

Action brought on 24 May 2019 — Gollnisch v Parliament**(Case T-319/19)**

(2019/C 255/58)

*Language of the case: French***Parties***Applicant:* Bruno Gollnisch (Villiers-le-Mahieu, France) (represented by B. Bonnefoy-Claudet, lawyer)*Defendant:* European Parliament**Form of order sought**

The applicant claims that the Court should:

- annul the European Parliament Bureau Decision of 10 December 2018, together with the decision of 26 March 2019 of the President of the European Parliament rejecting the internal appeal brought before him against that decision;
- declare invalid all the acts, modifications, notifications, decisions and deductions resulting from that decision;
- award the applicant the sum of EUR 6 500 for the costs incurred in preparing the present action;
- order the European Parliament to pay the entirety of the costs.

Pleas in law and main arguments

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

1. First plea in law, alleging infringement of Article 27 of the Statute for Members. That provision prohibits the Bureau from prejudicing acquired rights or future entitlements of parliamentarians.
 2. Second plea in law, alleging infringement of Article 76(3) of the Implementing measures for the Statute for Members. According to the applicant, the abovementioned Article 27 of the Statute for Members has the effect of guaranteeing the integrity of the provisions of the Implementing measures for the Statute for Members in relation to the pension fund, thereby preventing any change to their structure.
 3. Third plea in law, alleging infringement of Article 223(2) TEU and incompetence on the part of the Bureau, in so far as it introduced a tax on the payment of the pensions of former Members which it was not entitled to do, since any decisions on the taxation of parliamentarians fall within the competence of the Council.
 4. Fourth plea in law, alleging infringement of the principles of legal certainty and legitimate expectations. The contested act was adopted in breach of the undertakings and texts which constitute reliable assurances and guarantees that no change may be made to the voluntary pension fund scheme.
 5. Fifth plea in law, alleging infringement of the principle of proportionality. The Parliament, which is alone responsible for the financial situation created, adopted unfair and insufficient measures on the pretext of addressing it.
 6. Sixth plea in law, alleging infringement of the principle of equal treatment. The contested decision creates unequal treatment between Members who pay contributions and those who do not, as well as between Members who have already drawn a pension and those who have not.
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