

DECISION No MC/2015/13

by the Management Committee of the Office of the Body of European Regulators for Electronic Communications (BEREC Office) concerning the reimbursement of travel, subsistence and other expenses incurred in the course of journeys made by persons not employed by the BEREC Office and repealing the previous Management Committee Decision No MC/2013/05 of 6 June 2013

The Management Committee of the BEREC Office,

HAVING REGARD to the Regulation (EC) № 1211/2009 of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office ('the BEREC Regulation');

HAVING REGARD to the composition of both the Board of Regulators and Management Committee of the BEREC Office, as foreseen in Articles 4.2, 4.3 and 7.1, second indent of the BEREC Regulation;

HAVING REGARD to the Rules on the reimbursement of expenses incurred by people from outside the Commission invited to attend meetings in an expert capacity, adopted by the Commission on 5 December 2007. Doc. C(2007)5858;

HAVING REGARD to the BEREC Office Management Committee Decision No MC/2013/05 of 6 June 2013;

Whereas:

The European Commission has adopted Rules on the reimbursement of expenses incurred by people from outside the Commission invited to attend meetings in an expert capacity;

BEREC and the BEREC Office regularly organise meetings such as meetings of the Board of Regulators, Management Committee, Expert Working Groups, etc. and wishes to adopt similar rules.

On 30 September 2011, the Management Committee had adopted the Decision MC (11) 23 for the implementation, by analogy, of the whole Commission Decision of 5 December 2007, Doc. C(2007)5858.

On 24 February 2012 the Management Committee had adopted the Decision № MC/2012/2 repealing the previous Decision MC (11) 23 and modifying Commission Decision of 5 December 2007, Doc. C(2007)5858;

On 6 June 2013 the Management Committee had adopted the Decision № MC/2013/5 repealing the previous Decision MC/2012/2 and modifying Commission Decision of 5 December 2007, Doc. C(2007)5858;

The application of the Management Committee Decision № MC/2013/05 has proven a need to clarify the scope of the reimbursement of the government experts travel expenses in the case of BEREC meetings.

The Management Committee of the BEREC Office wishes to repeal its Decision № MC/2013/05.

The Management Committee of the BEREC Office wishes to modify, in particular, Article 3 paragraph 3, Article 6 paragraph 2, Article 7 paragraph 1 and Article 8 paragraph 2 of the Annex of the Commission Decision of 5 December 2007. Doc. C(2007)5858 in the way these articles apply to the BEREC Office by analogy;

All provisions of the Commission Decision of 5 December 2007. Doc. C(2007)5858, besides Articles 3.3, 6.2, 7.1 and 8.2 of the Annex of the Commission Decision of 5 December 2007. Doc. C(2007)5858 shall continue applying to the BEREC Office by analogy.

HAS DECIDED:

Article1

1). The rules on the reimbursement of expenses incurred by people from outside the Commission invited to attend meetings in an expert capacity, adopted by the Commission on 5 December 2007. Doc. C(2007)5858, as presented in Annex I, shall apply by analogy to the BEREC Office, besides Article 3 paragraph 3, Article 6 paragraph 2, article 7 paragraph 1 and article 8 paragraph 2 of the Annex, solely with regard to the deadline for the submission of the documents by the invited experts for processing payments.

2). In order to enhance the reimbursement of government experts, Article 3 paragraph 3 and Article 8 paragraph 2 of the Annex of the Commission Decision of 5 December 2007 Doc. C(2007)5858 shall be worded, as follows:

Article 3 paragraph 3

Travel expenses shall be reimbursed on presentation of original supporting documents: tickets and invoices or, in the case of online bookings, the printout of the electronic reservation for the outward journey. The supplied documents must, in any circumstance, show the class of travel used, the time of travel and the amount paid.

Article 8 paragraph 2

Before any claim will be processed, the experts must provide the BEREC Office representative, during the meetings, with the documents which are necessary for the reimbursement or-by e-mail sent not later than 14 calendar days after the final day of the meeting.

3). Article 6 paragraph 2 of the Annex of the Commission Decision of 5 December 2007 Doc. C(2007)5858 shall be worded, only for reimbursements executed by the BEREC Office, as follows:

“Government experts shall receive an accommodation allowance, where appropriate, and on condition that they declare on their honour that they are not receiving a similar allowance or similar allowances from their own administration for the same visit”.

4). Taking into consideration the composition of both the Board of Regulators and the Management Committee, Article 7 paragraph 1 of the Annex of the Commission Decision of 5 December 2007 Doc. C(2007)5858, shall be worded, only for reimbursements executed by the BEREC Office, as follows:

‘The maximum number of experts per meeting entitled to reimbursement of their expenses, shall be one per Member State and, solely for the purposes of the Plenaries and the Contact Network meetings, one for each State having Observer Status and financially contributing to the budget of the Office, in strict accordance with articles 4.2, 4.3 and 7.1 second indent of the BEREC establishing regulation (EC) № 1211/2009 of 25 November 2009.

The two conditions of having observer status and financially contributing to the budget of the Office are cumulative.

These rules shall apply to the members of the Board of Regulators, Management Committee, Expert Working Groups as well as any other persons who are invited by BEREC Office Authorising Officer to attend meetings in an expert capacity. Reimbursements for meetings organized by BEREC (such as meetings of the Board of Regulators and the Management Committee, the Contact Network, the Expert Working Groups, BEREC Workshops, or meetings with the BEREC Office), by the BEREC Chair or the European Commission and meetings jointly organised in Europe by BEREC and regulators or group of regulators with which BEREC has concluded a Memorandum of Understanding shall follow the above mentioned rules. For other meetings, the BEREC Office Authorising Officer shall invite a maximum number of three persons per meeting; under the principle of one person per NRA and only if they actively represent BEREC.’

Article 2

This Decision repeals the Management Committee Decision № MC/2013/05 of 6 June 2013.

This Decision enters into force on the same day of its adoption by the Management Committee of the BEREC Office.

Done at Riga, on 2 October 2015.

For the Management Committee

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Fátima BARROS

BEREC Chair for 2015