

COURT OF JUSTICE

JUDGMENT OF THE COURT

(Third Chamber)

of 6 October 1982

in Case 9/81: Calvin E. Williams v. Court of Auditors ⁽¹⁾

(Official — Career — Discrimination)

(Language of the Case: French)

(Provisional translation: the definitive translation will be published in the Reports of Cases Before the Court)

In Case 9/81: Calvin E. Williams (Counsel: V. Biel) against Court of Auditors (Agent: J. A.-Stoll assisted by A. Bonn) — application in the terms set out in the applicant's conclusions — the Court (Third Chamber), composed of A. Touffait, President, Lord Mackenzie Stuart and U. Everling, Judges; G. Reischl, Advocate-General; J. A. Pompe, Deputy Registrar, gave a judgment on 6 October 1982, the operative part of which is as follows:

1. *The Court of Auditors is ordered to correct the step assigned to the applicant with effect from 12 May 1980 and to observe the criteria laid down in its decision of February 1980.*
2. *The Court of Auditors is ordered to pay the difference in salary resulting from that correction, increased by interest at the rate of 6 % as from the date on which each payment fell due.*
3. *The decision of the President of the Court of Auditors of 25 July 1980 is annulled.*
4. *The Court of Auditors is ordered to pay the whole of the costs.*

⁽¹⁾ OJ No C 31, 12. 2. 1981.

JUDGMENT OF THE COURT

of 6 October 1982

in Case 59/81: Commission of the European Communities v. Council of the European Communities ⁽¹⁾

(Annual adjustment of officials' remuneration)

(Language of the Case: French)

(Provisional translation; the definitive translation will be published in the Reports of Cases Before the Court)

In Case 59/81: the Commission of the European Communities, represented by its Legal Advisers, Jean-

⁽¹⁾ OJ No C 80, 8. 4. 1982.

Pierre Delahousse and Joseph Griesmar, assisted by Daniel Jacob, against the Council of the European Communities, represented by David Gordon-Smith, Director-General in the Legal Department of the General Secretariat of the Council — application for a declaration that the following measures are void:

1. Council Regulation (Euratom, ECSC, EEC) No 187/81 of 20 January 1981 (published in Official Journal No L 21, p. 18, and replaced by the version published in Official Journal No L 130, p. 26) adjusting the salaries and pensions of officials and other servants of the European Communities and the weightings applying thereto;

2. Articles 1 (a), 2 (a), 2 (b) and the first paragraph of Article 11 of Council Regulation (Euratom, ECSC, EEC) No 397/81 of 10 February 1981 (published in Official Journal No L 46, p. 1, and replaced by the version published in Official Journal No L 130, p. 28) fixing the tables of salaries and other components of remuneration, in so far as they are consequent upon Regulation (Euratom, ECSC, EEC) No 187/81

the Court, composed of J. Mertens de Wilmars, President, G. Bosco, A. Touffait and O. Due (Presidents of Chambers), P. Pescatore, Lord Mackenzie Stuart, A. O'Keefe, T. Koopmans, U. Everling, A. Chloros and F. Grévisse, Judges; P. VerLoren van Themaat, Advocate-General; P. Heim, Registrar, gave a judgment on 6 October 1982, the operative part of which is as follows:

1. *Council Regulation (Euratom, ECSC, EEC) No 187/81 of 20 January 1981 (Official Journal No L 21, p. 18, replaced by the version published in Official Journal No L 130 of 16 May 1981, p. 26), and Articles 1 (a), 2 (a), 2 (b) and the first paragraph of Article 11 of Council Regulation (Euratom, ECSC, EEC) No 397/81 of 10 February 1981 (Official Journal No L 46, p. 1, replaced by the version published in Official Journal No L 130 of 16 May 1981, p. 29) in so far as they are consequent upon Regulation (Euratom, ECSC, EEC) No 187/81, are void.*
2. *The provisions of the said Regulations concerning the adjustment of the remuneration of Community officials shall continue to have effect until the Council has adopted the measures incumbent upon it in order to comply with this judgment.*
3. *The parties are ordered to pay their own costs.*