

ESM PROGRAMME - 2ND REVIEW: LIST OF PRIOR ACTIONS *Draft Preliminary Agreement – 2 May 2017*

	MoU action	Legislation required
I. Delivering sustainable public finances		
	Fiscal policy	
1	Adopt a budget for 2017	Yes
2	Adopt parametric measures to reach agreed fiscal targets up to end-2018, including implementation of first steps of the social welfare review.	Yes
	Post-programme fiscal package	
3	Medium-term fiscal strategy (MTFS) for 2018-21 in line with agreed medium-term targets which should be reached without growth-detrimental measures	Yes
4	Pension reform delivering permanent net savings of 1% of GDP in 2019 – [2021]	Yes
5	Personal income tax reform to be implemented and delivering net savings of 1% of GDP in 2020 and [2021]	Yes
6	Growth-enhancing tax package matching in net terms the yield from the personal income tax reform encompassing (i) a reduction in PIT rates and the solidarity surcharge with a yield of 0.8% of GDP; (ii) a reduction in CIT rates with a yield of 0.1% of GDP, and (iii) a reduction in property tax (ENFIA) with a yield of 0.1% of GDP	Yes
7	Targeted spending package matching in net terms the yield from the pension reform composed of (i) an increase in spending on targeted welfare benefits (housing allowance/SSI earnings disregard; child allowance; school meals; nursery/pre-school education; means-tested reduction in health co-payments) 0.7% of GDP (ii) high-quality public infrastructure investment 0.15% of GDP, and (iii) active labour market policies 0.15% of GDP	Yes
8	Provide a legal opinion that the pension reform is in line with the Greek constitutions and the Charter of Fundamental rights and a detailed quantitative assessment of the redistributive impact of pension reforms	Yes
	Tax policy reforms.	
9	Review the corporate tax law covering mergers and acquisitions and implement the Income Tax Code (ITC) provisions concerning mergers (articles 52-55 ITC) and transfer pricing fines (article 56 Tax Procedure Code, TPC)	Yes

	MoU action	Legislation required
10	Extend the temporary voluntary contribution of the shipping community to 2018	Yes
11	Undertake a review and reform of tax administration procedures for enforced sale of assets at public auctions	Yes
12	Abolish article 6 of the law 2523/1997	Yes
	Public revenue reforms: <i>Independent Authority of Public Revenue</i>	
13	Complete the signature of the service level agreement, in agreement with the institutions, to fully operationalise as specified in the Technical Memorandum of Understanding the transfer of all tax and customs administration IT-related functions within the Authority;	No
14	Pass legislation to provide with immediate effect for travel and accommodation expenses for the members of the management board of the IAPR and for the international expert assisting the board;	Yes
15	Vote the IAPR budget as agreed	Yes
16	Select and appoint 55 of the key managers;	No
17	The IAPR will adopt the <u>strategic plan</u> by March 2017	No
18	The authorities will ensure that the General Directorate for Financial Services (GDFS) is fully functional	No
19	Adopt the secondary legislation which includes the definition of positions of managers to be rotated (is) adopted	No
20	The IAPR will adopt a business plan	No
	Public revenue reforms: <i>Improve compliance</i>	
21	Adopt a fully-fledged plan to increase tax compliance, which will include measures to improve declaration compliance and payment compliance	No
22	Pass legislation for the promotion and facilitation of the use of electronic payment .	Yes

	MoU action	Legislation required
	Public revenue reforms: <i>Fight against tax evasion</i>	
23	Produce a policy paper to clarify the main axes and timeline of the reform to improve the model of cooperation between justice and tax administration in the fight against high level tax fraud with the goal of rationalising competing and overlapping competences.	No
24	Adopt legislation to make the competences of the financial prosecutor consistent with the independence of the IAPR;	Yes
25	Adopt legislation allowing prosecutors to send information to the tax administration as a simple information without binding effect, leaving the tax administration the discretion of what to do with the information.	Yes
26	The Authorities will pass legislation to exclude the tax administration and its staff from receiving and implementing audit and investigation actions ordered by the prosecutors	Yes
	Public revenue reforms: <i>Customs and fight against smuggling.</i>	
27	Adopt the strategy against smuggling of excisable products;	No
28	Produce an action plan for the implementation the trade facilitation roadmap;	No
29	Produce a timeline for the full staffing and equipment of all the mobile units by June 2017 at the latest.	No
	Public revenue reforms: <i>Social security collection reforms</i>	
30	Ensure that the self-employed contributor registry is fully tested and operational for starting the billing of contributions as from January 2017.	No
	Public financial management	
31	Present a medium-term action plan to ensure compliance with the Late Payment Directive including concrete measures and safeguards to ensure the transfer of IKA liabilities (cash transfers and expenditures) to the health fund (EOPYY) during the relevant period.	No
32	The authorities will amend the national law transposing the Fiscal Compact so as to assign the Fiscal Council the responsibility of reviewing whether each draft budget law is in full compliance with the EU Treaty on Stability, Coordination and Governance TSCG provisions. A positive assessment of compliance is required before the submission of the budget law to the Parliament	Yes
	Public procurement	

	MoU action	Legislation required
33	A new centralised procurement scheme for the needs of 2017 (onwards), on the basis of a plan developed by the General Secretariat of Commerce in cooperation with the European Commission, will enter into force.	Yes
34	Adopt the Strategy on Public Procurement (prepared by the Single Public Procurement Authority and finalised by the central government) in view of implementing its action plan as from its adoption date.	No
35	The Greek authorities will take the necessary measures with a view to ensuring operation of new e-procurement facility, KHMDHS.	Yes
	Sustainable social welfare: Pensions	
36	With a view to progressively phase out the pension solidarity grant (EKAS), adopt the Ministerial Decisions for the awarding rules for 2017	Yes
37	For the full implementation of the pension reform legislated as prior action for the first review, adopt all the necessary circulars related to articles 7, 8, 12, 13, and 28 and Ministerial decisions (related to articles 5.4, 18.11, 38.8, 38.10, 39.2, 39.18, 40.12, 43.2, 45.5, 73.1, 57, 70.3, 70.10, 73.2, 80, 81.1, 81.3, 83.1, 86, 87, 89 and 92.4 in Law 4387/16	Yes
38	Amend the pension law so that, starting from 1 January 2018, the contribution base for the self-employed is defined as gross earnings before social security contribution obligations of the previous year. The contribution base is temporarily reduced by 15 percent in 2018, with no reductions thereafter.	Yes
39	Publish the monthly HELIOS report	No
40	The merging of the social security funds into EFKA will lead to efficiency gains including through a reduction of overall staff. The exact scope and timing for these efficiency gains will be set in an action plan to be adopted as a prior action with the support of technical assistance and will include binding quantitative targets for resource savings.	No
41	Recalculate and process pension applications according to the new benefit rules (Law 4387/2016). At least 10% of all pension applications submitted between 13 May 2016 and December 2016 have to be recalculated and processed as prior action	No
	Sustainable social welfare: Health	
42	<i>Rationalise health-care expenditure.</i> Adopt a clawback ceiling to cover items previously not under clawback in the budget category "Other illness benefits (cash & kind)".	Yes
43	<i>Rationalise health-care expenditure.</i> Adopt in agreement with the institutions structural measures to contain excessive spending on diagnostics, pharmaceuticals and private clinics, and other items in the EOPYY budget not covered by clawbacks.	Yes
44	<i>Execution of clawbacks and regular audits.</i> On the basis of the final results from the auditing of 2013 submissions, proceed to the settlement of any amount under dispute.	No
45	<i>Improve the financial management and cost effectiveness of hospitals.</i> Adopt the Law on centralised health procurement.	Yes

	MoU action	Legislation required
46	<i>Reduce pharmaceuticals spending.</i> Publish a bi-annual (May and November) price bulletin to reduce pharmaceutical prices.	Yes
47	<i>Reduce pharmaceuticals spending</i> Improve the incentive structure of pharmacists including on profit structure to support the penetration of generics.	Yes
Social safety nets: reform of the social welfare system		
48	<i>SSI rollout.</i> Adopt primary legislation and other measures to ensure the national rollout of the SSI.	Yes
49	SSI rollout. The authorities will support the smooth implementation of the SSI by a. providing training to the staff in all municipalities, including through e-training modules; b. ensuring the availability of communication materials and distribute these to municipalities across the country; c. ensure that the Directorate dealing with the SSI within the National Mechanism is staffed and operational to support the future smooth rollout of the SSI, the authorities will:ensure the long-term sustainability and efficiency of the SSI Information System and cross-checking system developed by IDIKA, in terms of ensuring access to information from other agencies, the system's technical development and the availability of adequate human resources. (June 2017); d. develop an operational system of Community centres with at least [100 staff] with a well-defined role and a staff training programme (July 2017); e. complete a review of the adequacy of the penalties system with the assistance of technical assistance to ensure the effective criminal prosecution of organised or administrative fraud in the SSI system, including through legislation if necessary (September 2017); a. f. establish a disputes resolution system for SSI (December 2017); g. develop an internal capacity to provide risk assessment, auditing, and inspections of the system (December 2017).	No
50	<i>SSI design.</i> Revise and issue the Joint Ministerial Decision in agreement with the institutions to refine the design and benefit rates of the nationwide SSI, in the light of the interim results of the evaluation of the initial schemes by the World Bank;	Yes
51	<i>SWR.</i> Adopt legislation to reform the welfare system, based on the relevant recommendations of the Social Welfare Review provided by the World Bank, including: i. the elimination of benefits overlapping with the SSI or family benefits saving €8.5 million in 2017 and €10 million in 2018; ii. a reduction of the heating allowance benefit in 2018 achieving savings of €58 million; iii. a streamlining of regressive tax expenditures saving €189 million in 2018;	Yes

	MoU action	Legislation required
	iv. the unemployment benefit for those entering the labour market, saving €1.5 million in 2017 and €2 million in 2018	
II. Safeguarding financial stability		
	<i>Preserving liquidity.</i>	
52	The BoG and the MoF will prepare and publish roadmap for the relaxation of capital controls.	No
	<i>Non-Performing Loans: Enable an active secondary NPL market.</i>	
53	The authorities and the BoG will assess and address the impediments to the secondary market for NPLs identified in the report on the review of implementation of Law 4354/2015.	Yes
54	In order to streamline the licencing process for NPL servicers, and as a prior action , the authorities and Bank of Greece will take appropriate actions, including necessary legal amendments, to ensure that i) the NPL servicing licence, if it does not include refinancing, is disconnected from Act 2577, ii) the business plan requirements, especially for servicers that do not provide refinancing, will be significantly simplified, iii) the anti-money laundering requirement for servicing companies that do not provide refinancing and do not handle third-party money, for loans held by an AML-compliant supervised entity, is removed, iv) the Fit and Proper requirements in the relevant BoG Act are simplified, v) the IT security assessment is waived if an appropriate ISO certification is submitted, vi) the restructuring strategy requirements provided for in secondary legislation are further simplified, vii) the processes of the Code of Conduct are not affected by a transfer of the loan, viii) BoG Act clarifies that the contact point requirement also includes virtual contact points regardless of the latter's location, ix) the requirement for opinion by a Ministerial committee is removed, and x) the purpose of the servicing companies , will be expanded to include the management of real estate property connected to the loan portfolio they have been assigned to service.	
	<i>Non-Performing Loans: Monitoring the banks' non performing exposure.</i>	
55	Non-Performing Loans: Out-of-Court Workout. Establish the legislation on OCW, as specified in the Technical Memorandum of Understanding (TMU) by (i) allowing for both large and smaller debtors with a debt above a minimum threshold into the mechanism, including debtors with State, social security and/or debt towards the private sector; (ii) strengthening information requirements for applications; (iii) establishing principles for the preliminary screening of applicants; (iv) establishing efficient coordination and decision-making mechanisms among private and public creditors, primarily through the use of electronic platforms; (v) subjecting all elements of debt, including private and public debt, to the debt-restructuring mechanism and subordinating part of the claims, such as fines and surcharges, of both private and public debt; (vi) allowing for the possibility of using fast-track court ratification of the restructuring agreement where needed; and (vii) facilitating the initiation of insolvency proceedings in case of lack of compliance with the agreed restructuring plans or if the borrower has been assessed as non-viable.	Yes

	MoU action	Legislation required
56	Non-Performing Loans: <i>Liability of bank and public officials.</i> Introduce legislative provisions to ensure: (a) that actions taken in relation to debt restructuring – either under the Out-of-Court Workout (OCW) framework or outside of it - by either private or public officials, in good faith, to the best interest of the creditor they are representing and in compliance with the applicable procedures and objective criteria, are considered legitimate as far as civil or criminal liability is concerned, according to the general principles and the safeguards of the existing legal framework and (b) that sufficient procedural safeguards are enacted to prevent the unwarranted pressing of charges in that context. The applicable procedures may include additional safeguards for cases concerning very large debtors.	Yes
	Non-Performing Loans: <i>In-court insolvency.</i>	
57	In-court insolvency: (a) Enact all necessary secondary legislation (Presidential Decree, Ministerial Decisions and decisions of the relevant supervisory administrative body) to fully regulate the profession of insolvency administrators .	Yes
58	The authorities will publish the notice of the examination for the accreditation of the insolvency administrators.	Yes
	Non-Performing Loans: <i>Insolvency legislation</i>	
59	<i>Amend the corporate insolvency law</i> which shall among others include measures for (a) simplifying and accelerating the course of procedures (b) overcoming possible obstruction by uncooperative shareholders of the debtor company, (c) specifying the tasks of the insolvency administrator, and (d) reducing the discharge period of bona fide debtors to three years.	Yes
60	<i>Corporate insolvency.</i> The authorities will introduce amendments to the Insolvency Code to further simplify and accelerate the course of insolvency procedures involving SMEs.	Yes
	Bank governance: <i>Reconstitution of banks boards.</i>	
61	The HFSF will make every reasonable effort to ensure that the reconstitution of the boards of the four core banks is finalised and that non-eligible members are replaced by new members nominated by the nomination committees of the banks who respect the criteria specified in the HFSF law. Any other changes in banks' governance recommended by the review should also be implemented.	No
62	The authorities will ensure that State representatives meet the minimum criteria of the HFSF law.	No
63	Appoint a CEO in the HFSF in accordance with the requirements of the HFSF law.	No
III. Structural policies to enhance competitiveness and growth		

	MoU action	Legislation required
64	Labour market: <i>Collective bargaining</i> Adopt legislation (prior action) in order to provide that the 2011 collective bargaining reforms will remain in force until the end of the ESM programme. This includes the suspensions of favourability principle and the extension principle.	Yes
65	Labour market: <i>Collective dismissals</i> Amend the legislation on collective redundancies [Law 1387/1983] to replace the current framework of administrative approval of collective dismissals with a notification procedure of maximum three months which will not involve <i>ex-ante</i> approval.	Yes
	Labour market: <i>Industrial action</i>	
66	Adopt legislation to enable the fast-track judicial procedure used to judge the legality of strikes to be also used for disputes arising from the application of Art. 656 of the Civil Code in cases of strikes.	Yes
67	Following consultation with the social partners, modernise Law 1264/1982 and other relevant legislation by: (i) reviewing the list of justified reasons for terminating the contract of workers under protection as trade union members; (ii) rationalising the system of trade union members' leave benefits.	Yes
	Labour market: <i>Undeclared work.</i>	
68	Adopt an integrated action plan to fight undeclared and under-declared work.	No
69	Appoint the Supreme Labour Council (ASE) as the institutional body responsible for coordinating and supervising the implementation of the action plan	No
	Education and Vocational Education and Training	
70	Bring the Private Education Act (Law 4415/2016) in line with programme commitments concerning labour market policy and better regulation.	Yes
71	Launch the new OECD Report for the Greek educational system with an initial report in July 2017 and a final report to be completed by November 2017.	No
72	Issue a circular with the three-year Education Action Plan, publish it in the appropriate government sites and implement it according to the timetable	No
73	Legislate the quality frameworks for VET curricula and apprenticeships.	Yes
74	The Ministry of Labour will finalise with the Institutions the terms of reference and budget for the VET partnerships.	No

	MoU action	Legislation required
	Product markets: <i>Toolkit recommendations</i>	
75	<i>Toolkit I</i> - Building materials. Conclude the agreement with the Standardization Body for the standardization of building materials, in accordance with the Toolkit I recommendations on building materials.	No
76	<i>Toolkit III</i> : Adopt at least [270] of the recommendations identified by the OECD's Toolkit III.	Yes
77	<i>Toolkit I</i> : Implement the Over-the-Counter pricing reform, excluding the OTC purchases by hospitals.	Yes
78	<i>Toolkit I</i> : As a first step toward addressing the OECD Toolkit I recommendation on Sunday trade and in line with the Council of State (CoS) ruling, the authorities will amend law 4177/2013 by removing the restrictions on the size and type of shops that can operate on Sunday. To address the CoS ruling's concerns, the legislation will be accompanied with detailed explanatory notes	Yes
	Product markets: <i>Investment Licensing.</i>	
79	Adopt primary and secondary legislation of the first three sectors, including any required secondary legislation for the implementation of the notification procedure for the tourist sector.	Yes
80	The authorities will adopt legislation to simplify the licensing procedures for the enterprises in the food sector of animal origin.	Yes
	Product markets: <i>Administrative burden</i>	
81	Submit to the Council of State the presidential decree on the external environment assessors on environmental licensing.	No
82	Adopt primary legislation on one-stop shops for businesses.	Yes
83	Adopt legislation to address the pending OECD recommendations on fuel trader licenses.	Yes
	Product markets: <i>Ex-post impact assessments</i>	
84	Adopt measures, in agreement with the institutions, to address a number of recommendations of the first round of the ex-post assessments;	Yes
85	Agree with the institutions the Terms of References of the second round of the ex-post impact assessments of selected reforms (i.e. book prices and tourism).	No

	MoU action	Legislation required
	Business environment: <i>Regulated professions</i>	
86	Adopt primary legislation for the initiation of the committee and working groups' deliberation on removing unjustified and disproportionate restrictions in the engineers' activities.	Yes
87	Adopt primary and secondary legislation to address the external advisor's recommendations on the profession of stevedores as well as a number of external advisor's recommendations on the other professions.	Yes
88	Adopt primary legislation on public works engineers' registries.	Yes
	Land use incl. cadastre.	
89	Adopt the law modifying law 4269/2014.	Yes
90	Submit the Presidential Decree on land uses to the Council of State	Yes
91	Adopt a Ministerial Decision with the technical specifications for local and special spatial plans	Yes
92	The forest maps already completed by the cadastral agency EKXA and endorsed by the forestry services will be uploaded	No
93	KYSOIP will formally endorse the new framework principles and roadmap for nationwide cadastral offices based on the technical assistance by the World Bank and in agreement with the EC. The new framework will ensure adequate financial autonomy and administrative capacity of the new cadastral entity.	No
	Network industries: <i>Energy. Electricity market</i>	
94	Formally propose structural measures that will be unconditionally implemented to comply with recent judgments of the European Courts in relation to Commission's decisions C(2008) 824 and C(2009) 6244 on lignite.	No
95	KYSOIP shall endorse the principles that will apply to the structural measures relating to lignite-fired generation capacity (details contained in the MoU).	No
96	<i>NOME auctions.</i> The authorities will complete the sale and start the delivery of 8% of the total 2015 volume of electricity in the interconnected system	No
97	<i>NOME auctions.</i> RAE will decide, in accordance with the provisions of the KYSOIP NOME Action Plan, (i) the additional quantities to be auctioned, which shall be equal to the yearly targeted decrease for PPC retail market share, i.e. 12% for 2017 multiplied by the total	No

	MoU action	Legislation required
	volume in the interconnected system in 2016, (ii) the number of auctions which still need to be launched in 2017 in order to achieve the target and (iii) the quantities per auction;	
98	<i>NOME auctions</i> The Law 4389/2016 will be amended regarding the reserve price of the auctions (prior action) so that in June of each year, starting from June 2017, the authorities will revise the reserve price of the auctions based on RAE's proposal, to incorporate (i) CO ₂ prices as specified in law 4389/2016, as amended by law 4393/2016, and (ii) updated data for PPC production costs, in line with the methodology deriving the initial Reserve Price.	No
99	<i>NOME auctions:</i> The KYSOIP action plan and the legislation related to NOME will be amended in order to: <ol style="list-style-type: none"> 1. modify the monitoring mechanism, such that the adjusted quantities take effect in S+1 in case of deviation from the target ascertained in semester S. The first monitoring exercise will thus be completed in July 2017. 2. introduce a rollover of half of the 8% sold in 2016 (i.e. 4% of the 2015 total volume of electricity in the interconnected system), with physical deliveries starting in December 2017, ensuring continuity between the delivery periods, avoiding interruptions. For 2018 and 2019, 6% and 9% of the quantities sold respectively in 2017 and 2018 will be rolled over, with physical deliveries starting in December of each respective year. Based on the above, the overall ex ante 2017, 2018 and 2019 NOME quantities will be respectively 16%, 19% and 22%, unless adjusted promptly by the aforementioned adjustment mechanism in S+1. 3. introduce in parallel to the semestrial impact assessment of January 2018 and of every following semestrial impact assessment a joint assessment by the Authorities and Institutions, taking into account the introduction of the Target Model forward market and, when fully implemented, the lignite structural measures, which will assess (i) a possible adjustment of the NOME mechanism, including a change of the quantities, taking into account the implemented structural measures and (ii) the possible need to adopt additional structural measures in line with the characteristics of PPC's generation portfolio 4. LAGIE shall provide full and timely information on auction results, nominations, deliveries and re-sales on the secondary market, as well as market shares per player, on a monthly basis (see TMU ¶X); 	Yes
100	<i>PPC financial situation.</i> The authorities and PPC will agree with the institutions a detailed action plan, including a specific timeline for its implementation, to address the issue of PPC arrears. This action plan will be based on best practices regarding arrears collection and non-accumulation and at least include (i) a timeline for clearing all public sector arrears by the end of 2017, (ii) a detailed plan on how to address the issue of electricity theft, (iii) a process for identification and taking recourse against strategic defaulters, consistent with the Greek Electric Energy Distribution Network Administration Code issued by RAE, and protecting the vulnerable clients, as defined by law, (iv) a clear timeline for the roll-out of smart and potentially pre-paid meters; and (v) a review of the billing frequency.	No
101	<i>PPC financial situation.</i> The authorities and the institutions will agree a roadmap to clear the accumulated PSO deficit for PPC.	No
102	<i>ADMIE.</i> PPC and the strategic investor will sign the Share Purchase Agreement for 24% of ADMIE; the Shareholders' Agreement will be signed prior to the closing.	No
103	<i>Capacity mechanism.</i> The authorities will, forward to the European Commission the new adequacy study by ADMIE.	No
104	<i>RES account.</i> The authorities will implement the revised legislation on the RES account by applying the adjustment mechanism for December 2016 with adjustments applying as of 1 January 2017, as specified in the legislation approved in October 2016.	No

	MoU action	Legislation required
105	<i>Target model.</i> The authorities will provide a roadmap for the issuance of the necessary regulatory decisions, the approach taken in the drafting of the required technical codes and the steps for putting in place the technical tools (e.g. IT systems) to implement the day ahead, intraday, forward and balancing markets by 1 January 2018.	No
106	Network industries: Energy. Gas market reform. The first auction under the revised gas release programme as endorsed by decision of HCC will take place. The quantity auctioned for 2017 will amount to 16% of DEPA's yearly gas supply to customers.	No
	Network industries: Water utilities	
107	Adopt legislation setting out charging rules for water services taking also into account the ongoing work by the Special Secretariat for Water (SSW)	Yes
108	Take immediate steps to ensure that the SSW is adequately staffed in order to be able to carry out in full its tasks and will take concrete steps to strengthen the SSW to enable it to take regulatory decisions with the necessary degree of autonomy	No
109	The Athens Water Company (EYDAP) and the Thessaloniki Water Company (EYATH) will launch a process of preparing business plans, including for investments and key capital projects for the next five years.	No
	Network industries: Transport and logistics	
110	Activate the logistics law by issuing the JMD of art. 8, par. 8 law 4302/2014.	Yes
111	Adopt the logistics strategy with a time-bound action plan.	Yes
112	Finalise the terms of reference for a general transport master plan for Greece covering all transport modes (road, railways, maritime, air and multi-modal, including logistics aspects)	No
113	The authorities will prepare a comprehensive review of subsidies for all transport modes to be used as an input for the fiscal spending review.	No
	Privatisation: Tenders	
114	The term of life of HRADF shall be extended for three years	No
115	Endorse through KYSOIP the Asset Development Plan approved by HRADF. The ADP is attached to this Memorandum as Annex and constitutes an integral part of this agreement. The ADP will be updated on a semi-annual basis and approved by HRADF; and the	No

	MoU action	Legislation required
	KYSOIP will endorse the plan	
116	HRADF will launch procurement processes to hire advisors for the key remaining tenders of the ADP including Hellenic Petroleum (HELPE); the electricity company (PPC), the gas company (DEPA), the water companies for Thessaloniki and Athens (EYATH, EYDAP, respectively), the telecom company (OTE) and the 30% stake in the Athens International Airport..	No
117	Egnatia Motorway SA will launch tender for constructing and fully equipping the three toll stations (Venetiko, Thessaloniki, Aliakmonas); for three remaining stations (Asprovalta, Kavala and Stimoniko). Egnatia SA will submit the complete file on Environmental Impact Assessment Study and, the Ministry of Environment and Energy will initiate the procedure for the decision on environmental terms according to the relevant legislation (4014/11)); Egnatia SA will finalise the tender documents for the construction of these stations. The Hellenic Republic will issue a Ministerial Decision that will specify the optimization scheme of the existing “open” toll system, as proposed by the Technical Advisor of the HRADF..	No
118	On Hellenikon the Authorities will: (a) resolve the forestry and archaeology issues; (b) appoint the Special Committee of Experts in collaboration with the investors; (c) adopt a revised legislative framework regarding the granting of casino licenses in Attica Region.	Yes
119	HRADF will initiate a new tender process for the privatization of 66% of DESFA (35% of HELPE and 31% of TAIPED), including (i) the launch of the call for the appointment of consultants, and (ii) the launch of the expression of interest. For ensuring the security of energy supply of Greece and the EU, as well as the presence of relevant industrial knowledge among DESFA's shareholders, eligible for participation in the tender will be parties or consortia comprising at least one member of ENTSO-G, with the resulting corporate governance structure of DESFA being such that at least one member of ENTSO-G will be able to exercise, directly or indirectly, at least joint control over DESFA. The authorities will modify the existing legislation to ensure that DESFA operates under full ownership unbundling (prior action).	Yes
120	The authorities will conclude the remaining Government Pending Actions identified by the institutions and HRADF and which are due by February 2017 and that are not listed in this section. (continuous action)	Yes
121	The authorities will revise the legislation on HCAA in line with the Compliance Report of October 2016	Yes
	Privatisation: HCAP	
122	The General Assembly of HCAP shall, the internal regulations adopt the sections of the internal regulation listed below, which must be fully in line with the Action Plan agreed with the Institutions in December 2015 and law 4389/2016 and international best practice, including OECD guidelines on SOEs and the Hellenic Code of Corporate Governance. a. <i>Framework for the preparation of the strategic plan.</i> b. Eligibility and appointment criteria of Members of the Supervisory Board; c. Internal Rules of the Supervisory Board; d. Eligibility and appointment criteria of the BoD; e. Evaluation and removal of the BoD; f. Remuneration & Compensation Policy for the BoD; remuneration should be set in a competitive range capable of attracting first-rate professionals.	No

	MoU action	Legislation required
	<ul style="list-style-type: none"> h. SOEs Coordination Mechanism; i. Reporting & Audit; j. Corporate governance code of HCAP; k. Conflict of interest and non-compete for HCAP. 	
123	The process for determining the remaining portfolio of SOEs to be transferred should be jointly agreed between institutions and the Greek Authorities. A list of assets for transfer shall be determined on the basis of the agreed criteria. The transfer of the agreed portfolio of assets should be undertaken immediately as a prior action.	No For the transfer of SOEs: Yes
124	The <i>process for determining the remaining portfolio of real estate that will be transferred to the Fund</i> will be jointly agreed between institutions and the Greek Authorities. The process will include the setting up of a working group, composed of expert representatives of the Ministry of Finance, competent ministries and HCAP (via HRADF and ETAD). The working group will share regular reports with the Ministry of Finance and HCAP (and the Ministry of Finance will share the reports with the institutions). The working group will have full access as a group to the database of all Ministries and to the database of the GSPP on the real estate assets as necessary to complete its mandate and in line with data protection laws. As a prior action the authorities will adopt legislation to allow the setting up of the working group and granting its members as a group full access to all relevant databases as necessary to complete its mandate and in line with data protection laws. The understanding is that exclusions from real estate assets owned either by the State or by entities beneficially owned by the State (including State's real estate assets under the management of entities under the supervision of the Ministries) will take place based on solid grounds to be jointly agreed between institutions and the Greek Authorities. No transfer of State real estate assets shall be made if this is against the Greek legislation.	Yes
125	The Supervisory Board will complete the selection of the Board of Directors including the CEO and the Board of Directors will be constituted as a body.	No
126	The Board of Directors will review the board of HRADF	No
127	The 10 regional port authorities will remain in HRDAF and HRADF shall proceed with the steps needed for concession agreements for those for which there is greater development potential. This will be included in the ADP as prior action. Ultimately, the 10 regional port authorities, including the ones for which concession agreements would have been concluded, will be transferred to EDIS. The remaining 23 regional airports will be transferred to EDIS.	Yes

	MoU action	Legislation required
128	The authorities will provide the report prepared by the external advisor in relation to Hellenic Aerospace Industries (HAI) on the basis of the terms of reference agreed with the institutions.	No
IV. Modern State and public administration		
	Public Administration. Mobility.	
129	Approve legislation to introduce a new permanent mobility scheme, which will promote the use of job descriptions and will be linked with an online database that will include all current vacancies.	Yes
130	In order to implement the scheme, draft organigrams of all Ministries which need reorganisation (to be specified in the TMU, based on a list provided by the authorities) will be submitted to the Council of State	Yes
131	Public Administration Special wage grid. The authorities will approve legislation to complete the rationalisation of specialised wage grids, following the same methodology as used for the unified wage grid.	Yes
	Public Administration Modernisation.	
132	The authorities (i) submit to the Council of State the draft Presidential Decree to define the responsibility of Administrative Secretaries; (ii) approve legislation to define wages and allowances for Administrative Secretaries.	Yes
133	The Government Council for Reform will finalise the appointment of all members of the selection committee for Administrative.	No
	Public Administration Selection of managers.	
134	The authorities i) approve the Ministerial Decision on structured interviews; (ii) issue the circular on recognition of private sector experience, to have service councils complete the process by the end of 2016; (iii) issue the circular on job descriptions.	Yes
135	Launch the call for Directors General for HR and financial services, with appointments to be completed in September 2017.	No
136	Public Administration Performance assessment scheme. Complete all preparatory work and issue the required Ministerial Decision to implement the reformed performance assessment scheme.	Yes

	MoU action	Legislation required
137	Justice. Code of Civil Procedure: Electronic auctions. (a) adopt an amendment of the Code of Civil Procedure and the necessary enabling legislation to allow for the adoption of a Ministerial Decision to regulate all relevant details and requirements, substantive, procedural and technical, allowing the implementation of electronic auctions; (b) adopt said Ministerial Decision, (c) enact the necessary transitional provision enabling parties to judicial enforcement proceedings to opt, immediately upon its publication in the Official Journal, for an electronic auction even if the seizure was imposed at any time prior to the amendment; and (d) deliver the pilot version of the electronic platform.	
	Anti-corruption	
138	Amend and implement the legal framework of the financing of political parties on key items;	Yes
139	Adopt legislation insulating financial crime and corruption investigations from political intervention in individual cases in particular by amending the provisions of Article 12 of the Law 4320/2015.	Yes
140	Independent Agencies. Agree with the institutions on the principles and key elements of the revision of Law 3051/2002 on constitutionally protected independent agencies (as currently in force) in order to strengthen the autonomy and effectiveness of all independent agencies and entities.	No