

Greece

Algorithmic management

Phase	Law 4961/2022 (Official Government Gazette A' 146/27.07.2022), "Emerging information and communication technologies, the reinforcing of digital governance and other provisions"
Native name	Νόμος 4961/2022 (ΦΕΚ Α' 146/27.07.2022), "Αναδυόμενες τεχνολογίες πληροφορικής και επικοινωνιών, ενίσχυση της ψηφιακής διακυβέρνησης και άλλες διατάξεις"
Type	Algorithmic management
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Article

-Law 4961/27.07.2022, Part A: 'Digital Upgrading of Public Administration', Chapter B: 'Regulations for the Development of Artificial Intelligence', Article 5: 'Algorithmic Impact Assessment'; Article 9: 'Obligation to inform on the use of artificial intelligence in the labour sector'

Description

LAST UPDATE 2023 - THIS CONTENT WILL NOT BE UPDATED

The new national law 4961/2022 aims to create an institutional background for the development and use of Artificial Intelligence in the public and private sector, establishing regulations for the formation of appropriate guarantees in terms of: safeguarding the rights of natural and legal persons; strengthening the accountability and transparency in the use of artificial intelligence systems; and complementing the existing institutional framework for cybersecurity.

By virtue of art. 5, any public sector entity using artificial intelligence system (for the process of making or supporting the process of making a decision or issuing an act), before the system starts operating, should prepare an algorithmic impact assessment. During this

preparation, the following information shall be taken into account, in particular:

- the intended purpose, including the public interest served by using AI;
- the capabilities, technical characteristics and operating parameters of the system;
- the type and categories of decisions taken, or acts issued with the participation of, or supported by the AI system;
- the categories of data collected, processed or entered into the system or generated by it;
- the risks that may arise for the rights, freedoms and legal interests of natural or legal persons, concerned or affected by the decision and
- the expected benefit derived for society, as a whole, in relation to potential risks and effects that the use of the system may bring, in particular for racial, ethnic, social or age groups and categories of the population such as people with disabilities or chronic diseases. The obligation to prepare an algorithmic impact assessment, does not replace the obligation to conduct an impact assessment regarding data protection, in accordance with the provisions of the General Data Protection Regulation.

By virtue of art. 9, any private sector enterprise, as long as it uses an artificial intelligence system, which affects any decision-making process concerning employees or prospective employees and has an impact on their working conditions, selection, recruitment, or evaluation, prior to its first application, is obliged to provide sufficient and clear information to each employee or prospective employee, including at least the parameters on which the decision is based, without prejudice to the cases that require prior information and consultation, and ensure compliance with the principle of equal treatment and anti-discrimination in employment and work on grounds of sex, race, colour, national or ethnic origin, descent, religious or other beliefs, disability or chronic illness, age, family or social status, sexual orientation, gender identity or characteristics.

Commentary

The new national law foresees a number of regulations for the safe use of IT, while focusing on the digital upgrade of the public administration. Both public and private entities that put IT systems into operation should prove the legality of their use, otherwise they are faced with the imposition of administrative and criminal sanctions, as well as with consequences related to the submission of complaints against them before the National Transparency Authority. It is reported that, the passing and implementation of the New Regulation on Artificial Intelligence is expected to expose public bodies and companies to potential sanctions of up to €30,000,000 -or up to 6%- of the total global annual turnover. The sanctions will be imposed by the national competent authority, which – according to the joint proposal of the European Supervisor and the European Council for Personal Data

(EDPS and ESPD) – is expected to be the Personal Data Protection Authority for Greece, which has already experience in imposing and measuring such fines under the General Data Protection Regulation.

Additional metadata

Cost covered by	Companies Employer
Involved actors other than national government	Other
Involvement (others)	National Transparency Authority, Personal Data Protection Authority
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

- [Law 4961/2022](#) ~~~ [Foutsis & Partners Law Firm, Law 4961/2022: Regulations for the Development of Artificial Intelligence in the public and private sector and the digital upgrade of public administratio](#) ~~~

Citation

Eurofound (2023), Greece: Algorithmic management, Restructuring legislation database, Dublin