# No More Greek Myths: Greece Finally Unveils Binding Advance Tax Rulings

EU Tax Focus, 16/2026 (6 July 2026)

***Argyro Myzithra LL.M., ADIT* | Group Tax Manager at FREENOW by Lyft**

*The author can be contacted at argyro.myzithra@free-now.com*

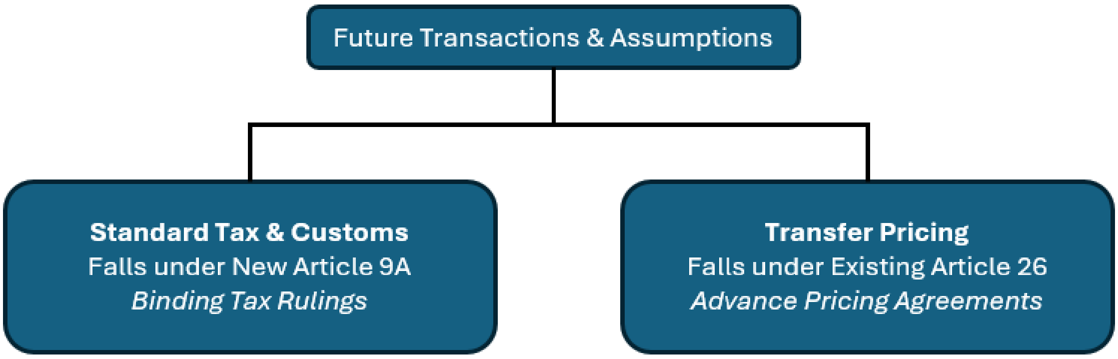
For decades, navigating the Greek tax system felt a bit like consulting the Oracle of Delphi – riddled with non-binding ministerial circulars, ambiguous administrative guidance and plenty of room for interpretation. That being said, businesses wanting absolute, bulletproof certainty on how a future transaction would be taxed, were largely out of luck.

That historic gap has officially closed. Law 5301/2026 has fundamentally overhauled the landscape by introducing a formal Binding Tax Ruling (BTR) framework into the Greek Tax Procedure Code (Law 5104/2024). This new mechanism, effective 1 October 2026, finally aligns Greece with standard EU and international preventive compliance practices. This essentially brings Greece back on track to creating a business-friendly ecosystem by supporting the management of modern economic complexity through developing a cooperative tool between tax administration and taxpayers within an increasingly complex, global and digitalized economy.

## 1. The Background: What Changed?

Historically, the Greek tax authority (Independent Authority for Public Revenue, IAPR/AADE) could issue opinions, circulars or official guidelines which were binding on the tax administration ensuring tax enforcement (i.e. local tax offices and individual tax officers), but not on the taxpayers. In fact, general interpretation of tax laws could be provided upon (a taxpayer's) request. Practically, in case of interpretational disputes, the taxpayer could request the Ministry of the Finance to opine on the interpretation of the tax law at hand. The baseline case law establishes, however, that tax interpretations issued by the Ministry or the IAPR are purely interpretive and cannot introduce or produce new legal obligations. It can therefore be deduced that opinions issued were binding on the tax inspector, while at the same time the taxpayer could also choose not to apply the given interpretation in their dealings with the tax inspector. Finally, no fees were payable and no disclosure was required for the answers given.

The new legislation introduces article 9A to the Tax Procedure Code, creating a dual-track system for advance certainty:



## 2. The New Frontier: Binding Tax Rulings

The core of the 2026 reform allows individuals and corporations to secure an upfront, definitive interpretation of tax and customs laws before pulling the trigger on a (future) business move.

- **Pre-Emptive Scope:** The request must explicitly target future events — factual circumstances that are highly specific, clearly defined and have not yet occurred.
- **The Clock:** Despite the country's reputation for taking the scenic route when it comes to deadlines, requests for BTR are on a strict timer. The tax administration must provide an answer within 150 days from the exact moment the request is submitted.
- **Asymmetrical Binding Power:** Once issued by the Governor of the IAPR, the ruling is fully binding on the tax administration. Conversely, it is not binding on the taxpayer. Under the new article 9A framework, there is no procedural requirement or mandatory filing for the taxpayer to "accept" or "reject" the decision once the Governor of the IAPR issues it. If the taxpayer follows it, their future return cannot be challenged as inaccurate or incomplete. Alternatively, in case the latter disagrees with the ruling, they simply do not have to follow it and may use their own legal interpretation instead – though they cannot legally appeal the ruling itself. The choice to utilize the certainty it offers is entirely at the taxpayer's discretion, with no mandatory declaration required.
- **Shelf Life:** A BTR remains active as long as the underlying facts, assumptions and tax laws do not change, or until a supreme court issues a contradictory interpretation.

### › The cost and timeline of certainty

In a move designed to keep the system reserved for truly ambiguous, high-stakes scenarios, getting a formal nod from the Greek state comes with a certain budget. More specifically:

| Feature | Statutory Rule |
|---|---|
| **Admission Ticket** | A minimum filing fee of EUR 3,500 is required for the request to be reviewed. |
| **Total Financial Cost** | Scaled from EUR 10,000 to EUR 50,000, based on corporate size, transaction complexity and whether expedited processing has been requested by the applicant. |
| **Public Transparency** | To prevent secret sweetheart deals, all BTRs will be published on the IAPR website in an anonymized or pseudonymized form (protecting trade secrets and personal data). |

### › What happens if a request is rejected?

The article explains what happens if a BTR is approved, but what about the risk of rejection?

- **The "No Interpretative Issue" Loophole:** The IAPR can reject an application if it determines there is not actually an ambiguous interpretive issue to solve (i.e. the law is already clear).
- **The Partial Refund:** Crucially, if the IAPR rejects a BTR request, any amount paid above the initial €3,500 filing fee is fully refunded to the taxpayer. However, that baseline EUR 3,500 is non-refundable – meaning it acts as a true "risk premium" for testing the waters.

### 3. The Separate Track: Transfer Pricing (APAs)

It is worth noting that the new BTR framework explicitly excludes intercompany pricing. Instead, cross-border corporate transactions remain under the pre-existing advance pricing agreement (APA) framework governed by article 26 of the Greek Tax Procedure Code.

Unlike the new BTRs, APAs specifically lock in transfer pricing methodologies, are valid for up to 4 years, require an upfront EUR 5,000 fee and allow for "rollbacks" to resolve open, past tax years through bilateral agreements with other countries.

### 4. Strict Exclusions: Where the Door Shuts

The tax authority will immediately bounce a BTR application if it crosses into two specific danger zones:

1. **Active Audits & Disputes:** If the transaction is already being audited or is stuck in an active appeal before the Dispute Resolution Directorate (ΔΕΔ) or the courts, it is ineligible.
2. **Foreign Jurisdictions:** The IAPR will not issue a ruling that requires them to interpret or apply foreign domestic law.

### 5. A New Era of Fiscal Predictability

The introduction of Law 5301/2026 marks a watershed moment for the Greek business landscape, effectively dismantling decades of administrative ambiguity. By transitioning from a reactive system of penalties to a proactive framework of cooperation, Greece is shedding its old reputational skin and stepping firmly into modernity.

Therefore, effective 1 October 2026, forward-thinking taxpayers plotting a major, non-intra-group corporate manoeuvre can officially swap administrative guesswork for bulletproof certainty. By triggering a formal BTR and fronting the required admission fee, they force the IAPR into a strict 150-day regulatory sprint to deliver a definitive verdict. If the Oracle smiles upon them and the reply is favourable, the taxpayer can pull the trigger on the deal, wrapped in an ironclad cloak of audit immunity. If the answer is a buzzkill, however, the taxpayer holds the ultimate trump card: because the ruling has zero binding power over citizens, they can simply shrug, toss the decision in the paper shredder and proceed under their own legal interpretation – accepting the standard audit risks, of course, while leaving the unappealable ruling behind as a mere footnote.

While the steep entry fees ensure the mechanism is reserved for high-stakes, sophisticated corporate manoeuvres, it can be argued that the cost of this "admission ticket" is small compared to the value of fiscal predictability. For international investors and domestic enterprises navigating an increasingly complex global economy, the Oracle of Delphi has finally been replaced by a reliable, transparent roadmap. Moving forward, the true test of this reform will lie in how efficiently the IAPR handles the 150-day countdown, but one thing is already clear: Greece has officially signalled that it is open for business, with the legal certainty to prove it.

# IBFD references:


- EU tax law developments are reported on the daily IBFD Tax News Service page.
- C. Romano, Advance Tax Rulings and Principles of Law, Books IBFD.
- S. Papademetriou & G. Kerameus, Greece - Corporate Taxation sec. 1., Country Tax Guides IBFD.
- E. Adamidou, Greece - Transfer Pricing, Country Tax Guides IBFD.