

**2016 Consolidated Annual Activity Report  
of  
the Office of the Body of European Regulators for  
Electronic Communications  
(the BEREC Office)**

28 June 2017



## Contents

Analysis and assessment of the Management Committee .....	4
List of Acronyms .....	7
Introduction .....	9
The BEREC Office in brief.....	9
Executive summary.....	11
1 Part I: achievements of the year.....	18
1.1 Support for the implementation of the BEREC WP.....	18
1.1.1 Setting up of BEREC EWGs and providing support.....	18
1.1.2 Collection, exchange and transmission of information.....	22
1.1.3 Activities under Article 7/7a of the Framework Directive.....	24
1.2 Horizontal or other support.....	27
1.2.1 Assist BEREC Chair and Vice-Chairs, plenary meetings of the BoR and MC, the CN meetings and BEREC's international activities.....	27
1.2.2 Ensure transparency, accountability and other horizontal support.....	33
2 Part II Management .....	41
2.1 Management Committee.....	41
2.2 Major developments.....	41
2.3 Budgetary and financial management.....	42
2.3.1 The BEREC Office budget structure .....	42
2.3.2 Budget 2016: initial and with transfers and amendments .....	42
2.3.3 Budget 2016: rate of implementation .....	43
2.3.4 Budgetary execution: summary by title – C1 credits 2016.....	43
2.3.5 Commitment and payment appropriations carried forward to from 2015 to 2016..	44
2.3.6 Commitment and payment appropriations carried forward from 2016 to 2017.....	46
2.3.7 Types of procurement procedure used .....	47
2.4 HR management.....	48
2.5 Assessment by management.....	49
2.6 Budget implementation tasks entrusted to other services and entities .....	49
2.7 Assessment of audit results during the reporting year .....	49
2.7.1 Internal Audit Service.....	49
2.7.2 Internal audit capability .....	50
2.7.3 European Court of Auditors (ECA).....	50
2.8 Follow-up of recommendations and action plans for audits.....	50
2.9 Follow-up of observations from the discharge authority .....	51
3 Part III: assessment of the effectiveness of the internal control systems.....	52
3.1 Risk management .....	52
3.2 Compliance and effectiveness of internal control standards.....	53

4	Part IV: Management assurance.....	58
4.1	Review of the elements supporting assurance.....	58
4.2	Reservations and overall conclusions on assurance.....	58
5	Part V: Declaration of Assurance.....	59
Annex I:	Core business information and statistics.....	60
Table 1:	List of EWGs supported by the BEREC Office in 2016.....	60
Table 2:	List of BEREC public consultations managed by the BEREC Office in 2016.....	61
Table 3:	Data collection exercises organised by the BEREC Office for the BEREC EWGs in 2016.....	62
Table 4:	BEREC events by type supported by the BEREC Office in 2016 under activity 3.2.1 of the BEREC Office WP 2016.....	64
Table 5:	Overview of the 2016 the ordinary plenary meetings of the BoR and the MC, CN meetings, high-level events with stakeholders and public debriefings.....	65
Table 6:	Data regarding Twitter (@bereceuropaeu).....	67
Table 7:	Number of followers on LinkedIn.....	68
Table 8:	Data regarding BEREC YouTube Channel in 2016.....	68
Table 9:	Number of viewers of the live web-streaming from the BEREC public events.....	70
Table 10:	Number of uploaded links per section in the Information Sharing Portal (ISP).....	71
Table 11:	Interest and visit over time on the ISP.....	72
Annex II:	Statistics on financial management.....	74
Table 1:	Revenue - appropriations.....	74
Table 2:	Expenditure - summary of the transfers.....	75
Table 3:	Revenue.....	79
Table 4:	Expenditure (C1 & C8).....	80
Table 5:	Payment times.....	85
Annex III:	Organisational chart of the BEREC Office.....	87
Annex IV:	Establishment Plan.....	88
Table 1:	Information about authorised and filled in post in 2014-2016.....	88
Table 2:	Information on the entry level for each type of post: indicative table.....	90
Table 3:	Benchmarking against previous year results.....	92
ANNEX V:	Human and financial resources by activity.....	93
ANNEX VI:	Specific annexes related to Part II.....	94
Table 1:	2016 electronic voting procedures of the BEREC Office MC.....	94
Table 2:	Overview of public documents adopted in 2016 by the BEREC Office MC.....	95
ANNEX VII:	Final annual accounts (MC (17) 50).....	98

## Analysis and assessment of the Management Committee

### The BEREC Office Management Committee (MC),

Having regard to Article 13(2) of Regulation (EC) No 1211/2009 of the European Parliament (EP) and of the Council of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office<sup>1</sup> (the BEREC Regulation);

Having regard to Article 47(2) of Decision No MC/2014/1 of the BEREC Office MC on the financial regulation applicable to the BEREC Office in accordance with the framework financial regulation for the bodies referred to in Article 208 of Regulation (EU, Euratom) No 966/2012 of the EP and of the Council on the financial rules applicable to the general budget of the Union;

Having regard to the BEREC Office Work Programme (WP) 2016<sup>2</sup>, which was developed to support the achievement of the objectives of the BEREC WP 2016<sup>3</sup>;

Having regard to the 2016 Consolidated Annual Activity Report of the BEREC Office submitted by the Administrative Manager (AM)/Authorising Officer (AO) to the MC on the performance of his duties;

### Whereas,

- (1) In 2016, the BEREC Office further strengthened its support to BEREC, in particular by:
- a) providing valuable support to BEREC in implementing its tasks in the field of roaming and net neutrality (NN) assigned by Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (the Telecoms Single Market Regulation);
  - b) providing the Board of Regulators (BoR), the Contact Network (CN) and all Expert Working Groups (EWGs) with high-quality administrative and professional support;
  - c) commissioning two studies (in the fields of mergers and acquisitions and NN), which will be used as input to BEREC deliverables to be finalised in 2017;
  - d) finalising the development of the Information Sharing Portal in January 2016 and putting it into operation in June 2016;
  - e) contributing to the revision of the BEREC Communication Strategy and Communication Plan and continuing its contribution to increased transparency of BEREC's work by managing the public register of BEREC documents and implementing the BEREC Communication Plan for 2016;
  - f) organising the annual BEREC Stakeholder Forum and the public debriefings with live

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<sup>1</sup> OJ L 337, 18.12.2009, pp. 1-10.

<sup>2</sup> MC (15) 84, [BEREC Office Work Programme 2016](http://berec.europa.eu/eng/berec_office/work_programme/), 15 September 2015, [http://berec.europa.eu/eng/berec\\_office/work\\_programme/](http://berec.europa.eu/eng/berec_office/work_programme/)

<sup>3</sup> BoR (15) 213, [Work Programme 2016 BEREC Board of Regulators](http://berec.europa.eu/files/document_register_store/2015/12/BoR%20(15)%20213_BEREC%20WP2016_Rev2_clean_final_final.pdf), 10 December 2015, [http://berec.europa.eu/files/document\\_register\\_store/2015/12/BoR%20\(15\)%20213\\_BEREC%20WP2016\\_Rev2\\_clean\\_final\\_final.pdf](http://berec.europa.eu/files/document_register_store/2015/12/BoR%20(15)%20213_BEREC%20WP2016_Rev2_clean_final_final.pdf)

- streaming and possibilities for interaction through social media, which provided citizens and other interested parties with more opportunities to follow these events and take part in the discussion remotely;
- g) expanding the capacity of the audio and video-conference facilities in Brussels to ensure wider remote participation of national regulatory authority (NRA) representatives in the EWG meetings;
  - h) organising professional training for NRA experts on the regulatory framework for electronic communications of the European Union (EU);
  - i) procuring services for the use of a modern and user friendly on-line platform for the organisation of the BEREC public consultations and other IT services in support to BEREC, including for the management of the public consultation on the draft BEREC NN Guidelines, which has led to the receipt of unprecedented number of contributions.
- (2) In 2016, the BEREC Office saw further improvement in its day-to-day operations, in particular through:
- a) maintaining full staffing;
  - b) maintaining a high rate of budget execution in commitments (96.20 %);
  - c) outsourcing the accounting officer function to the Commission accounting officer in order to add more people in the financial circuit as initiating agents and authorising officers by delegation;
  - d) further developing the risk management procedure with the support of the European Network and Information Security Agency (ENISA) including by conducting a full ICT self-risk assessment and including the most significant risks in the risk register;
  - e) ensuring a high level of compliance with the Internal Control Standards (ICSs), which has led to the closure of all recommendation by the Internal Audit Service (IAS) following the limited review of the ICS at the BEREC Office;
  - f) addressing the observations of the IAS, the European Court of Auditors (ECA) and the Discharge Authority;
- (3) In 2016 the BEREC Office failed to comply with the key performance indicator on cancellation of appropriations carried over from 2015 to 2016, mainly due to non-materialisation of travelling expenses planned for reimbursement;
- (4) The BEREC Office undertook the necessary measures for the preparation of additional Service Level Agreements (SLAs) with the European Commission (EC) and ENISA aimed at further increasing its efficiency and effectiveness services, in particular in the field of business continuity, IT security, IT applications for document management and HR management;
- (5) The MC is assured of the reliability of the accounts and of the legality and regularity of the transactions undertaken, given that the ECA has presented its preliminary observations with a view to preparing a report on the annual accounts of the BEREC Office for the financial year 2016<sup>4</sup>.

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<sup>4</sup> Adopted by Chamber IV at its meeting of 16 May 2017

**Following an analysis of the Consolidated Annual Activity Report 2016 from the AM / AO, the following conclusions have been made:**

1. The BEREC Office provided BEREC with high-quality professional and administrative support in 2016 and this strongly contributed to the preparation of high quality BEREC deliverables in a timely manner;
2. The information contained in the report presents a true and fair view and demonstrates further improvements in the BEREC Office's performance in 2016 in achieving its objectives, as defined in the BEREC Regulation and the BEREC Office WP 2016;
3. The resources assigned to the activities described in the report have been used for their intended purpose and in accordance with the principle of sound financial management;
4. The control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.

**The AM/AO is invited to:**

1. Maintain and, where possible, increase the high level of professional support provided to BEREC;
2. Maintain the high level of compliance with the ICSs at the BEREC Office;
3. Further mobilise the resources and capabilities of the BEREC Office to limit payment delays for expert reimbursements as far as possible;
4. Improve budget planning and management with a view to ensuring compliance with the key performance indicators adopted by the MC;
5. Address any remaining issues raised by the ECA and the Discharge Authority;
6. Work on improving the mitigation techniques for the areas of risk identified by the IAS in its risk assessment held in 2016;
7. Report regularly on achieving the key performance indicators by the BEREC Office and addressing any remaining open issues raised by ECA and the Discharge Authority and complying with IAS recommendations.

Done on 28 June 2017.

**For the Management Committee**

**(s)**

**Sebastien SORIANO**  
**Chair for 2017**

**List of Acronyms**

<b>Acronym</b>	<b>Meaning</b>
ABAC	Accrual Based Accounting
ABB	Activity-based budgeting
ABC	Activity-based costing
AD	Administrator
AM	Administrative manager
AO	Authorising Officer
AST	Assistant
AST/SC	Secretaries and clerks
BAG	BEREC Office Advisory Group
BEREC	Body of European Regulators for Electronic Communications
BEREC Office	Office of the Body of European Regulators for Electronic Communications
BEREC Regulation	Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing BEREC and the Office <sup>5</sup>
BoR	Board of Regulators
CA	Contract Agent
CN	Contact Network
DG CONNECT	Directorate-General for Communications Networks, Content & Technology
DG HR	Directorate-General for Human Resources and Security
EC	European Commission
ECA	European Court of Auditors
EFTA	European Free Trade Association
ENISA	European Network and Information Security Agency
EP	European Parliament
ERGP	European Regulators Group for Postal Services
EU	European Union
EWG	Expert working group
FG	Function group
FTE	Full-time equivalent post
HR	Human resources
IAS	Internal Audit Service
ICC	Internal Control Coordinator
ICS	Internal control standard

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<sup>5</sup> OJ L 337, 18.12.2009, pp. 1–10.

<b>Acronym</b>	<b>Meaning</b>
ISP	Information Sharing Portal
IT	Information technology
ITRE	Committee on Industry, Research and Energy of the EP
MC	Management Committee
MS	Member State
NGN	Next generation networks
NN	Net neutrality
NRA	National regulatory authority
OJ	Official Journal of the European Union
PMO	Office for the administration and payment of individual entitlements
PRD	Project requirements document
RBFM	Report on budgetary and financial management
SLA	Service level agreement
SNE	Seconded national expert
TA	Temporary agent
TSM	Telecoms Single Market Regulation (Regulation (EU) 2015/2120 <sup>6</sup> )
WBA	Wholesale broadband access
WLA	Wholesale local access
WLL	Wholesale leased lines
WP	Work Programme

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<sup>6</sup> OJ L 310, 26.11.2015, pp. 1–18.



## Introduction

### The BEREC Office in brief

The BEREC Office was established by the [BEREC Regulation](#) as an agency of the EU to provide professional and administrative support to BEREC.

In the same legal act, the legislator established BEREC with the objective of contributing to the development and better functioning of the internal market for electronic communications networks and services. BEREC assists the EC and the NRAs in implementing the EU regulatory framework for electronic communications. It provides advice on request and on its own initiative to the European institutions, and complements at European level the regulatory tasks performed at national level by the NRAs. BEREC also serves as a body for reflection, debate and advice for the EP, the Council of the EU and the EC in the field of electronic communications.

BEREC has no legal personality; its activities are defined and managed by the BoR. The BoR is composed of one representative of the NRA established in each Member State (MS) with primary responsibility for overseeing the day-to-day operation of the markets for electronic communications networks and services. The EC attends BEREC meetings as an observer and is represented at a high level. The NRAs from the EFTA States and from the states that are candidates for accession to the European Union also have observer status and are also represented at a high level.

The BoR appoints its Chair and Vice-Chairs from among its members. The term of office of the Chair and of the Vice-Chairs is 1 year. Before serving as Chair, the incoming Chair has to serve 1 year as Vice-Chair. The outgoing Chair is also expected to serve 1 year as Vice-Chair after his/her chairmanship. The BoR may elect additional Vice-Chairs for 1 year. For practical reasons, the BEREC Chair and Vice-Chairs have so far acted in the same capacity for the BEREC Office MC.

To provide BEREC with professional and administrative support, the BEREC Office has been established as an agency of the EU with the following tasks:

- providing professional and administrative support services to BEREC;
- collecting and exchanging information from NRAs in relation to all BEREC tasks;
- disseminating regulatory best practice among NRAs;
- assisting the Chair in preparing the work of the BoR;
- setting up EWGs at the request of the BoR, and providing them with the support needed to ensure their smooth functioning.

The BEREC Office performs these tasks under the guidance of the BoR (i.e. BEREC).

The BEREC Office comprises an MC and an AM. The Vice-Chair who has been elected to act as Chair for the following year (the Incoming Chair) exercises the powers conferred on the appointing authority by the Staff Regulations of Officials of the EU, and the authority to conclude contracts conferred by the conditions of employment of other servants of the EU. The administration of the BEREC Office is headed by the AM, who is also the Authorising Officer and is accountable to the MC.

The staff of the BEREC Office are organised into the following units:

- Executive Support, which reports directly to the AM;
- Programme Management;
- Administration and Finance.

The MC is composed of one high-level representative of each of the 28 EU MS NRAs and the EC. Each member has one vote. The heads of the independent NRAs from the EFTA States and the states that are candidates for accession to the EU, as well as representatives of the EFTA Surveillance Authority, have the right to participate in the Management Committee meetings as observers.

The MC meets in an ordinary plenary meeting four times a year. For practical reasons, the meetings of the MC are held on the same date and in the same venue as the meetings of the BEREC BoR. When it is not possible or practicable to convene a meeting, and the adoption of a decision cannot wait until the next plenary meeting, the Chair may seek a decision of the Management Committee by means of an electronic voting procedure.

The MC is assisted by a working group composed of senior representatives of all members the CN, which is responsible for the preparation of the decisions of the MC.

Additionally, the BEREC Office Advisory Group (BAG) supports and advises the MC and the Vice-Chair (the incoming Chair), exercising the powers conferred on the appointing authority by the Staff Regulations of Officials of the EU and the authority to conclude contracts conferred by the Conditions of employment of other servants of the EU (CEOS), in performing their duties.

The BAG is composed of 4 or 5 members:

- One Chair, representing the incoming Chair of BEREC;
- One vice Chair, representing the Chair of BEREC;
- One representative from the Commission; and
- One or two representatives from other NRAs.

The members of the BAG should be experts with experience in administration, finance, HR and other relevant aspects of running an agency. The representatives from the Commission and from the NRAs should be appointed for 2 or 3 years in order to ensure the continuity of the group.

## Executive summary

The BEREC Office was established by [Regulation \(EC\) No 1211/2009 of the European Parliament and of the Council of 25 November 2009](#) (the BEREC Regulation) as an agency of the EU to provide professional and administrative support to BEREC. In the same legal act, the legislator established BEREC with the objective of contributing to the development and better functioning of the internal market for electronic communications networks and services. BEREC has no legal personality and acts as an exclusive forum for cooperation among NRAs, and between NRAs and the European Commission (EC), in the exercise of the full range of their responsibilities under the EU regulatory framework for electronic communications. BEREC also serves as a body for reflection, debate and advice for the EP, the Council of the EU and the EC in the field of electronic communications.

The BEREC Office comprises a MC and an AM. The BEREC Office, under the guidance of the BoR, performs the following tasks: providing professional and administrative support services to BEREC, collecting and exchanging information from NRAs in relation to all BEREC tasks, disseminating regulatory best practice among NRAs, assisting the Chair in the preparation of the work of the BoR, setting up EWGs at the request of the BoR and providing them with the support needed to ensure their smooth functioning.

## Achievements of the year

### Support for the implementation of the BEREC WP

Tasks carried out by the BEREC Office to support BEREC in implementing the 2016 WP included:

#### ***Setting up EWGs and providing support***

A member of the Programme Management Unit was assigned as a contact person for each of the EWGs and was in charge of distributing meeting documents, drafting the minutes of the meetings and providing other administrative and professional support, if needed, including by participating in the drafting teams at the request of the EWG Chair. When needed, the contact person also provided content-related support.

The BEREC Office organised 92 EWG meetings, 70 physical meetings and 22 by videoconference (compared to 92 physical meetings in 2015) and reimbursed travelling expenses to 749 NRA representatives (compared to 879 in 2015). 96 meetings were initially planned but 4 did not take place due to the terrorist attacks in Brussels but for which the experts were reimbursed. To facilitate remote participation in EWG meetings, at the end of 2015 the BEREC Office deployed an audio and video-conference facility at BEREC's Brussels presence<sup>7</sup> which promoted a significant decrease in the number of physical meetings and expert reimbursements. The initial use of the facility in the last quarter of 2015 and all through 2016 demonstrated that it led to significant savings in financial resources and time for travelling.

In 2016, following the terrorist attacks in Brussels of March 2016, the BEREC Office expanded the audio and video-conference facility in Brussels in order to accommodate up to 40 BEREC participants in total.

At the request of the EWGs, the BEREC Office provided support to the EWGs in preparing and

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<sup>7</sup> Established at the Secretariat of the Independent Regulators Group.

finalising the documents, including proofreading and ensuring that the document design complied with the BEREC Style Guide. The BEREC Office drafted five policy-related reports and provided support to BEREC in drafting all other documents, including those linked to the implementation of the new tasks assigned to BEREC by the legislator in the field of NN and roaming<sup>8</sup>.

The BEREC Office also supported the EWGs in managing the public consultations relevant to their activity. The public consultation that attracted the biggest attention of the public was the one on the draft BEREC Guidelines on implementation by national regulators of European NN rules, launched in June 2016, which led to an unprecedented number of responses from different stakeholders and many citizens from all around the world. The total number of contributions received by the BEREC Office was 481,547 by the closing of the public consultation. The final Guidelines were published on 30 August 2016 after taking account of the comments received.

At the end of 2016 the BEREC Office commissioned a study on mergers and acquisitions in support to the Market and Economic Analysis EWG, which will be finalised in 2017.

### ***Activities of the BEREC Office under Article 7/7a of the Framework Directive***

In 2016 the EC opened five Article 7/7a phase II cases, for which BEREC was requested to provide opinions. One case was withdrawn before the BoR could approve the draft opinion. Phase II EWGs were established by the BEREC Office for each case and were provided with all the support and the coordination needed to deliver draft opinions to the BoR within the deadlines. The EWGs held 5 meetings physically and 3 by videoconference and the BEREC Office reimbursed 24 experts for participation in the meeting.

A simple database of Article 7/7a Framework Directive focal points, rapporteurs and experts was maintained. Regular tracking of all Article 7/7a Framework Directive notifications from the NRAs and comments from the EC continued. In 2016, the BEREC Office registered 137 notifications including those from the EFTA states.

The Article 7/7a procedures and processes at the BEREC Office were subject to an audit by the IAS in 2015 and were found fit for purpose. However, the IAS made some recommendations for improvement of the processes in place, which were considered in 2016 according to an action plan prepared by the BEREC Office. Following the implementation of the action plan at the beginning of 2017 the IAS closed all its recommendations.

### ***Data collection***

In 2016, the BEREC Office was responsible for regularly collecting data on international roaming rates, termination rates and regulatory accounting, and for preparing historical data to share with the EC. The BEREC Office also collected the data for the second phase of monitoring the implementation of the BEREC Common Positions on wholesale local access (WLA), wholesale broadband access (WBA) and wholesale leased lines (WLL), for performing a qualitative analysis of Article 7/7a phase II cases and for providing the EC with data for the 'REFIT' exercise in relation to the review of the EU regulatory framework for electronic communications.

The BEREC Office also provided support to BEREC in providing input to the EC Implementing

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<sup>8</sup> For the preparation of the following BEREC documents: BEREC Guidelines on implementation by national regulators of European net neutrality, BEREC input to the European Commission Implementing Act on fair use policy and sustainability of the abolition of retail roaming surcharges and BEREC Guidelines on Regulation (EU) No. 531/2012 as amended by Regulation (EU) No. 2120/2015 (Excluding Articles 3, 4 and 5 on whole-sale access and separate sale of services)

Act on fair use policy and sustainability of the abolition of retail roaming surcharges, the EC project on 'Mapping of Broadband Services in Europe' and the EC evaluation of the EC Recommendation 2009/396/EU on the regulatory treatment of fixed and mobile TR in the EU, including by collecting and processing the answers to an EC questionnaire on TR, which was launched in 2015 and finalised in 2016.

The BEREC Office provided support to BEREC in organising the BEREC public workshop "Regulatory implications of SDN and NFV" (21 January 2016, Brussels) and the BEREC expert workshop in co-operation with the OECD on "IP-Interconnection" (21 November 2016, Brussels), including by concluding the necessary contracts for their organisation.

## **Horizontal activities**

### ***Assisting the BEREC Chair and Vice-Chairs, plenary and CN meetings and the BoR and the MC***

In addition to the activities mentioned above, the BEREC Office regularly provided support to the BoR, the BEREC Office MC, the CN and for BEREC's international activities. The BEREC Office also provided support to the BEREC Chair and Vice-Chairs, upon request, to enable them to fulfil their remits, including for meetings with the EU Institutions and bodies of the EU.

In 2016, the BEREC Office supported the organisation of four ordinary plenary meetings (BoR and MC) and one extraordinary BoR plenary meeting, four CN meetings and 12 international events (including three organised by video-conference). The BEREC Office also provided support in the organisation of three meetings with the EC, 6 meetings with EP representatives and 5 meetings and workshops with other bodies of the EU, such as: ENISA, the Radio Spectrum Policy Group and the European Economic and Social Committee, and 31 events attended by the BEREC Chair and/or Vice-Chairs.

The BEREC Office also organised the five public debriefings and/or press-conferences: four after each plenary meeting and one following the adoption of the BEREC Guidelines on NN (organised in cooperation with the EC Services) and hosted the fourth BEREC Stakeholder Forum meeting (17 October 2016, Brussels). These events were organised with live streaming and with facility for remote interaction through the social media and other IT means.

The BEREC Office provided support to the Chair in handling BEREC's communication activities, including by drafting a new BEREC Communication Strategy and Annual Communication Plan 2016, which were approved by the BoR during its 27<sup>th</sup> BEREC plenary meeting in Vienna.

The BEREC Office prepared and issued four editions of the BEREC newsletter and published 17 speeches delivered by the BEREC Chair and Vice-Chairs at public events on behalf of BEREC.

For participation in the aforementioned events, the BEREC Office reimbursed 410 meeting participants. 82% of the reimbursements were done within the 30 day deadline envisaged in the Financial Regulation.

The BEREC Office also provided support to the Chair for organising 14 electronic voting procedures (BoR and MC) and the elections of the Chair for 2018 and Vice-Chairs for 2017.

### ***Ensuring internal and external transparency, accountability of BEREC's work and its office and other horizontal support***

In 2016, the multiannual BEREC External Communication Strategy (complemented by the annual Communication Plan) was adopted, with the aim to promote the work of BEREC and its achievements to external audiences actively and more effectively. It also supports a more

frequent application of external communication as an active policy tool, when communication activities would be helpful in better advancing policy goals. A network of communication experts from NRAs was established (as an Ad Hoc Communication Group).

In 2016, the BEREC Office continued to develop the BEREC website by regularly updating its content, in particular the events sections and the public register. In 2016, the BEREC Office registered 481,866 BEREC, 220 BEREC Office and 8 CN documents, including the contributions to the public consultations and annual declarations of interest and commitment of BEREC and the BEREC Office MC Members.

In 2015, as part of the strategy for increasing the transparency of the work of all NRAs, the BEREC Office launched a project for the establishment of an Information Sharing Portal (ISP), whose development was finalised on 18 January 2016. After a trial period of approximately six months, during which the portal was used only by the NRAs, it went live in the beginning of June 2016.

In 2016, significant attention was paid to increasing internal transparency and managing information flows to the BEREC Members and Observers and CN and EWG members. In 2016 the second phase of the development of a collaboration platform (BERECnet) was finalised, for use as the main tool for exchange of information with the BEREC members and observers and members of EWGs. The BEREC Office also signed a contract for the provision of information technology services to BEREC covering the use of BERECnet, the BEREC website, the audiovisual-conference facility and other IT tools established in support to BEREC.

The BEREC Office also provided support to BEREC in drafting the BEREC Annual Activity Report for 2015, and in preparing the BEREC WP 2017, including managing the public consultation and public hearing on the draft WP. Both documents were published in cooperation with the Publications Office of the EU and disseminated to a wide range of stakeholders.

Following its successful experience in organisation of training services for NRA experts during academic year 2015-2016, the BEREC Office has established a framework contract for provision of these services on regulatory issues to the NRAs for the coming years. The framework contract provides for delivery of a training course on a yearly basis to give a comprehensive overview of the Regulatory Framework for specialised staff of BEREC member and observer NRAs. The training course is divided into four sessions of two days each and complemented by online training that is followed by participants between the training sessions. As the framework contract can be extended up to four years, the detailed training agenda will be agreed before each new academic year to take into account any new regulatory, technological and economics developments.

Following a request from BEREC at the end of 2016 the BEREC Office signed a service contract for the provision of services for the organisation of the BEREC public consultations on-line. The service was used for the first time for the public consultation on the new BEREC Mid-term Strategy for the period 2018-2020, launched in March 2017.

To be able to provide BEREC with better information on the recent regulatory developments, the BEREC Office signed a contract for the provision of regulatory information services in the field of the electronic communications networks and services and renewed the contract for the provision of media services on telecommunications matters.

## **Management**

### ***BEREC Office MC***

In 2016, the BEREC Office MC held four ordinary plenary meetings during which all topics related to the functioning of the BEREC Office were discussed. All decisions taken by the MC during its plenary meetings were prepared by the CN. Additionally, the Chair organised four electronic voting procedures for adopting urgent BEREC Office documents.

As a result of these events, in 2016 the BEREC Office MC adopted 16 decisions, 1 opinion in relation to the BEREC Office Annual Accounts for 2015, the Consolidated Annual Activity Report for 2015, the Annual and Multiannual Programming of the BEREC Office Activities 2017-2019, the final BEREC Office budget and establishment plan for 2017.

In the beginning of 2016 the BEREC Office signed a SLA with ENISA for the provision of off-site back-up services for the BEREC Office electronic data.

In 2016 the MC decided to nominate the EC accounting officer as the BEREC Office accounting officer. The decision entered into force on 18 April 2016.

In 2016 the BEREC Office signed agreements with the EC services about the use of the premises of the EC in Riga as a secondary site for the BEREC Office in case of unavailability of its premises, as well as for the use of the EC system for document management and archiving (HAN), management of human resources (Sysper2) and for provision of IT security services (provided by the EU-CERT).

### ***Budgetary and financial management***

The initial budget of the BEREC Office for 2016, as adopted by the MC and approved by the budgetary authority in 2015, was EUR 4,246,000.

The BEREC Office has only non-differentiated appropriations; therefore, commitment and payment appropriations are equal. Commitments accepted during the year amounted to EUR 4,084,575.06 (96.20% of total available), of which EUR 3,277,546.69 (77.19% of total available) was paid. Where invoices arrived in the following financial year, payments needed to be carried forward. The total carry-forward of EUR 807,028.37 represents 19.75 % of total commitments established in 2016 (or 19 % of total available appropriations for 2016).

In 2016, the BEREC Office made 7 transfers of appropriations within the limits allowed to the AM based on Article 27(1) of Decision MC/2014/1 on the BEREC Office Financial Regulation.

### ***Human resources management***

In 2016 the BEREC Office finalised three selection procedures. The first selection procedure was finalised in March 2016 and established a reserve list for the post of Head of Administration and Finance.

In October 2016 the BEREC Office also established a reserve list for seconded national experts (SNEa) in the Programme Management Unit and a reserve list for contract agents (CAs) in four different profiles in support roles.

Following the establishment of the three new reserve lists, one Head of Unit, one SNE and three CAs were immediately recruited. In addition, one CA and three temporary agents (TAs) were recruited from reserve lists established in previous years.

Experience shows that the system of reserve lists contributes effectively to minimisation of the impact of staff turnover.

In June 2016, following the approval of the Decision MC/2016/08 on the rules governing the Traineeship Programme of the BEREC Office, the Agency launched the first call for expression of interest for trainees. In October and November 2016 the first group of trainees entered into

service at the BEREC Office.

The 2016 appraisal exercise, which refers to the 2015 reporting period, was finalised in line with the legislation in force. The new implementing rules for reclassification of staff were adopted during the summer 2016 with the decisions MC/2016/06 and MC/2016/07. The first reclassification procedure under the new rules was finalised on time.

Following the adoption of the new implementing rules on the setting up of a Staff Committee (MC/2016/11) and subsequent elections, the Staff Committee of the BEREC Office has been re-installed.

Taking into account the increased demands for support from the BEREC Office and the consequent increase in the workload, the MC decided to establish a new contract agent post with budget and financial responsibilities<sup>9</sup>, with the objective to limit as far as possible the work of the operational Units to core activities directly related to supporting BEREC and its EWGs. The new contract agent was recruited in December 2016.

### ***Assessment of the audit results during the reporting year and follow-up of the recommendations and action plans for audits***

In 2016 the BEREC Office managed to complete the implementation of the ICSs, which led to closure of the two recommendations of the IAS which remained open after the 2014 follow-up on the limited review of the implementation of the ICSs.

In 2015 the IAS carried out an audit on the BEREC Office activities under Article 7/7a, including communication activities and management of relationship with stakeholders. The procedures and processes in place were found fit for purpose and the IAS did not make any critical or very important recommendations. The IAS made five important recommendations, which were addressed in 2016 according to the Action Plan agreed with the IAS. Consequently, the IAS closed these recommendations in the first quarter of 2017

In 2016 the BEREC Office addressed all issues raised by the ECA during its audit of 2015 and by the Discharge Authority in the course of the discharge for 2014<sup>10</sup> and 2015<sup>11</sup>. The issues raised in ECA's observations during its audit in 2016 will be addressed during 2017.

The MC will be informed regularly on the progress achieved.

### ***Assessment of the effectiveness of internal control***

The BEREC Office externalised the assessment of the effectiveness of its internal control systems during the reporting year to an independent consultant who concluded that in general the ICSs are effectively implemented.

In addition, the BEREC Office has systematically examined the available control results and indicators, including the outcome of the ex-post control carried out by the Internal Control Coordinator (ICC) under the SLA with ENISA, as well as the observations and recommendations issued by the internal auditor and ECA. These elements have been assessed to determine their impact on the management's assurance as regards the achievement of control objectives.

It has to be emphasised, however, that retaining a high level of compliance with the ICSs requires

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<sup>9</sup> MC/2016/09, [MC Decision on the establishment of a Contractual Agent Post in Budget and Finance](#), 02/09/2016

<sup>10</sup> MC (16) 120, [Follow-up report on the discharge of the implementation of the BEREC Office budget for the financial year 2014](#), 17/10/2016

<sup>11</sup> MC (17) 27, [Additional information on the BEREC Office budgetary discharge 2014 and 2015](#), 24/02/2017



an on-going effort taking into account the low number of staff and the relatively high turnover.

**Management Assurance and Declaration of Assurance**

In conclusion, the management has reasonable assurance that, overall, suitable controls are in place and working as intended; risks are being appropriately monitored and mitigated; and necessary improvements and reinforcements are being implemented.

The AM, in his capacity as AO signed the Declaration of Assurance.

# **1 Part I: achievements of the year**

## **1.1 Support for the implementation of the BEREC WP**

### **1.1.1 Setting up of BEREC EWGs and providing support**

#### **1.1.1.1 Objective**

To set up EWGs and provide them with the appropriate administrative, professional and logistical support; to manage public consultations and procurement procedures for workshops and research studies; to collect information from NRAs and draw up periodical BEREC benchmark reports.

#### **1.1.1.2 Actions**

The tasks of the BEREC Office related to setting up and supporting the BEREC EWGs are core activities of the BEREC Office. These are directly linked to the BEREC WP and are of crucial importance to preparing BEREC's deliverables. Therefore, after the decision to establish the BEREC EWGs was taken by the BoR and their respective project requirements documents (PRDs) were approved, the BEREC Office set up the EWGs and provided them with all the necessary support, which ensured their smooth functioning. The BEREC Office assigned one staff member to support each EWG and at least one back-up.

Main emphasis was put on providing support to BEREC in implementing its new tasks in the field of roaming and NN assigned by the TSM, which required reorganisation of the available resources and additional effort from the staff.

The BEREC Office established capacity to support up to 100 EWG meetings and internal workshops. In 2016 the BEREC Office organised 96 EWGs and internal EWG workshops out of which 4 were cancelled due to the terrorist attacks in Brussels of March 2016. Consequently, only 92 out of the 96 EWG meetings took place. However, the BEREC Office needed to cover the respective expenditure associated with the cancelled meetings (amounting to EUR 9,397.47).

Following the introduction of the audio-visual conference facility by the BEREC Office at the end of 2015 at the BEREC Brussels presence, in 2016 22 out of the 92 EWG meeting were organised exclusively by video-conference means, which has led to significant savings in financial resources for the BEREC Office and travelling time for the NRA experts. Additionally, NRA experts joined remotely 36 meetings, which took place in Brussels.

The BEREC Office reimbursed 749 experts for their participation in BEREC EWG meetings or internal expert workshops.

Along with providing the EWGs with day-to-day support as detailed below, in 2016 the BEREC Office assisted BEREC in organising and handling the public consultation on the draft BEREC Guidelines on implementation by national regulators of European net neutrality (NN) rules. On 6 June 2016 BEREC launched the public consultation on the afore-mentioned draft, which led to an unprecedented number of responses from different stakeholders and many citizens from all around the world. The majority of the responses were received from campaigns organised by civil society respondents. The total number of contributions received by BEREC office was 481,547 by the closing (14.00 CET on 18 July 2016) of the public consultation. The final Guidelines were published on 30 August 2016 after taking account of the comments received.

The full list of actions undertaken by the BEREC Office under this activity is presented below:

Reference to WP	Planned actions	Actions implemented
3.1.1.2.a	Set up EWGs and manage changes	Nine EWGs and one ad hoc EWG (Communication) were set up (see <a href="#">Annex I, Table 1</a> ), which included 28 work streams; any changes were managed accordingly.
3.1.1.2.b	Provide administrative support to EWGs with the organisation of meetings and the information flow amongst members	All EWGs were provided with administrative support for their meeting organisation and management of the information flow among their members.
3.1.1.2.c	Provide professional support to EWGs in the preparation of BEREC documents	<p>All EWGs were provided with professional support in the preparation of BEREC documents. The BEREC Office contributed to the drafting of five BEREC documents.</p> <p>The BEREC Office managed all public consultations launched by BEREC on draft documents prepared by the EWGs (three in total).</p> <p>The full list of public consultations managed by the BEREC Office is provided in <a href="#">Annex I, Table 2</a>.</p>
3.1.1.2.d	Provide logistical support to EWGs, such as circulation of documents and reimbursement of travel expenses	All EWGs were provided with logistical support, such as circulation of documents and/or travel reimbursements in accordance with the BEREC Office rules in place.
3.1.1.2.e	Manage procurement procedures for internal workshops and studies	<p>In 2016, the BEREC Office organised the necessary procurement procedures to commission a NN study and a study on mergers and acquisitions. The internal workshops were organised through an existing Framework Contract (FWC) and did not require any procurement.</p> <p>With an ad hoc financing decision approved by the MC, the BEREC Office prepared and successfully</p>

Reference to WP	Planned actions	Actions implemented
		finalised the procurement procedure for the use of an on-line consultation tool.
3.1.1.2.f	Collect market data from NRAs when requested by BEREC	At the request of the EWGs, the BEREC Office collected and consolidated the data necessary for the EWG projects as defined in their PRDs.
3.1.1.2.g	Draft periodical BEREC benchmark reports, for example in regard to over-the-top services (OTTs), where appropriate	The BEREC Office prepared BEREC benchmark reports (please see 'outcomes and indicators' table, point 3.1.1.3.e). At its 26th plenary BEREC examined the OTT developments and concluded that it is too early to set up OTT benchmark indicators. Consequently, the BEREC Office was not requested to prepare such reports.
3.1.1.2.h	Collect the resource commitments from the NRAs, set up and manage the e-mail lists and e-mail exploders related to the EWGs.	Resource commitments were collected from all BEREC members and observers and regularly managed and updated. Mailing lists of each full EWG (e-mail exploders), work stream and drafting teams were established and regularly updated. The full list of EWGs set up by the BEREC Office in 2016 is presented in <a href="#">Annex I, Table 1</a> .

### 1.1.1.3 Outcomes and indicators

Reference to WP	Outcomes and indicators	Results achieved
3.1.1.3.a	Smooth functioning of EWGs, reimbursement of related travel expenses – capacity for supporting up to 100 EWG meetings in 2016	Capacity to support 100 EWG meeting was established. The BEREC Office supported 92 EWG meetings out of which 22 were organised exclusively by video-conference. The BEREC Office reimbursed 749 experts for their participation in EWG meetings.

Reference to WP	Outcomes and indicators	Results achieved
		Further details were provided in 1.1.1.2.-'Introduction'.
3.1.1.3.b	Data collection and dissemination, upon request of EWGs	The BEREC Office organised 10 rounds of data collection for the needs of the EWGs. The collected data were consolidated and disseminated to all members of the respective EWGs.  The list of data collection exercises organised by the BEREC Office in 2016 is presented in <a href="#">Annex I, Table 3</a> .
3.1.1.3.c	Studies and research reports upon request of EWGs – to commission a study on the effects of mergers and acquisitions for a maximum value of EUR 60,000, possibly commission two further smaller studies	Two studies were commissioned in 2016 (on NN and on mergers and acquisitions) which will be finalised in 2017.
3.1.1.3.d	Structured information on market data	This information is covered by the information provided for item 3.1.1.3.b
3.1.1.3.e	Contribution to the drawing up of the following reports:  - benchmark reports on international roaming; - annual report on regulatory accounting; - regular SMS/MTR/FTR benchmark reports	The BEREC Office processed the data and drafted the following reports:  <a href="#">16th</a> and <a href="#">17th</a> BEREC International Roaming Benchmark Data Reports <a href="#">BEREC Report Regulatory Accounting in Practice 2016</a> <a href="#">Termination rates at European level January 2016</a> and <a href="#">July 2016</a>
3.1.1.3.f	Identify and measure quantitative and qualitative indices to assess the support the BEREC Office provides to the EWGs.	Conducting a satisfaction survey for the Chairs of the EWGs and developing key performance indicators (KPIs) to measure the performance of the tasks assigned to BEREC Office by the Internal Guidelines on the Operation of BEREC EWGs <sup>12</sup> is ongoing in 2017 as it was in 2016.

<sup>12</sup> BoR (15) 16, Internal guidelines on the operation of BEREC EWGs, 2015, not published

#### 1.1.1.4. Resources

Reference to WP	Resource type	Planned resources, as envisaged in WP and decisions on budget transfers	Resources used
3.1.1.4.a	Financial resources (EUR)	548,917	500,377
3.1.1.4.b	Full-time equivalent posts (FTEs)	8	9.47

#### 1.1.1.5. Challenges

Some of the activities included in this item have a recurring character, such as establishing the EWGs and assigning the respective resource commitment to them, organising the EWG meeting, preparing the regular BEREC reports, etc. They are regarded as low risk and no new elements arose during 2016.

However, the biggest challenges in 2016 were linked to the implementation of the new tasks assigned to BEREC by the legislator in the field of NN and roaming. To be able to manage the public consultation on NN in a proper way, the BEREC Office needed to assign additional human resources to it, which has been very challenging for the staff of a small organisation. Consequently, some staff members needed to do excessive hours of overtime in order to be able to analyse the extremely high number of contributions received during the public consultation.

The huge number of contributions has been a challenge also for the BEREC Office IT infrastructure, which had been reinforced in advance and during the consultation proved its reliability.

### 1.1.2 Collection, exchange and transmission of information

#### 1.1.2.1. Objective

By promoting a consistent regulatory approach, the BEREC Office should facilitate the exchange of information related to BEREC's role and tasks. Furthermore, the BEREC Office should promote the exchange of best practices and the dissemination of expertise amongst NRAs.

In 2016, the BEREC Office was responsible for regularly collecting data on international roaming rates, termination rates and regulatory accounting, and for preparing historical data to share with the EC. The BEREC Office also collected the data for the second phase of monitoring the implementation of the BEREC Common Positions on wholesale local access (WLA), wholesale broadband access (WBA) and wholesale leased lines (WLL), for performing a qualitative analysis of Article 7/7a phase II cases and for providing the EC with data for the 'REFIT' exercise in relation to the review of the EU regulatory framework for electronic communications.

The BEREC Office also provided support to BEREC in providing input to the EC Implementing Act on fair use policy and sustainability of the abolition of retail roaming surcharges, the EC project on 'Mapping of Broadband Services in Europe' and the EC evaluation of the EC Recommendation 2009/396/EU on the regulatory treatment of fixed and mobile TR in the EU, including by collecting and processing the answers to an EC questionnaire on TR, which was launched in 2015 and finalised in 2016.

## 1.1.2.2. Actions

Reference to WP	Planned actions	Actions implemented
3.1.2.2.a	Provide administrative and professional support to BEREC for the coordination and processing of responses to requests by the Commission and other European institutions	The BEREC Office provided support to BEREC for its input to: <ul style="list-style-type: none"> <li>- the EC Implementing Act on fair use policy and sustainability of the abolition of retail roaming surcharges;</li> <li>- the EC project on 'Mapping of Broadband Services in Europe'.</li> <li>- the EC evaluation of the EC Recommendation 2009/396/EU on the regulatory treatment of fixed and mobile termination rates in the EU: answers to the EC questionnaire were collected and processed by the BEREC Office after a request of the Remedies and the Benchmarking EWGs; the process started in 2015 and continued in 2016.</li> </ul>
3.1.2.2.b	Provide administrative support to EWGs in the organisation of public workshops (capacity for supporting up to three workshops), including the management of procurement procedures for participation in public workshops	The BEREC Office provided all the support needed by the NGN EWG for the organization of two workshops <sup>13</sup> , including procurement procedures for the venue, catering, recording and accommodation.
3.1.2.2.c	Provide logistical support to EWGs with the reimbursement of experts' travel expenses	The BEREC Office reimbursed 44 experts for their participation in the workshops.
3.1.2.2.d	Set up fact-finding capacity to reply to ad hoc questions at the request of BEREC	The BEREC Office established fact-finding capacity to reply to ad hoc questions at the request of BEREC, which comprised one senior and one junior staff member. To ensure that the fact-finding team has all the data available the BEREC Office made a subscription to regulatory database. As no ad hoc questions or requests were received in 2016, the available

<sup>13</sup> Public BEREC expert workshop on Regulatory implications of SDN and NFV and BEREC expert workshop on IP-Interconnection, in co-operation with the OECD

Reference to WP	Planned actions	Actions implemented
		resources were used to support other BEREC activities.

### 1.1.2.3. Outcomes and indicators

Reference to WP	Outcomes and indicators	Results achieved
3.1.2.3.a	High-quality support in the organisation of EWGs' public workshops and events	The BEREC Office provided high-level support to EWGs for the organisation of two public workshops in 2016. Both workshops were video-recorded and all workshop materials and the video recordings were made available to the public.
3.1.2.3.b	Ad hoc reports and replies to questions	The BEREC Office collected inputs from the NRAs concerning their opinions on the revision of the EU Regulatory Framework for electronic communications.

### 1.1.2.4. Resources

Reference to WP	Resource type	Planned resources, as envisaged in WP and decisions on budget transfers	Resources used
3.1.2.4.a	Financial resources (EUR)	150,495	130,010
3.1.2.4.b	FTE	1.25	1.55

### 1.1.2.5. Challenges

This activity mainly included recurring elements and for this reason carried a low risk. The resource allocation followed the priorities set in the WP, so as to meet the requirements for quality support set by BEREC.

## 1.1.3 Activities under Article 7/7a of the Framework Directive

### 1.1.3.1. Objective

To contribute to the development of a single market in electronic communications and ensure cooperation amongst NRAs, and between NRAs and the EC. In this context, the BEREC Office will be responsible for collecting and keeping track of NRA notifications, and establishing and coordinating EWGs regarding the preparation of BEREC's opinions within the deadline set by the directive.



### 1.1.3.2. Actions

This activity was identified as a priority in the BEREC Office WP. For that reason, the BEREC Office invested a lot of effort and resources in training a sufficient number of staff and developing all working documents to provide efficient and effective support to BEREC and the NRAs. The BEREC Office set up a team within the Programme Management Unit consisting of five persons, of whom three could act as phase II coordinators at any time. The improved back-up arrangements, sharing of experience and possibilities to share responsibilities allowed the BEREC Office to be prepared to handle multiple notifications arriving simultaneously.

The activities under Article 7/7a were also subject to the annual audit by the IAS, which, after reviewing all processes in place, concluded that the audited processes are fit for purpose and are managed and organised in an effective and efficient manner. The internal auditor emphasised that the BEREC Office conducts the activities under Article 7/7a effectively, including establishment and coordination of ad hoc EWGs and facilitation of the preparation (drafting, review, voting and publication) of BEREC opinion.

With the support of the BEREC Office, BEREC managed to deliver all its opinions on time and with high quality. The success of the BEREC Office in handling Article 7/7a phase II cases was strongly supported by the collaborative relationship established with the NRAs, which provided experts and rapporteurs for Article 7/7a EWGs. In 2016 the EC opened five Article 7/7a phase II cases, for which BEREC was requested to provide opinions. One case was withdrawn before the BoR could approve the draft opinion. The EWGs held 5 meetings physically and 3 by video-conference and the BEREC Office reimbursed 24 experts for participation in these meetings.

A simple database of Article 7/7a Framework Directive focal points, rapporteurs and experts was maintained. Regular tracking of all Article 7/7a Framework Directive notifications from the NRAs and comments from the EC continued. In 2016, the BEREC Office registered 137 notifications including those from the EFTA states.

In 2016, the BEREC Office undertook the following actions:

Reference to WP	Planned actions	Actions implemented
3.1.3.2.a	Keep track of and collect NRA notifications	The BEREC Office kept track of all NRA notifications and at the end of 2016 the database comprised 137 measures (including from EFTA MSs) notified to the EC.
3.1.3.2.b	Maintain and update the database	The database of NRA's notifications was maintained and regularly updated. A simple database of Article 7/7a focal points, rapporteurs and experts was maintained.
3.1.3.2.c	Coordinate BEREC activities in accordance with the Article 7/7a procedures	The BEREC Office nominated coordinators for all ad hoc EWGs established for the 2016 phase II cases and coordinated all Article 7/7a activities.

Reference to WP	Planned actions	Actions implemented
		Furthermore, the BEREC Office nominated one expert and one rapporteur for ad hoc EWGs.

### 1.1.3.3. Outcomes and indicators

Reference to WP	Outcomes and indicators	Results achieved
3.1.3.3.a	Database for all cases under Articles 7/7a of the Framework Directive	A database with all notifications under Articles 7/7a of the Framework Directive was maintained and updated.
3.1.3.3.b	High-quality and consistent final drafts of BEREC opinions	<p>The coordinators from the BEREC Office contributed to achieving high quality and consistency in five BEREC opinions.</p> <p>The outcome of the phase II cases was reported to the BoR during its 30th plenary meeting.</p> <p>The BEREC Office prepared one report on the conclusions from the Article 7/7a phase II cases.</p>
3.1.3.3.c	Proper functioning of the ad hoc EWGs, reimburse related travel expenses - capacity to handle every case in a timely manner	<p>The BEREC Office ensured proper functioning of the four EWGs set up, in 2016 and one EWG set up in 2015, which finalised its work in 2016. In addition, at the end of December 2015, the BEREC Office established a fifth EWG, which started its work in 2016.</p> <p>The BEREC Office organised five face-to-face meetings and three meetings by video-conference.</p> <p>24 experts were reimbursed for their participation in the face-to-face meetings.</p>

### 1.1.3.4. Resources

Reference to WP	Resource type	Planned resources, as envisaged in WP and decisions on budget transfers	Resources used
3.1.3.4.a	Financial resources (EUR)	33,000	10,978
3.1.3.4.b	FTE	1	0.92

### 1.1.3.5. Challenges

The workload was planned based on the experience of previous years. However, the number of cases under Article 7/7a of the Framework Directive that take place each year is unpredictable. 22,022 EUR were cancelled from the appropriations intended for Article 7/7a activities. The original amount was agreed based on historical data but only one third of the anticipated meetings materialised due to a lower number of phase II cases opened by the Commission than envisaged. As there are mandatory deadlines to respect if an Article 7/7a case is opened, the resources earmarked for this activity were kept in reserve until the very last days of the year.

## 1.2 Horizontal or other support

Horizontal and other support activities refer to the work performed by the BEREC Office in support of the BoR, the MC and the CN, and to other activities, such as relations with the EU institutions and stakeholders, BEREC's international activities and activities related to increasing transparency and the efficiency of BEREC's work. These last include communication activities and training organised by the BEREC Office for NRA experts or studies which were not linked to the BEREC WP 2016.

### 1.2.1 Assist BEREC Chair and Vice-Chairs, plenary meetings of the BoR and MC, the CN meetings and BEREC's international activities

#### 1.2.1.1. Objective

To provide efficient support to the BEREC Chair and Vice-Chairs in fulfilling their responsibilities under the BEREC Regulation as well as to the plenary meetings, CN meetings and other strategic stakeholder meetings or workshops initiated by the BoR and the MC.

The BEREC Office regularly provided support to the BoR, the BEREC Office MC, the CN and for BEREC's international activities. The BEREC Office also provided support to the BEREC Chair and Vice-Chairs, upon request, to enable them to fulfil their remits, including for meetings with the EU Institutions and bodies of the EU.

In 2016, the BEREC Office supported the organisation of four ordinary plenary meetings (BoR and MC) and one extraordinary BoR plenary meeting, four CN meetings and 12 international events (including three organised by video-conference). The BEREC Office also provided support in the organisation of three meeting with the EC, 6 meetings with EP representatives and 5 meetings and workshops with other bodies of the EU, such as: ENISA, the Radio Spectrum Policy Group and the European Economic and Social Committee, and 31 events attended by the BEREC Chair and/or Vice-Chairs.

The BEREC Office also organised the five public debriefings and/or press-conferences: four after each plenary meeting and one following the adoption of the BEREC Guidelines on NN (organised in cooperation with the EC Services) and hosted the fourth BEREC Stakeholder Forum meeting (17 October 2016, Brussels). These events were organised with live streaming and with facility for remote interaction through the social media and other IT means.

The BEREC Office provided support to the Chair in handling BEREC's communication activities, including by drafting a new BEREC Communication Strategy and Annual Communication Plan 2016, which were approved by the BoR during its 27<sup>th</sup> BEREC plenary meeting in Vienna.

The BEREC Office prepared and issued four editions of the BEREC newsletter and published 17 speeches delivered by the BEREC Chair and Vice-Chairs at public events on behalf of BEREC.

For participation in the aforementioned events, the BEREC Office reimbursed 410 meeting participants. 82% of the reimbursements were done within the 30 day deadline envisaged in the Financial Regulation.

The BEREC Office also provided support to the Chair for organising 14 electronic voting procedures (BoR and MC) and the elections of the Chair for 2018 and Vice-Chairs for 2017.

### 1.2.1.2. Actions

Reference to WP	Planned actions	Actions implemented
3.2.1.2.a	Provide assistance and professional support to the BEREC Chair and the Vice-Chairs;	<p>The BEREC Office provided assistance and executive support to the BEREC Chair and the Vice-Chairs for their participation in public events and meetings with stakeholders or third parties.</p> <p>The BEREC Office registered the requests for speeches at such events and published the speeches delivered at public events on the BEREC website. In 2016, the BEREC Office published on the BEREC website 17 news items about the BEREC Chair speeches and presentations. Information about these publications was also disseminated through social media.</p>
3.2.1.2.b	Provide administrative and professional support for the organisation of the plenary meetings of the BoR and the MC, meetings of the CN and strategic stakeholder meetings or workshops;	The BEREC Office provided administrative and professional support to the four ordinary plenary, one extraordinary plenary and four CN meetings held in 2016. For each event, the BEREC Office set up an internal website

Reference to WP	Planned actions	Actions implemented
		<p>and a public section dedicated to each event. The internal website contained specific logistical information about the event, intended for the participants. The public section was intended as the single point of information for each event and contained a short description of the event, all publicly available documents and a photo gallery.</p> <p>Along with the plenary meetings BEREC Office provided support in organising the following internal workshops:</p> <ul style="list-style-type: none"> <li>- Workshop on BEREC guidelines for the implementation of European NN rules (24 February 2016, Rotterdam);</li> <li>- Workshop on challenges and drivers of NGA roll-out and infrastructure competition (1 June 2016, Vienna);</li> <li>- Workshop on accessibility (5 October 2016, Vilnius).</li> </ul>
3.2.1.2.c	Prepare draft meeting agendas (including annotated agendas), draft action points, draft minutes of the meetings and draft meeting conclusions; register meeting documents and circulate them to the meeting participants;	<p>The BEREC Office drafted the agendas (including annotated agendas), action points, minutes and meeting conclusions for all CN and plenary meetings and provided them for approval by the respective person/body in charge of their adoption. The BEREC Office provided a full transcript and summary of the outcome of the 4<sup>th</sup> BEREC Stakeholder Forum.</p> <p>All meeting documents were registered in due time and circulated to the meeting participants in accordance with the rules of procedure.</p>
3.2.1.2.d	Provide methodological and technical support to the meeting hosts, including the registration of meeting participants,	The BEREC Office provided methodological and technical support to all meeting hosts in

Reference to WP	Planned actions	Actions implemented
	booking of event venues when needed and any other logistical support required;	accordance with their requests and ensured registration of the event participants. The BEREC Office booked the event venue for the extraordinary meeting in Brussels (Belgium), the social event venue of the BEREC CN meeting in Jurmala (Latvia) and for the third BEREC Stakeholder Forum and, in cooperation with its partner directorate-general, the Directorate-General for Communications Networks, Content and Technology (DG CONNECT), provided venues for the five public debriefings held by BEREC in 2016.
3.2.1.2.e	Provide administrative and professional support to BEREC international activities in line with the bounds of the mandate of BEREC in this regard;	<p>The BEREC Office provided administrative and executive support for organising BEREC's participation in all bilateral and multilateral international events in which BEREC took part.</p> <p>The most important international events of 2016 in which BEREC participated were the BEREC study trip to USA (23-27 May 2016), OECD Ministerial Meeting on Digital Economy: Innovation, Growth and Social Prosperity (20-23 June 2016 in Mexico) and BEREC-Regulatel summit (23-24 June 2016 in Mexico).</p>
3.2.1.2.f	Reimburse the travel expenses of participants invited to the BEREC events listed above in compliance with the applicable BEREC Office rules;	The BEREC Office reimbursed 410 participants who took part in BEREC events covered by the current activity. The number of events supported by the BEREC Office by type is presented in Annex I, Table 4.
3.2.1.2.g	Summarise the outcome of electronic voting procedures and register all related documents	<p>In 2016, the outcomes of 10 BoR and four MC electronic voting procedures were summarised by the BEREC Office.</p> <p>The BEREC Office provided written summaries for all CN, BoR</p>

Reference to WP	Planned actions	Actions implemented
		and MC meetings on the outcomes of the afore-mentioned electronic voting procedures. ( <a href="#">Annex VI, Table 1</a> ).
3.2.1.2.h	Prepare all necessary documents for the elections of the Chair and Vice-Chairs.	The BEREC Office prepared all necessary documents for the elections of the BEREC Chair 2018 and 2 Vice-Chairs for 2017. The elections were organised on 8 December 2016 in Berlin, Germany.

### 1.2.1.3. Outcomes and indicators

Reference to WP	Outputs and indicators	Results achieved
3.2.1.3.a	High-quality support in organising four ordinary plenary meetings, four Contact Network meetings, four debriefings after the plenary meeting and two high-level stakeholder events;	The BEREC Office supported the organisation of all four ordinary plenary meetings (including 3 internal plenary workshops), one extraordinary plenary meeting, four CN meetings, four debriefing events, one high-level stakeholder events and press conference. A full list of events for which the BEREC Office provided high-quality support in 2016 is presented in Annex I, Table 4. In 2016, according to the BEREC Communication Plan, the BEREC Office has put extra efforts in promoting BEREC public events on its social media accounts.
3.2.1.3.b	Circulation of meeting documents on the day of their receipt (or as agreed with the Chair); if documents are received after office hours, they will be sent on the following working day at the latest ;	Meeting documents were circulated on the day of their receipt or in line with the Chair guidance. When received after working hours, they were circulated the following working day.
3.2.1.3.c	High-quality assistance for the election procedure for the Chair 2018 and the Vice-Chairs 2017 and for all electronic voting procedures;	The BEREC Office provided high-quality assistance for: - the election procedure for the Chair 2018 and the Vice-Chairs

Reference to WP	Outputs and indicators	Results achieved
		2017, held on 8 December 2016 in Berlin; - all electronic voting procedures (10 BoR and four MC);
3.2.1.3.d	High-quality support for 10 international events (five in Europe and five outside Europe) and 37 events to be attended by the Chair or the Vice Chairs;	The BEREC Office provided high-quality support for: - 12 international events: nine attended physically and three meetings with the Federal Communications Commission (USA) organised by video-conferences; - 45 events attended by the Chair or the Vice-Chairs of which 14 events were meetings with EU institutions and bodies of the EU.
3.2.1.3.e	Provision of timely organisational advice to the meeting hosts;	At their request, all meeting hosts were provided with timely advice on issues related to the organisation of the meetings. All meeting hosts were strongly advised to use the Guidelines for hosting BEREC events prepared by the BEREC Office and approved by the BoR.
3.2.1.3.f	Preparation of draft meeting agendas at least 20 days before the meetings;	All draft meeting agendas were prepared around 1 month before each event and sent to the Chair and all speakers for comments.
3.2.1.3.g	Preparation of draft action points within one working day of the meeting and the draft minutes within three working days of the meeting;	Achieved.
3.2.1.3.h	Preparation of regular overviews of the outcome of electronic voting procedures (for each Contact Network and plenary meetings);	Achieved.
3.2.1.3.i	Preparation of all necessary documents for the elections of the Chair and Vice-Chairs prior to the vote	Achieved.
3.2.1.3.j	Reimbursement of the travel expenses of participants invited to the BEREC events in compliance with the deadlines in the BEREC Office Financial	82% of payments were executed on time.



Reference to WP	Outputs and indicators	Results achieved
	Regulation.	Late execution of the remaining 18% of payments is a result of turnover of staff during Q4. The new staff had to be trained and familiarised with the procedures in place.  The organisation of the extraordinary plenary meeting led to payment delays in reimbursing experts who took part in international events and events attended by the Chair.

#### 1.2.1.4. Resources

Reference to WP	Resource type	Planned resources, as envisaged in WP and decisions on budget transfers	Resources used
3.2.1.4.a	Financial resources (EUR)	625,000	560,430
3.2.1.4.b	FTE	3	3.81

#### 1.2.1.5. Challenges

The initial risk assessment carried out by the BEREC Office concluded that the activity includes only recurring elements and is associated with a low risk. Due to the new tasks assigned to BEREC regarding net neutrality and roaming, the BEREC Office needed to organise an extraordinary plenary in August 2016 which required additional effort from the staff and led to late payments to the Chair and Vice-chairs. Additionally, the BEREC Office planned three high level meetings between BEREC and the Commission in the context of the review of the regulatory framework for electronic communications. However, only one meeting materialised but the BEREC Office had to maintain the resources and its readiness to support such meetings in order to perform its obligations.

### 1.2.2 Ensure transparency, accountability and other horizontal support

#### 1.2.2.1. Objective

To ensure maximum transparency and accountability of BEREC's work towards the public and other interested parties in compliance with the legislation in force, to develop and maintain effective collaboration amongst BEREC members and to provide consistent support in preparation of BEREC annual plans and reports.

### 1.2.2.2. Actions

The BEREC Office maintained the public register of BEREC/BEREC Office documents on a daily basis and regularly updated BEREC's public website, giving priority to the events section, which serves as a single point of information for all BEREC events. In 2016, BEREC Office assisted BEREC in efforts to introduce the wider public to its Guidelines on NN rules; therefore, a special section on the BEREC webpage was created. The information published in the NN section is easy to understand and explains in brief the topic, as well as the BEREC approach. The launch and closure of public consultation on the question in matter was organised for the wider public, so that EU citizens can ask the BEREC Chair directly their questions of concern. The events were web-streamed live and the recorded video is available on the BEREC webpage. During these events, the audience of the web streaming could also interact by sending their questions via social media and email.

In order to raise awareness about the BEREC Office's work and activities, it is crucial to meet the public and give them the opportunity to visit the BEREC Office premises. In April 2016, BEREC Office staff members visited schools in Latvia and gave presentations to students on issues related to BEREC and the BEREC Office's work, as well as to explain how it affects the daily life of end-users. The visits were organised in cooperation with the Representation of the EC in Latvia and the non-governmental organisation – Klubs "Māja" - a public organisation for young people in Latvia which has the aim to popularise the idea of a united Europe promoting democracy, tolerance and human rights while informing and educating young people.

On 6 May 2016, a public-facing event – Open-doors Day, was organised, which contributed to raising the awareness on the BEREC Office and BEREC's work among Latvian citizens, with special attention to the younger generation. The event was organised in cooperation with the EC Representation in Latvia and the EP Information Office. During the event, pupils aged 14-17 and their teachers from the regions of Latvia visited the BEREC Office premises, listened to presentations delivered by the BEREC Office staff, and took part in a quiz relating to BEREC and the BEREC Office.

With the new multiannual BEREC Communication Strategy and the Annual Communication Plan 2016 - the BEREC Office enhanced the use of the BEREC social media accounts on Twitter, LinkedIn and YouTube. In order to enlarge the coverage of the information distributed via BEREC webpage and social accounts – a special ad-hoc expert working group for communication was created. The ad-hoc group re-distributed the information on BEREC activities to their respective EU countries in a coordinated manner and advertised BEREC's public events (public debriefings, stakeholder forum, public workshops), as well as the outcomes of the plenary meetings, reports and opinions adopted. Due to the active use of the social networks, the number of followers and the traffic to the BEREC website has increased, as demonstrated in the charts provided in Annex I-Core Business.

The BEREC Office ensured the collection and compilation of data for the annual report on developments in the electronic communications sector for 2015 and provided support to the outgoing Chair 2015 in preparing the BEREC Annual Activity Report for 2015.

The BEREC Office also provided assistance to the incoming BEREC Chair 2017 in preparing the 2017 BEREC WP. In particular, the BEREC Office analysed all contributions received during the public consultation on the draft WP 2017 and prepared a draft report on its outcome.

Reference to WP	Planned actions	Actions implemented
3.2.2.2.a	Ensure public transparency and accountability including by maintaining the public register of documents through the public website;	The BEREC Office registered 482,094 documents (481,866 BEREC, 220 BEREC Office and 8 CN documents), which also included all contributions to public consultations held by BEREC and the declarations of interest and commitment of the BEREC and MC members. Of these documents, 481,836 were made available to the public directly through the register.
3.2.2.2.b	Provide support for the internal and external communication of BEREC activities and for the implementation of the BEREC Communication Plan;	<p>BEREC Office, in collaboration with other experts, has developed a multiannual communication strategy - BEREC External Communication Strategy, complemented by an annual plan – BEREC Communication Plan 2016, both adopted in June 2016.</p> <p>In order to achieve communication goals outlined in the Strategy and make BEREC's communication work most effective the BEREC Office established an Ad Hoc Communication Group - a network of communication experts from NRAs.</p> <p>The aim of the Group is to actively participate in the planned communication projects of the Plan and act as multipliers in disseminating messages of BEREC in a stimulating and coordinated way.</p> <p>A range of planned communication activities as foreseen in both strategic documents has been implemented by BEREC Office in collaboration with the Group.</p> <p>The revised approach to BEREC internal and external communication has improved its</p>

Reference to WP	Planned actions	Actions implemented
		<p>effectiveness and increased the visibility of BEREC and the traffic to BEREC's social media accounts and the BEREC website.</p> <p>The BEREC Office concluded a Media subscription for 2016 in order to meet the requirements set in an effective way.</p> <p>Among the major events supported by the BEREC Office were those concerning promotion of BEREC Guidelines on NN rules – the launch of the public consultation and launch of the finalized document at a specially organized public/media event.</p>
3.2.2.2.c	Maintain and further develop the public website, including by increasing the flow of information on BEREC activities	<p>In 2016, the BEREC Office established a special section dedicated to NN and the BEREC Guidelines on NN rules.</p> <p>The events section was kept regularly updated as a single point of information for all events.</p> <p>The interface of the public website was improved through update of functionalities enabling the embedding of the videos and live web-streaming on BEREC website.</p> <p>Several other miscellaneous improvements were implemented on the back office part of the website.</p>
3.2.2.2.d	Manage the official BEREC accounts on social media and video-sharing websites;	<p>The use of BEREC social media was intensified throughout the 2016; as a result, there is a stable increase in the followers to the official accounts at Twitter and LinkedIn and increase in the engagement rate of the public in BEREC social media communication activities. See tables (from 5 to 9) on</p>

Reference to WP	Planned actions	Actions implemented
		communication statistics 2016 in Annex.
3.2.2.2.e	Prepare draft BEREC and BEREC Office visual identity guidelines to be approved by the BoR/the BEREC Office MC;	<p>The drafting of BEREC visual identity guidelines has been started and will be finalised in 2017.</p> <p>Once the document is adopted, the work on implementing the BEREC Office visual identity guidelines will start.</p>
3.2.2.2.f	Prepare the necessary BEREC and BEREC Office visual identity materials to be distributed during the BEREC and BEREC Office events;	<p>The visual identity materials have been distributed during the BEREC public events, such as launch of the public consultation on net neutrality guidelines and the press conference on BEREC guidelines on net neutrality rules. The BEREC Office visual identity materials were also distributed as well during the events organised at the Office premises in Riga – such as during the participation in the <i>Back to School project</i> (various dates in March-April 2016), <i>Open Doors Day</i> (6 May 2016), <i>5 Anniversary of BEREC Office</i> (25 September 2016).</p>
3.2.2.2.g	Prepare information for dissemination to the public and raise awareness about the BEREC and BEREC Office activities and their outcome, focusing on the added value for end-users;	<p>The aim of BEREC external communication is to promote BEREC's and the BEREC Office's work, spread the messages and campaigns of BEREC and raise awareness on the topics of its competence.</p> <p>According to the both strategic documents in place, the communication of BEREC and BEREC Office to external audiences is planned and focused in order to achieve the communication goals, effectively inform on BEREC's and BEREC Office's activities and their outcomes with particular focus on the added value for end-users.</p>

Reference to WP	Planned actions	Actions implemented
		<p>Every communication project of the BEREC Communication Plan 2016 was focused on precise activities and measurable outcomes to make sure the communication objectives were reached.</p> <p>Different forms of messages and communication channels were used to reach BEREC's and BEREC Office's target audiences.</p>
3.2.2.2.i	Manage the internal platform for collaboration and knowledge-sharing between BEREC members (BERECnet);	The platform was monitored regularly in order to meet the objective and promote collaboration between the NRAs.
3.2.2.2.j	Organise training to support BEREC members and observers by advancing the knowledge of their junior members about the Regulatory Framework and other topics related to BEREC activities;	A FWC is in place to provide training to the NRAs on the Regulatory Framework and other topics related to BEREC activities. 3 training sessions were organised last year.
3.2.2.2.k	Support and coordinate the preparation of the BEREC Annual Activity Report for 2015 and BEREC WP for 2017.	The BEREC Office has kept the records of the BEREC activities and documents throughout 2016 and assisted in preparation of the BEREC Annual Activity Report, as well as being involved in production of the BEREC WP for 2017. A new design for the latter was produced.

### 1.2.2.3. Outcomes and indicators

Reference to WP	Outcomes and indicators	Results achieved
3.2.2.3.a	BEREC and BEREC Office public documents to be easily accessible to the public	Achieved through the Public Register of BEREC and BEREC Office document accessible on the BEREC website.
3.2.2.3.b	The public website will be further developed and regularly updated;	<p>Achieved.</p> <p>It is also planned in the next years to assess the current BEREC website, its consistency with the recent developments and trends in</p>

Reference to WP	Outcomes and indicators	Results achieved
		the field, so as to keep the main communication tool up-to date and more user friendly.
3.2.2.3.c	The traffic to public website increases or is identical to 2015; there is greater use of social media and the number of 'followers' of the BEREC official accounts increases in comparison with 2015;	Achieved. See Annex I, Tables from 5 to 9.
3.2.2.3.d	BEREC and BEREC Office documents are consistently of high quality and comply with the BEREC style and visual identity guides;	The documents submitted to the BEREC plenary meetings are fixed so as to be in compliance with the BEREC Style Guide.  The BEREC Office also works with professional proofreaders, who are requested to improve the documents' style in English.
3.2.2.3.e	The Information Sharing Portal (ISP) is in operation since the beginning of 2016;	In 2016 the BEREC Office launched the ISP, which is a common platform for access to all relevant non-confidential data provided by BEREC, the NRAs and the Commission on regulatory matters. The data about the use of the ISP is provided in Tables <a href="#">10</a> and <a href="#">11</a> of Annex I.
3.2.2.3.f	BEREC collaboration and knowledge-sharing tool (BERECnet) is regularly updated and used as single source for sharing information between BEREC members and observers;	BERECnet is an IT collaborative platform used by BEREC members and observers on a daily basis in work of the EWGs as well as a means of dissemination of all other BEREC documents. There are 938 users. In 2016 in total, 1406 documents were uploaded and shared by means of BERECnet and over 50,000 operations were carried out on the available files.
3.2.2.3.g	Preparation of well-designed and attractive bearers of the BEREC and the BEREC Office visual identity (leaflets, brochure, banners) that are in line with the BEREC style and visual identity guides;	The main bearers of BEREC visual identity in 2016 have been the banners, printed materials and USB drives loaded with the BEREC WP for 2016. These visual identity bearers have been used during the internal BEREC and

Reference to WP	Outcomes and indicators	Results achieved
		BEREC Office events, as well as during the public events.
3.2.2.3.h	Raising of public awareness about BEREC activities, including on questions of concern for stakeholders, particularly end-users;	The general public has been informed about the BEREC activities on a regular basis – by publishing information on BEREC website about the issues the NRAs are working on; by publishing the BEREC Chair's speeches and through presentations with explanations of some complex topics and their relation to end-users, as well as by encouraging them to engage in discussion about their concerns via social media. To emphasize the role of stakeholders, the annual BEREC Stakeholder Forum was organized on 17 October 2016. The forum was web-streamed and provided with sign interpretation. The video and full transcript, as well as the summary of the event has been published on the BEREC website. BEREC has held five public debriefings during 2016, some focused on particular topics of interest to public.
3.2.2.3.i	A multi-annual framework for the provision of training services to BEREC on regulatory issues is established based on the experience gained during academic year 2015-2016.	Achieved. See 3.2.2.2.j

#### 1.2.2.4. Resources

Reference to WP	Resource type	Planned resources, as envisaged in WP and decisions on budget transfers	Resources used
3.2.2.4.a	Financial resources (EUR)	197,000	197,000
3.2.2.4.b	FTE	2.5	2.7



### 1.2.2.5. Challenges

The activities related to transparency and the preparation of the BEREC annual reports and WP included only recurring elements, which were associated with a low risk. The BEREC Office fulfilled its obligations as required and provided the necessary support and training to the NRAs.

## 2 Part II Management

### 2.1 Management Committee

In 2016, the BEREC Office MC held four ordinary plenary meetings during which it discussed all issues related to the functioning of the BEREC Office. As required by Article 1(3) of the Rules of Procedure, all the decisions taken by the MC during its ordinary plenary meetings were prepared by the CN.

Additionally, the Chair organised four electronic voting procedures for the adoption of urgent BEREC Office documents. The full list of electronic voting procedures and information about their outcome is available in [Annex VI, Table 1](#).

All decisions adopted by the MC during the plenary meetings and by electronic voting procedure were examined by the BAG, chaired by a representative of the incoming Chair (ARCEP). The opinions of the BAG were approved either electronically or during meetings organised by video-conference (four in total). The BAG did not organise any physical meetings.

As a result of these events, in 2016 the BEREC Office MC adopted 16 decisions, 1 opinion in relation to the BEREC Office Annual Accounts for 2015, the Consolidated Annual Activity Report for 2015, the Annual and Multiannual Programming of the BEREC Office Activities 2017-2019, the final BEREC Office budget and establishment plan for 2017.

The full list of all public documents adopted in 2016 by the MC is available in [Annex VI, Table 2](#).

### 2.2 Major developments

One of the main changes in the budgetary and financial field was the externalisation of the Accounting Officer function as of 18 April 2016, adopted by the Management Committee of the BEREC Office on 28 February 2016. As a consequence of this action, the BEREC Office has outsourced its accountancy and treasury services to the EC accounting officer.

The BEREC Office finalised the development of the platform for collaboration and exchange of information between BEREC members and observers, a project that had been postponed for some years due to lack of sufficient capacity at the BEREC Office for management of such a large-scale project.

The BEREC Office successfully finalised the development of the information-sharing portal to serve as a single point of access for the public to all documents relating to the work of BEREC and the NRAs. This generated additional workload for the staff.

The work of BEREC in 2016 was marked by the preparation of the forthcoming review of the EU Regulatory Framework and the EC Termination Rates Recommendation, and the work on the TSM. The TSM assigned new functions to BEREC and thus, without any amendments to the basic act, BEREC and the BEREC Office assumed additional tasks.

In 2016 the accounts of the BEREC Office for 2014 were closed and the MC was granted

discharge for the financial year for 2014 in an ordinary procedure without any major comments from the Discharge Authority. The audit performed by the ECA on the operation and budgetary management in 2015 led to a positive opinion of the Court on the reliability of the accounts and on the legality and regularity of the transactions underlying the accounts. The Discharge Authority acknowledged the efforts and the achievements of the BEREC Office in addressing the comments and observations from the previous years on operations and budgetary management.

Against this background, the BEREC Office needed to cut one post in 2016. The cut took effect in January 2017. Therefore, to cope with the increased workload, the BEREC Office needed to mobilise all its existing resources and to rely on interim staff, in particular for handling the big projects.

## **2.3 Budgetary and financial management**

### **2.3.1 The BEREC Office budget structure**

In accordance with Article 11 of the BEREC Regulation, the revenues and resources of the BEREC Office consist, in particular, of:

- a subsidy from the EU, entered under the appropriate headings of the general budget of the EU (EC Section), as decided by the budgetary authority and in accordance with Point 47 of the IIA of 17 May 2006;
- financial contributions from MSs or from their NRAs made on a voluntary basis in accordance with Article 5(2). These contributions shall be used to finance specific items of operational expenditure as defined in the agreement to be concluded between the Office and the Member States or their NRAs pursuant to Article 19(1)(b) of EC Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities.

The budget of the BEREC Office is distributed among three titles, as follows:

- Title 1: Staff expenses;
- Title 2: Buildings, equipment and miscellaneous operating expenses;
- Title 3: Operational expenses.

Title 1 covers staff expenditure such as salaries, training and costs associated with recruitment procedures and staff welfare. Title 2 covers the costs associated with the functioning of the BEREC Office such as administrative costs for infrastructure, equipment and information technology (IT) needs. Title 3 corresponds to the organisation's operational activities.

### **2.3.2 Budget 2016: initial and with transfers and amendments**

The initial budget of the BEREC Office for 2016, as adopted by the MC and approved by the budgetary authority in 2015, was EUR 4,246,000, including:

- EUR 4,071,542: main subsidy from the EU voted by the budgetary authority;
- EUR 174,458: budget outturn (surplus) 2014.

By the end of 2016 BEREC Office made 7 (2 in quarter 1, 1 in quarter 2, 1 in quarter 3, 3 in quarter 4) transfers of appropriations within the limits allowed to Administrative Manager based on Article 27(1) of the Decision MC/2014/1 on the BEREC Office Financial Regulation:

'The Administrative Manager may make transfers from one chapter to another and from one article to another without limit and from one title to another up to a maximum of 10% of the

appropriations for the financial year shown on the line from which the transfer is made.'

The BEREC Office Report on the implementation of the budget and on budgetary and financial management (MC (17) 20), which is available on the BEREC Office's public website, presents the 2016 budget in terms of commitment and payment appropriations, additionally indicating the overall summary of the transfers made by the BEREC Office among various budget items.

### 2.3.3 Budget 2016: rate of implementation

The budget execution of the BEREC Office is calculated as the 2016 C1 credits (current year available credits) in commitment appropriations.

By the end of 2016, the BEREC Office had received 2 instalments from the Commission, constituting the subsidy from the Commission and amounting to EUR 4,246,000.00

As regards expenditure, the BEREC Office has only non-differentiated appropriations; therefore, commitment and payment appropriations are equal.

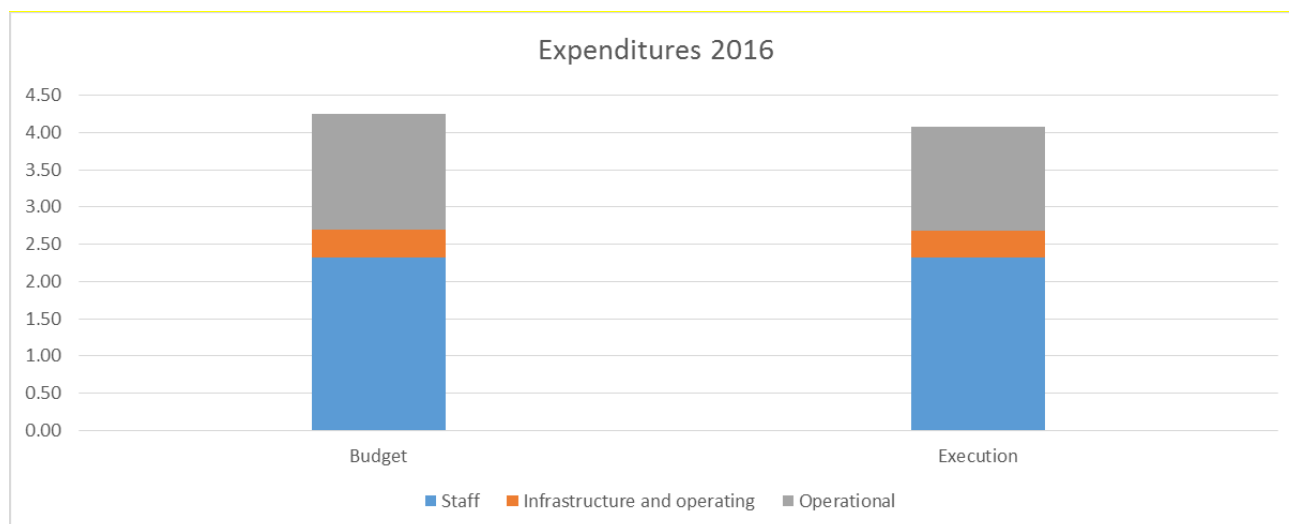
Out of EUR 4,246,000 of allowed commitment and payment appropriations of the C1 credits, EUR 4,084,575.06 (96.20%) were accepted as commitments and EUR 3,277,546.69 (77.19%) were paid.

The tables which present the actual revenue received by the BEREC Office and the actual expenditure in terms of commitment and payment appropriations and commitments accepted and payments made by budget lines, chapters and titles by the end of 2016 can be found at the RBFM report (MC (17) 20), which is available on the BEREC Office's public website.

### 2.3.4 Budgetary execution: summary by title – C1 credits 2016

The BEREC Office has only non-differentiated appropriations; therefore, commitment and payment appropriations are equal.

Budget Title	Commitment/ Payment appropriations				
	Commitment/ Payment Credit Available	Commitment Accepted	% Committed / Available	Payment Request Accepted	% Paid / Available
Title 1- Total	2,329,398.36	2,324,386.71	99.78%	2,072,243.34	88.96 %
Title 2 - Total	362,188.96	361,392.69	99.78%	256,786.72	70.90 %
Title 3 - Total	1,554,412.38	1,398,795.66	89.99%	948,516.63	61.02 %
<b>Total Expenditure</b>	<b>4,246,000.00</b>	<b>4,084,575.06</b>	<b>96.20 %</b>	<b>3,277,546.69</b>	<b>77.19 %</b>



Commitments are entered in the accounts on the basis of the legal commitments entered into up to 31 December and payments on the basis of the payments made by the Accounting Officer by 31 December of that year, at the latest.

Non-differentiated appropriations corresponding to obligations duly contracted at the close of the financial year will be carried over automatically to the following financial year only.

The amount which was neither committed by the end of 2016 nor carried forward to 2017 will not be automatically deducted from the budget of any following year. The general rule is that if the implementation of commitment appropriations (fund source C1) in the budget for 2016 would remain below 95%, penalties amounting to a 2% reduction in the 2018 budget would be foreseen. This indicator for the BEREK Office is 96.20%.

The outstanding commitments at the end of the year are automatically carried forward to 2017.

### 2.3.5 Commitment and payment appropriations carried forward to from 2015 to 2016

Budget Title	Type of expenditure	Automatic carryover of commitment and payment appropriations to 2016	Commitment Accepted	% Committed / Available	Payment Request Accepted	% Paid / Available
Title 1	Staff	165,136.41	149,676.91	90.64%	149,676.91	90.64%
Title 2	Administrative expenses	134,227.92	125,605.88	93.58%	125,605.88	93.58%
Title 3	Operational expenditure	316,592.92	295,778.27	93.43%	295,778.27	93.43%
<b>Total Expenditure</b>		<b>615,957.25</b>	<b>571,061.06</b>	<b>92.71%</b>	<b>571,061.06</b>	<b>92.71%</b>

EUR 44,896.19 (7.29%) of the carried-forward C8 appropriations were cancelled.

Title 1:

- The mission expenses were based on the average amount paid to mission performers during 2015. The actual spending was lower by EUR 3,506.86; the unused appropriations have been cancelled;
- The estimate of expenses for training delivered by the EC services was based on the average amount paid to the EC in 2014. However, the actual spending was lower by EUR 1,012.5. Therefore, the unused appropriations had to be cancelled;
- Part of the amount of the travelling expenses for an on-site coaching event for the year-end closure needed to be cancelled as the travel cost EUR 1,892.25 less than expected;
- The BEREC Office has planned missions for the ICC assistant from ENISA for ex-post controls (under a SLA for sharing the ICC capacity) but the control activities were performed remotely and the amount planned for the travel was lower by EUR 4,502.25 and needed to be cancelled;
- Carry-forwards for interim staff contracts were based on the contracts' amount. The actual expenditure was lower by EUR 2,820.78 and unused appropriation had to be cancelled.

Title 2:

- The implementation of the Activity based costing/activity based budgeting (ABC/ABB) project was delayed and the contract for customisation of the application had to be extended until 2017. The non-expenses had to be cancelled (EUR 4,528.40);
- The estimates of the needs for telecommunication services (that in accordance with contracts were in place until October – November 2016) were done on the basis of expenses incurred in the previous period. The actual spending on these services was lower by EUR 2,442.58. Therefore, the unused appropriations had to be cancelled.

Title 3:

- Reimbursement of participants/experts at EWGs, Article 7 and 7a EWGs, Chair's and Vice-Chairs' travel were based on the number of people invited and eligible to receive reimbursements and average costs per expert;

However, the final costs depend on the actual participation and the number of applications received and actual costs incurred. These costs were lower than estimated by EUR 9,354.41 and were cancelled;

- A speaker from the USA invited to a workshop, rescheduled from December 2015 to the beginning of 2016 could not attend the event and therefore the amount of EUR 6,810.13 needed to be cancelled.

The amount cancelled carried forward from 2015 appropriations (fund source C8) will not be automatically deducted from next year (i.e. 2017) budget. However, if the cancellation of payment appropriations (fund source C8) in the budget exceeds 5%, 2% reduction may be applied for 2018 budget. This indicator for the BEREC Office is 7.29%. The 2.29 percentage point exceeding the cancellation over the 5% target represents an amount of EUR 14,098. This very low amount has led to the high cancellation rate because technical carry-overs (commitments for travel expenses reimbursements) are relatively high in the total, otherwise moderate carry-overs. The BEREC Office, due to its specific mandate, provides support to BEREC in organisation of meetings, including reimbursement of travel expenses, and does not run large scale projects that would generate a volume of precisely predictable carry-overs in budgetary commitments.

### 2.3.6 Commitment and payment appropriations carried forward from 2016 to 2017

Budget Title	Type of expenditure	Automatic Carryover of Payment Appropriations to 2016	Automatic Carryover of Payment Appropriations to 2017
1	Staff	165,136.41	252,143.37
2	Administrative expenses	134,227.92	104,605.97
3	Operational expenditure	316,592.92	450,279.03
	<b>Total</b>	<b>615,957.25</b>	<b>807,028.37</b>

There are three primary reasons for the budget of previous year (C1) to be carried over (to C8):

- payments for services where invoices are received only in the next financial year (most of them in January, but there are examples about invoices arriving in Q3 or even Q4 of the next year);
- payments falling due in year 2016 which not been finalised by the end of year (example: reimbursements to experts not fully finalised by the end of December 2016);
- contracts entered into by 31 December 2016 which do not end in December 2016. The relevant budgetary commitment for a particular contract has to be carried forward into the next year.

The C8 2017 budget should be consumed as soon as possible and the unused commitments cancelled. C8 2017 budget cannot be carried forward for the second year.

Carry-forward of appropriations to 2017 (EUR 807,028.37) relates to:

#### **Title 1: Staff related costs such as:**

- reimbursements to the recruitment candidates;
- travel expenses entering leaving the service in December 2016;
- staff missions and PMO fees for the mission calculation;
- medical examinations (SLA with Medical Service of the Commission);
- payments for interim services of December, where invoices are due in January 2017
- pending payments for the translation of calls for expression of interests that were sent for translation in December 2017;
- training (external contractors (automatically renewed as well as new contracts) and SLAs with the Commission and the European Administrative School) – invoices not yet received;
- SLAs (DG HR, EPSO CAST database, PMO fees for calculation of salaries, allowances, candidates' reimbursements, inter-agencies network secretariat, SLA with ENISA on sharing ICCs Assistant) and contracts with external contractors (e.g. mission insurance of the SNE's and staff) signed, started and/or executed in 2016, for which calculations and invoices will be received in 2016.

The carry-forward of EUR 252,143.37 represents a percentage of 10.84 % of the total staff-related

commitments established in 2016 which amount to EUR 2,324,386.71.

**Title 2: General administration of the Office:**

- Office premises' utilities, fitting-out, security services – invoices for services rendered in 2016 that will be received in 2017.
- communication costs - all amounts related to automatically renewed and new contracts, which were signed in October – December 2016, therefore most of the budget is carried forward;
- postal costs - services were rendered at the end of 2016, but invoices for them will arrive in 2017;
- the training services on budgeting models and local data warehouse manager were rendered at the end of 2016 and will be invoiced in 2017;
- part of publications booked in 2016 will be invoiced in 2017, therefore the commitment is carried forward to 2016;
- a contract for office supplies that was automatically renewed mid-2016 and was carried forward to 2017

The carry-forward of EUR 104,605.97 represents a percentage of 28.94 % of total Title 2 commitments established in 2016 which amount to EUR 361,392.69

**Title 3: Operational activities such as:**

- reimbursements of participants/experts in Expert Working Groups, workshops, international and BEREC events and other operational meetings in November/ December 2016;
- SLAs (PMO fees for calculation of experts' reimbursements);
- contracts signed in 2016 (provision of regulatory training to the BEREC community, BEREC ICT services, study on Net Neutrality Regulation) for which invoices will arrive in 2017.

The carry-forward of EUR 450,279.03 represents a percentage of 32.19 % of total commitments relating to operational activities established in 2016 which amount to EUR 1,398,795.66.

The total carry-forward of EUR 807,028.37 represents a percentage of 19.75% of total commitments established in 2016 which amount to 4,084,575.06 EUR.

### **2.3.7 Types of procurement procedure used**

In order to implement the BEREC WP and to ensure the proper functioning of the BEREC Office, the latter procured certain services and/goods for fulfilling all BEREC's tasks as defined in the BEREC Regulation and its annual WP.

The launch of public procurement procedures in the BEREC Office was initiated by its units in compliance with their responsibilities and the BEREC Office procurement plan approved by the BEREC Office AM.

In 2016, the BEREC Office has launched 21 procurement procedures altogether, split between the following types:

- very low-value negotiated procedure for contracts not exceeding EUR 15,000 under Article 137(2) RAP – 8;
- low value negotiated procedure for contracts with a low value not exceeding EUR 60 000 under Article 137 (1) RAP – 5;

- negotiated procedures without publication of a contract notice under Article 134(1) RAP - 4;
- open tender procedures – 4.

In order to decrease the administrative burden for the staff, in 2016 the BEREC Office continued to use inter-institutional framework contracts and FWCs established by the BEREC Office. The BEREC Office signed 67 Specific Contracts during 2016 under the FWCs in force.

## 2.4 HR management

At the end of 2016, the BEREC Office employed 27<sup>14</sup> staff members (including TAs, CAs and SNEs). During 2016, six staff members left the agency. The vacant posts were filled by using reserve lists, including three new lists established during the year. In order to ensure an adequate level of operations, vacant posts were also temporarily covered by interim staff.

The BEREC Office launched the first call for expression of interest of trainees, raising the interest of many qualified candidates. The first group of trainees took up duties between September and October 2016.

In 2016, the BEREC Office continued to deal with some of the changes introduced by the new Staff Regulations, as the existing implementing rules were to be revised and new implementing rules were to be adopted. During 2016, the Office joined the project to provide the EU Agencies with “Sysper2”, a reliable HR management tool which also allows monitoring of staff working time and leave.

Following the cut implemented in 2015, when the number of posts was reduced by one<sup>15</sup> the BEREC Office had to implement an additional cut, as the BEREC Office was also requested to contribute one post to the redeployment pool of Agencies<sup>16</sup> in line with the Commission Communication *Programming of human and financial resources for decentralised agencies 2014-2020*. Consequently, the post of the Budget Assistant (AST4), which became vacant in September 2016, was not filled with a view to a cut as of January 2017.

For the BEREC Office, being the smallest agency of the EU, it has been an increasing challenge to maintain a sustainable operation and to ensure an appropriate balance in organising its work. A fragile balance in the distribution of the workload among the staff of the office was achieved following the adoption of the Management Committee decision of September 2016 to establish an additional CA post with budget and finance responsibilities.

In relation to schooling, in 2016 the BEREC Office started with the review of the agreements already in place and drafted new agreements with Latvian schools having an international dimension. A policy on the rules and conditions for financing multilingual tuition has been established<sup>17</sup>.

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<sup>14</sup> Including the job offers sent for the posts of Executive Support Assistant, SNE and IT Support Officer.

<sup>15</sup> The Interinstitutional Agreement on cooperation in budgetary matters and on sound financial management requested a 5 % headcount cut from all EU institutions, bodies and agencies between 2013 and 2017. This was fully implemented by the BEREC Office in 2015.

<sup>16</sup> This constitutes a 1.25 % levy for the years 2014-2018, 0.25 % per year more than the uniform proposal of the Commission.

<sup>17</sup> In 2016, agreements were in place with 3 international schools and 5 requests for the schooling measure were received and processed according to the internal rules in place.



## 2.5 Assessment by management

The BEREC Office has put in place internal control processes intended to ensure the adequate management of financial flows and the legality and regularity of the underlying transactions. The control objective is to ensure that the BEREC Office management has reasonable assurance that the total amount of any financial operations authorised during the reporting year that do not comply with the contractual and regulatory provisions does not exceed 2 % of the total expenditure.

To reach this conclusion, the BEREC Office management examined the Register of Exceptions and non-compliant events (defined as control overrides or deviations from policies and procedures), the outcome of the audits performed by the IAS and ECA, the results of the ex-post control and the assessment of the effectiveness of the internal control systems.

The examination of this evidence, including accounting and asset management information, shows that, although there is still room for improvement in some aspects of the internal administrative procedures (including the reimbursement of experts, with the objective of reducing the payment time), there are no errors that have a financial impact or could call into question the legality and/or regularity of the underlying transactions.

## 2.6 Budget implementation tasks entrusted to other services and entities

No budget implementation tasks have been entrusted to other services or entities during the reporting year.

## 2.7 Assessment of audit results during the reporting year

### 2.7.1 Internal Audit Service<sup>18</sup>

In accordance with Article 14 of the BEREC Regulation<sup>19</sup>, the EC IAS is responsible for auditing the BEREC Office. In compliance with the Strategic Audit Plan for 2017-2019, in 2016 the IAS performed a full risk assessment exercise covering BEREC Office's major processes, both operational - according to its mission - and administrative - to support the operational tasks.

The audit fieldwork took place in the period from 05/09/2016 to 09/09/2016, and consisted in reviewing the relevant processes and documentation and interviews carried out with the AM and staff of the BEREC Office, in order to identify the specific risks.

The assessment of the administrative processes, including the IT processes, of the Agency/Body was based on a standardised structured risk assessment questionnaire. For the assessment of the operational processes, questions specifically adapted to the operational processes of the BEREC Office were used.

The results of the risk assessment have been summarised in a matrix (BEREC Risk Map). All the reviewed processes and sub-processes, administrative and operational, have been positioned in

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<sup>18</sup> According to the provisions of Article 14 of the BEREC Regulation, the EC IAS acts as the BEREC Office internal auditor.

<sup>19</sup> Regulation (EC) No 1211/2009 establishing BEREC and the Office.

the matrix according to the perceived risk – both inherent risk and the residual risk that remains if/when pertinent controls are in place and will constitute prospective audit topics. Based on the results of the risk-assessment and considering the current risk profile of BEREC Office, the IAS lowered its number of audit missions for the future and intends to perform one or two assurance engagements in the 3-year period.

Furthermore, by the end of 2016, BEREC Office had taken all the necessary steps and submitted replies for all the open recommendations deriving from 2015 audit mission. As consequence, the IAS auditors recommended the closure of the open items.

### **2.7.2 Internal audit capability**

Not applicable.

### **2.7.3 European Court of Auditors (ECA)**

In the ECA's opinion, the transactions underlying the BEREC Office annual accounts for 2016 are legal and regular in all material respects and the annual accounts for 2016 present fairly, in all material respects, its financial position as at 31 December 2016 and the results of its operations and its cash flows for that year.

The ECA made some comments on the operations of the BEREC Office, which do not question the Court's opinions as communicated above. In particular, the ECA commented on the choice of contracting relations of the BEREC Office with external parties and the staff reclassification process. The ECA also commented on the high staff turnover, which represents a risk for the BEREC Office operations. The ECA has also recommended the performance of external evaluation every five years, as it is the case for most other agencies.

## **2.8 Follow-up of recommendations and action plans for audits**

The IAS performed a limited review of the implementation of the ICSs at the BEREC Office in 2012 and made 18 recommendations for improvements, most of which were addressed by the end of 2015. At the beginning of 2016 the BEREC Office managed to implement fully ICS No 6 on 'Risk Management' and No 12 on 'Information and Communication' and IAS closed its two recommendations.

Following the actions undertaken by the BEREC Office to implement the ICSs in February 2016 the IAS closed all open recommendations on the ICSs.

According to the Strategic Audit Plan 2013-2015 in 2015 the IAS conducted an audit on the activities undertaken under Article 7 and 7a of the Framework Directive including stakeholder relationship management and external communication in BEREC Office. The IAS concluded that the audited processes are fit for purpose and are managed and organised in an effective and efficient manner. During the audit the IAS identified five specific areas which need further improvement. The BEREC Office, in agreement with the IAS, prepared an action plan for addressing the recommendations of the IAS, which were implemented by the end of 2016. Consequently, in the beginning of 2017 the IAS closed all recommendations on the matter.

## 2.9 Follow-up of observations from the discharge authority

The EP adopted its decision on granting discharge in respect of the implementation of the BEREC Office budget for the financial year 2015 (2016/2190(DEC)) of April 2017 following a recommendation by the Council of the EU of 27 February 2017. In its decision, the discharge authority noted the improvement of the day-to-day operations of the BEREC Office, noted that the implementation of the ICSs was completed.

In the field of budget and financial management the Discharge Authority has noted that the budget monitoring efforts in 2015 resulted in a budget implementation rate of 95,65 % and payment appropriations execution rate of 80,31 %. In its report ECA has pointed out that the level of committed appropriations carried over for Title II were high (EUR 134 228), i.e. 44 % of the voted budget for Title II. However, as those carry-overs are mainly related to the delivery of services that go beyond 2015, in the view of the Discharge Authority this does not necessarily indicate weaknesses in budgetary planning.

The Discharge Authority has pointed out with satisfaction that the number of budgetary transfers was reduced from 37 in 2014 to 17 in 2015, an indicator, which was further improved in 2016, during which the BEREC Office AM made only 7 transfers of appropriations.

In its report ECA commented that the level of detail of the budgetary implementation report differs from those provided by most other agencies. The BEREC Office has explained that that the different level of detail is based on the practices of the Commission's reporting as the MC has outsourced the role of accounting officer to the Commission's accounting officer. The BEREC Office has stated its willing to follow any budget guidelines for the reporting in the next financial year provided that such guidelines are issued, which has been noted by the Discharge Authority.

In the field of procurement ECA has pointed out some weaknesses, which BEREC Office has already addressed in the beginning of in 2016. Furthermore, the BEREC Office has revised its existing procurement rules with a view to streamlining the process, including by using eTendering. Consequently, the Discharge Authority has welcomed the fact that the Office has already taken steps to improve its procurement rules.

In the field of HR management the Discharge Authority has noted that the BEREC Office has reduced the number of its staff with 1 post irrespectively of the fact that the Agency undertook additional tasks resulting in an additional workload, which added to the difficulties in recruitment and caused turnover of expert staff; the Discharge Authority has acknowledged that the BEREC Office managed to maintain a sustainable operation and achieved a balance in the distribution of the workload among its staff.

In the field of prevention and management of conflicts of interests and transparency, the Discharge Authority has noted that the BEREC Office maintained the public register of BEREC/BEREC Office documents on a daily basis and has included a sub-chapter in its annual report, relating to the transparency, accountability and integrity.

The Discharge Authority has welcomed the establishment of a special section dedicated to the policy on conflict of interest and a new section of the website for speeches by the Chair, the adoption of an anti-fraud strategy in February 2017 and the drafting of internal rules on whistleblowing which were sent to the European Data Protection Supervisor (EDPS) for prior checking.

The BEREC Office is requested to adopt an internal whistleblowing policy which will foster a culture of transparency and accountability in the workplace, regularly to inform and train employees on their duties and rights, ensure protection of whistleblowers from reprisal, follow up

the substance of whistleblowers' alerts in a timely manner and put in place a channel for anonymous internal reporting.

The Agency is requested to publish annual reports on the number of whistleblower cases and the follow-up received and to submit them to the discharge authority.

### **3 Part III: assessment of the effectiveness of the internal control systems**

#### **3.1 Risk management**

The BEREC Office operates in a low-risk environment due to the absence of grant management and the near absence of asset management. The operational activities of the BEREC Office that are associated with a certain level of risk were identified in 2014 and those elements have been included in the BEREC Office WP 2015. In 2014, new monthly reporting was introduced with the objective of alerting management when indicators show that the achievement of the objectives is at risk. For all these reasons, the full implementation of ICS 6 on risk management was envisaged for 2015.

As a first step in the introduction of systematic risk management, on 30 June 2015 the BEREC Office AM established a risk management implementation guide. Afterwards, within the framework of the SLA with ENISA for sharing the function of the ICC Assistant, the BEREC Office delegated the power to the ICC Assistant to undertake a thorough risk assessment/analysis of all BEREC Office activities.

Due to the small size of the agency, the risk assessment was carried out by a combination of bottom-up and top-down approaches and was based on interviews with the staff, the heads of units and the AM, questionnaires that they filled in and brainstorming sessions.

The outcome of the risk self-assessment exercise was presented to the BEREC Office management in a report of 11 November 2015, according to which no critical risks were identified. However, the reports contained a list of several significant risks, which were discussed at extended management meetings on 13 and 30 November 2015. The meeting participants discussed the root causes of the risks, their consequences and the establishment of appropriate actions to mitigate the identified significant risks.

As a result of all action described above, the BEREC Office prepared a risk register containing the most significant risks identified during the risk assessment and action plans for addressing these risks. The risk register and the action plans were approved by the AM by Internal Administrative Instruction No 9 of 2015.

Following the establishment of risk management procedures at the BEREC Office, on 4 February 2016 the IAS closed its recommendation on ICS No 6.

As consequence of previous steps taken during 2014-2015, in 2016 the risk register was closely monitored in terms of deadlines and revisions of the tasks by the responsible actors and developments have been reported to the management on a monthly basis.

### 3.2 Compliance and effectiveness of internal control standards

The BEREC Office Internal Control Framework and Standards in force were adopted by the MC on 27 May 2013<sup>20</sup>. The document specifies the set of policies and procedures to be put in place by the BEREC Office to create a proper governance structure and to ensure efficient and effective implementation of its objectives.

In 2014, the BEREC Office undertook a series of measures to put in place new procedures or to amend the existing ones to improve their compliance with the system of ICSs. The measures undertaken by the BEREC Office in 2014 led to significant improvement in compliance with the internal framework of ICSs, and 16 out of the 18 IAS recommendations on the implementation of the ICSs. The efforts to achieve full compliance with the ICS framework continued in 2015 and, as a result of these efforts, at the beginning of 2016 the IAS closed all recommendations on the implementation of the ICSs. In 2016 the BEREC Office commissioned an independent consultant to undertake an ICS assessment which was performed in November and December 2016.

However, given that the ICS framework in general was not designed for small organisations such as the BEREC Office, keeping a high level of compliance with the ICSs generates a high administrative burden for the staff. The high staff turnover and the fact that the BEREC Office frequently has only one member of staff who combines several key functions, pose further challenges to business continuity and requires continuous efforts to ensure compliance with the ICSs' requirements.

The status of the implementation of the ICSs at the end of 2016 is as follows:

#### **ICS 1: mission**

The BEREC Office mission statement was developed from the BEREC perspective and was approved by the Management Committee during its 12th plenary meeting (28 September 2012, Limassol)<sup>21</sup>. It was discussed with the staff during internal training on the ICSs on 27 May 2015. A group of staff members were requested to find the mission statement on the website and explain it to the other staff. The staff discussed the mission statement and concluded that it is still relevant and up to date.

#### **ICS 2: ethical and organisational values**

The BEREC Office ethical values were approved by an internal administrative instruction by the BEREC Office AM dated 2013<sup>22</sup>, which is part of the welcome guide to newcomers. Together with the internal administrative instruction on the prevention of conflict of interest, the document mentioned above provides the main elements for ethical behaviour for the BEREC Office staff and introduces the principles of the code of good conduct, enhanced transparency, prevention and detection of fraud, etc. The internal administrative instructions mentioned above build upon the relevant documents approved by the MC and use as a reference the EC Code of Good

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<sup>20</sup> MC (13) 34, BEREC Office Internal Control Framework and Standards, 27 May 2013, not public.

<sup>21</sup> MC (12) 20, BEREC Office mission statement, 28 September 2012, [http://berec.europa.eu/eng/document\\_register/subject\\_matter/berec\\_office/others/978-draft-berec-office-mission-statement](http://berec.europa.eu/eng/document_register/subject_matter/berec_office/others/978-draft-berec-office-mission-statement)

<sup>22</sup> Internal Administrative Instruction No 2 of 2013 of the Administrative Manager of the BEREC Office on establishing ethical principles and the principles of ethical administrative behaviour (IAI/2013/2), 31 July 2013, not published.

Administrative Behaviour/Relations with the Public<sup>23</sup>, the Practical Guide to Staff Ethics and Conduct and other relevant documents of the European Ombudsman<sup>24</sup>.

During the internal training organised on 28 July 2016, staff members were offered presentations of relevant ethical and organisational values, in particular ethical conduct, avoidance of conflicts of interest, fraud prevention and reporting of irregularities. Then the staff were requested to discuss specific ethical issues in the light of the available rules. The training on prevention of harassment took place on 12 and 13 December, including dedicated sessions for the management. The training event was also an occasion to discuss the new implementing rules adopted by the Management Committee on the policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment (MC/2016/15).

### **ICS 3: staff allocation and mobility**

The allocation and recruitment of staff is based on the BEREC Office's objectives and priorities. Whenever necessary, managers align the organisational structures and staff allocations with priorities and workload, in the light of comments received from the ECA, the IAS and the discharge authority. In 2016, the BEREC Office continued to seek efficiency gains.

### **ICS 4: staff evaluation and development**

With the appraisal exercise, the staff performance has been evaluated against individual annual objectives, which fit with the BEREC Office's overall objectives. Adequate measures are taken to develop the skills necessary to achieve the BEREC Office's objectives. The target is to ensure that staff members attend compulsory training courses and other training oriented towards the career development of staff members.

In 2016, a reclassification exercise took place and five agents were reclassified.

### **ICS 5: objectives and performance indicators**

In 2014, the BEREC Office introduced new regular monthly management reports to monitor the implementation of the annual WP. The outcomes of the reports were aggregated on a quarterly basis and, starting from the second half of 2014, were regularly presented to the MC to ensure further monitoring. This new reporting tool was put in place to alert managers when indicators show that achieving the objectives is at risk, as part of the internal risk management procedure.

In 2014, the office developed internal guidelines for drafting the annual WP based on the ABB model developed by the agency in 2013, and taking into account the criteria for defining specific, measurable, accepted, realistic and timed (SMART) indicators. The guidelines also require a clear link and consistency between the planned actions and the resources available for the respective period.

For 2016, the BEREC Office performed a revision of the ABB model. The establishment of the ABB model follows the guidelines of the European Commission on the drafting of the annual WP. These guidelines take also into account the new requirements for drawing up multiannual work programmes with a 3-year span.

### **ICS 6: risk management process**

Risk management is an important element of the effective internal control framework. Risk management has been embedded as a standard element in the planning and reporting processes of the BEREC Office since 2014. In 2014, new monthly reporting was introduced, with the objective of alerting management when indicators show that achieving the objectives is at risk.

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<sup>23</sup> OJ L 267, 20.10.2000.

<sup>24</sup> Public service principles for the EU civil service, 2012, [www.ombudsman.europa.eu](http://www.ombudsman.europa.eu)

In June 2015, the BEREC Office defined the principles of and practical arrangements for risk management (steps, roles and responsibilities, and tools) with the support of ENISA under the SLA signed in October 2014 for sharing the function of ICC. With the support of the ICC Assistant the BEREC Office established a risk register with risk owners, risk response and mitigating action plans. In 2016 the risk register has been reviewed and revised.

### **ICS 7: operational structure**

Delegation of authority is clearly defined, assigned and communicated in writing. All delegated and sub-delegated authorising officers have received and acknowledged the charters and specific delegation instruments.

The office's sensitive functions are defined in the job descriptions of staff, recorded and kept up to date.

The agency has developed and implemented a policy for avoiding potential conflict of interest.

### **ICS 8: processes and procedures**

The BEREC Office introduced a financial manual in 2013, which was revised in 2014 to take into account changes in the BEREC Office Financial Regulation and recommendations from the ECA and the IAS. It covers all aspects of budget and financial management, and introduces a detailed description of the financial workflows (including for procurement and contract management, the responsibilities of each financial actor and their involvement in the financial circuits for all types of transactions, model checklists, etc.).

The defined processes and procedures ensure appropriate segregation of duties and compliance with the legislation in force. Special attention is also paid to the acts related to sub-delegation.

The BEREC Office performs 100 % ex-ante verification of transactions and as of 2014 introduced ex-post control to further increase the monitoring of administrative and financial transactions.

### **ICS 9: management supervision**

Management supervision is carried out to ensure that activities are implemented efficiently and effectively and that they comply with the applicable provisions and the targets set in the annual work programme or other relevant documents. Supervision is carried out on two levels: the MC supervises the activities of the AM, and the AM supervises the activities of the heads of units.

Management supervision covers both administrative and operational performance (including the state of play of all key projects developed by the agency), follow-up on recommendations by internal and external auditors and requests for additional information submitted by the discharge authority.

### **ICS 10: business continuity**

The BEREC Office has introduced the measures required to ensure continuity of service in case of 'business-as-usual' interruption (sick leave, staff mobility, etc.). Deputising arrangements for relevant operational activities and financial transactions are in place and the drawing up of handover files is planned in case of staff leave.

To improve the BEREC Office's capability to deal with business disruptions that could seriously impact its reputation, its stakeholders, its employees or its financial position, in 2014 the BEREC Office implemented a Business Continuity Management Project within an existing EC framework contract. In the context of this project, a number of policy documents was defined to allow the BEREC Office to implement appropriate measures aimed at reducing the agency's vulnerabilities and the impact of a possible major incident. In 2015, the BEREC Office approached the EC representation in Latvia and reached an agreement in principle to use the EC premises as a

secondary location for the BEREC Office staff if operations at the BEREC Office's headquarters are disrupted. The memorandum of understanding between the BEREC Office and the EC representation in Latvia was signed in June 2016. Policy documents related to the business continuity management have been updated accordingly and an info-session for staff regarding the implementation of the policy documents was held in November 2016.

As part of the Information Systems Security Policy, in 2015 the BEREC Office developed a disaster recovery plan and procedure including a backup procedure for the BEREC Office's IT system. In January 2016, an SLA between the European Union Agency for Network and Information Security Agency and the BEREC Office for providing the BEREC Office with off-site back-up services for storing the BEREC Office electronic data was signed. In February 2016, BEREC Office's Information Systems Security Policy was updated accordingly.

After all the above-mentioned preparatory work was finalised, in December 2016 the BEREC Office conducted its first business continuity test.

### **ICS 11: document management**

The main principles of document management were approved by the BoR (for BEREC documents) and by the MC (for BEREC Office documents) in 2010 and 2011. These principles were further developed by an internal administrative instruction on document management. In compliance with these documents, the BEREC Office operates an online public registration service, in which all documents fulfilling the requirement for registration are registered (except financial and HR-related documents).

In November 2016 the BEREC Office signed a Memorandum of Understanding with the Commission services for the introduction of the common document management and archiving systems Hermes-Ares-NomCom (HAN), whose introduction has been planned for 2017. HAN services will ensure document and records management at the BEREC Office in accordance with the legislation in force and will help in resolving the issue of transfer of BEREC and BEREC Office files intended for permanent preservation to the Historical Archives.

### **ICS 12: information and communication**

Following the IAS Recommendation and an endorsement of the BEREC Management Committee an existing BEREC Communication Plan was revised and two separate documents drafted: a strategic multiannual document and an annual plan. The annual update exercise 2016 of the existing BEREC Communication Plan (that was first adopted in 2014 and was revised in 2015) and was considered to be a living document to be updated annually) was used as an opportunity to comply with the IAS Recommendation.

IT security policies are in place which describe the internal procedures and policies. The current policies in place meet the requirement of ICS 12, including the requirements for off-site back-up of data, which were put in place at the end of January/beginning of February 2016 through an SLA with ENISA and a respective amendment to the internal IT security policy. Following these recent developments, on 5 February 2016 the IAS closed its recommendation on ICS No 12, which referred to the off-site back-up policy.

### **ICS 13: accounting and financial reporting**

In 2014, the BEREC Office adopted a new financial regulation and strengthened its internal procedures for financial and accounting management to ensure that the accounting data and related information used for preparing the organisation's annual accounts and financial reports are accurate, complete and timely. It did this by revising its Financial Manual (a revision is foreseen also in 2017 to meet the IAS' observations). Therefore, in 2016 the focus was on ensuring implementation of the rules in practice. The implementation of the BEREC Office's



budget is based on the ABB principles with timely transactions. Regular monitoring of the budget is performed by monthly internal status reporting. Quarterly reports on budget and operations are presented to the MC during its plenary meetings.

The BEREC Office Accounting Officer obtained from the Authorising Officer all the information required to produce the accounts, which give a true and fair view of assets and of budget implementation. The Authorising Officer forwarded all the information that the Accounting Officer needed to fulfil these duties.

Based on the information provided, the Accounting Officer prepared the 2016 accounts in accordance with the accounting rules in place established by the EC Accounting Officer.

All documents requested by the EC Accounting Officer for the consolidation of the EU Accounts were provided on time and in the required form.

#### **ICS 14: evaluation of activities**

Key performance indicators are used to measure performance and assess the agency's activities as defined in the WP. Monthly management reports, quarterly reports to the MC and the Consolidated Annual Activity Report are the tools used by the BEREC Office to report on performance and its impact. Any feedback provided by the MC or by the BEREC BoR is taken into account for improving the performance of the agency.

#### **ICS 15: assessment of internal control systems**

The BEREC Office has put in place the organisational structure and the internal control systems suited to the achievement of its objectives as defined in the BEREC Regulation and its annual WP.

In accordance with ICS No 15, in 2016 the BEREC Office conducted various activities to assess and improve the level of implementation and effectiveness of the internal control systems. The assessment was done on the basis of the following sources: register of exceptions, ex-post control, risk assessment of the main operational processes, audits performed by the IAS and ECA and interviews and questionnaires to the staff.

The main actions were focused on improving the performance measurement framework, reporting and control and the implementation of ex-post control; strengthening and fine-tuning document management, with particular emphasis on contract registration; strengthening procurement and HR management; and improving budget and financial management.

#### **ICS 16: internal audit capability**

The BEREC Office does not have an internal audit capability. The internal auditing function of the Office is performed by the EC's Internal Auditor in accordance with Article 14 of the BEREC Regulation, applying all relevant requirements for ICS 16.

Internal audit capability is therefore not specified under the BEREC Office's internal control standards.

## **4 Part IV: Management assurance**

### **4.1 Review of the elements supporting assurance**

The information reported in Parts II and III stems from the results of management, and auditor monitoring conducted in 2016. They are based on a systematic analysis of the evidence available. This approach provides sufficient guarantees of the completeness and reliability of the information reported, and the results achieved by the BEREC Office in 2016.

In conclusion, the management has reasonable assurance that, overall, suitable controls are in place and working as intended, risks are being appropriately monitored and mitigated, and necessary improvements and reinforcements are being implemented.

### **4.2 Reservations and overall conclusions on assurance**

Taking the above into consideration, no weaknesses were identified related to the financial management of appropriations inside the agency; therefore, no reservations are made in this context in the declaration.

## 5 Part V: Declaration of Assurance

I, the undersigned, Administrative Manager of the Office of the Body of European Regulators for Electronic Communications (BEREC Office), in my capacity as authorising officer,

declare that the information contained in this report gives a true and fair view,

and 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-post controls, the work of the Internal Audit Service and the lessons learnt from the reports of the Court of Auditors – for the years prior to the year of this declaration.

I confirm that I am not aware of anything not reported here which could harm the interests of the agency.

*Riga, 20 June 2017.*

**(s)**

**László IGNÉCZI**

*BEREC Office*

*Administrative Manager and*

*Authorising Officer*

## **Annex I: Core business information and statistics**

**Table 1: List of EWGs supported by the BEREC Office in 2016**

**EWGs established by a Decision of the BEREC BoR**

1. Benchmarking EWG
2. Market and Economic Analysis EWGs
3. End-User EWG
4. Net Neutrality EWG
5. Next Generation Networks EWG
6. Regulatory Framework EWG
7. Regulatory Accounting EWG
8. Remedies EWG
9. Roaming EWG

**Ad Hoc EWGs established by the BEREC Chair in 2016**

BEREC Communication Ad Hoc EWG

**Table 2: List of BEREC public consultations managed by the BEREC Office in 2016**

PC No	Start	End	Topic	Documents subject to consultations	Nr of contributions
PC 01/16	6 June 2016	18 July 2016	Draft BEREC Guidelines on NN	<a href="#">Draft BEREC Guidelines on the Implementation by National Regulators of European NN Rules</a>	481 547
PC 02/16	6 June 2016	1 July 2016	Layer 2 Wholesale Access Products in the EU	<a href="#">Draft BEREC Common Position on Layer 2 Wholesale Access Products</a>	11
PC 03/16	6 June 2016	1 July 2016	NGN roll-out and infrastructure competition	<a href="#">Draft BEREC Report Challenges and drivers of NGN roll-out and infrastructure competition</a>	7
PC 04/16	7 October 2016	2 November 2016	BEREC Work Programme	<a href="#">Draft BEREC Work Programme 2017<sup>25</sup></a>	9

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<sup>25</sup> The BEREC Office also organised a public hearing for the draft BEREC Work Programme, which was held within the 4th BEREC Stakeholder Forum Meeting (18 October 2016, Brussels).

**Table 3: Data collection exercises organised by the BEREC Office for the BEREC EWGs in 2016**

EWG	Data collection subject	Addressees
Roaming EWG	<p>Questionnaire on roaming market and regulation in the EEA area.</p> <p>The purpose of the questionnaire requested by the EC to BEREC is to inform the EC's review of the wholesale roaming market. The information gathered through the questionnaire was also used for the BEREC's work on its own report on the wholesale roaming markets. Furthermore, collected data will be used for the BEREC input to the EC implementing act.</p>	BEREC Member and Observer NRAs and operators (through the NRAs)
	<p>Questionnaire on transparency and comparability of international roaming tariffs.</p> <p>The objective of this questionnaire was to obtain information on transparency and comparability of different retail roaming tariffs offered by providers to their customers and thus investigate specific potential problems for customers to take informed decisions on these offered tariffs.</p>	BEREC Member and Observer NRAs and operators (through the NRAs)
	<p>Two questionnaires for the International Roaming BEREC Benchmark Data Report (16<sup>th</sup> and 17<sup>th</sup> Report).</p> <p>In order to verify the operators' compliance with the new Roaming III Regulation, the BEREC Office, on behalf of BEREC, collected data on wholesale and retail international roaming market.</p>	BEREC Member and Observer NRAs and operators (through the NRAs)
Remedies EWG	Questionnaire for gathering data to monitor the implementation of the BEREC Common Positions on WLA, WBA and WLL	BEREC Member and Observer NRAs
	Questionnaire for gathering data for performing a qualitative analysis of Article 7/7A phase II cases	Rapporteurs and members of Article 7/7A Phase II EWGs established in 2016

<b>EWG</b>	<b>Data collection subject</b>	<b>Addressees</b>
RF EWG	Data collection for the EC REFIT questionnaire	BEREC Member and Observer NRAs
RA EWG	Data collection supporting the elaboration of the regulatory accounting in practice report 2016	BEREC Member and Observer NRAs
BMK EWG	Two data collection exercises for the regular MTR/FTR/SMS reports	BEREC Member and Observer NRAs

**Table 4: BEREC events by type supported by the BEREC Office in 2016 under activity 3.2.1 of the BEREC Office WP 2016**

Type of event	Number of events supported	Number of experts reimbursed	Number of late payments	Additional comments
Plenary meetings	5	150	34 <sup>26</sup>	Including 1 extraordinary plenary
Contact Network meetings	4	109	2	
Meetings with the European Commission	3	26	0	Including 1 meeting between the BEREC BoR and the Commission
Meetings with the European Parliament or presentations at meetings organised by the Parliamentary Committees	6	10	3	
Meetings and workshops with other EU bodies	5	2	1	2 events were organised back-to-back with other events in Brussels; The participation in 1 event was reimbursed by ENISA.
Public debriefings and BEREC engagement with stakeholders	6	40	12	Including the organisation of the 4th BEREC Stakeholder Forum meeting.
International events	12	24	13	Including 3 events organised by video-conference.
Events attended by the BEREC Chair and/or Vice-Chairs on behalf of BEREC and meeting between the Chair and Vice-Chairs or	31	49	11	
<b>Total:</b>	<b>72</b>	<b>410</b>	<b>76</b>	

<sup>26</sup> Out of the 34 late payments 32 relate to the Vilnius plenary meeting in October 2016

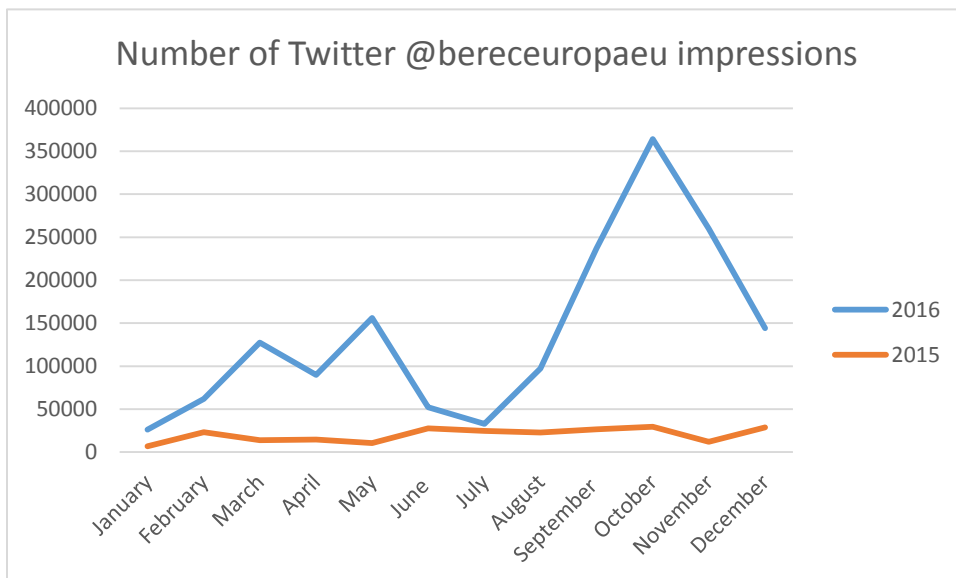
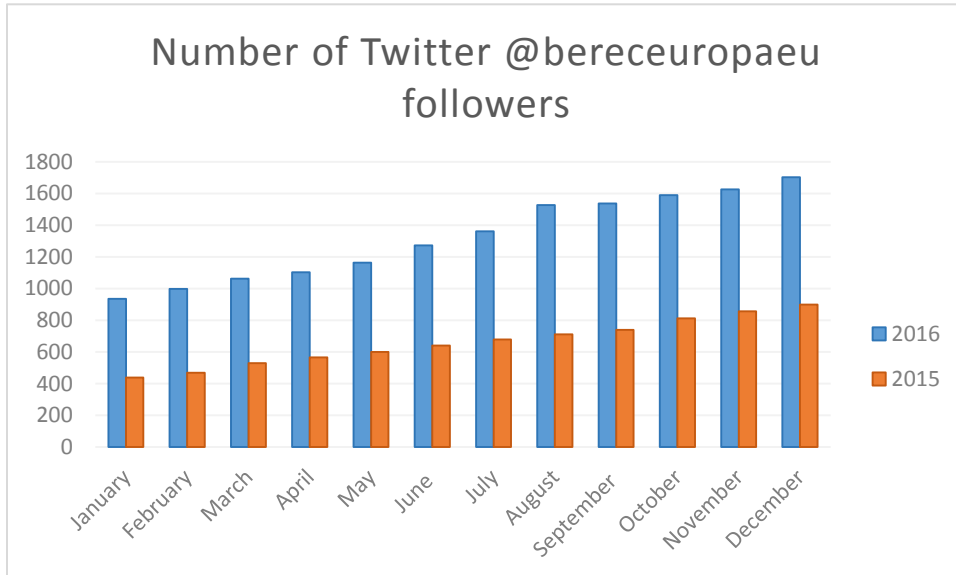


**Table 5: Overview of the 2016 the ordinary plenary meetings of the BoR and the MC, CN meetings, high-level events with stakeholders and public debriefings**

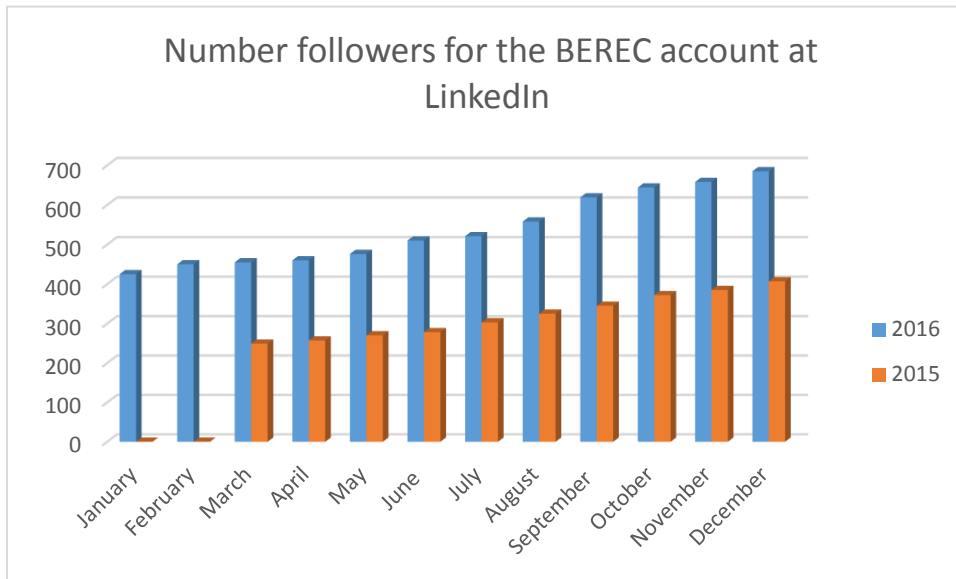
Date/Place	Event	Agenda/Hyperlink (if applicable)	Conclusions/Hyperlink (if applicable)
4-5 February 2016, Krakow (Poland)	1st CN meeting for 2016	<a href="#">BEREC CN (16) 01 rev1</a>	<a href="#">BEREC CN (16) 25</a>
25-26 February 2016, Rotterdam (The Netherlands)	26th BoR Plenary Meeting in Rotterdam	<a href="#">BoR (16) 41</a>	<a href="#">BoR (16) 62</a>
26 February 2016, Rotterdam (The Netherlands)	26th MC Plenary Meeting in Rotterdam	<a href="#">MC (16) 17</a>	<a href="#">MC (16) 40</a>
2 March 2016, Brussels (Belgium)	Public debriefing from the 26th plenary meeting	N.A	N.A
21 April 2016, Brussels (Belgium)	High level meeting on telecom review	N.A	N.A
12-13 May 2016, Budapest (Hungary)	2nd Contact Network meeting for 2016	<a href="#">BEREC CN (16) 28</a>	<a href="#">BEREC CN (16) 56</a>
2-3 June 2016, Vienna (Austria)	27th BoR Plenary Meeting	<a href="#">BoR (16) 89</a>	<a href="#">BoR (16) 124</a>
3 June 2016, Vienna (Austria)	27th MC Plenary Meeting	<a href="#">MC (16) 58</a>	<a href="#">MC (16) 79</a>
6 June 2016, Brussels (Belgium)	Public debriefing from the 27th plenary meeting and announcement of the launch of the public consultation on the draft BEREC NN Guidelines	N.A	N.A
15-16 September 2016, Limassol (Cyprus)	3rd Contact Network meeting for 2016	<a href="#">BEREC CN (16) 57</a>	<a href="#">BEREC CN (16) 86</a>

Date/Place	Event	Agenda/Hyperlink (if applicable)	Conclusions/Hyperlink (if applicable)
6 October 2016, Vilnius (Lithuania)	28th BoR Plenary Meeting	<a href="#">BoR (16) 158</a>	<a href="#">BoR (16) 205</a>
7 October 2016, Vilnius (Lithuania)	28th MC Plenary Meeting	<a href="#">MC (16) 102</a>	<a href="#">MC (16) 126</a>
12 October 2016, Brussels (Belgium)	Public debriefing from the 28th plenary meeting	N.A	N.A
17 October 2016, Brussels (Belgium)	4 <sup>th</sup> BEREC Stakeholder Forum	<a href="#">BoR (16) 153</a>	<a href="#">BoR (16) 216</a>
17-18 November 2016, Jurmala (Latvia)	4 <sup>th</sup> Contact Network meeting for 2016	<a href="#">BEREC CN (16) 88 Rev3</a>	<a href="#">BEREC CN (16) 115</a>
8-9 December 2016, Berlin (Germany)	29th BoR Plenary Meeting	<a href="#">BoR (16) 211</a>	<a href="#">BoR (16) 252</a>
8-9 December 2016, Berlin (Germany)	29th MC Plenary Meeting	<a href="#">MC (16) 128</a>	<a href="#">MC (16) 142</a>
14 December 2016, Brussels (Belgium)	Public debriefing from the 29 <sup>th</sup> plenary meeting	N.A	N.A

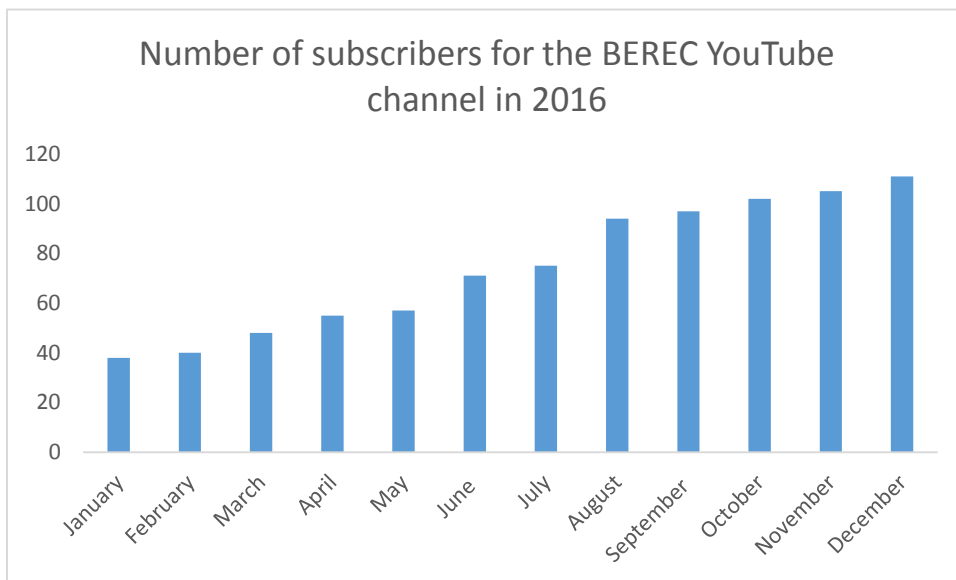
**Table 6: Data regarding Twitter (@bereceuropaeu)**

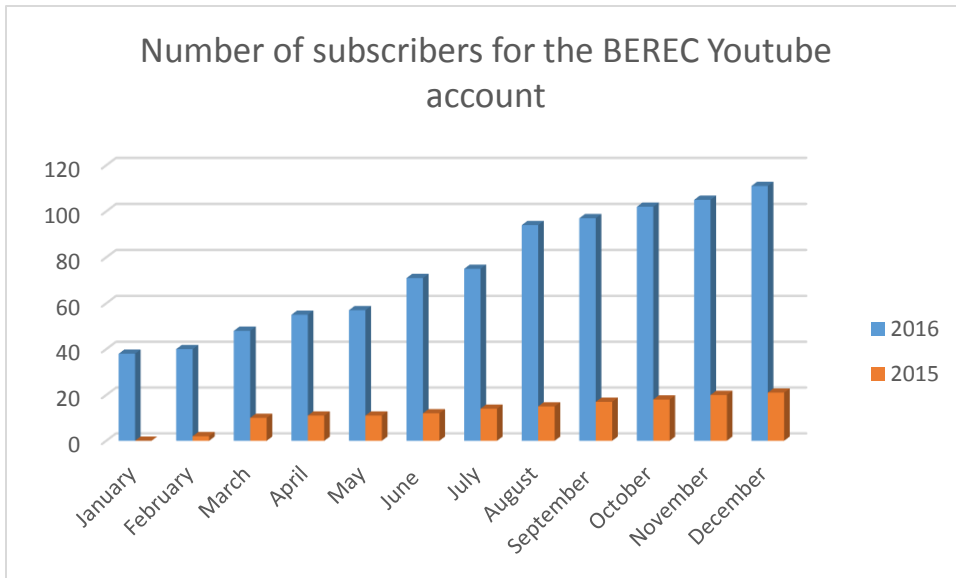
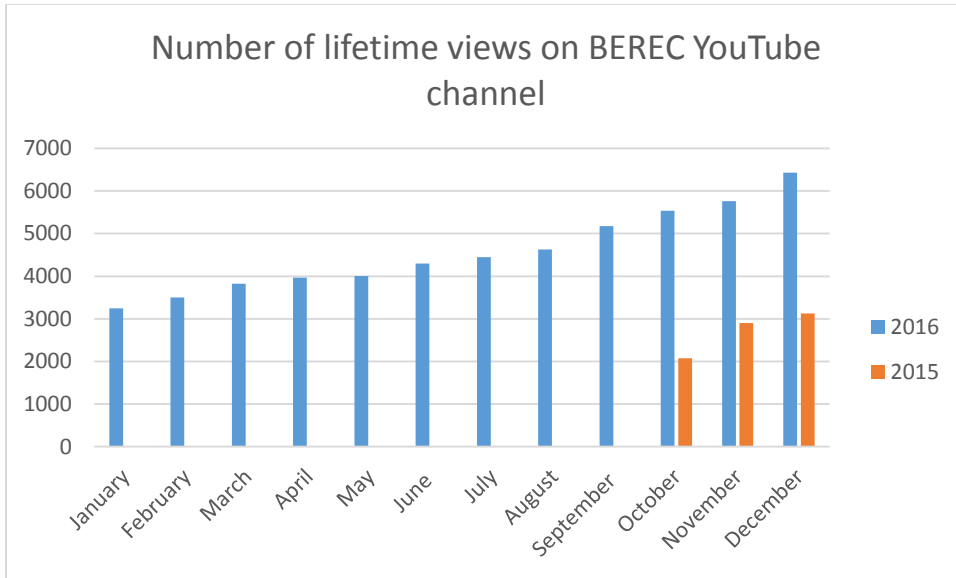


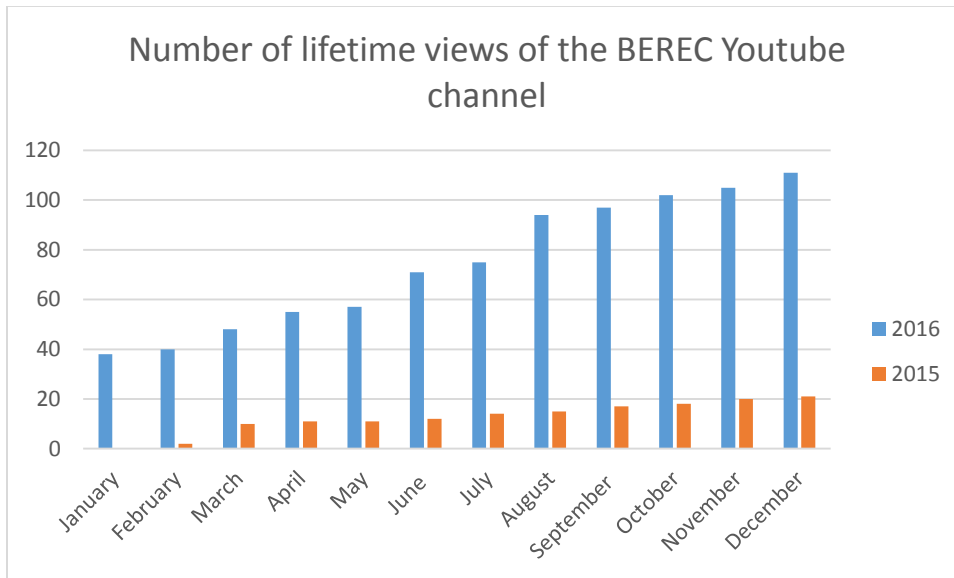
**Table 7: Number of followers on LinkedIn**



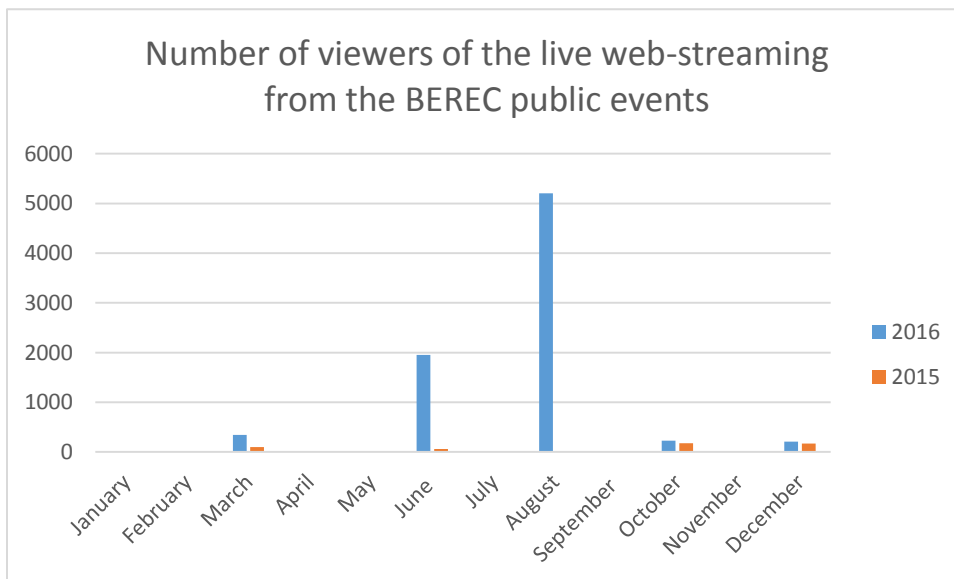
**Table 8: Data regarding BEREK YouTube Channel in 2016**







**Table 9: Number of viewers of the live web-streaming from the BEREC public events**



### Table 10: Number of uploaded links per section in the Information Sharing Portal (ISP)

By the end of 2016, in total 584 links to the documents by 33 NRAs were uploaded. The most frequently uploaded data by the NRAs were material on statistics and publications (48%) and decisions (17%) (please also see Figure 1-uploaded links).

No	Organization	Total links
1	Decision	100
2	Consultation	44
3	News/other	91
4	Analysis	65
5	Statistics/statistical reports/publications	282
6	CIRCA	1
7	EFIS	1
	<b>TOTAL ACTIVE:</b>	<b>584</b>

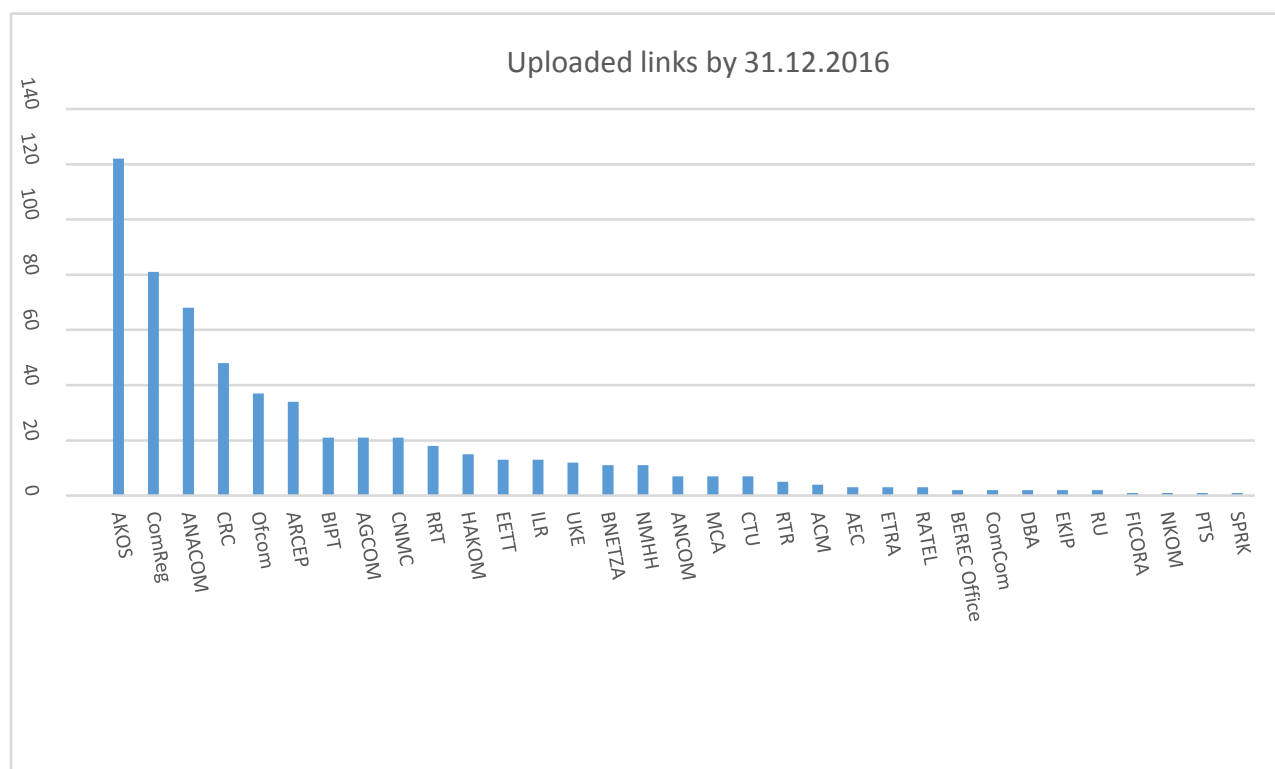


Figure 1: Uploaded links by 31.12.2016 by NRA

## Table 11: Interest and visit over time on the ISP

At the beginning of October 2016, Piwik (an open-source statistical tool for analytics of website) was linked to the ISP to analyse the interest of visitors.

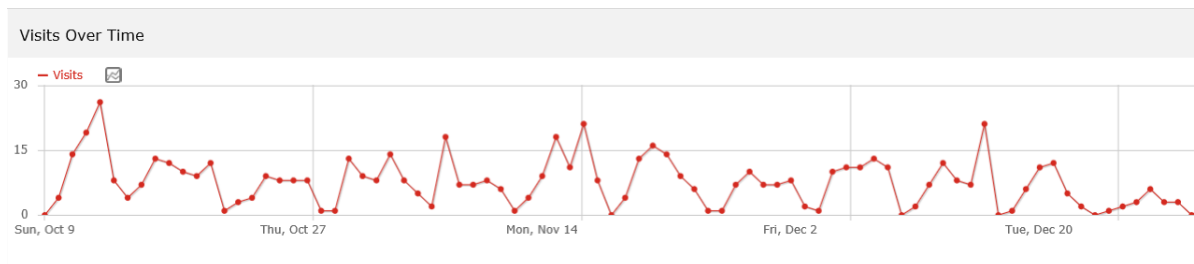


Figure 2: Visits over time on the Information Sharing Portal (09.10.-31.12.2016)

In less than three months (09.10.-31.12.2016) there were 632 visits with 3min 34sec average visit duration. In total 2800 page views occurred, but 1621 of them were unique (occurred only once). In average 4,9 actions (page views, downloads, out-links and internal site searches) per visit were performed.

Figure 3 indicates visitors' interest per subject. The visitors' main focus concerned specific links to the documents provided under the section "View-docs" of the ISP.

Figure 3: Visitors' pageviews

Label	Unique Pageviews	Pageviews
view-doc	414	609
/index	398	646
berec	247	410
nra-links	184	286
nra	129	473
/nras	72	153
/login	68	84
/about	41	48
search	28	34



Figure 4 indicates the visitors per country of the ISP. Visitors from the United States of America constitute the biggest number followed by visitors in countries in Europe.

Figure 4: Countries of visitors

<b>Label</b>	<b>Unique visitors (daily sum)</b>	<b>Visits</b>
United States	171	190
United Kingdom	80	124
Denmark	19	33
France	24	27
Germany	24	26
Russia	23	26
Italy	23	25
Czech Republic	14	14
Portugal	12	13
Greece	9	11

## Annex II: Statistics on financial management

### Table 1: Revenue - appropriations

<b>Revenues</b>	<b>in EUR</b>	<b>Budget 2016</b>	<b>Corrigendum</b>	<b>New Appropriations 2016</b>
1. Revenue from fees and charges				
2. European Union Subsidy		4,246,000	0	4,246,000
<i>2.a. of which "fresh" contributions in year 2014</i>		4,072,000	0	4,072,000
<i>2.b. of which assigned revenues deriving from previous year 2013 surplus</i>		174,000	0	174,000
3. Third countries contribution (incl. EFTA and candidate countries)		p.m.	0	p.m.
4. Other contributions (*)		p.m.	0	p.m.
5. Administrative operations		p.m.	0	p.m.
<i>Of which interest generated by funds paid by the Commission by way of the EU contribution (FFR Art. 58)</i>		p.m.	0	p.m.
6. Revenues from services rendered against payment				
7. Correction of budgetary imbalances				
<b>Total revenues</b>		<b>4,246,000</b>	<b>0</b>	<b>4,246,000</b>

(\*) Estimated voluntary contributions from Member States or from their National Regulatory Authorities (hereinafter, 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 of their NRAs.

**Table 2: Expenditure - summary of the transfers**  
**Commitment and payment appropriations in EUR**

Budget Line	Budget Item Description	Voted Budget 2016	Transfers January-September 2016	Transfers September-December 2016	Budget with transfers
	<b>Budget</b>	<b>4,246,000</b>			
<b>1</b>	<b>STAFF</b>	<b>2,402,000</b>	<b>-106,041</b>	<b>33,440</b>	<b>2,329,399</b>
<b>1 1</b>	<b>STAFF IN ACTIVE EMPLOYMENT</b>	<b>1,783,500</b>	<b>-197,368</b>	<b>-12,351</b>	<b>1,573,781</b>
<b>1 1 0</b>	<b>Staff in active employment</b>	<b>1,186,000</b>	<b>-183,361</b>	<b>-7,982</b>	<b>994,657</b>
1 1 0 0	Basic salaries	780,000	-87,855	-2,592	689,553
1 1 0 1	Family allowances	204,000	-29,506	-4,955	169,538
1 1 0 2	Expatriation and foreign-residence allowances	202,000	-66,000	-434	135,566
<b>1 1 1</b>	<b>Contract staff and other staff</b>	<b>500,000</b>	<b>3,564</b>	<b>-3,028</b>	<b>500,536</b>
1 1 1 0	Contract staff	365,514	-26,042	-449	339,024
1 1 1 1	Seconded national experts	134,486	29,605	-2,579	161,512
<b>1 1 2</b>	<b>Employer's social security contributions</b>	<b>58,000</b>	<b>-5,527</b>	<b>-29</b>	<b>52,444</b>
1 1 2 0	Insurance against sickness	37,000	-2,900	298	34,398
1 1 2 1	Insurance against accidents and occupational disease	6,000	-375	-549	5,076
1 1 2 2	Insurance against unemployment	15,000	-2,252	221	12,969
1 1 2 3	Constitution or maintenance of pension rights	0	0	0	0
<b>1 1 3</b>	<b>Miscellaneous allowances and grants</b>	<b>39,500</b>	<b>-12,044</b>	<b>-1,312</b>	<b>26,144</b>
1 1 3 0	Childbirth and death allowances and grants	1,000	0	-1,000	0
1 1 3 1	Travel expenses for annual leave	38,500	-12,044	-312	26,144
1 1 3 9	Other allowances	0	0	0	0
<b>1 1 9</b>	<b>Salary weightings</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
1 1 9 0	Salary weightings	0	0	0	0
1 1 9 1	Adjustments to remunerations	0	0	0	0
<b>1 2</b>	<b>MISCELLANEOUS EXPENDITURE ON STAFF RECRUITMENT AND TRANSFER</b>	<b>46,000</b>	<b>19,485</b>	<b>-19,661</b>	<b>45,824</b>
<b>1 2 0</b>	<b>Recruitment expenses</b>	<b>10,000</b>	<b>21,000</b>	<b>-10,917</b>	<b>20,083</b>
1 2 0 0	Travel expenses	10,000	21,000	-10,917	20,083

Budget Line	Budget Item Description	Voted Budget 2016	Transfers January-September 2016	Transfers September-December 2016	Budget with transfers
1 2 0 1	Miscellaneous expenditure on staff recruitment	0	0	0	0
<b>1 2 1</b>	<b>Expenses on entering/leaving</b>	<b>36,000</b>	<b>-1,515</b>	<b>-8,744</b>	<b>25,741</b>
1 2 1 0	Travel expenses on entering/leaving	3,000	0	-1,933	1,067
1 2 1 1	Installation, resettlement and transfer allowances	12,000	0	-471	11,529
1 2 1 2	Removal expenses	6,000	-2,000	-4,000	0
1 2 1 3	Daily subsistence allowances	15,000	485	-2,340	13,145
<b>1 3</b>	<b>MISSIONS AND DUTY TRAVEL</b>	<b>201,000</b>	<b>45,855</b>	<b>-12,484</b>	<b>234,371</b>
1 3 0 0	Mission expenses, duty travel expenses and other ancillary expenditure	201,000	45,855	-12,484	234,371
<b>1 4</b>	<b>SOCIOMEDICAL SERVICES</b>	<b>6,000</b>	<b>0</b>	<b>-1,000</b>	<b>5,000</b>
<b>1 4 0</b>	<b>Medical service</b>	<b>6,000</b>	<b>0</b>	<b>-1,000</b>	<b>5,000</b>
1 4 0 0	Medical service	6,000	0	-1,000	5,000
<b>1 5</b>	<b>TRAININGS</b>	<b>70,000</b>	<b>11,793</b>	<b>2,315</b>	<b>84,107</b>
<b>1 5 0</b>	<b>Training</b>	<b>70,000</b>	<b>11,793</b>	<b>2,315</b>	<b>84,107</b>
1 5 0 0	Training	70,000	11,793	2,315	84,107
<b>1 6</b>	<b>EXTERNAL SERVICES</b>	<b>290,000</b>	<b>16,164</b>	<b>75,003</b>	<b>381,167</b>
1 6 0 0	External services	290,000	16,164	75,003	381,167
<b>1 7</b>	<b>REPRESENTATION AND MISCELLANEOUS STAFF COSTS</b>	<b>5,500</b>	<b>-1,969</b>	<b>1,617</b>	<b>5,148</b>
1 7 0 0	Representation, receptions and events, and miscellaneous staff expenses	5,500	-1,969	1,617	5,148
<b>2</b>	<b>BUILDINGS, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE</b>	<b>260,505</b>	<b>106,041</b>	<b>-4,357</b>	<b>362,189</b>
<b>2 0</b>	<b>RENTAL OF BUILDINGS AND ASSOCIATED COSTS</b>	<b>85,405</b>	<b>-15,474</b>	<b>11,783</b>	<b>81,715</b>
<b>2 0 0</b>	<b>Buildings and associated costs</b>	<b>85,405</b>	<b>-15,474</b>	<b>11,783</b>	<b>81,715</b>
2 0 0 0	Rent	33,000	4,012	15,449	52,461
2 0 0 1	Insurance	1,100	-120	0	980
2 0 0 2	Water, gas, electricity and heating	30,250	-6,067	-1,385	22,799
2 0 0 3	Cleaning	0	0	0	0
2 0 0 4	Fitting-out and maintenance of premises	1,055	790	0	1,845
2 0 0 5	Security and surveillance of buildings	20,000	-14,088	-2,282	3,630

Budget Line	Budget Item Description	Voted Budget 2016	Transfers January-September 2016	Transfers September-December 2016	Budget with transfers
2 0 0 9	Other expenditure relating to the acquisition, construction or maintenance of a building	0	0	0	0
<b>2 1</b>	<b>INFORMATION TECHNOLOGY PURCHASES</b>	<b>81,900</b>	<b>74,188</b>	<b>-5,802</b>	<b>150,286</b>
<b>2 1 0</b>	<b>Information technology purchases</b>	<b>81,900</b>	<b>74,188</b>	<b>-5,802</b>	<b>150,286</b>
2 1 0 0	Computer equipment	20,500	3,222	0	23,722
2 1 0 1	Software	12,600	-5,250	0	7,350
2 1 0 2	Other external data processing services	48,800	76,216	-5,802	119,214
<b>2 2</b>	<b>MOVABLE PROPERTY AND ASSOCIATED COSTS</b>	<b>21,000</b>	<b>-8,825</b>	<b>-2,975</b>	<b>9,200</b>
<b>2 2 0</b>	<b>Technical installations and electronic office equipment</b>	<b>1,000</b>	<b>-996</b>	<b>0</b>	<b>4</b>
2 2 0 0	Technical installations and electronic office equipment	1,000	-996	0	4
<b>2 2 1</b>	<b>Furniture</b>	<b>5,000</b>	<b>1,171</b>	<b>0</b>	<b>6,171</b>
2 2 1 0	Furniture	5,000	1,171	0	6,171
<b>2 2 9</b>	<b>Other movable property and associated costs</b>	<b>15,000</b>	<b>-9,000</b>	<b>-2,975</b>	<b>3,025</b>
2 2 9 0	Books, newspapers and documentation	15,000	-9,000	-2,975	3,025
2 2 9 1	Cars, transport vehicles, and maintenance and repairs	0	0	0	0
2 2 9 9	Other movable property, and maintenance and repairs	0	0	0	0
<b>2 3</b>	<b>CURRENT ADMINISTRATIVE EXPENDITURE</b>	<b>46,900</b>	<b>65,769</b>	<b>-6,115</b>	<b>106,554</b>
<b>2 3 0</b>	<b>Stationery and office supplies</b>	<b>6,000</b>	<b>6,681</b>	<b>0</b>	<b>12,681</b>
2 3 0 0	Stationery and office supplies	6,000	6,681	0	12,681
<b>2 3 2</b>	<b>Financial charges</b>	<b>15,500</b>	<b>-1,014</b>	<b>0</b>	<b>14,486</b>
2 3 2 0	Bank charges	500	-318	0	182
2 3 2 1	Exchange rate losses	0	0	0	0
2 3 2 9	Other financial charges	15,000	-696	0	14,304
<b>2 3 3</b>	<b>Legal expenses</b>	<b>20,000</b>	<b>-15,000</b>	<b>-4,250</b>	<b>750</b>
2 3 3 0	Legal expenses	20,000	-15,000	-4,250	750
2 3 3 1	Damages	0	0	0	0
<b>2 3 5</b>	<b>Other operating expenses</b>	<b>5,400</b>	<b>75,102</b>	<b>-1,865</b>	<b>78,637</b>
2 3 5 0	Miscellaneous insurances	0	0	0	0
2 3 5 9	Other operating expenses	5,400	75,102	-1,865	78,637
<b>2 4</b>	<b>POSTAGE AND TELECOMM.</b>	<b>21,300</b>	<b>-17,850</b>	<b>-380</b>	<b>3,070</b>
2 4 0 0	Postage and delivery charges	1,300	0	-100	1,200
2 4 1 0	Telecommunication charges	20,000	-17,850	-280	1,870

Budget Line	Budget Item Description	Voted Budget 2016	Transfers January-September 2016	Transfers September-December 2016	Budget with transfers
<b>2 5</b>	<b>EXPENDITURE ON FORMAL AND OTHER MEETINGS</b>	<b>4,000</b>	<b>8,232</b>	<b>-867</b>	<b>11,365</b>
2 5 0 0	Meetings in general	4,000	8,232	-867	11,365
<b>3</b>	<b>OPERATIONAL EXPENDITURE</b>	<b>1,583,495</b>	<b>0</b>	<b>-29,083</b>	<b>1,554,412</b>
<b>3 0</b>	<b>Support to implementation of BEREC WP 2016</b>	<b>761,495</b>	<b>0</b>	<b>-29,083</b>	<b>732,412</b>
<b>3 0 0</b>	<b>Support to implementation of BEREC WP 2016</b>	<b>761,495</b>	<b>0</b>	<b>-29,083</b>	<b>732,412</b>
3 0 0 1	Support to the BEREC Expert Working Groups	578,000	0	-29,083	548,917
3 0 0 2	Activities under Articles 7 and 7a Framework Directive	33,000	0	0	33,000
3 0 0 3	Collection exchange and transmission of information	150,495	0	0	150,495
<b>3 1</b>	<b>Horizontal activities (other support not directly related to BEREC WP)</b>	<b>822,000</b>	<b>0</b>	<b>0</b>	<b>822,000</b>
<b>3 1 0</b>	<b>Horizontal activities (other support not directly related to BEREC WP)</b>	<b>822,000</b>	<b>0</b>	<b>0</b>	<b>822,000</b>
3 1 0 1	Other support activities to BEREC	500,000	125,000	0	625,000
3 1 0 2	Provision of advice and other ad-hoc services to BEREC and other parties	322,000	-125,000	0	197,000

**Table 3: Revenue**

<b>Revenues</b> in EUR	<b>Budget 2016</b>	<b>Revenue received</b>	<b>%</b>
<b>1. Revenue from fees and charges</b>			
<b>2. European Union Subsidy</b>	<b>4,246,000</b>	<b>4,246,000.00</b>	<b>100.00%</b>
<b>3. Third countries contribution (incl. EFTA and candidate countries)</b>	<b>p.m.</b>	<b>0</b>	
<b>4. Other contributions (*)</b>	<b>p.m.</b>	<b>0</b>	
<b>5. Administrative operations</b>	<b>p.m.</b>	<b>176,33 (**)</b>	<b>0.004</b>
<i>Of which interest generated by funds paid by the Commission by way of the EU contribution (FFR Art. 58)</i>	<i>p.m.</i>	<i>156,33</i>	
<b>Total revenues</b>	<b>4,246,000</b>	<b>4,246,176.33</b>	<b>100.004%</b>

\* Estimated voluntary contributions from Member States or from their NRAs

\*\* EUR 156.33 of interest generated by funds paid by the Commission in Q4/2015 – Q2/2016 and 19.7 EUR a recovery of overpaid mission expenses from a staff member. Both amounts will be taken into account in the calculation of the budget result at the annual closure of the accounts of the agencies as foreseen in Article 20 FFR and will be recovered by the Commission in 2016 as a part of the surplus

**Table 4: Expenditure (C1 & C8)****1. Commitment and payment appropriations in EUR – C1 credits**

Official Budget Item	Budget Item Description	Credit Available Com/ Payment Amount	Commitment Accepted Amount (EUR)	% Commit	Payment Accepted Amount (EUR)	% Payment
<b>TITLE 1</b>						
A-1100	Basic Salaries	689,552.57	689,552.57	100.00%	689,552.57	100.00%
A-1101	Family allowances	169,538.27	169,538.27	100.00%	169,538.27	100.00%
A-1102	Expatriation allowance	135,565.77	135,565.77	100.00%	135,565.77	100.00%
A-1110	Contract Staff	339,023.74	339,023.74	100.00%	339,023.74	100.00%
A-1111	Seconded National Experts	161,512.13	161,512.13	100.00%	161,512.13	100.00%
A-1120	Insurance against sickness	34,398.62	34,398.62	100.00%	34,398.62	100.00%
A-1121	Insurance against accidents	5,076.35	5,076.35	100.00%	5,076.35	100.00%
A-1122	Insurance against unemployment	12,969.07	12,969.07	100.00%	12,969.07	100.00%
A-1130	Child and other allowances	0.00	0.00			
A-1131	Travel expenses for annual leave	26,144.39	26,144.39	100.00%	26,144.39	100.00%
<b>A-11</b>	<b>STAFF IN ACTIVE EMPLOYMENT</b>	<b>1,573,780.91</b>	<b>1,573,780.91</b>	<b>100.00%</b>	<b>1,573,780.91</b>	<b>100.00%</b>
A-1200	Travel expenses	20,083.36	20,083.36	100.00%	14,937.02	74.38%
A-1210	Travel expenses entering/leaving service	1,066.91	1,066.91	100.00%	566.91	53.14%
A-1211	Installation	11,528.59	11,528.59	100.00%	11,528.59	100.00%
A-1212	Removal expenses	0.00	0.00			
A-1213	Daily subsistence allowance	13,145.10	13,145.10	100.00%	13,145.10	100.00%
<b>A-12</b>	<b>MISCELLANEOUS EXPENDITURE ON STAFF RECRUITMENT AND TRANSFER</b>	<b>45,823.96</b>	<b>45,823.96</b>	<b>100.00%</b>	<b>40,177.62</b>	<b>87.68%</b>
A-1300	Mission expenses	234,390.87	234,223.51	99.94%	203,244.51	86.72%
A-1400	Medical services	5,000.00	3,000.00	60.00%		



Official Budget Item	Budget Item Description	Credit Available Com/ Payment Amount	Commitment Accepted Amount (EUR)	% Commit	Payment Accepted Amount (EUR)	% Payment
A-1500	Training/language courses	84,107.40	84,107.40	100.00%	31,859.90	37.88%
A-1600	External Services	381,167.16	378,302.87	99.25%	218,652.34	57.36%
A-1700	Representation costs	5,148.06	5,148.06	100.00%	4,528.06	87.96%
<b>TOTAL TITLE 1 C1 from 2016 credits</b>		<b>2,329,418.36</b>	<b>2,324,386.71</b>	<b>99.78%</b>	<b>2,072,243.34</b>	<b>88.96%</b>
<b>TITLE 2</b>						
A-2000	Rent	52,460.96	52,460.94	100.00%	35,342.76	67.37%
A-2001	Insurance	980.00	980.00	100.00%	980.00	100.00%
A-2002	Water, gas, electricity	22,798.62	22,798.62	100.00%	20,498.62	89.91%
A-2004	Maintenance of premises	1,844.67	1,844.67	100.00%	1,844.67	100.00%
A-2005	Security & surveillance of building	3,630.29	3,630.29	100.00%	2,830.29	77.96%
<b>A-20</b>	<b>RENTAL OF BUILDINGS AND ASSOCIATED COSTS</b>	<b>81,714.54</b>	<b>81,714.52</b>	<b>100.00%</b>	<b>61,496.34</b>	<b>75.26%</b>
A-2100	Computer equipment	23,722.30	23,620.83	99.57%	23,620.83	99.57%
A-2101	Software	7,350.00	7,349.40	99.99%	7,349.40	99.99%
A-2102	Other Data processing services	119,214.08	119,214.08	100.00%	88,349.08	74.11%
<b>A-21</b>	<b>INFORMATION TECHNOLOGY PURCHASES</b>	<b>150,286.38</b>	<b>150,184.31</b>	<b>99.93%</b>	<b>119,319.31</b>	<b>79.39%</b>
A-2200	Technical installation	4.00				
A-2210	Furniture	6,171.11	6,170.91	100.00%	5,483.41	88.86%
A-2290	Books and publications	3,024.63	2,522.28	83.39%	1,525.24	50.43%
<b>A-22</b>	<b>MOVABLE PROPERTY AND ASSOCIATED COSTS</b>	<b>9,199.74</b>	<b>8,693.19</b>	<b>94.49%</b>	<b>7,008.65</b>	<b>76.18%</b>
A-2300	Office supply	12,681.00	12,630.63	99.60%	10,025.92	79.06%
A-2320	Bank charges	182.04	182.04	100.00%	182.04	100.00%
A-2329	Other financial charges	14,304.00	14,304.00	100.00%		

Official Budget Item	Budget Item Description	Credit Available Com/ Payment Amount	Commitment Accepted Amount (EUR)	% Commit	Payment Accepted Amount (EUR)	% Payment
A-2330	Legal expenses	750.00	750.00	100.00%	750.00	100.00%
A-2350	Miscellaneous insurances					
A-2359	Other operating expenses	78,636.88	78,556.00	99.90%	45,556.00	57.93%
<b>A-23</b>	<b>CURRENT ADMINISTRATIVE EXPENDITURE</b>	<b>106,553.92</b>	<b>106,422.67</b>	<b>99.88%</b>	<b>56,513.96</b>	<b>53.04%</b>
A-2400	Postage and delivery charges	1,200.00	1,143.65	95.30%	1,081.97	90.16%
A-2410	Telecommunication charges	1,869.87	1,869.84	100.00%	1.98	0.11%
<b>A-24</b>	<b>POSTAGE AND TELECOMMUNICATIONS</b>	<b>3,069.87</b>	<b>3,013.49</b>	<b>98.16%</b>	<b>1,083.95</b>	<b>35.31%</b>
A-2500	Meeting expenditures	11,364.51	11,364.51	100.00%	11,364.51	100.00%
<b>TOTAL TITLE 2 C1 from 2016 credits</b>		<b>362,188.96</b>	<b>361,392.69</b>	<b>99.78%</b>	<b>256,786.72</b>	<b>70.90%</b>
<b>Title 3</b>						
B3-001	Support to BEREC Working Groups	548,917.38	500,377.38	91.16%	372,988.81	67.95%
B3-002	Activities related to Article 7 and 7a Framework Directive	33,000.00	10,978.34	33.27%	10,978.34	33.27%
B3-003	Collection /transmission of information	150,495.00	130,010.00	86.39%	27,893.52	18.53%
<b>B3-0</b>	<b>Support to implementation of BEREC WP</b>	<b>732,412.38</b>	<b>641,365.72</b>	<b>87.57%</b>	<b>411,860.67</b>	<b>56.23%</b>
B3-101	Other support activities to BEREC	625,000.00	560,429.94	89.67%	480,680.05	76.91%
B3-102	Provision of advice and other services to BEREC	197,000.00	197,000.00	100.00%	55,975.91	28.41%
<b>B3-1</b>	<b>Horizontal activities (other support not directly related to BEREC WP)</b>	<b>822,000.00</b>	<b>757,429.94</b>	<b>92.14%</b>	<b>536,655.96</b>	<b>65.29%</b>
<b>TOTAL TITLE 3 C1 from 2016 credits</b>		<b>1,554,412.38</b>	<b>1,398,795.66</b>	<b>89.99%</b>	<b>948,516.63</b>	<b>61.02%</b>
<b>Total</b>	<b>Title 1-3</b>	<b>4,246,019.70</b>	<b>4,084,575.06</b>	<b>96.20%</b>	<b>3,277,546.69</b>	<b>77.19%</b>

## 2. Payment appropriations in EUR – C8 credits

Official Budget Item	Budget Item / Description	Automatic carryover of commitment and payment appropriations to 2016	Commitment Accepted	% Committed / Available	Payment Request Accepted	% Paid / Available
<b>TITLE 1</b>						
<b>A-11</b>	A-1111 Seconded national experts	88.04	88.04	100.00%	88.04	100.00%
<b>A-12</b>	A-1200 Miscellaneous expenditure on staff recruitment and transfer	2,071.30	1,772.80	85.59%	1,772.80	85.59%
<b>A-13</b>	A-1300 Mission duty and travel expenses	30,066.57	25,822.17	85.88%	25,822.17	85.88%
<b>A-14</b>	A-1400 Medical services	893.40	871.20	97.52%	871.20	97.52%
<b>A-15</b>	A-1500 Training and language courses	42,765.35	39,556.92	92.50%	39,556.92	92.50%
<b>A-16</b>	A-1600 External Services and temporary assistance	85,875.61	78,376.86	91.27%	78,376.86	91.27%
<b>A-17</b>	A-1700 Representation and miscellaneous staff costs	3,376.14	3,188.92	94.45%	3,188.92	94.45%
<b>Total TITLE 1 C8 2016 credits:</b>		<b>165,136.41</b>	<b>149,676.91</b>	<b>90.64%</b>	<b>149,676.91</b>	<b>90.64%</b>
<b>TITLE 2</b>						
<b>A-20</b>	A-2002 Water gas electricity and heating	2,000.00	1,899.27	94.96%	1,899.27	94.96%
	A-2004 Fitting-out and maintenance of premises	545.00	545.00	100.00%	545.00	100.00%
	A-2005 Security and surveillance of buildings	14,952.87	14,952.87	100.00%	14,952.87	100.00%
<b>Total: A-20</b>		17,497.87	17,397.14	99.42%	17,397.14	99.42%
<b>A-21</b>	A-2100 Computer equipment	10,917.04	10,917.04	100.00%	10,917.04	100.00%
	A-2102 Other external data processing services	76,013.50	69,831.84	91.87%	69,831.84	91.87%
<b>Total: A-21</b>		86,930.54	80,748.88	92.89%	80,748.88	92.89%
<b>A-22</b>	A-2290 Books and publications	3,673.40	3,502.87	95.36%	3,502.87	95.36%
<b>A-23</b>	A-2300 Stationery and office supplies	2,354.37	2,354.37	100.00%	2,354.37	100.00%

Official Budget Item	Budget Item / Description	Automatic carryover of commitment and payment appropriations to 2016	Commitment Accepted	% Committed / Available	Payment Request Accepted	% Paid / Available
	A-2320 Bank charges	30.13	29.19	96.88%	29.19	96.88%
	A-2329 Other financial charges	8,880.00	8,880.00	100.00%	8,880.00	100.00%
<b>Total: A-23</b>		11,264.50	11,263.56	99.99%	11,263.56	99.99%
<b>A-24</b>	A-2400 Postage and delivery charges	100.00	74.40	74.40%	74.40	74.40%
	A-2410 Telecommunication charges	14,761.61	12,619.03	85.49%	12,619.03	85.49%
<b>Total: A-24</b>		14,861.61	12,693.43	85.41%	12,693.43	85.41%
<b>Total TITLE 2 C8 2016 credits:</b>		<b>134,227.92</b>	<b>125,605.88</b>	<b>93.58%</b>	<b>125,605.88</b>	<b>93.58%</b>
<b>Title 3</b>						
B3-001	Support to BEREC Working Groups	45,401.27	39,890.03	87.86%	39,890.03	87.86%
B3-003	Collection /transmission of information	27,478.01	20,667.88	75.22%	20,667.88	75.22%
<b>B3-0</b>	<b>Support to implementation of BEREC WP</b>	72,879.28	60,557.91	83.09%	60,557.91	83.09%
B3-101	Other support activities to BEREC	44,900.66	43,835.80	97.63%	43,835.80	97.63%
B3-102	Provision of advice and other services to BEREC	198,812.98	191,384.56	96.26%	191,384.56	96.26%
<b>B3-1</b>	<b>Horizontal activities (other support not directly related to BEREC WP)</b>	243,713.64	235,220.36	96.52%	235,220.36	96.52%
<b>TOTAL TITLE 3 C8 2016 credits</b>		<b>316,592.92</b>	<b>295,778.27</b>	<b>93.43%</b>	<b>295,778.27</b>	<b>93.43%</b>
<b>Total</b>	<b>Title 1-3 C8 credits 2016</b>	<b>615,957.25</b>	<b>571,061.06</b>	<b>92.71%</b>	<b>571,061.06</b>	<b>92.71%</b>

**Table 5: Payment times****Legal Times**

Maximum Payment Time (Days)	Total Number of Payments	Nbr of Payments within Time Limit	Percentage	Average Payment Times (Days)	Nbr of Late Payments	Percentage	Average Payment Times (Days)
30	1862	1586	85.18 %	18.52	276	14.82 %	46.11
45	1	1	100.00 %	15			
60	13	13	100.00 %	14.69			

<b>Total Number of Payments</b>	<b>1876</b>	<b>1600</b>	<b>85.29 %</b>		<b>276</b>	<b>14.71 %</b>	
<b>Average Payment Time</b>	<b>22.55</b>			<b>18.49</b>			<b>46.11</b>

**Suspensions**

Average Report Approval Suspension Days	Average Payment Suspension Days	Number of Suspended Payments	% of Total Number	Total Number of Payments	Amount of Suspended Payments	% of Total Amount	Total Paid Amount
0	22	14	0.75 %	1,876	65,785.31	2.48 %	2,654,290

**Target Times**

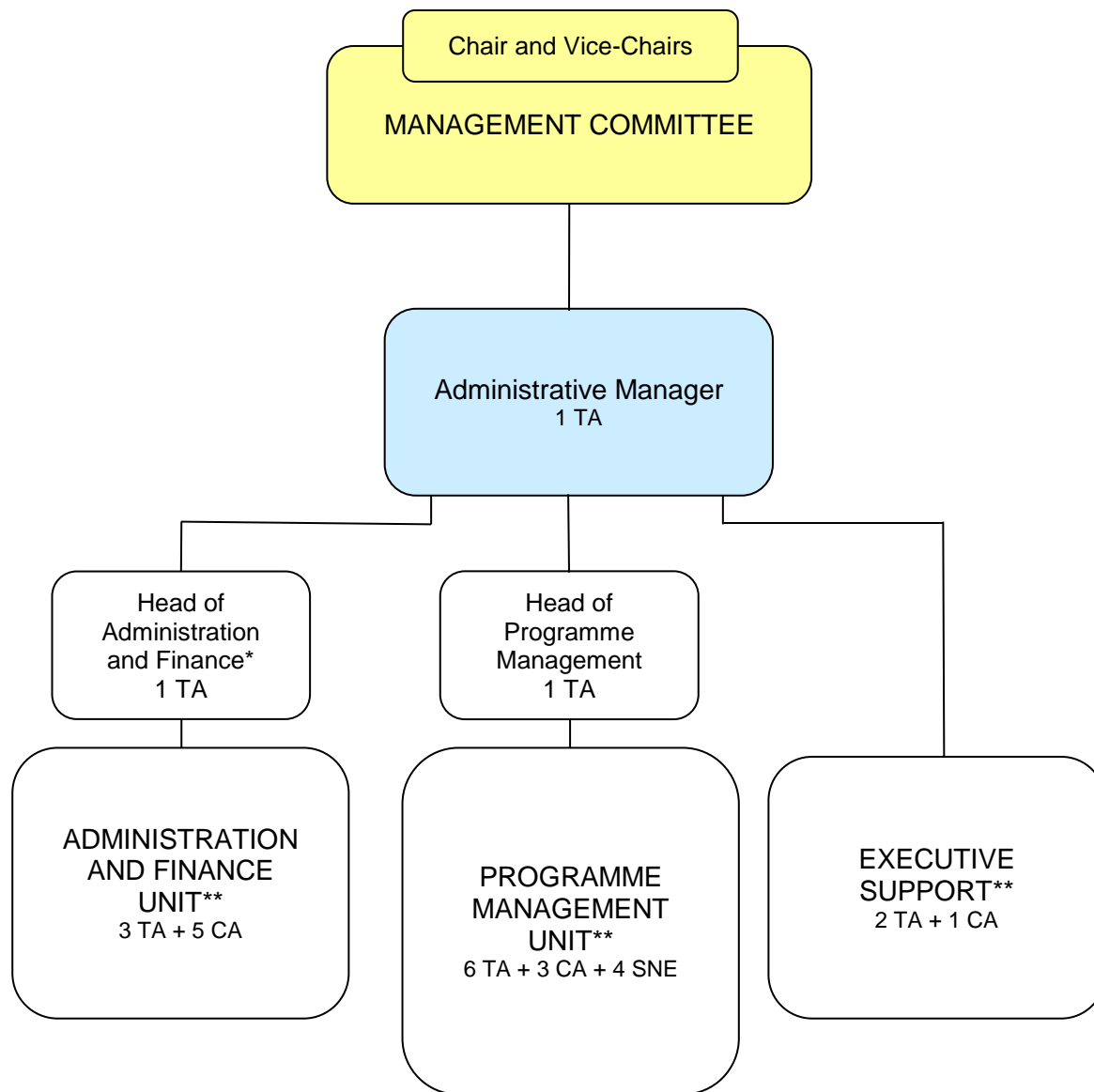
Target Payment Time (Days)	Total Number of Payments	Nbr of Payments within Target Time	Percentage	Average Payment Times (Days)
30	1	1	100.00 %	15

<b>Total Number of Payments</b>	<b>1</b>	<b>1</b>	<b>100.00 %</b>	
<b>Average Payment Time</b>	<b>15</b>			<b>15</b>

<b>Late Interest paid in 2015</b>			
<b>Agency</b>	<b>GL Account</b>	<b>Description</b>	<b>Amount (Eur)</b>
<b>BEREC Office</b>	n/a	n/a	0.00

## Annex III: Organisational chart of the BEREC Office

Situation at 31.12.2016



\* The Accounting Officer function has been externalised.

## Annex IV: Establishment Plan

**Table 1: Information about authorised and filled in post in 2014-2016**

Function group and grade	Temporary agents					
	2014		2015		2016	
	Authorised under the EU budget	Filled as of 31/12/2014	Authorised under the EU budget	Filled as of 31/12/2015	Authorised under the EU budget	Filled as of 31/12/ 2016 <sup>27</sup>
AD 16						
AD 15						
AD 14	1	1	1	1	1	1-
AD 13						
AD 12						
AD 11						
AD 10					1	1
AD 9	2	2	2	1	1	1
AD 8					2	2
AD 7	3	3	3	3	1	1
AD 6			2	2	2	1
AD 5	5	5	3	3	3	4
<b>Total grade AD</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>10</b>	<b>11</b>	<b>11</b>
AST 11						
AST 10						
AST 9						
AST 8						
AST 7						
AST 6						
AST 5						
AST 4			2	2	2	1
AST 3	4	4	2	2	2	2
AST 2						
AST 1	1	1				

<sup>27</sup> According to the Commission Communication Programming of human and financial resources for decentralised agencies 2014-2020 and the Draft Budget of the EU for 2017, in 2017 the BEREC Office has to contribute with one post to the redeployment pool of Agencies. As a consequence, the post of the Budget Assistant, vacant as of September 2016, has not been filled in and the post has been cut as of January 2017.



Temporary agents						
Function group and grade	2014		2015		2016	
	Authorised under the EU budget	Filled as of 31/12/2014	Authorised under the EU budget	Filled as of 31/12/2015	Authorised under the EU budget	Filled as of 31/12/ 2016 <sup>27</sup>
Total grade AST	5	5	4	4	4	3
AST/SC6						
AST/SC 5						
AST/SC 4						
AST/SC 3						
AST/SC 2						
AST/SC 1						
Total grade AST/SC						
<b>GRAND TOTAL</b>	<b>16</b>	<b>16</b>	<b>15</b>	<b>14</b>	<b>15</b>	<b>14</b>

**Table 2: Information on the entry level for each type of post: indicative table**

Key functions	Type of contract (official, TA or CA)	Function group, grade of recruitment (or bottom of the brackets if published in brackets)	Indication whether the function is dedicated to administration support or policy (operational)
<b>CORE FUNCTIONS</b>			
Administrative Manager (Level 1)	TA	AD14	TOP OPERATIONS - FIN/CONT
Head of Administration & Finance unit (Level 2)	TA	AD9	RES DIR/HoA - FIN/CONT
Head of Unit - Head of Programme Management unit (Level 2)	TA	AD9	TOP OPERATIONS
Senior Officer – Senior Programme Manager (Level 3)	TA	AD7	GEN OPER
Senior Officer – Senior Programme Manager (Level 3)	TA	AD7	GEN OPER
Senior Officer – Senior Programme Manager (Level 3)	TA	AD7	GEN OPER
Officer – Programme Manager (Level 3)	TA	AD5	GEN OPER
Officer – Programme Manager (Level 3)	TA	AD5	GEN OPER
Officer - HR Officer (Level 3)	TA	AD5	HR
Officer - Legal and Procurement Officer, DPO (Level 3)	TA	AD5	FIN/CONT - LEGAL
Officer – Executive Support Officer (Level 2 – reporting directly to Level 1)	TA	AD5	GEN OPER
SNEs Programme Management	SNE	SNE	GEN OPER
SNEs Programme Management	SNE	SNE	GEN OPER
SNEs Programme Management	SNE	SNE	GEN OPER
SNEs Programme Management	SNE	SNE	GEN OPER
Officer - Communication Support Officer (Level 2 - reporting directly to Level 1)	CA	FGIV	PGM

Officer - BEREK Support Officer in Programme Management unit (Level 3)	CA	FGIV	GEN OPER
Officer - BEREK Support Officer in Programme Management unit (Level 3)	CA	FGIV	GEN OPER - PGM
Officer - BEREK Support Officer in Programme Management unit (Level 3)	CA	FGIV	GEN OPER - PGM
Officer – Administration and Finance Officer (Level 3)	CA	FGIV	FIN/CONT
Officer - Support Officer – Legal and Administration	CA	FGIV	FIN/CONT - GEN OPER
Assistant – Programme Management Assistant (Level 3)	TA	AST3	GEN OPER - PGM
Assistant – Executive Support Assistant (Level 2 – reporting directly to Level 1)	TA	AST3	GEN OPER - FIN/CONT
Budget Assistant (Level 2 – reporting directly to Level 1)	TA	AST3	FIN/CONT
Officer - Budget and Finance Support Officer (level 3)	CA	FGIV	FIN/CONT-PGM
Assistant – Financial Assistant (Level 3)	TA	AST3	FIN/CONT
Officer - IT Officer/Webmaster (Level 2 – reporting directly to Level 1)	CA	FGIII	ICT
Assistant – Logistics and Security Assistant (Level 3)	CA	FG II	LOG
Assistant – Financial Assistant (Level 3)	INT	INT	FIN/CONT
Officer - Programme Management Support Officer (Level 3)	INT	INT	GEN OPER

**Table 3: Benchmarking against previous year results**

Year	2015	2016 <sup>28</sup>
Job Type (sub) category	%	%
<b>Administrative support and Coordination</b>	<b>15.5</b>	<b>13.33</b>
Administrative support	13.79	11.67
Coordination	1.72	1.66
<b>Operational</b>	<b>60.34</b>	<b>63.33</b>
Top Level Operational Coordination	6.89	5
Programme Management & Implementation	0	10
Evaluation & Impact Assessment	0	0
General Operational	53.44	48.33
<b>Neutral</b>	<b>24.1</b>	<b>23.33</b>
Finance/Control	24.1	23.33
Linguistics	0	0

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<sup>28</sup> The data take into account the redistribution of tasks and the reorganisation of work implemented in 2016.

## ANNEX V: Human and financial resources by activity

Operational activities 2016	Budget kEUR	FTEs
<b>TOTAL</b>	<b>1,398</b>	<b>18.45</b>
<b>Support the Implementation of BEREC Work Programme</b>	<b>641</b>	<b>11.94</b>
Set-up Expert Working Groups and provide support	500	9.47
Collection, exchange and transmission of information	130	1.55
Activities under Article 7 and 7a of the Framework Directive	11	0.92
<b>Horizontal or Other Support</b>	<b>757</b>	<b>6.51</b>
Assist BEREC Chair and Vice-Chairs, Plenaries and Contact Network meetings for the Board and Management Committee	560	3.81
Ensure internal and external transparency, accountability and other horizontal support	197	2.70

## ANNEX VI: Specific annexes related to Part II

**Table 1: 2016 electronic voting procedures of the BEREC Office MC**

№	Subject	Comments Round		Voting Round	
		Start/hyperlink	End	Start/hyperlink	End/hyperlink
1.	BEREC Office MC Decision on the adoption of the Annual and Multi-annual Programming of the BEREC Office Activities for the period 2017-2019	<a href="#">13 January 2016</a>	20 January 2016	<a href="#">21 January 2016</a>	<a href="#">28 January 2016</a>
2.	BEREC Office MC Decision on the recruitment and the establishment of a reserve list for the post of Head of Administration and Finance (TA – AD9) at the BEREC Office	<a href="#">11 March 2016</a>	14 March 2016	<a href="#">15 March 2016</a>	<a href="#">16 March 2016</a>
3.	BEREC Office MC reply to ECA on the annual accounts of the BEREC Office 2015	<a href="#">15 June 2016</a>	22 June 2016	<a href="#">23 June 2016</a>	<a href="#">30 June 2016</a>
4.	BEREC Office MC Decision on the establishment of a CA Post in Budget and Finance	<a href="#">15 August 2016</a>	25 August 2016	<a href="#">26 August 2016</a>	<a href="#">2 September 2016</a>

**Table 2: Overview of public documents adopted in 2016 by the BEREC Office MC**

**Decisions**

<b>Document number</b>	<b>Document date</b>	<b>Document title/hyperlink to document</b>
MC /2016/01	28 January 2016	<a href="#">MC Decision on the adoption of the Annual and Multiannual Programming of the BEREC Office Activities for 2017-2019</a>
MC /2016/02	26 February 2016	<a href="#">MC Decision on the working language regime at the BEREC Office</a>
MC /2016/03	26 February 2016	<a href="#">MC Decision of the BEREC Office MC on the termination of the appointment of the Interim Accounting Officer and on the appointment of the Commission Accounting Officer as the BEREC Office Accounting Officer</a>
MC /2016/04	16 March 2016	<a href="#">BEREC Office MC Decision on the recruitment and the establishment of a reserve list for the post of Head of Administration and Finance (TA – AD9) at the BEREC Office</a>
MC /2016/05	3 June 2016	<a href="#">BEREC Office MC Decision on the Rules governing the Traineeship Programme of the BEREC Office</a>
MC /2016/06	3 June 2016	<a href="#">BEREC Office MC Decision on general implementing provisions regarding Article 54 of the CEOS</a>
MC /2016/07	3 June 2016	<a href="#">BEREC Office MC Decision on general implementing provisions regarding Article 87(3) of the Conditions of Employment of Other Servants of the EU</a>
MC /2016/08	3 June 2016	<a href="#">BEREC Office MC Decision on the Rules governing the Traineeship Programme of the BEREC Office</a>
MC /2016/09	2 September 2016	<a href="#">MC Decision on the establishment of a Contractual Agent Post in Budget and Finance</a>
MC /2016/10	7 October 2016	<a href="#">Decision of the BEREC Office MC on the non-application of the Commission Decision on the maximum duration for the recourse to non-permanent staff in the Commission services</a>
MC /2016/11	7 October 2016	<a href="#">Decision of the BEREC Office MC on the setting up a Staff Committee and repealing Decision MC/2012/8</a>
MC /2016/12	7 October 2016	<a href="#">Decision of the BEREC Office MC on the designation of two Reporting Officers to appraise the Administrative Manager of the BEREC Office</a>
MC /2016/13	7 October 2016	<a href="#">BEREC Office MC Decision on financing decision for the purchase of a Study on NN</a>

Document number	Document date	Document title/hyperlink to document
MC /2016/14	7 October 2016	<a href="#">Decision of the BEREC Office MC on the extension of the term of office of the Administrative Manager of the BEREC Office</a>
MC /2016/15	9 December 2016	<a href="#">MC Decision on the policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment</a>
MC /2016/16	9 December 2016	<a href="#">MC Decision on the adoption of the Annual and Multiannual Programming of the BEREC Office Activities for 2017-2019</a>

#### BEREC Office MC Opinions

Document number	Document date	Document title/hyperlink to document
MC (16) 63	22 June 2016	<a href="#">BEREC Office MC Opinion concerning the final accounts for 2015</a>

#### BEREC Office Work Programme

Document number	Document date	Document title/hyperlink to document
MC (16) 136	5 December 2016	<a href="#">Annual and Multiannual Programming of the BEREC Office Activities 2017-2019</a>

#### BEREC Office Consolidated Activity Report 2015

Document number	Document date	Document title/hyperlink to document
MC (16) 62	3 June, 2016	<a href="#">2015 Consolidated Annual Activity Report of the BEREC Office</a>

#### BEREC Office budget

Document number	Document date	Document title/hyperlink to document
MC (16) 130	2 December 2016	<a href="#">BEREC Office Budget and Establishment Plan for 2017</a>

#### Agendas for the 2016 meetings of the BEREC Office MC

Document number	Document date	Document title/hyperlink to document
MC (16) 17	12 February 2016	<a href="#">Draft Agenda of the 26th Meeting of the BEREC Office MC in Rotterdam (The Netherlands)</a>



Document number	Document date	Document title/hyperlink to document
MC (16) 58	19 May 2016	<a href="#">Draft Agenda of the 27th MC plenary meeting (3 June 2016, Vienna)</a>
MC (16) 102	22 September 2016	<a href="#">Draft Agenda of the 28th MC plenary meeting (7 October 2016, Vilnius, Lithuania)</a>
MC (16) 128	21 November 2016	<a href="#">Draft Agenda of the 29th MC plenary meeting (8-9 December 2016, Berlin, Germany)</a>

#### Conclusions for the 2016 meetings of the BEREC Office MC

Document number	Document date	Document title/hyperlink to document
MC (16) 40	29 February, 2016	<a href="#">Conclusions of the 26th plenary meeting of the BEREC Office MC, 26 February 2016, Rotterdam (The Netherlands)</a>
MC (16) 79	3 June, 2016	<a href="#">Conclusions of the 27th plenary meeting of the BEREC Office MC, 3 June 2016, Vienna (Austria)</a>
MC (16) 126	7 October, 2016	<a href="#">Conclusions from the 28th BEREC Office MC plenary meeting, 7 October 2016, Vilnius (Lithuania)</a>
MC (16) 142	9 December, 2016	<a href="#">Conclusions from the 29th BEREC Office MC plenary meeting, 8 December 2016, Berlin (Germany)</a>

**ANNEX VII: Final annual accounts (MC (17) 50)**

Presented in a separate file.