



## Reports of Cases

### Judgment of the General Court (Eighth Chamber) of 19 September 2018 – HD v Parliament

(Case T-604/16)

(Civil service — Officials — Remuneration — Family allowances — Household allowance — Education allowance — Dependent child allowance — Conditions for granting — Deduction of an allowance of like nature received from another source — Recovery of undue payments — Decisions to end entitlement to certain allowances — Error of law — Manifest error of assessment)

1. *EU institutions — Protection of individuals with regard to the processing of personal data — Regulation No 45/2001 — Processing of personal data — Information obligations in the case of data not collected from the person concerned — Infringement — Impact on the lawfulness of acts adopted on the basis of the data concerned — None*

*(Art. 340 TFEU; European Parliament and Council Regulation No 45/2001, Arts 12(1) and 32)*

*(see paras 70-73)*

2. *EU budget — Financial regulation — Powers and duties of the authorising officer — Power of the applicant for information from the national authorities — Included*

*(European Parliament and Council Regulation No 966/2012, Art. 66)*

*(see paras 79, 83, 85)*

3. *Officials — Recovery of undue payments — Conditions — Patent overpayment — Knowledge of the person concerned — Criteria*

*(Staff Regulations of Officials, Arts 67(1)(c) and 85)*

*(see paras 101-109, 113-115, 120)*

4. *Officials — Remuneration — Family allowances — Education allowance — Conditions for granting — Regular full-time attendance*

*(Staff Regulations of Officials, Annex VII, Art. 3, first para.)*

*(see paras 131-133)*

**Re:**

Application under Article 270 TFEU seeking annulment, first, of the decisions of the Parliament of 21 September, 5 October, 27 November and 15 December 2015 recovering the amounts alleged to have been unduly received by the applicant in respect of the education allowance, secondly, of the decisions of the Parliament of 5, 13, 23 October, of the 5, 11 and 12 November 2015 recovering the amounts alleged to have been unduly received by her in respect of education allowance and dependent child allowance and depriving her of her right to household allowance and, thirdly, 'in so far as necessary', of the decision of 21 April 2016 rejecting her complaint.

**Operative part**

The Court:

1. Dismisses the action;
2. Orders HD to pay the costs.