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**Extract (Articles 1-8) from Law 4062/2012 (FEK A'70/30.03.2012) on the "Development of the Athens former international airport Hellinikon - Project HELIOS - Promotion of the use of energy from renewable sources (Integration of Directive 2009/28/EC)- Sustainability criteria of biofuel and bioliquids (integration of Directive 2009/30/EC)"**

**SECTION A**  
**DEVELOPMENT OF THE FORMER INTERNATIONAL AIRPORT**  
**HELLINIKON AND OTHER PROVISIONS**

**Article 1**

**Development of the former Hellinikon international airport**

The development of the former Hellinikon International Airport and the coastal Olympic zone of Agios Kosmas of Attica (former Agios Kosmas Olympic Sailing Centre and the National Youth Sports Centre of Agios Kosmas) is a purpose of strong public interest, aiming mostly at:

- a. Contributing to the national budgetary and development goals for the development of public property.
- b. Attracting investments and high added value activities for the benefit of the economy of Attica and the country in general, as well as the reinforcement of business innovation.
- c. Creating new jobs in highly competitive sectors for the economy in the benefit of the economy of Attica and the country in general.
- d. Emergence of Athens into a cultural metropolis, a tourism pole of international appeal and a major centre of economic growth and entrepreneurship, as well as of education and research, for the wider Mediterranean and Balkans region.
- e. Creation of a metropolitan pole with multiple functions, of national calibre and international reference.
- f. Implementation of exemplar urban development and regeneration programs and delivery to the capital's wider metropolitan area of green and recreational space, as well as high quality cultural, sports, tourism, educational, research and social infrastructures.
- g. Implementation of exemplar design, methods and technics for the exploitation of the coastal front of the Saronic [gulf] and the shift of the city towards the sea.

**Article 2**

**Integrated Development Plan for the Metropolitan Pole of Hellinikon-Agios Kosmas**

1. An Integrated Development Plan is drawn and approved according to the provisions of the present, for the combined development of the real estate property of the former Hellinikon International Airport, the former Agios

Kosmas Olympic Sailing Centre and the National Youth Sports Centre (EAKN) of Agios Kosmas of Attica, as they appear in the site plans of article 7 and jointly form the Metropolitan Pole of Hellinikon-Agios Kosmas.

2. The aforementioned Plan, defines in particular the limits of the area to be developed in the Metropolitan Pole of Hellinikon-Agios Kosmas and the following are defined and approved:

- a. The limits of particular zones and the basic spatial destination of each zone.
- b. The zones for urbanisation (areas subject to future urban planning) and the land uses allowed in each zone and the building terms and restrictions.
- c. The zones that are not for urbanisation (development zones) and the land uses allowed in each zone, the building terms and restrictions, any special terms and restrictions in terms of the buildings' and open areas' morphology or aesthetics, as well as any additional restrictions concerning the percentage of development of the uses.
- d. The limits of the Metropolitan Green and Leisure Park provided in the case e of paragraph 3.
- e. The border lines of the possibly existing streams (currents, unsailable rivers, torrents, creeks).
- f. The terms, restrictions and directions for the protection and management of the environment, as well as the environmental monitoring system, according to the environmental impact strategic study provided for in the Law, which is drawn and published according to the provisions of paragraph 4.
- g. Any other measure, term or restriction that may be imposed on the grounds of the integrated development of the area.

3. For the establishment of the Integrated Development Plan of the Metropolitan Pole of Hellinikon-Agios Kosmas, the following general land uses and general building terms and restrictions are determined:

a. Land uses: In the areas for urbanisation, the following uses prescribed by articles 2, 3 and 4 of the presidential decree (Δ' 166) of 23.2/6.3.1987, as valid, are allowed: pure residential, general residential and urban center. In the development zones, the uses allowed are those of paragraph B of the article 11, L. 3986/2011, the uses of transfer stations, waste recycling and treatment, cemeteries and uses of education and research.

The education and research uses include in particular the following special uses:

- Education (universities and technological Institutes and Schools)
- Research centers and laboratories
- Facilities for the exploitation of research results
- Administration
- Medical offices
- Sports facilities
- Cultural facilities
- Restaurants – Bars
- Parking (buildings – courts).

b. Mixed building coefficient applying to the area of the Metropolitan Pole of Hellinikon - Agios Kosmas: 0,5.

This coefficient is distributed over the particular development zones and the areas for urbanisation in the Metropolitan Pole, depending on the spatial destination of each zone and the allowed land uses and in accordance with the following special distinctions:

aa. Development zones: The maximum allowed building coefficient in these zones for each one of the general land uses categories provided in paragraph B of the article 11, L. 3986/2011 is set as follows:

- Tourism – leisure: 0,2
- Business parks: 0,3
- Theme parks – shopping centers – leisure: 0,3
- Uses of transportation, technical, social and environmental infrastructures and functions: 0,2

- Mixed uses: 0,4.

The maximum building coefficient in the education-research zones is set at 0,3.

For the calculation of the maximum allowed buildable/developable area per zone, the surface of each zone is considered as an integrated whole.

bb. Areas for urbanisation: The building coefficients in these areas are according to the provisions of article 18(1) of L. 2508/1997. In particular, in general residential and purely residential areas or in particular parts of them, which are of particular urban interest or they may be object of special architectural planning and creation of buildings serving as landmark destinations, as well as in areas with use of urban centre in which the aim is to group the central functions, higher building coefficients may be determined, which must not exceed 2,2. The provisions of the previous subparagraphs do not apply in the purely residential areas mentioned in the case f of the present paragraph.

c. Height of buildings and facilities: Without prejudice to those mentioned in cases e and f of the present paragraph, the height of buildings and facilities in the Metropolitan Pole is defined per development zone or area for urbanisation, in connection with its urban and architectural profile and the realized coverage in each case, notwithstanding the provisions of article 9 (7) of L. 1577/1985, as applicable. The construction of tall buildings and facilities in particular zones or areas of the Metropolitan Pole must be justified by a special study, as necessary for technical reasons, of special constructions or original architectural solutions aiming at rendering this surface or a part of it a landmark destination and must not aggravate the built environment of adjacent buildings or built areas in terms of sunshine, lighting and ventilation conditions. In any case it is not allowed to build tall buildings and facilities within a zone of 100 metres from the limits of a property of the former Airport of Hellinikon, with the exception of the part of it facing on Vouliagmenis and Posidonos avenue.

d. Maximum coverage ratio allowed for buildings and facilities over the entire Metropolitan Pole of Hellinikon-Agios Kosmas: 35%. Without prejudice to those stated in the case e of the present paragraph, the maximum coverage ratio allowed in the development zones is set to 30% for each zone. In the areas for urbanisation, the maximum coverage ratio allowed is determined by the urban planning studies of article 3(2).

e. Metropolitan Green and Leisure Park: In the part of the Metropolitan Pole of Hellinikon-Agios Kosmas, which is occupied by the former airport of Hellinikon, an area of at least 2.000 stremmas [2.000.000 sqm] will be developed as the Metropolitan Green and Leisure Park, with uses of green, open, leisure, sports, cultural, social services spaces and model urban infrastructures. Roads and technical works, as well streams passing through the aforementioned surface do not constitute fragmentation of this area. The coverage ratio of all sorts of permanent buildings that will be built for the service of the Park, cannot exceed 10% of the total surface of the aforementioned area. The maximum number of stores allowed for the buildings mentioned above is two (2) and the maximum allowed height is ten (10) meters. By exception, construction of only one tall building of special architectural design that can function as a landmark destination and landmark of the Park is allowed. The green and open spaces must correspond at least to 75% of the total surface of the Park.

f. Coastal front: Especially for the part of the Metropolitan Pole comprising the real estate property of the former Agios Kosmas Olympic Sailing Centre and the National Youth Sports Centre (EAKN) of Agios Kosmas of Attica, the maximum allowed building coefficient is set at 0.25 and the maximum height of buildings at sixteen (16) meters. The construction of only one tall building of special architectural design is allowed exceptionally; this building can serve as landmark destination and landmark of the seashore front. Over this area, tourist-leisure uses are allowed, as described in the case 1 of paragraph B of the article 11 of L. 3986/2011, as well as educational, research and entertainment activities related mainly with the sea and coastal spaces, like sea research, diving, aquarium etc. Pure residential uses are also allowed at a ratio that cannot exceed 40% of the total surface of the

sea front. In the purely residential areas, the building coefficient determined by the urban study cannot exceed 0.6 and the height of the buildings cannot be more than eleven (11) meters.

4. For the approval of the plan mentioned in paragraph 2, the Société Anonyme company "Hellinikon-Management and Exploitation Company of Hellinikon Airport Real Estate Société Anonyme" (hereinafter "Hellinikon S.A."), submits an application to the Hellinikon Office at the General Secretariat for Public Real Estate Management in the Ministry of Finance, accompanied by the file with the following supporting documents:

a. A report describing and justifying the main choices of the Metropolitan Pole Development Plan including:

aa. The spatial characteristics of the Metropolitan Pole, stating in particular the elements of natural, cultural and built environment, the existing transportation and other facilities, the neighboring uses and activities as well as the position of the area in the wider metropolitan complex of Athens.

bb. The limits of the special zones of the Metropolitan Pole and the basic spatial destination of each zone, the limits of the Metropolitan Green and Leisure Park, the development zones and the land uses proposed inside them, the building terms and restrictions and any morphological restrictions, as well as the areas for urbanisation proposed and the land uses allowed inside them along with the building terms and restrictions. Furthermore, reference should be made to the necessary internal infrastructure works as well as to the implementing bodies and phases, their funding means and the accompanying external infrastructure works that must be assigned to public bodies in order to serve the Metropolitan Pole.

cc. Justification of the compatibility of the Development Plan proposed, to the existing urban planning and the wider development and budgetary goals.

b. A Strategic Environmental Impact Assessment (SEIA), drawn according to the article 6 and published according to the article 7 of the Joint Ministerial Decision 107017/2006 (B'1225). The competent environmental service of the Ministry of Environment, Energy and Climate Change is regarded as the competent authority for the implementation of the present Law, as described in article 4 (1) of the aforementioned joint ministerial decision. The deadlines provided in article 7 for the aforementioned joint ministerial decision, which are over 5 days and below 15 days, are reduced by 5 days, while all the other by 10 days. The competent authority conducts the Strategic Environmental Assessment for the Special Integrated Development Plan for the Metropolitan Pole of Hellinikon-Agios Kosmas as a matter of absolute priority.

c. Technical report, accompanied by hydrologic, hydraulic and environmental data or reports on the basis of which the borderlines of any existing or under restocking water streams in the site plan or plans of the case d of the present paragraph are proposed.

d. Site plan or plans of the entire surface, to a scale of 1:5.000 or any other appropriate scale, with peak coordinates, based on the National Geodetic Reference System (NGRS) '87, as applicable, which shall reflect mostly:

- the dimensions, the surface and the limits of the real estate property,
- the access roads, their width and characterisations,
- the individual development zones and the land uses allowed inside each zone and the building conditions and restrictions,
- the areas for urbanisation proposed and the land uses allowed inside them and the building conditions and restrictions,
- existing buildings that have to be preserved and taken into account in the maximum building and development proposed per zone,
- any existing or under restocking water streams, especially like covered currents and their proposed borderlines.

e. The development schedule per implementation phase, accompanied by a time schedule and indication of the works and installation that will be made during each phase.

f. Any other study, report, map or other element that may be required for the description and justification of the regulations set in paragraph 2.

5. In order for the Plan to be approved, the Minister of Environment, Energy and Climate Change asks the opinion of a Special Experts Committee, comprising of experts of international calibre, distinguished for their scientific training and professional experience in the fields of urban and town planning, architecture and environmental management. The Committee is composed by five members and is appointed by a joint ministerial decision of the Ministers of Finance and Environment, Energy and Climate Change. The same decision determines the payment of the Committee's members according to the provisions of L. 4024/2011. The Committee delivers its opinion within a reasonable time period which is defined in the aforementioned decision and cannot exceed two months. The Company "Hellinikon S.A." must provide to the aforementioned Committee any element or information required to facilitate its work.

6.a. The Integrated Development Plan for the Metropolitan Pole of Hellinikon-Agios Kosmas is approved by a presidential decree, issued upon proposition of the Ministers of Finance and Environment, Energy and Climate Change, after the opinion of the Committee, according to paragraph 5 and a contribution of the Central Administrative Council for the Development of Public Real Estate, provided for in article 16 of L. 3986/2011, within a time period of six months, from the day on which the company "Hellinikon S.A." submits the file with all the supporting documents to the Hellinikon Office at the General Secretariat for Public Real Estate Management in the Ministry of Finance.

b. The Plan can be revised only to the extent that the procedure provided for in the provisions of the present article is followed, without requiring the opinion of the Committee described in paragraph 5. Single, minor amendments of the aforementioned Plan can be made exceptionally, with joint ministerial decision of the Ministers of Finance and Environment, Energy and Climate Change, after a recommendation from the Central Administrative Council for the Development of Public Real Estate. The aforementioned decisions are issued within two months from the date when the company "Hellinikon S.A." submits the file with all the supporting documents to the Hellinikon Office at the General Secretariat for Public Real Estate Management in the Ministry of Finance.

7.a. The presidential decree of the previous paragraph can amend the provisions of the presidential decree "Approval of the Special Integrated Development Plan for the Agios Kosmas Olympic Sailing Centre" (Δ' 138) on 22.2.2002, as complemented by article 24 of L. 3342/2005, as well as the provisions of the presidential decree "Determination of protection zones, land use and building conditions and restrictions in the coastal zone of Attica from Faliro Bay until Agia Marina Kropias" (Δ' 254) on 1/3.5.2004, in particular in terms of the area of the National Youth Sports Centre of Agios Kosmas, in order to be harmonised with the Integrated Development Plan for the Metropolitan Pole of Hellinikon–Agios Kosmas.

b. The provisions of article 5 of L. 3010/2002, as applicable, they do not apply to water streams that are delineated according to the aforementioned decree.

8.a. On the basis of the presidential decree of paragraph 6 or a similar presidential decree and after a sufficiently justified assessment of the urban and environmental characteristics and impact of the development sought, a second, increased, mixed building coefficient can be set in the area of the Metropolitan Pole of Hellinikon-Agios Kosmas, which cannot exceed 0,6. To the extent that this possibility is used, the maximum building coefficients determined in the case b of paragraph 3, can be increased by up to 20% per development zone or area for urbanisation. The previous subparagraph does not apply in the areas described in cases e and f of paragraph 3.

b. The company "Hellinikon S.A." can use the second, increased building coefficient only to the extent that they have paid to the Green Fund the 50% of the monetary benefit occurring from the difference of the two building

coefficients. The resulting benefit is calculated separately for every development zone or area for urbanisation in which the possibility of increased building coefficient can be applied, on the basis of the allowed general land uses inside each one of them. For the calculation of the aforementioned benefit, the weighted average of the objective values of each zone during the issuing period of the building permits using this increased building coefficient possibility is taken into account. If during this period, no objective value has been calculated in the zone, similar objective values of zones in neighboring municipalities are taken into account.

c. The amount to be reimbursed is deposited under a special code of the Green Fund called "Hellinikon Fund" and 30% is distributed to the municipalities of Alimos, Hellinikon, Argiroupoli and Glyfada, 40% to the municipalities of Athens and Piraeus and 30% to the Regional Association of Attica Municipalities in order to be further forwarded to other municipalities of the regional entities of Central Section of Athens, Southern Section of Athens, Northern Section of Athens, West Section of Athens and Piraeus, as well as to the municipalities of Rafina-Pikermi, Kropia, Markopoulo Mesogeas, Peania-Glyka nera and Spata-Artemida. The aforementioned amounts are exclusively distributed and only for the purposes provided for in the cases a and b of paragraph 2, article 7, L. 3843/2010 and for the implementation of social housing programmes as well as, especially for the municipalities of Athens and Piraeus, for the creation of new green spaces and the urban revitalisation and reconstruction of the historical centers of Athens and Piraeus respectively. In order to pay the amounts mentioned above, the aforementioned municipalities submit a schedule to the Green Fund, containing the measures, works and actions for which they ask the payment of the funding.

d. The special terms and conditions for the calculation of the benefit from the difference of the two building coefficients, the way of payment of the relevant amounts to the Green Fund, the individual distribution of the quota per municipality, the minimum content of the programme, the supporting documents required and any relevant detail for the application of the provisions of the present paragraph are determined by decision of the Ministers of Finance and Environment, Energy and Climate Change.

### **Article 3**

#### **Implementation of the Integrated Development Plan**

For the implementation of the Plan of article 2, the procedures mentioned below are followed per area category:

##### **1. Metropolitan Green and Leisure Park:**

a. With a joint decision of the Ministers of Finance and Environment, Energy and Climate Change, issued upon application of the company "Hellinikon S.A." or its subsidiary or a third party having undertaken the execution and exploitation of the works and a recommendation of the Central Administrative Council for the Development of Public Real Estate, provided for in article 16 of L. 3986/2011, the general organisation of the Metropolitan Green and Leisure Park described in case e of paragraph 3, article 2 of the present, is approved.

b. This decision mostly determines the park areas available for the creation of artificial forests, small woods, gardens, lakes, nurseries, botanical gardens, greenhouses and other green spaces, walking, playing, sports, education, adventure, exhibitions, concerts and other activities spaces, the way of their configuration and the outlines of the relevant buildings and facilities, the internal road network and the pedestrian areas and cycle tracks, the position of the parking places as well as the general organisation of any other space, building, facilities, use or function required for the integrated development and operation of the Park.

c. In addition to this, the aforementioned decision approves the environmental conditions of the works and activities required for the organisation and function of the Park, after the submission of a single Environmental Impact Assessment and compliance with the procedure defined in the paragraphs 2b and 3 of article 3 of L.

4014/2011. The deadlines set in paragraph 2b of the aforementioned article, exceeding twenty (20) days, are reduced by ten (10) working days.

d. The aforementioned decision is issued within four months from the submission of the application by the bodies listed under par. a, accompanied by the environmental, technical, phytotechnical and other studies and documentation, to the Hellinikon Office at the General Secretariat for Public Real Estate Management in the Ministry of Finance. The issuing of the aforementioned decision is a condition for the issuing of the decisions provided for in paragraphs 2 and 3 of the present article. This decision serves as building approval within the meaning of articles 1 and 5 of L. 4030/2011 for the construction works that will take place within the Metropolitan Green and Leisure Park. The provisions of the first subparagraph of paragraph 1 of article 6 of L. 4030/2011 do not apply in the present case.

e. Operating rules of the Green and Leisure Park are approved by a similar decision which also determines the rights and obligations of the case a bodies in terms of administration, management, maintenance and exploitation of the Park.

## 2. Areas for urbanisation:

a. The urban planning studies of the areas for urbanisation according to the Plan of article 2, are drawn either upon initiative of the company "Hellinikon S.A." or its subsidiaries or third parties who have undertaken the execution and exploitation of the works in these areas and comprise the following:

- the urban plan established on the basis of the horizontal and vertical site plan,
- the urban planning regulation and
- a report describing and justifying the adjustments proposed in the study.

Urban studies contain particularly the special land uses and any additional prohibition or obligations, the infrastructure networks charts, the special building conditions, as well as the public and social spaces that must represent at least 50% of the total surface of the area for urbanisation.

b. Urban studies are approved with joint ministerial decisions of the Ministers of Finance and Environment, Energy and Climate Change and the competent Minister depending the case, upon recommendation of the Central Administrative Council for the Development of Public Real Estate, provided in article 16 of L. 3986/2011, within a time period of six months, from the day on which the case a bodies submitted the complete file to the Hellinikon Office at the General Secretariat for Public Real Estate Management in the Ministry of Finance.

The approval of the urban study brings about the consequences of the approval of the town plan according to the provisions of the l.d. 17.7.1923. After the approval of the urban study, the public spaces are of common use, without requiring express renunciation on behalf of the owners of the entitlement to their ownership, possession and holding. Provisions on land and cash contribution do not apply.

c. The implementation of the urban study is made upon initiative and under the responsibility of the bodies described in case a of this paragraph. After the approval of the urban study, the aforementioned bodies proceed to the execution of the area development works, as well as of the infrastructure works, as described in the urban study. The maintenance, cleaning and renewal of the public technical equipment, as well as the maintenance of the infrastructure works and the green spaces is made at the expense and under the diligence and responsibility of the case a bodies, by way of derogation from any relevant provision.

d. The decisions for the approval of the environmental conditions for the works and the activities that take place inside the areas of the present paragraph and are classified under category A (subcategories A1 and A2) of article 1 of the L. 4014/2011, are issued by the Minister of Environment, Energy and Climate change and the relevant procedure is handled by the central services of the Ministry, while the deadlines mentioned in paragraph 2b of article 3 and in paragraph 3 of article 4 of L. 4014/2011 and are over 5 up to 20 working days, are reduced by 5

working days, whereas all the others by 10 working days. For the environmental licensing of category B works and activities, the provisions of article 8 of L. 4014/2011 apply.

### 3. Development zones:

a. The joint decisions of the Ministers of Finance and Environment, Energy and Climate Change, issued upon application of the company "Hellinikon S.A." or its subsidiaries or a third party having undertaken the execution and exploitation of the works and a recommendation of the Central Administrative Council for the Development of Public Real Estate, provided for in article 16 of L. 3986/2011 are published in the Official Government Gazette, and determine the following per development zone or part of them:

aa. The particular categories of works and activities that shall take place inside this zone or in a part of it, as well as the accompanying external infrastructure works, like electric, telephone, natural gas and water supply networks, along with the access roads and the hubs connecting the areas of the works' installations to the main road network of the Region.

bb. The delineation of all the buildings and facilities as well as the way of development of the open spaces, with reference to a general arrangement plan to a scale of 1: 2.000 or any other appropriate scale.

cc. The environmental conditions of the works and activities that shall take place inside this zone or a part of it, as well as the environmental conditions of the accompanying external infrastructure works, in compliance with the procedure defined in paragraphs 2b and 3 of article 3 of L. 4014/2011. The deadlines set in paragraph 2b of the aforementioned article, exceeding twenty (20) days, are reduced by ten (10) working days.

b. With similar decision the following per development zone or part of them are approved as well:

aa. Any necessary deposits in the sea and their uses, the permanent or temporary works and installations that must be performed on the sea shore and the beach, as well as on the adjacent sea space or bottom in order to serve the development zone, along with the execution of these works undertaken by the bodies described in case a. These works include the placement of submarine ducts and cables and buoys, piers and platforms in general and the setting up of artificial reefs as well as the appropriate conversion and modernisation of the existing constructions for the facilitation of the zone's development programme. The construction of buildings on the piers and platforms is allowed in the context of the land uses and the building conditions and restrictions of each zone.

In order to obtain this approval, the bodies mentioned in case a of the present article, apart from the Environmental Impact Assessment File mentioned in paragraph 3 of article 11 of L. 4014/2011, must also submit a coastal engineering study technically justifying the purpose of the deposits and the other works, their way of execution, as well as any special restrictions imposed on grounds of safety, protection of the environment and public need. In these cases, the Minister of Development, Competitiveness and Shipping participates in the issuing of the aforementioned decisions. These decisions are issued upon assent of the Navy General Staff. The provisions of articles 12 and 14 of L. 2971/2001, as applicable, do not apply for silting in the sea and the construction, extension or modernisation of works at the sea shore and beach, as well as to the adjacent sea space and bottom, in the areas that fall within the scope of the regulations of the present paragraph.

bb. Any particular conditions and measures required for the protection and enhancement of monuments, archaeological sites and other cultural parts and sets that may exist in the development zones or parts of them, after the submission of the necessary studies and opinion of the competent services and bodies of the Ministry of Culture and Tourism. In these cases, the Minister of of Culture and Tourism participates in the issuing of the aforementioned decisions.

c. The aforementioned decisions are issued within four months from the submission of the application by the bodies of case a, accompanied by the studies and other documentation where necessary, to the Hellinikon Office at the General Secretariat for Public Real Estate Management in the Ministry of Finance.



All the individual opinions and approvals that must be provided for the issuing of the aforementioned decisions, are granted by the subject-matter competent bodies and services within the strict time limit of twenty (20) working days, since the Hellinikon Office or the environmental licensing service of the Ministry of Environment, Energy and Climate Change has received the relevant request.

d. The provisions of paragraph 11 of articles 2 and 12 of L. 4014/2011, as applicable, apply on decision of the present paragraph as well. The aforementioned decisions serve as:

aa. Licence for the performance of silting and works in the sea shore, the beach, the adjacent sea space and bottom, within the meaning of the provisions or articles 12 and 14 of L. 2971/2001, as applicable.

bb. Approval, within the meaning of articles 10 paragraph 3 and 4, 12, 13 and 15 of L. 3028/2002, for works and activities taking place close to monuments or within archaeological spaces and historical places, as well as for any intervention or change of use of immovable monuments or their environment.

cc. Building approval within the meaning of articles 1 and 5 of L. 4030/2011 about the construction works that will take place within the zones of this paragraph. The provisions of the first subparagraph of par. 1, article 6 of L. 4030/2011 do not apply in this case.

4. Bodies of the Public Sector, the wider public sector and the public enterprises and organisations, competent for the execution of the accompanying external infrastructure works, that are necessary for the function of the Metropolitan Pole of Hellinikon-Agios Kosmas, must execute them as a matter of absolute priority.

#### **Article 4**

##### **Concession of use of the sea shore and the beach**

1. For the implementation of silting and the works provided in the case b of paragraph 3 or article 3, it is allowed to proceed to direct concession to the company "Hellinikon S.A." or its subsidiaries or third parties that source from them rights, the right of using the sea shore, the beach, the adjacent sea space and bottom. Concession is allowed only after the issuing of the decisions of paragraph 3 of article 3 and according to the terms and conditions defined by them.

2. The concession is made with a joint decision of the Ministers of Finance and Development, Competitiveness and Shipping. This decision determines the time duration of the concession and the annual financial consideration that must correspond to the current leasing value of the area and is to be reevaluated every five years. The decision is issued after opinion of the Institute of Certified Auditors on the amount of the financial consideration and recommendation of the competent land service. The recommendation is provided within a strict time limit of one month since the land service received the relevant request, otherwise the decision may be issued without it. The recommendation justifies the reasons and the special conditions of the concession, taking necessarily into account the terms and conditions set in the decisions of paragraph 3, article 3.

3. Any properties created by the possible displacement of the sea shore limit towards the sea, due to the construction or extension of the works or silting, are registered as public properties and are under the ownership of the Greek State and may be conceded per use or leased to the bodies described in paragraph 1, according to the procedure described in paragraph 2 of the present article. The determination of the borders of the new sea shore, occurring after the silting works, is made according to the provisions of articles 3,4 and 5 of L. 2971/2001, as applicable at that material time.

4. The use in any way of the areas conceded or leased according to the previous paragraphs is forbidden, to the extent that it prevents the fulfillment of the purpose of the concession.

#### **Article 5**

## **Building permits - Demolition permits**

1. For all construction works carried out within the Metropolitan Pole of Hellinikon-Agios Kosmas a building permit is required. Building permits are granted by the Hellinikon Office, as described in Article 6 of this document, within the deadlines laid down in L. 4030/2011, counting from the submission of the application by the owner or an authorised person. The application shall be accompanied by all necessary documents and study reports listed in Article 3 of L. 4030/2011. For construction works within the Metropolitan Green and Leisure Park and within the development zones, the application shall be accompanied by the deeds required in each case for the implementation of the Special Development Plan, as set forth in Article 3 of the aforementioned Law, as well as by all the necessary documents and study reports listed in Article 3 of L. 4030/2011. If, according to the applicable provisions, an opinion of the Council of Architecture on the studies submitted for the issuing of a building permit is required, this opinion shall be provided by the Central Council of Architecture in accordance with Article 26 of L. 4030/2011.

2. Special supporting documents and studies for the issuing of building permits, special control procedures, as well as special periods of validity and special procedures and terms for reviewing and updating the files of building permits in the areas listed in paragraph 1 may be established, by way of derogation from the respective provisions, with a joint decision of the Ministers of Finance and Environment, Energy and Climate Change. Such decisions shall be issued upon recommendation of the Hellinikon Office and on the basis of the opinion of the Central Administrative Council for the Development of Public Real Estate and shall be published in the Official Government Gazette.

3.a. Buildings and facilities used, controlled, managed and utilised by "Hellinikon S.A." may be demolished by way of derogation from the applicable provisions. Demolition permits shall be issued, upon application of the company, by the Directorate of Construction and Building Regulations (D.O.K.K.) of the Ministry of Environment, Energy and Climate Change until the launching of the Hellinikon Office (Article 6), which shall be declared with an Act of the Secretary General of Public Real Estate Management of the Ministry of Finance.

b. For the issuing of a demolition permit the following documents are required:

- an application of "Hellinikon S.A." containing all necessary information on the building to be demolished, the declaration of assignment and assumption and the respective audit sheet
- a technical report of the building
- a building plan to scale
- a floor plan of the building
- a photograph of the building
- proof of payment of the engineer social contribution and tax charges .

c. The demolition permit is issued within five (5) working days from the submission of the documents listed in Case b, is valid for three (3) years from the date of its issuing and is revised according to the same procedure also followed for its issuing.

1. In the framework of the General Secretariat for Public Real Estate Management in the Ministry of Finance, there is the Hellinikon Office that reports directly to the local General Secretary. In the Office there is the position of a revocable civil servant holding the second degree in the category of special positions with the remuneration carried by it and he/she is the Head of the office, without prejudice to the paragraph 16 of the ninth article of L. 4057/2012 (A' 54). The aforementioned position is filled by way of derogation to any relevant provision, either by hiring or appointment of a Ministry of Finance official or secondment of an official from any public service, public or private law bodies, as defined in paragraph 1, article 14 of L. 2190/1994 (A' 28), or independent authority, after the opinion of the competent administrative organ of the service, body or authority.

The revocable civil servant is appointed for up to three years with the possibility of renewal for an equal period of time. The qualifications for the hiring, placement or secondment is a Higher Education Institute diploma and significant experience in terms of the Office's subject. The term of office service of the servant that is placed or seconded in the aforementioned position is regarded as real service for all its consequences and during its time period the servant's career in terms of grade and payment is not interrupted. The time of office service in the aforementioned position is regarded, in terms of the application of the provisions of L. 3528/2007, as applicable at the material time, as time serving in the position of Head of Ministry's Department.

The servant is automatically revoked after the end of their office service and receives the position held before this appointment. If the previously held position or the upgraded position is not vacant or no longer exists, they return to a similar position or a position of the same grade, on the basis of the progress of the organisational structure, the position of its sector, which may be vacant or else an ad personam position is created, upon decision of the relevant Ministers and this position is abolished after the servant leaves the body.

2. The Office has the following competencies:

- a. Informs all the parties concerned for the legislation and the necessary actions for the licensing of the works, activities, installations and buildings scheduled to take place within the Metropolitan Pole Hellinikon-Agios Kosmas.
- b. Receives the applications of the interested parties about the issuing of the deeds provided for in articles 2 and 3 of the present Law, checks the completeness of the relevant files, makes sure that all the necessary supporting documents are filled-in by the interested parties and forwards them to the appropriate competent services and bodies for examination, remarks and granting of the necessary opinions, contributions and approvals.
- c. Issues the building permits for the Metropolitan Pole of Hellinikon-Agios Kosmas, according to those defined in article 5.
- d. Issues the demolition permits within the Metropolitan Pole of Hellinikon-Agios Kosmas without prejudice to those defined in paragraph 3 of article 5.
- e. Acts as an one-stop service for the granting of any other permit or approval necessary for the implementation of the works and activities in the Metropolitan Pole of Hellinikon-Agios Kosmas, as well as for the construction of all sorts of buildings and facilities. To that end, receives the file of the licensing required at the material time, checks its completeness, makes sure that all the necessary supporting documents are filled-in by the interested party and forwards it to the appropriate competent services and bodies which are obliged to give priority to the actions entailed, according to their competencies. The aforementioned services and bodies are obliged to provide to the Office all necessary information, both in written and orally, about the phase of the relevant procedures, any gaps in the file and the way of settling them, as well as the reasons of delay or inability of granting the permits or approvals required.

f. Acts as secretariat of the Central Council for the Development of Public Real Estate of article 16 of L. 3986/2011 for all the issues concerning the approval and implementation of the Integrated Development Plan according to the articles 2 and 3 of the present, as well as for the issuing of deeds for which the previous recommendation or opinion of the aforementioned Council is required \_\_\_\_\_ according to the provisions of the present.

g. Proposes and indicates solutions for the effective handling of administrative difficulties or problems, emerging during the licensing or any other relevant procedure concerning

the works, the activities, as well as the buildings and facilities in the area of the Metropolitan Pole of Hellinikon-Agios Kosmas.

h. Manages the drafts of general guidelines, circulars and decisions in order to facilitate the licensing in the aforementioned procedures.

i. Monitors the implementation of the Development Plan provided for in article 2 and the acts and decisions adopted implementing it, according to those defined in article 3.

3. In the Office there are twenty five (25) statutory staff positions, filled by officials, both permanent or with an open-ended contract, who are transferred, according to the paragraph 1 article 68 of L. 4002/2011, from the Public Sector, public law bodies or local authorities, as well as private law bodies of the wider public sector, the capital of which is entirely or by majority held by the Greek State, with respective abolition of their statutory position. These positions can be filled with secondment of staff from Public services, public law bodies and bodies of the wider public sector, by way of derogation from every general or special provision and without prejudice to paragraph 16, of the ninth article of L. 4057/2012 (A'54). The duration of the secondment is three years with possibility of renewal for an equal period of time. These positions are distributed as follows: seven (7) positions of Architects or Civil Engineers of University Education (UE), three (3) positions of Agronomist Topographic Engineers or Topographic Engineers of UE, four (4) positions of Mechanical Engineers or Electrical Engineers of UE, two (2) positions of Environment Engineers of UE or of Environmental University Education, one (1) position of Informatics of UE of Technical Education (TE), four (4) positions of Administration-Management Experts of UE, one (1) position of Legal Experts of UE, two (2) positions of Administrative-Secretarial staff of secondary education, one (1) position in the category of Compulsory Education (auxiliary staff).

4. The Head of the Office submits every year until the 1st of February to the Minister of Finance and the General Secretary of Public Real Estate, a summary report on the work conducted over the previous year. The aforementioned report includes all the information about the applications submitted to the office and those handled, the handling time, the delayed or rejected applications along with the reasons of the delay or the rejection, as well as proposals on how to deal with administrative difficulties and problems that occurred during the relevant licensing procedure.

#### **Article 7**

#### **Regulation of issues concerning "Hellinikon S.A."**

1.a. The right to use, control, manage and utilise: the land along with the buildings and facilities located on it, including their expansions and components; the National Youth Sports Centre (E.A.K.N.) of Agios Kosmas, Attica, with an area of 426,011.22 sq.m. denoted with E1', 75', 73', 54'', E1.....E64', coastline, E1'; the former Olympic Sailing Centre (Marina) in Agios Kosmas, Attica, with an area of 529,792.60 sq.m. denoted with E64', E64, E65 ... E146, coastline, E64', as depicted on site plans drawn to a scale of 1:1.000 and reviewed by the Head of the Directorate of Technical Services and Housing of the Ministry of Finance small-scale photocopies of which

have been published along with the aforementioned Law in the Official Government Gazette, will automatically belong to the company under the name "Hellinikon-Management and Exploitation Company of Hellinikon Airport Real Estate Société Anonyme" ("Hellinikon S.A.") as soon as the above Law enters into force. This company is entitled to undertake any management, development or utilisation action in general on its own behalf. As soon as the above Law enters into force, the aforementioned company will automatically become subject to any leasing or concession contract or any other contract concerning the control, management or utilisation of the above assets.

b. According to Article 42 of L. 3943/2011 (A' 66), the property of the former Hellinikon Airport along with its expansions and components may be used, controlled, managed and utilised by "Hellinikon S.A.". This property covers a total area of 5,249,873.49 sq.m. and is denoted with 1,2, 3, .....317, 318, 319, 1 on a site plan drawn to a scale of 1:1.000 and reviewed by the Head of the Directorate of Technical Services and Housing of the Ministry of Finance, a small-scale photocopy of which has been published along with the aforementioned Law in the Official Government Gazette.

2.a. The provisions of article 42 of L. 3943/2011 shall be applied for all assets mentioned in this Article b. As soon as the aforementioned Law enters into force, all references of Article 42 of L. 3943/2011 to the Minister of the State shall be considered as References of the Minister of Environment, Energy and Climate Change.

c. Case D, Paragraph 3, Article 42 of L. 3943/2011 is replaced by the following:

"The aforementioned property is defined based on a site plan reviewed by the Directorate of Technical Services and Housing of the Ministry of Finance or the Directorate of Topographic Applications of the Ministry of Environment, Energy and Climate Change."

3. According to Article 42 of L. 3943/2011 and according to this article, the right to use, control, manage and utilise the aforementioned land along with the buildings and facilities located on it, including their expansions and components, as depicted on the site plans of Paragraph 1 of this article, is transferred to "Hellinikon S.A.".

This transfer is registered without a fee at the competent Register of Mortgages as well as the Land Registry..

## **Article 8**

### **Concession and leasing**

1.a. Any deed or decision concerning the concession of the right to use buildings, courts, other main, supporting or storage facilities, sports facilities as well as any indoor or outdoor spaces and any special or other facilities in general, which are controlled, managed and utilised by "Hellinikon S.A." shall automatically be revoked. Neither a special revocation decision nor a declaratory act shall be required for this purpose. The parties involved shall be obliged to yield the possession of the aforementioned spaces within two (2) months from the delivery of the notice of the above company. The same applies in the case of programme contracts, on the basis of which the right to use spaces of this kind has been conceded to other parties. Such contracts shall automatically be terminated. For this purpose, no special procedure shall be necessary and the parties involved shall be obliged to yield the possession of the aforementioned spaces within two (2) months from the delivery of the relevant notice. This also applies to spaces which, in implementation of paragraph 1, article 7, shall be controlled, managed and utilised by the aforementioned company at any time after the publication of this document, from the date on which the company obtains the right to control, manage and utilize this property.

b. Commercial or any other type of leasing contract concerning buildings, courts, other main, supporting or storage facilities, sports facilities as well as any indoor or outdoor spaces and any special or other facilities in general, which "Hellinikon S.A." is entitled to control, manage and utilise, shall be ended three (3) months after their termination. Nevertheless, the lessees shall receive a refund equal to three (3) monthly rents within ten (10)

working days after leaving the leased property. By virtue of a decision issued by the competent court, this refund may amount to eighteen (18) monthly rents, depending on the remaining contract time, the investments made by the lessee until the publication of this document taking into account the remaining contract time, as well as any special conditions or contract terms. The lessees as well as third parties who have been granted rights of any kind by the lessees must leave the spaces they possess within one (1) month from the aforementioned three-month deadline. This also applies to lease contracts for spaces which, in implementation of paragraph 1, article 7, shall be controlled, managed and utilized by "Hellinikon S.A." at any time after the publication of this document, as well as to lease contracts for any of these assets concluded after the publication of this document.

c. Should the lessee refuse to leave the property as described in Cases a and b, or should they legally or arbitrarily possess property which is or shall be controlled, managed and utilized by "Hellinikon S.A." in implementation of paragraph 1, article 7, the above company may take up the possession of this property following the possession disputes procedure provided for in article 22 (1) of L. 1539/1938. Even if a decision of the Public Prosecutor of District Court Judges is set aside by the Public Prosecutor of the Court of Appeals, this procedure shall not be suspended.

d. Any claims arising from unpaid rents, damages etc. or claims for refund from the persons in possession of the above property or their guarantors on the basis of a legal relation (such as concession of the right to use property, programme contracts, lease contracts etc.) or even in the absence of a legal relation, as well as claims of the persons in possession of the above property fall under the jurisdiction of the competent court. Furthermore, apart from the procedure provided for in Case c, the applicable procedure shall be followed in each case. Even in the case of a claim by any of the two parties, a bilateral dispute or a pending issue of any kind, the procedure provided for in Case c shall not be suspended until the dispute is settled by the competent court.

e. In implementation of the procedures described in the above cases, service of process may be performed in any way, even by affixing a note to the door of the addressee, only within the space in possession of the person involved.

f. The facilities of the tram depot as well as the Civil Aviation Area Control Centre of Athens and Macedonia are still considered as part of the property of the former Hellinikon Airport at the sites where they are located at the time of the publication of this document \_\_\_\_\_. All relevant terms and conditions, the legal status, value, exact boundaries and a detailed description of the facilities, as well as the length of time during which the Area Control Centre of Athens and Macedonia shall remain within the aforementioned property and all details concerning the implementation of this provision are determined with a decision of the Minister of Finance, the Minister of Environment, Energy and Climate Change and the Minister of Infrastructure, Transport and Networks. On the basis of agreements made between "Hellinikon S.A." and public authorities, bodies or private-law entities (e.g. the Police, the Fire Department, the Ephorate of Antiquities, welfare bodies etc.) which are located within the property of the former, the latter may either remain or be moved to another site within the aforementioned property, and the relevant terms and conditions, their legal status, the financial return etc. may be specialised.

2. Should any refund be granted to lessees or other contractual users of assets which, in implementation of Paragraph 1 Article 7, are or shall be controlled, managed and utilised by "Hellinikon S.A.", it must be undertaken by the Greek State, unless "Hellinikon S.A." and/or the Hellenic Republic Asset Development Fund S.A. sign an agreement with the person/entity entitled to the refund and assume the obligation to grant it to them. The Greek State shall no longer be responsible for granting refunds of that kind, if the refund to be granted is the result of an event which may occur when the Hellenic Republic Asset Development Fund S.A. is no longer a 100% shareholder of "Hellinikon S.A.". In this case, the latter will be responsible for granting the refund.

3. In order to smoothly transfer the agencies of the public and the broader public sector currently located within the Metropolitan Pole of Hellinikon-Agios Kosmas, a Committee for the Transfer of the Public Agencies of Hellinikon (EMOE) is established. This interministerial committee is composed by the competent Secretaries

General of the Ministries of Interior; Finance; Defence; Development, Competitiveness and Shipping; Environment, Energy and Climate Change; Infrastructure, Transport and Networks; Health and Social Solidarity; Citizen Protection; Culture and Tourism. The Chairman of the Committee is the Secretary General for Public Real Estate Management of the Ministry of Finance. Members of the Committee are also a representative of the Hellenic Republic Asset Development Fund S.A. as well as a representative of "Hellinikon S.A.", appointed by the respective Board of Directors. The purpose of the Committee is to co-ordinate the work of the competent authorities, resolve any issues which may arise during the transfer of the aforementioned agencies, lay out executive plans and schedules, speed up and control all necessary procedures and actions for the transfer of the agencies which are currently located within the Metropolitan Pole of Hellinikon-Agios Kosmas and are supervised by the respective Ministries, as well as to organise, monitor and support their smooth and effective transfer.

4. A contract may be signed between the Ministry of Environment, Energy and Climate Change and "Hellinikon S.A." for the establishment of a Design Centre - Museum of Modern Architecture in order to promote high-quality work in the field of architecture in Greece, organise architectural contests and bring international attention to the development of the former airport. The establishment, duration, operation and financing of the Museum shall be determined on the basis of a joint decision of the Minister of Environment, Energy and Climate Change and the Minister of Finance.