

## Decision No MC/2018/06

### **of the Management Committee of the Office of the Body of European Regulators for Electronic Communications (BEREC Office) on the reply to the preliminary observations of the European Court of Auditor with a view to a report on the BEREC Office annual accounts for financial year 2017**

#### **The Management Committee,**

Having regard to Regulation (EC) № 1211/2009 of 25 November 2009 of the European Parliament and of the Council establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office, in particular Article 13 (9) thereof ('the BEREC Regulation'),

Having regard to the preliminary observations of the Court of Auditors with a view to a report on the annual accounts of the BEREC Office for the financial year 2017, adopted by Chamber IV at its meeting on 28 May 2018 and received at the BEREC Office on 4 June 2018,

Having regard to the 2017 Consolidated Annual Activity Report of the BEREC Office<sup>1</sup>,

#### Whereas:

- 1) In accordance with Article 208(4) of Regulation (EU, EURATOM) no 966/2012 of the European Parliament and of the Council 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (EU, Euratom), as amended, ('the Financial Regulation'), the Court of Auditors shall prepare a Specific Annual Report on each body in line with the requirements of Article 287(1) of the *Treaty on the Functioning of the European Union*;
- 2) In accordance with Article 162(1) of Financial Regulation, the Court of Auditors shall transmit to the Commission and the BEREC Office by 30 June, any observations which are, in its opinion, such that they should appear in the annual report;
- 3) In accordance with Article 13(9) of the BEREC Regulation, the Management Committee shall reply to the Court of Auditors' observations by 15 October. The Management Committee shall also send this reply to the European Parliament and the Commission;

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<sup>1</sup>MC (18) 45, 2017 Consolidated Annual Activity Report of the BEREC Office, 29.06.2018, [https://berec.europa.eu/eng/document\\_register/subject\\_matter/berec\\_office/office\\_annual\\_activity\\_report/8175-2017-consolidated-annual-activity-report-of-the-berec-office](https://berec.europa.eu/eng/document_register/subject_matter/berec_office/office_annual_activity_report/8175-2017-consolidated-annual-activity-report-of-the-berec-office)

- 4) Following the receipt of the preliminary observations, the BEREC Office and the Court of Auditors undertook an adversarial procedure to come to an agreement regarding the nature of the opinion;
- 5) The Management Committee has analysed the preliminary observations of the Court of Auditors and took note of the outcome of the adversarial procedure,

**HAS ADOPTED THIS DECISION:**

**Article 1**

The reply of the Management Committee to the preliminary observations of the Court of Auditors with a view to a report on the annual accounts of the BEREC Office for the financial year 2017 is hereby adopted. The reply is included in Annex 1 of the present decision.

**Article 2**

The Administrative Manager shall submit this reply to the Court of Auditors by 30 September 2018 at the latest. The reply shall be sent to the Commission at the same time.

The reply shall be provided to the European Parliament by 15 October 2018.

**Article 3**

This Decision shall enter into force on the day of its adoption.

Done on 27 August 2018.

**For the Management Committee**

**(S)**

**Johannes Gungl  
BEREC Chair 2018**