

LAW 3023/2002 (OG A 146 20020625)
Funding of Political Parties by the State
Income and Expenditure, Promotion, Advertising and Financial Auditing of Political Parties
and Parliament Candidates

Entry into force: 25.06.2002

Amended by the following laws: Law 3242/2004 (GG A 102/24.5.2004), Law 3274/2004
(GG A 195/19.10.2004)

Preamble: We issue the following law that was voted by the Parliament:

FIRST CHAPTER: STATE FUNDING OF POLITICAL PARTIES

Article 1: Distinction and amount of the state funding

1. Political parties are funded by the State in order to cover a part of their operational and elections expenses.
2. State funding is divided into regular and elections funding.
3. Regular funding is provided per year and amounts to 1.02‰ (one point zero two per thousand) of the regular income of the State Budget for that financial year.
4.
 - a. Elections funding is provided whenever general parliamentary elections or elections for the Greek Representatives in the European Parliament and amounts to 0.22‰ (zero point twenty two per thousand) of the regular income of the State Budget of the financial year during which the elections take place. If several elections take place, as defined in the previous point, during the same year, the above percentage cannot exceed a total of 0.35‰ (zero point thirty-five per thousand).
 - b. The percentage of the elections funding provided in each case is determined based on the opinion of the Interparty Commission, by decision of the Minister of Interior, Public Administration and Decentralisation. The decision is issued during the first two months of the year during which the parliamentary period expires or the year when the elections for the Greek Representatives in the European Parliament take place, and is published in the Government Gazette. If elections are called in advance before the end of the parliamentary period, a decision is issued under the above procedure to determine the funding percentage within eight (8) days of such announcement, unless a decision has been issued in this respect according to the previous point.
5. The necessary credits for political party funding are included in the budget of the Ministry of Interior, Public Administration and Decentralisation. Such credits may not exceed 1.24‰ (one point twenty four per thousand) of the regular income of the State Budget for that

financial year and, if more elections take place, 1.37‰ (one point thirty seven per thousand).

6. State funding is not subject to tax.

Article 2: Eligibility

1. The following are eligible for regular funding:

a. Political parties and coalitions, represented in the Parliament by members of parliament elected in the general parliamentary elections from lists of candidates of the same party or coalitions.

b. Political parties and coalitions, from whose lists of candidates representatives have been elected in the European Parliament.

c. Political parties and coalitions which during the last general parliamentary elections had full lists of candidates in at least 70% (seventy percent) of the country's electoral regions and had obtained a number of votes at least equal to 1.5% (one point five percent) of the total valid ballots in the country. Regular funding is provided for the period starting with the next year after that during which the general parliamentary elections took place, for parties and coalitions from points a and c, or elections for Greek representatives in the European Parliament, for parties and coalitions of point b, and ending with the year when the next such elections are organised.

2. The following are eligible for elections funding:

a. Political parties and coalitions that are represented in the Parliament with members of parliaments elected in the general parliamentary elections from the lists of the same party or coalition. For funding due to participation in general parliamentary elections, this prerequisite must be met during the parliamentary period that ended.

b. Political parties and coalitions, from whose lists representatives have been elected in the European Parliament. For funding due to participation in elections for the Greek representatives in the European Parliament, this prerequisite must be met during the parliamentary period that ended.

c. Political parties and coalitions which had full lists of candidates in at least 70% (seventy percent) of the country's electoral regions and obtained a number of votes at least equal to 1.5% (one point five percent) of the total valid ballots in the country during the general parliamentary elections covered by the funding. For funding due to participation in elections for the Greek representatives in the European Parliament, the party or coalition must have obtained at least 1.5% (one point five percent) of all the valid ballots in the territory at these elections.

Article 3: Distribution

The whole amount of regular funding is distributed to eligible political parties and coalitions as follows:

a. Eighty percent (80%) are granted to parties and coalitions under article 2, paragraph 1, case a), according to the provisions of paragraph 3 of this article.

b. Ten percent (10%) are granted equally to parties and coalitions under article 2 paragraph 1 case b. Parties and coalitions qualifying under case a) of this paragraph also participate in this distribution.

c. Ten percent (10%) are granted equally to parties and coalitions under article 2 paragraph 1 case c). Parties and coalitions qualifying under case a) and b) of this paragraph also participate in this distribution.

By decision of the Ministry of Interior, Public Administration and Decentralization, issued in the first quarter of each year and published in the Government Gazette, the parties and coalitions qualifying under each of the above categories are determined, as well as the amount of regular funding provided to them.

2. The total amount of electoral funding is distributed to the eligible political parties and coalitions as follows:

a. Sixty percent (60%) are granted to the parties of article 2, paragraph 2, cases a) and b) and distributed according to the provisions of paragraph 3 of this article, based on the number of valid ballots obtained in each case at the last general parliamentary elections or elections for Greek representatives in the European Parliament, as the case may be.

b. Forty percent (40%) are granted to the parties and coalitions falling under article 2 paragraph 2 case c), and distributed according to the provisions of paragraph 3 of this article, based on the number of valid ballots obtained in each case at the general parliamentary elections or elections for Greek representatives in the European Parliament, as the case may be, covered by the funding.

Parties and coalitions qualifying under case a) of this paragraph also participate in this distribution.

By decision of the Ministry of Interior, Public Administration and Decentralization, issued at the latest ten (10) days after the announcement for the elections and published in the Government Gazette, the parties and coalitions qualifying under case a) of this paragraph are determined, as well as the amount of funding provided to each of them. By a similar decision, issued at the latest two (2) months after the elections, the parties and coalitions qualifying under case b) of this paragraph are determined, as well as the amount of funding provided to each of them.

3. For the distribution of regular funding between parties and coalitions qualifying under case a) of paragraph 1 of this article, and for electoral funding, the amount made available for each of the above categories is divided by the total number of valid ballots obtained by the parties and coalitions belonging to the same category. The result is multiplied by the number of valid ballots obtained by each party or coalition and the product is the amount that the party or coalition is entitled to receive.

4. The amount of state funding that a coalition is entitled to receive is divided between the parties it comprises, based on their agreement. The agreement is communicated to the Minister of Interior, Public Administration and Decentralisation within one (1) month of the elections. If this period expires without action, the amount is distributed equally between the parties comprising the coalition. If a party leaves the coalition, the amount of state funding it is entitled to receive is distributed according to the agreement of the parties that were comprised in it. If such agreement does not exist or is not communicated according to this paragraph, the amount is distributed equally between the parties of the coalition, including the party that left the coalition.

Article 4: Financial support for research and education

1. Political parties and coalitions that are entitled to state funding according to article 2, paragraph 1 receive yearly financial support from the State for establishing and operating research and study centres, and to organise training programmes for their officials. The financial support is an amount equal to 0.1‰ (zero point one per thousand) of the regular income of the State Budget and distributed between eligible parties, according to the provisions of article 3 paragraph 1.

2. The necessary credits are included in the budget of the Ministry of Interior, Public Administration and Decentralisation.

3. The parties and coalitions that are entitled to the above support and the respective amounts are determined by decision of the Minister of Interior, Public Administration and Decentralisation, as stipulated at article 3, paragraph 1.

4. In the audit carried out according to article 21, it is examined whether the amount granted to parties and coalitions were used for the activities of paragraph 1. If this is not the case, the party or coalition that received the amount must return it.

SECOND CHAPTER - INCOME AND EXPENDITURE OF POLITICAL PARTIES AND PARLIAMENT CANDIDATES

Article 5: Income and expenditure of political parties

1. The income of political parties and coalitions is considered, for the purposes of this law, to be the amounts obtained from state funding and any other source and in particular from regular and exceptional contributions from party members, members of parliament and friends, fundraising, donations, loans, dividends, interest, exploitation of their movable or immovable assets or any other activity.

2. Expenses of political parties and coalitions are considered, for the purposes of this law, the amounts used to cover any kind of needs during the parliamentary period and the elections campaign.

3. Expenses of political parties and coalitions are divided into operational and electoral. Operational expenses are the amounts spend during the parliamentary period. These expenses include in particular the expenses for covering the needs of the organisation, the administration and operation, the promotion of the programme and positions, training of

officials and operation of research centres, and educational activities. Electoral expenses are amounts paid during the elections campaign for its needs, and the value of services and facilities provided to the party or coalition. Electoral expenses can also be considered amounts paid before the elections were announced, if the relevant documents show that these amounts are directly related to covering electoral needs.

4. By a joint decision of the Ministers of Economy and Finance and of Interior, Public Administration and Decentralisation, issued following the proposal of the Interparty Elections Committee and published in the Government Gazette, the categories of services and facilities that are calculated as electoral expenses are determined, as well as the criteria, relevant bodies and the procedure for their financial evaluation.

5. The income and expenditure of political parties are operated through accounts open with banks established in Greece, for at least 80% of their yearly amount. These accounts are notified within five days of opening to the Audit Commission. Electoral income and electoral expenses are also operated through separate bank accounts, in the same percentage, with a similar obligation to notify. Any deposit in the above accounts is allowed only if nominative, with the bank bearing the responsibility for establishing the depositor's identity.

Article 6: Income and expenditure of parliamentary candidates

1. The income of parliamentary candidates, for the purposes of this law, consists in the amounts they are granted during the pre-elections period for its needs.

2. The expenditure of parliamentary candidates, for the purposes of this law, consists in the amounts spent by parliamentary candidates during the pre-elections period for its needs. These expenses include in particular any amount paid to rent halls and offices, to buy, issue, circulate and distribute printed materials, to record and present messages in the press and to obtain any kind of services from advertising, press and public relations companies, as well as the value of services and facilities provided to the parliamentary candidates, evaluated in money.

3. The income and expenditure of parliamentary candidates are operated through accounts open with banks established in Greece, for a percentage of at least 60% of their total value. Such accounts are notified within five days of opening to the Audit Commission. Any deposit in these accounts is allowed only if there is prior consent from the parliamentary candidate and is nominative, with the bank bearing the responsibility for establishing the depositor's identity.

4. For the determination of the monetary evaluation of services and facilities, the criteria, the relevant bodies and the procedure for the evaluation, article 5 paragraph 4 of this law shall apply.

Article 7: Interdiction of funding

1. Funding and any kind of services to the parties and parliamentary candidates are prohibited if originating from:

- a. Individuals who are not Greek citizens;
- b. Legal entities of public or private law;

- c. Organisations of local administration of any level;
- d. Individuals who are owners or publishers of daily or periodic printings of national or local circulation or are owners of radio or television stations, in general.

2. Funding to political parties is exempted from the interdiction of the above paragraph, case b), if it originates exclusively from companies and any kind of legal entities of private law, whose shares or equity must be nominal and belong entirely to a political party or, on behalf of the party, to its leader or any other individuals authorised for this purpose by the relevant body of the party.

3. In case of funding or other services in violation of paragraph 1 of this article, the person who provided the funded or the service shall be punished by imprisonment up to two years and a fine of at least thirty thousand (30,000) Euros. The same punishments apply for the responsible persons of the political parties according to article 15 or the parliamentary candidates who knew and accepted the funding or service.

Article 8: Limits of funding

1. Funding of parties or coalitions by the same person during the same year may not exceed the amount of fifteen thousand (15,000) Euros.

2. Funding of parliamentary candidates during the pre-elections period by the same person may not exceed the amount of three thousand (3,000) Euros.

3. In case of funding in violation of the above paragraphs 1 and 2, the funder shall be punished with imprisonment up to one year and a fine of at least fifteen thousand (15,000) Euros.

4. Responsible persons of the parties, according to article 15 of this law, and parliamentary candidates who knew and accepted the funding shall be punished with a fine of up to thirty thousand (30,000) Euros.

THIRD CHAPTER - PRE-ELECTION PROMOTION OF PARTIES AND PARLIAMENTARY CANDIDATES AND INTERDICTIONS DURING THE ELECTIONS CAMPAIGN

Article 9: Outdoor spaces for the presentation of political messages

1. Local administration bodies of the first level determined by a decision issued within one (1) month of the determination under article 3 paragraph 1 of Law 2946/2001 (GG 224A) of areas for outdoor advertising, special spaces for the presentation of messages by political parties, student, union and cooperative organisations, as well as non-profit associations, with a percentage that cannot be less than ten percent (10%) of the total area of the spaces lawfully assigned for outdoor advertising by the local OTA. A similar decision of the municipal or communal council determines the procedure and prerequisites for using the above spaces.

2. Spaces are made available under paragraph 1 under equal terms, no authorisation is required for their use from any authority, and no advertising charge or compensation for the use is paid to the relevant OTA.

3. During the period of parliamentary, regional, municipal and communal elections, euro-elections or referendums, municipal and communal councils have the obligation, within four (4) days of the announcement of parliamentary elections or referendum or thirty (30) days before regional, municipal and communal elections, to make available, by their decision, to parties, coalitions and associations of candidates for their electoral promotion, all the spaces determined under article 3 paragraph 1 of Law 2946/2001 (GG 224A) for outdoor advertising in the local OTA. In this case, all rental contracts on such spaces are suspended and the rent is reduced accordingly. By a decision of the Minister of Interior, Public Administration and Decentralisation, issued every two years in January, the manner in which such spaces are to be used is determined, as well as any required detail. Within eight (8) days of the elections, the parties, coalitions and associations have the obligation, at their own expense, to bring the things to their prior condition.

4. If the municipal or communal council does have the above spaces available within the period of the previous paragraph, the spaces shall be made available by decision of the Secretary General of the Region, which must be issued within three days of the expiry of the above periods, with the application of the penalties stipulated under article 109 paragraph 3 of the PD 55/1999 (GG58A).

5. The spaces of paragraph 3 shall be made available proportionately and under equal terms. In case of a prior written agreement of the political parties that form, according to the Regulations of the Parliament, a parliamentary group, or of candidate lists for regional, municipal or communal elections, it is mandatory for the municipal or communal councils and the Secretary General of the Region. No authorisation is required for the use of such spaces, and no advertising charge or compensation for the use is paid to the relevant OTA.

Article 10: Presentation of electoral messages of parties by radio and television

1. a. During the pre-election period, public and private radio and television stations with free broadcast and the providers of subscription-based radio and television services of any kind, have the obligation to transmit messages of parties and coalitions with a duration determined by joint decision of the Ministers of Interior, Public Administration and Decentralisation and of the Press and Mass Media, issued after the opinion of the National Radio and Television Council and the opinion of the Interparty Elections Committee and is published in the Government Gazette. By a similar decision, the above time is distributed between parties and coalitions based on the principle of proportional equality and ensuring that the positions and programmes of the parties and coalitions are broadcast.

b. The above transmission is done free of charge and free of any tax.

2. The same joint ministerial decision of paragraph 1, in the same procedure and having proportional equality as criterion, determines the time allotted in the news bulletins of state and private radio and television stations for the presentation of electoral activities of parties and coalitions.

Article 11: Interdictions for parties during the electoral period

1. During the electoral period, it is prohibited to parties and coalitions of parties: a. To display or apply air panels, signs, posters and any other promotional materials outside the spaces of paragraph 3 of article 9. b. To broadcast via public and private radio and television stations with free reception, and via subscription radio and television services, advertisements and social messages under article 3 of Law 2328/1995 (FEK 159 A) promoting in any way political parties or coalitions of political parties, with the exception of the broadcast of such advertisements in accordance with the previous article.

2. A joint decision of the Ministers of Interior, Public Administration and Decentralisation and Public Order shall determine the working hours and intensity of the public address installations of the election centres, offices and vehicles of parties, as well as any relevant details. During public silence hours it is prohibited to use the above installations. It is also prohibited to use such installations in the proximity of hospitals and schools.

Article 12: Interdictions for parliamentary candidates during the electoral period

1. During the electoral period, it is prohibited to parliamentary candidates:

a. To display on outdoor, public or private spaces, and in any form of self-propelled means, air panels, panels, mega posters, posters, photographs and any other type of promotional material or to install temporary devices of any kind for their personal promotion, and to use paint and write slogans in any outdoor space. Mayors and community presidents have the obligation to immediately demolish the panels, remove mega posters, posters and photographs etc., dismantle temporary structures and clear the paint in the outdoor spaces. Violation of the above obligation, if a written notice has been given by the Local Commission for the Control of Electoral Violations of article 21 paragraph 9 of this law, shall bring the penalties of article 27 paragraph 4 of this law.

b. To circulate any form of inserts in the press.

c. To broadcast advertising messages through public and private radio and television stations with free broadcast or through providers of subscription-based radio and television services. It is also prohibited to transmit, through public and private radio and television stations with free broadcast and providers of subscription-based radio and television services, any broadcast presented directly or indirectly by parliamentary candidates.

d. To circulate electoral materials for candidates through the state, public companies and state private companies.

e. i) To operate electoral centres by candidates or by third parties for candidates. ii) The notion of electoral centre does not include the political offices of parliamentary candidates, if not installed at the ground floor. Political offices of parliamentary candidates are exempted from the interdiction of installation at the ground floor if such offices have been in operation continuously since 31 December 2000 until the date of the elections. iii) For parliamentary candidates, during the electoral period, the allowed number of political offices, regardless of location, may not exceed three (3). iv) For political offices, the limitations of case a) of this paragraph shall apply, and the interdiction to use megaphone

installations, with the exception of a sign with the necessary data of the parliamentary candidate. v) The transfer of use or rental of outdoor or covered areas, from and to third parties, for the operation of election centres and clubs of any kind in connection with the promotion of the parliamentary candidacy, constitutes a criminal offence for the owners of the properties, the lessors and lessees, and shall be punished with at least one year imprisonment.

2. The appearances of parliamentary candidates in any kind of broadcast of public or private radio or television stations with free broadcast and providers of any kind of subscription-based television services, under any form, are allowed as follows: a) The parliamentary candidate is allowed to appear only once at each radio or television with national broadcast during the electoral period. b) The parliamentary candidate is allowed to appear up to twice at each radio or television with regional or local broadcast during the electoral period. c. For the purposes of this paragraph, appearances are considered to include personal interviews of candidates, their participation in organised discussions, including those related to the news journals, and the coverage, upon request from the parliamentary candidate, of their electoral activities.

3. Presidents and leaders of parties and territory parliamentary candidates are exempted from the above limitations.

Article 13: Upper limit of the electoral expenses of political parties

The maximum value of electoral expenses of political parties and coalitions that participate in general parliamentary elections or elections for the representatives in the European Parliament, including the value of the evaluated services and facilities, may not exceed twenty percent (20%) of the last regular funding provided to all the parties.

Article 14: Upper limit of the electoral expenses of parliamentary candidates

1. The maximum allowed value of electoral expenses for each parliamentary candidate in the elections, including the value of the evaluated services and facilities, is determined based on the number of places of the electoral region where the candidacy is submitted. For its determination, the amount of fifteen thousand (15,000) Euros is multiplied by a coefficient for each electoral region, as follows: a) For the first seat of each region, the coefficient is set to one (1) unit. b) For the second and until the seventh seat of each region, the above coefficient is multiplied by five tenths (0.5) per seat. c) For the eighth seat of each electoral region and after that, the coefficient is increased by one tenth (0.1) per seat. For the electoral regions of the Cyclades and Dodecanese, the above coefficient is increased by five tenths (0.5).

2. The ceiling for allowed electoral expenses that results from the calculation of paragraph 1 is determined for each electoral region by decision of the Minister of Interior, Public Administration and Decentralisation, issued within five (5) days of the election announcement and published in the Government Gazette.

3. The coefficients of paragraph 1 can be adjusted by decision of the Minister of Interior, Public Administration and Decentralisation, issued following the proposal of the Interparty Electoral Committee and published in the Government Gazette.

4. The ceiling for electoral expenses for each parliamentary candidate for the territory or European parliamentary candidate, in the parliamentary elections or elections for Greek representatives in the European Parliament, is determined at the value applicable in each case for parliamentary candidates of Electoral Region I Athens.

5. The ceiling for electoral expenses for advertisements in the press for each parliamentary candidate is set at twenty percent (20%) of the ceiling for electoral expenses defined in this article.

FOURTH CHAPTER - PUBLICATION OF FINANCIAL DATA OF POLITICAL PARTIES AND PARLIAMENTARY CANDIDATES

Article 15: Persons responsible for management

1. The management of the finances of political parties is the responsibility of the bodies stipulated in the party's statutes. These bodies and their members are announced to the president of the Commission of article 21 of this law by the 31st of January of each year. Any change during the year must be notified immediately to the president of the Commission.

2. Parliamentary candidates are responsible personally for the management of their finances.

Article 16: Income and expenditure records

1. Political parties and coalitions of parties that receive regular or electoral state funding must keep a special register at their office, which must record by categories and by year all their income and expenditure. It must also include separate records of the amounts collected by each party during the elections campaign and the electoral expenses under paragraph 3 of article 5. The register kept by the coalition also records the income and expenditure of the parties comprising it. The income and expenditure register is validated during the first ten days of January of each year by the president of the Commission of article 21 of this law.

2. The register records the full name and father's name of the persons who contribute with direct payments or through a bank account to the party or coalition of parties an yearly amount in excess of six hundred (600) Euros, and the data of the persons to which any amount is paid by the party or coalition, regardless of the expenditure type.

3. For any income and expenditure, the following documents are mentioned.

Article 17: Receipts and coupons

1. For any amount in excess of six hundred (600) Euros collected by political parties and coalitions, with the exception of state funding, a receipt must be issued, if such collection was not made through the accounts of article 5, paragraph 5 of this law.

2. The stubs of the receipts and coupons are numbered and validated by the Audit Commission of article 21. A decision of the President of the Parliament, following the opinion of the Audit Commission of article 21, determines the procedure for returning the

coupons that were not distributed, the manner and the bodies that certify their destruction and any relevant detail. From the remaining validated coupons issued by the party or coalition of parties, at least fifty percent (50%) shall be deemed to have been collected.

Article 18: Publication of the balance sheet and the special report on electoral income and expenditure

1. Political parties and coalitions of parties who receive regular state funding publish each year a balance sheet of income and expenditure. The balance sheet is published during the first two months of each year in at least two daily newspapers in Athens.

2. Political Parties and Coalitions who receive electoral state funding must, within two (2) months after the elections or the elections for Greek representatives in the European Parliament, prepare and publish a special report of electoral income and expenditure, which shall record, with reference to the relevant document, the amounts raised by the Party or Coalition during the elections campaign, and the electoral expenses of article 5 paragraph 3. The special report of electoral income and expenditure is published in the above period in the relevant part of the Government Gazette. The data included in this special report and any require detail are stipulated by a joint decision of the Ministers of Interior, Public Administration and Decentralisation and of Economy and Finance, published in the Government Gazette.

3. The preparation of the balance sheet must comply with the rules and structures of the General Accounting Plan and the relevant regulatory documents governing its application. The manner in which the balance sheet is prepared and the specific data included in it are determined by a joint decision of the Ministers of Economy and Finance and of Interior, Public Administration and Decentralisation.

4. A copy of the balance sheet and the special report of electoral income and expenditure and of the newspaper issues and the relevant issue of the Government Gazette in which they were published, are sent by the Parties within fifteen (15) days of publication to the Audit Commission of article 21, and to the Minister of Interior, Public Administration and Decentralisation.

Article 19: Publication of electoral income and expenditure of parties that do not receive state funding

1. Parties and Coalitions that took part, independently or in a coalition, in general or supplemental elections or elections for the Greek representatives in the European Parliament and are not eligible for regular or electoral state funding have the obligation to publish a special report of electoral income and expenditure within two (2) months of the elections in the relevant issue of the Government Gazette.

2. A copy of the situation of electoral income and expenditure and the issue of the Government Gazette in which it was published, are sent to the Commission of article 21 within fifteen (15) days of publication.

Article 20: Situations of electoral income and expenditure of parliamentary candidates

1.a. Members of parliaments elected in the general or supplemental parliamentary elections have the obligation to prepare an analytical situation including, by categories, their electoral income and expenditure and mentioning the relevant documents and a summary situation of their electoral income and expenditure.

b. The same obligation applies to substitutes on the lists of parties or coalitions of parties who were elected in the parliament, with the following distinctions: i) The first substitute for the electoral regions in which one to five members of parliament are elected. ii) The first two substitutes where six to ten members of parliament are elected. iii) The first three substitutes for the electoral region A Salonica. iv) The first four substitutes for the electoral region A Athens and v) The first five substitutes for the electoral region B Athens.

c. If a substitute is appointed as member of parliament in excess of the above categories, the new member of parliament has the obligation to submit the analytical situation of case a) of this article to the Commission under article 21 of this law within thirty (30) days of being sworn in.

d. i) Parliamentary candidates against which a written and nominative claim has been submitted with the Local Commission for the Control of Electoral Violations of article 21, paragraph 9 of this law, for exceeding the maximum limit of electoral expenses and after complying with the procedure of the same paragraph, have the obligation to submit the analytical situation under case a) of this article. ii) For this purpose, they are notified in writing by the Audit Commission of article 21 paragraph 1 of this law. The submission of the analytical situation and documents is done by the candidate within the exclusive period of one month of being notified of the above claim.

2. The analytical situation of electoral income and expenditure and the related documentary evidence are submitted within forty (40) days of the vote, with the Commission of article 21. The analytical situation includes the names of the persons who paid amounts over one hundred and fifty (150) Euros to the parliamentary candidate in support of their campaign.

3. The specific method for preparing the analytical situation and every detail on the application of the provisions of this article shall be regulated by a decision of the Ministers of Economy and Finance and of Interior, Public Administration and Decentralisation, which shall be published in the Government Gazette.

FIFTH CHAPTER - AUDIT OF THE FINANCES OF POLITICAL PARTIES AND PARLIAMENTARY CANDIDATES

Article 21: The Audit Commission

1. The audit of the finances of political parties and coalitions and parliamentary candidates, and of compliance with any kind of obligations resulting from this law is assigned to the Audit Commission, which acts as a special body according to article 29 paragraph 2 of the Constitution. The Commission is supported by a special service of the Parliament, as stipulated in paragraph 7 of such article.

2. The commission comprises one parliament member representative from each party or coalition of parties represented in the Parliament, and a member of the National Council, of

the Supreme Court and of the Audit Council, appointed by a draw with their substitutes from the members of the respective courts. The Commission is presided over by its Vice-president appointed by the Presidium of the Parliament, who appoints an employee of the Parliament as secretary. If a party or coalition of parties has received regular or electoral funding and is not represented in the parliament, the Commission, for subjects related to its audit, includes their appointed representative for this purpose. In case of equal votes, the President shall have the casting vote. If an audit is carried out on the finances of parties that took part in the elections for the Greek Representatives in the European Parliament, the Audit Commission shall include a member of parliament of any Party represented in the European Parliament but not in the Parliament.

3. The Commission is assembled by decision of the President of the Parliament within fifteen (15) days of the Parliament convocation. The mandate of its members, including the presiding member and other elective members, expires when a new Commission is assembled after general parliamentary elections. The parties' refusal to appoint a representative shall not prevent the organisation of the Commission, which shall consist in such case of representatives of the other parties and coalitions.

4. The Commission is called to audit the finances of parties and parliamentary candidates by decision of its President. In order to fulfil its mission, the Commission assigns accounting or financial expert assessments and other audit actions to sworn auditors who examine in detail the registers and documents of the parties and parliamentary candidates, before the Commission's audit, and prepare a detailed report that is submitted to the Commission to support its activity. In the audit that is carried out by the Commission according to this law, and for the audit actions on its behalf by sworn auditors, the provisions regarding the banking, stock exchange and fiscal secret do not apply. A decision of the Minister of Interior, Public Administration and Decentralisation, published in the Government Gazette, determines the number of auditors, the prerequisites and the procedure for their appointment, as well as any other related subject.

5. Any person who obstructs in any way the audit and in particular refuses to provide data to the Commission or the sworn auditors shall be punished with at least six (6) months imprisonment.

6. The audit of the political parties and coalitions is completed within three (3) months of the moment when the Commission receives the data of paragraphs 4 and 2 of articles 18 and 19, respectively, of this law. The financial audit of parliamentary candidates is carried out within five (5) months of the moment when the Commission receives the data under paragraph 2 of article 20 of this law. After the audit is completed, a detailed report is prepared, to which the report of the sworn auditors is attached. The Commission's report with its appendix is submitted immediately to the President of the Parliament and the Minister of Interior, Public Administration and Decentralisation and sent to the audited parties and coalitions. Each audited parliamentary candidate is sent an excerpt of the report, containing the part that concerns that candidate.

7. Members of the special service of the Parliament are appointed by decision of its President and the application of the Regulations of the Parliament concerning its personnel.

8. A decision of the President of Parliament published in the Government Gazette regulates every subject concerning the organisation and functioning of the Audit Commission and of the special service.

9. a. In the capital of each County, a Local Commission for the Control of Electoral Violations is established by decision of the Secretary General of the Region, having as President the Secretary General of the Region or the substitute appointed by the same decision. Its establishment is subject to the provisions of article 28, paragraphs 1, 2 and 3 of this law.

b. The relevant Local Commission receives and checks claims regarding compliance with the obligations of parties, coalitions and parliamentary candidates, arising from this law and the decisions issued under its authority, exclusively, provided that such claims are written, nominative and submitted before the end of the voting process.

c. The Local Commission, if it deems that the claim has merit and is justified, calls the parliamentary candidate against which the claim was filed, for a hearing and collects the necessary evidence, in its opinion. ii) The relevant ruling that is prepared is sent to the Audit Commission of paragraph 1 of this article, which freely judges its content. iii) A representative of a party, coalition or a parliamentary candidate can denounce in writing to the Local Commission any action of a third party with the purpose of justifying a violation of any kind of obligations under this law and the decisions issued under it. The Commission is called and acknowledges the claim within twenty four hours.

d. During the electoral period, it is not permitted to publish in the press and present through radio and television stations the contents of claims under this paragraph, with the exception of claims regarding the electoral activity of parties and coalitions of parties. The violators shall be subject to the penalties of article 27, paragraphs 2 and 3 of this law.

e. Within fifteen days of the elections, the Local Commission for the Control of Electoral Violations prepares a report about the actions of the elections campaign, with the relevant evidence attached to it. This report is sent to the Audit Commission of paragraph 1 of this article.

f. i) In its activity, the Local Commission is assisted by the Region employees, appointed by decision of the Secretary General of the Region. ii) A decision of the Minister of Interior, Public Administration and Decentralisation, after the opinion of the Interparty Elections Committee, can establish the specific manner in which the Local Commissions for the Control of Electoral Violations can exercise their powers and regulate any required detail for the application of this paragraph.

Article 22: Powers

Subject to the provisions of this law, a joint decision of the Ministers of Economy and Finance and of Interior, Public Administration and Decentralisation, published in the Government Gazette, can regulate any subject related to the control of compliance with the obligations, limitations and interdictions and compliance with the provisions of this law.

SIXTH CHAPTER - ADMINISTRATIVE PENALTIES - LOSING THE PARLIAMENTARY OFFICE

Article 23: General provisions

1. Parties, coalitions and parliamentary candidates shall be subject to penalties in case of violation of this law, according to the following articles.

2. a. After the report is prepared by the Audit Commission and if it proposes that the file should be referred to the Superior Special Court under article 26 of this law, or that penalties should be applied to the parties or coalitions and to parliamentary candidates, a copy of it shall be communicated by means of a court executor to the relevant bodies of the party, under article 15, or to the parliamentary candidates.

b. The above bodies or the parliamentary candidates submit, within the exclusive period of fifteen (15) days from the communication of the report, remarks for the rebuttal of its content.

c. The Audit Commission, after examining such remarks, submits its final report to the President of the Superior Special Court, if a violation is found that can cause a member of parliament to lose their office, or to the President of the Parliament if penalties are proposed.

3. Penalties to parties, coalitions of parties and parliamentary candidates are applied with a justified decision of the President of the Parliament, published in the Government Gazette. This decision is issued within fifteen (15) days of the submission of the final report by the Audit Commission and communicated to the offender and the Minister of Interior, Public Administration and Decentralisation.

4. The fine applied to parties and coalitions is collected by withholding the amount from the funding for the next year. The fine applied to other parties and parliamentary candidates is collected according to the provision of the Code for the Collection of Public Income (CCPI).

5. The judicial means exercised by parties, coalitions and parliamentary candidates against the decisions for the application of fines, regarding penalties, in the application of the provisions of this law, introduce substantial administrative disputes, which are judged in the first and last degree by the National Council.

6. A joint decision of the Ministers of Economy and Finance and of Interior, Public Administration and Decentralisation, published in the Government Gazette, determines the manner in which the applied fine is to be collected and every detail regarding the penalties applied to the political parties and coalitions of parties and to parliamentary candidates, according to the provisions of this law.

Article 24: Penalties for political parties

1. Exceeding the limit of paragraph 2a of article 10 of this law for the broadcasting by radio or television of messages from parties and coalitions, is punished by a fine of up to 40% of the last regular funding paid to them. If the party does not receive regular funding, it shall be fined with up to one hundred and fifty thousand (150,000) Euros.

2. Failure to publish the annual balance sheet in time, as well as the situation of electoral income and expenditure of the party or coalition shall be punished with a fine equal to 5% of the regular or electoral funding paid to the party or coalition.

3. Incomplete or irregular keeping and updating of the register of income and expenditure, of the balance sheet or of the special report of electoral income and expenditure shall be punished with a fine of up to 10% of the last regular or electoral funding paid to it.

4. Political parties that are funded or receive any kind of service from entities or persons of article 7 paragraph 1 of this law shall be punished with a fine of up to 50% of the last funding paid to them. If the party does not receive regular funding, it shall be fined with up to one hundred and fifty thousand (150,000) Euros.

5. For parties and coalitions that receive only electoral funding from the State, the value of the fine specified in the previous paragraphs shall be calculated based on this funding.

6. Exceeding the allowed ceiling for electoral expenses is punished by a fine equal to twice the excess amount. If such excess is greater than 50% of the maximum allowed value of the electoral expenses, no regular funding shall be received for the next year, in addition to the fine.

7. A political party that receives funding in violation of article 8 paragraph 1 shall be punished by fine of up to 20% of the last regular funding paid to it or a fine of seventy-five thousand (75,000) Euros, if it is a party that does not receive state funding.

8. For each violation of article 11, paragraph 1, case a), a fine shall be applied equal to 5% of the last regular funding paid to the party or the coalition, or a fine equal to fifteen thousand (15,000) Euros, if it is a party that does not receive state funding.

9. For each violation of article 11, paragraph 1, case b), a fine shall be applied equal to 10% of the last regular funding paid to the party or the coalition, or a fine equal to fifteen thousand (15,000) Euros, if it is a party that does not receive state funding.

Article 25: Penalties for parliamentary candidates

1. In case of failure to submit in time or incomplete or irregular preparation of the analytical situation of electoral income and expenditure under article 20 paragraphs 1 and 2, a fine amounting to 10% of the yearly parliament member compensation shall be applied.

2. Parliamentary candidates who have received funding or other services from entities or persons under article 7 paragraph 1 shall be punished with a fine of up to 50% of the yearly parliament member compensation.

3. Parliamentary candidates who have received funding in violation of article 8 paragraph 2 shall be punished with a fine of up to 20% of the yearly parliament member compensation.

4. In case of violation of the provisions of article 12, paragraph 1, cases a) and b), a fine shall be applied to the parliamentary candidate up to the value of the yearly parliament member

compensation, depending on the seriousness, the number and frequency of violations, and on the pollution and aesthetic damage.

5. Subject to the reservation of the next article, exceeding the ceiling for electoral expenses, as defined at article 14, paragraphs 1 to 4, or exceeding the ceiling of electoral expenses for advertisements in the press, as defined at article 14 paragraph 5 shall be punished by a fine up to ten times the excess.

6. In case of a violation of article 12, paragraph 1 case c), a fine shall be applied to the parliamentary candidate up to twice the annual parliament member compensation.

7. In case of a violation of article 12, paragraph 1, cases e.ii), e.iii) and e.iv) of this law, regarding the political offices of parliamentary candidates, a fine shall be applied to the parliamentary candidate up to the value of the annual parliament member compensation.

Article 26: Losing the parliament membership

1. In case of: a. violation of article 12, paragraph 1, case e.i) and b. violation of article 14, paragraphs 1 to 4, the Audit Commission of article 21 sends the file with all the documentary evidence and data to the Superior Special Court under article 100 of the Constitution which, after assessing the evidence, applies the penalty of losing the parliament membership.

2. The Superior Special Court follows the procedure of Law 345/1976 (GG141A), as applicable in each case.

3. A prerequisite for the acceptable contestation under article 39 of Law 345/1976 (GG141A) for losing the parliament membership under paragraph 1 of this article is the prior submission of a written and nominative claim at the Local Commission for the Control of Electoral Violations, according to the special provisions of article 21 paragraph 9 of this law.

Article 27: Administrative and criminal penalties for third parties

1. Third parties who violate the provisions of articles 11 and 12, paragraphs 1, cases a) and b) shall be punished according to article 458 of the Criminal Code.

2. Violations by free broadcast radio and television stations and by providers of subscription-based radio and television services, of article 10, paragraphs 1 and 2, article 11, paragraph 1, case b), article 12, paragraph 1, case c) and paragraph 2 case c) of the same article, if related to coverage of electoral activities of parliamentary candidates without their request, and the joint ministerial decision issued under article 30 paragraph 2 of this law shall be deemed a violation of the radio and television laws and the provisions of article 4 paragraph 1 of Law 2328/1995 (GG195A), as amended, and of article 12 paragraph 1 of Law 2644/1998 (GG233A) shall apply. Violations of the aforementioned provisions shall constitute criminal offences for which the legal representatives of the above stations shall be punished cumulatively with at least one year imprisonment.

3. The owner of the publication that violated the interdiction of article 12, paragraph 1, case b), and of article 21, paragraph 9, case d) shall be subject, under a joint decision of the

Ministers of Interior, Public Administration and Decentralisation and of the Press and Mass Media, following the proposal of the Audit Commission of article 21, to a fine amounting to one hundred and fifty thousand (150,000) Euros, which shall be collected according to the provision of the Code for the Collection of Public Income (CCPI). Each violation shall be independent and shall bring the independent application of the above fine.

4. Failure by the mayors and community presidents to comply with their obligations under article 12, paragraph 1, case a), last point of this law and provided that they were notified in writing by the Local Commission for the Control of Electoral Violations of article 21 paragraph 9 of this law, shall be a criminal offence, punished by at least six months imprisonment.

Article 28: Interparty Elections Committee

1. By decision of the Minister of Interior, Public Administration and Decentralisation, issued within three (3) days of the announcement for the general parliamentary elections, and published in the Government Gazette, an Interparty Elections Committee is established, with the participation of the above Minister as president, and one representative of each party or coalition represented in the dissolved Parliament. The Committee's mission is to submit proposals for the correct application of this law.

2. The Interparty Elections Committee includes representatives of parties and coalitions that are not represented in the dissolved Parliament, if they have full candidate lists in at least 70% of the country's electoral regions. In this case, the Minister's decision is issued within three (3) days of the date when the lists are announced.

3. If one or several parties or coalitions of parties fail to appoint their representative within two days of receiving the question, the Interparty Elections Committee can be assembled or completed without the participation of their representative.

4. For the year during which the parliamentary period ends, the Interparty Elections Committee is constituted during the first two months and consists of representatives of parties or coalitions that are represented in the Parliament.

SEVENTH CHAPTER - PROCEDURE FOR THE ESTABLISHMENT OF POLITICAL PARTIES

Article 29: Establishment, legal personality and resolution of disputes for using the name and sign of a political party

1. The political party, before starting its activity, submits an establishment statement to the District Attorney of the Supreme Court. The statement is submitted by its President or Steering Committee and mentions that its organisation and free operation serves the democratic regime.

2. The District Attorney of the Supreme Court is also notified of the name, sign and seat of the political party and submitted its statutes or founding statement, signed by at least two hundred citizens with the right to vote.

3. The use of symbols stipulated in article 37, paragraph 5 of the PD 55/1999 (GG58A) in the name and sign of the political party is prohibited.
4. Upon announcing its name and sign, the political party has the exclusive right to use them.
5. Differences regarding the holder of a name and sign and the capacity of President or member of a Steering Committee of a political party are solved according to the definitions of article 7 of this law.
6. The political party obtains legal personality by its establishment, for the fulfilment of its constitutional mission.
7. Article 38 of PD 55/1999 is replaced as follows: In case of a difference regarding the use of the name and sign of a political party, as contained in its electoral statement, Section I of the Supreme Court shall decide. The decision acknowledges as holder of the name and sign the political party that had announced them by submitting its founding statement and used them, according to public perception. Section I of the Supreme Court also decides about differences regarding the capacity of President or members of the Steering Committee of a political party.

EIGHTH CHAPTER

Article 30: Final provisions

1. A decision of the Minister of Interior, Public Administration and Decentralisation, issued following the proposal of the Interparty Elections Committee, and published in the Government Gazette, determines every required detail about the application of this law, regarding the conditions of the electoral competition.
2. A joint decision of the Ministers of Interior, Public Administration and Decentralisation and of the Press and Mass Media, issued after the opinion of the National Radio and Television Council and the proposal of the Interparty Elections Committee and published in the Government Gazette determines any detail regarding appearances in the state and private audiovisual media of parliamentary candidates and representatives of parties or coalitions and sets limitations to prevent indirect promotion of parliamentary candidates.
3. The provisions of paragraphs 1 and 3 of article 28 and 1 and 2 of this article shall apply similarly to elections for the Greek representatives in the European Parliament.
4. The period of the elections campaign, for the purposes of this law, is determined according to the relevant provisions of the applicable laws.
5. For the application of article 11, paragraph 1, of article 27 and of the decision issued under paragraph 2 of this article, and for the period between the announcement of the elections and the announcement of the candidates by the relevant court, candidates are also considered persons presented with the perspective of participation as candidates in the elections that will take place and in any case persons who according to announcement of the parties are included in the lists for any region.

6. a. Any opinion poll regarding political parties and coalitions, members of parliament and parliamentary candidates, regardless of when it is performed, in order to be published in the press and broadcast by audiovisual media, must meet the following prerequisites: i) it must expressly mention the company that carried it out, ii) it must mention the person that ordered it to be carried out, iii) it must include the percentages of categories based on which it was carried out and iv) it must contain the full text of the questions asked to the respondents.

b. The publication and broadcasting in violation of the above prerequisites shall bring the penalties of article 27, paragraphs 2 and 3 of this law.

Article 31 - Transitional - abrogated provisions

1. The effect of article 5 paragraph 5 and article 18 paragraph 3 shall commence on 1.1.2003.

2. With the exception of articles 24 to 29 and 32 to 34, Law 2429/1996 (GG155A), as amended and applicable, is abrogated.

3. Article 4 of Law 1491/1984 (GG173A) is abrogated.

4. The provisions of LD 59/1974 (GG259A), PD 866/1975 (GG281A) and article 38 of PD 55/1999 (GG58A) are abrogated.

Article 32

Parties, coalitions of parties, parliamentary candidates and European Parliament members are exempt from the penalties of articles 22 and 23 of Law 2429/1996 (GG155A) for the respective violations that occurred prior to this law coming into force.

Article 33 - Entry into force

With the exception of article 31, paragraph 1 and the establishment of the Audit Commission under article 21 of this law, which shall occur by 30.12.2002, this law comes into force when published in the Government Gazette. We order that this law be published in the Government Gazette and executed as law of the State.