

Decision MB/2022/10

of the Management Board of the Agency for Support for BEREC (‘BEREC Office’) on the adoption of the final Single Programming Document of the BEREC Office for the period 2023-2025

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 1211/2009¹, 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 966/2012²;

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 Decision No MB/2020/01 of the BEREC Office Management Board on the adoption of the draft Single Programming Document of the BEREC Office Activities for the

¹ 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>

² 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>

period 2023-2025³;

Having regard to Commission Opinion C(2022) 5081 of 12 July 2022 on the draft BEREC Office Single Programming Document for the period 2023-2025;

Having regard to the General Budget of the EU for 2023⁴.

Whereas:

- (1) In line with the requirements of Regulation (EC) No 1211/2009 the BEREC Office has drawn up a draft Single Programming Document for the period 2023-2025 containing a multi-annual and an annual work programme, an estimate of its revenue and expenditure, a resources programming document, information on its building policy, strategy for cooperation with third countries and/or international organisations, strategy for achieving efficiency gains and synergies, strategy for the organisational management and internal control systems including their anti-fraud strategy as last updated and an indication of measures to prevent recurrence of cases of conflict of interest, irregularities and fraud;
- (2) The draft Single Programming Document included all necessary actions to implement the mandate assigned to the BEREC Office related to the provision of professional and administrative services supporting BEREC in carrying out its regulatory tasks and the tasks, which would be implemented to ensure compliance with the financial, staff and other applicable regulations, applicable to the decentralized agencies;
- (3) Furthermore, the draft document has taken into account the requirements of Regulation (EU) 2018/1971 envisaging that the BEREC Office should be adequately staffed for the purpose of carrying out its duties and that the number of staff at the Agency should be determined in accordance with the principle of activity-based management;
- (4) The draft Single Programming Document for the period 2023-2025 was adopted by the Management Board in January 2022 by electronic voting procedure and submitted to the European Commission, to the Council and the European Parliament;
- (5) On 12 July 2022 the Commission approved its Opinion on the draft Single Programming Document of the BEREC Office for the period 2023-2025;

³ <https://bereg.europa.eu/en/document-categories/bereg-office/decisions-of-the-management-board/decision-no-mb202001-of-the-management-board-of-the-agency-for-support-for-bereg-bereg-office-on-the-adoption-of-the-draft-single-programming-document-of-the-bereg-office-activities-for>

⁴ As adopted by the Council on 22 November 2022, see: <https://www.consilium.europa.eu/en/press/press-releases/2022/11/22/council-gives-go-ahead-to-eu-budget-for-2023/> & <https://www.consilium.europa.eu/en/meetings/qac/2022/11/22/> and by the European Parliament on 23 November 2022, see: https://www.europarl.europa.eu/doceo/document/TA-9-2022-0403_EN.html; Budgetary joint text published in document No 14783/2022

- (6) In its Opinion the Commission welcomes the BEREC Office's draft Single Programming Document and its overall quality;
- (7) At the same time the Commission has made some recommendations for changes, which have been examined by the BEREC Office Advisory Group and a proposal on how to reflect them in the final Single Programming Document has been passed by the Director to the Management Board – for consideration and decision on the way forward⁵;
- (8) The proposal from the Director takes into account the Commission opinion, as well as other important developments, such as the adoption of the Final Budget of the EU for 2023, the final BEREC annual work programme for 2023, the extremely high inflation in the host Member State in 2022, the recent announcement from the Commission services of the termination of the provision of the accounting services, the proposals for the cybersecurity legislation and the impact of the war in Ukraine on the daily operation of the BEREC Office.
- (9) On the basis of the considerations mentioned above the Management Board should subsequently adopt the final Single Programming Document, which should be submitted to the European Parliament, the Council and the Commission.
- (10) The single programming document shall become definitive after adoption of the general budget of the Union and, if necessary, shall be adjusted accordingly.
- (11) 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/2022/01 of the BEREC Office Management Board on the adoption of the draft Single Programming Document of the BEREC Office for the period 2023-2025, should not be amended;

Has adopted the following decision:

Article 1

1. The final Single Programming Document of the BEREC Office for 2023-2025 presented in document MB (22) 81 is hereby adopted.
2. The current Single Programming Document of the BEREC Office 2023-2025 replaced the draft approved by Decision MB/2022/01 of the BEREC Office Management Board on the adoption of the draft Single Programming Document of the BEREC Office Activities for the period 2023-2025⁶.

⁵ See, MB (22) 72, Note from the Director to the Management Board on the main considerations towards the final Single Programming Document 2023-2025

⁶ <https://bereg.europa.eu/en/document-categories/bereg-office/decisions-of-the-management-board/decision-no-mb202001-of-the-management-board-of-the-agency-for-support-for-bereg-bereg-office-on-the-adoption-of-the-draft-single-programming-document-of-the-bereg-office-activities-for>

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 2023-2025, as presented in document MB (22) 81 to the European Commission, to the Council and the European Parliament in due time.

Done at the Hague, on 15 December 2022.

For the Management Board

(e-signed)

Annemarie Sipkes
Chairperson