

Intervener in support of the defendant: United Kingdom of Great Britain and Northern Ireland (represented by: initially M. Holt and D. Robertson, and subsequently S. Brandon, acting as Agents)

Re:

Application based on Article 263 TFEU and seeking annulment of Commission Decision C(2016) 2319 final of 15 April 2016 refusing, on the basis of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ 2001 L 145, p. 43), access to several documents relating to Commission Decision C(2013) 3496 final of 24 June 2013 on granting a Euratom loan in support of the Ukraine safety upgrade program of nuclear power units.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders CEE Bankwatch Network to bear its own costs and pay those incurred by the European Commission;
3. Orders the United Kingdom of Great Britain and Northern Ireland to bear its own costs.

⁽¹⁾ OJ C 305, 22.8.2016.

Judgment of the General Court of 27 February 2018 — Zink v Commission

(Case T-338/16 P) ⁽¹⁾

(Appeal — Civil service — Officials — Remuneration — Expatriation allowance — No payment of the allowance for a number of years following an administrative error — Article 90(1) of the Staff Regulations — Reasonable period of time)

(2018/C 134/27)

Language of the case: French

Parties

Appellant: Richard Zink (Bamako, Mali) (represented by: N. de Montigny and J.-N. Louis, lawyers)

Other party to the proceedings: European Commission (represented by: T. Bohr and F. Simonetti, acting as Agents)

Re:

Appeal brought against the judgment of the Civil Service Tribunal of the European Union (Second Chamber) of 11 April 2016, *Zink v Commission* (F-77/15, EU:F:2016:74), seeking to have that judgment set aside.

Operative part of the judgment

The Court:

1. Sets aside the judgment of the Civil Service Tribunal of the European Union (Second Chamber) of 11 April 2016, *Zink v Commission* (F-77/15);
2. Annuls the decision of 23 July 2014 of the Office for 'Administration and Payment of Individual Entitlements' (PMO) of the European Commission to the extent that, pursuant to that decision, the Commission had refused to pay Mr Richard Zink the expatriation allowance relating to the period between 1 September 2007 and 30 April 2009;

3. Dismisses, as to the remainder, the action brought before the Civil Service Tribunal, registered as Case F-77/15;
4. Orders the Commission to pay the costs of the proceedings on appeal and at first instance.

⁽¹⁾ OJ C 305, 22.8.2016.

**Order of the President of the General Court of 20 February 2018 — Iberdrola v Commission
(Case T-260/15 R)**

**(Application for interim measures — State aid — Aid scheme provided for under Spanish tax
legislation — Application for suspension of operation of a measure — No urgency)**

(2018/C 134/28)

Language of the case: Spanish

Parties

Applicant: Iberdrola, SA (Bilbao, Spain) (represented by: J. Ruiz Calzado and J. Domínguez Pérez, lawyers)

Defendant: European Commission (represented by: B. Stromsky and P. Němečková, acting as Agents)

Re:

Application based on Articles 278 TFEU and 279 TFEU seeking suspension of operation of Commission Decision (EU) 2015/314 of 15 October 2014 on State aid SA.35550 (13/C) (ex 13/NN) (ex 12/CP) implemented by Spain — Scheme for the tax amortisation of financial goodwill for foreign shareholding acquisitions (OJ 2015 L 56, p. 38).

Operative part of the order

1. The application for interim measures is rejected.
2. The order of 24 November 2017, *Iberdrola v Commission* (T-260/15 R), is revoked.
3. The costs are reserved.

**Action brought on 22 November 2017 – Autoridad Portuaria de Vigo v Commission
(Case T-764/17)**

(2018/C 134/29)

Language of the case: Spanish

Parties

Applicant: Autoridad Portuaria de Vigo (Vigo, Spain) (representative: J. Costas Alonso, lawyer)

Defendant: European Commission

Form of order sought

The applicant claims that the General Court should:

- Annul the corrigendum to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004) (corrected version in OJ L 226, 25.6.2004), published in the *Official Journal of the European Union* L 243, 21 September 2017;