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TABLE OF CONTENTS

TABLE OF CONTENTS	3
I. SCOPE	6
II. EXISTING LEGAL FRAMEWORK.....	7
1. Constitution of Greece	7
2. International context.....	7
3. Law 4301/2014 "Organization of the Legal Form of Religious Communities and their organizations in Greece and other provisions under the responsibility of the General Secretariat for Religious Affairs and other provisions" (Official Government Gazette of the Hellenic Republic A'223) ..	8
4. Electronic Register of Religious Ministers.....	8
5. Obligation to apply urban planning and town planning legislation.....	9
6. Generally applicable rules	10
7. Recognition of an existing pre-1955 house of prayer/temple and place of worship in general.....	13
8. Authorization to construct houses of prayer/temples and places of worship in general.....	15
9. Authorization to establish and operate houses of prayer/temples and places of worship in general in existing buildings.....	16
10. The necessity of issuing a circular	18
11. Content of authorization and Obligations of Religious Ministers.....	19
III. REQUIRED DOCUMENTS WHERE APPLICABLE	21
1. Supporting documents for the recognition of a house of prayer/temple and in general a place of worship existing before 1955	21
A. Religious communities	21
B. Ecclesiastical or religious legal entities of Law 4301/2014.....	22
C. Muslim places of worship in Kos and Rhodes.....	24
D. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173).....	25
2a). Supporting documents for issuing an authorization to construct a house of prayer/temple and a place of worship in general.....	26
A. Religious communities	26
B. Ecclesiastical or religious legal entities of Law 4301/2014.....	27
C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)	28

2b). Supporting documents for the issuance of an authorization to build an addition/extension to an existing house of prayer/temple and a place of worship in general.....	28
A. Religious communities	28
B. Ecclesiastical or religious legal entities of Law 4301/2014.....	29
C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)	30
3. Necessary documents for the authorization to establish and operate a house of prayer/temple and a place of worship in general.....	30
A. Religious communities	30
B. Ecclesiastical or religious legal entities of Law 4301/2014.....	32
C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)	34
4. Supporting documents for the authorization to relocate a house of prayer/temple and a place of worship in general.....	35
A. Religious communities	35
B. Ecclesiastical or religious legal entities of Law 4301/2014.....	36
C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)	36
5. Supporting documents for the authorization to change the name of a house of prayer/temple and place of worship in general for Religious communities.....	37
6. Supporting documents for the revocation of the authorization to construct or establish and operate a house of prayer/temple and a place of worship in general.....	37
7. Supporting documents for the appointment of a deputy religious minister for a house of prayer/temple and a place of worship in general..	37
A. Religious communities	37
B. Ecclesiastical or religious legal entities of Law 4301/2014.....	38
C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)	38
8. Supporting documents for the replacement of a religious minister of a house of prayer/temple and in general a place of worship.....	39
A. Religious communities	39
B. Ecclesiastical or religious legal entities of Law 4301/2014.....	40
C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)	40
9. Supporting documents for the appointment of a religious minister in houses of prayer/temples and places of worship in general that have an authorization to establish and operate prior to 06-05-2014 in which the religious minister is not indicated	41
A. Religious communities	41

B. Ecclesiastical or religious legal entities of Law 4301/2014.....	41
C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)	42

SUBJECT: Circular on Houses of Prayer/ Temples and Places of Worship in general

I. SCOPE

The present circular on houses of prayer/temples and places of worship in general brings together and codifies in a single text the legislation and the administrative procedure applied by the Ministry of Education and Religious Affairs for the issuing of decisions provided for the:

- 1. Evaluation of the establishment and operation of a house of prayer/temple and in general a place of worship existing before 1955**
- 2. Authorization to construct**
- 3. Authorization to establish and operate,**
- 4. Authorization to relocate**
- 5. Authorization to change the name**
- 6. Revocation of the authorization to construct or establish and operate**

in places of worship (houses of prayer/temples) of any religious communities, of all religions and denominations (except, as foreseen in article 3 of the Constitution, the churches under the jurisdiction "klima" of the Eastern Orthodox Church of Christ, for which specific provisions apply).

The religious minister who is in charge of the religious community at any given time, i.e. the main person who serves the purpose of the place of worship is designated as the person in charge of the religious community's house of prayer/temple or place of worship in general, but this does not mean that the community cannot appoint more ministers. For this reason, the circular sets out the procedure that is followed by the Ministry of Education and Religious Affairs in order to issue a decision on:

- 7. Appointment of a deputy religious minister of the place of worship**
- 8. Replacement of a religious minister of the place of worship**
- 9. Appointment of a religious minister for a place of worship, for places of worship that have decisions of establishment by the Ministry of Education and Religious Affairs in which the religious minister and/or the deputy religious minister is not indicated, i.e. decisions issued before 6-5-2014, date of issue of the Circular Ref. 69230/A3/6-5-2014 (with Online Publication Number: ΒΙΦΘ9-Τ0Τ) on authorization to establish and operate places of worship for religious communities of religions and denominations other than the Church of Greece¹.**

¹ The Church of Greece, the Church of Crete and the Holy Metropolises of the Dodecanese.

II. EXISTING LEGAL FRAMEWORK

1. Constitution of Greece

In **Article 13 (1), (2) and (4) of the Constitution of Greece** it is stipulated, inter alia, the following:

“1. Freedom of religious conscience is inviolable. The enjoyment of civil rights and liberties does not depend on the individual’s religious beliefs. 2. All known religions shall be free and their rites of worship shall be performed unhindered and under the protection of the law. The practice of rites of worship is not allowed to offend public order or the principles of moral conduct. Proselytism is prohibited. 3. ... 4. No person shall be exempt from discharging his obligations to the State or may refuse to comply with the laws by reason of his religious convictions.”

2. International context

Article 18 of the Universal Declaration of Human Rights (adopted by the United Nations General Assembly on December 10, 1948) states: *“Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”*

Furthermore, **Article 9 of the Convention for the Protection of Human Rights and Fundamental Freedoms** (ECHR) ratified by Decree Law 53/1974 (Official Government Gazette of the Hellenic Republic A’256) stipulates the following: *“1. Everyone has the right to freedom of thought, conscience and religion; the right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest religion or belief, in worship, teaching, practice and observance. 2. Freedom to manifest one’s religion or beliefs shall not be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.”*

In accordance with **Article 10 of the Charter of Fundamental Rights of the European Union** (2000/C 364/01) it is laid down that: *“1. Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change religion or belief, and freedom, either alone or in community with others and in public or private, to manifest religion or belief, in worship, teaching, practice and observance.”*

Moreover, according to the provisions of **Article 18 of the International Covenant on Civil and Political Rights ratified by Law 2462/1997** (Official Government Gazette of the Hellenic Republic A’25): *“1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching. 2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice. 3. Freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others.”*

3. Law 4301/2014 "Organization of the Legal Form of Religious Communities and their organizations in Greece and other provisions under the responsibility of the General Secretariat for Religious Affairs and other provisions" (Official Government Gazette of the Hellenic Republic A'223)

The **first article of Law 4301/2014 (A' 223)** defines, for the first time in the Greek legal order, the concept of religious community: "A religious community is a sufficient number of natural persons with a specific Confession of Faith in a known religion, permanently residing in a certain geographical area, with the purpose of carrying out collectively the duties of worship and observance required by the common Confession of its members".

With the provisions of the first chapter of **Law 4301/2014 (A' 223)** and the institutionalization of the new form of collective religious organization, namely **ecclesiastical and religious legal entities**, all religious communities (except those explicitly excluded under article 16 of Law 4301/2014), namely the Church of Greece, the Church of Crete, the Ecclesiastical Provinces of the Dodecanese and Mount Athos and the churches under the jurisdiction "klima" of the Orthodox Church in general, the Jewish Communities and the religious Muslim communities in the territorial regions of the Muftiates of Thrace), may organize themselves under the form of this special legal entity under private law, in accordance with the provisions of the law. The provisions of the above law provide that religious and ecclesiastical legal entities may, in accordance with the provisions of the law, establish and operate places of worship in their name (Article 9).

According to **article 14 of Law 4301/2014**, the Ministry of Education and Religious Affairs keeps an electronic Register of Religious and Ecclesiastical Legal Entities, in which all religious and ecclesiastical legal entities, the judicial decision by which the application was accepted, the constituent act, the Confession of Faith and their statute are registered.

According to **article 13 of Law 4301/2014 (A' 223)**, the authorizations for the establishment and operation of legally operating places of worship of ecclesiastical or religious legal entities of par. 3 and 7, are re-issued in the name of the religious or ecclesiastical legal entity of the specific religion, upon its request, which is also signed by the religious minister who operates the place of worship without any other wording and without the submission of other supporting documents. According to **Ministerial Decision 131491/Θ1/1-10-20 (B' 4408)**, an extension of one (1) year -i.e. until 6/10/2021- was granted for the re-issuing of the authorizations.

4. Electronic Register of Religious Ministers

In the domestic system of religious freedom and the exercise of the relevant individual rights, there is no public/administrative procedure for the granting or recognition of the status of religious minister of any religion or denomination in the context and to the extent that the state and its functions are concerned (apart from the special provisions applicable to the churches under the jurisdiction "klima" of the Orthodox Church in Greece, the Jewish Communities and the Muftiates of Thrace), but this status is assumed, -as far as public services and their implementation of powers are concerned-, only indirectly, and only from the authorization of a specific house of prayer/temple and in general a place of worship and the definition (independently from the religious community) of at least one natural person (or more) as its religious minister, which has as a result his/her automatic entry at the register of religious ministers, of the **article 14 of Law 4301/2014 (A'223)**.

This article provides that the Ministry of Education and Religious Affairs shall keep an electronic register of religious ministers who perform religious services with civil

consequences, whether they belong to a religious community organized in any legal form or to a community without a legal personality.

The register of religious ministers constitutes an **official source of information** on the status of religious ministers for the local civil registries and for the acts entered in their civil registers, in order to enable the direct checking of the faculty of the religious minister(s) issuing the relevant act **pursuant to Article 1367 of the Civil Code.**

Following this, a natural person who is not registered in the electronic register of **article 14 of Law 4301/2014** as a religious minister (of any authorized house/temple and in general place of worship, or according to any special provisions for specific religious communities), is "unknown" for the Ministry of Education and Religious Affairs and is not considered a "religious minister" by the Services of the Ministry of Education and Religious Affairs, with all that this implies for his/her actions and the exercise of his/her responsibilities.

It should be noted that religious ministers and their data are not deleted from the electronic register even if they lose their status (in which case they become inactive), but their data are retained for the sake of background information, as according to the provisions in force and specifically according to **article 4 of Law 4144/2013 (A'88)** a marriage can be registered at the local Civil Registry where the event took place even after the expiry of the deadline of forty (40) days from the date of the event, with the imposition of the appropriate fine by decision of the Secretary General of the Decentralized Administration.

Also according to **article 29 of Law 344/1976 (A'143)**, as amended by **par. 3 of Article 4 of Law 1250/1982 (A'46)**, the religious minister is obliged to send to the Registrar, within the same period, a copy of the act he has drawn up.

According to **article 47 of Law 4559/2018 (A'142)**, all religious ministers of the Church of Greece, the Church of Crete, the Holy Metropolises of the Dodecanese, the Muftiates of Thrace and the Jewish Communities are compulsorily registered in the electronic register of religious ministers kept by the Ministry of Education and Religious Affairs pursuant to **article 14 of Law 4301/2014 (A' 223).**

5. Obligation to apply urban planning and town planning legislation

According to **Article 13 of the Constitution of Greece**, the individual right of freedom of religious worship, as guaranteed by the Constitution of Greece as well as by the international legal texts, is neither unlimited nor uncontrolled, but is subject to the conditions of the (substantive and formal) laws of general application, which pursue objectives of public interest in execution of other legally equivalent constitutional provisions (such as e.g. tax laws or laws on compulsory expropriation, requisition, urban planning, town planning and public health). Consequently, the adherent of a certain religion cannot, on the grounds of his religious beliefs, refuse to fulfil his obligations to the State or to comply with the laws of general application, especially those that do not concern matters relating to the exercise of the aforementioned rights (Council of State 2706/1977 Plenary), since religious people are subject to the legal obligations and requirements applicable to all members of a society based on law.

In particular, the construction and operation of a religious building, as a partial manifestation of the freedom of worship, presuppose the existence or legal construction of the appropriate place, in accordance with the urban planning and other provisions and are subject, inter alia, to the regulations and the restrictive terms of the relative urban planning and zoning legislation on land use and use of buildings and parts of these buildings, in view of the provisions set out in **par. 2 of Article 24 of the Constitution of Greece**, according to which provision "*the spatial restructuring of the Country, the configuration, development, urban*

planning and expansion of cities and residential areas in general is subject to the regulatory competence and control of the State, in order to serve the functionality and development of settlements and to ensure the best possible living conditions" (cf. Council of State 2308/2000) Consequently, the rational urban planning of any residential area is required in order to serve its functionality, i.e. its ability to function in order to achieve in its space the living of a group of people, its inhabitants, and, thereafter, the satisfaction of existing, foreseen and subsequently arising needs of all inhabitants or groups of them, that is of common needs.

Specifically with regard to the rules of urban planning and town planning legislation, the State Legal Council, in its Opinions 343/2002 and 121/2008, has held that: "*The concept of public order includes, inter alia, also the observance of the rules of the existing urban planning and town planning legislation in force in the area in which the temple or the house of prayer is to operate.*" In fact, the Greek Ombudsman has also taken a position on this issue in the past, expressing the view that the practice of prioritizing urban and building approvals does not constitute a restriction of religious freedom, provided, of course, that it is applied under conditions of good administration and is accompanied by a corresponding notice to the applicants under Article 4 (2) of the Law of Administrative Procedure (see Greek Ombudsman document Ref. number 18893.06.2.6./09-09-2008 and the Mediation Summary of September 2009).

It is noted that the main function of the site is worship, therefore, this must predominate and any ancillary uses must serve it. The layout of the building must not be such that the main use is negated by any excessive area of the secondary spaces, i.e. the area of the place of worship cannot be inferior to the other spaces of the property, so that the other spaces (ancillary) and any other uses dominate and the relevant provisions are abused, especially when another use of the property is in fact concealed. Such uses cannot be regarded as merely ancillary, secondary and directly linked to the main place of worship, since they entail and permit the additional use of the property for purposes other than worship. Such a use evades the constitutional protection afforded to the purpose of the law on the authorization of temples/houses of prayer and places of worship in general by the provisions of the other privileges enjoyed by such places, such as, for example, exemptions from fees and taxes.

Therefore, the layout of the building must show that the distinct surface of the main place of worship (i.e. serving the basic worship needs of the religious community) dominates and characterizes the use of the place under authorization and occupies an area (net floor area) of at least 2/3 of the total surface area of the space (property). Deviations from the above percentage are examined on a case-by-case basis, depending on the specific characteristics of the site, following a reasoned report by the civil engineer, and provided that the dominant worship character of the place is not negated.

6. Generally applicable rules

The generally applicable rules of public order (urban planning, town planning and public health), which aim to ensure the safe use of buildings and the protection of both their users and local residents, include in particular:

(A) The relevant rules on the categories and content of land use, namely the **Presidential Decree of 23-02-1987 "Categories and Content of Land Use" (D' 166/06-03-1987)** and the **Presidential Decree 59/2018 (A' 114/29-06-2018)**, by which the land uses are defined in areas of application of the general urban development plans, depending on their general or specific urban functional dimension, in which particular case the legislator has explicitly provided for the category "Religious Sites" as a special category (Article 1 indent II No. 5), the use of which has been permitted in various areas of Urban Development Plan (e.g. purely residential under Article 2 indent 7 and under Article 2 indent 5 respectively, general residential under Article

3 indent 8 and Article 3 indent 5 respectively, urban center under Article 4 indent 12 and Article 3 indent 5 respectively, tourism-recreation according to Article 8 indent 10 and Article 5 indent 15 respectively, and in demarcated areas by an applicable administrative act within the boundaries of settlements with a population of less than 2.000 inhabitants in which urban planning and land use designation have not been completed in accordance with Article 16 indent 5. According to these provisions, a religious place (a house of prayer, a temple and in general a place of worship) may legally operate in an Urban Development Plan area where the relevant use is foreseen.

(B) The relevant rules on the categories and classification of buildings according to their use and the consequent specifications that they must comply with according to the expected population to be served, in accordance with **articles 3 and 4 of the Building Code** (see articles **346 - 347 of Codifying Decree 14/1999**, Official Government Gazette of the Hellenic Republic D' 580/27-07-1999), according to which the category "Public Assembly" includes buildings or parts thereof used for the assembly of at least fifty people for religious events and activities (therefore inter alia temples are explicitly included in accordance to **article 346, par. 1 indent C**); **Religious places require 0.65 square meters of floor area as a minimum area per person (article 347 indent 3 (bb))**. For the calculation of the above floor area (net floor area), only the net surface area of the main rooms exclusively intended for the activity, not including structural elements, whether load-bearing or not (walls, pillars, partitions, etc.), around the perimeter of the room and within the room, are counted, and auxiliary rooms such as storage rooms, sanitary rooms, staircases, etc. (see: a) Article 3.A.2 of Decision **3/2015** (Official Government Gazette 529B/03-04-2015) as amended by article 3.5 of Decision **24738Φ.701.2/2017** (Official Government Gazette 2089B/19-06-2017) and b) Article 3 and note 3 of Table 3 of article 5, paragraph 3, indent 12 of **Presidential Decree 41/2018** (Official Government Gazette 80 ^A/07-05-2018) are not counted.

(C) The relevant rules on the use of buildings, according to **paragraph 3 of article 5 of Law 4067/12** (A' 79), as amended by **article 101 of Law 4759/2020** (A'245), regarding the conditions of necessity of change of use in legally existing buildings and the relevant rules on the administrative acts required for its implementation, as defined in **article 29 of Law 4495/2017** as in force and in particular: **a)** for the requirement to issue a building permit under **indent e par. 1.**, i.e. for a change of use, if there is a change to the worse, in the elements of the coverage diagram or in the design loads of the structural design or a change in the mechanical installations as regards their passages from other floors or common areas and **b)** for the requirement to issue a permit for small-scale works in accordance with **article 30 of Law 4495/2017** as in force and in particular of **indent iz of par. 2** of this article, i.e. for change of use works for which according to **article 5 of Law 4067/2012**, as in force, the issuance of a building permit is not required, provided that the elements of the load-bearing structure of the building are not affected and the loads and the seismic importance category according to the Hellenic Antiseismic Regulation are not changed for the worse.

In cases where the building permit does not provide for the use of the building as a religious place and the conditions for the application of the above do not apply, it is sufficient to update the building permit file as to the use of the building as a religious place.

(D) The relevant rules on existing buildings, according to **article 23 of Law 4067/2012** (A'79), as amended by **article 45 par. 6 of Law 4546/2018** (A'101), according to which "*legally existing*" is considered the building or part of it "*d. if it predates the Royal Decree of 9.8.1955 or was exempted by the provisions of Law 1337/1983 or was definitively excluded, in accordance with the provisions for the regulation, regularization or suspension of penalties for buildings without a building permit.* It is clarified that the effective date of the **09/08/1955 Royal Decree "On General Building Regulation" (A'266/30-9-1955)** is the 30-11-1955, as

expressly stated in indent a of paragraph 2 of **article 82 of Law 4495/17** (A'167) on the settlement of buildings *without a building permit*, according to which "2. *Excluded from the provisions of paragraph 1 are properties.... A) existing before 30/11/55, date of entry into force of the 9.8.1955 Royal Decree*".

(E) The relevant rules on general conditions for the hygiene of the building and the protection of public health (e.g. water, sewerage, lighting, ventilation, etc.), such as: **a) article 11 of Ministerial Decision 3046/304/30-1/3-2-1989 (Official Government Gazette 59 D) "Building Code"** on the obligation for all areas of principal use in buildings to have sufficient natural lighting and ventilation (direct or indirect), **b) articles 25-27** on the requirements and specifications for water supply and sewage facilities and **c) the decision of the Minister of Social Services (B' 1266/1974), ref. number C1/9900/27-11/03-12-1974**, in so far as it is in force, according to which the construction (and existence) of sanitary facilities is compulsory in all areas of public assembly or living areas (article 1 indent 9), as well as the other provisions within the existing legislation on Public Health protection.

(F) The relevant rules concerning the inclusion in the respective fire safety regulation, as listed in Table 1 of Article 2 of the **Presidential Decree 41/2018** (A'80) for a building with the use of "Public Assembly", for the observance of the necessary fire safety means and measures, depending on the date of construction of the building, i.e. the **Fire Fighting Regulation 3/2015** (B'529/2015) or the **Presidential Decree 71/1988** (A'32/17.02.1988) "Fire Protection Regulation for Buildings", or the **Presidential Decree 41/2018** (A'80) "Fire Protection Regulation for Buildings", as applicable. Compliance with the applicable fire safety legislation is evidenced by a certificate of (active) fire safety, issued by the competent Firefighting Authority in accordance with the applicable provisions and where it is required.

(G) The relevant provisions on specifications and requirements for sound insulation and sound protection as listed in article 12 of the **Building Code**, as well as the relevant provisions on public quiet times measures, i.e. **Police Regulation 3/1996** (B'15/1996); in accordance with its article 2, the managers of public establishments and other enterprises as well as home owners "*are required to reduce to a minimum, by mechanical or other appropriate technical means (soundproofing, etc.), the noise caused*" by various installations and which disturbs the peace and quiet of the neighboring population.

According to **article 1003 of the Civil Code**, "*The owner of real estate property has the obligation to tolerate the emission of smoke, soot, fumes, heat, noise, vibrations or other similar effects emanating from another property, provided that they do not significantly interfere with the use of the property or that they come from the use usual for properties in the area of the real estate from which the damage is caused*".

Additionally, the generally applicable rules of public order undoubtedly include the general fiscal provisions related to the imposition of taxes, penalties and specific obligations not only with regard to taxpayers (natural persons and legal entities, associations, society of right etc.) but also with regard to non-taxpayers, such as that of paragraph 3 of article 11 of **Law 4174/2013** "Tax Procedures and other provisions" (A'170) as amended by article 355 of **Law 4512/2018** (A'5) which states that: «3. *Article Tax Administration may, even without the submission of a registration statement, assign a VAT identification number to a tax-exempt person, provided that it has at its disposal, in the case of a legal person or legal entity, the name and registered office, i) in order to ascertain or collect claims against it, ii) in order to make refunds of amounts unduly paid to unestablished taxpayers under the management of the M.O.S.S. system, (iii) if this is required by other legal provisions. In particular, Tax Administration shall assign a VAT identification number to any natural or legal person or legal entity in order to carry out any financial transaction with the General Government entities and credit and payment institutions of the country. By decision of the Governor of the Independent*

Public Revenue Authority, other cases of assignment of a VAT identification number to tax-exempt persons, exceptions in cases of transactions with credit and payment institutions, as well as with General Government entities and any other necessary detail for the implementation of this article may be determined."

In this regard the **Council of State decision 582/2011** on mandatory issuing of VAT identification number, has held that, more particularly this obligation: " *is not contrary to article 13 of the Constitution and article 9 of the ECHR, because it aims to serve a public purpose (the effective operation of the new computerized system and the ensuing tackling of tax fraud) and it introduces an obligation of a general and impersonal scope, not dependent on religious beliefs, which is not subject to any exception, especially since this obligation does not constitute an attempt to exercise state power in the personal beliefs of the citizens"*.

In any case:

a) this Circular, as well as the authorizations issued for the construction or establishment and operation or relocation of houses of prayer/temples and places of worship in general, in accordance with the procedure laid down herein, do not alter, affect or amend the legal relations, the specific provisions, the duties and responsibilities and the restrictions laid down by the Horizontal Ownership Constitution and the applicable Building Regulation in force of the specific building where the house of prayer/temple and the place of worship in general shall be housed, nor do they legitimize any use of the area other than the use provided for (ΜΠρΑΘ 1338/2019 Department of Leases). Timely examination of the conformity of the use to be authorized, in accordance with the rights and obligations and commitments for joint ownership and the correct interpretation and application of the Regulations and its prohibitions is solely the responsibility of the applicants,

b) the compilation and reference to the above provisions is in no way restrictive but merely indicative and assisting for the interested party, without its implying that at the time of an application or other action by the interested party aiming at the application of the provisions of the competence of the General Secretariat for Religious Affairs, the above provisions and any other provisions of public order in force which are related, directly or indirectly, to places of worship, their operation and in general the exercise of the specific individual right, are yet in force and in particular with the same content. Therefore, it is clarified that the service, in the exercise of its powers, will apply the provisions of mandatory law in force at the time.

c) the competent authorities for the compliance and implementation of this circular are fully harmonized with the principles of personal data protection, they comply with the rules, terms and conditions expressly set out in the provisions of Law 4624/2019 "Personal Data Protection Authority, measures implementing Regulation (EU) 2016/679 of the European Parliament and of the Council of 27th April 2016 on the protection of natural persons with regard to the processing of personal data and incorporation into national legislation of the Directive (EU) 2016/680 of the European Parliament and of the Council of 27th April 2016 and other provisions" (Official Government Gazette A 137/29-8-2019), especially due to the nature of the subject of this circular and the processing of the related submitted documents.

[7. Recognition of an existing pre-1955 house of prayer/temple and place of worship in general](#)

The Ministry of Education and Religious Affairs taking into account:

(a) the current legislative framework;

b) the fact that an unquantifiable number of old houses of prayer/temples and places of worship in general of various religious communities, even historical communities (which have already acquired legal personality as religious or ecclesiastical legal entities, according to the provisions of Law No. 4301/2014) have not received an authorization for the establishment and operation, even due to malfunctions of the above mentioned legislative regime for the authorization of houses of prayer/temples and places of worship in general (which were ultimately raised only after the legislative change - Article 27 of Law 3467/2006), and despite this, they have been operating continuously and uninterruptedly for many decades, serving the worship purposes of the communities concerned,

c) the fact that a significant number of these houses of prayer/temples and places of worship in general had been established and were operating even before the entry into force of the existing legislative framework (1938-1939),

(d) the need to resolve a perdurable and long-pending issue concerning the legality of their operation, which, without being directly challenged by the public administration or having been disrupted, creates serious practical problems in the relations between religious communities and public services as well as in the daily operation and mission of these communities; without burdening the communities with excessive costs for its resolution, and with the above mentioned practical problems eventually leading to the inability for the communities to enjoy their rights or to the preservation of this pending issue,

(e) the fact that there is no reason in the public interest which would otherwise require the long-established situation to be overturned to the detriment of the interested parties and the principle of their legitimate confidence to be infringed,

f) the need to enter in the register the religious ministers in charge of these places, in order to ensure the accurate and timely information of the registry offices on the ceremonies with legal implications that they perform and to ensure public order and all the rights of citizens,

(g) the fact that the eventual maintenance of this pending situation may lead to a violation of the constitutionally guaranteed rights of religious people and religious communities, without being justified by the principle of proportionality,

h) the need to protect the safety and health of the congregating believers in the houses of prayer/temples and worship places in general, in accordance with the existing urban planning provisions and the legality or not of the buildings they define by category and time of construction,

i) the fact that any religious community may apply at any time, in accordance with the existing constitutional and legislative provisions and the relevant circular instructions, for the issuance of an authorization for the establishment and operation of a house of prayer/temple and a place of worship in general, provided that they submit the relevant documents,

j) the more specific legislative framework for the churches belonging to the canonical jurisdiction and the churches under the jurisdiction "klima" of the Orthodox Church of Greece and the other, within or outside Greece, homodox Churches of Christ, according to Article 3 of the Constitution, Patriarchates, Metropolises or Monasteries, which are doctrinally united with the Great Church of Christ of Constantinople and which, likewise, observe inviolably the Holy Apostolic and Synodal Canons and the Sacred Traditions,

settles the existing long pending issue by issuing a certifying act for each older house of prayer/temple and place of worship in general, under the following conditions. This certifying act will take the place of an authorization of establishment and operation and will enforce all the legal consequences.

All religious communities (except for those of Article 3 of the Constitution under the jurisdiction, “klima”, of the Eastern Orthodox Church of Christ, for which there are special provisions), especially for houses of prayer/temples and places of worship in general that are completely lacking authorization to establish and operate, may apply for the issuance of a certifying act of legal operation and the inclusion of their religious ministers in the register kept by the Ministry of Education and Religious Affairs. A prerequisite for the submission of the application is that the houses of prayer/temples and places of worship in general must have been in continuous and uninterrupted operation in the building or part of the building in question for a long period of time, and at least before 30-11-1955, up to the date of submission of the application (and obviously at the time of the issue of the certifying act). In other words, a prerequisite for the issuance of the certifying act is the commencement of the use of the premises as a house of prayer/temple and a place of worship in general before 30-11-1955 and its uninterrupted operation up to the time of issue of the act, in a building which was obviously constructed before that date, i.e. before the entry into force of the system for issuing building permits, so as to be considered legally existing under the provisions in force.

For the procedure for the recognition of a house of prayer/temple and, in general, a place of worship existing before 1955, the **present circular** replaces circular 176169/Θ1/19-10-2018 (Online Publication Number: OA3Y4653ΠΣ-8B3) "Procedure for the recognition of a place of worship, existing before 1955, of a formal or informal type of organization, religion and denomination of religious communities (except for those of Article 3 of the Constitution under the jurisdiction, “klima”, of the Eastern Orthodox Church of Christ)".

8. Authorization to construct houses of prayer/temples and places of worship in general

In national legislation for the authorization of the construction of houses of prayer/temples and places of worship in general, other than the churches under the jurisdiction, “klima”, of the Eastern Orthodox Church of Christ, **as referred to in Article 3 of the Constitution**, for which there are specific provisions, apply the general regulations of **Emergency Law 1363/1938 (A' 305)**, as amended by the provisions of **Emergency Law 1672/1939 (A' 123)**, its implementing **Royal Decree of 20-05/02-06-1939 (A' 220)**, and **Article 27 of Law 3467/2006 (A' 128)** as well as the **present circular** replacing **circular 128231/Θ1/2-8-2016** (Online Publication Number: ΨΔ014653ΠΣ-ΓΕΙ) "Procedure for the construction of a place of worship (temple or house of prayer) of a formal or informal type of organization, religion or denomination of religious communities (other than the Eastern Orthodox Church of Christ)".

According to these provisions, the religious community concerned must address the Ministry of Education and Religious Affairs, so that before the competent urban planning authority issues a building permit, the relevant administrative act of the Ministry of Education and Religious Affairs on the authorization of the construction has been issued.

It is clarified that **the authorization to construct**, which is granted at the pre-construction stage, **does not in any case constitute authorization to establish and operate, let alone a building permit, nor does it substitute the administrative acts of the competent urban planning authorities (thus, in essence, it constitutes a pre-approval stage for the construction of a religious site). Therefore, it** does not allow the operation of the house of prayer/temple and in general of the place of worship, but is limited only to the authorization by the Ministry of Education and Religious Affairs to construct a building, since this authorization, is granted by our Service always before construction and only after examination of the conditions set by the above-mentioned provisions as they apply, and provided that the final building **will not have any substantial deviations** from what is depicted in the plans submitted to the relevant Building Service “ΥΔΟΜ” for the issuance of the building permit and in particular substantial

deviation in the location, shape and surface area of the net floor of the place of worship and therefore in the expected population that the place can serve.

It is not a substitute for the (different from the construction authorization) establishment and operation authorization, which is granted in a second stage, on an existing building and is then related to its functional capacity to serve the purpose for which it was built. Thus, once the authorization to construct has been granted and the relevant building work has been completed (the control of which falls in any case within the responsibilities of the relevant Directorates of the Building Services), the interested parties will have to return to the Department of Administrative Matters and Register of the General Secretariat for Religious Affairs of the Ministry of Education and Religious Affairs to submit a file with the necessary documents in order to obtain the necessary authorization for the establishment and operation of the house of prayer/temple and place of worship in general.

The above also applies in the case of an addition in height and/or extension to a legally existing building with the use of a religious place on the basis of the relevant administrative act (certifying act or authorization for the establishment and operation of a house of prayer/temple or a place of worship in general) of the Ministry of Education and Religious Affairs. A prerequisite is that the extension must form a single and independent whole with the existing building, both in terms of function and ownership.

Thus, after the completion of the relevant building works (the control of which falls under the competence of the relevant Directorates of the Building Services), the interested parties should come again to the Department of Administrative Matters and Register of the General Secretariat for Religious Affairs of the Ministry of Education and Religious Affairs to submit a file with the necessary documents, in order to obtain a **new authorization** for the operation of the house of prayer/temple and place of worship in general.

9. Authorization to establish and operate houses of prayer/temples and places of worship in general in existing buildings

In national legislation for the authorization of houses of prayer/temples and places of worship in general, except for the Churches under the jurisdiction, "klima", of the Eastern Orthodox Church of Christ as referred to in Article 3 of the Constitution (for which there are specific provisions), apply the general provisions of **Emergency Law 1363/1938** (A'305), as amended by the provisions of **Emergency Law 1672/1939** (A'123), its implementing **Royal Decree of 20-05/02-06-1939** (A'220), and **Article 27 of Law 3467/2006** (A'128) as well as the **present circular** which replaces the joint circular 69230/A3/6-5-2014 (Online Publication Number: ΒΙΦΘ9-Τ0Τ) "Issuing authorization to establish and operate places of worship of religious communities of religions and denominations other than the Church of Greece" as updated by the joint circular 118939/Θ1/19-7-2016 (Online Publication Number 76774653ΠΣ-5Ω9) "Update and Addendum to Circular (Ref. 69230/A3/6-5-2014 Online Publication Number ΒΙΦΘ9-Τ0Τ) on authorization to establish and operate and authorization to relocate places of worship for religious communities of religions and denominations other than the Church of Greece".

According to the above-mentioned provisions, for the operation of houses of prayer/temples and places of worship in general, in addition to the application of the common urban planning regulations, a relevant authorization by the Minister of Education and Religious Affairs is required.

The relevant administrative authorization is granted (by binding authority, as has been ruled by case law) by decision of the Minister of Education and Religious Affairs, after verification that on the one hand the three conditions defined by Article 13 par. 2 of the Constitution are

met (Council of State Plenary Session decision 4202/2012, Council of State Plenary Session decision 1444/1991, Council of State 5572/1996, Supreme Court 20/2001), that this concerns a known religion with no hidden beliefs, that no proselytism is practiced and the practice of public worship is in accordance with public order and the principles of moral conduct, and on the other hand, the other provisions set by the legislation in force apply (Emergency Law 1363/38, Emergency Law 1672/39, Royal Decree 20 May/2-6-39 and Law 3467/06). In fact, *"non-compliance with the negative condition laid down by Article 13 par. 2 of the Constitution on practicing religious worship, namely the condition of not offending public order or the principles of moral conduct through specific acts of worship, is normally established by state repressive action"* (Council of State Plenary Session decision 4202/2012 argument 8); however, the prior precautionary administrative investigation of the conformity of each case with formal and easily verifiable requirements and regulations, as those set in a general way by the grid of public order rules, may not be excluded or deemed incompatible with the Constitution.

The term "house of prayer", as it has been set out, is a place of worship of relatively small size, built on private property and intended to serve as a place of worship of God by a limited circle of people, as opposed to a "temple" which is dedicated to the public worship of God by any person, without discrimination (Supreme Court Plenary 20/2001 Penal Law Chamber).

In accordance to the regulations of **article 1 of Royal Decree 20-05/02-06-1939** (A' 220), for issuing the authorization required for the establishment and operation of a temple, an application of at least fifty (50) families is required, whereas for issuing the authorization of a house of prayer, even a single-digit number of applicants is sufficient (case law of the Council of State has upheld the number of five persons as sufficient).

It is noted that the use of the terms "temple" or "house of prayer" are of an administrative/technical nature, as religious communities select the exact designation of their places of prayer/worship, which is stated on the relevant application submitted to the Ministry of Education and Religious Affairs.

Therefore, the individual right of freedom of religious worship, as guaranteed by the Constitution of Greece and by international legal texts, is neither unlimited nor uncontrolled, but is subject to very specific (and strictly limited) conditions, among which is that of not offending public order, which is a legitimate restriction (since in the very constitutional provision of Article 13 (4) it is provided for that complying with the law is a direct restriction to this right). This restriction operates both in a consequential manner, in the sense that the exercise of religious worship is not above the law, and in a positive manner, in the sense that practicing believers are subject to the same legal obligations and requirements shared by all under the law.

As it is accepted by all legal theory and case law: *"Freedom of worship does not enshrine the absolute right for believers to worship God where they want and when they want, without complying with the law nor does it enshrine a particular right to practice rites of worship in a designated area. It merely guarantees the right for believers of all religions and denominations to worship God in their own way and with the means chosen by themselves and imposed by the rules of their religion without unjustified obstacles and arbitrary interference by the State"* (Opinion by Antonis Maniatis entitled "Constitutional protection of cultural property and freedom of worship, in response of the use of the Rotonda" Thessaloniki 05-03-1995). Therefore, under the above conditions, the administrative authorization of the place of worship constitutes *"a necessary measure in a democratic society pursuing a legitimate aim, namely the protection of public order, as the authorization is a measure proportionate to the legitimate aim pursued"* (Supreme Court 20/2001).

10. The necessity of issuing a circular

It has been noted that the administrative practice followed up to the adoption of the 69230/A3/6-5-2014 (Online Publication Number VIF09-TOT) joint circular (i.e. the practice of granting an authorization for the establishment and operation as well as relocation to houses of prayer/temples and places of worship in general with the subsequent obligation of the religious community to take all necessary steps for the legal operation of the house of prayer/temple and place of worship in general), apart from the fact that it did not comply with the rules of cross-administration, since it entailed the risk that one service would issue a permit and the other would revoke it because it infringed its own powers- it did not operate in an efficient manner, so as to ensure, on the one hand, the safe assembly of members of religious communities in the place of worship and their protection, on the other hand, the legal rights, safety and quality of life of the residents and, thirdly, the legal good of social peace and coexistence, always within the aforementioned framework of constitutional protection.

Thus, the authorization and then the operation of houses of prayer/temples and places of worship in general was observed, without, however, the minimum legal general requirements for safe public assembly being met, with large gatherings of believers exceeding by far the intended capacity, in basements, auxiliary and generally unsuitable areas, without ventilation and lighting, without sanitary facilities, and even with the use of powerful sound installations, which emit excessive and disproportionate sound disturbances for a long period of time, thus infringing the rights of residents.

Such situations, however, in addition to the violation of the existing provisions, posed dangers both for the safe performance of the religious duties of the believers and for the outbreak of serious disputes and quarrels, directly affecting social peace and smooth coexistence. Taking into account, therefore, the need for a change in the practice of granting an authorization for the establishment and operation, as well as for the relocation, to houses of prayer/temples and general places of worship of other religious groups, with absolute respect to the right of religious communities to practice worship freely and in an unhindered manner, the relevant bodies with the 69230/A3/6-5-2014 (Online Publication Number: BIF09-TOT) joint circular, **have compiled (and reiterated, without setting new legal rules, providing in fact instructions and clarifications for their correct application)** the existing legal requirements in force for granting an authorization to establish and operate a religious institution, as well as for granting an authorization to relocate houses of prayer/temples and, more generally, places of worship of other religious communities, **so as to ensure the safe gathering of members of religious groups and the safety of neighbouring residents and establishments, which is an obligation of every law-abiding state.**

It is clarified that the maximum number of people (believers or visitors) that can safely gather in the authorized area, in accordance with the applicable provisions and the present circular, refers exclusively to the specific place and its characteristics and of course does not relate to or place any restrictions on the total number of believers of the religious community or on any future increase of their number.

Similar problems were encountered by the Services, especially the competent urban planning authorities, and the citizens regarding the issuance of authorizations for the construction of a place of worship, which made it necessary to issue Circular 128231/01/2-8-2016 (Online Publication Number: ΨΔ014653ΠΣ-ΓΕΙ) "Process for construction of a worship place (temple or house of prayer) of a formal or informal form of organization of a religion or a denomination of a religious community (other than the Eastern Orthodox Church of Christ)", which provided a similar solution -namely the concentration of the existing legislation with the provision of

instructions and clarifications for its proper implementation- to the circular regarding the issuance of an authorization for the establishment and operation of places of worship.

The third issue that the Services were called upon to deal with was the existence of an undetermined number of houses of prayer/temples and places of worship in general - belonging even to historical religious communities- which were established and operated prior to the existing legislative framework (1938-1939) in buildings that existed before 30/11/1955, date of entry into force of the **09/08/1955 Royal Decree "General Building Regulation"** were considered to be legally existing as defined in paragraph 1d of article 23 of Law 4067/2012 (A' 79), as amended by article 45 of Law 4546/2018 (A'101). Based on the best possible resolution of the issue, within the existing legislation, the Ministry of Education and Religious Affairs issued Circular **176169/01/19-10-2018 (Online Publication Number: OA3Y4653ΠΣ-8B3)** "Procedure for recognizing a worship place existing before 1955, of formal or informal form of organization, religion and denomination of religious communities (except for those referred to in Article 3 of the Constitution under the jurisdiction "klima" of the Eastern Orthodox Church of Christ)".

The experience of the three aforementioned Circulars has been very positive for both the Services involved and the citizens. Adhering to the same principles and following the same philosophy with which the joint circular 69230/A3/6-5-2014 (Online Publication Number: ΒΙΦΘ9-ΤΟΤ) "Issuing authorization to establish and operate places of worship for religious communities of religions and denominations other than the Church of Greece", it was deemed necessary to issue the present joint circular which updates and incorporates what is mentioned in the circulars for issuing authorization to construct, establish and operate and recognize an existing pre-1955 worship place so that the Services and citizens can find in a single text all the relevant legislation as well as instructions and clarifications for its implementation.

11. Content of authorization and Obligations of Religious Ministers

On the administrative authorization granted by the Ministry of Education and Religious Affairs in accordance with this circular **shall be entered:**

1. the **number of population** declared by the religious community, as the maximum number of persons (believers or visitors) that may gather in the place of worship, depending on the net floor area of the place of worship, as detailed in par. II.6.B. of the present, so that the declared maximum number of guests cannot be greater than the ratio of the net floor area of the place of worship to the factor 0,65 (it is noted that the above surface area is smaller than the surface area indicated on the notarial acts of the building or part of it, e.g. Horizontal Ownership Constitution, the purchase and sale contract, which is the total (gross) surface area of the premises, including the remaining ancillary and other rooms as well as structural elements, walls etc., that are not included on the surface area of the place of worship), the **name of the religious minister/responsible** for the place of worship and his/her deputy(ies).
2. **the name of the house of prayer/temple and, more generally, the place of worship, which** must, in particular, reflect the religious identity of the place and respect the principle of truthfulness, not contravene public order and the principles of moral conduct, not be misused and not infringe the rights of third parties, in particular of other religious communities. The name must be rendered in the Greek language with an accurate translation/rendition, with the possibility of it being transcribed in Latin characters as an adjunct so that the true and precise religious identity of the house of prayer/temple and, in general, the place of worship, can be derived clearly and without any possibility of confusion. Any incorrect or misleading rendering of the

name in Greek will make it **unacceptable for reasons of confusion and violation of the principle of truthfulness.**

3. **The note that "The religious minister and his/her deputies, according to Article 14 of Law 4301/2014, are obliged to notify without delay the changes of the data kept, so that the registers held at the Ministry of Education and Religious Affairs are immediately updated and that the valid and timely information of the Registry Offices of the country for the legal consequences of the ceremonies they perform is ensured".**

In order to provide reliable information to the believers and other visitors interested in the house of prayer/temple and in general the place of worship but also in order to facilitate the supervisory task of the competent authorities, the religious minister responsible for the place **is obliged to post (a) prominently, close to the entrance door, a sign indicating the name of the religious community and the Online Publication Number on the Transparency Portal** of the granted authorization to the house of prayer/temple and place of worship in general; and (b) the authorization of operation in a prominent place within the place of worship.

The religious minister/responsible for the house of prayer/temple and in general the place of worship after the issuance of authorization, must immediately disclose the Tax Identification Number issued by the competent Directorate of Economic Affairs of the seat, to service the transactions of the specific religious community and the authorized place of worship, in compliance with the applicable tax provisions, by providing a copy of the certificate of the VAT Identification Number to the competent service of the Ministry of Education and Religious Affairs or by sending it by e-mail.

The religious minister as the person responsible for the house of prayer/temple and, in general, the place of worship of the religious community is obliged to submit on his/her own responsibility and without delay, in particular on grounds of change of circumstances, or expiry of the certificates, all the necessary documents in order to verify compliance with the provisions in force and to keep up to date the authorization records.

Especially in the case of absence/loss of the religious minister and absence of a deputy religious minister, this obligation is transferred to the religious community, so that the registers kept at the Ministry of Education and Religious Affairs are immediately updated. In this case, the religious community must replace the religious minister as soon as possible or apply for the revocation of the authorization of operation of the place of worship.

The administrative authorizations issued are **communicated by the authorization authority to the following public services** of the seat of the house of prayer/temple and in general place of worship, in order to inform them and to facilitate the exercise of their responsibilities:

1. to the competent Building Service of the Municipality concerned
2. to the competent Fire Service
3. to the competent Directorate for Health and Public Health
4. to the Headquarters of the Hellenic Police, in order to inform the competent Police Station
5. to the Ministry of Interior, Directorate of Civil and Municipal Status, in order to inform the competent Registry Office
6. to the Municipality concerned in order to inform the competent Revenue Department.

It should be noted that the Service may request any other necessary document to complete or clarify the submitted application.

In case of violation of the religious minister's obligations to submit or complete the necessary documents (e.g. notification to the Service of his/her VAT number or valid fire safety certificate, etc.) or refusal to submit or complete the documents following a demand from the Service, the authorization may be revoked.

III. REQUIRED DOCUMENTS WHERE APPLICABLE

In light of the above, the religious communities, concerning the recognition of an existing pre-1955 house of prayer/temple and in general place of worship or the authorization to construct or to establish and operate, or to relocate or change of name, or to revoke the authorization to operate of their religious house of prayer/temple and in general place of worship, as well as for the replacement of a religious minister or the appointment of a deputy religious minister/responsible for the religious house of prayer/temple and in general place of worship, are required to submit the following documents to the competent Service of the Ministry of Education and Religious Affairs, which must, where applicable, be recent and valid on the date of submission of the application:

[1. Supporting documents for the recognition of a house of prayer/temple and in general a place of worship existing before 1955](#)

[A. Religious communities](#)

The application must be signed by the responsible religious minister and at least five (05) members of the religious community in question. The application shall specify the name of the place of worship, its seat, the religious minister in charge, the time of its establishment and opening (with best possible documentation of the evidence proving its age), the maximum number of guests and the surface area of the property. The application must state the residence addresses of the religious minister and the applicant members and the authentication of their signatures must be included. The application must also indicate the e-mail address of the religious community and the religious minister.

The application is accompanied by:

1. A Confession of Faith (brief description of the basic principles of the faith and worship rites, mentioning any celebrated ceremonies).
2. A copy of the Identity Card or a copy of the Passport of the religious minister and the members who sign the application, if they are Greek Citizens. If the applicants are European Citizens, a legally certified copy of their Passport is required, while if they are not Greek or European Citizens, a copy of their valid residence permit in the country and a legally certified copy of their Passport are required.
3. A Curriculum vitae of the religious minister (reference to qualifications).
4. A Property title deed (and the certificate of transfer registration from the competent local Land Registry), in the name of the religious minister or of one of the applicant members of the community, or other documents proving the legal possession of the place (concession, lease, etc.). In case of a Cadastre, a relevant extract from the cadastral registry entry.
5. A relevant engineer's attestation according to article 107 of Law 4495/17 (attached model form 1 in the Annex), indicating the exact location of the property, the time of its construction, the total surface area of the property (religious place), the surface area of the net floor area of the place of worship and the number of people that can

be served (see II.6.B. and II.11.1. of the present) and certifying the legality of its construction and use as a religious place existing before 1955.

The attestation shall mention and attach:

- a) copies of any suitable technical data (aerial photographs, etc.) and/or documents (generally public, such as contracts, legacies, appropriate documents certifying a religious endowment, its purpose and details (e.g. testament, gift inter vivos, concession), decisions on municipal fees, certificates of Local Government Organization "OTA", Property Tax "ΦΑΠ" and Single Property Tax on Real Estate "ΕΝΦΙΑ" statements, etc., but not excluding private documents, which are judged on a case-by-case basis, such as electricity bills, copies of cadastral sheets, etc.), to document the time of the construction and use of the property before 1955.
 - b) Layouts and sectional views of the property, as well as photographs of the property (exterior and interior), with a clear reference to the surface area of the net floor of the place of worship.
 - c) A Certificate of (active) fire protection, which is issued by the competent Fire Authority, in accordance with No. **13/2013 Fire Decree** (B' 1586) and **3/2015 Fire Decree** (B' 529), as applicable.
6. Evidence of the time of use of the building as a place of worship before 30th-11-1955 until today (time of the religious use). The documentation is proved by the submission of any appropriate means and evidence (documents from public authorities, appropriate documents certifying a religious endowment, its purpose and details (e.g. testament, gift inter vivos, concession), marriage licenses, registers of ceremonies, etc.) from which it can be deduced that the place of worship had been operating in the building in question before 30th November 1955 and has kept operating continuously and uninterruptedly to the present day.
7. In the exceptional case in which the residence address of the religious minister coincides with that of the place of worship under recognition (e.g. when he/she resides in the same building but in a different apartment, etc.), the religious minister submits an additional, solemn declaration of Law 1599/1986 stating that he/she does not reside in the same place as the house of prayer or place of worship under recognition.

B. Ecclesiastical or religious legal entities of Law 4301/2014

If the house of prayer/temple and the place of worship in general belongs to ecclesiastical or religious legal entities of Law 4301/2014 the application must be signed by the competent bodies of the legal entities, namely the head of the Ecclesiastical Legal Person or the Religious Legal Person and the religious minister of the house of prayer/temple and in general place of worship or, in case there is no religious minister, permanently attached as the person responsible for the specific house of prayer/temple and in general place of worship (e.g. religious communities that serve their religious needs by inviting a minister) then a Natural Person, appointed by the Administration, must be declared as the person in charge of the house of prayer/temple and in general place of worship. The application shall specify the name of the house of prayer/temple and place of worship in general, its seat, the religious minister or the natural person/responsible for the place of worship, the time of its establishment and operation (with the best possible documentation of the data proving its age), the maximum number of guests and the surface area of the property. The application must include the residence address of the religious minister or the natural person/responsible for the place of worship and the authentication of their signatures. Also, the e-mail address of

the Ecclesiastical Legal Person or the Religious Legal Person and the religious minister must be indicated in the application form.

The application is accompanied by:

1. A copy of the Identity Card or a copy of the Passport of the applicants, if they are Greek Citizens. If the applicants are European Citizens, a legally certified copy of their Passport is required. If they are not Greek or European Citizens, a copy of their valid residence permit in the country and a legally certified copy of their Passport are required, in case they are not kept on the service file.
2. A Curriculum vitae of the religious minister (reference to qualifications) in case it is not kept on the service file.
3. A Property title deed (and the certificate of transfer registration from the competent local Land Registry), in the name of the legal person, or other documents proving the legal possession of the place (concession, lease, etc.). In case of a Cadastre, a relevant extract from the cadastral registry entry.
4. A relevant engineer's attestation according to article 107 of Law 4495/17 (attached model form 1 in the Annex), indicating the exact location of the property, the time of its construction, the total surface area of the property (religious place), the surface area of the net floor area of the place of worship and the number of people that can be served (see II.6.B. and II.11.1. of the present) and certifying the legality of its construction and use as a religious place existing before 1955.

The attestation shall mention and attach:

- a) copies of any suitable technical data (aerial photographs, etc.) and/or documents (generally public, such as contracts, legacies, appropriate documents certifying a religious endowment, its purpose and details (e.g. testament, gift inter vivos, concession), decisions on municipal fees, certificates of Local Government Organization "OTA", Property Tax "ΦΑΠ" and Single Property Tax on Real Estate "ΕΝΦΙΑ" statements, etc., but not excluding private documents, which are judged on a case-by-case basis, such as electricity bills, copies of cadastral sheets, etc.), to document the time of the construction and use of the property before 1955.
 - b) Layouts and sectional views of the property, as well as photographs of the property (exterior and interior), with a clear reference to the surface area of the net floor of the place of worship.
 - c) A Certificate of (active) fire protection, which is issued by the competent Fire Authority, in accordance with No. **13/2013 Fire Decree** (B' 1586) and **3/2015 Fire Decree** (B' 529), as applicable.
5. Evidence of the time of use of the building as a place of worship before 30th-11-1955 until today (time of the religious use). The documentation is proved by the submission of any appropriate means and evidence (documents from public authorities, appropriate documents certifying a religious endowment, its purpose and details (e.g. testament, gift inter vivos, concession), marriage licenses, registers of ceremonies, etc.) from which it can be deduced that the place of worship had been operating in the building in question before 30th November 1955 and has kept operating continuously and uninterruptedly to the present day.
 6. In the exceptional case in which the residence address of the religious minister or the Natural person/responsible for the place of worship coincides with that of the place of worship under recognition (e.g. when he/she resides in the same building but in a different apartment, etc.), the religious minister or the Natural person/responsible for

the place of worship submits an additional, solemn declaration of Law 1599/1986 stating that he/she does not reside in the same place as the house of prayer/temple or place of worship under recognition.

C. Muslim places of worship in Kos and Rhodes

For Muslim places of worship in Kos and Rhodes, the application must be signed by the local President and the Members of the Board of Directors of the Waqf Estate Management Organization of Kos or Rhodes respectively. The application shall specify the name of the house of prayer/temple and place of worship in general, its seat, the religious minister responsible for the place of worship, the time of its establishment and operation (with the best possible documentation of the data proving its age), the maximum number of guests and the surface area of the property. Also, the e-mail address of the local Waqf Estate Management Organization and the religious official must be indicated in the application form.

The application is accompanied by:

1. A copy of the Identity Card or a copy of the Passport of the applicants, if they are Greek Citizens. If the applicants are European Citizens, a legally certified copy of their Passport is required. If the applicants are not Greek or European Citizens, a copy of their valid residence permit in the country and a legally certified copy of their Passport are required, in case they are not kept on the service file.
2. A Curriculum vitae of the religious minister (reference to qualifications) in case it is not kept on the service file.
3. Property title deeds.
4. A relevant engineer's attestation according to article 107 of Law 4495/17 (attached model form 1 in the Annex), indicating the exact location of the property, the time of its construction, the total surface area of the property (religious place), the surface area of the net floor area of the place of worship and the number of people that can be served (see II.6.B. and II.11.1. of the present) and certifying the legality of its construction and use as a religious place existing before 1955.

The attestation shall mention and attach:

- a) copies of any suitable technical data (aerial photographs, etc.) and/or documents (generally public, such as contracts, legacies, appropriate documents certifying a religious endowment, its purpose and details (e.g. testament, gift inter vivos, concession), decisions on municipal fees, certificates of Local Government Organization "OTA", Property Tax "ΦΑΠ" and Single Property Tax on Real Estate "ΕΝΦΙΑ" statements, etc., but not excluding private documents, which are judged on a case-by-case basis, such as electricity bills, copies of cadastral sheets, etc.), to document the time of the construction and use of the property before 1955.
 - b) Layouts and sectional views of the property, as well as photographs of the property (exterior and interior), with a clear reference to the surface area of the net floor of the place of worship.
 - c) A Certificate of (active) fire protection, which is issued by the competent Fire Authority, in accordance with No. **13/2013 Fire Decree** (B' 1586) and **3/2015 Fire Decree** (B' 529), as applicable.
5. Evidence of the time of use of the building as a place of worship before 30th-11-1955 until today (time of the religious use). The documentation is proved by the submission of any appropriate means and evidence (documents from public authorities,

appropriate documents certifying a religious endowment, its purpose and details (e.g. testament, gift inter vivos, concession), marriage licenses, registers of ceremonies, etc.) from which it can be deduced that the place of worship had been operating in the building in question before 30th November 1955 and has kept operating continuously and uninterruptedly to the present day.

It is noted that especially for these places, the application with all supporting documents is addressed to the Department of Muslim Affairs of the Directorate for Religious Administration of the Ministry of Education and Religious Affairs, due to its competence.

D. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)

The application must be signed by the President of the Central Board of Jewish Communities in Greece and the data of the religious ministers and the President of the local Jewish Community, as the Natural Person in charge of the place of worship, must be declared. The application shall specify the name of the house of prayer/temple and place of worship in general, its seat, the religious ministers, the time of its establishment and operation (with the best possible documentation of the data proving its age), the maximum number of guests and the surface area of the property. Also, the e-mail address of the local Jewish Community and the religious minister must be indicated in the application form.

The application is accompanied by:

1. A copy of the Identity Card or a copy of the Passport of the applicants, if they are Greek Citizens. If the applicants are European Citizens, a legally certified copy of their Passport is required. If they are not Greek or European Citizens, a copy of their valid residence permit in the country and a legally certified copy of their Passport are required, in case they are not kept on the service file.
2. Curriculum vitae of the religious ministers (reference to qualifications), in case they are not kept on the service file.
3. A Property title deed (and the certificate of transfer registration from the competent local Land Registry), in the name of the Legal Entity under Public Law, or legal possession (concession etc.). In case of a Cadastre, a relevant extract from the cadastral registry entry.
4. A relevant engineer's attestation according to article 107 of Law 4495/17 (attached model form 1 in the Annex), indicating the exact location of the property, the time of its construction, the total surface area of the property (religious place), the surface area of the net floor area of the place of worship and the number of people that can be served (see II.6.B. and II.11.1. of the present) and certifying the legality of its construction and use as a religious place existing before 1955.

The attestation shall mention and attach:

- a) copies of any suitable technical data (aerial photographs, etc.) and/or documents (generally public, such as contracts, legacies, appropriate documents certifying a religious endowment, its purpose and details (e.g. testament, gift inter vivos, concession), decisions on municipal fees, certificates of Local Government Organization "OTA", Property Tax "ΦΑΠ" and Single Property Tax on Real Estate "ΕΝΦΙΑ" statements, etc., but not excluding private documents, which are judged on a case-by-case basis, such as electricity bills, copies of cadastral sheets, etc.), to document the time of the construction and use of the property before 1955.

b) Layouts and sectional views of the property, as well as photographs of the property (exterior and interior), with a clear reference to the surface area of the net floor of the place of worship.

c) A Certificate of (active) fire protection, which is issued by the competent Fire Authority, in accordance with No. **13/2013 Fire Decree** (B'1586) and **3/2015 Fire Decree** (B' 529), as applicable.

5. Evidence of the time of use of the building as a place of worship before 30th-11-1955 until today (time of the religious use). The documentation is proved by the submission of any appropriate means and evidence (documents from public authorities or from the Central Board of Jewish Communities in Greece, appropriate documents certifying a religious endowment, its purpose and details (e.g. testament, gift inter vivos, concession), marriage licenses, registers of ceremonies, etc.) from which it can be deduced that the place of worship had been operating in the building in question before 30th November 1955 and has kept operating continuously and uninterruptedly to the present day.

It is understood that if the building is posterior to 1955, the religious communities concerned must follow the procedures set out in this circular for the issuance of an authorization to establish and operate a house of prayer/temple and a place of worship in general and submit a full set of the required documents in order for the authorization to be issued in accordance with the provisions in force.

2a). Supporting documents for issuing an authorization to construct a house of prayer/temple and a place of worship in general

A. Religious communities

1. An application signed by the religious minister and at least five (05) members of the religious community of the house of prayer/temple and in general place of worship, in which it is indicated the full name of the religious community, the exact address of the plot of land/field where the house of prayer/temple and in general place of worship is to be built and, in any case, the maximum number of guests (believers or visitors), in order to comply with the relevant provisions on the minimum surface area of the declared area. The application must state the residence addresses of the religious minister and the applicant members and the authentication of their signatures must be certified. Also, the application must indicate the e-mail address of the religious community and the religious minister.
2. A copy of the Identity Card or a copy of the Passport of the religious minister and the members who sign the application, if they are Greek Citizens. If the applicants are European Citizens, a legally certified copy of their Passport is required, while if they are not Greek or European Citizens, a copy of their valid residence permit in the country and a legally certified copy of their Passport are required.
3. A Curriculum vitae of the religious minister (reference to qualifications).
4. A Property title deed of the property on which the house of prayer/temple or place of worship in general is to be built (and the certificate of transfer registration from the local Land Registry, in the name of the religious minister or of one of the applicant members of the community), or other documents proving the legal possession of the

place (concession, etc.). In case of a Cadastre, a relevant extract from the cadastral registry entry.

5. An Attestation of the competent Building Service “ΥΔΟΜ” for the activities allowed taking place on the specific property for which the authorization to construct a house of prayer/temple or a place of worship in general is requested (attestation of land use).
6. A Confession of Faith (brief description of the basic principles of the faith and worship rites, mentioning any celebrated ceremonies).
7. A private civil engineer's attestation/technical report regarding the capacity of the house of prayer/temple and in general place of worship under construction, in accordance with the provisions and conditions of paragraph II.8. of the present (attached model form 2a in the Annex), in which copies of drawings (layouts, sectional views) shall be mentioned/attached and shall be submitted in the competent Building Service “ΥΔΟΜ” for the approval of the building permit.

B. Ecclesiastical or religious legal entities of Law 4301/2014

1. An application signed by the competent bodies of the legal entities, namely the head of the Ecclesiastical Legal Person or the Religious Legal Person and the religious minister of the house of prayer/temple and in general place of worship, which shall specify the full name of the Ecclesiastical or Religious Legal Person as well as the name of the house of prayer/temple and place of worship in general, the exact address of the plot of land/field where the place of worship is to be built and, in any case, the maximum number of guests (believers or visitors), in order to comply with the relevant provisions on the minimum surface area of the declared area. The application must include the residence address of the Ecclesiastical or Religious Legal Person and bear its stamp. Also, the e-mail address of the Ecclesiastical or Religious Legal Person and the religious minister must be indicated in the application form.
2. A copy of the Identity Card or a copy of the Passport of the applicants, if they are Greek Citizens. If they are European Citizens, a legally certified copy of their Passport is required. If the applicants are not Greek or European Citizens, a copy of their valid residence permit in the country and a legally certified copy of their Passport are required, in case they are not kept on the service file.
3. A Curriculum vitae of the religious minister (reference to qualifications) in case it is not kept on the service file.
4. A Property title deed of the property on which the house of prayer/temple or place of worship in general is to be built (and the certificate of transfer registration from the local Land Registry, in the name of the Ecclesiastical/Religious Legal Person or the religious minister, or other documents proving the legal possession of the place (concession, etc.). In case of a Cadastre, a relevant extract from the cadastral registry entry.
5. An Attestation of the competent Building Service “ΥΔΟΜ” for the activities allowed taking place on the specific property for which the authorization to construct a house of prayer/temple or place of worship in general is requested (attestation of land use).
6. A private civil engineer's attestation/technical report regarding the capacity of the house of prayer/temple and in general place of worship under construction, in

accordance with the provisions and conditions of paragraph II.8. of the present (attached model form 2a in the Annex), in which copies of drawings (layouts, sectional views) shall be mentioned/attached and shall be submitted in the competent Building Service “ΥΔΟΜ” for the approval of the building permit.

C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)

1. An application signed by the President of the Central Board of Jewish Communities in Greece, the President of the local Jewish Community (if there is one) and the religious minister, which shall indicate the name of the house of prayer/temple and place of worship in general, the exact address of the plot of land/field where the place of worship is to be built and, in any case, the maximum number of guests (believers or visitors), in order to comply with the relevant provisions on the minimum surface area of the declared area. Also, the application must include the e-mail address of the Central Board of Jewish Communities in Greece, the local Jewish Community (if there is one) and the religious minister.
2. A copy of the Identity Card or a copy of the Passport of the applicants, if they are Greek Citizens. If they are European Citizens, a legally certified copy of their Passport is required. If the applicants are not Greek or European Citizens, a copy of their valid residence permit in the country and a legally certified copy of their Passport are required, in case they are not kept on the service file.
3. Curriculum vitae of the religious ministers (reference to qualifications), in case there are not kept on the service file.
4. A Property title deed of the property where the house of prayer/temple and in general place of worship is to be built (and the certificate of transfer registration from the competent Land Registry), in the name of the Central Board of Jewish Communities in Greece or the local Jewish Community or other documents proving the legal possession of the place (concession, etc.). In case of a Cadastre, a relevant extract from the cadastral registry entry.
5. An Attestation of the competent Building Service “ΥΔΟΜ” for the activities allowed taking place on the specific property for which the authorization to construct a house of prayer/temple or place of worship in general is requested (attestation of land use) and
6. A private civil engineer's attestation/technical report regarding the capacity of the house of prayer/temple and in general place of worship under construction, in accordance with the provisions and conditions of paragraph II.8. of the present (attached model form 2a in the Annex), in which copies of drawings (layouts, sectional views) shall be mentioned/attached and shall be submitted in the competent Building Service “ΥΔΟΜ” for the approval of the building permit.

2b). Supporting documents for the issuance of an authorization to build an addition/extension to an existing house of prayer/temple and a place of worship in general

A. Religious communities

1. An application signed by the religious minister of the house of prayer/temple and in general place of worship, in which it is indicated the full name of the religious community, the exact address of the house of prayer/temple and in general place of worship, the exact address of the plot of land/field where the addition/extension is

to be built, and in any case, the maximum number of guests (believers or visitors), in order to comply with the relevant provisions on the minimum surface area of the declared area. The authentication of his/her signature must be certified in the application. Also, the application must indicate the e-mail address of the religious community and the religious minister.

2. A Property title deed of the property on which the building addition/extension is to be built (and the certificate of transfer registration from the local Land Registry, in the name of the religious minister or of one of the applicant members of the community), or other documents proving the legal possession of the place (concession, etc.). In case of a Cadastre, a relevant extract from the cadastral registry entry.
3. An Attestation of the competent Building Service “ΥΔΟΜ” for the activities allowed taking place on the specific property for which the authorization to build an addition/extension is requested (attestation of land use).
4. A private civil engineer's attestation/technical report regarding the capacity of the requested addition/extension, as well as the capacity of the total space (existing + addition) in accordance with the provisions and conditions of paragraph II.8. of the present (attached model form 2b in the Annex), in which copies of drawings (layouts, sectional views) shall be mentioned/attached and shall be submitted in the competent Building Service “ΥΔΟΜ” for the approval of the building permit.
5. An authorization for the establishment and operation or a certified deed verifying the operation of the house of prayer/temple and place of worship in general.

B. Ecclesiastical or religious legal entities of Law 4301/2014

1. An application signed by the competent bodies of the legal entities, namely the head of the Ecclesiastical Legal Person or the Religious Legal Person and the religious minister of the house of prayer/temple and in general place of worship, which shall specify the full name of the Ecclesiastical or Religious Legal Person as well as the name of the house of prayer/temple and place of worship in general, the exact address of the plot of land where the addition/extension is to be built, and in any case, the maximum number of guests (believers or visitors), in order to comply with the relevant provisions on the minimum surface area of the declared area. The application must include the residence address of the Ecclesiastical or Religious Legal Person and bear its stamp. Also, the e-mail address of the Ecclesiastical or Religious Legal Person and the religious minister must be indicated in the application form.
2. A Property title deed of the property on which the building addition/extension is to be built (and the certificate of transfer registration from the local Land Registry, in the name of the Ecclesiastical/Religious Legal Person or the religious minister, or other documents proving the legal possession of the place (concession, etc.). In case of a Cadastre, a relevant extract from the cadastral registry entry.
3. An Attestation of the competent Building Service “ΥΔΟΜ” for the activities allowed taking place on the specific property for which the authorization to build an addition/extension is requested (attestation of land use).
4. A private civil engineer's attestation/technical report regarding the capacity of the requested addition/extension, as well as the capacity of the total space (existing +

addition) in accordance with the provisions and conditions of paragraph II.8. of the present (attached model form 2b in the Annex), in which copies of drawings (layouts, sectional views) shall be mentioned/attached and shall be submitted in the competent Building Service “ΥΔΟΜ” for the approval of the building permit.

5. An authorization for the establishment and operation or a certified deed verifying the operation of the house of prayer/temple and place of worship in general.

C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)

1. An application signed by the President of the Central Board of Jewish Communities in Greece, the President of the local Jewish Community (if there is one) and the religious minister, which shall specify the name of the house of prayer/temple and place of worship in general, the exact address of the plot of land where the addition/extension is to be built, and in any case, the maximum number of guests (believers or visitors), in order to comply with the relevant provisions on the minimum surface area of the declared area. Also, the e-mail address of the Central Board of Jewish Communities in Greece, the local Jewish Community (if there is one) and the religious minister must be indicated in the application form.
2. A Property title deed of the property on which the building addition/extension is to be built (and the certificate of transfer registration from the local Land Registry) in the name of the Central Board of Jewish Communities in Greece or the local Jewish Community or other documents proving the legal possession of the place (concession, etc.). In case of a Cadastre, a relevant extract from the cadastral registry entry.
3. An Attestation of the competent Building Service “ΥΔΟΜ” for the activities allowed taking place on the specific property for which the authorization to build an addition/extension is requested (attestation of land use) and
4. A private civil engineer's attestation/technical report regarding the capacity of the requested addition/extension, as well as the capacity of the total space (existing + addition) in accordance with the provisions and conditions of paragraph II.8. of the present (attached model form 2b in the Annex), in which copies of drawings (layouts, sectional views) shall be mentioned/attached and shall be submitted in the competent Building Service “ΥΔΟΜ” for the approval of the building permit.
5. An authorization for the establishment and operation or a certified deed verifying the operation of the house of prayer/temple and place of worship in general.

3. Necessary documents for the authorization to establish and operate a house of prayer/temple and a place of worship in general

A. Religious communities

1. An application signed by at least five (05) members of the religious community and the religious minister, which shall specify the exact address and floor of the place of worship to be established, and in any case the maximum number of guests (believers and visitors) in order to comply with the relevant provisions on the minimum surface area of the declared area. The application must indicate the residence addresses of the applicant members and the authentication of their signatures must be certified.

Also, the application must indicate the e-mail address of the religious community and the religious minister.

In the exceptional case in which the residence address of the religious minister coincides with the address of the place of worship under establishment (e.g. when he/she resides in the same building but in a different apartment, etc.), the religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the house of prayer/temple or place of worship under establishment.

2. A copy of the Identity Card or a copy of the Passport of the religious minister and the members who sign the application, if they are Greek Citizens. If the applicants are European Citizens, a legally certified copy of their Passport is required, while if they are not Greek or European Citizens, a copy of their valid residence permit in the country and a legally certified copy of their Passport are required.
3. A Curriculum vitae of the religious minister (reference to qualifications).
4. A Confession of Faith (brief description of the basic principles of the faith and worship rites, mentioning any celebrated ceremonies) and Statute with any existing Internal Regulations (if the property for which the authorization for a house of prayer is requested has been granted by an association, a civil-law non-profit company, etc.).
5. A Property title deed (and the certificate of transfer registration from the local Land Registry), in the name of the religious minister or of one of the applicant members of the religious community, or a lease contract (certified or declared at the competent tax authority, in accordance with the provisions in force) of the property where the worship place is going to be established, or any other document proving the legal concession of the place for this use. In case of a Cadastre, a relevant extract from the cadastral registry entry. In case of a lease contract, it is required that the possibility of using the rented building for this purpose is indicated or otherwise a solemn declaration of the owner is presented accepting the use as a place of worship.
6. An Attestation of the competent Building Service “ΥΔΟΜ” for the activities allowed taking place on the specific property for which the authorization to operate a house of prayer/temple is requested (attestation of land use).
7. An Attestation of the principal use of the place according to article 107 of Law 4495/17 by a private civil engineer (attached model form 3 in the Annex), depending on the declared population (maximum number of guests each time) that the house of prayer/temple or general place of worship will serve, it will be certified explicitly, in detail and in accordance with the above, that the place (property) is legally existing - with regard to its construction and use - and therefore meets all the legal conditions for a place of principal use to function as a place of worship for the specified number of people, in accordance with the applicable Building Code, the fire protection regulations and the general and special Urban Planning provisions in force at the time. Also, the attestation shall state, as the minimum data required, the following: (a) all public documents concerning the legality of the place in terms of urban planning (as follows); (b) the level on which the place to be authorized is located; (c) an attestation of land use from the competent Building Service “ΥΔΟΜ”, d) the total surface area as well as the net floor surface area of the place of worship, e) the application of the provisions in force concerning adequate lighting and ventilation, sound insulation, water supply and sewage facilities, f) the existence of sanitary facilities. The above attestation must be accompanied by a copy of the building permit and any

amendments thereto as well as copies of layouts – sectional views of the area where the place of worship is to operate, where all spaces will be marked, including those provided for by specific provisions of the applicable institutional framework (e.g. building standards, sanitary standards,) and photographs of the place, as these layouts – sectional views accompany the building permit or the construction permit or a small-scale approval or a file update, or, where applicable (depending on whether it is subject to the corresponding law on exempting-legalizing-settling-regularizing) the copies of plans submitted to the competent authority or to the electronic data system of the Technical Chamber of Greece. In this case an attestation of procedure closure by the electronic data system of the Technical Chamber of Greece is required or attestation of repayment of 30% of the single special fine by the electronic system of the Technical Chamber of Greece, according to the provisions of the law to which they have been subjected. It is recalled that **paragraph 8 of article 107 of Law 4495/2017** as in force, provides for the following: "the attestation required certifying a place of principal use is issued by a private civil engineer. An attestation is required by the competent Building Service certifying that the new use is not prohibited by specific provisions in force applicable for the specific property or area of the property".

8. An Attestation issued by the competent Health Service certifying that the terms and conditions for general hygiene and environmental hygiene are met.
9. A Certificate for (active) fire protection, which is issued by the competent Fire Service, in accordance with the **Fire Protection Decree 13/2013** (B'1586), as in force.

B. Ecclesiastical or religious legal entities of Law 4301/2014

1. An Application signed by the competent bodies of the legal entities, namely the head of the Ecclesiastical Legal Person or the Religious Legal Person and the religious minister, which shall specify the full name of the Ecclesiastical or Religious Legal Person as well as the name of the house of prayer/temple and place of worship in general, the exact address and floor of the place of worship under establishment, and in any case the maximum number of guests (believers and visitors) in order to comply with the relevant provisions on the minimum surface area of the declared area. The application shall bear the stamp of the Ecclesiastical or Religious Legal Person and it must indicate the residence address of the religious minister, the residence address of the Ecclesiastical or the Religious Legal Person and the e-mail address of the Ecclesiastical or Religious Legal Person and the religious minister.

In the exceptional case in which the residence address of the religious minister coincides with the address of the place of worship under establishment (e.g. when he/she resides in the same building but in a different apartment, etc.), the religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the house of prayer/temple or place of worship under establishment.

2. A copy of the Identity Card or a copy of the Passport of the applicants, if they are Greek Citizens. If they are European Citizens, a legally certified copy of their Passport is required. If the applicants are not Greek or European Citizens, a copy of their valid residence permit in the country and a legally certified copy of their Passport are required.

3. A Curriculum vitae of the religious minister (reference to qualifications) in case it is not kept on the service file.
4. A Property title deed (and the certificate of transfer registration from the local Land Registry), in the name of the Ecclesiastical/Religious Legal Person or the religious minister, or a lease contract (certified or declared at the competent tax authority, in accordance with the provisions in force) of the property where the house of prayer/temple or worship place in general is going to be established. In case of a Cadastre, a relevant extract from the cadastral registry entry. In case of a lease contract, it is required that the possibility of using the rented building for this purpose is indicated, otherwise a solemn declaration of the owner accepting the use as a place of worship is presented.
5. An Attestation of the competent Building Service “ΥΔΟΜ” for the activities allowed taking place on the specific property for which the authorization to operate a temple/house of prayer or place of worship in general is requested (attestation of land use).
6. An Attestation of the principal use of the place according to article 107 of Law 4495/17, by a private civil engineer (attached model form 3 in the Annex), depending on the declared population (maximum number of guests each time) that the house of prayer/temple or general place of worship will serve, it will be certified explicitly, in detail and in accordance with the above, that the place (property) is legally existing - with regard to its construction and use - and therefore meets all the legal conditions for a place of principal use to function as a place of worship for the specified number of people, in accordance with the applicable Building Code, the fire protection regulations and the general and special Urban Planning provisions in force at the time. Also, the attestation shall state, as the minimum data required, the following: (a) all public documents concerning the legality of the place in terms of urban planning (as follows); (b) the level on which the place to be authorized is located; (c) an attestation of land use from the competent Building Service “ΥΔΟΜ”, d) the total surface area as well as the net floor surface area of the place of worship, e) the application of the provisions in force concerning adequate lighting and ventilation, sound insulation, water supply and sewage facilities, f) the existence of sanitary facilities. The above attestation must be accompanied by a copy of the building permit and any amendments thereto as well as copies of layouts – sectional views of the area where the place of worship is going to operate, where all spaces will be marked, including those provided for by specific provisions of the applicable institutional framework (e.g. building standards, sanitary standards,) and photographs of the place, as these layouts – sectional views accompany the building permit or the construction permit or a small-scale approval or a file update, or, where applicable (depending on whether it is subject to the corresponding law on exempting-legalizing-settling-regularizing) the copies of plans submitted to the competent authority or to the electronic data system of the Technical Chamber of Greece. In this case an attestation of procedure closure by the electronic data system of the Technical Chamber of Greece is required or an attestation of repayment of 30% of the single special fine by the electronic system of the Technical Chamber of Greece, according to the provisions of the law to which they have been subjected. It is recalled that **paragraph 8 of article 107 of Law 4495/2017** as in force, provides for the following: "the attestation required certifying a place of principal use is issued by a private civil engineer. An attestation is required by the competent Building Service certifying that the new use is not prohibited by specific provisions in force applicable for the specific property or area of the property".

7. An Attestation issued by the competent Health Service certifying that the terms and conditions for general hygiene and environmental hygiene are met.
8. A Certificate for (active) fire protection, which is issued by the competent Fire Service, in accordance with the **Fire Protection Decree 13/2013** (B'1586), as in force.

C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)

1. An Application signed by the President of the Central Board of Jewish Communities in Greece, the President of the local Jewish Community (if there is one) and the religious minister, which shall specify the name of the place of worship, the exact address of the place of worship under establishment, and in any case the maximum number of guests (believers and visitors) in order to comply with the relevant provisions on the minimum surface area of the declared area. Also, the application must indicate the residence address of the religious minister, the e-mail address of the Central Board of Jewish Communities in Greece, the local Jewish Community (if there is one), and the religious minister.

In the exceptional case in which the residence address of the religious minister coincides with the address of the place of worship under establishment (e.g. when he/she resides in the same building but in a different apartment, etc.), the religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the place of worship under establishment.

2. A copy of the Identity Card or a copy of the Passport of the applicants, if they are Greek Citizens. If they are European Citizens, a legally certified copy of their Passport is required. If the applicants are not Greek or European Citizens, a copy of their valid residence permit in the country and a legally certified copy of their Passport are required, in case they are not kept on the service file.
3. A Curriculum vitae of the religious minister (reference to qualifications) in case it is not kept on the service file.
4. A Property title deed (and the certificate of transfer registration from the local Land Registry), in the name of the Central Board of Jewish Communities in Greece or the local Jewish Community or a lease contract (certified or declared at the competent tax authority, in accordance with the provisions in force) of the property where the worship place is going to be established or any other document proving the legal concession of the possession of the place for the specific use. In case of a Cadastre, a relevant extract from the cadastral registry entry. In case of a lease contract, it is required that the possibility of using the rented building for this purpose is indicated, otherwise a solemn declaration of the owner accepting the use as a place of worship is presented.
5. An Attestation of the competent Building Service "ΥΔΟΜ" for the activities allowed taking place on the specific property for which the authorization to operate a temple/house of prayer or place of worship in general is requested (attestation of land use).
6. An Attestation of the principal use of the place according to article 107 of Law 4495/17, by a private civil engineer (attached model form 3 in the Annex), depending on the declared population (maximum number of guests each time) that the house of prayer/temple or general place of worship will serve, it will be certified explicitly, in detail and in accordance with the above, that the place (property) is legally existing

- with regard to its construction and use - and therefore meets all the legal conditions for a place of principal use to function as a place of worship for the specified number of people, in accordance with the applicable Building Code, the fire protection regulations and the general and special Urban Planning provisions in force at the time. Also, the attestation shall state, as the minimum data required, the following: (a) all public documents concerning the legality of the place in terms of urban planning (as follows); (b) the level on which the place to be authorized is located; (c) an attestation of land use from the competent Building Service “ΥΔΟΜ”, d) the total surface area as well as the net floor surface area of the place of worship, e) the application of the provisions in force concerning adequate lighting and ventilation, sound insulation, water supply and sewage facilities, f) the existence of sanitary facilities. The above attestation must be accompanied by a copy of the building permit and any amendments thereto as well as copies of layouts – sectional views of the place where the place of worship is going to operate, where all spaces will be marked, including those provided for by specific provisions of the applicable institutional framework (e.g. building standards, sanitary standards,) and photographs of the place, as these layouts – sectional views accompany the building permit or the construction permit or a small-scale approval or a file update, or, where applicable (depending on whether it is subject to the corresponding law on exempting-legalizing-settling-regularizing) the copies of plans submitted to the competent authority or to the electronic data system of the Technical Chamber of Greece. In this case an attestation of procedure closure by the electronic data system of the Technical Chamber of Greece is required or an attestation of repayment of 30% of the single special fine by the electronic system of the Technical Chamber of Greece, according to the provisions of the law to which they have been subjected. It is recalled that **paragraph 8 of article 107 of Law 4495/2017** as in force, provides for the following: "the attestation required certifying a place of principal use is issued by a private civil engineer. An attestation is required by the competent Building Service certifying that the new use is not prohibited by specific provisions in force applicable for the specific property or area of the property".

7. An Attestation issued by the competent Health Service certifying that the terms and conditions for general hygiene and environmental hygiene are met.
8. A Certificate for (active) fire protection, which is issued by the competent Fire Service, in accordance with the **Fire Protection Decree 13/2013** (B'1586), as in force.

4. Supporting documents for the authorization to relocate a house of prayer/temple and a place of worship in general

A. Religious communities

1. An application signed by the religious minister, which shall specify the exact address and floor of the new place of worship, and in any case the maximum number of guests (believers and visitors) in order to comply with the relevant provisions on the minimum surface area of the declared area. The application must certify the authentication of his/her signature. Also, the application must indicate the e-mail address of the religious community and the religious minister.

In the exceptional case in which the residence address of the religious minister coincides with the address of the new place of worship (e.g. when he/she resides in the same building but in a different apartment, etc.), the religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall

declare that he/she does not reside in the same place as the new house of prayer/temple or place of worship.

2. A copy of the Extract of the Minutes of the General Assembly of the members or a decision by the official central governing body of the religious community deciding on the relocation.
3. The above indents 5. to 9. supporting documents for the authorization to establish and operate houses of prayer/temples and places of worship in general for religious communities (section 3A).

B. Ecclesiastical or religious legal entities of Law 4301/2014

1. An Application signed by the competent bodies of the legal entities, namely the head of the Ecclesiastical Legal Person or the Religious Legal Person and the religious minister, which shall specify the exact address and floor of the new place of worship, and in any case the maximum number of guests (believers and visitors) in order to comply with the relevant provisions on the minimum surface area of the declared area. The application shall bear the stamp of the Ecclesiastical or Religious Legal Person and it must indicate the residence address of the Ecclesiastical or Religious Legal Person and the e-mail address of the Ecclesiastical or Religious Legal Person and the religious minister.

In the exceptional case in which the residence address of the religious minister coincides with the address of the new place of worship (e.g. when he/she resides in the same building but in a different apartment, etc.), the religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the new house of prayer/temple or place of worship.

2. The above indents 4. to 8. supporting documents for the authorization to establish and operate houses of prayer/temples and places of worship in general for Ecclesiastical or Religious legal entities of Law 4301/2014 (section 3B).

C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)

1. An Application signed by the President of the Central Board of Jewish Communities in Greece, the President of the local Jewish Community (if there is one) and the religious minister, which shall specify the exact address and the floor of the new place of worship, and in any case the maximum number of guests (believers and visitors), in order to comply with the relevant provisions on the minimum surface area of the declared area. The application must indicate the residence address of the religious minister, the e-mail address of the Central Board of Jewish Communities in Greece, the local Jewish Community (if there is one), and the religious minister.

In the exceptional case in which the residence address of the religious minister coincides with the address of the new place of worship (e.g. when he/she resides in the same building but in a different apartment, etc.), the religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the new place of worship.

2. The above indents 4. to 8. supporting documents for the authorization to establish and operate houses of prayer/temples and places of worship in general for Jewish Communities (section 3C).

5. Supporting documents for the authorization to change the name of a house of prayer/temple and place of worship in general for Religious communities

1. An application signed by the religious minister, in which the authentication of his/her signature is certified.
2. A copy of the Extract of the Minutes of the General Assembly of the members or a decision by the official central governing body of the religious community deciding on changing the name. The provisions that apply for the name are indicated in Chapter II, paragraph 11.
3. A Confession of Faith (brief description of the basic principles of the faith and worship rites, mentioning any celebrated ceremonies).

6. Supporting documents for the revocation of the authorization to construct or establish and operate a house of prayer/temple and a place of worship in general

The authorization for the construction or establishment and operation of the place of worship shall be revoked:

A. at the request of the religious community by submitting the following documents:

1. An application signed by the religious minister, setting out in full the reasons for the requested revocation (the validity of which may be verified by the service by any appropriate means), and in which the authentication of his/her signature is certified.
2. A copy of the Extract of the Minutes of the General Assembly of the members or a decision by the official central governing body of the religious community requesting the revocation of the authorization, setting out in full the reasons for the revocation.
3. An original or exact copy of the Book of the celebration of sacraments during the entire period of operation of the house of prayer/temple and place of worship in general, so that they are kept in the General State Archives, as provided for in **Law 4610/2019 (A' 70) and in particular Article 164** (for the revocation of the authorization of establishment and operation).

B. by the Ministry of Education and Religious Affairs if it is established that the minimum legal requirements for granting the administrative authorization are either not met or violated, such as, indicatively and not restrictively, :

1. Violation of constitutional provisions and public order rules.
2. Violation of the terms and conditions provided for in this circular for issuing an authorization for the construction or establishment and operation of a house of prayer/temple and a place of worship in general.
3. Absence of a religious minister for a period of more than six (6) months.
4. Cessation of operation of the place of worship for a period of more than six (6) months.

7. Supporting documents for the appointment of a deputy religious minister for a house of prayer/temple and a place of worship in general

A. Religious communities

1. An application signed by the religious minister on duty or the official central representative body of the religious community, if provided for in its Statute or

Internal Regulations (as filed with the Ministry of Education and Religious Affairs), requesting the appointment of the deputy religious minister and certifying the authenticity of his/her signature. The application must also indicate the residence address of the deputy religious minister, the e-mail address of the religious community, the religious minister and the deputy religious minister.

In the exceptional case in which the residence address of the deputy religious minister coincides with the address of the place of worship (e.g. when he/she resides in the same building but in a different apartment, etc.), the deputy religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the house of prayer/temple or place of worship.

2. A copy of the Extract of the Minutes of the General Assembly of the members or a decision by the official central body of the religious community appointing the deputy religious minister.
3. A copy of the Identity Card or a copy of the Passport of the deputy religious minister, if he/she is a Greek Citizen. If he/she is a European Citizen, a legally certified copy of his/her Passport is required. If he/she is not a Greek or a European Citizen, a copy of his/her valid residence permit in the country and a legally certified copy of his/her Passport is required.
4. A Curriculum vitae of the deputy religious minister (reference to qualifications).

B. Ecclesiastical or religious legal entities of Law 4301/2014

1. An Application signed by the competent bodies of the legal entities, namely the head of the Ecclesiastical Legal Person or the Religious Legal Person and the religious minister, which shall request the appointment of a deputy religious minister. Also, the application must indicate the e-mail address of the Ecclesiastical or Religious Legal Person and the deputy religious minister.

In the exceptional case in which the residence address of the deputy religious minister coincides with the address of the place of worship (e.g. when he/she resides in the same building but in a different apartment, etc.), the deputy religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the house of prayer/temple or place of worship.

2. A copy of the Identity Card or a copy of the Passport of the deputy religious minister, if he/she is a Greek Citizen. If he/she is a European Citizen, a legally certified copy of his/her Passport is required. If he/she is not a Greek or a European Citizen, a copy of his/her valid residence permit in the country and a legally certified copy of his/her Passport are required, if not held in the Service file.
3. A Curriculum vitae of the deputy religious minister (reference to qualifications).

C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)

1. An Application signed by the President of the Central Board of Jewish Communities in Greece, the President of the local Jewish Community (if there is one) and the religious minister, which shall request the appointment of a deputy religious minister. Also, the

application must indicate the residence address of the deputy religious minister and the e-mail address of the Central Board of Jewish Communities in Greece, the local Jewish Community (if there is one), and the religious minister.

In the exceptional case in which the residence address of the deputy religious minister coincides with the address of the place of worship (e.g. when he/she resides in the same building but in a different apartment, etc.), the deputy religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the place of worship.

2. A copy of the deputy religious minister's Identity Card or Passport, if he/she is a Greek Citizen. If a European Citizen, a legally certified copy of a Passport is required. If the applicant is a non-Greek or non-European citizen, a copy of his/her valid residence permit in the country and a legally certified copy of his/her passport are required, if not held in the Service file.
3. A Curriculum vitae of the deputy religious minister (reference to qualifications).

8. Supporting documents for the replacement of a religious minister of a house of prayer/temple and in general a place of worship

A. Religious communities

1. An application signed by the new religious minister or the official central representative body of the religious community, if provided for in its Statute or Internal Regulations (as filed with the Ministry of Education and Religious Affairs), requesting the replacement of the previous religious minister. The application must indicate the residence address of the new religious minister and certify the authenticity of his/her signature. Also, the application must indicate the e-mail address of the religious community, and the new religious minister.

In the exceptional case in which the residence address of the new religious minister coincides with the address of the place of worship (e.g. when he/she resides in the same building but in a different apartment, etc.), the new religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the house of prayer/temple or place of worship in general.

2. A written resignation of the departing religious minister or, in the case of his/her death, a death certificate. In the absence of a written resignation, the Service shall freely assess any appropriate document provided by the religious community, seeking prior contact with the religious minister.
3. A copy of the Extract of the Minutes of the General Assembly of the members or a decision by the official central representative body deciding on the replacement of the religious minister.
4. A copy of the Identity Card or a copy of the Passport of the new religious minister, if he/she is a Greek Citizen. If he/she is a European Citizen, a legally certified copy of his/her Passport is required. If he/she is not a Greek or a European Citizen, a copy of his/her valid residence permit in the country and a legally certified copy of his/her Passport is required.
5. A Curriculum vitae of the new religious minister (reference to qualifications).

B. Ecclesiastical or religious legal entities of Law 4301/2014

1. An Application signed by the competent bodies of the legal entities, namely the head of the Ecclesiastical Legal Person or the Religious Legal Person, which shall request the replacement of the religious minister. Also, the application must indicate the residence address and the e-mail address of the new religious minister.

In the exceptional case in which the residence address of the new religious minister coincides with the address of the place of worship (e.g. when he/she resides in the same building but in a different apartment, etc.), the new religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the house of prayer/temple or place of worship in general.

2. A written resignation of the departing religious minister (unless otherwise provided for in the Regulations of the Religious or Ecclesiastical legal person), or in the case of his/her death, a death certificate.
3. A copy of the Identity Card or a copy of the Passport of the new religious minister, if he/she is a Greek Citizen. If he/she is a European Citizen, a legally certified copy of his/her Passport is required. If he/she is not a Greek or a European Citizen, a copy of his/her valid residence permit in the country and a legally certified copy of his/her Passport is required, if not held in the Service file.
4. A Curriculum vitae of the new religious minister (reference to qualifications).

C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)

1. An Application signed by the President of the Central Board of Jewish Communities in Greece and the President of the local Jewish Community (if there is one), which shall request the replacement of the religious minister and state the reason for the replacement. Also, the application must indicate the residence address and the e-mail address of the new religious minister.

In the exceptional case in which the residence address of the new religious minister coincides with the address of the place of worship (e.g. when he/she resides in the same building but in a different apartment, etc.), the new religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the place of worship.

2. A copy of the new religious minister's Identity Card or Passport, if he/she is a Greek Citizen. If a European Citizen, a legally certified copy of a Passport is required. If the applicant is a non-Greek or non-European citizen, a copy of his/her valid residence permit in the country and a legally certified copy of his/her passport are required, if not held in the Service file.
3. A Curriculum vitae of the new religious minister (reference to qualifications).

9. Supporting documents for the appointment of a religious minister in houses of prayer/temples and places of worship in general that have an authorization to establish and operate prior to 06-05-2014 in which the religious minister is not indicated

A. Religious communities

1. An application signed by the religious minister or the official central representative body of the religious community, if provided for in its Statute or Internal Regulations (as filed with the Ministry of Education and Religious Affairs), requesting the appointment of a religious minister. The application must indicate the residence address of the religious minister and certify the authenticity of his/her signature. Also, the application must indicate the e-mail address of the religious community and the religious minister.

In the exceptional case in which the residence address of the religious minister coincides with the address of the place of worship (e.g. when he/she resides in the same building but in a different apartment, etc.), the religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the place of worship.

2. A copy of the authorization to establish and operate the place of worship.
3. A copy of the Extract of the Minutes of the General Assembly of the members or a decision by the official central representative body deciding on the appointment of the religious minister.
4. A copy of the Identity Card or a copy of the Passport of the religious minister, if he/she is a Greek Citizen. If he/she is a European Citizen, a legally certified copy of his/her Passport is required. If he/she is not a Greek or a European Citizen, a copy of his/her valid residence permit in the country and a legally certified copy of his/her Passport is required.
5. A Curriculum vitae of the religious minister (reference to qualifications).

B. Ecclesiastical or religious legal entities of Law 4301/2014

1. An Application signed by the competent bodies of the legal entities, namely the head of the Ecclesiastical Legal Person or the Religious Legal Person, which shall request the appointment of the religious minister. Also, the application must indicate the residence address and the e-mail address of the religious minister.

In the exceptional case in which the residence address of the religious minister coincides with the address of the place of worship (e.g. when he/she resides in the same building but in a different apartment, etc.), the religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the place of worship.

2. A copy of the authorization to establish and operate the place of worship.
3. A copy of the Identity Card or a copy of the Passport of the religious minister, if he/she is a Greek Citizen. If he/she is a European Citizen, a legally certified copy of his/her Passport is required. If he/she is not a Greek or a European Citizen, a copy of his/her valid residence permit in the country and a legally certified copy of his/her Passport is required, if not held in the Service file.

4. A Curriculum vitae of the religious minister (reference to qualifications).

C. Jewish Communities (Legal Entities under Public Law, Law 2456/1920, A' 173)

1. An Application signed by the President of the Central Board of Jewish Communities in Greece and the President of the local Jewish Community (if there is one), which shall request the appointment of the religious minister. Also, the application must indicate the residence address and the e-mail address of the religious minister.

In the exceptional case in which the residence address of the religious minister coincides with the address of the place of worship (e.g. when he/she resides in the same building but in a different apartment, etc.), the religious minister shall submit additionally, a solemn declaration of Law 1599/1986 in which he/she shall declare that he/she does not reside in the same place as the place of worship.

2. A copy of the authorization to establish and operate the place of worship.
3. A copy of the religious minister's Identity Card or Passport, if he/she is a Greek Citizen. If a European Citizen, a legally certified copy of a Passport is required. If the applicant is a non-Greek or non-European citizen, a copy of his/her valid residence permit in the country and a legally certified copy of his/her passport is required, if not held in the Service file.

4. A Curriculum vitae of the religious minister (reference to qualifications)

THE SECRETARY GENERAL FOR RELIGIOUS AFFAIRS OF THE HELLENIC MINISTRY OF EDUCATION AND RELIGIOUS AFFAIRS	THE SECRETARY GENERAL FOR CITIZENS' PROTECTION OF THE HELLENIC MINISTRY FOR CITIZENS' PROTECTION
GEORGIOS KALANTZIS	VASSILIOS PAPAGEORGIU
THE SECRETARY GENERAL OF PUBLIC HEALTH OF THE MINISTRY OF HEALTH	THE SECRETARY GENERAL FOR SPATIAL PLANNING AND THE URBAN ENVIRONMENT OF THE HELLENIC MINISTRY OF ENVIRONMENT AND ENERGY

PANAYIOTIS PREZERAKOS	EYTHYMIOS MPAKOIANNIS
THE SECRETARY GENERAL OF INTERIOR AND ORGANIZATION OF THE MINISTRY OF INTERIOR	THE SECRETARY GENERAL FOR PUBLIC ORDER OF THE HELLENIC MINISTRY FOR CITIZENS' PROTECTION
MICHAEL STAVRIANOUDAKIS	KONSTANTINOS TSOUVALAS

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