

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

**Judgment of the Civil Service Tribunal (First Chamber) of
23 April 2008 — Pickering v Commission**

(Case F-103/05) ⁽¹⁾

(Staff case — Officials — Remuneration — Correction coefficients — Transfer of part of remuneration out of the country of employment — Pensions — Default proceedings — Temporal application of the Tribunal's Rules of Procedure — Pay slips — Plea of illegality — Equal treatment of officials — Principle of protection of legitimate expectations, acquired rights, principle of legal certainty and the duty to have regard for the interests of officials — Obligation to state reasons)

(2008/C 142/70)

Language of the case: French

Parties

Applicant(s): Stephen Pickering (La Hulpe, Belgium) (represented by: N. Lhoëst, lawyer)

Defendant: Commission of the European Communities (represented by: V. Joris and D. Martin, Agents)

Re:

Annulment of the applicant's pay slips for the months of December 2004 and January and February 2005, and of all subsequent pay slips, in so far as they apply the allegedly unlawful provisions of Regulation No 723/2004 amending the Staff Regulations of Officials, concerning the transfer of part of remuneration to the official's country of origin (formerly Case T-393/05).

Operative part of the judgment

The Tribunal:

1. Dismisses the action;
2. Orders the parties to bear their own costs.

⁽¹⁾ OJ C 10 of 14.1.2006, p. 27 (Case originally registered at the Court of First Instance of the European Communities under number T-393/05 and transferred to the European Union Civil Service Tribunal by order of 15 December 2005).

**Judgment of the Civil Service Tribunal (First Chamber) of
23 April 2008 — Bain and Others v Commission**

(Case F-112/05) ⁽¹⁾

(Staff case — Officials — Remuneration — Correction coefficients — Transfer of part of remuneration out of the country of employment — Pensions — Default proceedings — Temporal application of the Tribunal's Rules of Procedure — Pay slips — Plea of illegality)

(2008/C 142/71)

Language of the case: French

Parties

Applicants: Neil Bain (Brussels, Belgium), Obhijit Chatterjee (Brussels, Belgium), Richard Fordham (Bergen, Netherlands), Roger Hurst (Bergen, Netherlands), (represented by: N. Lhoëst, lawyer)

Defendant: Commission of the European Communities (represented by: V. Joris and D. Martin, Agents)

Re:

Annulment of the applicants' pay slips for the months of February, March and April 2005, and of all subsequent pay slips, in so far as they apply the allegedly unlawful provisions of Regulation No 723/2004 amending the Staff Regulations of Officials, concerning the transfer of part of remuneration to the official's country of origin (formerly Case T-419/05).

Operative part of the judgment

The Tribunal:

1. Dismisses the action as inadmissible;
2. Orders the parties to bear their own costs.

⁽¹⁾ OJ C 48 of 25.2.2006, p. 36 (Case originally registered at the Court of First Instance of the European Communities under number T-419/05 and transferred to the European Union Civil Service Tribunal by order of 15 December 2005).