

## **55<sup>th</sup> Ordinary Plenary Meeting of the BEREC Office Management Board (MB)**

Hybrid meeting

# **Conclusions**

**Chairperson: Konstantinos Masselos**

President of the Hellenic Telecommunications  
& Post Commission (EETT)

9 June 2023

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## Annex I –List of final documents

## Main results of the 55<sup>th</sup> BEREC Office Management Board meeting

The BEREC Office Management Board (MB) held its 55<sup>th</sup> Ordinary Plenary Meeting in hybrid mode on 9 June 2023.

During the meeting, the MB discussed and/or approved the following documents:

### 1 Documents approved as 'A' items:

#### 1.1 For information:

- MB (23) 39 Communications ENG Information note about the BEREC web design and content project

### 2 Documents approved as regular items:

#### 2.1 For publication:

- MB (23) 38 Draft MB agenda
- MB (23) 40 Decision of the Management Board to establish Working Arrangements between the NRAs of Albania, Bosnia & Herzegovina, Kosovo , Montenegro, North Macedonia, Serbia, Ukraine and the Agency for Support for BEREC
- MB (23) 41 Working Arrangements concerning participation of the National Regulatory Authority of Albania in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC
- MB (23) 42 Working Arrangements concerning participation of the National Regulatory Authority of Bosnia & Herzegovina in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC
- MB (23) 43 Working Arrangements concerning participation of the National Regulatory Authority of Kosovo\* in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC
- MB (23) 44 Working Arrangements concerning participation of the National Regulatory Authority of Montenegro in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC
- MB (23) 45 Working Arrangements concerning participation of the National Regulatory Authority of North Macedonia in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC
- MB (23) 46 Working Arrangements concerning participation of the National Regulatory Authority of Serbia in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC

#### 2.2 For information:

- MB (23) 47 Conclusions of the 2nd BAG meeting
- MB (23) 48 Draft Report on discharge in respect of the implementation of the budget of the Agency for Support for BEREC (BEREC Office) for the financial year 2021
- MB (23) 49 Audit report on the provisional BEREC Office accounts for 2022

- MB (23) 50 ECA Preliminary observations
- MB (23) 51 Information on the status of the new BEREC Office premises project within the House of Europe project
- MB (23) 52 Annual Activity Report of the BEREC Office Data Protection Officer (DPO) 2022
- MB (23) 53 BEREC Office 2023 amending budget No 1
- MB (23) 54 Amendment to the Single Programming Document for 2023-2025
- MB (23) 55 Draft MB Decision on the adoption of the Amendment No 1 of the Single Programming Document of the BEREC Office for the period 2023-2025 and Amendment No 1 to the BEREC Office Budget and Establishment Plan for 2023
- MB (23) 56 Discussion paper to facilitate the Management Board discussion on the Budget priorities for 2024

The BEREC Office Management Board was also update on the procedure for the appointment of the new BEREC Office Director.

### **3 Next meeting**

The next Ordinary Plenary Meeting of the MB will take place in a hybrid manner on **6 October 2023, in Portugal**.

## Introduction and participation

The BEREC Office Management Board held its 55<sup>th</sup> Ordinary Plenary Meeting in hybrid mode on 9 June 2023.

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 Member State of the European Union (EU) and by the European Commission. The heads and high-level representatives of the NRAs with which BEREC has concluded Working Arrangements were also present.

## List of documents

The list of final documents approved by the meeting for publication, in compliance with the BEREC Regulation and the MB transparency rules, is presented in Annex I to the Conclusions.

## Items discussed

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

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

<b>Document(s)</b>	MB (23) 38 Draft MB Annotated Agenda
<b>Introduction by</b>	MB Chairperson (EETT)
<b>Information presented</b>	The MB Chairperson opened the meeting and presented the agenda for approval by the MB. The MB members were invited to propose any additional issues to be raised or presented under 'Any other business' (AOB).
<b>Conclusion</b>	The agenda was adopted with no changes.

### 2. List of 'A' items

<b>Document(s)</b>	<u>For information:</u> MB (23) 39 Communications ENG Information note about the BEREC web design and content project
<b>Introduction by</b>	MB Chairperson (EETT)
<b>Information presented</b>	The MB Chairperson presented the list of 'A' items, listed above. The list of 'A' items had been drawn up on the basis of the BEREC Office Advisory Group (BAG)'s and Contact Network (CN)'s comments. The MB Chairperson also drew the meeting's attention to the information documents provided by the BEREC Office. These documents were submitted alongside the 'A' items for information purposes only and did not require any action from the MB.
<b>Conclusion</b>	The MB approved the documents included in the 'A' items list.

### 3. Revision of Working Arrangements with NRAs participating in the work of BEREC and the BEREC Office

<b>Document(s)</b>	<p>MB (23) 40 Draft Decision of the Management Board to establish Working Arrangements between the NRAs of Albania, Bosnia &amp; Herzegovina, Kosovo<sup>1</sup>, Montenegro, North Macedonia, Serbia, Ukraine and the Agency for Support for BEREC</p> <p>MB (23) 41 Working Arrangements concerning participation of the National Regulatory Authority of Albania in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p> <p>MB (23) 42 Working Arrangements concerning participation of the National Regulatory Authority of Bosnia &amp; Herzegovina in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p> <p>MB (23) 43 Working Arrangements concerning participation of the National Regulatory Authority of Kosovo* in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p> <p>MB (23) 44 Working Arrangements concerning participation of the National Regulatory Authority of Montenegro in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p> <p>MB (23) 45 Working Arrangements concerning participation of the National Regulatory Authority of North Macedonia in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p> <p>MB (23) 46 Working Arrangements concerning participation of the National Regulatory Authority of Serbia in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p>
<b>Introduction by</b>	MB Chairperson (EETT)
<b>Information presented</b>	The MB Chairperson recalled that this topic had already been discussed at the Board of Regulators (BoR) session. Nevertheless, a similar approval procedure is required under the Management Board.
<b>Conclusion</b>	The MB approved the draft Working Arrangements for signature and publication.

### 4. Recent activities of the BEREC Office Advisory Group (BAG)

<b>Document(s)</b>	<p><u>For information:</u></p> <p>MB (23) 47 Conclusions of the 2<sup>nd</sup> BAG meeting</p> <p>MB (23) 48 Draft Report on discharge in respect of the implementation of the budget of the Agency for Support for BEREC (BEREC Office) for the financial year 2021</p> <p>MB (23) 49 Audit report on the provisional BEREC Office accounts for 2022</p> <p>MB (23) 50 ECA Preliminary observations</p> <p>MB (23) 51 Information on the status of the new BEREC Office premises project within the House of Europe project</p> <p>MB (23) 52 Annual Activity Report of the BEREC Office Data Protection Officer (DPO) 2022</p>
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<sup>1</sup> This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

	<p>MB (23) 53 BEREC Office 2023 amending budget No 1</p> <p>MB (23) 54 Amendment to the Single Programming Document for 2023-2025</p> <p>MB (23) 55 Draft MB Decision on the adoption of the Amendment No 1 of the Single Programming Document of the BEREC Office for 2023-2025 and Amendment No 1 to the BEREC Office Budget and Establishment Plan for 2023</p>
<b>Introduction by</b>	<p>BAG Chair (BNetzA)</p> <p>BEREC Office Director</p>
<b>Information presented</b>	<p>The BAG Chair informed the MB about the recent BEREC Office Advisory Group activities, including the outcome of its 2<sup>st</sup> BAG Ordinary Meeting held on 8 May 2023. She briefly presented the documents listed above and the BAG opinion on them.</p> <p>The MB was updated about:</p> <ul style="list-style-type: none"> <li>– BEREC Office operation 2021 and 2022, in particular: <ul style="list-style-type: none"> <li>• Decisions of the EP on discharge and closure of 2021;</li> <li>• ECA compliance audit and independent audit on the provisional accounts;</li> <li>• Draft 2022 Annual Report (CAAR)</li> </ul> </li> <li>– the Accounting Officer post, and the consequent amendment to the budget 2023 and SPD 2023-2025;</li> <li>– The ‘House of Europe’ project on the BEREC Office premises;</li> <li>– Communications ENG activities in 2023;</li> <li>– The BEREC Office DPO annual activity report for 2022.</li> </ul> <p>The BEREC Office Director also presented to the MB the lifecycle of budgeting and reporting situation concerning the subsequent budgetary years.</p>
<b>Conclusion</b>	The MB took note of the information.

## 5. Discussion paper to facilitate the Management Board discussion on the Budget priorities for 2024

<b>Document(s)</b>	MB (23) 56 Discussion paper to facilitate the Management Board discussion on the Budget priorities for 2024
<b>Introduction by</b>	<p>BAG Chair (BNetzA)</p> <p>BEREC Office Director</p>
<b>Information presented</b>	<p>The BEREC Office Director highlighted that the financial resources have to be managed thoroughly due to the high uncertainty and the dynamic economic situation. He noted that identification of negative priorities is not something new but it requires preparation to be ready in case it is necessary.</p> <p>The aim of the document is to get the MB guidance on identification of negative priorities to be included in the SPD 2024-26 to be approved in December 2023.</p>

	<p>He informed the MB that it contains key figures in terms of revenues and expenditures. He noted that the usual level of uncertainty within the BEREC Office budget in the past years was reached the amount of EUR 100k but now this had increased up to EUR 400k due to, for example, BEREC Office staff salary indexation stemming from staff regulations. He pointed out that this indexation takes place in December with retroactive effect. Other element of uncertainty in the budget is related with the reimbursements and travel expenses (tickets, number of meetings, number of participants, etc.). Altogether it amounts to EUR 400k, therefore he asked the MB for guidance in case these do not balance the revenues.</p> <p>In the context of the information provided above, the MB members were invited to provide their views on the topic.</p>
<b>Conclusion</b>	The MB took note of the information and provided guidance to the BEREC Office Director on the SPD 2024-2026.

## 6. Oral update on the procedure for the appointment of the new BEREC Office Director

<b>Document(s)</b>	No documents.
<b>Introduction by</b>	BAG Chair (BNetzA) Incoming BEREC Chair
<b>Information presented</b>	It was recalled that the vacancy notice was approved after two voting rounds. After translation it will be published in the Official Journal. Candidates will have sufficient time to submit their applications. All received applications will be screened against eligibility criteria and only eligible applicants will be assessed against selection criteria by the Selection Panel. The Selection Panel will conduct the interviews with a view to shortlist candidates for MB interviews planned to take place at P4/2023 after the MB ordinary session. After being selected by the MB the new BEREC Office Director will have to respond to questions from EP at a hearing in the ITRE Committee.
<b>Conclusion</b>	The MB took note of the information.

## 7 AOB

### 7.1 Information on the 56th MB ordinary meeting (6 October 2023, Portugal)

<b>Document(s)</b>	No documents.
<b>Introduction by</b>	Representative of the host NRA (ANACOM)
<b>Information presented</b>	The representative of the host NRA provided information on the logistics for the next 56 <sup>th</sup> MB ordinary meeting, which would take place on 6 October 2023, in Portugal.
<b>Conclusion</b>	The MB took note of the information.