

DECISION № MC/2012/2

by the Management Committee of the Office of the Body of European Regulators for Electronic Communications (BEREC Office) concerning the reimbursement of travel, subsistence and other expenses incurred in the course of journeys made by persons not employed by the BEREC Office and repealing the previous Management Committee Decision MC (11) 23 of 30 September 2011

The Management Committee of the BEREC Office,

HAVING REGARD to the Regulation (EC) № 1211/2009 of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office;

HAVING REGARD to composition of both the Board of Regulators and Management Committee of the BEREC Office, as foreseen in articles 4.2, 4.3 and 7.1, second indent of the BEREC establishing regulation;

HAVING REGARD to the Rules on the reimbursement of expenses incurred by people from outside the Commission invited to attend meetings in an expert capacity, adopted by the Commission on 5 December 2007. Doc. C(2007)5858;

Having regard to the BEREC Office Management Committee Decision MC (11) 23 of 30 September 2011;

Whereas:

The European Commission has adopted Rules on the reimbursement of expenses incurred by people from outside the Commission invited to attend meetings in an expert capacity;

BEREC and the BEREC Office regularly organise meetings such as meetings of the Board of Regulators, Management Committee, Expert Working Groups, etc. and wishes to adopt similar rules. On 30 September 2011, the Management Committee had adopted the Decision MC (11)23 for the implementation, by analogy, of the whole Commission Decision of 5 December 2007, Doc. C(2007)5858. However, the application of the Commission Decision of 5 December 2007, Doc. C(2007)5858 has proven not perfectly adequate to the needs of the BEREC Office. The Commission Rules on reimbursement of experts had indeed been adopted for purposes that are partially different from BEREC Office needs;

Therefore, the Management Committee of the BEREC Office wishes to repeal its Decision MC (11) 23 that applied by analogy the Commission Decision of 5 December 2007. Doc. C(2007)5858 in its entirety;

The Management Committee of the BEREC Office wishes to modify, in particular, article 6 paragraph 2 and article 7 paragraph 1 of the Annex of the Commission Decision of 5 December 2007. Doc. C(2007)5858 in the way these articles apply to the BEREC Office by analogy;

All provisions of the Commission Decision of 5 December 2007. Doc. C(2007)5858, besides articles 6.2 and 7.1 of the Annex of the Commission Decision of 5 December 2007. Doc. C(2007)5858 shall continue applying to the BEREC Office by analogy.

HAS DECIDED:

Article 1

The rules on the reimbursement of expenses incurred by people from outside the Commission invited to attend meetings in an expert capacity, adopted by the Commission on 5 December 2007. Doc. C(2007)5858, as presented in Annex I, shall apply by analogy to the BEREC Office, besides article 6 paragraph 2 and article 7 paragraph 1 of the Annex.

Article 6 paragraph 2 of the Annex of the Commission Decision of 5 December 2007 Doc. C(2007)5858 shall be worded, only for reimbursements executed by the BEREC Office, as follows:

“Governments experts shall receive an accommodation allowance on condition that they declare on their honour that they are not receiving a similar allowance or similar allowances from their own administration for the same visit”.

Taking into consideration the composition of both the Board of Regulators and the Management Committee, article 7 paragraph 1 of the Commission Decision of 5 December 2007 Doc. C(2007)5858, shall be worded, only for reimbursements executed by the BEREC Office, as follows:

“The maximum number of experts per meeting entitled to reimbursement of their expenses, shall be one per Member State and, solely for the purposes of the Plenaries and the Contact Network meetings, one for each State having Observer Status and financially contributing to the budget of the Office, in strict accordance with articles 4.2, 4.3 and 7.1 second indent of the BEREC establishing regulation (EC) № 1211/2009 of 25 November 2009”.

The two conditions of having observer status and financially contributing to the budget of the Office are cumulative.

These rules shall apply to the members of the Board of Regulators, Management Committee, Expert Working Groups as well as any other persons who are invited by BEREC Office Authorising Officer to attend meetings in an expert capacity.

Article 2

This Decision repeals the Management Committee Decision MC (11) 23 of 30 September 2011.

This Decision enters into force on the same day of its adoption by the Management Committee of the BEREC Office.

Done at Vienna, on 24 February 2012.

For the Management Committee

Georg SERENTSCHY
BEREC Chair for 2012