

BEREC Office

Management Committee

Annual Activity Report 2011

3 July 2012

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I. Introduction

A. Legal context and procedure of preparing BEREC Office Annual Activity Report

According to Article 40 (2) of the BEREC Office Financial Regulation adopted on 3rd December 2010 by the Management Committee decision MC (10) 44 the Annual Activity Report shall be drawn up by the Management Committee in accordance with Article 13(2) of the constituent instrument. It shall comprise financial and management information confirming that the information contained in the report presents a true and fair view except as otherwise specified in any reservations related to defined areas of revenue and expenditure.

The Annual Activity Report shall indicate the results of the operations of the Office by reference to the objectives set, the risks associated with these operations, the use made of the resources provided and the efficiency and effectiveness of the internal control system. The internal auditor within the meaning of Article 71 shall take note of the Annual Activity Report and any other pieces of information identified.

B. BEREC and BEREC Office

The Office of the Body of European Regulators for Electronic Communications (referred to as BEREC) and the Office (referred to as the "Office" or the "BEREC Office") were created within Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009, with the objective to increase the consistency in the implementation of the EU regulatory framework and thus to improve the functioning of the Single Market.

BEREC is composed of a Board of Regulators (referred to as BoR) consisting of the Heads of the 27 national regulatory authorities (referred to as NRAs or NRA). BEREC advises the European Commission (referred to as EC) and the NRAs, and assists the European Parliament (referred to as EP) and Council, on issues related to the application of the EU regulatory framework for electronic communications. BEREC will in particular help to ensure fair competition and consistency of regulation in the internal market for electronic communications by providing expert advice on market definitions, analysis and remedies, definition of trans-national markets, cross-border disputes and numbering issues.

BEREC is supported by the BEREC Office. The Office is established as a European Union Body with legal personality within the meaning of Article 185 of the Financial Regulation. The BEREC Office is comprised of a Management Committee (referred to as MC) and an Administrative Manager. The Office is managed by the Administrative Manager under the supervision of the MC. The MC is composed of the same Heads of the 27 NRAs as the BEREC BoR and a representative of the EC.

The BEREC Office is structured as follows:

- Programme Management Unit
- Administration and Finance Unit
- Executive Support

Following the application by the Government of the Republic of Latvia to host the seat of the BEREC Office, on 31 May 2010 the Representatives of the Governments of the EU Member States (referred to as MS or MSs) took unanimous decision to locate the BEREC Office in Riga. With staff up to 28, the Office is financed by a subsidy from the European Union and financial contributions from Member States or from their NRAs made on a voluntary basis.

C. General tasks of BEREC Office in the context of the Electronic Communications Regulatory Framework

As provided by Article 6 of the BEREC Regulation, the Office performs its tasks under the guidance of the BoR and has to:

- provide professional and administrative support services to BEREC,
- collect information from NRAs and exchange and transmit information in relation to the role and tasks set out in Articles 2(a) and 3,
- disseminate regulatory best practices among NRAs, in accordance with Article 2(a),
- assist the Chair in the preparation of the work of the BoR,
- set up Expert Working Groups (referred to as EWG or EWGs), upon request of the BoR, and provide support to ensure the smooth functioning of those Groups.

D. Specifics of BEREC Office work in 2011

For the large part of 2011 the focus of activities was on the setting-up of the BEREC Office. This involved recruiting the team, buying work tools (ICT, furniture), preparing the office premises and facilities, putting in place the administrative and financial systems, gaining administrative and financial autonomy, etc.

The BEREC Regulation requires that the MC adopts the BEREC Office Work Programme (referred to as WP) for the following year by 30 September. Accordingly, the Office WP 2011 was adopted in September 2010, at the time when the Office did not yet exist. There were no personnel formally appointed. The Office WP 2011 was therefore more limited in terms of activities and required budgets than a work plan of a fully operational organisation.

The activities of the BEREC Office in 2011 were divided into 3 main categories:

- **Support to the completion of the BEREC Work Programme 2011;**
- **Other support activities (Horizontal Activities);**
- **Set-up of BEREC Office and general administration.**

With key staff recruited and critical infrastructure in place the organisation became operational in the second half of 2011. The Office gained its organisational autonomy as a body with legal personality within the meaning of Article 185 of the Financial Regulation in September 2011. The Annual Activity Report 2011 is therefore the first report of an autonomous operational organisation.

II. BEREC Office main activities in 2011

1. Support to the completion of the BEREC Work Programme 2011

1.1. Contribution to the topics of BEREC Work Programme 2011

BEREC Office activities have been related closely to the BEREC Work Programme (referred to as BEREC WP) and are driven by the BEREC WP. In 2011 the BEREC WP focused on 3 main themes:

- **Improving harmonisation;**
- **Emerging challenges;**
- **Set-up of BEREC and implementation of reviewed framework.**

In the BEREC WP 2011 a significant number of content items were identified under all 3 themes.

In its Annual Report on the Activities in 2011¹, BEREC reports its activities and results, taking the BEREC WP 2011 as a basis.

The tasks of BEREC Office to support BEREC in completing its WP and as specified in BEREC Office WP 2011 in this regard included:

¹ BoR (12) 48

- Data collection from NRAs, including verification and presenting the results to the experts and the BoR;
- Periodically ask NRAs about new regulatory decisions and conformity with BEREC Common Positions;
- Analyse the remedies proposed by NRAs and EC concerns expressed in comments letters;
- Analyse developments of emerging challenges;
- Support in contacting external stakeholders / external parties and maintaining contacts;
- Conduct studies to build up expertise and organise workshops;
- Support the Working Group in producing the yearly report on regulatory accounting;
- Exchange of best practices and technical expertise.

The Office support to BEREC in completing its WP was in 2011 realised largely as support to BEREC EWG. The priorities and tasks of EWG support, which were further specified during the year, are described in the following section 1.2 Management of BEREC EWGs. The section also contains an overview of relevant results.

In the BEREC WP 2011 the activities under “Set-up of BEREC” also included the tasks of the Office in regards to setting-up its own organisation. The activities and costs related to the set-up of the Office itself are covered in section 3 “Set-up of BEREC Office and general administration”.

1.2. Management of BEREC Expert Working Groups

Management of BEREC EWGs was presented under Horizontal Activities in BEREC Office WP 2011. However, setting-up or supporting EWGs is an activity contributing directly to the completion of the BEREC WP 2011.

This task follows from the BEREC Regulation, article 6 (2) item 5. The activity became significant as of May 2011, when the reviewed framework was transposed in national law of the MSs and when the need of setting-up and coordinating of Framework Directive (referred to as FD) Article 7/7a ad hoc EWGs became a reality. The EWGs as specified within BEREC WP 2011 were set up at the beginning of the year by BEREC.

Priorities:

- Setting-up, organising and co-ordinating the work within BEREC Office Programme Management Unit, mobilising available resources;
- Providing support to the established BEREC WP 2011 EWGs;
- Managing BEREC EWG public consultations;
- Implementing regular tracking of all FD Art. 7/7a notifications from the NRAs and keep an internal record of notifications;
- Establishing and coordinating FD Art. 7/7a phase II ad hoc EWGs;
- Reporting the outcome of FD Art. 7/7a phase II cases;
- Being prepared for public procurement procedures for research studies or workshops.

Status, Results:

- Programme Management Unit became operational by the end June 2011 being able to address (if so required) the set-up and coordination of potential FD Art. 7/7a ad hoc EWGs;
- Simple database of FD Art.7/7a focal points, rapporteurs and experts within NRAs was set up by May 2011;
- Regular tracking of all FD Art. 7/7a notifications from the NRAs was implemented in May/June 2011 and is reported back to BEREC;
- All 11 BEREC WP 2011 EWGs established by BEREC at the beginning of 2011 were supported by the Office starting from September 2011 primarily in the role of logistical and administrative assistance, assistance in compiling the reports, some legal advice;
- On the request of Remedies EWG the Office prepared an overview analysis and report on market analysis notifications and EC comments concerning all NRA notifications in the years

2010 and 2011 for the markets 4, 5 and 7 in order to identify trigger criteria for a potential Phase II between 26 May and 31 December 2011;

- Between September - December 2011 the Office experts participated in and supported 30 EWG meetings (excluding participation on BEREC Plenaries and Contact Network meetings);
- Support to 12 BEREC public consultations and data collection initiatives, among them e.g. International Roaming BEREC Benchmark Data Report January 2011 – June 2011; Public consultation on draft guidelines on Transparency in the scope of net neutrality; Benchmarking data collections (FTR, SMS TR, MTR); Data collection on Wholesale switching processes and Timing of availability; Public consultation on report on the cross border accessibility of numbers;
- One workshop on IP-interconnection was organised in November 2011 with related procurement of services. There was one request in March 2011 from BEREC for a market study on broadband promotion, but as the Office was not yet adequately staffed the procurement support for this market research could not be provided;
- Six FD Art. 7a phase II cases were opened by the EC in November/December 2011, some of them combined resulting in three EC serious doubts letters. As the Art. 7a phase II cases were similar in the content, one ad hoc EWG with some replacements for experts and rotation of rapporteurs in EWG for different phase II cases was set-up. The EWG work was coordinated by the Office up to the publication of BEREC opinions in December 2011.

Activities not finalised in 2011 and considered in future Work Plans:

- Analyse developments of emerging challenges;
- Support the EWG in producing the yearly report on regulatory accounting – was not addressed explicitly by the Office in 2011 as the EWG addressed it itself.

2. Horizontal activities

BEREC Office performed a number of other support activities in addition to the tasks related to BEREC WP. These activities were titled as horizontal activities.

2.1. Provide advice and other professional services to BEREC and other parties

This included any professional assistance to BEREC which is not already covered in Chapter 1. It also included assistance to “other parties” such as the EP, the Council and the EC. BEREC Office supports BEREC in its tasks mentioned in article 2 (b) and (e) of the BEREC Regulation.

Priorities:

- Being prepared to co-ordinate and address any request for advice from EU institutions;
- Being prepared to respond to info enquiries from market players, citizens and other “third parties”.

Results:

- Work with EP and the EC – by supporting Remedies EWG with BEREC response to the Commission’s public consultation on the application, monitoring and enforcement of non-discrimination obligations in electronic communications;
- Meeting organised with Council Working Group on Telecommunications and Information Society in order to present the BEREC Analysis of the European Commission’s Proposal for a Regulation on Roaming;
- Info enquiries from market players, citizens and other “third parties” were answered. As the majority of info requests were sent by e-mail also the answers were sent by e-mail.

2.2. Provide assistance and executive support to BEREC Chair

This included mostly logistical support to CN and Plenary.

Priorities:

- Office taking the responsibility for providing administrative & professional support for the Contact Network (referred to as CN) meetings starting with CN 3 at the beginning of September 2011;

- Office taking the responsibility for providing administrative & professional support for the BoR and the MC Plenary meetings starting with Plenary 3 in the end of September 2011;
- Assisting the Vice-Chair of the BoR in preparing and finalising the BEREC WP 2012.

Status, Results:

- Administrative and professional support to the 2011 BEREC Chair and Chair's office was provided in preparing CN meetings 3 and 4 in September and November 2011 and Plenary 3 and 4 meetings in September and December 2011. The support included preparation of agenda and communication of the agenda and other related draft documents to meeting participants, including registering and uploading of final documents for public reference. Logistical support was provided with organising Plenary 3 and 4 debriefings in Brussels;
- Latvian NRA SPRK organised the BoR and MC Plenary 1 meeting in Riga in February 2011. However, BEREC Office was not yet in the position to provide any logistical or administrative support for this venue;
- BEREC Chair was supported in drafting the rules for the public registers of BEREC and BEREC Office;
- BEREC Chair was supported with preparing the election of the Chairs and Vice-Chairs for 2012 of the BoR and the MC;
- BEREC Office was involved in preparing the BEREC WP 2012 and assisted BEREC Chair 2012 and his office;
- In the second half of 2011 the BEREC Office provided support to the 2011 and 2012 BEREC Chairs in organising and holding public hearings and public debriefings from the Plenary session;
- In Mid-October 2011 the Office organised in Riga a BEREC workshop "Strategy outlook for telecom regulation in Europe" for BEREC members and external stakeholders together with the Office formal opening ceremony.

2.3. Provide support to BEREC Working Group meetings

This contained logistical and administrative support. Content support is covered in Chapter 1.

Priorities:

- Office providing logistical and administrative support for the EWG meetings.

Status, Results:

- Meetings organised with International Roaming EWG and market players - meetings with operators, GSMA in order to exchange points of views;
- No further BEREC Working Group meetings were organised in Riga in 2011 due to relatively late move to own BEREC Office premises.

2.4. Providing administrative support services to BEREC

The planned tasks include potential ICT support (BEREC website and intranet), legal, HR, and other support.

Priorities:

- Launching a tender and implementing the BEREC public web-site, which is administered by the BEREC Office;
- Office providing to BEREC legal, HR, and other support upon request.

Status, Results:

- Providing legal assistance to BEREC – e.g. Office legal opinion on the format of cooperation between BEREC and FCC - Federal Communications Commission (USA); Legal advice to Convergence and Economic Analysis EWG about the status of content/application providers and means for NRA intervention.

Activities not finalised in 2011 and considered in future Work Plans:

- BEREC Office did not manage to launch a tender for BEREC public web-site. The tender was launched and finalised in spring 2012;

- A tender for BEREC intranet solution is also planned in 2012.

3. Set-up of BEREC Office and general administration

A significant part of the work of BEREC Office in 2011 was spent on the set-up of the Office. This involved recruiting the team, acquisition of work tools (ICT), preparation of office facilities, achieving the organisational and financial autonomy, etc.

Besides the set-up of BEREC Office there were some general administrative tasks that the Office had to execute as a legal body, such as the development of the annual BEREC Office WP and relationship management with the host country.

3.1. Premises and IT infrastructure

Priorities:

- Negotiating and signing the BEREC Office Seat Agreement with the Latvian Government;
- Negotiating the Memorandum of Understanding between BEREC Office and Latvian Government referring to the conditions of renovation of Riga premises and future rental conditions. Signing the Memo of Understanding between BEREC Office, EU Commission and the Latvian Government;
- Negotiating and signing the Lease Agreement with the landlord of Riga premises.
- Finalising the refurbishment of Office premises in Riga as agreed with Latvian parties. The role of the BEREC Office – to provide technical requirements for the refurbishing work, supervision of the refurbishment and acceptance of the works;
- Installing IT-infrastructure incl. VPN connection for accounting and budget implementation system ABAC;
- Furnishing the new premises;
- Moving to new premises.

Results:

- Seat Agreement was signed between the BEREC Office and the Latvian Government in February 2011;
- Memorandum of Understanding between BEREC Office and Latvian Government was finalised in July 2011. Was signed by all parties at the beginning of 2012;
- Lease Agreement with the Latvian State Real Estate Agency was signed in August 2011;
- Refurbishment works of Riga premises were finished, accepted by the Office and handover protocol signed in May 2011;
- Office furniture installed in new premises in July 2011;
- IT-infrastructure incl. Internet connection, e-mail services, VPN connection, IP based phone services and workstations was installed in the end August 2011;
- Moving to new premises at the beginning of September 2011;
- A formal opening ceremony of the BEREC Office new premises was organised in Mid-October 2011 with the presence of the President of the Republic of Latvia, Prime Minister of the Republic of Latvia, Vice-President of the European Commission and Commissioner for Digital Agenda, Ministers of Transportation and Foreign Affairs of Latvia, Riga municipality representatives, BEREC Chair and Vice-Chairs and BEREC members. In conjunction with the opening ceremony a BEREC workshop “Strategy outlook for telecom regulation in Europe” for BEREC members and external stakeholders was organised a day before.

3.2. Human resources management

Priorities:

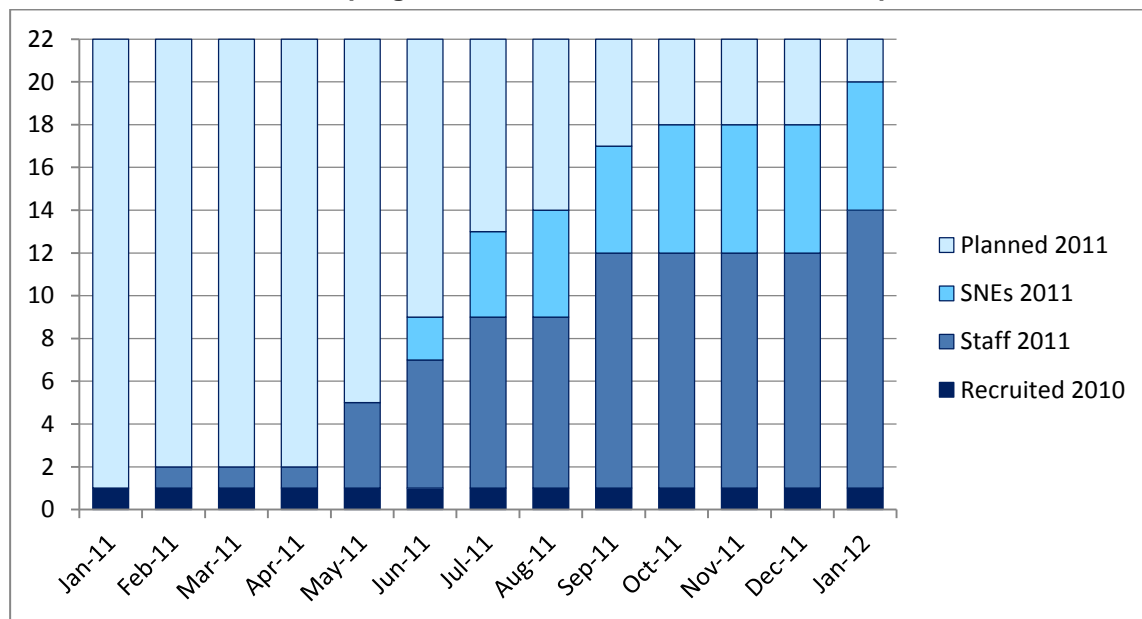
- Recruiting of staff and integration of new staff in the Office;
- Defining and adopting of relevant staff implementing rules;

- Training of staff on critical topics (especially financial management and ABAC accounting system for financial actors) to be able to perform in an operationally and financially autonomous organisation.

Results:

- Office recruitment plan 2011 and Multi-annual Staff Policy Plan (MSPP) were largely implemented except for one seconded national expert (referred to as SNE) position in Administration & Finance Unit. Two SNE positions in Administration & Finance Unit were newly profiled as contractual agents and both will be recruited in 2012. Recruitments for 4 new positions were initiated in 2011. Candidates to 11 staff positions were approved by the MC and 17 new staff members and SNEs were employed by the BEREC Office in 2011 (in addition to Administrative Manager, who was employed in 2010). Employment of further 3 positions was finalised at the beginning of 2012;
- BEREC Office Welcome Guide for new staff members was finalised in July 2011;
- Staff job descriptions were defined by the end 2011;
- Staff implementing rules on parental and family leave, on part-time work and rules on transferring pension rights were adopted by analogy and approved by MC by December 2011;
- Draft staff rules on disciplinary measures were submitted in October 2011 for Commission inter-service consultation and approval. Adopted in May 2012.

BEREC Office recruitment progress 2011: number of staff and SNEs per month



See also Appendix 7 for Staff establishment plan 2011.

3.3. Budget, finance and accounting

Over the first 9 months of the year (January – September 2011) the BEREC Office's parent DG, DG INFSO, held financial management responsibility (Authorising Officer) on behalf of the Agency. The Office gained operational and financial autonomy in September 2011.

Priorities:

- Defining the procedures for a sound financial management, adequate reporting and budget follow-up, accurate and timely payments and annual accounts. Defining the financial circuits and actors of the financial circuits. Defining the budget structure of an autonomous Agency;
- Implementing appropriate accounting and budget implementation systems (Commission accounting system ABAC);
- Signing of financing agreement between BEREC Office and DG INFSO;

- Achieving the financial and operational autonomy of the Agency in September 2011 (incl. transfer of assets, open commitments and archives, activating own bank account).

Results:

- Financial circuits complying with the requirement of segregation of duties and relevant financial actors were defined and approved by DG BUDG in July 2011;
- Definition of procedures for sound financial management, definition of budgetary and accounting structure, activation of own bank account was completed in August 2011;
- Financial and operational autonomy was granted to the Office by DG INFSO as of 12 September 2011;
- Financing agreement between BEREC Office and DG INFSO was signed in September 2011;
- ABAC system was implemented in September 2011 (financial and operational autonomy implemented in practice);
- Regular budgetary performance assessments in the Office were implemented as of November 2011.

Budget amendments 2011

The initial budget 2011 was approved by MC in the 1st part of 2010, when the BEREC Office did not yet have any staff members employed.

In July 2011, an amending budget was proposed to adapt it to the actual expenditure of the Office during the 1st year of set-up. Amending budget was adopted by the MC in September 2011 by Decision MC (11) 20.

Revenue 2011

<u>Revenues</u> in EUR	Budget 2011	Amending Budget AB 1/2011	New Appropriations 2011
1. Revenue from fees and charges			
2. European Community Subsidy	3,579,000	-1,769,000	1,810,000
3. Third countries contribution (incl. EFTA and candidate countries)	p,m,		p,m,
4. Other contributions (*)	200,000	-200,000	0
5. Administrative operations			
6. Revenues from services rendered against payment			
7. Correction of budgetary imbalances			
Total revenues	3,779,000	-1,969,000	1,810,000

(*) *Estimated voluntary contributions from MSs or from their NRAs. These contributions shall be used to finance specific items of operational expenditure as defined in an agreement to be concluded between the Office and the Member States or their NRAs.*

See Appendix 5 for budgetary data.

3.4. Legal services, Procurement and General administration

Priorities:

- Providing legal advice for Office contract management and public procurement in order to ensure compliance with applicable legal rules and regulations;
- Providing legal assistance to the BoR upon request;
- Tendering and procuring the office equipment (e.g. furniture, ICT equipment) and services (e.g. security, postal services);
- Signing Service Level Agreements (referred to as SLAs) with relevant EU Commission services (e.g. Medical Service, PMO – Paymaster Office for salary payments and

reimbursements, OIB – Facilities Management, CdT – Translation Centre, EPSO for recruitment, DG HR for training, DG BUDG for the accounting system ABAC);

- Preparing and adopting Office WP 2012;
- Preparing policy for Office Document Management.

Results:

- For results in public procurements and contract management see Appendix 6: List of 2011 tenders and contracts;
- SLAs with OIB, PMO and Medical Service agreed by Management Committee in September 2010. SLAs with Medical Service, OIB, PMO, CdT - Translation Centre, EAS - European Administrative School, EPSO - European Personnel Selection Office, DG HR, DG DIGIT, DG BUDGET were signed;
- Draft Office WP 2012 was prepared by the end June and adopted by the Management Committee in the end September 2011;
- Draft Internal Administrative Instructions on Document Management were prepared in October 2011 and signed at the beginning of 2012.

3.5. Internal Control Standards

Priorities:

- Defining and adopting Internal Control Standards;
- Defining and adopting an Action Plan for Internal Control Standards.

Results:

- List of BEREC Office Internal Control Standards was adopted by MC in May 2011;
- BEREC Office Implementation Plan for the Internal Control Framework and Standards was finalised in September 2011.

3.6. Relations with the Republic of Latvia

Priorities:

- Establishing good working relationships with relevant ministries of Latvian Government (Ministry of Transportation, Ministry of Foreign Affairs, Ministry of Education);
- Establishing relationships with Riga Municipality.

Results:

- The President of the Republic of Latvia, the Prime Minister of the Republic of Latvia, the Ministers of Transportation and Foreign Affairs and Riga municipality representatives were invited to the formal opening ceremony of the BEREC Office's new premises in Mid-October 2011. The event received significant coverage in the Latvian media and very positive feedback from the participants.

3.7. Work and responsibilities of BEREC Office Management Committee

Priorities:

- Having MC Plenary meetings at least four times a year in ordinary session;
- Electing a Chair for 2013 and Vice-Chairs for 2012;
- Appointing of Office staff. Approving Office budgets and adopting policy documents;
- Providing guidance to the Administrative Manager.

Results:

- In 2011 four regular plenary meetings of the MC were planned. These were convened as specified in Appendix 3
- MC elected during its December 2011 Plenary Mr Leonidas KANELLOS – EETT (Greece) as the Chair for 2013 and as Vice-chairs for 2012 Mr **Göran MARBY** – PTS (Sweden), Mr **Marius Cătălin MARINESCU** – ANCOM (Romania) and Mr **Edward RICHARDS** – OFCOM (UK);

- In its role as the Appointing Authority MC approved candidates and reserve lists for 11 staff positions and validated the MSPP 2012-2014, as specified in section 3.2. MC also approved draft MSPP 2013-2015 for submission to the Commission Services in December 2011;
- Approved the preliminary draft budget 2012 and transmitted to the EC by 31 March including a draft establishment plan;
- Adopted for publication and implementation the amendments to budget 2011 in Sept. 2011;
- Adopted rules for establishing and keeping a public register of BEREC Office documents in September 2011;
- Adopted rules for the reimbursement of the travelling expenses by the BEREC Office in September 2011;
- Approved the Office WP for 2012 for publication and implementation in September 2011;
- In preparation and as pre-requisites for the operational autonomy of BEREC Office:
 - Appointed Office Accounting Officer in May 2011;
 - Adopted the list of Office Internal Control Standards as specified in section 3.5;
 - Adopted for publication and implementation the Mission Charter of the Commission's Internal Audit Service in September 2011;
- Approved updated format for MC member declarations of interest;
- Validated the signing of the SLAs by the BEREC Office with EC units (DGs) and services, including SLAs with the DG HR, DG DIGIT, DG BUDGET, The European Administration School, Translation Center and European Personnel Selection Office (EPSO).

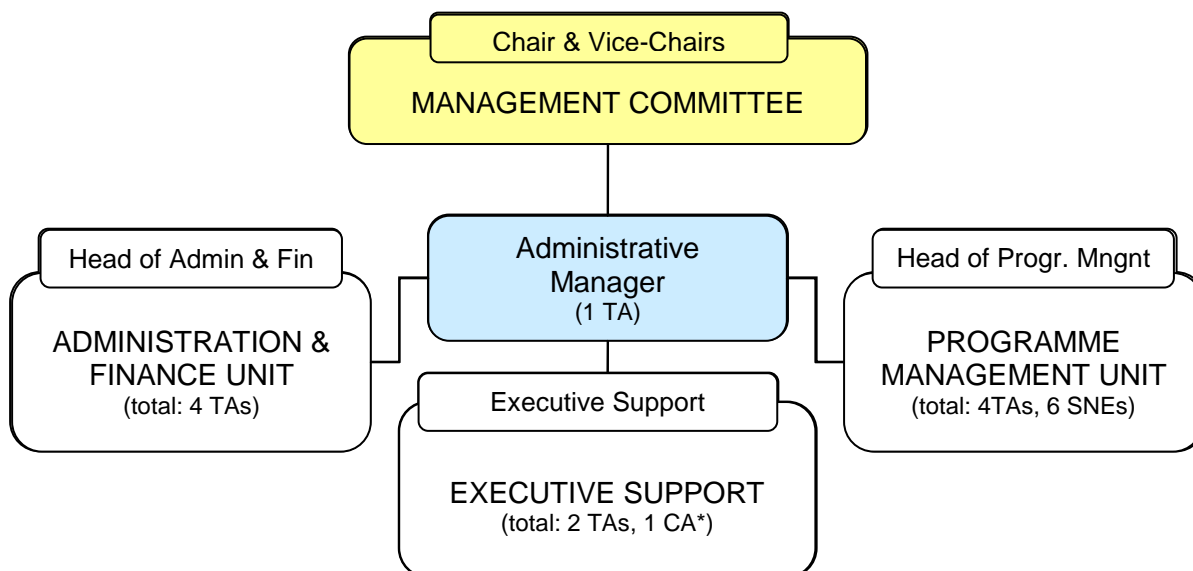
Appendix 3 contains information about the dates and the places of the meetings, as well as the links to the meeting agendas and conclusions. See Appendix 4 for the list of documents, which were adopted by MC and made available to the public through the BEREC web page.

III. Acronyms

AAR -	Annual Activity Report
BEREC -	Body of European Regulators for Electronic Communications
BoR -	BEREC Board of Regulators
CN -	Contact Network
DG -	EC Directorate General
EC -	European Commission
EP -	European Parliament
EWG -	BEREC Expert Working Group
FCC -	Federal Communications Commission (USA)
FD -	Framework Directive
FTR -	Fix telephony termination rate
HR -	Human resources
ICT -	Information and Communications Technologies
MC -	BEREC Office Management Committee
MS -	European Union Member State
MSPP -	Multi-annual Staff Policy Plan
MTR -	Mobile telephony termination rate
NRA -	National Regulatory Authority
SLA -	Service Level Agreement
SMS TR -	SMS termination rate
SNE -	Secoded National Expert
WP -	Work Programme (used as BEREC WP or BEREC Office WP)

IV. Appendixes

Appendix 1: BEREC Office organisational chart



* Due to organisational needs, one contract agent (Webmaster) was transferred from Administration and Finance Unit to Executive Support.

Appendix 2: Members and alternate members of the Management Committee as of 31.12.2011

Country/Org.	M/A	Title	First Name	Family Name	Position in NRA/EC	Organisation
Austria	Member	Dr	Georg	Serentschy	CEO Telecommunications	RTR
	Alternate	Mr	Sven	Gschweitl	Head of International Affairs	RTR
Belgium	Member	Mr	Luc	Hindryckx	President of the Council	BIPT
	Alternate	Mrs	Catherine	Rutten	Member of the Council	BIPT
Bulgaria	Member	Dr	Veselin	Bozhkov	Chairman	CRC
	Alternate	Ms	Vyara	Mincheva	Secretary General	CRC
Cyprus	Member	Dr	Polys	Michaelides	Commissioner	OCECPR
	Alternate	Dr	Neophytos	Papadopoulos	Director	OCECPR
Czech Republic	Member	Dr	Pavel	Dvořák	Chairman of the Council	CTU
	Alternate	Mrs	Nadezda	Páčlová	Head of EU Affairs Division	CTU
Denmark	Member	Mr	Jorgen Abild	Andersen	Director General Telecom	DBA
	Alternate	Mr	Finn	Petersen	Deputy Director General Telecom	DBA

Country/Org.	M/A	Title	First Name	Family Name	Position in NRA/EC	Organisation
Estonia	Member	Mr	Märt	Ots	Director General	ECA
	Alternate	Mr	Rivo	Mets	Head of Electronic Communications Department	ECA
Finland	Member	Ms	Asta	Sihvonen-Punkka	Director General	FICORA
	Alternate	Mr	Martin	Andersson	Deputy Director	FICORA
France	Member	Mr	Jean-Ludovic	Silicani	Chairman	ARCEP
	Alternate	Mr	Jerome	Coutant	Board Member	ARCEP
Germany	Member	Mr	Matthias	Kurth	President	BNetzA
	Alternate	Mrs	Iris	Henseler-Unger	Vice-President	BNetzA
Greece	Member	Dr	Leonidas	Kanellos	President	EETT
	Alternate	Dr	Panos	Karaminas	Director of Telecommunications Division	EETT
Hungary	Member	Mr	Gabor	Matrai	Vice-President	NMHH
	Alternate	Dr	Ferenc	Banhidi	Director	NMHH
Ireland	Member	Mr	Alex	Chisholm	Chair	ComReg
	Alternate	Mr	Bobby	Hannan	Director	ComReg
Italy	Member	Mr	Roberto	Viola	Secretary General	AGCOM
	Alternate	Mr	Enzo	Savarese	Commissioner	AGCOM
Latvia	Member	Dr	Valdis	Lokenbahs	Chairman	SPRK
	Alternate	Dr	Andris	Virtmanis	Director Electronic Communications and Post	SPRK
Lithuania	Member	Mr	Feliksas	Dobrovolskis	Director	RRT
	Alternate	Mr	Lina	Rainiene	Deputy Director	RRT
Luxembourg	Member		no nomination			
	Alternate	Mr	Jacques	Prost	Deputy Director	ILR
Malta	Member	Ing	Philip	Micallef	Executive Chairman	MCA
	Alternate	Mrs	Celia	Falzon		MCA
Poland	Member	Ms	Anna	Streżyńska	President of UKE	UKE
	Alternate	Ms	Aleksandra	Stepnowska	President's Cabinet	UKE
Portugal	Member	Mr	José	Amado da Silva	Chairman	ANACOM
	Alternate	Mr	José	Ferrari Careto	Member of the Board	ANACOM
Romania	Member	Mr	Marius Catalin	Marinescu	President	ANCOM

Country/Org.	M/A	Title	First Name	Family Name	Position in NRA/EC	Organisation
	Alternate	Mr	Eduard	Lovin	CEO	ANCOM
Slovak Republic	Member	Mr	Ladislav	Mikuš	Chairman	TU SR
	Alternate	Mr	Juraj	Michňa	Vice-Chairman	TU SR
Slovenia	Member	Mr	Dolenc	Franc	Director	APEK
	Alternate	Mr	Tomislav	Zbontar	Adviser	APEK
Spain	Member	Mr	Lorenzo Almendros	Bernardo	Chairman	CMT
	Alternate		no nomination			
Sweden	Member	Mr	Goran	Marby	Director General	PTS
	Alternate	Mrs	Catarina	Wretman	Deputy Director General	PTS
The Netherlands	Member	Mr	Chris	Fontejn	Chairman	OPTA
	Alternate	Mr	Mark	De Jong	Vice-Chairman	OPTA
United Kingdom	Member	Mr	Ed	Richards	CEO	OFCOM
	Alternate	Ms	Arino	Monica	Director	OFCOM
European Commission	Member	Mr	Robert	Madelin	Director General	EC
	Alternate	Mr	Gerard	de Graaf	Director	EC

Appendix 3: Plenary meetings of the Management Committee

Date	Location	Meeting Agenda	Meeting Conclusions
24-25 February 2011	Riga	http://berec.europa.eu/doc/berec/mc_riga_agenda.pdf	http://berec.europa.eu/doc/berec/mc_ccl_riga.pdf
26-27 May 2011	Porto	http://berec.europa.eu/doc/berec/porto_mc_agenda.pdf	http://berec.europa.eu/doc/berec/mc_11_18.pdf
29-30 September 2011	Barcelona	http://berec.europa.eu/doc/berec/bcn_mc_agenda.pdf	http://berec.europa.eu/doc/berec/mc_bcn.pdf
8-9 December 2011	Bucharest	http://berec.europa.eu/doc/berec/bucharest_mcagenda.pdf	http://berec.europa.eu/doc/berec/mc11_36_mc9conclusions.pdf

Appendix 4: Final documents of the Management Committee, which were made available to the public

Doc. №	Document Title	Link to published document (if published)
MC (11) 14	Decision of the MC of the BEREC Office appointing the accounting officer	http://berec.europa.eu/doc/berec/mc11_14_accountingofficer.pdf

MC (11) 20	BEREC Office Amending Budget 1/2011 (also published in OJ)	http://berec.europa.eu/doc/berec/mc_11_20.pdf
MC (11) 21	Mission Charter of the Commission's IAS	http://berec.europa.eu/doc/berec/mc_11_21.pdf
MC (11) 22	MC Decision on establishment and keeping registers of the MC documents to be available for public access	http://berec.europa.eu/doc/berec/mc_11_22.pdf
MC (11) 23	MC Decision on the reimbursement of the travelling expenses by the BEREC Office (repealed by MC Decision 20012/1)	http://berec.europa.eu/doc/berec/mc_11_23.pdf
MC (11) 24	MC Decision on the reimbursement of the travelling expenses by the BEREC Office to candidates within the recruitment procedure	http://berec.europa.eu/doc/berec/mc_11_24.pdf
MC (11) 25	WP of the BEREC Office for 2012	http://berec.europa.eu/doc/berec/mc_11_25.pdf

Appendix 5: Financial Reporting

Balance Sheet

Balance Sheet - Assets	Note	2011	2010	Variations
ASSETS				
NON CURRENT ASSETS				
INTANGIBLE ASSETS	3.1.1.1			
<i>Computer software</i>		0.00		0.00
TOTAL INTANGIBLE ASSETS		0.00		0.00
EQUIPMENT	3.1.1.2			
<i>Computer Hardware</i>		33,024.82		33,024.82
<i>Furniture</i>		2,922.29		2,922.29
TOTAL TANGIBLE ASSETS		35,947.11		35,947.11
TOTAL NON CURRENT ASSETS		35,947.11		35,947.11
CURRENT ASSETS				
SHORT-TERM PRE-FINANCING	3.1.2.1			
PF – Procurement oper.		0.00		0.00
SHORT-TERM RECEIVABLES	3.1.2.2			
Current Receivables		8,273.76		8,273.76
Current receivables with consolidated EC entities		0,00		0,00

Other short-term receivables		0.00		0.00
CASH AND CASH EQUIVALENTS	3.1.2.3	639,943.65		639,943.65
TOTAL CURRENT ASSETS		648,217.41		648,217.41
TOTAL		684,164.52		684,164.52

Balance Sheet – Liabilities	Note	2011	2010	Variations
LIABILITIES				
CAPITAL				
ECONOMIC RESULT OF the YEAR (GAIN)		89,017.48		89,017.48
CURRENT LIABILITIES	3.1.3			
Short-term provisions		7,157.61		7,157.61
Accounts Payable				
Current Payables		4,665.39		4,665.39
Other accounts payable against consolidated EU entities		27,679.16		27,679.16
Accrual Liabilities Payables		112,591.04		112,591.04
Accrued charges with consolidated EU entities		20,597.76		20,597.76
Pre-financing received from consolidated EU entities		422,456.08		422,456.08
TOTAL CURRENT LIABILITIES		595,147.04		595,147.04
TOTAL		684,164.52		684,164.52

Economic Outturn Account

Economic Outturn Account	Note	2011	2010	Variations
OPERATING REVENUES	3.2.1			
SUBSIDY OF the COMMISSION		756,329.53		756,329.53
MISCELLANEOUS OPERATING REVENUES		22,654.68		22,654.68
TOTAL OPERATIONAL INCOME		778,984.21		778,984.21
OPERATING EXPENSES	3.2.2			
Administrative expenses				
All Staff expenses		-364,711.61		-364,711.61
Fixed asset related expenses		-4,125.88		-4,125.88
Other administrative expenses		-205,517.58		-205,517.58
Operational expenses				

Operational expenses		-115,611.66		-115,611.66
TOTAL OPERATIONAL EXPENSES		-689,966.73		-689,966.73
SURPLUS/DEFICIT FROM OPERATING ACTIVITIES		89,017.48		89,017.48
Financial revenues		0.00		0.00
Financial expenses	3.2.3	0.00		0.00
SURPLUS/ (DEFICIT) FROM NON OPERATIONAL ACTIVITIES		0.00		0.00
SURPLUS FROM ORDINARY ACTIVITIES		89,017.48		89,017.48
Extraordinary gains (+)		0.00		0.00
Extraordinary losses (-)		0.00		0.00
SURPLUS/(DEFICIT) FROM EXTRAORDINARY ITEMS		0.00		0.00
ECONOMIC OUTTURN FOR THE YEAR		89,017.48		89,017.48

Cash Flow Statement (Indirect method)

	2011	2010
Cash Flows from ordinary activities		
Surplus/(deficit) from ordinary activities	89,017.48	
Operating activities		
<u>Adjustments</u>		
Amortization (intangible fixed assets) +	0.00	
Depreciation (tangible fixed assets) +	4,125.88	
Increase/(decrease) in Provisions for risks and liabilities	7,157.61	
(Increase)/decrease in Short term Pre-financing	0.00	
(Increase)/decrease in Short term Receivables	-8,273.76	
(Increase)/decrease in Receivables related to consolidated EU entities	0.00	
Increase/(decrease) in Accounts payable	137,854.19	

Increase/(decrease) in Liabilities related to consolidated EU entities	450,135.24	
Net cash Flow from operating activities	680,016.64	

Cash Flows from investing activities		
Increase of tangible and intangible fixed assets (-)	-40,072.99	
Net cash flow from investing activities	-40,072.99	

Net increase/(decrease) in cash and cash equivalents	639,943.65	
Cash and cash equivalents at the beginning of the period	0.00	
Cash and cash equivalents at the end of the period	639,943.65	

Budgetary execution (commitments and payments) by Title

<u>Revenues</u> in EUR	Amended Budget 1/2011 ^(*)	Budget executed
1. Revenue from fees and charges		
2. European Community Subsidy	1,178,785,61	1,178,785,61
3. Third countries contribution (incl. EFTA and candidate countries)		
4. Other contributions (*)		
Total revenues	1,178,785,61	1,178,785,61

^(*) The budget implemented by the Commission (DG INFSO) until financial autonomy on the 12 September 2011 has been deducted from the Amended Budget 1/2011 approved by the Management Committee on 30 September 2011.

The present budget implementation only covers the period from 12 September to 31 December 2011 as The BEREC Office became financially autonomous on 12 September 2011.

Previously all financial and budgetary transactions were under the responsibility of the parent DG in the Commission, DG INFSO

Appendix 6: List of 2011 procurements and contracts

List of procurement contracts concluded in 2011

Contract No	Type of Contract	Object of the contract	Contractor's Name	Contract value (excl. VAT)
BEREC/11/002	Purchase Order	Organisation of an workshop in Riga on 13/10/2011	Radisson Blu Elizabete Hotel	4853.42 EUR
BEREC/11/003	Purchase Order	Office supply	Officeday Latvia SIA	3474.54 LVL
BEREC/11/004	Framework Contract	Provision of professional event organisation services for BEREC Office	Komunikaciju Agentura	< 60000 EUR
BEREC/11/004-01	Specific Contract under FWC BEREC/11/004	Opening of BEREC Office	Komunikaciju Agentura	10745.5
BEREC/11/008	Purchase Order	Organisation of a conference in Brussels on 02/11/2011	Hotel BLOOM	4545.37 EUR
BEREC/11/009	Purchase Order under FWC BEREC/11/004	Stationery for opening of BERE Office	Komunikaciju Agentura	3858.51 LVL
BEREC/11/010	Framework Contract	IT professional services and support for the BEREC Office	SIA LECOM	< 5000 EUR
BEREC/11/010-01	Purchase Order under FWC BEREC/11/010	IT support	SIA LECOM	194.90 LVL

List of other contracts concluded in 2011 (partly by parent DG INFSO)

Contract No	Type of Contract	Object of the contract	Contractor's Name	Contract value (excl. VAT)
30-CE-0420862/00-37	Service contract DG INFSO	Implementation of ABAC accounting system at BEREC Office	Deloitte Consulting CVBA/SCRL	15549.32 EUR
30-CE-0435965/00-94	Service contract DG INFSO	Fiber connection, e-mail services, sTesta VPN connection and IP telephony services for BEREC Office	Latvijas Valsts radio televizijas centrs (LVRTC)	5000 EUR
30-CE-0442564/00-60	Service contract DG INFSO	Provision of security services for BEREC Office	Koblenz Drosiba SIA	13723 EUR
BEREC/11/001	Framework Contract	Opening of bank accounts in EUR and LVL for BEREC Office	UniCredit Bank AG	-
BEREC/11/005	Service contract under EC FWC	Travel assistance/insurance policy for persons on mission	Vanbreda International N.y.	-
BEREC/11/006	Service contract under EC FWC	Travel agency services for the BEREC Office	AMERICAN EXPRESS CORPORATE TRAVEL NV/SA	-
BEREC/11/007	Service contract under EC FWC	Implementation of ABAC accounting system at BEREC Office	Deloitte Consulting CVBA/SCRL	15149.32 EUR
DIGIT-00285-00	Memorandum of Understanding	IT hosting services for the ABAC system	Directorate General for Informatics - DG DIGIT	-
SLA BEREC-DG INFSO-DG BUDG	Service level agreement	Agreement for the provision of services in relation to the implementation of the ABAC system	Directorate General for Budget - DG BUDG	-

SLA BEREC-OIB	Service level agreement	Technical assistance in the field of real estate and logistics	L'Office pour les infrastructures et la logistique - OIB	-
SLA BEREC-DG HR	Service level agreement	Learning and development services	Directorate General for Human Resources and Security - DG HR	-
SLA BEREC-DG INFSO-EAS	Service level agreement	Training	European Administrative School - EAS	-
SLA BEREC-CdT	Service level agreement	Translation services	The translation Centre for the Bodies of the European Union- CdT	-
SLA BEREC-Service Medical	Service level agreement	Medical services	Le Service Medical	-
SLA BEREC-EP SO	Service level agreement	Technical assistance on staff individual entitlements	The Office for Administration and Payment of Individual Entitlements - PMO	-
SLA BEREC-PMO	Service level agreement	Technical assistance on selection of officials, temporary agents and contract agents	European Personnel Selection Office - EP SO	-

Appendix 7: Staff establishment plan 2011

Function group and grade	2011			
	Authorised under the EU Budget		Filled as of 31/12/2011	
	Permanent posts	Temporary posts	Permanent posts	Temporary posts
AD 16				
AD 15				
AD 14		1		1
AD 13				
AD 12				
AD 11				
AD 10				
AD 9		2		2
AD 8				
AD 7		2		2
AD 6				
AD 5		4		3
AD total		9		8
AST 11				
AST 10				
AST 9				
AST 8				
AST 7				
AST 6				
AST 5				
AST 4				
AST 3		2		2
AST 2				
AST 1		1		1
AST total		3		3
TOTAL		12		11
GRAND TOTAL		12		11

Contract Agents	Authorised 2011	Recruited as of 31/12/2011
Function Group IV	0	0
Function Group III	1	1
Function Group II	1	0
Function Group I	0	0

Contract Agents	Authorised 2011	Recruited as of 31/12/2011
Total	2	1

Seconded National Experts	Authorised 2011	Recruited as of 31/12/2011
Total	8	6

Appendix 8: Statement of reasonable assurance

Note for the attention of the Management Committee of the BEREC Office

Subject: Statement of reasonable assurance

I, the undersigned, Ando Rehema, Administrative Manager of BEREC Office in my capacity as Authorising Officer

Declare that the information contained in this report gives a true, reliable and complete view.

State that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.

This reasonable assurance is based on my own judgement and on the information at my disposal, such as the results of the self-assessment, ex-ante and ex-post controls, etc.

Confirm that I am not aware of anything not reported here which could harm the interests of the institution.

Done in Riga, 03/07/2012

Ando Rehema

Administrative Manager
BEREC Office

(signed)