



EUROPEAN
PUBLIC
PROSECUTOR'S
OFFICE



MEMORANDUM OF UNDERSTANDING
between
THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE (EPPO)
and
THE HELLENIC FINANCIAL INTELLIGENCE UNIT (HFIU)

The European Public Prosecutor's Office, hereinafter referred to as 'the EPPO', and the Hellenic Financial Intelligence Unit, hereinafter referred to as 'the HFIU', which is Unit A' of the Hellenic Anti-Money Laundering Authority, hereinafter referred to as 'the HAMLA', together referred to as 'the Parties',

Having regard to Articles 86 and 325 of the Treaty on the Functioning of the European Union (TFEU),

Having regard to Council Regulation (EU) 2017/1939 of 12 October 2017, implementing enhanced cooperation on the establishment of the EPPO, hereinafter referred to as 'the EPPO Regulation', and, in particular, Articles 5, 13, 22, 24, 25, 28, 34, 43 and 99 thereof,

Having regard to Law 4557/2018 (A' 139) of 30 July 2018 on the Prevention and Suppression of Money Laundering and the Financing of Terrorism, as subsequently amended, transposing Directive (EU) 2015/849,¹

Having regard to Articles 34 to 55 of Law 4920/2022 (A' 74) of 15 April 2022, transposing Directive (EU) 2019/1153²,

Having regard to Law 4734/2020 (A' 196) of 8 October 2020 amending Law 4557/2018 (A' 139), transposing Directive (EU) 2018/843³ and Article 3 of Directive (EU) 2019/2177⁴, and other provisions,

Having regard to Law 4624/2019 (A' 137) of 29 August 2019 on the Hellenic Data Protection Authority, implementing Regulation (EU) 2016/679⁵, and transposing Directive (EU) 2016/680⁶, and other provisions,

Considering the main purpose of the HFIU, which is taking and implementing the necessary measures to prevent, detect and combat money laundering and terrorist financing,

¹ Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC, OJ L 141, 5.6.2015, p. 73.

² Directive (EU) 2019/1153 of the European Parliament and of the Council of 20 June 2019 laying down rules facilitating the use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences, and repealing Council Decision 2000/642/JHA, OJ L 186, 11.7.2019, p. 122.

³ Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU, OJ L 156, 19.6.2018, p. 43.

⁴ Directive (EU) 2019/2177 of the European Parliament and of the Council of 18 December 2019 amending Directive 2009/138/EC on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II), Directive 2014/65/EU on markets in financial instruments and Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money-laundering or terrorist financing (L 334), OJ L 334, 27.12.2019, p. 155.

⁵ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1.

⁶ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA, OJ L 119, 4.5.2016, p. 89.

Considering that the EPPO is competent to investigate, prosecute, and bring to judgement the perpetrators of the criminal offence of money laundering, as described in Article 1(3) of Directive (EU) 2015/849, involving property derived from criminal offences covered by the EPPO Regulation and by Directive (EU) 2017/1371⁷,

Considering that it is in the common interest of the Parties to facilitate their cooperation, in an effort to make the fight against money laundering and its associated predicate offences adversely affecting the European Union's financial interests as efficient as possible,

Considering the scope of the respective missions and competences of the Parties,

HAVE AGREED AS FOLLOWS:

Article 1

Purpose

The purpose of this Memorandum of Understanding (hereinafter 'Memorandum') is to facilitate cooperation between the two Parties, regarding the exchange of operational and strategic information, and other forms of cooperation, in accordance with the respective legal, regulatory, and operational frameworks of both Parties as well as their respective missions, competences and obligations.

Article 2

Exchange of operational information

1. Without prejudice to their legal, regulatory and operational framework and to their obligations, the Parties may exchange operational information that they already possess, spontaneously or upon request, as long as this information is deemed necessary for their work and for the fulfilment of their legal duties.
2. Any request for information or any spontaneous dissemination shall contain a brief statement of the underlying facts and the purpose for which the information is sought

⁷ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law, OJ L 198, 28.7.2017, p. 29.

or provided. They shall be justified and include, to the maximum extent possible, a description of the facts of the criminal offense and the applicable legal provisions, relevant data of the persons or entities involved and, if possible, links with other Member States or third countries.

3. When the EPPO sends a request in a case not only to the HFIU but also to one or more other Financial Intelligence Units (herein after 'FIUs'), the EPPO shall inform the HFIU of such circumstances, indicating the relevant other FIUs, unless prohibited by applicable law.
4. The safeguards set out in Article 34 of Law 4557/2018 apply to the use of the information received by the HFIU. The information received from FIUs of other Member States of the European Union or of third countries can be transmitted by the HFIU to the EPPO on the basis of the prior express consent of the FIUs providing the information and it can be used in accordance with the conditions and limitations specified by those FIUs, within the meaning of Article 54 of Directive (EU) 2015/849, as amended by Directive (EU) 2018/843. The information received from foreign public authorities can be transmitted by the HFIU to the EPPO with the prior express consent of the providing party.

Article 3

Freezing Orders

1. The European Delegated Prosecutors of the European Delegated Prosecutors' Office in Greece may inform the HFIU of criminal conduct that could give rise to the issuing of a freezing order by the President of the HAMLTA in accordance with Article 42(7) of Law 4557/2018.
2. Where the President of the HAMLTA issues a freezing order in accordance with Article 42(7) of Law 4557/2018 and the EPPO is the competent prosecutorial authority in the case, the HFIU shall forward a copy to the European Delegated Prosecutors' Office in Greece.
3. When the suspicious transaction or activity underlying a freezing order by the HFIU relates to possible offences within the competence of the EPPO, the HFIU shall, before issuing such an order, consider consulting with the EPPO in order to avoid potential effects on any ongoing EPPO investigations.

Article 4
Use of information

1. The information exchanged by the Parties shall be used in accordance with and under the restrictions of relevant applicable Union and national law.
2. Any use of the information obtained for purposes other than those for which the information was sought or provided shall be subject to the prior express consent of the requested Party.

Article 5
Modalities of exchange of operational information

1. The EPPO may request information from the HFIU through the European Delegated Prosecutors' Office in Greece.
2. The HFIU shall forward its requests for information from the EPPO to the European Delegated Prosecutors' Office in Greece, or in agreement with the latter, to the EPPO Central Office.
3. The Parties shall cooperate via appropriate communication channels consistent with the applicable legislation and the applicable technical modalities. They shall consult with each other with the purpose of implementing this Memorandum.

Article 6
Exchange of strategic and other information

The Parties may exchange strategic and other non-operational information, typologies and trends in their areas of competence.

Article 7

Other ways of cooperation

1. The Parties may:
 - a) cooperate to carry out training activities on matters of common interest;
 - b) invite each other to seminars, workshops, conferences, or similar initiatives. Parties may identify specific thematic areas or issues of interest for further discussion and joint analysis, through periodic meetings, which can also be held remotely;
 - c) engage in additional collaboration or activities and provide other support or expertise to each other as may be decided between them.
2. EPPO's and HFIU's training programs may be open to participation by staff of the other Party. The Parties may exchange trainers and organize joint training activities.

Article 8

Channels of communication

1. For the operational cooperation, contact persons are:
 - a) for the EPPO, the European Delegated Prosecutors of the European Delegated Prosecutors' Office in Greece that are responsible for the corresponding criminal cases,
 - b) for the HFIU, an HFIU official to be appointed by the President of HAML A, whose contact details shall be notified to the European Delegated Prosecutors' Office in Greece.
2. In case of communication related to strategic or policy matters or in any other case of necessity of contacts with the Central Office of the EPPO, the contact person for the EPPO is the European Prosecutor for Greece, and for the HFIU, the President of the HAML A or an HFIU official to be appointed by the President of HAML A.
3. The Parties shall notify any subsequent change to or contact details of the aforementioned designated contact persons without delay in writing.

Article 9
Data protection

1. Concerning personal data protection, the Parties shall apply their respectively applicable legal framework.
2. The Parties shall cooperate and inform each other appropriately in the implementation of their respective obligations. This specifically includes:
 - a) Informing each other in case of any personal data breach occurring in relation to personal data exchanged under this Memorandum;
 - b) consulting each other in case of data subject requests related to personal data exchanged under this Memorandum, and specifically not to grant access prior to having consulted the other Party;
 - c) Informing each other in case there are reasons to believe that personal data received or provided under this Memorandum were or are inaccurate or incomplete, or should not have been transmitted, in which case the receiving Party shall take the appropriate action.
3. Personal data shall be transmitted with a purpose and shall not be processed in a manner incompatible with, or stored longer than necessary for, the purpose for which it was transmitted.
4. Other than where provision of personal data was mandatory based on existing legislative reporting obligations, any restriction on the use of information exchanged, or instructions relating to deletion or destruction, including possible access restrictions in general or specific terms, shall be respected by the Parties.

Article 10
Expenses

The Parties shall bear their own expenses which arise in the course of implementation of this Memorandum, unless otherwise stipulated.

Article 11
Settlement of Disputes

1. The Parties shall promptly meet at the request of either Party to solve amicably any disputes concerning the interpretation or implementation of this Memorandum that may affect the cooperative relationship between the Parties.
2. In the event of serious failings of either Party to comply with the provisions of this Memorandum, or if a Party is of the view that such a failing may occur in the near future, either Party may suspend the application of this Memorandum temporarily, pending the application of paragraph 1. Obligations inherent upon the Parties under the Memorandum will nonetheless remain in force.
3. If a dispute cannot be settled by means of consultation in accordance with paragraph 1, either Party may request entering into negotiations for the amendment of this Memorandum, which can be decided by mutual written agreement between the Parties.

Article 12
Termination

This Memorandum may be terminated by either Party upon three months' written notice.

Article 13
Amendments and supplements

This Memorandum may be amended in writing at any time by mutual consent between the Parties.

Article 14
Entry into force

This Memorandum shall enter into force on the date of its signature.

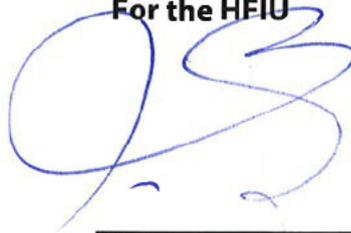
Done at Luxembourg on Thursday, 16 January 2024, in two originals in the English and the Greek languages, both texts being equally authentic.

For the EPPO



Laura Codruța KÖVESI
European Chief Prosecutor

For the HFIU



Charalampos VOURLIOTIS
**President of the Hellenic Anti-
Money Laundering Authority**

