

Request for a preliminary ruling from the Tribunal Superior de Justicia de Galicia (Spain) lodged on 7 October 2013 — Lourdes Cachaldora Fernandez v Instituto Nacional de la Seguridad Social (INSS), Tesorería General de la Seguridad Social (TGSS)

(Case C-527/13)

(2014/C 9/26)

Language of the case: Spanish

Referring court

Tribunal Superior de Justicia de Galicia

Parties to the main proceedings

Applicant: Lourdes Cachaldora Fernandez

Defendants: Instituto Nacional de la Seguridad Social (INSS), Tesorería General de la Seguridad Social (TGSS)

Questions referred

1. Is a national provision, such as additional provision 7(1), rule 3(b) of Spain's General Law on Social Security, contrary to Article 4 of Council Directive 79/7⁽¹⁾ of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security, in that it affects a group comprising mainly women, and according to which contribution gaps existing within the period for calculating the reference base of a permanent invalidity contributory pension, after a period of part-time employment, are covered by taking the minimum contribution bases applicable at any time, reduced as a result of the partiality coefficient of the employment before the contribution gap, whereas if the employment is full-time, there is no reduction?
2. Is a national provision, such as additional provision 7(1), rule 3(b) of Spain's General Law on Social Security, contrary to clause 5(1)(a) of Council Directive 97/81/EC⁽²⁾ of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC, in that it affects a group comprising mainly women, and according to which contribution gaps existing within the period for calculating the reference base of a permanent invalidity contributory pension, after a period of part-time employment, are covered by taking the minimum contribution bases applicable at any time, reduced as a

result of the partiality coefficient of the employment before the contribution gap, whereas if it the employment is full-time, there is no reduction?

⁽¹⁾ OJ 1979 L 6, 10.1.1979, p. 24.

⁽²⁾ OJ 1998 L 14, 20.1.1998, p. 9.

Request for a preliminary ruling from the Lietuvos Aukščiausiasis Teismas (Lithuania) lodged on 14 October 2013 — Birutė Šiba v Arūnas Devėnas

(Case C-537/13)

(2014/C 9/27)

Language of the case: Lithuanian

Referring court

Lietuvos Aukščiausiasis Teismas

Parties to the main proceedings

Applicant: Birutė Šiba

Defendant: Arūnas Devėnas

Questions referred

1. Is a natural person who receives legal services pursuant to agreements for legal services concluded with a lawyer (an *advokatas*) for a fee, those services being supplied in cases which are likely to be connected with the natural person's personal interests (divorce, division of assets acquired in the marriage and so forth), to be regarded as a consumer within the meaning of EU consumer protection laws?
2. Is a lawyer (an *advokatas* who is a member of a '[liberal] profession') who draws up an agreement with a natural person for the supply of legal services in return for a fee, which obliges him to provide legal services so that the natural person may achieve aims unconnected with her occupation or profession, to be regarded as a trader for the purposes of EU consumer protection laws?
3. Do agreements for the supply of legal services for a fee which a lawyer (an *advokatas*) draws up in the course of his professional activities as a representative of a liberal profession fall within the scope of Council Directive 93/13/EEC⁽¹⁾ of 5 April 1993 on unfair terms in consumer contracts?