Reports of Cases

Case C-679/24

HL
v
UniCredit Bank Zrt.
and
Momentum Credit Zrt.

(Request for a preliminary ruling from the Fővárosi Törvényszék)

Judgment of the Court (Ninth Chamber) of 19 March 2026

(Reference for a preliminary ruling – Consumer protection – Directive 93/13/EEC – Unfair terms in consumer contracts – Loan agreement denominated in foreign currency – Term placing the exchange rate risk on the consumer – Effects of a finding that the term is unfair – Action for restitution of the sums paid pursuant to the unfair term – Starting point of the limitation period for an action for restitution – Resumption of the limitation period after a period of suspension)

1. *Consumer protection – Unfair terms in consumer contracts – Directive 93/13 – Means to prevent the use of unfair terms – Mortgage loan agreement – Term placing the exchange rate risk entirely on the consumer – Action for restitution – Limitation period – Starting point of the limitation period – National legislation providing for a limitation period of five years – National case-law setting the starting point of the limitation period as the date on which the contract was concluded – No account taken of the consumer's knowledge of the unfairness of the term – Not permissible – Failure to comply with the principle of effectiveness*
(Council Directive 93/13, Arts 1(1) and 7(1))

(see paragraphs 66-74, operative part 1)

2. *Consumer protection – Unfair terms in consumer contracts – Directive 93/13 – Means to prevent the use of unfair terms – Mortgage loan agreement – Term placing the exchange rate risk entirely on the consumer – Action for restitution – Limitation period – Resumption of that period following suspension – Starting point of the limitation period – Date of a decision of the Court of Justice interpreting that directive or of a decision of a national court of last instance ruling on the unfairness of a term similar to the one on which the action for restitution is based – Not permissible*
(Council Directive 93/13)

(see paragraphs 78-85, 91-93, operative part 2)

See the text of the decision.