

COUNCIL DECISION,**taken by common accord with the nominee for President of the Commission,****of 5 November 2004****adopting the list of other persons whom the Council intends to appoint as Members of the Commission of the European Communities, repealing and replacing Decision 2004/642/EC, Euratom****(2004/753/EC, Euratom)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 213(1) and the second subparagraph of Article 214(2) thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 126(1) and the second subparagraph of Article 127(2) thereof,

Whereas:

- (1) A new Commission, consisting of one national of each Member State, must be appointed for the period from the date of its appointment to 31 October 2009.
- (2) On 29 June 2004 the Council, meeting in the composition of the Heads of State or Government, nominated Mr José Manuel DURÃO BARROSO as the person it intends to appoint as President of the Commission ⁽¹⁾.
- (3) The European Parliament approved that nomination by its resolution of 22 July 2004.
- (4) By Decision 2004/642/EC, Euratom ⁽²⁾, the Council adopted by common accord with the nominee for President of the Commission the list of other persons whom it intends to appoint as Members of the Commission.
- (5) By common accord with the nominee for President of the Commission, Decision 2004/642/EC, Euratom should be repealed before the list that it contains is submitted for a vote of approval by the European Parliament, and replaced by the present Decision.

- (6) The entry into force of the Treaty establishing a Constitution for Europe will entail the expiry of the term of the Member of the Commission who has the same nationality as the future European Union Minister for Foreign Affairs, who will be a Vice-President of the Commission,

HAS DECIDED AS FOLLOWS:

Article 1

The following are hereby nominated by common accord with Mr José Manuel DURÃO BARROSO, nominee for President of the Commission, as the persons whom the Council intends to appoint as Members of the Commission of the European Communities for the period from the date of appointment of the new Commission to 31 October 2009:

Mr Joaquín ALMUNIA AMANN

Mr Jacques BARROT

Mr Joe BORG

Mr Stavros DIMAS

Ms Benita FERRERO-WALDNER

Mr Ján FIGEL

Ms Mariann FISCHER BOEL

Mr Franco FRATTINI

Ms Dalia GRYBAUSKAITĖ

Ms Danuta HÜBNER

Mr Siim KALLAS

Mr László KOVÁCS

Ms Neelie KROES

Mr Markos KYPRIANOU

Mr Peter MANDELSON

Mr Charlie McCREEVY

⁽¹⁾ OJ L 236, 7.7.2004, p. 15.

⁽²⁾ OJ L 294, 17.9.2004, p. 30.

Mr Louis MICHEL

Article 2

Mr Andris PIEBALGS

Decision 2004/642/EC, Euratom is hereby repealed.

Mr Janez POTOČNIK

Article 3

Ms Viviane REDING

This Decision shall be published in the *Official Journal of the European Union*.

Mr Olli REHN

Done at Brussels, 5 November 2004.

Mr Vladimír ŠPIDLA

Mr Günter VERHEUGEN

For the Council

The President

Ms Margot WALLSTRÖM.

B. R. BOT
