



NATIONAL TRANSPARENCY AUTHORITY

ETHICS COMMITTEE OF ARTICLE 74 OF LAW 4622/2019

DECISION 18/2025

The Ethics Committee of Article 74 of Law 4622/2019 met in session on March 13, 2025, Thursday at 13:00, following the invitation of its Chairman to the other regular members on 07.03.2025, 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 Adviser to the State (regular member), Nikolaos Karagiorgis, Legal Adviser to the State (regular member), Dionysios Laskaratos, First Vice-President of the Supreme Council for Civil Personnel selection (ASEP) (regular member) and Andreas Pottakis, Ombudsman (regular member). Secretarial support was provided by Eleni Magkafa, 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 45/25-2-2025 submitted by Mr., and former Secretary General for Research and Innovation of the Ministry of Development, for the granting of a permission, in accordance with Article 73 of Law 4622/2019, to participate as a non-executive member of the Board of Directors of the company"....." with the distinctive title ".....", and General Commercial Registry (G.E.M.I.) number

Article 73 of Law 4622/2019 stipulates, among other things, 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, since this may 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 benefits 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 this period, the person must refrain from engaging in the activity to which the application relates. If the Committee does not decide within the specified time limit, the license 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 is published on the website of the National Transparency Authority: (a) allow the activity in question without restrictions or conditions, (b) allow it with the necessary restrictions and conditions, (c) prohibit it absolutely. 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 reasonable compensation for the person, that is borne by the State Budget.

The application under consideration, is admissible since, on 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 Secretary General for Research and Innovation at the Ministry of Development and Investment, therefore has the capacity provided for in Article 68(1)(b) of Law 4622/2019.

Furthermore, he must submit the above application to the Ethics Committee pursuant to the provisions of Article 73(par.1, sub.par.2) of Law 4622/2019 on the basis of the aforementioned capacity, which he acquired pursuant to the No. 80327/1-8-2019 (Government Gazette 511/2-



8-2019) joint decision of the Prime Minister and the Minister of Development and Investment, and lost it upon acceptance of his resignation by the No. 61175/31-7-2024 joint decision of the Prime Minister and the Minister of Development and Investment (Government Gazette Y.O.D.D. 801/31-7-2024) on 31-7-2024. 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, i.e. as a non-executive member on the Board of Directors of the above company, is related to the activity of the body to which he was appointed, and whether this could create a conflict of interest within the meaning of Article 71(par.2) and (par.3) of Law 4622/2019.

In particular, in order to investigate whether or not there is a connection between the activities of the General Secretariat for Research and Innovation and the professional activity that the applicant wishes to pursue, the responsibilities of the General Secretariat for Research and Innovation (formerly the General Secretariat for Research and Technology) in relation to the objectives of the company "....." and the responsibilities of its Board of Directors, should be examined.

Firstly, of the responsibilities of the General Secretariat for Research and Innovation (G.S.R.I.), in accordance with Article 8 of Law 4310/2014 (A' 258), the following are crucial for the examination of the application in question:

Article 8

General Secretariat for Research and Technology - responsibilities

Within the framework of this law, the GSRT is responsible for:

- 1.The planning and coordination of the implementation of the National Policy for Research, Technological Development and Innovation (N.P.R.T.D.I.).
- 2.Supervision of research organizations under its jurisdiction in accordance with the relevant provisions in force.
- 3.Contributing to the specialization of the N.P.R.T.D.I. and implementing its action plan with appropriate planning and coordination in cooperation with the relevant R.T.D.I. associations and the R.T.D.I. Coordination Committee.
- 4.The harmonious coordination of N.P.R.T.D.I and the action plan for its implementation with the national plan for the utilization of national and EU resources for the new period 2014-2020 and any other relevant period.
- 5.Submitting recommendations to the Minister of Education and Religious Affairs for the formulation of the Action Plan and any updates thereto.



6. The announcement of R.T.D.I actions and programs, following a recommendation by the GSRT and a decision by the Minister of Education and Religious Affairs, the evaluation, monitoring of implementation, and financing of proposals, certification of compliance with the conditions for the application of incentives provided for the public funding of R.T.D.I activities and investigation of their impact on the economic, social, and cultural life and defense of the country.

7. Submitting recommendations on the feasibility, procedure, and criteria for funding from national and European Union resources, taking into account national priorities, international data, the need to strengthen competitiveness, employment, and meet the social and economic needs of the country, and the country's international commitments.

8. The collection and classification of research data for the evaluation of the results of the implementation of the N.P.R.T.D.I, the annual recording of the efficiency of research organizations, and their periodic evaluation, as defined in this law.

By Article 4 (par.1) of Presidential Decree 81/2019 (Government Gazette A'119) "Establishment, merger, renaming, and abolition of Ministries and determination of their responsibilities - Transfer of services and responsibilities between Ministries, the General Secretariat for Research and Technology of the Ministry of Education, Research and Religious Affairs and the bodies under its jurisdiction, were transferred, as a whole, with all their responsibilities, positions, staff, and supervised bodies, to the Ministry of Economy and Development, which was renamed the Ministry of Development and Investment.

According to Article 60 of Presidential Decree 18/2018 (Government Gazette A' 31) "Organization of the Ministry of Education, Research and Religious Affairs," as in force at the time of the applicant's appointment to the above position, the purpose of the General Secretariat for Research and Technology (GSRT) is to develop research, promote technology, the integration of innovation into production, the dissemination of research results, the development of human research potential, and the strengthening of national research and innovation infrastructures.

The General Secretariat for Research and Technology (GSRT), in accordance with the above Article 60 (par.2), included, in addition to other organizational units, the Directorate for Research and Innovation Support. According to Article 62 of Presidential Decree 18/2018, as in force, the operational objective of the above Directorate is the specialization, announcement, and implementation of measures, actions, and programs for the promotion of research and innovation, linking research with production and developing human research potential. The Department A for Research and Production Linkages of the above Directorate had the following



main responsibilities: a) specialization and announcing programs to link research with the country's productive fabric and ensuring the evaluation of proposals; b) assigning research projects related to the department's role, monitoring their implementation, evaluating interim and final reports, and receiving them; c) recommending measures for the technological and commercial exploitation of the results of all types of research projects.

Furthermore, according to Article 52 of the current Presidential Decree 5/2022 "Organization of the Ministry of Development and Investment" (Government Gazette A' 15/4-2-2022), the mission of the General Secretariat for Research and Innovation (GSRI) is to develop research, promote technology, integrate innovation into production, disseminating research results, developing human research potential, and strengthening national research and innovation infrastructure. The General Secretariat for Research and Innovation, in accordance with Article 52(par.2), includes, in addition to other organizational units, the Directorate for Research and Innovation Support, which, in accordance with Article 54(par.1), has as its operational objective the specification, announcement, and implementation of measures, actions, and programs to promote research and innovation, the development of research and innovation, and the strengthening of national research and innovation infrastructure. According to paragraph 2 of the above article, the responsibilities of the Directorate are divided into three (3) Departments as follows:

a) Department A: Program Specialization and Evaluation:

aa) The specialization and announcement of programs linking research with the country's productive fabric, the development of research potential, flagship actions, innovation, and the evaluation of proposals.

ab) The specification and announcement of scholarship programs for doctoral dissertations and postdoctoral studies and actions funded by the Hellenic Foundation for Research and Innovation.

ac) The inclusion-funding of projects related to the role of the department.

(ad) The study and recommendation of measures to simplify and improve the procedures for evaluating and integrating/financing programs.

b) Department B: Program Management and Monitoring:

ba) The management and monitoring of the implementation of research and innovation projects, funded from any source, the monitoring of interim and final reports and their receipt.

bb) Management and monitoring of flagship actions.

bc) Approval of private research organizations to host third-country nationals for scientific



bd) Monitoring and collecting data on research potential for use in the design and evaluation of actions.

c) Department C for Innovation and Entrepreneurship:

(ca) The specialization and announcement of programs for innovation, linking innovation with production, the labor market, entrepreneurship, and development.

(cb) Evaluating interim and final proposals on innovation, entrepreneurship, and linking innovation to production, the labor market, and development.

cc) Awarding innovation projects, monitoring project implementation, evaluating interim and final reports, and accepting them.

cd) The audit and certification of scientific and technological research expenditure by enterprises and the issuance of relevant expenditure certificates.

(ce) Managing and monitoring innovation structures.

(cf) Keeping, monitoring, and updating the National Register of Start-ups.

(cg) Evaluating candidates for inclusion in the National Register of Start-ups.

(ch) Certifying and registering enterprises in the National Register of Start-ups.

(ci) Supporting cooperation between research bodies, technology transfer bodies, start-ups, innovative enterprises, and productive bodies.

In addition, it should be noted that, within the framework of the Ministry of Development and Investment, and in accordance with article 2 (par.2, sub.par.d,b of P.D. 5/2022), operates the Special Service for the Management and Implementation of Actions in the Fields of Research, Technological Development and Innovation under No. 123511/EYTHY880/15-11-2017 (B'3992) decision of the Deputy Minister of Economy and Development, under the General Secretary for Research and Innovation, which is an intermediate body of the National Strategic Reference Framework (2014-2020) for support actions for R.T.D.I projects.

The Special Service for the Management and Implementation of Actions in the Fields of Research, Technological Development and Innovation, in accordance with Article 1 of Ministerial Decision 122027/2022 (Government Gazette B' 6503/17.12.2022, has the mission of specializing and managing state aid actions and projects falling within the fields of Research and Innovation and financed by EU Funds through the NSRF Programs, or through the Recovery and Resilience Facility (RRF), or through other European or national resources. Within the scope of its responsibilities, it cooperates with the services of the General Secretariat



for Research and Innovation (GSRI), which are responsible for the design and coordination of the implementation of the National Strategy for Research, Technological Development and Innovation. In addition, the Special Service for the Management and Implementation of Actions in the Fields of Research, Technological Development and Innovation undertakes all the tasks as referred to in the decisions designating it as an Intermediate Body by the Special Management Service of the "COMPETITIVENESS" Program (NSRF 2021-2027), Special Services (SS) of other Sectoral or Regional Programs or other bodies or services, based on Article 13 of Law 4914/2022. The Special Service for the Management and Implementation of Actions in the Fields of Research, Technological Development and Innovation, continues to exercise the management powers assigned to it under Law 4314/2014 during the 2014-2020 Programming Period by Ministerial Decision No. 5640/1178A1/7.10.2016 (B' 3425), which designated it as the Intermediate Body of the EPAnEK for the Single State Aid Action "Research - Create - Innovate."

Furthermore, according to Article 6(par.3) of the above Presidential Decree 5/2022, the Minister and the General Secretariat for Research and Innovation supervise the following research and technology bodies:

a) Legal entities of public law:

.....

b) Legal entities governed of law:

ba) Research Centers under Law 4310/2014:

(1) Foundation for Research and Technology (FORTH), (2) National Hellenic Research Foundation (NHRF), (3) Hellenic Institute of PASTER (EIP), (4) Research Center for Innovation in Information, Communication and Knowledge Technologies "Athena," (5) National Center for Research and Technological Development (EKETA), (6) Alexander Fleming Research Center for Biomedical Sciences, (7) Alexander Fleming Hellenic Foundation for Basic Biological Research, (8) Biomedical Research Foundation of the Academy of Research.

bb) NOESIS Science Center and Technology Museum, a technological body under Law 4310/2014.

bc) Hellenic Foundation for Research and Technology (ELIDEK) under Law 4429/2016 (A' 199).

c) Patras Science Park S.A. (EPP SA), a technology agency under Law 4310/2014.

The company "....." with the distinctive title was established onwith Tax Identification Number and General Commercial Registry Number



The purpose of the company, as defined in Article 3 of its Articles of Association, is

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

And with secondary ACNs, as follows:

With regard to the powers and responsibilities of the company's Board of Directors, Article 20(par.1, section1) of its Articles of Association, it is specified that the Board of Directors is responsible for deciding on all matters relating to the management of the company's assets and representation of the company, its activities in general, and to take all appropriate measures and decisions to achieve the company's purpose.

From the above, it follows that the purpose of the company "....."
 and its activities, in conjunction with the powers of its Board of Directors, do not appear to be related to the responsibilities of the General Secretariat for Research and Innovation, in which the applicant served as Secretary General from August 1, 2019, to July 31, 2024.

Furthermore, the above company, as a legal entity of private law, is not included in the legal entities of private law supervised by the General Secretariat for Research and Innovation.

However, as the applicant informed us in response to our letter ref. no. 53/4-3-2025, the anonymous company: "....." has participated over time in the actions of "RESEARCH - CREATE - INNOVATE" program of the General Secretariat for Research and Technology and has been funded for research and innovation projects. From the information attached by the applicant in the reply dated March 6, 2025, in conjunction with the information posted on the "Transparency" Program, the following facts emerge:

In 2018, when the applicant had not yet been appointed to the position of Secretary General for Research and Technology,projects of the company, within the framework of Operational Program 1-, Entrepreneurship and Innovation were approved and funded by the General Secretariat for Research and Technology and within the remit of the Special Service for the Management and Implementation of Actions in the Fields of Research, Technological Development and Innovation (EYDE-ETAK), as follows:

.....

It appears from the above duration of the projects, that their progress and completion took place during the applicant's term of office as Secretary General for Research and Technology.

During the applicant's term of office as Secretary General for Research and Technology, he approved projects of the company ".....", as follows:



.....

It follows from the above that during his term of office as Secretary General for Research and Technology and subsequently as Secretary General for Research and Innovation, i.e. in the position referred to in Article 68(par.1)(b) of Law 4622/2019, specifically approved the above-mentioned business plans of, most of which received funding from public resources.

As stated in the Explanatory Memorandum to Law 4622/2019 on Article 73, "Conflict of interest (and, accordingly, the safeguarding of the public interest) may also arise after the expiry 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 that may arise after the expiry of the term of office of the persons concerned, as follows: (a) through the provision of services—by any legal means—to a natural or legal person of private law, whether 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, assuming the position he desires as a non-executive member of the Board of Directors of the companyi.e. in an entity whose business plans were approved by decisions of the applicant during his term of office as Secretary General for Research and Technology, is subject to a conflict of interest within the meaning of Articles 73 and 71 of Law 4622/2019.

Furthermore, the applicant, during his term of office, was responsible for supervising the aforementioned competent services of the General Secretariat for Research and Technology and subsequently of the General Secretariat for Research and Innovation, namely the Special Service for the Management and Implementation of Actions in the Fields of Research, Technological Development and Innovation and the Directorate for the Support of Research and Innovation Actions, which have very important responsibilities for the inclusion of business plans in the funded programs of the General Secretariat and monitoring their implementation. Therefore, and due to the short time since his departure from the General Secretariat for Research and Innovation, he is likely to know the employees, his former subordinates, and those responsible for the above procedures, and consequently, it would be possible for a question of undue influence, even indirectly, to arise in relation to those persons in the performance of their



duties. In addition, he may possess confidential information that is not accessible to the public, which could be used to promote the purpose and activities of the company, in view of the powers and responsibilities of the company's Board of Directors, as set out in Article 20 of its Association, even if, as stated in his application, he will not have executive duties.

Finally, it should be noted that the applicant's assumption of the above position may undermine the trust of citizens 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 whose he had previously approvedbusiness plans funded and which has included other projects in the programs of the General Secretariat for Research and Innovation and has received significant funding, thus creating a case of the “revolving door” phenomenon.

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

a) Not to grant Mr.and former Secretary General for Research and Innovation of the Ministry of Development, the requested permission to exercise the professional activity in the company....., as specified in his application dated 21.2.2025.

b) Not to award the applicant reasonable compensation, as provided for in Article 73(par.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 damage to his professional freedom and financial situation and, in general, to his personal development. In this case, however, there is no such case, since it concerns a prohibition on taking up that specific position and no other. It should be noted that, given his academic and professional qualifications, the applicant could take up another position within the scope of his particularly high qualifications that would not create a conflict of interest within the meaning of Articles 73 and 71 of Law 4622/2019.

With regard to the above reasoning for the second (b) part of the decision, the regular member of the Commission, Mr. Andreas Pottakis, expressed the view that the prohibition of occupying a specific position could be considered a sufficiently onerous or restrictive measure on the part of the Commission to justify the adoption of a remedial measure.

**The Chairman
of the Ethics Committee
Paraskevas Nomikos**