

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (Second Chamber) of 17 October 2013 — Birkhoff v Commission

(Case F-60/09)

(Civil service — Officials — Referral to the Tribunal after annulment — Remuneration — Family allowances — Dependent child allowance — Child prevented by serious illness or invalidity from earning a livelihood — Application for extension of payment of the allowance)

(2014/C 71/54)

Language of the case: Italian

Parties

Applicant: Gerhard Birkhoff (Weitnau, Germany) (represented by: C. Inzillo, lawyer)

Defendant: European Commission (represented by: J. Currall and B. Eggers, Agents and A. Dal Ferro, lawyer)

Re:

Referral back to the Tribunal after annulment — Officials — Annulment of the decision rejecting the applicant's request for an extension of payment of the dependent child allowance under Article 2(5) of Annex VII to the Staff Regulations.

Operative part of the judgment

The Tribunal:

1. Dismisses the action.
2. Orders the European Commission to bear its own costs and to pay those incurred by Mr Birkhoff in Case F-60/09 and Case T-10/11 P.
3. Orders each party to bear its own costs in Case F-60/09 RENV.

Judgment of the Civil Service Tribunal (Second Chamber) of 11 December 2013 — Andres and Others v ECB

(Case F-15/10) ⁽¹⁾

(Civil service — ECB staff — Reform of the insurance scheme — Freezing of the pension plan — Implementation of the pensions regime — Consultation of the supervisory committee — Consultation of the staff committee — Consultation of the General Council — Consultation of the Governing Council — Triennial assessment of the pension plan — Infringement of the conditions of employment — Manifest error of assessment — Principle of proportionality — Acquired rights — Principle of legal certainty and foreseeability — Duty to provide information)

(2014/C 71/55)

Language of the case: French

Parties

Applicants: Carlos Andres and Others (Frankfurt am Main, Germany) (represented by: L. Levi and M. Vandenbussche, lawyers)

Defendant: European Central Bank (ECB) (represented by: C. Kroppenstedt and F. Malfrère, Agents, and B. Wägenbaur, lawyer)

Re:

First, application to annul the applicants' salary slips for June 2009, and all the subsequent salary slips and those to be issued in the future, in so far as those slips constitute the implementation of the reform of the pensions regime decided upon on 4 May 2009. Secondly, an application for compensation for the damage suffered by the applicants.

Operative part of the judgment

The Tribunal:

1. Dismisses the action;
2. Orders Mr Andres and the 168 other applicants whose names are set out in the annex to bear their own costs and to pay the costs incurred by the European Central Bank.

⁽¹⁾ OJ C 134, 22.5.2010, p. 54.