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JURISDICTION OVER CONSUMER CONTRACTS - THE CONCEPT OF „CONSUMER“ AND DUAL PURPOSE CONTRACTS ACCORDING TO THE CASE-LAW OF THE COURT OF JUSTICE OF THE EUROPEAN UNION

Summary: *The principle of consumer protection is one of the fundamental principles of European Union law. This principle is reflected at the level of secondary law, in the field of European private international procedural law, in the special rules on protective jurisdiction over consumer contracts stipulated in sections 4 of Regulation No 1215/2012, Regulation No 44/2001 and the Brussels Convention. Upon the Republic of Croatia's accession to the European Union, the case law of the Court of Justice of the European Union became exceptionally important in the implementation of the EU legal instruments. Since a systematic overview of the case law of the Court does not exist, neither in respect of those three legal instruments, the main goal of this paper is to bring all stakeholders involved in the resolution of disputes over consumer contracts, especially judges, legal counsel and parties, a comprehensive and systematised overview of standpoints accepted by the Court in the interpretation of the rules on special jurisdiction over consumer contracts in case of dual purpose contracts – contracts intended for purposes which are in part within and in part outside his trade or profession. The concept of “consumer” is namely the principal factor in the determination of rules governing international jurisdiction over consumer contracts. In that regard, the Court held that a person who concludes a contract intended for purposes which are in part within and in part outside his trade or profession may not rely on the special rules of jurisdiction for consumer contracts, unless the trade or professional purpose is so limited as to be negligible in the overall context of the contract, the fact that the private element is predominant being irrelevant in that respect.*

Key words: *Regulation No 1215/2012, Regulation No 44/2001, Brussels Convention, jurisdiction over consumer contracts, notion of a „consumer“, dual purpose contracts.*