

JUDGMENT OF THE COURT OF FIRST INSTANCE (Single Judge)
30 September 2003

Case T-17/01

Georgios Rounis
v
Commission of the European Communities

(Officials – Articles 17(2)(a) and (b) of Annex VII to the Staff Regulations –
Transfer of part of remuneration in the currency of a Member State other than
the country in which the institution has its seat – Conditions – Loss –
Submissions on the question of damages)

Full text in French II - 1079

Application for: determination of the amount of the loss for which the
Commission was ordered to compensate the applicant
following annulment by the Court of First Instance of the
Commission's decision of 24 February 2000 limiting
transfer of the applicant's emoluments to the United
Kingdom to 19% of his net monthly earnings.

Held:

The Commission is ordered to pay the applicant damages of GBP 17 394.64, with interest for late payment at the annual rate of 5.25% annually until payment. The remainder of the action for damages is dismissed. The Commission is ordered to pay the costs of the proceedings which gave rise to the judgment of the Court of First Instance of 16 May 2002 in Case T-17/01 *Rounis v Commission*. In the present proceedings, the Commission is ordered to bear its own costs and to pay one third of the costs incurred by the applicant.

Summary

Officials – Remuneration – Regular transfers outside the country of employment – Commitments proved to have been regularly undertaken in the country to which the transfer was made – Study costs of children of officials – Maximum amount which may be transferred

(Staff Regulations, Annex VII, Art. 17(2)(b); Rules laying down the procedure for the transfer of part of an official's emoluments, Art. 2, second para., first indent)

The amount which may be transferred in respect of the study costs of children of officials is fixed at a flat rate of three times the amount of the allowance for a dependent child provided for in Article 2(1) of Annex VII to the Staff Regulations, plus the amount of the education allowance provided for in Article 3(1) of Annex VII actually received in respect of the child concerned.

In the absence of a specific provision also authorising the transfer, over and above the flat-rate amount, of travel expenses or of an amount corresponding to a maintenance payment for the child concerned, such commitments may not be the subject of a transfer and must be regarded as included in the flat-rate amount.

(see paras 27-29)