

**Operative part of the judgment**

The Court:

1. Dismisses the appeal;
2. Orders Ms Herrero Romeu to pay the costs.

(<sup>1</sup>) OJ C 60, 11.3.2006.

**Judgment of the Court (Fourth Chamber) of 29 November 2007 — Tomás Salazar Brier v Commission of the European Communities**

(Case C-9/06 P) (<sup>1</sup>)

*(Appeals — Officials — Remuneration — Expatriation allowance — Condition laid down by Article 4(1)(a), second indent, of Annex VII to the Staff Regulations — Concept of ‘work done for another State’)*

(2008/C 22/10)

Language of the case: Spanish

**Referring court**

Commission of the European Communities

**Parties to the main proceedings**

*Applicant:* Tomás Salazar Brier (represented by R. García-Gallardo Gil-Fournier, D. Domínguez Pérez and A. Sayagués Torres, abogados)

*Other party to the proceedings:* Commission of the European Communities, (represented by J. Currall, acting as Agent, assisted by J. Gutiérrez Gisbert, J. Rivas Andrés and M. Canal, abogado)

**Re:**

Appeal against the judgment of the Court of First Instance (First Chamber) of 25 October 2005 Salazar Brier v Commission of the European Communities (T-83/03), dismissing an action for annulment of the Commission's decision of 28 July 2003 implicitly refusing the applicant's complaint of 24 February 2003 and its express refusal, on 24 March 2003, to pay the applicant the expatriation allowance under Article 4(1)(a) of Annex VII to the Staff Regulations of Officials of the European Communities and the allowances associated therewith

**Operative part of the judgment**

1. Dismisses the appeal;

2. Orders Mr Salazar Brier to pay the costs.

(<sup>1</sup>) OJ C 60 11.3.2006.

**Judgment of the Court (Fourth Chamber) of 29 November 2007 — Rafael de Bustamante Tello v Council of the European Union**

(Case C-10/06 P) (<sup>1</sup>)

*(Appeals — Officials — Remuneration — Expatriation allowance — Condition laid down by Article 4(1)(a), second indent, of Annex VII to the Staff Regulations — Concept of ‘work done for another State’)*

(2008/C 22/11)

Language of the case: Spanish

**Parties**

*Appellant:* Rafael de Bustamante Tello (represented by: R. García-Gallardo Gil-Fournier, D. Domínguez Pérez and A. Sayagués Torres, abogados)

*Other party to the proceedings:* Council of the European Union (represented by: M. Simm and D. Canga Fano, Agents)

**Re:**

Appeal against the judgment of the Court of First Instance (First Chamber) of 25 October 2005 Bustamante Tello v Council (T-368/03), dismissing an action for annulment of the Council's decision of 28 July 2003 refusing to pay the applicant the expatriation allowance under Article 4(1)(a) of Annex VII to the Staff Regulations of Officials of the European Communities and the allowances associated therewith

**Operative part of the judgment**

The Court:

1. Dismisses the appeal;
2. Orders Mr de Bustamante Tello to pay the costs.

(<sup>1</sup>) OJ C 60, 11.3.2006.