



## Reports of Cases

### Judgment of the General Court (Eighth Chamber) of 9 June 2021 – FT and Others v Commission

(Case T-699/19)

(Civil service – Officials – Remuneration – Commission staff posted to a third country – Update of the correction coefficients – Manifest error of assessment – Retroactive effect – Legal certainty – Duty to have regard for the welfare of officials)

1. *Officials – Remuneration – Correction coefficients – Fixing – Discretion of the institutions – Judicial review – Limits*  
(*Staff Regulations of Officials, Arts 64 and 65 and Annex XI*)  
(*see paras 50-52, 55, 58, 68*)
2. *Officials – Remuneration – Correction coefficients – Fixing – Retroactive update because of the late publication of purchase price data – No breach of the principle of equal treatment or of purchasing power equivalence*  
(*Staff Regulations of Officials, Art. 64 and Annex X, Art. 13*)  
(*see paras 78, 79, 93*)
3. *Actions brought by officials – Pleas in law – Plea in law alleging breach of the principle of legal certainty – Reliance on the inability to understand the procedure for updating the correction coefficients – Rejection*  
(*Staff Regulations of Officials, Arts 64 and 65 and Annex XI*)  
(*see paras 88-92*)
4. *Officials – Recovery of undue payments – Conditions – Patent overpayment – Knowledge of the person concerned – Criteria – Sums paid when applying the correction coefficients – Patent irregularity – Correct amount can only be determined after payment – Irrelevant*  
(*Staff Regulations of Officials, Arts 64 and 85 and Annex X, Art. 13*)  
(*see para. 98*)

**Re:**

Application under Article 270 TFEU for annulment of the decision drawing up the applicants' salary slip for December 2018 to the extent that it applied, for the first time, new correction coefficients applicable to their remuneration, with retroactive effect from 1 February 2018.

**Operative part**

The Court:

1. Dismisses the action;
2. Orders FT and the other applicants whose names appear in the annex to pay the costs.