

JUDGMENT OF THE COURT

(Fifth Chamber)

of 15 December 2004

in Case C-272/03 (reference for a preliminary ruling from the Bundesfinanzhof): Hauptzollamt Neubrandenburg v Jens Christian Siig ⁽¹⁾

(Community Customs Code — Incurrence of a customs debt — Temporary admission procedure — Change of the tractor of a semi-trailer)

(2005/C 45/15)

(Language of the case: German)

In Case C-272/03: reference for a preliminary ruling under Article 234 EC from the Bundesfinanzhof (Germany), made by decision of 13 May 2003, received at the Court on 24 June 2003, in the proceedings between Hauptzollamt Neubrandenburg and Jens Christian Siig, trading as 'Internationale Transport' Export-Import – the Court: (Fifth Chamber) composed of R. Silva de Lapuerta, President of the Chamber, C. Gulmann and R. Schintgen, Judges; A. Tizzano, Advocate General; R. Grass, Registrar, has given a judgment on 15 December 2004, in which it rules:

Articles 718(3)(d) and 670(p) of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code must be interpreted as meaning that those provisions prohibit the use of a road tractor registered outside the customs territory of the Community to transport a semi-trailer from a place within the customs territory of the Community, where the semi-trailer is loaded with goods, to another place within the customs territory of the Community, where the semi-trailer is merely parked with a view to being transported subsequently by another road tractor to the consignee of the goods, who is established outside the customs territory of the Community.

⁽¹⁾ OJ C 213 of 06.09.2003

JUDGMENT OF THE COURT

(Second Chamber)

of 16 December 2004

in Case C-293/03 (reference for a preliminary ruling from the Tribunal du travail de Bruxelles): Gregorio My v Office national des pensions (ONP) ⁽¹⁾

(Community officials — Transfer of pension rights — Article 11 of Annex VIII to the Staff Regulations — Early retirement pension — Reckoning of periods of employment with the European Community — Article 10 EC)

(2005/C 45/16)

(Language of the case: French)

In Case C-293/03: REFERENCE for a preliminary ruling under Article 234 EC from the Tribunal du travail de Bruxelles (Belgium), made by decision of 20 May 2003, received at the Court on 4 July 2003, in the proceedings between **Gregorio My** and **Office national des pensions (ONP)** – the Court (Second Chamber), composed of: C.W.A. Timmermans, President of the Chamber, C. Gulmann, R. Schintgen (Rapporteur), G. Arestis and J. Klučka, Judges; A. Tizzano, Advocate General; M. Múgica Arzamendi, Principal Administrator, for the Registrar, has given a judgment on 16 December 2004, in which it has ruled:

Article 10 EC, in conjunction with the Staff Regulations of Officials of the European Communities, must be interpreted as meaning that national legislation which does not permit years of employment completed by a Community citizen in the service of a Community institution to be taken into account for the purposes of entitlement to an early retirement pension under the national scheme is contrary to those provisions.

⁽¹⁾ OJ C 251 of 8.10.2003.