

(English version)

Question for written answer E-001487/26
to the Commission
Elena Kountoura (The Left)
(13 April 2026)

Subject: Institutional gap concerning the sanctioning authorities of the Regulatory Authority for Railways (RAS), the Greek national enforcement body under Regulation (EU) 2021/782

Under Regulation (EU) 2021/782 on rail passengers' rights and obligations, Member States were required to designate one or more national enforcement bodies (NEBs) and to establish a system of effective, proportionate and dissuasive penalties. The RAS had been formally designated as the national enforcement body in Greece in the context of the implementation of Regulation (EC) No 1371/2007 ⁽¹⁾. However, since this law was amended by Regulation (EU) 2021/782, no new administrative or legislative act has been adopted by the Greek authorities explicitly redefining the RAS as a national enforcement body ⁽²⁾.

Nevertheless, in practice, the RAS continues to operate as the competent enforcement body for rail passenger rights. The lack of such an act may raise serious issues concerning legal certainty and weaken the effective exercise of the RAS' responsibilities. In addition, it may allow rail service providers to challenge the legislative basis for penalties, effectively limiting the protection of passengers ⁽³⁾.

Given that this legal vacuum may create practical obstacles to the application of the current Regulation ⁽⁴⁾, can the Commission answer the following:

1. Has the designation of the RAS as a national enforcement body been notified by the competent Greek authorities to the Commission?
2. Does it consider that the current national legal framework adequately ensures legal certainty and the effective enforcement of passenger rights and that it fully complies with EU law, in particular Articles 31-32 of Regulation (EU) 2021/782, as regards the designation of a national enforcement body and the framework on penalties?

Submitted: 13.4.2026

Answer given by Mr Tzitzikostas on behalf of the European Commission
(6 July 2026)

Article 31 of Regulation (EU) 2021/782 ⁽¹⁾ requires Member States to designate a body responsible for the enforcement of the regulation and to inform the Commission thereof.

In that regard, the Commission would like to inform the Honourable Member that it was notified by the Greek authorities that the Regulatory Authority for Railways (RAS) acts as the body responsible for the enforcement of the regulation in Greece.

In addition, the Commission would like to remind the Honourable Member of the transitional provisions in that regulation. In particular, it follows from Article 40 of the regulation that whereas Regulation (EC) No 1371/2007 is repealed with effect from 7 June 2023, references thereto — including in national law — shall be construed as references to Regulation (EU) 2021/782.

To this end, the regulation contains a correlation table in Annex IV. These provisions aim to ensure legal certainty in the context of the passage from one legislative act to another.

¹ In accordance with Article 28(11) and Article 33 of Law 3891/2010, which grant the explicit power to impose penalties in the event of infringement of the provisions of Regulation (EC) No 1371/2007, the RAS could, by means of a reasoned decision and after inviting the persons concerned to provide explanations, either issue a recommendation with a warning calling on the person responsible to comply in the event of a repeat infringement or issue a fine of up to EUR 1 million, taking into account the nature, gravity and duration of the infringement.

² As required under Article 31 of the regulation.

³ This is particularly important in view of ongoing passenger complaints against the rail service provider, relating to, among other things, denied compensation for train delays and cancellations, compliance with the obligation to have an effective compensation system, poor service and inadequate handling of passenger complaints.

⁴ The practical application of the regulation may become impossible nationwide due to a formal legislative omission.

⁽¹⁾ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations, ELI: <http://data.europa.eu/eli/reg/2021/782/oj>.