

COURT OF FIRST INSTANCE

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 27 November 2003

in Case T-190/00: Regione Siciliana v Commission of the European Communities ⁽¹⁾

(State aid — Operating loans — Admissibility — Time-limit — Confirmatory act — Action for annulment — Existing aid or new aid — Principle of tempus regit actum — Export aid — Operating aid — Reasonable time-limit)

(2004/C 21/64)

(Language of the case: Italian)

In Case T-190/00: Regione Siciliana, represented by F. Quadri, avvocato dello Stato, with an address for service in Luxembourg, against Commission of the European Communities (Agents: V. Di Bucci and D. Triantafyllou) application for annulment of Commission Decision 2000/319/EC of 22 December 1999 on the State aid scheme implemented by Italy for the production, processing and marketing of the products listed in Annex I to the EC Treaty (Sicilian Regional Law No 68, of 27 September 1995) (OJ 2000 L 110, p. 17), in so far as it states that the State aid granted under Article 6 of Sicilian Regional Law No 68 of 27 September 1995 to agriculture and fisheries enterprises is incompatible with the common market and requires Italy to withdraw that aid — the Court of First Instance (Fifth Chamber, Extended Composition), composed of R. García-Valdecasas, President, P. Lindh, J. D. Cooke, A. W. H. Meij and H. Legal, Judges; J. Palacio González, Principal Administrator, for the Registrar, gave the following judgment on 27 November 2003:

1. *The application is dismissed;*
2. *The applicant is ordered to pay its own costs and those incurred by the Commission.*

⁽¹⁾ OJ C 285 of 7.10.2000.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 5 November 2003

in Case T-240/01: Jean-Louis Cougnon v Court of Justice of the European Communities ⁽¹⁾

(Officials — Appointments procedure — Grade A 2 post — Candidature rejected)

(2004/C 21/65)

(Language of the case: French)

In Case T-240/01: Jean-Louis Cougnon, an official of the European Parliament, residing in Capellen (Luxembourg), represented by J. Choucroun, lawyer, with an address for service in Luxembourg, against the Court of Justice of the European Communities (Agent: M. Schauss) — application for the annulment of a decision rejecting the applicant's candidature for the post of Director of Personnel and Finances at the Court of Justice and appointing another candidate — the Court of First Instance (Fourth Chamber), composed of V. Tiili, President, P. Mengozzi and M. Vilaras, Judges; D. Christensen, Administrator, for the Registrar, gave a judgment on 5 November 2003, in which it:

1. *Dismisses the application.*
2. *Orders the parties to bear their own costs.*

⁽¹⁾ OJ C 331 of 24.11.2001

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 20 November 2003

in Case T-63/02: Maria Concetta Cerafogli and Paolo Poloni v European Central Bank ⁽¹⁾

(Officials — European Central Bank staff — Pay — Method of calculating the annual pay adjustment — Consultation of staff committee — Articles 13, 45 and 46 of the Conditions of Employment)

(2004/C 21/66)

(Language of the case: German)

In Case T-63/02: Maria Concetta Cerafogli and Paolo Poloni, officials of the European Central Bank, residing in Frankfurt-