

## **21<sup>st</sup> Meeting of the Management Committee of the BEREC Office**

Hosted by the BEREC Office

# **Conclusions**

**Chair:** **Mr Göran Marby**  
Director-General of the  
Swedish Post and Telecom Authority (PTS)

***4-5 December 2014, Brussels (Belgium)***

## Main results of the 21<sup>st</sup> Meeting of the BEREC Office Management Committee

The BEREC Office Management Committee (MC) held its 21<sup>st</sup> ordinary plenary meeting on 4 and 5 December 2014 in Brussels. During the meeting the MC discussed and agreed on the following:

### I. Elections of BEREC Chair for 2016 and Vice-chairs for 2015

The BEREC Office MC agreed that the MC Chair for 2016 and the MC Vice-Chairs for 2015 should hold the same positions in the BEREC Board of Regulators (BoR), to be referred to respectively as 'BEREC Chair 2016' and 'BEREC Vice-Chairs 2015'.

The MC elected Mr **Wilhelm Eschweiler**, Vice-President of [BNetzA](#) (Germany), as BEREC Chair 2016 and the following BEREC Vice-Chairs 2015:

- Ms **Lidia Kozłowska** – Vice-President of [UKE](#) (Poland);
- Mr **Kevin O'Brien** – Chairperson of [ComReg](#) (Ireland).

According to the Rules of Procedure the elected Chair 2016 and the Outgoing Chair 2014 – Mr **Göran Marby** ([PTS](#)), must serve one year as Vice-Chairs in 2015 to support the BEREC Chair 2015, Dr **Fátima Barros** ([ANACOM](#)), who was elected Chair 2015 at the [17<sup>th</sup> BoR meeting \(5-6 December 2014, Budapest\)](#).

### II. Documents approved for publication

The MC approved for publication and implementation a [Decision to approve the establishment of a reserve list for the post of Financial and Accounting Assistant \(TA – Grade AST3\) of the BEREC Office](#).

### III. Other important topics discussed:

The MC held an orientation debate on the multiannual programming outlook of the BEREC Office for the period 2016-2018. The outcome of the debate will be used by the BEREC Office for the preparation of the BEREC Office Multiannual staff policy plan for 2016-2018 and the draft BEREC Office Budget for 2016, which will be submitted to the MC for approval by electronic voting in January 2015.

### IV. Information presented to the MC

The MC took note of the following information:

- Report on the BEREC Office operation January – September 2014 (key activities, budget execution and human resources management);
- Information on the administrative complaints against BEREC Office brought before the Civil Service Tribunal by a former staff member,
- Information on the transfers carried out by the Administrative Manager (AM) in the BEREC Office Budget 2014 in July-September 2014.

### V. Next meeting

The next meeting of the MC will take place on 26 and 27 February 2015 in Berne (Switzerland) and will be hosted by the [BAKOM/COMCOM](#).

## Introduction and participation

The MC held its 21<sup>st</sup> meeting on 4 and 5 December 2014 in Brussels (Belgium) hosted by the BEREC Office. The meeting was attended by the Heads and/or high-level representatives of the National Regulatory Authorities (NRAs) with primary responsibility for overseeing the day-to-day operation of the markets for electronic communications networks and services established in each EU member state, and the Commission. Heads and high-level representatives of the NRAs from the EFTA states and the states that are candidates for accession to the EU also took part in the meeting.

## Items discussed

A short overview of the information presented under each agenda item, a summary record of the proceedings and a record of the conclusions reached by the MC under each agenda item is presented below.

### 1. Opening of the meeting and adoption of the agenda

<b>Document(s)</b>	MC (14) 130      Draft MC Agenda
<b>Introduction by</b>	BEREC Chair
<b>Information provided</b>	<p>The BEREC Chair opened the meeting and presented the draft agenda and asked if the MC members had any additional issues to be raised or presented under AOB. This not being the case, the Chair suggested to the MC to approve the meeting agenda.</p> <p>The Chair also congratulated the BEREC Office AM and the BEREC Office on being granted discharge in respect of the implementation of the BEREC Office budget 2012.</p>
<b>Conclusions</b>	The MC approved the meeting agenda was with the addition of one more item under AOB.

### 2. List of the 'A' item

<b>Document(s)</b>	<p>MC (14) 126      Information on the administrative complaints lodged on the basis of Article 90 (2) of the Staff Regulations and the Court proceedings brought before the Civil Service Tribunal by former staff member against BEREC Office</p> <p>MC (14) 127      Explanatory Note on transfers by Administrative Manager in BEREC Office Budget 2014 in July-September 2014</p>
<b>Introduction by</b>	BEREC Chair
<b>Information presented</b>	<p>The BEREC Chair presented the "A" items listed above. The list of "A" items has been drawn up on the basis of the conclusions of the CN, according to which discussion at the MC should be unnecessary.</p> <p>The documents submitted to the MC as 'A' items were only for information and did not require the MC approval</p>
<b>Conclusions</b>	The MC took note of the information presented in the 'A' items.

### 3. Elections of Chair for 2016 and Vice-chairs for 2015

Document(s)	No documents
Introduction by	BEREC Chair
Information presented and initial proceedings	<p>The BEREC Chair recalled that according to Article 2 “Appointment and Term of the Chair and Vice-Chairs” of the MC Rules of Procedure (RoP), every year the MC must appoint the Chair for the year subsequent to the following year.</p> <p>In order to be eligible, the applications for the post of Chair have to be submitted 2 months before the elections. Applications for the posts of Vice-Chairs are accepted by the start of the meeting. The applications for all posts must be supported by at least 4 Members. The candidates must have a record of active personal participation in BEREC and should be able to devote a significant part of their time to their duties in BEREC.</p> <p>In the e-mail for the launch of the election procedure of 18 September 2014 the Chair reminded all applicants about these 2 requirements. He also proposed to elect 2 additional Vice-Chairs. For practical reasons he suggested electing the same persons as Chair and Vice-Chairs for the BoR and the MC respectively.</p> <p>As the elections for Chair 2016 were to be held on 5 December 2014 the Chair determined 5 October 2014 as a deadline for submission of the applications for Chair 2016. Within this deadline only 1 application for the post of BEREC Chair 2016 was received, submitted by the Vice-president of BNetzA – Mr <b>Wilhelm Eschweiler</b>.</p> <p>According to the Rules of Procedure in case of a single application, the candidate shall be elected provided that he receives the support of a 2/3 majority of all members. Should the candidate not receive that support in the first round, a second vote must be held. Should the candidate not receive the required support in the second round, a new invitation for candidacies must be made.</p> <p>For the 2 additional posts of Vice-Chairs the BEREC Office received the applications of</p> <ul style="list-style-type: none"> <li>– Ms <b>Lidia Kozłowska</b> – Vice-President of UKE (Poland);</li> <li>– Mr <b>Kevin O’Brien</b> – Chairperson of ComReg (Ireland).</li> </ul> <p>As the deadline for final submission of applications for the posts of Vice-chairs expired on that meeting day, the Chair asked if anybody else would be willing to apply for these posts.</p> <p>As no additional application was recorded the BEREC Chair continued the election procedure. He quoted the relevant provisions of the RoP according to which the MC had to appoint two tellers to assist the vote, which had to be held by secret ballot. Therefore, the BEREC Chair invited two MC members to volunteer for tellers.</p> <p>The following MC Members volunteered:</p> <ol style="list-style-type: none"> <li>1. Mr <b>Henk Don</b> - ACM;</li> <li>2. Mr <b>Marius Cătălin Marinescu</b> – ANCOM.</li> </ol> <p>Finally the Chair proposed the following decisions:</p> <ul style="list-style-type: none"> <li>- For practical reason to agree on a joint vote for Chair 2016 and Vice-Chairs 2015 for the MC and the BoR to be held only during the MC session due to the fact that the Commission has voting rights only in the MC.</li> <li>- To agree to elect 2 additional Vice-chairs for 2015 in addition to the</li> </ul>

	<p>Outgoing and Incoming Chairs to provide support to the Chair 2015.</p> <ul style="list-style-type: none"> <li>- To elect two tellers in order to assist the vote.</li> </ul> <p>The MC cast a separate vote for each proposal and approved all of them. With the assistance of the tellers, the MC cast a secret vote on the aforementioned applications.</p> <p>The outcome of the election procedure is presented in the conclusions section.</p>
<b>Conclusions</b>	<p>The MC agreed on a joint vote for Chair 2016 and Vice-Chairs 2015 for the MC and the BoR to be held only during the MC session.</p> <p>The MC agreed to elect 2 additional Vice-chair for 2015 in addition to the Outgoing [2014] and Incoming [2016] Chairs to provide support to the Chair 2015.</p> <p>The MC elected BEREK Chair 2016 - Mr <b>Wilhelm Eschweiler</b>, Vice-President of BNetzA (Germany); and the following Vice-Chairs for 2015:</p> <ul style="list-style-type: none"> <li>- Ms <b>Lidia Kozłowska</b> – Vice-President of UKE (Poland);</li> <li>- Mr <b>Kevin O'Brien</b> – Chairperson of ComReg (Ireland).</li> </ul> <p>The elected Chair 2016 and Vice-Chairs 2015 of the MC will serve in the same capacity at the BoR and will be respectively referred to as “BEREC Chair 2016” and “BEREC Vice-Chairs 2015”.</p>
<b>Information presented by the elected Chair 2016 and Vice-Chairs 2015</b>	<p>Following the announcement of the elections results, the elected Chair 2016 and Vice-Chairs 2015 confirmed again their readiness to work hard for achieving BEREK’s objectives and to devote significant time and effort to their assignment in BEREK.</p>

#### 4. BEREK Office operation in 2014 - status up-date on the functioning of the BEREK Office (key activities, budget execution and human resources)

<b>Document(s)</b>	MC (14) 128 BEREK Office Report on operation and budget execution January-September 2014
<b>Introduction</b>	BEREK Office AM
<b>Information presented</b>	<p>The BEREK Office AM presented to the BEREK Office MC a detailed Report on operation and budget execution for the period January-September 2014.</p> <p>The Report contained information on the operational activities, the budget execution by quarters and titles, the human resources management, indicators on the operational activities and information on the state of the key projects.</p> <p>The execution of the Budget was presented by budget lines and by fund source as of 30 September 2014 and contained additional information for each budget line about the amounts committed and paid, the budget available for the rest of year and the corresponding percentages of the budget line totals.</p> <p>The report is now based on an internal monthly management report, introducing an Executive Summary in order to focus on the main achievements while keeping detailed reporting on budget lines. It also introduces management indicators and it will be further improved according to comments of the BEREK Office Advisory Group (BAG).</p>
<b>Conclusions</b>	The MC took note of the information presented

## 5. Multiannual programming of the work of the BEREC Office

<b>Document(s)</b>	MC (14) 129 Draft BEREC Office Internal Programming Document with Multiannual Outlook 2016-2018
<b>Introduction by</b>	BEREC Office AM
<b>Information presented</b>	<p>The BEREC Office AM reminded that during the Workshop on Operational Development of the BEREC Office and MC, held on 4 June 2014, in Dublin, he was requested to propose to the MC a strategic plan for the BEREC Office for the next three years. In line with this request and in order to launch a strategic debate about the priorities to be included in the multiannual programming document due in 2016, the BEREC Office AM submitted a first draft of the BEREC Office multiannual programme for the period 2016-2018 to the 4<sup>th</sup> CN meeting, held in Helsinki, on 13 and 14 November 2014.</p> <p>The updated MSPP 2016-2018 and draft Budget 2016 have to be drafted by 31 January 2015 in line with the Commission Guidelines (so far the BEREC Office has received only the Commission Guidelines for the MSPP). Afterwards the Commission Services will provide their observations and by 31 March 2015 the MC will have to approve the final documents.</p> <p>Before proceeding with the preparation of these 2 documents, the BEREC Office would like to invite the MC to provide its input to the internal multi-annual outlook for the period 2016-2018, which is not tabled for adoption but rather to trigger an internal reflection on the possible scenarios at the moment when the Office has to draft the MSPP and the draft Budget.</p> <p>The draft submitted for discussion proposes setting 3 strategic priorities for the work of the BEREC Office for the period 2016-2018:</p> <ul style="list-style-type: none"> <li>– enhancing the professional support provided by the BEREC Office to BEREC with focus on support to EWGs, which has been requested by the BoR on numerous occasions;</li> <li>– improving the efficiency and effectiveness of the BEREC Office and ensuring compliance with the Internal Control Standard (ICS) Framework; this objective is introduced in order to avoid in future the situation, which arose in 2013 in relation to the 2012 budget implementation when the BEREC Office received very serious comments by the European Court of Auditors;</li> <li>– developing and retaining the BEREC Office staff as the staff of the Office its main asset</li> </ul> <p>The BEREC Office will also introduce also a traineeship programme.</p> <p>At the end of his presentation the AM invited MC members to share their views on the issues raised, which would be used as an input to the MSPP 2016-2018 and the draft Budget 2016 to be drafted after the meeting and submitted for approval by the MC by electronic voting procedure in January 2015.</p>
<b>Conclusions</b>	<p>The MC held an orientation debate on the multiannual programme outlook for 2016-2018. On the basis of the outcome of the debate, it requested the AM to develop the draft MSPP 2016-2018 and the draft Budget 2016, which will be submitted for approval for submission to the Commission by electronic voting by the end of January 2016.</p>

## 6. BEREC Office staff issues

<b>Document(s)</b>	MC (14) 131 Draft BEREC Office MC Decision to approve the establishment of a reserve list for the post of Financial and Accounting Assistant (TA – Grade AST3) of the BEREC Office (confidential before approval)
<b>Introduction</b>	BEREC Office AM
<b>Information presented</b>	<p>The BEREC Office AM recalled that on 29 September 2014 the BEREC Office published on its website a call for the establishment of a reserve list for the post of Finance and Accounting Assistant at the Administration and Finance Unit of the BEREC Office (BEREC/2014/11).</p> <p>After the closure of the call a Selection Committee appointed by the BEREC Vice-Chair for HR (ANACOM) examined all applications received and on 26 November 2014 suggested establishing a reserve list for the post.</p> <p>All documents were sent only to the Heads due to the fact that they contain confidential information.</p> <p>The MC was invited to adopt the Decision to approve the establishment of a reserve list for the post of Financial and Accounting Assistant (TA – Grade AST3).</p>
<b>Conclusions</b>	The MC approved the above mentioned document for publication and implementation.

## 7. AOB

### Next MC meeting (26-27 February 2015, Berne (Switzerland))

<b>Document(s)</b>	No Document
<b>Introduction</b>	Representative of the meeting host (BAKOM/ComCom)
<b>Information presented</b>	A representative of the meeting host (ComCom) presented some information on the next MC meeting to be held on 26 and 27 February 2015 in Bern (Switzerland). He informed the MC that the formal invitation to the meeting will be circulated in the beginning of the next week.
<b>Conclusions</b>	The MC took note of the information provided.

Brussels, 5 December 2014.

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