

**Article 573. - Organisation of Criminal Record Services.**

**1. A Decree issued on a proposal from the Minister of Justice shall lay down (a) the services which keep criminal records and all issues relating to how they are organised and operated, and it shall be permissible to set up and run a General Criminal Record Unit in parallel with regional units, (b) the method for preparing, officially stamping, categorising, destroying and replacing criminal records, (c) the method for verifying the ID of accused persons in relation to criminal records kept and (d) the format of copies of criminal records and extracts thereof which are issued. 2. Until such time as that Decree is issued in accordance with this Article, the provisions currently in force shall apply.**

**Article 574. - Entries in the Criminal Record, deletions and the issuing of copies and extracts.**

**1. The criminal record shall consist of entries which record: a) The convict's particulars which are necessary to individually identify him. b) The judgments of any criminal court convicting him of felonies or misdemeanours, and the main and supplementary punishments imposed as well as any security measures taken. c) Convictions from foreign courts officially notified, which relate to crimes which deemed in Greek criminal law to be felonies or misdemeanours. d) Judgments and writs acquitting accused persons because the crime could not be imputed to them or due to practical remorse being shown, and any injunctions imposed. e) Judgments under which the court imposes correctional measures or correctional restrictions on juveniles. f) The court judgments or administrative decisions ordering the extradition of foreigners. g) The length of sentence which has been served for a premeditated felony or misdemeanour, if above 3 months, which must be promptly notified by the prison governor to the competent Criminal Records Office in the case of convicts being released from prison. This notice must be sent via the local Public Prosecutor's Office at the Court of First Instance or via the competent court clerk if the amount specified for conversion of the penalty to a cash fine has been paid. 2. Judgments and writs will be registered once they become final. 3. The criminal record shall also record pardons, amnesties, the limitation of decisions/judgments or penalties by operation of specific laws, conditional suspension of penalties, conditional releases from prison, changes to or removal of injunctions or correctional measures imposed and judgments issued pursuant to Articles 550 and 551. 4. Judgments entered shall be deleted from the criminal record and an order given for the relevant records to be destroyed if: a) annulled or quashed by a subsequent final court ruling, b) correctional measures were imposed on juveniles, automatically once they turn 17 years of age, and c) if restrictions at a rehabilitation centre were imposed on juveniles, two years after release from the rehabilitation centre, and in the case of conditional release, if not removed or revoked within the specified probation period, provided in all cases specified in this indent that the court rules following an application filed by the juvenile concerned or by the public prosecutor. 5. The following documents may be issued from the criminal record: (a) a type A copy, (b) a type B copy, and (c) an extract.**

**Article 575. - A type A copy of the criminal record.**

The concept of 'copy of the criminal record'

Without prejudice to the provisions of Article 577(1), (3) and (4), where the law requires that a copy of any type or extract from the criminal record be issued and provided, a copy for general use shall be provided. (NOTE: Article 575 was replaced in its current form by Article 11 of Law 1805/1988).

(NOTE:

The application of the provisions of Articles 6 to 15 inclusive of Law 1805/1988 was successively suspended by:

- Article II of Law 1851/1989 up to 31.12.1989
- Article 22 of Law 1868/1989 up to 31.12.1990
- Article 18 of Law 1916/1990 up to 31.12.1991
- Article 32 of Law 1968/1991 up to 31.12.1992

Article 45 of Law 2109/1992 up to 31.12.1993  
Article 43 of Law 2172/1993 up to 31.12.1994  
Article 16 of Law 2298/1995 up to 31.12.1995  
Article 4 of Law 2408/1996 up to 31.12.1997 and lastly  
Article 21 of Law 2721/1999 up to 31.12.2001).

3. The criminal record must not under any circumstances accompany the folder prepared by the authority conducting the preliminary investigation which is submitted to the local public prosecutor's office, and may not be included in the folder of cases brought before a court to be tried. (NOTE: Paragraph 3 was inserted by Article 2(22) of Law 2408/1996 (Government Gazette 104/A/4.6.1996, (errata Government Gazette 158/A/1996).

(NOTE: Paragraph 3 WAS REPEALED by Article 53 of Law 3160/2003 (Government Gazette 165/A/30.6.2003).

#### **Article 576. - A type B copy of the criminal record.**

**1. The type B copy shall contain criminal record entries other than those listed below: a) convictions with a suspended sentence, provided the suspended sentence has not been lifted or revoked within the probation period, b) convictions for crimes which became expressly non-criminal or for which an amnesty was granted under subsequent laws or c) judgments imposing correctional measures on juveniles. 2. A copy of a type B criminal record shall be provided: a) to all public authorities or agencies (civil, military or ecclesiastical) only on grounds specified by law or decrees or ministerial decisions issued pursuant to law, and shall be forwarded directly to the requesting agency, and b) to any body governed by public law, only in relation to persons on its staff or persons applying to be appointed to its staff. 3. Decrees issued on a proposal from the Minister of Justice may specify that a copy of a type B criminal record also be granted to specifically named bodies governed by private law, public utility organisations or corporations, in line with the points made in indent (b) of the previous paragraph. Similar Decrees may specify that a copy of the type B criminal record also be granted to foreign consular authorities, which are accredited in Greece, provided they relate to the migration of Greek citizens. 4. Decrees issued on a proposal from the Minister of Justice may also specify that a copy of a type B criminal record may be issued to individuals or private enterprises, only where they relate to persons asking to be recruited by those individuals/enterprises, and provided that the person concerned provides his express, written consent for this.**

#### **Article 577. - Criminal record extract**

**1. A criminal record extract shall record the entries made in the Type B criminal record apart from the following ones: a) convictions imposing a penalty of imprisonment of up to 3 months or a fine, after three years have elapsed, b) convictions imposing a penalty of imprisonment of between 3 and 6 months, after five years have elapsed, c) convictions imposing a penalty of imprisonment of between 6 months and 1 year, after seven years have elapsed, d) convictions imposing a penalty of imprisonment of between 1 and 5 years, after ten years have elapsed, e) convictions imposing penalties of temporary incarceration, after fifteen years have elapsed, f) convictions imposing a penalty of life incarceration, after twenty years have elapsed, g) judgments and writs which acquit the accused, because the crime could not be imputed to him or due to him showing practical remorse, after three years have elapsed from date on which they became final, h) judgments and writs imposing security measures under Article 69 of the Hellenic Penal Code, after ten years have elapsed, i) judgements and writs which impose security measures other than those specified in Article 69 of the Hellenic Penal Code, after three years have elapsed. 2. If not otherwise specified, the deadlines given the previous paragraph shall commence from the time at which the penalty imposed expires, irrespective of whether the penalty was served or converted to a cash fine, and in the case where only a cash fine was imposed, after the conviction became final. If the conviction was not implemented, the deadline shall run from date on which it became time-barred. Where the convict receives a conditional release, the deadline shall run from the date on which he leaves prison, but if the conditional release is lifted or revoked, the deadline shall run from the date on which the full sentence was served, without taking into account the time period up until such revocation. Where a supplementary penalty or security measure is imposed along side a main penalty, or only a security measure is imposed, the above deadlines shall run from the date on which the**

supplementary penalty or security measure expires. 3. By way of exception, in the case of a first conviction, or a conviction for (a) a crime of negligence or (b) a premeditated crime committed for which the law imposes a penalty of imprisonment of up to 1 year or a cash fine, the deadlines in paragraph 1 of this Article may, following the elapse of half that time, be shortened by decision of the three-member court of misdemeanours at the place of residence of the person concerned, issued following a request filed by him, if it is ascertained that the convict shows well-founded signs of conducting an honourable life in the future, based on his conduct to date. 4. Judgments imposing restrictions at a rehabilitation centre, which are recorded in Type A and B criminal records, shall not be recorded in extracts after two years from the expiry of the restriction or the release of the juvenile from the rehabilitation centre in accordance with Articles 127 and 129 of the Hellenic Penal Code. 5. A criminal record extract shall only be granted to the person it relates to, following a request made by him.

#### **Article 578. - Destruction of records.**

Save for the cases referred to in Article 574(4), criminal records shall be destroyed (a) after the 90th birthday of the person they relate to, (b) after his death, where this is confirmed by an official death certificate and, if there is no such certificate, by a certificate from the mayor or president of the community at his last place of residence or domicile or place of death and (c) when the judgment for which the criminal record was prepared is annulled by final court ruling or amnesty is granted for the crime or a pardon is given which utterly removes the consequences specified in Article 47(2) of the Constitution, or by means of express provision of a subsequent law the act ceases to be punishable. (as amended by with Article 34(16) of Law 2172/1993)

#### **Article 579. - Prohibition on disclosure.**

1. Save for the cases stated in Articles 575, 576 and 577, persons charged with preparing and keeping criminal records are prohibited from disclosing the content of criminal records to any person. Disclosure of the content of criminal records also means providing a copy or extract to agencies or persons who are not entitled to receive them. A penalty of imprisonment of at least 3 months and a fine shall be imposed on the perpetrator. 2. The same penalty shall also be imposed on all persons who receive copies of type A and B criminal records under Articles 575 and 576 and use them for a purpose different for the one for which they were requested, or who disclose their content to third parties.

#### **Article 580. - Challenges to the entries in the criminal record Corrections.**

1. Any challenges relating to content of criminal records shall be resolved by a decree of the Public Prosecutor at the court of misdemeanours at the place of birth of person concerned, and in the case of persons born abroad, by the Public Prosecutor of the Athens court of misdemeanours. The person concerned may file an administrative appeal against that decree within a 1-month deadline from the date on which the decree is served on him, before the judicial bench of the court of misdemeanours which the public prosecutor serves on, which shall provide a final ruling on the matter. 2. In order to correct entries in the records or to correct the ID of the person they relate to, a decision of the three-member court of misdemeanours at the place where the criminal record is kept shall be required, issued on a request from the public prosecutor or the person concerned. The person who submitted the request and the public prosecutor may lodge an appeal against that decision.