

Case law

Case Details

National ID: [link](#)

Member State: Belgium

Common Name: [link](#)

Decision type: Other

Decision date: 25/10/2010

Court: Kort Ged. Kh. (Others, Hasselt)

Subject:

Plaintiff:

Defendant:

Keywords:

Directive Articles

Doorstep Selling Directive, [Article 1, 1.](#)

Headnote

An electricity network administrator is an undertaking within the meaning of the Market Practices Act. Art. 10 of the Product Liability Act prohibits the intention of clauses limiting liability into the Regulation of a network administrator.

A clause under which the network administrator may only be held liable if the consumer can supply positive proof of fault, contravenes art. 74, 30° Market Practices Act. The same applies to clauses entailing an exemption of 250 euro and a limit of 625.000 euro per case.

The mandatory reciprocity of compensation clauses requires the regulation of the network administrator to provide for a similar interest to the benefit of the consumer if the consumer is required to pay an interest in case of overdue payment.

Facts

Legal issue

Decision

Full text: [Full text](#)

Related Cases

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Legal Literature

No results available

Result