

*Greek implementation of the Representative Actions Directive*

**Law 5019/2023:** Implementation of Directive (EU) 2020/1828 of the European Parliament and of the Council of 25 November 2020 ‘on representative actions for the protection of consumers’ collective interests and on the repeal of Directive 2009/22/EC’, strengthening consumer protection, regulatory framework for wine ageing and other urgent provisions to boost development

Law 5019/2023, passed to transpose the Representative Actions Directive, was published in the Official Gazette of Greece on 14/02/2023, and applies to actions filed from 25/06/2023. Before this legislative step, Greece’s collective action regime had been governed by Consumer Protection Law 2251/1994, since 1994. The latter has now been adapted by the implementing law. The national law covers legal areas such as unfair contract terms and product liability, among several others.

Under the new Law, both injunctive and redress actions are possible. In an action for redress, it is not necessary to identify the individual consumers entitled to benefit from the legal protection. Rather, it is sufficient to describe the group of consumers. The national General Secretariat for Trade of the Ministry of Development and Investment is granted specific functions, such as informing consumers of proceedings and reviewing the list of Qualified Entities. Representative actions can also be brought before Greek courts by Qualified Entities of other Member States, if the infringement(s) of EU law go beyond borders and affect consumers in other States.

Individual consumers may express their will to be represented, but may not then pursue other individual actions on the same facts, against the same ‘supplier.’ It is an opt-in approach for redress actions, with consumers providing their consent before submission of the written pleadings in the case. However, there is a possible alternative option of applying to opt-in at a later date, after a judgment has been entered. Further, if there is a settlement between the defendant and consumer entity, consumers affected may decide whether or not they wish to be bound by it.

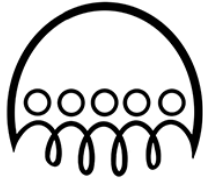
There is no minimum number of consumers needed to initiate the representative action, but other (time) limits apply. Injunctive actions must be brought within one year from the last occurrence of the unlawful action.

Finally, it is important to note that the regime specifically prohibits the third-party funding of collective actions, which may prove to be a limitation on access to justice. In the same way as other States, however, individual consumers are exempt from paying court or legal costs in actions seeking remedial/reparation measures, except in exceptional circumstances. There is no provision for public funding of actions.

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OBSERVATOIRE DES ACTIONS DE GROUPE  
et autres Actions Collectives

For official texts: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=NIM:202301552>;

[https://www.hellenicparliament.gr/Nomothetiko-Ergo/Anazitisi-Nomothetikou-Ergou?law\\_id=425ff379-1bf5-4c80-bb26-af95001ac595](https://www.hellenicparliament.gr/Nomothetiko-Ergo/Anazitisi-Nomothetikou-Ergou?law_id=425ff379-1bf5-4c80-bb26-af95001ac595); <https://antimolia.gr/wp-content/uploads/2023/02/%CE%9D.-5019-2023.pdf>

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