

## Decision No MB/2021/09

### of the Management Board of the Agency for Support for BEREC ('the BEREC Office') on the approval of budgetary transfer from Title 3 (Budget Line 3001) to Title 2 (Budget Line 2100) to address some of the BEREC Office security needs

#### The Management Board of the BEREC Office;

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', 'Agency'), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009<sup>1</sup> ('BEREC Regulation'), and in particular Articles 23(1) and 24(7) thereof;

Having regard to Decision No MB/2019/13 of the BEREC Office Management Board on the financial regulation applicable to the BEREC Office in conformity with Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council on the Financial Regulation applicable to the general budget of the European Union<sup>2</sup> ('BEREC Office Financial Regulation'), and in particular Article 26(2) thereof;

Having regard to the 2021 BEREC Office Budget and Establishment Plan<sup>3</sup>;

Having regard to the Draft Single Programming Document of the Activities of the Agency for Support for BEREC ('BEREC Office') for the period 2022-2024<sup>4</sup>;

Having regard to the General Budget of the European Union for 2022<sup>5</sup>;

<sup>1</sup> OJ L 321, 17.12.2018, p. 1–35 (BG, ES, CS, DA, DE, ET, EL, EN, FR, GA, HR, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV)

<sup>2</sup>

[https://bereg.europa.eu/eng/document\\_register/subject\\_matter/bereg\\_office/decisions\\_of\\_the\\_management\\_board/8699-decision-no-mb201913-of-the-management-board-of-the-bereg-office-on-the-financial-regulation-applicable-to-the-bereg-office](https://bereg.europa.eu/eng/document_register/subject_matter/bereg_office/decisions_of_the_management_board/8699-decision-no-mb201913-of-the-management-board-of-the-bereg-office-on-the-financial-regulation-applicable-to-the-bereg-office)

<sup>3</sup> MB (21) 06,

[https://bereg.europa.eu/eng/document\\_register/subject\\_matter/bereg\\_office/budget\\_of\\_the\\_office/annual\\_budget\\_of\\_the\\_office/9780-2021-budget-and-establishment-plan-of-the-agency-for-support-for-bereg-bereg-office](https://bereg.europa.eu/eng/document_register/subject_matter/bereg_office/budget_of_the_office/annual_budget_of_the_office/9780-2021-budget-and-establishment-plan-of-the-agency-for-support-for-bereg-bereg-office)

<sup>4</sup> MB (21) 01,

[https://bereg.europa.eu/eng/document\\_register/subject\\_matter/bereg\\_office/office\\_annual\\_work\\_programmes/9777-draft-single-programming-document-of-the-activities-of-the-agency-for-support-for-bereg-bereg-office-for-the-period-2022-2024](https://bereg.europa.eu/eng/document_register/subject_matter/bereg_office/office_annual_work_programmes/9777-draft-single-programming-document-of-the-activities-of-the-agency-for-support-for-bereg-bereg-office-for-the-period-2022-2024)

<sup>5</sup> [https://ec.europa.eu/info/strategy/eu-budget/annual-eu-budget/all-annual-budgets/2022\\_en](https://ec.europa.eu/info/strategy/eu-budget/annual-eu-budget/all-annual-budgets/2022_en)

Whereas:

- (1) The Management Board, in accordance with the provisions of the BEREC Regulation, approved on 29 January 2021 the draft Single Programming Document of the BEREC Office for 2022-2024 that contained a request for a one-time increase of the EU subsidy of the BEREC Office to address issues with the security of the Agency, as recommended by a Commission Security Expert in order to comply with the requirements of Article 39 of the BEREC Regulation;
- (2) The Budgetary Authority, on a proposal of the Commission, decided not to satisfy this request, which may put at risk safeguarding the tangible and intangible assets and information of BEREC and the BEREC Office;
- (3) To ensure partial compliance with the provisions of Article 39 of the BEREC Regulation, which requires the BEREC Office to ensure security equivalent to the Commission security rules, the Director has proposed to the Management Board to agree on a transfer of unused appropriations in Title 3 to Title 2 above 10 % of the appropriations for the financial year shown on the line from which the transfer is made to finance some improvements in the technical and physical security of the Agency;
- (4) The Director's proposal for authorisation of the above-mentioned transfer is accompanied by appropriate and detailed supporting documents showing the implementation of appropriations and estimated needs up to the end of the financial year, both for the headings to be credited and for those from which the appropriations are drawn.

**Has adopted the following decision:**

### **Article 1**

The proposal of the Director for budgetary transfer of EUR 47,771.00 from Title 3, budget line 3001 BEREC *Programme Management Support* to Title 2, budget line 2100 *Data Processing and telecommunications* to address pending security needs of the BEREC Office is hereby approved.

### **Article 2**

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

Done at Brussels, on 16 December 2021.

**For the Management Board**

*(e-signed)*

**Michel Van Bellinghen**

**Chairperson**