

## **39<sup>th</sup> Ordinary Plenary Meeting of the BEREC Office Management Board (MB)**

Hosted by the [Belgian Institute for Postal Services and Telecommunications](#) (BIPT).

# **Conclusions**

**Chairperson: Jeremy Godfrey**

Commissioner

[Commission for Communications Regulation](#) (ComReg)

**Laszlo Igneczi**

Director of the BEREC Office

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## Main Results of the 39<sup>th</sup> BEREC Office MB Meeting

The BEREC Office Management Board held its 39<sup>th</sup> ordinary plenary meeting on 14 June 2019 in Ghent, Belgium.

During the meeting the MB discussed and agreed on the following:

### 1. Documents submitted to the MB for publication and information alongside 'A' items:

#### For information:

- 2018/2206(DEC) European Parliament decision of 26 March 2019 on discharge in respect of the implementation of the budget of the Office of the Body of European Regulators for Electronic Communications (BEREC) for the financial year 2017
- 2018/2210(DEC) European Parliament resolution of 26 March 2019 on discharge in respect of the implementation of the budget of the European Union agencies for the financial year 2017: performance, financial management and control
- Ares(2018)6396294 Letter from the European Court of Auditors announcing Performance Audit "Are EU Agencies performance driven?"
- Ares(2019)1005400 Note from the European Commission on risk management in the EU decentralized agencies

#### For publication:

- MB (19) 54 Decision of the Management Board of the Agency for Support for BEREC on the general provisions for implementing Article 79(2) of the Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed under the terms of Article 3a thereof
- MB (19) 56 BEREC Office Detailed Rules on Access to Documents
- MB (19) 55 MB Decision to renew the term of office of the Director pursuant to the provisions of Article 49 (3) of Regulation (EU) 2018/1971

### 2. Documents submitted for internal use:

- MB (19) 57 BEREC Office 2020 and beyond

### 3. Other topics discussed:

The Management Board of the BEREC Office was updated on BAG activities and the forthcoming e-voting on important topics.

### 4. Next meeting

The next ordinary plenary meeting of the MB will take place on **3-4 October 2019 in Crete (Greece)** and will be hosted by the [Hellenic Telecommunications and Post Commission](#) (EETT).

## Introduction and participation

The BEREC Office MB held its 39<sup>th</sup> ordinary plenary meeting on 14 June 2019 in Ghent, Belgium. The meeting was hosted by the Belgian Institute for Postal Services and Telecommunications (BIPT).

The meeting was attended by the heads and/or high-level representatives of the National Regulatory Authorities (NRAs) with primary responsibility for overseeing the day-to-day operation of the markets for electronic communications networks and services established in each Member State of the European Union (EU), and by the European Commission. Heads and high-level representatives of the NRAs with which BEREC concluded working arrangements also took part in the meeting.

## List of documents

The list of documents discussed by the meeting is presented in Annex to the Conclusions in compliance with the BEREC Regulation and the MB transparency rules.

## Items discussed

A short overview of the information presented under each agenda item, a summary record of the proceedings and a record of the conclusions reached by the MB is presented below.

### 1. Opening of the meeting and adoption of the agenda

<b>Document(s)</b>	MB (19) 51 Draft MB Agenda
<b>Introduction by</b>	MB Chairperson (ComReg)
<b>Information pre-sented</b>	The MB Chairperson opened the meeting and presented the agenda for approval by the MB meeting. He suggested moving the document on access to BEREC Office documents for adoption as an 'A' item. The MB members were invited to suggest any additional issues to be raised or presented under "Any other business" (AOB).
<b>Conclusions</b>	The MB agenda was approved with the proposed amendment.

### 2. List of 'A' items

<b>Document(s)</b>	<u>Approval for publication:</u> MB (19) 54 Draft Decision of the Management Board of the Agency for Support for BEREC on the general provisions for implementing Article 79(2) of the Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed under the terms of Article 3a thereof MB (19) 56 Draft BEREC Office Detailed Rules on Access to Documents <u>Documents submitted alongside 'A' items for information only:</u> 2018/2206(DEC) European Parliament decision of 26 March 2019 on discharge in respect of the implementation of the budget of the Office of the Body of European Regulators for Electronic Communications (BEREC) for the financial year 2017 2018/2210(DEC) European Parliament resolution of 26 March 2019 on discharge in respect of the implementation of the budget of the European
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	<p>Union agencies for the financial year 2017: performance, financial management and control</p> <p>Ares(2018)6396294 Letter from the European Court of Auditors announcing Performance Audit “Are EU Agencies performance driven?”</p> <p>Ares(2019)1005400 Note from the European Commission on risk management in the EU decentralized agencies</p>
<b>Introduction by</b>	<p>MB Chairperson (ComReg)</p> <p><b>Jeremy Godfrey</b> (<a href="mailto:jeremy.godfrey@comreg.ie">jeremy.godfrey@comreg.ie</a>)</p>
<b>Information presented</b>	<p>The MB Chairperson presented the list of ‘A’ items, as set out above. The list of ‘A’ items had been drawn up on the basis of the conclusions of the CN. The MB Chairperson also drew the meeting’s attention to the information documents provided by the BEREC Office. These documents were submitted alongside the ‘A’ items only for information and did not require any action from the MB.</p>
<b>Conclusions</b>	<p>The MB approved the documents included in the list of ‘A’ items and took note of the documents submitted alongside the ‘A’ items.</p>

### 3. Recent activities of the BEREC Office Advisory Group

<b>Document(s)</b>	No documents
<b>Introduction by</b>	BAG Chair
<b>Information presented</b>	<p>The BAG Chair briefed the MB in relation to the recent BAG activities. BAG reviewed the documents submitted to the MB. She also reported that there are no plans for amending the BEREC Office budget 2019 in order to collect the financial contribution due from the new Participants that do not hold voting rights. She reported that according to the BAG’s view, it would be preferred not to amend budget 2019 as the possible revenues and expenses (reimbursements) are in balance.</p>
<b>Conclusions</b>	The MB took note of the information.

### 4. Access to BEREC Office documents

<b>Document(s)</b>	MB (19) 56 Draft BEREC Office Detailed Rules on Access to Documents
<b>Introduction by</b>	MB Chairperson (ComReg)
<b>Information presented</b>	The document was adopted as an ‘A’ item.
<b>Conclusions</b>	The MB approved the document for publication.

### 5. Oral update on the forthcoming MB e-votings

<b>Document(s)</b>	No documents
<b>Introduction by</b>	Director of the BEREC Office
<b>Information presented</b>	<p>The Director briefly informed the MB about the forthcoming MB e-votings, which are planned in the period between Plenary 2 2019 and Plenary 3 2019, notably for the adoption of the draft BEREC Office 2018 Consolidated Annual Activity Report, the MB opinion on the BEREC Office final</p>

	accounts 2018, the MB reply to the preliminary observations of the European Court of Auditors (ECA) on the BEREC Office accounts for 2018, the update of the Financial Regulation and the rules on data protection.
<b>Conclusions</b>	The MB took note of the information.

## 6. BEREC Office 2020 and beyond

<b>Document(s)</b>	MB (19) 57 draft BEREC Office 2020 and beyond
<b>Introduction by</b>	Director of the BEREC Office and the Incoming BEREC Chair 2020
<b>Information presented</b>	<p>Following the discussions during the Workshop “BEREC the next 10 years: Episode II”, which took place in Budapest before the Plenary 1 2019, the Director of the BEREC Office presented to the BoR the document outlining the BEREC Office vision for 2020 and beyond.</p> <p>The document covers, among other things, the BEREC Office mission statement, mode of operation and governance, and allocation of resources per activity. The clarifications provided by the Commission have been welcomed.</p> <p>The BEREC Office Director also introduced to the MB the updated Terms of Reference (i.e. definitions/functions) (i.e. definitions/functions) of the enhanced BAG and its role in the BEREC Office set-up. He noted that the BAG ToR would require further considerations and would imply amending the MB RoP. He suggested including them in an annex to the MB RoP.</p> <p>The Incoming BEREC Chair underlined that the presentation made by the Director is based on the workshops in Portoroz and Budapest. He expressed the view that the changes in the BEREC Office should have a positive impact on the functioning of the Board and the Office itself. He also welcomed the establishment of the enhanced BAG and clarified that the intention is to provide continuity in the work of the BAG.</p> <p>As next steps, after the endorsement of the approach and the main document as amended, it was suggested to launch a call for resources to the new BAG with a view that it would be operational on 1 January 2020 as latest.</p>
<b>Conclusions</b>	The MB took note of the discussion and endorsed the document for internal use without Annex IV (Terms of Reference of the BEREC Office Advisory Group).

## 7. AOB

### Information on the 40<sup>th</sup> MB ordinary meeting (3-4 October 2019, Crete, Greece)

<b>Document(s)</b>	No documents
<b>Introduction by</b>	Representative of the host NRA (EETT)
<b>Information presented</b>	The representative of the meeting host, EETT, provided information on the logistics for the meeting.
<b>Conclusions</b>	The MB took note of the information.

## 8. Director's Mandate

<b>Document(s)</b>	MB (19) 55 Draft MB Decision to renew the term of office of the Director pursuant to the provisions of Article 49 (3) of Regulation (EU) 2018/1971 MB (19) 58 Assessment of the performance of the BEREC Office Director
<b>Introduction by</b>	MB Chairperson (ComReg)
<b>Information presented</b>	<p>According to Article 49 (3) of Regulation 2018/1971, the Management Board may decide to renew the term of office of the Director referred to in paragraph 2 of this Article for a further term. In doing so, the Management Board shall take into account the evaluation of the Director's performance and the BEREC Office's tasks and challenges.</p> <p>The Management Board shall reach decisions on appointment, extension of the term of office or removal from office of the Director on the basis of a vote of a two-thirds majority of its members.</p> <p>A Director whose term of office has been extended shall not participate in another selection procedure for the same post after the end of the cumulative period.</p> <p>Where the term of office is not extended, the Director shall, upon a decision of the Management Board, remain in office beyond the expiry of the initial term of office until the appointment of a successor.</p>
<b>Conclusions</b>	The MB approved the decision for publication and implementation and agreed to transmit the assessment of the performance of the BEREC Office Director to the EU institutions.