

## Case Details

### Case Details

National ID	II.ÚS 1794/15
Member State	Czech Republic
Common Name	link
Decision type	Other
Decision date	15/11/2016
Court	The Constitutional Court of the Czech Republic
Subject	
Plaintiff	Unicampus, o. s.
Defendant	Council for radio and TV broadcast
Keywords	case law, consumer, consumer rights organisation, court, fees

### Directive Articles

Injunctions Directive, [Article 3, \(b\)](#)

### Headnote

The costs of the proceedings are part of system of civil process law, not only the Directive 2009/22/EC. The costs of the proceedings should correspond equally and fairly in each case and should be divided in accordance to national law, which reflects the law of the European Union.

### Facts

The defendant decided in a previous decision that the plaintiff is required to pay the costs of the proceedings. However, the plaintiff stated that this goes against provisions of the Directive 2009/22/EC. When there is an injury of law of the European Union, the injured party should not be obliged to pay the costs of the proceedings.

### Legal issue

The court confirmed, that it is necessary to use interpretation of national laws in accordance to the law of the European Union, but the costs of the proceedings are only matter of national civil process law. The Constitutional Court of the Czech Republic should intervene with decisions of other courts only in cases of serious infringement of justice, which is usually not in cases of the costs of the proceedings.

### Decision

Is the consumer required to pay the costs of the proceedings in cases according to the Directive 2009/22/EC?

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**Result**

The complaint was rejected as groundless.

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