

## Decision No MB/2021/02

### of the Management Board of the Agency for Support for BEREC ('the BEREC Office') on the adoption of the updated Single Programming Document of the BEREC Office Activities for the period 2021-2023

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

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012<sup>2</sup>;

Having regard to the Communication from the Commission on the strengthening of the governance of Union Bodies under Article 70 of the Financial Regulation 2018/1046 and on the guidelines for the Single Programming Document and the Consolidated Annual Activity Report (document C(2020) 2297 final);

Having regard to the Decision MB/2019/13 of the Management Board of the BEREC Office on the financial regulation applicable to the BEREC Office in conformity with Delegated Regulation (EU) No 1271/2013 based on Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union;

Having regard to Commission Opinion C(2020) 7175 final of 22.10.2020 on the draft Single Programming Document of the BEREC Office for the period 2021-2023;

Having regard to the Second Draft General Budget of the EU for 2021<sup>3</sup>.

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<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); <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1575289447726&uri=CELEX:32018R1971>

<sup>2</sup> OJ L 193, 30.7.2018, p. 1–222 (BG, ES, CS, DA, DE, ET, EL, EN, FR, GA, HR, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV); <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1575269516102&uri=CELEX:32018R1046>

<sup>3</sup> [https://ec.europa.eu/info/publications/second-draft-general-budget-2021\\_en](https://ec.europa.eu/info/publications/second-draft-general-budget-2021_en)

Whereas:

- (1) On 20 December 2018 a new founding act, namely: Regulation (EU) 2018/1971, determining new, strengthened mandates for BEREC and the BEREC Office entered into force;
- (2) In Regulation (EU) 2018/1971 the European Parliament and the Council emphasised that the BEREC Office should be adequately staffed for the purpose of carrying out its duties; the number of staff at the Agency should be determined in accordance with the principle of activity-based management of human resources;
- (3) All tasks assigned to the BEREC Office, including professional and administrative services supporting BEREC in carrying out its regulatory tasks, together with compliance with the financial, staff and other applicable regulations, and the increased weight of operational tasks required of the BEREC Office vis-à-vis administrative ones should be duly assessed and reflected in the resource programming;
- (4) On 31 January 2020 the BEREC Office Management Board adopted a draft document containing the annual and multiannual programming of the activities of the BEREC Office for the period 2021-2023, which reflected the new assignments of the BEREC Office as defined in Regulation (EU) 2018/1971 and the resources needed for delivering the new Agency's mandate in accordance with the principle of activity-based management;
- (5) On 22 October 2020 the Commission approved its Opinion on the draft Single Programming Document of the BEREC Office for the period 2021-2023;
- (6) While the Commission welcomes the good quality of the draft programming document, it invites the BEREC office to align the levels of human and financial resources of the programming document including establishment plan posts, contract agents and seconded national experts) with the outcome of the budgetary procedure for the draft budget 2021;
- (7) The Commission acknowledges that the programming of activities beyond 2020 is entirely indicative and can be given only for illustrative purposes given that the discussions in the European Parliament and the Council on the Commission proposal for the Multiannual Financial Framework 2021-2027 of 2 May 2018 are ongoing;
- (8) The Commission invites the BEREC Office to update the table 1 and Ibid (page 86) by indicating if Contract Agents are indicated in Full Time Equivalents of headcounts, as it is already the case for Temporary Agents and Seconded National Experts;
- (9) The Commission further recalls the political commitment of the Commission to reach by the end of its current mandate a 50% balance between men and women in management position of the Commission and invite the Agency to work as much as possible towards the same goal;
- (10) The Commission finally recalls that in the Organisation chart BEREC Office must indicate the number of staff per entity.
- (11) To ensure consistency with the new founding act of the BEREC Office, the Commission decisions for participation of third country NRAs in the work of BEREC and the BEREC Office and the respective working arrangements and the final EU Budget for 2021, the BEREC annual work programme 2021 and with the final Budget of the Union for 2021 as presented in the BEREC Office Single Programming Document 2021-2023, were revised and adjusted accordingly;

(12) The delegation of powers to the BEREC Office authorising officer to make non-substantial amendments to the annual work programme of the BEREC Office as defined in Decision MB/2020/01 of the BEREC Office Management Board on the adoption of the draft Annual and Multi-annual Programming of the BEREC Office Activities for the period 2021-2023, should not be amended;

**Has adopted the following decision:**

### **Article 1**

1. The final Single Programming Document of the Activities of the Agency for Support for BEREC (BEREC Office) for 2021-2023 presented in document MB (21) 03 is hereby adopted.
2. The current Single Programming Document of the BEREC Office Activities 2021-2023 replaced the draft approved by Decision MB/2020/05 of the BEREC Office Management Board on the adoption of the draft Annual and Multi-annual Programming of the BEREC Office Activities for the period 2021-2023.

### **Article 2**

1. This Decision shall enter into force on the day of its adoption.
2. The BEREC Office Director shall submit the BEREC Office Single Programming Document for 2021-2023, as presented in document MB (21) 03 to the European Commission, to the Council and the European Parliament in due time.

Done at Brussels, 29 January 2021.

**For the Management Board**



**Michel Van Bellinghen**

**Chairperson**