

Explanatory Memorandum
**to the Decision of the Board of Regulators of the Body of European
Regulators for Electronic Communications (BEREC) amending the
Decision on the Establishment of a Public Register of the BEREC
Documents of 29 September 2011**

(BoR/2016/01)

Vienna, 2 June 2016

The public register of BEREC and BEREC Office documents has been established in compliance with the provisions of the [BEREC Regulation](#) and [Regulation \(EC\) № 1049/2001 regarding public access to European Parliament, Council and Commission documents](#).

The Register is structured chronologically and covers all categories of the documents issued by [BEREC](#) and the [BEREC Office](#). In addition the citizens and interested parties can consult the agendas and conclusions from the meetings of the [Contact Network](#).

The register has been operational since 1 August 2012 and has been maintained only electronically.

The objective of the Register is twofold - to increase transparency of BEREC's activity and to contribute to avoiding duplication of work to be undertaken by other public or private legal entities in the EU by making BEREC deliverables directly accessible to the public to the greatest extent possible.

Through the current Register the citizens currently can consult all publicly available documents of BEREC and the BEREC Office by using the [search engine](#) or by browsing the documents via category from the so called '[subject matter](#)' menu.

The publically available documents of BEREC and the BEREC Office include: decisions of the Board of Regulators (BoR) and the Management Committee (MC) of the BEREC Office, their rules of procedure, meeting agendas, meeting conclusions, annual reports on the developments in the electronic communications sector, BEREC and BEREC Office work programmes, BEREC and BEREC Office annual reports, press-releases, brochures or documents meant for the general public, reports, opinions, advices, common approaches, regulatory best practices and others adopted for publication in accordance with the BEREC annual work programme, BEREC Office budget and final accounts, invitations to public hearings or other BEREC public events, announcements to public consultations, invitation to tenders or other documents related to public procurement, vacancy notices, etc.

The current rules in place, which govern the public register in addition to the afore-mentioned legal acts are the following BEREC and BEREC Office documents:

- [Decision BoR \(10\) 26](#) by the Board of Regulators of BEREC concerning the transparency and access to documents at the BEREC
- [Decision BoR \(11\) 37](#) by the Board of Regulators of the Body of European Regulators for Electronic Communications on the Establishment of a Public Register of the BEREC Documents
- [Decision MC \(10\) 28](#) by the Management Committee of the BEREC Office concerning the transparency and access to documents at the BEREC Office
- [Decision MC \(11\) 22](#) by the Management Committee of the BEREC Office on the Public Register of the BEREC Office Documents

Following the initial usage of the public register the BEREC Office has suggested its further improvement by introducing more user-friendly terminology and establishing some additional document categories.

In particular with the current [BEREC Decision](#) the phrase 'Subject matter' will be replaced with the phrase "Document categories" and all document related to the nomination of new

members and observers and handling of electronic voting procedures will be registered in two newly established categories, as follows: 'Members and Observers' and 'e-Voting procedures'. Currently these documents are registered under the category 'Others'. The decision concerning the BEREC Office documents can be consulted [here](#)¹.

The new rules on document registration will apply as of 1 July 2016.

¹ MC/2016/05, [BEREC Office MC Decision amending the Decision on the Public Register of the BEREC Office Documents of 30 September 2011](#), 3 June 2016