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[Law 4964/22](#) (Government Gazette 150 A/30-7-2022): Provisions for the simplification of environmental licensing, establishment of a framework for the development of offshore wind farms, addressing the energy crisis, forestry protection and other provisions.

Law 4964/2022 Articles 137-162

## **PART C**

### **MODERNIZATION OF THE MUFTIATES IN THRACE**

#### **CHAPTER A**

#### **ORGANIZATION AND OPERATION OF THE MUFTIATES IN THRACE**

##### **Article 137 Muftiates**

1. The Muftiates in Didymoteicho, Komotini and Xanthi are decentralized public services of the Hellenic Ministry of Education and Religious Affairs, at the level of General Directorates, located in Didymoteicho, Komotini and Xanthi respectively and reporting directly to the Minister of Education and Religious Affairs.
2. The mission of the Muftiates in Didymoteicho, Komotini and Xanthi is the organized and systematic service of the religious needs and the efficient management of the religious affairs of the Greek citizens members of the Muslim minority in Thrace, as well as the exercise of the judicial powers of the Mufti concerned in accordance with par. 8 to 11 of Article 146.

##### **Article 138 Jurisdiction of the Muftiates**

The Muftiates in Didymoteicho, Komotini and Xanthi shall fulfil their mission within the existing geographical boundaries of the Regional Units of Evros, Rodopi and Xanthi respectively.

##### **Article 139 Organization and operation of the Muftiates in Thrace**

1. Ten (10) positions for permanent administrative staff shall be established in the Muftiates in Thrace, which shall be divided into the following categories: a) Secondary Education graduates: three (3) positions and b) Tertiary Education graduates: seven (7) positions. These positions shall be allocated to the Muftiates as follows:
  - a) Muftiate in Xanthi: a.a) one (1) position of Secondary Education and a.b) three (3) positions of Tertiary Education.
  - b) Muftiate in Komotini: b.a) one (1) position of Secondary Education and b.b) three (3) positions of Tertiary Education.
  - c) Muftiate in Didymoteicho: c.a) one (1) position of Secondary Education and c.b) one (1) position of Tertiary Education.
2. In the Muftiates in Thrace, in addition to the permanent positions of par. 1, there shall be established special positions for staff as follows:

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a) Three (3) positions of staff of a five (5)-year tenure renewable for an equal time length tenure twice maximum, with job title "Secretary for Cases under the Mufti's Jurisdiction".

b) Three (3) positions of Special Associates of a fixed-term private-law employment contract, renewable annually. These three positions must be filled by holders of a law school degree from a University in Greece or an equivalent degree of a law school from a University abroad, recognized by the Hellenic National Academic Recognition and Information Center (Δ.Ο.Α.Τ.Α.Π.-Hellenic NARIC), with at least three (3) years' work experience as a lawyer.

c) Ten (10) positions of Special Associates of a fixed-term private-law employment contract, renewable annually.

3. The organization, structure and operation of the services of each Muftiate, which must include a Directorate for Cases under the Mufti's Jurisdiction, shall be determined by its Statute, which shall be drawn up, replaced or amended by a presidential decree issued on the proposal of the Ministers of Education and Religious Affairs, Finance and the Interior. The Statute referred to in the first subparagraph shall specify in particular:

a) The establishment and structure of the services of the Muftiate into organizational units, their purpose, objectives and responsibilities,

b) The organizational issues, the qualifications, the required documents, the procedure for filling the positions of all types of staff and the distribution of positions per Muftiate, by way of derogation from any general or special provision.

c) The job description of the positions of responsibility and the additional specific qualifications that may be required to fill each position of responsibility,

d) Any other detail concerning the organization and operation of the Muftiate.

4. a) The secondment of administrative and teaching staff of the Hellenic Ministry of Education and Religious Affairs to the Muftiates shall be permitted. The secondment shall be carried out following an application by the employee and the agreement of the Mufti concerned, by decision of the competent body of the Hellenic Ministry of Education and Religious Affairs, for a period of one (1) year, with the possibility of extension for one year. The salaries of seconded employees or teachers shall continue to be paid from their permanent positions.

b) The secondment of administrative staff from General Government bodies shall be permitted, by way of derogation from Law 4440/2016 (A' 224) and in accordance with Article 35 of Law 4873/2021 (A' 248) and par. 1 of Article 177 of Law 4876/2021 (A' 251) for the employees of Local Authorities of first and second level respectively. The secondment shall be carried out upon an application by the employee and the agreement of the Mufti concerned, by a joint decision of the competent bodies of the Hellenic Ministry of Education and Religious Affairs and the Ministry of origin, for a period of one (1) year and with the possibility of extension every year. The salary of the seconded staff shall be covered by the institution of origin. By a joint decision of the Minister of Education and Religious Affairs and the Minister of the Interior, the

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issues relating particularly to the conditions of secondment, extension and any other specific relevant issues shall be regulated.

c) The allocation of personnel of the Hellenic Police to guard the Muftiates shall be permitted. The allocation of the Hellenic Police personnel shall be carried out by decision of the competent body, which shall determine the duration of the allocation.

d) The Management and Waqf Committees of the Law 3647/2008 (A' 37) shall be allowed to allocate their employees to the Muftiates to cover the needs of the Muftiates, upon request of the Mufti concerned. The allocation of these employees to the Muftiates shall be done without additional remuneration, without creating any legal relationship of dependent employment, contract of work or other dependence with the Muftiates and the Administrative and Waqf Committees shall be solely responsible for the payment of their salaries. Such personnel shall be directly subject to the instructions and directions of the Mufti and shall return to their positions by decision of the Mufti.

5. The salaries of all staff of the Muftiates of par. 1 and 2 shall be borne by the regular budget of the Hellenic Ministry of Education, Religious Affairs, and Sports, in which the relevant appropriations shall be entered and cleared by the competent Directorates of Primary and Secondary Education of Evros, Xanthi and Rodopi.

6. By decision of the Minister of Education and Religious Affairs, an unremunerated scientific committee may be established in each Muftiate with the task of drawing up an annual report on the organization and operation of the Muftiates in Thrace. The committee shall include the Mufti concerned as President, one (1) Head of a General Directorate of the Hellenic Ministry of Education and Religious Affairs, two (2) members of the Muslim minority in Thrace who are Muslim religious ministers (Imams) registered in the Register of Religious Ministers under Article 14 of Law 4301/2014 (A' 223) in conjunction with Article 47 of Law 4559/2018 (A' 142) or Islamic religion teachers under Article 53 of Law 4115/2013 (A' 24) or graduates in the Undergraduate Program of Islamic Studies of the Faculty of Theology of the School of Theology of the Aristotle University of Thessaloniki or graduates with an academic degree in Islamic Theology recognized by the Hellenic National Academic Recognition and Information Center (Δ.Ο.Α.Τ.Α.Π.-Hellenic NARIC) and nominated by the Mufti concerned, as well as the Head of the Directorate for Religious Administration of the Hellenic Ministry of Education and Religious Affairs.

7. The statutory position of the permanent civil servants of par. 1 shall come within the competence of the Central Administrative Authorities for Administrative Staff (Κ.Υ.Σ.ΔΙ.Π) of the Hellenic Ministry of Education and Religious Affairs. The staff of par. 2 shall report directly to the Mufti regarding their statutory position.

### **Article 140 Costs Coverage**

1. The coverage of operational costs, material infrastructure, consumables and the supply of all kinds of equipment of the Muftiates, as well as the response to extraordinary needs shall be borne by the regular budget of the Regional Directorate of Primary and Secondary Education of Eastern Macedonia – Thrace, to which appropriations shall be transferred for this purpose from the regular budget of the Hellenic Ministry of Education and Religious Affairs (Special Fund 1019-202-0000000).

2. Extraordinary revenues of the Muftiates shall be generated by donations, legacies, bequests, contributions of any kind from natural or legal persons and in particular from the Management or Waqf Committees of the Muslim Property, in accordance with the Code of Charitable Estate and Inheritances in abeyance (Law 4182/2013, A' 185).

3. Donations, contributions and all kinds of revenues from foreign natural or legal persons shall be accepted in accordance with the Code of Charitable Estate and Inheritances in abeyance, provided that they are pre-approved by a decision of the Minister of Education and Religious Affairs.

4. The Muftiates may organize fundraisers, which shall not be subject to taxation, for charitable purposes or in general for the enhancement of their mission, in accordance with par. 2 of Article 137 within their regional units. By a joint decision by the Ministers of Education and Religious Affairs and Finance the establishment, composition, responsibilities, general operation of the fundraising committee, the manner in which fundraising is to be carried out and any other relevant details shall be determined.

5. The costs of issuing the printed publications referred to in par. 6 of Article 142 shall be borne by the regular budget of the Regional Directorate of Primary and Secondary Education of Eastern Macedonia - Thrace, to which appropriations shall be transferred for this purpose from the regular budget of the Hellenic Ministry of Education and Religious Affairs (Special Fund 1019-202- 0000000).

6. The Muftiates shall be entitled to the free allocation of one (1) car from the Hellenic Ministry of Education and Religious Affairs for the exclusive use of the Muftiates and for the Muftis' transportation within and outside the Muftiates' regional district. The car may be provided by the Directorate of Management of Public Property (Δ.Δ.Δ.Υ) of the Independent Authority for Public Revenue (Α.Α.Δ.Ε) or by free trade or through a leasing procedure. A joint decision by the Ministers of Education and Religious Affairs, Finance and the Interior shall set out the conditions and procedure for the supply of the vehicle, irrespectively of its capacity and type, and the conditions of use, the distinctive features, fuel consumption, parking, control of use and circulation, the persons entitled to drive the car, the term of provision of the car, the procedure and documents required for the payment of the car's moving and maintenance costs and any other secondary specifications. By a joint decision of the Ministers of Education and Religious Affairs and Infrastructure and Transport the type of the license plate of the vehicles of the Muftiates shall be determined.

#### **Article 141 Muftiates' Housing**

1. The Muftiates can be housed in buildings that are granted for use without consideration and are fully owned by the Management or Waqf Committees of the Muslim Property of Law 3647/2008 (A' 37) or the Local Authorities (Ο.Τ.Α.) of first and second level or non-profit institutions or the State. The concession shall be subject to a contract for which no stamp duty shall be chargeable. The Management and Waqf Committees, the Local Authorities (Ο.Τ.Α.) and non-profit institutions shall be exempted from the obligation to pay any kind of taxes and fees for the real estate they grant free of charge for the housing of the Muftiates, without prejudice to the provisions of the Value Added Tax (VAT) Code (Law 2859/2000, A 248).

2. The persons referred to in par. 1 may transfer by way of donation to the Hellenic Ministry of Education and Religious Affairs premises that they fully own for the construction of a building by the company “ΚΤΙΡΙΑΚΕΣ ΥΠΟΔΟΜΕΣ Α.Ε.” for the sole purpose of housing the Muftiate. A contract free of tax fees shall be concluded for the donation, without prejudice to the provisions of Law 2859/2000. The completion of the construction of the building and the beginning of operation of the Muftiate shall be completed within seven (7) years of the conclusion of the donation contract, unless a longer period is specified in the contract. If the period referred to in the second subparagraph or the period laid down in the contract has elapsed without effect, the donation shall be revoked and the property shall be returned to the donor.

3. For the suitability of the buildings referred to in par. 1 and the premises referred to in par. 2 shall decide, by way of derogation from Law 3130/2003 (A' 76), an unremunerated special committee consisting of: a) the Mufti concerned as President, b) the Head of the competent Land Service or his/her legal alternate, c) one (1) engineer with University Education or Technological Education of the branch of Civil Engineers or Architects or Surveyors of the competent Land Service, proposed by its Head and, if there is no such engineer, by an engineer of the Decentralized Administration of Macedonia - Thrace or the Technical Department of the Municipality of Didymoteicho, Komotini or Xanthi, as the case may be, d) the Head of the competent Directorate for the Environment and Spatial Planning of the Decentralized Administration of Macedonia - Thrace and e) one (1) lawyer proposed by the Mufti. The Committee shall be constituted by decision of the Minister of Education and Religious Affairs.

4. Any specific matter regarding the conclusion, duration, extension, renewal and other terms of the contracts provided for in paragraphs 1 and 2 shall be regulated by a joint decision of the Ministers of Education and Religious Affairs, Finance and the Minister concerned in each case.

5. Unless otherwise provided in this Law, the leasing of real estate for housing the Muftiates' services shall be subject to Law 3130/2003, on leases of real estate pertaining to housing public authorities.

#### Article 142 Rules of operation of the Muftiates

1. All acts, certificates and documents issued by the Mufti within the framework of exercise of his duties shall be lodged in the official language of the State and may be translated into another language if necessary. All forms and books kept by the Muftiate concerning the internal operation of the Muftiate shall be in the official language of the State and may be translated into another language if necessary.

2. The Muftiates shall be obliged to post on the website of the “Diavgeia (Transparency) Program” of Law 4727/2020 (A' 184) all acts, certificates, documents and decisions issued by the Mufti within the framework of exercise of his duties, without prejudice to the legislation on the protection of personal data.

3. All forms and documents of the Muftiates shall bear the letterhead “HELLENIC REPUBLIC”, “MINISTRY OF EDUCATION AND RELIGIOUS AFFAIRS - GENERAL SECRETARIAT FOR RELIGIOUS AFFAIRS” and the title of the particular Muftiate. Each Muftiate shall dispose of an official round stamp comprising three (3) concentric

circles, the outer one reading “HELLENIC REPUBLIC”, the middle one reading “MINISTRY OF EDUCATION AND RELIGIOUS AFFAIRS - GENERAL SECRETARIAT FOR RELIGIOUS AFFAIRS – MUFTIATE OF (DIDYMOTEICHO or KOMOTINI or XANTHI respectively)”, in Greek, and the inner one shall be entirely surrounded by two (2) laurel branches intersecting at the edges of their underside and reading in the middle “MUFTIATE OF (DIDYMOTEICHO or KOMOTINI or XANTHI respectively)” in Arabic in blue color.

4. The Muftiates shall enjoy the same privileges and tariffs for telephone and internet communication as the Central Service of the Hellenic Ministry of Education and Religious Affairs. With regard to the fees for correspondence of the Muftiates, the corresponding provisions applicable to the Public Sector shall apply.

5. The Muftiates shall dispose of a website which shall bear the extension of the public services of the state (gov.gr) provided by law. The content language of the Muftiate website shall be the official language of the state. The Mufti may specify other languages of content at the same time.

6. Muftiates may publish a newspaper, periodical or other printed information material exclusively with religious content in the official language of the state and in the languages of their choice.

7. By a joint decision of the Minister of Education and Religious Affairs and the Minister concerned all specific issues and details arising in the application of par. 1 to 6 shall be regulated.

8. The Muftiates shall cooperate with the General Archives of the State for the protection, preservation, conservation, restoration, clearing and digitization, as well as the direct translation of public and private archives and archival material held by them, and for public access to them. For the purposes of the first subparagraph, Articles 160 to 165, 167, 168 and 191 to 193 of Law 4610/2019 (A' 70) shall apply.

## **CHAPTER B**

### **POSITION AND STATUS OF MUFTIS AND LOCUM TENENTES MUFTIS IN THRACE**

#### **Article 143 Muftis in Thrace**

1. Muftis are the senior religious ministers of the Muslim minority in Thrace within the geographical boundaries of their region.
2. Muftis, as profound scholars of the Quran, Islamic tradition and sacred Islamic law, shall exercise judicial powers as provided for in par. 8 of Article 146.
3. Muftis are civil servants and they shall hold the position of Head of a General Directorate. In the performance of their duties, Muftis shall have the obligations of civil servants under the Constitution and the law.

#### **Article 144 Payroll**

1. The salaries of the Muftis in Thrace shall correspond to the highest salary scale of the position of Head of General Directorate, with the relevant benefits. The salaries of the Muftis in Thrace shall be borne by the regular budget of the Hellenic Ministry of

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Education and Religious Affairs, in which the relevant appropriations shall be entered. The salaries shall be paid by the competent Directorates of Primary Education of Evros, Xanthi and Rodopi.

2. a) If in the position of Mufti is appointed a permanent employee or an employee with an employment contract under private law for an indefinite period in the Public Sector or a Legal Person governed by Public Law or a Local Authority (O.T.A.), his service status shall be suspended for as long as he holds the position of Mufti and he shall receive only the full remuneration of the position of Mufti. On the expiry of his term of office in any way, he shall ipso jure return to his established position and receive the full remuneration of his position in that service. The length of service which is served in the position of Mufti shall be estimated as actual service in his established position for all legal consequences, and particularly for positions of responsibility, the length of service in that position shall be considered as a period of service in a position of Head of General Directorate.

b) If a person who is engaged in any commercial activity is appointed to the position of Mufti, this activity shall be suspended for as long as he holds the Mufti position and he shall receive the full remuneration of the position of Mufti.

c) If a member of the Teaching and Research Staff (Δ.Ε.Π) of the Higher Educational Institutions (Α.Ε.Ι) or a permanent teacher of the public or minority education or the Islamic Religious Schools in Thrace is appointed to the position of Mufti, his teaching status shall be suspended for as long as he holds the position of Mufti. After the termination of his term of office in any way, he shall return ipso jure to his service. By decision of the Minister of Education and Religious Affairs, upon request of the person concerned, he may be allowed to exercise his teaching duties in parallel with his duties as a Mufti. In this case, he shall receive the full remuneration of the position of Mufti and the percentage of the remuneration of the position he held before his appointment to the position of Mufti, as such percentage is provided for when occupying a second post in the Public Sector. By the same decision of the Minister of Education and Religious Affairs all the necessary details for the parallel performance of the duties of the person concerned, his partial exemption from teaching duties and his total exemption from administrative duties shall be laid down, in derogation from the provisions in force and without requiring the opinion of the competent Staff Council.

3. By a joint decision of the Minister of Education and Religious Affairs and Minister of Finance a special compensation for the Mufti may be determined, in addition to the benefits of par. 1, for the accomplishment of the Muftiate's mission in serving the special religious needs of the Muslim minority in Thrace. By the same or a similar decision the more specific conditions for the payment of the compensation referred to in the first subparagraph shall be determined.

4. If the Mufti does not have a private residence in his place of service, the competent Management Committee of the Muslim Property shall cover the housing needs of the Mufti and his family.

5. For the performance of philanthropic and charitable work in accordance with the sacred Islamic law, the Mufti shall receive an annual sum by the competent

Management Committee of the Muslim Property, the amount of which, as well as the specific terms of payment, shall be determined by a joint decision of the Ministers of Education and Religious Affairs and Finance. Every act or decision relating to the management and allocation of the amount referred to in the first subparagraph by the Mufti must be posted on the website of the “Diavgeia (Transparency) Program” of Law 4727/2020 (A' 184) without prejudice to the legislation on the protection of personal data.

#### **Article 145 Dismissal of Muftis**

1. Muftis who retire due to reaching the retirement age or the limit for the term of office of Article 147 may occupy an unpaid position as a Counselor to the Minister of Education, Religious Affairs, and Sports on matters regarding the Islamic religion.
2. The dismissed Muftis and the dismissed locum tenentes Muftis of Article 150, who have served for at least five (5) years, either continuously or intermittently, without having been suspended from office for the reasons referred to in Article 157, and who do not fall within the indent (a) of par. 2 of Article 144 or in indent (a) of par. 7 of Article 150, shall be entitled to a special benefit equal to sixty-five per cent (65%) of the basic salary of a Mufti in active employment until they reach the age of sixty-seven (67) years. The special benefit shall be borne by the regular budget of the Hellenic Ministry of Education, Religious Affairs, and Sports, in which the relevant appropriations shall be entered and cleared by the issuance of a money order in the name of the beneficiary by the competent Directorates of Primary Education of Evros, Xanthi and Rodopi. It shall be considered as income from employment, taxed accordingly and included in the income limits for the payment of any social or welfare benefit. The special benefit shall not be subject to social security and employer's contributions. If the beneficiary earns income from any source, the special benefit shall be reduced by the corresponding amount so that the total income of the beneficiary does not exceed sixty-five per cent (65%) of the basic salary of a serving Mufti.
3. The dismissed Muftis and the dismissed locum tenentes Muftis against whom a criminal prosecution has been indicted for the offences of Article 149, shall receive fifty percent (50%) of the special benefit of par. 2. In all other respects, indent (b) of par. 4 of Article 158 shall apply accordingly.
4. An irrevocable conviction for the offences referred to in Article 149 shall constitute grounds for discontinuing payment of the special benefit.

#### **Article 146 Powers and duties of Muftis in Thrace**

1. The Mufti shall exercise, each one exclusively in his area of jurisdiction, the powers provided for by law and the religious duties arising from the sacred Islamic law.
2. The Mufti shall perform religious marriages between Muslims.
3. The Mufti shall appoint, supervise and dismiss Muslim religious ministers.
4. The Mufti shall register the religious ministers of the Muslim minority in Thrace in the Register of Religious Ministers of Article 14 of Law 4301/2014 (A' 223) in conjunction with Article 47 of Law 4559/2018 (A' 142).

5. Until the registration of the religious ministers of the Muslim minority in Thrace in the Register of Religious Ministers of Article 14 of Law 4301/2014 in conjunction with Article 47 of Law 4559/2018, the Mufti shall ratify the religious marriages performed by the religious ministers of the Muslim minority in Thrace. Otherwise these marriages shall be invalid and not registered in the registry offices.

6. The Mufti, as a profound scholar of the Quran, Islamic tradition and the sacred Islamic law, shall express opinions and issue judicial clauses according to sacred Islamic law on matters regarding religious life and Islamic customary practices, as well as on matters regarding the personal life and family status of Greek citizens, members of the Muslim minority in Thrace who reside in his area of jurisdiction.

7. The Mufti shall be the Head of the respective Muftiate; he shall be the administrative and disciplinary Head of its entire staff and shall perform all the powers related to the service and his position.

8. The Mufti shall exercise judicial powers, under the conditions and procedures set out in par. 9 and 10, to Greek citizens who are members of the Muslim minority in Thrace, in the spheres of marriage, divorce, maintenance payments, guardianship, trusteeship, emancipation of minors, Islamic will and intestate succession, provided that such matters are governed by the sacred Islamic law.

9. The decisions issued by the Mufti on cases of contested jurisdiction may not be enforced and res judicata may not be applied, if they are not declared enforceable by the competent Court of First Instance where the Mufti's seat is, in non-contentious proceedings. The court shall only examine whether the decision was rendered within the limits of the Mufti's jurisdiction and whether the provisions applied are contrary to the Constitution, in particular par. 2 of Article 4 and the European Convention on Human Rights. Action against the judgment of the one-member Court of First Instance may be brought before the competent multi-member Court of First Instance, which shall hear the case in the same procedure. No appeal, ordinary or extraordinary, against the judgment of the multi-member Court of First Instance may be lodged.

10. The cases of par. 8 shall be regulated by ordinary provisions and only in exceptional cases shall they be subjected to the jurisdiction of the Mufti, provided that both parties file a request before him applying for the dispute in question to be resolved in accordance with the sacred Islamic law. Once the dispute is subject to the jurisdiction of the Mufti, this shall be irrevocable and it shall preclude the jurisdiction of the Court on this particular dispute. If either party does not wish for the case to be subject to the jurisdiction of the Mufti, he/she may apply to the courts of civil law, pursuant to ordinary substantive and procedural provisions, which in any case have the presumption of jurisdiction.

b) Succession relations of members of the Muslim minority in Thrace shall be regulated for under the provisions of the Civil Code, except if the testator draws up before a notary a declaration of last will, according to the form of a public will, containing exclusively the expressive will of the testator to subject his succession under the sacred Islamic law. This declaration may be freely revocable, either by a subsequent declaration to the contrary before a notary or by drawing up a subsequent will, in accordance with the regulations of the Civil Code. Concurrent application of

the Civil Code and of the sacred Islamic law on the succession of property either in a percentage or on specific parts is prohibited.

11. By presidential decree issued on the proposal of the Minister of Education and Religious Affairs and the Minister of Justice, the following shall be set out: all the necessary procedural rules on the hearing of the case before the Mufti and the issuance of his decisions, and in particular the procedure of application by the parties, which shall contain the case files according to the Code of Civil Procedure and, under penalty of nullity, an explicit irrevocable declaration by each party on the choice of jurisdiction, the representation by authorized lawyers, the procedure for lodging and serving it on the other party, the procedure of the hearing and of issuing a decision, the record-keeping, and any other relevant matter for the implementation of this Law.

12. The payment of a remuneration in cash or in kind to the Mufti for the performance or ratification of a religious marriage, the performance of a funeral and for any religious ceremony in general or for the exercise of his judicial powers is prohibited.

#### **Article 147 Term of office**

1. The term of office of the Mufti shall be set at five (5) years and may be renewed once (1) by a decision of the Minister of Education and Religious Affairs published in the Official Government Gazette of the Hellenic Republic.

2. The maximum limit of service of the same person in the position of Mufti or locum tenens Mufti of Article 150 shall be twenty (20) years, consecutive or discontinuous, upon the completion of which his term of office shall expire ipso jure.

3. In any case, the Muftis or locum tenentes Muftis must compulsorily leave their service as soon as they reach the age of (67), considering as the date of completion of this limit June 30<sup>th</sup> of the year of leaving.

4. By decision of the Minister of Education and Religious Affairs, published in the Official Government Gazette of the Hellenic Republic, the termination ipso jure of the employment shall be established due to the completion of twenty (20) years of service in the position of Mufti or locum tenentes Mufti or the expiry of the age limit of par. 3.

#### **Article 148 Qualifications**

The position of Mufti shall be occupied by Greek citizens, members of the Muslim minority in Thrace who are permanent residents of one (1) of the regional units of Evros, Rodopi and Xanthi and have distinguished themselves for their ethics, their theological training, preferably in matters of knowledge and interpretation of the Quran or the Islamic tradition or the sacred Islamic law, their general religious activity, have not exceeded sixty-two (62) years of age on the closing date for the submission of candidatures, and either: a) hold a degree in the Undergraduate Program of Islamic Studies of the Faculty of Theology of the School of Theology of the Aristotle University of Thessaloniki or in Islamic Studies from a recognized higher Theological School abroad and have served for at least five (5) years as Imams registered in the Register of Religious Ministers under Article 14 of Law 4301/2014 (A' 223) in conjunction with Article 47 of Law 4559/2018 (A' 142) or as Islamic religion teachers under Article 53 of Law 4115/2013 (A' 24) or both; or b) are graduates of the Islamic Religious Schools in

Thrace and have served for at least ten (10) years as Imams registered in the Register of Religious Ministers under Article 14 of Law 4301/2014 in conjunction with Article 47 of Law 4559/2018 or as Islamic religion teachers under Article 53 of Law 4115/2013 or both.

### **Article 149 Impediments - Incompatibilities**

1. The position of Mufti or locum tenens Mufti may not be occupied by:

a) those who have not fulfilled their military obligations or have not been legally discharged from them, draft dodgers or those who have been irrevocably sentenced for desertion,

b) those who have, following a court decision, been dismissed from a position as a civil servant or an employee of a Legal Person governed by Public Law (Ν.Π.Δ.Δ.) due to a criminal conviction or disciplinary offence, illness, or inadequacy,

c) those who have been dismissed from a position as a civil servant or employee of a Legal Person governed by Public Law (Ν.Π.Δ.Δ.) by decision of the competent council for disciplinary reasons,

d) those convicted of a felony,

e) those who have been convicted of any of the following offences:

e.a) theft, embezzlement (both common and in the service), fraud, blackmail, forgery, bribery, breach of trust in the service, breach of duty, defamation, any crime against sexual freedom or any crime of economic exploitation of sexual life, physical harm to an embryo or a newborn child, the offences of Law 3500/2006 (A' 232) on combating domestic violence, abduction of minors, unlawful detention, unlawful violence, vigilantism, threatening, disturbing religious gatherings,

e.b) violence against officials and juridical persons, undue influence on judicial officials, disruption of the functioning of the service, disruption of judicial sittings, contempt of court, violation of court decisions and notarized agreements, revolt, counterfeiting, breach of seals set by the authority, breach of the authority's custody,

e.c) incitement to disobedience, incitement to commit crimes, violence or dissension, inviting and offering to commit a crime, criminal organization, terrorist acts - terrorist organization, criminal support, disturbing the peace, threatening to commit crimes, spreading false news, insulting symbols or places of particular national or religious importance,

e.d) the offences of Law 927/1979 "on the damnation of acts or actions aimed at racial discrimination" (A' 139),

e.e) proselytizing under Article 4 of the emergency law 1363/1938 (A' 305),

e.f) the offences of Law 4139/2013 (A' 74),

g) those who, due to a conviction, have been deprived of their civil rights and for as long as this deprivation lasts,

h) those who have been subjected to full or partial judicial support, those who have been subjected to primitive or auxiliary judicial support, or both situations.

2. Reinstatement and pardon without removal of consequences shall not remove the impediment for occupying the position of Mufti or locum tenens Mufti.
3. The Mufti or the locum tenens Mufti shall be forbidden, in the exercise of his duties, to make any kind of manifestation for or against a political party.
4. The Mufti or the locum tenens Mufti shall be prohibited from providing any other hired service, as well as from engaging in any other profession.
5. It shall be prohibited for the Mufti or the locum tenens Mufti to assume the duties of a member of the Government, Deputy Minister, General or Special Secretary within the meaning of Articles 41 to 44 of Law 4622/2019 (A'133).
6. The Mufti or the locum tenens Mufti may not be elected or be a regional governor, regional councilor, mayor, municipal councilor, councilor of municipal communities or president of municipal communities.

### **Article 150 Locum Tenens Mufti**

1. Within fifteen (15) days of the vacancy of a Mufti's position in any way, the Minister of Education and Religious Affairs shall temporarily assign the duties of Mufti to a locum tenens Mufti, by a decision published in the Official Government Gazette of the Hellenic Republic. One (1) of the serving Muftis in the other Muftiates in Thrace shall be allowed to assume the duties of the locum tenens Mufti, by a decision of the Minister of Education and Religious Affairs published in the Official Government Gazette of the Hellenic Republic. In this case he shall receive an additional thirty per cent (30%) of the basic salary of the position of Mufti.
2. The term of office of the locum tenens Mufti shall be six (6) months and it may be renewed in any case not beyond of three years by decision of the Minister of Education and Religious Affairs, which shall be published in the Official Government Gazette of the Hellenic Republic. The term of office of the locum tenens Mufti shall end ipso jure on the day the new Mufti takes office.
3. The locum tenens Mufti shall exercise all the powers of the Mufti provided for by law, as well as his religious duties arising from the sacred Islamic law. The locum tenens Mufti is a civil servant, and he shall hold the position of Head of a General Directorate. In the performance of his duties, the locum tenens Mufti shall have the obligations of civil servants under the Constitution and laws.
4. In the position of locum tenens Mufti shall be appointed Greek citizens, members of the Muslim minority in Thrace who are permanent residents of one (1) of the regional units in Thrace and have distinguished themselves for their ethics, their theological training, preferably in matters of knowledge and interpretation of the Quran or the Islamic tradition or the sacred Islamic law, their general religious activity, have not exceeded sixty-four (64) years of age on the day of their appointment, and either: a) hold a degree in the Undergraduate Program of Islamic Studies of the Faculty of Theology of the School of Theology of the Aristotle University of Thessaloniki or in Islamic Studies from a recognized Higher Theological School abroad and have served for at least five (5) years as Imams registered in the Register of Religious Ministers under Article 14 of Law 4301/2014 (A' 223) in conjunction with Article 47 of Law 4559/2018 (A' 142) or as Islamic religion teachers under Article 53 of Law 4115/2013

(A' 24) or both, or b) are graduates of the Islamic Religious Schools in Thrace and have served for at least ten (10) years as Imams registered in the Register of Religious Ministers under Article 14 of Law 4301/2014 in conjunction with Article 47 of Law 4559/2018 or as Islamic religion teachers under Article 53 of Law 4115/2013 or both.

5. The locum tenens Mufti may be a candidate for the position of Mufti in the Muftiate concerned if he resigns within three (3) days of the publication of the relevant call for the filling of the position of Mufti in the Official Government Gazette of the Hellenic Republic. In such a case, the provisions of par. 1 shall apply. The locum tenens Mufti may be a candidate for the position of Mufti in another Muftiate without his prior resignation being required.

6. The salary of the locum tenens Mufti in Thrace shall correspond to the highest salary scale of the position of Head of General Directorate, with the relevant benefits. The salaries of the locum tenentes Muftis in Thrace shall be borne by the regular budget of the Hellenic Ministry of Education and Religious Affairs, in which the relevant appropriations shall be entered, and they shall be paid by the competent Directorates of Primary Education of Evros, Xanthi and Rodopi.

7. a) If in the position of locum tenens Mufti is appointed a permanent employee or an employee with an employment contract under private law for an indefinite period in the Public Sector or a Legal Person governed by Public Law or a Local Authority (O.T.A.), his service status shall be suspended for as long as he holds the position of Mufti and he shall receive only the full remuneration of the position of Mufti. On the expiry of his term of office in any way, he shall ipso jure return to his established position and receive the full remuneration of his position in that service. The length of service which is served in the position of Mufti shall be estimated as actual service in his established position for all legal consequences, and particularly for positions of responsibility, the length of service in that position shall be considered as a period of service in a position of Head of General Directorate.

b) If a person who is engaged in any commercial activity is appointed to the position of locum tenens Mufti, this activity shall be suspended for as long as he holds the locum tenens Mufti position and he shall receive the full remuneration of the position of Mufti.

c) If a member of the Teaching and Research Staff (Δ.Ε.Π) of the Higher Educational Institutions (Α.Ε.Ι) or a permanent teacher of the public or minority education or the Islamic Religious Schools in Thrace is appointed to the position of locum tenens Mufti, his teaching status shall be suspended for as long as he holds the position of locum tenens Mufti. After the termination of his term of office in any way, he shall return ipso jure to his service. By decision of the Minister of Education and Religious Affairs, upon request of the person concerned, he may be allowed to exercise his teaching duties in parallel with his duties as a locum tenens Mufti. In this case, he shall receive the full remuneration of the position of Mufti and the percentage of the remuneration of the position he held before his appointment to the position of locum tenens Mufti, as such percentage is provided for when occupying a second post in the Public Sector. By the same decision of the Minister of Education and Religious Affairs all the necessary details for the parallel performance of the duties of the person concerned, his partial exemption from teaching duties and his total exemption from

administrative duties shall be laid down, in derogation from the provisions in force and without requiring the opinion of the competent Staff Council.

**Article 151 Call for submission of applications to fill a vacant position of Mufti in the Muftiates in Thrace**

The Minister of Education and Religious Affairs shall announce the vacant position of Mufti. The call for candidatures shall be published in the Official Government Gazette of the Hellenic Republic, posted on the website of the Hellenic Ministry of Education and Religious Affairs and on the website of the Regional Directorate for Primary and Secondary Education of Eastern Macedonia - Thrace and published in two (2) newspapers of the regional unit of the vacant Mufti position. The call for candidatures of the first subparagraph shall specify particularly the terms, conditions, the required supporting documents, the procedure for filling the vacant position and any other specific relevant issue.

**Article 152 List of candidates**

A list of candidates shall be submitted to the locum tenens Mufti, together with copies of the relevant applications and the supporting documents submitted, within ten (10) days of the deadline for their submission, by the Directorate of Religious Administration of the Hellenic Ministry of Education and Religious Affairs.

**Article 153 Advisory Committee**

1. To fill a vacancy in the position of Mufti, an Advisory Committee shall give a simple reasoned opinion on the suitability of each person included in the list of candidates referred to in Article 152.

2. The Advisory Committee referred to in par. 1 shall consist of thirty-three (33) members, who are Greek citizens, members of the Muslim minority in Thrace, as follows:

- a) the locum tenens Mufti of the vacant position of Mufti, as President,
- b) seven (7) members selected by public drawing of lots from among those who have taught at least two (2) years in the Undergraduate Program of Islamic Studies of the Faculty of Theology of the Aristotle University of Thessaloniki, courses related to the interpretation and understanding of the Quran or the sacred Islamic law or the Islamic tradition, as well as the Directors and teachers of the Islamic Religious Schools in Thrace who teach courses related to the interpretation and understanding of the Quran or the sacred Islamic law or the Islamic tradition. If their number is insufficient, it shall be supplemented accordingly by members appointed in accordance with indent (c),
- c) five (5) members who are eminent theologians of the Islamic religion, preferably with specialization in the interpretation of the Quran or the sacred Islamic law or the Islamic tradition upon the proposal of the locum tenens Mufti. Former Muftis or locum tenentes Muftis may be proposed in the capacity of eminent theologians by the locum tenens Mufti provided that they have not been dismissed from office for the reasons referred to in Article 157,

d) ten (10) members selected by public drawing of lots from among the Imams of the vacant Muftiate who are registered in the Register of Religious Ministers under Article 14 of Law 4301/2014 (A' 223) in conjunction with Article 47 of Law 4559/2018 (A' 142), on the mandatory registration of all religious ministers of the Church of Greece, the Church of Crete, the Holy Metropolises of the Dodecanese, the Muftiates in Thrace and the Jewish Communities in the electronic register of religious ministers, and

e) ten (10) members selected by public drawing of lots from among the Islamic religion teachers under Article 53 of Law 4115/2013 (A' 24), regarding the Islamic religion teachers of the Muslim minority in Thrace and strengthening the attendance of Muslim pupils in public schools in Thrace. Islamic religion teachers of the first subparagraph must have completed nine (9) months of service in the vacant Muftiate on the date of the public drawing of lots.

3) Anyone who is a candidate for the position of Mufti shall not be allowed to be a member of the Advisory Committee.

4) The locum tenens Mufti shall draw up the list of Imams of the Muftiate concerned if the registration of the Imams in the Register of Religious Ministers of Article 14 of Law 4301/2014 in conjunction with Article 47 of Law 4559/2018 has not been completed.

5) The locum tenens Mufti shall draw up the list of names of those who meet the requirements of indents b), d) and e) of par. 2 of this Article for the conduct of the respective drawing of lots in accordance with Article 154.

6) The composition of the Advisory Committee shall be based on the principle of the greatest possible participation of women.

#### **Article 154 Establishment of an Advisory Committee**

1. The locum tenens Mufti shall post on the website of the Muftiate and the Regional Directorate of Primary and Secondary Education of Eastern Macedonia - Thrace, at least three (3) days before the public drawing of lots, the place and the exact date and time of the draw. The locum tenens Mufti shall be responsible for the organization and conduct of the draw in such a way that the transparency and validity of the procedure shall be fully guaranteed.

2. The drawings of lots shall be public and shall be held in a suitable place under the responsibility of the locum tenens Mufti.

3. The drawings of lots shall be conducted by a three-member unremunerated draw committee which shall consist of the locum tenens Mufti as President and two (2) members of the Muslim minority in Thrace selected by him.

4. Only one (1) of the full names included in the list of names referred to in par. 5 of Article 153 shall be written in each lot. The president of the draw committee shall read out the list of names of those taking part in the draw and confirm that all the names are registered on the same number of lots. The members of the draw committee shall fold the lots evenly and place them in uniform white envelopes, with one (1) lot per envelope, which they shall seal. The envelopes shall be placed in a special transparent container which shall be sealed. The president of the committee shall shake the container and then unseal it and withdraw the envelopes one by one randomly. Each

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time an (1) envelope is withdrawn, the president of the draw committee shall number and initial the envelope, unseal it, number and initial the lot, read aloud the name on the lot, which he shall show to all persons present, and shall record it in the order in which it is announced.

5. The envelopes remaining in the container, after being counted to verify that they are equal to the number of those not drawn, shall be destroyed. Immediately after the prescribed number of members of the Advisory Committee has been filled and the process of each draw has been completed, the minutes shall be drawn up without delay, containing the complete list of the members drawn, signed by the President and the two (2) members of the draw committee, and communicated to the Minister of Education and Religious Affairs. If one of the nominees refuses to co-sign the minutes, the locum tenens Mufti shall complete the procedure, noting in the minutes the reasons for the refusal.

6. By decision of the locum tenens Mufti the Advisory Committee of Article 153 shall be established. The youngest member in age shall act as secretary. If the youngest member in age refuses to act as secretary, or if he/she resigns or is unable to perform his/her duties, as ascertained by the locum tenens Mufti, the locum tenens Mufti shall appoint as secretary of the Advisory Committee whichever of the next youngest members in order of age accepts the position.

7. The locum tenens Mufti shall post without delay on the website of the Muftiate concerned and of the Regional Directorate of Primary and Secondary Education of Eastern Macedonia - Thrace the decision of establishment of the Advisory Committee and he shall communicate it to the Minister of Education and Religious Affairs.

### **Article 155 Sitting of the Advisory Committee**

1. The locum tenens Mufti shall invite by any appropriate means the members of the Advisory Committee to a closed-door meeting at an appropriate place within five (5) days of the posting of the decision of establishment of the Advisory Committee on the website of the Muftiate and the Regional Directorate of Primary and Secondary Education of Eastern Macedonia - Thrace.

2. If a member of the Advisory Committee resigns or is prevented from attending due to illness or is unable to perform his/her duties or does not participate in the procedure, he/she shall not be replaced, the seat shall remain vacant, and the Advisory Committee shall continue to act legally with the remaining members.

3. The work of the Advisory Committee shall be conducted in one (1) single meeting without interruption. During the meeting of the Advisory Committee, no third parties may enter or leave the meeting room, and the members of the Advisory Committee may not communicate with any third party, in particular by mobile telephone or other means of technology.

4. If the Advisory Committee deems it necessary to obtain clarifications on the procedure, it shall address the Directorate of Religious Administration of the Hellenic Ministry of Education and Religious Affairs, which shall be obliged to respond without delay in any appropriate way.

5. The locum tenens Mufti shall declare the commencement of the procedure, inform the Advisory Committee of the procedure to be followed, read the list of Article 152, the curriculum vitae and other supporting documents of the candidature of each candidate as they have been submitted in their candidature file. This shall be followed by an interactive debate among the members of the Advisory Committee.

6. The locum tenens Mufti shall declare the end of the discussion and the minutes shall be drawn up in which the simple reasoned opinion of the Advisory Committee shall be recorded on: a) the existence of the legal qualifications of Article 148 for each candidate, b) the existence of the impediments and incompatibilities of Article 149 for each candidate and c) the adequacy of each candidate separately, without comparative evaluation of the candidates. The minutes shall record the majority and minority opinions for each candidate. The locum tenens Mufti shall submit the minutes to the Minister of Education and Religious Affairs without delay.

7. If there is only one (1) candidate for the position of Mufti, the procedure shall be conducted in accordance with Articles 152 to 156.

### **Article 156 Selection and Appointment of a Mufti**

1. The Minister of Education and Religious Affairs, after considering Articles 148 and 149 and the minutes of the Advisory Committee, shall select the Mufti. The Mufti shall be appointed by presidential decree issued on the proposal of the Minister of Education and Religious Affairs.

2. The Mufti, before undertaking his duties, shall take the oath of a civil servant before the Minister of Education and Religious Affairs. After taking the oath, the Mufti shall assume his office at the Muftiate in a special ceremony with the necessary solemnity and respect for local Islamic traditions and customs, and the minutes of his undertaking his duties shall be drawn up and signed before the Regional Director of Education of Eastern Macedonia-Thrace. Once the minutes of taking office by the Mufti have been signed, the term of office of the locum tenens Mufti shall be terminated ipso jure.

### **Article 157 Dismissal of Muftis and Locum Tenentes Muftis in Thrace**

1. The Muftis of Thrace shall be dismissed by a presidential decree issued on the proposal of the Minister of Education and Religious Affairs in the following cases: a) due to their irrevocable conviction for the offences referred to in Article 149; b) due to deprivation of their civil rights; c) due to illness which prevents them from performing their duties for a period of more than six (6) months, (d) due to an irrevocable conviction for receiving any kind of remuneration for performing or ratifying a religious marriage, or for performing a funeral, or for any religious ceremony in general, or for exercising their judicial powers; (e) due to inadequate performance in office; and (f) due to conduct incompatible with their religious duties under the sacred Islamic law.

2. The fulfillment of the conditions of indent c) of par. 1 shall be confirmed by a reasoned decision of a three-member committee of members of the Teaching and Research Staff of the Medical Schools of the country, which shall be constituted by a

decision of the Minister of Education and Religious Affairs and by which its President shall be appointed.

3. The fulfillment of the conditions of indent e) of par. 1 shall be confirmed by a reasoned decision of a three-member committee which shall be composed of one (1) President of the Thrace Court of Appeals or a judge of the Administrative Court of Appeals of Komotini, as President, one (1) Head of a General Directorate of the Hellenic Ministry of Education and Religious Affairs and one (1) of the Muftis or locum tenentes Muftis in Thrace, who shall be appointed by decision of the Minister of Education and Religious Affairs.

4. The fulfillment of the conditions of indent f) of par. 1 shall be confirmed by a reasoned decision of a three-member committee composed by two (2) Muftis or locum tenentes Muftis in Thrace and one (1) Muslim theologian or Imam or Islamic religion teacher under Article 53 of Law 4115/2013 (A' 24), who shall be appointed by decision of the Minister of Education and Religious Affairs. One of the Muftis or the locum tenentes Muftis shall be appointed as President by the decision of the Minister of Education and Religious Affairs of the first subparagraph.

5. The committees referred to in par. 2 to 4 shall sit as soon as possible after their establishment, under the responsibility of their Presidents.

6. The locum tenentes Muftis shall be dismissed, by decision of the Minister of Education and Religious Affairs, for the same reasons and under the same conditions as provided in par. 1 to 5.

**Article 158 Placing the Mufti and the Locum Tenens Mufti on suspension ipso jure and deprivation of remuneration**

1. The Mufti or the locum tenens Mufti against whom a criminal prosecution has been brought for the offences of Article 149 shall be suspended ipso jure.

2. The Mufti or the locum tenens Mufti, who is on suspension, shall refrain from exercising the functions of his main and ancillary responsibilities and duties.

3. The Mufti or the locum tenens Mufti who is on suspension shall receive only fifty percent (50%) of his basic salary.

4. The Mufti or the locum tenens Mufti, if discharged by an irrevocable court decision:

a) he shall ipso jure return to his position and the time spent on suspension shall be regarded as time spent in actual public service,

b) the remaining fifty percent (50%) of his remuneration shall be paid to him with interest in accordance with Article 45 of Law 4607/2019 (A' 65) regarding the debts of the Public Sector, upon request to the payroll administrator concerned. Interest shall be due from the date of the issuance of the certifying act of suspension until full and complete repayment.

5. The act of suspension or reinstatement shall be issued by the Minister of Education and Religious Affairs.

6. For as long as the Mufti or the locum tenens Mufti is on suspension, he shall be replaced by one of the serving Muftis or locum tenentes Muftis in the other Muftiates

in Thrace, by decision of the Minister of Education and Religious Affairs, which shall be published in the Official Government Gazette of the Hellenic Republic. In this case, the Mufti or the locum tenens Mufti who replaces him shall receive an additional thirty per cent (30%) of the basic salary of the Mufti's position.

## CHAPTER C

### ENABLING, TRANSITIONAL, FINAL AND REPEALING PROVISIONS

#### Article 159 Enabling provisions

1. By a presidential decree issued on the proposal of the Ministers of Education and Religious Affairs, the Interior and Finance the Statute of each Muftiate shall be drawn up, replaced or amended.
2. By a joint decision of the Ministers of Education and Religious Affairs and the Interior the issues relating to the conditions of secondments, their extension, and any other relevant issue for the application of Article 139 shall be regulated.
3. By decision of the competent body, which shall also determine the time of the decision, Hellenic Police personnel may be assigned to guard the Muftiates.
4. By decision of the Minister of Education and Religious Affairs, in application of par. 6 of Article 139, an unremunerated scientific committee may be established with the task of drawing up a report on the organization and operation of the Muftiates in Thrace.
5. By decision of the Minister of Education and Religious Affairs, donations, contributions, and all kinds of resources shall be pre-approved to be accepted from foreign natural or legal persons in accordance with the Code of Charitable Estate and Inheritances in abeyance (Law 4182/2013, A' 185).
6. By a joint decision of the Minister of Education, Religious Affairs, and Sports and the Minister of Economy and Finance of the Hellenic Republic, the establishment, the constitution, the responsibilities, the general operation of the fundraising committee, the conduct of fundraisers by the fundraising committee, as well as any other necessary detail for the application of par. 4 of Article 140 shall be determined.
7. By a joint decision of the Minister of Education, Religious Affairs, and Sports, the Minister of Economy and Finance and the Minister of the Interior of the Hellenic Republic, the conditions and procedure for the provision of the car of each Muftiate, regardless of its capacity and type, the conditions of movement, the distinguishing features, fuel consumption, parking, control of use and traffic, the persons entitled to drive the car, the duration of its provision, the procedure and the documents required for the payment of the costs of moving and maintaining the car shall be determined, as well as any other specific issue and details necessary for the application of par. 6 of Article 140.
8. By a joint decision of the Ministers of Education and Religious Affairs and Infrastructure and Transport the type of the license plate of the vehicles of the Muftiates shall be determined.

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9. By decision of the Minister of Education and Religious Affairs, an unremunerated special committee shall be set up for the suitability of the buildings referred to in par. 1 and the premises referred to in par. 2 of Article 141.
10. By a joint decision of the Minister of Education and Religious Affairs and the Minister of Finance all other specific issues relating to the conclusion, duration, extension, eventual renewal, and the rest of conditions of the contracts referred to in par. 1 and 2 of Article 141 shall be regulated.
11. By a joint decision of the Minister of Education and Religious Affairs and the Minister concerned all specific issues and details for the application of Article 142 shall be regulated.
12. By a joint decision of the Minister of Education and Religious Affairs and the Minister of Finance, a special compensation for the Mufti may be determined, in addition to the salary and benefits referred to in par. 1 of Article 144, for the fulfilment of the Muftiates' mission in serving the special religious needs of the Muslim minority in Thrace. By the same or a similar decision, the more specific conditions for the payment of the compensation shall be laid down.
13. By a joint decision of the Ministers of Education and Religious Affairs and Finance the amount and the specific conditions of payment of the amount received annually by the Mufti, from the competent Management Committee of the Muslim Property, for the performance of philanthropic and charitable work in accordance with the sacred Islamic law shall be determined.
14. By a presidential decree issued on the proposal of the Minister of Education and Religious Affairs and the Minister of Justice all the necessary procedural rules shall be determined on the hearing of the case before the Mufti and the issuance of his decisions, and in particular the procedure of application by the parties, which shall contain the case files according to the Code of Civil Procedure and, under penalty of nullity, an explicit irrevocable declaration by each party on the choice of jurisdiction, the representation by authorized lawyers, the procedure for lodging and serving it on the other party, the procedure of the hearing and of issuing a decision, the record-keeping, and any other relevant matter for the implementation of this Law.
15. By decision of the Minister of Education and Religious Affairs, published in the Official Government Gazette of the Hellenic Republic the vacancy of the Mufti position shall be announced.
16. By presidential decree, issued on the proposal of the Minister of Education and Religious Affairs, the Mufti shall be appointed.
17. By presidential decree, issued on the proposal of the Minister of Education and Religious Affairs, the Muftis in Thrace shall be dismissed.
18. By decision of the Minister of Education and Religious Affairs, a three-member committee of members of the Teaching and Research Staff of the Medical Schools of the country shall be established for the purpose of verifying that the conditions of indent c) of par. 1 of Article 157 are met.
19. By decision of the Minister of Education and Religious Affairs, a committee shall be formed, consisting of one (1) President of the Thrace Court of Appeals or a judge

of the Administrative Court of Appeals of Komotini, as President, one (1) Head of a General Directorate of the Hellenic Ministry of Education and Religious Affairs and one (1) of the Muftis or locum tenentes Muftis in Thrace, for the purpose of certifying, with a reasoned decision, that the conditions of indent e) of par. 1 of Article 157 are met.

20. By decision of the Minister of Education and Religious Affairs, a committee shall be formed, consisting of two Muftis or locum tenentes Muftis and a Muslim theologian or Imam or Islamic religion teacher under Article 53 of Law 4115/2013 (A' 24), for the purpose of certifying, with a reasoned decision, that the conditions of indent f) of par. 1 of Article 157 are met.

21. By a joint decision of the Minister of Economy and Finance and the Minister of Education, Religious Affairs, and Sports of the Hellenic Republic the procedure, the manner and other conditions of application of par. 2 of Article 145 shall be regulated.

### **Article 160 Transitional provisions**

1. Until the promulgation of the presidential decrees referred to in par. 3 of Article 139 and par. 11 of Article 146, the presidential decree 52/2019 (A' 90) and the joint decision 98541/A3/11.9.2007 of the Ministers of Interior, Public Administration and Decentralization and National Education and Religious Affairs (V' 1894) shall apply.

2. Until the positions of Secretaries for Cases under the Mufti's Jurisdiction are filled, their duties and responsibilities shall be performed by the Mufti concerned.

3. The Muftiates shall be housed in the same buildings, in which they are housed at the entry into force of this Law, by free concession of the owners of the properties, which shall be exempt from the obligation to pay any kind of taxes and fees. Such buildings shall, if deemed by the special committee referred to in par. 3 of Article 141 that they do not meet the housing conditions, be repaired or reconstructed, at the initiative of the owner of the property, within two (2) years of the entry into force of this Law and the relevant expenditure shall be borne by national or Union funds of the central government or the Local Authorities (O.T.A.) or by the budget of the company "ΚΤΙΡΙΑΚΕΣ ΥΠΟΔΟΜΕΣ Α.Ε." if it is the one to undertake the work.

4. Those who have served as Muftis or locum tenentes Muftis, have resigned by the entry into force of this Law and do not fall under indent (a) of par. 2 of Article 144 or indent (a) of par. 7 of Article 150 shall be entitled to the payment of the special benefit referred to in par. 2 of Article 145.

5. The period of service in the position of Mufti or locum tenens Mufti completed until the entry into force of this Law shall not be counted for the completion of twenty (20) years of service in the position of Mufti or locum tenens Mufti.

6. For the locum tenentes Muftis serving at the entry into force of this Law the decision of par. 1 of Article 150 shall be issued by the Minister of Education and Religious Affairs within fifteen (15) days of the entry into force of this Law.

7. The staff serving in the positions of Article 17 of the presidential decree 52/2019 at the entry into force of this Law, shall be ipso jure transferred and integrated into the Muftiate concerned, with the same status and the same employment relation and shall henceforth be its staff, retaining the rights and obligations arising from their employment relation at the entry into force of this Law.

8. The procedures for filling the special staff positions of Article 17 of the presidential decree 52/2019, which are in progress at the time of the entry into force of this Law, shall continue and be completed in accordance with the provisions and the procedure provided for therein.

9. Secondments of staff from the Hellenic Ministry of Education and Religious Affairs to the Muftiate, in force at the time of the entry into force of this Law, shall remain in force under the same status and conditions.

10. For five (5) years from the entry into force of this Law, in derogation from Article 148, the position of Mufti may be occupied by Greek citizens, members of the Muslim minority in Thrace and permanent residents of one (1) of the regional units of Evros, Rodopi and Xanthi, who have distinguished themselves for their ethics, their theological training, preferably in the knowledge and interpretation of the Quran or the Islamic tradition or the sacred Islamic law, and their religious activity in general, and have not exceeded sixty-two (62) years of age on the closing date for the submission of candidatures, and either: a) hold a degree in the Undergraduate Program of Islamic Studies of the Faculty of Theology of the School of Theology of the Aristotle University of Thessaloniki or in Islamic Studies from a recognized Higher Theology School abroad or b) have served as Imams for at least ten (10) years.

**Article 161 Secretaries for Cases under the Mufti's Jurisdiction -  
Amendments on indent a) par. 1 of Article 17 and indent a) par. 4 of Article  
19 of the Presidential Decree 52/2019**

1. In indent a) of Article 17 of the presidential decree 52/2019 (A' 90), on the establishment of special positions of non-permanent staff with the job title "Secretary for Cases under the Mufti's Jurisdiction", the following amendments shall be made: a) the phrase "full and exclusive employment" shall be deleted; b) the phrase "that creates a conflict of interest" shall be added at the end of the indent; and indent a) shall be amended as follows:

"a) Three (3) positions of non-permanent staff with job title "Secretary for Cases under the Mufti's Jurisdiction" of a five (5) -year tenure renewable twice (2) maximum for an equal time length tenure during which the employee may not engage in any other employment that creates a conflict of interest."

2. Indent (a) of par. 4 of Article 19 of the presidential decree 52/2019, on the qualifications of non-permanent staff with the title "Secretary for Cases under the Mufti's Jurisdiction", shall be amended so that the time of the required work experience as a lawyer is reduced from seven (7) to five (5) years, and the work experience as a lawyer relates to civil law and particularly to family and inheritance law cases, and indent a) shall be amended as follows:

"a) Degree of Law School from a University of Greece or an equivalent degree of a law school from a University abroad with a minimum of five (5) years of work experience as a lawyer, preferably in civil law and in particular in family and inheritance law cases."

**Article 162 Repealing provisions**

As of the entry into force of this Law, the following shall be repealed:

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- a) Law 1920/1991 (A' 11), on the ratification of the Legislative Act of 24 December 1990 on Muslim Clerics (A' 182),
- b) Article 40 of Law 3536/2007 (A' 42), regarding the creation of ten (10) new permanent positions of administrative employees in the Muftiates in Thrace.
- c) Law 2754/1954 (A' 32), on the age limit for entry into service for Muftis,
- d) indent 2 of par. 1 of Article 68 of Law 4235/2014 (A' 32), regarding the Muftiates as a public service at the level of General Directorate,
- e) par. 4 of Article 95 of Law 4485/2017 (A' 114), on the appointment in the position of a Mufti of a Professor of Higher Education or a permanent teacher of public or minority education or of the Islamic Religious Schools in Thrace.
- f) Law 4511/2018 (A' 2), on the amendment of Article 5 of the Legislative Act of 24.12.1990 on Muslim Clerics, ratified by the sole Article of Law 1920/1991,
- g) par. 1, 2 and 3 of Article 48 of Law 4559/2018 (A' 142),
- h) par. 3 of Article 48 of Law 4569/2018 (A' 179),
- i) the presidential decree of 2/17.1.1928 "On the designation of the number of Muftiates" (A' 5),
- j) the presidential decree of 19-3/3.4.1928 "On the determination of the Muftiates in the State" (A' 50), j.a) the royal decree of 9.12.1952/9.1.1953 "On the distribution by category and grades of the existing permanent positions of the Muftiates' staff under the responsibility of the Hellenic Ministry of National Education and Religious Affairs" (A' 5), j.b) any other general or special provision contrary to matters regulated by this Law.

Translated by: Isidora Prokopiou