



C/2024/4571

29.7.2024

**Request for a preliminary ruling from the Juzgado de Primera Instancia n.º 8 de A Coruña (Spain)
lodged on 26 March 2024 – MF v Banco Santander, S.A.**

(Case C-230/24, Banco Santander)

(C/2024/4571)

Language of the case: Spanish

Referring court

Juzgado de Primera Instancia n.º 8 de A Coruña

Parties to the main proceedings

Applicant: MF

Defendant: Banco Santander, S.A.

Question referred

Is it contrary to Council Directive 93/13/EEC of 5 April 1993 ⁽¹⁾ and the principle of equivalence to apply the possibility of dissociating invalidity on the basis of unfairness from restitutory effects, whereby invalidity is not subject to a limitation period and, at the same time, actions for restitution *are* subject to a limitation period, when, in Spanish domestic law, there is no legislation or case-law which applies it to other legal relationships?

⁽¹⁾ Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ 1993 L 95, p. 29).