INFORMATION ON UNPUBLISHED DECISIONS

Reports of Cases

Judgment of the General Court (Fifth Chamber) of 28 March 2012 — Egan and Hackett v Parliament

(Case T-190/10)

(Access to documents — Regulation (EC) No 1049/2001 — Registers of assistants to former members of the European Parliament — Refusal of access — Exception relating to the protection of privacy and the integrity of the individual — Protection of individuals with regard to the processing of personal data — Regulation (EC) No 45/2001)

1. *Actions for annulment — Actionable measures — Concept — Measures producing binding legal effects — Parliament's reply to an initial application for access to documents — Failure of Parliament to inform the person concerned of the right to submit a confirmatory application — Exceptional admissibility of the action (Art. 263 TFEU; European Parliament and Council Regulation No 1049/2001, Arts 7 and 8) (see paras 42-46)*

2. *Procedure — Application initiating proceedings — Formal requirements (European Parliament and Council Regulation 1049/2001, Arts 7 and 8; Statute of the Court of Justice, Art. 21, first para.; Rules of Procedure of the General Court, Art. 44(1)(c)) (see paras 49-52)*

3. *European Union — Institutions — Right of public access to documents — Regulation No 1049/2001 — Exceptions to the right of access to documents — Protection of private life and the integrity of the individual — Scope of the exception — Documents having been accessible to the public but no longer accessible — Inclusion (European Parliament and Council Regulation No 1049/2001, Art. 4(1)(b)) (see paras 74-76)*

4. *European Union — Institutions — Right of public access to documents — Regulation No 1049/2001 — Exceptions to the right of access to documents — Protection of private life and the integrity of the individual — Requirement that the institution should examine the documents specifically and individually — Duty to state reasons — Scope (European Parliament and Council Regulation No 1049/2001, Art. 4(1)(b)) (see paras 88-101)*

Re:

APPLICATION for annulment of the European Parliament's decision of 12 February 2010 in so far as it refuses to grant the applicants the access sought to the public registers of assistants to former members of the European Parliament.

Operative part

The Court:

1. Annuls the decision of the European Parliament of 12 February 2010 in so far as it refuses to grant Kathleen Egan and Margaret Hackett the access requested to the public registers of assistants to former members of the European Parliament;

2. Orders the Parliament to pay the costs incurred by Mrs Egan and Mrs Hackett and to refund to the Court cashier the sums advanced by way of legal aid granted to Mrs Egan;

3. Orders the European Data Protection Supervisor (EDPS) to bear its own costs.