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Greek archival legislation provides a full frame of protection for archives and full details concerning access to them and their consultation. Apart from the Greek Archival law which is executed by the Greek State Archives, there are other laws affecting archives which refer to public administration, personal data treatment and taxation. Unfortunately, theory is not enough when laws are not followed and this has as a result that until now the country's archival wealth is not all documented, public services do not cooperate with the archival services to deliver their archives and a lot of private archives cannot be tracked down and documented. There is a mutual accountability for this, from the part of state archives and the part of archives' owners, as well.

The Greek State Archives¹ are responsible for the preservation and promotion of the Greek archival wealth and apart from the Archival Law 1946/1991 which concerns them, there are also some other laws affecting archives, as well. The most important of these are the law 1943/1991 for the Publicity of Public Action, the law 2392/1996 for the Access to Statistic Information, the law 2472/1997 for personal data treatment and the law 3028/2002 for the Protection of Cultural Goods.

The Archival Law 1946/1991² consists of seven chapters and forty five articles. In chapter 1, articles 1-6, there is the definition of the "archive" and in the following articles there are the definitions of the public archives, church archives, private archives, audiovisual archives and map archives. In article 7, there is the definition of "public documents" which are the documents which were published or come from a) the byzantine emperors, the members of byzantine dynasties and the clerks of the byzantine state b) the administration of Greek territories which were under foreign occupation and also from their religious leaders and their law executors, c) the various administrative bodies which were organized during and after the Greek Revolution of 1821, d) the Greek kings, the members of their families and the palace clerks e) any administrative authority of any autonomous former Greek state f) the ecclesiastical authorities g) the jurisprudential, judicial and executorial authorities of the Greek state h) the public services and regional administration institutions I) the common wealth institutions and companies j) the private law organizations which are controlled by the Greek state k) from notaries l) the Greek institutions and communities which are abroad m) the public educational institutions n) the international organizations o) the services of foreign states which are established in the Greek territory.

The chapter B, articles 8-9 describe the Greek archival chart and its aims. The Greek State Archives is a public institution which is controlled by the Ministry of Education and Religious Affairs and consists of a central service and regional services all over the country. The article 9 describes the aims of the Greek State Archives which briefly are the protection and preservation of the country's archival wealth and its disposal to the public, the documentation of public archives, the cooperation with ecclesiastical and private authorities for the preservation of their archives and the control of the special

1. Founded with the law 380/1914 "Establishment of the Greek State Archives service".
2. With the changes that took place according to the laws 2909/2001 and 3467/2006.

historical archives which function in services supervised by the Greek State.

In chapter C, articles 10-16 there is a presentation of the structure of the Central Service of the State Archives. Chapter D, articles 17-19, refers to the regional services of the State Archives. There is a regional archival service in every region's capital and occasionally, in a city of a region, where there is a reasonable local archival wealth. In chapter E, articles 20-34, there is a presentation of the qualifications and the duties of the State Archives personnel, its wages and the number of personnel positions available in all the State's Archives services.

Chapter F, articles 35-36, refer to the corporate aggregates of the State Archives like the Conservancy of the State Archives which consists of nine members and has administrative and scientific duties. The last chapter, G, articles 37-45 covers various archival matters like the import of archives produced by public, ecclesiastical and private institutions which have closed down, the deposit, from public or private institutions or persons, of archival material to the State Archives and the right to take it back when they wish, the rules concerning the consultancy and reproduction of archival material at the State Archives.

The other laws which affect archives are related to information access and consultancy. The law 1599/1986 which refers to the relations between the state and its citizens, in its article 16 which describes the right to access to administrative documents says that administrative documents are the ones produced by public authorities and all citizens have access to them, except from the documents which refer to the private and family life of third parties but not to the person that the documents personally refer. Public authorities have the right to deny access to documents which are classified in terms of governing, national defense, foreign affairs, currency, state security and public order and as well as any other classified material described by any related laws or material which can hinder the research of judicial, police, military or administrative authorities for crime or administrative violations.

The law 1943/1991 refers to the publicity of administrative action and its article 6 underlines that public authorities are obliged to make their actions public and especially the following ones: construction licences, housing loans, pensions, phone connections, energy and water licences, financing of agricultural goods, agricultural aids, agrotourism, agricultural loans, agricultural licences, public procurements.

The law 2238/1994 for income taxation in its article 85 mentions that taxation documents are classified and they cannot be consulted by third parties. The Ministerial Decision 77921/1440/1995 describes the open access to information concerning the environment apart from any information which has been characterized as classified. The law 2392/1996 for access to statistic information in its articles 1-8 describes the function of the General Secretariat of the Greek National Statistic Service which can have access to the state records and to the records of the ministry of finance. The data which is grouped by the Statistic Service is confidential and is used only for

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La legislazione archivistica greca fornisce una struttura completa di protezione per gli archivi e dettagli complete concernenti l'accesso e la consultazione. Oltre alla Legge greca sugli archivi attuata dagli Archivi di stato greci, ci sono altre leggi aventi effetto sugli archivi che riferiscono alla pubblica amministrazione, trattamento dei dati personali e tassazione. Purtroppo la teoria non è sufficiente quando le leggi non sono seguitive, e ciò ha come risultato che fino ad ora lo stato di salute archivistico del paese non è tutto documentato, i servizi pubblici non collaborano con il servizio archivistico nella consegna dei loro archivi ed una quantità di archivi privati non possono essere rintracciati e documentati. C'è una mutua responsabilità per questo, da parte degli archivi statali ed anche da parte dei possessori di archivi.

ARATHYMOU, Spyridoula, Grška arhivska zakonodaja. Atlanti, Zv. 20, Trst 2010, str. 143-146.

Grška arhivska zakonodaja zagotavlja polno zaščito za arhivsko dokumentacijo in tudi za dostop do dokumentacije. Poleg te arhivske zakonodaje, ki jo izvaja Državni arhiv Grčije, obstajajo še drugi predpisi, ki predpisujejo druga področja, ki zadevajo dejavnost arhivov, kot javna administracija, osebne datoteke in finančne zadeve, ki se s svojimi zakonskimi akti dotikajo tudi arhivistike. Moram pa reči, da teorija ni dovolj, kajti zakonodaja ne sledi potrebam. Tako se je zaradi tega zgodilo, da arhivi na deželi niso dovolj dokumentirani, po drugi strani pa javne službe ne sodelujejo z arhivskimi, da bi jim prede dokumentarno gradivo in tako nimamo povezave niti s privatnimi arhivi. Zaradi tega trpi za vse to tudi vzajemna odgovornost, ker ni prave povezave med državnim arhivom in imetniki dokumentarnega gradiva v državi.

SUMMARY

Greek legislation affecting archives covers all archival matters. The main archival law which mainly refers to the role and responsibilities of the Greek State Archives, which are responsible for the protection of the Greek archival wealth, is the law 1946/1991. There is a series of other laws which have an impact on archives, in terms of access and consultation. These are: law 1599/1986, law 1943/1991, law 2238/1994, ministerial decision 77921/1440/1995, law 2392/1996, law 2472/1997, law 2690/1999, law 3028/2002. Unfortunately, in many cases and especially in the case of private archives, laws are not followed and there is a loss of important archives.

statistic research. The Statistic Service cannot have access to state documents which are classified³. All state and private authorities are obliged to give to the Statistic Service the data asked.

The law 2472/1997⁴ for the protection and treatment of personal data consists of six chapters and twenty six articles. According to this law, “private data” is considered any information referred to data subject and statistical data is not private data.

“Sensitive data” considers any data that relates to ethnicity, political opinions, religion, participation in unions, health, social security, sex life and conventions. “Personal Data treatment” is the data treatment done by any public or private authority or person by any means. Personal data treatment is allowed only when the subject of data has given its permission or it is allowed without its permission in various cases. The treatment of sensitive data is forbidden generally but allowed briefly in legal, health and national security cases. The law explains how personal data should be treated by authorities, unions or persons, the way licence is given for this action, the transmission of personal data to European Union countries and to non E.U. countries, the right of the subjects to be informed about the treatment of data that concerns them and their right to access these data. This law also describes the way the Authority for the Protection of Personal Data is formed and its duties.

The Code of Administrative Procedure, law 2690/1999, in its article 5 which refers to the access to documents suggests that there is access to all administrative documents, which are documents created by public services and also to private documents when the user has vested interest to consult them. Access can be denied in cases of classified documents and when the private and family life of third parties is concerned.

The law 3028/2002 for the Protection of Antiquities and of the Cultural Heritage in general affects archives as in its article 2, which explains the terminology of the law, says, among others, that cultural wealth is the testimony of the existence and of the human, personal and group, activity. This law also, in its article 4, explains the function of the National Archive of Monuments which preserves the information for the recorded and documented Greek monuments. In article 20, which documents the characterization of movable heritage, says that in this category belong the monuments which are dated until 1453⁵, the ones dates from 1453 till 1830⁶ and the modern last century’s cultural wealth and they have been characterized as monuments because of their special social, technical, folkloric, ethnological or historical, artistic, architectural, industrial or scientific importance.

It is obvious that Greek legislation provides a strong frame for archives, access to them and their consultation. Unfortunately, in many cases and mainly because of the lack of personnel and the lack of the existing personnel’s qualifications in the State Archives’ services and others concerned, the legislation is not followed and this results to the loss of a significant number of archives all over the country.

Especially, in cases of private archives, even though the law suggests that the State Archives should have a cooperation with the

3. See law 1599/1986.

4. As it is changed according to the law 3783/2009.

5. The fall of Constantinople.

6. The foundation of the Modern Greek State.

owners of private archives so as to know the status quo of the archives, many owners deny this cooperation or the State Archives personnel do not try to build a fruitful relationship with them. This situation has as a result that a large number of the archival wealth not to be documented and usually lost.

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