

## **Decision No MB/2021/07**

### **of the Management Board of the Agency for Support for BEREC on the application of the European Code of Good Administrative Behaviour to other persons not employed by the BEREC Office**

#### **The Management Board,**

Having regard to Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC (BEREC Office), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009<sup>1</sup>, and in particular Article 33(1) thereof,

Having regard to the Decision of the BEREC Office Management Board concerning the secondment to the BEREC Office of national experts and national experts in professional training<sup>2</sup> (MB/2020/03)

Having regard to the European Code of Good Administrative Behaviour<sup>3</sup>, as endorsed by the European Parliament, and in particular Article 2(2) thereof,

#### Whereas:

- (1) Since its approval by the European Parliament in 2001, The European Code of Good Administrative Behaviour has become a vital instrument for putting the principle of good administration into practice.
- (2) As adopted, the European Code of Good Administrative Behaviour applies to all officials and other servants to whom the Staff Regulations and the Conditions of employment of other servants apply, in their relations with the public.
- (3) However, the institutions and their administrations have been requested to take the necessary measures to ensure that the provisions set out in this Code also apply to

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<sup>1</sup> OJ L 321, 17.12.2018, p. 1–35

<sup>2</sup> [https://bereg.europa.eu/eng/document\\_register/subject\\_matter/bereg\\_office/decisions\\_of\\_the\\_management\\_board/9025-decision-of-the-management-board-of-the-agency-for-support-for-bereg-concerning-the-secondment-to-the-bereg-office-of-national-experts-and-national-experts-in-professional-training](https://bereg.europa.eu/eng/document_register/subject_matter/bereg_office/decisions_of_the_management_board/9025-decision-of-the-management-board-of-the-agency-for-support-for-bereg-concerning-the-secondment-to-the-bereg-office-of-national-experts-and-national-experts-in-professional-training)

<sup>3</sup> <https://www.ombudsman.europa.eu/en/publication/en/3510>

other persons working for them, such as persons employed under private law contracts, experts on secondment from national civil services, and trainees.

- (4) Taking into account the request of the European Parliament to the institutions to make the European Code of Good Administrative Behaviour applicable to persons not employed by them, as well as the fact that the Code has been considered as an important tool to help individual citizens to obtain their rights, and promotes the public interest in an open, efficient, and independent European administration, the Management Board is willing to expand of the scope of application the Code to person not employed by the BEREC Office.

**Has adopted the following decision:**

### **Article 1**

The European Code of Good Administrative Behaviour shall apply to seconded national experts, national experts in training, trainees and other persons not employed by the BEREC Office.

### **Article 2**

This Decision shall take effect on the day following that of its adoption.

Done at Stockholm, on 10 December 2021.

**For the Management Board**

**Michel VAN BELLINGHEN**

**Chairperson**