Basic information

2015/2339(IMM) IMM - Members' immunity	Procedure completed
Request for the waiver of the immunity of Bolesław G. Piecha **Subject** 8.40.01.03 Members' immunity	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	JURI Legal Affairs	LEBRETON Gilles (ENF)	14/12/2015

Key events

Date	Event	Reference	Summary
20/04/2016	Vote in committee		
26/04/2016	Committee report tabled for plenary	A8-0152/2016	Summary
28/04/2016	Decision by Parliament	T8-0141/2016	Summary
28/04/2016	Results of vote in Parliament		
28/04/2016	End of procedure in Parliament		

Technical information

Procedure reference	2015/2339(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Waiver of immunity
Legal basis	Rules of Procedure EP 6
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/8/05217

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Committee report tabled for plenary, single reading		A8-0152/2016	26/04/2016	Summary
Text adopted by Parliament, single reading		T8-0141/2016	28/04/2016	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Request for the waiver of the immunity of Bolesław G. Piecha

2015/2339(IMM) - 28/04/2016 - Text adopted by Parliament, single reading

The European Parliament decided to waive the **immunity** of Bolesław G. PIECHA (ECR, PL).

To recall, the Prosecutor-General of the Republic of Poland forwarded a request from the Polish General Inspector of Road Transport for waiver of the immunity of Bolesław G. Piecha concerning an offence under Article 92a of the Code of Petty Offences of 20 May 1971 in conjunction with Article 20(1) of the Road Traffic Act of 20 June 1997. In particular, the alleged offence involves exceeding the permitted speed limit in a built-up area.

The alleged offence took place before Bolesław G. Piecha became a Member of the European Parliament and Parliament stated that it has no direct or obvious bearing on Bolesław G. Piecha's exercise of his duties at the European Parliament.

Moreover, Bolesław G. Piecha sent a statement to the Polish General Inspectorate of Road Transport, in response to the report of the offence by the Inspector General of that Inspectorate, in which he agreed to pay the fine for the offence under Article 92a of the Code of Petty Offences. Therefore, in this case it is difficult to establish evidence of fumus persecutionis, that is to say, a sufficiently serious and precise suspicion that the request has been made with the intention of causing political damage to the Member concerned.

Under these conditions, Parliament decided to waive the immunity of Bolesław G. Piecha.

Request for the waiver of the immunity of Bolesław G. Piecha

2015/2339(IMM) - 26/04/2016 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Gilles LEBRETON (ENF, FR) in which it recommended the European Parliament to waive the immunity of Bolesław G. PIECHA (ECR, PL).

Members stated that the Prosecutor-General of the Republic of Poland forwarded a request from the Polish General Inspector of Road Transport for waiver of the immunity of Bolesław G. Piecha concerning an offence under Article 92a of the Code of Petty Offences of 20 May 1971 in conjunction with Article 20(1) of the Road Traffic Act of 20 June 1997. In particular, the alleged offence involves exceeding the permitted speed limit in a built-up area.

Members recalled that Articles 105(2) and 108 of the Constitution of the Republic of Poland state that a deputy or a senator shall not be subject to criminal accountability without the consent of the Sejm or of the Senate respectively.

Recalling that the alleged offence took place before Bolesław G. Piecha became a Member of the European Parliament and that it has no direct or obvious bearing on Bolesław G. Piecha's exercise of his duties at the European Parliament, Members called on the European Parliament to waive its parliamentary immunity.