

12th meeting
of the Management Committee of the Office of the Body of
European Regulators for Electronic Communications
(BEREC Office)
28 September 2012, Limassol

Hosted by OCECPR

Conclusions

Chair: **Dr Georg SERENTSCHY**
CEO of the Austrian Regulatory Authority
for
Broadcasting and Telecommunications
(RTR-GmbH)

**Main Results from the 12th meeting of the Management Committee (MC) of
the BEREC Office**

I. Final documents, approved for publication

1. MC Decisions

The MC approved for publication and implementation the following decisions:

- Decision on the setting up of a Staff Committee at the BEREC Office;
- Decision adopting implementing rules concerning the tasks, duties and powers of the Data Protection Officer pursuant to Article 24(8) of Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the institutions and bodies of the European Union and on the free movement of such data;
- Decision on the appointment of external experts for the support in the implementation of the BEREC Office administrative procedures.

2. *BEREC Office Work Programme for 2013*

The MC approved for publication and implementation the BEREC Office Work Programme for 2013.

II. *Draft documents approved by the MC*

1. *MC Opinions*

The MC approved in principle its reply to the observations of the European Court of Auditors (ECA) on the Final Accounts of the BEREC Office for 2011.

2. *Draft MC Decisions approved for submission to the Commission*

The MC approved the following two draft implementing measures in accordance with the arrangements provided for in Article 110 of the Staff Regulations of Officials of the European Communities, which have to be submitted to the Commission for agreement, as required by Article 10(2) of the BEREC Regulation:

- Draft Decision on working hours at the BEREC Office;
- Draft Decision on direct service agreements with the international early childhood centres in the Republic of Latvia to cover kindergarten fees for children of BEREC Office staff.

III. *Recruitment of BEREC Office staff*

The MC nominated the successful candidates for Programme Management Assistants and approved the reserve list of candidates, which was to remain valid for one year.

IV. *Next meeting*

The next meeting of the MC would take place on 6 and 7 December 2012 in Saint Julian's (Malta).

V. *Follow-up actions*

The follow-up actions arising from the meeting conclusions are presented in Annex I to these minutes.

Introduction and participation

The BEREC Office MC held its 12th meeting on 28 September 2012, in Limassol, kindly hosted by the Office of the Commissioner for Electronic Communications and Postal Regulation of the Republic of Cyprus (OCECPR).

The meeting was attended by 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. 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 and were represented at high level.

Items discussed

1. Opening of the meeting and adoption of the agenda

- Draft MC Agenda

MC (12) 41

Information presented:

The BEREC Chair opened the meeting and presented the draft meeting agenda. He asked for any suggestions for inclusion of additional items under “Any other business” (AOB).

Conclusions

The MC adopted the agenda with the addition of suggested items regarding the new Spanish bill for merging CMT with other regulatory authorities and considering some issues related to BEREC’s international strategy and enhancing the use of audio and video conferencing.

2. Elections of Chair for 2014 and Vice-chairs for 2013

Elections of Chair for 2014 and Vice-chairs for 2013 – procedures

Information presented:

The BEREC Chair provided oral information on the procedure for the elections of Chair 2014 and Vice-chairs 2013. He informed the MC members that the deadline for submitting applications for Chair 2014 was 7 October 2012.

Conclusions

The MC took note of the information.

3. Approval of the list of “A” items

-Draft MC Decision on Staff Committee

MC (12) 37

-Draft MC Decision on flexi-time

MC (12) 38

-Draft MC Decision on direct service agreements with the international early childhood centres in the Republic of Latvia to cover kindergarten fees for children of BEREC Office staff

MC (12) 39

-Draft MC Decision adopting implementing rules concerning the tasks, duties and powers of the Data Protection Officer pursuant to Article 24(8) of Regulation (EC) No 45/2001

MC (12) 40

Information presented:

The Chair presented the list of “A” items as mentioned above and asked if any of the MC members would like to suggest taking some of the “A” items as regular items.

There were no requests for withdrawing items from the “A” list and therefore the Chair suggested the approval of the documents on the list without discussion.

Conclusions

The MC approved the documents included in the “A” list.

4. Draft 2013 BEREC Office WP

Draft 2013 BEREC Office WP

MC (12) 42

Information presented:

The BEREC Office Administrative Manager (AM) presented the draft 2013 BEREC Office WP.

Conclusions

The MC approved the BEREC Office Work Programme for publication.

5. Appointment of external experts by the BEREC Office

Draft MC Decision on the appointment of external experts by the BEREC Office

MC (12) 36

Information presented:

The BEREC Office AM presented a revised draft MC Decision on the appointment of external experts by the BEREC Office.

Conclusions

The MC discussed the draft decision and approved it with the amendments suggested by the Commission.

6. MC reply to the observations of the European Court of Auditors (ECA) on the Final Accounts of the BEREC Office for 2011*Information presented:*

The BEREC Office AM informed the MC that the Office had not yet received the final observations of the ECA on the Final Accounts of the BEREC Office for 2011 but noted that the ECA had informed the Office that they would not differ from the preliminary observations presented to the attention of MC.

The AM therefore thought that it might be reasonable for the MC to discuss a possible draft reply by the MC to the observations of the ECA on the basis of the information already presented.

Conclusions

The MC approved for submission to the ECA its reply to the ECA's observations on the BEREC Office's Final Accounts for 2011.

7. 2012 BEREC Office Budget

Up-date on the execution of the 2012 BEREC Office Budget MC (12) 35

Information presented:

The BEREC Office AM presented the status of execution of the BEREC Office Budget for 2012 as of 14 September 2012.

Conclusions

The MC took note of the information.

8. BEREC Office Mission Statement

BEREC Office Mission Statement and core values MC (12) 20

Information presented:

The BEREC Office AM presented the BEREC Office Mission Statement and core values

Conclusions

The MC approved the BEREC Office Mission Statement for publication.

9. Recruitment to the BEREC Office

Information presented:

The BEREC Office AM gave an oral up-date on the on-going recruitment procedures at the BEREC Office.

Furthermore, the Chair of the Selection Committee presented the ranked short-list of successful candidates for the two posts of Programme Management Assistant.

Conclusions

The MC approved the nomination of the successful candidates for the posts as Programme Management Assistants and approved the reserve list of candidates, which was to remain valid for one year.

10. Presentation of the new BEREC website

Information presented:

The BEREC AM presented the new BEREC website, including the recent developments regarding the cookies policy.

Conclusions

The MC took note of the information.

11. AOB**11.1. Information from CMT***Information presented:*

CMT suggested that further consideration should be given to the need to develop BEREC's international strategy, as discussed at the Porto Plenary in 2011.

CMT also suggested enhancing the use of video or audio conferences for smaller meetings, in particular for Article 7/7a, phase II cases, which might allow the limited resources available to be used more efficiently.

CMT suggested using the budget resources saved by the use of audio/videoconferences to encourage more active participation of NRAs in BEREC's international meetings, such as BEREC-Regulatee Summit, EaP and EMERG.

CMT also informed the meeting that on 27 September 2012 the Spanish Government had tabled a bill to merge CMT with other regulatory authorities.

Conclusions

The MC discussed some of the topics raised by CMT.

In relation to the use of videoconference facilities at BEREC, it was agreed to continue discussion at subsequent meetings and investigate on practical solutions.

In relation to the BEREC international strategy, the BEREC Chair agreed to investigate ways to encourage active participation of NRAs in BEREC international meetings.

11.2. Information on the 13th meeting of the Management Committee, 6 and 7 December 2012, Saint Julian's (Malta).*Information presented*

The Malta Communications Authority (MCA) presented the schedule and the venue for the next MC meeting to take place on 6 and 7 December 2012 in Saint Julian's, Malta.

ANCOM informed the MC that the next plenary meeting would be preceded by a workshop devoted to internal governance.

Conclusions

The MC took note of the information.