

GREECE			
COMPETITION FRAMEWORK			
Competition Law	The Competition Law entered into force on April 20, 2011.		
Competition Authority	The Hellenic Competition Commission started in 1995. Website: <a href="http://www.epant.gr/main.php?Lang=en">http://www.epant.gr/main.php?Lang=en</a>		
STATUS OF THE COMPETITION AUTHORITY			
Accountability			
Does the Competition Authority have obligations before the executive?	Yes	√	Obligations to report to the executive on on-going investigations upon request.
		X	The decisions of the Competition Authority may be vetoed by a ministry or by the executive branch.
		X	The Competition Authority has to report on an annual basis to the executive.
Does the Competition Authority have obligations before the legislature?	Yes	√	Obligation to publish an annual report on its activities.
		√	Obligation to stand before parliament and to respond to congressmen on an annual basis. See article 18 of the Competition Law.
		X	Its activities are monitored by an independent auditor or by oversight committees.
Does the Competition Authority have obligations before the judiciary?	Yes	√	Decisions of the Competition Authority are subject to judicial review.
Independence			
Are the criteria for appointment and removal of the head/board members clear and transparent?	Yes		
Does the executive have powers to decide on specific cases based on public interest?	No		
Does the executive retain decision-making powers over the Competition Authority?	No		
Is the Competition Authority obliged to publish its reasoned decisions to ensure transparency?	Yes		See Competition Law, article 27.
Is there a provision of the national budget allocated by law to the Competition Authority to ensure its proper functioning?	Yes		See Competition Law, article 27(4). Approved by the Ministry of Economy and the Ministry of Finance.
Can the Competition Authority be financed by its own means (notification fees, fines, etc.)?	Yes		See Competition Law, article 17(1).
GOVERNANCE OF THE COMPETITION AUTHORITY			
Is the Competition Authority governed by a single chairman or by a collegiate body?	Single Chairman		See Competition Law, article 11.
Are the heads appointed by a minister?	Yes		See Competition Law, article 11.
Are the heads appointed by representatives of more than one government branch?	Yes		See Competition Law, article 11(3). The chairman and the vice-president are selected by the parliament and appointed by the Minister of Economy.
Is there a fixed period during which removal is prohibited?	Yes		According to article 11(3) of the Competition Law, five years.
Is the tenure of the heads renewable?	Yes		Only once. See Competition Law, article 11(3).
Are the heads required to have certain minimum qualifications (degree in law or economics, age, experience)?	Yes		See Competition Law, article 11. Indicates that the members of the Commission have to be prestigious and distinguished by their scientific training and professional competence in the legal and economic sectors, especially on competition law.
ARCHITECTURE			
Is the Competition Authority a stand-alone agency with an independent physical location or is it part of a bigger entity such as a minister?	Stand-alone agency		It is an independent organism, but it is under the supervision of the Ministry of Economy.
POLICY-MAKING AGENTS -DIVERSIFICATION-			
How many agencies are responsible for competition enforcement?	One agency.		
Do sector regulators have competition policy enforcement mandate?	Horizontal Agreements	Yes	See Competition Law, article 24.
	Vertical Restraints	Yes	See Competition Law, article 24.
	Abuse of Dominance	Yes	See Competition Law, article 24.
	Merger Control	No	See Competition Law, article 24. But NCA should involve the corresponding sector agency on any merger related to their industry.

Have the Competition Authority and other agencies signed protocols or memoranda of understanding with sector regulators?	No		
<b>POLICY DUTIES</b>			
Does the Competition Authority have exclusive mandate on competition or multiple mandates?	Exclusive competition mandate	X	Concurrent consumer protection mandate.
		X	Concurrent IP mandate.
		Other mandates: Not applicable.	
<b>PORTFOLIO INSTRUMENTS</b>			
<b>Law Enforcement</b>			
Does the Competition Authority have powers to investigate cartels?	Yes	See Competition Law, article 14.	
Does the Competition Authority have powers to conduct dawn raids at premises?	Yes	See Competition Law, article 39.	
Can the Competition Authority investigate <i>ex officio</i> cases?	Yes	See Competition Law, article 11(1).	
Does the Competition Authority have powers to accept leniency applications?	Yes	See Competition Law, article 14(2)(n).	
Does the Competition Authority have powers to accept seek criminal punishment?	Yes	See Competition Law, article 43.	
<b>Advocacy</b>			
Can the Competition Authority issue opinions on draft legislation?	Yes	See Competition Law, articles 11(5), 14(2)(j), and 23. The opinions are not binding.	
Is the executive and/or the legislature obliged to request the opinion of the Competition Authority when drafting legislation that may impact competition?	No		
<b>Rulemaking</b>			
Can the Competition Authority issue guidelines or other type of secondary legislation?	Yes	√	Guidelines on the calculation of fines.
		√	Guidelines on merger control.
		√	Guidelines on the economic analysis of abuse of dominance cases.
<b>Research &amp; Reporting</b>			
Can the Competition Authority carry out market studies?	Yes	See Competition Law, article 14(3), in cooperation with the Department of Market Surveillance (article 52).	
Can the Competition Authority report to the legislature on the results of market studies?	Yes		
<b>DECISION-MAKING FUNCTIONS</b>			
<b>Aggregated Functions</b>			
Does the Competition Authority make the decision to investigate and to prosecute cases?	Yes		
Does the Competition Authority make guilty findings?	Yes		
Does the Competition Authority impose punishments?	Yes		
Is there a single body that carries out the investigation and the guilty findings within the Competition Authority?	No		
Can the Competition Authority's decisions be appealed to a court?	Yes	Competition Law, Article 15(7).	
<b>Disaggregated Functions—Prosecutorial Model</b>			
Are there different authorities that make the decision to investigate and to prosecute cases?	No		
Are disputes presented for decision to a separate entity/tribunal?	No		