



## NATIONAL TRANSPARENCY AUTHORITY

### ETHICS COMMITTEE OF ARTICLE 74 OF LAW 4622/2019

#### DECISION 19/2025

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The Ethics Committee of Article 74 of Law 4622/2019 met in session on March 21, 2025, on Friday at 11:00 a.m., following the invitation of its Chairman to the other regular members dated 18.03.2025, which was sent by email, along with the agenda. The meeting was held by teleconference and was attended by the following members of the Committee: Paraskevas Nomikos, Chairman of the NTA Management Board (Chairman), Konstantinos Georgakis, Legal Advisor to the State (regular member), Nikolaos Karagiorgis, Legal Advisor to the State (regular member), Dionysios Laskaratos, First Vice-President of the Supreme Council of Civil Personnel Selection (ASEP) (regular member) and Andreas Pottakis, Ombudsman (regular member). Secretarial support was provided by Eleni Magafa, a secondary education category employee with grade A, of the General Directorate of Financial and Administrative Services and E- Governance of the National Transparency Authority.

The purpose of the above meeting was to discuss the application with incoming protocol number A.P. 50/28-2-2025, submitted by Mr. ...., a permanent civil servant .....and former Interim Governor of the Public Employment Service (D.Y.P.A.) of the Ministry of Labor and Social Security, responsible for active and passive labor market policies, for the granting of a permission, in accordance with Article 73 of Law 4622/2019, in order to provide salaried employment to the company ".....", whose object is to provide strategic consulting services tailored to the needs of organizations and businesses, as well as to monitor their effective implementation.

Article 73 of Law 4622/2019 stipulates, inter alia, that persons appointed to the positions referred to in Article 68 of the same law, namely (a) members of the Government and Deputy Ministers, (b) General and Special Secretaries, as well as Coordinators of Decentralized Administrations, (c) the Presidents or heads of Independent Authorities and



the Presidents, Vice-Presidents, Governors, Interim Governors, Sub-Governors, managing directors or executive directors of legal entities of public law (L.E.P.L.) and private law (L.E.Pr.L.), whose selection is at the discretion of the Government, with the exception of bodies falling within the scope of Chapter B of Law 3429/2005 (A' 314), are required, for one (1) year after leaving their position, for any reason, to obtain permission for any professional or business activity related to the activity of the body to which they were appointed, if this could create a conflict of interest situation within the meaning of Article 71 of Law 4622/2019. According to the provisions of this article, a conflict of interest is any situation in which the impartial performance of the duties of the persons being audited, is objectively affected.

The impartial performance of duties is particularly affected when there is: (a) financial or other benefit for themselves, their spouses or cohabiting partners within the meaning of Article 1 of Law 4356/2015, their relatives by blood or marriage, whether in a direct line without limitation or in a collateral line, up to the second degree, as well as for natural or legal persons with whom they have a special bond or relationship, and (b) financial or other harm to natural or legal persons with whom there is a particular enmity. Such a situation arises in particular: (a) through the provision by them of services - under any legal relationship - to a natural or legal person of private law in Greece or abroad, or (b) through their participation in the capital or management of the above legal entities, except in cases of acquisition of shares, corporate interests or other rights through inheritance.

The above persons who intend to engage in an activity that may fall within the scope of paragraph 1 of Article 73 of Law 4622/2019 must submit a relevant application to the Ethics Committee referred to in Article 74 of the same law. The Committee, after considering the application of the person, shall issue a reasoned decision within an exclusive period of one (1) month. During the duration of this period, the person must refrain from exercising the activity to which the application relates. If the Committee does not decide within the specified time limit, the permission shall be deemed to have been granted. The Committee, which, pursuant to Article 73 (par 3, fourth subparagraph), of Law 4622/2019, may request from the applicant any additional information it deems necessary for its decision, may, by its decision taken at its discretion pursuant to Article 73 (par.4) of Law 4622/2019, which shall be published on the website of the National Transparency Authority: (a) to allow the activity in question without restrictions or conditions, (b) allow it with the necessary restrictions and conditions, (c) prohibit it completely. Cases (b) and (c) may not exceed a time limit of one (1) year after the person has left the position referred to in Article 68 of Law 4622/2019 for any reason. In cases (b) and (c), the Commission may determine a



reasonable compensation for the person, that is borne by the State Budget.

The application under consideration is admissible since, on the one hand, it has the required legal form of the application under Article 73 (par.1) and par. (2) of Law 4622/2019 and, on the other hand, it is submitted by a person who is entitled to do so, since Mr.....has served as Interim Governor of D.Y.P.A. of the Ministry of Labor and Social Security (formerly the Ministry of Labor and Social Affairs), and therefore has the capacity provided for in Article 68 (par.1) (section c) of Law 4622/2019.

Furthermore, he must submit the above application to the Ethics Committee, pursuant to the provisions of Article 73 par.(1), (2) of Law 4622/2019, based on the aforementioned capacity, which he acquired by virtue of No. 60282/28-08-2019, and in accordance with the provisions of Article 73(1)(2) of Law 4 2 of Law 4622/2019 on the basis of the aforementioned capacity, which he acquired pursuant to No. 60282/28-6-2022 (Government Gazette Y.O.D.D. 536/28-6-2022) decision of the Minister of Labor and Social Affairs and subsequently lost it upon acceptance of his resignation by decision No. 5016/24-2-2025 of the Minister of Labor and Social Security (Government Gazette Y.O.D.D. 155/27-2-2025). Consequently, one (1) year has not elapsed since his departure from the above position.

With regard to the further examination of the application of Article 73 of Law 4622/2019, it must be examined whether the exercise of the above professional activity by the applicant, as an employee of the above company, is related to the activity of the body to which he was appointed, and whether this can create a conflict of interest situation within the meaning of Article 71 (par.2) and (par.3) of Law 4622/2019.

In particular, it should be investigated whether there is a connection between the object of D.Y.P.A. and the professional activity that the applicant wishes to pursue in the company.....as an employee, with the aim of providing strategic consulting services tailored to the needs of organizations and businesses, as well as monitoring their effective implementation.

Firstly, as defined in Article 3 (par.1) of Law 4921/2022 (Government Gazette A 75/18.04.2022) "Jobs Again: Reorganization of the Public Employment Service and digitization of its services, upgrading of workforce skills and diagnosis of labor needs, and other provisions.":

"1. The Manpower Employment Organization and Unemployment Insurance which was established by Law 2961/1954 (A' 197), was renamed as Manpower Employment Organization (O.A.E.D.) by legislative decree 212/1969 (A' 112), and renamed as



"Public Employment Service" (D.Y.P.A.), is a legal entity under public law, based in Athens, and supervised by the Minister of Labor and Social Security, subject to subparagraph (aa) of the third subparagraph of paragraph 2 of Article 2 of Presidential Decree 77/2023.

The objectives of D.Y.P.A. in accordance with paragraph 3 of the above article are:

- (a) The implementation of government policy on promoting employment and combating unemployment, and to contribute to the formulation of such policy;
- b) The care for the unemployed, and in particular those belonging to vulnerable social groups, through policies such as unemployment insurance, assistance in finding employment, facilitation of integration or reintegration into the labor market, and training;
- c) The care for workers, and in particular for specific categories of workers as defined by law, through allowances or other benefits and programs;
- d) The implementation of government policy on vocational education and training and the development of skills of the workforce, as well as linking it to the labor market;
- e) The monitoring the labor market and liaising with businesses,
- f) The implementation of government policy on the workforce and their families, as well as on young people in general or other specific categories as provided for by law from time to time, with regard to their housing assistance and protection and other forms of support such as the granting of allowances, subsidies, financing or other benefits and programs,
- g) The development of social, tourist, and cultural activities for the benefit of the workforce and their families,
- h) The assistance in the collective organisation and action of the workforce,
- i) The participation in the planning and implementation of the national reform program relating to policies falling within the competence of D.Y.P.A.

According to Article 4 of the above law:

"The administrative bodies of D.Y.P.A. are the Governor, the three (3) Interim Governors, the Board of Directors, and the Council of Social Partners."

According to Article 8, paragraphs 1-4, "Powers of Interim Governors" of the above law:

1. The Governor is assisted in his work and replaced by three (3) Interim Governors.
2. The order in which the Interim Governors replace the Governor is specified in their appointment decision.



3. Each Interim Governor may authorize the heads of the General Directorates, Directorates, Regional Directorates, Sub-Directorates, and Departments under their supervision to sign, on their behalf, documents falling within their competence. This decision may be freely revoked in whole or in part with regard to the powers delegated.

4. The first Interim Governor, according to the order of succession, participates in the Board of Directors of D.Y.P.A. In the event of the absence or incapacity of the Governor or one of the Interim Governors, the next Interim Governor in the order of succession shall also participate in the Board of Directors.

The powers of the Board of Directors are set out in Article 10 (a-h) of the above law, as follows:

1. The Board of Directors has the following powers:

a) Together with the Governor, it specifies government policies related to the objectives of D.Y.P.A., plans the implementation of the objectives of D.Y.P.A. and recommends to the Ministry of Labor and Social Affairs the legislative and regulatory arrangements necessary for this purpose,

b) submits a proposal for the establishment and amendment of D.Y.P.A.'s Organization to the Ministry of Labor and Social Affairs, in accordance with paragraph 3 of Article 5 of Law 2956/2001 (A' 258),

c) approves and amends the budget of D.Y.P.A., as well as the financial statements of D.Y.P.A.,

d) decides on the exercise of legal remedies and means, as well as the settlement, judicial or extrajudicial, of disputes between D.Y.P.A. and third parties,

e) manages the movable and immovable property of D.Y.P.A., including public property transferred to it for the purposes of Article 3, and ensures that it is used in every appropriate manner to serve its purposes, such as the construction of new social housing at the expense of D.Y.P.A., the reconstruction or renovation of existing properties for use as social housing, the transfer of properties through barter or leasing system.

f) decides on the implementation of projects, the procurement of products and services, including studies, and exercises the powers of D.Y.P.A. as the contracting authority,

g) decides on the purchase and lease of real estate and movable property and their acquisition for use, in any appropriate form of contract, to serve the purposes of D.Y.P.A.,

h) manages the resources from the accounts of D.Y.P.A.,



Mr.....was appointed by No. 60282/28-6-2022 (Government Gazette Y.O.D.D. 536/28-6-2022) decision of the Minister of Labor and Social Affairs as first in line for replacement Interim Governor and therefore participated ipso jure in the Board of Directors of D.YP.A. during the period from July 1, 2022, to November 2, 2023 (Government Gazette Y.O.D.D. 543/1-7-2022, 1185/2-11-2023).

According to the information attached by the applicant to his application, during his term of office as Interim Governor of D.YP.A., the following competences were transferred to him by the relevant decisions of the Governor (Government Gazette B 3736/15-7-2022, 3799/20-7-2022 (correction of error), 6267/12-12-2022, 4369/7-7-2023, 6395/7-11-2023, 6401/8-11-2023, 705/31-1-2024, 1053/13-2-2024 (correction of error), 3607/20-6-2024, and 5170/12-9-2024), as summarized below, for matters relating to the matching of supply and demand in the labor market, counseling, active employment policy programs, unemployment insurance, and general issues related to the support of D.YP.A.'s services, namely e-government, human resources, procurement, technical services and technical works, and the possibility of submitting questions to the Legal Services Directorate of D.YP.A. on issues related to the transferred competences.

In addition, by the relevant decisions of the Governor (Government Gazette B' 3948/26-7-2022, 5714/8-11-2022, 6401/8-11-2023, 705/31-1-2024), the competences of the chief authorizing officer for all types of expenditure exceeding thirty thousand (30,000.00) euros falling within his material competence were also transferred to the applicant. (Government Gazette B'3948/2022) as well as expenses of a specific amount falling within the competence of the Directorates and Independent Departments reporting directly to the Governor, as well as the competence of the Independent Department of Direct Actions and Interventions, for expenses of the Administrative Services relating to the procurement of goods, materials, works and services, including studies, the conclusion of leases and the execution of works.

The company ..... was established in ..... with Tax Identification Number ..... and General Electronic Register (GEMI) number .....

In accordance with Article 4 (par.1) of its codified articles of association, as registered with the GEMI under ref. no. .... notification: .....

1. The purpose of the company is.....

In addition, the company operates under the main Activity Code Number (ACN):

.....



And secondary KAD codes

.....

From the above, it appears that the purpose of the company ..... and its activities, in conjunction with the subject of the salaried employment that the applicant intends to provide to it, are not, at first glance, related to the responsibilities of D.Y.P.A. in which the applicant served as Interim Governor from 28 June 2022 to 27 February 2025.

In particular, D.Y.P.A. aims, in general, to implement government policy on promoting employment and combating unemployment, while the above company aims to provide advice and support to natural or legal persons of public or private law and, in general, to all types of businesses and to individuals on matters of financial, tax, and accounting management and organization. Of course, the company's objectives also include providing consulting services to business executives and other individuals on human resource management issues, designing and implementing training programs, and finding, training, and managing human resources. The above aspects of the company's purpose, in the event that they acquire a dimension of training for the unemployed for integration or reintegration into the labor market or for the education, training, and development of employees' skills in the context of their connection with the labor market, may become relevant to the relevant objectives of the D.Y.P.A., as defined in Article 3 section (b), (c), and (d) of Law 4921/2022.

It should be noted that, as mentioned above, the applicant stated in his application that for at least two years from the start of his employment with the above company, he would not participate in projects relating to national employment and/or unemployment insurance policies, which were the main responsibilities of his position as Interim Governor of D.Y.P.A.

However, as the applicant informed us, in his Reply Memorandum No. 60/13-3-2025, in response to our document No. 59/11-3-2025, in his capacity as the main authorizing officer for expenditure relating to the procurement of goods, materials and services, he signed in ....., with the company's legal representative and advisor-manager, .....the Contract no....for the implementation of a project concerning .....

In accordance with Articles 3 and 4 of the Agreement, signed on behalf of D.Y.P.A. by the applicant, as its First Interim Governor, the total duration of the Agreement is set at .....months, i.e. the period from the date of signing the contract to the submission of the last deliverable, and the total price thereof was set at the amount of.....plus the corresponding VAT, and in total at the amount of.....including the applicable VAT.



Furthermore, in response to our document ref. no. 62/19-3-2025, the applicant sent copies of the minutes of the meetings of the Board of Directors of D.Y.P.A., in which he participated ex officio as First Interim Governor of D.Y.P.A. in accordance with Article 8 (par.1), (par.2) and (par.4) and Article 9 of Law 4921/2022 in conjunction with No. 60282/28-6-2022 (Government Gazette Y.O.D.D. 536/28-6-2022) of the Minister of Labor and Social Affairs, by which, as mentioned, the applicant was appointed Interim Governor, first in line to replace the Governor of D.Y.P.A. The following emerges from the above minutes:

a) At the No. .... Meeting, the .....decision,(ADA: ..... ) was taken unanimously, according to which:

"The Board of Directors of D.Y.P.A. decides:

1. To accept nos. ....and .....minutes of the Tender Committee as well as the..... minutes of the expert team to the Tender Committee of D.Y.P.A.'s Administration, concerning the acceptance of the participation documents, the technical and financial evaluation.
2. The acceptance of the technical and financial offer of the economic operator .....submitted in the tender in question.
- 3.The selection of the economic operator ..... as provisional contractor for the open electronic tender concerning .....
4. The acceptance of the above and, subsequently, the provisional contractor shall be invited to submit, within 10 days of the dispatch of the relevant letter, the supporting documents required by the applicable legislation for the award of the contract.

b) At its meeting no. .... the decision (ADA:....)..... was unanimously adopted, according to which:

"The Board of Directors of D.Y.P.A. decides:

- A) The approval of the minutes no. .... of the Administration's Procurement Committee (attached to the proposal)
- B) To accept the supporting documents submitted, as they were found to be correct, complete, and lawful.
- C) The final award of the result of the open electronic tender below the thresholds relating to ..... to the economic operator.....



c) At the meeting no. .... the following decision was taken unanimously.....(ADA: .....), according to which:

"The Board of Directors of D.YP.A. decides:

To extend all stages of the project by one (1) calendar month of Contract No. .... with the contractor.....concerning the project.....

As stated in the Explanatory Memorandum of Law 4622/2019 for Article 73, "Conflict of interest (and, accordingly, the safeguarding of the public interest) may also occur after the end of the term of office of the persons appointed to the positions referred to in Article 68 hereof.

Consequently, paragraph 1 of Article 73 of this draft law defines (indicatively and not exhaustively) the relevant conflict of interest situation that may arise after the expiry of the term of office of the persons concerned, as follows: (a) through the provision of services on their part, under any legal relationship, to a natural or legal person of private law, domestic or foreign, or (b) through their participation in the capital or management of the above legal entities, except in cases of acquisition of shares, corporate interests or other rights through inheritance. The above situations (a) and (b) apply in the case of natural or legal persons related to cases handled by the persons referred to in Article 68 or the bodies supervised by them, or to decisions taken during their term of office."

In view of the above, the applicant, taking up the position he desires, as described in his application, while:

a) With the representative of the company in which he wishes to work, he signed Contract No.... within the scope of his duties as Chief Authorizing Officer of D.YP.A. for expenses relating to the procurement of supplies, goods, materials, and services, and

b) In his capacity as First Interim Governor of D.YP.A. and, therefore, ex officio member of its Board of Directors, he participated and voted in three meetings of the Board of Directors of D.YP.A., during which unanimous decisions were taken: a) to appoint the above company as provisional contractor for the open electronic tender concerning....., b) for the final award of the above tender to the company and

c) for the extension of all stages of the project by one (1) calendar month of the above contract,

falls into a situation of conflict of interest within the meaning of Articles 73 and 71 of Law



Furthermore, it should be noted that the applicant's assumption of the above position may undermine public confidence in the institution of public administration and in the persons, who assume positions under Article 68 of Law 4622/2019, due to his transfer to a private company with which, during his term as Interim Governor of D.Y.P.A., he had concluded a service contract and had participated in meetings of D.Y.P.A.'s Board of Directors, during which decisions were taken in favor of the above company, thus creating a case of revolving doors.

**In view of the above, the Ethics Committee unanimously decides:**

- a) Not to grant Mr. ...., a permanent civil servant.... and former Interim Governor of D.Y.P.A., the requested permission to engage in professional activity at the company ..... as specified in his application with ref. no. 50/28-2-2025.
- b) Not to award the applicant a reasonable compensation, as provided for in Article 73(4)(c) of Law 4622/2019, because the purpose of the above provision is for the Ethics Committee to make use of the remedial measure of compensation, in cases of exclusion of the applicant from the exercise of his profession in general, resulting in harm to his professional freedom and financial situation and, in general, to the development of his personality. In the present case, however, this is not the case, since it concerns a prohibition on taking up that specific position and no other. Moreover, as a regular civil servant, the applicant may request his Service to grant him, in accordance with the provisions of Article 31 of Law 3528/2007 (Government Gazette), a permit to engage in a private employment for remuneration, which does not create a conflict of interest situation within the meaning of Articles 73 and 71 of Law 4622/2019.

**The Chairman  
of the Ethics Committee**

**Paraskevas Nomikos**

**The Secretary**

**Eleni Magafa**