

**Presidential Decree 100/2025 (A'211) "Composition, convocation, operation, and competences of the Metropolitan Council and the Ecclesiastical Councils of the Holy Metropolis of Leros, Kalymnos and Astypalea"**

**PART A**

**Composition, Convocation, Operation and Competences of the Metropolitan Council of the Holy Metropolis of Leros, Kalymnos and Astypalea**

**Article 1**

**Metropolitan Council**

1. In the Holy Metropolis of Leros, Kalymnos and Astypalea, which, pursuant to paragraph 3 of article 321 of Law 4957/2022, includes the islands and islets, including the rocky islets, inhabited or not, within the boundaries of the Municipalities of Leros, Kalymnos and Astypalea, with the exception of the islands of Farmakonisi and Levitha, a Metropolitan Council shall operate, which shall constitute the governing body of the Legal Entity under Public Law of the Holy Metropolis of Leros, Kalymnos and Astypalea.
2. The Metropolitan Council shall have the competences listed in this Presidential Decree and all other powers of administration, management and representation of the Holy Metropolis of Leros, Kalymnos and Astypalea, as well as the supervision of the Parishes, Holy Monasteries and Hermitages, shall belong to the Metropolitan of Leros, Kalymnos and Astypalea, in accordance with paragraph 3, article 327 of Law 4957/2022.

**Article 2**

**Composition of the Metropolitan Council**

1. The Metropolitan Council of the Holy Metropolis of Leros, Kalymnos and Astypalea shall consist of five (5) members, as follows:
  - a) The Metropolitan of Leros, Kalymnos and Astypalea, as president with his alternate,
  - b) An employee of the Taxpayer Service Office of the Public Financial Service in the area of the seat of the Holy Metropolis of Leros, Kalymnos and Astypalea, along with his alternate, or an economist or accountant, who is professionally active in the seat of the Holy Metropolis, of recognized integrity, with his alternate,
  - c) A lawyer and his alternate, of recognized integrity and professional activity in the area of the seat of the Holy Metropolis of Leros, Kalymnos and Astypalea,
  - d) A parish priest of the Holy Metropolis of Leros, Kalymnos and Astypalea and his alternate,
  - e) A lay member from the Ecclesiastical Councils of the Parishes of the Holy Metropolis of Leros, Kalymnos and Astypalea, along with his alternate.
2. The term of office for the members of the Metropolitan Council shall be three (3) years. The members shall be appointed by an act of the Metropolitan of Leros, Kalymnos and Astypalea, which shall be published in "Dodecanese", the official Bulletin of the Provinces of the Ecumenical Throne of the Dodecanese. The term of office of the members of the Metropolitan Council may be renewed by decision of the Metropolitan of Leros, Kalymnos and Astypalea.
3. The secretary of the Metropolitan Council shall be appointed by an act of the Metropolitan of Leros, Kalymnos and Astypalea.

**Article 3**

**Convocation of the Metropolitan Council**

1. The Metropolitan Council shall meet at the seat of the Holy Metropolis of Leros, Kalymnos and Astypalea and shall constitute a quorum when four (4) of its members are present.
2. The Metropolitan Council shall be convened by its president in regular meetings once every two (2) months and in special meetings whenever the president deems it necessary.

3. a) The president shall draw up the agenda and shall arrange the items according to their importance. Matters shall be discussed in the order in which they appear on the agenda. Upon a proposal by the president or any member of the Metropolitan Council, a matter not included in the agenda may be discussed, provided that all regular members are present and consent.
- b) In the case of a regular meeting, a copy of the agenda, together with the relevant invitation, shall be sent by the secretary of the Metropolitan Council to its members or to the e-mail of each member at least two (2) full days prior to the Council meeting. The validity of the service shall be evidenced by the relevant service report or proof of service drawn up by the secretary. In the case of a special meeting, a telephone invitation to the members at least twenty-four (24) hours prior to the meeting shall suffice, which shall be confirmed by a relevant note from the secretary in a special invitation book.

#### **Article 4**

##### **Formation, Composition and Operation of the Metropolitan Council**

1. As regards its formation:

- a) Any illegal acquisition of the status by virtue of which a person has been appointed as a member of the Metropolitan Council shall not affect the legality of the body's formation.
- b) The Metropolitan Council may function, though not more than four (4) months, if any of its members cease to serve, resign for any reason, or lose the status by virtue of which they were appointed, provided that the remaining members are sufficient to constitute a quorum at its meetings.
- c) An appointed member of the Metropolitan Council may be replaced before the end of his term of office for a reason relating to the performance of his duties, which must be certified in the relevant act of the Metropolitan of Leros, Kalymnos and Astypalea.
- d) The Metropolitan Council shall retain its competence after the expiration of its prescribed term of office and until its reformation by a new act. The term of office of the Metropolitan Council may be renewed in accordance with subparagraph c, paragraph 2 of article 2 of the present decree.

2. As regards its meetings:

- a) A quorum must be maintained throughout the meeting. If, at the first meeting, a lack of quorum is established, the Metropolitan Council shall be reconvened, not earlier than twenty-four (24) hours thereafter, at the same place and with the same agenda.
- b) The call for a meeting may be made by the secretary of the Metropolitan Council by telephone, email, or any other appropriate means, provided that this is recorded in the minutes of the meeting.
- c) A notice to the members of the Metropolitan Council shall not be required when meetings are held on fixed dates set by its decision.
- d) A notice shall also not be required when a member has declared, prior to the meeting, an impediment to participate, or when such impediment is known to the president of the Metropolitan Council.
- e) Alternate members shall be summoned to replace absent or impeded members of the same category.
- f) If, during a meeting, a regular member who was not invited is absent, the meeting shall be deemed unlawful, even if the alternate member had participated. If there were deficiencies in the summoning of a member, the Metropolitan Council shall meet lawfully if the member concerned is present and raises no objection to the holding of the meeting.
- g) The legality of the composition of the Metropolitan Council shall not be affected by any rotation of participating members in successive meetings.
- h) Members of the Metropolitan Council who are spouses or related to one another, up to the fourth degree, may not participate in the same meeting, in order to ensure the impartiality and objectivity of the process.

i) The convening of the Metropolitan Council shall be mandatory if at least two-thirds (2/3) of all its regular members request it in writing from the president, specifying the matter to be discussed.

j) The meetings of the Metropolitan Council shall be closed to the public. The presence of any other than the members and the secretary, or any person specifically designated by the president shall not be permitted during the discussion. The president may, however, invite officials or other persons to provide information or present evidence, who shall leave before voting on the decision begins.

ja) The president shall declare the opening and closing of meetings, direct the proceedings, and ensure the application of relevant legislation and the proper functioning of the ecclesiastical collective body.

jb) The Metropolitan Council may also hold meetings through electronic means (teleconference), either for all or for some of its members, a fact which shall be recorded in the minutes of the meeting.

3. As regards decisions:

a) Decisions of the Metropolitan Council shall be taken by the absolute majority of the members present. If this majority cannot be attained, voting shall be repeated until an absolute majority is formed through the mandatory alignment each time of the member or members expressing the weakest opinion with one of the prevailing opinions. In the event of a tie, the president's vote shall prevail. A member abstaining from the vote or casting a blank vote shall be deemed present.

b) If the discussion on a matter extends over more than one meeting, the decision shall be made by the members participating in the final meeting, provided that members who did not participate in previous meetings have first been fully informed of the essential points of the earlier discussions. Such information shall be evidenced by a statement of those members, which shall also be recorded in the minutes.

c) Voting shall be open, unless the president requests a secret ballot.

d) The Holy Metropolis shall maintain a book of decisions of the Metropolitan Council, in which the decisions shall be recorded.

e) The decisions of the Metropolitan Council shall be implemented and communicated in writing by its president or by his lawful alternate.

4. As regards the minutes of meetings:

a) Minutes shall be drawn up for the meetings of the Metropolitan Council, which shall include, in particular, the names and titles of the members present, the place and time of the meeting, the matters discussed with a brief summary of their content, and the decisions taken.

b) The opinions of dissenting members shall be recorded in the minutes upon request and, in the case of an open vote, their names as well.

c) The minutes of the Metropolitan Council shall be prepared and kept, under the responsibility of the president, by the secretary of the Council, in a special certified book of minutes in printed form and shall be signed by the president and the members. A member's refusal to co-sign the minutes shall be noted at the end by the secretary and signed by the other members present. Refusal to co-sign the minutes shall constitute grounds for the termination of the member's term of office.

d) The signature of the president or his alternate shall suffice for the legal validity of any act of the Metropolitan Council.

5. As regards the impartiality of the members of the Metropolitan Council:

a) Members must abstain from any act or procedure constituting participation in decision-making or the expression of an opinion or recommendation where:

(i) The satisfaction of a personal interest is linked to the outcome of the matter, or

- (ii) They are spouses or relatives, by blood or marriage, in the direct line without limitation or in the collateral line up to the fourth degree, of interested parties, or
- (iii) They have a special bond, relationship, or enmity towards the interested parties.
- b) If a member considers that there is a reason requiring his recusal, he shall immediately declare this to the president and abstain from any action. In this case, the Metropolitan Council shall decide as soon as possible without the participation of the member seeking recusal.
- c) A request for the recusal of a member of the Metropolitan Council may be submitted by interested parties at any stage of the proceedings. The request shall be submitted to the president. In all other respects, the provisions of the last sentence of point (b) of this paragraph shall apply in this case as well.
- d) Recusal may also be ordered ex officio by the Metropolitan Council.
- e) The provisions of the preceding paragraphs shall not apply in the event of the exclusion of so many members that the remaining ones do not constitute the quorum required under paragraph 1 of article 3 of the present decree. In the event of an exclusion, the alternate of the excluded member shall participate, and in the event of absence or impediment of the alternate, the Metropolitan Council may meet with an incomplete composition, provided that a quorum exists.

## **Article 5**

### **Competences of the Metropolitan Council**

#### **1. Holy Churches**

- a) Decide on the designation of Parish Churches, as well as Holy Churches of all kinds (institutional, private, pilgrimage and Cemetery Churches), following a relevant recommendation by the Metropolitan of Leros, Kalymnos and Astypalea.
- b) Issue opinions on the establishment of Orthodox Cemeteries and Cemetery Holy Churches.
- c) Issue opinions on the expropriation of land plots or other areas for the construction or expansion of Holy Churches or for the creation of courtyards within them.

#### **2. Holy Monasteries:**

- a) Issue opinions on the establishment, merger or dissolution of Holy Monasteries.
- b) Appoint the members of the Monastic Committees responsible for the management of deserted and abandoned Holy Monasteries and of Holy Monasteries in which it is not possible to form an Abbot Council.
- c) Decide on the establishment of Dependencies of a Holy Monastery.

#### **3. Ecclesiastical Councils, Abbot Councils of Holy Monasteries and Monastic Committees of Holy Monasteries, where it is not possible to form an Abbot Council:**

- a) Approve, reject or amend the decisions of the Ecclesiastical Councils, Abbot Councils and Monastic Committees.
- b) Appoint the regular and alternate members of Abbot Councils, Monastic Committees and Ecclesiastical Councils, in accordance with point (b), paragraph 1 of article 9 of the present decree, from a list of at least fifteen (15) members, upon a written proposal by their presidents, for a three-year term beginning on the first (1st) of January.
- c) Appoint the members of the fundraising committees of the parishes.
- d) Relieve from office the ecclesiastical councilors and the members of Abbot Councils and Monastic Committees who have submitted their resignations.
- e) Dismiss from office the ecclesiastical councilors and the members of Abbot Councils and Monastic Committees:
  - (i) If they are unjustifiably absent from three (3) consecutive meetings,
  - (ii) if they fail to comply with the instructions and orders of the Metropolitan concerning their duties and obligations, as defined by the Divine and Holy Canons, the Circulars of the Holy Metropolis and the applicable laws of the state,

- (iii) If they fail to submit in due time the budget and financial report of the Parish or of the Holy Monastery administered by an Abbot Council or a Monastic Committee,
- (iv) If they neglect or refuse to defend the interests of the Parish or of the Holy Monastery administered by an Abbot Council or Monastic Committee.
- (f) Approve, amend or reject the budget and financial report of the Parishes and Holy Monasteries, accompanied by a report of the president of the Ecclesiastical Council, the Monastic Committee or the Abbot respectively, and submitted in accordance with the templates prepared and amended by the Holy Metropolis of Leros, Kalymnos and Astypalea. The financial report shall be approved by the Metropolitan Council taking into account a relevant recommendation from the archiepiscopal commissioner of the region to which the Parish belongs, or from the protosyncellus of the Holy Metropolis or the general archiepiscopal commissioner concerning compliance with the provisions of the law relating to the expenses incurred and the payment of the corresponding fees.
- g) Approve, amend or reject decisions of Ecclesiastical Councils, Abbot Councils and Monastic Committees concerning the utilization of their property through competitive bidding, particularly leasing, purchase or sale, or, exceptionally, through direct procedures, taking into account the obvious benefit or unavoidable necessity of the Parish or Holy Monastery.
- h) Approve or reject decisions of Ecclesiastical Councils, Abbot Councils or Monastic Committees concerning the acceptance or rejection of donations or bequests of movable or immovable property to the Parish or the Holy Monastery.
- i) Examine, assess, amend, approve or reject donation decisions of the Ecclesiastical Councils of parishes and Abbot Councils or Monastic Committees of Holy Monasteries to Legal Entities under Public Law and Legal Entities under Private Law for charitable purposes.
- j) Reject decisions of Ecclesiastical Councils, Abbot Councils or Monastic Committees deemed detrimental to the interests of the Parishes or Holy Monasteries.
- ja) Approve or reject decisions of Ecclesiastical Councils, Abbot Councils or Monastic Committees concerning the contracting of a loan of the Parish or the Holy Monastery and the investment of any available funds thereof, taking into account the obvious benefit or unavoidable necessity of the Parish or Holy Monastery.
- jb) Approve decisions of Ecclesiastical Councils, Abbot Councils or Monastic Committees concerning fundraising campaigns for the benefit of the Holy Church or the Holy Monastery and decide on the establishment of fundraising committees for that purpose. Raffles for the benefit of the Holy Church shall be governed by the provisions of Law 5101/1931 (A' 238), as currently in force.
- jc) Supervise the financial management of companies established by Parishes or Holy Monasteries and approve their budget and financial report.
- jd) Authorize its president or lawful alternate to approve and sign, in urgent cases, the decisions of Ecclesiastical Councils, Abbot Councils or Monastic Committees concerning deposits and withdrawals of funds of the Parish or the Holy Monastery, or securities.
- je) Approve, every three months, the expenses of the Parishes submitted by the Ecclesiastical Councils.
- jf) Issue the assessment acts of paragraph 6 of article 19 of this decree.

#### 4. Parishes:

- a) Issue opinions on the establishment, merger or abolition of Parishes.
- b) Issue opinions on the modification of the boundaries of existing Parishes.
- c) Issue opinions on the incorporation of one or more settlements into the nearest Parish.
- d) Decide on the imposition, liable parties, and payment procedure and collection method of the funds referred to in paragraph 2 of article 16 of this decree, in accordance with the provisions of the Public Revenue Collection Code.

#### 5. Other Competences:

- a) Prepare and approve the budget of the Holy Metropolis of Leros, Kalymnos and Astypalea, following a report by the competent department of the Holy Metropolis, and submit it for approval to the Ecumenical Patriarchate.
- b) Prepare and approve the financial report of the Holy Metropolis of Leros, Kalymnos and Astypalea, subject to the possibility of requesting written clarifications concerning certain items listed in the financial report, which is sent for approval to the Ecumenical Patriarchate.
- c) Approve all types of expenses of the Metropolitan Offices of the Holy Metropolis of Leros, Kalymnos and Astypalea.
- d) Decide on grants to the institutions and non-profit Legal Entities under Private Law of the Holy Metropolis of Leros, Kalymnos and Astypalea to cover their specific and justified obligations.
- e) Approve donations by the Holy Metropolis of Leros, Kalymnos and Astypalea for various ecclesiastical, charitable and public-benefit purposes.
- f) Ensure the management of the movable and immovable property of the Holy Metropolis of Leros, Kalymnos and Astypalea through competitive bidding, particularly leasing, purchase and sale, or, exceptionally, through direct procedures, taking into account the obvious benefit or unavoidable necessity.
- g) Act as a service council for parish priests, deacons and ecclesiastical employees of the Holy Metropolis of Leros, Kalymnos and Astypalea who are not civil servants and are not paid from the state budget. Specifically, for ecclesiastical employees who are civil servants, are paid from the state budget and are covered by the guarantees of paragraph 4, article 103 of the Constitution, the Metropolitan Council shall, by decision, establish the service council, composed by two-thirds (2/3) of permanent civil servants, in accordance with the provisions of the regulation issued pursuant to paragraph 1, article 338 of Law 4957/2022.
- h) Decide on requests for the secondment of a parish priest or a deacon of the Holy Metropolis of Leros, Kalymnos and Astypalea to Orthodox Holy Churches under the canonical jurisdiction of the Ecumenical Patriarchate and other Orthodox Churches, following the consent of the Metropolitan of Leros, Kalymnos and Astypalea. The decision issued shall be subject to approval by the Holy and Sacred Synod of the Ecumenical Patriarchate. The same procedure shall apply to secondments to the Stavropegic and Patriarchal Monasteries of Patmos, Vlatadon, Saint Anastasia in Chalkidiki, and Mount Sinai.
- i) Approve the establishment and statutes of any Legal Entity under Private Law or company serving the ecclesiastical purposes of the Holy Metropolis, its Parishes and Holy Monasteries, following a decision of the Metropolitan. Such entities or companies shall be controlled and supervised by the Metropolitan Council.
- j) Approve the budget and financial report of the Legal Entities under Private Law of the Holy Metropolis of Leros, Kalymnos and Astypalea.
- ja) Send credit institutions or any other authority the documents and extracts of minutes required to certify the lawful composition of the Metropolitan Council, the Ecclesiastical Councils, the Abbot Councils or the Monastic Committees.
- jb) Remain vigilant and, upon a recommendation of its president, issue written orders and instructions to the Ecclesiastical Councils regarding the maintenance of order, legality and transparency.
- jc) Sign the payrolls of parish priests or authorize its president or its legal representative to do so.
- jd) Approve the recruitment of all necessary personnel of the Holy Metropolis of Leros, Kalymnos and Astypalea who are paid by it, upon the recommendation of the Metropolitan.
- je) Approve the contracting of a loan for the benefit of the Holy Metropolis of Leros, Kalymnos and Astypalea, its Parishes and Holy Monasteries.

The Metropolitan Council may request a technical report or expert opinion, at the expense of the Parish concerned so as to decide on matters requiring specialized scientific or technical knowledge.

## **Article 6**

### **Legal Remedies**

1. Decisions of the Metropolitan Council may be appealed, within a month from their lawful notification to the relevant Ecclesiastical Council, Abbot Council or Monastic Committee, solely on grounds of legality before the Holy and Sacred Synod of the Ecumenical Patriarchate, through the Metropolitan of Leros, Kalymnos and Astypalea.
2. If the appeal under paragraph 1 is rejected or the time limit for lodging such appeal expires without action, the decision of the Metropolitan Council shall become final and binding on the Ecclesiastical Council, the Abbot Council or the Monastic Committee concerned. In the event of refusal to implement the aforementioned decision, the Metropolitan Council shall invite, in writing, the members of the above bodies to provide explanations within a specified time limit.
3. If the time limit expires without action or the explanations are deemed insufficient, the Metropolitan Council shall proceed to the irrevocable replacement of those members of the Ecclesiastical Council, the Abbot Council or the Monastic Committee who have failed to comply.

## **Article 7**

### **Competences of the President of the Metropolitan Council**

1. The President of the Metropolitan Council shall sign:
  - a) The payrolls of parish priests and all types of employees, following the relevant authorization of the Metropolitan Council,
  - b) The appointment documents of the members of the Metropolitan Council and of their alternates,
  - c) The appointment documents of the regular and alternate members of the Ecclesiastical Councils, the Abbot Councils, the Monastic Committees and the members of fundraising committees,
  - d) The appointment documents of the members of the Boards of Directors of Legal Entities under Private Law, foundations and companies serving the purposes of the Holy Metropolis of Leros, Kalymnos and Astypalea, its Parishes and Holy Monasteries. Any relevant decision taken prior to the publication of this presidential decree shall hereby be repealed.
2. He shall invite the members of the Metropolitan Council to its meetings in writing, attaching the relevant agenda.

## **PART B**

### **Constitution, Convocation, Operation and Competences of the Ecclesiastical Council and of its President**

## **Article 8**

### **Administrative Bodies of the Parish**

1. As the basic units of the canonical organization of ecclesiastical life, the Parishes, in accordance with paragraph 1, article 329 of Law 4957/2022, constitute the fundamental organizational units of ecclesiastical life. The Parish, together with its Holy Parish Church, shall constitute a single Legal Entity under Public Law with defined geographical boundaries.
2. In every Holy Parish Church, an Ecclesiastical Council shall be established and shall operate in accordance with paragraph 3, article 337 of Law 4957/2022, presided over by a regular Parish Priest.

## **Article 9**

### **Composition of the Ecclesiastical Council**

The Ecclesiastical Council shall consist of five (5) members, as follows:

- a) The Parish Priest, serving as president,
- b) Four (4) regular lay members, as well as four (4) alternate members, appointed by an act of the Metropolitan Council from a list of at least fifteen (15) parishioners, following a written proposal by the president of the Ecclesiastical Council. In Parishes comprising up to one hundred (100) families, the Metropolitan Council may appoint only two (2) lay members of the Ecclesiastical Council, along with their alternates, from a list of at least ten (10) parishioners.

## **Article 10**

### **Duties of the President and Members of the Ecclesiastical Council**

1. a) The president of the Ecclesiastical Council shall represent the legal entity of the Parish in all judicial and extrajudicial matters.
  - b) The president of the Ecclesiastical Council shall have the following duties:
    - i. to prepare and compile the list of parishioners eligible to vote for the election of the members of the Ecclesiastical Council,
    - ii. to represent the Parish before the competent ecclesiastical or any other authority,
    - iii. to convene, preside over, and propose agenda items to the Ecclesiastical Council,
    - iv. to prepare the schedule of services and activities of the Parish and to ensure smooth cooperation among his co-priests, chanters, sextons and other collaborators of the Parish,
    - v. To exercise administrative supervision over the Holy Church, the Parish offices and all other activities, assigning and allocating responsibilities by appointing those in charge of each area of parish life (youth, welfare and charitable work, culture and tradition).
  - c) The president shall also serve as the ecclesiastical head of the Parish, regardless of office, unless otherwise specified by a decision of the Metropolitan of Leros, Kalymnos and Astypalea.
  - d) By decision of the president of the Ecclesiastical Council, the representation of the Parish may also be entrusted to a member of the Ecclesiastical Council, upon the granting of a special power of attorney for this purpose.
2. The members of the Ecclesiastical Council have the following duties:
  - a) to attend the meetings of the Ecclesiastical Council and participate in the liturgical life of the Parish,
  - b) to demonstrate a spirit of cooperation with the other members of the Ecclesiastical Council and the collaborators of the Parish,
  - c) to organize the Parish to fulfil its purpose as a center of Divine Worship and social service,
  - d) to safeguard the resources and infrastructure of the Parish to ensure its smooth operation and effective service,
  - e) to protect and make proper use of the movable and immovable property of the Parish,
  - f) to implement the circulars and directives of the president of the Ecclesiastical Council and the Metropolitan of Leros, Kalymnos and Astypalea and respect the Divine and Holy Canons and the laws of the State,
  - g) to exercise the lawful administration of the Parish, maintaining all required books, and not neglect their certification and inspection,
  - h) To supervise the counting and recording of revenues and ensure their proper management. The counting shall take place in the presence of the president and at

- least two (2) members of the Ecclesiastical Council, and minutes must be drawn up and recorded in the relevant book,
- i) to ensure order, cleanliness and reverence within the place of worship.

#### **Article 11**

##### **Other Matters Concerning the Organization, Administration and Operation of the Ecclesiastical Council**

1. In order to be appointed as a member of the Ecclesiastical Council, a person must:
  - (a) Be an Orthodox Christian possessing sound knowledge of the Orthodox faith, exemplary conduct, as well as absolute respect for the Church,
  - (b) Be a Greek citizen, a citizen of a member state of the European Union, or a third-country national legally residing in Greece,
  - (c) not have been convicted of a felony or of a misdemeanor of theft, embezzlement, fraud, litigation fraud, embezzlement in office, forgery, misuse of revenue stamps, breach of trust, perjury, fraudulent bankruptcy, defrauding creditors, usury or any currency related offence,
  - (d) Not be subject to judicial supervision,
  - (e) Be literate,
  - (f) Not be involved in pending legal proceedings, either personally or as a member of the governing body of a legal entity, against the Church of Greece, the Church of Crete, the Holy Metropolises of the Dodecanese and the legal entities under their jurisdiction.
2. It is prohibited to appoint councilors who are:
  - (a) Related to one another or to the Parish Priest up to and including the third degree by blood or marriage,
  - (b) Related to one another and to the Parish Priest-president up to and including the second degree by blood or marriage in Parishes comprising up to one hundred (100) families,
  - (c) Persons elected to any office in local government elections, or persons maintaining financial relations with the Parish, particularly suppliers and property tenants.
3. The office of the Ecclesiastical Councilor shall be honorary, unpaid and incompatible with the duties of a salaried employee of the Parish.
4. The term of office of Ecclesiastical Councilors shall be three (3) years and shall begin on the first (1st) of January of the year for which the appointment is made. Any replacement of an Ecclesiastical Councilor shall be effected by the appointment of a new member for the remaining period until the end of the three-year term. In Parishes with more than one hundred (100) families, a regular Ecclesiastical Councilor may not be reappointed beyond a third consecutive term. An Ecclesiastical Councilor shall not be permitted to serve as treasurer for more than two terms, whether consecutive or not.
5. The resignation of an Ecclesiastical Councilor shall be submitted in writing, either through the president of the Ecclesiastical Council or directly to the Metropolitan Council, which shall decide whether to accept it or not and shall appoint one of the alternate members.
6. If, during the term of office, a trial is pending, as provided for in point f, paragraph 1 of this article, the Ecclesiastical Councilor shall be replaced by a reasoned decision of the Metropolitan Council, acting upon a relevant recommendation of the president of the Ecclesiastical Council.
7. An Ecclesiastical Councilor who is unjustifiably absent from three (3) consecutive meetings of the Ecclesiastical Council, shall be declared to have forfeited the office, upon the decision of the Metropolitan Council, following a recommendation of the president of the Ecclesiastical Council, and shall be relieved from his duties.
8. Ecclesiastical Councilors shall also be relieved from their duties by decision of the Metropolitan Council:

- (a) if they fail to fulfil the obligations and duties assigned to them or display improper conduct towards the president, the other members of the Ecclesiastical Council and the members of the Parish,
- (b) if they fail to comply with the instructions and directives of the Metropolitan of Leros, Kalymnos and Astypalea concerning their duties and obligations as prescribed by the Divine and Holy Canons, the Regulations and Circulars of the Holy Metropolitan of Leros, Kalymnos and Astypalea and the laws of the State,
- (c) If they fail to submit the budget and financial report of their administration on time or incur expenses not included in the budget,
- (d) If they fail to undertake the necessary judicial and administrative actions for the protection of the interests of the Parish,
- (e) If they interfere in liturgical duties, the competences and matters of cooperation among the Parish priests, as well as the corresponding duties of chanters and sextons of the Holy Church,
- (f) If they decide and act arbitrarily on matters of the Ecclesiastical Council without the knowledge of the president.

## **Article 12**

### **Formation and Meetings of the Ecclesiastical Councils**

1. At its first meeting, the Ecclesiastical Council shall be constituted as a body and shall elect its vice-president, secretary, and treasurer. In parishes with fewer than one hundred (100) families, the president shall assign the duties of secretary to one member and the duties of treasurer to another member. The relevant minutes shall be submitted to the Metropolitan Council for approval.
2. The proceedings of the ecclesiastical Council shall be directed by the president and, in his absence, by the vice-president, upon written authorization from the president.
3. The Ecclesiastical Council shall be convened by the president in a regular meeting once (1) per month and in a special meeting whenever the president deems it necessary or when requested in writing by two (2) members of the Ecclesiastical Council.
4. The Ecclesiastical Council shall have a quorum when the president and at least two (2) members are present.
5. When the president is unable to attend, the Ecclesiastical Council shall have a quorum provided that at least three (3) members are present, including the vice-president.
6. In parishes with fewer than one hundred (100) families, the presence of all members of the Ecclesiastical Council shall be required at its meetings.
7. The President shall prepare the agenda and rank the items according to their importance. Upon proposal by the president or any member of the Ecclesiastical Council, an item not included on the agenda may be discussed, provided that all members are present and consent.
8. The decisions of the Ecclesiastical Council shall be adopted by majority vote. In the event of a tie, the president shall have the casting vote.
9. At the meetings of the Ecclesiastical Council, co-serving parish priests shall be invited by the president, or by order of the Metropolitan, and participate without the right to vote; they may, however, express their opinions.
10. The alternate members may also attend the meetings of the Ecclesiastical Council, upon invitation by the president, without the right to vote, even when all regular members are present.

## **Article 13**

### **Competences of the Ecclesiastical Councils**

1. The Ecclesiastical Council shall be competent:
  - a) To prepare and submit to the Metropolitan Council the budget and financial report of revenues and expenses,
  - b) For the construction, repair, maintenance, iconography, and decoration of the Parish Church, its chapels and shrines, as well as auxiliary premises and other immovable property belonging to the Parish,
  - c) to issue a reasoned decision concerning the purchase of movable and immovable property, as well as the utilization, leasing, and sale of the movable and immovable assets of the Parish, in accordance with articles 22 to 27 of this decree,
  - d) To initiate legal actions and remedies, as well as to withdraw from them, to waive the right to judicial or extrajudicial settlements, for the appointment of a legal counsel, and the acceptance of donations, inheritances, and bequests,
  - e) To grant financial assistance for charitable purposes,
  - f) To authorize extraordinary expenses,
  - g) To safeguard the holy icons, holy vessels, and holy relics of the parishes within places of worship or specially designated areas. The above may not be sold under any circumstances and shall be preserved under the responsibility of the president and members of the Ecclesiastical Council, following approval of the Metropolitan Council. Upon approval of the Metropolitan Council, the holy icons, holy vessels and holy relics may be entrusted to the Holy Metropolis of Leros, Kalymnos and Astypalea for the creation of repositories with the purpose of their safer preservation and display.
2. All decisions of the Ecclesiastical Council, without exception, must be approved by the Metropolitan Council, in accordance with paragraph 3, article 5 of this decree.
3. In exceptional cases, the competent Metropolitan Council may take any necessary measures to safeguard the interests of the Parish.

#### **Article 14**

##### **General Principles of Financial Management**

The financial management, control, and payment orders charged to parish funds and made in favor of beneficiaries shall be carried out in accordance with this presidential decree and by way of derogation from the provisions regarding public accounting of Legal Entities under Public Law, state procurement, public investments, and any other related general or specific provision, subject to paragraph 2, article 318 and paragraph 3, article 334 of Law 4957/2022.

#### **Article 15**

##### **Resources**

1. The Ecclesiastical Council shall be responsible for the financial management of the Parish.
2. The resources of the Parish are the following:
  - a) Earnings from the sale of candles,
  - b) Donations, bequests, and inheritances,
  - c) Revenues from fundraisers, collection boxes, and all types of events held for the benefit of the Parish,
  - d) Revenues derived from the utilization of the movable and immovable property of the Parish,
  - e) Sponsorship revenues.
3. For every monetary sponsorship or donation, a triplicate receipt shall be issued, recording the details of the sponsor or donor. The receipts shall be numbered and annually certified by the president of the Metropolitan Council or his legal representative.

## **Article 16**

### **Allocation and Management of Resources**

1. Parish resources shall be allocated to cover the following expenses on the basis of approved budgets:
  - a) To the Ecumenical Patriarchate,
  - b) To cover taxes, fees, and other deductions in favor of the State and social security institutions, as required by law,
  - c) To the Metropolitan Offices and the salaries of their personnel,
  - d) For the renovation, repair, and maintenance of the Metropolitan Residence and the payroll of its personnel,
  - e) For the salaries of the regular and temporary personnel of the Parish,
  - f) For the maintenance and operating expenses of the Parish, as well as its charitable, welfare, and other activities,
  - g) For the operation of the charitable and welfare institutions of the Holy Metropolis of Leros, Kalymnos and Astypalea, as well as for its spiritual and missionary activities in general.
2. Parish resources allocated to cover the expenses under points (a), (c), (d), and (g) of paragraph 1 of this article must be paid every three (3) months.
3. A member of the Ecclesiastical Council who refuses to allocate resources to cover the aforementioned expenses shall be summoned before the Metropolitan Council to provide an explanation, and if his refusal is considered unjustified, he shall be relieved of his duties. In the event of a refusal by the president, he shall be summoned to provide an explanation before the Metropolitan Council, and if his refusal is deemed unjustified, he shall be removed from office, and the duties of the president of the Ecclesiastical Council shall be assigned to another regular priest of the Holy Metropolis of Leros, Kalymnos and Astypalea.
4. Every parish shall maintain a bank account in its own name at a recognized banking institution. The bank account may be a current, savings, or time deposit account and shall always be held in the name of the Parish. By decision of the Ecclesiastical Council, its representatives to the account shall be determined, along with the form and limits of such representation. The decision shall be communicated to the banking institution where the account is held by sending a copy of the relevant minutes of the meeting of the Ecclesiastical Council, following written approval of the decision by the Metropolitan Council. The investment of available funds in company shares, mutual funds, investment products, or their conversion into foreign currency shall be prohibited without prior permission of the Metropolitan Council.
5. Any withdrawal from a parish bank account up to the amount of five hundred euros (€500.00) may be made upon authorization of the Ecclesiastical Council without requiring further approval. For withdrawals of amounts exceeding five hundred euros (€500.00), prior approval from the Metropolitan of Leros, Kalymnos and Astypalea or his legal deputy shall be required. The above limit may be amended by decision of the Metropolitan Council.

## **Article 17**

### **Parish Budget**

1. The parish budget shall be prepared by the Ecclesiastical Council and submitted to the Metropolitan Council by the first half of November of the year preceding the one to which the budget refers. The budget shall be accompanied by a document of the president and a relevant act of the Ecclesiastical Council, which is drawn up in accordance with the template prepared and amended by the Holy Metropolis of Leros, Kalymnos and Astypalea. The Metropolitan Council shall approve, reject, or amend the budget, specifying and mandatorily recording any omitted legally binding financial obligations of the parishes, as well as other extraordinary contributions for the general work of the Holy Metropolis.
2. Budgets shall be approved within two (2) months of their submission.

## **Article 18**

### **Expenses**

1. a) Every payment by the Parish shall be carried out by the treasurer through a payment order signed by the president of the Ecclesiastical Council. The serial numbers of the payment orders shall be numbered and certified annually by the Holy Metropolis. Every three (3) months, the Ecclesiastical Council must send a statement of all expenses carried out during that period to the Metropolitan Council.
  - b) The payment order must include and be accompanied by the supporting documents for each expense. For expenses not included in the parish budget, prior approval of the Metropolitan Council shall be required.
  - c) The payment order shall include:
    - ca) the serial number of the payment order,
    - cb) the fiscal year,
    - cc) the title of the Parish,
    - cd) the code number to which the expense is charged,
    - ce) the amount payable in words and figures,
    - cf) the full name of the beneficiary, their tax identification number, and any other identifying details; in the case of a legal entity, its full name and registered seat,
    - cg) a full justification of the payment and the invoice number or equivalent document,
    - ch) the net amount payable to the beneficiary and any deductions in favor of the State or third parties (Holy Metropolis, Parish),
    - ci) the place and date of issuance,
    - cj) the title of the position and the full name of the competent authorities signing.
  - d) The president shall bear responsibility for the legality of the ordered payments, who shall also sign the relevant payment order, while the treasurer shall be responsible for the accuracy of the payment. The treasurer must refuse payment of any expense not accompanied by the required legal documents.
2. All expenses shall be submitted for approval to the Metropolitan Council every three (3) months, in accordance with point (je), paragraph 3, and article 5 of this decree.

## **Article 19**

### **Financial Report**

1. The financial report shall be prepared by the Ecclesiastical Council and submitted to the Metropolitan Council by the end of February of the year following that to which it refers. It shall be accompanied by a document of the president and a relevant act of the Ecclesiastical Council and drawn up in accordance with a template prepared and amended by the Holy Metropolis of Leros, Kalymnos and Astypalea.
2. The Ecclesiastical Council shall be obliged to provide the accounting books and supporting documents of income and expenses immediately, if requested by the Metropolitan Council.
3. The members of the Ecclesiastical Council shall individually and jointly be liable for any concealment of income or any expense, fee, or debt of the Parish.
4. The Metropolitan Council, following a proposal by the archiepiscopal commissioner of the region to which the parish belongs, or by the protosyncellus, or the general archiepiscopal commissioner, or the employee of the Taxpayer Service Office of the Public Financial Service who is a member of the Metropolitan Council, regarding compliance with the provisions of the law concerning actual expenses and the payment of the corresponding fees, shall render a reasoned decision on the financial report within six (6) months of its submission. The Metropolitan Council may also establish a three-member committee to audit the parish financial reports, with the participation of the archiepiscopal commissioner of the relevant area or the Protosyncellus or the General Archiepiscopal Commissioner or the

forementioned employee of the Public Financial Service to ensure compliance with the legal provisions regarding its implementation.

5. Failure to submit budgets and financial reports by the Ecclesiastical Councils within the prescribed deadlines shall entail, in accordance with the applicable provisions, criminal liability for the responsible members of the Ecclesiastical Council, without prior disciplinary penalty, and shall justify their removal from office by an irrevocable decision of the Metropolitan Council, in accordance with the provisions of this decree, without prejudice to the right to conduct a financial audit to ascertain mismanagement and to hold parties accountable in any manner, and the right to compensation for any damage caused.
6. If, the committee of paragraph 4, following the completion of the financial audit of paragraph 5, identifies a management deficit or an unlawful payment of an expense, considered a deficit, it shall prepare a report identifying those responsible, as well as the amount of the deficit. The audit report shall be submitted for approval to the Metropolitan Council, which shall issue a reasoned decision of liability against the accountable person and shall draw up a list of financial liabilities with any jointly liable parties. Copies of the liability decision and the list of financial liabilities shall be sent to the defendant and to the head of the competent Public Financial Service of the last place of residence of those financially responsible, which shall proceed with the immediate certification of the assessed amount as public revenue and its collection under the Public Revenue Collection Code, subsequently transferring the collected amounts to the Holy Metropolis of Leros, Kalymnos and Astypalea. An appeal may be filed against the disciplinary decision of the relevant Metropolitan Council, through the relevant Metropolitan, before the Ecumenical Patriarch and the Holy and Sacred Synod of the Ecumenical Patriarchate, within one month of its notification. The appeal shall be filed to the Holy Metropolis of Leros, Kalymnos and Astypalea, which, within a month, shall forward it to the Ecumenical Patriarchate, accompanied by a report and a file.

## **Article 20**

### **Review of Decisions of the Ecclesiastical Councils**

1. The Metropolitan Council, in accordance with paragraph 3, article 5 of this decree, shall review the legality and appropriateness of the administration and management of the Parish.
2. Every decision of the Ecclesiastical Council shall be submitted to the Metropolitan Council, which shall approve, amend, or reject it. The decision of the Metropolitan Council shall be issued within three (3) months from the submission of the decision of the Ecclesiastical Council to it. Upon the expiration of this deadline without action, the decision shall be deemed tacitly approved, except in the cases of paragraphs 3 and 4 of this article.
3. Acceptance or renunciation of a donation by a way of bequest or legacy, as well as the contracting of any loan, may not be carried out by the Ecclesiastical Council without the prior approval of the Metropolitan Council.
4. Any decision of the Ecclesiastical Council concerning the filing of a criminal complaint or criminal charge, the filing of a lawsuit, the waiver of legal remedies, and the judicial or extrajudicial settlement shall be valid only if prior approval has been granted by the Metropolitan Council. Prior approval shall not be required in cases of flagrant offenses, and requests for a temporary order, or in order to address an emergency or imminent danger. The approval of the Metropolitan Council shall be required to continue the proceedings.
5. Taking into account the provisions of paragraph 3, article 5 and article 6 of this decree, every decision of the Metropolitan Council shall be binding on the Ecclesiastical Council. If the latter refuses to comply, the Metropolitan Council shall issue a recommendation to its members; if they persist, they are invited in writing to submit their explanations within fifteen (15) days. If the deadline expires without response or the explanations are deemed unfounded, the Metropolitan Council shall proceed with the replacement of the members under review by appointing new ones for the remainder of the term of the Ecclesiastical Council.

## **Article 21**

### **Books to be kept**

1. Under the responsibility of the president of the Ecclesiastical Council, the following books shall be kept in each Parish, which shall be certified by the president of the Metropolitan Council or its legal deputy:
  - a) Registers of correspondence and issuance of certificates,
  - b) Books of baptisms, marriages, and funerals,
  - c) The book of decisions of the Ecclesiastical Council,
  - d) The cash book,
  - e) The land and property register,
  - f) The book of minutes of income accounting records.
2. The forms and format of the books kept shall be determined by a decision of the Metropolitan Council of the Holy Metropolis of Leros, Kalymnos and Astypalea and may also be kept in electronic form.

## **Article 22**

### **Immovable and Movable Property of the Parishes**

1. The Ecclesiastical Council shall manage the immovable and movable property of the Parish.
2. The Parish shall carry out important social work and therefore requires resources. To this end, the Ecclesiastical Council must utilize its immovable property as effectively and profitably as possible. This may be achieved in the following ways:
  - a) leasing,
  - b) Sale, including contractual considerations,
  - c) Establishment of a right of surface, in accordance with paragraph 7, article 334 of Law 4957/2022.
3. By decision of the Metropolitan Council, the need shall be established and the method of exploitation of each asset of the Parish shall be determined, in accordance with paragraph 3, article 5, following a proposal by the Ecclesiastical Council and a reasoned recommendation of the president of the Metropolitan Council.

## **Article 23**

### **Leasing of Immovable Property**

1. The leasing of immovable property belonging to a Parish shall be carried out through a public competitive bidding process by auction. The terms of the auction shall be drafted by the Ecclesiastical Council and approved by the Metropolitan Council. A summary of the terms shall be posted on the notice board and the website of the Parish, as well as in one (1) daily newspaper of the location of the property, at least ten (10) days prior to the conduct of the auction.
2. The auction must necessarily include the following terms:
  - a) To participate in the auction, one must submit an auction guarantee equal to twice the starting price.
  - b) Debtors of the State, Legal Entities under Public Law, Holy Churches, Holy Monasteries, and ecclesiastical legal entities in general shall not be permitted to participate.
  - c) The costs of announcing and conducting the auction, as well as the drafting of the lease agreement shall be borne by the highest bidder.
  - d) The leased property may not be used for purposes contrary to public morality.
  - e) Any repair or maintenance costs of the leased property, whether necessary, beneficial, or even luxurious, shall be borne exclusively by the tenant and shall remain for the benefit of the property and the lessor upon termination of the lease without the lessee being entitled to

compensation, unless prior written consent of the Ecclesiastical Council, approved by the Metropolitan Council,

f) A solvent guarantor must be provided for the lease.

3. The auction shall be conducted publicly at the Parish offices before the Ecclesiastical Council. Interested parties, after paying the required auction guarantee, must sign a statement that there is no obligation or consequence for the Holy Parish Church if the result of the auction is not approved by either the Ecclesiastical Council or the Metropolitan Council, as well as to confirm full Knowledge and acceptance of the auction terms and commit not to use the property for purposes contrary to public morality. If a participant acts on behalf of another, this must be declared to the Ecclesiastical Council before the start of the auction; otherwise, they shall be deemed to participate on their own behalf. The bidder, who offers the highest rent by the end of the auction, shall be declared the final bidder. After completion, all bidders, except the final one, shall have their auction guarantee returned in full.
4. The minutes certifying the outcome of the auction shall be signed by the members of the Ecclesiastical Council and the final bidder and shall be sent to the Metropolitan Council for approval. If no objections are filed or any filed objections are rejected, the final bidder shall be invited in writing to sign the lease agreement within ten (10) calendar days, together with at least one (1) solvent guarantor. If the final bidder, together with the guarantor, fail to appear within the deadline, the final bidder shall be declared forfeited and the guarantee shall be forfeited to the Parish. If the final bidder appears to sign the lease, the auction guarantee shall be replaced by a performance guarantee equal to twice the monthly rent, as determined during the auction.
5. If the auction is declared unsuccessful or any objections are held valid, it shall be repeated upon simple announcement of the Ecclesiastical Council, referring to the original notice and posted at least five (5) days prior to the repeat of the auction on the notice board and the website of the Parish.
6. If the second auction is also unsuccessful, the Ecclesiastical Council, upon approval of the Metropolitan Council, may reduce the starting price and, if it remains unsuccessful again, it may approve the direct lease of the property for a period not exceeding four (4) years.
7. Exceptionally, a parish may proceed, following a decision of the Ecclesiastical Council and approval of the Metropolitan Council, to direct leasing without auction in the following cases (without excluding the possibility of auction):
  - a) When annual income does not exceed €18,000 or monthly rent does not exceed €1,500 per property, without taking into account any adjustment of the rent during the term of lease.
  - b) In the case of the leasing of real estate to other ecclesiastical legal entities or organizations and ecclesiastical institutions, under public or private law, as well as non-profit legal entities serving public benefit purposes and supporting the work of an ecclesiastical legal entity, to meet their housing or operational needs. The same shall apply to the leasing of real estate to the Greek State, Local Authorities, and Legal Entities under Public law, and Public Enterprises, provided the direct lease serves exclusively public benefit purposes. Limited-scope economic activities, as a source of additional resources for a public benefit foundation, provided they serve the purpose of the concession, shall be assessed on a case-by-case basis by the Ecclesiastical Council and approved by the Metropolitan Council.
  - c) In the case of the lease of real estate for special or seasonal use, the lease may not exceed seven (7) months.
  - d) In the case of a lease intended to maintain possession of the property, the lease shall not exceed two (2) years.
  - e) Pursuant to any other specific provision of law permitting the lease of ecclesiastical real estate without a competitive bidding process.

8. In the event that the lease exceeds nine (9) years or the monthly rent exceeds €30,000, approval of the auction terms for the lease by the Metropolitan Council and approval of the lease of the property by the Ecumenical Patriarch and the Holy and Sacred Synod of the Ecumenical Patriarchate shall be required.
9. A long-term lease of up to ninety (90) years shall be permitted for the exploitation and development of large uncultivated areas or plots, within or outside urban plans, requiring significant expenses by the tenant, such as construction of buildings, engineering works, facilities and generally implementation of major investment project, whether self-financed or not. In such cases, approval of the auction terms for the lease by the Metropolitan Council and approval of the lease of the property by the Ecumenical Patriarch and the Holy and Sacred Synod of the Ecumenical Patriarchate shall be required.

#### **Article 24**

##### **Sale of Real Estate**

1. The sale of Parish property, whose concept includes construction contracts, shall generally be conducted through a public competitive bidding process (auction). The sale of property shall require approval from the Holy and Sacred Synod of the Ecumenical Patriarchate.
2. In order to determine the starting price of the auction, an appraisal of the property's value shall first be conducted either by a certified appraiser or by a three-member committee of experts, appointed by a decision of the relevant Ecclesiastical Council. The appraisal of the property's value must not be more than one year prior to the date of the auction.
3. The auction terms shall be drafted by the Ecclesiastical Council and approved by the Metropolitan Council. A summary of the terms shall be posted on the notice board and the website of the Parish, as well as in a daily newspaper in the location of the property, at least thirty (30) days prior to the conduct of the auction.
4. The auction must include the following conditions:
  - a) To participate in the auction, one must submit an auction guarantee equal to one-twentieth (1/20) of the starting price,
  - b) Debtors of the State, Legal Entities under Public Law, Holy Churches, Holy Monasteries and ecclesiastical legal entities in general may not participate in the auction,
  - c) The costs of announcing and conducting the auction, as well as the drafting of the relevant contract and its registration, shall be borne by the final bidder.
5. The auction shall be held publicly at the parish offices in the presence of the Ecclesiastical Council and a notary. Interested parties, after paying the required auction guarantee, shall sign a statement confirming that they have read and understood the terms of the auction, which they accept fully and unconditionally, and that there is no obligation or consequence for the Holy Parish Church if the outcome of the auction is not approved either by the Ecclesiastical Council or the Metropolitan Council. In order for a person to participate on behalf of another, a statement must be submitted to the Ecclesiastical Council, along with the corresponding power of attorney, prior to the start of the bidding process, otherwise that person shall be deemed to be participating on their own. The bidder, who offers the highest bid by the end of the bidding process, shall be declared the final bidder. After the end of the bidding process, all bidders, except the final one, shall be refunded the full amount of the auction guarantee.
6. The minutes certifying the outcome of the auction shall be signed by the members of the Ecclesiastical Council and the final bidder. Any person with a legitimate interest may file an objection before the Ecclesiastical Council on the grounds of a breach of the terms of the auction announcement, within five (5) days from the date of the auction. Then, the minutes certifying the result, along with any objections filed, shall be sent to the Metropolitan Council

for approval. If the objection is upheld by the Metropolitan Council, the auction shall be canceled, the auction guarantee shall be returned to the final bidder, and a new date shall be determined for the auction. If the result of the auction is approved, the final bidder shall be invited in writing to sign the relevant sale contract within thirty (30) days. Should the final bidder fail to appear within the aforementioned deadline, the bidder shall be disqualified and the auction guarantee shall be forfeited to the Parish; if the bidder appears and signs the sale contract, the auction guarantee shall be set off against the final purchase price, after deducting the costs of announcing and conducting the bidding process.

7. By way of exception, the sale of immovable property without a competitive bidding process shall be permitted to the Greek State, Local Government Authorities, and Legal Entities under Public Law, Public Enterprises, and other Legal Entities under Private Law serving public benefit purposes. Furthermore, the sale without a competitive bidding process shall be permitted to natural or legal persons when it is not possible or beneficial to hold such a process. This applies, for example, in cases of undivided co-ownership, the dissolution of co-ownership rights in ideal shares, or when the property is dilapidated, or subject to demolition, and its sale shall financially support the purposes of the Parish. The aforementioned direct sale shall be permitted by a reasoned decision of the Ecclesiastical Council, following approval by the Metropolitan Council and final approval by the Ecumenical Patriarch and the Holy and Sacred Synod of the Ecumenical Patriarchate. The same decision shall determine the terms of the sale and the method of payment of the price. In the above cases, the sale price sought may not be lower than the value determined by a certified appraiser or the value of the property based on an objective system of valuation. By way of exception, where, with regard to ecclesiastical immovable property of Parishes, legal and factual circumstances have arisen that hinder the exercise of ownership and possession, and, in general, their free administration, or where there are serious social or reasons of ecclesiastical interest, the direct sale of the property may be permitted, pursuant to the procedure of point d, for the purpose of settling and resolving the case, provided that it shall be deemed advantageous, subject to the procedure of a timely appraisal by a certified appraiser of the market value of the property before its sale. A prerequisite for the exceptional sale of the property shall be that the buyer himself or his assignees must maintain undisturbed possession and/or ownership of the property for twenty (20) years. The sale price may be reduced in relation to the appraised market value by one per cent (1%) for each year of possession by the buyer or his assignees for the period exceeding twenty years on the property, up to a maximum reduction of thirty per cent (30%).
8. The establishment of a surface right shall be governed by the provisions of paragraph 7, article 334 of Law 4957/2022.

## **Article 25**

### **Granting of the Use of Real Estate**

1. The granting of the use of real estate belonging to the Parish shall be carried out following a reasoned decision of the Ecclesiastical Council. This decision shall be subject to approval, first by the Metropolitan Council and, then, by the Ecumenical Patriarch and the Holy and Sacred Synod of the Ecumenical Patriarchate. The granting may be for a definite or indefinite period, free of charge or for consideration, in whole or in part, to Local Government Authorities and Legal Entities under Public Law, provided that it serves public-benefit purposes that are not contrary to the Holy Canons, the traditions of the Orthodox Church, and public morals. The terms of the granting must mandatorily include a provision that the Ecclesiastical Council of the Parish shall retain the right to revoke the granting without compensation to the user,

unless a notarial deed is drawn up specifying the conditions and terms for compensating the user, as well as the conditions for revocation.

2. In the case of granting the use of parish real estate, after final approval, a relevant contract of use and loan of use shall be drawn up and signed, in which the specific terms and agreements are detailed. All charges on the property, especially all taxes, expenses, and fees of any kind, shall be paid exclusively by the user.

## **Article 26**

### **Management of the Movable Property of Parishes**

1. The Ecclesiastical Council shall manage the movable and intangible property of the Parishes. This shall include the following:
  - a) Money,
  - b) Shares, securities, and other registered or bearer securities and intangible assets,
  - c) Movable objects, especially valuable votive offerings, paintings, and furniture.
2. The safeguarding of the above assets shall be carried out by establishing a deposit in bank accounts (for money) or bank safes (for valuables), which shall be opened solely in the name of the legal entity of the Parish, following a decision of the Ecclesiastical Council and approval by the Metropolitan Council.
3. The timing and method of their utilization shall be decided in each case by the Ecclesiastical Council, whose decision shall be approved by the Metropolitan Council.

## **Article 27**

### **Purchase of Real Estate**

1. The purchase of real estate for the needs of a Parish shall generally be carried out through a public reverse auction. For any purchase exceeding one hundred thousand euros (€100,000.00), approval shall also be required by the Holy and Sacred Synod of the Ecumenical Patriarchate.
2. In order to determine the starting price of the auction, an appraisal of the value of the suitable property to be acquired must be carried out in advance, either by a certified appraiser or by a three-member committee of experts, appointed by decision of the relevant Ecclesiastical Council. The appraisal must not be more than one year from the date of the auction.
3. The terms of the auction shall be drafted by the Ecclesiastical Council and approved by the Metropolitan Council. A summary of the terms shall be posted on the notice board and the website of the parish, as well as in one daily newspaper of the location of the property at least thirty (30) days prior to the auction.
4. The auction must include the following terms:
  - a) Participation requires an auction guarantee equal to one twentieth (1/20) of the starting price,
  - b) Debtors of the State, Legal Entities under Public Law, Holy Churches, Holy Monasteries, and ecclesiastical legal entities in general may not participate in the auction,
  - c) The costs of announcing and conducting the auction, as well as drafting the relevant contract and registering it, shall be borne by the lowest bidder.
5. The auction shall be conducted publicly at the parish offices in the presence of the Ecclesiastical Council. Interested parties, after paying the required auction guarantee, must sign a statement confirming that they have read and understood the auction terms, which they accept fully and unconditionally, including a confirmation that no obligation or liability shall arise for the Holy Parish Church if the result is not approved either by the Ecclesiastical Council or the Metropolitan Council. For a person to participate on behalf of another, a declaration must be submitted to the Ecclesiastical Council, along with the submission of the

relevant attorney power, prior to the beginning of the auction; otherwise, participation shall be deemed personal. The outcome of the reverse auction shall be awarded by the Ecclesiastical Council to the person offering the lowest price and having submitted the supporting documents specified in the announcement. Upon completion of the auction, all participants, except the final bidder, shall have their auction guarantees returned in full.

6. The minutes certifying the outcome of the auction shall be signed by the members of the Ecclesiastical Council and the final bidder. An objection regarding a violation of the auction terms may be filed to the Ecclesiastical Council by any party with a legitimate interest within five (5) days from the date of the auction. The final minutes, along with any objections submitted, shall then be sent to the Metropolitan Council for approval. If the objection is accepted by the Metropolitan Council, the auction shall be canceled, the auction guarantee shall be returned to the final bidder, and a new date for the auction shall be set. If the auction is approved, the last bidder shall be invited in writing to sign the relevant contract within thirty (30) days. Failure to do so shall result in the last bidder being disqualified and the auction guarantee being forfeited to the Parish.
7. By way of exception, the purchase of immovable property without an auction from the Greek State, Local Government Authorities, and Legal Entities under Public Law, Public Enterprises, and other Legal Entities under Private Law serving public benefit purposes shall be permitted. Furthermore, purchases without an auction shall be permitted from natural or legal persons when it is not possible or beneficial to hold an auction. This shall apply, for example, to undivided co-ownership and the dissolution of co-ownership rights in ideal shares, in the event that the property is suitable for the needs and purposes of the Parish. The aforementioned direct purchase shall be carried out following a report by at least one (1) certified real estate appraiser, a reasoned decision of the Ecclesiastical Council, approval by the Metropolitan Council, and final approval by the Ecumenical Patriarch and the Holy and Sacred Synod of the Ecumenical Patriarchate. The same decision shall determine the terms of the purchase and the method of payment of the purchase price. In the above cases, the price requested may not exceed the market value determined by the certified appraiser or the value of the property under an objective property valuation system. Through the same procedure, the direct purchase of properties already owned by Parishes shall also be permitted, even if the conditions for adverse possession are not met, provided that legal and factual circumstances have arisen which serve serious ecclesiastical needs.

## **Article 28**

### **Projects, Supplies, and Services of the Parishes of the Holy Metropolis of Leros, Kalymnos and Astypalea**

1. The execution of a project, supply, or service in favor of a Parish for an amount exceeding thirty thousand euros (€30,000.00) shall be carried out through a public reverse auction. For the execution of projects, the auction shall be conducted following a technical study, preliminary study, or technical report, as well as an announcement, prepared by a designer or technical consultant, decided by the Ecclesiastical Council and approved by the Metropolitan Council. For supplies and services of any kind, it shall be conducted following an announcement prepared and decided by the Ecclesiastical Council and approved by the Metropolitan Council. A summary of the announcement shall be posted on the notice board of the Parish and its website, and shall be published in a local daily newspaper at least thirty (30) days before the procedure. In order to prevent the artificial division of the subject of contracts, direct awards of projects, supply and service contracts below thirty thousand euros (€30,000) shall be permitted only by reasoned decision of the Ecclesiastical Council and approval of the Metropolitan Council.
2. The auction must include the following requirements:

- a) To participate in the auction, one must submit the required guarantees,
  - b) Debtors of the State, Legal Entities under Public Law, Holy Churches, Holy Monasteries, and ecclesiastical legal entities in general may not participate in the auction,
  - c) The costs of announcing and conducting the auction, as well as drafting the relevant agreement, shall be borne by the person to whom the auction shall be awarded.
3. The auction shall be conducted publicly, in accordance with the announcement, before the Ecclesiastical Council or a committee appointed by it. Interested parties must submit the auction guarantee specified in the announcement and a statement affirming there will be no obligation or liability for the Holy Parish Church, if the outcome of the auction is not approved either by the Ecclesiastical Council or the Metropolitan Council, as well as that they have read and understood the terms of the auction, which they accept fully and unconditionally, and that they shall submit all other required supporting documents. If a person participates on behalf of another, they must declare this to the Ecclesiastical Council or the committee, submitting, at the same time, the relevant authorization before the start of the auction; otherwise, they shall be deemed to be participating on their own behalf. The outcome of the auction shall be awarded by the Ecclesiastical Council to the person that submits the most advantageous offer, in accordance with the terms of the auction, and has submitted the supporting documents specified in the announcement. Following the signing of the minutes certifying the outcome of the auction, as provided for in the following paragraph, the auction guarantee shall be returned in full to all participants except the person to whom the auction was awarded.
  4. The minutes certifying the outcome of the auction shall be signed by the members of the Ecclesiastical Council and the contractor or his legally authorized representative. An objection regarding a violation of the terms of the auction may be filed to the Ecclesiastical Council by any person with a legitimate interest who has not received their letter of guarantee, within five (5) days from the date of the auction. Then, the minutes certifying the outcome, along with any objections filed and a report of the Ecclesiastical Council, shall be sent to the Metropolitan Council for approval. If the objection is approved by the Metropolitan Council, the auction shall be canceled, the guarantee shall be returned and a new date shall be set for the auction. If the auction is approved, the contractor shall be invited in writing to sign the relevant agreement within fifteen (15) days. If the contractor fails to appear within the deadline, he shall be disqualified, and the auction guarantee shall be forfeited in favor of the Parish. If the contractor appears to sign the relevant agreement, the auction guarantee shall be replaced by a performance guarantee, in accordance with the terms of the auction.
  5. The provisions of this article shall not apply to cases of administrative acts for which the Parishes receive grants or funds by national or European sources, which are governed by Law 4412/2016 (A' 147) on state or public contracts, but shall apply only to projects, services and supplies that do not fall under those provisions.

## **Article 29**

### **Loans to the Holy Metropolis of Leros, Kalymnos and Astypalea, its Parishes and Monasteries from banking institutions**

1. The approval of a loan in favor of the Holy Metropolis of Leros, Kalymnos and Astypalea shall require a decision of the Metropolitan Council (pursuant to article 5, paragraph 5, point id), following a financial and technical report signed by at least one (1) economist, member of the Economic Chamber of Greece. The decision shall fully justify the necessity of the loan, the ability to meet interest and principal payments, the solicitation of offers from at least three banks, and the selection of the most advantageous of these, and shall be approved by the Ecumenical Patriarch and the Holy and Sacred Synod of the Ecumenical Patriarchate.
2. The approval of a loan in favor of Parishes and Holy Monasteries shall require a decision of the competent Ecclesiastical Council or Abbot Council, or Monastic Committee, following a

financial and technical report signed by at least one (1) economist, member of the Economic Chamber of Greece. The decision shall fully justify the necessity of the loan, the ability to meet the interest and principal payments, the solicitation of offers from at least three banks, and the selection of the most advantageous of these, which shall be approved by the Metropolitan Council.

3. In any case, it shall not be permitted to register a mortgage lien or a mortgage on immovable property serving religious purposes, nor may a guarantee be provided by the Holy Metropolis of Leros, Kalymnos and Astypalea, or another Holy Church or Holy Monastery under its jurisdiction.

### **Article 30**

#### **Fundraising Committees**

1. Fundraising committees shall be established to conduct fundraising campaigns within the territorial jurisdiction of the Holy Metropolis of Leros, Kalymnos and Astypalea for the purpose of construction, completion, iconography, repair of Holy Churches, or to support their social and pastoral work, following a decision of the Ecclesiastical Council and approval of the Metropolitan Council. The relevant decision must specify the purpose of the fundraising campaign, the place and time of the event, and the names of the members of the fundraising committee.
2. In order for a fundraising campaign to be conducted outside the territorial jurisdiction of the Holy Metropolis, the consent of the Metropolitan of the Ecclesiastical Province where the campaign is to take place shall be required, as well as the relevant approval of the competent state authorities.
3. The fundraising committee, following its formation as described above, shall be constituted as a body and shall elect its treasurer. The president of the Ecclesiastical Council shall automatically serve as its president. By decision of the fundraising committee, the teams conducting the fundraising campaign shall be designated.
4. The fundraising committee must provide the fundraising teams with all necessary supporting documents to demonstrate the legality of the fundraising campaign during inspections by the authorities.
5. The fundraising committee shall conduct the fundraising campaign by distributing pre-printed donation slips of a specific value, which shall be numbered and stamped by the Holy Metropolis.
6. The fundraising committee shall be required:
  - a) not to dispose of the proceeds of the fundraising campaign on its own initiative, nor undertake any ecclesiastical work, but to deposit them without delay into the bank account maintained by the Parish,
  - b) To inform the Metropolitan Council in writing, within one (1) month of the end of the fundraising campaign, about the outcome and the total amount of money collected. Furthermore, to submit to the Holy Metropolis, within the same period, the unused numbered and stamped donation slips.
7. The outcome of the fundraising campaign shall be recorded in a special section of the financial report of the Parish.

### **Article 31**

#### **Entry into Force**

This decree shall enter into force upon its publication in the Government Gazette. The Minister of Education, Religious Affairs and Sports shall be entrusted with the publication and implementation of this decree.