



# ENERGY COMMUNITIES REPOSITORY

## Greece



### OVERVIEW OF THE POLICY FRAMEWORK

*Published on 18/09/2023*



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## DISCLAIMER

The content of this document aims to establish an overview of the national legal developments in the context of the Clean Energy Package for the Member State mentioned above. **The document includes only final legislation which was published before the end of March 2023. It does not include provisions that are not yet applicable under law (i.e., currently drafted or discussed).**

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## Overview

According to the Energy Communities Repository's research, in Greece the Law 5037/2023 published on March 2023 introduced provisions for Renewable Energy Communities (RECs) and Citizen Energy Communities (CECs), thus transposing the relevant EU provisions. The articles on RECs are introduced as amendments to the existing Law 3468/2006 on the production of electricity from renewable energy sources, High Efficiency co-generation and heat and other provisions, while the articles on CECs are introduced as amendments to the existing Law 4001/2011 for the operation of the electricity and gas energy markets. The new legislation also includes transitional provisions for the articles of the pre-existing Law 4513/2018 on energy communities.

Moreover, the new law specifies that the gross final consumption of electricity from renewable sources is calculated as the amount of electricity from renewable energy sources (RES), including the production of electricity from renewable self-consumers, RECs and CECs, as well as the pre-existing energy communities established under the Law 4513/2018.<sup>1</sup>

According to research being done based on data extracted from the General Commercial Register (GEMI) and the Hellenic Electricity Distribution Network Operator (HEDNO), as of November 2022, there are 1.406 active energy communities in Greece established under the Law 4513/2018.<sup>2</sup> With regard to low and medium voltage, as recorded in November 2022, energy community renewable projects amount to 799.54 MW of installed capacity nationwide, accounting for 14% of the total installed capacity of RES projects.<sup>3</sup> The installed capacity of virtual net-metering renewable projects by energy communities, amounting to 3.17 MW, is much lower than the renewable projects installed by energy communities for the purpose of producing and selling the electricity.

## Definition(s)

The national legislation in Greece incorporates two definitions for energy communities, RECs and CECs, in two different laws, while the previous definition introduced under the Law 4513/2018 and the legal entities established under it continues to exist. However, as of 1 April 2023, article 7 of the Law 4513/2018 on the establishment of energy communities is repealed, meaning that no new energy communities under the Law 4513/2018 can be set up.<sup>4</sup> All three definitions have several similarities, including the fact that:

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<sup>1</sup> Article 2A of the Law 3468/200641, as amended by the article 41 of the Law 5037/2023

<sup>2</sup> Energy Communities in Greece and its lignite areas, Review of developments, The Green Tank, January 2023. Available online: [https://thegreentank.gr/wp-content/uploads/2023/01/202301\\_GreenTank\\_Brief\\_EnergyCommunities3\\_EN.pdf](https://thegreentank.gr/wp-content/uploads/2023/01/202301_GreenTank_Brief_EnergyCommunities3_EN.pdf)

<sup>3</sup> Ibid

<sup>4</sup> Article 62 of the Law 5037/2023



- the legal form they can undertake is the one of a civil cooperative,
- they are democratically governed by their members, and
- they are autonomous in the decision-making.

With regard to the registration requirements of such entities, the national law establishes a National Register for RECs and CECs,<sup>5</sup> which is a public book kept in electronic form. The competent authority for its observance and the registration of the statutes and details of RECs and CECs is the General Commercial Register (GEMI). Without prejudice to the mandatory data and acts that should register in GEMI, in accordance with Law 4919/2022 and its delegated acts, the REC and CEC Register contains:

- a) the name and activities of the REC or CEC,
- b) the category of the REC or CEC, in relation to the liability of its members,
- c) the names of the legal representatives of the REC or CEC,
- d) the region where the REC or CEC carry out its activities.

Within an exclusive period of three (3) months from the registration in the relevant Register, minutes of the temporary administrative committee or the board of directors that certify the payment of the cooperative capital are presented to the competent service of the GEMI, as defined in the statutes of the REC or CEC. If the above documentation is not submitted within three (3) months, GEMI deletes the REC or CEC from the relevant Register. In case of partial payment or non-payment of the cooperative capital by a member or members, the temporary administrative committee or the board of directors shall also submit a codified text of the current statutes, which include a corresponding reduction of the cooperative capital and cooperative shares.

Moreover, the law specifies that when elements change that make it impossible to fulfil the conditions of the law with regards to the membership of a REC or CEC or the disposition of the surpluses, it is the responsibility of the board of directors to inform GEMI. In case a REC or CEC is dissolved and put into liquidation, GEMI deletes it from the relevant Register, after the completion of the liquidation, for which the liquidator or in the case of several liquidators, each of them separately informs GEMI.

Furthermore, the legislation mentions that the minutes of the general assembly for the election of the board of directors and the minutes of the board of directors for its formation in a body and the distribution of representation powers should be submitted within twenty (20) days from their signature for registration in GEMI. In addition, the balance sheet and the profit and loss account, together with the report of the board of directors and the auditors are published in GEMI within twenty (20) days of their approval by the annual regular general meeting. Finally, the law states that by joint decision of the Ministers of Development and Investments, Environment and Energy, and Digital Governance, the technical specifications of the REC and CEC Registry may be determined, as well as any other necessary detail for the implementation of the relevant provisions in the law.

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<sup>5</sup> Article 6H of the Law 3468/2006, which was added with article 52 of the Law 5037/2023



### 1.1. Renewable Energy Community definition

The national legislation defines a REC as the legal entity that:

- a) is based on open and voluntary participation, is autonomous and is under the effective control of the members who are in the proximity of the renewable energy projects owned and developed by it,
- b) has as its primary purpose the provision of environmental, economic, and social benefits at community level for its members or the local areas where it operates, rather than financial profits.<sup>6</sup>

Additionally, the national legislation defines the proximity to the renewable project or the area of activity of the REC. Such proximity is:

- a) for natural persons, either the permanent residence or the full or bare ownership or usufruct in a property, which is located in a region where the REC is active or the renewable project is being developed,
- b) for legal entities, the registered seat of the legal entity, which is located in a region where the REC operates, or the renewable project is being developed.<sup>7</sup>

#### Legal form

The national legislation also defines the legal form a REC can undertake.<sup>8</sup> In more detail, the REC is a civil cooperative of the Law 1667/1986, with the purpose of carrying out the activities specified in the law, which means that for matters that are not regulated in the articles for RECs, the Law 1667/1986 applies complementary. However, the law also explicitly mentions which provisions of the Law on civil cooperatives do not apply to RECs.<sup>9</sup> The national legislation also sets up a Registry for Renewable Energy Communities and Citizen Energy Communities, as mentioned above, and highlights that no registration or updating of any other register is required.

#### Membership

Specifically with regards to who can become a member of a REC, the law allows for:

- a) natural persons with full legal capacity, including civil servants, notwithstanding any contrary provision,
- b) local authorities of first and second degree<sup>10</sup>, enterprises belonging to such local authorities, as long as the conditions of point (c) below are met, as well as their associations,
- c) small and medium-sized enterprises (SMEs),
- d) agricultural cooperatives and urban cooperatives of the Law 1667/1986, if the conditions of point(c) are met,
- e) public or private non-profit legal entities, as long as the conditions of point (c) are met.<sup>11</sup>

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<sup>6</sup> Article 2(16a) of the Law 3468/2006, which was added with article 40 of the Law 5037/2023

<sup>7</sup> Article 2(16b) of the Law 3468/2006, which was added with article 40 of the Law 5037/2023

<sup>8</sup> Article 6B of the Law 3468/2006, which was added with article 46 of the Law 5037/2023

<sup>9</sup> For more detail, see article 6B(3) of the Law 3468/2006, which was added with article 46 of the Law 5037/2023.

<sup>10</sup> The definition of local authorities of first and second decree is included in a separate law.

<sup>11</sup> Article 6Γ(2) of the Law 3468/2006, which was added with article 47 of the Law 5037/2023



The law adds that at least fifty percent (50%) plus one (1) of the members should be from the proximity of the area where the REC carries out its activities and develops the renewable project, in line with the definition of proximity highlighted above.<sup>12</sup>

Moreover, the law sets as a general rule that the minimum number of members of a REC is thirty (30) members. However, the minimum number of members is allowed to be:

- a) twenty (20) members, if the REC is based in a municipality of an island region with a population of less than three thousand one hundred (3,100) inhabitants, according to the latest census,
- b) fifteen (15) members, in case at least fifteen (15) SMEs participate,
- c) three (3) members, if at least one (1) local authority of first or second degree participates, and the other two (2) members are either enterprises that are one hundred percent (100%) owned by a local authority of first or second degree or a local authority of first or second degree.<sup>13</sup>

### Governance principles

With regard to the governance of the REC, the law highlights that such entity should be under the effective control of its members that are from the proximity, as defined above. The proximity of the members is checked from the Registry when the REC is being established.<sup>14</sup> The law also sets a limitation on membership stating that a member of a REC cannot be a member of another REC that operates in the same region, with some exemptions.<sup>15</sup> In more detail, legal entities under public law, local authorities of first and second degree and enterprises that are one hundred percent (100%) owned by such local authorities can participate in more than one REC as members.<sup>16</sup> On the same note, agricultural cooperatives can participate in one or more RECs as members, regardless of whether the same community also has members who belong to the same agricultural cooperative.<sup>17</sup> It is also clarified that members who participate in energy communities established under the law 4513/2018 have the right to participate in a REC, subject to the limitation introduced above on not being able to participate in more than 1 REC in the same region.<sup>18</sup>

### Cooperative shares

The national law also regulates the cooperative shares in a REC.<sup>19</sup> Each member may own, in addition to the mandatory cooperative share, one (1) or more optional cooperative shares, with a maximum participation in the cooperative capital of twenty percent (20%), with the exception of local authorities of first and second degree and enterprises that are one hundred percent (100%) owned by such local authorities, which can each participate in the cooperative capital with a maximum limit of forty percent (40%). However, regardless of the number of cooperative shares they own, each member participates in the general assembly with only one (1) vote.

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<sup>12</sup> Article 6Γ(3) of the Law 3468/2006, which was added with article 47 of the Law 5037/2023

<sup>13</sup> Article 6Γ(4) of the Law 3468/2006, which was added with article 47 of the Law 5037/2023

<sup>14</sup> Article 6Γ(5) of the Law 3468/2006, which was added with article 47 of the Law 5037/2023

<sup>15</sup> Article 6Γ(6) of the Law 3468/2006, which was added with article 47 of the Law 5037/2023

<sup>16</sup> Article 6Γ(7) of the Law 3468/2006, which was added with article 47 of the Law 5037/2023

<sup>17</sup> Article 6Γ(8) of the Law 3468/2006, which was added with article 47 of the Law 5037/2023

<sup>18</sup> Article 6Γ(9) of the Law 3468/2006, which was added with article 47 of the Law 5037/2023

<sup>19</sup> Article 6Δ of the Law 3468/2006, which was added with article 48 of the Law 5037/2023



On top of that, the law also gives the possibility to transfer a cooperative share to another member or to a third party. Such transfer takes place in accordance with the procedure specified in the Law 1667/1986 on civil cooperatives and is valid after the agreement of the transferor and the transferee with a certain date is notified to the board of directors in a written form. Subsequently and within one (1) month, the board of directors submits an updated list of members with reference to the corresponding cooperative shares in the abovementioned Register, where it is registered. In particular, the transfer of a cooperative share to a third party is only permitted if, even after the transfer, the same characteristics of the REC are maintained, in accordance with the provisions that regulate membership in a REC.

### The statutes of the REC

In addition to the provisions on the cooperative shares, the national law also set a minimum content for the statutes of such community.<sup>20</sup> Specifically, the statutes of the REC are drawn up in an internal document, which is dated and signed by its members and includes at least:

- a) the name and headquarters of the REC. The name includes the term "Renewable Energy Community" or the abbreviation "REC"<sup>21</sup> and the extent of liability of its members. Names of natural persons or names of legal entities are not included in the name of the REC,
- b) the full name, name of the father, address and tax registration number of the members that are natural persons, as well as the name, registered office, tax registration number and, if there is an obligation to register in the General Commercial Register (GEMI), the GEMI number of the members that are legal entities,
- c) the activities of the REC,
- d) the region of activity of the REC or the region of development of the renewable projects,
- e) the conditions for entry, withdrawal, and deletion of members, as well as the rights, obligations and consequences of not fulfilling their obligations to the REC,
- f) the amount of the cooperative share, the manner and time of its payment, as well as the procedure for its payment,
- g) the extent of the responsibility of its members,
- h) its duration,
- i) the number of members of the board of directors, which are not less than three (3),
- j) the fate of the cooperative share in the event of death of a member,
- k) the appointment of a temporary administrative committee, which takes care of the approval of the statutes and the convening of the first general assembly for the nomination of the board of directors,
- l) the method of disposing of surpluses,
- m) the end of the management year,
- n) the control rights, the terms, conditions and procedures for exercising them by its members and in particular the percentage of the total number of votes, the commitment of the members to maintain a certain number of cooperative shares and to fulfil certain obligations, the duration of validity and the reasons for the loss of the right, in order to maintain the essential control of the REC by members in the proximity, as defined above.

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<sup>20</sup> Article 6ΣΤ of the Law 3468/2006, which was added with article 50 of the Law 5037/2023

<sup>21</sup> In Greek its "KAE".



Furthermore, the law describes the process that a REC should adhere to in order to be legally established,<sup>22</sup> which follows the procedure for the establishment of the civil cooperative of the Law 1667/1986. The statutes are drawn up and signed by its members that are allowed to join a REC by law. In addition, the following supporting documents are submitted to the One Stop Service of article 8 of Law 4919/2022:

- a) the statutes of the REC,
- b) for those members where proximity is required to be proven, as defined above:
  - a) ba) notarial documents or declarations of property data for members that are natural persons, which prove the full or bare ownership or usufruct in property located within the region of activity or development of the REC's renewable energy project, or
  - b) bb) family status certificates of members that are natural person who are citizens of the municipality of the region, within which the REC operates or develops the renewable energy project,
- c) the statutes of the legal entities that are members in the REC, if such legal entities exist,
- d) other data for legal entities, in order to check that they are small and medium enterprises.

Following this procedure, a REC acquires legal personality and commercial status with the registration of its statutes in the GEMI, in accordance with the provisions that regulate the REC and CEC Registry. Registration in the Register of civil cooperatives of the Law 1667/1986 is not required, nor the notifications requested there. Alleging invalidity regarding the establishment of the REC is allowed only with a lawsuit, which should be exercised within two (2) months from when the plaintiff became aware of the registration and in any case not later than six (6) months from the registration, according to the provisions of Law 1667 /1986.

#### The administrative bodies of a REC

On a different note, the national legislation also introduces provisions on the administrative bodies of the REC. In more detail, the general assembly is made up of all the members of the REC, while the board of directors consists of at least three (3) members, who are elected by the general assembly. The formation, operation and any other specific matter related to the above institutions are regulated by the Law 1667/1986 on civil cooperatives.<sup>23</sup>

#### The use of surpluses

In addition, the legislation regulates the use of the surpluses of a REC.<sup>24</sup> From the surpluses of each use of the REC, at least ten percent (10%) is withheld for the formation of the regular reserve. Such withholding of the surpluses is not mandatory when the amount of the reserve is at least equal to the amount of the cooperative capital of the REC. Without prejudice to this rule, at least seventy percent (70%) of the surpluses of each year should remain in the REC in the form of extraordinary or special reserves. These extraordinary or special reserves are available, by decision of the general assembly, in accordance with the provisions that regulate the activities a REC can undertake and the statutes of the REC. Moreover, the REC can distribute to its members the surpluses of the year, after deducting the reserves as mentioned before, if there is a relevant provision in the statutes.

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<sup>22</sup> Article 6Z of the Law 3468/2006, which was added with article 51 of the Law 5037/2023

<sup>23</sup> Article 6Θ of the Law 3468/2006, which was added with article 53 of the Law 5037/2023

<sup>24</sup> Article 6I of the Law 3468/2006, which was added with article 54 of the Law 5037/2023





### Prohibition of transfer of licenses

The law also introduces a prohibition of the transfer of the producer certificates and other administrative licenses.<sup>25</sup> Without prejudice to the provisions that regulate what happens with the renewable power plants that have been put into trial or normal operation at the time of the dissolution of a REC, the transfer is not permitted of producer certificates or special projects certificates of the law 4685/2020 and other permits and approvals of power plants from renewable energy sources belonging to a REC.

### Dissolution, liquidation, transformation to a different legal entity

Finally, the national law states that a REC is dissolved:

- a) If the number of its members is reduced below the minimum limits of the law and the members are not replaced within three months,
- b) when its term expires,
- c) by decision of the general assembly,
- d) if it is declared bankrupt.<sup>26</sup>

After the dissolution of a REC, its liquidation follows. The liquidation is carried out by two (2) liquidators, who are appointed by the general assembly. The REC continues to exist even after its dissolution, for as long as the liquidation lasts. During the liquidation, the pending cases are processed and in particular the claims are collected, the property is liquidated, and the debts of the REC are paid. From the positive balance of the liquidation, the cooperative shares and their financial contributions are returned to the members. The rest is distributed to RECs or unions or associations or bodies or unions of persons or organizations or other legal entities of a non-profit nature that are active in the fields of energy and environmental protection.<sup>27</sup>

After the completion of the liquidation, the certificate for the renewable project or the certificate of special projects or the production permit and in general all licenses and approvals granted for power plants from renewable energy sources or storage plants shall automatically cease to be valid.<sup>28</sup> This rule does not apply to power plants that have been put into trial or normal operation at the time of termination of the REC. These stations may be transferred to any third party. The new owner who acquires the station does not receive operational support but is compensated in accordance with article 12A of the Law 4414/2016.<sup>29</sup>

With regards to the transformation of a REC to a different legal entity, the law specifies that any kind of participation of a REC in a corporate transformation in any capacity is prohibited, in particular as being absorbed, absorbing, merging, demerging, contributing, benefiting, creating new or converting.<sup>30</sup>

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<sup>25</sup> Article 6IA of the Law 3468/2006, which was added with article 55 of the Law 5037/2023

<sup>26</sup> Article 6IB(1) of the Law 3468/2006, which was added with article 56 of the Law 5037/2023

<sup>27</sup> Article 6IB(2) of the Law 3468/2006, which was added with article 56 of the Law 5037/2023

<sup>28</sup> Article 6IB(3) of the Law 3468/2006, which was added with article 56 of the Law 5037/2023

<sup>29</sup> Article 6IB(4) of the Law 3468/2006, which was added with article 56 of the Law 5037/2023

<sup>30</sup> Article 6IB(5) of the Law 3468/2006, which was added with article 56 of the Law 5037/2023



## 1.2. Citizen Energy Community definition

A Citizen Energy Community (CEC) is a legal entity that:

- a) is based on voluntary and open participation and is under the effective control of the members, who are natural persons, local authorities, including local authorities of first and second degree and enterprises one hundred percent (100%) owned by local authorities of first or second degree, or small businesses,
- b) has as its primary purpose the provision of environmental, economic, and social benefits, rather than financial profit, at community level for its members or local areas of operation.<sup>31</sup>

### Legal form

In addition, the national law specifies the legal form that a CEC can undertake.<sup>32</sup> A CEC is a civil cooperative of the Law 1667/1986 with the purpose of carrying out the activities specified in legislation and the primary purpose highlighted above. Therefore, for matters not specifically defined in the provisions regulating CECs, the latter are additionally governed by Law 1667/1986, as long as there is no different provision in the provisions on CECs.<sup>33</sup> The law also specifies that where entry in a register is mentioned in Law 1667/1986, for the purposes of this, it means the "Register of Renewable Energy Communities and Citizen Energy Communities" as analysed above and there is no other registration being required, nor any entry or update of any other register.

### Membership

Furthermore, the provisions on CECs set the rules on membership.<sup>34</sup> More specifically, end customers have the right to participate in a CEC while maintaining the rights or obligations they have as end customers. For private companies, their participation in CEC should not be their main commercial or professional activity. Members of a CEC can be:

- a) natural persons with full legal capacity, including civil servants, notwithstanding any contrary provision,
- b) local authorities of first and second degree, enterprises belonging to such local authorities, as well as local authority unions,
- c) legal entities of public and private law,
- d) agricultural cooperatives and urban cooperatives of the Law 1667/1986.

As a general rule, the minimum number of members of the CEC is thirty (30) members. However, the minimum number of members is defined as:

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<sup>31</sup> Article 2(3μθ) of the Law 4001/2011, which was added with article 86 of the Law 5037/2023

<sup>32</sup> Article 47A of the Law 4001/2011, which was added with article 87 of the Law 5037/2023

<sup>33</sup> Article 47A(3) of the Law 4001/2011, which was added with article 87 of the Law 5037/2023, specifically mentions which provisions of the Law 1667/1986 do not apply to CECs.

<sup>34</sup> Article 47B of the Law 4001/2011, which was added with article 88 of the Law 5037/2023



- a) twenty (20) members, if it is a CEC based in a municipality of an island region with a population of less than three thousand one hundred (3,100) inhabitants, according to the latest census,
- b) fifteen (15) members, if at least fifteen (15) legal entities of public or private law participate in the CEC,
- c) three (3) members, if one (1) is a local authority of first or second degree with the other two (2) members being either enterprises that are one hundred percent (100%) owned by local authorities of first or second degree or another local authority of first or second degree.

A member of the CEC cannot be a member of another CEC that operates in the same region, with the following exceptions:

- legal entities under public law, local authorities of first and second degree and companies that are one hundred percent (100%) owned by local authorities of first and second degree, which can participate in more than one CEC as members,
- agricultural cooperatives that can participate in one or more CECs as members, regardless of whether the same community also includes members who belong to the same agricultural cooperative.

It is also clarified that members who participate in energy communities established under law 4513/2018 have the right to participate in a CEC subject to the limitation introduced above on CECs that operate in the same region.

### Governance principles

In terms of governance of the community, the CEC should be under the effective control of its members, as regulated by law, while also, regardless of the number of cooperative shares they own, each member participates in the general assembly with only one (1) vote.<sup>35</sup>

### Cooperative shares

Furthermore, the national legislation specifies the rules governing the cooperative shares.<sup>36</sup> In particular, each member may own, in addition to the mandatory cooperative share, one or more optional cooperative shares, with a maximum participation in the cooperative capital of twenty percent (20%), with the exception of local authorities of first and second degree and enterprises that are one hundred percent (100%) owned by such local authorities, each of which can participate in the cooperative capital with a maximum of forty percent (40%).

The transfer of a cooperative share to another member or to a third party is performed in accordance with the Law 1667/1986 on civil cooperatives, after the board of directors is notified in written of the agreement of the transferor and the acquirer, which should bear a certain date. Within one (1) month, the board of directors shall submit an updated list of members with reference to the corresponding cooperative shares to the REC and CEC Register, where such list is registered. In particular, the transfer of a cooperative share

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<sup>35</sup> Ibid

<sup>36</sup> Article 47Γ of the Law 4001/2011, which was added with article 89 of the Law 5037/2023



to a third party is allowed, if, after the transfer, the same characteristics of the CEC are maintained, in line with the provisions governing membership in a CEC.

### The statutes of a CEC

Moreover, the law specifies the minimum content of the statutes of a CEC.<sup>37</sup> The statutes of the CEC are drawn up in an internal document, which is dated and signed by its members and includes at least:

- a) the name and headquarters of the CEC. The name should include the term "Citizen Energy Community" or the abbreviation "CEC"<sup>38</sup> and an indication of the extent of the liability of its members. Names of natural persons or names of legal entities are not included,
- b) the full name, name of father, address and tax registry number of the members that are natural persons and the name, registered office, tax registry number and, if there is an obligation to register in the GEMI, the GEMI number of the members that are legal entities,
- c) the activities of the CEC,
- d) the region or regions of activity of the CEC,
- e) the conditions for entry, withdrawal and deletion of members, as well as the rights, obligations and consequences of not fulfilling their obligations to the CEC,
- f) the amount of the cooperative shares, the manner and time of their payment, as well as the procedure for their payment,
- g) the extent of the responsibility of its members,
- h) its duration,
- i) the number of members of the board of directors, which are less than three (3), in derogation of the provisions of the Law 1667/1986,
- j) the fate of the cooperative share in the event of death of a member,
- k) the appointment of a temporary administrative committee, which takes care of the approval of the statutes and the convening of the first general assembly for the nomination of the board of directors,
- l) the method of disposing of surpluses,
- m) the end of the management year,
- n) the control rights, the terms, conditions and procedures for exercising them by the members, in particular the percentage of the total number of votes, the commitment of the member of the cooperative to maintain a certain number of cooperative shares or to fulfil certain obligations, the period of validity and the reasons for the loss of the right, maintaining the exercise of effective control throughout the period of validity of the CEC by its members.

Additionally, the law includes provisions specifying the requirements for a CEC to be legally established.<sup>39</sup> In the case of the CEC, the procedure for the establishment of the civil cooperative of the Law 1667/1986 should be followed. The articles of association are drawn up and signed by the members of the CEC in

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<sup>37</sup> Article 47E of the Law 4001/2011, which was added with article 91 of the Law 5037/2023

<sup>38</sup> In Greek this abbreviation is 'ΕΚΠ'.

<sup>39</sup> Article 47ZT of the Law 4001/2011, which was added with article 92 of the Law 5037/2023



accordance with the rules highlighted above. In addition, the following supporting documents are submitted to the One Stop Service of the Law 4919/2022:

- a) the statutes of the CEC,
- b) the statutes of the legal entities that are members of the CEC, if such legal entities exist.

Following this procedure, the CEC acquires legal personality and commercial status by registering its statutes in GEMI, following the provisions on the REC and CEC Register. The law clarifies that no further registration or notification in the register of cooperatives is required. Furthermore, the law mentions that alleging invalidity regarding the establishment of the CEC is allowed only with a lawsuit, exercised within two (2) months from the day the plaintiff became aware of the registration and no later than six (6) months from the registration, in accordance with the Law 1667 /1986.

#### Administrative bodies of a CEC

The law also highlights that the administrative bodies of the CEC are the general assembly, which is made up of all its members and the Board of Directors, which, in derogation of the Law 1667/1986, consists of at least three (3) members, who are elected by the general assembly. The formation, operation and any other specific matter related to such administrative bodies are regulated by the Law 1667/1986.<sup>40</sup>

#### Use of surpluses

Moreover, the law regulates what happens with the surpluses.<sup>41</sup> Concretely, at least ten percent (10%) of the surpluses of each year of the CEC is withheld for the formation of the regular reserve. Withholding is not mandatory, if the amount of the reserve is at least equal to the amount of the cooperative capital of the CEC. At least seventy percent (70%) of the surpluses of each year remain in the CEC in the form of emergency or special reserves. They are available, by decision of the general assembly, for the purposes of the community, according to the provisions on the activities of the CEC and its statutes. The CEC can distribute to its members the surpluses of the year after deducting the abovementioned reserves, as long as there is a relevant provision in its statutes.

#### Prohibition of transfer of permits

Furthermore, the law states that the transfer of production permits, producer certificates or special projects certificates and other permits and approvals of power plants belonging to a CEC is not permitted.<sup>42</sup>

#### Dissolution, liquidation, transformation to a different legal entity

Finally, the law highlights that a CEC is dissolved:

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<sup>40</sup> Article 47Z of the Law 4001/2011, which was added with article 93 of the Law 5037/2023

<sup>41</sup> Article 47H of the Law 4001/2011, which was added with article 94 of the Law 5037/2023

<sup>42</sup> Article 47Θ of the Law 4001/2011, which was added with article 95 of the Law 5037/2023



- a) If the number of its members is reduced below the limits set by law and the members are not replaced within three months,
- b) when its term expires,
- c) by decision of the general assembly,
- d) if it is declared bankrupt.<sup>43</sup>

The dissolution of a CEC is followed by its liquidation. The liquidation is carried out by two (2) liquidators, who are appointed by the general assembly. A CEC continues to exist even after its dissolution, for as long as the liquidation lasts. During the liquidation, pending cases are processed and in particular claims are collected, property is liquidated, and debts are paid. From the possible positive balance of the liquidation, the cooperative shares and the financial contributions are returned to the members. The rest is distributed to CECs or unions or associations or bodies or unions of persons or organizations or other legal entities of a non-profit nature active in the fields of energy and environmental protection.<sup>44</sup>

After the completion of the liquidation, the validity of the certificate for renewable projects or the certificate of special projects or the production license and in general all licenses and approvals granted for power plants from renewable energy sources, high efficiency heat cogeneration or storage stations shall automatically cease to be valid.<sup>45</sup> Such rule does not apply to stations that have been put into trial or normal operation at the time of dissolution of the REC. These stations may be transferred to any third party. The new owner who acquires the station does not receive operational support, but is compensated:

- a) in the context of the station's participation in the electricity markets, according to the provisions of the Law 4414/2016 for a station installed in the interconnected system, or
- b) according to the provision of the Law 4414/2016 for a station installed in Non-Interconnected Islands.<sup>46</sup>

Finally, the law states that it is forbidden for a CEC to participate in a corporate transformation in any capacity, in particular as absorbed, absorbing, merging, demerging, contributing, benefiting, creating (new) or converting.<sup>47</sup>

### 1.3. Alternative energy community definitions

In Greece there was an already existing definition of energy communities, which was introduced under the Law 4513/2018. This definition incorporated elements included in the EU definitions, such as the open and voluntary membership, the democratic governance and effective control, the requirement of proximity and more and also has the legal form of the civil cooperative. The new legislation published in March 2023 introduces transitional provisions for the energy communities already established under the law 4513/2018

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<sup>43</sup> Article 47(1) of the Law 4001/2011, which was added with article 96 of the Law 5037/2023

<sup>44</sup> Article 47(2) of the Law 4001/2011, which was added with article 96 of the Law 5037/2023

<sup>45</sup> Article 47(3) of the Law 4001/2011, which was added with article 96 of the Law 5037/2023

<sup>46</sup> Article 47(4) of the Law 4001/2011, which was added with article 96 of the Law 5037/2023

<sup>47</sup> Article 47(5) of the Law 4001/2011, which was added with article 96 of the Law 5037/2023



stating that as of 1 April 2023, the relevant article of the law of 2018 on the establishment of energy communities is repealed, therefore no new energy communities under such regime can be established.

## Rights and obligations

### 1.4. Renewable Energy Community

The national law mentions that end customers have the right to participate in a REC, while maintaining the rights and obligations as end customers. For private companies, participation in a REC should not be their main commercial or professional activity.<sup>48</sup>

The national provisions for RECs also define the activities that a REC can undertake.<sup>49</sup> To start with, RECs operate within one (1) region, subject to the criterion of effective control, as defined in the legislation. The REC can carry out at least one (1) of the following activities: production, consumption, storage and sale of energy from renewable sources. In the context of its activity, each REC:

- a) may share, within the community, the energy from renewable energy sources, which is produced by production stations and stored in storage stations owned by the REC,
- b) has access to all energy markets, both directly and through aggregation, in a non-discriminatory manner.
- a) The REC may additionally exercise:
  - a) the application of virtual net metering from renewable stations and renewable stations with storage owned by the REC to meet the energy needs of their members, consumers living below the poverty line,
  - b) the management, in particular collection, transport, processing, storage or disposal of raw material for the production of energy from biomass or bioliquids or biogas or biomethane or through energy utilization of the biodegradable fraction of urban waste,
  - c) the installation and operation of water desalination units using renewable energy sources,
  - d) the attraction of funds for the realization of investments in the exploitation of renewable energy sources,
  - e) the development of studies for the utilization of renewable energy sources or provision of technical support in the above areas,
  - f) the management or participation in programs financed by national or European Union (EU) resources,
  - g) the provision of advice on the management or participation of its members in programs financed by national or EU resources,
  - h) the information, training and awareness raising at local and regional level on energy sustainability issues,

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<sup>48</sup> Article 6Γ(1) of the Law 3468/2006, which was added with article 47 of the Law 5037/2023

<sup>49</sup> Article 6E of the Law 3468/2006, which was added with article 49 of the Law 5037/2023



- i) the support of vulnerable consumers and tackling of energy poverty of consumers living below the poverty line, regardless of whether they are members of the REC, such as the provision or the offsetting of energy, the energy upgrade of homes or other actions that reduce the consumption of energy in the residences of the above,
- j) the network development, the management and exploitation of alternative fuel infrastructures, in accordance with the Law 4439/2016 or the management of sustainable means of transport,
- k) the provision of energy services, in accordance with the relevant decision of the Minister of Environment, Energy and Climate Change,
- l) the exercise of aggregation activities in accordance with the relevant provisions of the Law 4001/2011,
- m) carrying out actions to promote electric mobility, including the activity of the operator of electric vehicle charging infrastructure, according to the provisions of the Law 4710/2020,
- n) actions of public utility/common good related to the adequacy and supply of raw materials, energy, fuel and water.

Finally, the law clarifies that the statutes of a REC cannot include other activities, apart from those mentioned above.

### 1.5. Citizen Energy Community

The national law specifies that end customers have the right to participate in a CEC while maintaining the rights or obligations they have as end customers. For private companies, their participation in CEC should not be their main commercial or professional activity.<sup>50</sup>

The members of the CEC:

- a) have the possibility to withdraw from the CEC, while maintaining their rights as customers,
- b) maintain the rights and obligations they have as residential customers or active customers.

The rights and obligations of CECs are regulated as follows<sup>51</sup>:

- CECs have access to all electricity markets, either directly or through aggregation, in a non-discriminatory manner.
- CECs are treated in a proportionate, non-discriminatory manner in terms of their activities, rights and obligations as end customers, producers, suppliers, distribution system operators or market participants active in aggregation.
- CEC are financially responsible for the imbalances they cause in the electricity system and are subject to balancing obligations or may transfer the balancing obligation they are subject to, in accordance with Article 4 of Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal electricity market.

The law also specifies that CECs have the right to manage within the community the electricity produced by the production units owned by the community, while maintaining the rights and obligations of the community members as consumers. If electricity is shared, this is subject to applicable network charges,

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<sup>50</sup> Article 47B of the Law 4001/2011, which was added with article 88 of the Law 5037/2023

<sup>51</sup> Article 47IF of the Law 4001/2011, which was added with article 99 of the Law 5037/2023





tariffs and levies, in accordance with a transparent cost-benefit analysis of shared energy resources developed by the national competent authority.<sup>52</sup>

Furthermore, the national provisions for CECs highlight the activities a CEC can undertake.<sup>53</sup> CECs are active within one (1) or more regions, respecting the effective control criterion that is defined in the legislation. The CEC must carry out at least one (1) of the following activities: production, self-consumption or sale of electricity from renewable sources, storage, distribution and supply of electricity, aggregation, provision of flexibility and balancing, as well as provision of energy efficiency services, electric vehicle charging and other energy services to its members.

The CEC may also carry out the following activities:

- a) management or participation in programs financed by national resources or resources of the EU, related to the promotion of its purpose,
- b) provision of advice on the management or participation of its members in programs financed by national or EU resources related to its purposes,
- c) information, education and awareness raising regarding energy sustainability issues,
- d) actions to support vulnerable consumers and alleviate energy poverty of consumers, who live below the poverty line, regardless of whether they are members of the CEC. These actions include in particular the provision or offsetting of energy, energy upgrading of homes or other actions that reduce the energy consumption in the residences of these consumers.

CECs can also carry out the activities of the RECs<sup>54</sup> and enjoy the financial incentives and support measures of the RECs, according to the relevant legislation for RECs, as long as the provisions on the proximity of the members applies. The statutes of a CEC may not include other activities, apart from those highlighted above.

## Assessment of obstacles and potential and removal of unjustified barriers

The national legislation refers to the assessment of barriers for RECs and combines this assessment with the requirement of taking the specificities of RECs into account when designing the national support schemes. More specifically, the law states that the Centre for Renewable Sources and Energy Savings carries out an annual assessment of the barriers and development possibilities of Renewable Energy Communities and after this, if deemed necessary, recommends to the Minister of Environment and Energy ways and incentives to promote and develop such initiatives.<sup>55</sup>

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<sup>52</sup> Article 47IΔ of the Law 4001/2011, which was added with article 100 of the Law 5037/2023

<sup>53</sup> Article 47Δ of the Law 4001/2011, which was added with article 90 of the Law 5037/2023

<sup>54</sup> As described in article 6E of the Law 3468/2006

<sup>55</sup> Article 6IE of the Law 3468/2006, which was added with article 59 of the Law 5037/2023



The national legislation introduces an obligation for such an assessment also for CECs. More specifically, the Centre for Renewable Sources and Energy Savings should carry out an annual evaluation of the barriers and development possibilities of CECs and after this, if deemed necessary, it recommends to the Minister of Environment and Energy ways and incentives for their promotion and development.<sup>56</sup>

## Enabling framework

### 1.6. Renewable Energy Community

The national law establishes general terms of operation of Renewable Energy Communities and relations with Distribution Network and System Operators.<sup>57</sup> To begin with, the legislation specifies that RECs that provide energy or aggregation services or other commercial services related to energy are subject to the provisions relating to said activities. It also states that the competent system operators cooperate with the REC to facilitate energy transfers within the community.

In addition, RECs are subject to fair, proportionate and transparent procedures, including registration and licensing procedures, and to cost-reflective network charges, as well as fees, contributions and taxes, ensuring that they contribute in an adequate, fair and balanced way to the overall cost-sharing of the electrical system. RECs are also not subject to discrimination in relation to their activities, rights and obligations as final customers, producers, suppliers, distribution system operators or other market participants.

The national law sets support measures that can be provided to RECs.<sup>58</sup> It is thus clarified that applications that are submitted by RECs for:

- a) granting a producer certificate for renewable energy sources and High-Efficiency Heat Cogeneration stations, as long as they present a territorial overlap with other applications that have been submitted within the same application submission cycle, as defined in the Certifications Regulation of article 18 of Law 4685/2020,
- b) environmental licensing decisions,
- c) issuance of installation and operation permits,

are considered on a priority basis.<sup>59</sup> In addition, the licensing regulation of the Law 4001/2011<sup>60</sup> may provide for special conditions for the licenses granted to RECs.

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<sup>56</sup> Article 47IET of the Law 4001/2011, which was added with article 102 of the Law 5037/2023

<sup>57</sup> Article 6IΓ of the Law 3468/2006, which was added with article 57 of the Law 5037/2023

<sup>58</sup> Article 6IET of the Law 3468/2006, which was added with article 60 of the Law 5037/2023

<sup>59</sup> The examination for the granting of a final connection offer is determined based on the decision of article 89 of Law 4951/2022.

<sup>60</sup> Article 135 of the Law 4001/2011.



With regards to access to information, the national legislation states that all information on support measures to inform interested parties, especially vulnerable and low-income consumers, self-consumers of energy from renewable sources, renewable energy communities, manufacturers, installers, architects, suppliers of equipment and heating systems, cooling and electricity, as well as vehicle suppliers, compatible with the use of renewable energy sources and intelligent transport systems are posted on the websites of the Ministry of Environment and Energy and the Centre for Renewable Sources and Energy Savings.<sup>61</sup>

Moreover, the Ministry of Environment and Energy prepares appropriate information, awareness raising, instructions or training programs, where deemed appropriate with the participation of local and regional authorities, to inform citizens of the ways in which they can exercise their rights as active customers and on the advantages and practicalities, including technical and economic aspects, of the development and use of energy from renewable sources, and through self-consumption of energy from renewable sources or in the context of RECs. By decision of the Minister of Environment and Energy and of the competent Minister as the case may be, the preparation of the programs mentioned above may be assigned to other bodies.<sup>62</sup>

The national legislation also includes provisions for self-consumption of energy from renewable sources, net metering and virtual net metering, including specific provisions for RECs and CECs. In more detail, the law defines virtual net metering for CECs or RECs or energy communities established under the Law 4513/2018 as the netting of electricity produced by RES stations or High Efficiency co-generation and heat stations of a CEC or REC or energy community established under the Law 4513/2018, with the electricity consumed in facilities of members of the CEC or REC or energy community established under the Law 4513/2018, consumers living under the poverty line, as well as households affected by energy poverty, in accordance with the decision of the Minister of Environment and Energy YPEN/GDE/89335/5599/27.9.2021, also in accordance with article 14A of the Law 3468/2006.

For the implementation of virtual net metering, RECs or CECs or energy communities established under the Law 4513/2018 can install the generating stations in any region, regardless of where the consumption facilities and the headquarters of the community are located, which they are not required to be all located in the same district, subject to the provisions of the law on the proximity of the community members.<sup>63</sup> Especially for cases that fall into the beforementioned conditions, where fifty percent (50%) plus one of the members have proximity to the region of Attica, the production station may be installed in a neighbouring region.<sup>64</sup>

Additionally, with regards to the application of net metering and virtual net metering by self-consumers, the law mentions that self-consumers and jointly acting self-consumers who are natural persons or legal persons under public or private law are allowed to install renewable energy sources, High Efficiency Cogeneration of Electricity and Heat stations and storage systems for the produced energy, to cover their own needs with net metering.<sup>65</sup> Specifically, the installation of RES stations, High Efficiency Cogeneration

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<sup>61</sup> Article 2Γ(1) of the Law 3468/2006, which was added with article 42 of the Law 5037/2023

<sup>62</sup> Article 2Γ(2) of the Law 3468/2006, which was added with article 42 of the Law 5037/2023

<sup>63</sup> Therefore, subject to par. 3 of article 6C of the Law 3468/2006, par. 4 of article 47D of Law 4001/2011 and par. 3 of article 2 and 3 of article 12 of law 4513/2018.

<sup>64</sup> Article 2(13a) of the Law 3468/2006, which was added with article 40 of the Law 5037/2023

<sup>65</sup> Article 14A(1) of the Law 3468/2006, which was added with article 64 of the Law 5037/2023



of Electricity and Heat stations and storage systems to meet own needs with the application of virtual net metering is allowed for:

- a) local authorities of first and second degree, also in accordance with the provisions that define virtual net metering for local authorities,
- b) those registered in the Registry of farmers and agricultural holdings of the Law 3874/2010 for facilities of agricultural holdings of Law 3874/2010 and agricultural uses,
- c) RECs, CECs and energy communities established under the Law 4513/2018 to cover the energy needs of members who are exclusively household consumers, farmers registered in the Register of farmers and agricultural holdings of Law 3874/2010, as well as to meet the energy needs of citizens living below the poverty line and households affected by energy poverty, in accordance with the decision of the Minister of Environment and Energy, as well as to cover energy needs, according to the first paragraph of article 14B of the Law 3468/2006.

For RES stations, High Efficiency Cogeneration of Electricity and Heat stations and electricity storage systems, which are installed in the Interconnected System, including the island of Crete, as well as in the Non-Interconnected Islands, for the implementation of energy net metering and virtual net metering, the law sets limits to the power of each generating station that is installed by self-consumers, jointly acting self-consumers and those registered in the Register of farmers and agricultural holdings of the Law 3874/2010 for installations of agricultural holdings of the Law 3874/2010 and agricultural uses.<sup>66</sup>

The law further specifies that for the implementation of virtual net metering according to this, the generating stations can be connected to either the High Voltage, Medium Voltage or Low Voltage Network. For the implementation of the virtual net metering by RECs, CECs, as well as energy communities established under law 4513/2018, the supply of the generating stations and the corresponding consumption benefits for netting may be represented by different suppliers. The maximum limit of total power of renewable energy and High Efficiency Cogeneration of Electricity and Heat, for which final connection offers are allowed to be granted by the competent Administrators for the application of energy and virtual net metering is determined at two (2) gigawatts (GW).

Furthermore, the legislation states that a decision of the Minister of Environment and Energy, after the opinion of the Waste, Energy and Water Regulatory Authority, defines the method of control of the above maximum limit of total power of renewable stations and High Efficiency Cogeneration of Electricity and Heat stations, the way in which energy net metering, virtual net metering and simultaneous virtual net metering and in particular the conditions, restrictions, charges, the time period within which the netting is calculated, the type, content and the process of drawing up the netting contracts, the technical specifications and the terms of operation and use of the storage systems, as well as any specific subject or other necessary detail for the implementation of this. With the abovementioned decision, the netting method can be differentiated based on the size of the stations, the connection voltage level and the more specific characteristics of the consumption tariffs. With the same decision, it is possible to redefine the limits of installed capacity for the application of energy net metering, as well as to set upper limits of installed capacity, differentiated by category of producers and by electrical system, interconnected or autonomous. The highest limits are set in favour of legal entities of public or private law, which pursue public benefit or other public purposes. The energy surplus resulting from the energy net metering after

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<sup>66</sup> See Article 14A paragraphs 3-5 of the Law 3468/2006, which was added with article 64 of the Law 5037/2023



the final settlement has been carried out at the end of the netting time period is channelled to the network or the system, without any obligation for any compensation to the self-consumer. With the above decision, the unit price is also determined, which is used to calculate the compensation for the energy surplus, which is paid by the suppliers in favour of the special account of article 143 of Law 4001/2011.

On a different note, the law clarifies that the special conditions for using the services of the Aggregator of Last Resort of Article 5 of Law 4414/2016 apply proportionally to renewable and high efficiency heat cogeneration stations of RECs and energy communities established under the Law 4513/2018. By decision of the Minister of Environment and Energy, additional special conditions may be determined, in particular preferential charges and a longer period of use of the services in question.<sup>67</sup> It is also clarified that the membership in a REC does not make insurance to the Electronic National Social Security Agency mandatory.<sup>68</sup>

Finally for RECs, the law states that their renewable and high efficiency heat cogeneration stations fall under the regulatory decisions on energy communities established under the Law 4513/2018.<sup>69,70</sup>

### 1.7. Citizen Energy Community

The national legislation sets general terms of operation of CECs and regulates the relations with Distribution System Operators (DSOs) and Transmission System Operators (TSOs).<sup>71</sup> In more detail, the law specifies that CECs that provide energy or aggregation services or other commercial services related to energy are subject to the provisions concerning the activities in question. Moreover, the competent Operators should cooperate with the CEC to facilitate energy transfers within the community.

In addition, the law highlights that CECs are subject to non-discriminatory and fair, proportionate and transparent procedures and charges, in particular for registration and licensing, as well as network charges, which are transparent and non-discriminatory, cost-reflective, in accordance with Article 18 of Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal electricity market ensuring that they contribute in an adequate and balanced way to the sharing of the total costs of the system. Moreover, CECs should be treated in a proportionate, non-discriminatory manner in terms of their activities, rights and obligations as end-customers, producers, suppliers, DSOs or market participants engaged in aggregation.

The law also states that subject to the payment of compensation, the amount of which is determined by the Waste, Energy and Water Regulatory Authority, the Hellenic Electricity Distribution Network Operator (HEDNO), as manager of the Hellenic electricity distribution network, including the one of non-interconnected islands, cooperates with the CEC in order to facilitate electricity transfers within them.<sup>72</sup>

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<sup>67</sup> Article 6ΙΣΤ(7) of the Law 3468/2006, which was added with article 60 of the Law 5037/2023

<sup>68</sup> Article 6ΙΣΤ(8) of the Law 3468/2006, which was added with article 60 of the Law 5037/2023

<sup>69</sup> Article 6ΙΣΤ(9) of the Law 3468/2006, which was added with article 60 of the Law 5037/2023

<sup>70</sup> In particular those provided for in paragraphs 5, 6 and 7 of article 4, paragraph 5 of article 5 and paragraphs 2 and 3 of article 7 of Law 4414/2016, Article 18 of Law 4685/2020 and Article 89 of Law 4951/2022.

<sup>71</sup> Article 47ΙΑ of the Law 4001/2011, which was added with article 97 of the Law 5037/2023

<sup>72</sup> Article 47ΙΓ(4) of the Law 4001/2011, which was added with article 99 of the Law 5037/2023



Besides that, the national legislation mentions that with regard to the consumption of self-produced electricity, CECs are treated as active customers.<sup>73</sup> CECs are also subject to the exceptions set for closed distribution networks.<sup>74</sup> The law clarifies that being a member of a CEC does not make the insurance in the Electronic National Social Security Agency mandatory.<sup>75</sup>

The law also regulates the collective use of electricity specifying that CECs have the right to manage within the community the electricity produced by the production units owned by the community, while maintaining the rights and obligations of the community members as consumers. If electricity is shared, this is subject to applicable network charges, tariffs and levies, in accordance with a transparent cost-benefit analysis of shared energy resources developed by the national competent authority.<sup>76</sup>

Furthermore, the national legislation regulates the activity of managing the distribution system and exploitation of closed distribution networks.<sup>77</sup> CECs have the right to own, set up, purchase or lease distribution networks and manage them autonomously in the region in which they operate.

In this case, CECs:

- a) may enter into agreements regarding the operation of their network with the competent administrator, to which their network is connected,
- b) are subject to appropriate network charges at the connection points, between their network and the distribution network outside of the CEC. The said network charges include separate information, on the one hand about the electricity with which the distribution network is supplied and on the other hand for the electricity consumed by the network outside of the CEC, in accordance with the Management Code of the Hellenic Electricity Distribution Network,
- c) do not discriminate or harm customers who remain connected to the distribution system they manage.

It is highlighted that for CECs that manage distribution systems, the relevant provisions on denying access to the grid and the need for justification apply.<sup>78</sup>

## Access to financing and support

With regards to access to financing, the national legislation mentions that RECs can be included in Law 4887/2022 implemented by Law 4430/2016 on Social Cooperative Enterprises, in the respective

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<sup>73</sup> Article 471Γ(5) of the Law 4001/2011, which was added with article 99 of the Law 5037/2023

<sup>74</sup> Such exceptions are regulated in article 131A of the Law 4001/2011

<sup>75</sup> Article 471Γ(8) of the Law 4001/2011, which was added with article 99 of the Law 5037/2023

<sup>76</sup> Article 471Δ of the Law 4001/2011, which was added with article 100 of the Law 5037/2023

<sup>77</sup> Article 471E of the Law 4001/2011, which was added with article 101 of the Law 5037/2023

<sup>78</sup> Article 128(2)(c) of the Law 4001/2011 apply in this case.



development law, as a distinct form of cooperative organization, as well as in other programs that are financed by national or EU resources, in accordance with the rules of state aid.<sup>79</sup>

In addition, it is stated that by joint decision of the Minister of Environment and Energy and the relevant Minister as the case may be, programs may be announced for the installation of photovoltaic plants, photovoltaic plants with storage systems, renewable plants of different technologies and renewable stations of different technology with storage systems from RECs, which plants will be for the implementation of virtual net metering, with financing in particular from EU resources and the National Development Program. The above decision could determine the duration and the beneficiaries of the programs, the eligibility criteria and the subsidy rates, the maximum installed power of the photovoltaic systems and storage systems per consumption feeder, the voltage level to which the stations are connected, the procedures for their connection to the network or system, the conditions and procedures for participation in each program, the applications and the supporting documents for submitting the applications, the way of ranking and evaluating the beneficiaries, the deadlines for the implementation of the projects, the obligations of the beneficiaries and the opt-out conditions, as well as any other necessary details for the implementation of the above programs. For the planning of the programs, the power reception margins of renewable stations and high efficiency heat cogeneration stations per substation, the ability to absorb and the security of the operation of the network and the system are especially taken into account.<sup>80</sup>

Furthermore, RECs are exempted from the obligation to submit a producer certification letter of guarantee under Article 11A of Law 4685/2020 and a letter of guarantee under Article 6 of Law 4951/2022, as well as from the payment of the producer certification application fee to the Waste, Energy and Water Regulatory Authority and the final connection offer to the relevant Administrators. In addition, for RECs the physical installation space commitment fee, as well as the installation extension and electrical space commitment fee are reduced by fifty percent (50%).<sup>81</sup>

The law also mentions that by decision of the Waste, Energy and Water Regulatory Authority, following a proposal by the electricity market officials and the competent managers, reduced amounts of guarantees may be set for the registration of the REC in the registers of participants in the electricity market and management of the electricity networks, taking into account criteria, such as the population or the demand for electricity in the region of the renewable or high efficiency heat cogeneration station of the REC.<sup>82</sup>

With regards to access to financing for CECs, the law specifies that CECs can also carry out the activities of RECs<sup>83</sup> and enjoy the financial incentives and support measures of such initiatives, according to the relevant legislation for RECs, as long as the provisions on the proximity of the members applies.<sup>84</sup> It also states that

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<sup>79</sup> Article 61ΣΤ(3) of the Law 3468/2006, which was added with article 60 of the Law 5037/2023

<sup>80</sup> Article 61ΣΤ(4) of the Law 3468/2006, which was added with article 60 of the Law 5037/2023

<sup>81</sup> Article 61ΣΤ(5) of the Law 3468/2006, which was added with article 60 of the Law 5037/2023

<sup>82</sup> Article 61ΣΤ(6) of the Law 3468/2006, which was added with article 60 of the Law 5037/2023

<sup>83</sup> As described in article 6E of the Law 3468/2006

<sup>84</sup> Article 47Δ(4) of the Law 4001/2011, which was added with article 90 of the Law 5037/2023



by decision of the Minister of Environment and Energy, financial incentives and measures to support CECs may be established.<sup>85</sup>

## Other provisions on energy communities

### 1.8. Renewable Energy Communities

The national law refers to the conditions under which RECs can form a Union and a national Federation.<sup>86</sup> More specifically, at least five (5) RECs can set up a REC Union, in order to coordinate and promote their activities. The general assembly of the REC Union consists of the representatives of the RECs participating in the Union. The representatives are elected by the general assemblies of the RECs, in a ratio of one (1) to every five (5) members of the REC. If the remainder of the division of the number of members exceeds the number of two (2), the REC elects one (1) more representative. A REC with less than five (5) members elects one (1) representative. A REC with more than sixty (60) members elects ten (10) representatives.

The REC Unions of the whole country can set up the Federation of RECs for their coordination and general representation. In the general meeting of the Federation, all associations participate with two (2) representatives each. The representatives are elected by the general meetings of the Unions. For the rest, Article 12 of Law 1667/1986 on civil cooperatives shall be applied proportionally.

### 1.9. Citizen Energy Communities

The national law regulates the requirements for CECs to set up a Union and a national Federation.<sup>87</sup> At least five (5) CECs can set up a CEC Union for the coordination and promotion of their activities. The general meeting of the CEC Union consists of the representatives of the CECs, which participate in the Union. The representatives are elected by the general assemblies of the CECs, in a ratio of one (1) in every five (5) members of the CEC. If the remainder of the division of the number of members exceeds the number of two (2), the CEC elects one (1) more representative. CECs with less than five (5) members elect one (1) representative. CECs with more than sixty (60) members elect ten (10) representatives.

The CEC Unions of the whole country can set up the Federation of CECs of Greece for their coordination and general representation. In the general meeting of the Federation, all Unions participate with two (2) representatives each. The representatives are elected by the general meetings of the Unions. For the rest, Article 12 of Law 1667/1986 on civil cooperatives shall apply.

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<sup>85</sup> Article 471Γ(7) of the Law 4001/2011, which was added with article 99 of the Law 5037/2023

<sup>86</sup> Article 61Δ of the Law 3468/2006, which was added with article 58 of the Law 5037/2023

<sup>87</sup> Article 471B of the Law 4001/2011, which was added with article 98 of the Law 5037/2023





### 1.10. Other types of Energy Communities

As already mentioned above, in Greece there was previous legislation on energy communities, the Law 4513/2018, under which several energy communities were established. The national legislation of March 2023 introduces transitional provisions for energy communities established under the Law 4513/2018<sup>88</sup> and specifically mentions which articles of the same Law are abolished.<sup>89</sup>

To start with, energy communities established in accordance with the Law 4513/2018 can be converted into a REC, as long as the conditions on membership are met. For such conversion, a decision of the general assembly is required, which is taken by a decision of two thirds (2/3) of its members. In any case, the decision is surrounded by the requirements for the establishment of the REC type and contains the necessary elements of the statute set by law. The conversion takes place from the registration of the decision in GEMI, and the REC enters into all the rights and obligations of the converted energy community established under the Law 4513/2018.

The law also clarifies that energy communities established under the Law 4513/2018 that do not wish to be converted as explained above, remain in operation according to the provisions of such Law. However, from 1 November 2023, such energy communities are not allowed to submit new applications for a producer certificate or for a final connection offer in the case of excluded stations. Additionally, as of 1 April 2023, Article 7 of Law 4513/2018 on the establishment of energy communities is repealed, meaning that no new energy communities can be established under this regime.

The provisions of the national legislation on CECs also introduce transitional provisions for energy communities that have been established under the law 4513/2018.<sup>90</sup> In more detail, the latter can be converted into a CEC, as long as the conditions on membership are met. For such conversion, a decision of the general assembly is required, which is taken by a two-thirds (2/3) decision. The decision includes the form required for the establishment of the CEC and contains the necessary elements of the statute, as set by law.

From the registration of the decision in GEMI, the conversion takes place, and the CEC enters into all the rights and obligations of the converted energy community of Law 4513/2018. Finally, in this case the law also clarifies that energy communities of the Law 4513/2018 that do not wish to be converted in a CEC remain in operation in accordance with the Law 4513/2018.

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<sup>88</sup> Article 61Z of the Law 3468/2006, which was added with article 61 of the Law 5037/2023

<sup>89</sup> Article 62 of the Law 5037/2023

<sup>90</sup> Article 47IZ of the Law 4001/2011, which was added with article 103 of the Law 5037/2023



## References

- Law 3468/2006 on the production of electricity from renewable energy sources, High Efficiency co-generation and heat and other provisions, as amended by Law 5037/2023 on renaming the Energy Regulatory Authority to Waste, Energy and Water Regulatory Authority and expanding its scope with responsibilities over water services and urban waste management, strengthening the water policy Modernizing the legislation on the use and production of electricity from renewable sources of EU Directives 2018/2001 and 2019/944 and including special provisions for renewable energy sources and environmental protection. Government Gazette number A 78/29.3.2023, Available at: [https://www.hellenicparliament.gr/Nomothetiko-Ergo/Anazitisi-Nomothetikou-Ergou?law\\_id=df16626a-1c8e-44c0-a6c1-afb800296708](https://www.hellenicparliament.gr/Nomothetiko-Ergo/Anazitisi-Nomothetikou-Ergou?law_id=df16626a-1c8e-44c0-a6c1-afb800296708)
- Law 4001/2011 for the operation of the electricity and gas energy markets, as amended by the Law 5037/2023 on renaming the Energy Regulatory Authority to Waste, Energy and Water Regulatory Authority and expanding its scope with responsibilities over water services and urban waste management, strengthening the water policy Modernizing the legislation on the use and production of electricity from renewable sources of EU Directives 2018/2001 and 2019/944 and including special provisions for renewable energy sources and environmental protection. Government Gazette number A 78/29.3.2023, Available at: [https://www.hellenicparliament.gr/Nomothetiko-Ergo/Anazitisi-Nomothetikou-Ergou?law\\_id=df16626a-1c8e-44c0-a6c1-afb800296708](https://www.hellenicparliament.gr/Nomothetiko-Ergo/Anazitisi-Nomothetikou-Ergou?law_id=df16626a-1c8e-44c0-a6c1-afb800296708)
- Law 4513/2018 for energy communities and other provisions. Government Gazette number A' 9/23.01.2018. Available at: [https://www.hellenicparliament.gr/Nomothetiko-Ergo/Anazitisi-Nomothetikou-Ergou?law\\_id=24ac2366-281a-488b-97a9-a846014bc8bb](https://www.hellenicparliament.gr/Nomothetiko-Ergo/Anazitisi-Nomothetikou-Ergou?law_id=24ac2366-281a-488b-97a9-a846014bc8bb)
- Law 1667/1986 on civil cooperatives and other provisions, Government Gazette number A' 196/6.12.1986
- Energy Communities in Greece and its lignite areas, Review of developments, The Green Tank, January 2023. Available online: [https://thegreentank.gr/wp-content/uploads/2023/01/202301\\_GreenTank\\_Brief\\_EnergyCommunities3\\_EN.pdf](https://thegreentank.gr/wp-content/uploads/2023/01/202301_GreenTank_Brief_EnergyCommunities3_EN.pdf)