

**Case law****Case Details**

**National ID:** Sklep X Ips 176/2012

**Member State:** Slovenia

**Common Name:** link

**Decision type:** Supreme court decision

**Decision date:** 14/06/2012

**Court:** Supreme Court of the Republic of Slovenia

**Subject:**

**Plaintiff:** N/A

**Defendant:** Trade Inspection of the Republic of Slovenia

**Keywords:** aggressive commercial practices

**Directive Articles**

Unfair Commercial Practices Directive, [Chapter 2, Section 2, Article 8](#)

**Headnote**

If a provider of public commercial services invoices services not stipulated by applicable regulations, such practice may be considered aggressive commercial practice.

**Facts**

Provision of chimney sweeping services is a public commercial service in Slovenia. Accordingly, it is subject to strict regulations and it may only be provided by persons holding an appropriate license.

In this case, a licensed provider of such services, inter alia, performed inspection of auxiliary devices and invoiced it. In contrast to certain other services performed in parallel, this service is not stipulated under the applicable Slovenian regulations.

The defendant held that this constituted an aggressive commercial practice which under any circumstances may be considered unfair.

**Legal issue**

The court was not asked to rule on the merits of the case but rather to review whether a legal remedy (revision) could be allowed. The court held that sufficient grounds to allow that legal remedy could not be shown.

**Decision**

Is a provider of public commercial services entitled to invoice a specific service not stipulated by applicable regulations, even if such may be deemed necessary?

URL: <http://www.sodisce.si/vsrs/odlocitve/2012032113045316/>

Full text: [Full text](#)

**Related Cases**

No results available

**Legal Literature**

No results available

**Result**

The plaintiff's request was denied.