

Law 4019/2011: “Social Economy and Social entrepreneurship and other articles

Article 1

Definitions

1. *Social Economy is the sum of economic, entrepreneurial, productive and social activities, undertaken by juridical entities or associations whose statutory goal is the pursue of collective benefit and the service of wider social interests*
2. *Collective purpose is the promotion of collective action and the protection of collective goods through developmental, economic and social initiatives of local, regional or of wider character. Such activities are especially the cultural, environmental, ecological activities, the utilization and promotion of local products, the provision of social services.*
3. *Integration is the process of social inclusion of people that belong to vulnerable groups of the population, especially through the promotion of employment.*
4. *Vulnerable population groups, generally, are the social groups of the population, the participation of which at the social and economic life is being hindered due to social and economic issues or due to physical / mental / intellectual / sensory disabilities or due to unexpected events, affecting the development of the local or the broader regional economy.*

For the needs of this law, the vulnerable (:επαθείς¹) population groups are divided into two categories:

- a) *Vulnerable(: εβάλωτες) population groups, to which belong the groups that their inclusion to the social and economic life is hindered by physical or mental causes or due to unlawful conduct. Individuals that belong to these categories are persons with disabilities (physical, mental, intellectual or sensory ones), drug addicts or former drug addicts, seropositive, prisoners / ex-prisoners, under-age offenders.*
 - b) *Specific population groups, to which belong those groups that are at a disadvantage regarding their smooth integration into the labour market due to economic, social and cultural causes. These include, indicatively, unemployed young people, unemployed women, people over 50 years old that are unemployed, long-term unemployed, heads of single-parent families, members of multi-child families, women that have been victims of abuse, illiterate people, residents of remote island and mountain regions, people with cultural differences, immigrants and refugees.*
5. *Social Care is the production and provision of goods and health and social welfare services for specific population groups, such as the elderly, the infants, the children, the disabled and the chronically ill.*

Article 2

Social Cooperative Enterprise (SCE)

¹ The term “επαθείς” and “εβάλωτες” are considered as synonyms, since they do not have a significantly different meaning in the Greek Language.

1. *The Social Cooperative Enterprise (SCE) is established as an entity of Social Economy. It is a civil cooperative with a social cause and possesses entrepreneurial capacity by law. The SCE's members can be either natural persons or natural and legal persons and participate with one vote, regardless of the cooperative shares that they possess.*

2. *SCEs, depending on their specific purpose, are divided into the following categories:*

a) *Integration SCEs, which focus on integration of individuals belonging to vulnerable (: ευάλωτες) population groups into the economic and social life. At least 40% of their employees must come from the vulnerable Population Groups. The Limited Liability Social Cooperatives (L.L.S.C.) are automatically considered as integration SCEs and are subject to the provisions of this law. The L.L.S.C.s are governed by the provisions of the ar. 12 of law 2716/1999 and additionally by the provisions of this law and by law 1667/1986, as well as by the ar. 12 of law 3842/2010.*

b) *Social care SCEs, which focus on production and provision of goods and services of social / social-care character towards certain population groups, such as the elderly, the infants, the children, the disabled and the chronically ill.*

c) *Social Cooperative Enterprises of Collective and Productive Purpose, which focus on the production of products and the provision of services to meet the needs of collectivity (culture, environment, ecology, education, social benefit services, promoting local products, saving traditional activities and crafts etc.) which promote local and collective interest, the development of employment, the enhancement of social cohesion and the strengthening of local or regional development.*

3. *SCEs register at the Social Entrepreneurship Register of subpar. a' of par. 1 of ar. 14. SCEs are obliged, before starting their activity, to submit to the Register an application and all the required documents for registration, including their statutes. The submission of the application and documents can be done and electronically, as well. The certificate of inscription in the Register can be issued and electronically, once the competent services for registration examine the application for registration and the documents, regarding the applicant's credentials and the completeness of the submitted documentation.*

The declaration of commencement of business is submitted by the SCE to the competent Public Financial Service, after the certificate of inscription (to the Social entrepreneurship register) is given.

4. *If the investigation of par. 3 shows that the application and the submitted documentation are incomplete or they do not meet the requirements of this law and the current legislation; then the interested parties are requested by the competent authority by fax or e-mail to make in writing the necessary clarifications, corrections or additions within a reasonable time, which may not exceed thirty days from the receipt of the request. In case the above time frame expires or the resubmitted documentation does not meet the requirements of the law, the SCE will not be registered. In case the officer in charge unduly refuses the SCE's registration, ar. 791 of Civil Procedure Code is applied.*

5. *The procedure of par. 3 and 4 is mutatis mutandis applied for the amendment of the SCE's statute.*

6. *Reference of the registration number should be made to the SCE's stamp, brochures, documents and contracts.*

7. *The SCE's annual program, as well as the overview of its implementation must be posted online at the site of the Register.*

8. *The registered SCEs are governed by the favourable provisions of this law.*

Article 3

The formation of an SCE

1. *Law 1667/1986 applies for the relations between the SCE's members, for the SCE's administration, function, as well as its dissolution, unless this law prescribes otherwise. The following provisions of law 1667/1986 are not applied at SCEs: ar. 1; par. 2, 7 and 8 of ar. 2; par. 4 and 6 of ar. 3; par. 1 and 4 of ar. 4; par. 2 of ar. 5; the second and third subpar. of par.5 of ar. 7; ar. 8; the last subpar. of par.3 and the par.4 of ar. 9; ar. 13 and the ar. 14. In the SCEs case, wherever law 1667/1986 refers to the registration of cooperatives to the District Court or to the Register of par. 3. of ar. 1, it should be considered as the Register of subpar. a' of par. 1 of ar. 14 of this law.*

2. a) *For the SCE's formation it is required a statute and an inscription in the Social Entrepreneurship Register of subpar. a' of par. 1 of ar. 14 according to provisions of par. 3 and 4 of ar. 2. From the registration which includes also the registration of the statute to the register, the SCE acquires legal personality and entrepreneurial capacity by law. The statute must be signed by 7 persons at least for the integration SCEs and by 5 persons for the social care SCEs and the SCEs with a collective and productive purpose.*

b) *The statute of a SCE must include the necessary provisions according to this law, as well as the following:*

aa) *the name, the registered office and the object of the SCE. A municipality shall be defined as its registered office. The name of the SCE is defined by its object, its type and the extent of its members' liability. The name of members or of third parties cannot be included in the SCE's name.*

bb) *the identity or the name and address of the founder members*

cc) *the conditions of admission and expulsion of members.*

dd) *the extent of the members' liability, as it is defined in par. 8.*

ee) *the value of the cooperative share.*

ff) *the Temporary Administrative Committee responsible for the statute's approval and for the convocation of the first general assembly that will elect the SCE's administrative organs.*

For the rest, the statute of the SCE may refer to the provisions of relevant laws.

c) *A model-statute can be used for the SCE's formation that shall be filled by the founder members and shall include the elements of subpar. b'. The content of the model-statute is defined by decision of the Minister of Labour and Social Security according to par. 5 of ar. 17.*

An indicative model-statute is available in electronic format at the website of the Ministry of Labour and Social Security.

3. The participation of legal persons at an SCE shall not exceed the rate of 1/3 of the membership, whereas the participation of local authorities and legal persons of public law, which are subject to these authorities, is not permitted. Legal persons of public law may participate at integration SCEs, under the condition that their supervisory authorities grant them permission.

4. A natural person by participating as a member to a SCE does not acquire commercial status, nor is he/she subject to taxation and social insurance obligations.

5. The capital of the enterprise is divided to cooperative shares. The number of the shares and their value, which is the same of every share, are defined by the statute.

6. The members of the SCE acquire at least one mandatory cooperative share, as a minimum financial contribution to the capital of the enterprise, the value of which is defined freely by the statute and is equal for all members. The statute may prescribe the acquisition of non mandatory shares without voting rights.

7. The cooperative shares are acquired by cash payments.

8. The member of the SCE, apart from the sum paid for the acquisition of a cooperative share, does not have any other liability to the SCE's creditors.

9. The administrative committee is the SCE's executive administrative body, governed by ar. 7 of law 1667/1986, without prejudice to the provisions of this law.

Article 4

Relations between the members and the SCE

1. The entry of new members is allowed according to par. 4, 5 and 5 of ar. 2 of law 1667/1986. The new members are attributed at least one mandatory cooperative share, its nominal value is set either respective to the one of the existing cooperative shares or freely by the general assembly and in its case the share cannot be smaller than what is set in the statute.

2. The loss of the membership comes with the withdrawal, suspension or transfer of the cooperative share and it causes the modification of the statute. Members have the right to withdraw from a SCE with a declaration that is submitted as a written document to the enterprise at least three months prior to the end of the financial year and it has effect from the start of the next financial year. The value of the cooperative share of the withdrawing member is returned to him within three months after the approval of the balance sheet within which the withdrawal was declared, whereas after this return takes place the relation between the SCE and the member is discharged, without the later having any claims on the existing property of the enterprise. The withdrawal of membership is concluded with the receipt of the declaration of withdrawal by the SCE.

3. The transfer of the cooperative share of a member can be given only to a new member and it is authorized by the administrative committee. The administrative committee is complied to authorize the transfer, whereas illegal or unfair dismissal of authorization by the

administrative committee is challenged within a period of one year brought before a regional (Single-Judge) Court of First Instance, which is ruling according to ar. 682 et seq. of the Civil Procedure Code.

4. A member's suspension takes place with the general assembly's decision, in case the member has seriously breached the obligations arising from the current law and the SCE's statute; therefore staying at the SCE can no longer be tolerated. The SCE's statute can specify in more details the reasons for members' suspension. The general assembly's decision is challenged via the procedure of ar. 682 et seq. of Civil Procedure Code before the regional (Single-Judge) Court of First Instance, within one year from the announcement of the member's suspension. For the rest, par. 9 of ar. 2 of law 1667/1986 is applied.

5. In the case of a member - natural person passes away or in the case of a legal person is dissolved; the value of the member's share is automatically transferred to his/her/its successor.

6. The members of the SCE can also be its employees; in that case, they are remunerated for their work and have the rights and obligations arising from labour law.

7. In case members-non employees provide services for the fulfilment of the SCE's scope, ar. 713 et seq. of Civil Code is applied, without prejudice to the provisions of ar. 12 of law 2716/1999. In case the cooperative is a limited liability social cooperative (L.L.S.C.), then ar. 12 of law 2716/1999 is applied.

Article 5

General Assembly

1. An ordinary general assembly must be convened by decision of the SCE's administrative committee at least once a year and within three months from the end of the financial year. An extraordinary general assembly may be convened by the request of 1/3 of the members regarding a specified subject, which is submitted to the administrative committee or by the administrative committee's decision. For the rest par. 1, 3, 4, 5, 6 and 7 of ar. 5 and ar. 6 of law 1667/1986 are applied.

If the administrative committee refuses to convene the general assembly, despite the demand of 1/3 of the members, these members have the right to convene the general assembly by themselves.

2. The decisions of the general assembly may be challenged within one year and before the regional (Single-Judge) Court of First Instance that rules according to the procedure of ar. 682 et seq. of Civil Procedure Code. The general assembly's decisions, which are contrary to this law, to law 1667/1986 or to the SCE's statute, are void and by default they do not have any legal effect.

Article 6

Administrative Committee

1. *The administrative committee is elected by the general assembly and it is composed of 3 members at least (a President and the rest members); in case of a 3-member committee the decisions are taken by a 2-member majority. Par. 6 of ar. 26 of law 3867/2010 does not apply here. The duration of the mandate is defined by the statute and it cannot be more than 5 years and less than 2 years. The mandate may extent until the 3-month deadline expires according to par. 1 of ar. 5, during which the next general assembly must convene. Par. 7, 8 and 9 of ar. 18 of law 2190/1920 are applied by analogy.*

2. *The administrative committee shall meet regularly at least once a month or whenever deemed necessary by 1/3 of its members. Its convocation is done by its President according the SCE's statute. If the administrative committee is not convened by its President, despite the existing urgency, then it shall be convened by any of the committee's members.*

3. *The decisions of the administrative committee, which are contrary to this law, to law 1667/1986, to the general assembly's decisions and to the SCE's statute are voidable and have legal effects until finality of court's decision. The administrative committee's decisions can be challenged within a deadline of one year before the regional (Single-Judge) Court of First Instance that will decide under the procedure of ar. 682 et seq. of Civil Procedure Code.*

4. *For the rest, ar. 7 of law 1667/1986 is applicable.*

Article 7

Allocation of profits²

1. *The profits of the SCE are not allocated to its members, unless the members are also employees of the SCE; in that case par. 2 is applied.*

2. *Profits are distributed annually by a 5 % for the creation of a reserve; by a 35 % they are distributed to employees of the enterprise as a productivity motivation according to statutory regulations; the rest is provided for enterprise activities and for the creation of new employment positions.*

Article 8

Resources

1. *The SCE's resources consist of the enterprise's capital, third parties donations, income from exploiting its assets, income from its entrepreneurial activity, subsidies from the Program of Public Investments, the E.U., international or national organizations or local authorities, income from other programs, capital from bequests, donations and use of assets under concession, as well as every other income from the development of its activities in accordance with its statute.*

Article 9

2 The term used by the legislator is profits (: κέρδη) and there is no reference of surpluses.

Financing Tools

SCEs and L.L.S.C.s of ar. 12 of law 2716/1999:

a) Have access to funding from the Social Economy Fund, which will be established by a joint decision of the Minister of Finance, Development and Competitiveness and the Minister of Labour and Social Security, according to subpar. c' of par. 1 of ar. 4 of the Second Article of law 3912/2011, as well as from the National Fund for Entrepreneurship and Development and

b) they may be governed by law 3908/2011.

Article 10

Financial incentives and support measures for SCEs

1. The SCE's employees from vulnerable (:ευάλωτες) population groups that receive a welfare allowance or reintegration benefits or any form of hospital expenses or benefits, shall continue to receive these benefits along with the salary paid by the SCE.

2. Ar. 71 and par.1, 2, 3, 4 and 6 of ar. 73 of law 3842/2010 apply accordingly to SCEs.

[3. Par. 3 of ar. 10 of this law introduced favourable tax provisions (: the profits of the SCE distributed for the creation of a reserve and for enterprise activities shall not be subject to income tax; except for the SCE's profits distributed to its employees). However, it was abolished by par. 2 of ar. 10 of law 4110/2013]

4. SCEs may participate at entrepreneurship support programs, at programs of the Manpower Employment Organization for the support of employment and at any kind of active employment policies.

Article 11

SCEs' control and sanctions

1. Officers of the competent department of the Ministry of Labour and Social Security responsible for keeping the Register of ar. 14, as well as officers of the regions' Directorates for sociétés anonymes have the authority to:

a) invite the SCEs' representatives to provide documentation and information,

b) access, during the control, documents and other data kept at the SCE's facilities (whether on paper, electronic, magnetic or any other form), as long as they are not covered by professional secrecy or any other type of secrecy/confidentiality and they do not constitute sensitive personal data

c) conduct investigations at the SCE's facilities, confiscate documents, including the electronic storage mediums, as long as it is necessary to detect any infringements. The investigations and control by officers of the competent authority are carried out

under the guarantees of ar. 9 of the Constitution and the related provisions of the Civil Procedure Code.

2. The Directorate on Consumer Protection of the General Secretariat of Consumer may send to the competent authority in charge of keeping the Register and to the competent authorities of the regions a detailed sheet with all the registered complaints regarding SCEs' infringements of the provisions of law 2251/1994. The aforementioned competent authorities are responsible for the implementation of the control and sanctions' procedure of this law within a reasonable timeframe and for providing information to the competent authority of the General Secretariat of Consumer.

3. Without prejudice to the other provisions, by decision of the territorially competent Regional Director, upon the recommendation of the competent authority, a fine starting from 500,00 Euros to 2.000,00 Euros shall be imposed on a SCE, in case the provisions of this law are violated. In the event of a repeat offence, the upper limit of the fine is doubled and the Minister of Labour and Social Security may order the SCE's temporary deletion from the Social Entrepreneurship Register for 1 to 6 months; and in case of further offence, the Minister may order the SCE's permanent deletion from the Register.

4. If the competent authority, which is responsible for keeping the register of ar. 14, finds that legal or natural persons make use of ar. 10 favourable provisions in order to obtain unlawful economic gain for themselves or for others, then the Minister of Labour and Social Security shall order the SCE's permanent deletion, while the territorially competent Regional Director shall impose a fine of 5.000,00 Euros. The assessment criteria for the fine shall be defined by a joint ministerial decision of par. 1 of ar. 17.

5. The imposed fines constitute public revenue and are collected according to the provisions of the decree 356/1974. The received amount of fines shall be distributed to the Social Economy Fund.

6. The imposition of such administrative sanctions is independent from any other civil, criminal or disciplinary sanction provided by the laws against the members of the administrative organs of the SCE.

7. If a SCE, registered at the Social Entrepreneurship Register, violates the provisions of this law, then the Head of the Region by means of a reasoned decision may impose sanctions, which are prescribed at this article; or he/she may propose to the Minister of Labour and Social Security the SCE's deletion from the Register. The decision about the SCE's deletion shall be notified to the competent Public Financial Service and to the Social Security Funds.

Article 12

Cooperation networks, partnerships and program agreements

1. SCEs may cooperate with each other regarding, indicatively, exchange of services or implementation of programs, funded by national, European or international organizations, according to their statutory purposes.

2. Such cooperation requires a decision by the SCE's administrative committee and a cooperation agreement by private contract.

3. *In case an economic cooperation network is formed, it shall not have a separate legal personality.*

4. *SCEs may form consortiums and cooperatives, unions and central unions, as well as European cooperatives or European groups.*

5. *Program agreements may be concluded between SCEs as contracting parties and as counterparties the Public or the broader public sector and local authorities, for the implementation of actions related to the statutory objects of the counterparties, in compliance with ar. 100 of law 3852/2010.*

Article 13

Dissolution and liquidation

1. *A SCE is dissolved when its members become less than the minimum number, required by this law or when ar. 10 and 11 of law 1667/1986 are applied. If this law's provisions on the SCE's formation and registration are found to be violated according to a regional (Single-Judge) Court of First Instance final judgement, based on a request by any legitimately concerned, then the SCE shall be also dissolved. The above request shall be dealt with in accordance with the procedure of ar. 682 et seq. of Civil Procedure Code and when the court's decision becomes final, the SCE shall be automatically deleted from the Social Economy Register.*

2. *The administrative committee shall act as liquidator, unless the statute prescribes otherwise, until the nomination of liquidators by the general assembly. The liquidators are responsible for the SCE's debts' payments and for all outstanding liabilities to be settled. If the only thing that remains is liabilities, then the liquidators shall complete the liquidation. If there are assets as well, the SCE will automatically revive and, as an under liquidation enterprise, it shall be inscribed in the registers according to ar. 791 of Civil Procedure Code. Whatever remains after the completion of the liquidation, it shall not be distributed, but it shall be transferred to the Social Economy Fund. Ar. 6 of this law applies mutatis mutandis to the liquidators' operation.*

3. *If a SCE is deleted from the Register of ar. 14 by decision of the Minister of Labour and Social Security, according to par. 3 and 7 of ar. 11, then it shall be automatically dissolved and under liquidation.*

4. *Once the liquidation is completed, the SCE shall be automatically deleted from the Register.*

Article 14

Social Economy General Register

1. *A Social Economy General Register is formed, hereinafter referred to as Register, which is a public register kept in an electronic format. The Register is kept in the Social Enterprise Registry Department at the Social Protection Directorate of the Ministry of Labour and Social Security. It is accessible to anyone and it is constituted by the following subsequent registers:*

a) *The Social Entrepreneurship Register, the inscription in which is obligatory for the SCEs that are formed according to this law and for the L.L.S.C.s according to law 2716/1999. The SCEs and the L.L.S.C.s, once registered, shall have access to the Financing Tools of ar. 9 and shall enjoy the financial incentives and support measures of ar. 10.*

b) *The Special Register for other social economy actors, in which existing legal entities may be inscribed optionally under the condition that all the following criteria are met:*

aa) they have a statutory purpose of social benefit through the production of goods or the provision of services of collective and social character,

bb) they present priority of individuals and labour over capital,

cc) they employ a democratic system of decision-making,

dd) they enjoy autonomy in management of their activities,

ee) their profits are utilized primarily on the service of their statutory goals and secondarily for any eventual restricted profit distribution,

ff) they operate on the principle of sustainable development,

gg) their operations are exclusively described in par. 2 of ar. 2.

hh) they have been active for 3 years at least before submitting an application of inscription to the register.

The social economy actors registered to the Special Register can be funded by the National Fund for Entrepreneurship and Development and governed by law 3908/2011.

2. a) *At the par. 1 of ar. 3 of law 3144/2003 the following subparagraph d' is added: "d) Social Economy Registry Department".*

b) The General Register (of par. 1 of this law), as well as the subsequent registers, are kept at the Social Economy Registry Department of subpar. d' of par. 1 of ar. 3 of law 3144/2003.

3. *At par. 3 of ar. 3 of law 3144/2003 and after the subpar. "Divisions and Departments that are run by employees of IP Management Economic sector" the following subpar. is added:*

"6 posts are allocated to the Social Economy Register of the Social Protection Directorate, from the existing ones of the Central Service of the Ministry of Labour and Social Security, and are structured as follows: 4 employees of IP Management Economic sector , 1 employee of IT industry and 1 employee of sector SE Board –Accounting".

Article 15

Coordinating body for development policies of social economy

The Special Service for Integration of the EQUAL Principles and for the management of actions of the Operational Programme "Human Resources Development", which is formed according to par. 1 of ar. 4 and subpar. e' of par. 2 of ar. 5 of law 3614/2007 and functions according to the 180691/7.2.2001 joint decision of the Ministers of Interior, Public Administration and Decentralisation, National Economy and Finance and Labour and Social

Security, as it has been altered, it is renamed as Special Service for Social Integration and for Social Economy. It belongs to the General Secretariat of Management of European and other Funds of the Ministry of Labour and Social Security, which has been formed based on the 475/1993 presidential decree and renamed according to par. 3 of ar. 18 of law 2224/1994, and is responsible for planning, coordinating, monitoring and evaluating all the policies and actions necessary for the social economy's development and strengthening.

Article 16

Public Social Reference Contracts

1. Public Social Reference Contracts are those, in which the contracting authorities, during the award stage, take under consideration significant social aspects as criteria for this contract. Indicatively, such criteria may be: a) employment opportunities, b) social integration of vulnerable (:ευάλωτες) social groups, c) equality of chances, d) planning accessibility for all, e) sustainability criteria, including issues of ethical commerce and f) the broader compliance with corporate social responsibility.

2. The Ministry of Labour and Social Security is responsible for the elaboration and implementation of a comprehensive plan for policies in relation to Public Social Reference Contracts.

3. a) A 9-member Interministerial Commission is formed and is constituted by:

aa) 1 spokesman of the Ministry of Labour and Social Security with his/her Deputy

bb) 1 spokesman of the Ministry of Development, Competitiveness and Shipping with his/her Deputy

cc) 1 spokesman of the Interior Ministry with his/her Deputy

dd) 1 spokesman of the Ministry of Finance, with his/her Deputy

ee) 1 spokesman of the Ministry of National Defence with his/her Deputy

ff) 1 spokesman of the Ministry of Education, Lifelong Learning and Religious Affairs, with his/her Deputy

gg) 1 spokesman of the Ministry of Infrastructure, Transport and Networks, with his/her Deputy

hh) 1 spokesman of the Ministry of Health and Social Solidarity, with his/her Deputy

ii) 1 spokesman of the Ministry of Justice, Transparency and Human Rights with his/her Deputy

b) The members of the Interministerial Committee are appointed by decision of the Minister of Labour and Social Security, (one of which as a President and one as a Deputy).

4. At the Interministerial Committee can also participate, depending on the subject and whether considered necessary by the committee, and other spokesmen of other ministries or representatives of other public or private sector actors, universities, scientific institutions and organizations, representatives of vulnerable (:ευπαθείς) groups' entities and of persons with

disabilities, representatives of unions, associations or chambers, which are appointed by decision of the related association or chamber, as well as representatives of consumer associations' organizations, without voting rights.

5. The Interministerial Committee has the following responsibilities:

- a) Opinion on the comprehensive plan for policies in relation to Public Social Reference Contracts, which is approved by the Council of Ministers, within 4 months since its entry into operation*
- b) The proposal of products, services and projects at which the criteria of the Public Social Reference Contracts will be applied*
- c) The timely information of suppliers of the Public and of the broader public sector, as well as of other interested parties.*
- d) Proposals to the competent Ministers of all necessary legal regulations and modifications of the existing legislative framework, as well as of all the measures that needs to be taken for the implementation of the Public Social Reference Contracts.*
- e) Proposing the application of ar. 18 of the presidential decree 60/2007 and the specific terms of the award of Public Social Reference Contracts; in particular in cases where there are multiple offers from Social Economy actors.*
- f) Proposing the implementation of social performance clause in public contracts.*
- g) Assessing, monitoring of the implementation and updating the National Policy of Public Social Reference Contracts.*
- h) The recommendation to the Minister of Labour and Social Security and to the competent ministers, of studies and programs that shall promote the application Public Social Reference Contracts.*

The meetings of the Interministerial Committee and of the individual working groups (if formed) take place within normal working hours and are unpaid.

6. The secretarial support of the Commission is entrusted to an employee of the Ministry of Labour and Social Security with his/her deputy.

7. The Commission's legal support is entrusted to two members of the State Legal Council, who serve in the Ministry of Development, Competitiveness and Shipping and in the Ministry of Labour and Social Security, respectively, and rotate depending on the subject

Article 17

Provisions on Authorizations

1. A joint decision issued by the Ministers of Labour and Social Security and Interior may determine the assessment criteria for the fines of ar. 11.

2. A joint decision issued by the Ministers of Labour and Social Security and Interior may categorize the infringements referred in ar. 11

3. A joint decision issued by the Minister of Finance and the Minister of Labour and Social Security shall adjust the fines provided for in ar. 11. A similar decision shall set out the details of the procedure for collecting and allocating the fines of par. 5 of ar. 11.

4. A joint decision issued by the Minister of Labour and Social Security and the Minister of Development, Competitiveness and Shipping shall set out the procedure for the remainder of the liquidation of par. 2 of ar. 13.

5. A decision of the Minister of Labour and Social Insurance issued upon proposal of the Service of ar. 15 shall regulate the following: special issues in relation to the Social Economy General Register's keeping and operation, details (technical or not) concerning its operation, responsibilities of the Social Economy Department of ar. 14, requirements and criteria for accreditation of legal persons registered at the subsequent registers, conditions and documents required for their registration, conditions for their deletion, the model-statute's form and content of subpar. b' of par. 2 of ar. 3, procedures of control and sanctions, as well as any other related topic.

The minimum criteria for registration and certification of an SCE are provided at par. 2,3,4 and 5 of ar. 1 and par. 1 and 2 of ar. 2.

6. Topics related to the function of the Interministerial Committee of ar. 16, to the manner of decision-making, as well as to any other issue related with the Committee's mission, shall be regulated by decision of the Minister of Labour and Social Security.

7. The persons mentioned in par. 6 of ar. 16. are appointed by decision of the Minister of Labour and Social Security.

8. Until the Register becomes operates in an electronic form, the required procedures for registration and certification of the SCEs, of L.L.S.C.s and of other social economy actors shall be conducted in a handwritten form by the Social Enterprise Registry Department.

Note:

The articles 18 (Organization and operation of Development Partnerships for actions of the Operational Programme "Human Resources Development"), ar. 19 (Loans by the Workers' Housing Organization), ar. 20 (Amendments of provisions of other laws), are irrelevant with the SCE topic, expect for ar. 18, which applies to all public and private, for profit and non profit entities without any special provisions on cooperatives or the SCEs. Finally, ar. 21 refers to the law's entry into force, which "starts from the date of publication in the Government Gazette, unless otherwise specified in the individual provisions".