

53rd Ordinary Plenary Meeting of the BEREC Office Management Board (MB)

Hosted in hybrid format

Conclusions

Chairperson: Annemarie Sipkes

Director of Telecommunications, Transport and Postal
Services Department
Netherlands Authority for Consumers and Markets (ACM)

9 December 2022

Contents

Main Results of the 53 rd BEREC Office MB Meeting	3
Introduction and participation	4
List of documents	4
Items discussed	4
1 Opening of the Meeting and adoption of the Agenda.....	5
2 List of 'A' items	5
3 Working Arrangements between the Body of European Regulators for Electronic Communications (BEREC) and the NRA of Ukraine.....	5
4 Recent activities of the BEREC Office Advisory Group (BAG).....	6
5 Designation of Reporting Officers to appraise the Director of the BEREC Office.....	7
6 BEREC Communications activities	8
6.1 BEREC Communications plan 2023.....	8
6.2 Message House	9
7 AOB	9
Information on the 54 th MB ordinary meeting (10 March 2023, virtual meeting).....	9

Annex I – List of documents

Main Results of the 53rd BEREC Office MB Meeting

The BEREC Office Management Board held its 53rd Ordinary Plenary Meeting on 9 December 2022, in hybrid form.

During the Meeting, the MB discussed and/or approved the following documents:

1 Documents approved for 'A' items:

1.1 For publication:

- MB (22) 63 Decision of the Management Board of the Agency for Support for BEREC ('the BEREC Office') laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings.

1.2 For internal use:

- MB (22) 61 Handbook for working group members.

1.3 For information:

- MB (22) 60 Assessment report "Use and access to the BERECnet+".

2 Documents approved as regular items:

2.1. For publication:

- MB (22) 62 Decision of the BEREC Office Management Board to establish Working Arrangements between the Body of European Regulators for Electronic Communications (BEREC) and the NRA of Ukraine;
- MB (22) 75 Decision of the Management Board of the Agency for Support for BEREC ('the BEREC Office') on the appointment of the BAG Chair;
- MB (22) 76 Decision of the Management Board of the Agency for Support for BEREC ('the BEREC Office') on the probationary period, management trial period and annual appraisal of the Director;
- MB (22) 77 Decision of the Management Board of the Agency for Support for BEREC ('the BEREC Office') on the designation of Reporting Officers to appraise the Director of the BEREC Office.

2.2. For internal use:

- MB (22) 78 BEREC Communications Plan 2023;
- MB (22) 79 Message House 2023.

3 Documents submitted for information:

- MB (22) 59 Draft Agenda for the 53rd Management Board (MB) Meeting in 2022;
- MB (22) 64 Conclusions of the 4th BAG meeting;
- MB (22) 65 Composition of BAG 2023;
- MB (22) 66 Schedule for the Work of BAG 2023;

- MB (22) 67 2021 Audit of EU agencies in brief;
- MB (22) 68 Annual report on EU agencies for the financial year 2021;
- MB (22) 69 Information on the transfers by the Director of the BEREC Office in the BEREC Office Budget in Q3-2022;
- MB (22) 70 Draft Single Programming Document of the Activities of the BEREC Office for the period 2023-2025;
- MB (22) 71 Draft MB Decision of the Agency for Support for BEREC ('BEREC Office') on the adoption of the draft Single Programming Document of the Activities of the BEREC Office for the period 2023-2025;
- MB (22) 72 Note of the Director on main considerations towards the final SPD 2023-2025;
- MB (22) 72 Annex I_Overview of the Commission's comments on the draft SPD of the BEREC Office for the period 2023-2025, issued pursuant to Article 32(7) of the Framework Financial Regulation (FFR) and proposed way forward;
- MB (22) 72 Annex II_DG BUDG reply to BEREC Office follow-up letter concerning the intention of the EC to terminate the provision of the account officer services;
- MB (22) 80 2023 Budget and Establishment Plan of the Agency for Support for BEREC ('BEREC Office').

4 Next Meeting

The next Ordinary Plenary Meeting of the MB will take place virtually on 10 March 2023.

5 Follow-up actions

The follow-up actions arising from the Meeting conclusions are presented in Annex I to the Minutes.

Introduction and participation

The BEREC Office Management Board held its 53rd Ordinary Plenary Meeting on 9 December 2022, in a hybrid form.

The Meeting was attended by the Heads and/or high-level representatives of the national regulatory authorities (NRAs) with primary responsibility for overseeing the day-to-day operation of the markets for electronic communications networks and services established in each Member State of the European Union (EU) and by the European Commission. Heads and high-level representatives of the NRAs with which BEREC has concluded working arrangements were also present.

List of documents

The list of final documents approved by the meeting for publication, in compliance with the BEREC Regulation and the MB transparency rules, is presented in Annex I to the Conclusions.

Items discussed

A short overview of the information presented under each agenda item, a summary record of the proceedings and a record of the conclusions reached by the MB are presented below.

1 Opening of the Meeting and adoption of the Agenda

Document(s)	MB (22) 59 Draft Agenda for the 53rd Management Board (MB) Meeting in 2022
Introduction by	MB Chairperson (ACM)
Information presented	The MB Chairperson opened the Meeting and presented the Agenda for approval by the MB. The MB members were invited to suggest any additional issue to be raised or presented under “Any other business” (AOB).
Conclusion	The Agenda was adopted with no changes.

2 List of ‘A’ items

Document(s)	<p><u>For information:</u></p> <p>MB (22) 60 Assessment report “Use and access to the BERECnet+”</p> <p><u>Approval for internal use:</u></p> <p>MB (22) 61 Handbook for working group members</p> <p><u>Approval for publication:</u></p> <p>MB (22) 63 Decision of the Management Board of the Agency for Support for BEREC (“the BEREC Office’) laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings</p>
Introduction by	MB Chairperson (ACM)
Information presented	The MB Chairperson presented the list of ‘A’ items, as set out above. The list of ‘A’ items had been drawn up based on the BEREC Office Advisory Group (BAG) and Contact Network (CN) comments. The MB Chairperson also draw the Meeting’s attention to the information documents provided by the BEREC Office. These documents were submitted as well as the ‘A’ items for information purposes alone and did not require any action from the MB.
Conclusion	The MB approved the documents included in the ‘A’ item list.

3 Working Arrangements between the Body of European Regulators for Electronic Communications (BEREC) and the NRA of Ukraine

Document(s)	MB (22) 62 Decision of the BEREC Office Management Board to establish Working Arrangements between the Body of European Regulators for Electronic Communications (BEREC) and the NRA of Ukraine
Introduction by	MB Chairperson (ACM)
Information presented	The draft Working Arrangements is based on the WA that BEREC and the BEREC Office had already concluded with other Participants without voting rights. It had been approved by the European Commission pursuant to requirements of Article 35(2) of Regulation (EU) 2018/1971. Before signing, the WA needed to be approved by the MB.
Conclusion	The MB approved the Decision for signing and publication.

4 Recent activities of the BEREC Office Advisory Group (BAG)

<p>Document(s)</p>	<p><u>For information:</u></p> <p>MB (22) 64 Conclusions of the 4th BAG meeting</p> <p>MB (22) 65 Composition of BAG 2023</p> <p>MB (22) 66 Schedule for the Work of BAG 2023</p> <p>MB (22) 67 2021 Audit of EU agencies in brief</p> <p>MB (22) 68 Annual report on EU agencies for the financial year 2021</p> <p>MB (22) 69 Information on the transfers by the Director of the BEREC Office in the BEREC Office Budget in Q3-2022</p> <p>MB (22) 70 Draft Single Programming Document of the Activities of the BEREC Office for the period 2023-2025;</p> <p>MB (22) 71 Draft MB Decision of the Agency for Support for BEREC ('BEREC Office') on the adoption of the draft Single Programming Document of the Activities of the BEREC Office for the period 2023-2025;</p> <p>MB (22) 72 Note of the Director on main considerations towards the final SPD 2023-2025</p> <p>MB (22) 72 Annex I_Overview of the Commission's comments on the draft SPD of the BEREC Office for the period 2023-2025, issued pursuant to Article 32(7) of the Framework Financial Regulation (FFR) and proposed way forward</p> <p>MB (22) 72 Annex II_DG BUDG reply to BEREC Office follow-up letter concerning the intention of the EC to terminate the provision of the account officer services</p> <p>MB (22) 80 2023 Budget and Establishment Plan of the Agency for Support for BEREC ('BEREC Office')</p> <p><u>For approval for publication:</u></p> <p>MB (22) 75 Decision of the Management Board of the Agency for Support for BEREC ('the BEREC Office') on the appointment of the BAG Chair</p>
<p>Introduction by</p>	<p>BAG Chair (BNetZA)</p> <p>BEREC Office Director</p>
<p>Information presented</p>	<p>The BAG Chair informed the MB about the recent BEREC Office Advisory Group activities, including the outcome of its 4th Ordinary Meeting on 10 November 2022. She briefly presented the documents as listed above and the BAG's opinion concerning them to the MB.</p> <p>The MB was updated about:</p> <ul style="list-style-type: none"> - The Single Programming Document of the Agency for Support for BEREC for 2023-2025 and 2023 budget <p>The MB was informed that the final draft will be adopted via e-voting after the plenary meeting as it had to be aligned with the final EU budget. The MB was informed about challenges related to the termination of accounting services by the EC, new cybersecurity rules that will require additional resources from the Agency, a high inflation rate that has an impact on the expenses and the request to limit any carryforward.</p> <p>Additionally, the BEREC Office Director recalled the financial cycle for subsequent years and their situation in December 2022. He also informed the MB about the budget break, providing figures for 2022 and estimates</p>

	<p>for 2023 focusing mainly on the impact of high inflation and the allocation of resources among the titles.</p> <ul style="list-style-type: none"> - Staff implementing rules <p>Decision on administrative enquiries and disciplinary proceedings was adopted as an 'A' item.</p> <ul style="list-style-type: none"> - Implementation of Internal Audit Service audit 2022 action plan <p>The MB was informed about two documents that had already been adopted as 'A' items - Handbook for working group members and the "Use and access to the BERECnet+" Assessment report The MB was informed that the work on two-factor authentication on access to BERECnet+ is still to come at P1/2023.</p> <ul style="list-style-type: none"> - Communications activities <p>Communications plan 2023 and Draft Message House will be discussed separately.</p> <ul style="list-style-type: none"> - Closing of the financial year 2021 <p>The MB was informed that the Final report of the European Court of Auditors was positive and was submitted to the MB for information.</p> <ul style="list-style-type: none"> - BEREC Office operation 2022 <p>The BEREC Office Director report on budgetary transfer executed within the budget in order to better execute the 2022 budget.</p> <ul style="list-style-type: none"> - Establishment of a new BAG and appointment of a new BAG Chair <p>The MB was informed that a new BAG was set up that consists of representatives of three NRAs – EETT, BNetzA and BiPT and three representatives of institutional nature (representative of BEREC chair, incoming Chair, and representative of EC). The MB was also informed that the current BAG Chair put forward her candidacy for chairing the group for the term of the next 3 years.</p>
Conclusion	<p>The MB took note of the documents circulated for information, provided further guidance to the Director in terms of finalization of the SPD and Budget 2023 and approved the Decision on the appointment of the BAG Chair for publication.</p>

5 Designation of Reporting Officers to appraise the Director of the BEREC Office

Document(s)	<p>MB (22) 76 Decision of the Management Board of the Agency for Support for BEREC ('the BEREC Office') on the probationary period, management trial period and annual appraisal of the Director</p> <p>MB (22) 77 Decision of the Management Board of the Agency for Support for BEREC ('the BEREC Office') on the designation of Reporting Officers to appraise the Director of the BEREC Office</p>
Introduction by	MB Chairperson (ACM)
Information presented	<p>During its 52nd Ordinary Plenary Meeting the BEREC Office Management Board (MB) adopted the final draft of a new individual staff implementing rule on the appraisal of the BEREC Office Director in order to submit it for Commission's agreement. On 11 November 2022 the BEREC Office received the Commission Decision C(2022) 8222 giving the Commission's</p>

	<p>agreement to the adoption of the new rules. As a result, the MB was asked to approve the final Decision of the Management Board of the Agency for Support for BEREC ('the BEREC Office') on the probationary period, the management trial period and the annual appraisal of the Director.</p> <p>As per the new rules governing the appraisal process of the BEREC Office Director, there should be at least two appraisers ('reporting officers') appointed for the annual appraisal of the Director. The Chair of the BEREC Office Advisory Group (BAG) and the European Commission representative at the MB shall be among the reporting officers, and other MB members can become additional reporting officers.</p> <p>In that respect a call for additional reporting officers was launched on 22 November with the deadline for applications on 29 November 2022. Two additional MB members volunteered to take on this role. In this respect the MB was asked to approve the Decision of the Management Board of the Agency for Support for BEREC ('the BEREC Office') on the designation of Reporting Officers to appraise the Director of the BEREC Office for 2022..</p>
Conclusion	The MB approved the Decisions for publication.

6 BEREC Communications activities

6.1 BEREC Communications plan 2023

Document(s)	MB (22) 78 BEREC Communications Plan 2023
Introduction by	Communications ENG Co-Chairs (MCA/ComReg)
Information presented	<p>The Communications ENG Co-chairs presented the BEREC Communications plan for 2023. They noted that there are four main work streams planned for 2023 - continuing work on the new BEREC website, the Chair's Message, promoting the topic of sustainability and continuing the 'Faces of BEREC' project. They emphasized that these activities will be taking place in addition to the day-to-day communications activities carried out by the BEREC Office Communications Team.</p> <p>Regarding the BEREC website project, the Co-chairs informed that there are three main work streams - progressing with development of the website design, creation of the website content and finally launching and promoting the new website in 2023.</p> <p>As for the 'Faces of BEREC' project, the Co-chairs noted that the first phase of the project mainly covered general, high-level information about the work of BEREC, while the second phase will be more in-depth, focusing on introduction of people behind the work of BEREC. The ENG will engage with the (new) Working Group Co-chairs in this project.</p> <p>Regarding the sustainability topic, the Co-chairs recalled that the ENG was approached by the Sustainability WG Co-chairs, asking to include the sustainability topic in BEREC communications for 2023. The Communications ENG will develop generic visual assets under the new BEREC visual identity to highlight BEREC's work on the topic, for example, to communicate environmental transparency to end-users. These assets could be used, for example, on social media. The ENG will continue to engage with the Sustainability WG Co-chairs to develop these outputs.</p> <p>In the end, the Co-chair from MCA shared her farewell words, as she is resigning from her post at the MCA and consequently leaving her role as</p>

	the ENG Co-chair. She thanked the other Co-chair from ComReg, the MB Chair and all the others who have supported the work of the ENG through this time.
Conclusion	The MB approved the document for internal use.

6.2 Message House

Document(s)	MB (22) 79 Message House 2023
Introduction by	MB Chairperson (ACM)
Information presented	<p>Together with BEREC External Communications Strategy and BEREC Communications Plan 2023, the Message House 2023 is the framework used to guide all of the BEREC communications from social media to traditional outlets in terms of messages used. It is a strategic tool that ensures all communications go in the same direction, as approved by the BEREC Chair.</p> <p>This document includes BEREC Chair's messages for 2023 that are based on BEREC Work Programme 2023 and the BEREC Chair's priorities for the particular year.</p>
Conclusion	The MB approved the document for internal use.

7 AOB

Information on the 54th MB ordinary meeting (10 March 2023, virtual meeting)

Document(s)	No document
Introduction by	MB Chairperson (ACM)
Information presented	The MB Chairperson provided information on the next virtual MB meeting.
Conclusion	The MB took note of the information.