

4. Fourth plea in law, alleging a violation of Article 4(6) of Regulation 1049/2001, as the refusal to grant partial access to the requested documents was not justified
5. Fifth plea in law, alleging a violation of the duty to state reasons as required by Articles 7(1) and 8(1) of Regulation 1049/2001, as the Parliament failed to address all the applicant's arguments

<sup>(1)</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ 2001 L 145, p. 43).

<sup>(2)</sup> Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ 2001 L 8, p. 1).

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**Action brought on 13 November 2015 — Kristan v Parliament**

(Case T-640/15)

(2016/C 048/62)

*Language of the case: English*

**Parties**

*Applicant:* Tina Kristan (Ljubljana, Slovenia) (represented by: N. Pirc Musar, lawyer)

*Defendant:* European Parliament

**Form of order sought**

The applicant claims that the Court should:

- annul decision A(2015)8656 C of the European Parliament of 15 September 2015 rejecting the applicant's confirmatory application for access to certain documents relating to information on Members' of the European Parliament travel expenses, subsistence allowances, general expenditure allowances and staffing arrangements expenses;
- order the Parliament to pay the applicant's costs pursuant to Articles 134 and 140 of the Rules of Procedure of the General Court, including the costs of any intervening parties.

**Pleas in law and main arguments**

In support of the action, the applicant relies on five pleas in law.

1. First plea in law, alleging a violation of Article 4(1)(b) of Regulation 1049/2001 <sup>(1)</sup> in conjunction with Article 8(b) of Regulation 45/2001 <sup>(2)</sup>, since the personal data requested are not protected under Community legislation
2. Second plea in law, alleging a violation of Article 4(1)(b) of Regulation 1049/2001 in conjunction with Article 8(b) of Regulation 45/2001, as the access to the requested information was refused, although the conditions for disclosure were met

3. Third plea in law, alleging a violation of the general obligation, under Articles 2 and 4 of Regulation 1049/2001 in conjunction with Article 6(3) of Regulation 1049/2001, to conduct an examination of each individual document
4. Fourth plea in law, alleging a violation of Article 4(6) of Regulation 1049/2001, as the refusal to grant partial access to the requested documents was not justified
5. Fifth plea in law, alleging a violation of the duty to state reasons as required by Articles 7(1) and 8(1) of Regulation 1049/2001, as the Parliament failed to address all of the applicant's arguments

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- (<sup>1</sup>) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ 2001 L 145, p. 43).
- (<sup>2</sup>) Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ 2001 L 8, p. 1).

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**Action brought on 13 November 2015 — Malle v Parliament**

**(Case T-641/15)**

(2016/C 048/63)

*Language of the case: English*

**Parties**

*Applicant:* Tanja Malle (Vienna, Austria) (represented by: N. Pirc Musar, lawyer)

*Defendant:* European Parliament

**Form of order sought**

The applicant claims that the Court should:

- annul decision A(2015)8324 C of the European Parliament of 14 September 2015 rejecting the applicant's confirmatory application for access to certain documents relating to information on Members' of the European Parliament travel expenses, subsistence allowances, general expenditure allowances and staffing arrangements expenses;
- order the Parliament to pay the applicant's costs pursuant to Articles 134 and 140 of the Rules of Procedure of the General Court, including the costs of any intervening parties.

**Pleas in law and main arguments**

1. First plea in law, alleging a violation of Article 4(1)(b) of Regulation 1049/2001 (<sup>1</sup>) in conjunction with Article 8(b) of Regulation 45/2001 (<sup>2</sup>), since the personal data requested are not protected under Community legislation