


Procedure file

Basic information	
IMM - Members' immunity	2011/2076(IMM)
Request for the defence of parliamentary immunity of Luigi de Magistris	Procedure completed
Subject	8.40.01.03 Members' immunity

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs	S&D RAPKAY Bernhard	11/04/2011

Key events			
21/11/2011	Vote in committee		
25/11/2011	Committee report tabled for plenary	A7-0412/2011	
01/12/2011	Results of vote in Parliament		
01/12/2011	Decision by Parliament	T7-0525/2011	Summary
01/12/2011	End of procedure in Parliament		

Technical information	
Procedure reference	2011/2076(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Defence of immunity
Legal basis	Rules of Procedure EP 7
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	JURI/7/05857

Documentation gateway					
Committee report tabled for plenary, single reading		A7-0412/2011	25/11/2011	EP	
Text adopted by Parliament, single reading		T7-0525/2011	01/12/2011	EP	Summary

Request for the defence of parliamentary immunity of Luigi de Magistris

The European Parliament adopted a resolution aiming to defend the immunity and privileges of Luigi de MAGISTRIS (ALDE, IT) in connection with proceedings pending before the Court of Naples, Italy.

To recall, the request by Luigi De Magistris relates to a writ of summons filed against him before the Court of Naples on behalf of Bagnolifutura SpA, a company domiciled in Naples engaged in design and in soil remediation, in connection with press releases issued by him and published on his website when he was an Member of the European Parliament. In those press releases Luigi de Magistris published information relating to a follow-up written question to the European Commission, in which he asked for additional details concerning public procurement irregularities noted in May 2009 by the Commission. He also asked for more details about an alleged waste of public funds in the area of Naples where Bagnolifutura conducts its business. The facts of the case, as presented in the writ of summons and in Luigi de Magistris's written submissions to the Committee on Legal Affairs, indicate that the statements made do have a direct and obvious connection with Luigi de Magistris's performance of his duties as a Member of the European Parliament. In publishing the press releases in question, he was therefore acting in the performance of his duties as a Member of the European Parliament.

Therefore, Parliament decides to defend the immunity and privileges of Luigi de Magistris.