



# New provisions for the consumers' protection and the operation of retail stores on Sundays

New Law 5019/2023 (GG A' 27/14-02-2023) for the Transposition of Directive (EU) 2020/1828 “on representative actions for the protection of the collective interests of consumers and repealing Directive 2009/22/EC” and the enhancement of the consumer protection (hereinafter the “Law”) introduces new regulations to the existing legislative framework for consumer protection.

Part II of the Law introduces, inter alia, additional provisions regarding the mandatory minimum information that must be provided by information society service providers, the operation of retail stores on Sundays, the opening hours of stores and the protection of minor consumers.

## **I. Obligation of the information society service providers to provide information on the Internet**

Information society service providers (i.e any service normally provided for remuneration, at a distance, by means of electronic equipment for the processing and storage of data, and at the individual request of a recipient of a service) must mandatorily provide to consumers in a transparent manner and at a point that is

easily understood, the following information:

- a. the professional license number of natural persons or operating licence of legal persons, if required.
- b. the TIN and General Commercial Registry (GEMI) number;
- c. the minimum information provided for in articles 4 and 5 of Presidential Decree 131/2003 on Electronic Commerce.

Carriers of information society services consisting of the storage of information provided by a recipient of said service ensure that they will withdraw immediately the content that does not meet the foregoing requirements (under a-c above) as soon as such carriers become aware or become informed regarding the non-compliance of the information society service provider or following a complaint submitted to the General Secretariat of Commerce (Consumer Protection Directorate and Interministerial Market Control Unit).

The sanctions imposed by the competent authorities to the provider of the information society service in case of non-compliance may include the recommendation for compliance, the temporary deactivation of the website and the removal of advertising content from the websites, while at the same time a fine amounting up to 1,500,000 euros may be set, that in case of repeated breaches within five years may amount to 3,000,000 euros.

## **II. New regulations regarding the operation of retail stores and 24-hour operation of certain shops**

Retail stores and service establishments for consumers may operate from 6:00 to 21:00 from Monday to Saturday inclusive, excluding public holidays, and it is provided that the following shops may operate at all hours of the day and on all days of the week (24h operation):

- a. catering establishments of any kind;
- b. canteens, off-licences, retail shops for nuts, all-day mini markets;
- c. photography studios;

- d. entertainment service establishments of any kind;
- e. hotels;
- f. pastry shops, dairy shops and similar shops;
- g. flower shops;
- h. petrol stations;
- i. kiosks;
- j. shops and establishments operating in the premises of the Central Markets.

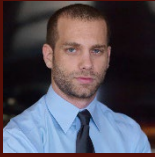
## **III. Operation of stores on Sundays**

Article 16 of Law 4177/2013 is amended regarding the opening hours of shops operating on Sundays which in particular, are still fixed from 11:00 to 20:00, while the reference to the operation of shops on Sundays during the mid-sales period is removed and the opening hours are now provided on the first Sunday in May and the first Sunday in November.

## **IV. New regulations for the Protection of underage consumers**

Article 7a of Law 2251/1994 on Consumer Protection is replaced and the new article 7a explicitly prohibits suppliers to sell products that expose underage consumers to the risk of sexual victimisation or exploitation, and introduces the possibility of taking administrative measures against the marketing of products that may expose underage consumers to the foregoing risk or to gambling addiction.

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