



Brussels, 16 September 2016

CM 3963/16

PROCED  
INST

### COMMUNICATION

#### WRITTEN PROCEDURE

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Subject: WRITTEN PROCEDURE for the adoption of the Council Decision taken by common accord with the President of the Commission appointing a Member of the European Commission  
- Initiation of the written procedure

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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 25 June 2016, Mr Jean-Claude JUNCKER, President of the Commission, informed the Council that Mr Jonathan HILL had resigned from his post as a Member of the Commission with effect from 15 July 2016 at midnight and was to be replaced<sup>1</sup>.
3. In a letter dated 7 July 2016, the Government of the United Kingdom has nominated Mr Julian KING for the post that has fallen vacant<sup>2</sup>.
4. The Council decided on 15 July 2016 to consult the European Parliament on the appointment of Mr KING for the remainder of the term of office, i.e. until 31 October 2019.
5. The European Parliament delivered its opinion on 15 September 2016.
6. The President of the Commission marked his accord by letter dated 16 September 2016<sup>3</sup>.
7. **Please state whether you agree:**
  1. **to the use of the written procedure;**
  2. **to the adoption of the Decision mentioned in the subject, as set out in 12058/16 INST 357;**

Please answer "YES" or "NO" to these questions. You may also reply "ABSTAIN" to the second question.

Any unilateral statements must be made separately.

Replies must reach the Council General Secretariat as soon as possible and at the latest **by Monday 19 September 2016 at 13h00** and should be sent to the following email address:

**dpg.written-procedures@consilium.europa.eu**

or to fax number:

**+32-2-281.71.99**

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2 11119/16  
3 12272/16