

Judgment of the Court (Third Chamber) of 12 February 2015 (request for a preliminary ruling from the Fővárosi Törvényszék — Hungary) — Nóra Baczó, János István Vizsnyiczai v Raiffeisen Bank Zrt

(Case C-567/13) ⁽¹⁾

(Reference for a preliminary ruling — Consumer protection — Directive 93/13/EEC — Article 7 — Mortgage loan agreement — Arbitration clause — Unfairness — Action by consumer — National procedural rule — Lack of jurisdiction of the court hearing the action by a consumer for a declaration of invalidity of a standard contract to hear the application for a declaration of unfairness of terms in the same contract)

(2015/C 118/11)

Language of the case: Hungarian

Referring court

Fővárosi Törvényszék

Parties to the main proceedings

Applicants: Nóra Baczó, János István Vizsnyiczai

Defendant: Raiffeisen Bank Zrt

Operative part of the judgment

Article 7(1) of Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts must be interpreted as meaning that it does not preclude a national procedural rule pursuant to which a local court which has jurisdiction to rule on an action brought by a consumer seeking a declaration of invalidity of a standard contract does not have jurisdiction to hear an application by the consumer for a declaration of unfairness of contract terms in the same contract, unless declining jurisdiction by the local court gives rise to procedural difficulties that would make the exercise of the rights conferred on consumers by the European Union legal order excessively difficult. It is for the national court to carry out the necessary verifications in that respect.

⁽¹⁾ OJ C 71, 8.3.2014.

Judgment of the Court (Ninth Chamber) of 12 February 2015 (request for a preliminary ruling from the Supremo Tribunal Administrativo — Portugal) — Surgicare — Unidades de Saúde SA v Fazenda Pública

(Case C-662/13) ⁽¹⁾

(Reference for a preliminary ruling — VAT — Directive 2006/112/EC — Deduction of input tax — Transactions constituting an abusive practice — National tax law — Special national procedure where the existence of abusive practices is suspected in the field of taxation — Principles of effectiveness and equivalence)

(2015/C 118/12)

Language of the case: Portuguese

Referring court

Supremo Tribunal Administrativo