

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (Second Chamber) of 16 January 2014 — Guinet v EIB

(Case F-107/12) ⁽¹⁾

(Civil Service — Staff of the EIB — Pension scheme — Transfer of pension rights — Compensation for the disadvantages resulting from the delay in the transfer of the pension rights — Condition of effective transfer of pension rights acquired in a scheme other than that of the EIB — Principle of equal treatment)

(2014/C 223/67)

Language of the case: French

Parties

Applicant: Philippe Guinet (Luxembourg, Luxembourg) (represented by: L. Levi, lawyer)

Defendant: European Investment Bank (represented by: T. Gilliams, G. Nuvoli, acting as Agents, and D. Waelbroeck and A. Duron, lawyers)

Re:

Application to annul the EIB's implied decision to reject the applicant's request to recalculate his years of pensionable service and an application for damages

Operative part of the judgment

The Tribunal:

1. *Dismisses the action;*
2. *Orders Mr Guinet to bear his own costs and to pay three-quarters of the costs incurred by the European Investment Bank;*
3. *Orders the European Investment Bank to bear a quarter of its own costs.*

⁽¹⁾ OJ C 366, 14.11.2012, p. 41.

Judgment of the Civil Service Tribunal (Second Chamber) of 22 May 2014 — CI v Parliament

(Case F-130/12) ⁽¹⁾

(Civil Service — Remuneration — Family allowances — Dependent child allowance — Double dependent child allowance — Article 67(3) of the Staff Regulations — Conditions for grant — Amicable settlement between the parties after the intervention of the European Ombudsman — Implementation — Duty of care)

(2014/C 223/68)

Language of the case: French

Parties

Applicant: CI (represented by: B. Cortese and A. Salerno, lawyers)

Defendant: European Parliament (represented by: E. Despotopoulou and M. Ecker, acting as Agents)

Re:

Application to annul the decision refusing to grant the double dependant child allowance under Article 67(3) of the Staff Regulations

Operative part of the judgment

The Tribunal:

1. *Annuls the decision of the European Parliament of 5 December 2011 refusing to renew, with effect from 1 June 2008, the double dependent child allowance, and the decision of 20 July 2012 rejecting the claim;*
2. *Dismisses the remainder of the action;*
3. *Orders the European Parliament to bear its own costs and to pay the costs incurred by CI.*

⁽¹⁾ OJ C 71, 9.3.2013, p. 29.

Judgment of the Civil Service Tribunal (Second Chamber) of 30 January 2014 — Ohrgaard v Commission

(Case F-151/12) ⁽¹⁾

(Civil Service — Remuneration — Expatriation allowance — Residence condition laid down in Article 4 (1)(b) of Annex VII to the Staff Regulations — Performance of duties in an international organisation — Concept — Work experience period of five months at the Commission — Exclusion)

(2014/C 223/69)

Language of the case: French

Parties

Applicant: Jakob Ohrgaard (Frederiksberg, Denmark) (represented by: S. Orlandi, A. Coolen, J.-N. Louis, É. Marchal and D. de Abreu Caldas, lawyers)

Defendant: European Commission (represented by: J. Currall and V. Joris, acting as Agents)

Re:

Application to annul the decision refusing the applicant the benefit of the expatriation allowance

Operative part of the judgment

The Tribunal:

1. *Annuls the decision of the European Commission of 6 March 2012 refusing Mr Ohrgaard the benefit of the expatriation allowance, as amended by the decision of 31 August 2012 rejecting the claim;*
2. *Orders the European Commission to bear its own costs and to pay the costs incurred by Mr Ohrgaard.*

⁽¹⁾ OJ C 55, 23.2.2013, p. 26.