shall draw up a statement setting out the steps taken and their reasoned opinion. If the opinion of more than one expert is the same, a joint opinion shall be drawn up by them.
2. The report is signed by all interested parties and submitted to the Registry of the Court of Justice. An instrument shall be drawn up for the deposit. If one or more of the experts are not presented at the time of the expert's report or refuse to sign the report, this shall be noted in the report.
3. If the expert's report is carried out at the hearing, the Court may confine itself to an oral report, which shall be recorded in the minutes.

Article 277

Assessment of an expert's report

The Court is free to assess the opinion of the experts. If it considers that this is necessary, it may order a new expert's report or the repetition or completion of the expert's report by them or by other experts.

Article 278

Experts' costs

1. The costs of the expert's report and the remuneration of the experts, which for all together may not exceed the one plus fifty percent (50 %) referred to in paragraph 3, shall be determined by the court which ordered the expert opinion in its final judgment. Articles 314 and 315 shall apply to their attribution.

2. If substantial expenditure is required in order to carry out the expert's report, the Court in a Council, at the request of the expert, to be submitted to the President, which shall bear the detailed costs required, may, by decision, without any judicial remedy, proceed to provisional discharge and order that such expenditure be paid in full or in part. Advance payment of the above costs shall be borne by the State. The costs advanced shall be offset, in accordance with paragraph 3, when the costs are definitively settled and charged to the parties.

3. Article 22 (1) and (2) of Law 3693/1957 (GG I 79) shall also apply to the remuneration of experts.

Article 279

Technical advisors

1. If the Court decides to appoint a real interest, each party may at its own expense appoint a technical adviser, who must be a person capable of being effectively appointed.

2. The appointment of a technical adviser shall be made on the basis of a written declaration by the party lodged at the Registry, as well as orally at the Court or the Judge-Rapporteur appointed by it before whom the expert's report is carried out. The designation shall be the subject of a report or record accordingly.

3. Technical advisers shall assist the parties with their technical knowledge and may attend all procedural acts in which experts may also be present, inspect the case file and obtain simple copies of the documents necessary for the performance of their duties.

4. Technical advisers may write or write, with the permission of the President of the Court, orally in court their observations on the expert's report and put questions to the actual knowledge at the hearing.

Article 280

Simple opinions

Opinions of persons with specific knowledge of science or art on matters relating to pending proceedings which have not been the subject of an expert opinion shall be taken into account by the Court, provided that a specific provision of law does not provide otherwise and are freely assessed by it.

CHAPTER 43

SENTINELS

Article 281

Decision to hear a witness

1. The Court may order that the MAP be examined either before it or before the Judge-Rapporteur designated as evidence. A decision may be taken to hear a witness, even if preliminary evidence has been obtained in accordance with Article 290.

2. In addition to the issue of proof, the place and the time of its taking and completion, the decision must state the name, profession, home address and e-mail address of the witness.

Article 282

Proposal of a party to hear a witness

1. The party's proposal for the hearing of a witness shall be made in the original or the pleading of the additional persons or by means of a special application lodged at the Registry of the Court at least five (5) days before the first hearing.

2. The proposal should:

(a) give the name, profession and address of the witness;

(b) specify the topic for which the examination will be carried out;

(c) ensure that the witness has not been closed or discharged, in accordance with Articles

285 and 286.

3. The motion may also be made orally during the hearing of the case in court, provided that it is attended by all the parties and does not tell you.

4. Witnesses may also be summoned by the General Commissioner of State of the Court of Auditors. To this end, the General State Commission of the Court of Audit shall inform the Court Registry at least five (5) days before the first discussion, mentioning in the proposal the information referred to in paragraph 2. The motion may also be made orally in court, provided that all the parties are present and do not object.

Article 283
Summoning a witness

1. Witnesses shall be summoned by order of the President of the Court or of the Judge-Rapporteur designated by it.

2. The document must indicate the subject of the receipt, the place and time of the receipt, the name, profession, home address and e-mail address of the witness.

3. The document shall be served on witnesses and litigants by the Registry of the Court of Auditors.

4. In exceptional cases relating to the status or situation of a witness, the hearing may be carried out by the designated Judge-Rapporteur at the witness's domicile or place of residence. The parties shall be summoned to do so by means of a special act of the designated Judge-Rapporteur, which shall be served on them by the Registry of the Court of Auditors.

Article 284
Obligation and subject matter of evidence

1. Subject to the provisions of Article 285, concerning the exclusion of witnesses, testimony before the Court of Justice or with the specially appointed jurisprudence shall be compulsory. Anyone called to be heard as a witness must appear and testify for the facts known to him.

2. If a witness who has been duly summoned fails to appear unjustifiably or refuses to take an oath or to do so, the Court shall, by final judgment, impose a fine of up to EUR 1.500.

Article 285
Exclusion of witnesses

1. The following may not be heard as witnesses:

(a) persons who, at the time of the actual fact to be proved, do not have the sensory to perceive it or have no capacity to communicate what they perceive;

(b) the relatives of the private party by blood or marriage up to and including the third degree, directly or by side, the spouses and parties to a cohabitation agreement and even if the marriage or agreement has ceased to exist;

Persons who may have any interest in the outcome of the trial.

2. It is also excluded that those who hold an office or exercise an office or act on any matters entrusted to them by virtue of their status may be examined as witnesses, provided that the nature of their affairs, in accordance with the provisions in force, requires confidentiality. This exclusion may be lifted if both the person who entrusted them with the matter and the one to whom it relates to the confidentiality of the matter so permit. The removal of the exclusion shall not apply if it is a clerical on the matters entrusted to them by them. In the case of civil servants or employees of a local authority or other legal person governed by public or private law, the exclusion may be lifted only with the written authorisation of the minister concerned or the competent body of the local authority or the legal person.

Article 286
Exoneration of witnesses

The following shall be exempt from the obligation to be heard as witnesses and shall have the right to refuse to hear them:

(a) the persons referred to in Article 285 (2) for matters brought to their knowledge in the exercise of their office or function or profession or constituting their professional or artistic secrecy;

(b) any person called upon to testify on matters which may give rise to criminal proceedings or affect the honour of himself, his spouse or his civil partner, even after the dissolution of the marriage or civil partnership, or his or her blood relatives up to the third degree.

Article 287

Examination of grounds for exclusion or exemption

1. The main examination shall be preceded by a preliminary examination of the witness, during which it is examined whether there is a ground for exclusion. The witness himself relies on a ground for exemption.

2. If there are grounds for excluding or exonerating the witness, the designated Judge-Rapporteur shall not proceed to his examination. If the Court decides on the contrary, it shall order that the witness be heard in the course of proceedings before it.

3. Any party to the proceedings may request that a witness be excluded if there is a reason to close the witness in accordance with Article 285. In that case, it must prove before the Court of Justice or the Judge-Rapporteur designated as such that that ground has been satisfied.

Article 288

Conduct a witness hearing

1. The court or the judge designated by it shall first confirm the identity of the person appearing as a witness, on the basis of information such as his name and surname, place of birth, age, residence and episode.

2. Before the witness is heard, he must take an oath in accordance with Article 408 of the Code of Civil Procedure. After the oath, the witness is asked about his or her relationship with the parties and any other fact, which may cause him not to continue his examination or may provide insight into his relations with the parties and his credibility. Those who have not reached the age of fourteen years, or have been deprived of their political rights, or have been deprived of positions and positions as a result of a criminal conviction, shall be expelled if their testimony is deemed necessary, without taking an oath.

3. Each witness is heard orally and separately from others. The witness may, in the opinion of the President of the Court, use a paste to assist in his memory. The witness must state how he has learnt what he or she is testifying and, in the case of events of which he has no direct knowledge, the person from whom he has been informed of the testimony.

4. The President of the Court or the appointed Judge may prohibit the parties or their representatives from questioning the witness if he considers that they are manifestly pointless or external to the matter, and shall close the examination of the witness if he considers that the witness has testified what he knows about the facts to be proved.

5. The Court may dismiss the witness before or during the hearing if it considers that his mental state rules out his ability to testify, after the presentation of a report by the Judge-Rapporteur designated as such in his observations.

6. The parties may put questions to the witness, with the permission of the witness who conducts the hearing. The hearing of a witness against another witness or party may take place, if necessary, only before the Court of Justice or the designated Judge-Rapporteur.

7. What happened during the testimony and testimony, as well as the oath, the testimony of witness and the objections of the parties, shall be recorded in the record or report, as appropriate.

Article 289

Additional examination of witnesses

The Court may order that a witness be heard again if this is necessary to supplement or clarify the testimony or if the Court finds that the witness has unjustifiably refused to testify for a certain subject. In such cases, a new oath of the witness is not required.

Article 290

Testimony during the pre-trial procedure

1. Testimonies produced by the parties shall be taken on oath, in accordance with Articles 287 (1) and 288 (1), (2) and (5), before the small claims court judge or NOTE of the document of the seat of the court or of the witness's domicile.

2. A party seeking the taking of witness evidence against a statement, in accordance with paragraph 1, shall serve at least ten (10) days before the lodging of a summons on the other

parties, stating the legal remedy or means to which the statement relates, the place, date and time of the hearing, the name of the forename, the profession, the address of the home and the e-mail address of the witness, as well as the subject of the testimony.

3. During the testimony of a witness in accordance with paragraphs 1 and 2, the parties shall attend, provided they recall it, the parties, who may put questions to him.

4. A testimony given in breach of paragraphs 1, 2 and 3 shall not be taken into account in the proceedings for which it was given, or as evidence, which does not meet the requirements of the law.

CHAPTER 44
HEARINGS, EXPLANATIONS AND STATEMENTS FOR FACTS

Article 291
Listening to service actors and explanations of the parties

1. The Court may order that explanations or information be provided by officials or by the parties themselves.

2. The decision to examine the persons referred to in paragraph 1 shall be notified to the parties and to the competent authority. The hearing is held in a special hearing in court or before a member of the Bar appointed for this purpose.

Article 292
Acceptance of the truth of facts with harmful effects

1. The acceptance by a party of the truth of the facts, with detrimental effects on the outcome of the proceedings, shall be made in writing or orally either before the Court of Justice or the Judge-Rapporteur designated by it or outside the court. If the statement is accepted orally before the Court of Justice or the Judge-Rapporteur designated as such, the statement shall be entered in the minutes or in the report, respectively.

2. The acceptance of paragraph 1 may be revoked for minor errors of fact until the end of the last discussion.

PART EIGHT
TERMINATION

CHAPTER 45
DECISION TAKEN

Article 293
Composition of the Court of Justice for a decision

1. The decision shall be taken by the Judges who took part in the formation of the Tribunal at the time of cohabitation. When the hearing is held before a single judge, the decision is taken by the judge of that court.

2. The case shall be reheard only in the event of death or of leaving the service of the judge who participated in the hearing of the case or of any other serious reason. The judge who had taken part in the hearing of the case shall be obliged, after an administrative change has occurred, to participate in the procedure for taking and adopting the decision, with the grade which he or she placed at the hearing.

3. If a member of the Plenary is prevented from attending or leaves the service or dies a member of the Plenary Assembly from attending the debate, the decision shall be validly taken by the other members participating in the debate, provided that the number of such members is sufficient to enable the plenary to be convened. The number of members should always be kept superfluous. If the members live a perfect number, the youngest counsellor shall leave and, if he/she is the rapporteur in the case in question, his or her immediate seniority.

Article 294

Rediscussion

Except in the case provided for in Article 293 (2), if after the hearing of the case it becomes impossible for any reason to receive it from a hearing, the hearing shall be resumed after a new hearing is set and a summons to be heard is notified.

Article 295

How to take a decision

1. A deliberation and a vote shall be held for the decision to be taken by a large number of members.
2. During conferences, which may also be held remotely using a technical means ensuring the secrecy of the conference, the chart shall also be present, if deemed necessary by the Chair-in-Office.
3. The large members of the Court of Justice appear by a majority.
4. When the vote is taken, the rapporteur shall vote first, then the others in reverse order of seniority, last voting by the person who chairs the conference.
5. If more than two opinions are formed in the vote and no majority is formed, those who are individually or in favour of the patient must adhere to one of the most important ones. The President of the conference may tell or repeat the conference if he finds that the opinions formed are more than two with a small difference in figures.
6. If more than one of the weakest opinions concentrates an equal number of votes, the exclusion of one of them and those which followed it shall be determined by a vote, they must adhere to one of the other opinions until a majority is reached.
7. A record of a conference shall be drawn up only where the Court considers it necessary.

Article 296

Referral to a seven-member chamber

If, at the hearing, the Chamber finds that it is alleged to take a decision contrary to a strong previous decision on the validity or meaning of a provision of law which applies mainly to cases falling within its jurisdiction, the case may be referred for a new hearing, in which the Chamber shall consist of the President, the four oldest Counsellors and the two oldest Vice-Presidents serving in it. The case may be referred to the seven-minute composition and in view of its importance, in particular where the meaning or validity of a relevant provision is first examined in the course of its proceedings. The Chamber composed of five or seven members may, in any event, refer the case to the Plenary Assembly.

CHAPTER 46

ADOPTION OF A DECISION

Article 297

Drafting and publication of a decision

1. Once the decision has been taken, the judge prepares, dates and signs the decision.
2. In proceedings before multi-bench panels, a draft of the decision containing the grounds and the operative part, dated and signed by the presiding judge and the rapporteur, shall be drawn up by the Acting Judge at the end of the vote.
3. The decision resulting from the draft referred to in paragraph 2 shall be published in open session of the formation which took the decision. The decision may also be pronounced by judges who did not take part in the hearing. If the Chamber which took the decision does not meet, the decision may also be published at the meeting of another Chamber.
4. Publication of the decision shall be certified at the end of the judgment by the presiding judge and the Registrar.
5. The decisions of the Court of Justice shall be notified to the parties and to the Commissioner-General of the Province of State at the Court of Auditors' Court of Auditors by its Registry.

Article 298
Content of decision

The decision must state:

(a) the serial number and the year of its publication, the Court of Justice which issued it, the composition of the Court of Justice and, in the case of multi-bench panels, the name of the Judge-Rapporteur, the name of the General Commissioner of State of the Court of Auditors, the name of the Registrar, the colour and place of the hearing, the fact that it took place at a public hearing, and the type of legal remedy or appeal lodged;

(b) the full name, father's name and domicile of the parties, their legal representatives and their faculties and, in the case of legal persons, their name and the address of their registered office, indicating whether they entered an appearance;

(c) a brief summary of the subject matter of the proceedings, with reference to the forms of order sought by the parties, the state of play of the case and the payment of the fees, the fee and the court stamp, where necessary, (d) a reference to the content of the opinion of the General Commissioner of State of the Court of Auditors, (e) the grounds for the decision, in which also set out the minority opinion;

The operative part of the judgment upholding or rejecting, in whole or in part, the appeal and the individual forms of order sought by the parties, as well as the fate of the fee and the award of costs, where applicable;

(g) reference to the publication of the decision.

Article 299
Non-existent decision

1. A judgment bearing the external characteristics of a judgment is non-existent if:

(a) a person who was a member of the court which handed down it was not a judicial person;

(b) the Court of Justice which delivered it did not have jurisdiction to do so;

(c) it has not been published;

(d) issued to a non-existent natural or legal person;

(e) issued against a person enjoying immunity from jurisdiction.

2. The non-existence of the decision shall be examined by the Court of its own motion and may be raised by way of objection at any stage of the proceedings.

3. If the judgment has not been appealed against, the declaration of non-existence may be enforced by means of an independent application to the Court of Justice, which shall apply mutatis mutandis to the action for a declaration.

CHAPTER 47
CONSEQUENCES OF A DECISION

Article 300
Final and non-final decisions

1. Without prejudice to Article 100 (5) on decisions on applications for suspension and Article 105 (7) on decisions on applications for interim measures, decisions definitively pronounced in a main or incidental application shall not be revoked by the court which issued them after their publication.

2. Any other judgment given by the Court, either to supplement the evidence or to proceed in general (non-final judgment), may be revoked in whole or in part.

Article 301
Validity of decisions

1. Decisions ordering the annulment or amendment of an enforceable individual administrative act or the annulment of an omission of a due legal action shall apply to everyone.

2. The Plenary Assembly, at the request of the State or of a party or interveners or of its own motion, may stipulate that the effects of its decision shall take effect after the date of adoption or implementation of the contested act or omission, but in any case prior to the date of publication of the decision, if the following conditions are met: (a) it must be a standard trial or a reference for a preliminary ruling or a reference for a preliminary ruling; (b) it could

give rise to a legitimate doubt as to the meaning of the provision applied; (c) it is justified that there are very exceptional circumstances justifying the deferral. Such circumstances exist, in particular, where there is a serious risk to the public interest or certainty of reversing established situations or through bona fide third parties. The Plenary Assembly may decide to hold a special debate in the Supreme Court before taking its decision on the above matter.

Article 302

Enforceability of judgments

1. Final decisions of the Chambers of the Court of Auditors shall immediately have the legal consequences provided for in their enacting terms.
2. Amounts charged by decisions of the Court of Auditors shall be collected in accordance with the provisions of the Public Revenue Collection Code.

Article 303

RES judicata

1. Final decisions of the Chambers, which are not subject to appeal by default, are final and have the force of res judicata.
2. The force of res judicata shall extend to the procedural and civil matters which have been decided, the examination of which falls within the jurisdiction of the Court of Auditors, provided that this is directly and necessary in keeping with the conclusion reached. Res judicata also arises where the question referred to in the first subparagraph has been determined incidentally if the Court of Justice had jurisdiction to rule on it and if its decision was necessary in order for it to rule on the principal question.
3. The force of res judicata extends to complaints which, either after they have been raised or of their own motion, have been or ought to have been examined by the Court, and those which could not have been raised by the Court of its own motion, but were not raised as if they were raised. Those complaints are not covered by the principle of res judicata if they are based on an independent right which can be enforced directly by bringing the action in question.
4. There is a force of res judicata between the same parties in the same capacity only in respect of the right which has been decided and where the same subject-matter and the same historical and legal cause are involved. The force of res judicata shall apply in favour of and against persons who, in the course of the trial or at the end of the trial, have been granted universal or special legal successors and shall also extend to those from whom, under the law, the obligation in question may be claimed. The force of res judicata applicable to the principal debtor also extends to the guarantor, and vice versa. The force of res judicata applicable to a legal person shall extend to its members.

Article 304

Obligation to comply

1. The administrative authorities must, by positive action or by abstaining from any other action to the contrary, comply with the decisions of the Court of Auditors.
2. The power to take the measures to ensure that the administration complies with judicial decisions shall be delegated to the three-member council set up in accordance with Article 2 of Law 3068/2002 (GG I 274) and the legislation adopted on its authority.
3. A breach of an administrative authority's obligation to comply constitutes a breach of duty, in accordance with Article 259 of the Penal Code, and gives rise to personal liability for the offence to be compensated, and constitutes a special disciplinary offence.

Article 305

Levy of execution

1. Final verdicts issued for disputes brought with a view to resolving an action shall be enforceable.
2. As regards the admissibility of the enforcement of judgments against payment referred to in paragraph 1 and the procedure for their enforcement, the provisions on the enforcement of judgments handed down by civil courts shall apply mutatis mutandis. The chamber which issued the decision on the basis of which enforcement is sought shall have jurisdiction to hear objections to the enforcement procedure in this case.
3. In the case of judgments against the State, local authorities or other legal persons

governed by public law, the relevant provisions of the Collection Code shall apply. Public revenue, in conjunction with the specific rule applicable to each legal person.

4. Final declaratory judgments shall be declared enforceable by means of an act of the President of the Court which issued them, provided that the prescribed court stamp duty has been paid.

CHAPTER 48
REPEAL OF THE TRIAL

Article 306
Grounds for ruling that there is no need to adjudicate

There shall be no need to adjudicate if, before the end of the first hearing:

(a) its object has ceased to exist;

(b) the appeal has been waived;

(c) had been interrupted, as a consequence of a change in the front of the applicant or his or her legal representative, and no request for its continuation was submitted, in accordance with Article 54 (5) (a);

(d) a statement is submitted by the General Commissioner of State of the Court of Auditors that it withdraws support for a legal remedy or appeal he has brought, in accordance with Article 81 (3), and does not follow a statement by the party in favour of whom the General Commissioner of State of the Hellenic Court of State acted that he wishes the trial to continue;

(e) a court settlement is reached in accordance with Article 2 of Law 3086/2002 (GG I 324) on the State, Articles 72 and 176 of Law 3852/2010 (GG I 87) on local authorities and the provisions on other legal persons governed by public law;

The contested administrative act is definitively withdrawn without being replaced, or annulled by the administration, or if it ceases to be valid for any reason, after the appeal has been lodged and until the first hearing of the case.

Article 307
There is no need to adjudicate

1. The annulment shall be established by decision of the Court of Justice following the opinion of the General Commissioner of the State of the Court of Auditors. In Article 306 (b) and (e), the decision may be taken at the seat and shall be summarised in the minutes of the debate and published at the same meeting. If the written declaration of resignation or the conciliation letter is lodged at the Registry of the Court before a hearing is set, the President of the Court shall accept the resignation or settlement by an act. However, it may, if it is in doubt, bring the case to court.

2. If the contested act ceases to be valid in accordance with Article 306 (f), the party who lodged the appeal may request that the proceedings continue, provided that it claims a particular interest in bringing proceedings.

PART NINE

EXPENDITURE

CHAPTER 49

Article 308
Obligation to pay a fee for bringing an action or appeal

1. Before the first hearing of the case, proof of payment of a fee must be provided for the admissibility of legal remedies. Before the President of the Court fixes a hearing, the Registry of the Court shall verify whether that evidence has been produced. If it is established that it has not been produced or that the one produced is less than that provided for in Article 309, the Registry shall inform the debtor of the obligation to produce or complete it by the first

hearing of the case, by means of a notice to be served on him together with the summons for the hearing and shall be mentioned in the report drawn up for service of the summons. If no evidence to that effect is produced before the first hearing, the Court may, at the request of the party obliged to do so, grant him time to produce it. If the proof of payment of the fee is not submitted within the above period, the appeal or appeal shall be dismissed.

2. In the event of a joint action being brought by more than one person, each shall pay the fixed fee provided for. In the event of a joint appeal or appeal by co-beneficiaries of a pension right, only one common fee shall be charged. In the event of a monetary dispute, if the claim or debt is jointly and severally liable, a single fee shall be paid jointly by all, whereas if the claim or debt is a divisional one, each of them shall pay a fee.

3. No fee shall be payable for an action or remedy brought by the State, local authorities, other legal persons governed by public law, the French Commissioner of State of the Court of Auditors and any other person designated by law.

Article 309
Fee

1. The fee shall be set for:

(a) appeals in pension disputes and effects against assessment acts against employees or pensioners relating to their earnings or pensions at fifty (50) euros;

(b) appeals against assessment acts and the effects on monetary disputes of one percent (1 %) of the disputed amount, without any surcharges;

(c) appeals in cassation in disputes referred to in point (a) and in general pension disputes at one hundred and fifty (150) euros, and in other cases three hundred and fifty (350) euros;

Applications for interim judicial proceedings prior to the stay, appeals in default of appearance, third-party proceedings, requests for rectification or interpretation, applications for review and requests for reopening of proceedings at twenty-five (25) euros;

Requests for fair satisfaction in one hundred (100) euro;

Oppositions against enforcement in one hundred (100) euro.

2. The proportional fee provided for in paragraph 1 (b) may not be less than EUR fifty (50) or more than EUR 5.000. If it exceeds the amount of EUR 1.500, that amount shall be paid and the additional fee due shall be charged in the judgment in the event of rejection or partial acceptance of the claim or instrument.

3. The amounts or rates of fees may be adjusted by joint decision of the Minister for Finance and the Minister for Justice. Any adjustment shall apply six (6) months after the adoption of the decision referred to in the previous paragraph.

Article 310
Reimbursement and reimbursement of fees

1. The fee, if the appeal or appeal is upheld or a waiver is submitted or there is no need to adjudicate for any reason, shall be attributed to the respondent, whereas if it is dismissed, it shall be forfeited to the State. The proportionate fee shall be paid to the party in so far as his or her appeal is successful. If the decision does not specify the fee, the parties may submit an application to that effect, which shall be heard in accordance with Article 188 on the request for rectification and Article 191 (1) at a hearing in court, as applicable. If the action is not partially successful, part of the fixed fee paid shall be reimbursed, which shall be determined by the Court of Justice.

2. The Court may, in the light of the circumstances, order reimbursement of the fee even where the appeal is dismissed. He may also order the doubling of the fee if the action is manifestly inadmissible or manifestly unfounded. In this case, the additional amount charged shall be collected in accordance with the provisions of the Public Revenue Collection Code. To that end, the Registrar of the Court shall, without undue delay, send a copy of the decision to the competent tax office.

3. If a fee has been paid, without there being any legal obligation to do so or more than that provided for in Articles 91 (3), 163 (2), 309, 311 (1) and 335, it shall be ordered in the judgment, and without delay from the outcome of the trial, that it be reimbursed in full or in excess of the legal part thereof, respectively.

Article 311
Special fee for a request for deferment

1. If a request for postponement is submitted, in accordance with Article 238, the party

shall pay a fee in favour of the Fund for the Financing of Judicial Buildings (TAXIDK) of EUR fifty (50), before the Department and seventy (70) euros, before the Plenary Assembly.

2. In the case of a joint request for postponement of several channels, a fee shall be paid in equal shares. The General Commissioner of State of the Court of Auditors, the State, the municipal authorities and other legal persons governed by public law shall not be required to pay a fee.

3. No fee shall be paid if lawyers abstain.

4. The fee shall be refunded if the application for annulment is rejected by the Court.

5. The Court, by a decision recorded in the minutes, may award costs of one hundred (100) to five hundred (500) euros against a person who applied for the deferment, at the request of the opposing party.

CHAPTER 50
FEES

Article 312
Fees

1. In proceedings before the Court of Auditors, Article 10 of Legislative Decree 1017/1971 (GG I 209) and Article 61 of Law 4194/2013 (Government Gazette, Series I, no 208) shall apply, which impose special fees and stamp for procedural documents and documents and, in general, the procedure until publication and service of the decision.

2. Fees shall not be payable in cases heard by the Chambers, following a referral from the Chamber, or in cases brought for discussion after a preliminary ruling has been given.

Article 313
Court stamp duty

1. The court stamp duty provided for in Law C of 3 Jan 1912 on court stamps shall be paid for the admissibility of an action for payment, whether brought separately or cumulatively with an appeal, as well as for the admissibility of the corresponding main appeal.

2. For claims of a pension nature, even if they are based on unlawful acts or provisions on unjust enrichment, no court stamp duty shall be payable on the application for the claim or main intervention up to the amount of EUR 6.000.

3. The court stamp duty shall be paid until the first hearing of the case. If no appeal has been made, the action or main intervention shall be dismissed as inadmissible, after the Registrar has informed the party or his representative of the absence of the fee and has been summoned to pay it.

4. If a court stamp duty is paid, I have a legal obligation to do so, irrespective of the outcome of the proceedings, the judgment shall order its return.

CHAPTER 51
LIST OF COURT FEES

Article 314
Imputation

1. The costs of the proceedings shall be borne by the unsuccessful party. If the unsuccessful parties are more than one, they shall be charged in equal parts, whereas, if there are more than one successful party, the costs of the proceedings shall be reimbursed on a pro rata basis. In the cases referred to in the preceding paragraph, the Court may, in the light of the circumstances, order that the costs be shared differently.

2. If the party succeeds on some and fails on other heads of claim, the costs of the proceedings shall be offset between the parties. Partial victory and partial defeat are judged anomalously by the rejection or acceptance of the main cause of the application for judicial protection. The rejection of an ancillary or ancillary request, while the principal claim is accepted, shall have no effect on the application of this Decision.

3. In the event of partial victory and partial loss, the charges paid in advance shall be borne by all the parties to the proceedings and shall be charged accordingly. The Court may in any event, in the light of the circumstances, relieve the unsuccessful party, in whole or in part, of

the costs of the proceedings.

4. The Court may charge all the costs to a single party if the part rejected by the other party's application is minimal and the latter has not given rise to an increase in costs or if the determination of the size of the claim was dependent on the judge's judgment or on the assessment of experts. In any event, in the light of the circumstances, it may order the parties to pay the costs of the proceedings.

5. In case of main or additional ramming exercise, the provisions of paragraph 1 shall apply mutatis mutandis. For the purposes of this Decision, the intervener shall have the same treatment as the original party.

6. If there is no need to adjudicate for any reason, no costs shall be charged.

Article 315
Costs of the proceedings

In favour of the successful party and the unsuccessful party, the court costs necessary for the conduct of the proceedings shall be borne and shall be reimbursed, in particular:

(a) the fees referred to in Article 312;

(b) the court stamp duty referred to in Article 313;

(c) the fees of the attorney's lawyer, as this fee is set for each case by the structure of the Lawyers' Code, the bailiff and the technical adviser;

(d) the costs of the taking of evidence, such as the amounts paid to witnesses for expenses and compensation, experts for price-based expenses and fees, as well as the costs of producing other means of proof.

Article 316
Claim for payment
and settlement of court fees

1. In order to clear the amounts of the reimbursable expenses, a detailed list of those costs must be submitted and added to the file no later than the date of the first discussion. Until the end of the first hearing, the opposing party who submitted the list may submit his observations. When settling the costs, a probability suffices. A list is not required for the fees of the attorney.

2. The court fees shall be determined and charged in the final judgment and only if an application is made to that effect, which may be submitted in the document instituting the proceedings or in the additional pleas in law or in a statement lodged up to the date of the first hearing. The decision as to the amount of the costs shall not be subject to appeal on its own, with the exception of an application for rectification or interpretation. If the judgment does not provide for an order on costs, the party who has applied for costs may ask the same Court to disclose his/her claim by submitting an application to that effect, which shall be heard in accordance with Article 188 on the request for rectification and Article 191 (1) at a hearing in court, as applicable.

CHAPTER 52

POVERTY PROJECTS

Article 317
Exemption from fees and other costs

1. The litigant may be exempted from the advance payment of the fee, the court stamp duty and other fees, if it is established that such an application creates a risk of reducing the means necessary for the maintenance of himself and his family.

2. Such exemption may also be granted to non-profit-making legal persons, and also to associations of persons having the capacity to be parties to legal proceedings, if they prove that the application of that sum makes it impossible or particularly problematic to achieve their objective.

3. In order to qualify for the benefit, account shall be taken of whether the applicant's annual family income exceeds two-thirds of the minimum annual individual earnings resulting from the minimum annual income on an annual basis. In the event of a domestic dispute or dispute, the source of the dispute or dispute shall not be taken into account.

Article 318
Validity of exemptions

1. The benefit referred to in Article 317 shall be granted for specific proceedings and shall apply separately to each instance.
2. The benefit shall cease on the death of the natural person or on the dissolution of the legal person or association of persons.

Article 319
Award procedure

1. The benefit shall be granted at the request of the litigant. The application shall state briefly the subject matter of the proceedings and the information attesting to the fulfilment of the conditions for the grant of the benefit.
2. The application shall be accompanied by the necessary proof of the financial situation, in particular a copy of a tax declaration or a certificate from a head of tax office stating that the party is not required to submit a declaration, a copy of a declaration of assets, a positive statement of income tax, an island of property, social welfare certificates and affidavits.
3. Submission of the application interrupts the time limit for lodging the appeal or with you, which runs from the day after the decision is notified to the applicant. In the event of an already pending appeal or appeal, the application shall be submitted at least twenty (20) days before the hearing of the case. The procedure shall be carried out free of charge and it shall not be compulsory to be represented by scratch.
4. The President of the Court where the trial is to be brought shall decide whether or not to accept or reject the application provided for in paragraph 1.
5. A prima facie case is sufficient to accept the application. The chairperson responsible for examining it may take witnesses, as well as the applicant, on oath or without oath, collect all necessary information and evidence and order that the opposing party be summoned. Reasons must be given for accepting or rejecting the application.
6. A precondition for accepting the application is that the remedy or remedy in question is not manifestly inadmissible or manifestly unfounded.

Article 320
Withdrawal

1. The applicant may submit an application to withdraw the rejection of his application within five (5) days of the notification of the decision. The panel set up in accordance with Article 91 (1) and in which the judicial officer who issued the contested decision does not take part shall decide on this application.
2. A new application may be made in the event of a determination of the facts. A supplementary application is permitted in any case.
3. The benefit may be withdrawn or restricted by a decision of the judicial officer who failed, if it is established that the conditions for granting it were not met from the outset or ceased to exist at a later date or changed.

Article 321
Financial penalty

If the parties or their legal representatives have obtained the exemption with incorrect statements and information, the judicial officer, whose decision was granted, shall impose on each of them a fine of between one hundred (100) and EUR 1.000 which accrue to the State as public revenue, without precluding them from paying the amounts from which they have been released, and the transmission of the case to the public prosecutor if there are serious grounds for suspecting that they have acted fraudulently.

Article 322
Court fees

In the event of the loss of the party to whom the benefit has been obtained, the costs of the proceedings shall be borne by the State.

Article 323
Appointment of persons to provide legal aid

1. At the request of the party whose conditions laid down in Article 317 are met, the President of the Court of Justice to which the proceedings are to be brought shall appoint,

either by means of an acquittal act or by another independent act, a lawyer, a notary and a bailiff with a mandate to assist the defaulting party and provide him with the necessary assistance in carrying out the necessary procedural acts. They are under an obligation to accept the order and not to obtain legal aid, without any entitlement to advance payment of remuneration or royalties.

2. If a lawyer is appointed, the selection shall be made, where possible, from a list drawn up by the Athens Bar Association and sent to the Court by the end of February of each year.