

**Explanatory Memorandum
to the Decision of the Management Committee of the Office
of the Body of European Regulators for Electronic
Communications (BEREC Office) on the adoption of the
Annual and Multi-annual Programming of the BEREC
Office Activities for the period 2017-2019
(MC/2016/16)**

2 December 2017

The BEREC Office is an Agency of the EU, established with the objective of providing administrative and professional support to the Body of European Regulators for Electronic Communications (BEREC). BEREC contributes to the development and better functioning of the internal market for electronic communications networks and services. BEREC and the BEREC Office were established by Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009.

In compliance with the provisions of Article 32 of the BEREC Office Financial Regulation, in January 2016, the BEREC Office MC approved a draft multi-annual programming document for the period 2017-2019, which had the objective of ensuring consistent programming of its activities with its resource programming (e.g. multi-annual budget and staff).

The document was prepared on the basis of the Commission Guidelines¹ of 16 December 2014 and the outcome of the orientation debate held on the subject by the BEREC Office Management Committee during its 25th plenary meeting (10-11 December 2015, London)².

As required by the BEREC Office Financial Regulation the draft has been submitted to the Commission, the European Parliament and the Council of the EU.

On 8 August 2016 the Commission adopted its Opinion on the document according to which the draft programming document is overall in line with the scope, objectives and tasks of the BEREC Office. However, the Commission made some proposals for amending the document including by aligning the resource planning per activity with the draft General Budget of the EU tabled by the Commission and the methodology for job screening approved by the Network of Agencies in October 2015.

Consequently, at its 29th plenary meeting (9 December 2016, Berlin), the Management Committee approved a revised, final version of the document, in which the Management Committee decided to take into account the recommendations of the Commission as far as possible.

The final programming document comprises the BEREC Office multi-annual programme for the period 2017-2019 and its annual work programme for 2017.

The BEREC Office multi-annual programme defines the main strategic objectives of the Agency for the 3 year period mentioned above, as follows:

¹ C(2014) 9641 final, Communication from the Commission on the guidelines for programming document for decentralised agencies and the template for the Consolidated Annual Activity Report for decentralised agencies

² MC (15) 140, Conclusions of the 25th ordinary meeting of the BEREC Office Management Committee in London, 11 December 2015,

http://www.berec.europa.eu/eng/document_register/subject_matter/berec_office/management_committee_meetings/meeting_conclusions/5594-conclusions-of-the-25th-meeting-of-the-berec-office-management-committee-in-london

- maintaining appropriate capacity while taking into account the effects of the technology and market developments;
- developing expertise to encompass the EU regulatory developments;
- assisting BEREC to improve its working methods and the quality of its output.

The activities to be undertaken by the BEREC Office in support to BEREC in 2017 are presented in the annual work programme and are split into three main groups, as follows: operational activities, horizontal activities and administrative support activities.

The operational activities include all actions to be undertaken by the BEREC Office in support of BEREC, which are grouped as follows:

- Setting-up EWGs and supporting their activities in order to fulfil the BEREC Work Programme, including by elaboration of some of the deliverables, procuring and managing services and studies, managing the information workflows, reimbursement of traveling expenses of event participants, etc.;
- Supporting BEREC activities under Article 7 and 7a of the Framework Directive, including by collecting and keeping track of all notifications, establishing and coordinating Article 7/7a EWGs, ensuring high-level quality and consistency of the BEREC opinions and others;
- Assisting the BEREC Chair and Vice-Chairs in fulfilling their assignments and organising the CN meetings and BoR and MC plenary meetings, public debriefings and international events, and managing the relationship with BEREC stakeholders;
- Ensuring that there is maximum internal and external transparency and accountability of BEREC activities, including through implementation of the BEREC communication plan, maintain the BEREC public website and internal platform for collaboration (BERECnet) and provision of other horizontal support, such as provision of training for NRAs' experts, coordination of the preparation of the BEREC annual activity reports and others.

The horizontal activities include:

- General coordination activities, which include inter-institutional contributions provided by the BEREC Office;
- Legal advice, which includes activities of the legal officer (not directly linked to the Agency mandate), the activities of the data protection officer, relation with the Court of Justice and with the Ombudsman;
- Communication and information activities, not directly implementing the mandate of the Agency, such as open-door days, back-to-school initiative and others; Finance and non-operational procurement activities, which include: accounting, finance, procurement and contract management (with exception of operational); payroll, reimbursement of mission costs not related to operational activities; internal audits with a focus on finance.

The administrative support activities include:

- Human resources management (except payroll and mission reimbursement);

- Security, information and communication activities and logistics, which include activities primarily supporting informatics infrastructure and services (e.g. workstation support, hardware support, ICT management, ICT service support with a role at Agency level (not directly implementing the mandate of the Agency));provision of security services, postal services, building and facility management (including premises and equipment) and office supplies and document management and archive activities (except operational).

The annual work programme of the BEREC Office corresponds to a financing decision for the activities it covers. It contains detailed objectives, expected results and the description of the actions to be financed, including an indication of the amount of the financial and human resources to be allocated to each action. All the activities listed above are developed on the basis of the availability of the following financial and human resources:

Amount of EU contribution	Establishment plan posts	External personnel
EUR 4 246 000	14	13

The programming document was approved by the Management Committee on 9 December 2016 with Decision MC/2016/16 for submission to the Commission, the European Parliament and the Council of the EU. It will become definitive after the final adoption of the General Budget of the European Union.

In compliance with the provision of Article 32 (4) of the BEREC Office Financial Regulation the Management Committee has delegated the power to make non-substantial amendments to the annual work programme to the BEREC Office Administrative Manager.

Any substantial amendments to the annual work programme must be adopted in accordance with the provisions of the BEREC Regulation and Article 33 of the BEREC Office Financial Regulation.
