

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

**Judgment of the Civil Service Tribunal (Second Chamber)
of 8 July 2010 Magazzu v Commission**(Case F-126/06) ⁽¹⁾

(Staff cases — Officials — Appointment — Members of the temporary staff appointed as officials — Candidates' names included on a reserve list of a competition published prior to the entry into force of the new Staff Regulations — Grading pursuant to the new less favourable rules — Acquired rights — Principle of non-discrimination — Articles 2, 5 and 12 of Annex XIII to the Staff Regulations)

(2010/C 246/68)

Language of the case: French

Parties

Applicant: Salvatore Magazzu (Brussels, Belgium) (represented by: initially T. Bontinck and J. Feld, lawyers, and subsequently T. Bontinck and S. Woog, lawyers)

Defendant: European Commission (represented by: J. Currall and G. Berscheid, agents)

Re:

Application for annulment of the decision of the Appointing Authority of 13 December 2005 by which the applicant, a temporary agent in Grade A*11 who was successful in open competition COM/A/18/04, was appointed as an official with classification in Grade A*6, step 2, in accordance with Annex XIII of the Staff Regulations.

Operative part of the judgment

The Tribunal:

1. Dismisses the application.
2. Orders each party to bear their own costs.

⁽¹⁾ OJ C 310, 16.12.2006, p. 32.

**Judgment of the Civil Service Tribunal (Second Chamber)
of 8 July 2010 Sotgia v Commission**(Case F-130/06) ⁽¹⁾

(Staff cases — Officials — Appointment — Members of the temporary staff appointed as officials — Candidates' names included on a reserve list before the entry into force of the new Staff Regulations — Grading pursuant to the new less favourable rules — Article 5(4) and Article 12(3) of Annex XIII to the Staff Regulations)

(2010/C 246/69)

Language of the case: French

Parties

Applicant: Stefano Sotgia (Dublin, Ireland) (represented by: initially, T. Bontinck and J. Feld, lawyers, and subsequently T. Bontinck and S. Woog, lawyers)

Defendant: European Commission (represented by: J. Currall and H Krämer, agents)

Re:

Application for annulment of the decision of the Appointing Authority which took effect on 16 April 2006 and by which the applicant, a member of temporary staff classified in grade A*11 who was successful in open competition EPSO/A/18/04, was appointed as an official classified in Grade A*6, step 2, in accordance with Annex XIII of the Staff Regulations.

Operative part of the judgment

The Tribunal:

1. Dismisses the application.
2. Orders each party to bear their own costs.

⁽¹⁾ OJ C 326, 30.12.2006, p. 86.