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Title: Orzecznictwo Trybunału Sprawiedliwości Unii Europejskiej w sprawach sprzedaży konsumenckieji kredytu konsumenckiego/ Case – law of the Court of Justice of the European Union in consumer sales and consumer credit's cases Source: Kwartalnik Prawa Prywatnego ("Quarterly of Private Law") year: 2015, vol: XXIV, number 1, pages: 153-214 Keywords: consumer protection, consumer sales, consumer credit Discipline: Law (Private Law) Language: Polish Document type: article Publication order reference: Jagiellonian University, Cracow

Abstract:

The article contains a detailed presentation of the Court of Justice of the EU judgments concerning two consumer directives, i.e. the Directive 1999/44/EC of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees and the Directive 2008/48/EC of the European Parliament and the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC. Consumer law is one of the most important area of the Court of Justice judgments which influences on the consumer law of the EU member states and private, but also procedural, law generally. The main part of this article discusses in detail judgments from 2012 - 2013 but before this part there is an introduction which presents previous the most important judgments of the Court of Justice in the given scope of the consumer law. After some time will be discussed next judgments of the Court of Justice of the EU concerning mentioned above directives and another one. The structure of the article is based on the casebook method. First of all there are presented shortly facts of the case, the law (of the EU and the relevant law of the member state), prejudicial questions to the Court of Justice of the EU, the judgment and the commentary including the influence of each judgment on the state law, in particular the Polish law. This short casebook in consumer law cases is dedicated to academics and practicing lawyers, but also to judges. It is very hard to find an argumentation based on the EU law and EU case - law in particular in Polish judgments in consumer and civil matters. The exception presents the Supreme Court and this is important to implement this way of thinking to other courts. The scope of this article, the structure and the method is the concept of Marlena Pecyna (editor), but commentaries and views in particular matters should be attribute to the author of each part of this article.