



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 23 November 2012

16593/12

INST 671

"I/A" ITEM NOTE

from : General Secretariat of the Council
to : Permanent Representatives Committee (Part 2) / Council

Subject : Appointment of a new member of the Commission of the European Union
following the resignation of Mr John DALLI

1. In accordance with the second paragraph of Article 246 of the Treaty on the Functioning of the European Union: "*A vacancy caused by resignation, compulsory retirement or death shall be filled for the remainder of the Member [of the Commission]'s term of office by a new Member of the same nationality appointed by the Council, by common accord with the President of the Commission, after consulting the European Parliament and in accordance with the criteria set out in the second subparagraph of Article 17(3) of the Treaty on the European Union.*"
2. In a letter dated 16 October 2012, Mr José Manuel DURÃO BARROSO, President of the Commission, informed the Council that Mr John DALLI had resigned from his post as a Member of the Commission with immediate effect and was to be replaced¹.
3. In a letter dated 22 October 2012, the Maltese Government has nominated Mr Tonio BORG for the post that has fallen vacant².

¹ cf. doc. 15447/12.

² cf. doc. 15448/12.

4. The Council decided on 25 October 2012 to consult the European Parliament on the appointment of Mr BORG for the remainder of the term of office, i.e. until 31 October 2014.

The European Parliament delivered its opinion on 21 November 2012¹.

5. The Permanent Representatives Committee is advised to suggest that, as an "A" item at one of its forthcoming meetings, the Council adopt, by common accord with the President of the Commission, the Decision set out in 16419/12 INST 657 appointing Mr Tonio BORG a member of the Commission until 31 October 2014.

¹ Not yet published in the Official Journal.