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Introduction

01/05

Law 5255/2025 (Gov. Gazette A’ 219/28.11.2025) (the “Law”), published on 28 November 2025, introduces, *inter alia*, amendments to the Greek Competition Act (i.e. Law 3959/2011), primarily addressing: (i) merger control procedure, (ii) stronger procedural fines (iii) technology-enabled enforcement with a particular focus on bid rigging detection, and (iv) certain clarifications on the Hellenic Competition Commission’s (“HCC”) funding arrangements.

In particular, key changes include:

I) Greek merger control procedure: more flexible filing in line with the EU merger control framework

02/05

Key changes

- Removal of the thirty (30)-day notification deadline: The Law abolishes the previous thirty (30)-day deadline for filing a merger notification. Notifiable concentrations must now be notified before implementation and after the conclusion of the agreement or other relevant triggering event.
- Stop-the-clock for incomplete/incorrect filings: The Law clarifies that the statutory review deadlines do not begin to run where the notification has not been fully and correctly completed, such that the HCC is unable to assess the concentration.

The HCC may request the completion and/or correction of the notification within seven (7) working days from its submission. The same seven (7) working-day timeframe applies to any subsequent requests for information until a complete and proper filing is made.

- Stop-the-clock for misleading filings or material changes/new information: Review deadlines likewise do not commence where the notification is misleading, or where the notifying parties submit material post-notification changes and/or new information that should have been included in the initial filing and may materially affect the assessment. The HCC informs the parties within seven (7) working days of becoming aware of the issue, and the review deadlines run from the submission of the accurate and/or relevant information.

Key takeaways for businesses

- More flexibility on timing, same standstill discipline: Removing the thirty (30)-day notification deadline reduces immediate post-signing pressure, but transactions still require pre-closing clearance and must not be implemented prior to the HCC approval (standstill obligation).
- Front-load filing quality: Incomplete, inaccurate or misleading notifications, as well as material post change notifications/new information may delay the start of the statutory review period. Businesses should therefore prioritise early internal planning - particularly early data collection and coordination of supporting documents - to ensure a ready-to-review filing from the outset.

II) HCC's enhanced sanctioning powers for procedural infringements

03/05

Key changes

In line with the ECN+ Directive, the Law strengthens the HCC's sanctioning powers for procedural infringements. In particular, the HCC may now impose fines of up to 1% of an undertaking's total worldwide turnover of the preceding financial year for failure to provide information (including refusal, obstruction and/or delay, refusal to provide oral explanations, and submission of inaccurate, misleading or incomplete information) and for obstruction of on-site inspections. These one-off fines apply in addition to the periodic (daily) monetary penalties that may be imposed for non-compliance with the HCC's aforementioned investigative measures.

Key takeaways for businesses

Procedural compliance has now become a materially higher-risk area for businesses. Businesses should ensure robust RFI policies and dawn-raid response procedures.

III) New Article 38A: Use of technological tools, including AI, and direct access to OPS-ESIDIS

04/05

Key changes

New Article 38A expressly empowers the HCC to use technological tools and electronic applications, including AI, in the exercise of its powers, notably to: (i) extract data that are publicly available online, (ii) interconnect with public-sector information systems, (iii) interconnect with third-party systems (subject to consent), and (iv) obtain direct access to the Integrated Information System – National Electronic Public Procurement System (“OPS–ESIDIS”). Direct access to OPS–ESIDIS is intended to give the HCC immediate access to key procurement data, facilitating the detection of suspected collusion and helping combat bid rigging in public procurement.

Key takeaways for businesses

Enhanced data access, combined with advanced technological tools (including AI), may enable the HCC to identify suspicious bidding patterns more proactively. Businesses active in public tenders should review and enhance their procurement and tender compliance policies.

IV) Clarification of the 1‰ levy payable in favour of the HCC

05/05

Key changes

The Law clarifies that for the purposes of the 1‰ levy payable in favour of the HCC on the share capital of newly incorporated sociétés anonymes and on share capital increases, share capital also includes any amounts arising from the issuance of shares above par. The Law further clarifies that exemptions under development laws or other preferential provisions (taxes/fees/contributions/duties or other charges) do not extend to this levy.

Key takeaways for businesses

Businesses should budget the 1‰ levy on the full share capital/increase (including any share premium) and should not assume that exemptions under investment incentive legislation will reduce or eliminate it.

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