

Mandate

for the Director of the Agency for Support for BEREC (BEREC Office) to engage in a joint project with the Government of the Republic of Latvia on the Headquarters Agreement

The objective of the joint project would be to implement the relevant provisions of Protocol No 7 attached to the TFEU and to agree on the necessary arrangements to ensure the smooth and efficient functioning of the BEREC Office in the interest of the EU and in compliance with the rules applicable to the Agency.

The joint project on the new Headquarters Agreement should build on experiences gained while applying the Seat Agreement of 2011 and should reduce the administrative burden from its implementation for both the Agency and the authorities of Latvia.

Responsible entities and coordinators of all activities under the Headquarters Agreement should also be identified on each side. If needed, such arrangements could be specified in annexes or other accompanying document, which could easily be amended in the event of need.

The new Headquarters Agreement should contribute to increasing the attractiveness of the Agency in order to develop and retain its staff as far as possible and to ensure the selection of staff at an adequate level of expertise and seniority.

To that end, the Director shall engage in a joint project for a Headquarters Agreement with a view to address the not exclusive list of items in the following domains:

I. Premises of the Agency

Item 1	Compliance with minimum technical requirements
Scope	Ensure that the Agency offers working conditions complying with appropriate health and safety standards at least equivalent to the minimum requirements applicable under measures adopted in these areas pursuant to the Treaties. It is envisaged to provide the Agency with an efficient and modern fire prevention system and an adequate evacuation system.
Legal Basis/ Reference document	1 - Art. 1(e), Regulation No 31 (EEC), 11 (EAEC) (" <i>Staff Regulations</i> ") 2 - Manual of standard building specifications – European Commission, Office for Infrastructure and Logistics.

Item 2	Compliance with security requirements
Scope	Ensure the adequate level of security in the premises for the protection of the Staff, the property and the archives of the Agency, including the protection of classified information and sensitive non-classified information, together with the proper exchange, the processing and the

	storage of such information, with a particular attention to intrusions prevention and appropriate access controls.
Legal Basis/ Reference document	2 – Art. 38 and 39 of Regulation (EU) 2018/1971 (BEREC Regulation) 3 - Commission Decisions (EU, Euratom) 2015/443 (21) and (EU, Euratom) 2015/444 on security, classified and sensitive information 4 - Art. 1 and 2 of the Protocol No 7 Annexed to the TFEU.

Item 3	Compliance with the minimum space requirements
Scope	Ensure sufficient and adequate working space for the staff, meetings and other operational needs.
Legal Basis/ Reference document	1 - Art. 1(e), Regulation No 31 (EEC), 11 (EAEC) (“ <i>Staff Regulations</i> ”) 2 - Manual of standard building specifications – European Commission, Office for infrastructure and Logistics.

Item 4	Inviolability and Accessibility
Scope	Ensure the authorized access to the premises of the Agency, the inviolability and the protection of the Agency communications, and facilitate the accessibility of the Agency.
Legal Basis/ Reference document	1 - Art. 1, 2 ,5 and 6 of the Protocol No 7 Annexed to the TFEU 2 - Art. 36-41 and 47(2) of Regulation (EU) 2018/1971 (BEREC Regulation).

II. Status of the Agency and its staff

Item 5	Status of the Agency
Scope	Further detail the provisions of the Protocol No 7 applicable to the BEREC Office with intention to reduce administrative burden, including a simplified procedure for VAT exemption, preferably in the form of remit and paperless as much as possible. It is envisaged that the Agency enjoys the most extensive legal capacity accorded to legal persons under the laws of Latvia.
Legal Basis/ Reference document	1 - Protocol No 7 Annexed to the TFEU in general and articles 3 and 4 in particular 2 - Article 2(1) of standard provisions for headquarters agreements of EU decentralised agencies (10 December 2013).

Item 6	Status of the staff
Scope	Specify the arrangements to give effect to the provisions as regards the legal status of the staff, in particular not to be subject to immigration restrictions or to formalities for registration of aliens and not to be requested to move their domicile for tax purposes to the host Member State. It is envisaged that staff, their spouses, registered partners and dependent family members shall have access to all the public services

	provided by Latvia without discrimination in relation to nationals of Latvia.
Legal Basis/ Reference document	1 - Articles 11(b) and 13 of Protocol No 7 Annexed to the TFEU 2 - Article 11(3) of standard provisions for headquarters agreements of EU decentralised agencies (10 December 2013).

Item 7	European-oriented schooling
Scope	Develop a plan with actions to be undertaken both by the host Member State and by the Agency to provide multilingual, European-oriented schooling.
Legal Basis/ Reference document	Article 47(2) of Regulation (EU) 2018/1971 (BEREC Regulation).

Item 8	Joint Sickness Insurance System
Scope	Ensure the full recognition of the EU Joint Sickness and Insurance System in the host member State.
Legal Basis/ Reference document	1 - Art. 72, Regulation No 31 (EEC), 11 (EAEC) ("Staff Regulations") 2 - Article 11(3) of standard provisions for headquarters agreements of EU decentralised agencies (10 December 2013).

III. Additional ambitions

Item 9	Activities for the Latvian Community and Society
Scope	Identify measures, initiatives and actions, which the Agency could develop in the interest of the Latvian community and society.
Legal Basis/ Reference document	Joint Statement of the European Parliament, the Council of the EU and the European Commission on decentralised agencies (19 July 2012).

Item 10	Visibility
Scope	Increase the visibility of the presence of the Union in the Republic of Latvia, in particular in the field of activity of BEREC. Promote the Union values and increase the awareness of BEREC and BEREC Office in the Latvian schools, university or other educational establishments.
Legal Basis/ Reference document	Joint Statement of the European Parliament, the Council of the EU and the European Commission on decentralised agencies (19 July 2012).