

Regulatory developments in sharing economy:
The case of Airbnb and Uber in Greece

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EU LEGISLATIVE STATE OF ART FOR CE

- 1.The European Union (EU) has not provided yet an *ad hoc* EU legal framework for the Collaborative Economy.**
- 2.There has only been a policy guidance in the form of a Communication by the EUCommission dated June 2016.**

UBER & TAXIBEAT IN GREECE

State of Art

- ❖ Uber began its operation in 2014 in Greece, as an intermediating platform for ride-hailing and not as transport provider
- ❖ It began as uberTAXI, collaborating with licensed taxi-drivers
- ❖ Since September 2015, Uber initiated uberX services, hiring car-drivers via licensed car rental companies.
- ❖ Three years earlier, in 2011, Taxibeat appeared as the predecessor and the first player in the ride-hailing platform services.

UBER

Calling upon
anyone who
owned a car

DIFFERENCES

Taxibeat

Calling upon Taxi Drivers
who were already members
of the Licensed Taxi Drivers
Association

LEGAL ISSUES

- ❖ Taxibeat was picked up in Greece for violating the **PERSONAL DATA** of the taxi-drivers, which were becoming available in the ranking and rating application incorporated in the application.
- ❖ Uber on the other hand was met with complaints and protests by the Licensed Taxi Drivers Association for practicing **UNFAIR COMPETITION.**

ON THE EU LEVEL

- ❖ The European Court of Justice (ECJ) after the case brought by **the taxi-drivers in Barcelona in December 2017**, ruled that Uber, despite its claims, is a taxi-driver company, hence it should be objected to stricter regulation and licensing.

LEGISLATURE'S BALANCING (?) ACTS

Protection of the rights of the Licensed Taxi Drivers Association (as a profession regulated by law)



Consumer rights

Creation of new jobs for the unemployed people via the use of unexploited private resources



However, deregulation of labour

Modification of the existent Law for Transport (L. 4093/2012), with the introduction of two new articles (**12&13, L.4530/2018**):

“Services of Electronic or Telephone intermediation for passenger transport with licensed vehicles” & “Services of Electronic or Telephone intermediation for renting vehicles of private use with a driver”. Amongst the new regulations, there is the obligation of the transport platforms to define a legal representative in Greece, and the platform’s incomes to be taxed in accordance to the national tax laws.

AIRBNB IN GREECE

State of Art

- ❖ Airbnb began its operations around 2010 in Greece
- ❖ During the last eight years the houses/flats rented through Airbnb in Athens increased from **32 to 14.252**.
- ❖ In 2017 in the municipality of Athens, the **83,2 %** of the Airbnb rentals was concerning the whole house or flat, whereas only the **15,8%** and **1%** were concerning an autonomous and shared room respectively (Balabanidis, Papatzani & Pettas, 2018)

LEGAL ISSUES

- ❖ The use of Airbnb in Athens was extended from the permanent residents who used to rent their house/flat or part of it, to the non-residents or big companies who have bought property in order to utilise it with short term rentals
- ❖ x revenue for the Greek State by Airbnb hadn't been estimated
- ❖ The Hellenic Hoteliers Federation were denouncing Airbnb for practicing unfair competition

LEGISLATURE'S BALANCING (?) ACTS

The Hellenic Hoteliers Federation was alleging the Airbnb for Unfair Competition.

The rights of the residents of the neighbourhoods in the city centre who had to dislocate due to the rapid increase of the rent prices.



Consumer Rights

Creation of an alternative source of income for citizens, during recession in Greece.

A series of legislative interventions (L. 4179/2013, L. 4336/2015, L. 4446/2016, L.4472/2017) were established in order to control the market that the Airbnb platform seemed to leverage. Particularly the most recent legislative framework (L.4472/2017), was enacted in 2018 and established specific conditions for the short term rental contracts. Amongst others, it introduced the obligation of the property owners to register their immovable property to the newly instituted Registry, along with the time-limit of the 90 days per year for the short-term rentals, and the taxation of the income gained via airbnb.

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Q & A

THANK YOU

