

54th Ordinary Plenary Meeting of the BEREC Office Management Board (MB)

Hosted virtually

Conclusions

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President of the Hellenic Telecommunications
& Post Commission (EETT)

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Annex I – List of documents

Main results of the 54th BEREC Office Management Board meeting

The BEREC Office Management Board (MB) held its 54th Ordinary Plenary Meeting on 10 March 2023, virtually.

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

1 Documents approved for 'A' items:

1.1 For publication:

- MB (23) 30 Decision of the BEREC Office Management Board on the implementation of Multi-Factor Authentication for BERECnet+
- MB (23) 14 Decision of the BEREC Office Management Board on the implementation of measures of a social nature at the BEREC Office
- MB (23) 15 Decision of the BEREC Office Management Board on the Anti-fraud Strategy 2023-2025

1.2 For internal use:

- MB (23) 16 Draft Handbook for Co-Chairs

1.3 For information:

- MB (23) 29 Assessment Report for applying Multi-Factor Authentication (MFA) for accessing BERECnet+

2 Documents submitted for information:

- MB (23) 17 Draft Decision of the Management Board to establish Working Arrangements between NRAs of Albania, Bosnia & Herzegovina, Kosovo*, Montenegro, North Macedonia, Serbia, Ukraine and the Agency for Support for BEREC
- MB (23) 18 Working Arrangements concerning participation of the National Regulatory Authority of Albania in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC
- MB (23) 19 Working Arrangements concerning participation of the National Regulatory Authority of Bosnia & Herzegovina in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC
- MB (23) 20 Working Arrangements concerning participation of the National Regulatory Authority of Kosovo* in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC
- MB (23) 21 Working Arrangements concerning participation of the National Regulatory Authority of Montenegro in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

- MB (23) 22 Working Arrangements concerning participation of the National Regulatory Authority of North Macedonia in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC
- MB (23) 23 Working Arrangements concerning participation of the National Regulatory Authority of Serbia in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC
- MB (23) 24 Working Arrangements concerning participation of the National Regulatory Authority of Ukraine in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC
- MB (23) 25 Conclusions of the 1st BAG meeting
- MB (23) 26 Information on the transfers by the BEREC Office Director in the BEREC Office Budget 2022 in the period October-December 2022
- MB (23) 27 Draft BEREC Office Report on budgetary and financial management 2022
- MB (23) 28 Report on BERECNet+ user access and user management

3 Documents submitted for approval:

- MB (23) 13 Draft MB agenda

4 Next meeting

The next Ordinary Plenary Meeting of the MB will take place in a hybrid manner on **9 June 2023, in Montenegro**.

5 Follow-up actions

The follow-up actions arising from the meeting conclusions were presented in Annex I to the Conclusions.

Introduction and participation

The BEREC Office Management Board held its 54th Ordinary Plenary Meeting on 10 March 2023, virtually.

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. The 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 IV to the Conclusions.

Items discussed

A short overview of the information 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 (23) 13 Draft MB agenda
Introduction by	MB Chairperson (EETT)
Information presented	The MB Chairperson opened the meeting and presented the agenda for approval by the MB. The MB members were invited to propose any additional issues 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> MB (23) 29 Assessment Report for applying Multi-Factor Authentication (MFA) for accessing BERECnet+</p> <p><u>Approval for internal use:</u> MB (23) 16 Draft Handbook for Co-Chairs</p> <p><u>Approval for publication:</u> MB (23) 30 Draft Decision of the BEREC Office Management Board on the implementation of Multi-Factor Authentication for BERECnet+ MB (23) 14 Draft Decision of the BEREC Office Management Board on the implementation of measures of a social nature at the BEREC Office MB (23) 15 Draft Decision of the BEREC Office Management Board on the Anti-fraud Strategy 2023-2025</p>
Introduction by	MB Chairperson (EETT)

Information presented	The MB Chairperson presented the list of 'A' items, listed above. The list of 'A' items had been drawn up on the basis of the BEREC Office Advisory Group (BAG) and Contact Network (CN) comments. The MB Chairperson also drew the meeting's attention to the information documents provided by the BEREC Office. These documents were submitted alongside the 'A' items for information purposes only and did not require any action from the MB.
Conclusion	The MB approved the documents included in the 'A' items list.

3. Revision of Working Arrangements with NRAs participating in the work of BEREC and the BEREC Office

Document(s)	<p>MB (23) 17 Draft Decision of the Management Board to establish Working Arrangements between NRAs of Albania, Bosnia & Herzegovina, Kosovo*, Montenegro, North Macedonia, Serbia, Ukraine and the Agency for Support for BEREC</p> <p>MB (23) 18 Working Arrangements concerning participation of the National Regulatory Authority of Albania in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p> <p>MB (23) 19 Working Arrangements concerning participation of the National Regulatory Authority of Bosnia & Herzegovina in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p> <p>MB (23) 20 Working Arrangements concerning participation of the National Regulatory Authority of Kosovo* in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p> <p>MB (23) 21 Working Arrangements concerning participation of the National Regulatory Authority of Montenegro in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p> <p>MB (23) 22 Working Arrangements concerning participation of the National Regulatory Authority of North Macedonia in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p> <p>MB (23) 23 Working Arrangements concerning participation of the National Regulatory Authority of Serbia in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p> <p>MB (23) 24 Working Arrangements concerning participation of the National Regulatory Authority of Ukraine in the Body of European Regulators for Electronic Communications and the Agency for Support for BEREC</p>
Introduction by	MB Chairperson (EETT)
Information presented	<p>The MB Chairperson recalled that this topic had already been discussed at the Board of Regulators (BoR) session.</p> <p>He noted that, for the next steps, the WAs had to be agreed with the participating NRAs and sent to the European Commission (EC) for approval, in accordance with Article 35(1) of the BEREC Regulation.</p>
Conclusion	The MB approved the draft Working Arrangements of the Western Balkan countries for the next steps that needed to take place before their approval, publication and signature.

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

Document(s)	<p><u>For information:</u></p> <p>MB (23) 25 Conclusions of the 1st BAG meeting</p> <p>MB (23) 26 Information on the transfers by the BEREC Office Director in the BEREC Office Budget 2022 in the period October-December 2022</p> <p>MB (23) 27 Draft BEREC Office Report on budgetary and financial management 2022</p> <p>MB (23) 28 Report on BERECNet+ user access and user management</p>
Introduction by	<p>BAG Chair (BNetZA)</p> <p>BEREC Office Director</p>
Information presented	<p>The BAG Chair informed the MB about the recent BEREC Office Advisory Group activities, including the outcome of its 1st BAG Ordinary Meeting held on 9 February 2023. She briefly presented the documents listed above and the BAG opinion on them.</p> <p>The MB was updated about:</p> <ul style="list-style-type: none"> – BEREC Office operation <ul style="list-style-type: none"> • information on budgetary transfers and the report on budgetary and financial management 2022; • the budgetary procedure for 2024. <p>The BAG Chair informed the MB that a 3.6% indexation had been made concerning the 2023 BEREC Office budget, while inflation in Latvia was among the highest in the EU, reaching 20%. She noted that, while there had been no nominal cut in the budget, the available resources had become tighter. It was reported that a discussion on the allocation of resources, including identification of negative priorities, was foreseen for the MB Plenary 2/2023. It would also be preceded by discussions within BAG and the CN.</p> <ul style="list-style-type: none"> – Decision on measures of a social nature, 5-year action plan ('A' item) – Selection of the next director of the BEREC Office (a separate item on the agenda) – BEREC Office Anti-fraud Strategy for the next 3 years (approved as an 'A' item) – Working Arrangements with participating NRAs (as discussed in item 3) – Implementation of the Internal Audit Service's audit 2022 action plan (approved as 'A' items: handbook for Co-Chairs and BERECNet multi-factor authentication) <p>The Director of the BEREC Office briefed the MB about the progress achieved with regard to the BEREC Office premises. He reported that the European Parliament (EP) considered purchasing a building, which will be used for the new House of Europe and which will accommodate also the BEREC Office. In view of the forthcoming launch of the procurement respective procurement procedure the BEREC Office has been requested to up-date its programme for the offices, which will be dedicated to the Agency. The BEREC Office has taken into account in its revised programme the experience from the telework during the COVID-19 pandemic, which has proved that the BEREC Office can work with less</p>

	<p>working stations that the actual number of staff and a consequence has reduced its requirements for its own office space. According to the current EP planning the completion of this project might take two or more years.</p> <p>The BEREC Office also updated the Management Board on the situation of the consecutive BEREC Office budgets for the period 2024-2026 by presenting their lifecycle and current state.</p>
Conclusion	The MB took note of the information.

5. Oral update on the procedure for the appointment of the new Director of the BEREC Office

Document(s)	No documents.
Introduction by	BAG Chair (BNetzA)
Information presented	<p>The mandate of the current Director of the BEREC Office expired on 31 March 2024.</p> <p>It was recalled that the selection process for the new Director of the BEREC Office was governed by Article 32 of the BEREC Regulation, Article 13 of the Rules of Procedure of the Management Board, and more specifically Annex 5 thereto.</p> <p>It was recalled that on 7 March 2023 the selection panel had been established, with the MB decision made by an e-voting procedure.</p> <p>As a next step, the selection panel had to prepare the vacancy notice, which would subsequently require MB approval. The vacancy notice would then be translated into all official EU languages and published in the Official Journal.</p> <p>Concerning the integrity of the process, several measures would be put in place to avoid any future challenges with regard to the final results. The MB members and their alternates would be asked if there was a conflict of interest, in case they were interested in applying for the position themselves.</p> <p>After receiving the applications, they would be checked against the eligibility criteria and revised by the selection panel, which would invite the most eligible candidates for interviews. On the basis of these interviews, the shortlisted candidates would be invited to the MB meeting for interviews with the MB members only. A vote would be taken on the selection of the Director of the BEREC Office. The position would be given to the candidate who received at least 2/3 of the MB's votes.</p> <p>The aim was to finalise the selection procedure by P3/2023 in order to have sufficient time for the subsequent formalities and enable the successful candidate to start as of 1 April 2024.</p>
Conclusion	The MB took note of the information.

6 AOB

6.1 Information on the 55th MB ordinary meeting (9 June 2023, Montenegro)

Document(s)	No documents.
Introduction by	Representative of the host NRA (EKIP)

Information presented	The representative of the host NRA provided information on the logistics for the next 55 th MB ordinary meeting, which would take place on 9 June 2023, in Montenegro.
Conclusion	The MB took note of the information.