[GR] New Law on Public Contracts and Media Companies

IRIS 2006-1:1/29

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On 2 November 2005 the Greek Parliament voted a new Act amending the Act voted in January 2005 (see IRIS 2005-3: 13) preventing companies "interconnected" with mass media businesses from obtaining public contracts. The new text does not automatically assume a conflict of interest when a media owner or shareholder bids for a public contract but it presupposes the existence of a judicial decision referred to the punishable act of corruption, committed by a public contractor.

In accordance with another provision, the obligation imposed on foreign media companies to register the shares held by individuals has been abolished. The European Commission had warned the Greek government that this provision restricts the investment and establishment opportunities of companies lawfully established in other Member States in the absence of similar provisions in the law of their country of establishment and that, for this reason, it is contrary to the principles of the EC Treaty.

The new Act has been found to be in compliance with EU legislation but the European Commission has not yet announced whether it will pursue to the end the infringement procedures which have been initiated for both dispositions in July 2005 (see IRIS 2005-6: 6).

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Act 3414/2005 (Official Journal A' 279 / 10 November 2005)

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