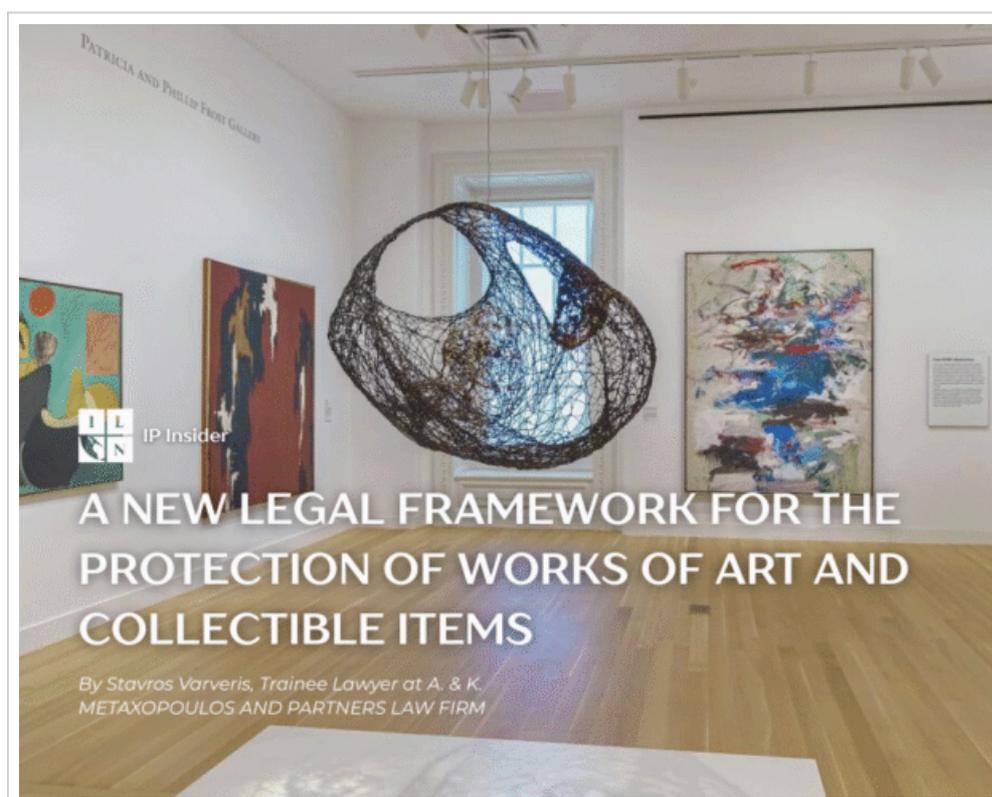


A new legal framework for the protection of works of art and collectible items

BY STAVROS VARVERIS OF A. & K. METAXOPOULOS AND PARTNERS LAW FIRM ON FEBRUARY 19, 2026

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Law No. 5271/2026 introduces a new specialized legal framework combining administrative and criminal regulation for the prevention and repression of art forgery, the protection of the physical integrity of works of art and collectible items, and the establishment of certified expert mechanisms for authentication.

Until now, the criminal treatment of art forgery relied exclusively on the general provisions of the Greek Penal Code on fraud and forgery. In this context, the establishment of criminal liability generally required the completion of a financial transaction and proof of pecuniary damage or deception of a third party, a requirement that significantly limited the effectiveness of the existing framework for such offences.

The new law operates as a *lex specialis* and introduces autonomous criminal offences covering the manufacture or alteration of counterfeit works of art, their distribution, exhibition or commercial placement, as well as possession

with intent to distribute. The completion of economic fraud is therefore no longer a prerequisite for criminal liability.

The criminal framework is accompanied by stricter and escalating sanctions. The basic penalty aligns with that provided for fraud under the Penal Code, providing for imprisonment from six months to five years and a monetary fine ranging from 5.000 EUR to 120.000 EUR. However, in cases of professional or habitual conduct, commission on a commercial scale, action by an organized group, abuse of professional capacity, or where the damage caused exceeds 120.000 EUR, the penalties are significantly increased, reaching up to ten years' imprisonment and a monetary fine of up to EUR 300,000.

Furthermore, damage, destruction or alteration of works of art now constitutes a distinct criminal offence, reflecting the public cultural value of such assets when compared to ordinary damage to property.

A key innovation of the law is the establishment of a state-supervised Register of Certified Art Experts, responsible for the official verification and certification of the authenticity of works of art and collectible items. According to the relevant provisions, the register operates under

clearly defined eligibility and qualification criteria, is subject to ethical and professional conduct rules, and provides for formal accreditation procedures, ensuring reliability and consistency in the assessment of authenticity.

At the same time, an Autonomous Department for Works of Art is established within the Ministry of Culture, entrusted with the supervision of art market practices, coordination with law-enforcement authorities, and the development of preventive policies.

In conclusion, the new legislative framework takes a broader approach to the protection of works of art. By expanding the scope of relevant criminal offences, the law reinforces the cultural value of artworks and their role as part of the common cultural heritage. At the same time, the provision of criminal protection against damage to works of art and collectible items in public, municipal and museum spaces provide stronger protection for cultural heritage. The prevention and suppression of offences in the field of art thus emerge, particularly in the present era of rapid technological development, as a fundamental factor in protecting the value of art more generally.

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Headed by Eddie Powell of Fladgate LLP, London, and Colleen Spring Zimmerman of Fogler, Rubinoff, Toronto, Canada, the ILN's Intellectual Property Group provides the platform for enhanced communication, enabling all of its members to easily service the needs of their clients requiring advice on cross-border transactions. Members of the group meet regularly at ILN conferences and industry events, and have collaborated on discussions and publications of mutual interest.

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