Decision to lead to greater openness

Paraskavas Nikiforos Diamandouras

Peter Hustinx

private legal basis for rejecting the complainant’s application for access*. He said the Parliament’s arguments to refuse access were not convincing and unjustified. “This constitutes maladministration,” Diamandouras said: “As the EDP said in his recommendation, the Parliament’s administration served only to organise the ombudsman’s observations, Hustinx, who was asked to evaluate the complaint, also said that since MEPs were entitled to inspect the personal files and accounts of other MEPs, then there was all the more reason to deny it to persons outside Parliament.

But in his recommendation, the ombudsman declared the Parliament’s rules of procedures served only to organise its internal functioning and these could not be applied to Parliament’s relations with citizens. “Thus, they do not appear to constitute an appropriate legal basis for rejecting the complainant’s application for access,” Diamandouras said in his draft recommendation.

He said the fact that Parliament failed to even consider granting partial access to documents containing data related to assistants, for example by blanking out the assistants’ names, also constituted maladministration. “The Ombudsman concludes that Parliament wrongly rejected in its entirety the complainant’s access for access to the data… This constitutes maladministration.”

The decision is important because it has won the public the right to know what their elected MEP earns every year, and to know how these funds are utilised by their MEPs to achieve what they achieved.

The European Parliament resisted granting access to MEPs’ financial records when MaltaToday first submitted its application back in August 2005. It argued that supplying this information to the public went beyond what was required for the sound functioning of Parliament’s administration. It also said that since MEPs were not entitled to inspect the personal files and accounts of other MEPs, then there was all the more reason to deny it to persons outside Parliament.

MaltaToday’s access petition was dismissed in its entirety the European Parliament, this allowance of about EUR262 (Lm112.48) towards accommodation and subsistence costs, but this is subject to their political office. Their salary is the same as that of a Maltese MP, Lm540 (EUR1,257.86), which is a low salary, but the main allowances derive from travel and committee per diem allowances.

MEPs receive a Brussels/Strasbourg allowance of about EUR262 (Lm112.48) towards accommodation and subsistence costs, but this is subject to their participation in votes and signing a daily register to indicate their presence for any of the 150 or so working days for attending committee and group meetings and plenary sessions.

MEPs are also reimbursed for weekly travel from Malta by payment for the cost of an open economy ticket plus an allowance for distance travelled, per km covered from their point of departure to Brussels or Strasbourg. According to the European Parliament, this allowance is estimated to earn Maltese MEPs an extra EUR1,000 (Lm429) every week they travel for work.

They get several other grants – EUR3,500 (Lm1,502.55) a year for other travel: EUR3,785 (Lm1,624.90) in office expenses every month; EUR12,546 (Lm5,386) every month for the employment of their staff; EUR5,000 (Lm2,146.50) a year for language lessons; and a yearly allocation of EUR35,000 (Lm15,025.50) for a seminar or conference organised by each MEP.

Peter Hustinx

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