



ZDRUŽENJE FRANK

Bobovek 9, 4000 Kranj

Association:
ZDRUŽENJE FRANK
BOBOVEK 9
4000 KRANJ

Kranj, August 19, 2017

**PRESS RELEASE
FIRST FAVORABLE JUDGMENT IN A COURT OF FIRST INSTANCE!**

We would like to inform you that we received **THE FIRST FAVORABLE JUDGMENT of a Court of First Instance in the case of a borrower in CHF against Unicredit bank. The Court of First Instance found that the long-term foreign currency loan contract is null and void!** The key reasons for the decision of the District Court in Ljubljana are the following:

- In the case of a credit agreement, there is a high risk transaction where it is not even possible to determine from the contract how much a customer must pay;
- The bank should have known and, in fact, did know that in the future (after the conclusion of the contract) there would be a strengthening of CHF compared to EUR;
- The bank should have known that there was a fairly high probability that major changes in the economy or markets would occur over a longer period of time, which might also be reflected in major changes in the value of currencies or reference interest rates, and should have explained this to the plaintiff.

The court acknowledged that the possibility of such an increase of CHF/EUR exchange rates and the consequences thereof had not been presented to the plaintiff. The plaintiff thus did not have the information based on which they would have made a different decision. Therefore, the court found the **THE ENTIRE CONTRACT NULL AND VOID** as the plaintiff would not make such a contract without the banks neglect of its explanatory duties.

The Association Zdrúženje Frank reports that after the first favourable judgment of the District Court in Ljubljana, a large number of lawsuits by their members are expected and at the same time draws attention to the urgent need for the adoption of the law on relations between creditors and borrowers with regard to loans in Swiss francs.

Zdrúženje Frank

Alja Pestar
President