

The following translation of Greek law enacted in 2002 concerns the responsibilities of a director of record offfield projects for the protection, conservation and presentation of a site:

### Law 3028/2002

#### Article 36: Systematic Excavations:

1. Systematic excavations shall be carried out by the Archaeological Service, by domestic scientific research or educational institutions specialized in the field of archaeological or paleontological research, or by foreign archaeological missions or schools established in Greece. For the carrying out of excavations, a decision of the Minister of Culture shall be required, issued following an opinion of the Council.
2. Foreign archaeological missions or schools established in Greece may manage a maximum of three excavations or other archaeological research *per annum* and carry out another three in cooperation with the Service.
3. The conditions for the issuance of the decision referred to in paragraph 1 are the following: a) submission of an analytical report providing *prima facie* evidence of the existence of monuments, defining the site to be excavated and documenting the expected contribution of the specific research to scientific knowledge and the need to proceed to excavation, b) the standing and reliability of the body undertaking to carry out the excavation c) the experience in excavations and the scientific authority of the director, d) the interdisciplinary scientific composition of the team, e) the experience of the members of the scientific team in consolidation, conservation, protection and publication of the finds from the excavation, f) the adequacy of the technical infrastructure, and g) adequacy of the budget and the program for excavation, conservation and publication of the finds.
4. The direction of the excavation shall be undertaken by an archaeologist with at least five years experience in excavations and at least two comprehensive scientific publications on excavations or finds of excavations. Experience in excavations shall mean the experience acquired after university graduation.
5. The direction of an excavation that involves paleontological deposits shall be undertaken jointly by an archaeologist who has the qualifications of the preceding paragraph and is specialized in the most distant periods and a scientist specializing in paleontology with at least 3 years experience in excavations. If paleontological deposits are discovered in an on-going archaeological excavation, the director must notify the Service of such a discovery without undue delay. The direction of an excavation, which is carried out by the Service in cooperation with foreign archaeological schools, shall be undertaken by an archaeologist appointed by the Service.
6. The direction of an excavation cannot be undertaken by a person who: a) has violated the time limits for submitting one of the studies mentioned in article 39, or b) has been irrevocably sentenced for a felony or for violation of the legislation on the protection of cultural heritage of for forgery, bribery, theft, embezzlement or receiving the products of crime.
7. Excavations carried out by bodies other than the Service shall be under its supervision. In this respect the service shall be represented by an archaeologist having at least three years of experience in excavations.
8. The director shall carry out the excavation within the framework of the prescribed timetable, must ensure that as far as possible non-destructive methods are used, must care for the safeguarding of the site, the preservation of the finds preferably in-situ, their consolidation and conservation, as well as ensure compliance with the rules concerning the safety of the project

team and third parties. Care shall also be taken to ensure the undertaking of appropriate measures for the restoration of the monuments, if so required, in cooperation with specialists, technicians or conservators. Finally the director shall care for the landscape designing of the excavated site and where necessary for its enhancement, shall complete the work within reasonable time and declare completion of excavation. The director of the excavation shall facilitate the access of specialists to the excavation site subject to the provisions of article 39.

9. The movable finds shall be transferred without undue delay preferably to the nearest relevant public museum or to an appropriate place of storage under the supervision of the Service and shall be accessible under the conditions referred to in article 39, paragraph 8.
10. The decision referred to in paragraph 1 shall specify the duration of the excavation which cannot exceed five years. For its extension a new decision shall be required which shall be issued under the same procedure for a maximum period of five years. A condition for the issuance of the decision of the preceding section shall be the submission of an analytical report which shall entail: a) the results of the first excavation period as well as the expediency of continuing the research, b) compliance with the duties referred to in paragraphs 8 and 9 of this article as well as in article 39 paragraphs 2 and 3, c) any changes in the composition of the research team and the degree of diligence that it has displayed in consolidating preserving and protecting the finds during the previous excavation period, d) the adequacy of technical infrastructure, e) an analytical account of the previous excavation period and the adequacy of the budget as well as the adequacy of the program for the continuation of the excavation, the conservation and the publication of the finds.
11. The decisions in paragraph 1 may be revoked if the director does not comply with the duties provided for under paragraphs 8 and 9 of this article and article 39 paragraph 3. The decision shall be revoked *ipso jure* if the director of the excavation has been convicted finally for one of the offenses provided for in paragraphs 6.
12. If an incomplete excavation has been abandoned for more than two years (“vacant excavation”) a new decision shall be issued for carrying out the excavation in accordance with the provisions of the present article. If there are no reasons for revoking the initial decision, the new decision shall be issued preferably in favor of the original body that carried out the excavation.
13. After the completion of the excavation for the carrying out of a new excavation in the same site the provisions of the preceding paragraphs shall apply *mutatis mutandis*. The decision shall be issued preferably in favor of the same director, unless he has not complied with the duties provided for under paragraphs 8 and 9 of this article and article 39, paragraph 3.
14. Excavations may be carried out in an immovable property that has not been expropriated for a limited period of time following notification in writing to the owner by the Service. The owner shall allow the carrying out of the excavation and shall be entitled to compensation for the temporary deprivation of the use of the immovable property and for any damage that might be brought to his immovable property pursuant to the provisions of article 19. After the completion of the excavation and provided that the finds shall not be preserved in situ, the body which is carrying out the excavation shall restore the site to its previous condition.
15. In case the owner of the immovable property is entitled to compensation for the carrying out of an excavation in a private immovable property, the compensation shall be paid in accordance with the provisions of articles 18 and 19 by the body that is carrying out the excavation. Eventual expropriation shall take place in favor of the Greek State.

#### Article 38

1. The provisions of article 36 shall apply *mutatis mutandis* to surface or other archaeological research, taking into account its non-destructive character. As directors shall be appointed scientists with a specialization and experience that will ensure the satisfactory execution and conduct of excavations. The institutions referred to in article 36, paragraph 2, may carry out annually 3 surface or other archaeological researches in accordance with provisions of article 36 paragraph 2.