



**Implementation of the Regulation (EU) No 2017/352
in Greece
Art. 16 & 17**

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of the Hellenic Republic

2nd European Ports Forum

Brussels, 11-06-2018

State-of-play and next steps

- The General Secretariat of Ports, Port Policy and Maritime Investments of the Ministry of Maritime Affairs & Insular Policy of the Hellenic Republic has planned some concrete steps in the course of 2018.
- A first round of technical discussions regarding the implementation of Regulation (EU) No 2017/352 organised by the Ministry was completed in April.
- Valuable expertise has been provided from the European Commission.
- Discussions will continue among the General Secretariat of Ports, Port Policy & Maritime Investments, the Regulatory Authority for Ports and the Public Authority for Ports.
- A wider consultation with port authorities, port service providers and users on a series of issues which still remain open will be launched probably in September or October.



Art. 16 & 17

Legal Framework in Greece (1)

- The Regulatory Authority for Ports is the competent Authority of Greece, as regards the exercise of powers, with respect to at least Articles 16 and 17 of Regulation (EU) No 2017/352.
- The Regulatory Authority for ports was initially established in May 2014 pursuant to the Greek Laws 4150/2013, 4254/2014 and 4258/2014 as an Independent Public Authority under the Minister of Shipping and the Aegean, with administrative and financial autonomy. Then in May 2016, pursuant to the Law 4389/2016, it was transformed into an Independent Authority, accountable to the Greek Parliament.
- The mission of the Regulatory Authority for Ports includes the overseeing, regulating and catering for the legality of relations between public and private entities in the national port system. Emphasis is placed on contractual compliance and the implementation of competition law.

Art. 16 & 17

Legal Framework in Greece (2)

- Articles 112-114 of Law 4389/2016 grants the Regulatory Authority for Ports a wide range of relevant responsibilities:
 - Issuing of directly enforceable regulatory and advisory decrees.
 - Exercise of the contractual rights of the Greek State under concession contracts.
 - **Handling of complaints with respect to port services competition, tariffs and port service levels.**
 - Dispute resolution for ports and port users.
 - Elaboration of port charging methodologies.
 - Catering for provisional measures in emergency situations and inspections.
 - Handling of issues with respect to port services public service obligations.
 - Issuing regulations and binding guidelines for all of the above,
 - Advisory support and recommendations to the Ministry and other public authorities with respect to the organization and legislative framework, on the national port system, level of port services, port planning and port charging.
 - Exchange of information and cooperation with relevant European bodies concerning matters of its competence.
- The Regulatory Authority for Ports cooperates with the Hellenic Competition Committee.

To be discussed...

- Article 19 Penalties:

“Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented.”

The European Commission should provide guidance to the MS regarding the penalties in order to ensure adequate and uniform application across the EU.



Thank you for your attention!

Contact Details

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