(English version)

Question for written answer E-003005/26
to the Commission
Maria Zacharia (NI)
(16 July 2026)

Subject: Application of EU law to national legislation on debts managed by credit servicing companies

Article 126 of Greek Law 5313/2026, which was adopted following Decision No 6/2026 of the plenary of the Supreme Court, provides that amounts unduly paid by borrowers under Law 3869/2010 must be refunded only against active repayment arrangements, while for arrangements that have been closed or have lapsed, these sums 'shall not be recovered' (paragraph 5). At the same time, paragraph 6 provides for a special financial settlement mechanism between credit institutions and entities acquiring debts through securitisations under Law 4649/2019.

The Commission has repeatedly stated that directive (EU) 2021/2167 aims to ensure that the transfer and management of loans does not undermine borrowers' rights.

With this in mind, can the Commission answer the following:

1. Does it consider that Article 126 of Law 5313/2026, in so far as it also applies to debts managed by credit management companies and credit purchasers, falls within the scope of EU law, in particular Directive (EU) 2021/2167?

2. If so, has it examined whether paragraph 5, read in conjunction with paragraph 6, is compatible with Articles 17, 38 and 47 of the Charter of Fundamental Rights and with the obligation to ensure a high level of consumer protection?

3. If no such assessment has been carried out, does it intend to do so in its capacity as guardian of the Treaties?

Submitted: 16.7.2026

Answer given by Ms Albuquerque on behalf of the European Commission
(4 September 2026)

Directive 2021/2167 on credit servicers and credit purchasers (NPLD) ([1]) has been transposed into Greek legislation by Law 5072/2023, which entered into force on 4 December 2023.

According to Article 260 of the Treaty on the Functioning of the European Union, the Member States have the obligation to communicate measures that fully transpose the provisions of directives, and the Commission verifies the conformity of such national transposition measures with EU law.

Law 5313/2026, which according to the Commission's understanding was recently adopted as a result of a Greek Supreme Court decision, was not notified by Greece among the national measures transposing the NPLD.

The Commission will seek clarification from the Greek authorities and assess whether the modification introduced into the Greek legislation is relevant for the transposition and application of the NPLD.

([1]) Directive (EU) 2021/2167 of the European Parliament and of the Council of 24 November 2021 on credit servicers and credit purchasers and amending Directives 2008/48/EC and 2014/17/EU (OJ L 438, 8.12.2021, p. 1: http://data.europa.eu/eli/dir/2021/2167/oj).