



Council of the  
European Union

Brussels, 8 October 2024  
(OR. en)

14005/24

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Interinstitutional File:  
2024/0236(NLE)

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INST 343

## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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Subject: COUNCIL DECISION on the non-replacement of a Member of the  
Commission

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**COUNCIL DECISION (EU) 2024/...**

**of ...**

**on the non-replacement of a Member of the Commission**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 246, third paragraph, thereof,

Having regard to the proposal from the President of the European Commission,

Whereas:

- (1) Commissioner BRETON resigned as Member of the Commission with effect from 16 September 2024.
- (2) In accordance with Article 246, third paragraph, of the Treaty on the Functioning of the European Union, the Council may, acting unanimously on a proposal from the President of the Commission, decide that a vacancy caused in the Commission by resignation need not be filled, in particular when the remainder of the Member's term of office is short.
- (3) From the day the resignation took effect the remainder of the term of office of the current Commission is less than two months. A replacement for such a short period of the Member of the Commission who has resigned does not appear necessary, taking into account the organisation of the Commission as a collegial body pursuant to Article 17(6) of the Treaty on European Union.
- (4) This Decision is without prejudice to the composition of the Commission as of the beginning of its new term of office in 2024,

HAS ADOPTED THIS DECISION:

*Article 1*

The vacancy caused in the Commission by the resignation of Commissioner BRETON shall not be filled.

*Article 2*

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

Done at ..., ...

*For the Council*

*The President*

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