

Case law**Case Details**

National ID: cpjn 203/2013

Member State: Czechia

Common Name: [link](#)

Decision type: Other

Decision date: 23/04/2014

Court: Supreme Court of the Czech Republic

Subject:

Plaintiff: Unknown

Defendant: Unknown

Keywords: consumer, credit agreement, fees, unfair terms

Directive Articles

Unfair Contract Terms Directive, [link](#)

Headnote

In this opinion the Supreme Court of the Czech Republic instructs the lower courts on disputes regarding fees in credit contracts. The fees concluded in credit contracts and its Terms and Conditions should be determined with a certainty and should relate to particular response by the second party according to the legislation of the EU about the protection of customers. The court also defines the term "fee" according to the Directive 93/13/EC.

Facts

Regional Courts in the Czech Republic concluded few cases dealing with the problems of the legal position of fees in credit contracts. The cases were judged differently by various courts with different results. Therefore, the Supreme Court of the Czech Republic issued this decision and informed the regional courts, on which way these cases are supposed to be decided.

Legal issue

The courts should judge similar cases in the same way. The fees concluded in credit contracts should be determined certainly and should relate to particular response from the second party according to the legislation of the EU about the protection of customers.

Decision

What is the legal position of fees in credit contracts and its Terms and Conditions and how should the lower courts decide in disputes regarding these fees?

URL: <http://kraken.slv.cz/Cpjn203/2013>

Full text: [Full text](#)

Related Cases

No results available

Legal Literature

No results available

Result

The regional courts should take this decision into account and decide in the same way pro futuro.