

**DECISION № BoR/2013/1**  
**of the Board of Regulators**  
**to elect a new Vice Chair for 2013 and a new Chair for 2014**

**THE BOARD OF REGULATORS,**

Having regard to the Council and European Parliament Regulation (EC) № 1211/2009 of 25 November 2009 (hereinafter "BEREC Regulation") establishing the Body of European Regulators for Electronic Communications (hereinafter "BEREC") and the BEREC Office, and in particular Article 4 thereof,

Whereas:

(1) In the 13<sup>th</sup> meeting of the Board of Regulators, held on 6 and 7 December 2012 in Malta, Luc Hindryckx, Chairman of BIPT, was elected as BEREC Vice-Chair 2013 and BEREC Chair 2014;

(2) The appointment decision of Luc Hindryckx, as Chairman of BIPT, was annulled by the judgment of the Belgian Council of State on 17 January 2013 (n 222.114). As result of the judgement Luc Hindryckx is no longer representing BIPT in the BEREC and the Management Committee of the BEREC Office. Taking into account that the Vice Chair and the Chair posts are *ad personam*, and that the preconditions for the election are not met any longer, the posts of the Vice Chair 2013 and the Chair 2014 of the Board of Regulator and the Management Committee of the BEREC Office, held by Luc Hindryckx, are effectively vacant;

(3) Therefore, a new Vice Chair 2013, who will become Chair in 2014, should be elected;

(4) The Board of Regulators Rules of Procedures, Article 2.4 provide that the elections shall take place in the last ordinary plenary meeting of the year.

(5) According to the exceptional circumstances described above, there is a need to derogate from the provisions of the above mentioned Article 2.4, in order to hold election of Chair 2014 in the 15<sup>th</sup> meeting of the Board of Regulators that will take place on 6 and 7 June 2014.

Therefore,

HAS ADOPTED THIS DECISION:

**Article 1**

1. Elections for a new Chair 2014 shall be held in the 15<sup>th</sup> meeting of the Board of Regulators, which will take place in Athens on 6 and 7 June 2013, and particularly on 7 June 2013.

2. The candidate that will be elected shall, from the day of his/her election, hold the 2013 Vice Chair post for the remainder of 2013.

### **Article 2**

1. The election shall be held following the provisions of Article 2 of the Rules of Procedures of the Board of Regulators.

2. Candidacies for the Chair 2014 shall be submitted to the BEREC Office in writing until 6 April 2013, COB.

### **Article 3**

This decision shall take effect on the day of its adoption.

Done in Ljubljana, on 7 March 2013

**For the Board of Regulators**

**Dr Leonidas KANELLOS**  
**Chair for 2013**