

**Question for written answer E-004376/2020  
to the Commission**

Rule 138

**Giorgos Georgiou (GUE/NGL)**

Subject: Unfair terms in consumer contracts

Under Directive 93/13/EEC, unfair clauses in bank contracts are prohibited and Member States are required to ensure that adequate and effective countermeasures are in place, including action before the national courts to prevent their continued implementation. Furthermore, the case law established by the Court of Justice of the European Union in Case C-415/11 states that, under Directive 93/13/EEC, it is for the national courts to verify whether a clause is unfair and, if so, it must be removed from the outset.

However, these provisions have not been incorporated into Cypriot law, leaving borrowers with no substantial protection. Indeed, unfair loan clauses have placed households and small and medium-sized businesses at the mercy of the banks.

Although a number of cases have been referred to Cyprus legal authorities by the Consumer Protection Service, which has the authority to investigate unfair clauses, no court proceedings have yet been initiated.

In view of this:

Can the Commission say what measures the EU will take to ensure compliance with Directive 93/13/EEC and enable courts in Cyprus to investigate unfair contract clauses, even on an ex-officio basis?