

## **Decision No MC/2018/11 of the Management Committee of the Office of the Body of European Regulators for Electronic Communications (BEREC Office) laying down guidelines on whistleblowing of the BEREC Office**

### **The Management Committee,**

Having regard to the Staff Regulations of Officials of the European Union ('Staff Regulations') and to the Conditions of employment of other servants of the European Union ('CEOS'), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68<sup>1</sup>, and in particular Article 21, 21a, 22a, 22b, 110(2) of the Staff Regulations,

Having regard to Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office, and in particular Article 10(2) thereof,

Having regard to the Communication C(2014)6543 final of 26 September 2014 from Vice-President Šefčovič to the Commission on the guidelines on the implementation of Article 110(2) of the Staff Regulations with regard to the implementing rules applicable in the agencies, and in particular Point 2.B thereof,

Having regard to the agreement of the European Commission pursuant to Article 110(2) of the Staff Regulations (Commission Decision C(2018) 1362 final of 27 February 2018),

After consulting the Staff Committee,

Whereas:

- 1) The BEREC Office should put in place instruments to encourage staff to report concerns about fraud, corruption or other serious wrongdoing and to assure the protection of a whistleblower.
  
- 2) The BEREC Office therefore needs rules on the matter, including procedures for dealing with whistleblowing.

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<sup>1</sup> OJ L 56, 4.3.1968, p. 1, as last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013, OJ L 287, 29.10.2013, p.15.

- 3) The specific circumstances of agencies, such as the nature of their staff, may justify the Commission authorising the agencies to adopt rules adapted to these peculiarities. The Commission, with the assistance of the standing working party, has therefore drafted a model decision, for adoption by the agencies, laying down guidelines on whistleblowing.

HAS DECIDED as follows:

**Article 1**

The agency adopts the implementing rules regarding whistleblowing which are laid down in Annex to this Decision.

**Article 2**

The present Decision shall enter into force on the day following of its adoption.

Done at Prague, on 7 December 2018,

**For the Management Committee**

**Johannes Gungl**  
**BEREC Chair 2018**



Annex: Guidelines on whistleblowing of the BEREC Office