

GREECE

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CLASS ACTIONS

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1. Development of class actions regimes

1.1 History of class actions regimes, including international law sources and policy drivers

Until 2023 (see below, Section 2.1), the collective action regime in Greece was regulated by the now-repealed Article 10 of Law 2251/1994 (“Law 2251”) “on the protection of consumers”, as in force, having been amended repeatedly. Under that prior legislative regime, a consumer association with at least 500 active members, which should be listed on the consumer association registry for at least one year, could bring “any type of action for the protection of the general consumers’ interests (collective action)”. Also, a collective action could have been brought by such a consumer association when the alleged illegal behaviour “affect[ed] the interests of at least 30 consumers”. Such old law regime included an indicative list of collective actions allowed to address several different subject matters, among them other Greek laws which had transposed European Union (EU) legislation for the breach of which collective actions could be filed (Law 2251, old Article 10, paragraph 16).

1.2 Number of class actions, topical areas and background of area

Under the prior regime, collective actions had been brought for a variety of claims, primarily regarding allegedly abusive contractual general terms and conditions especially of various types of banking and insurance contracts, such as mortgage-backed loans in CHF, and misleading advertising. The list is indicative, since there is no single official database covering all collective actions brought and including statistical data. Generally, case law data is published in various legal databases, and one must research in each of them separately.

All consumer associations were registered with a special register kept by the General Secretariat of Commerce of the Ministry of Development, which remained in force until 30 June 2024 (including 22 first-level associations and two second-level ones); however, such register did not contain any data on collective actions brought.

2. Current legal framework and applicable mechanisms

2.1 Current class action regime

Law 5019/2023 (“Law 5019”), which entered into force on 26 June 2023, transposed the EU Directive 2020/1828 on Representative Actions (RAD) into Greek law, replacing the provisions on collective actions of Law 2251 applicable until then (see above, Section 1.1). Specifically, Article 11 of Law 5019 replaced old Article 10 of Law 2251 on collective actions with 18 new articles numbered 10a-10r (some of them having been subsequently amended). The purpose of Law 5019 was to “strengthen the protection of consumers from commercial practices that lead to a violation of their rights” through the “incorporation” of the RAD into Greek law (Law 5019, Article 1).

The new regime applies:

- in representative actions against suppliers in the event of an infringement of any of the laws listed in Annex II to Law 2251 which was introduced by Law 5019 (Article 12(2)), which results in or is likely to result in damage to the collective interests of consumers; and

- to domestic and cross-border infringements (Law 2251, Article 10a(1)).

In addition, Law 2251 now provides, in conformity with RAD (Article 1(3)), that “The legitimate bodies are free to choose any procedural means available to them to protect the collective interests of consumers” (Law 2251, Article 10a(3)).

2.2 Areas of law within the scope of the regime

Representative actions may cover a very broad spectrum of legal issues and relevant claims, such as regarding general terms and conditions, insurance policies, guarantees, after-sales support, distance sales, defective products, service liability, credit-financial services, consumer credit, advertising, unfair commercial practices, all types of transportation, food labelling, medical products, e-commerce, and so on.

The list is expansive as EU legislation develops and new topics are being added to the representative actions’ regime.

2.3 Legal definition of class actions within the regime

A “representative action” is defined as an action before a court for the “collective interests of consumers, brought by a consumer association of a special type, acting as a claimant on behalf of consumers” (a so-called Qualified Entity (QE)), to stop or prohibit unlawful conduct, or for remedial redress measures including redress, or both (Law 2251, Article 10b(d)).

3. Procedure for bringing a class action

3.1 Overview

Only qualified QEs may bring representative actions claiming injunctive reliefs and/or redress/remediation measures as specified by Law 2251, which follows the opt-in option. Individual consumers having not participated may benefit from the positive outcome of a representative action and they may enforce an irrevocable redress/remediation judgment under a specified procedure. With certain exemptions, such as on costs, the general procedural rules of the Greek Code of Civil Procedure (GCCP) apply. Settlement is possible following a court’s approval as well as alternative dispute resolution (ADR) and primarily mediation.

3.2 Funding and costs

Funding

Third-party funding of a representative action is expressly prohibited (Law 2251, Article 10n).

However, Law 2251 permits the funding of QEs by various means, such as through registration and subscription fees, voluntary contributions of its members, inheritances and legacies, grants or concessions from the Greek state, grants from certain local authorities or from the EU or from “international organisations and international consumer associations”, the limited fees from consumers who have opted into representation by the QE in a specific action for redress and/or reparation and the amount that may be awarded to a QE as a sanction in an action for injunctive relief (Law 2251, Article 10c(4)).

Costs

No judicial fee is payable in representative actions for redress or remediation, otherwise payable under the general rules (Law 2251, Article 10l(6)). Also, “individual consumers who are the subject of a representative action for redress and/or reparation shall not pay costs”; however, anyone who has become a party to the action may be ordered to “pay the costs of the proceedings caused by its intentional or negligent conduct” (Law 2251, Article 10o). Further, a defendant who is the “prevailing party” in a representative action may recover, presumably from the QE, the costs associated with providing the information ordered by the court to consumers (Law 2251, Article 10p(5)).

Apart from the above special provisions, the “loser pays” rule applies in Greece. However, the court expenses awarded are substantially lower than actual expenses incurred by the parties and they are “only the court and out-of-court expenses that were necessary” for the trial, in particular:

- stamp duties;
- so-called judicial duty;
- lawyers’ minimum fees set by the Lawyers’ Code;
- witnesses’ and experts’ expenses and fees;
- any amounts paid for the submission of evidential means; and
- the successful party’s travelling expenses to attend the hearing.

As a rule, the court offsets expenses between the litigants in the case of a partial win/loss, and it may do so between litigants who are relatives or based on the complex legal issues involved in the litigation. The court may also set off only a part of the expenses when “there was a reasonable doubt on the outcome of the trial”. A court decision may not be challenged solely regarding the costs awarded (GCCP, Articles 173–193).

Individuals qualified as “low-income” may be exempted, wholly or partially, from paying lawyer’s, notary’s and judicial bailiff’s fees, witness expenses, expert fees and expenses, and court expenses (Law 3226/2004 on “legal aid to low-income citizens and other provisions”, as in force, Article 9).

3.3 Length and timetable for proceedings

Under Law 2251, a representative action for injunctions (seeking to prevent or stop unlawful conduct) “shall be heard in the *ex parte* procedure at the earliest possible hearing”, whereas a representative action seeking a remedy and/or restitution shall be heard in the ordinary procedure, with an exemption from the payment of the so-called judicial duty which is payable otherwise (Law 2251, Article 10l(4) and (6)).

However, court proceedings in Greece remain lengthy compared to the average times within the EU, despite many legislative efforts made over a long period of time to expedite them. Especially in Athens, a period of time of up to five years may be needed until a final court judgment under the ordinary procedure.

Law 5221/2025 (applicable to lawsuits filed from 1 January 2026), as supplemented and revised primarily by Law 5282/2026 (in force since 27 February 2026), constitutes the latest legislative effort to accelerate court proceedings. In brief, the law requires service of any new lawsuit within 30 days and imposes a hearing date of ordinary proceedings within 210 days from the lawsuit’s filing (or up to 10 months if service must be effected outside Greece). It further aims for

the issuance of a first-instance judgment within eight months from the hearing (four months in *ex parte* proceedings), introduces (for the first time) a pre-trial review and actions by the judge, and expedites appellate summons and hearings. Whether these provisions will achieve their intended results remains to be seen (GCCP, new Articles 215, 237, 307, 495).

3.4 Standing

A QE registered in Greece or qualified in another EU Member State has standing to bring a representative action in Greece, whereas a QE may represent members from more than one EU Member State (Law 2251, Article 10e(1) and (2)).

The Greek register of QEs is maintained at the General Secretariat of Commerce of the Ministry of Development (Law 2251, Article 10d(1)(a)) and, as of 12 January 2025, it includes three QEs, which may also bring cross-border actions (Law 2251, Articles 10g(1)(a) and 10h).

To qualify for registration as a Greek QE, a consumer association must prove that it has engaged for at least 12 months in public activity favouring interests of consumers, among other criteria which are specified in Law 2251 (Articles 10c and 10f), including criteria relating to independence, transparency and sources of funding. Periodically and “at least once every two years”, the General Secretariat of Commerce must assess whether a Greek QE meets or continues to meet the criteria established by Law 2251 (Article 10g(1.e)).

A newly established “Independent Authority of Market Control and Consumer Protection”, in operation from 24 December 2025, was exceptionally added to the QEs’ register as a QE of a special status by deviation of the general legal prerequisites (Law 5255/2025, especially Articles 3 and 37, and Ministerial Decision 102633/2025).

Any defendant in a representative action has the right to challenge whether the QE has satisfied and continues to satisfy the criteria established by Law 2251 (Article 10g(7)).

3.5 Class members, size and mechanism, opting in or out

In a representative action for injunctive relief, the QE does not need to “express the will of individual consumers to be represented”; however, it must provide “adequate information” about the consumers represented. Also, it does not need to demonstrate actual loss or damage suffered by individual consumers, nor prove a defendant’s negligence or fraud (Law 2251, Articles 10i(2) and 10j(3)).

In a representative action for redress and/or remediation brought either as a stand-alone action or together with a claim for injunctive relief, the QE need not “identify the individual consumers entitled to benefit from the remedies”, but it must describe the group, provide “adequate information” about them and submit, with its submissions, the individual consumer declarations received (Law 2251, Articles 10i(2), 10k(2) and 10k(3)).

Individual consumers may opt in only expressly and be bound by the outcome of the representative action within the time of the filing of submissions by the QE; the submissions must accompany such opt-in declarations of the consumers. These consumers may not be represented in other representative actions, neither may they pursue an individual claim against the same supplier and on the same facts (Law 2251, Articles 10k(3) and (4)).

3.6 Case management powers of courts

Courts have significant case management powers. The normal powers derive from the general procedural rules applicable to any similar lawsuit, such as regarding a judge's preliminary order dismissing a lawsuit as inadmissible or not properly brought up. Such a preliminary order may also require additional evidence or supplementation for a factually vague lawsuit, or request a joinder or separation of lawsuits or even the adjournment of a lawsuit's hearing, as appropriate (GCCP, new Article 237 and Articles 246–250). In addition, in lawsuits brought under ordinary proceedings, courts may propose mediation to the parties (GCCP, Articles 214C and 116A).

More such court powers are, however, related to the representative actions' regime, primarily:

- to award a monetary sanction in a domestic injunctions claim;
- to specify the time within which an individual consumer, who has not opted into an action for redress, may benefit from an irrevocable judgment; or
- to approve a settlement proposed by the parties in an action for redress (Law 2251, Articles 10j(4), 10k(6) and 10m, respectively).

3.7 Disclosure and privilege

There are no pre-trial discovery proceedings in Greece. Any litigant must disclose to the court all documents supporting its case, unless there is a serious reason not to do so, by filing submissions at the specified time. The general principles of good faith, *bonos mores*, and honest conduct apply (GCCP, especially Articles 116 and 450).

In the pre-trial review of the lawsuit, the judge may order additional evidence, such as witness testimonies or autopsy (GCCP, Article 107, new Article 237). Also, any litigant may ask the court to order disclosure of documents in possession of its opponent or a third party under certain conditions (GCCP, Articles 232, 450 ff. and Greek Civil Code, Articles 901–903).

Access to the court file is only granted to the litigants and their legal counsel.

3.8 Remedies

A QE may bring a representative action for injunctive relief (for example to cease or prevent an illegal practice), for redress measures, or for both regarding infringements of any of the laws listed in Annex II to Law 2251 (Articles 10a(1)(a) and (b), 10b(d) and 10i(3)).

In particular, in a domestic representative action for injunctive relief, namely an action brought in Greece by a QE registered in Greece, the QE may include a claim for a monetary sanction, which may be awarded only once for a given infringement, and is calculated after considering especially the seriousness of the enjoined practice and the turnover of the defendant (Law 2251, Article 10j(4)).

A representative action for redress and/or remediation may include compensation, repair, replacement, price reduction, contract termination, or reimbursement of a price paid (Law 2251, Article 10b(i); Article 10k(1)). Individual consumers may opt in expressly and be bound by the outcome of the representative action, "pending the filing of submissions in the claim" (Law 2251, Article 10k(3)).

3.9 Settlement and Alternative Dispute Resolution (ADR) mechanisms

Settlement

In a representative action for remedies and/or restitution, the QE and the defendant “may jointly propose to the court a compromise on remedies and/or restitution in favour of the consumers concerned”. The proposal is subject to the court’s approval and the court must consider whether the proposal may violate or not specified provisions of the GCCP regulating settlements (GCCP, Articles 214A–214C) and whether “it contains terms that cannot be applied, taking into account the rights and interests of all parties, in particular, consumers”.

An approved settlement is binding on the QE, the defendant, “and the individual consumers concerned”. The latter may accept or refuse to be bound by the settlement “in accordance with the procedure and within the time limit laid down” in the decision of the Minister of Development No. 95521/2024, which was issued following as authorisation by Law 2251 (Article 14(4h)). The decision provides for a 30-day period within which a consumer concerned may refuse to be bound, otherwise it is considered bound, and it specifies relevant procedural issues.

A court-approved settlement as above “shall be without prejudice to any additional means of redress available to consumers which were not the subject of that settlement” (Law 2251, Article 10m).

ADR

In general, parties may, but need not, mediate a dispute, provided it falls within the ambit of mediation Law 4640/2019 (“Law 4640”). In particular, representative actions seeking a remedy and/or restitution, which are heard under the ordinary procedure of the GCCP, are subject to mandatory mediation (Law 4640, Article 6). An out-of-court settlement reached by a mediation agreement is enforceable following a specified procedure (Law 4640, Article 8).

Further, the parties may ask a first instance judge to intervene to mediate an early settlement (GCCP, Articles 209–210 and 212–213), or they may approach the permanent judicial mediation services at first instance and appellate courts (GCCP, Article 214B); however, the above procedures have been very rarely used in practice thus far. The Ministry of Justice is currently considering measures to enforce court mediation.

Lastly, the court itself may propose that litigants have recourse to mediation and, if they agree to mediate, the court will adjourn the hearing of the case for three to six months (GCCP, Articles 214C and 116A).

3.10 Payout mechanisms

Law 2251 does not include specific provisions and it only provides that any amount awarded by the court to a QE under a redress claim that remains unrecovered by the individual consumers who have opted in to be represented by the same within the time period specified by the court, shall be kept by the QE after the lapse of a 60-day notification period by the QE to the respective consumers to collect their funds (Law 2251, Article 10k(7)). Notwithstanding the above, the amount received by each consumer who opted in a representation action is generally regulated, depending on what was agreed with the QE, claimed by the latter and finally awarded by the court (Law 2251, Articles 10c, 10j(4) and 10k).

3.11 Judgments and enforcement of judgments

Law 2251 follows the RAD (Article 2(3)), which expressly states that it is “without prejudice” to the European Regulation on the enforcement of judgments, namely Regulation (EU) 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters [2012] OJ L351 (Law 2251, Article 10a(2)(c)).

A court judgment in a representative action to cease or prohibit an unlawful practice has an *erga omnes* effect, namely it benefits non-litigants (Law 2251, Article 10l(4)). So, although the Greek representative action is an “opt-in”, not an “opt-out” proceeding, a final court judgment in a representative action that orders redress may also benefit individual consumers who have not opted into the proceedings. Such consumers may notify their claim to the defendant within a time period fixed by the court and, if the defendant has not paid the notified claim within a 30-day period, these consumers may apply to the General Secretariat of Commerce to request the defendant to comply within a five-day period and, if not, the competent organ of the Ministry of Development may impose sanctions on the defendant (Law 2251, Articles 10k and 10l). Relevant duties of intervention and imposition of sanctions (as above) were awarded to the newly established “Independent Authority of Market Control and Consumer Protection” (in operation from 24 December 2025).

Further, individual consumers’ rights who have not opted into a representative action are not prejudiced by the pending litigation of the same, although in practice any such consumer would wait for the outcome of the representative action, subject to statutory limitation rules. This derives from the express opt-in system and the special regulation of such individual consumers’ rights provided for by Law 2251 (Article 10k(3) and (6), and Article 10l(7)–(8)).

Lastly, individual consumers’ rights are not prejudiced by a court judgment rejecting a representative action. For example, if the court were to issue a declaratory judgment in favour of a defendant in a representative action, the defendant would be entitled to raise that judgment against any actions brought by consumers who were not parties to such representative action; however, such judgment would serve only as evidential means not binding on the court but freely considered by it (Law 2251, Article 10l(8) and GCCP, Article 340).

4. Legislative reform

4.1 Future reform and policy development

There is a continuing trend in Greece towards increased recognition and enhanced protection of consumer rights, with sanctions imposed on infringers for breaches of those rights; this is mainly due to implementation into Greece of EU legislation. In this context, the sanctions imposed and the supervision measures of the Greek authorities have increased and expanded in the recent years.

The representative actions regime is relatively new, and no practical results have been seen thus far. In any case, consumer associations’/QEs’ activities remain rather limited in Greece.

Also, no legislative changes are expected in the near future, subject to any possible EU reformation.

There is also a trend towards the use of different forms of ADR instead of litigation, especially of mediation, to ease the courts' volume of cases and improve the time of the currently long litigation proceedings, which will have hopefully positive results in the not too distant future.

AUTHOR BIOGRAPHY



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