



**HELLENIC REPUBLIC
MINISTRY OF LABOUR,
SOCIAL SECURITY AND SOCIAL SOLIDARITY
GENERAL SECRETARIAT
FOR SOCIAL SECURITY
DEPARTMENT OF BILATERAL CONVENTIONS AND
RELATIONS WITH INTERNATIONAL ORGANIZATIONS**

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Athens, 23. 07. 2015
Ref. No:
F 65130/oik.32430/1359

TO:
COUNCIL OF EUROPE
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CC: Permanent Representative of Greece
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**Subject: Application of the European Code of Social Security by Greece
33rd annual report (Period from 1 July 2014 to 30 June 2015)**

Dear Sirs,

Please find enclosed the 33rd general report of Greece on the application of the European Code of Social Security (article 74 of the Code) and the Greek statement concerning the ILO conclusions and the Draft Resolution, as presented on 18th of May in Strasbourg during the 131st meeting of the Governmental Committee of the European Social Charter and European Code of Social Security.

We are at your disposal for any further co-operation.

Kind regards,

Georgios Romanias
Secretary General of Social Security

Enclosed: I) The National Report on the Application of the accepted parts of the ECSS
II) The Greek statement (F. 65130/oik. 32429/1358)
III) Review of the files concerning the Right to complain and appeal in social security (art. 69 ECSS) (F.65130/32494/1366)
IV) Questionnaire on the art. 69 of the European Code of Social Security (F.65130/oik.32428/1357)

**33rd (THIRTYTHIRD) ANNUAL REPORT
ON THE APPLICATION OF THE
EUROPEAN CODE OF SOCIAL SECURITY**

(ARTICLE 74)

GENERAL REPORT

FOR THE PERIOD FROM 1 JULY 2014 TO 30 JUNE 2015

**GREECE HAS ACCEPTED
PARTS II, III, V, VI, VIII, IX AND X OF THE CODE**

Part II:	Medical Care
Part III:	Sickness Benefit
Part V:	Old-age Benefit
Part VI:	Employment Injury Benefit
Part VIII:	Maternity Benefit
Part IX:	Invalidity Benefit
Part X:	Survivors' Benefit

I. GENERAL

A. Administration/Organisation

a) Changes made during the reference period

- Law 4238/2014 (Gazette 38 A/17.2.2014) "First National Health Network (P.E.D.Y.), change of purpose of E.O.P.Y.Y. and other provisions", as described below in part II. *Medical Care*.
- Law 4270/2014 (Gazette 143 A/28.6.2014) "Financial management and supervisors (transposition of Directive 2011/85 / EU) public accounting and other provisions."
- Law 4277/2014 (Gazette 156 A/ 1.8.2014) "New regulatory plan for Attica - Athens and other provisions"
- Law 4278/2014 (Gazette 157 A/ 4.8.2014) "Taxes, conscription and other provisions"
- Law 4281/2014 (Gazette 160 A/8.8.2014) "Supporting and developmental measures for Greek economy, organizational issues of Ministry of Finance and other provisions"
- Law 4302/2014 (Gazette 225 A/8.10. 2014) "Regulations for supplies and other provisions"
- Law 4320/2015 (Gazette 29 A/19.3.2015) "Regulations for taking immediate measures to tackle the humanitarian crisis, the organization of the Government and Governmental Institutions and other provisions"

Note: After the last general elections (January 2015), the Ministry of Labour, Social Security and Welfare, changed to Ministry of Labour, Social Security and Social Solidarity.

II. MEDICAL CARE

a.

The Law 4238/2014 "First National Health Network (P.E.D.Y.), change of purpose of E.O.P.Y.Y. and other provisions "(Government Gazette 38 A).

Specifically Article 1 provides that: "1. *The State shall ensure and guarantee the provision of health services through the primary health care to all citizens, as necessary and sufficient to ensure their health and promote social welfare ...* 3. *Services of the Primary Health Care are equally available to every citizen, regardless of economic, social, professional, insurance status and place of residence, through a universal, open and decentralized National Primary Health Network (P.E.D.Y.), organized and operating in accordance with the provisions of this law* 4. *The Primary Health Care: a) Is the gateway of citizens in the health system, b) Provides the citizens with integrated primary care, prevention, diagnosis, treatment, care and promotion of health, c) Ensures and coordinates continuity of care by directing citizens to the other levels of the health system, d) Respects the autonomy and dignity in the context of bioethical norms and medical ethics.*"

b.

Within the scope of that law, clarifications were issued by the Ministry of Health, according to which "In the above health facilities, health services are being provided equally to all citizens, regardless of their insurance capacity, including the uninsured citizens."

c.

According to the above mentioned law (article 8 of the Law 4238/2014 and article 182 of Law 4270/2014), the purpose of E.O.P.Y.Y. is:

a) The purchase of health services for insured persons, pensioners, and dependent members of their families, the transferred entities, as set out in the Single Health Benefit Regulations of the Organisation.

b) The establishment of rules of programming, quality, development, evaluation, safety and efficiency of health services market, management and control of funding and the rational utilization of available resources.

c) The determination of the criteria and contract terms for the purchase of health services with public and private institutions and practitioners, as well as the revision and amendment of these terms, if required.

d) To reach agreements with providers concerning their remuneration, the contract terms of the Organisation, the price of medical material and medicine.

e) The provision of pharmaceutical care to insured persons who have lost their insurance capacity and are not entitled to pharmaceutical care services from any Social Security Fund.

By joint decision of the Ministers of Finance and Health the details of the terms and conditions were established.

d.

In line with the article 182 of Law 4270/2014 (Gazette 143 A/28.6.2014) the Joint Ministerial Decision was issued, concerning the "Determination of conditions, criteria and procedures for access to the pharmaceutical system care of uninsured and financially weak citizens" (Gazette 1753 B), according to which:

1. Uninsured Greek citizens legally residing in the Greek territory, expatriates, nationals of Member States of the European Union and third countries nationals, legally and permanently residing in Greece, who do not fulfil conditions for health coverage of uninsured and therefore are not insured by any public or private organization, as well as the insured persons who lost their insurance capacity due to debt to the relevant Funds, together with their dependent family members, are entitled to free medical care.

2. The competency to prescribe medicine to the above categories of citizens is exclusively given to doctors in hospitals of the National Health System (ESY) and public structures providing primary care services (of P.E.D.Y.).

e.

Also, in line with the Law 4238/2014, a Ministerial Decision was issued (Gazette 93 A), which provides for the establishment of a *Group for Joint Actions*, whose task is the coordination, implementation and monitoring of scientific, nursing and educational interface, effective treatment of health problems of citizens, guidance and improvement of the accessibility to the health system, feedback about the state of citizens' health, in particular concerning the three main pillars of health services a) cases of direct (emergency) response, b) management of chronic diseases and c) the improvement and promotion of the health of citizens.

f.

According to the Article 30.1 of the Law 4320/2015 (Gazette 29 A/19.3.2015), the Insured with IKA-ETAM and the members of their families, for the period from 1.3.2015 to 29.2.2016, will be covered by IKA-ETAM for the benefits in kind which are to be provided by EOPYY, if they completed 50 days of insurance, either during the previous calendar year, or during the last 15 months, without taking into account the contribution days realized during the last three months of the 15 month period.

g.

Finally, the Ministry of Health abolished the obligation to pay five (5) euros in public hospitals of the National Health System (ESY), as participation of the citizens for the examination by doctors.

III. SICKNESS BENEFIT

No changes.

V. OLD AGE BENEFIT

A) IKA-ETAM (Organisation for social insurance for private sector employees)

Regarding the legislation of IKA-ETAM, there were some changes concerning the recognition of the insurance periods. Specifically:

a.

The article 59 of the Law 4277/2014 (Gazette 156 A/ 1.8.2014), replaced the article 21 of the Law 4224/2013 (Gazette 288 A/ 2013) as follows:

The time spent on income support is taken into account as the actual working time needed to be completed in order for the insured person to be eligible for the full or reduced pension, and it is not included in the maximum recognizable fictitious periods as set by the existing legislation (art. 40 of Law 3996/2011, which replaced the art. 10 par. 18 of Law 3863/2010 and the art. 40 par. 7 of Law 2084/1992).

b.

According to the article 61 of the Law 4278/2014 (Gazette 157 A/ 4.8.2014), for employees in "GREEK DEFENSE SYSTEMS S.A." (EAS) who will participate in the voluntary retirement program, the time spent not being in service, which is recognized in accordance with the art. 25 of Law 2190/1994 (Gazette 98 A) as the period of service for persons who were rehired, is not included in the maximum recognizable fictitious periods as defined by art. 40 par. 6 of Law 3996/2011 (Gazette 170 A).

c.

According to the article 248 of the Law 4281/2014 (Gazette 160 A/8.8.2014), concerning the School Guardians whose working places were abolished by the Law 4172/2013, the former School Guardians have the right to recognize periods they were employed through the programs set for obtaining the working experience (article 20 par. 15 of the Law 2639/1998) as periods calculated as pensionable years. In order to do so, the deadline of 3 months for the submission of the application was set by a Ministerial Decision (from the moment of its publication), the maximum number of recognized years is set to five, the amount to be paid for the purchase is calculated based on the income of June 2013 and it is paid to IKA-ETAM either as a lump sum or up to 60 monthly payments. If the application for retirement is submitted before the entire amount is paid, the remaining monthly payments are withheld from the pension amount.

B) OGA (Organisation for Agricultural Insurance)

With the article 18 par. 3 of the Law 4302/2014 (Gazette 225 A/8.10. 2014), a new rule was added to the original law (2458/1997 article 5) concerning the conditions for granting the old age pension to the insured of OGA. Specifically, the right to the old age pension was established for persons who were insured for 40 years and are 62 years old or older.

VI. WORK ACCIDENT AND OCCUPATIONAL DISEASE BENEFIT

No changes.

VIII. MATERNITY BENEFIT

No changes.

IX. INVALIDITY BENEFIT

No changes.

X. SURVIVORS' BENEFIT

No changes.

XI. FINANCING

No changes.

Greek Statement

In order to reply to the points of the Resolution on the application of the European Code of Social Security and its Protocol by Greece (period from 1 July 2011 to 30 June 2012), our team has collected data and views from the:

1. Various departments within the Ministry (General Secretariat of Social Security, General Secretariat of Solidarity, General Directorate of Financial Services)
2. Ministry of Finance
3. Ministry of Health
4. National Actuarial Agency
5. EOPYY (National Organisation for Provision of the Healthcare Services)
6. IKA-ETAM (Organisation for social insurance for private sector employees)

Prevention and reduction of poverty is one of the main objectives of the Code, the Committee requests all the governments to send, in their annual reports, the most recent and comprehensive statistics on the dynamics of poverty in their countries, including among the active population, pensioners and children. In addition, Greece, among others, is specifically requested to provide detailed information on the social impact of the economic adjustment programmes and the effectiveness of social transfers and pensions to reduce poverty.

1. Preserving the viability of the social security system.

a) The Committee hopes that the Government will take appropriate measures to correct the “multipliers” of its economic policy so as to give greater effect to the recommendations made in the Committee of Ministers’ Resolution on the Code.

The IMF itself has recognized that the impact of the measures in GDP was underestimated, because it was calculated with a financial multiplier of 0.5 while the multiplier was proven to be 1, resulting to measures eventually having multiple recessive impact of the what was initially assessed for the program. In this context, the constant pursuit of the Ministry of Finance is to avoid adopting further recessionary measures that will negatively affect the economy or even possibly suspend existing measures of recessive nature.

b) The Committee requests the Government to summarize the findings of this study in its next report on the Code, together with the plans for wider reforms of the system mentioned in the report, be it the full integration of social security organizations into the tax administration, the unification of all the different pensions funds into one, or the extension of the guaranteed minimum income scheme to the whole country to become the backbone of the new social protection system in Greece.

As far as findings of the actuarial studies are concerned, the National Actuarial Authority conducted a study for Greek main and supplementary pension insurance system in 2014 (2013 being the year of base). The study was conducted under Article 11 para. 2 of Law 3863/2010 and according to the works of the AWG (Working Group on Ageing Populations and Sustainability) of EPC / ECOFIN (Economic Policy Committee), with the methodology, the demographic and macroeconomic conditions (Assumptions & Methodologies) of the AWG of EPC / ECOFIN . The results of the projections have already been ratified by the AWG, while awaiting the final decision of the ECOFIN in 2015, in order to publish a single reference for all Member States.

In terms of wider reforms of the social security system, the final decision of ECOFIN is expected (within 2015) concerning the actuarial study of 2014, in order to request from National Actuarial Authority to proceed with the specification of the social impact of pensions cuts, as well as to identify and take measures for dealing with these cuts.

Additionally, as far as the integration of social security organizations into the tax administration is concerned, we would like to inform you that the groundwork has already been completed and there is an ongoing process of recording the necessary procedures for the implementation of the relevant conclusions.

Moreover, as far as the integration of all the different pension funds into one is concerned, the Government, taking also into account the proposals of the National Actuarial Authority about the sustainability of the social security funds and exploiting the international ILO standards and the existing best practices will conduct a social dialogue with social partners, which is expected to begin within 2015.

Regarding the minimum guaranteed income, the program remains applicable as far as dealing with extreme poverty conditions is concerned and has expanded from 2 municipalities last year to 13 municipalities of the country, beginning from 15/11/2014. It is estimated that 20,000 people will benefit from the measure, the duration of which is determined to six months. After the end of that period the results of the program will be assessed. We would like to note, however, that in order to better tackle poverty, the overall functioning of the country's social protection system is reviewed.

c) The Committee hopes that in reforming its social security system the Government would give effect to the basic principles of the organization and financing of social security established by the Code and Convention No. 102, which international experience has consistently shown to provide the best guarantees for constructing viable systems. On the more practical scale, the Committee also hopes that the introduction of the IT systems would enable the Government to submit in its next report the statistical data on the basic performance indicators of the system for the period 2010–14, showing in particular under each of the accepted Parts of the Code the changes in the number of persons insured by the main social security organizations, the total amounts of contributions collected and benefits paid, and the accumulated debts and deficits of the social security funds.

Regarding the basic principles of the organization, the Government will restore the public and redistributive nature of social security by readjusting the existing legislative framework, with which from 01.01.2015 the social security system was transformed into a strictly funded scheme, where the state guaranteed only the so called basic pension (360 euros per month for year 2010), while the remaining part of pension is converted into an individual-contributory.

As regards the financing of the system, the revenues of social security will be strengthened through a national, development production recovery plan, reducing unemployment through employment programs.

The Government, in order to strengthen the public funding of social security, will restore fully, within a specific time framework the tripartite funding and according to relevant provisions of ILO Convention No 102 will enhance it, as a measure of gradual recovery of the reserves of the social security Funds, with additional public resources, that will not burden taxpayers and bank depositors. For this reason, it plans the creation of the National Wealth and Social Security Fund that will be financed by Government revenues from the natural and mineral wealth of the country as well as the use of public property. At the same time there will be an effort for a better exploitation of the assets of social security funds. It is noted that the Government has already asked ILO's assistance in relation to the existing, internationally best practices for the exploitation of pension funds' assets.

As regards the collection of statistics for the period 2010-2014, with respect to the accepted parts of the Code, most of the data will be available on our annual report, but we can provide some information on the following:

- For the year 2014, the country's largest social security fund, namely the IKA - ETAM had 806,496 old aged pensioners, 114,426 disability pensioners and 300,000 survivors' pensioners.
- The employed and insured persons at IKA – ETAM in August 2014 were 1,785,341.

d) The Committee hopes that the international obligations of Greece under the Code and Convention No. 102 would figure prominently in this exercise and would like the Government to indicate the progress made in its next report, highlighting

the form and structure to be given to the reshaped body of the Greek social security legislation.

There is an ongoing process of codification and simplification of social security legislation, which aims at establishing the Code of Insurance Law, the issuing of a practical guide for the insured persons, as well as a large public awareness campaign financed by the Ministry informing workers for their social security rights.

The first phase of the project referred to recording thousands of pages of laws, presidential decrees, ministerial decisions, circulars and decisions of the social security funds and relevant jurisprudential solutions has been completed.

2. Social security and reduction of poverty.

a) The Committee would like to ask the Government to specify the magnitude of the new reductions in the amounts of the primary and supplementary pensions which would result from the measures mentioned above, as well as the outcome of its negotiations with the Troika on the second pension reform. The Committee notes that the date of the entry into force of the “zero deficit” clause falls outside the reference period of the 32nd annual report on the Code and regrets that the Government’s next report will have to announce the new wave of significant pension cuts which are likely to make ineffective a large part of the Government’s efforts to reduce poverty.

The Government, being aware of the deep recession caused in recent years in the Greek economy, is seeking to exercise a different mix of economic policy that will not lead to further reductions to main and supplementary pensions, as it was expected from 01.01.2015. The aim is not to make new cuts under the zero deficit clause and in this context, it intends to suspend indefinitely its implementation to the supplementary insurance funds. It will also plans to proceed with the restoration of the so-called thirteenth pension for low-income pensioners, whose monthly pensions are below 700 euros, and the gradual restoration of the minimum wage to 751 euros. The zero deficit clause applied only once on July 1st 2014.

b) The Committee requests the Government to explain the criteria used to calculate the amounts of these new benefits as well as the benefit under the new guaranteed minimum income scheme which, according to the report on Convention No. 102, aims to become the core of the new social welfare strategy for the entire country. Please provide information and data on the evolution of poverty in the country among different categories of the population and households and explain the progress made in attaining the national anti-poverty targets, specifying the role assigned in this respect to the social security benefits. In compiling this information, the Government may wish to refer to and update the statistics compiled by the Office in the infographs attached to the present conclusions.

Regarding the criteria for determining the amounts relating to the payment of social security benefits (maternity allowance for the self-employed) and those related to the minimum guaranteed income, these were determined by the financial abilities of the country.

In particular, the amount of the maternity allowance was determined based on financial report of the Department of Actuarial Studies Department of Economic Supervision and Inspection of Legal Entities of the Ministry of Social Security Labour and Welfare and within the approved by the respective Midterm Fiscal Strategy Framework expenditure ceiling for pension funds.

As regards the evolution of poverty in Greece, we would like to inform you that for the period from 2009-2014, although a significant reduction of the general government deficit by 13.6% was achieved, the implementation of fiscal adjustment from 2010 onwards to the Greek economy which was already in recession, caused an approximate 25% decline of the GDP and profound social implications.

These effects are reflected in the unfavourable evolution of social indicators during the same period. Lists with the following statistics are indicative:

Unemployment	4th quarter of 2009	4th quarter of 2014
Total rate of unemployment	10.3%	26.1%
Unemployment characteristics		
Per sex: women	14%	29.6%
Per age group: young people aged 15-24	28.4%	51.5%
Duration: long-term unemployment (> 1 year)	43.3%	73%

Poverty/Social Exclusion 2010 (reporting period with incomes of 2009)

2013 (reporting period with incomes of 2012)

At-risk-of-poverty rate (after social transfers) the share of people with a disposable income below the at-risk-of-poverty threshold, which is set at 60 % of the national median equivalised disposable income after social transfers. 20.1% 23.1%

Larger share in terms of sex held by women 20.9% 23.8%

Larger share in terms of age is held by children (0-17 years of age) 23% 28.8%

Larger share in terms of household held by single parent households with at least one dependent child 33.4% 37.2%

Largest share held by the unemployed	38.6%	46.5%
At risk of severe poverty rate (after social transfers) the share of people with a disposable income below the 40% of the national median equivalised disposable income after social transfers	7.3%	11.1%
Risk of poverty rate based on the conditions of 2008 (poverty index based on a fixed limit updated)	18%	44.3%
Risk of poverty rate and social exclusion (the share of people living in households with material deprivation and at low density labour activities)	27.7%	35.7%
Larger share in terms of sex held by women	29.3%	36.8%
Larger share in terms of age is held by children (0-17 years of age)	28.7%	38.1%
Larger share in terms of household held by single parent households with at least one dependent child	46.3%	54.8%
Largest share held by the unemployed	59.6%	67.8%

Source: Eurostat-Elstat

Examining the effectiveness of social transfers in reducing poverty risk, the data of ELSTAT for 2013 show that all social transfers reduced the at risk of poverty rate by 30.3% (by 4.9% social benefits and by 25.4% pensions), while in 2010 they reduced the at risk of poverty rate by 22.7% (by 3.7% social benefits and by 19% pensions).

The increase of the rate of reduction of poverty risk in 2013, does not seem to be due to the increased efficiency of social transfers, but it is mainly explained by the overall reduction of the total disposable income and consequently the poverty threshold (60% of equivalent median disposable income) which in 2010 accounted for 7,178 euros while in 2013 decreased to 5,023 euros.

The objective of the new economic policy is conducting a fiscal policy with a positive influence on economic activity. In light of this, the intention is to promote and implement a series of reforms aiming at development with a social dimension in the fields of taxation, management of public finances, public administration and social security.

The implementation of measures that will bring about a recession in the economy has been excluded.

c) The Committee urges the Government to provide substantive responses in respect of the following statements made in the report: (1) that the Greek Government has, and will, put the issue of the prevention of poverty on the agenda of its meetings with the parties of the international support mechanism for Greece; (2) that the National Actuarial Authority will be in a position to determine the

social impact of the cuts in social security benefits; and (3) that the actions taken to prevent poverty analysed the most rapid scenarios for undoing certain austerity measures and disproportionate cuts in benefits.

1) Concerning the prevention of poverty, the Government considers it of utmost importance, and therefore put it each time in the discussions with the institutions and through the targeted policy, considers that it should take no further measures bringing recession, but economic development. For this reason, the first legislative act of the new government that was recently passed was a law to address the humanitarian crisis.(Law 4320/2015 (GG 29 A)

2) As regards the determination of the social impact of cuts in social security benefits, the National Actuarial Authority has already expressed the ability to determine the social outcome of cuts, with regard solely to pension benefits, under the condition that all the necessary data per insured and per pensioner will be handed (and the Government intends to do so).

3) Measures taken to prevent poverty:

With Regulation 223/2014 the Fund for European Aid to the Most Deprived was established, under which the funding of material assistance activities are provided to the most deprived, amounting to 330 million euros for Greece and for the period from 2014-2020. The operational plan of Greece, where the terms of the program and individual actions are set, has already been approved by the European Commission.

According to article 1 par. A. 2 of law 4254/2014 (GG 85B) the amount of 20 million euros was allocated for the year 2014 to fund schemes providing housing, food and social support for homeless people.

Law 4320/2015 (GG 29 A) provides for the implementation of a package of immediate measures to tackle the humanitarian crisis through:

- ensuring commodity housing (rent subsidy)
- nutrition (food subsidy)
- energy (free power supply for primary residence) for households living in extreme poverty based on income and asset criteria.

This legislative intervention is part of the National Strategy for Social Integration for the development of a universal and effective social protection system aiming not only to ensure decent living, but also to contribute to the country's economic development.

To individuals and families living in extreme poverty it is provided for the year 2015:

- free power supply for their primary residence up to 300 KWh per month
- rent subsidy to 30,000 people to secure housing,

- monthly allowance that does not exceed 70€ per person and 220€ per family that is tax-free not subject to any kind of withholding
- the grant for food is awarded to individuals and families living in extreme poverty. For the grant the total income of beneficiaries from each source is taken into account

In this context, the implementation of the pilot guaranteed minimum income is included (Law 4093/2012, article 1, subpar. IA3), which, until its completion on 30.04.2015, it is estimated that 20,000 beneficiaries living in extreme poverty in 13 municipalities of the country will be profited (one municipality for each Region). At the end of June 2015 the evaluation of the pilot program will begin and will be the base for deciding the expansion.

Finally, the Ministry of Finance with law 4321/2015 settles the payment of arrears of citizens and businesses to tax administration and social security funds (up to 100 installments) according to their economic ability. The motivation set, is the exemption of accumulated debts from surcharges according to the amount of the debt.

3. Part II (Medical care).

a) Recalling that the report on the Code states that the National Register of Beneficiaries of health care is established and updated in real time, the Committee requests the Government to provide updated statistics on the number of persons insured under Part II of the Code.

According to data received from E.O.P.Y.Y based on the National Register of Beneficiaries of health care, the number of beneficiaries of IKA – ETAM, both employees and retired (insured directly or indirectly) for years 2012-2014 has as follows:

YEAR	NUMBER OF BENEFICIARIES
2012	4,941,350
2013	4,953,352
2014	5,377,248

Whereas the total number of direct and indirect insured persons of all social security funds (including also those of IKA - ETAM) covered by the Organisation, is 9,220,800 at April 8th, 2015.

b) The Committee would like the Government's next report to include detailed information on the application of all articles of Part II of the Code in law and in practice, accompanied by the statistical data showing the financial situation of the national health-care system and its performance in terms of maintaining, restoring or improving the health of the persons protected.

As far as maintaining, restoring or improving the health of protected persons, we would like to inform you that with law 4238/2014 the National Primary Health Network (P.E.D.Y.) was established. It is specified that the state shall ensure, guarantee and provide for health services through the Primary Health Care (P.F.Y.) to all citizens that are necessary and sufficient to ensure their health and promote their social welfare. These health services are equally available to every citizen, regardless of economic, social, professional, insurance status and place of residence, through a universal, single and decentralized National Primary Health Network (P.E.D.Y.). The Primary Health Care (P.F.Y.):

- Provides to the citizens integrated primary care, prevention, diagnosis, treatment, care and promotion of health.
- Ensures and coordinates the continuity of care, by directing citizens to the other levels of the health system.
- It respects the autonomy and dignity, in the context of bioethical norms and medical ethics.
- Provides health services equally to all citizens, regardless of their insurance capacity, including uninsured citizens.

Moreover, with a subsequent law (Article 182 of Law. 4270/2014) a Joint Ministerial Decision was issued on "Determining conditions, criteria and procedures for access to the pharmaceutical care system for the uninsured and financially weak citizens", according to which it was determined the access of uninsured and financially weak citizens to the health care system who lack the conditions to issue the uninsured booklet and are not insured by any public or private fund. The same applies to insured persons have lost their insurance capacity due to debts to their social security funds, as well as their dependent family members that are also entitled to free medical care.

Finally, law 4320/2015 "Arrangements for immediate action to address the humanitarian crisis, the organization of the Government and governmental bodies and other provisions", provides coverage to insured persons and to members of their family for benefits in kind from EOPYY and for the period from 03/01/2015 to 29/02/2016, provided that they have completed 50 days of insurance, either during the previous calendar year or over the last fifteen months, not counting any days of the last calendar quarter.

It is also extended until 29.02.2016, the insurance coverage of the unemployed aged from 29 to 55 years, as well as the insurance coverage of independent professionals aged from 30-65 years, who have ceased their professional activity and remain unemployed and uninsured.

Finally, the uninsured old aged r pensioners OGA, who do not receive a pension, are covered for health care benefits from E.O.P.Y.Y from 01/03/2015 to 02/28/2016.

4. Part XI (Standards to be complied with by periodical payments), Articles 65 and 66. Determination of the reference wage.

Furthermore, the Committee asks the Government to confirm that the Labour Collective Agreement of 2010, to which it refers in 2014, is still valid and that the turners continue to receive wages at the level set in 2010. With these considerations in mind, the Committee requests the Government to review the method currently used for determining the reference wage of the standard beneficiary under Article 65 of the Code, as well as to also establish for the purpose of comparison the reference wage of an ordinary adult male labourer under Article 66. In doing so, the Government may wish to refer to the attached technical note prepared by the Office, which calculates for Greece all the options allowed by the Code for the same time period for which all relevant data is available (2010). Please update the statistical information used in the note, indicating the precise source of data for future reference.

According to the competent directorate of IKA-ETAM, the turner was selected as ordinary adult laborer (skilled worker), because it was a typical profession exercised by the majority of the labor force in our country, and it also met the requirements of both Articles 65 and 66.

The National General Collective Labour Agreement (E.G.S.S.E.) of 2010 referred to the standard beneficiary remains valid. For period examined, the National General Collective Labour Agreement was in force and is renewed and valid until 15/08/2015. The calculation of the reference wage is based on the Collective Labour Agreement of metal craftsmen.

The calculation of the wage reference pursuant to Article 65 (6) of the Code is the one already mentioned in the relevant Technical Memorandum for Greece.

About the alternative proposal to select another type of worker (skilled male worker in wholesale) under Article 65 (6b) we would like to inform you that the competent Directorate of IKA -ETAM (Actuarial and financial studies) does not have the ability to calculate the benefits to be paid in relation to this reference wage, since this wage is not defined in any collective labour agreement.

The second alternative proposal to select the unskilled male worker in wholesale under Article 66 (4b), is under examination from the competent Directorate of IKA -ETAM.

In conclusion, despite the austerity policies, Greece continues to comply with the obligations arising from the ratification of the parts of the Code of Social Security.

**Review of the files concerning the Right to complain and appeal in social security
(art. 69 ECSS)**

After the review of the chapter on Greece (pages 102-105) concerning the Right to complain and appeal in social security (art. 69 of the ECSS), we inform you that all the information is correct.

QUESTIONNAIRE

We would be grateful if the Government of Greece could communicate information on the following:

i) Can the Government indicate which are the competent social security institutions dealing with complaints for each of the benefits relating to the parts of the parts of the European Code of Social Security that Greece has accepted, namely for complaints relating to :

-Medical Care;

In case there was a problem during the examination in the hospital, by a doctor, or at a clinic, the insured with EOPYY have the right to submit a complaint to the Office of the President (of EOPYY) or to the Department for the Complaints, in which they should describe the event and the EOPYY will take suitable actions.

-Sickness Benefit;

-Old-Age Benefit;

-Employment Injury Benefit;

-Maternity Benefit;

-Survivor's Benefit.

The basic law concerning IKA-ETAM (1846/1951, Gazette 179 A), in articles 43-50, foresaw the establishment of the administrative courts for social security of first and second instance, but instead of the mentioned courts, other administrative bodies with the same competence were established, based on the article 13.9 of the same law (and art. 3.4 of the law 2698/195, Gazette 315 A), namely the Local Administrative Committees, which are collective administrative bodies that represent the state, the insured and the employers. The legal framework for the establishment, composition, constitution and functioning of the Local Administrative Committees is set by the following laws: 11/5/26.6.1954 (Gazette 134 A), article 48 of 2676/1999 (Gazette 1A), art. 138.IA.1 of 4052/2012 (Gazette 41 A), art. 27 of 4075/2012 (Gazette 89A), and the Code of Administrative Procedure (2690/1999, Gazette 45 A). In the competence of the Local Administrative Committees is to provide advice on various issues concerning the social security cases of the local branches of IKA-ETAM, to decide on administrative appeals (complaints) against decisions of the Head of the Branch, to investigate the legal elements and actual facts of the case, to examine witnesses, to do an autopsy, to seek medical certificate (opinion), to decide according to their conscience, but always in accordance with the law.

ii) What law(s) regulate(s) the social security proceedings before administrative courts?

In the first instance, the applicant may appeal to the administrative court, based on the articles 63-70 of the Code of Administrative Procedure combined with the article 7.1a of the law 712/1977 (Gazette 268 A). According to the articles 200-205 of the mentioned Code, the competent court may suspend the execution of the decision of the Insurance Fund, against which the procedure has begun. Against the decision of the court of first instance, according to the articles 92-100 of the same Code, the party concerned may appeal, or according the articles 53-57 of the Presidential Decree 18/1989 (Gazette 8 A) may submit the demand for the reversal or annulment of the decision to the Council of State.

iii) What procedural rights are granted to claimants both during litigating and non-litigating proceedings, notably in terms of :
-rights to participate in the proceedings;

According to the article 41 of the Code of Administrative Procedure, the claimants have the right to participate in the proceedings and to be heard before the court, to submit documents and evidence, while according to the article 34 of the same Code, the absence of one party who was legally invited to be present at a hearing, does not postpone the proceedings, nor can be taken as a confession.

- independence and impartiality ;

According to the article 87 of the Constitution, the judges are independent. Also, according to the articles 14-22 of the Code of Administrative Procedure, there are conditions and procedure established in case of exclusion of a judge from the composition of the court before which the case is discussed, due to the doubt as to his objectivity during the exercise of his duties.

-the right of claimants to access information ;

All the claimants have the right to access all the documents presented to the court, concerning their case.

-the right to legal assistance and representation;

The parties to the proceedings have the right to the legal assistance and representation according to the article 27 of the Code of Administrative Procedure. Especially for the differences concerning the social security, according to the par.2.b of the same article, the claimants can be present at the proceedings without a legal representative. According to the article 276A of the above Code, the court shall appoint a lawyer, a notary and a bailiff for the indigent parties in order to provide the help needed.

-the motivation and the notification of the decision;

According to the article 93.3 of the Constitution, every decision of the court needs to be thoroughly reasoned, while the article 190 of the Code of the Administrative Procedure analytically describes the content of the decision. The notification of the decision is established with the article 195 of the mentioned code.

-the costs of proceedings;

The costs of the proceedings (judicial stamps, remuneration for the witnesses and experts, lawyer's fee) are calculated according to the articles 273 – 275, while the articles 276 and 276A establish the procedure for the exemption from the obligation to pay fees for the indigent party.

-the right to translation services;

The translation and interpretation services are regulated by the article 137 of the Code of the Administrative Procedure.

-the prompt rendition of justice.

The article 194.1 of the Code of the Administrative Procedure regulates the procedure that is initiated in case that the decision of the Court is not reached within eight months from the date of the general discussion of the case. Undue delay is considered a disciplinary offense according to the article 91.2e of the Law 1756/1988.

Moreover, according to the articles 53-58 of the Law 4055/2012, the procedure is established in case that a claimant believes the proceedings were unduly delayed.

iv) Does the law provide deadlines for social security institutions and tribunals to render their decisions following a beneficiary's claim?

For the procedure before a court, there is no deadline set for the social security. The discussion of the case is considered to be the beginning of the proceedings.

v) Can the Government provide more information on the Ombudsman and his functions?

For the information on the Ombudsman, please visit:
<http://www.synigoros.gr/?i=stp.en>

vi) What measures are taken by the authorities to ensure compliance with the decisions issued?

According to the article 94.4 of the Constitution, the civil and administrative courts may be given the competence of taking measures for the compliance of administration with judicial decisions against various services in Public Sector. The Law 3068/2002 foresees the procedure for the compliance of the administration with the court decisions, after the application of the party concerned, and defines the amount that needs to be paid to the person concerned as a sanction for non-compliance of the administration with the court decision.

vii) Are there specific dispute settlement mechanisms for claims relating to private insurance schemes?

Regarding private insurance schemes, it is possible to apply specific mechanisms of dispute settlement between the insured and the insurance company, such as mediation (according to the article 10 of the Presidential Decree 190/2006) or arbitration (article 13b of the Presidential Decree 459/1990).