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Presidential Decree 52/2019

Procedural rules on cases under the jurisdiction of the Muftis of Thrace - Establishment, organization and operation of the Directorate for cases under the Mufti's jurisdiction at the Muftiates in Thrace

[...]

PART A

**PROCEDURAL RULES ON CASES UNDER THE JURISDICTION OF THE MUFTIS OF THE MUSLIM
MINORITY IN THRACE**

Article 2

Jurisdiction of the Mufti

1. The Mufti's jurisdiction applies, under the conditions and procedures set out in article 5 (4) of Legislative Act of December 24, 1990 (A' 182) "On Muslim Clerics" ratified by the Sole Article of Law 1920/1991 (A' 11), as amended by article 1 (1) of Law 4511/2018 (A' 2) and in this Presidential Decree, to Greek citizens members of the Muslim minority, permanent residents of his area of authority in the spheres of marriage, divorce, maintenance payments, guardianship, trusteeship, emancipation of minors, Islamic will and intestate succession, provided that such matters are governed by Islamic Holy Law and that both parties have expressly chosen this jurisdiction.
2. Cases as referred to in paragraph 1 shall come under the jurisdiction of the Mufti by way of exception provided that for the settlement of the dispute both parties lodge applications that are in line with the introductory documents as provided for in the Code of Civil Procedure and the explicit irrevocable declaration of each party, in default of which they are void, on the choice of this jurisdiction. Entry of the case within the jurisdiction of the Mufti is irrevocable and precludes the jurisdiction of ordinary courts on this dispute.
3. Succession relations of the members of the Muslim minority in Thrace shall come under the jurisdiction of the Mufti by way of exception provided that the testator draws up before a notary a disposition of property upon death, according to the form of a public will, containing exclusively the expressed will of the testator that the succession come under Islamic Holy Law. This disposition may be freely withdrawn either by a subsequent contrary disposition before a notary or by drawing up a subsequent disposition in accordance with the regulations of the Civil Code. Concurrent application of the Civil Code and of the Islamic Law on succession either in a certain percentage or on specific parts of it is prohibited.

Article 3

Local jurisdiction

1. The Mufti has local jurisdiction on cases referred to in article 2 (1) provided that both parties are Greek citizens, members of the Muslim minority of Thrace and that are both permanent residents of the area of the same Muftiate. If the parties' permanent residence is in the area of a different Muftiate, the Mufti has local jurisdiction provided that one of the interested parties has permanent residence in the area of his Muftiate and that the interested parties submit the relevant applications to his Muftiate.
2. The geographical limits of the jurisdiction of the Muftiates of Didymoticho, Komotini and Xanthi coincide with the existing geographical limits of the regional units of Evros, Rodopi and Xanthi.

Article 4

Applicants

1. Minors who enter into marriage may themselves lodge the applications regarding their matrimonial matters referred to in article 2 (1) and appear before the Mufti without the consent of any other person.
2. The prospective couple must agree to enter into marriage. The relevant declarations are made in person and unconditionally and without time limit.
3. The prospective couple must be at least 18 years of age. The Mufti may allow the marriage prior to age 18 if it is necessary for a serious reason, after hearing the prospective couple and the persons who have their custody.
4. Minors aged 16 may appear before the Mufti regarding cases on their personal situation. In such case, the personal representative of the minor acting with legal authority must be invited.

Article 5

Power of attorney – Legal representation

1. The parties have an obligation to appear before the Mufti with a lawyer acting for each party. The two parties may not be represented by the same lawyer for any of the matters referred to in article 2 (1).
2. Power of attorney is granted either by co-signing the application referred to in article 2(1) by each party and his/her lawyer or by a notarized special power of attorney expressively and irrevocably declaring the choice of the Mufti's jurisdiction for this designated case in accordance with article 2. In this case, power of attorney must have been granted within a month prior to the submission of the application.
3. A "passed for payment" voucher issued by the Bar Association shall be presented in relation to legal representation.
4. The provisions of Law 3226/2004 (A' 24) in force apply for granting legal aid to low income citizens for cases of Mufti's jurisdiction.

Article 6

Fundamental principles

1. The two parties have the same rights and the same obligations and are equal before the Mufti.
2. The Mufti may act only at the request of the parties and shall decide based on their real allegations and the applications lodged.
3. The procedure prior to the hearing of the case is always in writing.
4. The two parties must appear in person for the hearing.
5. The Mufti may not issue a decision without having heard the parties or their attorneys.
6. The decisions of the Mufti shall be published in open session.
7. The parties and their attorneys must demonstrate dignified conduct and good faith, must avoid actions that clearly delay the proceedings, must report real facts on the case, as they know them, in a complete and truthful way avoiding ambiguous and unclear expressions.
8. The provisions of the Code of Civil Procedure apply for the service of documents and the deadlines.

Article 7

Applications

1. The parties lodge one common or two separate applications to resolve the dispute. The following must be mentioned in the application:
 - a) The Mufti before whom the case shall be introduced and the grounds on which his jurisdiction is based in accordance with article 2 and his local jurisdiction in accordance with article 3,
 - b) The first name, last name, father's name, residence and address and tax number of each party,
 - c) The expressive irrevocable declaration of choosing this jurisdiction,
 - d) The subject matter of the case in a clear and concise way,
 - e) A specific request and
 - f) The date and signatures of the parties and their lawyers or of their lawyers only provided that special power of attorney has been granted in accordance to the provisions of article 5.
2. Certificates of the parties' permanent residence shall be attached on the applications. Any change of address must be communicated in a separate document or attached to the statement submitted to the competent Directorate for cases under the Mufti's jurisdiction, attached in the case file and communicated by one party to the other.
3. The applications and all documents related in any way to the hearing before the Mufti shall be lodged in the official language of the State.
4. The applications shall be lodged by the parties or their attorneys to the Directorate for cases under the Mufti's jurisdiction of the competent Muftiate. The date of filing the application and the name of the applicant shall be referred to in the application.

The applications shall be recorded immediately in a special register book with alphabetical index. The applications shall be recorded in this book with order number and in chronological order; the names of the parties, the filing date and the subject matter of the case shall be indicated.

Article 8

Introduction to the hearing

1. The original documents of the applications lodged are kept in the archives of the Directorate for cases under the Mufti's jurisdiction.
2. After the application has been lodged, it shall be recorded by a member of staff of the Directorate for cases under the Mufti's jurisdiction in a register book of cases for hearing based on the date and time of the hearing as it is recorded on the original document of the application, where the names of the parties and of their attorneys shall also be recorded, as well as the subject matter of the case. The parties shall receive copies of the application and of the act that sets out the date of the hearing.
3. The register book referred to in paragraph 2 is a book with numbered pages, all signed by the Mufti, in which the cases for hearing are recorded per date. The Mufti shall set out the number of cases to be discussed on each date.
4. If an individual application is lodged, the other party must be summoned for a hearing, if they so wish, in order for the Mufti to resolve this dispute. The deadline for summoning the other party is sixty days prior to the hearing, in order for it to be admissible. The applicant has the obligation to provide the other party with a copy of the application and of the act that sets out the date of the hearing and the summoning for it. The other party may, if they so wish, lodge an application to the Directorate for cases under the Mufti's jurisdiction to be handed to the initial applicant at least ten days prior to the hearing. If this application is not lodged or it is lodged overdue, the case shall be removed from the register book and the initial application is regarded as not having been lodged.
5. In the event that a joint application has been lodged by the two parties, the date of the hearing must be set for at least thirty days after the date of filing the application; when applications are lodged individually the date of the hearing must be set for at least ninety days after the date of filing the first application.
6. In urgent cases or in order to prevent an imminent danger, the two parties, jointly or individually, may lodge a reasoned request for their case to be discussed on a different date than the one set out in chronological order. In this case, the Mufti shall decide promptly upon the request and shall notify the parties.
7. No later than ten days prior to the hearing, the parties may submit a statement before the Mufti where they develop in writing the reasons they put forward in their application and provide, in order for the application to be admissible, all relevant documents to which they have referred.
8. The statement and the relevant documents shall be submitted at the Directorate for cases under the Mufti's jurisdiction and the submission date shall be annotated. Each party or their attorneys shall receive, free of cost for the public and covering their own

expenses, a copy of the statement and the documents lodged by the other party. A statement submitted out of time shall not be taken into account.

9. If the hearing is postponed, the Mufti must record this in the book of cases for hearing and the acting secretary must record this case in the list of cases to be discussed in the new date, immediately after the end of the meeting.
10. If the hearing is postponed as referred to in Article 9 (9) or for any other reason, the cases scheduled shall be postponed to a subsequent meeting under the parties' own care. If 60 days after the cancellation of the hearing, no application has been lodged for setting out a new date, the case is deleted from the book of cases for hearing and the application is regarded as not having been lodged.

Article 9

Hearing

1. The hearing before the Mufti takes place on working days and office hours throughout the year in the premises of the competent Muftiate which shall dispose of an appropriate space.
2. The Mufti shall lead the hearing, shall accord the right to speak to the participating parties, shall announce the end of the hearing when he considers that the case has been adequately clarified and shall publish his decision in accordance with article 10 (1).
3. Following a request by one of the parties, the hearing for the case may be postponed to a subsequent meeting only once, provided that there is a serious reason for this, at the Mufti's discretion. A simple note in the book of cases for hearing will suffice. In the case that lawyers abstain from duty, the cases must be postponed for a date announced by the Mufti.
4. The parties have the right to detail their arguments before the Mufti.
5. The hearing takes place in the official language of the State or in the language of the applicants. If one of the parties does not speak the language in which the hearing takes place, an interpreter shall be hired. An interpreter of the interpreter may be hired in the case of a not widely known language. The interpretation shall be recorded in the minutes in the official language of the State.
6. The interpreters shall be appointed by the Mufti and if they have not taken the interpreters' oath, they shall swear before the Mufti to exercise their task in a true and accurate manner, in accordance with article 408 of the code of civil procedure in force.
7. If a party has difficulty communicating due to deafness or mutism, questions shall be asked and answers shall be given in writing or orally, as appropriate. All questions and answers shall be recorded in the record book.
8. If a party referred to in paragraph 7 above is illiterate, one or two interpreters shall be appointed, preferably selected among the people who usually communicate with him/her.
9. If a party does not appear at the hearing before the Mufti, the hearing shall be cancelled. The case shall be postponed for a subsequent meeting as provided for in article 8 (10). If the same party does not appear at this meeting either, the hearing shall be declared inadmissible.

10. The secretary for cases under the Mufti's jurisdiction who draws up the minutes of the meetings shall be present at the hearings. A permanent civil servant with a post at the Muftiate or seconded there shall be his/her alternate at the discretion of the Mufti. The minutes shall be signed by the Mufti and by the secretary for cases under the Mufti's jurisdiction.

Article 10

Decision

1. The Mufti shall issue a binding decision if he considers that the state of the proceedings so permits, within a period of three months after the completion of the hearing. The decision shall be drawn up electronically and the hard copy shall be signed and dated by the Mufti.
2. The original copy of the decision must include: a) the Mufti's name, b) the name, father's name, address and tax number of the parties, as well as the application and the declarations that they have submitted, c) the name, father's name and address of their attorneys, d) a brief summary of the subject matter and the proceedings, e) the grounds for the decision and the operative part of it and f) the place and date of the publication of the decision.
3. The decision shall be issued in two languages: greek and ottoman turkish.
4. The Mufti and the secretary for cases under the Mufti's jurisdiction shall sign the original copy of the decision.
5. The decisions shall be served by one party to the other under the serving party's own care.
6. Following the parties' application, a certified copy of the original decision shall be issued in greek for the parties to submit to the Court of First Instance in order to make it enforceable.
7. Following a request by one of the two parties, the decision may be translated officially by the Muftiate in arabic, turkish or english. The Mufti shall sign the translation on which an official copy of the original decision shall be attached and he shall be responsible for its accuracy. The page layout and the translation expenses shall comply with the provisions of Ministerial decree Φ.093.29/ΑΣ1057/26.02.07 of the Deputy Minister of Foreign Affairs (B' 348) in force.
8. The translation from greek to other languages must be accurate. In any case of divergence, the greek text is the right one and the only one applicable by the Greek authorities.

Article 11

Postponement of issuing a decision

1. In cases of dissolution of marriage, if the Mufti deems appropriate and beneficial for the two parties to postpone the issuing of the decision hoping for reconciliation, he may postpone issuing the decision for up to six months.

2. If the parties fail to do so within the time allowed, the Mufti shall issue a binding decision.
3. If reconciliation of the parties is achieved, they shall declare in a joint statement to be lodged with the Directorate for cases under the Mufti's jurisdiction that they do not wish the issuing of a decision. In this case, the application(s) of the party (or the parties) by which the Mufti's jurisdiction was requested shall be filed definitively by an administrative act of the Mufti.

Article 12

Res judicata – Enforceability

1. The decisions issued by the Mufti on cases of contested jurisdiction, may not be enforced and res judicata may not be applied if they are not declared enforceable by the competent Court of First Instance where the Mufti's seat is, in non-contentious proceedings (article 5(3)(a) of Order no 24.12.1990 ratified by Law 1920/1991).
2. If one or both parties have not been served with the decision, the enforcement shall not be granted and res judicata shall not be applied.
3. The Mufti's decision shall not be enforceable by the Court of First Instance a) if the case is not under the Mufti's jurisdiction, b) if the provisions of Law 4511/2018 (A'2) and of this Decree on the procedure for choosing the Mufti's jurisdiction or c) if the provisions and the rules applied are contrary to the Constitution, in particular, article 4(2) and the European Convention on Human Rights.
4. Action against the decision of the one-member Court of First Instance may be brought before the competent multi-member Court of First Instance. No appeal, ordinary or extraordinary, against the decision of the multi-member Court of First Instance may be lodged (article 5(3) of Order no 24.12.1990 ratified by Law 1920/1991).

PART B

ESTABLISHMENT, ORGANIZATION AND OPERATION OF THE DIRECTORATE FOR CASES UNDER THE MUFTI'S JURISDICTION AT THE MUFTIATES IN THRACE

Article 13

Directorate for cases under the Mufti's jurisdiction

1. A Directorate for cases under the Mufti's jurisdiction shall be established at each Muftiate of Didymoteicho, Komotini and Xanthi, which are separate decentralized structures at General Directorate level and come under the Minister of Education, Research and Religious Affairs.
2. The competences of the Directorate for cases under the Mufti's jurisdiction shall include supporting the Mufti in the performance of his jurisdiction, as provided for in article 5 of the Legislative Act of December 24, 1990 (A' 182) "On Muslim Clerics" ratified by the Sole Article of Law 1920/1991 (A' 11) and amended by Law 4511/2018 (A' 2) and keeping record of the decisions. Issuing and codifying acts and decisions related to the Mufti's jurisdiction is within the competences of the Directorate.
3. The Directorate for cases under the Mufti's jurisdiction consists of :
 - a) The Department of cases under the Mufti's jurisdiction (Department A')
 - b) The Department of record-keeping and publications (Department B')
4. The Department of cases under the Mufti's jurisdiction (Department A') is responsible for monitoring all necessary details and for complying with the rules on the procedure before the Mufti while he exercises his jurisdiction. Department A' keeps the necessary public books as well as annual statistical data, in particular the number and type of applications, the number of the decisions issued according to the nature of the case, the book for the hearings of the cases with information on the parties and the list with pending cases. The public books shall be submitted to the competent Court of First Instance for inspection and record keeping. Additionally Department A' shall ensure that the provisions of article 9 (5) and article 10 (7) are applied.
5. The Department of record-keeping and publications (Department B') is responsible for:
 - a) Keeping record of the decisions,
 - b) Issuing copies for the interested parties,
 - c) Anonymizing, summarizing and classifying the content of the decisions by type of case and communicating with the Department for Islamic matters of the Directorate for Religious Administration of the General Secretariat for Religious Affairs of the Ministry of Education, Research and Religious Affairs,
 - d) Setting up, managing and keeping a library of law books on relevant matters
 - e) Managing all other relevant matters
6. The letterhead for all documents edited by the Directorate for cases under the Mufti's jurisdiction shall be "HELLENIC REPUBLIC", "MINISTRY OF EDUCATION AND RELIGIOUS AFFAIRS – GENERAL SECRETARIAT FOR RELIGIOUS AFFAIRS" and the Muftiate title followed by the phrase "DIRECTORATE FOR CASES UNDER THE MUFTI'S JURISDICTION". Each Muftiate shall dispose of a round stamp as provided for in Law 48/1975 (A' 108)

comprising three concentric circles, the outer circle reading “HELLENIC REPUBLIC”, the middle one reading “MINISTRY OF EDUCATION AND RELIGIOUS AFFAIRS - GENERAL SECRETARIAT FOR RELIGIOUS AFFAIRS – MUFTIATE (OF DIDYMOTEICHO or KOMOTINI or XANTHI respectively)” and the inner circle shall be entirely surrounded by two laurel branches intersecting at the edges of their underside and reading in the middle “DIRECTORATE FOR CASES UNDER THE MUFTI’S JURISDICTION” in greek in blue color.

7. Within the framework of their administrative competences, the Muftiates are subject to the provisions of Law 3861/2010 (A’ 112) by which online publication of all laws and administrative acts issued by government, administrative and local authorities bodies is required in order to enhance transparency, as well as Presidential Decree 28/2015 (A’ 34) on codification of provisions for access in public documents and data.

Article 14

Staff

A total number of six posts for permanent administrative staff out of the ten posts provided for in Law 3536/2007 (A’ 42) article 40 (a) are established at the Directorates for cases under the Mufti’s jurisdiction.

Article 15

Allocation of established posts for permanent staff by type and sector

The established posts for permanent staff by type and sector at the Directorate for cases under the Mufti’s jurisdiction shall be allocated as follows:

- A) Tertiary education graduates
 - a) Administrative – Economic sector
Three posts

- B) Secondary education graduates
 - a) Administrative Secretaries sector
Three posts

Article 16

Allocation of established posts for permanent staff by Muftiate

The aforementioned six posts for permanent staff shall be allocated as follows:

- a) One post for a secondary education graduate and one post for a tertiary education graduate at the Muftiate of Didymoticho.
- b) One post for a secondary education graduate and one post for a tertiary education graduate at the Muftiate of Komotini.
- c) One post for a secondary education graduate and one post for a tertiary education graduate at the Muftiate of Xanthi.

Article 17

Creation of special posts

By this decree the following special posts are established:

- a) Three posts of non-permanent staff with job title “Secretary for cases under the Mufti’s jurisdiction” of full and exclusive employment and of a five-year tenure renewable twice maximum for an equal time length tenure during which the employee may not engage in any other employment.
- b) Three posts of special associates of a fixed-term private-law employment contract renewable annually. These three posts are set up as established posts and shall be filled by holders of a law school degree from a University of Greece or an equivalent degree of a law school from a University abroad, with work experience as a lawyer for at least three years.



Article 18

Allocation of special posts by Muftiate

The aforementioned six posts for non-permanent staff and special associates shall be allocated as follows:

- c) One post for a non-permanent member of staff with the title “Secretary for cases under the Mufti’s jurisdiction” and one post for a special associate filled by a law school graduate at the Muftiate of Didymoticho.
- d) One post for a non-permanent member of staff with the title “Secretary for cases under the Mufti’s jurisdiction” and one post for a special associate filled by a law school graduate at the Muftiate of Komotini.
- e) One post for a non-permanent member of staff with the title “Secretary for cases under the Mufti’s jurisdiction” and one post for a special associate filled by a law school graduate at the Muftiate of Xanthi.

Article 19

Appointment qualifications

1. The appointment qualifications for the “Administrative – Economic” sector of tertiary education graduates and the Administrative Secretaries sector of secondary education graduates and the procedure for their appointment are set out in the Joint Ministerial Decree ref. number 98541/A3/11-09-2007 by the State Secretary of Internal Affairs, Public Administration and Decentralization and by the Minister of Education and Religious Affairs on setting out qualifications for administrative employees to be hired for the established posts established by Law 3526/2007 (A’ 42) at the Muftiates in Thrace (B’1894) in force.
2. The appointment qualifications for special associates are set out as follows:

- a) Degree of Law School from a University of Greece or an equivalent degree of a law school from a University abroad
 - b) A minimum of three years of work experience as a lawyer
3. The selection for the posts of special associates shall be held by a special committee by Muftiate, following an interview, in accordance with the vacancy notice published by the Ministry of Education, Research and Religious Affairs, by which all other necessary details shall be determined. The appointment shall be made by decision of the Minister of Education, Research and Religious Affairs acting on a recommendation from the selection committee. The selection committee shall be set up by decision of the Minister of Education, Research and Religious Affairs and shall consist of the competent Mufti as Chairman, a member of the Legal Council of the State with his/her alternate, appointed by the President of the Legal Council of the State and a Head of a General Directorate of the Ministry of Education, Research and Religious Affairs with the Head of the Directorate for Religious Administration as his/her alternate appointed by the Minister of Education, Research and Religious Affairs as members. An employee of the Muftiate or of one of the decentralized structures of the Ministry of Education, Research and Religious Affairs shall serve as secretary.
4. The appointment qualifications for non-permanent members of staff with the title “Secretary for Cases under the Mufti’s jurisdiction” are set out as follows:
 - a) Degree of Law School from a University of Greece or an equivalent degree of a law school from a University abroad with a minimum of seven years of work experience as a lawyer
 - b) Greek citizen, member of the Muslim minority in Thrace
5. The selection for the posts of non-permanent members of staff with the title “Secretary for cases under the Mufti’s jurisdiction” shall be held by a special committee by Muftiate, following an interview, in accordance with the vacancy notice published by the Ministry of Education, Research and Religious Affairs, by which all other necessary details shall be determined. The appointment shall be made by decision of the Minister of Education, Research and Religious Affairs acting on a recommendation from the selection committee. The selection committee shall be set up by decision of the Minister of Education, Research and Religious Affairs and shall consist of the competent Mufti as Chairman, a member of the Legal Council of the State with his/her alternate, appointed by the President of the Legal Council of the State and a Muslim theologian with his/her alternate appointed by the Minister of Education, Research and Religious Affairs as members. An employee of the Muftiate or of one of the decentralized structures of the Ministry of Education, Research and Religious Affairs shall serve as secretary. Possible special knowledge of the Sharia Law, work experience in an administrative position of responsibility and work experience as a lawyer on cases under the Mufti’s jurisdiction shall be taken into account in favor of the candidate in the selection process.
6. The Minister of Education, Research and Religious Affairs may suspend the “Secretary for cases under the Mufti’s jurisdiction” from his duties and before the end of his/her tenure for serious reasons of inadequate performance or for breach of duty and following a reasoned proposal of the selection committee which shall be re-established by ministerial decree for this purpose.

Article 20

Specific staff matters

1. Statutory position of permanent public servants as referred to in article 40 of Law 3536/2007 (A' 42) comes within the competence of the Central Administrative Authorities for Administrative Staff (Κ.Υ.Σ.ΔΙ.Π.) of the Ministry of Education, Research and Religious Affairs.
2. The staff holding a special position shall report directly to the Mufti.
3. The employment contract of special associates shall necessarily contain the term that the contract shall be terminated ipso jure without any compensation and that the employee shall be dismissed if the Mufti who hired him/her leaves his post for any reason and the term that renewal of the contract shall not give rise to any right to permanent establishment. The special staff member's position is not incompatible with his/her status as a lawyer and does not suspend the exercise of the office for as long as the contract of employment is applicable, however the assumption of cases under the Mufti's jurisdiction is not permissible. These posts may be filled on secondment from posts of the public sector or of a legal person governed by public law. For contracts of employment, the provisions of Presidential Decree 164/2004 (A' 134) shall be complied with as to the remainder.

Article 21

Secondment of civil servants, teachers of sector 73 or sector of Theologians of Islamic Medresses in Thrace (holders of a University degree) and Islamic teachers

1. In accordance with the applicable provisions, a maximum of two civil servants may be seconded at the Directorate for cases under the Mufti's jurisdiction at the Muftiate in Komotini, a maximum of two civil servants at the Directorate for cases under the Mufti's jurisdiction at the Muftiate in Xanthi and one civil servant at the Directorate for cases under the Mufti's jurisdiction at the Muftiate in Didymoteicho.
2. Teachers of sector 73 or Theologians of Islamic Medresses in Thrace (holders of a University degree) may be seconded at these posts.
3. Islamic teachers as referred to in article 53 of Law 4115/2013 (A' 24), holding a University degree or graduates of Special Pedagogical Academy of Thessaloniki, following a decision by the Mufti, may be seconded and offer their services at the Directorate for cases under the Mufti's jurisdiction within the limits of the Muftiate where they serve, as administrative staff assistants, while performing their main tasks. The provisions on civil servants apply when they exercise these functions.
4. Civil servants may be appointed in the position of Secretary for Cases under the Mufti's jurisdiction irrespective of their employment relation, provided that they have the qualifications required. The length of service in this position is estimated as actual service in their established post. If the civil servants leave their position at the Muftiate, they return ipso jure to the position they held before their appointment. If this position is not vacant, they are considered to hold a temporary position at the same grade which

shall be established ipso juro and shall be eliminated ipso juro when they dismiss from service.

Article 22

Job description for the position with the job title “Secretary for cases under the Mufti’s jurisdiction” filled by a non-permanent employee

1. The functions of the non-permanent employee for the job title “Secretary for cases under the Mufti’s jurisdiction” are as follows:
 - a) Providing instructions and directions and coordinating the Directorate for cases under the Mufti’s jurisdiction as regards the exercise of powers.
 - b) Drawing up studies and suggesting measures to improve the functioning of the Directorate for cases under the Mufti’s jurisdiction and to make the services it offers more effective.
 - c) Monitoring the proper functioning of the Directorate for cases under the Mufti’s jurisdiction and ensuring timely preparation and taking necessary measures for legal compliance.
 - d) Ensuring that the functioning of the Directorate for cases under the Mufti’s jurisdiction adapts to the needs of the local religious community.
 - e) Improving the performance of the staff and the efficiency of technical means.
 - f) Managing all relevant matters.
2. The Mufti may transfer to the Secretary for cases under the Mufti’s jurisdiction the power of signature for public documents and certificates excluding money orders.
3. By order of the Mufti, the Secretary for cases under the Mufti’s jurisdiction may draw up information notes on matters related to the competences of the Muftiate.

Article 23

Job description for special associates

The functions of the special associates are as follows:

- a) Providing expert legal advice verbally or in writing to the Mufti.
- b) Processing and codifying the decisions of the Mufti.
- c) Assisting with all work carried out by the Muftiate.
- d) Catering for other service needs.
- e) Exercising relevant work assigned by the Mufti.

Article 24

Job description for the Heads of departments under the Directorate for cases under the Mufti’s jurisdiction

The functions of the Heads of departments under the Directorate for cases under the Mufti’s jurisdiction are as follows:

- a) Operational linking of the powers exercised with the operational objectives of the Directorate.
- b) Collecting, processing, preparing and presenting the necessary information to facilitate the procedure of making a decision.
- c) Rationally distributing duties and incoming documents to the staff of the department.
- d) Applying and monitoring goals set at individual level.
- e) Taking initiatives to improve staff performance.
- f) Taking initiatives to improve the functioning of the department.
- g) Meeting deadlines.
- h) Managing all relevant matters.

Article 25

Head of the organizational unit

1. Head of the Directorate for cases under the Mufti's jurisdiction shall be the non-permanent employee with the job title: "Secretary for cases under the Mufti's jurisdiction".
2. Heads of the departments of the Directorates for cases under the Mufti's jurisdiction set up at the Muftiates shall be employees of all sectors of tertiary education graduates. Seconded civil servants who meet the requirements may also be Heads of departments. For the rest, Law 4369/2016 (A' 149) in force is applied. Until the appointment of Heads of departments, the provisions of article 87 of the Civil Service Code are applied, as ratified by Law 3528/2007 and in force.

[...]